

PHIL WEISER
Attorney General
NATALIE HANLON LEH
Chief Deputy Attorney General
SHANNON STEVENSON
Solicitor General
TANJA WHEELER
Associate Chief Deputy Attorney
General



RALPH L. CARR
COLORADO JUDICIAL CENTER
1300 Broadway, 10th Floor
Denver, Colorado 80203
Phone (720) 508-6000

**STATE OF COLORADO
DEPARTMENT OF LAW**

AGENDA

Colorado Natural Resources Trustees Meeting

May 13, 2026, 8:30 am to 10:30 am

Location:

**Ralph L. Carr Judicial Center, 2 East 14th Avenue, Denver, Colorado
Room 1F**

Note: Please arrive a few minutes early to go through security.

**Note: A hyperlink to a Microsoft Teams meeting will be posted
on the Trustee website:**

[Colorado Natural Resources Trustees Upcoming Meetings](#)

Open Session

1. Approve Agenda - 1 minute
2. Approval of Minutes from February 10, 2026 Meeting - 1 minute

Action Item:

Review and approve minutes from February 10, 2026 meeting

Document:

(1) Draft minutes from February 10, 2026 meeting

3. Budgets Update - (Jennifer Talbert) - 1 minute

Action Items: None

Document:

(1) Budget Spreadsheet

4. Recent Investigations - (Ashley Rust) - 10 minutes

Action Items: None

Documents: None

5. Standard Metals - Gossan Restoration Project - (Jason King, Jennifer Talbert) - 5 minutes

Action Item:

(1) Approve or deny request to extend expired 2022 project approval

Documents:

(1) Memo from Jennifer Talbert

(2) Original Trustee resolution from 2022

(3) Draft Resolution to extend project approval

6. Rocky Mountain Arsenal Closeout Presentation from Bluff Lake Nature Center (David Banas, Jennifer Talbert, Rachel Hutchens) - 15 minutes

Action Items: None

Documents: None

Executive Session

7. Home Lake State Wildlife Area - (Shelley Hickerson, Lauren Bonura, Ashley Rust) - 5 minutes

Action Items: None

Documents: None

8. Bishop Well/Galeton - (Shelley Hickerson, Lauren Bonura, Ashley Rust) - 5 minutes

Action Items: None

Documents: None

9. Gunnison River Train Derailment - (Jason King, Lauren Bonura, Ashley Rust) - 5 minutes

Action Items: None

Documents: None

10. Douglas Creek - (Jonathan Lubrano, Lauren Bonura, Ashley Rust) - 5 minutes

Action Items: None

Documents: None

11. Pueblo Oil Spill - (Jonathan Lubrano, Lauren Bonura, Ashley Rust) - 5 minutes

Action Items: None

Documents: None

Open Session

12. Report from Executive Session - (Lukas Staks) - 1 minute

Action Items: None

Documents: None

13. Shattuck Chemical and Denver Radium Superfund Site Video - (Jennifer Talbert) - 15 minutes

Action Items: None

Documents: None

ITEM #2

Colorado Natural Resource Damages Trustees
Meeting Minutes
February 10, 2026
(Approved _____)

Attendance

Trustees

Tanja Wheeler, Associate Chief Deputy Attorney General
Dan Gibbs, Executive Director, Colorado Department of Natural Resources (DNR)
Tracie White, Hazardous Materials and Waste Management Division Director, Colorado
Department of Public Health and Environment (CDPHE)

Trustee Staff

Lukas Staks, Senior Assistant Attorney General, Office of the Attorney General,
Natural Resources and Environment Section (NRE)
David Kreutzer, First Assistant Attorney General, NRE
David Banas, Senior Assistant Attorney General, NRE
Jason King, Senior Assistant Attorney General, NRE
Shelley Hickerson, Assistant Attorney General, NRE
Jonathon Lubrano, Assistant Attorney General, NRE
Jennifer Talbert, Remediation Program Manager, CDPHE
Mark Rudolph, Superfund/Brownfields Unit Manager, CDPHE
Lauren Bonura, Project Manager, CDPHE
Maura McGovern, Water Resources Section Manager, DNR
Mindi May, Water Quality Program Coordinator, DNR
Ashley Rust, Water Quality Monitoring and Assessment Specialist, DNR

