

Minutes
Basin Environmental Improvement Project Commission
2/22/06 Meeting

Wallace Inn, Gold Room, 100 Front Street
Wallace, ID

Attendees:

Mr. Terry Harwood (Executive Director)

Commissioners Present:

Ms. Sherry Krulitz (Chair)

Mr. Rick Currie (Vice Chair)

Mr. Michael Bogert

Mr. Jack Buell

Ms. Toni Hardesty

Mr. Jay Manning (Secretary/Treasurer)

Mr. Chuck Matheson

Alternates:

Mr. Jon Cantamessa

Mr. Curt Fransen

Mr. Rene-Marc Mangin

Staff Present:

Ms. Jeri DeLange

Mr. Dave George

Mr. Rob Hanson

Mr. Ed Moreen

1) Call to Order and Introductions: The BEIPC Chair, Commissioner Sherry Krulitz, called the meeting to order at 9:30 a.m. She welcomed everyone and made introductions.

2) Approval of Minutes: Commissioner Krulitz asked if there were any corrections to the BEIPC minutes from November 9, 2005. Commissioner Rick Currie motioned to approve the minutes as written, seconded by Commissioner Jay Manning. The motion was approved unanimously.

3) BEIPC Officer Election for Secretary/Treasurer: The Executive Director, Mr. Terry Harwood, indicated that there needed to be an election for a new secretary/treasurer to replace former Commissioner Jim McCurdy. Commissioner Toni Hardesty made a motion to nominate Commissioner Jay Manning. The motion was seconded by Commissioner Jack Buell and passed unanimously.

4) Property Cleanup Program: Mr. Mark Stromberg (IDEQ) gave an update on the property remediation program. He reported that the goal for 2005 was 400 properties and 344 were cleaned up despite contractual problems. For 2006, he indicated that the goal is 500 properties and will require three contractors from April 15 until November 15. Mr. Stromberg believes that the goal is achievable and he will be working hard to accomplish it. He also reported on the one- and two-year warranties provided to the homeowners by IDEQ. Each year, IDEQ makes calls to the homeowners under warranty, and he was pleased that IDEQ received an overall ranking of 4 based on a scale of 1-5 (with 5 being the highest).

Commissioner Krulitz asked if the results for the 2005 property remediation program were printed in the BEIPC annual report. Mr. Harwood indicated that the information was listed on pages 8-9.

5) Clean Water Act (CWA) Project Report on Waterfowl: Mr. Brian Spears (USFWS) made a presentation on a CWA project conducted in 2004 on blood lead concentrations in waterfowl on Coeur d'Alene Lake. He indicated that he was giving a recap from a previous presentation made by Dan Audet (USFWS) at a Basin Information Forum (BIF) last year. The project was designed to provide baseline ecological information to determine current conditions and future trends with sampling conducted at 24 sites around the lake. The two objectives were: 1) to expand the lake sediment data; and 2) determine blood lead concentrations and the relative sediment ingestion rate in waterfowl utilizing the lake.

Mr. Spears said that the sediment sampling results indicated most of the areas were under the ecological cleanup level of 530 ppm for lead. However, the average concentration for the Harrison slough was 5,000 ppm which is where the lead contaminated sediment enters the lake. He mentioned that the second highest lead concentration was found at Blackwell Island at 1,800 ppm, and other areas with high levels include Cougar Bay, Cottonwood Bay, and Powderhorn Bay. Mr. Spears reported that the results also showed that the blood lead concentrations in waterfowl and sediment lead at each bay matched very well and the primary route of exposure was sediment ingestion. He pointed out that waterfowl are a good bio-indicator of ecological conditions in Coeur d'Alene Lake. Mr. Spears also mentioned that the USFWS conducted a fish evaluation for the second phase of the ecological monitoring and they will be analyzing the data for a separate report later this year.

6) Update on East Mission Flats Repository Evaluation: Mr. Rob Hanson (IDEQ) gave an update on the evaluation of the repository site for East Mission Flats. He reported that an analysis was conducted on the environmental impacts and costs; and public meetings were held to discuss issues relating to the proposed site. IDEQ has initiated the process to purchase the property and work is ongoing to develop conceptual designs. Mr. Hanson indicated that the facility will hold between 500,000-600,000 cubic yards and that the yard remediation program currently generates between 60,000-80,000 cubic yards of contaminated material per year. He said that IDEQ will continue working with the Technical Leadership Group (TLG) and Repository Project Focus Team (PFT) for the final design. He informed everyone that there will be another open house/community meeting on March 7 at the Canyon School in Cataldo from 7:00-9:00 p.m. for public comment; and that Mr. John Lawson (IDEQ) and Mr. Ed Moreen (EPA) will be there to address specific questions from citizens.

