

HANFORD NATURAL RESOURCES TRUSTEE COUNCIL

TRUSTEE COUNCIL MEETING SUMMARY

September 15 – 17, 2009

Consisting of 17 pages,
including this coversheet



**HANFORD NATURAL RESOURCE TRUSTEE COUNCIL
ANNUAL PLANNING MEETING
September 15-17, 2009
Quality Inn & Suites, Clarkston WA**

Meeting Summary

Introduction

The overall goals of the meeting were to:

- Complete administrative business
- Finalize FY2010 budget and initiate FY2010 contracting
- Begin discussion of baselining and long-term planning
- Identify FY2009 achievements and goals for FY2010
- Discuss, plan, and schedule TWG activities
- Receive updates on CERCLA response activities and sampling activities

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 and Staffing Updates.** Introductions were made around the table. Dave Brockman read a letter from Al Hawkins regarding his departure from the HNRTC and his replacement by Janis Ward.
- **Transfer of the Chair.** Paul provided some parting words of wisdom and thanks, and transferred the Chairmanship to Jay. Paul was presented with parting gifts from the HNRTC and the incoming Chair, and Jay assumed his duties.
- **Nomination of the Vice-Chair.** Toni nominated Russ MacRae, her incoming replacement on the HNRTC at US F&W, as Vice-Chair. Paul seconded the motion and the informal vote passed unanimously. Jay will prepare a formal resolution for signature.
- **Meeting Dates.** Meeting dates for HNRTC meetings for 2009-10 were established as follows: November 17-19, January 19-21, March 23-25, May 18-20, July 20-22, and September 21-23.

HNRTC conference calls will be held in alternate months on the third Monday of the month from 1-4 pm, including October 19, December 21, February 15, April 19, June 21, and August 16.

TWG meetings for October were scheduled using the Google calendar function on the HNRTC TWG Google site, and will generally be scheduled for T-Th the second week of every other month, with conference calls in between. Teresa set up a standing schedule based on the membership of the TWGs [AI303].

The originally proposed dates for the Senior Trustee conference calls will need to be rethought, since they conflict with the TWG meeting times above. The HNRTC agreed that the October call was not needed, and Teresa will select an alternative time [AI304].

A BRMaP meeting is scheduled for October 14 from 8:30-12:00.

- **Meeting Topics.** “Big-picture” meeting topics were selected for the November meeting, including a full day for TWGs, review of Project Coordinator resumes, and a number of important Response side briefings. Budget planning for 2012 and baselining should begin no later than the January meeting, and/or when the Project Coordinator is hired.
- **Resolution 09-01.** Resolution 09-01 to continue the services of a facilitator was discussed. Paul will redraft the final resolution as agreed by the group, and resubmit to the HNRTC for signature.
- **Resolution 09-02.** Resolution 09-02 to select Teresa Michelsen as the facilitator was presented. Paul will resubmit it to the HNRTC for signature with related resolution 09-01.
- **Resolution 09-03.** Resolution 09-03 to approve formation of the six TWGs was presented and discussed. Barb moved to approve the Resolution, Toni seconded the motion, and the motion passed unanimously. Paul will resend a draft of this language to the HNRTC for signature.
- **Resolution 09-04.** Resolution 09-04 to recommend that DOE work with NFWF as a third party fiscal agent for the HNRTC at Hanford was presented and discussed. There was informal agreement on the substance of the resolution, but Paul will work on further refining the language and will resubmit it to the HNRTC [AI305].

- **Annual Reporting.** There was a brief discussion of the need to begin developing annual reports under NRDA. The reports would include a budget summary and description of the actions and accomplishments during that fiscal year.
- **Meeting Summaries.** There was a brief discussion of whether meeting summaries should be more succinct, including primarily topics discussed and decisions made. There was also some discussion of whether NRDA and Response administrative records should be separated. Resolution was not reached on this topic.