Other State Staff

Laura Kelly, Senior Paralegal, NRE
April Polinauskas, Administrative Assistant, NRE

Fellows and Interns

Cameron Bonnell, AGO NRE Fellow
Radhika Kattula, AGO Criminal Appeals Fellow
Katherine Wynn, AGO Criminal Appeals Fellow
Nathanial Behl, NRE Intern
Taylor Schultz, DNR Intern

Public

Toby Mourning, Durango Fish Hatchery, Colorado Parks & Wildlife (CPW)
Dayna Kranker, Mayor of Silverton
Lucy Mulvihill/Steve Mead/Elizabeth Stuffings, Town of Silverton
David Heinze, Ramboll Engineering & Consulting
William Tookey, San Juan County
Sensa Wolcott, Animas Watershed Partnership
Jake Kurzweil/Scott Roberts, Mountain Studies Institute
Trent Bailey, Denver Parks and Recreation
Mike Carney/Katherina Diemer, U.S. Department of Interior (DOI)

Open Session

Trustee Wheeler called the Trustee Meeting to order at approximately 10:00 a.m. on February 10, 2026 (held in the Carr Building and via Teams). The meeting's purpose was to brief the Trustees on the current status of issues relating to natural resource restoration projects, and to request direction and/or approval for various actions.

Agenda

Trustee White moved to approve the Agenda. Trustee Gibbs seconded the motion, and the motion was unanimously approved.

Minutes

Trustee Wheeler presented the minutes from the November 18, 2025, Trustee Meeting. Trustee Gibbs moved to approve November 18, 2025, minutes. Trustee White seconded the motion, and the motion was unanimously approved.

Budgets Update

Jennifer Talbert presented the Budgets Update noting the change from automatic interest to "interest if available." There were no questions or concerns.

Bonita Peak Mining District (BPMD) - Five Project Proposals

Jason King reminded the Trustees that the State settled NRD claims against various parties at the BPMD superfund site, and that the BPMD NRD Fund contains approximately \$6,900,000, of which the Trustees offered \$3,500,000 in the initial solicitation for project proposals. He stated that Trustee staff received and reviewed five project proposals and recommended funding approval for all five projects. Mr. King introduced project proponents who gave detailed presentations of each proposal:

1. Dayna Kranker/Jake Kurzweil/David Heinze, Town of Silverton's Animas River Corridor Project (requesting \$1,720,000). Trustee Gibbs asked for clarification regarding modifications or re-routing of meanders. Trustee Wheeler asked about whether the projects are coordinating with each other and whether there are backup plans for funding tied to federal sources. Mayor Kranker responded that there is the potential for phased approaches, and Mr. King stated that the resolutions give the proponents five years to enter into a contract. Mark Rudolph added that the project proponents collaborated so their projects complimented each other and the amounts requested stayed within the range of the solicitation.
2. Toby Mourning, CPW's Durango Fish Hatchery Packed Columns - Water Treatment Project (requesting \$350,000). There were no questions.
3. William Tookey, San Juan County's Animas River Preservation and Access Project (requesting \$150,000). Trustee Wheeler inquired about whether the properties to be acquired are privately owned. Mayor Kranker expressed the Town of Silverton's support for the County's project.

5. Sensa Wolcott, San Juan Resource Conservation and Development Council's Animas River Valley Bank Stabilization Project (requesting \$900,000). There were no questions.
6. Jake Kurzweil, Mountain Studies Institute's Upper Animas Wetland and Stream Restoration Project (requesting \$364,210). There were no questions.

Trustee White moved that the Trustees approve all five resolutions awarding BPMD NRD funds to the projects as presented. Trustee Gibbs seconded the motion, and the motion was unanimously approved.

