Hanford Natural Resource Trustee Council

Council Meeting

Tuesday, November 15, 2011, 12:00 - 5:00 pm
Wednesday, November 16, 2011, 8:00 am - 5:00 pm
Natural Resources Building, Room 537 (Director's Conference Room)
1111 Washington Street SE, Olympia, Washington

Thursday, November 17, 2011, 8:00 am - 12:00 noon
Office Building #2, Room SL-03, Olympia, Washington

MEETING SUMMARY, v5 - FINAL

Meeting Participants:

Primary Trustees	Alternate Trustees	Others
Barbara Harper, Confederated Tribes of the Umatilla Indian Reservation (CTUIR) - via phone Tue, Wed & Thu	Rico Cruz, CTUIR - via phone Tue, Wed & Thu	Tammy Ash, HNRTC Project Coordinator
Dana Ward, U.S. Department of Energy (DOE)	John Carleton, State of Washington (Department of Fish and Wildlife - WDFW)	Matt Johnson, CTUIR - Wed & Thu
Russ MacRae, U.S. Fish and Wildlife Service (FWS) - Tue & Wed	Michael Calac, Yakama Nation - Tue & Wed	Connie Smith, DOE
Jack Bell, Nez Perce Tribe		Larry Gadbois, U.S. Environmental Protection Agency (EPA) - via phone Wed
Paul Shaffer, State of Oregon		Daniel Diedrich, National Oceanic and Atmospheric Administration (NOAA) - in person Tue & Wed, via phone Thu
Wade Riggsbee, Yakama Nation		Jonathan Matthews, Nez Perce Tribe - Tue & Wed
		Jean Hays, State of Washington (Department of Ecology) - via phone Wed & Thu
		Brian Barry, Yakama Nation via phone Thu
		Steve Wisness, YAHSGS (contract support to DOE)
		Alix van Geel, IEc (DOE NRDA contractor) - Thu
		Dan Hudgins, IEc (DOE NRDA contractor)
		Jen Kassakian, IEc (DOE NRDA contractor)
		Alex Lurix, Sirius (subcontractor to IEc)
		Ruth Nicholson, Nicholson Facilitation & Associates, LLC (contractor)

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Tuesday, November 15, 2011

Opening and Adoption of Meeting Agenda

Jack Bell, Council chair, opened the meeting at 1:15 pm. The Council reviewed and approved the agenda for this meeting with some minor changes in the order of topics on Thursday morning.

Meeting Rules

The group discussed the revised set of meeting rules presented by Jack and the edited set of Jack's draft meeting rules from Charlene Andrade. Discussion included the need for meeting rules in general and the desirability of the formality in some of the elements. Jack will revise the draft meeting rules again using the actual language from the Memorandum of Agreement (MOA) and Council bylaws from page 2 of his most recent draft combined with the remainder of the draft from pages 2-4 of Charlene's revision.

ACTION: Council members will provide input on the draft meeting rules to Jack by December 5th. Jack will send a new, revised draft to Ruth Nicholson on December 6th for inclusion in the Council e-mail containing the agenda and associated documents to be distributed on December 8th.

Meeting and Conference Call Summaries

DECISION: Paul Shaffer made a motion to approve the summary for the October 12-13, 2011 Council meeting as amended. John Carleton seconded the motion. The motion passed unanimously.

DECISION: Paul made a motion to approve the summary for the November 1, 2011 Council conference call as written. Dana seconded the motion. The motion was approved by CTUIR, DOE, FWS, Nez Perce Tribe, Oregon, Yakama Nation, with Washington abstaining because they did not participate in the call. There were no votes in opposition.

Council Letterhead

ACTION: Jack will set up a meeting with Nancy Williams, DOE, to discuss the letterhead and design ideas. This may take place when Jack is in Richland on Monday, November 21st.

Project Coordinator Roles and Responsibilities

Tammy Ash explained that her role as Project Coordinator is a neutral role not tied to any organization or resource agenda and reporting to the Council. She recommended the re-instatement of quarterly Technical Working Group (TWG) chair meetings, and the group discussed the Project Coordinator as a person who can lead these meetings. Tammy also reviewed a roles and responsibilities matrix for the project coordinator, Council chair, facilitator, TWGs, and DOE.

