

June 17, 2003

The Commission has not yet approved these meeting notes.

Basin Environmental Improvement Project Commission

Meeting Summary: May 28, 2003

Meeting Location: Wallace Inn, Wallace, Idaho

Commissioners present: Steve Allred, DEQ
Jack Buell, Benewah County
Sherry Krulitz, Shoshone County
Chuck Matheson, CDA Tribe
Dick Panabaker, Kootenai County
James McCurdy, Washington
John Iani, Federal Government

Commissioners absent: None

Staff present: Luke Russell, IDEQ
Phil Cerner, CDA Tribe
John Roland, State of Washington
Sheila Eckman, EPA

Note taker: Luke Russell

Summary:

Chairman Krulitz opened the meeting at 10: 40 AM.

The meeting opened with introductions, including legislative representatives Ellsworth, Whiting, and Compton, as well as Commission staff. Chairman Krulitz noted that the board packet, due to the Memorial Day holiday, did not arrive to most Commissioners until yesterday. She instructed staff to ensure timely distribution of materials in advance of board meetings.

Old Business:

The meeting summary from the February 26, 2003 meeting was reviewed. Commissioner McCurdy noted that on Page 4, third paragraph first sentence, the word "not" be removed. Commissioner Allred noted that the last sentence on page 4 should be revised to read: "... but not all work necessarily needed to be done by the Commission." Commissioner Krulitz noted on page 11 third paragraph the word "with" in the third sentence should be "worth". **The summary was then approved unanimously, as amended, following a motion by Commissioner Allred, seconded by Commissioner Buell.**

June 17, 2003

Curt Fransen, Idaho Attorney General Office, updated the Board on the legislative action of the recently completed Idaho legislative session. The legislation clarified the role of the county commissioners on the board to include voting on the annual work plans and budgets and that the fiduciary responsibility of the Board members is with their home organizations. The bill was signed by the Governor on April 4 and became immediately effective. He then clarified that Commissioner Iani could now vote, but issues of potential conflict of interest may still arise, such as budget matters before the Commission.

Commissioner Iani then commented that EPA Administrator Whitman had resigned her position effective June 27. He commented she was a strong supporter of the Basin Commission as a new and innovative approach to Superfund clean up. She was instrumental in getting the federal participation on the board. He noted that while he now can vote some ethical issues may arise in the future that would have to be addressed as they may arise.

Chairman Krulitz commented that the Commission was established to implement the Record of Decision, even if some individuals may not agree with the ROD, and the Board desired to move forward with clean up.

New Business:

Board Protocols:

The Board then took up the matter of selection of a Vice Chairman and Secretary-Treasurer of the Board. Commissioner McCurdy questioned the roles of the two positions. Commissioner Allred explained the Secretary-Treasurer of the Board would not actually prepare the board minutes or the financial statements, but serve in what is known in the corporate world as chair of the audit committee. The responsibility to board would be to make sure there are minutes and are financial reports prepared and ensure that once a year a financial review of board activities is conducted. The staff would do the work or coordinate with consultants retained to assist on these matters. Curt Fransen commented the Secretary Treasurer would be the main point of contact between the staff and board on financial accounting, preparation of board meeting summaries and the like. Commissioner McCurdy noted his financial background, before he became a lawyer and was willing to serve as the Secretary-Treasurer. Commissioner Allred noted that Mr. McCurdy was a board member without a financial interest in the Idaho clean up and would make a good choice to serve in this role.

Commissioner Panabaker offered to serve in the role of Vice-Chairman, and it was **moved by Commissioner Matheson, seconded by Commissioner McCurdy to appointed Mr. Panabaker as Vice Chairman. The motion passed unanimously.**

Language proposed for the Board protocol to include the role of Secretary-Treasurer was then discussed. **It was moved by Commissioner Panabaker, seconded by**

June 17, 2003

Commissioner Buell to accept the language as proposed. The motion passed unanimously.

