

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670

(303) 412-1200

Boulder, CO 80308-0670

www.rockyflatssc.org

Jefferson County ~ Boulder County ~ City and County of Broomfield ~ City of Arvada ~ City of Boulder
City of Golden ~ City of Northglenn ~ City of Thornton ~ City of Westminster ~ Town of Superior
League of Women Voters ~ Rocky Flats Cold War Museum ~ Rocky Flats Homesteaders
Kim Griffiths

Board of Directors Meeting – Agenda

Monday, February 5, 2024

8:30 – 10:00 AM

VIA ZOOM (details on next page)

- 8:30 AM Convene/Introductions/Agenda Review/Meeting Protocols
- 8:35 AM New Member Introduction
- 8:40 AM Public Comment: Comments are limited to three minutes.
- 8:50 AM Business Items (briefing memo attached)
1. Elect Stewardship Council Officers for 2024
Action Item: Elect Officers
 2. Adopt 2024 Meeting Schedule and Notice Provisions Resolution
Action item: Adopt Resolution
 3. Consent Agenda: Approve meeting minutes and checks
Action item: Adopt Consent Agenda
 4. Executive Director’s Report
- 9:05 AM Overview of the Rocky Flats Stewardship Council (briefing memo attached)
- This discussion will focus on the history of the organization – why we exist, organizational scope, what we are and what we are not
 - The intent is to establish a foundation for upcoming organizational planning activities
- 9:50 AM Board Roundtable – Big Picture/Additional Questions/Issue Identification
- Adjourn

Upcoming Meetings: All dates are proposed and will be set at this meeting

April 1
June 3
September 9 (2nd Monday of month)
October 28 (4th Monday of month)

Join Zoom Meeting

<https://zoom.us/j/93848589883?pwd=UDZYyzdnbCtIOW1GdGtNMk1ldGVKZz09>

Meeting ID: 938 4858 9883

Passcode: 571079

+17193594580

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MEMORANDUM

TO: Board of Directors
FROM: David Abelson
SUBJECT: Business Items
DATE: January 19, 2024

As provided in the agenda, the Board must:

1. Elect Stewardship Council officers for 2024
2. Adopt 2023 Meeting Schedule and Notice Provisions Resolution
3. Approve the Consent Agenda (minutes and checks)

The first two items are discussed below.

Election of Officers

In accordance with the Stewardship Council bylaws, “the Chair, Vice Chair, and Secretary/Treasurer shall be elected annually by the Board of Directors.” The terms commence at this meeting and there are no limitations regarding the number of terms one can serve. The following people have expressed interest in serving:

Jan Kulmann (Thornton) – Chair
Deven Shaff (Broomfield) – Vice Chair
Jeannette Hillery (League of Women Voters) – Secretary/Treasurer

Additional names can be added for consideration at the meeting. If you are interested in serving, please let me know. Only directors (no alternates) can serve as an officer.

ACTION ITEM: Elect the officers for 2024

Resolution Re: 2024 Meeting Schedule and Notice Provisions

Each year, the Board adopts a resolution establishing the meeting dates for the year. The proposed dates for 2024 are:

February 5 (first Monday of the month)
April 1 (first Monday of the month)
June 3 (first Monday of the month)

September 9 (second Monday of the month)
October 28 (last Monday of the month)

The attached resolution and notice provisions track the Stewardship Council's bylaws. All meetings will be virtual.

ACTION ITEM: Adopt the meeting schedule and notice resolution

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
ROCKY FLATS STEWARDSHIP COUNCIL**

regarding

2024 MEETING SCHEDULE AND NOTICE PROVISIONS

WHEREAS, pursuant to an Intergovernmental Agreement dated as of February 13, 2006, and as amended thereafter (the “IGA”), the Rocky Flats Stewardship Council (“Stewardship Council”) was established; and

WHEREAS, the Stewardship Council was created to allow local governments to work together on the continuing local oversight of the activities occurring on the Rocky Flats site to ensure that government and community interests are met with regards to long term stewardship of residual contamination and refuge management; and

WHEREAS, the Board of Directors of the Stewardship Council has a duty to perform certain obligations in order to assure the efficient operation of the Stewardship Council; and

WHEREAS, on March 6, 2006, the Board of Directors of the Stewardship Council adopted Bylaws regarding the operations of the Stewardship Council, governing, *inter alia*, meeting and notice requirements; and

WHEREAS, § 24-6-402, C.R.S., of the Colorado Sunshine Law, specifies the duty of the Board of Directors at its first regular meeting of the calendar year to designate a public posting place within the boundaries of the Stewardship Council for notices of meetings, in addition to any other means of notice; and

WHEREAS, pursuant to its Bylaws and Colorado laws, the Stewardship Council desires to establish its regular meeting schedule and location, and to designate its public posting place(s) for 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL THAT:

1. Meeting Schedule/Location. The Board of Directors determines to hold regular meetings in 2024 on **February 5, April 1, June 3, September 9 and October 28 at 8:30 AM**; and to hold special meetings as may be necessary, in accordance with the Bylaws of the Stewardship Council. All meetings will be held virtually via electronic platform. Members of the public will be able to participate remotely via electronic platform.

2. Regular Meeting Notice. The Board of Directors determines to annually post its regular meeting schedule at the Clerk and Recorder’s office of the following counties: Jefferson, Boulder, Broomfield, Adams and Weld; and at the City or Town Clerk’s Office of the following cities and/or towns: Arvada, Boulder, Broomfield, Westminster, Golden, Superior, Thornton, and Northglenn, for posting in a public place. In addition, the Board shall post its regular meeting schedule on the website established for the Stewardship Council. These notices shall remain posted throughout the year. At least seven (7) days advance notice of the regular meeting time, place and date shall be provided to the directors and

alternate directors, and to those members of the public who so request. The general nature of the business proposed to be transacted or the purpose of any meeting of the Board of Directors shall be specified in the notices of such meeting where possible.

