



Hummingbird

Family Resources, Inc.

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December 6, 2004

Letter, printed photos and CD of complete photo collection from 11/24 and 11/27/04, sent to US EPA District 9, CA EPA Lahontan Water Quality Protection District, BLM Shoshone Ranger Pat Shields, CA Dept. of Fish and Game, Inyo County Fifth District Supervisor Elect Richard Cervantes

Dear EPA staff:

I am writing to bring to your attention a series of incidents of pollution of the wetlands in Tecopa, California. California Land Management (CLM) took over management of the Inyo County Tecopa Hot Springs and Campground on October first of this year with a ten year lease.

On November 15, we receive a concerned email message from long-time RVers Donna and Al Ellis that read in part: *"I just wanted to tell you something that friends of ours witnessed last weekend. They had bathed at the baths, and were sitting there watching one of the CLM guys spray painting the metal ends of the benches with green enamel. Then, while they sat and watched, as the CLM guy finished the bench, he took the entire rest of the can of green enamel, and walked over and poured it down the drain in front of the baths, which drains into Grimshaw!!!! They were horrified, and I can't seem to forget it, either..."*

I was very busy and did not have time to investigate immediately. On November 24, my tenant, John Stevens, stopped by to observe the drain in question and found that it was entirely covered with layers of all the colors of paint used on the renovated bath houses, parking barriers, and outdoor furniture. John has experience doing investigative photography for attorneys, and so was very thorough in establishing the location of the drain, documenting his own presence with his license plate and the drain in the same image, etc. He took a number of photos of the paint-covered drain, from every angle.

When I received digital copies of the photos that afternoon, I published the email and photos on the Hot Springs website, and sent them to the Inyo County Administrator and Fifth District Supervisor Elect, CLM, the local press and to our email Pledge List. Many people responded with concerned letters to CLM and to Inyo County Administration, some of which I have copies of. The Thanksgiving holiday immediately followed.

On Saturday, November 27, while driving by the Hot Springs, I observed that the grate had been removed from the drain, which was cordoned off with sawhorses. I informed John, and he returned to document this. He found a CLM employee using a steel brush and a power washer on the drain grate, vigorously removing the paint. He also documented that the contaminated water was washing right back down the hill into the drain to the wetlands again. Several CLM staff stood outside the office watching him, and ducked back inside every time the camera swung their way. By physical description, it sounded like Red Wood, regional manager, was one of them.

On Monday, November 29th, CLM staff were visible around the office, but both our local reporter and onsite county staff informed me that CLM was not returning their calls.

On Friday, December 3, an article by Robin Flinchum appeared in the Pahrump Valley Times, describing the charges and photographs of paint pollution. See <http://www.pahrumpvalleytimes.com/2004/12/03/news/tecopa.html> It goes on, "...but California Land Management officials say the incident was isolated and a mistake... Wood said that, after finishing work painting one of the Tecopa bathhouses, a company employee cleaned his brushes and rollers in a can of water. Then, he made a "less than wise decision" and dumped that water down the runoff drain."

An honest mistake is one thing, but a policy of coverup is something else entirely. At this point, I decided we must report this problem to the authorities. We can no longer give CLM leeway to do the right thing. There is clearly a coordinated coverup by both local and regional CLM staff. Senior CLM staff were informed of the facts by email on 11/24, with photos. Our website included additional details and photos, and in the article, Wood said he reviewed it. They chose to not respond to anyone until the evidence had been disposed of, in their presence, as John Stevens has stated. They then lied to the county, the press, and the local citizenry. Since the eyewitness account clearly states that the employee was using a sprayer and poured paint itself down the drain, any tales of brush-washing water would be additional incidents of pollution. Furthermore, numerous colors of paint, green, red and blue, were layered over each other, not the residue from a single can of dirty water. From visual observation of the painting progress, this probably involved weeks of cumulative pollution incidents.

We are asking you to look into this matter further, and to advise us on what we can do to protect our habitat. Most citizens opposed the CLM takeover because of their reputation at other sites, and now our worst fears are confirmed. The Tecopa Hot Springs is a very precious resource that has been protected by those who use it since time immemorial.

Sincerely,

Jennifer Olaranna Viereck
Director