

7-23-03 Citizen Coordinating Council Meeting

Shoshone County Sheriff's Department, 6:30pm, Wallace, ID

Attendees (who signed in and/or announced themselves)

Jerry Boyd
Phil Cerner
Roland Craft
Renée Dagseth
Frank Frutchey
Connie Fudge
Toni Hardy
Jim Hollingsworth
Bill Kirchner
Noel Logar
Bob Martinson
Jana McCurdy

Woody McEvers
Charles Miller
Ed Moreen
Brenda Schlepp
Suzan Scott
Randy Siemers
John Snider
Vinetta Ruth Spencer
Kristy Reed Johnson
Luke Russell
W.C. Rust

Meeting Overview

The July 23, 2003 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission) covered the following topics:

1. Environmental Protection Agency (EPA) and Idaho Department of Environmental Quality (DEQ) Updates—New staff, funding, and activities in the Basin
2. Technical Leadership Group (TLG) and Other Reports—Lake Management Plan status, Year 1 plan implementation update, and farmland lead levels presentation
3. CCC Comments on and Reactions to the Draft 5-Year Workplan
4. CCC Organizational Practices and Procedures

Opening

John Snider, CCC Chair, welcomed participants to the meeting. He reminded participants to identify themselves by name and city or region and to clearly state whether they are commenting on behalf of themselves or a larger organization or group.

EPA Updates: New Staff, Funding, and Technical Assistance Grant (TAG) Award to Basin Cleanup Coalition

Renée Dagseth, Community Involvement Coordinator for EPA, gave an overview of the EPA funding distributed for Coeur d'Alene Basin projects. She introduced Ed Moreen, who is now working with EPA out of Coeur d'Alene. She reported that EPA awarded a \$30,000 grant to three Counties to support the TLG's activities and that EPA has provided \$17.7 million for cleanup in the Coeur d'Alene Basin and the Box. Of the \$17.7 million, \$4.5 million is for yard remediation in the Box, \$2.7 million is for the

central treatment plant and maintenance, and \$10.2 million is for Basin human health projects. Funding for Washington recreation areas was requested, but not granted due to resource constraints. If you have any questions about EPA activities, you may contact Renée Dagseth at dagseth.renee@epa.gov or 206/553-1889, or Ed Moreen at moreen.ed@epa.gov or 208/664-4588.

In addition, EPA awarded a Technical Assistance Grant (TAG) in May to help form the Basin Cleanup Coalition (BCC). Suzan Scott, Coeur d'Alene Area Chamber of Commerce, noted that membership in the BCC will be for individuals, rather than organizations, as previously announced. *If you would like to become a member, please submit a membership application to Suzan Scott at suzan@coeurdalenechamber.com or 208/664-3194, extension 160.*

A Basin Cleanup Coalition membership application is attached to this summary.

DEQ Updates: New Staff and Activities in the Basin

Luke Russell, Idaho DEQ, gave an update on Idaho DEQ activities in the Basin, including sampling and remediation of residential yards and preparing for work on bank stabilization. He also introduced Jana McCurdy, a CCC member who is working for DEQ to help with outreach and act as a community liaison. She will be writing fact sheets for DEQ projects, including yard remediation. If you have questions, you may reach Jana McCurdy at mjmccurdy@imbris.com or 208/682-3899.

Farmland Lead Levels Presentation

Frank Frutchey, CCC member, described the soil profile he found in his land and how he had reduced lead concentrations from 4,400 parts per million (ppm) in 1974 to 2,400 ppm this year by deep plowing and roto-tilling the soils to dilute the lead concentrations.

CCC members made the following comments/raised the following questions:

- One CCC member asked whether it would be possible to use the methodology Frank Frutchey used for his farmland to cleanup residential yards. She noted that it would cost less and could make people happier, since people have not been satisfied with the quality of their yards and the restrictions on their activities. *Luke Russell indicated that same methodology would be used for the Basin as for the Box—the top 6-12" of soil will be removed and replaced in yards, and the Institutional Controls Program will be expanded. He said that soil blending probably would not work over a large scale.*
- What is the benchmark level that is safe for human health? Is 2,400 ppm enough? *Luke Russell said that the target for human health remediation was less than or equal to 1,000 ppm.*
- The human health risk is greatly exaggerated.

