

2-4-09 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	Carrie Holtan
Brock Baker	Ed Moreen
Jerry Boyd	Glen Rothrock
Anne Dailey	W.C. Rust
Julie Dalsaso	Rusty Sheppard
Jeri DeLange	Rebecca Stevens
Bonnie Douglas	Ron Streeter
Terry Harwood	Mark Stromberg

Meeting Overview

The February 4, 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
- ROD Amendment Updates
- Lake Management Plan Updates
- EMF Repository and Upper Basin Repository Siting Process
- Lower Basin Work Planning and Enhanced Conceptual Site Model
- Open Discussion/CCC Issues

CCC Vice-Chair Jerry Boyd chaired the meeting.

BEIPC Updates

Clean Water Act Funded Projects Update

BEIPC Executive Director Terry Harwood gave an update on the Clean Water Act funded projects. The results of the revegetation project on East Fork of Pine Creek will be presented at the August BEIPC meeting. Terry reported that the Lake Management Plan Audit and the study of the Plummer Creek drainage, which is about 2/3 completed, will run through summer.

He reported on the completed field work on the Pinehurst project in the Pine Creek area. Modeling was done on Big Pine Creek and Little Pine Creek. A mine tailings pile was eroding into Little Pine Creek and the toe of the pile was removed and armored, a too small culvert was replaced with a bridge, and the entire length of the creek through the golf course was cleaned out and all too small drainage structures replaced with new bridges. Terry explained that the drainage structures were too small for annual spring flow in Little Pine Creek. Terry provided a sub-grants financial summary hand-out.

Hazard Mitigation Plan for Shoshone County

Terry provided an update on the Hazard Mitigation Plan for Shoshone County. He explained that each county in Idaho is required by FEMA to develop a hazard mitigation plan in order to receive emergency funds. Due to the flooding events last year, Shoshone County received \$1.8 million from FEMA and was required to have a Hazard Mitigation Plan in place by May 30, 2009. Terry reported that the Shoshone plan is currently being developed and will be reviewed by the city and county government staff before being released this spring.

Drainage Control Infrastructure Revitalization Plan (DCIRP)

Terry gave an overview of the Drainage Control Infrastructure Revitalization Plan (DCIRP) for the Upper Basin. He reported that the BEIPC is currently developing the plan to include project identification, planning, and financial information for all infrastructure projects. The BEIPC will publish the plan this year to facilitate funding. The plan will assess infrastructure needs and will outline the costs, which total approximately \$120 million for all Upper Basin infrastructure projects combined.

The DCIRP includes reconstruction, protection of Superfund remedies, preservation of property, and revitalization of local economies in the Upper Basin. Evaluation of the local community's ability-to-pay for infrastructure shows significant funding from outside sources is necessary to meet Upper Basin infrastructure needs and protect the Superfund remedy. Terry provided copies of the early-release of the Financial Planning section of the plan.

Infrastructure Projects Update

Terry provided information on a report that he is developing on behalf of the BEIPC to identify infrastructure project needs that could potentially receive federal economic stimulus funds. Terry is working with Ann McCauley with EPA to identify the need for infrastructure upgrades to protect the remedy during flooding events. He reported that approximately \$15 million was identified for sewer upgrade needs and approximately \$17 million for drainage project needs. The BEIPC does not yet know whether it will receive any stimulus funds for the projects identified in the report.

LIDAR Flight Update

Terry reported on the progress of the LIDAR flight project funded by EPA, BEIPC and others under a contract with the Idaho Bureau of Homeland Security. The completion date for the project was previously scheduled for fall 2008. However, due to contract problems and weather, the project was delayed and will be completed this spring. The current FEMA flood mapping assumes that none of the levees are adequate. Terry reported that USGS is expected to fly LIDAR next spring. The BEIPC website has been updated including a new area map of the site on the FAQ page.

Upcoming Basin Commission Meeting

Terry reported that the next BEIPC meeting will be held on February 25th, 8:30 a.m. to 3:30 p.m. at the Wallace Inn (Gold Room), 100 Front Street in Wallace, Idaho. The meeting will include two presentations on Clean Water Act funded projects, including a

training video on Mica Creek. Terry stated that the BEIPC meeting will cover updates on the Lake Management Plan, the ROD Amendment, the Lower Basin work, the Communications PFT, and other topics.