Rocky Mountain Arsenal (RMA) - Sand Creek Project Closeout Presentation

Jennifer Talbert introduced Trent Bailey of Denver Parks and Recreation who gave a detailed presentation about the completed Sand Creek Habitat Restoration Project funded by the RMA Recovery Fund. The project focused on increased habitat and increased species diversity.

Recent Investigations

Mindi May reported on two recent investigations which will likely be pursued for NRD damages in cooperation with federal partners:

1. Gunnison River Train Derailment - On December 3, 2026, a Union Pacific (UP) train derailed south of Grand Junction which landed two locomotives and five coal cars in the Gunnison River releasing coal and 9,000 gallons of diesel. CPW collected samples that documented the presence of hydrocarbons downstream of the site, and collected fish tissues to test for chronic impacts. There was no fish kill, but there were decreases in algae and macroinvertebrates downstream of the site. DOI is leading the investigation because this spill occurred on BLM land.
2. Douglas Creek Oil Spill - On January 5, 2026, a tanker truck hit a patch of ice and slid off the highway near Douglas Pass between Grand Junction and Rangely spilling 9,250 gallons of crude oil, 25 gallons of lubrication oil, and 200 gallons of diesel into West Douglas Creek. An earthen dam was constructed about $\frac{3}{4}$ of a mile downstream of the crash site to contain the spill. There was no fish kill, likely because the stream is intermittent and no fish were present at the time. EPA is overseeing the cleanup, which is going slowly due to cold temperatures and difficult conditions. This spill also occurred on BLM land, so the federal government is taking the lead.
3. Mike Carney of DOI added that the State and DOI are working on a model for federal and state agencies to work together to leverage technical and administrative resources, and that this spill is an interesting opportunity to build a response settlement that includes restoration. David Banas noted that State Trustee staff has been working on how to address small spills and this model would decrease the State's administrative burden.

Gunnison River Train Derailment

Following up on Mindi May's report about the Gunnison River train derailment, Jason King explained that, under the Oil Pollution Act and DOI's Regulations, staff finished the pre-assessment phase and determined that, because the oil release caused damages to both State and federal natural resources, there is jurisdiction to go forward with a NRD assessment. Prior to issuing a notice of intent to go forward with a NRD assessment, staff will inform UP's counsel and find out whether UP wants to participate in a cooperative assessment. Additionally, Mr. King noted that the State-Federal MOU requires a resolution to formalize the Trustees' relationship with their federal counterparts in forming a Trustee Council. Trustee Gibbs moved to authorize Trustee staff to sign a resolution for the Trustees to join the federal/State Trustee Council. Trustee White seconded the motion, and the motion was unanimously approved.

Additional Agenda Item - Letter of Support for Trust for Land Restoration

Jennifer Talbert explained that the Trust for Land Restoration requested a letter of support from the Trustees for their application for matching funds from Great Outdoors Colorado for its Silver Mountain Mine Acquisition Project. The Trustees agreed that the Trustee Representatives for each agency sign such a letter of support.

Executive Session

Senior AAG Lukas Staks recommended the Trustees make a motion to go into Executive Session to consider Agenda Item #8 concerning the Home Lake State Wildlife Area, Agenda Item #9 concerning the Bishop Well/Galeton matter, and Agenda Item #10 concerning annual Trustee training. He stated the Trustees are authorized to enter Executive Session pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II) and other laws that allow the Trustees to enter Executive Session for specific purposes. At approximately 11:30 a.m., Trustee Gibbs moved to begin an Executive Session to discuss Agenda Items #8 and #9, and to undergo annual Trustee training. Trustee White seconded the motion, and the motion was unanimously approved.

Open Session

At approximately 12:00 p.m., Trustee Wheeler stated that the Trustees had concluded Executive Session, discussion between the Trustees and their staff and legal counsel was limited to privileged attorney-client communication about Agenda Item #8 concerning the Home Lake State Wildlife Area, Agenda Item #9 concerning the Bishop Well/Galeton matter, and Agenda Item #10 concerning annual Trustee training. This communication was separately recorded. The discussion during Executive Session was limited to those items and no formal action was taken.

