

4-29-09 Citizen Coordinating Council Meeting

Spokesman Review Building, 6:30 PM to 9:00 PM, Coeur d'Alene, Idaho

Attendees (who signed in and/or announced themselves)

Bill Adams	Bonnie Douglas
Jerry Boyd	Terry Harwood
Anne Dailey	Ed Moreen
Julie Dalsaso	Andy Mork
Jeri DeLange	W.C. Rust
Jack Domit	Rebecca Stevens

Meeting Overview

The April 29, 2009 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission or BEIPC) covered the following topics:

- Basin Updates
- CCC Elections and Procedures
- ROD Amendment Updates
- Lake Management Plan Updates
- EMF Repository and Upper Basin Repository Siting Process
- Lower Basin Work Planning and Enhanced Conceptual Site Model
- Other Updates
- Open Discussion/CCC Issues

CCC Chair Jerry Boyd, chaired the meeting.

BEIPC Updates

Drainage Control Infrastructure Revitalization Plan

Terry Harwood reported that the Drainage Control Infrastructure Revitalization Plan (DCIRP) will soon be completed. The Plan includes a complete inventory of infrastructure in the Upper Basin and information on the current condition of the infrastructure, upgrades already made, additional infrastructure needs, and cost estimates. The study also provides a list of grant and loan sources for community infrastructure projects.

Economic Stimulus Package

Terry Harwood reported that he drafted a list of stimulus projects needing infrastructure upgrades for the Governor's office. None of the proposed projects on the list have received economic stimulus funds at this point.

Blood Lead Testing

Terry Harwood announced that the Panhandle Health District, Idaho Department of Health and Welfare, EPA, and Idaho Department of Environmental Quality (DEQ) have increased the incentive for child blood lead testing in the Coeur d'Alene Basin to \$40 per child. Previously, the incentive was \$20 per child. This increase is only for 2009 to encourage more children to be tested in support of EPA's and DEQ's efforts to assess the effectiveness of the human health cleanup in the Basin.

The additional total cost for the increase is expected to be between \$5,000 and \$10,000 depending upon the number of children who participate. Idaho DEQ will cover these costs to help meet its match requirements under Superfund.

Workplan: New Section for Lake Management Plan

Terry Harwood presented a proposal for a workplan amendment for review by the CCC. He reported that when the BEIPC voted on the 2009 workplan, the section on the Commission's involvement in Lake Management Plan activities was not included. Since the final Lake Management Plan includes information on BEIPC involvement, the workplan amendment language was developed as a way to complete the 2009 workplan and make it consistent with the Lake Management Plan.

Bonnie asked how the CCC can make sure that the activities in the workplan amendment will be addressed. Terry responded that since the activities will be part of Lake Management Plan, the Coeur d'Alene Tribe, DEQ, and the Basin Commission will work together to coordinate all activities.

Clean Water Act Projects

Terry reported on the progress of the Clean Water Act (CWA) projects. The CWA projects included \$6 million in grants over three years. All first year projects were completed and final report information is posted on the BEIPC website project page.

Terry said that the Bureau of Land Management will report on a CWA-funded study of the East Fork of Pine Creek at the August BEIPC meeting. Terry said there will also be a report in August on a study of bank stabilization for the Coeur D'Alene River.

Terry said that the Little Pine Creek project is in its third grant year. Project activities include widening the channel to prevent flooding and installing seven new bridges. The next step is to focus on Pine Creek itself. There may be a project report-out at the August BEIPC meeting.

CCC Elections and Procedures

John Snider Recognized for his Service

Jerry Boyd and Terry Harwood recognized John Snider for his service to the CCC and the Basin Commission as the CCC Chair since the group was formed. They will present a plaque and certificate on behalf of the CCC to John. The certificate states the following:

The Coeur d'Alene Basin Citizens Coordinating Council (CCC) and Basin Environmental Improvement Project Commission (BEIPC) would like to thank John Snider for his service

as elected Chair of the CCC. Since the CCC's inception, John has volunteered his time to ensure that the citizens of the Basin have a forum for sharing their opinions and knowledge about the cleanup of the Coeur d'Alene Basin. He has been instrumental in making sure citizens have an important and consistent voice in the decisions of the Basin Commission. John's Chairmanship is only the latest chapter of his longstanding service to the Basin community, and his election as Chair of the CCC for three terms is only one testament to the respect and gratitude of the Basin's citizens. We thank John for his service and the legacy he has created for the CCC.

