

Hanford Natural Resource Trustee Council

Regular Council Meeting

Tuesday, September 20, 2011, 10:00 am -5:00 pm
 Wednesday, September 21, 2011, 1:00 - 5:00 pm
 Thursday, September 22, 2011, 8:00 am - 12:00 noon

Marcus Whitman Hotel, 6 West Rose Street, Walla Walla, Washington

MEETING SUMMARY, v1 - FINAL

Meeting Participants:

Primary Trustees	Alternate Trustees	Others
Barbara Harper, Confederated Tribes of the Umatilla Indian Reservation (CTUIR) - Wed & Thurs via phone Dana Ward, U.S. Department of Energy (DOE) Russ MacRae, U.S. Fish and Wildlife Service (FWS) Charlene Andrade, National Oceanic and Atmospheric Administration (NOAA) Jack Bell, Nez Perce Trib Paul Shaffer, State of Oregon Larry Goldstein, State of Washington (Department of Ecology) Wade Riggsbee, Yakama Nation	Rico Cruz, CTUIR Janis Ward, DOE Joe Bartoszek, FWS Dan Landeen, Nez Perce Tribe John Carleton, State of Washington (Department of Fish and Wildlife) Michael Calac, Yakama Nation	Tammy Ash, upcoming FWS hire as Council Project Coordinator Matt Johnson, CTUIR Steve Wisness, YAHS GS (contract support to DOE) Connie Smith, DOE - via phone Dale Engstrom, State of Oregon - Wed via phone Jean Hays, State of Washington (Department of Ecology) - Wed & Thurs via phone Brian Barry, Yakama Nation Russell Jim, Yakama Nation Callie Ridolfi, Ridolfi, Inc (contractor to Yakama Nation) - Tue via phone Jen Kassakian, IEC (DOE NRDA contractor) Bob Unsworth, IEC - Tue & Wed Alix van Geel, IEC - Wed via phone Ruth Nicholson, Nicholson Facilitation & Associates, LLC (contractor)

Tuesday, September 20, 2011

Opening and Installation of new Council Chair and Vice Chair

Russ MacRae, Council chair, opened the meeting at 10:10 am. This was his last meeting as chair for FY2011. The group thanked Russ for his service and welcomed Jack Bell as the new chair and Larry Goldstein as the new vice chair.

Approve Agenda

The Council approved the meeting agenda with the following changes:

- Request for more time to discuss the Preliminary Estimate of Damages (PED) project
- Move the Groundwater Technical Working Group (TWG) report to be the first TWG report

Paul also requested that the senior trustee meeting scheduled for 1:00 pm, Thursday, September 22 start at 1:30 pm to allow him to brief Ken Niles who would not be arriving in Walla Walla until about 1:00 pm.

ACTION: Ruth will send an e-mail to the senior trustees today/Tuesday to ask if the time change is acceptable to the seniors.

Introduction of new Project Coordinator

Russ introduced Tammy Ash who will begin work as the Council's new Project Coordinator on October 11, 2011. Her office will be located in Spokane. Her direct supervisor as a U.S. Fish and Wildlife Service (FWS) employee will be Russ. However, she works for the Council.

Meeting and Conference Call Summaries

DECISION: Paul Shaffer made a motion to approve the summary for the special July 1, 2011 Council conference call as amended. Dana Ward seconded the motion. The motion passed unanimously.

DECISION: Paul made a motion to approve the summary for the July 19-21, 2011 Council meeting as amended. Larry Goldstein seconded the motion. The motion passed unanimously.

DECISION: Larry made a motion to approve the summary for the August 12, 2011 special Council meeting as amended. Paul seconded the motion. The motion passed unanimously.

Guiding Principles for the Protection of Natural Resources paper

This document has been previously approved by the Council. Russ distributed a draft cover letter for this document. The footnote indicating the Yakama Nation objections to the paper was included on the paper, not in the cover letter. Two versions of the cover letter were suggested: a letter to DOE and an open letter to stakeholders. The group also discussed concerns about the Council's ability to provide input on remediation projects. Jack and Paul agreed to work on a revised draft letter. Further discussion on this topic was moved to Thursday in conjunction with the Natural Resources Damage Assessment (NRDA) Integration agenda item.

