

TLG CONFERENCE CALL SUMMARY
October 30, 2008

Rebecca Stevens (Vice Chair)
Dave George
Nick Zilka
Rusty Sheppard
Mark Masarik

Terry Harwood
Rog Hardy
Carrie Holtan
Jeri DeLange (Note Taker)

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: None

Rebecca Stevens led the TLG call as the TLG Chair, Kenny Hicks, was unavailable. Before going into a round table discussion, she asked if anyone had agenda items they wanted to bring up. Rog Hardy asked about summarizing issues he brought up at the CCC meeting on October 29. Mark Masarik brought up two items for the Recreation PFT: 1) how to deal with sediment deposition from high water events; and 2) the next phase for the recreation management and guidelines the PFT is working on.

Stevens asked Masarik to provide information about the meeting held on Sep. 24 on sediment deposition. Masarik said there was a discussion by some of the players to propose the Rec. PFT would be the likely place to host future meetings on this issue (possibly a group meeting on an annual basis to look at available resources for the coming year). Terry Harwood said he put the Rec. PFT's information for addressing remediation at recreational areas into the draft work plan. Stevens suggested that Hardy's concern is that remediation at recreational sites may not be in the North Fork. Hardy replied they did not go up the North Fork. Stevens responded not yet, but that it may be discussed at a later date. She feels it makes sense to keep this issue under the Rec. Area PFT. Masarik was agreeable; and suggested if people have ideas, to send them to him.

Round Table:

Dave George – Nothing to report.

Nick Zilka – Nothing to report.

Terry Harwood - Working on putting together the BEIPC board packets. For the draft work plans under LMP activities, he said that Rusty Sheppard will present a letter that was included in the CCC's position. Stevens indicated the letter will be considered a minority report; and Harwood concurred. He mentioned that Sheppard has one more minority report for Kootenai County that came after meeting with County Commissioner Rick Currie regarding what will occur in 2009, since the State of Idaho has split responsibility in areas involved in the LMP. (IDEQ will have responsibility for surface water, and the counties will have responsibility on surrounding land). Harwood suggested inserting a third paragraph into the work plans - about IDEQ and the counties will come to agreement on the LMP. However, he is not sure about the language or getting it done before the November 19 BEIPC meeting because it's a split response.

Rebecca Stevens - Asked why the CDA Tribe is being excluded?

Rusty Sheppard – Replied the Tribe is being excluded as the requirement for the counties is the uplands. He indicated that it is up to IDEQ and the counties as they agreed to split responsibility.

Rebecca Stevens – Pointed out that Kootenai County does come down to Worley, and the Tribe does rely on the counties for some help with some of its ordinances.

Terry Harwood – Said he thinks this issue will not be resolved on today's call. He suggested bringing that section to the BEIPC meeting and discussing it during the minority position. Stevens added that it may be brought up during the LMP discussion. Harwood indicated there should be something in writing for what is being proposed. He suggested that Sheppard send it to him, so he can put it into his computer and make any adjustments at the BEIPC meeting.

Rusty Sheppard – Mentioned he is meeting with Commissioner Currie next week. Then, Currie will be in touch with IDEQ Director, Toni Hardesty.

Terry Harwood - Confirmed the issue will be discussed at the BEIPC meeting as there is not enough time to run it through the TLG process. He reminded everyone about the change in time for the BEIPC meeting - it starts at 8:30 a.m. rather than 9:30. For the ROD amendment process, he mentioned that Anne Dailey made a similar presentation at last night's CCC meeting as she made at the TLG meeting. (Dailey, Harwood, and Jeri DeLange will work on setting up the ROD amendment meetings). Harwood also noted that he met with the COE to try and get funding through their budget for the flood control project.

Rebecca Stevens – Reported the USGS report for CDA Lake monitoring is out and available on their web site. She will try to get a CD copy for Terry.

