

Basin Environmental Improvement Project Commission (BEIPC)
Quarterly Meeting Minutes

May 13, 2015, 9:30 AM – 2:15 PM

Best Western Coeur d'Alene Inn, Coeur d'Alene, Idaho

Attendees:

Terry Harwood (Executive Director)

Commissioners present:

Rick Albright, Jack Buell, Phillip Cerna, Curt Fransen, Dan Green, Grant Pfeifer, Leslee Stanley,

Staff present:

Glory Carlile (BEIPC Assistant to Executive Director, note taker), Ed Moreen (EPA), Bruce Schuld (IDEQ), Rebecca Stevens (CDA Tribe), and Sandra Teccani (State of WA)

(Please note that these minutes are a summary of reports and presentations and are intended to capture key topics and issues, conclusions, and next steps and not every detail of the discussions.)

Call to Order and Pledge of Allegiance: Commissioner Jack Buell (Benewah County) called the meeting to order at 9:32 a.m. followed by the flag salute.

Terry Harwood presented Curt Fransen, IDEQ Director who is retiring on May 22, with a plaque in appreciation of service to the Basin Commission from 2002 – 2015.

Review and Approval of February 18, 2015 Meeting Minutes:

Bill Adams yesterday submitted an edit for clarification on page 4 under Budget Update. Curt Fransen suggested that on page 5 under O & M Responsibility, to take 1st sentence out. Phillip Cerna corrected sentence one on page 4 under Repositories from the duplicate “operations” to “maintenance”.

Grant Pfeifer moved to accept the minutes with the edits. Rick Albright 2nd. **M/S/C**

Restoration Partnership 2014 Accomplishments

Caj Matheson reported on the Restoration Partnership accomplishments with an overview of their fiscal year 2014 which followed fiscal year of federal government and Tribe Oct 1 2013 – Sept 30, 2014.

Schlepp Ag to Wetland Conversion project. Good numbers of swans this year with a lot of places for them to go so they also went to other wetlands. In 2014 they also did vegetation monitoring and maintenance with Fish and Wildlife as the lead, invasive species reduction treatments, and water management. He said that the Robinson Creek Habitat Segment Expansion across the highway of the Schlepp project is 62 acres and the property is owned by the Idaho Fish and Game. They initialized designs to treat invasive vegetation, finalized designs to enhance habitat and enhanced wetland habitat values and provided recreational opportunities.

Integration with CERCLA Remedies: Matheson stated that remedy and restoration is a hand to hand process. They are learning about values in each group by participation in coordination meetings. They have provided design review and feedback for most of the relevant projects and provided field expertise; for example, the Kahnderosa Project.

Planning: – They have spent most of the year in planning and the process is pretty complex. Steps are NOI, Scoping, Plan Development and draft version. Currently working on the Environmental Impact Statement (EIS) and will release both in draft form when complete, hopefully by the end of year.

CDA Trust 2015 Project Work and Budget Status and BPRP (Property Remediation) Transition – Bill Adams, EPA

Bill Adams, EPA, combined his two presentations listed on the Agenda.

CDA Trust 2015 Project Work Overview: Adams reported on the work they are doing. Cleanup continues at an aggressive pace focusing on actions that protect people in community areas and

improvement of water quality. Total funding for 2015 is approximately \$35M (Does not include the action of Central Treatment Plant /Groundwater (CTP/GW) collection system work).

He noted that the projects are using local contractors creating about 400 jobs with 80% of the work using local labor. They are coordinating with the roads work program and getting a lot of work done because of the coordination - the key to good success. They are also working with property owners affected by the project.

Adams commented that getting project specific information on the EPA website was addressed at a previous meeting and although not currently posting detailed information, they are giving information to those most affected by the project.

Trust Project Work:

Plans include:

- Complete Interstate Callahan cleanup – Pioneer and Northwind contractors are expecting to start working in June.
- Ninemile –completing cleanup.
- Completing Success Mine design and East Fork Nine Mile (EFNM) infrastructure work this year. Bids will be in January and February and will be a 4 year contract. Includes removal of material and taking waste to the Waste Consolidation Annex (WCA) Repository.
- Further characterization of Tamarack site

CTP Work in the Box:

Award contract and start construction on CTP upgrades and GW collection in late summer

Lower Basin:

EPA is working on strategic planning in the Lower Basin and moving forward with pilot projects.

Paved Roads program: \$4.4M in the Basin and \$3.9 in the Box. Work is being conducted by local jurisdictions.

