

Technical Leadership Group (TLG) Organizational Practices and Procedures

INTRODUCTION/OVERVIEW

This document outlines organizational practices and procedures for the TLG providing technical and regulatory advice to and support of the Coeur d'Alene Basin Environmental Improvement Project Commission (BEIPC).¹ The TLG is provided for in the interagency **Memorandum of Agreement for the Basin Environmental Improvement Project Commission** signed on August 13, 2002. The participating stakeholders have developed working relationships and will continue to enhanced and maintain those relationships through the advisory process, which contributes to ongoing dialogue and collaboration in support of remedial actions and environmental improvement projects to address heavy metal contamination in the Coeur d'Alene Basin¹. The advisory group process is intended to:

- Help satisfy all regulatory requirements and remedial action objectives for heavy metal contamination in the Coeur d'Alene Basin;
- Provide direct advice to the BEIPC Board on remedial action program planning and implementation;
- Provide a forum for dialogue on individual project affects and opportunities to minimize impacts to affected stakeholders;
- Assist in assuring applicable or relevant and appropriate regulations are considered in a timely fashion;
- Assure that government entities having regulatory or land management mandates coordinate with Basin cleanup efforts;
- Provide conduits for information exchange and learning;
- Assist in development of the technical aspects of the remedial program implementation decision-making;
- Monitor the effectiveness of work projects as part of the adaptive management approach to Basin cleanup; and
- Other matters as may be directed by the BEIPC.

¹ The BEIPC (and therefore the TLG) conducts its work in the Coeur d'Alene Basin of Idaho, which includes the watershed of Coeur d'Alene Lake within the counties of Shoshone, Kootenai, and Benewah, as well as the Coeur d'Alene Reservation located within the state of Idaho. Remedial actions, authorities, and duties to be exercised in Washington will be undertaken independent of the BEIPC operational framework.

TLG FUNCTIONS

The TLG was established as the Board's primary technical advisory body on all activities related to implementation of Records of Decision (ROD) and the Record of Decision Amendment (RODA) in Operable Units 2 and 3 of the Bunker Hill Superfund Site and other technical or regulatory issues put forward to the Board. In coordination with the Executive Director, the TLG is charged to advise the Board on the development of work plans, accomplishment reports, technology development, demonstration/pilot project proposals, and coordination with related activities in the Basin. Specific responsibilities of the TLG include the following.

- A. In collaboration with the Executive Director, develop and recommend to the Board one- and five-year BEIPC work plans.
- B. Support and advise the Board on the exercise of its authorities to implement the BEIPC work plans.
- C. Coordinate with agencies having authority and expertise or active resource management and restoration activities to help implement the BEIPC work plans.
- D. Consider Citizen Coordinating Council (CCC) comments on program and project proposals.
- E. Make recommendations regarding the evaluation and oversight of Basin monitoring and reporting, as provided in the BEIPC annual or five-year work plans or required by RODs and the RODA
- F. Closely coordinate with the Executive Director and assist in the development and approval of annual accomplishment reports to the Board.
- G. Coordinate with their respective government entities in a timely manner and assure that remedial actions being planned or implemented are consistent with and/or not in conflict with their entity's statutes, regulations, or projects.

Project Focus Teams (PFT) established on an ad hoc basis by the TLG may be assigned to develop or review proposed Basin remedial or environmental improvement action plans or undertake any other actions directed by the TLG. The PFTs shall present their recommendations to the TLG for consideration and recommendation to the Board.

MEMBERSHIP

Membership criteria: The TLG serves as a multi-disciplinary technical advisory group to the Board. Members of the TLG shall consist of representatives from federal, state, tribal, and local governmental entities with regulatory or land management responsibilities in the Coeur d'Alene Basin that are or may likely be affected by remedial or resource restoration actions undertaken in the Basin. Each governmental entity that meets the membership criteria shall nominate to the TLG up to two (2) individuals to act as the entity's primary representatives on all matters to be accepted by the Board.

