

# Basin Environmental Improvement Project Commission (BEIPC)

## Final Approved Meeting Summary Minutes

August 17, 2016, 9:30 AM – 4:00 PM

Wallace Inn, Gold Room, 100 Front St., Wallace, Idaho

### Attendees:

Terry Harwood (BEIPC Executive Director)

### Commissioners and Alternates present:

Jack Buell, Marc Eberlein, Rob Hanson, Caj Matheson, Grant Pfeifer, Beth Sheldrake, Leslee Stanley, and John Tippetts.

### Staff present:

Glory Carlile (BEIPC Assistant to E.D., Note taker), Ed Moreen (EPA), Bruce Schuld (IDEQ), Rebecca Stevens (CDA Tribe), and Sandra Treccani (State of WA).

*(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 presentations or discussions.)*

**Call to order and Pledge of allegiance:** Commissioner Jack Buell (Benewah County) called the meeting to order at 9:30 a.m. followed by the flag salute.

Terry Harwood (BEIPC Executive Director) announced the change on the revised agenda: there will not be a break and that a presentation on Wildfire risk in the Superfund site has been added.

### **Approval of the May 18, 2016 Meeting Summary Minutes:**

Grant Pfeifer moved and John Tippetts 2<sup>nd</sup> to approve the May 18, 2016 minutes as written. **M/S/C**

### **Update on LMP implementation – Laura Laumatia, CDA Tribe and Jamie Brunner, IDEQ:**

Brunner presented an update report on the Lake Management Plan (LMP) implementation reviewing the plan including the following objectives: 1. Science: Improve scientific understanding of CDA Lake conditions through monitoring, modeling and special studies, 2. Establish and strengthen partnerships to maximize benefits of actions under existing regulatory frameworks, 3. Develop and implementation a Nutrient Reduction Action Plan and 4. Increase Public Awareness of Lake Conditions and influences on Water Quality.

Laumatia shared that they are getting closer to tightening up the model to understand the biological component of the model. Hope by late fall to be sharing the report and Nutrient input and how it might change the behavior of milfoil. It was asked if there is a plan of treating it. Brunner said there is a plan.

Terry Harwood (BEIPC) commented that he met someone that was using a weed eater to chop down milfoil underwater in the Lake. Since any fragments spread, it was cautioned not to do this.

Brunner reported that regarding the implementation on the St. Joe River they are working with the Conservation District. On the CDA Lake and Tributaries, she reported that at Wolf Lodge Creek they hired a consultant that will report to the Water Advisory Group (WAG) with recommendations as a result of the field data.

Jon Harwood (IDEQ) asked about the unit cost per square foot for the revegetation of the buffer zone at the girl scout camp. Laumatia answered that the cost is low. They spent about \$1500 covering about 100 ft. but they used a lot of volunteer labor. She said that they have some alternatives that they hope the homeowners will use. Brunner added that they had a group of girl scouts that also helped and that also reduced the costs.

Regarding Public Awareness, Brunner shared that there was an Idaho PBS TV special on caring for our lakes in general. Education included the outdoor classroom that is still underway at UI Harbor Center.

They gave an update on other activities included the Confluence Project that continues to go forward as an outdoor based watershed program that they are in their last year of funding for that program.

Outreach Program: Local Gems recognized people in the community and had presented the awards and they had a booth set up at the CDA 2030 Annual Celebration at River Stone. They also introduced 2 summer youth interns that helped with the science program. Laumatia shared that they did their regular camp counselors training. She concluded by stating that the LMP is receiving more and more public support.

### **Update on Jet Boat Race Impacts:**

Kim Prestbo (EPA) introduced Lauren Perreault from USGS who reported on the results of the Jet Boat Races monitoring on the Coeur d'Alene River in terms of impact from the boat races.

