

Basin Environmental Improvement Project Commission
2/16/05 Meeting

Kootenai County Administration Building
451 Government Way, Coeur d'Alene, Idaho

Attendees:

Commissioners Present:

Mr. Jack Buell
Mr. Rick Currie
Mr. Curt Fransen (Alternate for State of Idaho)
Mr. Ron Kreizenbeck
Mr. Jon Cantamessa (Alternate for Shoshone County)
Mr. Chief Allan (Alternate for Tribe)
Mr. James McCurdy (Acting Chair)
Mr. Terry Harwood (Executive Director)

Commissioners Absent:

Ms. Sherry Krulitz (Chair)
Ms. Toni Hardesty
Mr. Chuck Matheson

Staff Present:

Mr. John Roland
Mr. Philip Cerna
Mr. Ed Moreen
Mr. Rob Hanson
Mr. Dave George
Ms. Jeri DeLange

At 9:33 a.m. the meeting began.

1) Call to Order and Minutes: The Executive Director, Mr. Terry Harwood, welcomed everyone and introduced the Basin Commissioners, Alternates and Staff. It was noted that Commissioner Kreizenbeck would arrive later in the meeting due to travel complications. The meeting was then called to order by Commissioner Jim McCurdy, Acting Chair for Commissioner Sherry Krulitz who was unable to attend. The November 10, 2004 minutes were corrected as follows: The Pinehurst Inflow/Infiltration project (listed on the last page of the minutes) should be listed as "Pinehurst Flood Impact Study." Commissioner Buell made a motion to approve the minutes as corrected, Commissioner Currie seconded the motion. The motion passed unanimously.

2) Nominations and Election of Officers: Commissioner Buell made a motion to nominate the following slate of officers: Chair-Commissioner Krulitz; Vice Chair-Commissioner Currie; Secretary/Treasurer-Commissioner McCurdy. The motion was seconded by Commissioner Cantamessa. Another motion was made by Commissioner Allan to nominate the following:

Chair-Commissioner McCurdy; Vice Chair-Commissioner Krulitz; Secretary/Treasurer-Commissioner Buell. The motion failed for lack of a second.

Commissioner Allan then made a motion to delay the voting for officers so that Commissioner Kreizenbeck would have time to arrive and be able to participate. The motion was seconded by Commissioner Fransen and approved. The agenda was also modified to move Commissioner Kreizenbeck's presentation until later in the meeting.

3) Workshop Action Items: The Executive Director, Terry Harwood, reported on the action items developed at the workshop held on January 19. The items are as follows:

- Sources of funding available for use in the Basin and what coordination there is among agencies. Consider having a Funding Project Focus Team (PFT) headed by the Executive Director.
- Approaches for making the Commission and its committees operate or conduct work more effectively and efficiently.
- Approaches for helping the BEIPC be a positive force in the cleanup and helping local communities move forward through and beyond the cleanup.
- How to improve lines of communication.
- Funding for the Chair of the TLG membership and grant funding.
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- Examine TLG representation and voting procedures.
- Include representatives of specific political entities, cities, etc. in PFT's when they have a stake in the issues under discussion.
- Develop a process to review the Basin Commission's Five-Year Plan.

One of the funding issues of the cleanup work in the Basin is that people are focused on the human health remedies and are not as concerned about the ecological remedies. Mr. Harwood mentioned that it is important to seek funding opportunities for both components as funding for the Basin cleanup work is very tight.

4) Meeting Protocols: A list of protocols for BEIPC meetings was developed by the Executive Director for the Board's approval to help keep the meetings flowing smoothly, prevent the difficulties encountered by adding last minute items to the agenda, and allow enough time to provide the meeting packets to the Basin Commissioners as required. The proposed protocols are as follows:

BEIPC Meeting Protocols

- Parties requesting a scheduled time slot on meeting agendas shall discuss the request with the Executive Director a minimum of three weeks prior to the meeting date.
- Parties requesting a specific time slot for inclusion in the agenda shall forward a written proposal for the item to the Executive Director by e-mail a minimum of two and one half weeks prior to the meeting date.