Habitat Survey for Native Mussels in the Hanford Reach (#39)

Joe Bartoszek suggested that the Council delay this project until FY12 since it has not yet received a response from the U.S. Geological Survey (USGS). The Council has received two resubmitted proposals from other organizations for the work. There may also be interest from CTUIR on bidding for this project. Finally, implementation of the project could be complicated by high water issues in the river this year.

ACTION: DOE will talk with Brenda Valedéz about getting information sent to USGS and other potentially interested parties INAL regarding this project so that USGS can submit a cost proposal for the work.

DECISION: Paul made a motion to defer this project from FY11 funding, to request that the Aquatic TWG review the existing technical proposals, to request that the Aquatic TWG make recommendations to the Council regarding how to proceed with this work, and to direct the Aquatic TWG to guard the confidentiality of proprietary information in the proposals. Russ seconded the motion. The motion passed unanimously.

Preliminary Estimate of Damages (#5/6)

Bob Unsworth, IEC, described the purpose, process, and regulations regarding a Preliminary Estimate of Damages (PED). A PED is used to approximate potential damages and identify data needs and does not contain primary research or new studies. For the two proposals from IEC and Ridolfi before the Council, the IEC portion is focused on compensatory restoration, and the Ridolfi portion is focused on primary restoration. The current proposals use a phased approach beginning with the River Corridor.

There are two major issues: how to address tribal losses and the budget between the two contractors. The Council also discussed the importance of agreeing upon the assumptions upon which the PED would be based, as well as clarification of what constituted the River Corridor and the geographic scope of the PED. The Council had a preference for a single PED report.

DECISION: The Council decided to create a Tribal Working Group to ensure that concerns from all three tribes are covered in the PED. Matt Johnson, CTUIR, offered to work closely with this group, and Wade Riggsbee, Yakama Nation, will work closely with the technical staff.

The Council then discussed the PED and project implementation concerns without the participation of staff from IEC and Ridolfi.

DECISION: Matt made a motion to authorize DOE to expend up to \$500,000 for IEC and Ridolfi, Inc. to undertake Project #5/6, Preliminary Estimate of Damages with the following contract requirements:

- One lead contractor
- One report
- Council buy-in on assumptions early in process
- Clarity on minimizing redundancies between the two contractors
- Initial phase on one reactor area or an area to be determined (TBD) presumed to have substantive injuries

- Close collaboration and coordination with the Technical Working Groups (TWGs) and their monthly meetings
- More detailed costs in proposals to DOE
- Allow trustees to sit in on individual meetings if folks are amenable
- Provide sensitivity analysis to inform trustee on drivers of damages
- Intermediate deliverables, checkpoints and funding payments.

Wade seconded the motion. The motion passed unanimously. Ruth will type up a formal resolution for this decision for the Council to consider later in this meeting.

The next step is to check with IEC and Ridolfi to see if the contractors can work with these contract requirements.

Resolutions

The Council reviewed the nine (9) formal Resolutions made in FY11 and reviewed which trustee organization signatures still needed to be gathered for the administrative record.

McWhorter Ranch

John Carleton informed the Council that the purchase was likely to be over \$5 million, and there is \$2.8 million in purchase money currently available. The state of Washington is looking for a sale agreement in later 2011 or early 2012. The 13,000-acre ranch buffers the south side of Rattlesnake Mountain.

Preparation for Council Meeting on Wednesday and Thursday

ACTION: Given that the discussion on the PED took the majority of the afternoon, Ruth will re-draft the Council agenda for Wednesday and Thursday to include the items that were not covered on Tuesday.

Wednesday, September 21, 2011

Jack opened the meeting and reviewed the revised agenda with the Council.

Technical Working Group (TWG) Reports

Groundwater

Dale Engstrom presented a summary of the Groundwater TWG's activities in FY11 and reviewed the accomplishments, including work on two white papers, the redrawing of groundwater plume maps and recommendations for proposed injury studies and expert panels. He also noted that the 100-K RI/FS and Proposed Plan has relaxed the cleanup goals from the interim RI/FS. Finally, he shared a list of desired information and presentations the TWG would like to receive from DOE.

