

Basin Environmental Improvement Project Commission
Quarterly Meeting Summary Minutes
February 15, 2017, 9:30am – 3:30pm
Best Western CDA Inn, 506 Appleway Ave., Coeur d’Alene, Idaho

These minutes are summary notes of the reports and presentations and are intended to capture key topics and issues, conclusions, and next steps and not every detail of discussions or individual quotes.

Attendees:

Terry Harwood (BEIPC Executive Director)

Commissioners and Alternates present:

Jack Buell (Benewah Co.), Marc Eberlein (Kootenai Co.), Rob Hanson (IDEQ), Caj Matheson (CDA Tribe - RP), Grant Pfeifer (State of WA), Beth Sheldrake (EPA), Leslie Stanley (Shoshone Co.), and John Tippetts (IDEQ).

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).

Call to Order and Pledge of Allegiance

The meeting was called to order by Commissioner Chair Jack Buell at 9:30 a.m. followed by the flag salute.

Approve Minutes from November 16, 2016 Meeting

John Tippetts moved and Grant Pfeifer 2nd to approve the November minutes with the edits submitted by Ed Moreen, EPA. M/S/C

Present, Discuss and Approve 2016 Annual Report – Terry Harwood

Terry Harwood presented the annual report of accomplishments made in 2016 adding throughout the review some background and additional details of activities that have been done. The process includes putting together the reports submitted from various agencies on how well they have done during the calendar year.

Questions/Comments:

Marc Eberlein asked about the drop in truck loads of waste from property cleanup noting the drastic change from 2012 to 2013. Harwood answered that the property cleanup program is winding down. Adams reported they have 75 properties identified for 2017. Bruce Schuld added that the property cleanups program had not generated as much soils waste as a result of a change in the process of doing the work.

Leslie Stanley asked why the design of remedy protection projects is for only 50 year rain on snow flood event for recontamination. Harwood answered that it is the standard for the rain on snow event which is different than a normal 50 year flood. Bill Adams explained that they had been designed as a standard approach. Harwood added that FEMA uses the 50 year flood for insurance mapping and the BEIPC does not have enough funds this year for any other studies for comparison at this time. He said that he is looking into having a study to compare the 2 design standards in the future to perhaps adjust the FEMA flood area on the maps that require homeowner flood insurance.

Referring to the example photo showing people recreating at contaminated sites along the river, Eberlein said he presumed the contamination is lead and wondered if there have been other tests or analysis of the types of lead. Andy Helkey (PHD) provided more information about the testing. Eberlein added that his point was about the lead sulfite as a natural recurring process and lead oxide as something we helped to create and the comparison. He also noted that the mines were trying to gather everything up but were not able to get it all and we are trying to clean up what was left.

Grant Pfeifer moved to approve the 2016 Annual Report as presented and Leslee Stanley 2nd. M/S/C

Tippets asked for more information about the lead sulfite versus oxide. Eberlein clarified what he had asked wondering about the lead deposits in different areas. Helkey responded with how they sample stating that the geological formations make a difference in the higher and lower elevations.

2016 Blood Lead Report – Andy Helkey, Panhandle Health District (PHD)

Andy Helkey gave a presentation of the results of the Bunker Hill Superfund Site 2016 Blood Lead Levels screening. He shared that “Lead in History” included lead in gasoline, lead use in paint and lead in plumbing. He added that the only way to find out if lead was in the plumbing was to sample the water in the house and noted that the lead exposure could be from more than just one source. He reported that although sources included past Smelting and Mining, in homes built before 1940 there is 87% chances today to have lead found in the home.

Lead Health Intervention Program (LHIP)

The LHIP is a Public health service offered by the State to those that live within the Box (since 1974/1985) or the CDA River Basin (since 1996) and are between 6 months and 6 years of age. Currently there is a \$30 cash incentive for participants. A Consent Form and Questionnaire are completed prior to blood draws.