3. Special Meeting Notice. In the event of a special meeting, a notice of such special meeting shall be posted at least seventy-two (72) hours in advance at the clerks' offices of the counties, cities and towns indicated above, for posting in a public place. At least seventy-two (72) hours advance notice of the special meeting time, place and date shall be provided to the directors and alternate directors, and to those members of the public who so request. The general nature of the business proposed to be transacted at or the purpose of any meeting of the Board of Directors shall be specified in the notices of such meeting where possible. The Board of Directors' ability to act on matters brought before it at a special meeting is restricted to those items specified in the notice.

4. Emergency Meeting Notice. Should the Board of Directors determine an emergency special meeting is necessary, a notice of such emergency meeting shall be posted at least twenty-four (24) hours in advance at the clerks' offices of the counties, cities and towns indicated above in accordance with the Colorado Open Meetings Act. The general nature of the business proposed to be transacted at, or the purpose of, any meeting of the Board of Directors shall be specified in the notices of such meeting where possible. The Board of Directors' ability to act on matters brought before it at a special meeting is restricted to those items specified in the notice.

5. Additional Notification. The Stewardship Council shall maintain a list of persons who, within the previous two years, have requested notification of all meetings, or of meetings with discussions of certain specified policies, and shall provide reasonable advance notification of such meetings to the individuals.

APPROVED AND ADOPTED THIS 5th DAY OF FEBRUARY, 2024.

(SEAL)

ROCKY FLATS STEWARDSHIP COUNCIL

By: _____
Chair

ATTEST:

By: _____

ROCKY FLATS STEWARDSHIP COUNCIL

Monday, October 30, 2023

8:30 – 10:45 AM

Board members in attendance: Randy Moorman (Director, Arvada), Jacob Moyer (Alternate, Arvada), Tara Winer (Director, City of Boulder), Claire Levy (Director, Boulder County), Nick Robles (Alternate, Boulder County), Bill Fisher (Director, City of Golden), Pat O’Connell (Alternate, Jefferson County), Rich Kondo (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Laura Farzim (Alternate, Northglenn), Bob McCool (Director, Superior), Jan Kulmann (Director, Thornton), Caleb Owen (Alternate, Thornton), Rich Seymour (Director, Westminster), Trea Nance (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Linda Porter (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Kim Griffiths

Stewardship Council staff members and consultants in attendance: David Abelson (Executive Director), Barb Vander Wall (Setter & Vander Wall, P.C)

Members of the public in attendance: Andy Keim (DOE-LM), Dana Santi (RSI), George Squibb (RSI), Harry Bolton (RSI), John Boylan (RSI), Karin McShea (RSI), Lisa Bade (RSI), Padraic Benson (DOE-LM), Ryan Wisniewski (RSI), Brian Walker (CDPHE), David Connolly (EPA), Laura Hubbard (Broomfield), Chris Allred, Emerald Thomas, Lynn Segal, Travis Culley, Bob Cleek, Alyesa Casse

Convene/Agenda Review: Jan Kulmann convened the meeting at 8:32 am.

Public Comment: Lynn Segal spoke about the Marshall Fire, saying it was linked to plutonium dumping in the 1970s in Marshall Lake, a private landfill approximately six miles north of Rocky Flats. She stated Travis Culley’s father saw Atomic Energy Commission employees dumping Rocky Flats waste in the lake in 1979. Chris Allred expressed his ongoing concern for the meeting location, day and time. He is also concerned that the in-person meetings are not recorded. Travis Culley stated that the Stewardship Council has failed to meet its objectives. He then talked about the Marshall Fire, echoing Lynn Segal’s comments.

Consent Agenda: The consent agenda included the draft September 18, 2023, meeting minutes and checks written since that meeting. Roman Kohler moved to approve the minutes. The motion was seconded by Claire Levy. The motion to accept the minutes passed 11-0. Jeannette Hillery moved to approve the checks. The motion was seconded by Roman Kohler. The motion to accept the checks passed 11-0.

Executive Director’s Report: David Abelson started by noting that this meeting would be Melissa Weakley’s final meeting before she resigns at the end of November. David spoke about the value she brought over the years to the organization and explained that her level of technical expertise was no longer needed. He does not plan to replace her. Melissa missed the meeting due to illness.

David next spoke about a recent technical meeting of the International Atomic Energy Agency (IAEA), that he attended. The focus was stakeholder engagement around nuclear sites – either existing sites in the US and throughout the world, or the development of nuclear power plants. Attendees were from the US, South America, Asia, Africa, and Europe. He served on two panels: (1) stakeholder engagement

and (2) coalition building. David also participated in a small meeting with the Director General of the IAEA. There were four main takeaways that are relevant to Rocky Flats:

1. The high level of elected official engagement at the Stewardship Council is extremely rare. Do not take for granted what we have here.
2. The loss of institutional knowledge is a universal concern. Knowledge transfer is a major challenge.
3. A small group of constituents seeking to dominate the public narrative is common. Those views are not necessarily reflective of the broader community values and priorities. Tactics that meeting participants spoke of include misinformation and personal attacks.
4. With social media, the best outcome to counter misinformation is a draw. The idea that we can win a social media campaign on issues involving the word “nuclear” is impossible.

2024 Work Plan – Approval: David noted that the work plan was presented and discussed at the September 2023 meeting and October executive committee meeting. No changes were offered.

Rich Kondo moved to approve the 2024 Work Plan. The motion was seconded by Roman Kohler. The motion to accept the work plan passed 11-0.

2024 Budget – Budget Hearing and Adoption: The Board reviewed the draft budget at the September 2023 meeting. Prior to finalizing the budget, the Board must hold a budget hearing and allow time for public comment. Following the public hearing, the Board must approve the budget resolution.