Terrestrial

Dan Landeen informed the Council that the new TWG chair is John Carleton. The TWG is doing additional species profiles which will be added to the Google site. It is also working on ponds and ditches and helping gather data for the Bio Contamination Report project. Steve Link is doing a review of past Hanford vegetation communities. The TWG recommends a half or full day workshop on HEA, REA, and HAB approaches, as well as a review of releases to air from a NRDA perspective which is a possible linkage with the Source and Pathway TWG.

Aquatic

Charlene Andrade said to expect a new chair for this TWG in October. NOAA has started geospatial work. The TWG will start looking at the Ridolfi database soon. Gaining remote access to HLAN was a huge leap forward. There is a list of resources the TWG is interested in developing.

Source and Pathway

Paul distributed a handout on the TWG's work. It is doing four additional eco-tox profiles. The TWG suggested a state of the site conference on chromium. In addition, there is concern regarding groundwater nitrate plumes.

Restoration

Joe indicated that this TWG is moving forward in examining early restoration options and currency and credits. It recommended a workshop on crediting and currency.

Human Use

Jean Hays shared her appreciation for Barbara Harper's recent presentation to the TWG on Tribal Services and NRDA.

Data Management

Jack explained that this TWG was formed to provide input to three major plans and documents to be produced by IEC. All three are in final form. The trustees have gone from little data access to remote access to data. There are good options on how to set up data access going forward, and the Council needs to review the anticipated FTEs needed for data management.

Response Actions in 2012

The Council has concerns about the timeframes and its ability to review large documents in the near term. The 100-K Operable Unit final RI/FS is the first document in a series. The Council discussed the relative merits of setting priorities and selecting only a few key reports on which to focus, as well as focusing on injury versus response action cleanup. The Council asked DOE to check on the cost and availability of hiring someone to review documents and provide synopses for the trustees.

IEc Update

IEc has turned in the Quality Management Plan, Data Management Plan, and Data Conceptual Framework deliverables. The Data Gaps Report was recently submitted, and IEC is waiting on comments on the document. Other items that IEC is working on include the preliminary injury assessment studies list, combined PED study ideas, expert panels, and the Public Involvement Plan materials. It is waiting on the risk assessment that is due out next week before beginning work in the Thresholds and Tests deliverable. Authorization to begin work on this deliverable will be a topic on the agenda for the October Council conference call.

IEc requested a 30-day extension on the Initial Study Recommendations deliverable (Tasks 1.3 and 4.7). This is related to a previously-approved delay in the due date for the Data Gaps Report deliverable.

DECISION: Paul made a motion to recommend to DOE that the deadline for the Resource Review Reports and Initial Injury Study Ideas (IEc Tasks 1.3 and 4.7) be moved from September 23, 2011 to October 21, 2011. Russ seconded the motion. The motion passed unanimously.

At the last meeting, IEC had submitted an estimate of costs to continue its level of effort in participation at Council and TWG meetings. The cost estimate was provided at the request of the Council.

DECISION: Russ made a motion to recommend to DOE that up to \$85,000 be added to the current IEC contract to enable IEC to continue participate in Council and TWG meetings at IEC's current level of engagement. Paul seconded the motion. The motion passed unanimously.

Ruth will draft a formal Resolution for trustee signature. It will be Resolution 2011-10 for this year.

NRDA Integration Project and Guiding Principles paper and cover letter

The Council discussed the desirability of sending a letter from the Council to DOE transmitting the Guiding Principles paper.

DECISION: Paul made a motion to authorize the Council chair, Jack Bell, to send a cover letter and the Guiding Principles paper to DOE and the chair of the Hanford Advisory Board. Russ seconded the motion. The motion passed unanimously.

Discussion of the motion included the desirability of copying the cover letter to the U.S. Environmental Protection Agency (EPA) and to the Washington State Department of Ecology.

The Council discussed the desirability of re-developing a Council letterhead.

ACTION: Each trustee organization will send its logo to the Council chair to help develop a new Council letterhead.

Action Item #393 is now considered complete.

Public Involvement Plan

IEc is currently planning meetings with stakeholders and tribes. The Council has requested that IEC prepare materials for NRDA briefings at Hanford. Some example materials from other sites were shared. The group will discuss options for sending out e-mails to the public on the October Council conference call.