LHIP Procedures

Screening is done by skin puncture with results provided immediately after analysis. If the results are over 5 µg/dl a venous draw is collected and sent off for laboratory confirmation and they offer follow-ups and consultations. Stanley asked if there were a good percentage of those that do follow up and Helkey replied that there were 2 in the 2016 year.

Helkey reported that there is decreasing “elevated” blood lead levels. This year they will be reevaluated. Tippets asked about the comparison of decrease shown in the graph of blood lead concentration considered to be elevated by the Centers for Disease Control and Prevention. Helkey said the significant decreases in the Silver Valley can be contributed to the smelter shutting down and the community wide remediation of properties.

Route of Exposure

Ingestion is the most common route of exposure, but with inhalation almost all of the lead deposited into the lungs is absorbed into the body. Absorbed lead distributed throughout the body via the bloodstream makes it potentially available to all soft tissue organs.

After hearing Harwood talk about kids playing in contaminated areas, Eberlein wondered if they are actively sought out for testing. Helkey replied that testing is completely voluntary.

Health Effects

Helkey said that lead exposure often occurs without obvious symptoms so the only way to know lead levels is to get blood tested. A blood lead test is the best tool for identifying lead exposure. He also noted that there is not any safe level of lead.

The goal in the Box to prevent lead exposures that could result in elevated blood lead levels was achieved in 2000 and maintained since then.

2016 Blood Lead Summary Statistics – Box (age 0-6)

Helkey reviewed the summary report of blood lead screening results in children during 2016. Kids over 6 years of age are tested during annual screening in the summer showing a difference between Lower and Upper Basin. They also looked at the chance of construction impacting the blood levels and found no correlation. Helkey emphasized that an important part of the LHIP is continued education.

Comments/Questions

Leslee Stanley asked about the realm of testing. Helkey said they only can test more on those that follow up. Beth Sheldrake commented that the Superfund site has a robust program and this information was good. Grant Pfeifer asked about the size of the population for testing and Helkey answered it was estimated that they tested 20% of the basin population between the ages of 6 months and 6 years.

Marc Eberlein asked about how lead works its way out. He also felt that there should be a bigger incentive for testing for those in certain areas. Adrienne Cronebaugh wondered how the incentive is decided. Helkey answered it is designated in the budget and the funds are limited. He noted that they manage their funding wisely.

Karen Roetter from Senator Crapo's office, wondered if there is a pot of money for those that need additional things to be done to fix the contamination such as lead based paint in their homes. Helkey said there is not money for that as part of the selected remedy. Sheldrake added that there are sites where that is part of the remediation.

Rebecca Stevens gave accolades to Panhandle Health District and their program.

Update on Lake Management Plan (LMP) Implementation – Laura Laumatia, CDA Tribe and Jamie Brunner, IDEQ

Laura Laumatia presented a report that included that the ELCOM-CAEDYM has been revised to AEM 3D. She gave an update of the LMP Implementation Science Objective 1 and the Public Awareness Objective 4 and announced they are finalizing the Trends Report that will be on their website when completed.

Upcoming Outreach included the following activities:

The Confluence Project, Snow Science in February, Youth Water Summit in May, Watershed Festival in June, Hayden Meadows Water Science Day in June, and Our Gem Symposium on November 14.

Jamie Brunner added that they are working on the Nutrient Source Inventory – Objective 3, on the St Joe River and CDA Lake Tributaries. They are also working at Wolf Lodge Creek with Watershed assessment approach and Monitoring Station and on Mica Creek and Benewah Creek.

Laumatia talked about Benewah Creek ongoing project for the restoration of cutthroat trout habitat sharing that the project is also a benefit for us in terms of nutrient reduction.

Central Treatment Plant Update and Report on Funding and Budgets for 2017 and the future – Bill Adams and Ed Moreen, EPA

Bill Adams first responded to the earlier question from Leslee Stanley about the modeling standards by clarifying that for “50 year” was actually equivalent to the 50 year rain on snow event.

