

Rocky Flats Coalition of Local Governments Board Meeting Minutes
Monday, February 25, 2002
8:00 – 11:00 a.m.
Mt. Evans Room in the Terminal Building
Jefferson County Airport, Broomfield

Board members in attendance: Hank Stovall (Director, Broomfield), Tom Brunner (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Sam Dixon (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Lorraine Anderson (Director, Arvada), Ken Fellman (Alternate, Arvada), Clark Johnson (Alternate, Arvada), Lisa Morzel (Director, City of Boulder), Mike Weil (Alternate, City of Boulder), Paul Danish (Director, Boulder County), Karen Imbierowicz (Director, Superior).

Note: the Town of Superior was not initially in attendance to vote on the motions.

Coalition staff members and consultants in attendance: David Abelson (Executive Director), Kimberly Chleboun (Program Manager), Melissa Anderson (Technical Program Manager), Barbara Vander Wall (Seter & Vander Wall, P.C.).

Members of the Public: Dave Shelton (Kaiser-Hill), John Rampe (DOE), Jeremy Karpatkin (DOE), Dean Rundle (USFWS), Laurie Shannon (USFWS), Mark Sattleberg (USFWS), Mike Spratt (USFWS), Steve Gunderson (CDPHE), Kathleen Rutherford (CDPHE), Rob Henneke (EPA), Jerry Henderson (RFCAB), Al Nelson (City of Westminster), Shirley Garcia (City of Broomfield), Nancy Lemein (City of Arvada), Bob Nelson (City of Golden), Doug Young (Congressman Udall), Filiberto Cruz (RFSOIU Local #1), Berny Morson (Rocky Mountain News), Katy Human (Daily Camera), Mark Peters (CSU), Paula Elofson-Gardine (Environmental Information Network), J.H. Anderson (citizen).

Convene/Agenda Review

Chairman Dixon called the meeting to order at 8:35 a.m. There was not a quorum, so the Board could not vote on any business items yet.

Business Items

- 1) **Motion to Approve Consent Agenda** – Regarding the draft minutes, Ken Fellman asked that Gale Norton be referred to as "Secretary Norton" as opposed to "Gale" on page 3. Barbara Vander Wall said she would also provide changes to the language regarding the Executive Session. When there was a quorum later in the meeting Ken Fellman motioned to approve the consent agenda with the aforementioned modifications. Paul Danish seconded the motion. The motion passed 6-0.

2) **Executive Director's Report** - David Abelson stated the Administration had released its FY03 budget, under which Rocky Flats is fully funded. Changes in the budget may, however, affect funding for receiver sites. Second, he said NREL had informed him they no longer have an interest in taking over any of the Rocky Flats buildings after closure as they would be too costly to repair and spread their campus too thin. Third, David provided a written summary of the long-term stewardship conference he and Kimberly Chleboun had attended, and noted some points may be of interest when discussing endstate. Fourth, he distributed the Board's lobbying schedule. Fifth, he referred to the ongoing discussion regarding the Coalition's role as a CRO, and again confirmed the Coalition is fulfilling its role, but there is still the issue of worker transition. He advised the Board Kaiser-Hill would still welcome local government economic development departments to work with them, and if they are interested they should start by contacting John Corsi with Kaiser-Hill. Sixth, David reviewed the Coalition draft letters regarding plutonium metals and oxides shipments to the Savannah River Site. The Board agreed to send the letters to Secretary Abraham, Senator Allard, Representative Udall, and Governor Owens as they are currently drafted. Once there was a quorum, Hank Stovall motioned to approve the letters regarding plutonium disposition. Paul Danish seconded the motion. The motion passed 6-0.

Public Comment

There was no public comment at this time.

Finalize Washington, D.C. Lobby Materials

David Abelson directed the Board's attention to the revised lobbying packets which incorporated previously suggested changes. Lorraine Anderson discussed the issue of transporting waste, and David suggested keeping the issue of Yucca Mountain high level waste transport separate from the Coalition issue of materials disposition. The Board agreed to use the materials in their current form.

Briefing on Comprehensive Conservation Plan Public Process

Officials with the U.S. Fish and Wildlife Service (USFWS) met with the Board to discuss the process for developing the Comprehensive Conservation Plan (CCP), which will guide refuge management. Dean Rundle, Refuge Manager at the Rocky Mountain Arsenal and USFWS Program Lead for Rocky Flats, began by distributing handouts describing the National Wildlife Refuge System Improvement Act of 1997 (Organic Act) and the guiding principles of the National Wildlife Refuge System. He explained all refuges are required to have a CCP, which must be developed within a public process. This CCP public process will include compatibility determinations, in which recreational uses will be reviewed in order to determine if they are compatible with the purpose of the refuge and the refuge system.

Michael Spratt, Chief of Planning for the USFWS regional office, described the CCP and distributed the refuge planning policy. The Organic Act mandates that USFWS work very

closely with states, tribes, and surrounding communities in developing the CCP and creating a comprehensive vision for the future of the refuge. Michael said the CCP involves science based planning and critically evaluates the six priority uses. The CCP will also be prepared in accordance with the National Environmental Policy Act (NEPA) including an Environmental Impact Statement (EIS) and an alternatives analysis explaining how and why decisions were made.

