

Basin Environmental Improvement Project Commission (BEIPC)

Quarterly Meeting Summary Minutes

May 17, 2017, 1:15 p.m. – 4:00 p.m.

Department of Health and Welfare, 35 Wildcat Way, Kellogg, Idaho

These minutes are summary notes of the reports and presentations and are intended to capture key topics and issues, conclusions, and next steps and not every detail of discussions or individual quotes.

Attendees:

Terry Harwood (BEIPC Executive Director)

Commissioners and Alternates present:

Sheryl Bilbrey (EPA), Jack Buell (Benewah Co.), Phillip Cerner (CDA Tribe), Marc Eberlein (Kootenai Co.), Mike Fitzgerald, (Shoshone Co.), Rob Hanson (IDEQ), Caj Matheson (CDA Tribe - RP), Grant Pfeifer (State of WA), Leslee Stanley (Shoshone Co.), and John Tippets (IDEQ).

Staff present:

Glory Carlile (BEIPC Assistant to E.D., note taker), Ed Moreen (EPA), Bruce Schuld (IDEQ), Rebecca Stevens (CDA Tribe), and Sandra Treccani (State of WA).

Call to Order and Pledge of Allegiance

The meeting was called to order by Commissioner Chair Jack Buell at 1:20 p.m. followed by the flag salute.

Approve February 15, 2017 BEIPC Meeting Summary Minutes

Grant Pfeifer moved and John Tippets 2nd to approve the February 15, 2017 minutes as submitted.

M/S/C

Lake Management Plan (LMP)

Jaimie Brunner (IDEQ) presented an update on LMP Nutrient Management noting the 2017 monitoring locations. She shared that they will be partnering with University of Idaho grad students. Projects include Watershed Assessment in Wolf Lodge Creek with a monitoring station and Camp Four Echoes in Windy Bay. They are working on refurbishing the Girl Scout camp and use it as a demonstration project to show what a native landscape buffer can look like.

Public Awareness:

Laura Laumatia (CDA Tribe) reported that they hosted a Youth Water Summit where students from schools shared their research on water related projects and what they are doing. Organizers/Funders helped to support these projects and the students were exposed to scientific approach and methods. The students showed creativity on a wide variety of projects. Education Career Panel consisted of 42 judges from at least 17 organizations.

Other upcoming outreach:

Laumatia shared that they just wrapped up Water Awareness Week held from May 2 -11. Upcoming events include CDA Water Festival, Hayden Meadows Water Field day in June, Camp Counselor training and Natural Resource Camp and Post Falls Chemistry in the Community on May 31. They are getting the word out about water science.

Restoration Partnership (RP)

Caj Matheson, Communications Specialist, gave a brief Natural Resource Trustees Restoration Plan (NRTRP) update. He followed up with the draft Restoration Plan (RP) and Environmental Impact

Statement (EIS) process reporting that they filed an extension for the Public Commenting Timeline. Notice of Availability was published November 10, 2016 with initial extension to February 13, 2017 and an additional 30 days extension to March 13, 2017. Public comment period then ended April 17, 2017.

Outreach Activity:

Information was shared on how to access document and the process to solicit comments. Matheson reported that they received 65 individual comment letters. Some comments were related to the process and some to the content of the RP. After the comments are assessed they will move forward with the process. The interdisciplinary team will address the comments and will release final RP/EIS with individual response to the comments in Appendix 6. There will be a 30 day waiting period before moving to a Record Of Decision (ROD).

Rusty Shepard asked for the estimated projected date of response and how they will deal with them. Matheson said that it depends on how fast they can get to them. Phillip Cernera added that within the next 30 days we should have responses to comments drafted out but the Federal government may take longer to sign an official ROD.

It was further explained that after receiving all responses to comments there is a mandated 30 day waiting period. Matheson added that it will probably take longer than the minimum of 30 days waiting period. John Tippetts wondered about the reason there is a 30 day waiting period. Rebeca Stevens answered that it is after the commenting period and the final release of the plan that there is a standard mandated National Environmental Policy Act (NEPA) 30 day requirement. She added that over \$100K project value, anything associated with a ROD must go through the Office of the Secretary of the Department of Interior.