Goal-Setting

- **FY2009 Accomplishments.** Paul presented a draft list of accomplishments for Phase I, and the HNRTC reviewed and added to it. The final list of accomplishments is presented in Attachment C.
- **FY2010 Goals.** A brainstorming session was held to develop substantive, process, and relationship goals for FY2010, and the results are listed in Attachment D. Scheduling goals for 2010 included hiring a Project Coordinator by mid-December, beginning work on the 2012 budget and baselining immediately thereafter, and hiring a Phase II contractor by mid-March. Among these goals was to find dedicated meeting space in Richland; Dana and Joe agreed to look for a suitable location [AI306].

Presentations

- **Horace Axtell.** The HNRTC was honored to be joined by Horace Axtell, a Nez Perce tribal elder, who shared with us his perspectives on his people, the history of the surrounding area, its natural resources, and Nez Perce spiritual and cultural practices.
- **NRDA Structure.** Ray Givens presented the Yakama Nation perspective on the structure of the NRDA process, which will give rise to further discussion and refinement in the future (see Attachment E).
- **Baselining.** Steve Wisness gave a presentation on the elements of the Project Execution Plan and Baselining process. It was agreed that a Project Coordinator would be valuable in guiding the HNRTC through this process.
- **Ridolfi Database.** Tom Bowden of Ridolfi presented the searchable bibliographic database for the Hanford site previously developed, and the possibility of updating it was discussed. A tutorial and copies of the database were distributed after the meeting to those who requested them.

- **Yakama Nation Sturgeon Sampling Plan.** Tom Bowden and Callie Ridolfi presented a proposed sampling plan for conducting sturgeon sampling in the Columbia River, which is not yet funded. This presentation was also distributed to the HNRTC after the meeting.
- **Look-Ahead Schedule.** Steve briefly presented upcoming activities of interest at the Hanford site, including several key response activities that the HNRTC will be briefed on at the November meeting.

FY2010 Budget and Contracting

- **Project Coordinator.** The HNRTC discussed whether to hire a project coordinator at this time. Minor amendments were made to the SOW; Larry moved to approve the SOW as amended, Barb seconded the motion, and it was approved unanimously. Toni will check with Kate to determine whether USF&W could host the Project Coordinator [AI307]. In addition, there is the possibility that NFWF could manage the contract. However, to expeditiously proceed, the HNRTC agreed to request DOE to move forward with contracting in the meantime.

Paul proposed a motion as follows:

The HNRTC requests that DOE proceed with hiring a project coordinator for FY2010 per the technical specifications of the SOW for an amount not to exceed \$200K.

The motion was seconded by Larry and passed unanimously. DOE will begin the process [AI308].

- **FY2010 Budget.** The FY2010 budget was reviewed and finalized. Dave and Janis indicated that the full \$2.3 million would be available within a few weeks after the start of the fiscal year, as there is likely to be a short continuing resolution during October. Any trustees requiring funding during that period should contact Janis to ensure that there is no disruption in funding. Janis will ensure that FY2009 carry-over funds are obligated and available to the HNRTC in FY2010 [AI309].

The HNRTC determined that it had approximately \$3 million available, including both the FY2009 carry-over and the FY2010 approved budget. The HNRTC allocated the following amounts for disbursement as soon as it is available:

Trustees

Oregon	\$150K
CTUIR	\$500K
Washington	\$120K
USFWS	\$0

Nez Perce	\$185K
Yakama Nation	\$500K
NOAA	\$263K
Subtotal	\$1718K

Contractors

Facilitator	\$ 95K
Project Coordinator	\$200K
Subtotal	\$295K

Total **\$2013K**

In addition to this amount, the 2010 budget had allocated \$1.76M for the Phase II contract and \$800K for studies. Therefore, the total 2010 budget is \$4.572M, of which approximately \$3.03M is currently available, leaving an anticipated shortfall of \$1.543M. Both the actual Phase II bids and the settlement negotiations may affect these estimates later in the year.

- **Phase II SOW.** The amendments proposed by DOE to the Phase II SOW were discussed. Dana moved to approve the Phase II SOW as amended, Paul seconded the motion, and the motion passed unanimously.
- **Phase II Contracting.** The HNRTC agreed to request DOE to begin the RFP process for the Phase II contract while discussions regarding NFWF are ongoing. After discussion of various contracting mechanisms, the HNRTC agreed on a time and materials contract for greater flexibility in phasing and to allow better communication and coordination with the TWGs and the HNRTC. Paul offered a motion as follows:

The HNRTC requests that DOE proceed with hiring a Phase II contractor under a time and materials contract per the technical specifications of the Phase II SOW as approved.