The final Agenda Item concerning the Shattuck Chemical and Denver Radium Superfund Site Video was tabled for a future Trustee meeting. At 12:05 p.m., Trustee Wheeler adjourned the meeting.

ITEM #3

NRD Matter	Bonita Peak	California Gulch	Fountain Creek	Idarado	Lowry	N. St. Vrain
Total Settlement	\$6,600,000.00	\$10,000,000.00	\$345,000.00	\$1,000,000.00	\$1,606,930.00	\$245,305.00
Total NRD dollars spent	\$88,343.50	\$15,680,566.72	\$0.00	\$1,561,412.98	\$1,877,827.27	\$0.00
Account Balance 4/24/2026	\$6,878,220.31	\$3,688,328.97	\$391,905.94	\$219,362.96	\$227,896.30	\$261,484.78
Most recent TT Resolution Date	2/10/2026	11/14/2023	4/23/2019	11/14/2024	8/14/2023	NONE
Current Trustee awarded amount	\$3,500,000.00	\$3,953,875.00	\$389,638.01	\$218,746.75	\$675,000.00	\$250,000.00
Contract Encumbrances	\$0.00	\$3,367,118.63	\$391,905.94	\$219,362.96	\$179,578.75	\$250,000.00
Ending balance	\$6,878,220.31	\$321,210.34	\$0.00	\$0.00	\$48,317.55	\$11,484.78
Type of Restriction	Restoration Plan required	Follow State and USFWS Restoration Plans	None	None	Groundwater nexus to the South Platte	None
Remaining funds available	\$239K from Blue Tee will be added from the HSRF in Phase 2.	Remaining funds available	No remaining funds available	Interest, if available, to TLR, no remaining funds available.	Interest, if available, to USFWS, no remaining funds available.	Interest, if available, to Watershed Center, no remaining funds available
Update	Restoration Plan complete, Phase 1 funds awarded and awaiting contracts.	All SPP projects are under contract and underway	Chilcott Diversion project ongoing	Silver Mountain Mine acquisition underway	Restoration by USFWS underway	Contractis finalized and project ready for implementation

NRD Matter	RMA Recovery Fund	RMA Found- ation Fund	Standard Metals	Summitville	Uravan	Vail /Gore Creek
Total Settlement amount	\$17,400,000.00	\$10,000,000.00	\$415,368.00	\$5,000,000.00	\$1,000,000.00	\$248,660.00
Total NRD dollars spent	\$13,695,157.95	\$9,438,632.03	\$0.00	\$51,517,209.81	\$1,232,092.60	\$36,204.24
Account Balance 4/24/2026	\$7,281,734.65	\$1,298,340.94	\$499,920.05	\$252,984.70	\$159,139.78	\$222,113.96
Most recent TT Resolution Date	2/11/2025	2/11/2025	12/9/2022	1/21/2021	3/24/2021	NONE
Current Trustee awarded amount	\$7,981,622.04	\$1,504,791.97	\$230,000.00	\$1,171,620.00	\$270,000.00	\$250,000.00
Contract Encumbrances	\$7,235,959.73	\$564,791.97	\$0.00	\$218,669.55	\$159,139.78	\$220,802.76
Ending Balance	\$45,774.92	\$733,548.97	\$499,920.05	\$34,315.15	\$0.00	\$1,311.20
Type of Restriction	None	None	None	Money (plus interest) must be spent in Alamosa River Watershed	None	None
Remaining funds available	All funds awarded, interest to be allocated if available, no remaining funds available	All funds awarded, interest to be allocated if available, no remaining funds available	\$230K awarded; remaining funds for Silverton	Interest, if available, to TU, no remaining funds available	No remaining available funds	Interest, if available, to TU, no remaining funds available
Update	Contractis finalized and project ready for implementation	Bluff Lake and Montbello contracts underway	Gossan Creek Project delayed - waiting on FS NEPA - remaining funds for BPMD	10-year contract for the In Stream Flow Project finalized and project underway	WEEDC Restoration projects underway. DRMS starting restoration this summer	Restoration is underway