It was then moved by Commissioner Allred, seconded by Commissioner Buell, to appoint Mr. McCurdy as Secretary Treasurer for the Board. In discussion, Commissioner Allred referred to his earlier comments in regard to the role that this position would play on behalf of the board and asks they be presented in the meeting summary (see above). **The motion passed unanimously.**

Funding Update:

Sheila Eckman updated the Board on EPA funding status for the Box and Basin. She noted that negotiations continue with the Upstream Mining Group on the amount of work they will do in the box this year and that EPA will pick up some of the balance of work to try to achieve remediation of about 200 residential properties in the box this year. EPA has funding in hand to supplement the Upstream Mining Group (UMG) work as well as operation of the Central Treatment Plan and to install upgrades to the plant.

For the Basin, she indicated EPA has two primary funding pools for CERCLA response including pipeline funding which can be used for remedial design work, and remedial action funding that is used for clean-up activities. Using pipeline funds EPA has funded the IDEQ under a Cooperative Agreement for sampling of 600 properties in the basin this year with a goal of identifying and remediating 200 properties as approved by the Board, and to begin work on an institutional control program for the basin. In addition, EPA has funded the Corps of Engineers using pipeline funds to do design work at 2 recreational sites along the lower Coeur d'Alene River. Other work that is being funded by EPA at this time includes treatability studies for Canyon Creek, Big Creek Repository design work and operations, as well as funding IDEQ to locate additional repositories in the Basin.

For Remedial Action Funding, EPA must compete nationally with other EPA regions. The Basin human health risks rank this site very high in the national competition. However, the Basin is considered a new start and funding prioritization is weighted toward ongoing remedial projects. Nevertheless, while no money is currently in hand and she could not say when it would arrive, she expressed confidence that at least \$3M would be made available this year for human health responses. Additional funding may come later in the season. However, no money for upper basin source areas or the Rex Mine site were anticipated this year as these sites were not driven by human health risk exposures.

Commissioner Krulitz noted that Sunshine had filed for bankruptcy and asked if the lease for the Big Creek Repository expired in July, what would happen to the antimony oxide waste barrels on site? Curt Fransen replied that the administrative order on consent agreement with Sunshine contained intent language and was not a lease arrangement per se. It was the intent of Sunshine to transfer the property to the state and the intent of the state to move the barrels. However, the bankruptcy filing will delay things for this site. Commissioner Krulitz noted that repositories were an issue for clean up after July. Sheila

June 17, 2003

Eckman agreed with her and that this issue was being worked on by both the state and EPA.

Commissioner Allred inquired on the status of the new Clean Water Act congressional earmark. Sheila noted that EPA has \$1.78 million in additional funding in hand and the Board has two years to request these funds and an additional three years to spend.

Dan Whiting with Senator Craig's staff then provided an update on future congressional earmarks for the Commission. He thanked Commissioner Iani for his comments about the Commission as an innovative approach to Superfund cleanup that was earnestly supported by the Idaho delegation as well. He noted that the Idaho delegation had secured \$3.8 million for the Commission thus far and had asked for an additional \$2.0 M in this year's appropriation (FY 04). He noted that Congress cannot earmark Superfund money and that \$1.0 billion was budgeted for Superfund clean-ups nation wide this year. He added that it was congress's intent that money earmarked under the Clean Water Act would be used on the ground.

Commissioner Allred asked and received confirmation from Mr. Whiting that an additional earmark request in the amount of \$2.0 million had been made. He asked what the Commission could do to help secure additional funding? Should they contact Marianne Horinko with EPA headquarters staff directly for additional support? Commissioner Iani commented this might be the first conflict of interest issue. He confirmed that Ms Horinko was responsible for prioritizing superfund funding, but this is a difficult area for him to comment on given his responsibility for other superfund sites in EPA region X. Mr. Allred stated that the State of Idaho and the Idaho congressional delegation should put additional pressure on EPA to provide as much funding as possible for the basin cleanup.

Commissioner Krulitz commented that the congressional funding was all Clean Water Act money for demonstrations projects. Mr. Whiting confirmed this. Mr. Allred added there was concern not only with what could be done on the ground with this funding, but the need to fund administrative support to the Board through these earmarks.