EPA Budget:

Adams reported that the current balance of the Special Account (SA) is \$30.8 M but will be taking out about \$5M for the Paved Roads Program. The current balance in the CDA Work Trust (managed by Trustee) is \$507M with value increase since inception of \$114M. Rebecca Stevens asked about the 2016 project savings. Adams said that the savings was from the contract bids that came out lower than estimates.

Adams reported that continued activities include East Fork Ninemile watershed construction in the Success Mine and operation of WCA, investigation/monitoring around Tamarack and Interstate Callahan Mine areas and continued characterization of the old Silver Valley Natural Resource Trust (SVNRT) repository area in Canyon Creek. He also announced that there will be an open house regarding the SVNRT repository on April 5 that will be sponsored by the CCC.

Remedy Protection:

Adams reported that there is construction work on the upper portion of Mill Creek in Mullan, Printers Creek in Wallace, Rosebud Creek in Osburn, and Valley View Road in Hunt Gulch near Kingston. Harwood added that it is quite a process with each project having an Operation and Maintenance (O&M) agreement between the local jurisdiction and the State.

Basin Property Remediation program:

The program has been fully transitioned to the CDA Trust with continued IDEQ support and oversight role.

Roads Program:

This year will be completing some of the 2016 funded work in Kellogg, Wallace, and Mullan and the remaining work in Pinehurst as well as additional work in Osburn and Shoshone County.

Eberlein asked about the diesel truck exhaust emissions control plan that had been offered to the contractors when they submitted their bids for the contract. Adams said that the contractors were meeting the criteria and so there were no takers of that program in the bidding process.

Disposal Locations:

Harwood asked about the size of the repositories and LUR’s and Schuld responded with the estimate size of each site: in East Osburn and Government Gulch.

Lower Basin:

Adams reported that they are starting phase 2 of wetlands capping projects and looking at beach evaluation. They also will be completing the Sediment Transport Model that will be a valuable tool. Continued data collection to support CSM with DASEES and further evaluation of the tool and community input as a resource.

Central Treatment Plant (CTP) Expansion/Ground Water (GW) Collection:

Ed Moreen announced that the Notice to Proceed was received on the Contract Award for the CTP Expansion/GW Collection to upgrade the system.

Additional Activities:

Bill Adams reported on the Basin Environmental Monitoring Plan (BEMP) refinement and optimization and shared that EPA is seeking public comment on actions to address the old SVNRT repository seeps. He announced that the upcoming April 5th Open House will provide the opportunity for the community to review and comment about EPA's plans to rebuild and enlarge the waste repository in the Canyon Creek area.

Updates on EPA Staff Transitions:

Beth Shel Drake talked about staffing changes with assurance that Bunker Hill is still a high priority. EPA is making transitions toward the staffing changes coming with the team shifting some of the duties. She announced that Bonnie Arthur is going to be on the project team. EPA will be working closely with IDEQ. Adams added that he will be introducing Arthur and giving her a tour.

Adams announced that after lunch he will be showing a video focusing on partnering and it also provides a nice picture of what is happening in the valley.

Grant Pfeifer made a motion and Leslee Stanley 2nd to go into executive session during lunch with Executive Director and BEIPC Commissioners and Alternates according to Idaho Code 74-206(1) (b).
M/S/C

Lunch Break

Grant Pfeiffer moved and John Tippetts 2nd to come out of Executive Session. **M/S/C**

Bill Adams presented a You Tube video about CDA Basin partnering for the cleanup.

Presentation of Public Participation Situation Process – Wendy Green Lowe, The Participation Company

Wendy Lowe introduced herself and explained that her task was to prepare a situation assessment report and to provide facilitation support at meetings. She shared her qualifications and experience. She reported that the assessment for public participation was to evaluate the process and take a look at the outcomes or results. As a result there are a range of options.

Approach to Situation Assessment:

How the public participation process is working and outcome information was garnered by interviews. She looked at information documents and meeting notes. She then identified 58 people to contact and

actually interviewed a total of 31. Questions were asked of Commissioners, Staff, and Agency representatives and a longer set of questions for CCC members and members of the public. Finalizing the Interview Reports process included her overall observations that there is a lack of clarity about the role of the BEIPC in cleanup decision-making and also about the purpose of the CCC.