ACTION: DOE will add a function on the HNRTC web site that enables the public to join a NRDA mailing list.

ACTION: IEC will draft an "are you interested in NRDA" e-mail for distribution to the public and potentially interested parties. The e-mail will be sent out via the new HNRTC Project Coordinator.

ACTION: DOE NRDA staff will work with DOE public involvement staff to determine how comments will be received on the Injury Assessment Plan.

ACTION: Larry will talk to Ecology public involvement staff about providing IEC with the public distribution lists used for Tri-Party Agreement public involvement.

ACTION: DOE will provide IEC with the public distribution list used for Tri-Party Agreement public involvement.

Council Activities and Accomplishments in FY11

The Council reviewed its work in FY11 and categorized it into 10 major areas:

- Ability to work together
- Studies
- Technical Working Group (TWG) work
- Injury Assessment Plan (IAP)
- Resolutions
- Documents
- Project Coordinator
- Data Access
- Seniors
- Planning and Budget

The information and details in each of these areas is listed in the table on the following two pages. Acronyms and abbreviations are defined on the second page.

Ability to Work Together	Studies		TWG work		IAP	Resolutions	
	55 project proposals	Successful study proposal development & approval process: 1. Criteria 2. 55 proposals 3. 5 funding decisions	Vibrant, functioning TWGs	Developed & reviewed 20+ technical documents		Completed Phase II products as planned • IAP outline • Public involvement Plan • Tox & COC profiles • Draft QA Plan • Data Mgt Plan & framework	#1: Data Gap Report due date
3 special Council meetings	53 proposals for injury studies	Initiated 5 injury studies	Active TWG participation	Restoration Plan	All IEC products	#2 Visual Sampling Plan	#7 Vice Chair
6 regularly-scheduled Council conference calls	11 SOW for funding consideration	Made decision to initiated Preliminary Estimate of Damages	Technical Work Group products & meetings	Further development of Rest. Plan including crediting exercises	Injury Assessment Plan	#3 Biota Contamination Report (Study #1)	#8 Facilitation
4 special Council conference calls	Initiated & funded studies-activities	PED	Develop Study & Species Selection Criteria	Redraw GW contour plumes for 100 B/C & 100 N	IAP work product delivery • COC/SOC profiles • QAMP • PIP • Data Mgmt • Draft Data Gap Report	#4 Data Jockey (Study #31)	#9 PED (Studies #5/6)
Survived Russ as HNRTC Chair	5 studies approved		Developed 8 additional Species Profiles	Carbon tet. report		#5 Muscels (Study #43)	#10 IeC participation
Libations			Developed 4 additional Toxicity Profiles	Began to develop a GIS database for NRDA			
Had fun!							

Documents	Project Coordinator	Data Access	Seniors	Planning & Budget
Guiding Principles finalized	Hired Project Coordinator	Remote access to data	Re-initiated senior trustee meetings & participation	Developed a consensus FY13 budget
Guiding Principles document	Hired Project Coordinator	HLAN access	3 senior trustee meetings	
Accomplishment book	Hire PC		3 senior trustee conference calls	
	Hired a Project Coordinator			

Key – Acronym and Abbreviation Definitions:

- Carbon tet. – Carbon tetrachloride
- COC = Contaminants of Concern
- FY13 = federal Fiscal Year 2013 (October 1, 2012 – September 30, 2013)
- GW = Groundwater
- HLAN = Hanford Local Area Network
- HNRTC = Hanford Natural Resource Trustee Council
- IAP = Injury Assessment Plan
- GIS = Geographic Information System
- IEc = Industrial Economics, Inc, the Hanford Natural Resource Damage Assessment Phase II contractor
- Mgt or Mgmt = Management
- NRDA = Natural Resource Damage Assessment
- PC = Project Coordinator
- PED = Preliminary Estimate of Damages
- PIP = Public Involvement Plan
- QA = Quality Assurance
- QAMP = Quality Assurance Management Plan
- Rest. = Restoration
- SOC = Species of Concern
- Tox = Toxicity
- TWG = Technical Working Group

Expert Panels

The Council identified the following possibilities for expert panels in this order of interest:

- Cumulative impact of radionuclides on biota - 5 votes
- State of the site: chromium - 4 votes
- Salmonids - which ones? - 3 votes

- Evaluation of air/HEDR - 1 vote
- Injury to an individual at a cellular level - 1 vote

- Adequacy of groundwater modeling - 0 votes
- One injury leads to discovery of other injuries - 0 votes
- GW vadose zone interface - 0 votes
- Sturgeons - 0 votes
- Lamprey - 0 votes

Note: There is an expert panel component to the mussel study funding with FY11 monies.

