

**TLG CONFERENCE CALL SUMMARY**  
**January 12, 2006**

**Participants:**

Phillip Cerna (Chair)	Mark Maserik
Mike Beckwith	Lloyd Brewer
Bill Adams	Bill Ryan
Rebecca Stevens	Mark Addy
Terry Harwood	Jeri DeLange (Note Taker)
Rog Hardy	
Rob Spafford	
Paul Woods	

This summary provides the salient issues. These notes are intended to capture key topics, conclusions, and next steps and not the nuances of the discussion.

**Agenda Items:** Flow Chart, Upcoming TLG Meeting

Phillip Cerna indicated that in regards to the flow chart, he had Holly LeBret send Terry Harwood's schedule to everyone. He has received no specific edits at this time, but will put the information in the TLG packets to discuss at the upcoming meeting on January 31. A draft agenda has also been sent to everyone.

On the Mica Creek presentation, Cerna said that information on the alternatives will be provided for the TLG to develop a perspective on the preferred alternative for the BEIPC and to ask for funding. He informed everyone that more work needs to be done than what was originally anticipated for the project. Cerna also pointed out that additional funding sources will need to be obtained in order to complete the work. Harwood agreed and said that if there are some leftover funds available from other CWA projects which are already completed; it may be possible to move the remaining funds to Mica Creek. He will check into what remains for the life of the grant. Other funding sources were discussed including the possibility of a homeowner's settlement.

Paul Woods informed everyone that he will be retiring on April 1. He suggested that it may be worthwhile to discuss transitioning and giving work to other people. Cerna indicated that this could be discussed under the monitoring PFT update at the TLG meeting. Rog Hardy recommended caution in the amount of time available for discussion as there were many PFT reports. Cerna will keep this in mind in finalizing the agenda.

**Round Table:**

**Cerna:** Alerted everyone that last year's dredging bill that was proposed in the Idaho Legislature has been resurrected. He indicated that he discussed this issue with Rep. Dick Harwood who is working on the bill. Cerna will get a copy and send it out to everyone. The bill proposes that when the EPA excavates and dredges material out of the river between Cataldo and Dudley; it would allow the material to be re-processed by another party (i.e. Swiftwater

Mining Company). Cernera said that if this could be done properly without further recontamination, it may be good rather than by placing all of the material in a repository. He advised that people should have an opinion; but not as a group.

Hardy inquired about the CWA expenses to date. Harwood indicated that this information would be in the accomplishment report; and that he and Jeri DeLange have verified their end-of-the-year CWA records with the State's program. He said that the report should be complete in February and will contain: 1) the status of each project including a narrative; 2) the percentage of completion; and 3) what has been spent. Harwood mentioned that he will be sending out drafts to the BEIPC commissioners, alternates, and staff for comments. He also offered to give copies of the financial report to the TLG for information only. Cernera asked if he could get 20-25 copies for the TLG meeting.

Cernera then brought up concerns regarding a development south of Harrison and how it may affect the LMP. He indicated that the land consists of 100 acres for the home sites; and that the newspaper suggested that negotiations were currently going on between the Tribe and the developer about a marina. Cernera said that there has been no discussion with the Tribe about a marina and that it would need to be dealt with in the future. He suggested that there may be issues dealing with development and access around the lake that may also need to be addressed. Hardy said that the developer is not working on it right now because of the weather, but that there may be some damage already. He feels that it may be worth the federal agencies keeping an eye on it, in addition to the county.

Regarding LMP mediation, Cernera reported that the State and Tribe are getting close to setting a date in early to mid-February for the first round.

Cernera also stated that he wanted to go on the record in regards to a request made by Kootenai County for a copy of the video on the lake monitoring PFT meeting. In addition, he wanted the TLG to know that a question was asked at one of the Basin Commission meetings about access to the videos made by the Tribe during the BEIPC meetings. Cernera pointed out that Chief Allan acknowledged the request to allow copies of the videos of the BEIPC meetings; and this acknowledgement was stated on the record. However, Cernera explained that Chief Allan's acknowledgement pertained only to the videos of the BEIPC meetings; he did not agree to allow copies of everything. Cernera went on to clarify that in this case, there was no problem with allowing a copy of the video for the lake monitoring PFT meeting; but that the Tribe was not obligated to provide it. Sheppard mentioned that in the LMP topics to mediate, the County wanted to have a neutral look at the tape in order to have a better understanding on monitoring plans.

**Addy:** Inquired if Nick Zilka was on the call in order to ask him if he was doing a demonstration project on the high flows. Harwood indicated that Zilka was not on the call, but that Zilka checked on the high flows around this time last year. Addy mentioned that he was considering a project and wanted to know if the repository was open and how much the cost would be. Harwood indicated that he would need to check with Mark Stromberg as he manages the repository. Cernera asked Addy where the location was for the project he was considering. Addy said that it was close to the bridge in Harrison and that it involved riverbank protection.