Eberlein asked about the agency feedback wondering if there was a lack of trust. Lowe said it was an observation based on some responses but was not actually stated. Tippets wondered if it was a lack of trust from government but Lowe said it is also her observation that some agencies are not always able to work together collaboratively.

Lowe reported that the first recommendation is the most important in that the BEIPC should clarify its role in the cleanup program and expectations of the CCC. She presented 4 options: Discontinue CCC, focus CCC on role of sharing information with the public, and enhance the design of the CCC to provide input to Basin Commission decision-making, and join forces and form a Community Advisory Group. She shared that Harwood noted that to discontinue the CCC is not an option per BEIPC design.

Lowe added that regardless of the purpose of the CCC she reviewed 6 additional recommendations that would improve the effectiveness of meetings including soliciting input, diversity, and to schedule meetings to maximize attendance.

Questions/Comments

Tippets wondered about some people feeling that there is a bit of a conflict of interest with BEIPC staff providing administrative functions such as taking minutes, creating ads etc. Lowe answered that BEIPC staff are advocates of the process for involving the public and not the outcome of the decision making or course of action. They are not expressing opinions about what the input from the public is so it is her opinion they can continue as they are doing.

Eberlein asked about the lack of attendance from the public being due to apathy or from a lack of advertising and needing more ads. Lowe replied that paying for ads needs to be considered. She wondered if it is worth the costs of a meeting when only a few people from the public attend a meeting.

Bill Rust, as an original member of CCC, thinks that information is adequately sent out. An example is the e-mailing of work plans. He commented that at the different meetings the same presentations are being made so it is not worth the time and travel efforts to attend them all. He pointed out that in talking about decision making the Board only decides about the work plans. Lowe suggested that you need to ask for what you want and what you can really make use of.

Julie Delsaso asked about change and in regards to talking about adaptive management, she feels that dissolving the CCC should still be an option. She still feels there could be other ways to communicate.

Christina Johnson commented that she is impressed with how many meetings there are and the opportunities for community involvement but sometimes it is all overwhelming and hard to do.

Matt Nykiel, representing Idaho Conservation League, wondered if Lowe could ask the Board what to do and what she would recommend as their biggest priority. She responded that she would not tell them what to do and only wished to clarify what they want.

Ray Miller made an observation that he lives in a mixed community in Powderhorn Bay and that he is interested because when he moved in the drinking water was tested and it was high in contaminants. He feels that a large percentage of folks don't even know what the problem is about heavy metals. He also feels there is distrust between the people and agencies such as EPA and county officials and he wonders how we can help people to understand and to decrease the mistrust.

Eberlein asked Miller to clarify if he is talking about his drinking water from the lake or from a well. He answered from the lake.

CCC Update and Comments and Recommendations Concerning Public Participation and the Role of the BEIPC – Jerry Boyd, CCC Chair

Jerry Boyd reported on the January 18 meeting and the summarized report from Andrea Lindsay, EPA Community Involvement Coordinator, asking what they would like to hear from the CCC and how to do it. He heard that the biggest issue is communication. The meeting focus was primarily on the function of the CCC meetings and what the Board wants them to do. He noted input is usually from individuals and he passes on questions to Harwood or on to an agency to answer and/or address any issue. He feels that issues should be reported on with the outcome, including what the issue was and what happened with it as part of information sharing. CCC has served as a way to distribute information and will continue to do so.

He commented that CCC is not the only one to deal with the public. He would like to know what input other people are getting. He shared that they have had special meetings with large attendance such as the huge turnout 10 years ago about the East Mission Flats repository. The public expressed their concerns and changes were made as a result. Another example is about the repository in Lower Burke Canyon. Issues were expressed and worked on. He announced the meeting coming up in April on SVNRT that will be sponsored by the CCC. He noted that if there is a particular activity then the people concerned attend.