At the top of the matrix were four items needing resolution by the Council regarding calendar maintenance, the administrative record, Council email contact, and supervision of data and quality assurance work. The group discussed the need to maintain a library independent of

the administrative record which is kept by DOE, not the Project Coordinator. It also discussed the need for supervision of the data management/quality assurance staff or contractor(s) in order to efficiently manage those activities.

DECISION: Generic position e-mail accounts will be set up for the Council, e.g. *chair@hnrtc.org* or *Oregon@hnrtc.org*. These accounts can be forwarded to the appropriate individuals and can be transferred between individuals when necessary, such as when a new Council chair takes office.

ACTION: Jack, Russ, Tammy, and Ruth will develop an approach for maintaining a Council and TWG calendar for the Council to consider at its December meeting.

Fiscal Year 2012 (FY12) Budget Allocation

The target budget number for the Council in FY12 is still $3 million. The carryover number from FY11 is still unknown. It might be available at the December Council meeting. There is a need to refine the FY12 Council budget down to $3.0-3.5 million.

The group prioritized the existing budget categories. It decided to not reduce the budget numbers for individual trustee participation, administration/facilitation, and the Project Coordinator. Of the remainder, the group prioritized the following budget items in a non-binding straw vote (2 votes per organization):

- 8 votes - Information Management (QA/Data Management staffing and computer hardware/software
- 3 votes - Injury Studies - Biota Contamination Report
- 3 votes - Injury Studies - Chromium Upwelling (which could be phased)
- 1 vote - Assessment planning - Phase XX Contingency
- 1 vote - Injury Studies - Mussel Habitat Survey
- 0 votes - Injury Studies - Literature Review, etc.

Injury Study Planning and Project Development for FY12 and Beyond

ACTION: Jack will request TWG input on studies for FY 12 for consideration at the January 2012 Council meeting. This should include TWG review and recommendations in light of the IEc report and the Aquatic TWG's review of proposals received to date on outstanding RFPs. Input should be received by Friday, January 6, 2012 so that it can be included in the agenda packet to be e-mailed in preparation for the January Council meeting.

FY14 Budget Development Process

This will be an item on the January 2012 Council meeting agenda. The group will work on cost estimates for individual trustee participation and on identifying recommendations for studies.

ACTION: Trustees should bring their estimated participation costs for FY14 to the January Council meeting.

Wednesday, November 16, 2011

Jack opened the meeting at 8:10 am.

Public Involvement Plan (PIP)

The group reviewed the revised PIP schedule of activities. A decision is needed at the January 2012 Council meeting regarding the desirability of holding public meetings on the Injury Assessment Plan (IAP). Comments from the Council on the draft IAP are due to IEc on January 27th. The letter and email to potentially interested parties will go out December 5th. DOE will mail the letter. The group also discussed how to portray NOAA as a trustee but not a member of the Council in public materials.

DECISION: Paul made a motion that the Council take an informal action to strike the NOAA logo from the Council letterhead and related public information materials. Wade seconded the motion. The motion passed unanimously.

ACTION: Jack, as Council chair, will send an email to the seniors informing them of the informal Council decision regarding the NOAA logo on public information materials and Council letterhead.

The Council then discussed the fact sheet, including trustee organization logos, listing individual trustees and their contact information, how to describe NOAA's role as a trustee but not as a member of the Council, and what contact information should be included in the fact sheet.

DECISION: Wade made a motion to adopt the fact sheet as revised per Council discussion. John Carleton seconded the motion. The motion passed unanimously.

The Council discussed making the same revisions to the solicitation email and letter as were made to the fact sheet for consistency.

DECISION: John made a motion to approve the text for the email and letter with revisions to make them consistent with the fact sheet. Russ seconded the motion. The motion passed unanimously.

DECISION: Paul made a motion that the Council request that DOE spend no more than $6,000 to print 2,250 color copies of the cover letter and 3,000 color copies of the fact sheet, and that DOE mail 2,250 packages of the cover letter and fact sheet to the interested parties list. John seconded the motion. The motion passed unanimously. Extra copies of the fact sheet are intended for general use by trust governments.

ACTION: Jack will type up a formal resolution for the printing and mailing decision. John will make copies so that Council members can sign it at this meeting.