Central Treatment Plant (CTP) project

Kim Prestbo (EPA) introduced herself and Rod Zion (Corps Of Engineers), sharing that the CTP contract is in place and there is a notice to proceed. Zion, project engineer, gave an update on the treatment plant groundwater system as the contract representative. He described it as a Design/Build operate contract which is different than a traditional contract. Their solicitation proposal included how they intend to design and develop the project. The design proposal was submitted and then awarded to the conceptual design proposal chosen with design criteria, performance review etc. and the entire project is expected to take about four years. The contract will also provide on-going operation and maintenance of the facility throughout the project and one year after the work is complete. They are currently doing onsite work for collection of data and they will work on activity later in the summer and there will be installation of extraction wells. The purpose of the project is to upgrade and increase capacity of the CTP and construct a collection system for contaminated groundwater along I90 and the Central Impoundment Area (CIA). They are also building on top of the CIA for a new impoundment sludge area. The reason to do this is because the groundwater was contributing zinc loading into the river and they intend to cut this off and capture it.

Tippetts asked if the process is deep enough to collect. Zion answered that it is to hit the impervious layer and if needed they will go deeper. Tippetts said his concern is to collect now and then filter wondering if it is a possibility that it may potentially increase some nutrient loading as it decreased metals.

Ed Moreen responded that they are on top of this issue. They will move forward later to collect data to determine the removal level. They will also add to the plan a filter process to increase the efficiency of the removal of metal. There are a number of things to do but need to assess what is the most efficient manner of what they may or may not do. In response to Tippetts query, Moreen said they expect to be more than 50% successful. Moreen added that it is important that community do their part in reducing nutrient loading to the river.

Marc Eberlein asked about the certain amounts of zinc and phosphorus and the remaining amounts after filtering which is about 50% out of each of the nutrients. Moreen estimated it may be more than 50%.

Zion shared a timeline. About March of 2018 billboards will be removed along the highway, then CTP upgrade next summer with construction of the groundwater extraction wells and sludge impoundment also beginning. In 2019 they will be completing upgrade on CTP and the groundwater collection system will be operative. In 2020 testing will be done to make sure everything is working right.

Stevens noted it is a design/build and operate contract. Zion said \$48.8M is the total overall cost of the contract. Stevens asked if there are any potential problems with the extraction wells and cutoff walls creating an issue with I-90 and he said no because that they are coordinating with Idaho Department of Transportation. Tippetts asked if the contract with a 1 year operating after build is just for only 1 year. Zion said that there is a build warranty and an extended warranty for design and performance guarantee.

Jann Higdem asked about what is seen from the highway from Washington to Montana. Zion replied that the design criteria for the groundwater system are designed so that you won't really see anything from I90.

Citizen Coordinating Council (CCC) Meeting Report

Jerry Boyd, CCC Chair, reported that he opened discussion at the CCC meeting this morning with his standard request for questions and/or issues for discussion. One of the questions discussed was the lack of county representatives on BEIPC staff and it was agreed that the counties should have a role. It is recommended to have representatives from each county on the staff.

Flooding issues:

The discussion included the comment that flood control seems to be better off with the work done under CERCLA. There will be work done up Burke Canyon SVNRT and the old repository contamination due to underground water seeps. Boyd shared what the plans might be from EPA and CDA Trust that were reported at the CCC meeting and that there was an update on the health workshop. There was also more discussion on the CCC and its role. Generally the role is to gather information and to be a conduit for input and information sharing. He pointed out that they want to do what they can to facilitate the information coming to and from the Commission and to and from the public.

Terry Harwood commented that he has been a member of the CCC since 2002. He has seen the ebbs and flows of participation and noted that if there is an issue then people will get involved if it is a concern of theirs. He shared that some people wonder what in fact the role of the Basin Commissioners is and what they really want to do. Harwood noted that the Commissioners review and approve the work plans and there is a lot of coordination. He added that he also would like the Commissioner to answer what is their role.

Cernera agreed that the question is the heart of the issue. He said that in the beginning the Commissioners did have to make many decisions but over time it has changed to keeping abreast of actions. They are now comfortable with being a clearing house of information. Cernera would also like Tippetts and the other Commissioners to respond to the recommendations.

Open discussion with Commissioners concerning Public Participation and the Role of the BEIPC and CCC. Harwood commented that there has been a great influence from all to get things done with a tremendous impact on the decisions that have been made. Buell also commented that there have been a lot of improvements in what the Commissioners have done and he feels the CCC is working very well.

Tippetts shared that he attended the CCC meeting this morning and he was impressed. He added that he received the recommendations from staff and others and from these he put together a rough draft

document regarding the input received along with his own observations. He added that the roles are clear in the MOA but he is not prepared to give any decisions today. His rough draft document is intended to be a starting point for more discussion. He requested that Glory Carlile distribute his draft document as widely as she likes. He clarified that his rough draft document can be distributed to the BEIPC contact list.