Next on the agenda Rob Hansen overviewed the State's requirement to match 10% of remedial action dollars and provide 100% of operation and maintenance funding. Prior to any CERLCA remedial action funding being obligated coming to the project, the state and EPA needed to finalize a state superfund contract. This contract is under negotiation with hope of completion in mid June. One major issue is the state's requirement to provide assurance for the long-term operation and maintenance. Mr. Hanson indicated that this figure was around \$30 million dollars and the timing of when the state would be required to provide this money could impact project construction sequencing. The state was looking at in-kind match credits for the 10% capital required, but operation and maintenance required actual cash, which the state does not currently have approved by the legislature and governor. The state has prepared a white paper outlining how it could provide the necessary funding over time via establishment of a trust to support future

June 17, 2003

expenditure. The trust would receive state funds as well as funding from land transfers to help support the long-term maintenance needs at the site.

In addition the state has proposed that any state contribution to administrative support of the commission be considered matchable. EPA is reviewing the request. Mr. Hanson added that any excess statematch credit for the box would be applied to the basin.

Mr. Allred indicated the state couldn't spend money unless it gets match credit. This did not apply to operations and maintenance, as the state is responsible for 100% of these expenditures.

From the audience Bret Bowers questioned EPA on the total dollar amounts currently available for clean-up work? Sheila Eckman replied that about \$3.0 million. was in hand for human health related clean up actions and additional funding had been requested for later this summer. He then asked Mr. Iani who was the right person to ask within EPA Region X about EPA funding and any in-kind contributions provided by the EPA. Mr. Iani said he would get a contact name for Mr. Bowers. Ms. Eckman commented that the state was required to match only the remedial action activities, not Clean Water Act or EPA pipeline (design, sampling, etc) funding.

Next on the agenda Luke Russell presented a straw man administrative budget and conceptual cost-recovery funding approach for the Commission. Working with a conceptual dedicated staffing and operations budget model presented at the February board meeting, in the amount of \$400,000, he indicated that approximately \$140,000 could perhaps be directly charged against Clean Water Act funded projects and about \$260,000 would be an indirect requirement. Assuming a project budget of \$7.5 million annually this amount would equal about 3% as an indirect or overhead charge on funding to the Commission.

Phil Cernera questioned how this approach could impact other agencies, like the tribe; from getting funding support to work on clean up projects. It appeared to be a double counting of indirect costs if both the Commission and an implementing agency applied an indirect rate to grant funding to cover overhead. Commissioner Allred responded that this cost-recovery approach was the same as the Tribe used. He said the Tribe calculated an overhead rate that is applied to projects. The Commission would use a similar approach for the work they were doing. He added that the state match funds could also be added to the commission's annual budget estimate.

From the audience Ruth Spencer asked how the Commission would maintain its integrity if it received more administrative funds when it did higher cost work each year? Commissioner Allred replied that this was only an accounting method to provide base support to operate the Commission. He indicated the straw man 3% rate was actually in the lower end of the typical 3-6% indirect rates typical of government contracts, and the annual amount of money available would most likely be relatively constant from year to year. He added not all work would be done by the Commission.

June 17, 2003

Commissioner Panabaker commented that the Board simply had no dedicated support staffing and it made sense to pursue an indirect rate to get this support. He questioned how long this process might take. Commissioner Allred suggested it was unclear as the Commission is a new entity but for the state an indirect rate could be negotiated fairly quickly. **It was moved by Commissioner Panabaker, seconded by Commissioner Buell that Mr. Allred work with staff to pursue a provisional indirect rate cost agreement for discussion and consideration at the boards next meeting. The motion passed unanimously.**

Chairman Krulitz then introduced Shoshone County Commissioners Cantemessa and Vergobi as well as Shoshone County's new TLG representative Mr. Dave Suhr.