- It is a perception (fear) problem more than a physical problem why removal is chosen rather than other methods. People could bring in topsoil and add amendments to the soil to make the lead less bioavailable, for example.

Lake Management Plan Status

Phil Cernera, TLG Chair, said that comments on the Lake Management Plan were received several months ago and that staff from the State of Idaho and the Coeur d'Alene Tribe, as well as other agencies, have looked at potential responses to the comments. The State and Tribe have different viewpoints, but staff plan to meet to reach agreement on draft responses and to distribute them to policy-level staff for their consideration by the first week of August.

CCC members made the following comments/raised the following questions:

- When will the responses be finished? *Phil Cernera said that no schedule had been established, but the responses would not be finished until after policy staff from the different agencies had met in August and September.*
- A CCC member commented that the State of Idaho has no money for lake management activities and that projects (such as Black Lake, ID) where money had previously been rescinded should get priority.

1-Year Plan Implementation Update

Phil Cernera gave an update on implementation of the 1-Year Plan, including projects for human health in residential and recreational areas, water treatment, inflow and infiltration, stream stabilization demo, lake study, and lake information/education. Overall, activities are moving forward and being implemented.

CCC members made the following comments/raised the following questions:

- Why is the DEQ only remediating 100 yards this year, when the Basin Commission approved 200? *Luke Russell said that because funding had been received late, it is only possible to complete 100 yards this year.*
- When will the \$14.7 million be spent on residential yard cleanups, and what does that leave for other activities? *Luke Russell indicated that any money not spent this year would carry over into the next year.*
- Where will money come from for anything other than residential yard cleanups? *Luke Russell explained that although the highest priority for funding is to address the immediate risk to human health in residential areas, some funds have already been allocated to address contamination in recreational areas and other activities. More money will be allocated in the future from EPA and other agencies to address other projects.*
- Are there restrictive covenants on titles in the Box? *Luke Russell said that in the Box there is a disclosure requirement. The Panhandle Health District provides information, as part of the Institutional Control Program.*

- A CCC member observed that it would be difficult to expand the Institutional Control Program (ICP) to other areas in the Basin outside the Box. In the Box, a county planning/zoning overlay district is used; this requires a boundary and a legal description of it. In addition, funding will be needed for implementation.

A copy of the handout on the 1-Year Plan Implementation is attached to this summary.

Draft 5-Year Workplan

Phil Cernera reviewed the activities proposed in the draft workplan for implementation of the ROD for the 2004 to 2008 planning period. These activities included designing and developing repositories, beginning implementation of a basin-wide ICP, completing the soil remedy for residential properties and many recreational areas, testing and evaluating water treatment technologies, designing remedial actions for the upper and lower basins (ecological areas), initiating long-term environmental monitoring, continuing the lake study, and implementing activities outlined in the Lake Management Plan.

Phil Cernera noted that Basin Commission Board Chair Sherry Krulitz requested that the Board staff receive all meeting materials at least 14 days before Board meetings. He also outlined the schedule for the 5-year plan:

July 30	Comments due
July 31	Phone meeting to discuss final draft and concerns
July 31-Aug. 6	Resolve outstanding issues
Aug. 8	5-year plan finalized
Aug. 10	Staff distributes the plan to Commissioners
Aug. 27	Basin Commission Meeting

CCC members made the following comments/raised the following questions:

- CCC members questioned why recreational areas along the Union Pacific Railroad's (UPRR) trail may be considered for cleanup in the future, as noted in the 5-year workplan, given that other, specific recreational sites were identified in the ROD. *It does not seem appropriate to use money for sites not identified in the ROD. Phil Cernera explained that the UPRR trail was mentioned in the workplan to acknowledge that as development occurs, different needs may arise than were outlined specifically in the ROD.*
- CCC members noted that UPRR should be a funding source for cleanup; the Tribe should raise this as an issue. There is a clause in the consent decree that allows changes if the conditions change. *Phil Cernera said that the Tribe will raise this issue; he was not sure whether operations and maintenance funds could be used for this purpose. Ed Moreen said that he would e-mail more information about the clause in the consent decree to interested CCC members.*
- Instead of creating new repositories, can old mines be filled instead? *Bill Rust, CCC and TLG member, noted that most of the old mines are not accessible or are caved in; it would not be economical or practical to use old mines as repositories.*

- Why aren't institutional controls planned for the Lower Basin? *Bill Rust and Phil Cernera noted that the ICP is focused on protecting human health, but some institutional controls are planned for the Lower Basin to protect the remedies (e.g., bank stabilization), even though they are not listed in the summary table.*
- A CCC member, commenting on behalf of labor interests, noted that the workplan does not address workers' issues such as wages, health plans, and pensions. He urged the TLG and Board to consider providing seamless benefit coverage for workers across different funding sources, as part of the implementation of the workplans. Wages and benefits are community issues, and the Basin Commission could set standards for workers.
- A CCC member commented that she disagrees with the assessment of health risk that forms the basis for residential yard remediation. Blood lead levels and other medical data for the Basin do not indicate that there is a significant health risk or a health crisis. Based on the lack of observed health problems and common sense, the need for these government expenditures should be reexamined.

A new version (final draft) of the 5-year workplan will be distributed on August 8, 2003. CCC members are welcome to submit additional comments on the final draft 5-year workplan. *Please submit comments no later than 5 PM, August 11, 2003 to Anne Dettelbach at anne.dettelbach@ross-assoc.com or 206/447-1805.* CCC members may also share comments with their Small Integration Group (SIG) representatives, who are asked to forward the comments to Anne Dettelbach.

Copies of the written comments submitted by CCC members Randy Siemers and Vinetta Ruth Spencer during the meeting are attached to this summary.

CCC Organizational Practices and Procedures

Jim Hollingsworth, CCC member, described his concerns about how the CCC operated since the last CCC meeting. He noted that the CCC had approved a presentation for the Board, consisting of the comments CCC members had submitted on the draft plan for bank stabilization. After the CCC meeting, however, several people (including the CCC Chair) who are both TLG and CCC members met separately with Board members to develop an alternative plan to present to the Board; this alternative plan was presented to the Board in addition to the plan that had been revised based on the CCC's comments. Jim Hollingsworth asked that in the future, if a meeting will occur that could change what the CCC approved, all CCC members should be informed about it ahead of time.

CCC members also made the following comments/raised the following questions:

- Members commented that the CCC is not a consensus body, but rather serves as an information conduit. All opinions should be presented in an organized fashion, and comments should be characterized as coming from the CCC.
- CCC members observed that trust is important for this group, and that everyone needs to know what issues will be on an agenda to avoid problems in the future.

- Who should comments be sent to? *In general, comments should be forwarded to SIG members; however, for specific projects, there will also be project leads who will also accept comments.*
- A CCC member said he did not want to depend on the SIG to get information. *Staff noted that people would continue to get information individually.*

The CCC decided to discuss the CCC Organizational Practices and Procedures document (the CCC protocols) at its next meeting. **Please send any comments on the 7-17 CCC Organizational Practices and Procedures document to Anne Dettelbach, anne.dettelbach@ross-assoc.com, by September 10, 2003.**

Next Meeting/Upcoming Events

The next Basin Commission Board meeting will take place at the Idaho Department of Health and Welfare, 35 Wild Cat Way, in Kellogg, ID on **August 27, from 9 AM to 3 PM**. There will be a tour for Board members on the August 26. The CCC's presentation for the Board will consist of the comments on the draft 5-year workplan submitted by CCC members by July 30, 2003.

The CCC decided not to meet again before the August 27 Board meeting. John Snider and Woody McEvers will be in touch to select a date for the CCC's next meeting.