- Parties making presentations needing overhead equipment, utilizing PowerPoint or other projection presentations shall furnish their own equipment. Projection screens shall be provided by the BEIPC at meeting locations.
- Early in the agenda for all regularly scheduled BEIPC meetings, an open public comment and presentation period shall be set aside for any member of the public to make comments and presentations concerning the Basin. Each presenter shall have a maximum of two minutes to comment or make a presentation. These presentation times will be monitored by the Executive Director. Presenters shall be recognized by the Chair of BEIPC prior to speaking. If a presenter needs more time, they shall make arrangements with the Executive Director for a scheduled time slot on the agenda.
- Issues requiring BEIPC discussion and voting such as programs of work, five year work plans, annual work plans, and budget and funding issues shall be presented to the BEIPC for consideration with a period of time set aside for public comment prior to the final vote on each such issue. The public comment time slot will be managed as outlined above.

After discussion, Commissioner Curt Fransen made a motion to adopt the list with the following changes: 1) Rename BEIPC Meeting Protocols to “BEIPC Meeting Guidelines”; 2) Under bullet #3 of the hand-out, change two minutes to three minutes for each presenter during public comment; 3) Provide direction to the Executive Director to allow him the discretion and flexibility to vary from the guidelines when it appears to be in the best interest of the Basin Commission. The motion was seconded by Commissioner Currie and approved.

Commissioner Ron Kreizenbeck commented on the Basin Commission and the way the organization has functioned in the past. In order for the system to work, it requires that everybody work within the protocols of the work group. He explained how other technical and citizen advisory groups at Superfund sites in other locations work in a collaborative manner.

5) Role of Executive Director: Commissioner Kreizenbeck reported on the role of the Executive Director which was discussed at the January 19 workshop. He mentioned that Commissioner Sherry Krulitz was going to give the presentation, but she asked him to fill in for her in her absence. The critical roles of the function of the Executive Director are:

- Collaborate and act as a liaison with the advisory groups and Chairs of the TLG (Technical Leadership Group) and CCC (Citizen’s Coordinating Council) to develop the Five-Year and annual work plans, but not direct them;
- Maintain frequent, open, fair, and timely communication and information sharing with the Commission, advisory groups, and stakeholders throughout the Basin (in which he mentioned the Executive Director is already off to a good start);
- Track effectiveness of remediation activities in the Basin;
- Facilitate reporting of status and progress on the Lake Management Plan and implementation as deemed appropriate by the Tribe and State;
- Identify and pursue grants and other forms of funding;
- Administer BEIPC business affairs;
- Provide administrative support for BEIPC and its overall deliberations;
- Coordinate and maintain website;
- Prepare annual reports; and

- Administer grants on behalf of the Commission.

Upon review of the presentation, Commissioner Kreizenbeck mentioned that the position description for the Executive Director was more that of a Project Manager, rather than a liaison role. He felt that the description should be modified to reflect what the Basin Commission's expectations are.

Commissioner Kreizenbeck also commented on the Basin Commission and the fact that there has been criticism of the way the organization has functioned in the past. He is confident we can do better than we have in the past to make it work, but it requires everyone to work within the protocols of the work group. The way the whole system is supposed to function is by going through the protocols to have technical people comment on technical work in the TLG and issues for the citizen's group going through the CCC. He believes the Commission members are on a better footing, and now with having an Executive Director, he is confident this process will work.

6) Staff Update: Mr. John Roland of the State of Washington reported that he will be moving on to other assignments in Washington and discussed his work in the Basin during the last six years. He then introduced his replacement to the BEIPC Staff, Mr. Dave George. Commissioner McCurdy recognized and thanked Mr. Roland on behalf of the Commission. He also thanked all of the others within the Staff and TLG for the countless hours of service to the Commission and appreciation for all of their work on the various projects.

Break

7) Lake and River Model Updates: Mr. Paul Woods and Mr. Steve Lipscomb of the USGS discussed the two models currently being worked on for Phases I and II of the CWA (Clean Water Act) projects. Once the models are calibrated, they can simulate and address potential solutions for sediment transport, bank stabilization, flood control, extreme events (50 or 100 yr. floods), river characteristics, natural recovery, etc.

8) Public Comment: Ms. Toni Hardy, citizen, discussed Commissioner Kreizenbeck's comment on groups functioning all over the nation that include technical (TLG), citizen (CCC), and policy board components. She personally questions where else a State legislature's attempt to have the State in charge of a Superfund site is actually happening. The process in her mind is not functioning here.