Barb Vander Wall explained the budget hearing process, in which the Chair opens the hearing, comments are received, and then the Chair closes the hearing. She explained that the Stewardship Council is a unit of local government, a political subdivision under Colorado law, and that one of its obligations is to adopt a budget on an annual basis showing its revenues and expenditures. This process is to be completed by the end of the year and filed by the end of January. A notice of this public budget hearing was published.

Jan Kulmann opened the hearing for the 2024 budget. She asked for public comments.

Travis Culley expressed concern about the section of the budget for maintaining the website, arguing written comments, whether offered at a meeting or at any other times, should be posted on the Stewardship Council website. Chris Allred urged disapproval of the budget, saying the DOE grant creates an inherent conflict of interest. Lynn Segal spoke about the conflict in the Gaza Strip. Tara Winer eventually asked her to stick to the budget or to sit down, that international conflict was beyond the Stewardship Council’s focus and thus not pertinent to any discussion of the Stewardship Council budget.

Claire Levy moved to approve the 2024 Budget. The motion was seconded by Kim Griffiths. The motion to accept the budget passed 11-0.

Community Representatives Appointments: Jan explained that there had been four applicants for the two open non-governmental seats on the Stewardship Council—the League of Women Voters, Rocky Flats Homesteaders, Emerald Thomas, and Travis Culley. The applications were included in the October meeting packet (see <https://www.rockyflatssc.org/meeting-information>)

Each applicant spoke to their applications, answering questions from the Board. A vote by the nine governments followed the presentations and Q&A.

Vote Count:

League of Women Voters – 9 votes

Rocky Flats Homesteaders – 8 votes

Emerald Thomas – 1 vote

Travis Culley – 0 votes

Host DOE Quarterly Meeting:

The report and presentation cover the 2023 second quarter.

Surface Water Monitoring – George Squibb

George began by discussing water monitoring at the Original Landfill (OLF). At Woman Creek (monitoring location GS59) all quarterly concentrations were below applicable Rocky Flats Legacy management Agreement (RFLMA) standards. At the Present Landfill (location PLFSYSEFF, the system effluent), although the system is not intended to treat metals, boron in the system effluent regularly exceeds the RFLMA Table 1 standard. The RFLMA parties are conducting an ongoing evaluation to determine an appropriate path forward. Details regarding RFLMA consultations for boron can be found in Contact Record 2006-02 and Contact Record 2022-02. Quarterly concentrations for all other analytes were below applicable RFLMA standards. (Records can be found at:

https://lmpublicsearch.lm.doe.gov/SitePages/default.aspx?sitename=Rocky_Flats)

Additionally, no RFLMA Point of Compliance (POC) or Point of Evaluation (POE) analyte concentrations were reportable during the quarter.

Groundwater Monitoring and Operations – John Boylan

John started with an overview of the RFLMA groundwater monitoring network. During the quarter there were no changes to the monitoring network. The system consists of:

- 10 Resource Conservation and Recovery Act wells (quarterly sampling). These wells evaluate potential impacts from OLF and PLF.
- Nine Area of Concern wells and one surface water support location (semiannual sampling). These wells are located in drainages downstream of contaminant plumes. They evaluate for plumes discharging to surface water.
- 27 Sentinel wells (semiannual sampling). These wells are downgradient of treatment systems, near plume edges, and in drainages. They monitor for plumes migrating to surface water and treatment systems.
- 42 Evaluation wells (biennial sampling). These wells are within plumes, near source areas, and interior of Central Operable Unit, the DOE-managed lands. These wells are used to evaluate whether monitoring of an area or plume can cease.
- Nine treatment system locations (seven semiannually, two quarterly).

Regarding RFLMA monitoring, all RFLMA locations except Evaluation wells were scheduled for monitoring. Evaluation wells are scheduled for the second quarter of even-numbered years. Monitoring results were generally consistent with previous data. Data will be evaluated and discussed in the annual

report for 2023. CDPHE and EPA observed monitoring activities at several PLF RCRA wells. Observation is routine and periodic with the last observation in 2021.

John then reviewed the groundwater monitoring network, using a map as a guide.

He concluded by discussing the Solar Ponds Plume Treatment System. Their contractor staff completed uranium treatment testing on May 9, removing the testing facility and replacing subsurface effluent discharge gallery.

Site Operations – Harry Bolton

Harry started by discussing the various signs across the DOE lands and between the DOE lands and the National Wildlife Refuge. Signs are inspected quarterly and replaced or reattached as needed. Staff inspected the sites of former buildings (371, 771, 881, and 991). No issues were identified.

Other activities included 2023 road maintenance – regrading site roads, adding road base as needed, refurbishing rock crossings, and adding a dust suppressant.

The PLF was inspected on May 16, 2023, with additional weather inspections on April 27 and May 12. No issues were identified. At the OLF, monthly inspections were completed, along with additional weather inspections on April 27, May 12 and May 16. Staff also walks down the OLF monthly. No issues including any slumping was observed.

Ecology – Karin McShea

Karin started by discussing the willow stakes, a habitat enhancement project. During the quarter, staff also monitored wildlife, including nest box surveys. Staff monitored and managed vegetation, including weed mapping, wetland surveys, weed control and interseeding.

The quarterly report can be found at: https://lmpublicsearch.lm.doe.gov/lmsites/45778_rfs_2q23.pdf

Big Picture/Additional Questions/Issue Identification: David went through the Big Picture.

February 5, 2024

Business Items

- Elect 2024 Officers
- Adopt resolution re: 2024 meeting date

Briefing Items

- DOE Quarterly Update
- RFSC History

April 1, 2024

Briefing Items

- RFSC organizational review

June 3, 2024

Business Items

- Receive 2023 Audit

Briefing Items

- DOE Quarterly Update

Issues to watch:

- Uranium and plutonium reportable conditions
- North Walnut Creek slump
- Air quality monitoring (wildfire)

Board Roundtable:

No comments were offered.