CCC Elections

Jerry Boyd and Roma Call, Ross & Associates, announced that CCC elections will take place in April or May 2009. Members were asked to consider who they would like to nominate for CCC Chair and Vice Chair. Jerry Boyd announced that he is willing to serve. Rusty Sheppard announced that John Snider has decided not to serve again.

Terry commented that the BEIPC has adopted a protocol for CCC elections and he read the steps of the protocol as follows:

Step 1. The CCC membership from each geographic region within the Basin is invited to nominate one (1) candidate. Each candidate will be asked to prepare a personal statement/biosketch to be circulated to the full CCC membership.

Step 2. The full CCC membership shall review the slate of candidates at a CCC meeting. Each candidate may be asked to make a brief statement at the CCC meeting.

Step 3. The slate of candidates shall be presented to the CCC voting membership for a vote. Each CCC voting member can vote for up to two (2) candidates. Votes shall be collected by email, fax, or mail and shall be tallied by an agreed-to party.

Step 4. The individual who receives the most votes shall be named the chairperson. The individual with the second highest tally shall be named the vice-chair.

The group discussed the possibility of streamlining the election process to request open nominations, rather than requesting nominations from each geographic region. Members stated that since the response to nominations by geographic region was nominal in 2007, an open nomination process might be more appropriate. Rebecca Stevens suggested that the CCC let the BEIPC know that it is changing the protocol. W.C. Rust suggested that the group tell the BEIPC that they are going to take open nominations unless the BEIPC has any objections. Terry volunteered to revise the election protocol and suggested that Jerry could announce it at the next BEIPC meeting. More detailed information about the elections process will be provided to members before the elections.

Communications PFT Update

Jeri DeLange, Communications PFT Chair, gave an update on the Communications PFT. The next Communications PFT meeting will be held on Friday, February 20th at the Idaho Transportation Department, Basement Conference Room, from 8:00 a.m. to 12 p.m.

Jeri announced that the EPA training program titled “Building Trust and Resolving Differences” will be offered again on March 26th at the Coeur d’Alene Inn. The Communications PFT will be helping to sponsor it again. Anyone who would like to attend the training should let Jeri know. She will forward registration information to everyone.

Jeri reported that the Communications PFT will also work on conducting an audience analysis for various communication pieces for the BEIPC. In addition, the PFT will look at ways the BEIPC and CCC can deal with misinformation. Jerry Boyd explained that

the issue would come up if someone tried to stir up controversy and provided erroneous information to the public. The PFT will develop ideas for how the BEIPC and CCC can respond to those situations if needed.

Jerry asked attendees how they heard about the CCC meeting tonight. The majority responded that they heard about it from the CCC email. A few read about it in the paper and one received a mailing.

Jeri reported that improvements to the BEIPC website were made, and she thanked Bonnie Douglas and Brian Walker for their help in providing a list of ideas for the site.

ROD Amendment Update

Anne Dailey, EPA Region 10, presented information on the Upper Basin ROD Amendment. The ROD Amendment process is consistent with the Basin Commission Memorandum of Agreement.

Anne reported that EPA is addressing the recommendations from the National Academy of Sciences. EPA hopes to present a better and more comprehensive cleanup plan that reflects improved knowledge of the Box and the Upper Basin. Anne announced that the OU2 Phase I of the project is complete and that they are now moving forward with the OU2 Phase II cleanup.

Anne provided a list of goals for the ROD Amendment:

- Prioritize Upper Basin/Box areas for source control
- Move forward on OU2 Phase II cleanup
- Address change in water treatment
- Focus on particulate lead in the Upper Basin
- Infrastructure projects to protect remedy
- Reduce human health exposure
- Coordinate with restoration activities
- Establish an implementation plan
- Adapt cleanup based upon site data and other information

Anne reported on the January 28th Technical ROD Amendment meeting. The meeting included a presentation on 2008 Upper Basin field activities and an update on the prioritization tool. Staff members also presented information on geochemical aspects of the soil and groundwater sampling at the January meeting. The groundwater modeling in the Upper Basin will evaluate remedial alternatives and look at South Fork water quality.

Anne stated that the next steps for the project include using the model to further assess possible cleanup actions and evaluating the options according to the list of criteria. Technical updates on the ROD Amendment process will be provided at the BEIPC meeting and the next TLG and CCC meetings. The proposed plan will go through an EPA Remedy Review Board process and will then be available for public comment. Anne also announced that technical memos are being developed and will be available

sometime in March. The memos will be provided on the website and linked to the TLG page.