Remedy Protection in the Basin (\$3.63M):

- Design and construction of side gulch projects along Silver Creek and Slaughterhouse Gulch in the Box.
- Design and construction work on Revenue Gulch (June 1st) in Silverton, and Mill Road (mid-June) and South 2nd Street in Mullan (Sept), Ninemile, Black Cloud, and McCarthy Creek (fall)
- Design work on several projects including Copper Street, Boulder Creek, and Mill Creek in Mullan, Rosebud Gulch in Osburn, and Printers Creek in Wallace.
- Construction contractor for the Trust is Big Sky for Revenue and Mill Road.

Repositories:

- Box repository operations – Page
- Operations of BCR, BCRA, EMFR, and LBCR (ICP by June 1st)
- Investigations/Design SVNRT area for future repository/address seeps
 - In direct response to citizen input, the area will be fenced off.
- LUR: Government Gulch and Osburn. They will be used for road waste material and then will be capped when closing them out to be used for future purposes.

Property Remediation:

Most work transitioned from IDEQ to the CDA Work Trust this year to reduce spending on the Special Account. Northwind will provide oversight work and McGillivray Environmental will be doing the construction starting by the end of May.

Recreation team is working on strategies and outreach to address recreational exposures.

Additional Activities:

- Continued BEMP optimization with Tracy Chellis, EPA heading this up.
- Ongoing 5 year Review process is being led by Anne McCauley to be available in the fall. Looking ahead 10 years in the Implementation Plan Update.
- Support for the CCC working on getting contract back in place. ADR contract scoping with Ross and Associates. Looking to fine tune the support provided through their contract for making good use of resources to support Basin Commission and CCC.
- Outgoing outreach – Basin Bulletin, flyers associated with specific projects, open houses, Facebook, and tag on to other meetings.
- Interstate Callahan: They are doing more planting in the side drainages to help with soil erosion.

EPA Budget:

Special Account (SA) current balance is \$98.6M. CDA Work Trust balance at end of 1st quarter is \$530 M. Investment value increase 1st quarter is \$11.6M. Spending in the quarter was \$3.5M making a Net Value increase of \$8.1M

Cernera noted that the growth on the principal is variable and so he is concerned that they are not getting enough interest that covers spending. Adams agreed that they are not getting a lot of interest on the SA. Cernera pointed out that we probably have 50 more years of cleanup. Cernera also said that he is very interested in the EPA 5 year review and asks that discussions be had with the Tribe regarding what they will be writing about the LMP.

Harwood commented that he is pleased about the performance of the Trust and how the money is spent from the Trust. He said that we are saturated with work being done and it does not make sense to create more jobs to do at present.

Grant Pfeifer commented that the City of Spokane has published a report that might be good for shared learning. Albright asked what the focus of the 5 year review will be. Adams said that they will have a small part on the LMP. Cernera added that the ROD defers the Lake from the current remedy. Rebecca asked about the BEMP optimization wondering as work is being transferred to the Trust, will monitoring be implemented by the Trust. Adams said that the Trust will take on more monitoring.

Update on the Lower Basin Work, and Central Treatment Plant Upgrades – Ed Moreen, EPA

Ed Moreen asked for a moment to bow heads in respect for Officer Moore before he began his reports.

Status of CTP groundwater collection project and contract: Moreen explained that the upcoming CTP contract is dealing with a groundwater collection system that will cut off the groundwater flows to the river along I90 and convey to the CTP where it will be treated and discharged along with treated mine water from the Bunker Hill Mine. He noted that gaining reach along the CIA is the highest dissolved zinc loader to the South Fork of the Coeur d'Alene River. Phase 1 of the solicitation has been issued and will result in the selection of a qualified pool of contractors. Phase II will result in the issuance of a Request for Proposals (REP) to the contracting pool. A contracting team will be selected from the responses to the REP and will be required to design and construct the groundwater collection system and the upgrades of the CTP. The Phase II RFP is expected to be issued in late summer with contract award near end of 2015. Contractor will fast track design/construction in 2016. Hope to be completed with construction in early 2018.

Lower Basin Status Update:

Moreen reported that they are increasing resources with additional people and dividing tasks. He said the beach augmentation project is in concept as soil amendment options. A concern with the latter is nutrient loading. EPA will also be evaluating the opportunities related to additional uncontaminated feeding areas for waterfowl. There will be additional tasks as moving forward that have yet to be

determined. Development of Sediment Transport Modeling is underway and expected to be completed in approximately one year.

He added that beach augmentation at this point is conceptual and will need to be evaluated for appropriateness. Model development will be led by Kim Prestbo. He will be leading the refinement of the conceptual site model and focusing on the riverbed contamination. Tracy Chellis will be focusing on flood plain.