Procedural Changes to CCC

Jerry Boyd presented a proposed revision of the *CCC Operational Practices and Procedures*. The existing procedures were developed at the inception of the CCC and are not consistent with current protocols and staffing. Members reviewed the proposal for procedural updates and compared it with the existing procedures document. Terry proposed that Jerry Boyd present the changes to the BEIPC board at its May meeting or in more detail at the August meeting.

CCC members present were in favor of the revisions. Rebecca Stevens suggested that the changes be provided to the other members not present at the meeting for review. Jerry said that the proposed changes would be sent out to the full CCC for comments before the May BEIPC meeting to get further insights and comments.

CCC Vice Chair

Jerry Boyd was congratulated by CCC members for becoming the new CCC Chair. Jerry asked for volunteers to serve as CCC Vice Chair to fill in if the Chair is not available. Bonnie Douglas volunteered, and all members present voted in favor of having Bonnie as Vice Chair.

Levee System Certification Report

Terry Harwood reported that the Shoshone County levee system certification report is now available. The report includes required steps for analyzing the levees to determine their condition and any needed upgrades.

ROD Amendment

Anne Dailey, EPA, reported on:

- The ROD Amendment process,
- Upper Basin Groundwater Modeling,
- The April 1 Technical Meeting,
- Groundwater Modeling in Operable Unit 2 (OU2) and Osburn,
- Priority setting,
- Outreach efforts, and
- Next steps.

Update on ROD Amendment process

Anne reported that the ROD Amendment process will include a focused ecological feasibility study. The preliminary draft sections of the study are currently being provided to the Upper Basin PFT for review.

Update on Upper Basin Groundwater Modeling

Anne said that the Upper Basin groundwater modeling will inform evaluation of the remedial alternatives. EPA is currently focusing on the geochemical aspects of the modeling, and an EPA scientist will be working through the technical details.

Report on April 1 Technical Meeting

Anne reported that a ROD Amendment technical meeting was held on April 1st at the Silver Mountain Resort. The meeting covered the following topics:

- Overview of 2008 Upper Basin field activities,
- Focused ecological feasibility study update,
- Environmental monitoring update (i.e., review of existing monitoring and development of a comprehensive monitoring plan), and
- Prioritization tool update.

Groundwater Modeling Update

Anne reported on the status of groundwater modeling for OU2 and Osburn. For OU2, she said that modeling shows that significant improvements in contaminant loading can be achieved by lining drainage reaches and tributaries. For the Osburn reach, modeling has not identified a specific source area or areas on which to focus remedial actions. Further monitoring and study will be required to determine what types of actions are appropriate in this area.

Priority Setting

Anne said that a priority list of all sites has been developed. The prioritization effort incorporated low flow data into the Simplified Tool to determine the priority listing. A test case in Ninemile Creek is almost complete. EPA is preparing to do “bucketing” of projects with the TLG for priority setting.

Outreach Efforts

Anne reported that EPA has been presenting information about the ROD Amendment at CCC, PFT, TLG and BEIPC meetings and posting it on the ROD Amendment webpage. A link to the webpage is available from the BEIPC website.

Next Steps

EPA will use modeling to further assess possible cleanup actions. EPA will evaluate implementability, effectiveness, costs and other factors. EPA will present the technical information at BEIPC, TLG, and CCC meetings and will ask for input on EPA’s decision-making process. The proposed plan will be provided for public comment. Funding and implementation agreements will be developed.