At 12:10 PM the Commission took a lunch break and reconvened at 1:10 PM

Lake Fish Study:

Anne Dailey of the EPA presented an update on the Coeur d'Alene Lake fish sampling conducted last year. She indicated that in the RI/FS and Human Health Risk Assessment for the basin additional information was desired on the status of metals in fish in the lake. Sampling was conducted last year for three species of fish (Bullheads, Bass and Kokanee) in three main regions of the lake. The sampling and testing was coordinated with Idaho Department of Health, IDEQ, US Fish and Wildlife Service, Coeur d'Alene Tribe, ASTDR, Washington Department of Ecology, and Spokane Tribe. She indicated that key questions to be addressed were potential affects of consumption of whole fish versus fillets under both tribal and sport fishing practices.

The analytical work is complete and the Idaho Department of Health is evaluating the results. They will provide advice on safe fish consumption levels later this summer.

In response to a question from the audience, Ms Dailey indicated the project was conducted collaboratively and used EPA pipeline funds at a cost of about \$100,000.

Next on the agenda Luke Russell provided a project status update on the Commission's first year work plan. He advised the Mullan I/I project was underway with engineering contract issued to JUB engineers by the South Fork Sewer District (who is managing this project) and that work in the field was expected to be conducted later this summer. The bank stabilization and lake monitoring plans had been prepared and will be discussed later in this meeting. The information and education program will be coordinated by the IDEQ and Tribe, which had developed message points and preliminary plans for disseminating this information. State of Idaho and Coeur d'Alene Staff would most likely be contracted to assist in this effort. Two recreational projects had advanced with the Corps of Engineers retained to prepare preliminary designs. Mr. Russell advised the board that a town meeting was schedule for this evening in Rose Lake to obtain citizen input into these preliminary designs. The Canyon Creek water treatability study was advancing with EPA's contractor URS. Mr. Russell then reiterated that no funding was

June 17, 2003

expected for the upper basin mine and mill sites or the Rex mine this year and so no work was advancing in this regard.

Bank Stabilization:

Nick Zilka of IDEQ presented the proposed work plan to implement the Clean Water Act grant funded bank stabilization pilot project. He overviewed the intent of the grant funding to conduct pilot demonstration projects with a strong learning component. The work plan included several steps. One is the evaluation and study of existing projects. The first part of this task involved an inventory of past stabilization practices along the lower Coeur d'Alene River and St Joe River. A first phase of this work has been completed by the Kootenai Shoshone Soil and Water Conservation District. A second step is pilot project development, which would examine principle questions including: impacts to streambeds from bank stabilization methods and habitat enhancement approaches. The third step would be project design, permitting and construction. The plan as proposed envisioned at least one project constructed this year to address one or both study questions, with a second project to be implemented next year. The final step is project monitoring for as long a period as possible. Mr. Zilka indicated that while this plan had general support of the CCC and TLG a consensus had not been reached on the proposal before the board.

Commissioner Allred commented there seemed to be several versions of the proposal and it would be helpful for versions to be dated on the documents. Chairman Krulitz commented the while the technical group had not reached consensus it had been charged at the February meeting to bring a plan to the Board for this meeting so work could begin this year. She reminded the TLG members that the Board was to make project decisions not the TLG.

At this point, Chairman Krulitz asked Bill Rust, a Shoshone County TLG representative, to present a county proposal that was a modification of the TLG proposal presented by Mr. Zilka. Mr. Rust handed out a revised proposal. He indicated the main changes were to replace the words "may" with "will" and that at least one project would be "constructed" this year, rather than "advanced" this year. He indicated it was more of a commitment to do work this year then presented in the TLG proposal.

Neil Beaver, member of the CCC and representative of the Lands Council commented that the county proposal was going around the process established by the Board for soliciting technical and public input on work plans, as this proposal had not been seen previously by either group. The CCC was asked to comment by May 21 why couldn't the counties meet a similar comment schedule? Commissioner Krulitz responded the Board had asked for a plan to do work that was not presented here today in this proposal. Mr. Jim Hollingsworth, Lands Council, also commented that the TLG plan had been presented as a compromise plan for CCC review. It appears that was not the case and the public process established by the Board needs to be kept honest.