TLG members represent government agencies or subdivisions that have a regulatory mandate to protect human health and the environment, or that have a regulatory interest in Basin cleanup activities. Governmental entities having regulatory mandates are those directly charged with the performance of protecting human health or the environment, environmental remediation or improvement, or members who report directly to a county, state, or tribal government which embody these or comparable mandates. Governmental entities having regulatory mandates are principally involved with remedial work on a Basin-wide as well as on a project-specific basis due to their mandates. Governmental entities with regulatory interests generally have natural resource, land use, stewardship, conservation, or transportation programs that they represent. Members representing these governmental entities are primarily involved with the TLG to provide

technical assistance, practical knowledge, and to assure that their projects or duties are coordinated with BEIPC activities. These parties may frequently be more active on a project-specific basis rather than on a global basis.

TLG ORGANIZATION/STRUCTURE

Chair: The TLG shall be chaired by an individual (chair) who shall assume or delegate to others the following responsibilities:

- A. Ensure that information is shared with all TLG members.
- B. Work with other TLG members and BEIPC Staff to schedule TLG meetings and develop TLG meeting agendas.
- C. Facilitate (or arrange for facilitation of) TLG meetings.
- D. Facilitate or arrange for TLG conference calls and arrange for call summaries to be posted on the BEIPC website.
- E. Insure that TLG meeting summaries and other information are posted to the BEIPC website.
- F. Act as the primary contact with the CCC leadership to insure CCC input and coordinate activities.
- G. Act as the primary contact with the Board for TLG issues.
- H. Insure that TLG documents (work plans, etc.) are distributed for review to the TLG membership. Incorporate TLG comments.
- I. Prepare and make presentations to the Board regarding TLG activities and recommendations. Ensure that presentations represent TLG recommendations and differing viewpoints.
- J. Ensure that the PFTs are functioning and providing information to the TLG.

The Chair position shall be selected by the individuals appointed by the governmental entities represented on the Board (Coeur d'Alene Tribe, Kootenai County, Benewah County, Shoshone County, State of Idaho, State of Washington, and the United States of America). The Chair's and Vice-Chair's terms of office shall be one year. If a vacancy occurs, and a Vice-Chair has been named, that person shall fill the chair's vacancy for the unexpired term. If no Vice-Chair is named, the entities responsible for selecting the Chair would be asked to name a new individual to assume the chairperson's responsibilities for the unexpired term.

Vice-Chair: The TLG may also elect a Vice-Chair, as appropriate, using the same process established for electing the chairperson. The Vice-Chair would serve as chairperson in the absence of the chair. In the event the chairperson was unable to continue to serve, the vice-chair would assume the chair's responsibilities for the unexpired term.

Project Focus Teams: The TLG or the Board may establish ad hoc technical "**Project Focus Teams**" to lead implementation planning activities or to consider specific regulatory or technical issues of interest to the TLG membership or BEIPC. PFTs shall be composed of a manageably-sized group of individuals having global or specific interests in programs or projects or who provide important expertise. Ideally, each PFT will be led by an individual/s appointed by the governmental entity/ies

responsible for implementing the program or project under consideration. In cases where multiple projects are linked to a PFT group or a diverse set of activities are involved, a PFT group may select one lead person. The roles, responsibilities, and composition of various PFT groups and lead persons may vary from project to project and over time. The TLG PFT leads shall interact with and seek timely comment from the CCC representatives assigned to the work for which they are responsible. PFTs shall report findings, recommendations, or proposed plans to the TLG for discussion and formal recommendation to the Board.

Advisors: The TLG may, as a group, invite other technical experts to act as **TLG advisors** on specific issues of interest. These individuals do not act as any group's representatives and are not members of the TLG.

BEIPC Staff support: To the extent practicable, the Executive Director and staff shall provide administrative support to the TLG and be responsible for making logistical arrangements, distributing agendas and meeting materials up to five (5) days in advance of a TLG meeting, and developing meeting summaries. As well, the Executive Director or staff can help arrange opportunities for the TLG to interact with the Board, the CCC, and the public. If no BEIPC staff is available to provide any necessary support, the TLG shall be responsible for assigning these administrative responsibilities.

Vacancies: Each government entity is responsible for filling its vacancies in a timely manner if it chooses to monitor or contribute to BEIPC Commission efforts.

BOARD REVIEW

Membership Review: On no more than an annual basis, the membership of the TLG may be reviewed by the Board to assess whether the membership is appropriate. The Board may, at any time, direct the TLG to review its membership.

Organizational/Functionality Review: The TLG and the Board may review the TLG's organizational structure on at least an annual basis. If the Board determines that the TLG is not providing adequate advice related to technical or regulatory issues before the BEIPC, the Board may make suggestions regarding the TLG's organizational structure.