Mr. Jim Hollingsworth, Lands Council, commented that he wanted to pass out a copy of the Memorandum of Agreement (MOA) between EPA and the State of Washington's Department of Ecology to the Basin Commissioners before Commissioner McCurdy began the discussion for the CWA Allocations. Mr. Harwood mentioned that this material was already in the Commissioner's packets. Mr. Hollingsworth then discussed the MOA and that he would like the Commission to be aware that making sure the LMP (Lake Management Plan) is funded and fully implemented is very important to the State of Washington.

9) Citizen Coordinating Council (CCC) Comment: Mr. Woody McEvers, Vice Chair of the CCC and City Council Member for Coeur d'Alene, reported on the CCC's last meeting held on January 26. Sixteen people were present including eleven CCC members. He reported that Mr. Harwood gave a presentation about his plans as the Executive Director of the BEIPC and the results of the January 19 workshop. The CCC also had discussions on the proposals for the remaining CWA funds and a presentation on repository issues.

One of the things that Mr. McEvers has noticed in the last few years on the CCC is that the group has a difficult time reaching a consensus. There is a very diverse population of people in the CCC and many different opinions. While agreeing that diversity is good, he is concerned about no consensus within the group. He also mentioned the goals of the CCC have been confusing to him at times and some people have felt alone in their efforts. He appreciates everything the Commission can do to keep things moving forward.

Commissioner McCurdy thanked Mr. McEvers for his presentation and also thanked the citizens for their time and involvement in the Citizens Coordinating Council (CCC).

Before breaking for lunch, Mr. Harwood discussed a letter from the City of Smeltonville requesting the BEIPC's support for its Water Resources Act application for proposed city wastewater system modifications. As this project will help to improve water quality in the Coeur d'Alene River watershed, Mr. Harwood recommended the Board approve this request by writing a letter of support.

Commissioner McCurdy asked if there were any conflicts of interest to address from any of the Commissioners before a motion was proposed. Commissioner Kreizenbeck declared a conflict and stated that he would abstain. After discussion, a motion was made by Commissioner Buell to write a letter of support for the City of Smeltonville and was seconded by Commissioner Currie. The motion was approved with 6 votes in favor and 1 abstention.

Lunch

10) Review of Clean Water Act (CWA) Allocations: The Executive Director, Terry Harwood, presented a review of the project proposals for 2004 CWA funding. He also presented a breakdown of allocations for previous years (2002-2003). The data showed which projects were supported by the counties, which projects by the agencies, and jointly. Mr. Harwood stated that the presentation should indicate that one group of individuals, or government, is not getting their way more than the other.

Commissioner Curt Fransen inquired if project funding was on track, or if some projects were not going forward, and if project funding was over/under budget? Mr. Harwood explained that he had prepared a report (which was included in the meeting packets) on the budgeted funds for each project, current expenditures to date, and the balance of the total remaining funds. However, in regards to monitoring the projects, he believes that we are not doing this as closely as we should. He mentioned that Mark Stromberg, IDEQ (Idaho Department of Environmental Quality), has been monitoring the use of the funds and he is thankful for that. But in addition to knowing how much money has been spent, he stated that we need to find out how much of the

work has been done. He will work on this in the future by monitoring the percentage of completion for each project.

For the Commission's review, Mr. Harwood presented a proposed amendment to include a Peer Review of the Lake Response Model for the Phase II project. He received this request from the State of Idaho, but not in time for it to go through the evaluation process within the advisory groups. Mr. Harwood mentioned that he had also requested a report from the TLG (Technical Leadership Group) Chair, Mr. Phil Cernera, for a list of their recommendations for the remaining 2004 CWA funds. He noted that some of the 2004 CWA projects have already been approved by the Commission, but the rest of the 2004 funding must be allocated in order to get the grants written in time and approved by October 2005.

Mr. Cernera then presented to the Basin Commission, the TLG's recommendations for three additional projects with the last project to be implemented being scaled to fit the amount of funds remaining after the other projects are started. The proposed recommendations are as follows:

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| 1) Lower River Sediment Model | \$128K |
| 2) Lake Management Plan Implementation | \$200K |
| 3) Alluvium Sorting Project | \$156K |

11) Public Comment: Mr. Rusty Shepherd, CCC member, thanked Mr. Harwood for allowing the counties to bring forth their recommendations. He mentioned that it was alluded to that the counties have not followed the TLG protocols. However, the county members did participate in the TLG Project Focus Teams (PFT) meetings last year when the proposals were reviewed. The counties wrote comments on the technical positions, 10/4/04 and shared them with the TLG on 10/14/04. They submitted the same report to the CCC on 10/18/04 in Wallace. On 10/27/04, they provided the BEIPC Staff a hand-out, but it was only partially reviewed as Mr. Cernera mentioned. So they are sharing their information on the three proposals that are being considered today. They are summarized as follows:

- 1) Alluvium Sorting Project - Ranked high and would like to see it fully funded.
- 2) Lower River Sediment Model – Funded.
- 3) Lake Management Plan – Believe the lake is handling itself quite well and not degrading. Disagree with the Tribe on nutrient loading. Premature to approve unless the State Legislature approves funding for a Lake Manager and until the original LMP is finished being revised.