Harwood said that he now has 4 sources of recommendations that he will take a look at and will come back to it at the August meeting. If there is not time then because it is only half a day meeting, then it will be at the November meeting. However, Tippetts responded that he would like to have additional comments and come back to it at the next meeting in August. Tippetts added that he does not have recommendations for the CCC in his draft document but noted that he feels that we need more discussion on what that looks like.

Grant Pfeifer thanked Tippetts for launching this project for clarity. He outlined what he thinks are the roles of coordination and a role of influence that is multi-dimensional. He considers that the CCC is in a role of communication for information input and distribution without being a role of influence. For the BEIPC Executive Director (ED) role he sees value in being clear about that in the future. He said that the Technical Leadership Group (TLG) and the staff are the expert advisors and he welcomes opinions.

Harwood noted that he influences others judgement in regards to his 52 years of experience. Pfeifer agreed and added that Harwood is very unique and has a very unique role in that he also serves as a technical expert. Stanley said that the ED offers a lot of continuity between the different agencies and different projects that are going on as well as with the different counties. She suggested that comments/issues that come out of CCC meetings should be included in their packets to look at before the BEIPC meetings.

Eberlein said he values the ED feedback, his opinion, and his experience and would not want to limit it to regional and local stuff. He saw one of the key points is communication. He said for example that Delsaso's question was still not answered from the CCC meeting. He also strongly suggests that core staff should keep the county commissioners in the loop and find a way to include county representatives. Tippetts responded that he did not mean to leave any representatives out and there was not any intention to do that. He emphasized that his draft documentation is only a starting point for further discussion.

Harwood added that before every BEIPC meeting that they have a staff conference call. He also suggests that the counties have representatives on that call with perhaps revolving representatives.

Schuld commented that there was not that concern at the time in Tippetts assignment. Staff asked for clarification at that time of what Tippetts wanted and they were just following his direction. Pfeifer added that it was clear what Tippetts requested and that the minutes reflected that accurately and that the counties also were going to respond. He is supportive of getting everyone together and also agrees that there is that need to get the county perspective.

Tippetts was excused from the rest of the meeting as he needed to leave in time to catch a flight.

Questions/Comments

Boyd asked again about scheduling of meetings. He suggested only one meeting annually and issue focused meetings when needed. Harwood stated that they have to have a meeting in October for review of the work plans.

Higdem asked about reporting on the TLG meetings and wondered what role they have. Stevens answered that they only have TLG meetings when there is a technical issue or something that is technical that they need to review in order to report or to advise the Commission on. They do not meet just to meet.

Rust commented that he thinks that BEIPC is running a whole lot better than 10 years ago.

Stevens announced that Schuld is retiring and presented a certificate of appreciation and recognition of his years of service and a mug with a steaming pile of compost on it. Schuld shared that there was a going away party in the DEQ Kellogg office and many people attended from the community. He was happy to report that many good things that have happened over the years were remembered.

Dalsaso commented that since the work plans are mailed out, there is not a reason for a CCC fall meeting. She also suggested that we need to get more kids to be blood tested and work toward getting to the national level that was previously reported. Harwood announced that he will answer her question about what will be done with the loading to the CDA Lake and agreed about the blood lead testing.

Eberlein shared that in a discussion with Andy Helkey; he said that the Wallace school district will allow lead education in their classes and so as a result more children may be tested.

Sara White shared that her son came home and was very excited about the information he received. Higden commented that she read a document that suggested a program where the doctors should be promoting getting children tested when they go to see the doctor.

Pfeifer apologized for not being clear about his earlier comment regarding influence from CCC. His view was that it is not the CCC, as an entity's role, to go out and try to persuade a certain viewpoint among the community. He feels that he may have misrepresented his view in his choice of words and wished to clarify that. He meant that the CCC is genuine listening and communication conduit for letting the board know what is going on in the community.

Boyd said that the CCC meetings are usually a few weeks before the BEIPC meeting and comments and/or issues are included in the meeting summary notes. He noted that the CCC summary notes are placed in the board packets that goes out to all the commissioners (*and also to staff*) mailed to them for their review before the BEIPC meeting.

Harwood commented that if the CCC meeting is on the same day as a BEIPC meeting, that the CCC notes will not be able to be included in their packets.

Adjourn

Marc Eberlein moved and Phillip Cernera 2nd to adjourn at 3:12.