

Testimony of Andrew Corra, Owner, 4Corners Riversports, Durango, Colorado, Regarding “The Significant Costs and Related Burdens for Small Business Resulting from the Gold King Mine Wastewater Spill near Silverton, Colorado”, Senate Committee on Small Business and Entrepreneurship, October 1st, 2015

Good morning Chairman Vitter, Ranking Member Shaheen and Members of the Committee.

My name is Andy Corra, and I own 4Corners Riversports in Durango, Colorado, a brick-and-mortar and online sporting goods retail store, paddle school for kids and adults, and sister commercial rafting company, 4Corners Whitewater. We have been in business for over 35 years and are a true family owned enterprise. Starting in a garage in 1980, we have grown into our current river front location and become a fixture in the community, with over 50 employees in the summer months.

The Day the Gold King Mine Spill Passed through Durango

Durango is a true river town with the Animas flowing directly through the length of the city. The river is in many ways the heart and soul of the community. I first received word that the spill’s plume was coming from some kayaking customers who found themselves in the orange water on an upper section of the river. Word spread quickly through the boating community, and by late afternoon people were gathering on the Animas River Trail to see the mine waste come through town. By evening, as the plume entered the city limits, hundreds were gathered along the banks. It had the feeling of a funeral. It was a personal blow, like witnessing a family member being abused. There was a lot of anguish, sadness, and more than a few tears that night. It exposed what we had all been downplaying or outright ignoring in the Animas River. It was a graphic example to all that our river was not well. For those of us in the boating community it was a reminder of what lurks in the water daily. For the more casual users, it was a wake-up call to the ongoing pollution problems in the drainage.

Community Investments in Durango’s River and Recreation Economy

Durango has invested in making ours a great place to live. We see how this attracts small businesses, entrepreneurs, professionals and creative thinkers, all which contribute to building and sustaining our strong economy. This makes businesses like mine possible. Durango's newly completed Whitewater Park, with nearly 3 million dollars of in-stream and landscaping improvements; our seven mile long (and growing) Animas River Trail; the river put-ins and riverfront parks, are all examples of these community investments. And they pay dividends. In 2008 a city commissioned economic impact study, showed that the river and river related businesses contributed 19.2 million annually to the local economy. That number has only increased since. This study, and the Park itself, grew from the city’s process of obtaining a Recreational In-Channel Diversion, or RICD, which guarantees water will flow through our community, on a junior water-right basis, in perpetuity. Durango recognizes the importance of water in the river and has

paid significantly to secure this.

Citizens of Durango recently passed an extension of our ½ cent sales tax through the year 2039. The ballot question asked voters to continue funding the Animas River Trail, river front parks, and other recreational facilities. The measure passed with 69.5% of the vote! This is a testament to our community's commitment to our river, river trail, and recreation. Clean water in the Animas is essential to the success of these investments.

Immediate Economic Impacts of the Gold King Mine Spill

2015 was shaping up as a great season with visitors exceeding pre-recession numbers, hotels full and outfitters busy. In the river business, we're used to seasonality, bad water years, rainy days with cancellations. We usually have some foresight for droughts, low tourist numbers and the like. We can cut back inventories, hire fewer guides, order less equipment. But this year, with one month left in the season, we were all going full speed- then, BOOM! The river was closed! It remained closed for eight days, but the fear and uncertainty meant our season was effectively over. That last month is usually when lines-of-credit are paid back, when most of the gear is paid for, that month where we hope to make a little money to see us through the winter. It was gone. No chance to plan, just gone.

Losses to 4Corners Whitewater, our rafting sister company, are calculated at just over \$19,000; 4Corners Riversports Paddle School's losses at \$8,200; Paddle Board and Kayak rental losses at \$3,800; retail store losses are harder to calculate, but our brick-and-mortar store went from up 9.8% YTD through August 5th, to down 23% August 6th through present. The owner of the largest rafting/outfitting business in town, Mild to Wild, shared with me that his business lost \$100,000 in the eight days of river closure (based on previous year sales), and was down 50% for the remainder of August after the river opened.

Beyond the losses to business owners, hundreds of river guides, paddle instructors, bus drivers, reservation and scheduling folks, were out of work, creating immediate hardships, and the wages they would have earned did not cycle through our local economy.