Break

7) Coeur d'Alene Lake Modeling Report: Dr. Paul Woods (USGS) made a presentation on the CWA project for a simulation model to evaluate Coeur d'Alene Lake's response to watershed remediation. He said that the project is being done in cooperation with IDEQ; and that the USGS has subcontracted with the University of Western Australia in Perth for the modeling application. The project is actually two CWA grants, Phases I and II, comprised of four work elements:

1. Preliminary model development
2. Field experiment on Coeur d'Alene Lake
3. Final model development (3-dimensional)
4. Applying the model in a number of different simulations in the lake

Dr. Woods discussed the different simulation variables that the model would account for and mentioned that most of the nutrient loading in the lake is from the watershed. He pointed out that there is enough zinc in the water to suppress plankton production because of past mining. However, as the zinc is being cleaned up, he said that there are early signs that plankton production is increasing and using up oxygen. If the oxygen level gets low enough in the lower water column, there may be a release of metals and nutrients. Dr. Woods indicated that the best method of managing the lake would be to maintain the oxygen in the bottom. He believes that the modeling process could be used to help prevent problems in the future.

Commissioner Michael Bogert (EPA) made a special announcement to honor Dr. Woods on his upcoming retirement (April 1st) and presented him with a plaque in recognition and appreciation for his years of scientific contribution and commitment to the Coeur d'Alene River Basin. Commissioner Krulitz also thanked Dr. Woods for all of his work on behalf of the Basin Commission and congratulated him on his retirement.

Commissioner Bogert made another special announcement and presentation to honor Mr. Dan Audet (USFWS) in appreciation of his efforts on the Coeur d'Alene River Basin with the EPA. Since Mr. Audet was unable to attend the meeting, Mr. Brian Spears accepted the award on his behalf.

8) Mica Creek CWA Project Discussion: Ms. Susan Firor (TerraGraphics) gave a presentation on alternatives for the CWA project to reduce sediment in Mica Bay. She pointed out that the objectives of the original study were to reduce sediment and nutrient loading into Mica Bay by reconnecting Mica Creek to its floodplain. The alternatives include: 1) remeandering Mica Creek to slow the velocities; 2) building wetland areas; and 3) raising the grade of the creek bed to connect to the adjacent wetlands and floodplain. She indicated that it would require additional funding and the permission of upstream landowners for access or purchase of property. If the project was approved, it would have positive impacts for controlling erosion, reducing sediments and nutrients, restoring wetlands, and improving fish and wildlife habitat.

Mr. Harwood indicated that there is \$121,000 remaining in the next year's grant to construct a small project on the first piece of property if the Basin Commission approves it. However, he

mentioned that both he and the TLG are concerned about moving forward with a small project if it is not going to be exactly like the original proposal that was previously approved by the Basin Commission and by the EPA in regards to the subgrant. Mr. Harwood suggested that it may be better to use the funding for a quality project if permission can be obtained from the landowners. He indicated that there may be other possible sources of funding for a larger project and that public comment would be discussed after lunch.

Lunch

9) Change in Agenda: Commissioner Krulitz announced that there would be a change in the agenda as many people had not returned from lunch for the public comment period due to unforeseen circumstances. She suggested moving the Executive Director's presentation on the 2005 accomplishment report to 1:00 p.m. in order to allow sufficient time for everyone to return to the meeting.

10) 2005 Accomplishment Report Discussion: Mr. Harwood gave a presentation on the 2005 BEIPC Annual Report. He indicated that it is a report of the activities funded by the State, EPA (under the Superfund program), and the CWA grants that the Basin Commission has received for the last three years. Mr. Harwood said that the back of the report contains an outline of the work plan for 2005 and he pointed out that the Basin Commission has been very successful in working with the State and EPA in getting the work done for the proposed projects. The 2005 report is posted to the BEIPC website along with annual reports from previous years under the **"ABOUT"** section at: www.basincommission.com.

11) Additional Mica Creek Information: Mr. Spears (USFWS) presented additional information on Mica Creek. He pointed out that it may be possible to address the CWA issue better if more landowners upstream are involved as Ms. Firor of TerraGraphics suggested. He mentioned that he is now a part of that process as a Coeur d'Alene Basin Natural Resource Trustee representative; and that the Mica Bay project may provide opportunities for several different groups such as the Mica Bay Homeowners Association and individuals involved with the Highway 95 construction impacts lawsuit settlement.

