

4-23 Citizen Coordinating Council Meeting

Kootenai County Administrative Building, 6:30pm, Coeur d'Alene, ID

Attendees

Neil Beaver
Angelo Bissell
Joyce Bissell
Lloyd Brewer
Phillip Cerna
Mark Compton
Mike Dexter
Jack Domit
Dave Enos
Connie Fudge
Frank Frutchey
Rose Frutchey
Bryony Hansen
Rog Hardy
Toni Hardy
Terry Harwood
Jim Hollingsworth

Kathy Johnson
Kristy Reed Johnson
Sherry Krulitz
Noel Logar
Bob Martinson
Jana McCurdy
Woody McEvers
Mike Mihelich
Charles Miller
Luke Russell
W.C. Rust
Randy Siemers
John Snider
Ruth Spencer
Ed Tulloch
Kathy Zanetti
Nick Zilka

Meeting Overview

The April 23, 2003 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission) covered the following topics:

1. CCC Leadership Issues—new structure, leadership needs, preparation of Operating Procedures and Protocols
2. Updates on lake deletion, National Academy of Sciences study, and the Technical Assistance Grant
3. Sideboards of the Record of Decision (ROD)
4. Technical Leadership Group (TLG) activities, plans around 5-year workplanning
5. Basin Commission updates/administrative updates.

Opening

John Snider, newly-elected CCC Chair, welcomed meeting participants and introduced himself and the Vice-Chair, Woody McEvers. He also introduced County Commissioner Sherry Krulitz, who is also the Chair of the Basin Commission Board. John thanked everyone for coming and asked participants to identify themselves by name and city or

region , clearly state whether they are commenting on behalf of themselves or some larger organization, and stay on topic.

CCC Leadership

John also introduced the CCC Small Integration Group members present: Neil Beaver (Washington State); Jana McCurdy (Lower Basin/Harrison/Former Reservation); Kristy Reed Johnson (Post Falls/Coeur d'Alene); Connie Fudge (Upper Basin). (John is the SIG member representing the Lakeshore/Spokane River owners.) He then noted that three region (current Reservation lands, the "Box", and Benewah County/St. Joe River/St. Maries) still need to name SIG representatives. Phillip Cerner (Coeur d'Alene Tribe/TLG Chair/Basin Commission Interim Staff) offered to see if anyone from the Reservation was interested in participating on the SIG.

Topics of Interest

NAS Study

Sheila Eckman (EPA Region 10 Coeur d'Alene Basin Cleanup Team Leader/Basin Commission Interim Staff) provided an update on the NAS Study. Approximately \$850k was earmarked by Congress in the 2003 budget for the NAS to conduct an independent review of EPA's decisionmaking specific to the Coeur d'Alene Basin (on cleanup issues). The project will be administered out of EPA's Office of Research and Development (<http://www.epa.gov/ord/>) in Cincinnati, OH. EPA Region 10 staff will be available to support the effort, as requested. The contract is under negotiation at this time; monies are expected to move to the NAS in the next several days. At that time, NAS will select its committee (a team of approximately 15 scientists who will conduct the investigation) and initiate its research. The investigation is expected to take approximately 22 months, at the end of which the committee will issue its report to Congress. EPA is not required to implement any of the recommendations but has committed to consider seriously any findings that would change their decisionmaking in the Basin.

Mark Compton, from U.S. Representative Otter's office, noted that the NAS committee is planning to make at least one visit to the Basin as part of its research effort. He also clarified that the NAS committee establishes its own scope of work—EPA does not control what the NAS studies. Toni Hardy expressed a hope that the Union Pacific Railroad (UPRR) issues be considered by the committee and asked for the name of a contact person at NAS. Mark provided the following name: [Ray Wassell, National Academy of Sciences, 500 5th Street NW, Washington, D.C. 20418](#)

Dissolved Metals Presentation

Bill Rust, TLG and CCC member, shared his thoughts on ways remove zinc (Zn), one of the heavy metals of concern, from the Basin's waterways. According to Bill, taking care of Zn will take care of several other problem metals, including cadmium. Bill clarified that there are no new sources of zinc to the Basin; rather, zinc (and other metals) are flushing out of the Basin gradually over time. In his presentation, Bill emphasized that

diffuse, nonpoint sources of zinc that move via groundwater are of greatest concern. For that reason, he suggested that Zn remediation efforts should focus on groundwater treatment (possibly in conjunction with upgrades to wastewater treatment plants (WWTPs)). Bill also recommended that state water quality standards and/or water quality permits limits held by WWTPs in the Basin be related. One participant asked who would pay for the projects Bill outlined (A: no funding sources have been lined up but Clean Water Act monies are already being applied in the Basin to address related water quality issues). Another questioned whether Bill's proposal would address other heavy metal contaminants of concern (e.g., lead and arsenic). (A: No, but neither do the projects being implemented in 2003 to help address this problem).

NOTE: The group spent some time discussing whether the Basin Commission should be involved in non-Superfund projects.