The schedule is as follows:

- April/May – Updates provided at TLG, CCC, and BEIPC meetings
- Fall 2009/Winter 2010 - Proposed plan comment period
- Spring/Summer 2010 – ROD Amendment issued

Rebecca Stevens thanked EPA for posting the ROD Amendment information on its website.

Julie Dalsaso asked if the Forest Service has provided input on the Amendment. Anne responded that natural resource trustees have provided input. Both BLM and the Forest Service are involved in the process.

Lake Management Plan and Audit

Rebecca Stevens, Coeur d'Alene Tribe, reported on activities related to the Lake Management Plan. She said that the State's funding request passed the House and is pending before the Senate.

Rebecca related that water quality monitoring is ongoing, and the State and Tribe were out on the lake this week. They are proposing to add an additional monitoring station.

Rebecca said that the State and Tribe met with counties to discuss comments that came up in the development of the plan. Decision makers decided to meet on quarterly basis to discuss concerns about lake management activities. Idaho DEQ will set up the initial meetings.

Rebecca and Glen Rothrock, Idaho DEQ, are finishing the lake management audit and will present information on it at the May BEIPC meeting. The final document will be submitted after the BEIPC meeting. Because of the work done to identify lead agencies and staff, this work will make future audits easier.

Jerry Boyd asked what the State and Tribe are looking for from the audit. Rebecca responded that they are looking at actions that can improve lake water quality and asking questions about what has been done on each activity. She said that more information on funding is still needed.

Rebecca noted that the Spokane River was not originally included in the draft plan, but there was some disagreement about whether it should be. CCC member Jack Domit, with the Spokane River Association, said the Spokane River has been tested for years, and he doesn't think there is any reason to go there. Terry Harwood stated that there may be contaminated sediment in the Spokane River, which would not be found in water quality testing. Ed Moreen, EPA, noted that there was a PCB spill that day on the Spokane River, and agencies are determining what to do with soil contaminated by the spill. Rebecca said that the State and Tribe would be happy to meet with the Spokane River Association any time.

The CCC discussed the issue of piling removal. Different techniques for removal are being tried, and results are still being analyzed. Some suggested this as a good topic for a future CCC presentation. Jerry Boyd noted that there is concern about dredging south of the piling removal area because of the underlying aquifer.

CCC member Julie Dalsaso asked whether the Spokane River was part of the Record of Decision (ROD). The CCC discussed how the Spokane River was addressed in the Operable Unit 3 ROD but no CERCLA remedies were proposed to date.

Julie noted that the Lake Management Plan addresses shoreline development and recreation, and she felt that it would be irresponsible to avoid addressing contamination in the Spokane River. Jerry Boyd said that the State and Tribe should take another look at whether to include the Spokane River in the plan. Bill Rust noted that there are two issues that need to be considered, nutrient management and contaminant management. He noted that if the Spokane River is part of the Lake Management Plan, the Post Falls treatment plant may need to be addressed.

Repository Update

Andy Mork, Idaho DEQ, reported on the East Mission Flats (EMF) Repository construction and the Upper Basin repository siting process.

Andy said work will begin in July at East Mission Flats to construct a bridge from Exit 39 off of I-90 to ground level at the repository site. He said the bridge is a needed to maintain the waterway on the west side of the repository. The ramp will be about 18 feet high and will bring trucks to the site. A contract is in place for the bridge, and construction is expected to start around July 1.

Once the bridge is open, the site will be accepting material. Contaminated material will be placed and compacted as part of the permanent repository. In response to CCC member Bonnie Douglas' question about whether there will be an entrance for ICP waste, Andy said that those with small ICP waste loads can go to Panhandle Health District for a key card to use the site. Larger projects, he said, will need to use the Exit 39 bridge.

Andy discussed the need to develop policy around what kind of material can be used to fill depressions or low spots in the Basin. Currently, contaminated soil can't be used for fill at these sites because of Superfund liability issues. Andy said he is working with local officials on this issue. One topic of these discussions is examining whether Superfund requirements can be managed to allow the use of contaminated fill. CCC member Bill Rust said he understands the liability and regulatory issues, but said that the counties would still like to be able to use some of their soil for structural fill.