Executive Session

At 10:10 a.m. Rich Seymour made a motion to move into Executive Session for the purpose of discussing Stewardship Council personnel contracts for 2024, authorized pursuant to Section 24-6-402(4)(e) & (b), C.R.S., to determine positions relative to matters that may be subject to negotiation, and conferencing with the attorney on such matters. Jeannette Hillery seconded the motion. The motion passed 11-0.

The Board reconvened from Executive Session at 10:45 a.m. and affirmed that no actions had been taken during Executive Session.

The Board meeting adjourned at 10:45 a.m.

Respectfully submitted, David Abelson

Rocky Flats Stewardship Council Check Detail 2023 October 6, 2023 through January 11, 2024

| Type | Num | Date | Name | Account | Paid Amount | Original Amo... |
|-----------------------|------------------|------------------|--------------------------------------|---------------------------------|-------------|-------------------|
| Bill Pmt -C... | 2219 | 11/06/202 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Oper... | | -2,003.50 |
| Bill | 86236 | 09/30/202 | | Attorney Fees | -2,003.50 | 2,003.50 |
| TOTAL | | | | | -2,003.50 | 2,003.50 |
| Bill Pmt -C... | 2220 | 11/06/202 | Maruska & Associates LLC | CASH-Wells Fargo-Oper... | | -712.50 |
| Bill | 1001 | 10/31/202 | | Accounting Fees | -712.50 | 712.50 |
| TOTAL | | | | | -712.50 | 712.50 |
| Bill Pmt -C... | 2221 | 11/06/202 | Jennifer A. Bohn | CASH-Wells Fargo-Oper... | | -934.50 |
| Bill | 23-52 | 10/31/202 | | Accounting Fees | -934.50 | 934.50 |
| TOTAL | | | | | -934.50 | 934.50 |
| Bill Pmt -C... | 2222 | 11/06/202 | Crescent Strategies, LLC | CASH-Wells Fargo-Oper... | | -13,042.37 |
| Bill | 10/31/23 Billing | 10/31/202 | | Personnel - Contract | -8,525.00 | 8,525.00 |
| | | | | TRAVEL-Local | -96.94 | 96.94 |
| | | | | Postage | -19.99 | 19.99 |
| | | | | Telecommunications | -97.16 | 97.16 |
| | | | | TRAVEL-Out of State | -3,727.40 | 3,727.40 |
| | | | | Website | -395.88 | 395.88 |
| | | | | Meeting Expense | -180.00 | 180.00 |
| TOTAL | | | | | -13,042.37 | 13,042.37 |
| Check | 2223 | 11/06/202 | Century Link | CASH-Wells Fargo-Oper... | | -30.40 |
| | | | | Telecommunications | -30.40 | 30.40 |
| TOTAL | | | | | -30.40 | 30.40 |
| Check | 2224 | 12/06/202 | Century Link | CASH-Wells Fargo-Oper... | | -30.28 |
| | | | | Telecommunications | -30.28 | 30.28 |
| TOTAL | | | | | -30.28 | 30.28 |
| Bill Pmt -C... | 2225 | 12/06/202 | Crescent Strategies, LLC | CASH-Wells Fargo-Oper... | | -8,914.57 |
| Bill | 11/30/23 Billing | 11/30/202 | | Personnel - Contract | -8,525.00 | 8,525.00 |
| | | | | TRAVEL-Local | -44.54 | 44.54 |
| | | | | Postage | -119.99 | 119.99 |
| | | | | Telecommunications | -79.16 | 79.16 |
| | | | | Website | -145.88 | 145.88 |
| TOTAL | | | | | -8,914.57 | 8,914.57 |
| Bill Pmt -C... | 2226 | 12/06/202 | Jennifer A. Bohn | CASH-Wells Fargo-Oper... | | -420.00 |
| Bill | 23-53 | 11/30/202 | | Accounting Fees | -420.00 | 420.00 |
| TOTAL | | | | | -420.00 | 420.00 |

Rocky Flats Stewardship Council

Check Detail 2023

October 6, 2023 through January 11, 2024

| Type | Num | Date | Name | Account | Paid Amount | Original Amo... |
|-----------------------|------------------|------------------|--------------------------------------|---------------------------------|-------------|------------------|
| Bill Pmt -C... | 2227 | 12/06/202 | Maruska & Associates LLC | CASH-Wells Fargo-Oper... | | -675.00 |
| Bill | 1002 | 11/30/202 | | Accounting Fees | -675.00 | 675.00 |
| TOTAL | | | | | -675.00 | 675.00 |
| Bill Pmt -C... | 2228 | 12/06/202 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Oper... | | -4,769.10 |
| Bill | 86338 | 10/31/202 | | Attorney Fees | -4,769.10 | 4,769.10 |
| TOTAL | | | | | -4,769.10 | 4,769.10 |
| Bill Pmt -C... | 2229 | 01/05/202 | Crescent Strategies, LLC | CASH-Wells Fargo-Oper... | | -9,560.76 |
| Bill | 12/31/23 Billing | 12/31/202 | | Personnel - Contract | -7,260.00 | 7,260.00 |
| | | | | TRAVEL-Local | -20.96 | 20.96 |
| | | | | TRAVEL-Out of State | -473.93 | 473.93 |
| | | | | Postage | -443.99 | 443.99 |
| | | | | Telecommunications | -97.18 | 97.18 |
| | | | | Subscriptions/Memberships | -1,242.79 | 1,242.79 |
| | | | | Website | -21.91 | 21.91 |
| TOTAL | | | | | -9,560.76 | 9,560.76 |
| Bill Pmt -C... | 2230 | 01/05/202 | Jennifer A. Bohn | CASH-Wells Fargo-Oper... | | -735.00 |
| Bill | 23-63 | 12/31/202 | | Accounting Fees | -735.00 | 735.00 |
| TOTAL | | | | | -735.00 | 735.00 |
| Bill Pmt -C... | 2231 | 01/05/202 | Maruska & Associates LLC | CASH-Wells Fargo-Oper... | | -1,350.00 |
| Bill | 1003 | 12/31/202 | | Accounting Fees | -1,350.00 | 1,350.00 |
| TOTAL | | | | | -1,350.00 | 1,350.00 |
| Bill Pmt -C... | 2232 | 01/05/202 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Oper... | | -918.10 |
| Bill | 86451 | 11/30/202 | | Attorney Fees | -918.10 | 918.10 |
| TOTAL | | | | | -918.10 | 918.10 |
| Check | 2233 | 01/05/202 | Century Link | CASH-Wells Fargo-Oper... | | -30.83 |
| | | | | Telecommunications | -30.83 | 30.83 |
| TOTAL | | | | | -30.83 | 30.83 |