Julie Dalsaso asked for more information on the EPA Remedy Review Board. Anne explained that the process involves senior EPA officials in evaluating remedies being done at Superfund sites – both the technical and funding aspects. Julie asked for an example of a geochemical issue. Anne said that a reactive barrier would be an example where chemical reactions could occur in the subsurface of the Box area. Swampy areas with a lot of organic matter may be covered with tailings, and EPA would want to evaluate the subsurface chemistry in that area through sampling. Anne reported that the results of the sampling will be coming up over next couple of months.

Mark Stromberg asked what the CCC and EPA can do now to inform people about the process so that they will not be surprised far into the project. Anne stated that EPA would like to get the word out and is open to suggestions on how to communicate to the public about the process. She will be presenting material at the BEIPC, TLG, and CCC meetings with the intent to make it available. Bonnie Douglas suggested that the public might be overwhelmed by the technical detail and that they need information that is designed for the general public.

Rusty Sheppard suggested that the SIG groups could take the information and disseminate it to local groups, such as the River Association or to the Lake Shore Owners Association. Julie Dalsaso suggested that this is a Communications PFT issue. Bonnie stated that there is a list of organizations that Rebecca provided in the past that could be used for outreach purposes.

Upper Basin Prioritization Update

Bill Adams, EPA Region 10, presented information on the Upper Basin prioritization process. There are over 300 locations needing cleanup in the Basin, including mine and mill sites, stream sections, adits, and other areas where mine waste exists. Given the time and resources required for cleanup, a prioritization process is needed to sort the sites from high to low priority, and to identify actions that would provide the most value for the cost.

Bill reported that EPA has been working to develop a 3-step prioritization process. In Step 1, EPA will apply the “simplified tool”, which uses upstream and downstream water quality data at a source area (relative load of zinc and lead) to predict improvement of water quality if the site were cleaned up. This step helps to narrow a large number of sites to a more manageable number for further prioritization, and can be modified and updated over time. In Step 2, EPA will systematically apply a multi-attribute utility (MAU) model that takes the input from the simplified tool and applies other factors. This is a spreadsheet-based tool that considers factors such as the cost of cleanup, metal loadings, proximity to residential areas, etc. to help prioritize actions. The step can be updated and revised to incorporate other factors as needed. The model can be used to show benefit to dollar spent. In Step 3, EPA will consider other relevant factors, such as mobilization efficiency, recontamination potential, human health benefits, and others, to put sites into

groups or “buckets” and develop implementation plans. In this step EPA will look at a particular segment and consider the package of sites that would be cleaned up, including lower priority sites that are in the immediate area.

Bill reported that there was a Prioritization Tools meeting on December 4th, which covered an overview of the prioritization tool and at which he received input from participants. Since human health was identified as the largest priority, the tool will look for sites where there is recreation or other activities and a human health risk.

Bill reported that the Prioritization Tools meeting on January 8th included a discussion of weighting the main objectives and tradeoffs, such as ecological versus human health. He provided a handout titled, “Objectives Hierarchy and Performance Measures for the Coeur d’Alene Basin,” which outlines the process for making the first cut of the 300+ sites. Bill stated that the prioritization process was presented on January 28th at the TLG meeting and at a subsequent discussion with the Trustees.

The next steps for the prioritization process include the following:

- Revise habitat measure (3a) in Simplified Tool based on BLM information
- Incorporate low flow data into “Simplified Tool”
- Input data into MAU model (Feb)
- QC sites on list using site knowledge and best professional judgment
- Consider other factors using MAU principles to begin “bucketing” of sites for ROD amendment and implementation plan (March)
- Get input from TLG, PFT, CCC and BEIPC on process and results (March – April)
- Use results to form basis for priority work in EPA Decision Document

Jerry explained that the amendment process is a formal process required under the CERLA Superfund law. More information will be posted on the website as it becomes available.

Coeur d’Alene Lake Management Plan

Rebecca Stevens, Coeur d’Alene Tribe, and Glen Rothrock, IDEQ, presented information on the Coeur d’Alene Lake Management Plan. Glen reported that he and Rebecca recently spoke at a Chamber Resource Committee meeting, and other local group meetings about the plan. He announced that the Response to Comments document, which is 200 pages, was published three weeks ago and is available on the IDEQ and Coeur d’Alene Tribe websites. He stated that about half of the plan consists of 33 comment letters. For those who do not have time to read the entire document, Glen suggested they read the first 17 pages, which include a list of 23 common themes from the comments and responses. A more detailed matrix of all comments and responses is also provided for those who want to read beyond the first 17 pages. Rebecca reported that the matrix indicates whether or not changes were made to the Lake Management Plan based on the comments.

