

Basin Environmental Improvement Project Commission

Meeting Summary: May 12, 2004

Meeting Location: Dept. of Health and Welfare Office, Kellogg, Idaho

Commissioners Present: Sherry Krulitz, Shoshone County, Chairwoman
Chuck Matheson, CdA Tribe
Dick Panabaker, Kootenai County
John Iani, Federal Government
Steve Allred, State of Idaho
Jack Buell, Benewah County
James McCurdy, State of Washington

Staff Present: Phillip Cerner, CdA Tribe
John Roland, Washington, DOE
Robert Hanson, Idaho, DEQ
Ed Moreen, EPA

Note Taker: Holly LeBret

Chairwoman Krulitz opened the meeting at 12:00 A.M. with recognition of some guests in the audience: congressional staffers Mark Compton, and John Martin. Commissioner Iani introduced his alternate from EPA, Ron Kriezenback and Andrea Lindsay, the new Community Involvement Coordinator. Commissioner Allred introduced Mark Stromberg of DEQ, Luke Russell's replacement. She asked if there were any changes to the agenda, none were noted.

Old Business

Corrections to the minutes from March 24, 2004: Chairwoman Krulitz requested a motion to change the current format of the minutes to true minutes. Commissioner Panabaker made a motion to change the minutes format to true minutes and Commissioner Allred seconded the motion. The Commissioners voted and all were in favor of true minutes. Therefore, staff will revise March 29, 2004 Board meeting minutes and resubmit next meeting.

Curt Fransen presented the Interagency Cooperative Agreement. There was discussion about personnel and employment laws, about loyalty concerns, and about concern for minority representation (e.g. the State of Washington). Prior to any motion, Commissioner Allred recused himself. A motion was made by Commissioner Panabaker and seconded by Commissioner Buell to accept the agreement. All voting commissioners were in favor with one Nay vote from Chuck Matheson. A second motion was made by Commissioner Panabaker to authorize Chairwoman Krulitz to sign the document, and seconded by Commissioner Buell. All voting commissioners were in favor with one Nay vote from Chuck Matheson. **Executive Director Recruitment** - Rob Hanson presented a schedule and ads that the recruiter, Deborah Middleton, had developed. There was discussion about the ads, including where to place them. Commissioner Panabaker made a motion to approve the first ad, which was seconded by Commissioner McCurdy. The motion carried unanimously.

Public Comment – The most recent edition of EPA's Basin Bulletin caused some confusion with the reference to the underground seepage from the CIA. John Roland suggested there is new information about the 'Box' that would make a good presentation to clear up some questions. Phillip Cerner stated that when the TLG meets they will get a 'Box' group to brief the Commission and there may be a need for a PFT.

Chairwoman Krulitz presented the Commissioners a letter she had received from the City of Osborn. She asked when work was to begin there. Rob Hanson responded that they are starting on May 17th. There was discussion about the quality of gravel being used and about compaction. Mr. Mooney, street supervisor from Osborn spoke about past problems they had experienced with DEQ and whether their work passes Osborn's inspections. Commissioner Allred stated that DEQ will work with them to straighten out any problems.

Lake Education Presentation – Phillip Cernera requested either a vote to accept the “Our Gem” presentation or feedback. Commissioner Buell stated that he would send in some comments and Chairwoman Krulitz requested that legal opinion be obtained (regarding showing private property pictures) prior to public release of the presentation.

PFT Reports – Phillip presented an outline with a summary for the reports. Anne Dailey, Basin Monitoring PFT chair, spoke about the STORET database and the Rose Lake media event. She also updated the Commissioners about the 5-yr. plan, which provided for informational signage.

Ed Moreen spoke about the Repository PFT. There was discussion about ownership and liability for the owner of the land and about the CIA. Big Creek Repository is in use and the EPA and State are working to find other sites.

Bill Adams was not available to comment on the Upstream Source PFT so Phillip read his comments to the Commissioners.

Nick Zilka spoke about the Biostabilization PFT and reported no new activities.

Nick Zilka spoke about the Stream Stabilization PFT and stated that on May 13, 2004, a final design selection meeting was scheduled. He also stated that property ownership on the north bank is IF&G and to the south is a private party willing to allow their land to be used for this project. Phillip Cernera spoke about the bathymetry mapping. Jim Hollingsworth asked if riprap is useful in stopping dissolved metals and Nick responded that it is not, that it is used to stop sediment transport.

Bill Rust spoke about the Water Treatment PFT. He said that the EPA contract for surface water testing is nearly done and they have groundwater to do yet. He spoke about the passive treatment system at the Nevada Stewart site. He plans a meeting for the PFT to discuss the Gym Portal mine preparing an Engineering Cost Analysis (ECA).