The motion was seconded by Toni. Yakama Nation, CTUIR, OR, DOE, and USF&W voted yea. WA and Nez Perce abstained due to uncertainty about the appropriate contracting mechanism, but supported hiring a Phase II contractor. The motion passed, and DOE will begin the procurement process [AI310]. DOE was requested to find out whether this contract could be let as a sole source contract [AI311].

NRDA TWG Activities

- **TWG Reports.** Each of the TWGs gave a brief presentation on their first meeting, revised mission statement, and the goals and tasks they had prioritized for work during the next 6 months. Several significant issues were raised within and among the TWGs for further discussion. It was agreed that future HNRTC meetings would need to allow substantially more time to address TWG issues to ensure that they could continue to make progress. Issues raised included:
 - In which TWG should the vadose zone be addressed? It could fall within the Groundwater TWG or the Source/Pathway TWG. It was decided to start out within the Source/Pathway TWG to characterize sources in the vadose zone and possibly transfer it later.
 - Data gathering and management arose as a significant issue in several of the TWGs. The HNRTC agreed that for the first 6 months, the TWGs should focus on establishing criteria, providing focus and prioritization, and identifying resources for the Phase II contractor, but not on actual data gathering, management, and analysis, for which we do not yet have the resources.

Wrap-Up

- **Decisions & Accomplishments**
 - Transfer of the Chair and nomination of the Vice-Chair
 - FY2010 meetings were scheduling and topics planned
 - Several administrative resolutions were passed
 - FY2009 accomplishments were reviewed and FY2010 goals developed
 - The HNRTC become more familiar with the baselining process
 - The Phase II SOW and Project Coordinator SOW were finalized
 - DOE was authorized to proceed with contracting for Phase II and a Project Coordinator
 - The FY2010 budget was reviewed and finalized

Meeting Attendees

CTUIR: Barb Harper, Rico Cruz, Matt Johnson²

Nez Perce Tribe: Dan Landeen, Gabriel Bohnee, Mike Lopez¹, Horace Axtell¹

Oregon: Paul Shaffer

WA Dept. of Ecology: Larry Goldstein

WA Fish & Wildlife: Not present

NOAA: Charlene Andrade

Yakama Nation: Jay McConnaughey, Brian Barry, Callie Ridolfi, Russell Jim¹, Ray Givens¹, Tom Bowden³

US Fish & Wildlife Service: Toni Davidson, Joe Bartoszek

US Dept. of Energy: Dana Ward, Dave Brockman², Janis Ward, Steve Wisness

Facilitator: Teresa Michelsen

- ¹ Present Tuesday
- ² Present Tuesday and Wednesday
- ³ Present Wednesday and Thursday

ATTACHMENT A
Hanford Natural Resource Trustee Council
Meeting Agenda: September 15-17
 Mahogany Rm, Quality Inn & Suites, Clarkston, WA

Time	Tuesday – Focus: Administrative & 2010 Budget (inc. Phase II)	Lead
9:00 am	<p>Administrative: Welcome, introductions, agenda, transfer of Chair, Vice-Chair nominations, FY2010 HNRTC meeting schedule, upcoming meetings (TWG/ERWG)</p> <p>Distribute prior: Proposed meeting schedule (Michelsen)</p> <p>Bring: Vice-Chair nomination (US F&W?)</p>	Shaffer/Michelsen
10:00 am	<p>Presentation: Natural history and cultural resources of the area</p>	Horace Axtell Nez Perce Tribe
10:30 am	<p>Break</p>	
10:50 am	<p>Administrative: Discussion of NRDAR guidance on meeting summaries, final approval of Phase II SOW, NFWF update (DOE, NOAA), approval of resolutions (re: TWGs, NFWF, others?)</p> <p>Distribute prior: Resolutions (Shaffer), final SOW (Wisness)</p>	McConnaughey
12:00 noon	<p>Lunch (catered)</p>	
1:00 pm	<p>Work Session: Identify funds available in 2010 (start of FY, later) including carryover, discuss project coordinator, other contracting needs, allocate available funds at beginning of FY and later</p> <p>Bring: Each trustee to bring own fiscal info, DOE to ID committed funds for start of FY2010 and existing carry-over (all)</p>	Michelsen
2:30 pm	<p>Break</p>	