Mr. Shepherd mentioned the counties prefer on the ground cleanup projects instead of study programs and that a resolution was passed by BEIPC in August 2004 to expend CWA monies by funding Upper Basin projects at 75% and Lower Basin projects at 25% if possible.

Commissioner Buell asked Mr. Cernera if the Tribe was aware that the Idaho Department of Environmental Quality (IDEQ) was trying to fund a monitor for the lake. Mr. Cernera commented that he was aware of it a few months ago when Commissioner Hardesty mentioned that the State of Idaho was looking into bringing on a lake coordinator in the future to work with

the Tribe on advancing lake management objectives. Prior to this, the Tribe had already submitted a proposal to have an audit done. From the Tribe's perspective, it is important to get the lake audit done to get to the point of a LMP, and then a lake coordinator to monitor the LMP.

Commissioner Buell expressed concerns about the overlap for the LMP between a lake coordinator and a lake manager. Commissioner Fransen indicated that the position of a lake coordinator and Commission funding for the lake management plan audit would be complimentary and would not overlap. He reported that Commissioner Hardesty, IDEQ, had already made a presentation to JFAC (Joint Finance and Appropriations Committee) which did include funding for the position of a lake coordinator. IDEQ's objective for this position is that it is an ongoing issue and will be necessary once the LMP is in place.

Commissioner McCurdy then commented to the Board that all of the members came to the table with the understanding that good faith efforts would be made to do whatever work is needed for the lake to be delisted by showing that there is a viable implemental lake management plan.

Commissioner Kreizenbeck discussed the two big hurdles needed in order to achieve this:

- 1) Demonstrate there is no further action needed (which is why you need a lake model); and
- 2) Public process to delist or "rulemaking" requires input from all the parties involved including those downstream and Washington State. There needs to be a scientifically sound plan in place.

He reaffirmed that the delisting process for the lake is not a process to be taken lightly and is not going to be easy to do. It will require a lot of scientific data, a management plan, and good institutional controls in place in order to pass that test.

Commissioner McCurdy questioned Mr. Shepherd on the county recommendations for the Alluvium Sorting Project. Mr. Shepherd reported the recommendation suggested increasing the allocation to \$207,000 to do a second mine in the same drainage (Bear Top). By sorting the alluvium, it will significantly reduce the amount of material going into the repository and help reduce repository space. This is a very critical issue and the counties believe this is a better project to fund than an audit of the lake at the current time because of the many problems associated with the lake. Mr. Harwood suggested that if this project was done within a pilot process it could generate enough data to come up with the answers needed under the proposed recommendation of \$156,000 in funding, rather than the \$207,000 needed to do the whole project.

Mr. Ed Moreen, EPA, introduced Robert Higdem, IDEQ, who is the Project Manager for the alluvium sorting project to address the technical details of the project. Mr. Higdem mentioned that the \$207,000 was the original amount proposed to do both projects and he does not believe that \$156,000 is enough. He suggested that \$181,000 would be a better compromise.

Commissioner Allan asked Commissioner McCurdy for a point of order. He commented that the Board is going to be voting on something that has not gone through the proper channels if they consider the proposal made by the county. He believes the TLG should have been given advance notice of their minority report and it should have gone through the proper protocols.

Mr. Harwood commented that there is a protocol within the TLG on how minority positions should be carried forward. They need to be carried through by the TLG Chair or the members of the TLG who have a minority report. They need to make this presentation to the TLG first. However, Mr. Shepherd's presentation was presented as public comment. Anyone from the community may be allowed to make a presentation under the public comment period.

