

TLG CONFERENCE CALL SUMMARY
December 13, 2007

Kenny Hicks (Chair)
Anne Dailey
Nick Zilka
Dave George

Bob Flagor
Rog Hardy
Terry Harwood
Jeri DeLange (Note Taker)

Agenda Items: None

The TLG Chair, Kenny Hicks, asked if anyone had agenda items before going into a round table discussion. Anne Dailey suggested that the TLG needed a work plan session as the 2007 annual report sections were due to Terry Harwood by next Monday. She also noted that Mark Masarik would not be available for the call.

Nick Zilka mentioned that one of the Recreation PFT's subgroups (i.e. recreation area inventory) was having a meeting today at the Idaho Fish & Game Department. Rog Hardy commented that he did not know about the recreation area inventory meeting and suggested that this is one of the reasons why a Communication PFT is needed.

Round Table:

Flagor: Reported that one station had been stabilized at Mica Creek.

Dailey: Mentioned that Brian Spears (USFWS) was working on a restoration piece which was separate from Mica Creek. She indicated that it was in regards to the Asarco Trust and would apply to restoration work in the Lower Basin for Lane Marsh. However, she noted that there is currently no funding available for Lane Marsh sampling and that it may take several months to know if funding will be available.

Hicks: Commented that he had concerns about FEMA's new preliminary Flood Insurance Rate Maps (FIRM) that he was reviewing for Shoshone County and the cities. He explained that all maps have DATUM conversion which means that whatever format they are created in, when you add other layers, they lay where they belong. However, the new FEMA maps have changes across the board (i.e. as they do not maintain the vertical height). Hicks noted that there are changes to the floodway which would restrict development in the county and may also affect the cost of flood insurance premiums. FEMA would like Shoshone County to adopt the new maps, but that he is not in favor as he feels this is not good science.

Hardy: Inquired about the status of the RAMP (Remediation Action Maintenance Plan).
(Note: The plan is posted on the BEIPC website).

Zilka: Responded that the plan (RAMP) was final and would be posted on the State's website. He indicated that it would be implemented when the land is transferred, but that the railroad has

not transferred the land to the State and Tribe yet. However, he believed that it should be next month.

Hardy: Brought up an email from Andrea Lindsay (EPA) about the Union Pacific (UP) railroad not being a signatory to the RAMP; and inquired whether the UP had reviewed the RAMP. He said that he was hearing from people that this was delaying the process. Zilka commented that this was true, but that the UP was given an opportunity to approve it. Hardy remarked that he would look for the RAMP on the web site. Zilka indicated that copies of the plan would be available at local libraries and also at the other usual places.

Hardy also noted that after the last Recreation PFT meeting, he asked about the Osburn pond project, but had not heard anything back yet. Dailey mentioned that she would inquire about it to Mark Masarik.

George: Nothing to report.

Harwood: Informed everyone that he had just joined the call. He mentioned that he had a meeting with the BEIPC Chair, Commissioner Jon Cantamessa; and that Commissioner Cantamessa would like the draft 2008 work plan sent out to the BEIPC Commissioners right away (prior to sending it out in the BEIPC board packets). Harwood indicated that he would need everyone's information on the work plan as soon as possible to incorporate into the plan, especially in regards to any major comments on the new sections such as communications. He mentioned that the language for the infrastructure section was based upon the contracts, but that it was in line with the work plan and also combined the drainage reports. Harwood mentioned that the infrastructure revitalization plan should be finished by next fall.

Stevens: Asked about the Recreation PFT meetings scheduled for January 11 and 12, 2008; and why two full days were needed. She noted the potential for more depth on the project, but suggested that a one day meeting may work better for everyone. Dailey replied that she would contact Masarik to ask about it.

Stevens then reported that the Tribe and State would be meeting as they are trying to complete the draft LMP. She said that they hope to have something in a few months. She also brought up that a new development proposed in Casco Bay (i.e. Chateau de Loire) was denied by Kootenai County, but that the developers plan to appeal and have filed suit. Dailey commented that there were issues with water, traffic, etc. Stevens added that they did not provide feasibility studies or other information.

