

# Basin Environmental Improvement Project Commission

## Meeting Summary Minutes

May 23, 2018, 9:30 a.m. – 4:00 p.m.

Best Western CDA Inn, 506 Appleway Ave., Coeur d'Alene, Idaho

*These minutes are summary notes of the reports and presentations and are intended to capture key topics and issues, conclusions, and next steps and not every detail of discussions or individual quotes.*

### **Attendees included the following:**

Terry Harwood (BEIPC Executive Director)

Commissioners and Alternates present:

Sheryl Bilbrey, Jack Buell, Phillip Cerner, Marc Eberlein, Mike Fitzgerald, Michael McCurdy, and Grant Pfeifer

Staff present:

Glory Carlile (BEIPC Assistant to E.D, Note taker), Dan McCracken (IDEQ), Ed Moreen (EPA), Rebecca Stevens (CDA Tribe), and Sandra Treccani (WA Dept. of Ecology)

Grant Pfeiffer moved and Phillip Cerner 2<sup>nd</sup> to add the **2017 Blood Lead Report** by Andy Helkey (PHD) to the agenda.

### **Call to Order and Pledge of Allegiance**

Meeting was called to order by Commissioner Chair Jack Buell at 9:30 AM followed by the flag salute.

Terry Harwood introduced Michael McCurdy as the new IDEQ alternative commissioner to replace Rob Hanson who has retired. Sheryl Bilbrey introduced Jeff Philip as the new EPA unit manager

BEIPC Executive Director Terry Harwood gave a special plaque to Michael McCurdy from IDEQ to present to now retired Rob Hanson in appreciation of his years of serving the Basin Commission.

### **Accept and Approve Minutes**

Sheryl Bilbrey shared edits to the conference call minutes on March 15 for clarification and to make a few corrections. Michael McCurdy corrected a typo in the February 14 minutes to change the amount of years Rob Hanson worked at IDEQ to 29 not 39.

Grant Pfeifer made a motion to accept the February meeting minutes and approve the March 15 Conference Call meeting minutes as edited. Marc Eberlein 2<sup>nd</sup> M/S/C

### **Discussion of IDEQ's recommendation for the Executive Director to consult with the BEIPC Chair for the ED to represent the BEIPC on special tasks outside normal CDA Basin issues and the EPA's recommendation to hold CCC meetings on the same day as BEIPC meetings**

Terry Harwood reviewed the recommendations that had been previously presented but not voted on. Grant Pfeifer moved and Michael McCurdy 2<sup>nd</sup> to add to the BEIPC protocols the recommendation by IDEQ. M/S/C

Jerry Boyd, CCC Chair, addressed the EPA recommendation to hold CCC meetings on the same day as BEIPC meetings. He said we have tried to do this before but it is better to meet at a different time ahead of the BEIPC meeting to present the CCC notes at the BEIPC meeting. Harwood added time of day

preference is for evening meetings. Marc Eberlein said it is in interest to the public. Phillip Cerna agreed and added that it is not for the Commissioners to dictate when the CCC meets.

Sheryl Bilbrey suggested that Harwood write a letter to EPA stating that as we discussed at the meeting, the Basin Commissioners have agreed to have CCC meetings on a separate day than the BEIPC meeting. Sheryl Bilbrey moved and Grant Pfeifer 2<sup>nd</sup> to leave CCC meetings as they have been occurring. **M/S/C**

Marc Eberlein left the meeting at this time.

### **Report on Citizen Coordinating Council (CCC) issues and the April CCC Meeting**

Jerry Boyd reviewed the last CCC meeting topics of discussion and presentations and noted that the summary notes are in the packets. He said that Julie Dalsaso had asked about updating health warnings about lead at recreation sites. Boyd asked to receive an update about the new signs so it can be reported to her and to let us all know when they are put in place and what the signs say. He announced the June 13 community meeting organized by EPA to be held in Medimont will be sponsored by the CCC.

