

**TLG CONFERENCE CALL SUMMARY**  
**December 16, 2004**

Participants:

Lloyd Brewer  
Phillip Cernera  
Ginny Dierich

David Fortier  
Jeff Johnson  
Rob Spafford

Dave Sternberg  
John Perfect  
Note taker: Holly LeBret

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.

**Agenda Items:**

The Chair, Phillip Cernera, suggested tentative topics to discuss during today's call: 1) Basin Commission workshop, 2) Lake Management Plan (LMP) activities, 3) Memo regarding the ½ million dollars remaining from the CWA funds, 4) scheduling issues and 5) release of basin wide Human Health Assessment from ATSDR (Agency for Toxic Substances and Disease Registry).

1) The workshop is scheduled for January 19<sup>th</sup> 2005 at the Coeur d'Alene Casino. A draft agenda went out yesterday to core staff and the Commissioners. We're hoping to have it facilitated by Bill Ross of Ross & Associates, who has been involved since the beginning of the Basin Commission process and is familiar with the MOA. The new Executive Director, Terry Harwood, will also be facilitating. Based on the Idaho State law regarding open public meetings, it will be posted and open to the public, but the public will not participate in the workshop.

2) As of last May, the Tribe and the State of Idaho were revising and developing an LMP. The last stage of the process was developing responses to public comments and last May they began working on a joint implementation plan. Among others, one stumbling block was that the state had problems with the list of projects and costs associated with those projects – basically, the Tribe wanted the list to include all projects on every stream that are on the 303(d) list. The state was also reluctant to review action tables in the plan. The question, which remained unanswered, was how much was and would be spent on BEMPs. The LMP audit proposal was an attempt to discover how much funding was available for the action items listed in the management tables, but it was not approved by either the state or the counties at the last Commission meeting.

Before he retired last July, DEQ Director Steve Allred decided that the state would make a unilateral LMP and forwarded that to the Tribe for comment. The Tribe sent back about 18 pages of comments. That was the most recent activity until today, when the Tribe will meet with Ms. Toni Hardesty as she comes to the Tribal Council to discuss how to move forward on the LMP. Tribal Council will meet with the EPA regarding Treatment as State (TAS) today as well.

3) Within the next week, Cernera will get out a draft Memo from the TLG which lays out recommendations for the remaining ½ million dollars. As discussed by the TLG, the recommendation as it stands is for funding the Lake Management Plan Audit and the River

Model, and there is a remaining portion which the Commissioners had indicated that they would like to have to deal with unexpected budget overruns and other costs. Cerner met with the new Executive Director, Terry Harwood, for three hours yesterday and they discussed how best to inform the Commission Board on the TLG Memo. Mr. Harwood will also determine how to proceed with the concerns the TLG has about the lack of county representatives on the TLG.

4) Scheduling issues: no one had any questions or comments.

5) ATSDR is arranging meetings with various agencies prior to the release of their Public Health Assessment for the Coeur d'Alene Basin. The document is due out December 17, 2004. Lloyd Brewer said that they are scheduled to meet at the Washington State Department of Ecology on Friday, from 8:30 a.m. to 10:00 a.m. Cerner said that Richard Kauffman, of ATSDR, has also been in contact with the Tribe.

### **Round Table:**

Lloyd Brewer: The WCAC Board is meeting at 5:30 p.m. the first Wednesday of the month and the December meeting was moved to the 13<sup>th</sup> of January. They will get information from the Lands Council on their outreach to non-english speaking communities that may be in harm's way if they are unaware of the fish hazards in the area. Also, the WCAC has gotten some feedback to make their presentations more down to earth and less technical.

Ginny Dierich: A concerned citizen is making an effort to speak with some members of the TLG so you may be contacted by her. Her concerns were over the cleanup projects and about a local project by Duane Hagadone, specifically whether or not Hagadone's project could dictate what the lake levels should be. Ginny told her that because it is related to a dam, there is lots of review to determine what water levels will be. Lloyd Brewer said that Avista has workgroups to discuss lake levels and that those groups are not close to reaching consensus.

Phillip Cerner: On the St. Joe River there is a creosote site. Instead of becoming a CERCLA site, the Tribe and EPA have been working in cooperation with the City of St. Maries to keep it a non-CERCLA site. In the next three or four months, the EPA will write a proposed plan for the cleanup of the site. Characterization of the site shows that there are a couple of creosote contaminated acres of land that are up to 20 to 30 feet deep inland and on the banks of the St. Joe River. In the river channel the contaminant is from three to five feet deep in the sediment. Possible remedies include containment, excavation, capping and monitoring. Although no plan has been adopted, it looks like cleanup options cost between six to fifteen million dollars.

### **Schedule:**

TLG meetings are scheduled for the entire month of December.

Thank you for your participation.