

Basin Environmental Improvement Project Commission  
Meeting Summary Minutes  
November 18, 2020 9:30 AM – Noon  
IDEQ Regional Office Osprey Conference Room  
2110 Ironwood Parkway, 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 discussion or individual quotes*

**Attendees in person and on WebEx included the following:**

Terry Harwood (BEIPC Executive Director)

Commissioners and Alternates present:

Mike Fitzgerald (Shoshone County), Brook Beeler (Washington State), Jess Byrne (IDEQ), Michael McCurdy (IDEQ), Leslie Duncan (Kootenai County), Calvin Terada (EPA), Phillip Cerner (CDA Tribe), Chris Hladick (EPA)

Staff present:

Gail Yost (BEIPC, Assistant to E.D., Note taker), Ed Moreen (EPA), Dan McCracken (IDEQ), Andy Helkey (IDEQ), Sandra Treccani (Washington State), , Rebecca Stevens (CDA Tribe), Dana Swift (IDEQ), Jamie Sturgess (Kootenai County), Jerry Boyd (CCC)

**Call to Order and Pledge of Allegiance**

The meeting was called to order by Terry Harwood at 9:40 a.m. followed by the Pledge of Allegiance.

EPA requested a few minutes to introduce changes in their staffing, they are as follows:

- Calvin Terada is the permanent Division Director of the Superfund and Emergency Management Division (SEMD).
- Jeff Philip is serving as the Acting Deputy Division Director of SEMD, covering while Sheila Fleming is on a HQ detail.
- Kira Lynch is the Remedial Cleanup Branch Chief of SEMD
- Ed Moreen will fill the SEMD Section 1 Chief position while Jeff Philip is serving as Deputy Director (up to 120 days)

**Approve the minutes from the March 11, 2020 BEIPC meeting (Action Item)**

Terry gave a brief update on the March 11, 2020 minutes. He had already sent the minutes around for approval, but we needed to take a second look at them and make it official at today's meeting. Brook and Rebecca both had minor changes which were noted for update. Mike Fitzgerald moved to approve the March 11, 2020 meeting minutes; Leslie second, all approved **M/S/C**

**Review and Discuss Draft 2021 Annual Work Plan**

Terry Harwood shared the process of creating the annual and 5-year work plans. The work plans are divided into two sections – Part 1 covers environmental cleanup work performed through CERCLA (Comprehensive Environmental Response, Compensation and Liability Act). It includes work to implement the Record of Decision (ROD) for Operable Unit 3 (OU-3) and the Upper Basin ROD Amendment (RODA) for OU-2 and 3. Part 2 includes Other Activities and Responsibilities – Lake

Management Plan, Natural Resource Trustees, work on recommendations from the National Academy of Sciences (NAS) and requests from the communities and citizens of the Basin.

He started with an update on the residential and commercial property remediation, which is pretty much complete. Properties can still be sampled and/or remediated if above action levels for owners granting access. Currently about 213 properties require sampling and 40 properties require remediation in the Upper and Lower Basin; 8 remain to be remediated in the Box. A total of 3,925 properties in the Basin and 3,236 properties in the Box have been remediated at the conclusion of 2020.

The Roadway Surface Remediation Strategy was developed in 2012 in recognition of the road damage caused by heavy truck traffic during remediation work. The purpose of this program was to address the deterioration of paved road surfaces that were underlain by contamination. Almost 600 road segments were identified, and all jurisdictions have now completed their programs. The Paved Roads Board will now prepare a final Remedial Action Report in 2021 to close out the program work.

Andy Helkey will be giving an update on the Lead Health Intervention Program at the next BEIPC meeting in March, 2021. Due to COVID, there was no annual summer screening completed in 2020. PHD continues to offer free lead screening for residents living within the Bunker Hill Superfund Site.

Recreation Use Activities – we are still addressing public use of recreational sites. There is a Recreation Team (EPA, IDEQ, PHD, CDA Tribe, BEIPC and CDA Trust) that meets at least biannually to evaluate and discuss priorities, and addresses human health risks while maintaining the benefits of recreation.