June 17, 2003

Commissioner Allred stated it was problematic if there was not adequate opportunity for the public to see what was being proposed to the Board. Proposals needed to come early enough in the process so this can happen. He also stated it was the Board who was to make project decisions. He questioned if \$400,000 budgeted for this work would be adequate for more than one project location. Mr. Zilka replied that would depend on the design and location.

Commissioner Iani commented he was concerned the Board not get off on the wrong foot and it was perhaps his motion at the last meeting that was not adequately clear on what the board asked the TLG to do in regard to bank stabilization. He added the Board is to make these decisions and this was difficult to do this on something just handed to the Board and not vetted out via the TLG and CCC process. The proposal presented here by the county was not the right first step.

Commissioner Panabaker commented that it may be very difficult to come to consensus on technical projects, and the Board did not have a staff to rely on to help sort these issues out. However, the Board wanted to get work done on the ground this year.

Commissioner Buell asked Phil Cernera where the Tribe was on this proposal. He thought they were supportive of stopping sedimentation in the lower river. Mr. Cernera responded they were just handed this alternative proposal and did not have an opportunity to review it.

Mr. Rust commented that he was not on the Bank Stabilization PFT but was helping Frank Frutchey, Benewah County TLG representative, who was working. However, there had been several PFT meetings to try to achieve consensus and it was clear they could not. He stated the TLG needed to present these differences but perhaps in a clearer manner.

Commissioner Matheson offered that he felt the TLG had done what they were asked – they developed a plan four months ago that was challenged by a minority report. They today presented a compromise plan that once again is challenged by a minority report. Neither minority report went through a review prior to the board meeting.

Bret Bowers commented that there appeared to be general consensus on doing bank stabilization. The issues were simply how many projects to do and where. He asked the Board to vote on the proposals.

Chairman Krulitz commented that part of the problem was the county representatives on the TLG were volunteers versus paid agency staff, which created an unequal playing field. She reiterated her desire for a project this year, even if only 1 good project, and that it was the Board who would make that decision.

Discussion between the board and audience followed on Mr. Iani's motion in February and what it really meant. Mr. Iani commented that his proposal was not for projects A or B, but that they be vetted by the TLG and be brought back to the Board for consideration.

June 17, 2003

He asked Mr. Zilka if the State was supportive of the proposal he made today. Mr. Zilka responded affirmatively, wherein Mr. Allred commented this was the state staff recommendation, rather than the state position. Mr. Iani stated he too thought the TLG had done what had been asked of them.

Commissioner McCurdy agreed and there was a commitment for 1 project in 2003 and a second in 2004, or two projects. He commented he had done some research on bank stabilization projects and believed that it was important to do good design work and this is part of the project work. To be successful we need to get the design right.

Commissioner Allred expressed frustration that the TLG had not provided detail plans on where and how long a project or projects were being proposed. The TLG is to provide adequate technical information so the board can make a knowledgeable decision. The purpose of the TLG is to advise on how a project is to be done, not what, and it should not become a policy debating society.

Jana McCurdy, a member of the CCC commented that it might be difficult to provide advanced designs to the board before there is an approved plan or project budget approved by the commission. Anne Dailey commented that a lot of resources and time had been put into the bank stabilization dialogue. She indicated the state proposal advanced the process by providing focus on one or two issues that were in fact, being considered well in advance of the normal CERCLA planning for bank stabilization.

Lloyd Brewer, City of Spokane TLG representative, commented the TLG and the downstream cities were interested in how bank stabilization would affect the riverbed and thus supported the TLG proposal as it has fewer projects to ensure adequate monitoring to answer this question.

At 2:20 PM the Commission took a break and reconvened at 2:45 PM.