Mr. Spears also indicated that it would provide the USFWS an excellent opportunity for high quality agriculture to wetlands re-conversion which would help to address issues for Tundra swans. He said that although the USFWS did not sponsor the project, he has been busy working to help develop partnerships, additional sources of funding, and a better scope of work to do more things than what the CWA grant was designed to do. He requested the time to investigate different types of restoration projects so that everyone will have all of the information needed to make the best decision.

Commissioner Toni Hardesty said that she feels there are some large unknowns in whether the upstream landowners may be interested in participating and that this will affect what options exist in making an important decision. Secondly, she indicated that the CWA funding alone will not be sufficient to create the project presented and it will be contingent upon additional sources of funding. She asked how much time would be available on the CWA funding for this project

in order to conduct further research. Mr. Harwood answered that the project currently has a July 1, 2008 completion date, but that he can work with the EPA to extend the date.

12) Public Comment on Mica Creek Discussion: Mr. Ron Roizen (SNRC and CCC Member) mentioned that this project had been discussed a number of times in the TLG meetings and he brought up to Mr. Spears the uncertainty of whether the project could achieve the end results being proposed. Mr. Spears responded that the Mica Bay meadows system provides a good opportunity to do restoration and that he has become involved because of the partnership potential and the prospect of achieving greater results with some additional funding.

Ms. Toni Hardy (Citizen of Harrison) indicated that she likes the project and agrees with Mr. Spears, but believes that it is important to obtain the approval of the landowners before anymore funding is spent. Mr. Spears suggested that everyone try to work together to explore the opportunities first.

Mr. Jim Hollingsworth (Lands Council Member) commented that there was some discussion at previous meetings about the project being worthwhile (as Mr. Roizen mentioned), and that the work was divided into two phases. He recalled that the project had something to do with previous damage the highway construction caused and asked how this was part of the remediation. Mr. Spears indicated that this presents one of the funding opportunities because there have been settlements to some of the landowners due to this event. He mentioned that the Mica Bay Homeowners Association would like to stop sedimentation; and that they are also interested in dredging the bay. Mr. Spears believes that this would help for a few years, but sedimentation would continue coming into the bay because the system is broken.

Mr. Bret Bowers (CDA Lakeshore Property Owners Association) referenced a comment made by Commissioner Krulitz in regards to additional funding sources that Mr. Spears alluded to. He indicated that Mr. Spears had mentioned at past TLG meetings, the possibility of using Natural Resource Damage (NRD) funds. However, he said that he did not know whether the NRD funds were related specifically for the Mica Bay project, or the NRD lawsuit as a whole in relation to the metals issue and the Coeur d'Alene Basin. Mr. Bowers stated that he wanted to point out that metals is not the issue here and that he would not like to see a law driven by the metals issue in the Basin end up with a Federal agency using that authority for a project that does not have anything to do with metals. He said that he is hesitant to take the lead from an NRD metals issue into the Mica Bay project and he urged the commissioners to be mindful of that.

Mr. Spears answered that the reason the Natural Resource Trustee Council is interested in this project is because he has been working on developing it to bring to the council. He pointed out that he does not speak for all of the council members. He then explained that the reason the USFWS has a representative on the council is because one of the mitigating measures they are trying to take in providing clean waterfowl habitat is to restore some of the agricultural areas that were previously wetlands. Mr. Spears reported that unfortunately much of the Coeur d'Alene Basin is highly contaminated to the point that nothing can be done without a huge amount of funding.

He said that one of the things that can be done for Tundra swans is to reconvert some of these agricultural areas and the USFWS is trying to do it in the middle Basin with the EPA. Mr. Spears indicated that this is a Record of Decision (ROD) program designed to create clean feeding habitat to attract the swans to those areas, thus reducing metal exposure because they are not using the other contaminated areas as much. He pointed out that Mica Bay is a good example of one of those opportunities because the field floods naturally each year even though Mica Creek is pushed way to the side. He explained that waterfowl feed there and that is how it relates to natural resource damage (for ground) in the Coeur d'Alene Basin and why the USFWS is interested in it.

