

RED DEVIL MINE

TRIBAL CONSULTATIONS / COMMUNITY MEETINGS

April-June, 2010

The BLM conducted nine tribal consultations/community meetings regarding the Red Devil Mine environmental projects from April 15 through June 16, 2010. Two other consultations (Crooked Creek and Tuluksak) were cancelled due to weather and subsistence activities and will be rescheduled in 2011 when results of the fish sampling effort and the Remedial Investigation Draft Work Plan become available.

Most consultations were joint meetings with traditional/IRA councils, city governments, Alaska Native corporations, and interested community organizations and residents.

<u>Date</u>	<u>Community</u>
April 28, 2010	Stony River
April 30, 2010	Red Devil
May 3, 2010	Akiak
May 4, 2010	Akiachak
May 12, 2010	Sleetmute
May 13, 2010	Lime Village
June 9, 2010	Lower Kalskag
June 11, 2010	Kwethluk
June 16, 2010	Georgetown (held in Anchorage)

The BLM also met with Kuskokwim Corporation (April 15, 2010) and Calista Corporation (April 27, 2010).

The purpose of the meetings was to ensure that communities along the Kuskokwim River are aware of the upcoming projects, seek comments and identify concerns, and learn more about subsistence activities that occur near the site.

Common themes expressed by participants during the meetings include:

- Concern about the potential effects of methyl mercury on subsistence resources (fish, caribou, moose, and berries).
- General concerns for human health and the effects of methyl mercury.
- Questions about the contaminated soil treatment plan (land spread).
- Interest in local hire opportunities during the projects.
- Interest in hearing back from the BLM about the results of the investigations.

While the level of interest and concern about the projects varied from village to village, all participants expressed a strong desire to protect the fisheries of the Kuskokwim River as a critical subsistence resource in their communities.

Attached are summaries from each of the eleven consultation meetings in alphabetical order by community.

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RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Akiachak, Alaska

Date/Time: May 4, 2010, 1:45 p.m.
Location: Youth/Elders Building, Akiachak Native Community
BLM Reps: Jim Fincher, Larry Beck, Sarah Andrew and Teresa McPherson
Attendees: Ten residents of Akiachak, including Akiachak Native Community and Akiachak, Ltd. (village corporation)

Fincher explained the BLM is conducting tribal consultation and community involvement regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Larry Beck presented an overview of the project and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

At the conclusion of the presentation, Jim Fincher turned the meeting over to Akiachak Native Community. Council members and residents shared their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- Residents asked for clarification of what Superfund listing means. Beck explained the EPA’s hazardous ranking system and the Superfund process.
- Residents asked questions about the FWS handout regarding mercury in fish, and whether higher cancer rates in the region could be related to picking berries along the Kuskokwim River.
- IRA Council member noted how long the Red Devil Mine investigation/cleanup has been going on. Beck explained that until late 80s, not a lot of attention was given to abandoned mines. Today the BLM takes action to resolve abandoned mines and address public safety issues associated with mining sites.
- Council member asked if anyone plans to reopen the mine. Beck said there was no such plan, and that mercury is no longer being mined in Alaska.

- Residents asked about the depth of mining tunnels and whether the tunnels are under the creek or under the river. Beck said the tunnels were under the creek, not the river.
- Residents asked whether any pike sampling was done near Akiachak, and said they observed changes in pike, such as sores on the fish and strange eyes, and wondered if mercury toxin could cause this. Beck explained mercury doesn't seem to harm fish outwardly, but methyl mercury poses risk to the human fetus if ingested by the mother, and that's why the Division of Public Health issued the advisory.
- Residents asked about symptoms of mercury poisoning in humans. Beck explained mercury poisoning causes harm to the central nervous system. He noted that poisoning from elemental mercury or Quicksilver is rare today.
- Residents asked how much has been spent cleaning up Red Devil Mine. Beck said BLM has spent \$6.5 million to date. The current contract to address the petroleum spill is \$1.4 million; the Remedial Investigation/Feasibility Study contract is \$1.1 million.
- A resident asked whether BLM was involved in NYAK Mine. Beck said NYAK is on Calista lands and BLM is not involved. The resident said he was concerned about chemical poisoning from NYAK.
- Another resident asked about Donlin Creek Mine. Beck said Donlin Creek Mine is on corporation lands.
- One resident said Beck's statement regarding mercury from light bulbs, electronics, and other household waste that get into groundwater "hit home" and said residents need to be careful about that kind of thing.
- Several residents said they hunt moose and caribou and harvest berries upriver of Akiachak.

Fincher said BLM would follow up with the Native Community and corporation regarding the investigation and would share the study in the spring.

The meeting concluded at 3:45 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Akiak, Alaska

Date/Time: May 3, 2010, 1:30 p.m.
Location: Akiak Community Center
BLM Reps: Jim Fincher, Larry Beck, Sarah Andrew and Teresa McPherson
Attendees: Eighteen residents of Akiak, including Akiak Native Community, the City of Akiak, and Kokarmuit Corporation

Ivan Ivan, Sr., Chief of Akiak Native Community (IRA Council), opened the meeting at 1:30 p.m. Ivan explained that BLM had approached the Native Community regarding consultation about the Red Devil Mine environmental projects. Ivan said he appreciated BLM's desire to sit down and meet with community, and asked BLM representatives to introduce themselves.

Ivan then introduced Akiak Mayor Debbie Jackson and City Council Secretary/Treasurer Ron Andrew. Next he introduced other officers and members present.

Ivan announced there would be a joint meeting of the IRA Council and the City Council following the Red Devil Mine community meeting. He asked that BLM keep the presentation brief and share meeting notes with the City Council records custodian (Teresa got contact info and will share finished notes). Ivan then turned the meeting over to BLM.