Perreault explained the process and said that they installed a real time turbidity sensor at Harrison and collected samples before and after the races at 3 Coeur d'Alene River sites: at Harrison, south Rose Lake and Cataldo. She reported that the rain event increased the discharge which then increased the turbidity at Harrison but the turbidity increase was really modest. It was difficult to determine if the turbidity increase was from the rain fall that happened at the same time and/or from the boat races.

They looked at data before and after the jet boat races and she showed graphs of the water quality results in the Coeur d'Alene River: Zinc and Cadmium had about the same concentrations at Harrison and Rose Lake before and after the races. They were unable to get results at Cataldo after the races. Lead and suspended sediment increased at Rose Lake after the race, but not at Harrison. She said that this was a peculiar result in that it is unusual to see an increase in lead and suspended sediment at Rose Lake but not at Harrison.

Race Monitoring Summary: Rain on May 22-24 increased discharge and increased turbidity but was modest. There was a small increase in turbidity at Harrison before the races but not after. Higher total lead at Rose Lake after the race is likely the result of a localized, temporary disturbance.

### **Comments and Questions:**

Harwood asked where the sampling site in Rose Lake was and she said it was off the bridge closer to Bull Run.

Jack Buell asked if they had results from Rose Lake due to public disturbance and she said no.

Marc Eberlein asked about the increase in lead/cadmium results on one of the graphs. She answered that it was more likely to be impacted by a local sediment disturbance.

Rebecca Stevens (CDA Tribe) asked about how they do the samples and the depths. Perreault said they did their standard protocol collecting depth integrated samples from 10 cross section sites, mixing all these in a churn, and taking a sub-sample.

### **Update of current remedial activities including treatment plant – Bill Adams:**

Bill Adams (EPA) gave an update on the Success Mine site in East Fork 9 Mile Canyon which will be seen on the tour and other project updates.

He shared that the Central Treatment Plant (CTP) contract had been awarded and they are working to resolve a protest. Ed Moreen (EPA) explained on the CTP update regarding the protest to the contract and he said that it had been basically dismissed. They hope in early October to announce the award.

Adams talked about water rights and compliance with water rights working with a MOA to make sure the water rights are protected.

Special Account balance is \$32M and is expected to be exhausted in FY18 and out of funding. Harwood wanted to make sure everyone understands that the funds for the treatment plant have already been set aside and is not in this balance.

Recreational Strategy draft is being reviewed and will be out soon for comments. There will be a 45 day comment period to obtain public input. The strategy is to address various types of items for education and outreach.

Lower Basin strategy focus is on identifying Goals and Objectives for the work in the Lower Basin over the next five years in consideration of improved understanding of site conditions. There will also have an opportunity for public comment with public input in early 2017.

EPA's Site and Cleanup Implementation Plan (SCIP) is going through a refresh and will incorporate the findings from the Site 2015 Five Year Review. It is going through review and hopefully will be available in August. It will outline major projects for the next 10 years.

Complete Basin property remediation program within 2 – 3 years noting that the entire program was moved to the CDA Trust in 2016. The Trust is will construct and maintain repositories outside of the Box.

There are plans to complete Box/Basin Paved Roads Program and Remedy Protection Program in the next 3-4 years.

Adams said that the construction at the Waste Consolidation site will be shown on the tour and he showed the source control in East Fork Nine Mile with pictures of before and after.

He announced that there is a summary of the sites that will be visited on the tour in the booklet provided by the CICs that is available to pick up.

### **Comments and Questions:**

Eberlein asked about trees to be planted in Nine Mile Creek to replace what was there once. Adams said they did do this along the stream area but then the elk ate them. However, they plan to plant more trees and shrubs.

### **Wildfire Risk to Bunker Hill Superfund Site – Mike Peterson, Lands Council:**

Peterson talked about the proposal to protect the investments that have been made in the Superfund sites from wild fires. Looking at the trends of fires in the northwest and noting there are more intense fires, he proposes to create a risk assessment team to address the issue of wild fires impact. They will say that the Superfund site is a high risk infrastructure area so as to have a priority for protection. They hope to have experts on the team and various agency members. He said they need a plan for the Burned Area Emergency Restoration (BAER) response team to come out to the burn area and there should also be fuel reduction treatment. He wanted to know how to put a team together to make sure we just don't drop this issue and to go forward to create an action plan to be prepared for wild fires.