Repository Development & Management - There are currently four operational repositories within the OU-3 area; Big Creek Repository (BCR), Big Creek Repository Annex (BCRA), East Mission Flats Repository (EMFR) and Lower Burke Canyon Repository (LBCR). The Page Repository provides for disposal of remedial and ICP wastes in the Box (OU1 and OU2). The Waste Consolidation Area (WCA) located up Nine Mine is handling waste from the East Fork Nine Mile projects. Development of the Canyon Creek Repository (CCR/WCA) and rebuilding of the Silver Valley Natural Resource Trustee (SVNRT) Repository are also taking place.

Upper Basin Remedies – The Upper Basin RODA identified \$635 million for work in the Upper Basin including work at 125 mine and mill sites. Upper Basin projects include: Tamarack Complex Design and Cleanup; East Fork Ninemile Waste Consolidation Area; East Fork Ninemile Creek Riparian area; SVNRT Repository Remediation and Canyon Creek Complex CCR/WCA; Canyon Creek Quarry; and Douglas Mine and Mill in the Pine Creek Basin.

Central Treatment Plant/Central Impoundment Area – Wood continues to be responsible for continued operation of the CTP/GWCS and has completed both the design and construction of these upgrades. They will transition operations over to the State of Idaho beginning in October of 2021, which was delayed due to COVID-19.

Lower Basin Remedies – include actions for wetlands and lateral lakes, river banks, splay areas and river bed dredging. To address the contaminated sediment transport in the CDA River EPA will continue working to finalize the approach for pilot project selection in the Dudley Reach area which

is considered the most significant upstream lead loading segment into the river. EPA will also coordinate with the Restoration Partnership to advance design on IDFG-owned Gray's Meadow to create clean waterfowl feeding habitat.

Basin Environmental Monitoring Program (BEMP) – EPA has continued to optimize and restructure the BEMP, updating data quality objectives to better meet both remedial action effectiveness and long term monitoring needs of the cleanup. A comprehensive summary of data collected through the BEMP will be included in the 2020 Five Year Review.

Operation and Maintenance responsibilities for Remedial Actions – CERCLA prohibits EPA from use of funds from the Superfund Account on O&M of remedies. Responsibilities on completed and accepted remedial work may vary.

Other activities and responsibilities include the following work:

- IDEQ Lake Management Activities
- Coeur d'Alene Tribe Lake Activities
- Flood Control and Infrastructure Revitalization
- Communications and Public Involvement
- State of Washington Activities
- Coordination with the Restoration Partnership

Lake Management Activities – The State of Idaho has initiated a third-party review of lake management data by the National Academy of Sciences (NAS) to help inform an appropriate response to undesirable water quality trends. IDEQ staff continues to operate under the LMP as discussions with the Tribe and EPA continue and the third-party review commences and progresses.

Flood Control and Infrastructure Revitalization – The local flood group and the BEIPC will continue to work with the COE and FEMA to update the 2009 Flood Inundation Maps. The working group will also support the City of Pinehurst's request for COE assistance in performing similar flood zone analysis in Pine Creek. The BEIPC will continue to assist Upper Basin communities as well.

Communications and Public Involvement – Multi agency coordination worked together to carry out public involvement, communication, and education related to BEIPC and agency activities. They will continue to facilitate the public involvement process in the Basin.

State of Washington Activities – the Washington State Department of Ecology continues to monitor the status of previous cleanups along the Spokane River. Site visits are performed along with visual documentation of performance and sediment accumulation.

Restoration Partnership – The Restoration Partnership finalized their list of projects that they will continue to implement in 2021 (the list and descriptions are located in the 2021 Annual Work Plan). There will be ongoing coordination with EPA on remedy and restoration activities and participation in BEIPC and associated groups and committees.

### **Public Comment and Input on 2021 Work Plan**

At this time, Mike Fitzgerald opened it up for any comments – which there were none from the commission or the public.

### **Approve 2021 Annual Work Plan (Action Item)**

Rebecca moved that the 2021 Work Plan be approved as presented; Leslie second, all approved  
M/S/C

### **CDA Lake NAS Review Process Update – Jamie Brunner, IDEQ**

Jamie presented an update on the NAS scope of work. A contract has been signed to perform a third-party review of the lake water quality data.