Fincher explained BLM is conducting tribal consultation and community involvement regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding location and types of subsistence use, and explained this would help BLM set parameters for the cleanup effort.

Larry Beck presented an overview of the project and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the "Guide to Eating Fish for Alaska Women and Children" (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

At the conclusion of the presentation, Jim Fincher turned the meeting back over to Akiak Native Community. Council members, village residents, and city and village corporation officials shared their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- The IRA Council asked about use of local hire during cleanup of site. Beck explained the contract contains language regarding local hire, and that this kind of work would require HAZWOPER (Hazardous Waste Operations and Emergency Response) training. The Council noted that Akiak has workers who are HAZWOPER trained. Fincher encouraged the community to contact the contractors (Marsh Creek, LLC, and Ecology & Environment, Inc.) regarding use of local residents with HAZWOPER training.

- One resident asked if BLM will sample water quality farther downstream from the mine. Beck explained naturally occurring cinnabar deposits could lead to false positives and the objective is to determine the effects of Red Devil Mine, so sampling will be limited to the river area immediately above and below Red Devil Creek.
- Ivan noted that people along the river are concerned about health issues and encouraged BLM to test other places on the river as well.
- Residents noted that fish scales and fish slime are changing and wondered if this was related to mercury contamination.
- Ivan added that residents are not only concerned about fish but also about effects to human health, and encouraged BLM to not be constrained by politics in determining the scope of testing.
- One resident asked if BLM would report back after the investigation. Beck explained BLM would share the results of the investigation and continue to consult with affected communities.
- Ivan said the community doesn't have scientists to interpret these issues, and said reading and understanding an EIS is difficult for many. He asked if BLM could involve the Yukon-Kuskokwim Health Corporation (YKHC) as an advocate for the community during the public process for the EIS. Beck explained that the CERCLA process does not require an EIS. BLM will seek involvement of all affected communities and request assistance of YKHC in communicating results and determining remedies.
- One resident asked if high concentrations of methyl mercury are found in one area, would that lead to additional sampling farther downriver. Fincher explained that a larger study beyond what is currently funded would require interagency effort to fund. If the community would like to see a large-scale study of mercury in the Kuskokwim watershed, residents might communicate that to their representatives.
- Residents asked how previous work was determined. Fincher explained BLM looked at the most obvious and immediate risks at the site and addressed those, then moved to the next level of investigation and cleanup.
- One resident felt strongly that the tailings should be treated. Beck explained the investigation would indicate what contaminants are present in the tailings and how to mitigate those contaminants.
- One resident asked if salmon would be sampled for mercury contamination. Fincher responded that salmon studies by F&G indicated salmon aren't in the river long enough to bioaccumulate methyl mercury.
- Residents reiterated they would like to see the fish study encompass areas farther downriver. One resident noted he sees set nets along the river when he goes moose hunting. Residents also reported seeing fish weirs above and below Red Devil, and asked if those areas would be sampled. Fincher said the sampling would occur from Stony River to Crooked Creek.

- A resident asked if berries would be tested for mercury. Fincher said berry testing would be addressed through the risk assessment in the Remedial Investigation / Feasibility Study, in accordance with CERCLA.
- Residents expressed support for a basin-wide investigation, and felt what happens upriver affects residents downriver.
- One tribal official asked about monitoring behavioral health for mercury effects. Fincher said the Department of Health and Human Services would receive the data from BLM's investigation. He recommended residents contact DHHS to find out if any studies of behavior issues from mercury contamination had been conducted.
- A resident said she consumes dried pike daily, sometimes twice a day, and would continue to do so.
- One elder asked to make a statement in Yupik to other elders present. She then explained residents were concerned about flooding at Red Devil and how this affects water quality downriver. Beck responded that the Village of Red Devil Village flooded last year, but the mine site is about 100 feet higher than the village; risk of the main mining area flooding is highly unlikely.
- A resident asked how rain and snow affects the stockpiled contaminated soil at Red Devil Mine. Beck explained the stockpiles were lined and covered, then sandbagged. The covers were repaired last year due to wind damage, and no erosion has occurred.
- Ivan asked about the CERCLA funding process. Fincher explained DOI has a fund for hazardous sites, and BLM sites compete for funding from this pool of funds. He added that the Secretary's Deputy (Willie Taylor, DOI Office of Environmental Policy and Compliance) was following this project closely.
- Ivan asked how long the Red Devil Mine public process was open. Fincher explained there was no comment deadline and BLM would continue to accept input and comments throughout the summer.

Ivan noted that councils normally have to seek tribal consultation with agencies, but in this case, the BLM sought out the tribe, and he said he appreciated this approach.

Fincher said BLM would follow up with the Native Community, city and corporation regarding the investigation and would share the results of the study in the spring.

The meeting concluded at 3:45 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION
Native Village of Georgetown

Date/Time: June 16, 2010, 10:30 a.m.
Location: BLM Anchorage Field Office
BLM Reps: Jim Fincher, Mike McCrum and Teresa McPherson
Attendees: Will Hartman, Georgetown Tribal Administrator
Helen Traylor, Georgetown Environmental Coordinator

After introductions, Fincher explained the BLM is conducting tribal consultation and community involvement with tribes and communities along the Kuskokwim regarding the Red Devil Mine environmental projects.