Lake Management Plan Update

Phillip Cernera noted that the period for commenting on the Lake Management Plan closed in late March and that the Coeur d'Alene Tribe and DEQ are now reviewing comments received. The critical question under consideration is:

- Will the lake be protected from future metals remobilization? [NOTE: For the tribe, "future" encompasses the next seven generations.]

Additional questions include:

- Who will implement the Plan?
- Who will coordinate it?
- Who will pay to implement projects and conduct monitoring?

Partial Deletion Process

Sheila Eckman briefly reviewed the partial deletion process related to Lake Coeur d'Alene and the Lake Management Plan. She described EPA's process (feasibility study leading to range of options to address metals in Lake Coeur d'Alene sediments (from "do nothing" TO "implement institutional controls" such as land use planning). She also clarified that the original Basin ROD deferred decisions on the lake pending completion of the Lake Management Plan but did not exclude the lake from the Superfund site. Once the Lake Management Plan is finalized by DEQ and the Coeur d'Alene Tribe, Sheila indicated that EPA will consider issuing a "No Further Action" ROD for the Lake following consultation with ID, WA, the Coeur d'Alene Tribe, the Spokane Indian Nation, and the federal natural resources trustees. As needed, the agency will also undertake an Endangered Species Act consultation with USFWS due to the presence of bulltrout in the lake. If/once the ROD is supported by those parties, EPA will send it out for public comment. Ultimately, before a decision is made to partially delete the lake, EPA will publish a notice in the Federal Register noting that the agency intends to delete and seeking public comment, undertake a second round of consultation, and seek the Coeur d'Alene Tribe and State of ID's concurrence. An ongoing effectiveness monitoring program will also be established at that time.

CCC members had many questions related to deletion process. In response to a question from Bob Martinson related to the geographic scope of the deletion action, Sheila reported that the partial deletion covers Lake Coeur d'Alene—but not the lateral/chain lakes. [NOTE: It is still open as to whether the ID portions of the Spokane River could be covered by the partial deletion, given that no active remediation is planned for those areas.] In response to a question from Rog Hardy related to ongoing contamination from the UP railroad bed, Sheila noted that the partial deletion may exclude certain areas from coverage (e.g., areas adjacent to the railroad bed that may be subject to future cleanup actions). Toni Hardy then asked who would fund further remediation along the trail and at Harrison Beach. She also expressed concerns that Union Pacific would not be available as a potential funding source once the trail is certified.

NOTE: As this discussion was wrapping up, Rog Hardy asked why the UPRR was not included in Basin Commission activities while other projects not directly tied to implementation of the ROD (e.g., the Mullan Infiltration and Inflow (I/I) are being discussed and overseen by the Basin Commission. The group did not discuss this topic at any length but may take it up in future meetings.

ROD Sideboards

Sheila Eckman then quickly reviewed some of the “ROD Sideboards.” She noted that the ROD has two main components: human health and ecological, and that the ROD’s highest priority (and near-term focus) is on human health issues. Human health activities are focused on cleanups at residences, recreation areas, and mining/mill sites. An interesting issue for further consideration will be the identification and selection of repository sites for disposing of the contaminated soils. Other key questions the CCC is invited to provide input on in the coming months include:

- What factors should be used to prioritize communities for cleanup in residential areas? In recreational areas? At mill and mine sites with human health exposures?
- How should we move forward with the Basin Institutional Controls Plan (to assure maintenance of remedial actions)?

Ecological remedies will be designed to return rivers and tributaries to conditions that fully support health fish and aquatic species but that may not meet state water quality standards (within the 30-year ROD implementation period). The CCC is also invited to provide input on the following:

- How should eco-remedial activities be prioritized and sequenced (i.e., what project-specific criteria should be used)?
- Where should these activities be implemented (specific locations)?
- What technologies may be applied and/or are forthcoming to support eco-remedial action projects?

NOTE: *Sheila Eckman’s “ROD Sideboards” presentation is attached.*

TLG Report

One-Year Workplan Implementation Report

Phillip Cernera offered a quick overview of Year 1 Workplan activities.

Lake Monitoring Plan—The plan is in development. The TLG will present to the Basin Commission Board a 3-year monitoring plan on May 28. The first three years are designed to help establish a baseline (e.g., to better understand how chlorophyll *a* responds over time and to understand how waterfowl and fish uptake metals.)

Streambank Stabilization—This PFT will be meeting on May 6 and hope to propose a project to the Basin Commission Board on May 28. The group is trying to balance the desire to understand the Lower Basin river system with an interest in getting work on the ground quickly.

Lake Information/Education—The Tribe and the State have met to begin to develop “messages.” Their plan is to craft messages and materials that other agencies will help distribute to lake users.

Mullan Infiltration and Inflow—DEQ has established a subgrant agreement with the South Fork Sewer District to begin work.

Water Treatment-Canyon Creek—Project is going forward. URS is working on the first phase of the water treatability study.