Mr. Harwood commented that he wanted to speak to that issue because he worked with natural resource damage restorations for many years in the Department of Agriculture. He said that natural resource restoration projects may not always deal with the source of the contamination at a CERCLA site, and that in many cases, the natural resource damage project may restore a completely different watershed than the one that was damaged by the contamination. Mr. Harwood pointed out the Blackbird mine in central Idaho as an example. He explained that Mr. Spears is speaking about a “*substitute*” place for the waterfowl because proper habitat along the Coeur d'Alene River cannot be provided. Mr. Spears also added that the reference regarding NRD for CERCLA indicates that the resource trustees are responsible for restoring, enhancing, or replacing the equivalent of what was damaged.

Commissioner Hardesty asked for clarification that the project was funded as a nutrient reduction project, and that the discussion today regards a fundamental shift in design and the intent of the original project. Mr. Harwood agreed that there is the potential for this to become a much larger project.

Ms. Hardy remarked that there is no guarantee that waterfowl will come to feed at Mica Creek because they may not change their feeding habits even if a beautiful wetland is created. Mr. Spears answered that an attractive feeding habitat typically encourages use if developed.

13) OU-2 Remedial Accomplishments and Groundwater Update: Ms. Anne Dailey (EPA) gave a presentation on the evaluation of the current status of the Bunker Hill OU-2 environmental system. She also mentioned that Mr. Nick Zilka (IDEQ) worked on the project as it was a joint effort between EPA and IDEQ, along with the work of various consultants and contractors. The work has been documented into the following reports:

- Revised OU-2 Current Status Conceptual Site Model (SCM)
- Statistical Analysis of Post-Phase I Water Quality Data
- Phase I Remedial Action Characterization
- Revised OU-2 Environmental Monitoring Plan

She mentioned that comments are made periodically saying that there has not been work done on the ground. She wanted to emphasize that there has been a lot of work done on the ground as anyone knows who drives through the Box. She reported that the Phase I actions are nearly complete with 3.1 million cubic yards of contaminated waste removed from 17 different remedial action areas. The waste material has been consolidated into impoundment areas and 3,200 acres of hillsides have been re-vegetated. Ms. Dailey also reported on other remedial

actions throughout the Box and on-going studies for improving long-term water quality. She indicated that the EPA developed remedial action effectiveness monitoring plans to focus on key loading areas at the following locations: 1) Bunker Creek; 2) Central Impoundment Area; 3) Government Gulch; 4) Smelter Closure Area; and 5) Smeltonville Flats. Since surface and ground water interaction is the dominant contaminate transport process, she said that studies are being conducted to better understand this process and determine the appropriate steps for the future.

Ms. Dailey pointed out that the BEIPC passed a motion in August 2005 indicating their intent to “participate in future Phase II activities in OU2 by providing technical input into the remedy alternative development and selection (including evaluation of technical reports, pilot studies, and feasibility study documents), providing public input into the processes associated with ROD modifications and educating the community and legislative bodies on the need for funding for this work.” She informed everyone that the Phase II work will consider new information and technology to address the long-term water quality issues as well as ecological and environmental management issues.

Break

14) Presentation of 2006 CY Work Plan Sections on Blood Lead Level Testing and ICP: Mr. Harwood reminded everyone that at the last BEIPC meeting in November, there were two sections (1.3.1 ICP-Institutional Controls Program and 1.3.5 Blood Lead Screening in Children) in the 2006 work plan that were not agreed to. The BEIPC requested that the sections be revised and brought back to the next meeting to be voted upon. Mr. Harwood indicated that the Human Health PFT worked on the draft revisions for the two sections and then forwarded the revisions to the TLG who unanimously approved the changes as there were no further comments. Commissioner Krulitz suggested that the CCC give their presentation before the Basin Commissioners voted upon the revisions.

15) CCC Comment and Presentation: Ms. Kathy Zanetti (CCC Vice Chair) mentioned that she would be giving a recap of the information presented by the CCC in the board packets as the CCC Chair, Mr. John Snider, was unavailable. She thanked the BEIPC for the opportunity to speak on behalf of the CCC and said that she planned to address several CCC concerns with Mr. Snider’s approval. Ms. Zanetti indicated that at the last CCC meeting, several issues were raised with varying degrees of concern. These included: 1) the amount of funding needed for Phase II of the Mica Creek project; 2) silt issues at Mica Bay during a heavy rainfall speculated to be from home development in the area; 3) Lake Management Plan (LMP) mediation and stakeholder involvement; 4) water quality standards in the LMP; 5) the magnitude of the number of impaired Upper Basin streams in the LMP and the TMDL (total maximum daily loads) regulations in regards to drainage issues; 6) how the TMDL issues for the rivers and streams would be addressed before the LMP is finalized; 7) a better understanding of the health issues regarding the LMP relating to metals contamination and algae blooms; 8) whether the ICP should be voluntary or mandatory; 9) what the proposed boundaries are and how they are determined; and 10) questions on the ICP rules and liability for landowners.