Fincher presented a short overview of the projects and provided handouts. In a discussion of the potential effects of methyl mercury on human health, BLM provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

- Traylor asked if BLM planned to do further health related studies. Fincher explained that assessing potential risks to human health is a key part of the current investigation. He also explained that BLM would seek community input on the proposed plan.
- Traylor asked if the contractor would use a liner for the contaminated soil land spread. Fincher responded that ADEC guidance does not recommend a liner for a land spread of this size and concentration, and that a liner could result in runoff or anaerobic conditions.
- Hartman expressed surprise that George River is not part of the fish tissue sampling project.
- Traylor asked when EPA would make a determination regarding National Priority Listing of the Red Devil Mine site. Fincher explained BLM is coordinating with EPA to follow the CERCLA process, and NPL listing is the EPA’s decision process.
- Traylor asked who was lead agency on the Red Devil Mine investigations. Fincher said BLM is lead and is coordinating with EPA and ADEC.
- Traylor asked when the completed RI/FS would be out. Fincher said spring 2011.
- Hartman said he would appreciate receiving electronic copies of the meeting handouts to share with Georgetown tribal members. McPherson said she would send Hartman and Traylor the handouts via e-mail. (Handouts e-mailed to Harman and Traylor on 6/18/10.)

Fincher said BLM would follow up with Georgetown and other Kuskokwim River communities regarding the Red Devil Mine projects and would invite a second consultation to share results of the investigations in the spring of 2011.

The meeting concluded at 11:45 a.m.

RED DEVIL MINE
CONSULTATION / COMMUNITY MEETING
Kwethluk, Alaska

- Date/Time:** June 11, 2010, 1:20 p.m.
- Location:** Kwethluk City Office
- BLM Reps:** Jim Fincher, Mike McCrum, Larry Beck, Sarah Andrew and Teresa McPherson
- Attendees:** Fifteen participants from Kwethluk, including the Mayor of Kwethluk, City Council members, and Kwethluk, Inc. board members, and Seth Wilson, Alaska Dept. of Fish and Game Subsistence Specialist

Kwethluk, Inc. Chairman Chariton Epchook called to order a joint meeting of the Kwethluk, Inc. Board of Directors and City Council. Kwethluk participants included:

- Chariton Epchook, Chairman of Kwethluk, Inc. Board of Directors
- Max Angellan, Kwethluk Tribal Administrator
- Lucy W. Olick, Mayor of Kwethluk
- Margaret Fitke, Kwethluk City Manager
- Several other Kwethluk participants (City Council members, IRA council members, Kwethluk Board members, and residents)

Chairman Epchook reviewed the agenda and announced that BLM would speak about the Red Devil Mine environmental projects during New Business. The Chairman called for introductions and conducted the meeting according to a prepared agenda.

During New Business, Fincher introduced BLM participants and explained BLM is conducting tribal consultation and community involvement with tribes and communities along the Kuskokwim regarding the Red Devil Mine environmental projects. He invited participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Fincher presented a short overview of the projects and provided handouts. In a discussion of the potential effects of methyl mercury on human health, BLM provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

Comments/Issues/Concerns:

- One participant said he had heard about the harmful effects of mercury and wanted to confirm that the mine was no longer operational. BLM confirmed that mercury is no longer being mined at Red Devil or anywhere in Alaska.

- Another participant asked why BLM is responsible for the cleanup. Fincher explained BLM searches for a responsible party, but if none is found, BLM must assume responsibility for abandoned mines on public lands. If the lands are selected for conveyance, then the lands must be cleaned up prior to transfer.
- A participant asked if lake pike are safer than pike from the river. Fincher said he did not know, but noted that pike move from rivers to lakes and vice versa.
- It was asked if salmon absorb mercury similar to pike. BLM explained salmon do not remain in the river as pike do and do not bioaccumulate mercury in the same way.
- Participants discussed FWS mercury studies of Yukon vs. Kuskokwim pike.
- There was discussion of pike that have been observed locally to display a luminous “glow.” Wilson from ADF&G said he had heard of this observation, but did not know of any studies or documentation.
- One resident who described himself as a lifelong hunter/trapper said he was concerned about the villages downriver of Red Devil Mine whose residents depend on the fish, including sheefish and mudsuckers: “The river is our lifeline.”
- Other participants had concerns about former mine workers who may develop mercury or contaminant related illness.
- Mayor Olick felt more studies should be done on the effects of mercury, including areas where mercury is naturally occurring. She felt behavioral health agencies do not give adequate attention to testing Native populations, and noted the increasing incidence of hyperactive disorder among Native children.
- Participants asked why earlier cleanup efforts were incomplete. Fincher explained that previous work had focused on removing the buildings, equipment, and debris, constructing the monofills, and excavating oil contaminated soil. BLM is now moving into the next level of cleanup under CERCLA.
- Some residents had noticed rotted, ulcerated areas on kings and found pus inside the fish. Fincher said this would not be due to mercury absorption, but to other disease processes.
- Residents said dried pike was part of their daily diet in Kwethluk, and they consume the livers as well.
- One participant asked if people at Red Devil are sick due to mercury. Fincher noted that Red Devil residents had mixed reactions to the cleanup and investigation, and some felt it might be best to leave the tailings and contaminated soil in place rather than stir it up. He added that the investigation would determine the best course of action for both human health and the environment.

Fincher said BLM would contact Kwethluk regarding a follow-up consultation when results of the Red Devil Mine investigations are available in the spring of 2011. The Mayor thanked BLM and noted that sometimes agencies fail to report back about findings of investigations.

The meeting concluded at 3 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Lime Village, Alaska

Date/Time: May 13, 2010, 12 p.m.
Location: Lime Village Traditional Council office
BLM Reps: Jim Fincher, Larry Beck, Sarah Andrew and Teresa McPherson
Attendees: Lime Village Traditional Council President, one tribal member, and one youth

Jim Fincher introduced BLM participants and asked Lime Village residents to introduce themselves. The Tribal Administrator BLM worked with to set up the consultation was out of town and unable to attend.