MEETING SCHEDULE/STRUCTURE

Meeting Schedule: The TLG shall establish its own meeting schedules. Meeting times and dates will be electronically distributed to TLG members by BEIPC staff at least five (5) days prior to meetings and posted on the BEIPC website: (www.basincommission.com.)

Agendas: Agendas for TLG meetings shall be developed by the TLG Chair in consultation with the Executive Director as appropriate and distributed along with the meeting schedule.

Meeting Summaries: A designated member of the TLG or BEIPC staff will prepare draft summaries of the TLG meetings, including TLG conference calls. PFTs are responsible for developing their own meeting summaries. Final TLG meeting summaries will be posted on the BEIPC website and circulated to TLG members and any other person requesting them. Every effort will be made to rely on electronic media.

CONDUCT OF MEETING

Technical meetings of the TLG are not required by Idaho Open Meeting Law to be open public meetings. The TLG is not a decision-making authority, nor a public agency. The TLG may schedule some meetings to be open to all interested members of the public. Members of the CCC or

general public who attend formal public meetings or workshops may participate in TLG discussions when recognized by the TLG chair, or designate.

TLG CONDUCT and DECISIONMAKING PROCESS

Presentation of Views: Each governmental entity that meets the membership criteria and is interested shall ultimately represent its interests through one voice.

Decision-making Process: The TLG is not a formal decision-making authority. The TLG provides recommendations to the Board. The TLG Group shall strive to come to agreement on recommendations or conclusions to be presented to the Board. Minority or alternative PFT opinions/proposals (draft and final) shall be presented to the TLG and the respective PFT groups in a timely manner to assure adequate and fair discussion and negotiation prior to distribution to other entities (e.g., CCC, Board, or general public). On any such issue upon which the TLG cannot come to agreement, the governmental entity/ies holding a minority opinion shall register dissent with the Chair and either be placed on the agenda of a Board meeting to contemporaneously represent the alternate view(s) or ask the Chair to carry their position(s) forward to the Board.

Good Faith: All participants agree to act in good faith with respect for the interests and concerns of others. The participants agree to establish a free, open, and mutually respectful exchange of views, ideas, and information.

Parliamentary Procedure: The group may consult *Robert's Rules of Order Newly Revised* to address any questions of procedure raised at a TLG meeting.

COMMUNICATION WITH BOARD

Preparing Issues for Board Discussion/Decision: The TLG Chair shall notify the Executive Director and CCC Chair of any issues/items the TLG would like to bring to the Board's attention for discussion and/or decision; the TLG chairperson also shall work with the Executive Director to incorporate presentation and/or discussion of those issues into the Board's meeting agenda.

COMMUNICATION WITH CCC

The TLG shall coordinate closely with the CCC to obtain citizen input on programs, work plans and priorities prior to making formal TLG recommendations to the Board. At a minimum, the TLG shall provide the CCC both preliminary and formal opportunities for comment and recommendations. The TLG chair, working with the Executive Director, shall notify the CCC of ongoing/upcoming TLG activities to coordinate opportunities for interaction between the two groups. The TLG shall notify the CCC of any PFTs it is establishing. These Teams shall interact directly with the CCC or subgroups of the CCC, as appropriate.

INTERACTION WITH PUBLIC

The TLG shall consider citizen input provided through CCC public meetings, workshops, comment periods, PFT reports, or the Board. PFT groups are expected to coordinate with CCC focus groups and seek their timely input on topics under discussion prior to presenting recommendations to the Board or TLG.

INTERACTION WITH THE MEDIA

In responding to inquiries from or initiating contact with the press or other media representatives, TLG members agree to refrain from characterizing the views or opinions expressed by other members and to exercise appropriate restraint in commenting on the TLG's discussions and

processes. Publicly available meeting summaries will identify specific recommendations made to the Board.

EXPENSES

TLG member expenses shall be the responsibility of the governmental entities which members serve.

ADOPTION AND AMENDMENT

Adoption of Protocols: These Organizational Practices and Procedures become effective when a majority of the Board votes to accept them.

Amendments: These Organizational Practices and Procedures may be altered, amended, or repealed and revised Organizational Practices and Procedures may be adopted by a majority vote of the Board.

Note:

(Amended August 8, 2023)