DECISION: Russ made a motion that the Council request that DOE ask IEc to send the solicitation email to interested parties using trustee-provided email lists. Wade seconded the motion. The motion passed unanimously.

ACTION: Trustees will send additional emails for interested parties to Jen Kassakian by November 30th. Individual trustees may also forward the email to interested parties as they deem appropriate.

There are no plans to develop a poster at this time.

The Council also discussed the development of its own web site. It can be funded by IEc at the present time and transferred to the Council at a later date. The cost is nominal (~$40/year) and no modification to IEc's contract is necessary.

DECISION: The Council requested that the web site be developed by IEc.

ACTION: Trustees will send any revisions on web site text, including updated contact information, to IEc by November 23rd.

ACTION: Trustees will send any additional links for the web site to Jen by November 30th.

The Natural Resource Damage Assessment (NRDA) presentation slides will be revised when they are needed in the future.

ACTION: DOE will send the Council lessons learned from past public comment processes.

GIS Liaison Work Plan Review

Daniel Diedrich distributed four handouts concerning the GIS Liaison project and work plan. He plans to meet with all the TWGS and has already met with the Aquatic TWG.

ACTION: Trustees will send revisions on the work plan to Daniel by Monday, November 28th.

Injury Studies Updates

Preliminary Estimate of Damages (PED)

Funding for IEc for this work has been approved. The cooperative agreement which will fund the Ridolfi portion of the work is in the signature process. The December Council meeting will focus on the PED, perhaps for a full day.

Biota Contamination Report

Revisions to the statement of work (SOW) need to be coordinated over the next couple of weeks. A final list of COCs for the project will be decided at the December TWG meeting.

Mussel Toxicity, Groundwater Plume, and Mussel Survey Studies

The new FWS financial system is now on line. Before funds can be moved for these projects, staff needs training on the new system. There is also a need to enable technical people to talk between the TWGs and the contractors for these projects. Kickoff of the Mussel Toxicity and Groundwater Plume Studies is expected in the next few weeks. A proposal from the U.S. Geological Survey (USGS) on the Mussel Survey study is expected next week. The Aquatic TWG will review and make a decision on these proposals. It is anticipated that none will be

accepted for funding at this time, because (1) funding does not appear to be available, (2) the study can be deferred until results of the mussel bioassay studies are available, and (3) the Aquatic TWG is discussing the need for a broader habitat survey in the Hanford Reach, and the mussel-specific work could be folded into that project.

Technical Working Group (TWG) Updates

Aquatic

Jonathan Matthews reported that the TWG had reviewed IEc's Data Gap Reports and made recommendations in response. The TWG has a long list of tasks to prioritize for its 2012 work plan. It is also working with the GIS liaison from NOAA on data needs. There is a need for a literature review process. The TWG is considering combining multiple ideas for fish expert panels into a single expert panel. It is also considering the need to revisit the mussel habitat study so that it addresses more than just mussels. A high priority is having the Data Management Plan in place as this is a bottleneck for a number of issues. Charlene and Jonathan are now co-chairs of this TWG.

Human Use

Jean Hays said that this TWG is also looking at data gap questions. The TWG's next meeting will examine ecosystem service issues on December 13th at the Washington State Department of Ecology (Ecology) office in Richland. There will also be a webinar that day on the INVEST model beginning at 8:30 am.

Groundwater

Wade informed the Council that with FWS to get the USGS groundwater plume mapping project underway and to sort out technical oversight and communications among the TWG, USGS, and FWS. There may also be a need for a future study on riverbed geology and an expert panel on groundwater modeling.

Terrestrial

John noted that the TWG needed to narrow down the list of contaminants of concern (COCs), especially organics, at its December meeting. The TWG also expects to complete work on ditches and ponds in December. Assignments to look at potential studies, including review of the IEc report, will be made at the December meeting.

Source and Pathway

Paul announced that the new chair for this TWG is Michael Calac. The TWG is working on several projects, including profiles for four metals (lead, arsenic, cadmium, and vanadium), airborne releases, releases to the Columbia River and downstream transport, and carbon tetrachloride releases and transport. The TWG is also considering an expert panel on chromium. It also wants more meetings and communications with other TWGs to insure efficiency and to make sure the Source and Pathway TWG meets data needs for other TWGs.

