

10-20-04 Citizen Coordinating Council Meeting

Shoshone County Public Safety Building, 6:30pm, Wallace, ID

Attendees (who signed in and/or announced themselves)

Terry Harwood
Jim Hollingsworth
Andrea Lindsay
Bill Rust
Clyde Sheppard
Robbin Simmons

Rob Spafford
Mark Stromberg
Kathy Zanetti

Meeting Overview

The October 20, 2004 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission) covered the following topics:

1. Basin Commission Board Update
2. Technical Leadership Group Update on Clean Water Act Proposal Ranking
3. Additional CCC Issues
4. Input to the Basin Commission

Opening

Kathy Zanetti chaired the meeting, filling in for CCC chair John Snider. After welcoming everyone, she invited all participants to introduce themselves. People attending a CCC meeting for the first time were Andrea Lindsay, who is EPA's Community Involvement Coordinator for the Coeur d'Alene Basin project and Tom Beierle, from Ross & Associates. Tom is taking over the role of supporting the CCC from Anne Dettelbach, who has moved on to a new job with the Washington State Department of Ecology.

Board Update

Executive Director Hire

Kathy Zanetti gave an update on the Executive Director hiring process. The first-choice candidate declined the job despite follow-up efforts to address the candidate's concerns. The Basin Commission board is working with core staff on next steps, which will likely include 1) reviewing the other applicants again, and 2) re-opening the application process if a suitable candidate can't be identified from the existing applications. The Basin Commission board is likely to discuss the hiring process in executive session at the November 10 Basin Commission board meeting, or possibly in a conference call prior to November 10. Funding for the Executive Director position was discussed, and Ed

Moreen (EPA) later clarified that EPA would provide seed-money for the first year. Meeting participants noted that the position would come with an office, vehicle, and Idaho state benefits.

Review and Discussion of Oct. 6 Basin Commission Board Meeting

Kathy Zanetti led a discussion of issues that came up at the October 6 Basin Commission board meeting. She pointed out that notes from past Basin Commission board discussions showed that all Basin Commission members unanimously agreed on allocating 75% of Clean Water Act funding to the Upper Basin and 25% to the Lower Basin. (Other CCC members later noted that the Commissioners' original motion on the 75-25 allocation goal said that it should only be met to the extent possible or feasible).

Kathy also described the unanimous Basin Commission board decision on October 6 to “borrow” money from Phase 2 of the Mica Bay Project in order to fund unanticipated costs of the stream bank stabilization project.

On the topic of stream bank stabilization, CCC members discussed the process of assessing the tribal significance of areas that are part of the stabilization project—another issue that came up at the October 6 board meeting. DEQ, the Coeur d’Alene Tribes, and other parties are discussing how to address the issue, possibly including removing 200 feet of stream bank from the project. Some CCC members noted that tribal artifacts are likely to be found in many areas along the river, and members discussed the impact this might have on broader stream bank stabilization efforts. Some members pointed out that stream bank stabilization is in the Record of Decision, and EPA may be subject to different requirements regarding tribally significant areas than DEQ.

CCC members discussed the composition of the Commission Board, and the rules by which commissioners are appointed. Jim Hollingsworth suggested that certain members of the Commission should be replaced by the Governor if they couldn’t work cooperatively and collaboratively.

Technical Leadership Group Update—Clean Water Act Proposal Review

Results of October 14 TLG Meeting to Rank CWA Proposals

On behalf of the Technical Leadership Group (TLG), Bill Rust described the results of the October 14 TLG meeting in which members came up with a final ranking of Clean Water Act (CWA) proposals to take to the Basin Commission board. The list had been reduced to 12 projects (plus Phase II of the Mica Creek project already approved by the Board) from an original list of 23 projects.

The final TLG ranking (in order) is as follows:

- Mica Creek Nutrient Reduction (Commission has already approved)
- Plummer WWTP Pilot (Project #3) (TLG agreed to fund prior to ranking)

- Additional South Lake Sampling (Project #12) (TLG agreed to fund prior to ranking)
- Lower River Sediment Model (Project #8)
- Lake Response Model (Project #13)
- Lake Management Plan Implementation (Project #17)
- Plummer Creek Watershed Assessment (Project #9)
- Pinehurst Flood Impact Study (Project #15)
- Silver Crescent Revegetation Demo (Project #5)
- Canyon Creek Treatability Study (Project #20)
- Alluvium Sorting Demo (Project #22)
- Bunker Hill Groundwater Feasibility Study (Project #21)
- Page Plant Toxicity Study (Project #10)

County representatives on the TLG (many of whom are also CCC members) provided meeting participants with an alternate ranking with more emphasis on Upper Basin projects (for example, ranking projects #20 and #21 after project #12). The county representatives will provide their alternative ranking, along with an explanatory memo, in the packets that go to the Basin Commission board for discussion at the Nov. 10 meeting. They encouraged others, particularly DEQ and EPA, to explain their ranking rationale to the board as well.

The TLG ranking and the county representatives' ranking and memo are attached to these minutes.