Commissioner Allred commented he was frustrated with what was presented to the Board, as it lacked detail, but then moved to approve the May 22 Stream bank Stabilization work plan with the proviso that 8000 lineal feet be targeted to be addressed this year. This could be in one or two project areas and should include adequate monitoring and results reported back to the board. The motion was seconded by Commissioner Panabaker. In discussion, Mr. Panabaker expressed the strong desire to get work done on the ground this year.

Considerable discussion followed between the board and the audience. Randy Connelly, Spokane Tribe TLG representative, commented that to do 8000 feet within the available budget at \$50/ft would expend \$400,000. And that \$50/ft may be too low an estimate. John Roland expressed concern that the contractors and their design proposals should drive the magnitude and enough money should be budgeted for adequate monitoring. Phil Cernera commented, as this is a demonstration project, if the questions could be answered in a shorter length, which would be cheaper, shouldn't this be the goal? Kathy Zanetti, CCC representative, questioned if any specific sites had been selected yet? John

June 17, 2003

Roland responded there had been major advancement in the planning effort by selecting the lower CDA River as the target area and while several areas had been discussed the exact location had not yet been selected. One project was being proposed to be constructed this year, and a second next year. Dan Whiting commented that congress was watching and would be reluctant to provide additional funding unless work is actually getting done on the ground.

Commissioner McCurdy noted on page 5 of the workplan that the plan was, as he read it, to do 2 projects: One in September 2003 and a second in 2004. He then questioned Mr. Zilka on whether 8000 feet was doable this year. Mr. Zilka responded that this would depend on the ultimate design and location. Commissioner Matheson expressed concern with the proposed footage indicating he was interested more in quality than quantity.

Sheila Eckman suggested the board look at timeline so the process is accountable. Bill Rust added that we were running out of time to get work done this year and decisions needed to be made within the next couple of weeks.

Commissioner McCurdy offered to amend the work plan on page to 5 to add a sentence to read: Said projects shall be constructed for the maximum number of lineal feet, considering cost and engineering design parameters. Commissioner Allred still concerned that work gets done this year said his reference to 8000 feet was not set in stone. But, he wanted assurance that the TLG understands the Board is asking to get something done on the ground this year. Commissioner Iani supported Mr. McCurdy's language as is provides for a maximum number of lineal feet done this year without some magical number as the target. Commissioner Matheson supported Mr. Iani's comments and the language provided by Mr. McCurdy. Discussion then followed on establishment of clear dates by which the board would be advised of specific project locations and proposed project magnitude for work this year.

Commissioner Allred then withdrew his originally motion, with a second by Mr. Panabaker, and made a new motion: **That the Board approve the May 22 bank stabilization work plan (as proposed by Mr. Zilka), with the proviso that during the week of June 15, the board hold a conference call meeting at which Mr. Zilka and the streambank PFT would present the location and size of the first project to be conducted this year Commissioner Panabaker seconded the motion.** Commissioner Buell commented that this motion did not include the target 8000 feet and we would end up with one small project. **The motion passed on a 5-1 vote with Commissioners Buell opposing and Chairman Krulitz not voting.**

Commissioner Allred then requested that staff prepare for the next regular board meeting, a discussion paper with suggestion on how the Board, within the purview of its responsibilities, could look at other institutional measures to address other activities that cause erosion, such as boat wakes. Commissioner Panabaker said this was an extremely controversial subject.

June 17, 2003

Lake Monitoring:

Phil Cernera presented the proposal for a three-year water quality monitoring/study plan for lake Coeur d'Alene. A draft monitoring plan was a component of the lake management plan that had recently gone through a public comment process. While the management plan is still in development, the TLG was in agreement with the technical plan for monitoring the lake for an initial period of three years. There was an issue with the narrative language around that work to be done however. A context memorandum was in development that describes the various perspectives on this work.

Commissioner Panabaker thought more time was needed to review the proposed work plan. Bill Rust indicated that the plan as proposed was agreeable to the county TLG representatives. Lloyd Brewer commented that he and Rusty Shepherd, Kootenai County TLG representative, were collaborating on the context memo and a draft was provided to the board here today. Chairman Krulitz expressed frustration that this was handed to the board just today.