ITEM #4
NO
DOCUMENTS

ITEM #5



Memorandum

To: Colorado Natural Resources Trustees
From: Jennifer Talbert, HMWMD Remediation Program Manager, NRD Coordinator
Date: April 29, 2026
RE: Gossan Restoration project extension

Background

The State settled natural resource damage (“NRD”) claims against the Standard Metals Company and its insurers for \$460,000 under various settlement agreements. Those settlements resolved NRD claims at the Standard Mine superfund site near Crested Butte and the Bonita Peak Mining District near Silverton. On June 30, 2021, the Trustees apportioned \$230,000 of the Standard Metals settlement funds for NRD restoration projects in the Upper Gunnison River Basin near the town of Crested Butte. Trustees’ staff initiated a Solicitation for Project Proposals (“SFPP”) on November 1, 2021. Trustees’ staff received one project proposal in response to the SFPP from the Coal Creek Watershed Coalition (“CCWC”) requesting the full \$230,000 to restore a 19-acre portion of the Keystone Mine Site damaged by a forest fire in 1978. This is a mixed ownership site, where Mount Emmons Mining Company and the U.S. Forest Service (“USFS”) are both landowners. Before implementation of the project, the USFS must conduct a National Environmental Policy Act (“NEPA”) analysis to consider the potential environmental impacts from the Gossan Restoration project. On December 9, 2022, the trustees awarded \$230,000 to fund the Gossan Restoration project, which required the CCWC to enter into a contract with CDPHE before December 9, 2025.

Update

The Coal Creek Watershed Coalition requested to obtain the required NEPA analysis before entering into a contract with CDPHE. Unfortunately, the USFS periodically delayed the environmental assessment; first, because USFS resources were stressed responding to the Lowline fire that ignited in Gunnison from a lightning strike in July 2023, and then due to a reduced workforce and budget constraints on the agency. The community strongly supports this project, and the Coal Creek Watershed Coalition believes this environmental assessment will be completed in the next twelve months. However, these USFS delays resulted in the proponent’s inability to meet the five-year timeframe to enter into contact with CDPHE, which expired on December 9, 2025. Accordingly, due to these significant delays outside of the proponents’ control, additional time is necessary to enter into contract with CDPHE.

Recommendation for Action

The Trustee staff recommends extending the deadline to contract with CDPHE until December 31, 2031.

Attachments

Trustee Resolution 2022-12-09-01
Draft Resolution for the extension of the Gossan Restoration Project



**COLORADO NATURAL RESOURCES TRUSTEES
DECEMBER 9, 2022 RESOLUTION
CONCERNING STANDARD METALS NRD FUNDS AND
THE GOSSAN RESTORATION PROJECT**

WHEREAS, the Colorado Natural Resources Trustees (“Trustees”) are responsible for the management and direction of Colorado’s natural resource damages (“NRD”) program;

WHEREAS, the Trustees are responsible for administering State funds to restore, replace or acquire the equivalent of injured natural resources;

WHEREAS, the Trustees entered into various settlement agreements with the Standard Metals Corporation and its insurers resolving NRD claims at the Standard Mine superfund site near Crested Butte, Colorado, and the Bonita Peak Mining District near Silverton, Colorado;

WHEREAS, those settlement agreements yielded \$460,000 in funds for NRD restoration projects (“Standard Metals NRD Fund”), of which the Trustees apportioned \$230,000 for projects near Crested Butte on June 30, 2021;

WHEREAS, the Coal Creek Watershed Coalition (“CCWC”) submitted the Gossan Restoration Project proposal dated April 1, 2022, and a revised proposal dated October 17, 2022, requesting the full \$230,000 apportionment from the Standard Metals NRD Fund to restore a 19-acre portion of the Keystone Mine Site (“Site”) damaged by a forest fire in 1978 (“Proposed Project”);

WHEREAS, the Proposed Project will improve water quality and aquatic, forest and wetland habitat by re-establishing native vegetation, reducing erosion and decreasing metals-laden water run-off;

WHEREAS, the Site is partially owned by the Mount Emmons Mining Company, and the United States Forest Service (“USFS”); and

WHEREAS, the USFS will assess the potential environmental impacts of the Proposed Project and the proposed land exchange pursuant to the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* (“NEPA”), including impacts to the “fen” geologic feature located adjacent to the Site.