Fincher explained the BLM is conducting tribal consultation and community involvement with tribes and communities along the Kuskokwim regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Larry Beck presented a short overview of the projects and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

Participants indicated they catch and consume northern pike regularly, some quite large, from a nearby lake.

Participants were familiar with the Red Devil Mine, but had not visited the site and indicated they did not have issues or concerns about the projects. Participants also indicated they did not know of anyone traveling from Lime Village to Red Devil area to pick berries, fish, or hunt. Following the short discussion, BLM left handouts for the President to share with other tribal members.

Fincher said BLM would follow up with communities regarding the investigation and would share results of the study in the spring.

The meeting concluded at 1 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Lower Kalskag, Alaska

Date/Time: June 9, 2010, 4:15 p.m.
Location: Lower Kalskag Community Hall
BLM Reps: Jim Fincher, Larry Beck, Sarah Andrew and Teresa McPherson
Attendees: Lower Kalskag Acting President/Tribal Administrator Nastasia “Jackie” Levi, Mayor Paul Evan, Jr., and 17 Lower Kalskag city and tribal council members and residents

Mayor Evan called the meeting to order, followed by roll call of the city and tribal councils. Seven city council members and four tribal council members were present.

Jim Fincher introduced BLM participants and asked Lower Kalskag participants to introduce themselves.

Fincher explained the BLM is conducting tribal consultation and community involvement with tribes and communities along the Kuskokwim regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Larry Beck presented a short overview of the projects and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

Fincher turned the meeting back over to Mayor Evan, who opened the floor for comments and concerns.

Comments/Issues/Concerns:

- One resident asked how far downriver the fish tissue sampling would occur. Fincher said the sampling distance would encompass 118 miles and provided a map of the sampling areas.
- One resident noted that mining methods from long ago were very different from today. He noted poor safety practices for workers at the mine years ago, and was pleased this has improved at mining sites today.
- There was discussion about who the previous owners of the mine were, and why the BLM was charged with cleanup of the abandoned mine today.

- Participants were concerned about how the contractor would keep contamination from migrating downriver during the cleanup. Beck said the investigation would determine the best course of action for both human health and the environment.
- Another resident noted that nature had put the cinnabar there, and it might be best to leave it alone.
- One resident asked how Crooked Creek felt about the projects. Fincher said the Crooked Creek consultation had been rescheduled due to a death in the community.
- A resident asked why BLM had waited so long to address the Red Devil Mine site. Beck explained that Bureau direction for dealing with abandoned mine sites has changed in the last decade due to public health and safety information about contaminants.
- One participant felt cancer rates were higher among residents who had previously worked at the mine. Beck said he knew of no studies linking mercury to cancer, but other chemicals at former mine sites are known carcinogens.
- One resident expressed hope that the mine would not reopen. Beck assured participants it would not.
- There was discussion about the seep and whether chemicals from the plugged shaft were leaching into the groundwater. BLM explained that examining the seepage to determine the source would be part of the investigation.
- There was also discussion about whether methyl mercury could affect plants, such as berries.
- One resident noted the presence of “mud suckers” on the river bottom, and suggested they be tested as well.
- Residents asked if water from the tailings could affect other subsistence species, and wondered if the tailings should be fenced. Fincher explained that moose exclosures are not very effective, but this could be discussed during the feasibility study. Residents also wondered if disease in moose could be attributed to methyl mercury. Beck noted this question should be addressed by ADF&G.
- There was discussion of local hire opportunities. BLM noted the contract called for maximum local hire and use of local resources, such as equipment.

Mayor Evan urged the BLM to do the best cleanup possible given the available resources, because the community depends heavily on the river for subsistence. He also said the community wants to be kept informed throughout the projects.

Fincher said the BLM would contact Lower Kalskag regarding a follow-up consultation when results of the Red Devil Mine investigations are available in the spring of 2011.

President Levi encouraged council and community members to use the comment form BLM provided, and said residents could bring their forms to the Traditional Council who would get the forms to BLM.

The meeting concluded at 6 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Red Devil, Alaska

- Date/Time:** April 30, 2010, 3:30 p.m.
- Location:** Red Devil City Building
- BLM Reps:** Jim Fincher, Ted Murphy, Larry Beck, Sarah Andrew and Teresa McPherson, accompanied by June McAtee (Calista Corporation) and Anne Marie Palmieri (ADEC)
- Attendees:** Nine residents of Red Devil, including Tribal Council President and Red Devil Community and People, Inc. members

BLM Anchorage Field Manager Jim Fincher introduced BLM representatives and asked Red Devil residents to introduce themselves. Attendees noted above included several elders and two youth.

Fincher explained why the BLM is conducting tribal consultation and community involvement regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Larry Beck presented an overview of the project and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

At the conclusion of the presentation, Jim Fincher turned the meeting over to the Village of Red Devil. Council members and village residents shared their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- One resident had heard Red Devil Mine was on EPA’s SuperFund list and that the State had supported the listing. Palmieri said the Governor had issued a letter of non-objection (neutral stance) regarding the EPA’s proposed listing.
- Residents asked about the contract process for the work at Red Devil Mine. Beck explained that contract awards are based on best value rather than low bid. Contracts stipulate what work will be done and contractors determine how they will accomplish those tasks.
- Residents had questions regarding the landspread method of treating contaminated soil, including length of time the treatment requires and depth of spread. Beck said it would approximately 2 to 6 years and the landspread would be 1 to 2 feet in depth. He also said

wood from trees cleared for the 2-4-acre landspread would be available to residents for firewood.