Mr. John Roland offered his comments on two points. First, there is a level of uncertainty in the numbers and how firm they are in the costs. Second, he suggested that it may be helpful to call on Dr. Woods, USGS, to discuss the trends going on in Lake Coeur d'Alene. Dr. Woods stated that concentration levels of phosphorus and zinc are low because of three years of low inflows to the lake. However, there has been enough variation in phosphorus that it would be difficult to pick a trend out because of its correlation to discharge events. Dissolved zinc is a much more complicated issue. In the South Fork, there are downward trends, but there has not been much groundwater recharge for a number of years because of the low snow pack. So part of the source area that leaches zinc has been diminished because it has not been in contact with groundwater. He believes the downward trend will diminish very quickly if we have a good snow pack.

Regarding the lake response model, Dr. Woods mentioned that it will probably be the cornerstone of the LMP in helping us to understand how the lake functions, how it responds to clean up efforts in the Basin, and what we might expect in the future.

Commissioner McCurdy questioned Dr. Woods on the amendment that was proposed on the Peer Review for \$12,000 and if his project could handle a funding reduction? Dr. Woods answered that the only way would be to reduce the scope. This would affect the user's manual being developed for the public to be able to use the model. He is not opposed to the Peer Review and talked to Rob Hanson, IDEQ, about how it would be conducted. However, it was not discussed that the funding would come out of his project.

Mr. Brett Bowers, CDA Lakeshore Property Owners Association, commented that he appreciated the opportunity for public comment and that people like Rusty Shepherd are doing a wonderful service for the counties. He believes that Mr. Shepherd raised good questions about following the protocols in the TLG process and the need for a minority report. The counties TLG members have tried to respect the protocols established, especially in respect to CWA funding. The minority report presented at the November 10, 2004 meeting had 84% UB (Upper Basin) projects, but the TLG proposals were only 45% UB and 55% LB. He also believes that Mr. Shepherd raised good questions about the LMP. Lake property owners want to see the lake delisted and understand the importance of having a functional LMP. They also support the Peer Review. However, in regards to the lake model, Mr. Bowers believes there has not been full disclosure and that is why it has been opposed. He proposed that the National Academy of Science (NAS) should review it if it is such a valuable long term modeling tool. In addition, he would like to see the Basin Commission work on long term accountability through this process.

Ms. Toni Hardy commented on the lake education project and that input she has presented has not been given consideration.

Mr. Glen Rothrock, IDEQ, mentioned that Ed Tulloch, his supervisor and the original author of the LMP, asked him to comment for him since he could not attend. He reported that in November, Commissioner Toni Hardesty had not recommended the LMP primarily because she did not want to jeopardize the legislature's decision for funding a permanent IDEQ position for a Lake Manager. Ms. Hardesty made this presentation to the Joint Finance and Appropriations Committee (JFAC) this week. Secondly, Mr. Rothrock wanted to express that Mr. Tulloch, as the original author of the LMP, favors the idea of funding for the audit.

Ms. Rebecca Stevens, Kootenai Shoshone Soil Water Conservation District, commented on the lake education program. In particular, the PowerPoint presentation has been very successful with students. She mentioned the importance of all of the agencies working together on the program and is looking forward to hearing comments about the map.

Mr. Bill Rust, a former long-term member of the TLG who recently resigned, commented on Commissioner Kreizenbeck's remarks about the advisory groups going through the proper protocols. He reported the minority report had been presented to the TLG and all of the issues were discussed. The TLG then deliberated on the information presented and made its final recommendations. There is no reason to continue to keep going over the same issues. He also commented on the project proposals and believes that it is premature to approve the LMP as written. The LMP should be flexible and a long term lake manager is needed.

Public comment ended.

12) Board Discussion and Vote: Mr. Harwood made a suggestion to the Board that they vote on the final three projects and the order in which to fund them, and then consider the amendment he proposed earlier for the Peer Review.

Commissioner Fransen discussed that he had a different view on how to proceed and would make a motion if and when it was appropriate. He believes that all four proposals are important and made the following suggestions in no particular order:

1) Lower River Sediment Model	\$128,000
2) Alluvium Sorting Project	\$175,000
3) Peer Review	\$12,000
4) Lake Management Plan*	No specific amount

*Whatever amount is available recognizing there may be shortfalls.

Commissioner Cantamessa discussed that he would like to see the Alluvium Sorting Project funded at \$207,000 without having to rely on IDEQ.

Commissioner McCurdy commented there was little or no disagreement on two of the projects, and the other two remaining projects were generally acceptable, however, the allocations needed to be determined. After discussion, Commissioner Cantamessa motioned to approve the Lower River Sediment Model for \$128,000, seconded by Commissioner Kreizenbeck. The motion passed unanimously.