Restoration

John gave the update for Joe Bartoszek. Steven Link is looking at plant associations in dune areas. The TWG is also continuing work on understanding methods for crediting and determining damages in relation to early restoration.

The Council also discussed possible dates for a HEA/REA workshop.

ACTION: Russ MacRae will look into setting a date for the HEA/REA workshop the week of January 23rd or January 30th.

Data Management

Jack noted that this TWG has never met face-to-face, but it may need to meet based on what comes out of tomorrow's discussion on data management. The TWG will take the lead on the need for a Council library in terms of exploring options to set one up. There is a question as to whether there will be a continuing need for this TWG or if it will sunset.

Council Response Letter to 100-K RI/FS and Proposed Plan

There was discussion of the timeline (now or during public comment period in the spring) and content of such a letter, with EPA advising they will pay more attention to a letter that provides a unique Council/NRDA perspective. The Council agreed to proceed with a short letter now, to be approved by the Council at the December meeting. Neither Larry Goldstein nor Dan Landeen were at this meeting, but both have indicated a willingness to work on this project. Larry has suggested the formation of a small committee. The focus would be on the Proposed Plan and Chapter 7 of the RI/FS.

ACTION: Larry, Dan, and Paul will prepare draft comments, and Jack will draft a cover letter to DOE and get it to Ruth by December 6th for inclusion in the agenda packet for the December meeting to be distributed on December 8th.

Administrative Issues: Distribution Lists

The group discussed a variety of distribution lists that are used to keep Council members informed of various activities and information. The two basic lists that the facilitator uses are listed below. The first includes primary and alternate trustee representatives to the Council, TWG chairs, and administrative staff (Tammy, Ruth, and Steve). The second list includes senior trustees and primary council representativess, along with administrative staff. The lists include:

Technical Trustees E-mail list

1. Barbara Harper, CTUIR (primary)
2. Rico Cruz, CTUIR (alternate)
3. Dana Ward, DOE (primary)
4. Janis Ward, DOE (alternate)
5. Russ MacRae, FWS (primary)
6. Joe Bartoszek, FWS (alternate)
7. Jack Bell, Nez Perce Tribe (primary)
8. Dan Landeen, Nez Perce Tribe (alternate)
9. Paul Shaffer, Oregon (primary)
10. Dale Engstrom, Oregon (alternate)
11. Larry Goldstein, Washington (primary)
12. John Carleton, Washington (alternate)
13. Wade Riggsbee, Yakama Nation (primary)
14. Michael Calac, Yakama Nation (alternate)

15. Charlene Andrade, NOAA (primary)
16. Larry Gadbois, EPA (EPA liaison to the HNRTC)
17. Jean Hays, TWG chair
18. Jonathan Matthews, TWG chair
19. Tammy Ash, Project Coordinator
20. Steve Wisness, DOE contractor
21. Jen Kassakian, IEc
22. Ruth Nicholson, facilitator

Senior Trustees E-mail list

1. Stuart Harris, CTUIR (senior trustee)
2. Barbara Harper, CTUIR (technical trustee)
3. Matthew McCormick, DOE (senior trustee)
4. Dana Ward, DOE (technical trustee)
5. Janis Ward, DOE (alternate technical trustee and chief of staff for Matt McCormick)
6. Dianne Henrich, DOE (scheduler for Matt McCormick)
7. Kate Benkert, FWS (senior trustee)
8. Russ MacRae, FWS (technical trustee for FWS)
9. McCoy Oatman, Nez Perce Tribe (senior trustee)
10. Gabe Bohnee, Nez Perce Tribe (alternate senior trustee)
11. Jack Bell, Nez Perce Tribe (technical trustee)
12. Ken Niles, Oregon (senior trustee)
13. Paul Shaffer, Oregon (technical trustee)
14. Polly Zehm, Washington (senior trustee from Ecology)
15. Larry Goldstein, Washington (technical trustee for Ecology)
16. Jeff Tayer, Washington (senior trustee from WDFW)
17. John Carleton, Washington (technical trustee for WDFW)
18. Phil Rigdon, Yakama Nation (senior trustee)
19. Wade Riggsbee, Yakama Nation (technical trustee)
20. Craig O'Connor, NOAA (senior trustee)
21. Charlene Andrade, NOAA (technical trustee)
22. Larry Gadbois, EPA (EPA liaison to the HNRTC)
23. Tammy Ash, Project Coordinator
24. Steve Wisness, DOE contractor
25. Ruth Nicholson, facilitator

DECISION: The Council re-affirmed the composition of the facilitator's e-mail lists for the Council and senior trustees. Individuals on those lists may forward information on to others in their organizations as they deem appropriate.