- One resident asked why BLM was responsible for the cleanup of Red Devil Mine. Beck explained that BLM was charged with managing abandoned mines on public lands. Under CERCLA, BLM seeks the responsible party. If none is found, BLM must assume responsibility for the cleanup. If the lands are Native or State selected, the lands must be cleaned up prior to conveyance.
- A resident asked about EPA's role in the cleanup. Ted Murphy explained that BLM is working with EPA to follow a CERCLA process for the cleanup at Red Devil Mine.
- One resident noted that FWS data indicates that both the Yukon and Kuskokwim rivers have elevated mercury levels, while mercury was mined only on the Kuskokwim. BLM responded that's why it's important to determine what is naturally occurring, to know what role mining has on mercury levels.
- Residents said previous fish studies didn't seem to show that mercury had affected the fish that much. Another resident felt agencies should talk to local residents about health affects and stated that residents were in good health.
- One resident expressed frustration about how long the Red Devil Mine cleanup had taken and wondered if the risk of further contamination outweighed the benefits of trying to remediate the site. He felt the scope of the investigation and cleanup was excessive, that it would never be "a perfect world" at the mine.
- Residents asked how much had been spent to date to investigate and clean up Red Devil Mine. Beck said BLM had spent \$6.5 million since 1989. Residents had concerns about how much public money had been spent at the site, when the fish were not any more contaminated than other areas where no mercury mining had occurred.
- Palmieri explained that ADEC is primarily concerned about the tailings and how chemicals in the tailings could affect groundwater. A resident responded that the federal government should limit the investigation and cleanup to that area, and leave the monofills intact.
- Palmieri explained how agencies conduct risk assessment of sites such as the mine. Contamination requires a source (the mine), receptors (such as fish), and the method of ingesting (human consumption of fish). This information is used to develop risk models that help determine mitigation measures.
- One resident noted he would like to see the bridge to be placed over Red Devil Creek stay in the community, but wondered if it could be moved to Fuller Creek to improve access there. BLM responded that was not something BLM could do, but the new landowner might seek other sources of funding to relocate the bridge.
- Residents hoped the contractors would use local workers to the extent possible. Beck responded that this language is in the contract, and noted that this type of work requires HAZWOPER (Hazardous Waste Operations and Emergency Response) training. Fincher recommended residents contact the contractors (Marsh Creek, LLC, and Ecology & Environment, Inc.) regarding their interest in employment.

- Beck said a BLM subsistence specialist assisted by Sarah Andrew would like to do subsistence surveys in the village to learn what kind of subsistence use occurs in the area of the mine. That information would be used to develop risk assessments to determine what kind of remedial activities BLM may need to do at the site. He also said BLM could test residents' wells, particularly older wells, to look for metals.

(Note: The need for testing residents' wells will be determined by the RI/FS process.)

- One resident said he appreciated learning about the history of the project, but felt it could take years to complete the work based on the current plans.
- Several residents shared information about subsistence use in the area:
 - The eddy near the mine is great place to catch fish.
 - One youth said he catches Dolly Varden at Red Devil Creek.
 - Berry picking is excellent throughout the area, both blueberries and raspberries. People from Sleetmute come to the area for berries.
 - Mary Willis, President of the Village of Red Devil, said the company developing the Donlin Creek Mine had recently conducted a subsistence use survey of the area. She will provide the contact name so BLM can request a copy of the survey.

(Note: BLM obtained a copy of the subsistence survey noted above and determined that while some of the data was useful, further subsistence data may be needed for the RI/FS.)

Beck said BLM would follow up with the Village regarding the Remedial Investigation/ Feasibility Study, and would share results of the fish tissue study when available.

The meeting concluded at 5:45 p.m.

RED DEVIL MINE
TRIBAL CONSULTATION / COMMUNITY MEETING
Sleetmute, Alaska

Date/Time: May 12, 2010, 2 p.m.
Location: Sleetmute Traditional Council office
BLM Reps: Jim Fincher, Larry Beck, Sarah Andrew and Teresa McPherson
Attendees: Ten participants from Sleetmute, including Traditional Council President and Tribal Administrator

Sleetmute Traditional Council President Pete Mellick opened the meeting at 1:55 p.m. He asked BLM participants to introduce themselves. Sleetmute participants were:

- Pete Mellick, Sleetmute Traditional Council (STC) President
- Lisa Feyereisen, STC Tribal Administrator
- Kenneth Mellick, STC board member
- Taylor Hayden, STC environmental coordinator
- Marion Parrish, STC geologist
- Several Sleetmute residents

Following introductions, Tribal Administrator Lisa Feyereisen said STC had reviewed the materials they had requested and received from the BLM earlier regarding the environmental projects at Red Devil Mine. These included the Remedial Investigation/Feasibility Study (RI/FS) project management plan, the petroleum release investigation work plan for storage tank 5, and the draft soil treatment work plan. She said the Council had several questions and concerns to discuss with BLM.

Jim Fincher explained that BLM has three primary objectives in meeting with tribes and communities regarding the Red Devil Mine projects: to inform communities about the projects, learn their concerns, and hear about subsistence activities that may occur at or near the site.

Feyereisen asked BLM to briefly explain the schedule of activities planned for this year at the Red Devil Mine site, but omit the PowerPoint presentation in favor of dialog. Beck used handouts and briefly explained the environmental projects scheduled for this field season.

Participants said they knew earlier work had occurred at the site, and wondered if the current projects were a continuation of that work. Beck explained the previous work had focused on removing the buildings, equipment, and debris, constructing the monofills, and excavating oil contaminated soil. Now BLM is moving into the next level of cleanup under CERCLA, which is the Remedial Investigation/Feasibility Study, to include a fish tissue sampling study in partnership with Alaska Dept. of Fish and Game and Kuskokwim Native Association, and a separate fuel response project funded under the American Recovery and Reinvestment Act.

