

MEETING MINUTES
Technical Leadership Group (TLG) Meeting
July 7, 2011, 9:30 a.m. – 12:15 p.m.
Centennial Distributing Company (Conference Room)
701 W. Buckles Ave., Hayden, ID

Attendees:

Rebecca Stevens, CDA Tribe	Dave George, WA Dept. of Ecology
Mike Stevenson, BLM	Jan Olsen, IDEQ
Anne Dailey, EPA	Andy Mork, IDEQ
Miles Benker, IDFG	Jerry Boyd, CCC Chair
Bill Adams, EPA	Claire Pitner, USFS
Sandra Raskell, CDA Tribe	Terry Harris, KEA
Terry Harwood, BEIPC	Ed Moreen, EPA
Brian Spears, USFWS	Randy Connolly, Spokane Tribe
Carol Young, EPA	Bonnie Douglas, Citizen
Rusty Sheppard, Kootenai County TLG Rep.	Jeri DeLange, BEIPC (Note-Taker)
Bill Rust, Shoshone County TLG Rep.	

This summary provides the salient issues. These notes are intended to capture key topics, conclusions, and next steps and not the nuances of the discussion.

Call to Order/Introductions: The TLG Chair, Ms. Rebecca Stevens, called the meeting to order at 9:37 a.m., followed by self-introductions.

Approval of Draft TLG Conference Call/Meeting Minutes of April 13, 2011: Ms. Stevens asked if there were any changes or corrections to the draft April 13th TLG meeting minutes. A motion was made by Mr. Bill Rust to approve the minutes as written. The motion was seconded by Mr. Rusty Sheppard and approved.

BEIPC Executive Director Update: Mr. Terry Harwood gave an update on Basin activities. Property remediation work began in the Lower Basin the first part of the year. Due to the weather, they did cleanup actions on right-of-ways and driveways as he needed dry materials to place at the East Mission Flats (EMF) repository. To date, 53 properties have been completed. He thinks that they will only be able to complete 250 properties this year, but indicated that some of the rural parcels are quite large. Approximately 1,610 loads of waste material have been hauled to EMF. At the Big Creek Repository (BCR), approximately 3,106 loads have been hauled (about 24,000 cubic yards). After they finish construction work on the north expansion, they will move to EMF for the rest of the summer.

Regarding remedy protection, Mr. Harwood said that there will be an item in the ROD Amendment. EPA is doing a study and 14 projects have already been identified. He conveyed that Ms. Anne McCauley (EPA) is heading a team looking at side drainages and there will also be a program to deal with erosion or deposition of material for a 50-year flood. They are looking at replacing some of the culverts, cleaning out creek bottoms, and various types of related work. They hope to have a list of proposed projects completed in the next few

months to present to local officials. Tributary projects will not be identified until after the ROD Amendment is issued, but there will be a placeholder.

For roads, Mr. Harwood noted that they are not in the ROD Amendment, but they are included in the OU-3 ROD. He has been working with Mr. Bill Ryan (EPA) on this issue as some of the road surfaces in the Basin serve as a barrier to the contamination in the sub grade. Otherwise, contaminated material may be exposed to the public. The road program is divided into two categories: 1) paved; and 2) gravel/dirt roads. The program does not include Forest Service roads, etc., only the roads that belong to local jurisdictions. They will start sampling next week. If the shoulders of paved roads have already been sampled and found to be contaminated, then they will assume the paved road underneath is dirty. The local road jurisdiction will do the road work for paved roads. He explained that an account will be created for funding and the road jurisdictions will need to request funding like a grant process. They will develop a list of the roads that are contaminated with a total amount of funding set up for each area that they cannot exceed. Each jurisdiction will be responsible for the funding they receive, and there will be no additional funding. The sampling and remediation for gravel/dirt roads will be done under the property remediation program.