Human Health—residential—Design activities have begun; are awaiting funding.

Human Health—recreational—Design activities have begun; are awaiting funding. A field trip (to check out possible work sites) is being planned for July 8. Anne Dailey, 206/553-2110, dailey.anne@epa.gov, is the contact for the trip.

Upper Basin Source Areas—Design activities have begun; are awaiting funding.

Rex Mine and Mill—Are awaiting funding.

CCC Reactions, Comments

One meeting participant asked whether the AVISTA surveys could be used to augment any other data collection activities. Kristy Reed Johnson indicated that AVISTA is looking at nutrients (but not metals) and will make available their maps and data. Phillip indicated that the TLG will be connecting with AVISTA.

Another participant encouraged the TLG to help coordinate the PFTs' various projects, noting that the Rose Lake Boatramp has streambank stabilization and human health-recreation opportunities.

Five-Year Basin Commission WorkPlan

Phillip Cernera provided an overview of the TLG's efforts to begin to develop a five-year Basin Commission workplan. As before, funding is an issue. The ROD priorities continue to direct our workplan. The TLG will assume only that Superfund monies are available to fund remediation activities and will plan for an annual budget of roughly \$12M. This budget does not consider remediation of mine and mill sites. Phil also indicated that the TLG wants to develop a list of ecological restoration projects, should Clean Water Act monies become available again, and that the TLG has a strong interest in doing ecological restoration work.

Phil then explained that at its meeting on 4/22, the TLG broke into two groups (human health and ecological) to begin to discuss long-term priorities. The groups' key ideas will be summarized in a document to be sent to the CCC in a few days. He then reviewed the TLG's next steps in developing a proposed 5-year workplan. Key dates for this effort include:

May	CCC provides input on content of preliminary 5-year plan
May 14	CCC Meeting
May	Technical Information Assembly by URS, COE
May	PFT input
June	Kathy Johnson, others prepare Draft Preliminary Plan
June – mid July	TLG and CCC review Draft Preliminary Plan
July 10	TLG meeting to discuss first draft of 5-year plan
July – mid Aug	TLG prepares Proposed Plan for Basin Commission; CCC comments

Phil noted that over the next few weeks, the TLG is especially interested to hear the CCC's ideas about how priorities should be set. Toni Hardy indicated that she would like a health study that tracks residents health from birth to death to be established and suggested that the study would be a good use of non-remedial action funds made available to the Basin Commission. Participants were unsure as to what sources of funding might be available to support such a study.

NOTE: Phil's 5-Year workplan discussion handouts are attached.

CCC Operations Update

Operating Practices and Procedures

Anne Dettelbach updated the group on her efforts to draft an Operating Practices and Procedures document for the CCC (along the lines of the ones drafted for the TLG and Basin Commission Board). Anne has received comments from several individuals, including Charles Miller and John Snider, and will work with John Snider to prepare the document for wider distribution.

Technical Assistance Grant (TAG) Update

Sheila Eckman announced that EPA will be awarding the Basin Cleanup Coalition with a technical assistance grant sometime over the next few weeks. TAG recipients receive monies to hire a technical advisor to conduct independent technical review of cleanup proposals and actions. Jonathan Coe with the Coeur d'Alene Chamber of Commerce leads that effort. Jonathan has been encouraged to work closely with the CCC.

EPA Community Involvement Contact

Sheila Eckman announced that Renee Dagseth would be assuming Marianne Deppman's duties for the next six months while Marianne is on detail to organize a Brownfields conference.

Seattle University Survey

Several CCC members announced that they had been contacted by law students at Seattle University to fill out a survey related to the CCC. Kristy Reed Johnson indicated that she had sent the CCC's "Recommended Approach for CCC Organization—2-20" to the group.

Board/Basin Commission News

Luke Russell, IDEQ and Basin Commission interim staff, announced that the Basin Commission Board is scheduled to hold its next meeting on May 28 at the Wallace Inn in Wallace. The meeting will begin at 10:30am

Sherry Krulitz offered to meet with interested citizens the week before the Basin Commission to hear what issues are important to them. John Snider suggested that perhaps the SIG should represent the citizens at that meeting. Rog Hardy suggested that an invitation be sent to the CCC membership to determine who is interested in participating in this session. Sherry will work with Luke Russell and John Snider to set the meeting time and date, and will invite the other commissioners to join the informal meeting.

The Basin Commission website, www.basincommission.com, has been updated and now includes a discussion forum. Citizens are encouraged to take advantage of this new functionality to share ideas, concerns, and questions.

Next Meeting/Upcoming Events

The next meeting is tentatively scheduled for May 14, 2003 in Coeur d'Alene. CCC members expressed an interest in hearing about cleanup activities in the Box (whether at the CCC meeting or as a separate informational meeting).

The next Basin Commission Board meeting will take place at the Wallace Inn (Wallace, ID) on May 28. The meeting will begin at 10:30am.

The TLG will meet on July 10 to discuss the first draft of their five-year plan.