One participant noted that low water levels in the Kuskokwim River this year might mean the fishing will not be as good as normal.

Participants had several questions about the sampling studies, including methods and protocols. Participants also asked if the results of the investigation would be shared with communities. Beck said BLM would consult with interested tribes and communities throughout the process and share investigation results when available.

Feyereisen said the Council had contacted the EPA to request documents pertaining to the Red Devil Mine investigation, but had not been able to obtain the documents. Beck explained a Memorandum of Agreement between BLM and EPA regarding the Red Devil Mine investigation was being developed by the agencies' Washington, D.C. offices. Feyereisen said the Council would like to see the MOA when available.

Council members asked whether the BLM and EPA were in dispute regarding the cleanup at Red Devil Mine, and which agency was in charge of the investigation. BLM explained the agencies were working together to follow this CERCLA process at the site.

Council members had several questions about the landspread method of treating the stockpiled contaminated soil at Red Devil Mine.

- Participants stated there may be permafrost on the chosen hillside, and asked if permafrost slows the landspread process. Beck explained the landspread is a surface treatment that is not detrimental to permafrost, and presence of permafrost is not expected to significantly slow treatment progress.
- Participants asked why a liner would not be used for the landspread. Beck explained this is a passive system that when complete requires no further work. If a liner were used, BLM would have to disturb the area again to pull it out. Additionally, the ADEC guidance for landspread treatment does not require a liner when average concentration of oil is below 10,000mg/kg. He added that a liner can cause retention of excessive water and then create runoff or anaerobic conditions.
- Participants asked if a bulking agent such as wood chips would accelerate treatment. Beck replied that he will check into this, but believes that mixing organic material into the soil may be counter-productive. Composting process consumes large amounts of nitrogen, and the landspread treatment process needs nitrogen to effectively break down the oil.
- Participants asked why the soil would be turned only during the first weeks, and whether additional turning would be beneficial. Beck replied that tilling after most of the volatiles are gone would not significantly enhance the process. This is designed as a passive process that requires little or no attention other than periodic progress monitoring while the oil breaks down.
- Participants asked whether the use of ventilation pipes could accelerate the treatment. Beck replied that maybe the increased air supply could be beneficial, but this is not a bio-remediation cell and adding more oxygen to a landspread is not necessary. The lift (depth of spread soil) is thin enough that oxygen and aerobic activity should reach to the deepest soils.

- Participants expressed concerns about runoff from the fertilizer to be used at the site, and the potential to harm communities downriver. Beck explained that the landspread will be 150 feet from the creek, when all that is required by ADEC is to be 100 feet. BLM will look into additional measures to prevent runoff.

(Note: BLM directed the contractor to berm the landspread along the down slope side to prevent contaminated sediment and water runoff from reaching Red Devil Creek or the Kuskokwim River.)

- Participants noted that rainfall data used to develop the landspread treatment plan was based on Aniak rain data, and noted that using a combination of Aniak and McGrath data might be more accurate for Red Devil. Beck explained that the data is used for planning only, since there is no recorded data for the Red Devil area. BLM will look into additional runoff prevention measures that can be taken.
- Participants noted unusual downpours in recent years, and asked how this could affect the landspread. Beck said the site would be bermed to mitigate this issue.
- Participants noted that stockpile sampling from 2005-2006 show at least one sample where the oil concentration exceeded 10,000mg/kg, and expressed concern that these soils should not be placed in the landspread. Beck replied that the average of that sampling puts the concentration at just above 2,300mg/kg, and that after the soils are moved into the cell, spread, and tilled, there should be no concern that any of the soil will still be above 10,000mg/kg.
- Participants asked if a sprinkler system would accelerate the decomposition of the contaminants in the landspread. Beck responded that too much water could wash away the fertilizer and increase potential for runoff. This is designed to be a passive system where nature is allowed to take its course in a controlled setting.
- The Tribal Administrator noted that Bethel has issues with fecal coliform in their drinking water, and asked if application of fertilizer at the landspread could further contribute to this problem. Beck explained the landspread would be sited 150 feet from the creek to prevent runoff from entering the creek and river.
- Participants asked that BLM consider modifying the formula of the fertilizer. Beck said he would discuss the formula with the contractor.

(Note: BLM determined that the formula was consistent with ADEC and EPA standards and was appropriate for the landspread treatment method being used.)

- Participants asked if BLM would revegetate the site after the contaminated soil decomposed. Beck said the plan was to allow naturally occurring vegetation to reclaim the site. Participants asked if this could create an environment for invasive species to move in. Beck explained the contract requires the use of weed free materials and decontamination of all equipment prior to arrival at the site.
- Participants expressed concerns about wind erosion and the potential for wind to spread fertilized contaminated soil. Beck said he would consult the contractor regarding this question to determine appropriate counter-measures to prevent this from happening.

(Note: BLM directed the contractor to hydro-seed with certified weed-free grass to reduce the potential for wind erosion.)

- Participants asked if Superfund dollars could be used to remove the soil by barge, instead of treating on site. Beck explained that BLM cannot obtain Superfund dollars.
- Participants asked about local hire opportunities, and expressed support for both tribal and Native preference. BLM explained the contract contains language regarding local hire, and noted workers must be HAZWOPER trained. Participants said the village has individuals with this training. BLM encouraged the village to contact the contractors regarding job opportunities.
- BLM noted that the 2010 field work will employ approximately ten individuals, most of whom will be technicians with specialized skills. However remediation actions that may be necessary in future years could provide opportunities. That would give the Council time to train additional residents in HAZWOPER and other necessary skills.