Terry Harwood added that the CCC is also invited to the August tour of projects and have the opportunity to receive information and ask questions.

### **Lake Management Plan (LMP) Implementation Update**

Laura Laumatia gave an update on LMP reporting that current Outreach and Education activities included the following: They hosted water awareness week, partnered with the University of Idaho. Have been interviewing and will be hiring 4 youth interns for the CDA Tribe this summer. Adult outreach includes Leadership CDA environmental day, co-sponsors of a Water breakfast with Spokane Forum, hosted their annual training for the Bay Watchers program. The volunteers are helping to get information out and bringing some concerns back. Also, Jamie Brunner and Laumatia will be attending a writing retreat working on Policy briefs to update folks on the Trends Report and to make publications more accessible to the public. The Youth Water Summit involved almost double the amount than the previous year. She said that in terms of implementation they are still looking for homeowner participants in Wolf Lodge Creek. They are also out on the Lake doing research and regular monitoring.

### **Questions/Comments**

Jerry Boyd asked about boat monitoring and wondered if the CDA Tribe and IDEQ are part of this and if they give reports. Laumatia answered that the Tribe does not monitor boating on the Lake. Rebecca Stevens commented that it would be a good Kootenai County partnership.

### **Update on BEIPC Web Page remodel**

Sandy Treccani reported on the BEIPC website revision project that has been underway. The project started with distribution of a survey and a good response in the feedback indicated the need for more of a reorganization of the site to include easier access, information on current projects, sharing of presentations made at meetings, and clear contact information.

Highlights of changes to the web site are that it can be edited by BEIPC staff, reformatted, and there are interactive, picture based pages, new calendar page, and new partner pages with links. Preview of the main launch page can be visited at [www.dev.basincommission.com](http://www.dev.basincommission.com)

Next Steps is to receive input from the public and make final changes to pictures, solicit review from outreach staff and then go live.

### Questions/Comments

Grant Pfeifer aptly described the website project as a “major tune up and not a “rebuild” with it focusing on accessibility.

Jerry Boyd asked who will have access to make changes to the BEIPC website and Treccani answered it will be Carlile and Harwood, at the BEIPC office.

Harwood asked the Commissioners if they want to have their pictures and perhaps bios on the website. Pfeifer suggested that they discuss it at lunch.

### **2017 Blood Lead Report**

Andy Helkey (PHD) gave a very brief summary update of his Bunker Hill Superfund Site 2017 Blood Lead Levels presentation that he also made at the BEIPC February 14 meeting, the CCC April 18 meeting, and TLG May 16 meeting. He announced that the entire report is on the Panhandle Health website at [www.panhandlehealthdistrict.org](http://www.panhandlehealthdistrict.org) under the Environmental Health tab and that this year’s lead screening will be August 13 through August 18.

### **Update on Flood Group MOA with BEIPC**

Terry Harwood gave an update on the Flood Group MOA beginning with a brief history of the issue and formation of the ad hoc group to start talking about dealing with the flooding. The process leading to the MOA was due to needing a single point agency such as the Basin Commission to assist the jurisdictions as the lead organization particularly for pursuing grants.

Phillip Cernerla asked for clarification in the Flood Group MOA of the jurisdictions as collectively one or as individual jurisdictions. Harwood confirmed they are operating as a group. Cernerla also voiced his concern that he needed to bring the MOA to legal counsel for review and present the opinion to the Tribal Council. Since Jack Buell has signed the MOA already as Chair of the Basin Commission, Cernerla had a request to be recorded in the minutes in case there is a change. He stated that he needs to be able to reserve the right for the CDA Tribe to opt out later if there is a problem after their legal counsel review and the Tribal Council members OK of the MOA.