Glen asked if anyone in attendance had read the comments or had any questions. Julie Dalsaso asked for more information about a comment from Washington Department of Ecology on page 54, which states that there is a metal and nutrient loading concern at the state line and that the ROD was being viewed as a TMDL plan. Glen explained the IDEQ response on page 15, commenting that IDEQ's completed TMDL went to court and was ruled null and void due to improper administrative procedures. IDEQ is expected to revisit the TMDL this year to review it. Glen explained that IDEQ may not be doing a metals TMDL, if the agency decides that the completed ROD analysis covers the same information. Glen explained that IDEQ staff is required to review the TMDL in 2009 and that the need for a metals TMDL will be part of that review process.

W.C. Rust commented that groundwater models for the Box showed huge reductions in zinc loading. He stated that there is a solution but someone must provide the money. Glen responded that is why IDEQ staff may not follow the TMDL path.

Mark Stromberg asked for information about the interaction of TMDLs and the new ROD Amendment. Glen responded that IDEQ's current TMDL efforts are not metals-related. He explained that the North Fork Watershed Advisory Group (WAG) is the furthest along of any watershed in the TMDL process. However, the North Fork TMDL is primarily for sediment, and there is not a great deal of interfacing with the ROD Amendment and the North Fork TMDL process. On the South Fork Coeur d'Alene River however, a project coming out of the ROD process could generate metals or sediment that would relate to the South Fork sediment TMDL. Currently however, there is not a TMDL WAG in the South Fork area. Glen explained that IDEQ is starting the TMDL implementation planning effort in the area from the confluence of the North Fork and South Fork down to Harrison, and would be putting together an advisory group in that area.

W.C. Rust commented that TMDLs don't inhibit short term effects, but only look at long term effects. Glen explained that a TMDL is a calculated amount of pollution that can be released into a stream and still have beneficial uses supported. Since 1995, IDEQ has had crews determining whether a stream is affected or is showing healthy biology. If affected, it is put on the "303(d) list" of impaired streams.

Lower Basin Work Planning

Ed Moreen, EPA, presented information on the Enhanced Conceptual Site Model (ECSM) for the Lower Basin. He provided a handout of the ECSM overview memo developed by CH2M Hill and a compilation of Coeur d'Alene River sediment literature.

Ed explained that the ECSM overview memo provides an in-depth understanding of ECSM and describes the samples collected. The ECSM is being developed to help guide decision-making regarding remedial actions for the Lower Basin. Considerable amounts of lead are still being found in the Lower Basin. Ed explained that the Conceptual Site Model is a working hypothesis of a site based on current knowledge. It identifies potential exposure pathways. The ECSM includes the following components:

- Compilation of existing data and knowledge
- Identification of data gaps and recommendations to address them
- Identification of key parameters and associated levels of uncertainty
- Numerical modeling to evaluate and prioritize remedial actions

Ed reported that key findings from the 2002 ROD showed that the South Fork contributes heavy metals, such as zinc and lead, to the Lake. He described a table as part of the memo that identifies the significant remedial actions identified and the key issues that will need to be evaluated. A second table on technical memoranda lists the components, such as hydrology, hydraulics, geomorphology, contaminant sources, and others, that will be prepared under the ECSM. The memos will be presented to the BEIPC and the CCC for input at upcoming meetings.

Mark Stromberg asked for more information on how the previous model under the Clean Water Act is either used in ECSM or ignored by it. Ed explained that the previous outcome model is used for the lake, but the ECSM is focusing on sediment transport in the river and therefore requires a different model. Jerry asked if the Forest Service did modeling. Ed commented that EPA would look at the Forest Service model to see whether it would be useful.

Ed provided photos of river areas that flooded recently, including one in the Mission Flats area where the river had overflowed its channel. He explained that the lead levels in the Middle Basin were very high, based on three different sampling intervals.

EMF Repository and Upper Basin Repository Siting Process

Ed Moreen gave an update on the East Mission Flats (EMF) Repository and Upper Basin Repository Siting Process. Ed provided two handouts including a graphic on East Mission Flats and a table of the groundwater monitoring results for dissolved metals.