For informational purposes, Mr. Harwood said that some Lower Basin citizens, the EPA and IDEQ have been working to figure out a way to enhance the citizen input process. There have been some collaboratives throughout the country such as the Owyhee Initiative, etc., dealing with various issues. The agencies (IDEQ and EPA) working with these folks want to run it through the auspices of the CCC and asked him how to do it. He said that one way would be to run it through the protocols of the CCC regarding Special Interest Groups or SIGs that deal with special issues. He has been working on a process with Jerry Boyd and some of the commissioners. Right now, the Counties are reviewing the draft protocol changes to the CCC. If everyone agrees to the changes in the language, then Mr. Harwood will send it to the CCC. He would ask that everyone on the CCC vote on the protocol changes, so that there will be input for all of the CCC members. If the CCC is in support of the process, then it can be presented to the Basin Commissioners at the next meeting. Only the BEIPC can approve protocol changes to the TLG and CCC. Mr. Harwood thinks that the group (i.e. Lower Basin Collaborative) will be providing an explanation paper to include in front of the draft protocol changes.

TLG Discussion on Lower Basin Collaborative: Ms. Bonnie Douglas suggested to Mr. Boyd that if CCC members want to vote absentee, or be anonymous for their input on the protocol changes, there should be the same level of anonymity at the upcoming CCC meeting. Mr. Boyd responded that having anonymity is a problem because only the CCC members can vote, so they need to work through a process. Mr. Harwood suggested that he would take care of that.

Mr. Rust asked if the Lower Basin Collaborative had any more meetings. Mr. Harwood said that they had one more, but that the group cannot be part of the CCC until the Basin Commission votes. Mr. Rust mentioned that a group is public if it invites everyone to come, but it's not a public group if it excludes people. Ms. Stevens said that the group wanted to first make sure that everything is in order and organized before extending invitations to others to attend.

Mr. Rust commented that he has a problem with agencies organizing everything and it being presented as a public outreach group when the public has not been involved. Ms. Stevens said that they are just figuring out strategy before bringing people to the table.

Mr. Rusty Sheppard inquired about what the process would be in the CCC for the collaborative. Mr. Harwood answered that the collaborative could fall under the SIGs if the protocol changes are approved.

Mr. Rust stated that he wanted to go on the record as objecting to the Lower Basin Collaborative. In the past, there was a citizens group in Rose Lake that had active participation. Then the State passed a law and told the former citizens group to go away because they were forming the CCC. Now, they are doing the same thing again. He suggested to the Lower Basin Collaborative that when politics change, the agencies will ignore everything and start a new group.

Ms. Douglas asked if there was public record from the previous group. Mr. Rust said that IDEQ should have the records for the Citizens Advisory Committee (CAC). Ms. Stevens suggested that for the sake of time, to have Ms. Susan Mitchell make another presentation to the Basin Commission at the next meeting. If the Lower Basin Collaborative is a new avenue for public participation, and if folks are not going to the CCC meetings, then this may be a new way.

ROD Amendment Update: Ms. Anne Dailey informed everyone that she will be going to Washington D.C. on August 11th on a special detail for about a year. EPA will be selecting a replacement for her position after she leaves. She then provided an update on the ROD Amendment work pertaining to mine site characterization, South Fork bio-stabilization, aquatic benchmarks, and potential adjustments to the cleanup plan in response to some of the comments received. One adjustment is eliminating the proposed stream liner, but this may result in an interim ROD rather than a final ROD. They are working on defining areas of strong consensus for cleanup such as key mine and mill sites. This includes: 1) identifying other projects with active facilities, and how Hecla ties in as well; 2) sites with some work performed (contingent actions); and 3) sites with risk, but in cleaner drainages. They are also hopefully adjusting the cleanup list with sampling results and may be potentially taking some sites off. For aquatic benchmarks, they are working with the Natural Resource Trustees to identify measurable responses between biological metrics in relationship to water quality, sediment, and habitat.

In June, EPA went on a field visit to look at areas of concern for the proposed South Fork Coeur d'Alene River bank bio-stabilization projects with Bill Rust, Mike Stevenson, and others. EPA will be making some adjustments to address designs and localized conditions. They also anticipate some changes in the feasibility study and final cleanup plan. Ms. Dailey noted that there are limits to what EPA can do in terms of flood control as some issues overlap.

Coeur d'Alene (CDA) Work Trust: Mr. Bill Adams provided an update on the activities of the CDA Work Trust which was set up with the funding from the Asarco settlement. This year's work includes construction of the remedy at the U.S. Bureau of Mines site in Osburn and characterization of mine/mill sites in the East Fork of Ninemile Creek. They are also looking at several locations for repositories in that area. The Trust will provide an update at the August

BEIPC meeting. Mr. Harwood brought up that they have to develop the work plans for the Trust by November of this year for the 2012 BEIPC work plan.