BEMP Sediment Monitoring Results:

They have been collecting data since 2009 and continue to see increase trending toward the CDA River outlet. He presented graphs showing the 5 year average and annual lead flux over 25 years. Flux is the loading, significantly at Harrison, and Sinks are primarily in the flood plain. 3 major sources of lead in the Lower Basin: flux in at Cataldo, bank erosion, and bed erosion. Other data collection is being planned for 2015 season: Water level data from 2014-2015 to be collected from data loggers in early June for use in additional validation of 2D model and additional flood plain sediment deposition rates to be measured to improve sediment budget estimates.

Comments/Questions: Cernera stated that he has a concern about EPA's pilot projects selection wondering why not riverbed projects. Moreen said that now that they are armed with a 2D model that they may be able to look at options for testing riverbed options.

Fransen asked about the lead sources being more in the lower basin and wondered if they can make projections. Moreen said that he understands that Mr. Fransen's question is basically how long would it take for the system to purge the contaminated sediments. He added that they have not run those projections yet and cannot speculate on what the answer might be.

Rebecca Stevens asked if everything has been uploaded to the graphs. Moreen said they focused on hydrograph and they target the peak flow events. Stevens said that the Tribe had collected data for a couple of years that may be helpful.

Shepard asked when the meeting with the Lower Basin Project Focus Team will be, noting that it is very important for the public to be informed and receive more detailed data.

Cernera had asked what was meant by beach augmentation. Moreen replied that EPA may test different capping materials on beaches that are used by people to provide an interim area without contaminated sediments and to determine timeline for recontamination. Bill Rust commented that if you cover the area with 6 inches of sharp rock, it will deter people from recreating on select beaches.

Jerry Boyd, CCC Chair, asked for the Lower Basin Project Focus Team meeting to be coordinated with a CCC meeting because we usually get a lot more participation in the Lower Basin meetings.

Update on Remedy Protection Work in Box and Basin – Terry Harwood

Terry Harwood announced that the ad for the Hospital project at Jackass Creek went out. He pointed out that once this project is done and two side drainage projects, the Box Remedy Protection Program is complete. He reported that Little Pine Creek project was finalized this week. He added that he had 27 property owners that had to sign EC documents, officials signed and then he had them registered with the court house.

Status of 2015 Paved Roads Program report - Bruce Schuld, IDEQ:

Bruce Schuld reported that \$8.3M will be spent this year. Bids came in at 10 to 40 % lower than what the engineers had estimated, so they will probably do more paving than had been originally planned on as a result. They are attaining goals more quickly than anticipated and monies saved then can be redirected to other projects. The haul costs for paved roads waste material was affected with cost savings by use of Limited Use Repository (LUR). Overall the Paved Roads program has been a great

success. In addition to what they have done, some individual property owners are installing curbs that will help with storm water control.

Schuld also announced that next week the City of Kellogg will be running a ballot measure for a use tax so that the city will be able to bank funds for O & M. Harwood added a comment about the use of the Public Works competitive bidding process which knocked the project costs down.

Recreational Outreach Update – Andy Helkey, PHD

Andy Helkey gave a presentation regarding the Lead contamination. They are working on a new recreational brochure that is now in draft form which includes a section from the CDA Tribe. Inside the brochure there will have a map and brief history of how contamination took place and there will be a fish consumption chart on the brochure. The brochure will be distributed on the Trail of the CDA also. They are also updating the Riley Raccoon activity book and he said that the K – 3 Program focuses on recreation education.

The Recreation Posters identify contaminated areas and additional items include land owners properties. Public Service Announcements will be run in the summer months and early fall. They will also place bags at recreational sites.

The posters will be placed at the North Idaho Fair and at the schools. A comment was made noting that Rose Lake does not have anything right now.

Caj Matheson asked about what they do to get feedback. Helkey replied that there is ongoing outreach by Denna Grangaard, IDEQ, and they also send out surveys. Also, a suggestion was made to create the ability to scan information at the brochure sites.

CDA Lake LMP Update – Laura Laumatia, CDA Tribe and Jamie Brunner, IDEQ

Brunner presented goal statement which is the heart of the LMP. Lake Management Plan Goal: To protect and improve lake water quality by limiting basin-wide nutrient inputs that impair lake water quality conditions, which in turn influence the solubility of mining-related metals contamination contained in lake sediments. She said that establishing partnerships is the key to success of lake management.