Ed explained that the EMF Repository was opened in October 2008 for a few loads of Institutional Control Program (ICP) waste and will reopen in the spring as soon as the flood risk is over. Wells were installed at site E and F (in the graphic provided). Monitoring results showed that there were no metals above drinking water standards in the area, except for groundwater levels at site E, where there were high arsenic levels (14 mg/L). EPA is in the process of interpreting this result.

Ed reported that the 90% design is in its final stages. The design report is currently being reviewed and will be provided to the public and posted on the website soon. A key change to the design is the new bridge access from Exit 39 to the site, avoiding the longer drive along the road. In addition, 20% of the repository perimeter will be filled with rip rap (rock) and the rest will be filled with gravel. Mark Stromberg reported that they were planning to construct the bridge this year, starting the work in July and finishing by fall.

Ed reported that the Upper Basin siting evaluation process had started. EPA is looking at 85 sites that were summarized in the TerraGraphics report from 2002-2003, which

characterizes the sites. EPA will start by looking at those sites and will seek input on any other potential sites. EPA will have a selection matrix soon and will look for input on that. They are seeking a site that has certain characteristics such as being over 20 acres in size; close to I-90; removed from residential areas; outside of wetlands and cultural concerns; away from mining; and other factors. EPA will be conducting public participation activities with advance notice to the CCC and BEIPC.

Bonnie Douglas asked why we can't put more waste into the central impoundment area rather than going to another site. Ed explained that in order to put more waste into the site, EPA would have to build roads to get to it and would have to make sure that the cap was not damaged and the toxics on top of the impoundment not released. He said that the idea had been discussed but not welcomed because of these issues. Terry added that there are homes on the hill above the area and that the view of the site from the homes would be a problem. Jerry stated that the proximity is also an important factor and that contaminated materials should not be transported far distances. Jerry asked if sediment ponds by the old mine would be considered. Ed replied that they would.

Rusty Sheppard asked if there would be fewer cleanups in the Lower Basin, since no sites were being considered in that geographic area. He suggested that people in the Lower Basin may ask about that. W.C. Rust made a comment about West Mission Flats. If EPA was likely to get to the flats in the not too distant future, he suggested not digging up the area, but rather closing it in place.

Jerry asked if it was clear where the high concentrations in sediments came from. Ed responded that sampling this year showed that the high concentrations came from the middle of the river. However, they need to look at the data more closely and may need to identify any data gaps. W.C. Rust commented that the bottom of the river is silty sandy deposits, similar to sand dunes moving down river, and gets picked up. Terry commented that one USGS study showed that the high concentrations came from the bed of the river. Ed stated that the USGS study supports that theory but also shows that the 100-year flood event has contributed.

W.C. Rust suggested that Ed show the list of 85 potential repository sites to Shoshone County to head off any problems with selecting potential sites. Ed responded that he could share the list, but that it might make sense for the County to have a smaller, more pared down list when it became available.

Jerry Boyd announced that the Repository PFT meeting would be held on February 10th from 2:00 to 5:00 p.m. The meeting will focus on East Mission Flats and the Upper Basin Repository siting effort. Rebecca suggested that Ross and Associates email other CCC members about the meeting. Jerry invited CCC members to attend the meeting. Bonnie Douglas asked whether she would be allowed to speak at the meeting. Terry explained that she could speak when recognized by the Chair, and that comments were welcome.

Ed explained that EPA has talked about having a public forum for the repository updates, but would like to think more in depth about how to approach that process. The objective is to find the most effective way to inform people about the repository siting process. Ed suggested that Andy Mork present an update of the repository siting process at the upcoming BEIPC meeting.

Open Discussion/CCC Issues

Julie Dalsaso asked Terry about the Funding PFT. She pointed out that Terry had mentioned (in the TLG minutes) that there was a funding package for ITD and wondered if the BEIPC was part of that. Terry responded that the BEIPC does not have any bearing on what ITD does. He announced that there will be a Funding PFT meeting sometime after the BEIPC meeting.

Bonnie Douglas asked if there would be work on I-90 near East Mission Flats under the stimulus package. Terry responded that there would be some, but it appears that those projects must be ready to go to contract within 90 days of the package funds being received.

Julie asked for more information on why Terry gave back 2009 funding to help with IDEQ cutbacks in budget. Terry explained that the Governor asked people to give back the money, and he did it voluntarily.

Julie asked for information on the timeline for the Kootenai County minority report that was described in the TLG meeting notes. Terry replied that there was no minority report, since the lake management activity work was not included in the plan.

Next Meeting/Upcoming Events

The next BEIPC Board meeting will be held on February 25, 2009.