Hardy: Said that Kootenai County's Comprehensive Plan was currently being revised and that it may affect rezoning. He pointed out that Powderhorn Bay has bigger developments proposed for the "flats" area above the Bay, so some people (including a citizens group) want zoning changes. Hardy mentioned that the developer has talked about going to the City of Harrison to request annexation of the property as one of their options. However, he noted that under Idaho laws, property to be annexed must be contiguous and cannot be in separate sections. Hardy suggested that the developer may be working on trying to make this doable by getting some parcels along the River.

Harwood: Mentioned that one of the Harrison City Council members contacted him to inquire about contamination issues. Harwood said that he gave him information concerning CERCLA.

Hardy: Inquired about the Harrison Dock Builders' labor cooperation agreement with the CDA Tribe.

Stevens: Responded that the Tribe was working on a new pilot project to remove floating debris from the Lake. She also mentioned that anyone may provide comments.

Harwood: Asked Dailey about the remediation work in Canyon Creek and whether water treatment was a Superfund item. Dailey replied that she would check into it.

Other Discussion: Additional discussion by TLG members related to Powderhorn Bay and whether it was in the area of city impact (ACI) for Harrison.

Harwood: Brought up the presentation made by the Water Quality PFT on its findings for water treatment in Canyon Creek. He indicated that it concerned him as: 1) he did not perceive much consideration was given to Bill Rust's pilot project; and 2) there was a great deal of concern that they had already conducted studies for water treatment alternatives on Canyon Creek, but that now they wanted to study other sources in Ninemile and Canyon Creek for water contamination issues. Harwood feels that water treatment alternatives have been well studied and that it is better to treat the contamination at the mouth of Canyon Creek, rather than at various sources. He suggested that if there is no funding to do the preferred alternative, then we should not go and do more studies.

Hicks: Commented that EPA was doing a lot of work and asked for other people's thoughts.

Harwood: Said that Dave George sent a letter about the same concerns in regards to the language written into that section as now EPA is saying that they want to study Ninemile sources for four more years.

Hicks: Remarked that it did seem late in the process. He agreed that studies needed to be done for the baseline, but that to continue to collect baseline data rather than to implement treatment did not make sense. He suggested that if the Wallace Yard and Spur Line cleanup ended up going into Burke; to look at something to work together on (i.e. such as a performance based standard). Hicks remarked that he wanted to be on record that to continue to do a study does not make sense to him.

Harwood: Pointed out that there is no funding account set up for full OU-3 ROD cleanup. He explained that EPA has to request funding each year and then it is appropriated each year. Harwood also emphasized that it is not possible to do something in Canyon Creek with the Wallace Yard work as an EE/CA (engineering evaluation/cost analysis) removal action is separate from the Superfund action. He suggested that since there is no funding for the actual ecological remedy, people need to take this issue on to see if we can get eco-funding and help EPA out without damaging their process.

George: Suggested that by doing four alternatives is doing a disservice. He noted that unless the final remedy selection is made, then it will be difficult to approach for funding.

Harwood: Stressed being careful about how to approach funding. He mentioned that the Funding PFT will not need to look for funding opportunities for the IRP (infrastructure revitalization project) because the IRP will identify grant sources. However, funding for the ROD eco-work is needed; or seeing if the Natural Resource Trustees will help.

Harwood added that he is concerned about doing further studies when funding is needed to remediate Canyon Creek. Harwood also noted that he had a good meeting with Commissioner Cantamessa and that one of the issues they discussed was FEMA mapping and flood response. He mentioned that FEMA has been re-remediating sites damaged by flooding throughout the U.S.; and that it appears that FEMA tries to figure out ways to prevent people from building in flooding areas.

DeLange: Reminded everyone that there will be no TLG conference call on December 27.

Schedule: The next TLG conference call will be scheduled 1/10/08.

Thank you for your participation