### **Outreach Activities during the last quarter**

Terry Harwood reviewed a list of inquiries or requests that he has taken care of and/or forwarded to the appropriate agency or contact person. He received a number of questions about the Bunker Hill Mine settlement and forwarded them to EPA. He said that he always follows up to make sure there is a response from the agency or governmental contact. There was also a request for a listing from EPA of personnel who are project leads of the various works taking place on the sites and Harwood said that he will share the project lead contact with anyone who requests it. Jerry Boyd added that when the CCC receives information that the public may be interested in, BEIPC sends it out to the e-mail contact list as an ongoing outreach activity. He said this may also be a reason some people do not attend meetings because they already receive the information.

Valerie Wade reported on outreach activities by the Community Involvement Coordinators (CIC's) team made up of community involvement staff from EPA, IDEQ, and Panhandle Health. Many of the outreach activities are done in partnership. Something new this year was to host the Environmental Science and Health Fair in partnership with the University of Idaho. They also hosted a booth at the annual Leadman races in Kellogg and also participated at Earth Day in Coeur d'Alene. They issued and distributed the March Basin Bulletin EPA newsletter and distributed flyers to publicize events and meetings and notices to provide updated information about cleanup activities. Wade noted that they continually attend community meetings and constantly look for opportunities to educate the public.

### **CDA Fish Tissue Project Presentation**

Morgan Willming from the Idaho Department of Health & Welfare, reported on the project giving some background of the Idaho Fish Consumption Advisory Program (IFCAP). It is a multi-agency partnership with the goal to protect the public from adverse health risks associated from consuming contaminated fish in Idaho waters. The committee meets about twice a year to review any updated fish sampling reports and to share data information. All the public advisory information is available on their website at [www.fishadvisory.dhw.idaho.gov](http://www.fishadvisory.dhw.idaho.gov)

Willming explained that the CDA Basin Fish Sampling is a multi-agency and Tribal coordinated effort. She gave a broad overview with locations of the sampling zones and metals of concern analysis. Metals of human health concern were lead, cadmium, mercury, and arsenic. Health effects screening values were used for the advisory recommendations. Fish Consumption Analysis based on American Heart Association is 2 meals of fish per week for health benefits or about 8 meals per month. Phillip Cernera asked the weight of the fish for a meal. Willming answered that a meal for an adult is 8 oz. and 4 oz. for children and pregnant women.

### **Questions/Comments**

Matt Nykiel asked about the source of screening values that is determined for the levels of health risks. Willming answered that it is derived from literature and studies of thresholds of health impact and recommendations of consumption regarding species and age groups.

Rebecca Stevens asked if they will disclose about the sample size on the south fork CDA River as being low in the final advisory report and Willming said it would be noted as the best available data that we had.

Jamie Sturgess asked about the fish tissue sample and Willming confirmed that samples were taken of the edible filet portion of the fish except for the Kokanee.

Michael McCurdy asked about the schedule for completing the rest of the study. Willming said that hopefully the report will be done by the end of this year and the Fish and Game Guideline available for anglers will be in updates by next spring.

### **Public Questions, Comments, Discussion, and new topics of concern**

Terry Harwood opened up the floor for discussion, questions, comments or requests and concerns to the Basin Commission but there was no response.

## **Update on EPA work plan and budget**

Ed Moreen gave an overview of the work plan and reported on the EPA Budget. Current budget balance in the Special Account (SA) is \$18M but ongoing demands could deplete some of these funds in the SA by the end of the fiscal year. The SA is used to fund oversight of the CDA Work Trust, the Basin Environmental Monitoring Program, the Roads Program in the Box, design and construction of the CTP/GCS (funded), Corps of Engineers administration of the CTP/GCS contract, and technical assistance including that provided by the State of Idaho, CDA Tribe, USGS, USFS, and EPA's contractor.