CCC Discussion and Comments

The CCC discussed the choices that the Basin Commission will still have to make to allocate the approximately \$2 million in CWA funds (the total for all 13 ranked projects would be around \$3 million). Of particular importance was how the board's 75% Upper Basin-25% Lower Basin goal would be met given that most of the TLG's highest priority projects were in the Lower Basin or were basin-wide. Speaking on behalf of the Coeur d'Alene Lake/Spokane River Property Owners SIG, one member stated that the SIG was very disappointed that the TLG was not responding to its mandate from the board to identify a list of projects that clearly met the 75%-25% goal. Other meeting participants felt that it was up to the board to decide how to meet the 75%-25% goal, and they noted that the board has stated that this goal should be met only if possible or feasible.

CCC Comments on Projects #20 and #21

Project #20 received particular attention at the CCC meeting. It is the highest cost project (\$825,000) and in the Upper Basin. Some CCC members suggested that it would make sense to phase Project #20, which would free up money for implementing other projects.

It was estimated that an initial phase of engineering and permitting could be done for around \$50,000, after which the board could make a go/no-go decision. Two concerns about phasing were expressed. First, cutting the cost of Project #20 would make it very difficult to meet the 75%-25% goal. Second, there is uncertainty about whether CWA funding will be available in the future to fund later phases. Jim Hollingsworth noted that if the county commissioners and their TLG representatives insisted on winning every argument about the 75-25 allocation, the collaborative spirit of the process would be destroyed.

Regarding the Bunker Hill Groundwater Feasibility Study (Project #21 - \$230,000), a CCC member pointed out that EPA is still discussing whether it could do the project as part of the groundwater component of the 5-year review.

New Items

Superfund Cleanup Research

Jim Hollingsworth shared a research paper summary (provided as a handout at the meeting and emailed to all CCC members), which concluded that Superfund cleanups were faster if they were 1) cheaper, 2) didn't have community involvement, and 3) had active Congressional involvement. Andrea Lindsay, EPA Community Involvement Coordinator, clarified the criteria that EPA uses (and doesn't use) in deciding to fund community involvement, and pointed out that the community is generally less involved at less complex sites. A discussion followed on the importance of the Basin Commission process being successful in order to keep cleanup money coming in, and the related importance of keeping Congressional representatives supportive of the project.

The Superfund article is attached to these minutes.

Continued Funding

One CCC member suggested that once human health issues are addressed in the Basin, federal money may well dry up for cleanup activities driven by ecological risk. He said that the environmental and socio-economic impacts need to be emphasized to keep money coming in. Members had some ideas on working on additional funding:

- Look into the possibility of brownfields funding (Andrea Lindsay of EPA noted that Superfund designation could complicate getting brownfields money)
- Have the CCC or Basin Commission Board convene a committee of agency and non-agency people who have expertise in various funding sources in order to strategize about how to raise cleanup money. There was discussion of whether the CCC should wait to bring this idea to the board until it had taken a more in-depth look at the feasibility of such a committee. Members mentioned related options, such as setting up a funding Project Focus Team under the TLG or tasking core staff with the job. Members recognized that a future Executive Director will have fundraising as part of his or her responsibilities

Yard Clean-up

Mark Stromberg, DEQ, gave an update on yard cleanup. The Upper Mining Group has met its goal of 160 properties for the 2004 season and has finished an additional 12 commercial and/or right-of-way parcels. DEQ has completed 238 properties out of a goal of 300 (weather-permitting). The Army Corps of Engineers has completed 30 residential yards with a goal of 40 (also weather-permitting) and has completed 18 commercial properties and four rights-of way.

Washington State

Jim Hollingsworth mentioned the upcoming change of administration in Washington State and the need to raise the profile of the Basin Commission in the state as well as making sure that Washington policy-making dovetails with Idaho's efforts.

CCC Comments to Basin Commission Board

The CCC also made the following comments to the Basin Commission Board:

- For the Basin Commission process to be successful in obtaining adequate funding, keeping political support and ultimately ensuring cleanup, members the Basin Commission Board, the TLG, and the CCC need to work together cooperatively and collaboratively.
- It is the role of the TLG to carry out the mandate of the Basin Commission Board by providing the board with a list of CWA proposals that meet the goal of 75% of the effort in the Upper Basin and 25% in the Lower Basin (Comment on behalf of the Coeur d'Alene Lake/Spokane River Property Owners SIG)
- The Basin Commission board should form a committee of agency and other experts on state and federal funding in order to devise a proactive strategy for raising money for Basin remedial activities.

Next Meeting/Upcoming Events

The next Basin Commission Board Meeting will be held at the Idaho Department of Health and Welfare Building (on Wildcat Way) in Kellogg, ID on November 10 from 9:00 AM to 3:00 PM. The agenda has not yet been set. Check the Basin Commission website, www.basincommission.com, for additional details.

Attachments:

- TLG CWA proposal ranking
- TLG county representatives' CWA proposal ranking
- TLG county representatives' CWA proposal ranking memo
- "Chances of Superfund Site Cleanup Better with Less Community Involvement," Kansas City Infozine, provided by Jim Hollingsworth.