Phillip Cernera spoke about the Lake Monitoring 3-year study and invited Paul Woods to give the Commission an update. He gave a brief overview of their findings regarding: 1) mass balance of metals and nutrients, 2) nutrients and lake productivity, 3) fate and transport of metals, and 4) ecological health. He stated that lower levels of zinc were found and that is good news, but the overall trend in lake productivity is not what we would like to see. There were questions about trends in other metals present when looking at chlorophyll concentrations, but Paul stated that he would rather answer that later when the BEMP program was more developed. Chairwoman Krulitz asked if shore development affected this and Paul responded yes, that it is important to watch nutrient loading. He also explained the three terms used when talking about lake productivity: Oligotrophic (low productivity), Mesotrophic (medium productivity), and Eutrophic – high productivity and severe dissolved oxygen problems, the water column has too many nutrients. (webster's: Having waters rich in mineral and organic nutrients that promote a proliferation of plant life, especially algae, which reduces the dissolved oxygen content and often causes the extinction of other organisms. EPA glossary “Mesotrophic”: Reservoirs and lakes which contain moderate quantities of nutrients and are moderately productive in terms of aquatic animal and plant life.)

Phillip Cernera spoke about the Lower Basin Forum: On February 17, and on April 21, 2004 the group met to advance LBF objectives. Prior to moving ahead with the development of the game plan for the sequencing for lower basin projects, the group first believed it important to understand the science for this area. Therefore, the first meeting focused on characterization of the contamination in the river and floodplain and rates of recontamination. Chairwoman Krulitz asked what area was considered “lower

basin” and Phillip responded that it is just upstream of the boat ramp at Cataldo where the river goes from slack water to swift moving. (Cataldo is considered lower basin).

The Basin Information Forum: Phillip Cernera of the CDA Tribe is facilitating this group. What was the CBRP’s forum for exchange of technical information (without politics), has now become the Basin Information Forum (BIF). On April 21, 2004 the group met to discuss Lake data collected by USGS as part of the 3- Year Basin Commission approved plan and CDA River and floodplain characterization data collected by the USGS. Development of more usable database was also discussed.

The “Box” Forum: TLG plans to focus their efforts on the remaining work left in the “box” was discussed. Chairwoman Krulitz asked why projects were getting done in Osburn when work isn’t finished with Kellogg. Commissioner Allred said that in the “box” there are federal funds and that a court settlement determines, in part, how the schedules run. Rob Hanson also said that there is work planned for 200 yards in the “box” and the work should all be done by 2005.

Rob Hanson presented status of the Residential Area Human Health PFT work. A schedule was laid out to remediate 300 properties in the Basin this year. About 100 will be high risk properties. Area-by-area work will be done in Osburn including Blue Anchor trailer court, Leisure Acres and Mullan. DEQ plans to sample 1200 to 1300 properties this year. A door-to-door survey is being done to identify where the children live and also provide information about the Health Intervention Program and gain sampling access. The DEQ contractor, TerraGraphics has hired 34 locals of 35 people hired for this work. There were several questions about how properties are counted and what it means to remediate 300 properties when many of these are going to be in trailer courts.

New Business

TLG proposed path forward with CWA grant projects: Phillip Cernera briefly explained the draft protocols that were handed out. Chairwoman Krulitz stated that $\frac{3}{4}$ of the monies should go to the upper basin. There was discussion about the merits of accepting proposals from throughout the basin or specifically 75% for projects in the upper basin and discussion about project evaluations.

Phillip met with the chair of the CCC, John Snider, to discuss better facilitation of the CWA proposals from within the CCC. They agreed to a few changes to keep the TLG available to sponsor projects from the CCC. Paul Woods commented that he and Rog Hardy were working together to develop a proposal to study near shore concentrations of contaminants.

Commissioner Panabaker stated that work should get done in the upper basin first, if it fits the CWA criteria. Commissioner Allred stated that there are several things he would like to see done in the upper basin, some infrastructure in order to protect the remedy; Commissioner Allred: We can give some thought as to what we think needs to be done up here, so it meets the criteria, the CWA criteria, people need to be aware of in the upper basin we are looking at infrastructure to protect the remedy that is already in place and perhaps, those are some areas I would like to see focused on: what are they, maybe studies, innovative designs and plans for construction, the INI thing, the successful projects that we had we found out we need to look at perhaps demonstration projects that and find a way to stop the migration of some of the contaminants, we need to look at how do we protect our remedies from high run off that will occur again, ‘flood control.’ One area he would like to encourage, in addition to that of working in the basin, a project I would like to look at – we took an action here that said the Basin Commission would be the coordination for the Lake Management Plan.

Chairwoman Krulitz described several projects she would like to see focused on: two mines, one in Osburn and one in Pinehurst, Pinecreek. She asked about demonstration projects to see what would work. Phillip Cernera said we would definitely raise those issues of mine dumps.

Commissioner Panabaker made a motion, that to the extent possible, 75% of the work will be done in the upper basin. Commissioner Buell seconded the motion. There was discussion about the motion, an amended motion that was withdrawn and a final vote on the motion. It passed unanimously.

CCC Report – John Snider spoke about the CCC becoming more involved with the CWA Proposal process.

Public Comment – Charlie Mooney spoke about a letter that was sent to DEQ in December of 2002 regarding quality of work done in the Osburn area, specifically compaction of gravel areas, as a reminder that the City of Osburn is not yet satisfied with the quality of construction

Commissioner McCurdy announced an upcoming CLE Program that Gonzaga University was offering on Friday, May 14th, that was titled: Spokane River, Treasured Resource or Industrial Sewer?. He encouraged anyone interested in the upcoming seminar to attend.

Meeting Adjourned