Ed Moreen, EPA, noted that there may be a number of good sites available. However, he said that when EPA implements its remedy it must comply with federal laws and regulations. Taking contaminated material and hauling it somewhere other than a designated repository as part of the remedy would not be allowed. Ed said that he is open to figuring out how to try to make it work in a way that is consistent with regulations. Bill Rust commented that policymakers in Washington, D.C. don't realize that the Silver Valley is already highly contaminated, and people are just talking about moving contaminated soil from one place to another. Terry replied that people in the Basin are affected by contamination and have an interest in how this issue gets resolved. Jerry Boyd noted that it will be important to show how the environment is being protected. Andy said this is clearly a topic that sparks interest with people, and agencies need to get comments from people in the Basin and work with others in the Basin to resolve the issue.

Andy gave an update on the Upper Basin repository siting process. He said there will be about 800,000 yards of waste generated in the Upper Basin and current repository capacity is not enough for that. As far back as 2002, Andy said, Idaho DEQ commissioned a contractor to look at sites in a preliminary planning effort. Eighty-five sites are currently being evaluated in the Upper Basin. Andy said DEQ is welcoming public input on sites and invited CCC members and other citizens to contact him with ideas. The CCC will be sponsoring a meeting on May 14th, from 6:30 to 8:30 p.m. in Wallace to talk about the need for a repository and hear input from citizens about their concerns and criteria for selecting a site. There will be a follow-up meeting in late June where DEQ will present results of an initial site evaluation and discuss more specific

criteria for selecting sites. DEQ will then further evaluate sites and will have additional information by the November Basin Commission meeting. DEQ is striving to pursue a “no surprises” approach to facility siting.

Andy said that the Big Creek repository is already accepting more than 100 trucks per day. Stimulus projects will likely involve more truckloads, probably over 300 per day. There is remaining capacity for 200,000 yards of waste.

Lower Basin Work Planning

Ed Moreen, EPA, reported on the status of the Enhanced Conceptual Site Model (ECSM) for the Lower Basin. He said that the contractor CH2MHill has been generating topic-specific technical papers (e.g., on hydrology, hydraulics, geochemistry, etc.) that together comprise the ECSM. The plan is to issue a summary document that describes a working understanding of sediment transport and recontamination in the main stem of the Coeur d’Alene River. The technical documents and summary will probably be ready at the end of the summer. Bill Rust said it was helpful not to have a giant document to review. Jerry Boyd asked if they were using Avista data, and Ed said they were.

Jerry Boyd asked if anyone took aerial photos during the flooding. Bonnie said she went to a meeting about snow pack and climate change, and they talked about flooding risk due to an earlier Spring and more rain on snow events. Bonnie said that rain on snow events are critical for the Basin. She asked if this was being taken into account for the conceptual site model. Ed replied that the ECSM work involves assessing impacts from potential changes in climate.

Rebecca Stevens said there were plans to have a Lower Basin PFT meeting on May 27th. She said that a panel of PFT members may be formed to address bank stabilization. Rebecca also said there will a funding PFT meeting next Thursday hosted by the Coeur d’Alene Tribe.

Other CCC Updates

Communications PFT

Jeri Delange, BEIPC, reported on the second session of community involvement training on “Building Trust and Resolving Differences.” The free training was provided by the EPA, and the BEIPC and Communications PFT helped to sponsor it. The training was held on March 26 at the Coeur d’Alene Inn. It received good feedback from participants.

Jeri also reported on a Communications PFT meeting on April 17th in Liberty Lake. At the meeting, Cathy Cochrane from the Department of Ecology presented three hours of training on risk communications to PFT members. The training was well received and very informative. Jeri will distribute this information to the CCC. The PFT also discussed updating the BEIPC brochure and having a subcommittee do an audience analysis for new communications pieces. Ideas and suggestions for increasing CCC participation were discussed with the CCC Chair, Jerry Boyd.