The study will address the following:

- Evaluate current water quality in the lake, lower rivers and lateral lakes with a focus on observed trends in nutrient loading and metals concentrations, while also considering how changes in temperature or precipitation could affect those trends.
- Consider the impacts of current summertime anoxia on the fate of the metals and nutrients.
- Consider whether reduced levels of zinc entering the lake as a result of the upgrade to the Central Treatment Plant and other upstream activities are removing an important control on algal growth.
- Discuss whether metals currently found in lake sediments will be released into the lake if current trends continue. If sufficient data are not available to result in a high level of confidence in its conclusions, the National Academies will identify the additional data that are required to achieve an appropriate level of confidence.
- Discuss the relevance of metals release in the lake to human and ecological health.

They appreciate Kootenai County's contribution of \$200,000 and EPA's \$20,000 to this effort. They will also continue to look at nutrient reduction projects and implement those when found. Right now, they are wrapping up a restoration project on Wolf Lodge Creek which they anticipate will reduce nutrient levels. It is being funded by the Restoration Partnership and IDEQ and sponsored by Kootenai/Shoshone Soil Conservation District. Jamie stated there will be a kick-off meeting that has not been scheduled yet, and all partners involved will be invited. Brook asked if the meeting was going to be a public meeting, or more technical in nature; Jamie said more technical in nature as they will be coordinating with the National Academies on how to get them the data they need to be reviewing and how the process is going to work more specifically. She will keep the BEIPC apprised of their activities as well as the "Our Gem" group.

### **Central Treatment Plant and Lower Basin Project Updates – Ed Moreen & Kim Prestbo, EPA**

Ed started with a presentation of the Central Treatment Plant (CTP) and Ground Water Collection System (GWCS). This will be an update from their presentation that was given at the BEIPC meeting in March, in which they were still at the testing phase. A major milestone was achieved in October with the entire system entering the one-year O&M period. It has gone through acceptance testing phases; all systems are operating; GWCS is pumping through the treatment plant; and the CTP is treating the ground water and Bunker Hill Mine water. Data is being gathered, but initial CTP effectiveness has shown a significant drop in Zinc concentrations when compared to the new discharge limits. Lead and Phosphorus are also showing similar results.

Kim Prestbo spoke in more detail about the GWCS, which consists of the 7,000 ft. cutoff wall and a series of extraction wells. The wall was constructed in 2018, with gaps left to allow ground water to continue to flow. In 2019, nine extraction wells were put in place along with a conveyance pipeline to convey the groundwater into the CTP. There were two goals - to improve the treatment capacity

and achieve lower discharge concentration to meet the new criteria. In January 2020, they began pumping water to the CTP and testing the system in full. Last summer, the gaps were closed and aquifer testing done, which was completed along with the acceptance testing for the CTP. This allowed the start of the O&M phase in October. The springtime run-off will test the flows as they continue to monitor, collect data and evaluate through the O&M period. There have been no evidence of Seeps in the SFCDA since March 2020, but is an ongoing part of the monitoring and coordination with Idaho Transportation Department (ITD) as they monitor the freeway.

Rebecca asked Ed about the Phosphorus level being below detection, and if this was at the same time as the sampling event on his slide? He answered that it was common in what they saw in all the sampling.

Lower Basin updates – two major components of the Lower Basin are the In-Channel work and the Off-Channel Flood Plain contamination. EPA is focusing on the Lower Basin river channel to identify pilot project technologies to address contaminated riverbed sediments - working with the LB Project Focus Team and the CDA Trust. In early 2021, the Trust will identify technologies to test in the riverbed for the Dudley Reach pilot project; then begin the Remedial Planning Process (ARAR compliance, pre-design data collection, remedial design, etc.), with construction likely to occur in 2024 or 2025.