Laurie Shannon, USFWS Planning Team Leader for the Rocky Flats CCP, provided a handout detailing the beginning stages of planning the Rocky Flats CCP. She emphasized the importance of working with the community throughout the process, and it is up to the stakeholders to determine their level of involvement, from day-to-day involvement to monthly updates. She also asked for local government assistance in community outreach. Laurie stressed the need to keep discussions on cleanup separate from the refuge planning, although the CCP development will not be done in a vacuum. Dean said DOE consults with USFWS regularly and expects USFWS will be an active partner in conducting the ecological risk assessment. He clarified the CCP will describe how to manage the land and wildlife after the cleanup is finished, and although there are few areas where refuge management and stewardship may be in conflict, stewardship will always be the first priority. He also explained that, in a parallel process, the MOU is being drafted to reflect the division of responsibilities and land jurisdiction between DOE and USFWS. The planning process for the CCP must be established by June, 2002, and the CCP must be finalized by December, 2004. The MOU is due December, 2002 and must be finalized by June, 2003. Dean asked that any comments on the public process, as outlined in the Refuge Planning Policy and the handout on the Rocky Flats National Wildlife Refuge, be submitted to him by the end of March.

Tom Brunner asked if there are any provisions for the refuge to be transferred to USFWS in increments. Dean responded land must first be delisted from the National Priorities List and, although EPA regulations do allow for partial deletions, he would not recommend it. Karen Imbierowicz asked if they would solicit information from other wildlife experts, and Dean said they would work with the state trustees. Mike added they also use consultants for some work, such as GIS, writing, and editing. Steve Gunderson (CDPHE) said the Site provides an update to the State natural resource trustees every six months. David Abelson suggested USFWS also work with the local governments' open space personnel. Hank Stovall asked how much time would be required of local government staff, and Laurie said it is up to the individual government to determine their level of time and involvement. Ken Fellman asked if they needed help from the Coalition securing funding for the CCP process. Dean said they are currently proceeding with work in anticipation of receiving the money they requested from DOE, as DOI does not have the resources to carry out the planning functions required by the Refuge Act. Dean estimates the CCP will cost DOE at least \$1.5 million over the next three years. Since these funds will not come from the Rocky Flats cleanup budget, the Site has submitted a supplemental request from Headquarters. It is complicated due to the fact that appropriations have already been approved for FY02; the process should be easier for FY03 since CCP costs can be factored into the original DOE budget request.

Endstate Conversation

David Abelson provided a summary of integrated endstate issues and what he sees as the four opportunities for the Coalition to influence cleanup decisions and priorities: 1) using limited resources to clean the surface vs. subsurface, 2) water quality protection, 3) minimizing the DOE post-closure footprint, and 4) long-term stewardship. He said DOE is still not able to provide a cost matrix and there is not a real sense yet of what "revenue neutral" will entail, thus the Coalition should focus on the above listed endstate issues recognizing there are important limitations and agreement may only be conceptual. This discussion will provide the Board an opportunity to discuss what it sees as key issues for the potential endstate.

Hank Stovall explained the idea behind the revenue neutral concept as gaining efficiencies within the same budget and timeline. He stated it appears the logical approach would be to remove higher risk elements and then look at the lower risk elements. For instance, removing surface contamination should be a higher priority than other residuals which have no exposure pathway, within a certain threshold. He noted this would also work towards meeting water quality standards. Paul Danish added it is important to use the term "known contaminants" and ensure DOE will remain responsible if additional contamination is found later. Lisa Morzel reminded the Board subsurface contamination may become a problem based on the Site's geology, which contains alluvial remnants and may be unstable. She asked to bring the two geologists who mapped the Site and the geologic map to a future meeting, and the rest of the Board agreed. Ken Fellman said the Board may require additional briefings from experts to determine areas of highest risk, especially with the issues of surface vs. subsurface and meeting water quality standards. He would also like more information on how minimizing DOE's footprint and remediating areas of discrete contamination would impact cost and other cleanup issues. Karen Imbierowicz said even after analysis they still might find there is limited funds and it won't be possible for a complete cleanup, but the findings should then be incorporated into long-term stewardship. Paul agreed the focus should be on dealing with present dangers with limited resources.

David said there is no one decision needed, but the Site planners are aiming for a conceptual understanding of what the Site might look like in order to have an RSAL that captures this endstate concept. Jeremy Karpatkin (DOE) said they hope to put out a document that addresses surface and subsurface contamination, and put into place a conceptual framework for some of these issues. He stated they want to put into place an approach to guide decisions, and put out all these issues at one time for comment. David said DOE may brief the Board on the risk-based approach to cleanup in April, and they will also begin discussions on water quality.

Public Comment

Paula Elofson-Gardine asked about a fire at Rocky Flats over the weekend, and also said she believes it would be a public risk to allow people to recreate on the refuge. She again asked the Site to revisit the issue of conducting a current aerial gamma survey to determine how far offsite

contamination has spread from the 903 Pad, and said she is concerned monitoring is not sufficient.

John Rampe (DOE) said he wasn't sure when the fire had started, but knew approximately 35 acres had burned near Highway 128.

Round Robin

Arvada - Ken Fellman asked if it would be possible to amend the bylaws and allow the Board to start the meeting and conduct routine business with only four members present, instead of the current requirement of five members. Barbara Vander Wall said an amendment to the bylaws would also require an amendment to the Intergovernmental Agreement, which would require approval by each of the government's boards. The Board agreed to leave the bylaws as they are.

Big Picture

David Abelson reviewed the Big Picture. At the April meeting the Board will continue discussions on endstate, and may have a briefing on the Five-Year Review process.

The meeting was adjourned by Sam Dixon at 10:50 a.m.

Respectfully submitted by Kimberly Chleboun, Program Manager

Rocky Flats Coalition of Local Governments
Feb 25, 2002 Board of Directors Meeting Minutes – FINAL