In addition, Ms. Zanetti commented that the CCC was pleased that the BEIPC would not be making any decisions at today's meeting on the proposed ICP because the CCC expressed a willingness to be involved in the PFT process. She suggested that if any of the commissioners had questions regarding the issues raised on the ICP, to contact Mr. Bill Rust who had detailed comments in the CCC information and that he was also in attendance at the meeting.

Mr. Rog Hardy mentioned that he would like to clarify his position on the ICP and the Trail of the Coeur d'Alenes Trail Long-Term Operating Plan (TLOP). He would like to propose that the ICP and TLOP be coordinated so that they do not contradict each other. He also believes that the TLOP should have public involvement and a public comment period even though the TLOP affects mostly private property.

Commissioner Krulitz mentioned that she had discussed the ICP issue with Mr. Harwood in regards to planning the next BEIPC meeting. She suggested that at least half a day be allocated for the ICP because the issue is so controversial and 25-30 minutes for public comment. In addition, she indicated that she sent an email to the TLG Chair and Mr. Harwood to request that the mayors (Wallace, Mullan, Osburn) be included at the table along with the other stakeholders. Commissioner Krulitz said that she believes it will take the commitment of everyone and that it may be difficult to develop an ICP that makes everybody happy.

Ms. Toni Hardy commented that she believes the TLOP must be included within the ICP. She indicated that 1.6 miles of their family land is affected by the Trail of the Coeur d'Alenes and that it is difficult to address problems associated with it.

16) BEIPC Discussion and Vote on CY 2006 Work Plan Sections: Commissioner Krulitz clarified the voting procedures before proceeding with the vote on the two revised sections on the ICP and blood lead screening for the 2006 work plan. She indicated that once a motion was made to adopt the work plan sections, and there was a second, there would be no further discussion from the public. Commissioner Krulitz asked if anyone had additional public comment. Hearing none from the public, she asked if the commissioners were ready to make a motion. Commissioner Jack Buell made a motion to accept the two revised sections (1.3.1 and 1.3.5) for the 2006 work plan. The motion was seconded by Commissioner Hardesty and passed unanimously.

17) BEIPC Discussion on Mica Creek Proposal: Mr. Dean Gentry (Benewah TLG member) commented that there must be thousands of projects throughout the U.S. carried out by government agencies to control and reduce sediment flow in streams; and that we are trying to come up with a new model for the Mica Creek proposal. He asked how erosion would be controlled if a new channel was cut. He also asked if the sediment flow had been measured above and west of Hwy. 95 and how far up. Mr. Harwood answered that this type of project has been done at lots of different places, but the idea behind this demonstration project was to work with some of the landowners around the Coeur d'Alene Lake watershed to show other landowners that they could volunteer to have this work done on their property. He clarified that the intent was not to develop new engineering.

Mr. Gentry asked if there was any effort to utilize the information gained by the Coeur d'Alene Tribe. He indicated that they have numerous projects around various lake drainages to keep sediment out of the lake and he asked if those could be used a model for Mica Creek. Mr. Harwood reiterated that the Mica Creek proposal was not really a model to put a creek bed back to its original location, but rather a model on how to do a project in the Coeur d'Alene watersheds on private property as an example to show other landowners.

Ms. Hardy commented that nothing could be done on this project until consent is received from the landowners. She asked for clarification on what the proposal was trying to finalize. Mr. Harwood indicated that subsequent to the study being done, it was discovered that there was another landowner interested; and there was also the potential for additional sources of funding. Since this is a demonstration project working with private landowners, he did not want to miss the opportunity for doing on the ground work.

Commissioner Hardesty clarified that Mr. Harwood was seeking the BEIPC's support to ask permission from the landowners; and gather the information to bring back to the BEIPC who then would make a decision. Commissioner Currie asked if this would authorize the remaining funding (\$121,000) be spent for physical work at this site if the commissioners voted in the affirmative. Mr. Harwood indicated that it would not.