ATTACHMENT A
Hanford Natural Resource Trustee Council
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Time	Wednesday – Focus: 2010 Planning & TWGs	Lead
9:00 am	Presentation: Introduction to Baselineing	Wisness
10:00 am	Bring: Draft/example baselineing docs distributed by Steve	
10:30 am	Brainstorm: Plan accomplishments for FY2010	Michelsen
10:50 am	Break	
12:00 pm	Work Session: Schedule and milestones for FY2010, discuss capacity issues	Michelsen
1:00 pm	Bring: Large wall chart w/schedule (Wisness)	
3:00 pm	Lunch (catered)	
3:20 pm	Presentations: TWG reports – mission, initial activities, 6-month plans (20 min each)	TWG Chairs
4:15 pm	Break	
5:00 pm	Presentation: Ridolfi database	Tom Bowden, Ridolfi
	Discussion: NRDAR training recap pertaining to Council activities	Landeem/Cruz/Bertoszek
	Adjourn	

ATTACHMENT A
Hanford Natural Resource Trustee Council
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 Mahogany Rm, Quality Inn & Suites, Clarkston, WA

Time	Thursday – Focus: Response Activities & Wrap-up	Lead
9:00 am	Updates: Look-Ahead, update on 100/300 RA & Col. R Component, regulator briefings (from afar, if any)	Wisness
9:45 am	Presentation: YN Surgeon SAP	Bowden
10:30 am	Break	
11:00 am	Discussion: FY2009 accomplishments	Shaffer
11:30 am	Wrap-Up: Decisions, action items	Michelsen
12:00 noon	Adjourn	

ATTACHMENT B

ACTION ITEMS

Note: **Yellow** indicates changes to previously existing action items, including completion dates, updates, and changes in responsibility. Items with yellow completion dates (or otherwise closed) will not be included on subsequent action item lists. **Blue** action item numbers indicate new items since the most recent update.

	Assignee/Action	Date Assigned	Date Completed
271	Develop calendar of events accessible online. <i>ACTION: Steve</i>	3/17/09	9/1/09
274	Review and revise letter process and distribute for Council review. <i>ACTION: Teresa</i>	3/18/09	Delete; HNRTC does not feel this is an effective approach
283	Write a letter to the sturgeon workgroup requesting samples for NRDA injury assessment. <i>ACTION: Toni</i>	3/19/09	
290	Review Restoration TWG Resolution and memo and send comments to Joe for finalization in the TWG. <i>ACTION: Restoration TWG members</i>	6/22/09	Remove from HNRTC list – TWG action item
291	Revise contact list <i>ACTION: Dana</i>	7/21/09	
292	Propose Vice-Chair nominees <i>ACTION: All</i>	7/21/09	9/15/09
299	Gather further information/references on NFWF <i>ACTION: Steve, all</i>	7/22/09	8/15/09
303	Set up a standing schedule for in-person TWG meetings <i>ACTION: Teresa</i>	9/16/09	10/5/09
304	Set up standing Senior Trustee conference call schedule <i>ACTION: Teresa</i>	9/16/09	10/11/09
305	Revise and circulate Resolution 09-04 re: NFWF <i>ACTION: Paul</i>	9/15/09	9/29/09

	Assignee/Action	Date Assigned	Date Completed
306	Look for dedicated meeting location <i>ACTION: Dana, Joe</i>	9/17/09	9/27/09
307	Check with USF&W about hosting Project Coordinator <i>ACTION: Toni, Kate</i>	9/15/09	
308	Begin procurement process for Project Coordinator <i>ACTION: Janis</i>	9/16/09	10/19/09
309	Ensure FY2009 funds are re-obligated and disburse FY2010 funds <i>ACTION: Janis</i>	9/16/09	
310	Begin procurement process for Phase II Contractor <i>ACTION: Janis</i>	9/17/09	
311	Determine whether Phase II contract could be sole source <i>ACTION: Janis</i>	9/17/09	10/19/09