DECISION: The Council decided that IEc (Jen Kassakian) should use the same Council e-mail list as the facilitator for information and deliverables distribution to the Council.

DECISION: The Project Coordinator (Tammy Ash) will develop an e-mail list for the TWG chairs. Individual TWG chairs will be responsible for communications with their membership.

DECISION: The Final Data Gap Report will be distributed to the Council and to the TWG chairs. This may be done using the Council e-mail list above that includes the TWG chairs, along with the primary and alternate members from each of the trustee organizations. The TWG chairs can then distribute the report on to their memberships.

DECISION: The Draft IAP will be sent to the Council group only.

The meeting adjourned at 5:00 pm.

Thursday, November 17, 2011

Jack opened the meeting at 8:20 am.

IEc Updates

The Resource Review Reports are out for Aquatic, Groundwater, and Terrestrial. The others will be out soon. These documents are not in draft; they are deliverables that come in final form. IEc would like to finalize these before the TWG meetings in December. Council members should send any comments to Jen Kassakian.

Three expert panel topics have been approved by the Council to go forward. IEc is working on the radionuclides in biota topic which could be held in January 2012. The latest date that the Council can approve an expert panel topic would be the January Council meeting.

IEc anticipates a full-day kick-off meeting for the PED project on December 15th. IEc staff will speak individually with trustees prior to that meeting.

The remaining deliverables under the contract are the Final Data Gaps Report and the draft and final Injury Assessment Plans (IAPs).

Thresholds and Tests Deliverable

Alix van Geel, IEc, reviewed a handout outlining IEc's proposed approach to this deliverable. This is a deliverable that comes in final form, in contrast to one that comes in draft form and has time and budget for significant revisions. Council discussion included clarification that thresholds are necessary for the PED, there are concerns about how to address tribal and cultural issues, and that the purpose of the report is not to determine injury.

DECISION: John made a motion that the Council request that DOE authorize IEc to start work on the Thresholds and Tests deliverable. Paul seconded the motion. The motion passed unanimously among the trustee organizations present. The FWS representative was not in attendance; this is considered an abstention per Council by-laws.

Data Management

Alex Lurix, Sirius, reviewed options for setting up a data management framework and system for the Council. The capabilities can be built over time. It would take 4-6 weeks to put the system in place, and it can mature over time. There is a need to develop a scope of work before funding can be allocated to data management. No decisions were made at this meeting.

Data Gaps Report

IEc is working through the comments it has received on the Data Gaps Report. There were three big picture issues:

- There are more sources of information than are reflected in the report
- People wanted more specifics on where we go from here
- More information was desired on databases and meta-data

The original deadline to finalize the report was November 23rd. This needs revision.

Meeting Wrap Up

The Council discussed upcoming meetings and meeting topics.

December 15 (all day in Richland)

- PED
- IEc updates
- Expert panels
    - Status report
    - Consider groundwater and fish ideas for additional expert panels
- Decisions on IAP comment collection

December 16 (half day in Richland)

- Council comments on 100-K
- Administrative issues
    - Meeting rules
    - Council letterhead
    - Council calendar (proposal for consideration)
- TWG reports - red flag items only
- Status report on FY12 budget

January 17-18-19 (hosted by the Yakama Nation)

- Council comments on draft IAP
- Decision on IAP public meetings
- FY14 budget development
    - Studies, including TWG input
    - Trustee participation estimates
- From 2012 Council work plan
    - Expert panel (1)
    - Last date to approve expert panel topics
    - Study project development
- Standing items
    - TWG reports
    - IEc reports
    - Public involvement

January/February: HEA/REA workshop

The meeting ended at 11:40 am.