After further discussion, Commissioner Krulitz said that a vote for the Mica Creek proposal would not happen until the next BEIPC meeting. Mr. Harwood asked Mr. Spears if he would have enough time before the next meeting to speak to all of the surrounding landowners. He also asked Mr. Spears if he was interested in the possibility of coordinating the work that the Natural Resource Trustees comes up with on Mica Creek for a more viable project with the CWA proposal depending upon the permission of the landowners, and if so, presenting it to the TLG for their review. Mr. Spears agreed, but indicated that if the work could not be developed where it would benefit the Natural Resource Trustees' interests, they would probably decide not to do it. However, he reiterated that the remaining CWA funding could still be used if the second phase of the Mica Creek project was approved.

Commissioner Michael Bogert mentioned that there was a meeting in Spokane tomorrow with the City of Spokane, Spokane Valley, and Spokane County on a twenty year program to reduce phosphorus loading in the river. He expressed his views that he would be supportive of projects in the Coeur d'Alene Basin that would help to reduce nutrient loading. Because of this, he would be in favor of the Mica Creek project and that he would be willing to vote on it today in order to authorize it, dependent upon obtaining the landowner's permission. He believes that this would be a good thing to do rather than waiting until the next meeting.

Mr. Harwood remarked that he was planning to present all of the Mica Creek information today for a vote by the Basin Commission to make it a larger project. However, he said that at the last TLG meeting, it was noted that additional information needed to be obtained before the project could be voted upon.

Commissioner Krulitz expressed verbal approval by the BEIPC for the Executive Director to move forward in obtaining landowner's permission for this project and gathering information to present at the next meeting.

18) Basin Infrastructure Proposal: Mr. Harwood made a presentation on the Basin infrastructure proposal which was designed to address potential flooding concerns and infrastructure needs within the Basin to protect environmental cleanup remedies, preserve property, and revitalize the economy. He mentioned that this was a good method for communities to work together to obtain grant funding rather than by each smaller community asking for it independently. Mr. Harwood indicated that it would increase the workload in the Executive Director office, but that it could be accommodated without additional staff. The only funding required would be for the consultant work.

19) Public Comment on Infrastructure: Commissioner Currie asked if there was an estimate for the costs associated with the consultant work. Mr. Harwood answered that he did not have an estimate yet because he wanted to get the Basin Commission's approval first.

Ms. Hardy asked if the infrastructure proposal was related to the ICP. Mr. Harwood answered that the condition of the infrastructure is not known in the Basin communities and needs to be determined. If a large project can be developed to take care of the problems and done in a way where the remedies would be protected, then it would fit into the ICP as well.

Mr. Bill Rust said that he fully supports the infrastructure proposal and that he would like Mr. Harwood to identify some of the regulatory impediments in getting this work done. Mr. Rust mentioned that he spoke about the difficulties of working in the river system at the last meeting due to various requirements such as 404 permits, etc. and that the EPA has identified the river sediments as hazardous waste. He brought up the South Fork Sewer District's inflow/infiltration (I&I) problem that needs to be addressed. In Wallace, a big component of I&I is basement sumps/drains as most of the water is not good quality and is pumped to the sanitary sewer which creates problems for the sewer district. Mr. Rust indicated that there are difficult regulatory problems in dealing with these issues and that he believes Mr. Harwood is ideally situated to identify them.

Mr. Ross Stout (South Fork CDA River Sewer District) commented that there are a lot of obstacles to overcome. He indicated that the South Fork Sewer District has already done I&I analysis on three of the cities as well as capital improvement plans. Mr. Stout mentioned that the City of Osburn is the only one left to do and they hope to get started later this year. He clarified that the restrictions the sewer district imposed include not making the district any larger at this time because the plant is hydraulically challenged. He said that if the challenges can be overcome, the sewer district will welcome development and it will also enable the sewer district to spread its costs over a wider spectrum than what it has now. Commissioner Krulitz clarified for everyone that the moratorium for the sewer district concerns the area "**outside**" of the current district boundaries and not the current boundaries

Mr. Jim Vergobbi (Shoshone County Commissioner) mentioned that he fully supports what was discussed in regards to getting the contaminated water out of the drains and surface water; and

that it would help greatly in taking care of Wallace, Osburn, and Kellogg because the water is affecting the wastewater treatment plant so much that it cannot function anymore. He indicated that he is very excited about the infrastructure proposal.

20) BEIPC Infrastructure Proposal Discussion and Vote: Commissioner Currie made a motion to approve the Basin infrastructure proposal. The motion was seconded by Commissioner Bogert who commented that the EPA strongly supports the development and that it is consistent with the mission of the Basin Commission and the work that they are doing. The motion passed unanimously.

There being no further business, Commissioner Krulitz thanked everyone for coming and adjourned the meeting.