The Tribal Administrator said the Council would like consultation at the draft stage of the feasibility study. Fincher said BLM will offer another consultation opportunity at that time. Feyereisen said this was a lot of information for the Council to digest, given that the land at Red Devil Mine would one day be conveyed to Sleetmute. She said the Council would like the most aggressive cleanup possible. Fincher said BLM would communicate with the contractor regarding some of the concerns expressed about the landspread treatment, and these concerns could result in modifications to the process (see highlighted notes above).

Feyereisen said the village was seeking a grant for groundwater surveys, and it would be helpful if their environmental coordinator could shadow the contractor during the soil and water sampling at Red Devil Mine. Fincher said BLM would look into whether this was feasible for this circumstance.

Fincher commended the Council for taking the time to engage and understand the projects at Red Devil Mine, and said BLM would respond via letter to the suggestions and recommendations made by Council members during the consultation. (Note: BLM sent Sleetmute Traditional Council a follow-up letter on May 21, 2010, addressing the questions raised during consultation and outlining modifications to the landspread treatment plan as a result. BLM also invited the Council to coordinate a site visit during the planned fieldwork.)

Feyereisen noted that Sleetmute and Lime Village were tied for the lowest per capita income along the Kuskokwim, so understanding and protecting their subsistence resources was vital. The President noted the importance of conserving roadless, peaceful places like Sleetmute as the true Last Frontiers of Alaska.

The Tribal administrator commended the BLM for the respectful letter the BLM sent them inviting consultation at a date and time acceptable to the Council, and noted that sometimes agencies err in their approaches to setting up consultations.

The Council President asked if Sleetmute TC could assist in requesting funding for the Red Devil Mine cleanup. Fincher explained that agencies cannot lobby for funds or request the assistance of others in doing so.

Larry Beck asked President Mellick if he had any family photos of the Red Devil Mine in operation (Mellick is the son of the mine's former owner), in particular the 1956 retort building and the floatation process, and said these could help BLM understand the site better.

Two residents of Sleetmute indicated they pick berries along the north facing hillsides from east of the mine site to behind Red Devil Village.

The meeting concluded at 5 p.m.

RED DEVIL MINE
CONSULTATION / COMMUNITY MEETING
Stony River, Alaska

Date/Time: April 28, 2010, 2 p.m.
Location: Stony River Traditional Council
BLM Reps: Jim Fincher, Larry Beck and Teresa McPherson
Attendees: Ten Stony River residents, including two Traditional Council officers

BLM Anchorage Field Manager Jim Fincher introduced BLM representatives and asked Stony River residents to introduce themselves. Attendees included two Traditional Council officers and eight other residents, including three elders and three youth. (The current population of Stony River is 52, according to the Traditional Council.)

Fincher explained why the BLM is conducting tribal consultation and community involvement regarding the Red Devil Mine environmental projects. He also asked participants to share information regarding locations and types of subsistence use, and explained this would help the BLM set parameters for the cleanup effort.

Larry Beck presented an overview of the project and provided handouts. In a discussion of the potential effects of methyl mercury on human health, Beck provided copies of the “Guide to Eating Fish for Alaska Women and Children” (AK Division of Public Health) and a handout from the FWS regarding mercury in northern pike.

At the conclusion of the presentation, Jim Fincher turned the meeting over to the Traditional Council. Council members and village residents shared their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- One elder said he had worked at the Red Devil Mine years earlier, and added personal insights during the meeting.
- Traditional Council Vice President Mary Willis said she recently attended a meeting of the Yukon Kuskokwim Health Corporation and learned that cancer rates in the region are among the highest in the state. She was concerned about the reasons for the incidence.
- Participants asked if there would be follow-up communication with the villages after the fish sampling study was completed. Fincher said the BLM would continue government-to-government consultation with interested villages, and that results of the study would be published and made widely available.

- One resident shared that she fishes for pike and salmon at Stony River and Moose Creek. The largest pike is caught at a small lake above Stony River. The majority of the pike is eaten fresh; a smaller portion is preserved.
- Another resident said he catches pike year round in Stony River to feed his dogs. He said most residents catch pike for dog food due to the strong flavor.
- One elder said the BLM is doing a good job keeping them informed about the project. Participants expressed appreciation for BLM coming out to meet with the Council about the cleanup and fish studies.
- One resident inquired about job opportunities during the cleanup.

The meeting concluded at 4 p.m.

RED DEVIL MINE
CONSULTATION MEETING
Calista Corporation

Date/Time: April 27, 2010, 2 p.m.
Location: Calista Corporation, Anchorage
BLM Reps: Jim Fincher, Larry Beck and Teresa McPherson
Attendees: Calista Corporation Executive VP/COO Christine Klein, Lands President June McAtee, geologist Jeff Foley, and Michele Pearson (GIS)

Calista Corporation is one of 13 regional corporations established under the Alaska Native Claims Settlement Act (ANCSA). The lands at Red Devil Mine are selected for conveyance to The Kuskokwim Corporation (surface estate) and Calista Corporation (subsurface estate).

Jim Fincher thanked Calista for meeting with the BLM and explained the Red Devil Mine is one of the BLM's highest priorities nationally. The BLM's objectives in conducting tribal consultations and community meetings is to share information about the Red Devil Mine environmental projects and learn how these activities may affect rural lifestyles and subsistence uses.

The BLM would also like to learn more about Calista's long-term plans for the area, since that could factor into the feasibility portion of the Remedial Investigation/Feasibility Study.