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MEMORANDUM

TO: Board of Directors
FROM: David Abelson
SUBJECT: RFSC Overview
DATE: January 21, 2024

The 2024 work plan includes the following provisions:

Organizational Assessment and Realignment *LSO Activity*

Overview:

March 2024 marks the completion of 18 years of the Stewardship Council. The organization continue to achieve its goal of serving as the LSO for Rocky Flats and engaging the many issues related to the use of the Refuge. With regular monitoring data showing that the cleanup remedy is operating as designed and that residual contamination above regulatory levels is not migrating onto the Refuge or into neighboring water supplies, and with the forthcoming DOE-USFWS multi-purpose center, the focus of the Stewardship Council has evolved. With this passage of time and nearly two decades of data comes the need to assess the role of the organization and realign the organization as needed. This effort will start in early 2024 with the goal of completing the realignment in 2025.

2024 Activities:

1. Initiate conversations, starting with the executive committee.
2. Identify which elements of the mission statement warrant reconsideration and/or revision.
3. Update the mission statement as needed.
4. Begin to outline steps to achieve the updated mission.
5. As necessary, issue a Request for Proposals for outside consultants to evaluate communications needs and propose changes; initiate the engagement.

As a first step in this process, I will provide an overview of the organization. That presentation and discussion will lay the foundation for the April 1, 2024, meeting where we will discuss in greater detail the mission statement, focus of our work, and how best to structure the organization moving forward.

In preparation for this meeting, attached are the briefing materials I provided in April 2022. Please let me know what questions you have.

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MEMORANDUM

TO: Board of Directors
FROM: David Abelson
SUBJECT: Overview of the Rocky Flats Stewardship Council
DATE: March 21, 2022

Background

The Rocky Flats Stewardship Council formed in February 2006 to provide ongoing local government and community engagement of the post-closure management of Rocky Flats. Cleanup significantly reduced the many risks, and there are ongoing management needs that remain vital to ensuring long-term protection of human health and the environment. Those management responsibilities lie with the Department of Energy (DOE), with regulatory oversight by Colorado Department of Public Health and Environment (CDPHE) and the Environmental Protection Agency (EPA).

Legal Foundation: Colorado Laws and Regulations; Governance

The Stewardship Council is a separate legal entity and an independent political subdivision created pursuant to the Colorado Constitution and statutes. The organization is established by an intergovernmental agreement (IGA), as amended, entered into by ten member governments. The IGA is the governing document which sets forth the organization's mission, purposes, powers and authority.

Governance

The Stewardship Council is governed by a Board of Directors made up of elected officials designated by each of the ten government parties to the IGA, and representatives from up to four community stakeholders.

Mission

The mission of the Stewardship Council is --

- a. To provide continuing local engagement on activities occurring at the Rocky Flats site regarding long-term stewardship of residual contamination and refuge management;
- b. To provide a forum to track issues related to former site employees, including but not limited to long-term health benefits and pension programs;
- c. To provide an ongoing mechanism to help maintain public knowledge of Rocky Flats and the ongoing needs and responsibilities regarding contaminant management and refuge management; and
- d. To provide an ongoing forum to engage on all other issues pertinent to Rocky Flats, as determined by the Stewardship Council Board of Directors.

Local Stakeholder Organization (LSO) for Rocky Flats

In late 2005, as the Stewardship Council was being formed, DOE designated the organization as the LSO for Rocky Flats. In authorizing the establishment of LSOs, Congress was seeking a means to formalize ongoing local government engagement following the completion of cleanup. As the LSO, the Stewardship Council receives grant funds from DOE.

Emphasis on Local Governments

The LSO legislation provides in part: “(b) Composition. – A local stakeholder organization ... shall be composed of such elected officials of local governments in the vicinity of the closure site concerned as the Secretary considers appropriate to carry out the responsibilities set forth....” With the active engagement of Senators Allard and Salazar and Representatives Udall and Beauprez, DOE agreed that four community organizations/individuals should also serve. Those non-governmental appointments are to be made by the member governments.

Stewardship Council Role

The Stewardship Council’s central purpose is to bring the parties together to learn about the cleanup and ongoing management of Rocky Flats, and to provide a forum to regularly engage DOE, CDPHE and EPA. By focusing the board membership on local governments (as provided in the LSO legislation), local elected officials are best prepared to respond to their constituents’ concerns, to address questions and concerns of their councils/commissions, and to respond as needed.

Not an Advisory Board

By design, the LSO is not a federal advisory board, so the Federal Advisory Committee Act (FACA) does not apply. Accordingly, the Stewardship Council does not issue recommendations but is charged with forwarding recommendations offered by local governments and others, at their request.