EPA work plans being funded by the CDA Trust includes continued construction at Success Mine and Mill site, operation of Waste Consolidation Area (WCA), design is complete at the Interstate Mill site, will finish the Canyon Complex Repository design, and characterization of the Hecla Star complex in Burke will also be worked on in 2018. Other projects being implemented by the CDA Trust include: Remedy Protection and Roads Program outside of the Box, Basin Property Remediation Program, and operation and monitoring of disposal facilities. Total CDA Trust Budget for 2018 is \$21.5M.

Basin Property Remediation Program is planned to be completed in 2019. Roads Program work is complete in Smeltonville and Wardner and Eastside Highway District. They will continue to do work in Kellogg, Pinehurst, and Pine Creek Road in Shoshone County. They will also continue the operation and maintenance of disposal facilities.

Moreen also reported that the Bunker Hill Mine Settlement Agreement with the purchaser was modified and now includes a sunset clause for water treatment with the mine owner assuming it and obtaining necessary permits within five years. The effective date of the Settlement Agreement is May 15, 2018. The Motion to Enter the Consent Decree with Placer Mining Company was filed with the District Court of Idaho on May 14, 2018 and is pending action by the court. Settlement funds collected as part of this settlement are to be deposited in the Bunker Hill Box SA.

Moreen gave the status of the following activities:

- Strategic Plan complete and posted April 2018.
- Ongoing soil amendment evaluations are continuing.
- Additional thin layer capping was applied at Lane Marsh Pilot Project was completed last fall and is in the monitoring stage.
- Sediment Transport Model Development is complete and documentation is being prepared under review.
- They are undertaking strategic structured decision making process and going through a prioritization process of projects.
- They will post the Dudley Reach Coring 2017 that shows high concentration of lead.
- CTP Expansion and construction underway.

Moreen also announced that a “Structured Decision Making Process to Prioritize Projects in Lower Basin” was utilized to draft an evaluation criterion that is going to be used to assess the selected short list of project proposals. These will be shared for input opportunity at the June 13 EPA community meeting in Medimont sponsored by the CCC.

#### Questions/Comments

Terry Harwood asked for clarification about the Reed Landing project and the operation of treatment plant after 5 years. Moreen said there is a sunset clause which requires the purchaser of Bunker Hill Mine to find their own treatment and obtain a discharge permit.

Dan Redline added that the discharge permit will need to be obtained from the State of Idaho because the program (National Pollution Discharge Elimination System program) is being transitioned from EPA to the State of Idaho. Cernera asked Redline about the load capacity or what can be put into the system in regards to getting the permit. Redline said that they would have to go through an evaluation and meet the water quality criteria at the point of discharge.

Jamie Sturgess asked about the 7 source control project proposals wondering if a layer capping is one of them. Moreen said that there is a layer capping one but determinations have yet to be made.

#### LUNCH

#### **Coeur d’Alene Basin Restoration Partnership and Restoration Plan – Natural Resource Trustees**

Since Chip Corsi was unable to attend the meeting to make the presentation, Phillip Cernera (CDA Tribe) gave a brief summary update on Restoration Partnership activities. He shared that they finished the Restoration Plan and a Record of Decision was signed on May 8, 2018. They recently had 3 workshops doing presentations but not many people showed up for them. They are currently gathering shovel ready projects to begin the process of reviewing, choosing, and implementing over the next few years. Rebecca Stevens added that both the CCC and BEIPC have received the presentations.

#### Questions/Comments

Jerry Boyd asked about the solicitation for projects and offered to get the information out through the CCC. Cernera said that they will be coordinating with the Basin Commission and confirmed that the public will be informed when the projects are selected. When asked about the Trustee meetings he answered that they are not public meetings and do not follow open meeting laws. Stevens also added that all the annual reports and documents are on their website so they are transparent.

Sandra Treccani asked about the process in the evaluation plan to address any overlapping projects and opportunities for partnerships. Cernera answered that there will be coordination but they will not have a specific formalized process.

#### **Meeting adjourned at 1:25**

Grant Pfeifer made a motion for adjournment and Sheryl Bilbrey 2<sup>nd</sup>. M/S/C