He mentioned that it was brought up in the past and he talked with Zilka about it; but it did not happen.

Cernera suggested that the TLG would like to see the design and that he would add it to the agenda. He also inquired when the permitting would be done. Addy indicated that the permitting would not start until probably April or May and that it took six months the last time. Cernera mentioned that Carl Washburn was involved with the PFT and that it may be a good idea to iron everything out; he also believes that it would make a good BIF (Basin Information Forum) presentation. Cernera said that he could coordinate this as soon as possible if Addy desired. Harwood suggested leaving Zilka a voice mail message.

Hardy mentioned that he supports the desire to have upstream bank work come before the PFT if it affects the causeway along the river, or Rails to Trails. He feels that anyone doing work should be held to the same standards. Addy indicated that he is not looking at a PFT to get involved in with this project and that he is not required to. Cernera suggested that the group has expertise to make it better. Woods remarked that another aspect of the monitoring groups is help to access monitoring data in regards to various conditions. He mentioned that now with the capability of tracking sediments, it is important to know the causes. Cernera said that Woods raised some good issues and that maybe it should be in the BEMP (Basin Environmental Monitoring Plan). Rob Spafford commented that what started off with coordination of information with Addy should just be information; and that the TLG did not mean for him to give up control.

**Stevens:** Gave an update on the lake education map. She said that it was moving forward and should be printed in early spring. Hardy inquired about the delay. Stevens indicated that there were technical issues. Hardy expressed concerns with the review of revisions. Cernera explained that the BEIPC made the final decision. He then discussed the process of distributing 500 copies of the map and collecting comments at the end of the year. Harwood explained that the purpose in doing this was to make any changes that may be needed and then print the rest of the copies for distribution the following year.

**Harwood:** Mentioned that he has finished the draft accomplishment report. He will be sending it to the BEIPC commissioners, alternates, and staff for comments. Then he will make any revisions that may be needed and print the final document.

Harwood also commented that the contractor for the Harrison bridge removal and replacement has asked for a change order. The contractor is proposing to construct a temporary bridge and wants to build a two-tier type of structure; he claims that he can push the pilings in and not have to drive them into the sediment. Harwood said that this may involve almost 150 pilings. The contractor wanted to do a demo (test) on the pilings, but the water was too high at the present time.

Cernera inquired if the PFT has been notified since it sounds like a lot of the sediment may be disturbed. Harwood said that a lot of people are skeptical about the testing, but he will notify everyone as soon as he finds out the results. He indicated that the change order process will be in the hands of IDEQ, IDL, and the ITD. Cernera asked if the process to amend the contract

would allow public review. Harwood said that he was not sure, but that it would be the same process as used for the original. Woods suggested that the multi-dimensional lake model could be used to simulate some of the effects that may occur from the construction.

Harwood commented that contractors make changes all the time, but that he felt the TLG needed to know. He also said that sometimes contractors are able to come up with a proposal that is better than the original. Cernera brought up the ICP for the Basin and indicated that until it is written and approved, there are a lot of projects such as the bridge that are slipping through. He hopes that it will not be two years before the ICP is finalized. Bill Ryan indicated that he will ask Zilka to get back to the group with further information on the approval process for this. Harwood said that he will check with June Bergquist of IDEQ on permitting activities. Cernera indicated that he does not know what the Tribe's involvement may be since it is upstream of Tribal waters.

**Adams:** Reported that Michael Bogert, Regional Administrator for EPA Region 10, has been appointed as the new federal representative for the BEIPC; and that Bogert plans to make every effort to meet with all of the commissioners. Adams also mentioned that there was a mine/mill PFT meeting on January 9; and that there will be a water treatment PFT meeting on January 30.

**Maserik:** Mentioned that he will be setting up a meeting with the CDA Tribe.

**Hardy:** Indicated that he received an email regarding a weekly "Box" conference call. He wanted to know what the call pertained to and what agencies were involved. Hardy said that it appeared to him that there were lots of activities going on and he feels that the public should have this information. Harwood checked with Curt Fransen (AG), and Fransen indicated that these are not public meetings.

Hardy also inquired about who would be the alternate for Michael Bogert. Maserik answered that former Commissioner Ron Kreizenbeck has been designated as the federal alternate.

**Spafford:** Nothing to report.

**Woods:** Reported that water sampling was conducted for river statistics; and at the mouth of Canyon Creek. Lake sampling will be conducted in late January for stratification. He then discussed the lake model and final report; and indicated that he is discussing how the report will be written with Beckwith. At the BEIPC meeting on February 22, he will be giving a half hour presentation on lake modeling.

**Brewer:** Expressed his appreciation to Woods for his efforts on the lake modeling project. He also informed everyone that a WCAC meeting will be held on February 15.

**Ryan:** Mentioned that a human health PFT conference call is scheduled for January 17.

**Schedule:** The next TLG conference call will be scheduled 1/19/06. Thank you for your participation.