Kim gave a quick update on the Gray's Meadow Project – this large wetland project was selected and prioritized by EPA and the Restoration Partnership - to reduce soil metal contamination to safe levels for waterfowl and recreationists; to return agricultural land to clean productive wetland and riparian wildlife habitat; to improve water quality in Black Lake; and to provide clean recreational, educational, and cultural opportunities for public use. This will combine remediation and restoration at the design stage which is very unique. They are proceeding with how to de-water/water transfer out of Black Lake discharge points to points south on the CDA River; and continuing with the ARAR's, compliance and reviews. The working schedule is as follows:

- 60% basis of Design Report/Remedial Action and Restoration Work Plan – Spring 2021
- Cave Lake infrastructure construction – 2021 (March through June)
- Pilot Tilling Study – following completion of Cave Lake infrastructure construction.
- Lamb Peak infrastructure construction – Fall/Winter 2021
- Remediation and Restoration construction 2022-2023

Patrick Hickey EPA talked about the need for a WCA in the Lower Basin due to the pilot projects that are coming up and the potential for waste to be generated. Even though no designs have been made or technologies selected, they felt it important to get the information out to the local community for their input. They published notices in the local newspaper, social media, project web updates and the Basin bulletin, as well as direct mailings to local addresses and various emails. A 2009 developed citizen criteria for repositories was used as a foundation for the public to address concerns or comments. A 60-day period for input, which ended on September 30<sup>th</sup>, produced about 30 comments total. Suggestions included looking at alternatives for the WCA; support and opposition for dredging; mapping potential siting areas; the potential to use CDA River floodplain and lateral lakes as disposal areas which would then be capped; and adding criteria to include potential economic development once construction and capping were complete. A responsive summary will be sent out to all those who commented and those on the Bunker Hill list later this month. It will also be posted in the Basin bulletin, on the EPA website and CDA Basin Facebook page. A property that was purchased by the Trust on S. River Road could possibly be used for

staging equipment and source material for gravel, rock and cover soil. Geotechnical and characterization studies would be required to verify if this site could be used as a WCA in the future.

Mike Fitzgerald asked what timeline they are looking at in the next year or so. Patrick answered that they are waiting for the completion of the characterization study and the decision on the pilot projects which will be in 2021. The project will need to be decided upon before they can start estimating if they need a WCA, how big it needs to be or where it should be located.

Rebecca gave a couple of updates for interest. There was recently a meeting with the governments that oversee the management of the Trail of the CDA's, the railroads consultant tested the Harrison City Beach this past year and results came back 8ppm Lead which is very low and encouraging. Also, US Fish and Wildlife Service, in the event of an ice-up in the lower lateral lakes, are prepared if deterrent is necessary for migratory waterfowl in the Harrison Slough area.

### **Public Comment and Discussion Period**

A question for Ed came through the chat room – they asked if a waste discharge permit was necessary for the new CTP into the SFCDA? Ed stated because they are performing under CERCLA and could not issue a permit to themselves, they did not need to obtain one; but all analysis was performed for the discharge.

Jamie Sturgess commented on the great progress made in the last year in spite of COVID issues. A year ago, we set out a schedule for EPA to have selected a pilot project remedy by the end of 2020. It has now been ticked up a year to 2021. He urged the EPA to get on with the pilot project testing, even on a smaller scale, so we are not having this same conversation a year from now. Ed clarified when he mentioned 2021 that it was for early 2021 for the pilot project technologies selection. Working in the river is going to be challenging, a lot will need to be learned and acquired to start working in the channel itself. Many things need to be considered including water surface elevation increases – to understand if they will increase significantly or other impacts that may be caused from these projects. They do think about smaller scale as well, but there is a certain scale when you are not accomplishing anything. They want to accomplish a positive outcome in the channel.

### **Review and Discuss 2021-2025 Five Year Draft Work Plan**

Terry reviewed and reported on the five year work plan. This work plan also has two sections – the work under CERCLA by the implementing agencies and other activities. The first part includes human health directed activities; lead health intervention program; repository development and management; remedial actions in the Upper Basin; remedial actions and/or pilot projects in the Lower Basin; Basin Environmental Monitoring; and O&M responsibilities for Remedial Actions.

