

**HANFORD NATURAL RESOURCE TRUSTEE COUNCIL
BI-MONTHLY MEETING
January 19 – 21, 2010
HAMMER Facility, Richland WA**

Meeting Summary

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Introduction

The overall goals of the meeting were to:

- Conduct administrative business
- Receive procurement updates and discuss the path forward for Phase II and the Project Coordinator position
- Discuss the status/path forward for utilizing a third party fiscal agent
- Discuss outstanding HNRTC resolutions and determine path forward
- Discuss temporal and geographic extent of the Hanford NRDAR effort
- Review and discuss the 2012 budget and baselining efforts and path forward
- Receive TWG updates and prepare for the All-TWG meeting

EDMC

The final agenda is included as Attachment A. Attendees are listed at end of the meeting summary. The meeting summary below is organized by topic. Action Items are listed as AI followed by a number, and the current Action Item list is included as Attachment B.

Administrative Business

- **Introductions** – Introductions were made around the table. Jeff Skriletz from WA Department of F&W and Jean Hays from WA Ecology provided information on their background.

Procurements

- **Phase II** - Representatives from DOE Procurement (Linda Jarnagin and Jennifer Knittle) and Legal (Joe Schroeder) discussed the status of actions to procure a Phase II contractor. The request for proposal (RFP) is expected to be issued by the end of January or first week in February followed by a four-week bid period. The Trustees will meet in the Federal building to review and evaluate the bids. A contract award is forecasted for sometime in April if the process goes smoothly. Concerns were expressed regarding the timeliness of the procurement.

Evaluation criteria for selection of the Phase II contractor were discussed including a review of criteria used in selecting the Phase I contractor. The Trustees recommended

reducing or eliminating Hanford experience as a criterion, which should also be reflected in the criteria weightings.

DOE explained organizational conflict of interest (OCI) rules and mitigation plans. The Trustees would like to avoid future OCI issues for the Phase I and II contractors and maximize competition for follow on work including Phase xx and injury studies. Various ideas were identified as possible actions to minimize future OCI issues, such as holding a bidders conference or removing scope in the current Phase II SOW that could cause OCI issues. Janis Ward took the action to discuss these ideas with DOE Procurement/Legal and get back with the Council [REDACTED].

- **Project Coordinator** – One additional resume for the project coordinator position was handed out for review. Due to the lack of adequate resumes from DOE's support service contractors, the Trustees discussed the option of USFWS hiring a contractor or establishing a term position for the Project Coordinator job. Russ MacRae explained the USFWS hiring process and indicated it would take 4-6 months to fill the position. Dana Ward made a motion that "*USFWS go out with an interest announcement, and concurrently go out with a job announcement for project coordinator*" potentially followed by the hiring of a full time person. The motion was seconded by Dan Landeen and approved unanimously by the Council [REDACTED].

Third Party Fiscal Agent

The Trustees discussed the status and benefits of procuring a third party fiscal agent (NFWF) to perform procurement and contracting for Hanford NRDA activities such as the injury assessment plan, injury studies, facilitation, etc. USFWS said they would see if they could manage a contract with NFWF on behalf of the Trustees. NOAA would consider the possibility of managing the contract if USFWS could not. Further progress on this initiative appears to be contingent on settlement negotiations. Russ took the action to get with his management to determine if USFWS could establish a contract with NFWF [REDACTED].

HNRTC Resolutions

- **Office Space** – The Trustees discussed the benefits of having dedicated office space for HNRTC/TWG meetings and whether it would be worth the cost. Some felt the efficiencies gained would offset the cost and others felt the funding could be better spent on NRDA activities such as injury studies. Brian moved to put to a formal vote Resolution 10-01, which reads: "*Now therefore be it resolved that the council requests U.S. Department of Energy to procure the necessary office space at 303 Bradley Boulevard selected by the council to best serve its many needs, not to exceed \$23,000, and related support equipment and services, not to exceed \$10,000 and contingent on procurement of space, and be it further resolved, that if the identified office space is no longer available, the Council will revisit the procurement of office space and support/services at a future time.*" The motion to put the resolution to a formal vote was seconded by Barb and the informal vote was unanimously approved. Jay will issue the resolution for formal vote [REDACTED].

- **Data Access** – Dana and Janis described the status of efforts to provide the Trustees with access to Hanford environmental data, which would be limited to one individual per Trustee organization and one room in the Federal building with computer database access. DOE explained they could not support the current resolution as written because it was too broad, but could support a previous version that was more restrictive. An informal vote was taken on Resolution 10-02 [formerly referenced as 09-06, revised draft of 7 Dec. 2009]. Jay moved to put to formal vote Resolution 10-02, which reads “*now, therefore be it resolved that the HNRTC requests that DOE identify an appropriate location available to HNRTC members, staff and contractors and that they be permitted access, following appropriate training, to all such non-classified, non-personnel databases, including the HEIS and WIDS databases, that are prepared, held, or maintained by DOE and/or its contractors.*” Barb seconded the motion. Those voting in favor of the motion were CTUIR and YIN and those voting against were the Nez Perce, WA, OR, DOE and USFWS. As a result, the motion failed to reach the floor. Further action on this topic was tabled until the next HNRTC conference call or meeting.

