

**TLG CONFERENCE CALL SUMMARY**  
**April 21, 2005 (Revised 5/9/05)**

**Participants:**

Phillip Cernera (Chair)	Mike Larkin (F & G, Boise)
Rob Spafford	Mark Addy
Ron Roizen	Rogers Hardy
Terry Harwood	Lloyd Brewer
Nick Zilva	John Perfect
Mark Stromberg	David Fortier
Rebecca Stevens	Brian Spears
Anne Dailey	Jeri DeLange (Note Taker)
Dave George	

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:** 2005 One-Year Work Plan Discussion

Phillip Cernera asked Rob Spafford to give an overview of the comments on the one-year plan from last night's CCC meeting. Before Spafford began, Cernera mentioned that the TLG would discuss final comments to the plan at next week's conference call. Cernera will then make any revisions if necessary and the final plan will be sent to Terry Harwood. Copies of the plan will be included in the board packets for the BEIPC meeting on May 11, 2005.

Spafford reported on the comments he received by CCC members at last night's meeting in Kellogg. They include the following:

- Ensuring adequate funding to complete Phase II of the Mica Bay nutrient reduction project study;
- Concerns with selecting Mission Flats as the new repository site for disposal of contaminated soils and mine waste from cleanup work;
- What are the costs and the actual number of yards needing remediation? (Mark Stromberg provided information on this question);
- Does the EPA have unilateral authority to require yard remediation, or is it voluntary?
- What are the actual costs listed as "To be determined" in Table 1.1? (Some of these costs were answered, but not all);
- Developing an ICP for the Lower Basin;
- Concerns about Blackwell Island;
- Regarding the "to be determined" costs on Table 1.1 for mine & mill, when will these costs be determined since it will be difficult to ascertain until the design work is further along;
- Differences in fiscal year (FY) funding. The Federal FY is from Oct. 1 to Sep. 30 and the State FY is from July 1 to June 30;
- Should "costs" section be left out of Table 1.1?

- Does the Basin Commission have any authority and can it determine how project funding is spent in the community?
- The justification for human health remedies rather than how much funding is available; and
- Nutrient loading at Mica Bay given its erosivity to producing sedimentation.

Spafford also reported that John Snider (CCC Chair) asked members to comment on their perception of the BEIPC. There were good comments made along with a sense of moving forward.

Cernera discussed the CCC's comments to the one-year work plan. He believes that its important to include the costs in Table 1.1 and that the TLG will do its best to incorporate the other comments into the plan.

Lloyd Brewer commented that if the costs are listed, it appears that the Basin Commission is approving the funding for the expenditures. However, that is not always the case. Some of the funding streams come from federally funded programs which approve the appropriations for the specific project, but the federal agencies are in charge of their budgets. The Basin Commission can help to influence the funding for specific projects, but not allocate the funding unless it is a CWA (Clean Water Act) grant. Brewer suggested an explanation of the costs "to be determined."

Stromberg mentioned that some of the CCC members at last night's meeting believed that the Basin Commission approves the budget.

Cernera replied that he will add a narrative to the one-year work plan detailing the difference between Superfund remediation funding, CWA, and other funding streams.

Harwood expressed his concerns about attempting to craft the BEIPC's authorities in the one-year work plan. He suggested that they not be included for funding expenditures such as EPA, Forest Service, BLM, etc., so that people are not confused. However, it would be good to point out how the Basin Commission approves the CWA allocations and helps to influence funding for other cleanup projects.

### **Other Discussion:**

**Cernera** – Expressed his thoughts on the ICP (Institutional Control Program) for the Lower Basin. He mentioned that people had valid concerns and a work plan for the ICP was on the radar screen.

**Harwood** – Discussed activities on the lake and Spokane River that may fall under an ICP. He mentioned that Rusty Shepherd also brought up concerns about old sawmill sites along the river that may pose potential problems. If the BEIPC wants to become involved in this matter, he will check with the Board at the May 11 meeting.

**Brewer** – Mentioned there was estimated funding by the EPA for the ICP in the 2004 plan. Inquired about what was happening on this issue.

**Dailey** – Volunteered to research this matter and will call Rob Hanson (IDEQ) to discuss. If funding is provided, then EPA can work with the state to divide it.

**Cernera** – Reiterated Rusty Shepherd's concerns about Blackwell Island along with his own and others. Discussed how the permit application could fit into the ICP. He will contact Carl Washburn (IDL) in regards to this. Cernera suggested getting more involved in the permitting process and then we (the TLG) can better track proposals in the future.

**Dailey** – Reported that Ed Moreen (CDA EPA) is keeping an eye on Blackwell Island.

**Cernera** – Asked Harwood to contact the IDEQ Director, Toni Hardesty, to prompt her to get people on calls for a higher level of involvement. He mentioned the permit application for Blackwell Island dredging (180 pages) is currently under review. The TLG will be able to review and comment during the public comment period. This info can also be presented at the BIF meeting so the public can be made aware of these issues. If dredging is allowed at Blackwell Island to improve boat passage, there may be danger of punching through to the aquifer. It was reported that in the past, this actually occurred during work on the bridge for Hwy. 95. Until the two holes were filled in, approximately 11,000 gallons of lake water per minute poured into the aquifer. It is important to make sure this does not happen again.

**Brewer** – Discussed additional comments on the one-year work plan for Mica Bay, Phase I and II. He believed the description of the work needed to go back to the BEIPC for more information. Harwood explained the narratives in the work plan are condensed from the actual 4-5 pages. Cernera mentioned that if the findings in Phase I are proven, then the design work in Phase II will be implemented.

Brewer inquired if there was any reporting being done on the effects of the health related activities which are linked to the efforts of the Basin Commission. It was discussed that Panhandle Health conducts the blood lead level testing and reports the results. ASTDR also helps to support this program.

**Dailey** – Reported on the Recreational PFT. In response to a suggestion from Bryan Helmich, IDFG, the team is in the early phase of exploring opportunities for possible development of recreational sites at Bull Run Lake and Rose Lake. A recreational area PFT meeting/field trip was held on April 5 to visit the candidate sites and discuss options. Both possible candidate projects build upon existing uses and would be on public property largely owned by IDFG. The next step will be a community meeting scheduled for May 16 from 6:00 - 8:00 p.m.

**Hardy** - Believes that Benewah County should be contacted because of the pressures from groups who are circumventing landowners and those who will be affected by bike trail expansion. He feels that camping should not be allowed in the contaminated areas and that rules "to stay on the trail" (away from contamination) be enforced.

**Spears** – Discussed the PFT recreational trip. The overall plan is prioritized for human health issues. Agencies like the Fish & Game have a philosophy in regards to accessing lands. He believes the criteria for determining a campsite project needs to be held to standards and it is important for the agencies to cooperate within the criteria and not be in a rush to develop the lower Basin.

**Roizen** – Mentioned discussion at last night's CCC meeting about the human health activities in the ROD (Record of Decision) being understood as voluntary (granted with the permission of the property owner). Since the EPA did not comment about having unilateral authority, he interpreted the conditions as being voluntary. Harwood replied that Federal agencies, such as EPA, have been granted the authority to enforce actions if necessary. However, it has not taken place here. Property remediation has been strictly voluntary. There is no intent to change the implementation of the ROD.

**Spafford** – Reiterated to send final comments on the one-year plan to him or Phillip.

**Round Table:** No time for discussion.

**Schedule:** Next TLG conference call scheduled 4/28/05

Thank you for your participation.