ATTACHMENT C

Hanford Natural Resource Trustee Council

2009 Accomplishments

Administrative

- Prepared SOW for facilitator
- Prepared SOW for project coordinator
- Obtained facilitator services
- Request DOE to proceed with hiring project coordinator
- Several trustees are adding new staff, increasing not just staff resources, but also the overall level of NRDA experience

CERCLA Response

- Received regular briefings on ongoing and planned RI/FS plans and results
- Held second workshop to plan sturgeon sampling for CRC; influenced DOE/WCH plans for fish sampling
- Had a major influence on DOE/WCH decision to characterize groundwater upwelling in the Columbia River
- Provided (as individual organizations) comment to DOE on draft plans (e.g., ERDF expansion, 100 Area RI/FS plans)
- Participated in several workshops to discuss revision of the Hanford BRMaP

NRDA

- Continued the transition of the HNRTC from a response-focused organization to one with the primary task of conducting the natural resource injury assessment of the Hanford site. Made a substantial shift from a focus on administration and planning to actually doing the nuts and bolts of NRDA (formation and meetings of TWGs)
- Held second Stratus training on resource valuation
- Completed Phase I (conceptual site model) for the Hanford Injury Assessment Plan
- Organized and held meetings for each of six technical work groups
- Completed SOW for Phase II (development of injury assessment plan) and requested DOE to proceed with a request for proposals
- Took our first “big picture” look at Hanford NRDA; developed a first cut on project scope and timeline for the Hanford NRDA and agreed to start the baselining process
- Held exploratory discussions with the National Fish and Wildlife Foundation about having them act as fiscal/contract manager for the HNRTC

- Funding for the HNRTC for NRDA was included in the president's budget request to Congress – a first for natural resource trustees in the DOE complex
- Worked very hard (with thoughtful, sometimes difficult discussions) to develop Council budgets for NRDA activities

ATTACHMENT D

Hanford Natural Resource Trustee Council

2010 Goals

Substantive

- TWGs accomplish recently established goals
- TWGs refine the CSM and scope of NRDA
- TWGs complete substantial parts of the IAP
- TWGs and contractors submit timely monthly reports
- Timely award of Phase II and Project Coordinator contracts
- Complete early Phase II contractor tasks
- Complete initial/draft PEP and preliminary baseline
- Gain certainty regarding the major components of injuries at the Site are
- Refine the scope and reduce the uncertainties in the NRDA
- Focus in on important contaminants of concern and resources
- Agree on the NRDA process (e.g., the role of restoration)
- Agree on the definition of baseline
- Attain a common vision for restoration
- Keep habitat scales and services in mind throughout the HNRTC's activities
- Have significant input into central plateau, 100 area, 5-yr review
- Offer/take advantage of training on NRDA, economic valuation, radiation effects
- Establish data management and spatial tools

Process

- HNRTC maintains awareness of the status of tasks, schedules, and budgets
- Simplify meeting agendas to allow for more in-depth discussions
- Move administrative issues to conference calls/e-mails
- Allocate one-half to a whole day for TWG discussions
- Start early on 2012 budget and baselining
- Continue staffing up in a complementary, rather than duplicative, way
- Establish good coordination and communication among TWGs & with Phase II contractor

- Establish clear administrative record policies and procedures
- Obtain better legal and policy input; resolve issue of when and how legal advice should be obtained
- Resolve NFWF issue
- Standardizing meeting dates and projecting meeting topics further into the future
- Stabilize budget and obtain full budget submitted
- Increase public awareness of the HNRTC
- Better frame Senior Trustee issues
- Obtain a dedicated meeting room (w/support services if possible)

Relationships

- Agree to disagree and learn how to move forward anyway
- Focus on products instead of positions and differences
- TWGs function with trust and efficiency
- Make timely decisions

Hanford Natural Resource Trustee Council Structure
 CERCLA/NRDA Activities
 Draft provided by Yakama Nation September 2009