LSO vs Non-LSO Activities—In Simple Terms

As noted above, the Stewardship Council is organized under Colorado laws and regulations. As an independent organization, the Stewardship Council is allowed to engage any questions that fall under the IGA. However, as the LSO for Rocky Flats—and under the terms of our grant from DOE—only specific activities can be charged to the grant. Unless otherwise indicated on the meeting agenda, all Board meetings are LSO-focused.

LSO Activities: Anything related to (1) the historic use of Rocky Flats, (2) ongoing management of Rocky Flats, and (3) contamination from Rocky Flats, regardless of where it is found

Non-LSO Activities: United States Fish and Wildlife Service (USFWS) refuge management activities

A FEW KEY FACTS...

Rocky Flats Site Manager: DOE’s Office of Legacy Management (LM) manages Rocky Flats. Activities focus on the central part of the site, now called now called the Central Operable Unit (COU).

Rocky Flats National Wildlife Refuge: The Refuge is managed by USFWS, an agency in the Department of the Interior. The Refuge surrounds the COU.

Regulators: CDPHE and EPA

Regulatory Framework: The Rocky Flats Legacy Management Agreement (RFLMA) guides management of the site. The RFLMA and other documents can be found at:

https://lmpublicsearch.lm.doe.gov/SitePages/default.aspx?sitename=Rocky_Flats

Attachments:

1. IGA, as amended
2. Bylaws, as amended

**SECOND AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT
ESTABLISHING THE
ROCKY FLATS STEWARDSHIP COUNCIL**

This Second Amendment to Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (“Second Amendment to IGA”) is made and entered into as of this 8th day of February, 2018, pursuant to Colo. Const. Art. XIV, Section 18(2), part 2 of article 1, title 29, C.R.S., by and among the following parties who have executed this IGA: BOULDER COUNTY, a body politic and corporate and political subdivision of the State of Colorado, JEFFERSON COUNTY, a body politic and corporate and political subdivision of the State of Colorado, the CITY OF ARVADA, a home-rule municipal corporation and political subdivision of the State of Colorado, the CITY OF BOULDER, a home-rule municipal corporation and political subdivision of the State of Colorado, the CITY AND COUNTY OF BROOMFIELD, a Colorado municipality and county, the CITY OF WESTMINSTER, a home-rule municipal corporation and political subdivision of the State of Colorado, the TOWN OF SUPERIOR, a municipal corporation, the CITY OF GOLDEN, a home rule municipal corporation and political subdivision of the State of Colorado, and the CITY OF NORTHGLENN, a home-rule municipal corporation and political subdivision of the State of Colorado, and the CITY OF THORNTON, a home-rule municipal corporation and political subdivision of the State of Colorado (singularly and/or collectively, “Party/Parties”).

RECITALS

WHEREAS, the Rocky Flats Stewardship Council (“Stewardship Council”) was established by intergovernmental agreement (“IGA”) effective February 13, 2006, as modified by First Amendment dated February 6, 2012 (collectively, the “IGA”), by and among Boulder County, Jefferson County, the City of Arvada, the City of Boulder, the City and County of Broomfield, the City of Westminster, the Town of Superior, the City of Golden, the City of Northglenn, and the City of Thornton, and was created to allow local governments to work together on issues related to the long-term protection of Rocky Flats; and

WHEREAS, the Stewardship Council is currently governed by a Board of Directors made up of public official representatives of ten Colorado local governments with borders which lie adjacent to or near the Rocky Flats site, including Boulder County, Jefferson County, the City of Arvada, the City of Boulder, the City and County of Broomfield, the City of Golden, the City of Northglenn, the City of Thornton, the City of Westminster, and the Town of Superior; and community stakeholder representatives including the League of Women Voters, the Rocky Flats Cold War Museum, and the Rocky Flats Homesteaders; and

WHEREAS, after more than ten years of operations, the Stewardship Council now desires to update and clarify its mission and purposes, to more accurately describe its role and replace technical references to current regulatory standards;

WHEREAS, the Stewardship Council, at a meeting held September 11, 2017, approved the proposed revisions to the IGA; and

WHEREAS, any modification to the IGA requires a written amendment, executed by all Parties to be valid and binding; and

WHEREAS, the Constitution and the laws of the State of Colorado permit and encourage local governmental entities to cooperate with each other to make the most efficient and effective use of their powers and responsibilities; and

WHEREAS, the execution of this Second Amendment to IGA by the existing Parties to the IGA implements Colo. Const. Art. XIV, Sec. 18(2), and part 2 of article 1, title 29, C.R.S., and is in the best interest of the Parties, the region and the people of the State of Colorado;

THEREFORE, the Parties to this Second Amendment to IGA hereby covenant and agree as follows:

COVENANTS AND AGREEMENTS

1. Definitions. The following term as provided under the heading “Definitions” in the IGA shall be amended as follows:

“Rocky Flats” means the entire former Rocky Flats nuclear weapons site, a federal facility currently under the jurisdiction of both the United States Department of Energy (DOE) and United States Department of the Interior (DOI), located primarily in Jefferson County, Colorado, inclusive of the entire Rocky Flats National Wildlife Refuge. (*See* map, shown as “Attachment 1.”)

2. Mission Statement. Paragraph 2 of the IGA, regarding the Stewardship Council’s Mission Statement, is hereby amended in its entirety to read as follows:

Mission Statement. The mission of the Stewardship Council is --

- a. To provide continuing local engagement on activities occurring at the Rocky Flats site regarding long-term stewardship of residual contamination and refuge management;
- b. To provide a forum to track issues related to former site employees, including but not limited to long-term health benefits and pension programs;
- c. To provide an ongoing mechanism to help maintain public knowledge of Rocky Flats and the ongoing needs and responsibilities regarding contaminant management and refuge management; and

- d. To provide an ongoing forum to engage on all other issues pertinent to Rocky Flats, as determined by the Stewardship Council Board of Directors.