Commissioner Beth Sheldrake said that they agree that they should be clearer about what they ask for the CCC and that the request is a reasonable one.

Boyd concluded that there was a good turnout at the last meeting. However, they have meetings at different times and places but it is hard to satisfy everyone.

Open Discussion with Commissioners Concerning Public Participation and the Role of the BEIPC with a Decision by Commissioners and direction to CCC Chair and Executive Director for any action on the subject – Terry Harwood and Jerry Boyd

Tippets commented and asked for thoughts about having regular meetings, CCC meetings and/or combined meeting with a BEIPC meeting. He wondered if the CCC meetings are more focused on issues and the BEIPC meetings are more reports. Eberlein agreed with Tippets observation that there are full BEIPC meetings. Buell said that Boyd is doing a great job and will keep having the CCC meetings.

Dan Redline (IDEQ) asked Wendy Lowe about the value of face to face meetings and perhaps an alternate to get more people to participate. Lowe said although there are lots of options and the MOA dictates 4 meetings a year, having people getting together is an essential part of the process in how to get people engaged. The ability to collaborate is a good goal. Her concern however was about diversity. For example, young people are not attending that have children.

Julie Delsaso (CCC member) commented that issue driven workshops could work.

Rebecca Stevens clarified that the MOA does not say the CCC, BEIPC, or TLG must meet quarterly and that the CCC can select their own meeting times. *(In the “Organizational Practices and Procedures” it states “The Basin Commission Board shall meet at least four times a year.”)*

Public Comment and Discussion on Meeting Activities and additional Public Issues:

Bill Rust said that there should be meetings that are focused and not necessarily quarterly meetings.

Laura Laumatia commented that in the outreach there are a lot of people who do not know the history or what is happening. She suggested that people go to different meetings and do public outreach.

Matt Nykiel commented that he feels that the CCC and BEIPC should meet on the same day.

Erika Bronson, Public Involvement Coordinator for the WA Department of Ecology, suggested that there could be an advisory group and it would be helpful that responses should be in writing.

Boyd asked what the best time to have meetings - either in the afternoon or in the evenings? He said he would appreciate suggestions for topics for meetings and gave his e-mail address:

jkbspokane@comcast.net

John Tippetts commented that in regards to the agenda he is not prepared to give direction to CCC Chair and Executive Director today. He announced that IDEQ will have discussion and make a recommendation to consider for the next meeting. He would like to have recommendations and feedback from Commission staff on this issue about the functions of the Commission and CCC and how we are functioning. He asked that the staff give feedback and input to the members of the Commission for their consideration (particularly for him and other representatives for their internal discussions) before making any decisions.

Bruce Schuld responded that the BEIPC staff did have discussions and had prepared a draft recommendation but wanted to submit it after the CCC recommendation in a formal document to the Commissioners. Buell added that the 3 counties will also get together and come up with a recommendation. Schuld then confirmed that recommendations and feedback will be submitted in writing as a formal memo before the next meeting to all the Commissioners.

Ed Moreen asked Tippetts to state for clarification what the Board is looking for and what Tippetts was asking from the staff. Tippetts answered that he is hoping to receive comments about Basin Commission function and recommendations regarding the CCC and any changes that you feel as staff, individually or as a group, that would enhance the value of this whole process.

Announcement:

Rebecca Stevens announced information pertaining to Idaho Legislation Senate Bill 1068 relating to the Idaho Invasive Species Act which *"Amends and adds to existing law to establish the Office of Invasive Species Policy and to provide for its duties; to revise definitions; to revise the duties of the director of the Department of Agriculture with regard to invasive species; to encourage collaborative efforts with other agencies; and to provide a penalty for a person who fails to stop at a check station."* Marc Eberlein asked if invasive species would get into the Columbia River. Stevens said yes and that checking for it is being coordinated with boat inspection. Steve Wilson added that the Bill is also to pull the activity to the office of the governor and for funding.

Adjourn:

Grant Pfeifer moved and Marc Eberlein 2nd to adjourn at 3:06 pm. **M/S/C**