Larry Beck presented an overview of the project and provided handouts. At the conclusion of the presentation, Jim Fincher turned the meeting over to Calista to share their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- Participants asked why EPA considered Superfund listing for Red Devil Mine. BLM explained this was due to groundwater sampling and the results of fish tissue studies by FWS. More fish sampling is planned for this summer. Participants asked which streams would be tested; Fincher said the BLM would provide that information via a map.
- Participants asked why the BLM was doing community involvement in communities beyond the Red Devil area. Fincher explained CERCLA requires broad community participation.
- Participants inquired who the contractors are for both the RI/FS and petroleum response project. Participants encouraged BLM and our contractors to use local drillers. Beck noted the contract has language to use local resources wherever possible.
- Calista asked for a list of locations where the BLM will hold consultation/community meetings. Fincher said BLM would provide the schedule of meetings and invited June

McAtee (BLM RAC member) to accompany BLM to community meetings if her schedule allowed.

- Participants asked about funding levels for the Red Devil Mine projects. BLM explained funding process.
- Fincher noted that BLM won't continue work on the Bering Sea/Western Interior land use plan this year due to funding, but will complete the Analysis of Management Situation (AMS) already underway. McAtee expressed disappointment that the BSWI planning effort was delayed, that it's difficult to be among the last region and then learn that funding is an issue.
- Fincher invited Calista to write a letter to the BLM to document their input and concerns about the RDM investigation/cleanup, and what their long-term plans are for the site.
- McAtee said Calista doesn't envision anyone living at the site. She also expressed concern that the Red Devil investigation might negatively affect Calista's interest in developing the lands in the future.
- Calista was concerned about the potential for villages to become alarmed as they learn more about the investigation at Red Devil Mine. Participants asked that BLM explain in community meetings that mercury is naturally occurring in many areas, that even early Russian explorers noted the presence of cinnabar in this area prior to any mining. Participants advised BLM to explain that "poor past practices" occurred at Red Devil, and today's development practices are quite different. They urged caution that this issue doesn't become a "lightning rod" for other development.
- Klein said the BLM presentation is somewhat lengthy and technical, and could confuse or alarm some residents. Foley stressed that it's important that people understand the toxicology, so they don't experience undue alarm.
- Calista expressed interest in receiving a summary of the comments from community meetings during the public process, and would like to be kept informed so they can respond to shareholder calls during the months ahead. (Note: BLM provided summaries of the meetings to June McAtee on Aug. 9, 2010.)

Beck said he'd appreciate any older photos of Red Devil and Kolmakof Mine to help us understand what the operations entailed. One participant noted that Nixie (sp?) Mellick was the son of the original owner/operator and might have archives.

The meeting concluded at 4 p.m.

RED DEVIL MINE
CONSULTATION MEETING
The Kuskokwim Corporation

Date/Time: April 15, 2010, 1 p.m.
Location: The Kuskokwim Corporation, Anchorage
BLM Reps: Jim Fincher, Steve Fusilier, Larry Beck, and Sarah Andrew
Attendees: Nine Kuskokwim Corp. participants, including Land Manager/COO Rachel Klein, the Corporation Attorney, and five TKC Lands Board members

The Kuskokwim Corporation was formed in 1977 when ten Alaska Native Claims Settlement Act (ANCSA) village corporations along the middle region of the Kuskokwim River merged. The lands at Red Devil Mine are selected for conveyance to The Kuskokwim Corporation (surface estate) and Calista Corporation (subsurface estate).

Jim Fincher thanked The Kuskokwim Corporation (TKC) for meeting with the BLM and explained the Red Devil Mine is one of the BLM's highest priorities nationally. The BLM's objectives in conducting tribal consultations and community meetings is to share information about the Red Devil Mine environmental projects and learn how these activities may affect rural lifestyles and subsistence uses.

The BLM would also like to learn more about TKC's long-term plans for the area, since that could factor into the feasibility portion of the Remedial Investigation/Feasibility Study (RI/FS).

Larry Beck presented an overview of the project and provided handouts. At the conclusion of the presentation, Jim Fincher turned the meeting over to TKC to share their perspectives and concerns about the Red Devil Mine projects.

Comments/Issues/Concerns:

- One participant asked why the BLM was conducting the RI/FS now when so much other cleanup work has been done at the site in the past. BLM responded that data collected in recent years resulted in EPA proposing that the site be listed on the National Priorities List (Superfund site). The proposed listing requires the BLM to conduct additional investigation of the site.
- Participants asked about the location of mining tunnels at the Red Devil Mine, and what contaminants occur in the creek discharges near the mine. BLM explained that some tunneling was up to 600 feet deep and the flooded underground works may allow contaminated water to come to the surface.
- Participants were concerned about arsenic levels in village drinking water, and the carcinogenic effects of arsenic. Some felt cancer is on the rise among village elders.

- Participants wondered if BLM would check for other contaminants in the Kuskokwim River, and were concerned about the effects of sewage dumping in villages.
- One participant inquired whether disturbing contaminated soils at Red Devil Mine during investigation and cleanup could cause further contamination of the area by allowing contaminants to enter the river.
- Participants suggested BLM meet with other organizations as well, such as the Kuskokwim Watershed Council. BLM stated we were keeping the Watershed Council and other non-tribal entities informed via informational mailings.
- Participants noted that berry picking used to occur in the area, and that some residents are concerned about contamination of subsistence resources such as berries in the area.
- Participants provided the names of residents who might have historical photos of the Red Devil Mine that might be useful to the BLM during the investigation/cleanup (Bob Olsen of Aniak and Sinca Sakar of Chuathbaluk).

The meeting concluded at 3 p.m.