Action Tables: Wide variety of management categories of the action plan, with lead participants that committed their part, includes:

- Outreach and Education
- Forest Practices
- Roads
- Development, Stormwater, and Erosion
- Agriculture
- Wastewater
- Rivers, Bays, and Southern Shallows
- Motorized Watercraft and Hazardous Materials

Lake Management Team has a role to play by reviewing these action items every 5 years. They are in the audit process to see where the stakeholders are in this process and to see where we can support the efforts. Our end of the partnership includes:

- Nutrient Source Inventory
- 2008-2012 State of Lake Water Quality Synthesis Report
- Connecting overlapping efforts and resources
- Outreach Activities and Education

Outreach and Education:

- Our Gem Website
- Our Gem Symposium
- Lakeshore Assessment System (Lake A Syst)
- K-12 Education
- Community Water Resource Center
- Panhandle Stormwater and Erosion Education Program (Seep)
- Realtor Water Resource Class

Current and ongoing projects:

Brunner reported that our science team has been working on the triggers report. As we go through audit process can see where we can go with opportunities to coordinate with the stakeholders and agencies. Outreach is the foundation of all these activities and they are looking at a lot of ground work including road drainage work for erosion control and addressing waste water concerns. Bank stabilization implementing projects include Wolf lodge watershed, River bank stabilization, and Wetland Enhancement. She announced that the Watershed advisory group (WAG) was approved for funding to develop a watershed scale concession restoration plan in Wolf Lodge Bay.

When asked why we aren't seeing more improvement in water quality, they stated that the answer is that there are a lot of variables such as the cleanup, increased population of the Basin, economic fluctuations, nature of nonpoint source, and perception of the problem.

Challenges: Money has dried up in terms of grant funding, but they are able to do small projects. Laumatia said that the focus is on the partnerships and the collaboration that is essential to the foundation of the entire of the LMP and on what's next. She added that your thoughts and ideas and your help are needed to work hand and hand to improve water quality.

Comments and Questions:

Cernera commented that on the action plan presentation that in the column of estimated costs and funding they were empty because the Tribe wanted to outline funding deficiencies. It shows that they have serious issues but not enough funds and did not want to have sticker shock. But now he urges that it shows. He also commented about the Kootenai county proposal to eliminate the riparian bumper zone around the Lake.

Dan Green responded about the setback and the non-disturbance zone. He supports a best management practice. Cernera agrees that the dialogue will continue.

Bill Rust asked about a site disturbance permit that is required in Shoshone County.

Julie Dalsaso said that there are a lot of exemptions to the permits. She wonders how to get the TLG to get involved into looking into the technical issues.

Jerry Boyd commented that he owns property on the lake and he understands that everything is prohibited within 25 feet. He is not aware of any data that shows any problem arising out of things being done on the shoreline. He said that as far as he knows there is very limited data on the tributaries and other major sources. He encourages that in looking at the nutrient sources to focus main efforts on that.

Laumatia added that there is a lot more involved and the CDA Lake is very complex and Brunner stated that the Triggers Report is just about done and will provide information.

Green said that his goal is to enhance water quality. His message is not to throw it out but to enhance it and he will advocate the position that he just stated.

Fransen commented that in the past they dealt with the sources. There is still need for collaboration and education.

Grant Pfeifer stated that he is encouraged by the LMP and the progress toward enhanced water quality. Washington's interest is in what comes downstream. He thought that risks are increasing but he is comforted by Green's comments.

Stevens imparted some advice about the reports suggesting coming up with a strategy on how to get the figures. Cernera agreed and commented that Brunner and Laumatia are doing a good job.

CCC Update and Public Comments - Jerry Boyd, Chair CCC

Jerry Boyd reported on the April 14 meeting at the VFW hall in Osburn. An ongoing concern is still about low turnout noting, that of course, when there is an issue there is a better turnout. We have found out though that a couple of people did not get any information from any other source. He commented about our function which is to act as a liaison. He offered his own personal contact information. He still feels that communication by e-mail is a good source of information and encourages everyone to sign up to receive information by e-mail.

There was a previous discussion about what CCC can do to help get information out. Albright commented that Ross & Associates is coming aboard to look at how to up CCC meeting attendance and to help. Harwood noted that everyone needs to come through the BEIPC Executive Director and the CCC Chair before any decisions are made concerning the CCC.

Leslee Stanley, Shoshone County Commissioner, commented that Shoshone County agrees that indeed they want to finish the work in the Valley. However, with the yard program many jobs were created and that usually people have to leave the Silver Valley to get jobs.

Julie Dalsaso gave 2 points. 1. CCC implementation practices and is more than a liaison. 2. Showed brochures. She said that she appreciates Green's comments. However, she read her comments (see the attached document stating her comments that she read at the meeting) addressed to the Basin Commissioners.

Green pointed out that there is an open meeting law. They do not send out an invitation but the public is welcome.

Schuld said that out of the CCC meeting that going forward we will be sending out information by e-mail about public meetings.

Meeting adjourned at 2:21