The Council also identified the following possibilities for workshops or other presentations and discussions:

- HEA, REA, and HAB workshop
- Economics of discounting - include in a workshop, perhaps the HEA/REA/HAB workshop
- Where Council should focus its efforts
- Difference between risk assessment and injury studies

ACTION: IEC will draft a short description for each of the top five (5) expert panel concepts for Council consideration. In addition, it will draft a combined sturgeon/salmon description and individual descriptions for a sturgeon and a salmon panel.

The meeting ended at 4:45 pm.

Thursday, September 22, 2011

Jack opened the meeting at 8:10 am.

Council Work Plan and Schedule

The Council identified eight (8) major areas of work for FY2012:

- Injury study management (5 projects)
- FY2014 budget development
- Study and project development for FY2012 and outyears
- Response actions
- Public involvement
- Data management
- FY2012 budget allocation

The Council then plotted the major components of the work in these areas on a wall timeline segmented by month. The results of that exercise are in the multi-page table below.

Type of Work	Oct 2011	Nov 2011	Dec 2011	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Jul 2012	Aug 2012	Sep 2012
Council Meetings	Oct 13 Host: DOE	Nov 15-17 Host: WA	Week of Dec 12 Host: DOE	Jan 17-19 Host: YN	Week of Feb 13 Host: DOE	Mar 13-15 Host: NP	Week of Apr 16 Host: DOE	May 15-17 Host: FWS	Week of Jun 11 Host: DOE	Jul 17-19 Host: OR	Week of Aug 6 Host: DOE	Sep 18-20 Host: CTUIR
TWG Meetings	Week of Oct 10		Week of Dec 12		Week of Feb 13		Week of Apr 16		Week of Jun 11		Week of Aug 6	
Work shops				HEA, REA, HAB Workshop								
Senior Trustee Meetings						Mar 15						Sep 20
IEc	Recommendations for Initial Injury Studies (Tasks 1.3/4.7)	Final Data Gap Report (Task 4.6) [no action required]	Prelim Draft IAP (Task 5.4)		Public Review of Draft IAP (Task 5.4)			Final Updated CSM (Task 6)				
	Draft "Pre-IAP" meeting materials				Draft public meeting notices & materials (Task 5.2)			Early Restoration Memo (Task 7)				
								Draft Final IAP (Task 5.4)				
PIP	Finalize "Pre-IAP" meeting materials	Tribal & Stakeholder "Pre-IAP" meetings	Tribal & Stakeholder "Pre-IAP" meetings	Select public meeting locations, dates, & format		Finalize public meeting materials & media release			Re-release of document for public comment (if necessary)			
Type of Work	Oct 2011	Nov 2011	Dec 2011	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Jul 2012	Aug 2012	Sep 2012

Expert Panels	Review IEC recommendations for Expert Panels	Expert Panel #1	Expert Panel #2	Expert Panel #3	Expert Panel #4	Expert Panel #5	Expert Panel #6							
Biota Contamination Report	Kick off meeting												Final Draft Report	Final Draft Report
GW Plume Study		Kick Off Meeting				Mapping Report Review	Mapping Report Review							
Mussel Tox Study		Kick off meeting - Task 1	Draft work plan & QAP for review - Task 3	Present-ation to HNRTC			Present-ation to HNRTC	Present-ation to HNRTC						
PED	Contract Review	Kick off & assumptions meeting		Phase I update	Draft Report		Final Report							
Data Management	Data SOW recommendation	Data SOW recommendation												
FY12 Budget Allocation		FY12 budget allocation												
Study Project Development, FY12 & beyond		FY12 study project development begins												
FY14 Budget Development		FY14 budget development begins												
Type of Work	Oct 2011	Nov 2011	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Jul 2012	Aug 2012	Sep 2012			
Response	First look	100-B/C,	Central										100-N	100-N