Regarding the Hecla consent decree, Mr. Adams said that the 30-day comment period is underway. The proposed settlement will provide \$263 million over several years. It includes protocols for working with the mining companies and a process to coordinate opportunities to work together on roads, etc., in mining areas. The settlement also carves out the Lucky Friday complex from the Superfund cleanup. Hecla is still responsible for all the requirements for the tailings ponds, etc. EPA is starting to coordinate with Hecla for work at the Hecla Star Complex in Canyon Creek. While Hecla is doing exploration work, it's likely in the next year that EPA will be doing characterization work in coordination with whatever Hecla's expansion plans are.

EMF Contaminant Containment Summary: Mr. Andy Mork made a presentation about contaminant containment at the EMF repository and sediment control work. As EMF is in the floodplain, they are aware that water enters and leaves the site. In the design work, they did modeling for anticipated flooding and armored the repository with rip rap to protect it. The site is also surrounded by a silt fence to contain any runoff. Storage of waste material does not increase the water level in the flooded area. Mr. Ed Moreen commented that some people may get confused that the water is going into the repository, but it's not. Mr. Mork then explained the EMF flood flow model, so that people would understand the hydrology of the area. He showed slides that depicted water flowing through the culverts into EMF. Mr. Harwood pointed out that basically the same thing happened at Rose Lake when the water backed up.

Mr. Mork said that it's important to note that EMF is constructed on a contaminated floodplain. Prior to placing waste at EMF, the average lead level there was 3,000 to 4,000 ppm. In addition, all of the water going down the Coeur d'Alene River carries a high level of contaminated sediment. He showed the flood deposition model and provided data on floodwater at EMF. Sampling shows that lead levels are much lower flowing out of EMF than going in. Zinc levels also show the same.

Break

Medimont Boat Launch Rehabilitation Project: Ms. Claire Pitner (USFS) made a presentation on the Medimont Boat Launch Rehabilitation Project. She indicated that the Medimont recreation site along the Coeur d'Alene River has a popular boat launch, but the boat ramp is deteriorating. The area is also heavily contaminated with sediments each year during flooding. The proposed project will be dependent upon funding sources for implementation. Work would include widening the access road into the site and paving it in order to deal with contaminated sediment issues each year. Improvements are also planned for the parking lot that would allow trailers with boats to unload as the current site has a steep ramp now.

Mr. Harwood commented that it's a good idea to establish clean oasis in the Basin where people may recreate since you cannot clean up the whole Basin. Ms. Stevens suggested to the TLG whether they would like to take a vote to recommend the project to the BEIPC to look into possible funding opportunities. Ms. Pitner added that there is a lot of potential for sites like this

and that the USFS plans to utilize some Avista funding for maintenance at the site. Mr. Rust made a motion to recommend that the Basin Commission investigates various funding opportunities among the various agencies to do this project. The motion was seconded by Mr. Dave George and approved. Ms. Pitner will make a presentation to the BEIPC at the August meeting.

Lake Management Plan (LMP) Update: Ms. Stevens provided an update on the LMP. New monitoring equipment (i.e. data logger attached to a buoy) is being deployed at station C5 on the Lake and sampling data will be taken every two hours. IDEQ just installed a new weather station at Camp Cross, so now they have more localized weather data. The Tribe has two on the southern portion of the Lake. In exchange for IDEQ being able to install the weather station at Camp Cross, the State and Tribe have created a Lake water quality curriculum for the camp counselors to introduce to the campers throughout the summer. They also provided equipment for the students to do some water sampling. Last week, she and Mr. Glen Rothrock (IDEQ) made a presentation to the Coeur d'Alene Chamber of Commerce Leadership Coeur d'Alene class on the LMP. They will continue to work on LMP outreach activities within the community and update the Lake*A*Syst materials.

Other TLG Discussion: The next TLG meeting will be tentatively scheduled for October 6th.

Adjourn: There being no further business, Ms. Stevens adjourned the meeting. She encouraged everyone to attend the Basin Information Forum (BIF) scheduled for 1:30 p.m. in the afternoon session.