

**Approved Minutes  
Basin Environmental Improvement Project Commission  
11/10/04 Meeting**

**Idaho Department of Health and Welfare  
35 Wildcat Way, Kellogg, Idaho**

Attendees:

Commissioners Present:

Mr. Jack Buell  
Ms. Toni Hardesty  
Mr. Chuck Matheson  
Mr. Jim McCurdy  
Mr. Dick Panabaker (Acting Chair)  
Mr. Jon Cantamessa (Alternate for Shoshone County)  
Mr. Ron Kreizenbeck

Alternates Present:

Mr. Chief Allan  
Mr. Curt Fransen  
Mr. René-Marc Mangin

Core Staff Present:

Mr. Phillip Cerner  
Mr. John Roland  
Mr. Rob Hansen  
Mr. Ed Moreen

Other Staff Present:

Ms. Robbin Simmons

At 9:10 am the meeting began.

1) Minutes and Miscellaneous business: The first issue taken up by the Commission was the review of the last Commission meeting's draft minutes. Commissioner Cantamessa suggested that motions were not adequately detailed since there was no recognition of who seconded the motions or the details of the final vote. This will be corrected by core staff John Roland. Motion was made by Commissioner Kreizenbeck to approve minutes, Commissioner Cantamessa seconded the motion. Motion passed unanimously.

Mr. Ed Moreen then presented and handed out a one page summary on the status of the Bunker Hill health assessment.

Commissioner Panabaker then opened up a discussion on the role of the Basin Commission, and the problems associated with the use of Clean Water Act (CWA) funding. He suggested that the Commission hold a workshop to better define the Commission's role and the constraints placed on all the funding streams available to the Commission.

Mr. Rob Hansen then outlined the tentative schedule of upcoming Commission meetings for 2005. These dates are as follows; February 9, May 11, August 10, and November 9, 2005.

2) Blood Lead Update: Dr. Ion Van Lindren provided this slide presentation. All members of the audience and the Commission were provided with hard copies of the presentation.

In general, the presentation outlined that blood lead in children living in Operable Units 1&2 of the Superfund site (Box) has declined. In addition, the national standard for acceptable lead blood levels has declined. Questions raised included: a) why has the standard been reduced? Answer: Because the medical field has learned that problems exist at much lower levels than previously predicted and the public as a whole has become more cautious, and b) how far downstream is the basin-wide survey covering? Answer: As far down as Medimont, Idaho.

Dr. Von Lindren also outlined the Department of Housing and Urban Development (HUD) work which is being conducted to evaluate the dust and lead paint exposure pathways study in the basin.

Finally Dr. Von Lindren explained that the National Academy of Sciences (NAS) is evaluating the Record of Decision (ROD) as related to multiple pathways of lead exposure and the Integrated Exposure Uptake Biokinetic (IEUBK) model. The report is due out to the public in April 2005.

3) Bunker Hill 5 Year Review: Ms. Anne Dailey provided an update of this work. As per the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) regulations, whenever the U.S. Environmental Protection Agency (EPA) conducts a remedy which leaves some contaminants in place, a 5 year review is necessary to evaluate the effectiveness of the remedy. The draft report is due to the public in June 2005. This will be the time when the public can provide comments.

4) Water Quality in the Box: Mr. Steve Hicks provided the Commission with a power-point presentation. This presentation is attached in hard copy form. A question was raised concerning background levels of constituents in ground water. EPA mentioned that since no one was sampling water prior to activities which could have resulted in environmental contamination, these values cannot be determined. EPA indicated that they believe values were far lower than what is currently present in the Box.

Break

5) Clean Water Act (CWA) Presentation: Prior to this presentation Mr. Mark Campton (staff for Congressman Butch Otter) mentioned that as it stands today no CWA funding has been

earmarked for Fiscal Year 2005.

The Chair of the Technical Leadership Group (TLG), Mr. Phillip Cerna presented the results of the TLG's deliberations on the CWA proposals submitted. Twenty three proposals were submitted and the Commission was provided a list of those which the TLG believed warranted consideration by the Commission. The list was broken down into upper basin, lower basin, and basin-wide proposals. Estimates of cost for these proposals totaled 3 million dollars, more than the funds available, so the Commission then had to decide which projects to fund. Several proposals included in the list were discussed in detail.

The proposals discussed in detail included:

a) The Canyon Creek Water treatment study: The TLG believed that most of the work involved in the study was not fundable using CWA funds. The TLG therefore suggested only \$100K be funded for a feasibility study.

b) The Bunker Hill Groundwater Treatment Study: This proposal was reviewed by an EPA grant specialist who believes it does not meet the constraints of the CWA funding restraints, and therefore, the TLG ranked it very low and suggested it should not be funded.

Mr. Bill Rust then provided the Commission with a Minority Report developed by the County representatives to the TLG. This report ranked the two projects mentioned above the highest and therefore, they wanted them considered by the Commission. They also believed that the Lake Response model (Phase II) and the River Model (Phase II) should not move forward. The Minority Report was considered as part of the Commission's deliberative process.