Actions	at 100-K RI/FS - How big, what is the game plan?	100-K RI/FS Report & PP	D&H RI/FS & PP	Plateau SW-2 RFI/CMS & RI/FS Work Plan								RI/FS Report & PP	RI/FS Report & PP
	100-K RI/FS Report & PP	100-K RI/FS Report & PP		200 West Inner Area RI/FS Work Plan									
	RCBRA (Risk Assessment) - ECO & Human Health			100-F RI/FS report & PP									
	River Component RCBRA - ECO		River Component RCBRA - Human Health	300 A RI/FS report & PP									
	NRDWL- Solid Waste Landfill Revised EA												

Key – Acronym and Abbreviation Definitions:

Meetings are highlighted in yellow

CSM =

EA = Environmental Assessment

FY12 = Fiscal Year 2012 (federal fiscal year runs from October 1, 2011 – September 30, 2012)

FY14 = Fiscal Year 2014 (federal fiscal year runs from October 1, 2013 – September 30, 2014)

GW = Groundwater

HNRTC = Hanford Natural Resource Trustee Council

IAP = Injury Assessment Plan

IEc = Industrial Economics, Inc, the Hanford Natural Resource Damage Assessment Phase II contractor

NRDA = Natural Resource Damage Assessment

NRDWL =

PED = Preliminary Estimate of Damages

PIP = Public Involvement Plan

QAP = Quality Assurance Plan

RCBRA =

RFI/CMS =

RI/FS = Remedial Investigation/Feasibility Study

RI/FS & PP = Remedial Investigation/Feasibility Study and Proposed Plan

SOW = Statement of Work

After considering the volume and timing of FY2012 work and projects, the Council decided to hold monthly meetings. Traditional bi-monthly Council meetings will be hosted by individual trustee organizations and rotated geographically outside of Richland. Traditional conference calls will be replaced by meetings held in the Tri-Cities.

The meeting schedule, including hosting organizations, developed by the Council for FY12 is:

- October 13th - One-day Council meeting hosted by DOE-RL.
- November 15-16-17: Regular bi-monthly Council meeting hosted by Washington
- December meeting: One day during the week of the 12-16th (Friday is not a DOE day off). Hosted by DOE-RL
- January 17-19: Regular bi-monthly Council meeting hosted by the Yakama Nation
- February meeting: One day during the week of the 13-16th (Friday is a DOE day off). Hosted by DOE-RL
- March 13-14-15: Regular bi-monthly Council meeting hosted by the Nez Perce Tribe
- April meeting: One day during the week of the 16-20th (Friday is not a DOE day off). Hosted by DOE-RL
- May 15-16-17: Regular bi-monthly Council meeting hosted by the U.S. Fish and Wildlife Service
- June meeting: One day during the week of 11-15th (Friday is not a DOE day off). Hosted by DOE-RL
- July 17-18-19: Regular bi-monthly Council meeting hosted by Oregon
- August meeting: One day during the week of 6-10th (Friday is not a DOE day off). Hosted by DOE-RL
- September 18-19-20: Regular bi-monthly Council meeting hosted by the Confederated Tribes of the Umatilla Indian Reservation

Preparation for Senior Trustees Meeting

The Council reviewed its FY11 accomplishments and FY12 work plan and charged the new chair, Jack Bell, with sharing them with the senior trustees at their upcoming meeting.

The topics identified to highlight for the senior trustees were:

- FY11 accomplishments, including the Guiding Principles paper and the five (5) injury studies
- FY12 work plan, schedule, and associated issues, including budget to support the work and big NRDA decisions to be made this coming year, and the time challenges of reviewing large volumes of response documents
- Budget development for FY14
- Level of senior trustee participation in Council activities
- How to manage NRD and response overlap

The Council also briefly reviewed and discussed draft operating procedures for the senior trustees that have been developed by the Council facilitator. The procedures were developed in response to a request to the facilitator by the senior trustees.

The meeting adjourned at 11:55 am