Temporal and Geographic Extent

The Trustees discussed status and next steps associated with defining the temporal and geographic extent of the Hanford NRDAR effort. The attorneys have not discussed the definitions developed by Ray Givens. It was suggested that the Seniors help facilitate resolution of this issue through their attorneys. There was some debate on whether the definitions are needed now or if the definitions can be deferred until later in the process. DOI’s position per Russ is that from a temporal perspective, damages start at 1980 even if injury started prior to 1980, but that spatial extent is more open ended.

2012 Budget

The Budget Committee developed an “unconstrained” budget for review by the Trustees. Steve provided an explanation of the scope and assumptions used in developing the draft “unconstrained” FY2012 budget, including assumptions for FY2010/11 activities and funding. Callie provided an explanation of the Work Breakdown Structure, Schedule, and Organization that were also used in developing the 2012 budget.

The Trustees debated how many studies could be effectively managed in FY2012 and the funding necessary for those studies. NOAA requested a workload analysis documenting how much Phase II contractual work the HNRTC could reasonably manage before taking on additional studies. It was suggested that a workshop be conducted to discuss and determine the initial 3 early studies that should be undertaken by the Trustees in 2011. The Trustees also debated how much funding should be assumed in FY2011 considering the divergence in the two budget options previously developed by the Trustees (\$6M and \$6.5M respectively) and the DOE field request (\$4.6M). The budget work group took an action to determine the impacts if the Trustees only receive \$4.6M funding in FY2011 ██████.

In order to complete the FY2012 budget, each Trustee needs to identify their staffing needs/costs to support the NRDAR effort. They also need to discuss the FY2012 budget with their management and provide recommendations to the budget work group [REDACTED]. A HNTRC conference call will be scheduled for **February 8 from 9:00 to 12:00** to discuss the assumptions and staffing needs/costs and further input necessary to complete the budget. It was also decided that a senior management discussion on the budget needs to occur in the near future to support the upcoming DOE-RL FY2012 budget request to HQ which is due by April 10, 2010.

Budget Baselineing

Steve facilitated a discussion on the baselining process and documents necessary to support a Hanford NRDAR project. Many of the documents have already been drafted but need to be expanded to the next level of detail and include the life cycle of the NRDAR effort. These documents include the Work Breakdown Structure (WBS), schedule, cost estimate and organization chart. The documents should be included in a Project Execution Plan (PEP), an outline of which was presented to the Trustees in the September, 2009 Council meeting. Development of the PEP could start immediately.

TWG Status and Planning

Each of the TWG chairpersons provided a brief status of their TWG activities. An all-TWG meeting has been scheduled for February 22 & 23 at the CIC in Richland. A tentative list of topics for the all-TWG meeting included:

- How should TWGs interface with the Phase II contractor?
- What are the TWG data needs and how can the data be accessed?
- What are the interfaces between TWGs?
- How do TWGs deal with flow from resource loss to loss of service?
- How is an injury assessment plan conducted?
- What effect might early restoration efforts have on other TWGs?
- What are the justification criteria for selecting species?
- What are the justification criteria for selecting studies?
- What are potential injury studies (for 2011), and how should the studies be prioritized?
- Discuss any of the specific TWG recommendations brought forth by the TWGs.
- Which TWGs should be addressing geological resources and biota within them?
- What staffing needs do TWGs currently foresee as necessary?
- Spatial and temporal scope of efforts needs definition from the HNRTC.
- Are communications from HNRTC to non-council TWG members adequate? Is NRDA training needed for non-council members?
- TWGs recommend overlapping meetings between TWGS when appropriate

Any additional proposed topics should be sent to Dana. He will maintain the list and distribute it to the HNRTC and TWG chairpersons [REDACTED].

Meeting Attendees

CTUIR: Barb Harper

Nez Perce Tribe: Dan Landeen

Oregon: Paul Shaffer

WA Dept. of Ecology: Larry Goldstein, Jean Hays

WA Fish & Wildlife: Jeff Skriletz

NOAA: Charlene Andrade, Bob Taylor³

Yakama Nation: Jay McConnaughey, Brian Barry², Callie Ridolfi, Russell Jim², Tom Bowden, Jean Vanni¹

US Fish & Wildlife Service: Joe Bartoszek, Russ MacRae

US Dept. of Energy: Dana Ward, Janis Ward, Steve Wisness, Connie Smith⁴, Joe Schroeder¹, Linda Jarnigan¹, Jennifer Knittel¹

¹ Present on first day only

² Present on days one and two

³ By phone on third day

⁴ By phone first day and present second and third