Commissioner McCurdy suggested he would entertain a motion to approve the Peer Review for \$11,800. No motion was made at this time.

Commissioner Buell then made a motion to approve the Alluvium Sorting Project for \$207,000, seconded by Commissioner Rick Currie.

Commissioner Fransen mentioned that before the Board votes on this motion, he heard numbers ranging from \$156,000 to \$207,000 and expressed concern over the higher amount. He heard a previous proposal for \$175,000. Dealing with fixed amount and this would reduce the allocation for the LMP.

Commissioner Cantamessa reiterated his suggestion to fund the Alluvium project for \$207,000.

The votes were three in favor (Commissioners Buell, Currie, Cantamessa), three votes opposed (Commissioners Allan, McCurdy, Kreizenbeck), and 1 abstention (Commissioner Fransen). Commissioner Currie mentioned that he believed under parliamentary procedure, the Chair does not have a vote unless there is a tie. Commissioner McCurdy asked Mr. Harwood to clarify the voting process. Mr. Harwood stated that under the protocols every Commissioner has a vote.

Commissioner Fransen made a substitute motion to: Fund the alluvium sorting project at \$207,000 in recognition that the full amount may not be necessary (meaning it is not a direction to spend the full amount); provide for the peer review up to \$11,800 with funding from available monies not used on other projects; and that the remaining money be used for the lake management plan with the provisions that if there are any shortfalls or excess monies which will be determined by the Director, that the TLG develop a contingency plan for any spending of excess monies; and that IDEQ be directed to not use any funds from the Commission for the purpose of the Lake Manager position that the Legislature is making a funding decision on. Commissioner Currie seconded the motion. The motion passed with 6 votes in favor, and 1 vote opposed (Commissioner Allan).

Mr. Harwood reported that leaves \$137,200 for funding the last project. He will check into whether remaining funding can be moved from Clean Water Act (CWA) 2002-2003 projects to 2004 projects.

13) Election of Officers: After discussion on the proposed nominations made earlier in the morning, Commissioner Cantamessa requested Commissioner McCurdy to call for the question and the following slate of officers was unanimously elected:

Chair – Commissioner Sherry Krulitz
Vice Chair – Commissioner Rick Currie
Secretary/Treasurer – Commissioner Jim McCurdy

14) EPA Community Involvement Plan: Ms. Andrea Lindsay, EPA Community Coordinator, presented the proposed revisions of EPA's Community Involvement Plan for the Bunker Hill Mining and Metallurgical Complex Superfund Site in the Coeur d'Alene Basin and Box. She

mentioned that Debra Sherbina is the other Community Coordinator working on this project and public input from the Commission and local citizens is encouraged. The final plan will be released in June.

15) Lake Map Update: Phil Cerner presented an update on the map for the Lake Education Program. The map is designed for all users and he provided each Commissioner a copy of the first revision of the map. After the Commissioners approve the final copy in a few months, two to three thousand copies will be printed and distributed.

16) Accomplishment Report Mullan & Page Projects: Mr. Ross Stout, Manager of the South Fork Coeur d'Alene River Sewer District, and Mr. Steve James, JUB Engineers, presented a final report on the water quality improvement projects for Mullan and Page

17) Miscellaneous Business: For informational purposes on the Lake Management Plan, Mr. Ed Moreen, EPA Coeur d'Alene Basin Rep., passed out copies of the EPA's comment letter on the Coeur d'Alene Lake Management Plan dated March 25, 2003. This letter was addressed to Mr. Steve Allred, Director of the Idaho Department of Environmental Quality (IDEQ), and Mr. Ernest Stensgar, Chairman of the Coeur d'Alene Tribe.

Ms. Kathy Zanetti, representative from the Upper Basin stakeholders and member of the Citizen's Coordinating Council (CCC), discussed her concerns regarding the protocols and status of the minority report. She believes it makes more sense to place higher value on the upper basin projects and the minority report reflected this. The Commission also agreed to place a higher value on Upper Basin projects by approving a resolution for 75% UB and 25% LB. However, the TLG recommendations did not reflect this. She believes the minority report was given minority status and she expressed frustration in how the process works. She also believes they are losing volunteers (who have spent countless time and effort in this process) because their concerns are not being validated. She suggested the Commission review the reasons for designing the commission.

There being no further business to discuss, a motion to adjourn was made by Commissioner Kreizenbeck, seconded by Commissioner Buell and unanimously passed.