Harder to calculate are the future opportunities that will never be as our river and our town received media attention of a magnitude and story we never wished for. Many locals are wary of the river now, some down right scared. What the rest of the world perceives and how it affects those who planned, or might one day consider visiting our town, is what concerns me most. I trust that the individuals who lost their jobs, outfitters who lost their season, irrigators who lost their crops, and all who felt financial pain from the spill are made whole. Senator Bennet's Bill, "Gold King Mine Spill Recovery Act of 2015" does much to address the losses, and I'm confident that between our local communities, our State, and you, our federal representatives, those injured will be compensated.

Long Term Affects of the Spill and Continuing Pollution

My greater concern is that we address the problems created from our region's mining legacy. Mine pollution is not new to the Animas River but has been occurring for well over 100 years. While the Gold King blowout was spectacular, releasing an estimated 3 million gallons of heavy metal tainted water in a matter of hours, prior to the blowout it was leaking an estimated 200 – 500 gallons per minute. Other mines in the area contribute over 6 million additional gallons per week- 330 million gallons a year! While the spill was unacceptable, it represents but a weeks worth of “normal” drainage. That is where our outrage and energy should be directed.

This is the ticking time bomb that hangs over our heads, the one that makes us hesitant to invest in the future of our river economy. And the impacts go well beyond Durango. Many communities depend on this water. Directly below the town of Silverton, through miles of incredible wilderness, much of the river is dead with no aquatic life, no bugs and no fish. When the river spills from the mountains to the rich Animas Valley above Durango, farmers and ranchers use the water for crops and livestock, and to replenish their wells. Durango uses it for municipal, industrial, and recreational purposes. Downstream, Aztec, Bloomfield, and Farmington, NM use it for the same, as do the Southern Utes and Navajo Nation, before it enters the San Juan River, Lake Powell, and eventually Grand Canyon. This waterway, the lifeblood for so many, deserves to have its headwaters cleaned up once and for all.

Long Term Solutions

While the EPA should be, and is, taking responsibility for the disaster, our energy is wasted in anger at the firefighters who were tasked with managing a large and out of control fire with a garden hose. This spill makes clear that a piecemeal approach is no longer acceptable. The ongoing polluted drainage, the threat of future, potentially bigger blowouts that WILL occur, the exposed waste piles that leach into the watershed with each spring melt, summer shower, and fall flood. These are the composite-web of issues that require a comprehensive solution. Good Samaritan legislation like that presented in the last Congress by the bipartisan coalition of Congressmen Bennet, Tipton, and Udall, should be adopted; the 143 year old 1872 mining law should be reformed and brought in line with other extraction industries to help hold perpetrators responsible and fund future cleanups; stakeholders with local knowledge and expertise should be consulted and partnered with. But these measures alone are not enough. The long standing, ongoing, complicated problem of mine waste and wastewater in the Upper Animas Basin requires a multi-faceted, long term, well-funded approach that only the Federal Government can offer. I appreciate the work of Senators Gardner and Bennet encouraging the EPA to build a wastewater treatment plant in Cement Creek- it should be funded. This tributary is a significant contributor to the problem and treating this water an important first step. But know that it is only that- a first step. The Federal Government has worked with other communities in Colorado to clean up mine related pollution, such as the Arkansas River headwaters in Leadville. We need this for our

river. No other entity but the EPA has the experience, the technical expertise, or the funding mechanism, to tackle a problem this complex. Adding the Upper Animas Basin's offending mines and mine waste tailings dumps to the EPA's Superfund National Priorities List is a clear path forward in addressing this long term water pollution with real solutions.

In conclusion, Durango and communities from the basin's headwaters in Silverton, Colorado to those in New Mexico and beyond, depend on Animas River water for drinking, irrigating, industry and recreation. The ongoing pollution that enters these waters everyday, along with likely periodic major releases, threatens our communities' health and livelihoods. While supporting an all-of-the-above approach to cleaning up mine waste, only with the full effort and comprehensive approach of the EPA can these problems be addressed permanently.

I appreciate your consideration of my statements and for the opportunity to present them to you today.