Rog Hardy – Said he will bring up 3 items: 1) Lower Basin PFT - recommends the PFT be disbanded until they can make intelligent decisions. He explained that tax funding was going to a contractor for the Enhanced Conceptual Site Model (ECSM) in the Lower Basin, but the Lower Basin PFT had no knowledge of what they were trying to do. Hardy believes without information about this work, the Lower Basin PFT is totally ineffectual and that it makes no sense to spend time on it. He emphasized the PFT needs this information and he will send out emails.

Rebecca Stevens – Wanted to address Hardy's concerns and brought up an email from the last NRD (natural resource damage) call with the NRDA Trustees. She identified that it was about working on how the Trustees operate as a council to look at potential projects.

Rog Hardy – Responded that he has a major issue with it as he feels it needs to go through the BEIPC process. He commented that some of the TLG members are not bothering to call in on the TLG calls. Hardy feels there is plenty to do out there and proposed the ECSM work be shut down, so the TLG can follow its mandate. He also does not like the hydraulic dam for the Trail of the Coeur d'Alenes because it has to be replaced and requires funding that may not have to be

spent if the TLG could come up with creative ideas to remediate. However, he pointed out the TLG cannot start on this effort until the property is analyzed. He suggested there may be new technologies beyond hydraulic barriers.

Rebecca Stevens – Indicated the TLG had a discussion on new technologies a few years ago.

Rog Hardy – Suggested the Lower Basin work should be site specific. Agricultural land is shrinking and we may be dealing with dredge slurry for sediment beyond the water table. He feels the focus for the Lower Basin should be dealing with funding for nutrient loading as the rivers make a significant contribution (i.e. CDA River and St. Joe). Hardy recommended when looking at how to reduce nutrient loading from the water portions of each river, it should be a parallel process as you cannot deal with it on a separate basis. He will be looking for a response from his emails; and also suggested maybe he can help design the project.

Rebecca Stevens – Hoping to schedule a Lower Basin PFT meeting in January 2009.

Rog Hardy – Stressed the need for a response before January regarding the Lower Basin projects going on as people do not know about the work. Then he continued with his second item: 2) TLG procedural issue - whether all meetings are public or not. He does remember Terry Harwood's comments that TLG meetings are not public (i.e. as stated in the TLG protocols), as well as the AG's opinion. However, he feels TLG meetings fit the Statute. Hardy pointed out there were only 3 citizens in attendance at the recent CCC meeting. He suggested the need to go back to basics as the TLG is also losing members. His third item: 3) Hardy indicated this issue was brought up by his wife (Toni) in regards to seeing more response on the Trail than Brownfields. They do not think people are aware the Trail has received scenic awards, and under Brownfields, it is a misrepresentation of what the Trail is. He feels it's important for the counties to know about the abuse of Brownsfields and suggested that Rebecca Stevens talk to U.S. Senator Crapo.

Rebecca Stevens – Mentioned she met with him (at his response) on the LMP and response to comments. She pointed out that Senator Crapo was involved with the CWA funding in 2002; and that he is a proponent of cleaning up the Basin. She received his support to move forward and engage as many parties as possible. Stevens also said that Dan Redline (IDEQ, CDA) had a positive outlook for the future plan as they met with the counties a few weeks ago.

Rog Hardy – Asked if Senator Crapo was meeting with the counties on this issue. Stevens responded she did not know.

Terry Harwood – Wanted to clarify to both the TLG and CCC about their meetings not being public meetings. He has received 2 or 3 opinions from the AG's office they are not public. He suggested that people read the protocols as it states that TLG and CCC meetings are not public meetings.

Rog Hardy – Indicated he had read the protocols about the meetings not being public, but that he was puzzled about the justification. Harwood suggested that Hardy file a formal complaint with the AG as he was not going to pursue the issue any further.

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Carrie Holtan – Nothing to report.

Jeri DeLange – Reported the EPA training session on “*Building Trust and Resolving Differences*” which the Communications PFT is helping to sponsor is completely full. EPA is now taking names for a waiting list and may possibly hold another session next year.

Schedule: The next TLG conference call will be scheduled 11/13/08.

Thank you for your participation.