After several proposals were further discussed by the public and Commission members (in particular, the Lake Model) the Commission went into an Executive Session to discuss personnel issues, noting that they would continue deliberations on the CWA proposals after hearing from the Citizen Coordinating Council (CCC) and the public in the afternoon when they reconvene the public meeting.

A motion was made to go into Executive Session. Commissioner Cantamessa made the motion which was seconded by Commissioner Buell. The vote passed unanimously.

6) Executive Session: This session was held to discuss hiring the Executive Director and was conducted during a working lunch. Commissioner Krulitz attended this session.

After the Executive Session the Board continued the open meeting and made mention to the public that they were still deliberating on who to hire for the position. In addition, the February meeting was changed to February 16, 2005 due to a conflict with the counties' schedule.

After lunch a motion was made by Commissioner McCurdy to reconvene the public meeting and seconded by Commissioner Buell. The vote was unanimous. The meeting reconvened at 1:10 pm.

7) CCC Comments: Mr. John Snider presented the CCC comments. These comments included the following: a) the CCC thinks that the CWA money should be allocated 75% for the upper

basin and 25% for the lower basin, and b) CCC participation is beginning to decline because people believe that nothing is getting done and it is becoming a waste of time for those who volunteer their time. The CCC blames this on the lack of funding available to the Commission. Mrs. Kathy Zanetti echoed Mr. Snider's comments and suggested that the Commission needs to "do work" and believed that the Commission has had little impact on the direction of when and how work activities are being conducted.

Mr. Brett Bowers then provided his comments to the Commission. In general, he felt that the Commission needs to be in a better position to make decisions on how to spend both CWA funds as well as superfund funds. Without this decision making authority, the Commission can not be influential. Also he agreed that the CWA proposal submitted by the Counties was a more appropriate use of the funds than that of the TLG's proposal. He also suggested that the Commission spends too much time on the "what if" rather than the "what is."

Comments then raised by the Commission included; a) EPA can not spend CWA money on those proposals that do not fit the funding criteria, b) the Commission needs to focus on the revision of the 5 year plan and looking for alternate sources of funding.

Finally Mr. Ross Stout provided a brief presentation on the need for additional work at the Page waste water treatment plant and had his contractor (Mr. Steve James) provide the Commission with their rationale to fund the Toxicity proposal using CWA funds.

Public comment ended.

8) Commission Deliberations on CWA proposals: The Lake Response model became the focus of much discussion. Dr. Paul Woods was available to answer questions.

After these discussions Commissioner Hardesty suggested the funding of the following projects; 1) Mica Creek (\$121K), 2) South lake Sampling (\$13K), 3) Plummer Creek WWT Pilot Project (\$129K), 4) Plummer Creek Watershed Assessment (\$130K), 5) Pinehurst Flood Impact Study (\$330K), 6) Silver Crescent Vegetation Pilot (\$319), 7) Canyon Creek feasibility study (\$100k), and 8) Page Sewer Treatment Plant toxicity Study (\$116K)

Questions were again raised concerning the timing of the Lake Model and the potential loss of funding from an Australian Group which was working with the U.S. Geological Survey (USGS) on Phase I of the model.

Commissioner Kreizenbeck then made a motion to pass Commissioner Hardesty's proposal with the inclusion of the Lake model. The vote was 3 to 3 (Commissioners Matheson, Cantamessa and Buell no votes, Commissioners Hardesty, Panabaker, and Kreizenbeck yes votes, with Commissioner McCurdy abstaining).

Discussion continued and Commissioner Matheson made a motion to adopt the TLG majority report's top eight ranked projects. Commissioner McCurdy seconded this motion. A vote of 5 to 2 was rendered. Commissioners McCurdy and Matheson voted yes, all else voted no.

Commissioner Cantamessa then made a motion to pass Commissioner Hardesty's original proposal which did not include the Lake Response Model. Commissioner Buell seconded and a vote taken, five in favor, two opposed (Commissioners Matheson and McCurdy).

Further discussion concerning the Lake Response Model took place and Commissioner McCurdy made a motion to add it to the previously approved list of funded projects. Commissioner Matheson seconded the motion. Another vote was taken to add the Lake Response Model proposal for \$210k. The vote was 4 in favor and 3 opposed. The three Commissioners representing the counties opposed the motion but did not exercise a veto. The list as approved is as follows:

1) Mica Creek Wetlands Pilot Project	\$121K
2) South Lake Sampling	\$ 13K
3) Plummer Creek Waste Water Treatment Plant Wetlands Pilot Project	\$129K
4) Plummer Creek Watershed Assessment	\$130K
5) Pinehurst Flood Impact Study	\$330K
6) Silver Crescent Revegetation Pilot Project	\$319K
7) Canyon Creek feasibility study	\$100K
8) Page Plant Toxicity Study	\$116K
9) The Lake Response Model	\$210K

The meeting then was adjourned by a motion raised by Commissioner Panabaker, seconded by Commissioner Kreizenbeck and unanimously passed.