It was moved by Commissioner McCurdy that the Board endorse the concept of a document to define the underlying context of the three-year lake water quality study and recognize the TLG was working to refine that document. Commissioner Matheson seconded the motion. The motion passed 4-2 with Commissioners Buell and Panabaker in opposition and Chairman Krulitz not voting.

With regard to the lake study plan before the Board, Commissioner Allred expressed concern that this study not be construed to be a prerequisite for deleting of Lake Coeur d'Alene. John Snider, Chair of the CCC and Kootenai County TLG representative, commented that this was the intent of the modifications made to the plan before the commission. Sheila Eckman indicated that while EPA agreed with this, they would in fact use any and all information available in making a decision on delisting of the lake. Mr. Iani agreed but added that the lake delisting process would be an independent action to this monitoring.

Commissioner McCurdy moved to adopt the lake study plan dated May 22, which was seconded by Commissioner Matheson. The motion passed 4-2 with Commissioners Buell and Panabaker opposed. Chairman Krulitz did not vote.

Next on the agenda Phil Cernera presented an update on the development of the 5-year plan and that the goal was to have a plan for board consideration at its August 27 meeting.

Ed Tulloch, IDEQ, then provided an update on the Lake Management Plan. He indicated the public comment period was from November 2002 through March 2003 and the State and Tribe were preparing responses to these comments. Their goal for revising the plan is to have a new draft by mid July with another 30-day public review. The final plan would be completed by early September.

June 17, 2003

John Snider provided a report from the CCC. He indicated the Mr. Woody McEvers was elected as vice-chair of this group. They have established small integration groups (SIGs) to represent geographical areas of the basin, however they were still looking for volunteers to this group from the Box, the reservation lands, and Benewah County. The main issue before the CCC was funding to provide administrative support to the group. While EPA is trying to find some additional support money, the Commission needed to keep this on their radar as well.

Susan Scott with the Coeur d'Alene Chamber of Commerce advised the board that ~~they~~ the Basin Cleanup Coalition were the recipients of an EPA Technical Assistance Grant (TAG) that would be used to help educate and inform citizens in the basin as clean up work progresses.

Curt Fransen then advised the board that the Record of Decision envisioned securing approximately 1500 acres of safe wildlife habitat as part of the remedial plan. This would be accomplished through establishment of several conservation easements in the basin. Under CERCLA, such easements required the state to provide assurance for any required long-term care and maintenance. He advised the Board that EPA was proposing to make the purchase of the first of this type of easement and the IDEQ was providing EPA with the necessary assurances. He indicated it was important for the Board to weigh in on this easement purchase since it is an implementation activity identify in the ROD. **It was moved by Commissioner Iani, seconded by Commissioner Matheson that the Board concur with the IDEQ's provision of assurance to EPA in regard to this conservation easement.** There was discussion in regard to what impact these types of easements would have on the local tax base. **The motion passed 5-1 with Commissioner Buell opposed and Chairman Krulitz not voting.**

Public Comment:

Kathy Zanetti expressed concern that board meetings quarterly would not be adequate to keep work moving in a timely manner and that quarterly meetings were much too lengthy. She expressed concern that we were 6 months into 2003 with little work on the ground to show for it.

Connie Fudge, CCC representative, commented the Board needed funding and staff to be successful and to ensure the coordination of information exchange.

Ron Roizen, from the audience commented on a recent health survey in the basin that he felt was casting a very negative light on the valley. He expressed frustration that this survey was done with federal funds and yet he could not get a copy of the survey results. He cited blood lead problems in cities such as New Orleans and St Louis where the percentage of kids above 10 ug/dl were substantially higher than the silver valley and it was offensive to have this type of news coverage continuing to cloud this area. Commissioner Krulitz also expressed concern with the survey.

June 17, 2003

Mr. Roizen also commented that he was aware of some in-vitro lead bioavailability testing and suggested this become part of the PFT working on technology transfer and information exchange.

The meeting adjourned at 5:07 PM