### **Comments and Questions:**

Harwood commented that he looked at the proposal and also sent some of it to Rusty Shepard, Kootenai County TLG representative, to look at also. Harwood offered to look at the issues that he is talking about.

Bill Rust (citizen) commented that most of the Superfund Mining District is BLM land and the Forest Service is not much involved.

Grant Pfeifer thanked him for his proposal idea and asked about the nutrient delivery in his risk assessment. Peterson confirmed that it is also to slow down the over land flows.

Marc Eberlein also thanked him for looking at this issue. Leslee Stanley also thanked him from Shoshone County about how to protect Superfund work that has already been done and noted the flow issues and looking at ways to protect the remedy protection projects from run off.

Peterson said that he is bringing this up also to the Idaho Department of Lands and Forest Service and BLM will come back to BEIPC if he needs more assistance. Harwood suggested that he be given an opportunity to get involved and review his proposal to share what can be affected in the Superfund site.

*15 min break*

### **CDA Trust Financial Management Update – Dan Silver, CDA Trust:**

Dan Silver made a presentation on the CDA Trust Financial Management and on how the funds are invested and the overall status of the Trust account. They are using Black Rock investment firm which they changed to back in 2010 after considering many other competitors.

He pointed out that nobody really knows how the stock market will perform so there is a need to be careful about the risk and pursue a diversified course.

He said that the purpose of the Trust assets is to provide \$20-25M in real terms per year of work and determine the life of the Trust based on the spending policy. He noted that it was a key strategic decision that EPA made noting that it is more of a fundamental decision than the investments. He also talked about how the Trust changed their investment strategy, making a substantial change last year to become even more diversified.

He showed that there are actually 3 accounts: General, Custodial (that was set up to take care of the properties), and Special Work that was set up for the Natural Resource trustees (has been on hold for a number of years) and reported a summary of what has happened over time.

Harwood asked about the money spent on the cleanup. Silver reported that expenditures through July 21, 2016 are \$69.2M. The increase in value through July 31, 2016 is \$69.8M. The total increase in value of the Trust is \$139M.

### **Comments and Questions:**

Marc Eberlein asked about the beginning date that was confirmed as December 8, 2009 and asked about the proposed 100 year term projection wondering why they would drag it out that long instead of getting it done as soon as we can.

Beth Sheldrake added about the function of the Trust and a balancing act settling in around the \$20M range per year and every year they are looking at that.

Grant Pfeifer asked about the basis of Mr. Silver's estimate of the financial scope of the Lower Basin work and what it is based on geographically with the \$ amount. Silver explained about OU-3 and stated that he thinks it is on the order of \$250M.

Caj Matheson (CDA Tribe) commented with a tribe perspective in that they want a complete cleanup and hopes EPA will look at the potential cleanup in CDA Lake. They do not want to sacrifice in the short term for the long term.

Terry Harwood shared that the Trust process was set up in the early 90's. He noted that everything that is being done here is in the settlement agreements.

### **Meeting adjourned at 11:40**

After loading the 2 busses that BEIPC provided for the tour, lunch was held at Mullan Park.

The field tour consisted of visiting the following project sites:

- Review Copper/Boulder Remedy Protection Project in Mullan
- Review Mill Road Remedy Protection and Paved Road Program Projects in Mullan
- Lower Burke Canyon Repository (LBCR)
- Review of LBCR Operations
- Review Canyon Creek Human Health and Recreational Exposures
- East Fork of Nine Mile (EFNM) Canyon
- Review of EFNM Canyon Work

**Busses returned to Wallace Inn parking lot at 4:00 PM**