NOW THEREFORE, the Colorado Natural Resources Trustees resolve as follows:

The Trustees do hereby approve the release of \$230,000 from the Standard Metals NRD Fund to be applied towards the Gossan Restoration Project as described in the Proposed Project and subject to the following conditions:

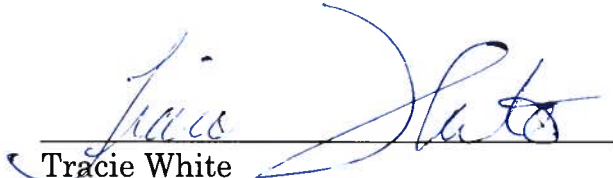
- 1) Release of the Funds is contingent upon:
 - a. CCWC contributing and obtaining sufficient matching funds as described in the Proposal, which may be obtained through other state or federal grant programs, or otherwise;
 - b. CCWC complying with all laws and regulations, including but not limited to: State and Federal laws; local regulations and ordinances; permitting and zoning requirements; water rights requirements; and any necessary water quality discharge permits;
 - c. A conservation easement being placed on the Proposed Project property as described in Exhibit D of the proposal; and
 - d. The USFS finding no significant impacts will result from the Proposed Project under NEPA, including impacts to the fen.

- 2) In order to use the Funds, CCWC must enter into a contract with CDPHE, consistent with this resolution, no later than December 9, 2025. Funds will remain available from CDPHE through the term of the CDPHE contract.



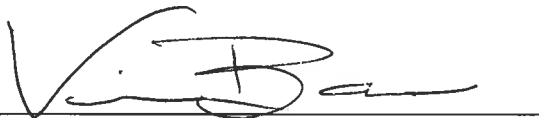
Phil Weiser
Colorado Attorney General

December 9, 2022



Tracie White
Director of Hazardous Materials and Waste Management Division
Trustee-Designate for Trisha Oeth
Director of Environmental Health and Protection
Colorado Department of Public Health and Environment

December 9, 2022



Ginny Brannon
Director of Division of Reclamation, Mining & Safety
Trustee-Designate for Dan Gibbs
Executive Director of Colorado Department of Natural Resources

December 9, 2022

**Colorado Natural Resources Trustees Resolution of
May 13, 2026 Concerning Standard Metals Funds for the
Gossan Restoration Project**

Whereas,

- 1) The Colorado Natural Resources Trustees (Trustees) are responsible for the management and direction of Colorado’s natural resource damages program;
- 2) The Trustees are responsible for administering State funds to restore, replace or acquire the equivalent of injured natural resources;
- 3) Trustee Resolution 2022-12-09-01 previously awarded \$230,000 from the Standard Metals NRD Fund to the Coal Creek Watershed Coalition (CCWC) for the Gossan Restoration project;
- 4) The Trustee Resolution 2022-12-09-01 requires the United States Forest Service (USFS) to assess the potential environmental impacts of the Gossan Restoration project and proposed land exchange pursuant to the National Environmental Policy Act, and to determine that there will be no significant impacts from the proposed project; and
- 5) The Trustee Resolution 2022-12-09-01 required CCWC to enter into a contract with CDPHE before December 9, 2025; and
- 6) Due to circumstances outside of CCWC's control, the USFS has been unable to complete the environmental assessment, which means CCWC needs additional time to enter into the contract with the CDPHE.

Now Therefore,

The Colorado Natural Resource Trustees do hereby approve an extension for the Coal Creek Watershed Coalition to enter into a contract with CDPHE, consistent with Trustee Resolution 2022-12-19-01, no later than May 12, 2031.

Signatures

Phil Weiser
Attorney General

Date

Jill Hunsaker Ryan
Executive Director, CDPHE

Date

Dan Gibbs
Executive Director, DNR

Date

ITEM #6-13
NO
DOCUMENTS