Ed Moreen said that there has been increased motorcycle and recreational vehicle use of areas with dredged contaminated sediments (ASARCO property on West Mission Flats). He said that reaching people using these sites is a communications and education issue, and he isn’t sure why information isn’t getting to them. Terry Harwood suggested talking to the East Side

Highway District and putting signs in the area to warn the public of contamination. Jerry Boyd asked if there have been discussions about putting up a fence, and Ed said there have been discussions about it, but there hasn't been an ASARCO representative to talk to. Jerry suggested putting an ad in the paper about risks from the site.

Julie Dalsaso said she had clipped out newspaper articles pertaining to the CCC's work, which she will give to the Communications PFT. She said she also hoped the Communications PFT could talk about bioaccumulation and provide the public with information about it.

Contaminant Management on the Spokane River

CCC member Julie Dalsaso announced that issues regarding dredging and Spokane River contaminant management may come up at a public hearing on June 4th at 6:00 pm in the Sundance room of Idaho Department of Public Lands (IDPL), 3780 Industrial Avenue South, Coeur d'Alene, ID. The hearing involves an application for dual permits from the IDPL and the U.S. Army Corps of Engineers, Walla Walla District. For more information contact Carl Washburn, IDPL, at 208-769-1577.

Julie also announced an educational paddling tour of Blackwell Island on Saturday, May 16th at 10:00 a.m. from the N.I. College beach. The educational tour will cover shoreline issues from an "on the water" perspective. For more information contact the Kootenai Environmental Alliance at 208-667-9093.

Open Discussion/CCC Issues

Jerry Boyd announced the "Kids run better Unleaded" program on Friday, May 1st. The program will include a reception and film about testing children for lead. The program will be held at the Magic Lantern, 25 W Main Avenue, with the reception from 5:00 to 6:30p.m., followed by the film from 7:00 to 8:00 p.m.

Next Meeting/Upcoming Events

The next BEIPC Board meeting will be held on May 20, 2009.

Presentation of Citizen Comments to the Basin Commission Board

April 29, 2009

Written Comments

No written comments were provided.

Verbal Comments

Verbal comments provided at the April 29, 2009 CCC meeting are reflected in the CCC meeting summary and paraphrased below.

Comments	Commenter
The Spokane River has been tested for years; I don't think there is any reason to include it in the Lake Management Plan.	<i>Jack Domit, CCC Member</i>
The Lake Management Plan addresses shoreline development and recreation, and I think it would be irresponsible to avoid addressing contamination in the Spokane River in the plan.	<i>Julie Dalsaso, CCC Member</i>
The State and Tribe should take another look at whether to include the Spokane River in the Lake Management Plan.	<i>Jerry Boyd, CCC Member (Chair)</i>
If the Spokane River is part of the Lake Management Plan, the Post Falls treatment plant may need to be addressed.	<i>W.C. Rust, CCC Member</i>
I understand the liability and regulatory issues of re-using contaminated soil, but the counties would still like to be able to use some of their soil for structural fill... Policymakers in Washington, D.C. don't realize that the Silver Valley is already highly contaminated, and people are just talking about moving contaminated soil from one place to another when they talk about using contaminated soil as fill.	<i>W.C. Rust, CCC Member</i>
In any resolution that involves using contaminated soil as fill it will be important to show how the environment is being protected.	<i>Jerry Boyd, CCC Member (Chair)</i>
I attended a meeting about snow pack and climate change, and they talked about flooding risk in the Basin from having an earlier Spring and more rain on snow events. Rain on snow events are critical for the Basin. This should be taken into account in the conceptual site model for the Lower Basin.	<i>Bonnie Douglas, CCC Member</i>
Recreational access to the ASARCO site (with dredged contaminated sediments) should be controlled by a fence. I also suggest putting an ad in the paper warning people about risks at the site.	<i>Jerry Boyd, CCC Member (Chair)</i>
I would like the Communications PFT to talk about bioaccumulation and provide some public information about it.	<i>Julie Dalsaso, CCC Member</i>