Human health activities – the Basin Property Remediation Program (BPRP) will continue at the request of the property owners when access is granted. We will also provide educational resources and health advisories to manage the potential for metals exposure through the consumption of fish. The new Our Gem map is out as well as updated fish advisories. Human health related activities will still be incorporated into the environmental cleanup projects as needed. A Remedial Action report for the Paved Roads Program will be completed in 2021.

The Lead Health Intervention Program – PHD will continue to administer screening of children for elevated blood lead levels. The threshold value for levels in young children is 5 micrograms per deciliter. Due to COVID, no annual screening took place in 2020.

Repository and WCA Development & Management – operation and management will continue at the current repositories with potential site development of future WCA’s in the Lower Basin.

Upper Basin Remedies – operate the groundwater collection system and new CTP; heavy focus on the cleanups in Ninemile, Canyon Creek and Pinecreek; and implement source control and water treatment remedies under the Superfund Cleanup Implementation Plan (SCIP).

Lower Basin remedies – continue working with the Restoration Partnership and Lower Basin Project Focus Team (PFT) to address the proposed actions that were previously selected, and continue to educate people about recreational activities. Terry is very impressed with the work planned at Gray’s Meadow this year.

Basin Environmental Monitoring – continue implementing the Basin Environmental Monitoring Program (BEMP) under the updated plan produced in 2020.

O&M Responsibilities for Remedial Actions – Terry briefly covered responsibilities for remedial actions and cleanup work on the site. Each program defines its responsible parties and required maintenance to protect the work completed.

Part 2 – Other Activities and Responsibilities – the five-year work plan recognizes work items the BEIPC will be involved in and items of work needed; it also includes Lake Management activities; flood control and infrastructure revitalization; communication and public involvement; and coordination with Restoration Partnership. Terry quickly addressed these items as some we have already touched on in the 2021 Work Plan. The CCC will continue to be the focus organization to address issues and facilitate public involvement in BEIPC activities.

Mike clarified points of change for the five-year work plan for focus of update as: the O&M Responsibilities; the addition of the NAS study for the Lake; and the Restoration Partnership work. Terry added the work they are all doing on the Flood Mapping changes as well.

### **Public Comment and Input on Five Year Plan**

At this time, Mike Fitzgerald opened it up for any comments – there were two from the public not pertaining to the five year plan, so they will be addressed after the work plan has been approved. There were no other comments from the commission or the public.

### **Approve 2020-2024 5 Year Work Plan (Action Item)**

Leslie made a motion to adopt the five year work plan as presented; Phillip second, all approved  
M/S/C

### **Additional questions from the Public**

First question – is there a replacement for Andy Helkey at PHD? Andy answered that Mary Rehnborg has been promoted to that position. She has been with PHD for about 9 years as the ICP manager. There are two additional openings that they are in the process of filling.

Second question – is the La Nina going to raise the possibility of flooding? Terry stated there are changes in the climate; Ed stated they do track the flows very closely because they want to have on-water high-flow sampling of the river to get suspended sediments. La Nina actually results in higher than average moisture so we can expect we will see greater moisture. Does that

mean we will see higher flows, not necessarily – it will depend how it comes in, the timing of such and what the snow pack is doing?

Jerry Boyd stated he has no updates for the CCC, but he is available if needed.

Andy Helkey gave an update on outreach, obviously our in-person outreach events were seriously limited by COVID-19 this year. Their response was doubling up on public service announcements on the radio, increased their presence on social media, and also helped with the property owner packets and educational material that went out under the BEIPC for property owners in the Lower Basin and adjoining waterways. Since there was no annual blood lead screening, they have still been conducting them by appointment the entire time and following up with any elevated results.

Terry updated everyone for next year's plans for BEIPC meetings. He will monitor the COVID situation for the March meeting, which would need to be held in the Spokane Valley. Terry had also postponed the executive session that was to happen today until March's meeting. He is working on the Accomplishment Report and will be sending out requests to everyone for their sections.

Terry recognized Jack Buell for his years of service on the BEIPC – and a plaque will be presented.

Roll call to all commissioners to adjourn the meeting, all approved **M/S/C**