3. Purposes. Paragraph 3 of the IGA, regarding the Stewardship Council's Purposes, is hereby amended in its entirety to read as follows:

Purposes. Specifically, the purposes of the Stewardship Council are:

- a. To provide a forum for elected officials and community members to discuss with federal, state, and local elected officials and agencies issues related to the long-term stewardship and management of the Rocky Flats site.
- b. To provide a forum for elected officials and community members to be briefed on the results of the operational and performance monitoring data of site operations.
- c. To provide a mechanism for keeping elected officials and community members informed of the results of the monitoring data.
- d. To provide a mechanism for educating elected officials and community members about the residual hazards and the continued need for a comprehensive site-wide stewardship program.
- e. To provide a forum for USFWS staff to work with elected officials and community members on issues related to the management of resources under that agency's jurisdiction.
- f. To serve as the designated LSO, pursuant to Section 3120 of the 2005 National Defense Authorization Act, Public Law 108-375.
- g. To serve as a participating agency under the National Environmental Policy Act (NEPA) for preparation of environmental impact assessments, to serve as a participating agency under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 120(f), and to assist the Parties as provided in the Rocky Flats Legacy Management Agreement.
- h. To provide a forum for all other issues pertinent to Rocky Flats.

4. Prior Provisions Effective. Except as specifically amended hereby, all the terms and provisions of the IGA shall remain in full force and effect.

5. Counterpart Execution. This Second Amendment to IGA may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment to IGA effective as of the date first written above.

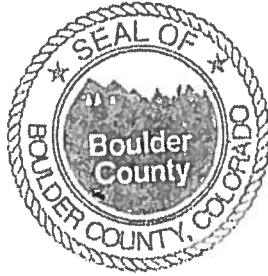
COUNTY OF BOULDER

Date: 12/19/17

Deb Gardner
By: Deb Gardner

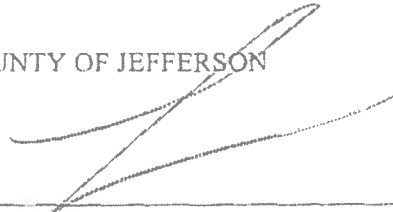
ATTEST:

Cecilia J. Lacey



COUNTY OF JEFFERSON

Date: 1-9-18


By: Libby Szabo, Chairman
Board of County Commissioners

ATTEST:





CITY OF ARVADA

Date: 12/18/17

[Handwritten Signature]

By: Marc Williams, Mayor

ATTEST:

Austen R. Rush
City Clerk

APPROVED AS TO FORM:

Christopher K. Daly, City Attorney

By: *[Handwritten Signature]*



CITY OF BOULDER

Date: 12.18.17

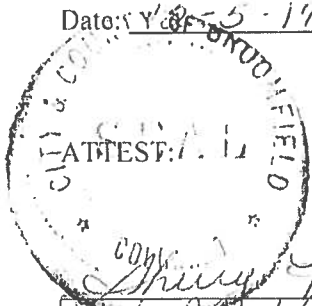

By: SUZANNE JONES, MAYOR

ATTEST:



CITY AND COUNTY OF BROOMFIELD

Date: 7-5-17

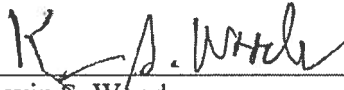


Shirley Kule
Deputy City & County Clerk

[Signature]
By: Randal E. Alvares

CITY OF THORNTON, COLORADO
a home-rule municipal corporation

Date: 12/7/17



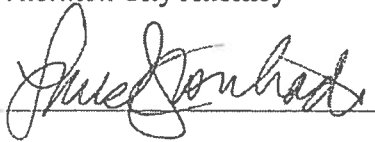
Kevin S. Woods
City Manager

ATTEST:



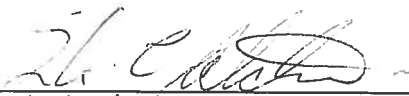
Kristen N. Rosenbaum, City Clerk

APPROVED AS TO FORM:
Luis A. Corchado
Thornton City Attorney

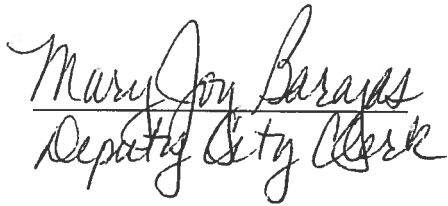


CITY OF WESTMINSTER

Date: 2/8/18


By: Herb Atchison, Mayor

ATTEST:



Deputy City Clerk

TOWN OF SUPERIOR

Date: January 8, 2018

Clint Folsom
By: Clint Folsom
Mayor

ATTEST:

Phyllis L. Hardin
Town Clerk
The seal is circular with a double-line border. The outer ring contains the text "TOWN OF SUPERIOR" at the top and "COLORADO" at the bottom, separated by two stars. The center of the seal contains the word "SEAL" in large, bold, capital letters.

CITY OF GOLDEN

Date: Dec. 14, 2017

Maryone N. Sloan
By: Maryone N. Sloan, Mayor

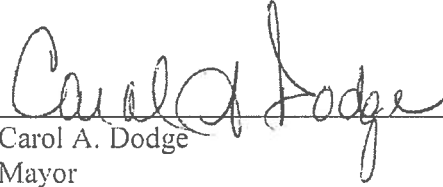
ATTEST:

Susan M. Brook



CITY OF NORTHGLENN

Date: January 8, 2018

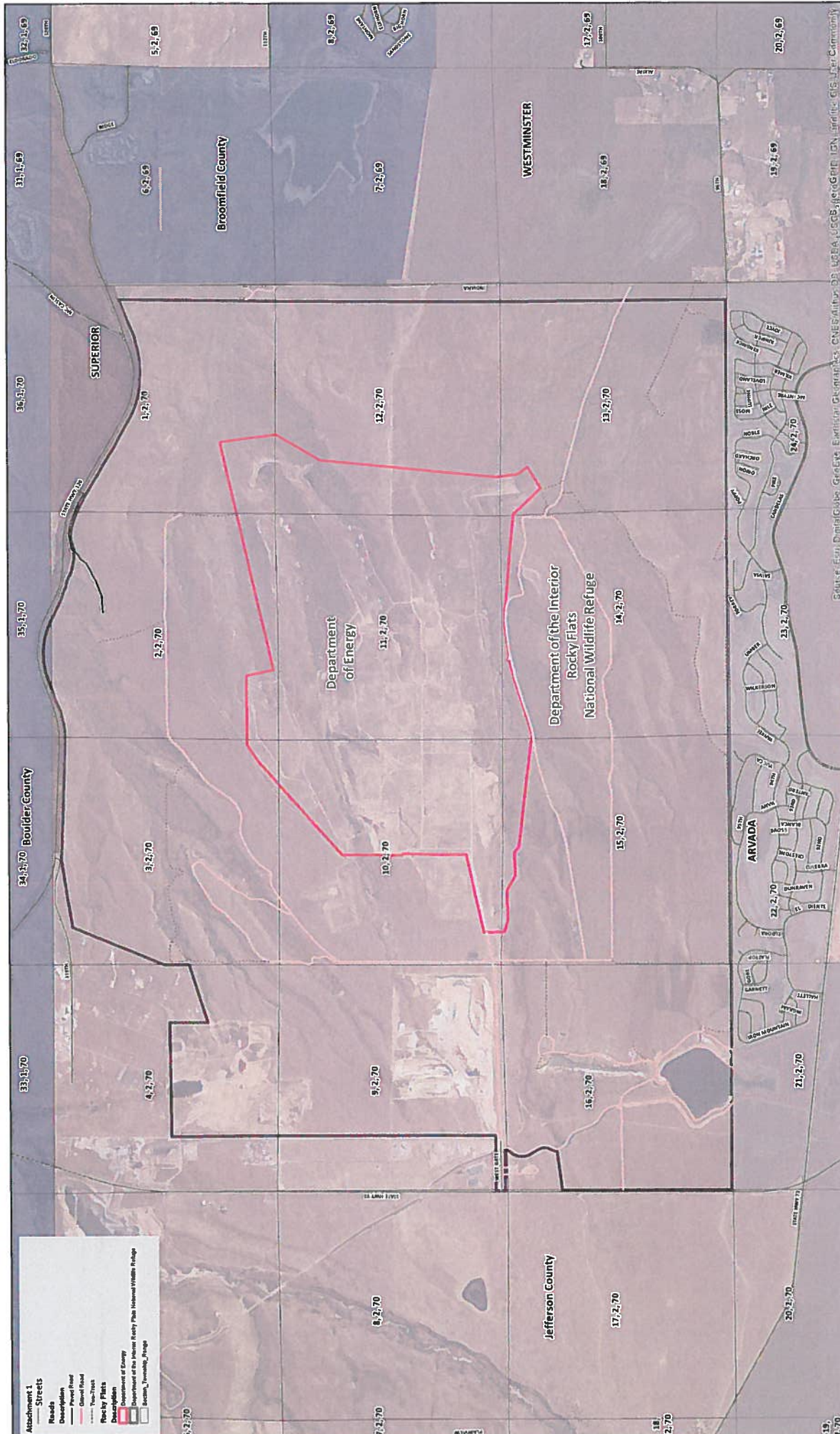


Carol A. Dodge
Mayor

ATTEST:



Johanna Small, CMC
City Clerk



- Attachment 1**
- Streets
 - Roads
 - Boundaries
 - Permit Footprint
 - Ground Road
 - Yield-Right
 - Rocky Flats
 - Department of Energy
 - Department of the Interior Rocky Flats National Wildlife Refuge
 - Section, Township, Range

Shelburne Geographic System
 Datum: NAD83
 Created: Oct 24, 2017

Jefferson County Planning & Zoning
 100 Jefferson County Parkway
 Golden, CO 80419
 303.271.8700

Jefferson County Planning & Zoning
 100 Jefferson County Parkway
 Golden, CO 80419
 303.271.8700

Scale: 1:10000
 Date: 10/24/2017



ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 600-7773 (f)

Jefferson County ~ Boulder County ~ City and County of Broomfield ~ City of Arvada ~ City of Boulder
City of Golden ~ City of Northglenn ~ City of Thornton ~ City of Westminster ~ Town of Superior
League of Women Voters ~ Rocky Flats Cold War Museum ~ Rocky Flats Homesteaders
Kim Griffiths

BYLAWS OF THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL

*Approved March 6, 2006
Amended November 5, 2007
Amended February 5, 2018*

PREAMBLE

The object of the Rocky Flats Stewardship Council (the “Stewardship Council”) shall be to carry out its purposes as described in and pursuant to the Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (the “IGA”) and amendments thereto.

ARTICLE I.

Offices

Principal Office. The principal office of the Stewardship Council shall be located within the boundaries of any Party to the IGA and amendments thereto, as designated by the Board of Directors. The Stewardship Council may have other offices and places of business at such places within the State of Colorado as shall be determined by the Board.

ARTICLE II.

Board of Directors

A. **Number, Qualifications and Term of Office.** The business and affairs of the Stewardship Council shall be managed by a Board of Directors not to exceed fourteen (14) members, not including non-voting members. When used herein, the term "Director" shall include that Director's alternate director, as provided in the IGA, unless the context requires otherwise. Each Director shall be appointed pursuant to the provisions of the IGA for a term of one year, from February 1 to the succeeding last day of January; provided, however, that the initial Directors shall be appointed as of the effective date of the IGA and serve until the last day of January, 2007. There shall be no limitation on the number of terms to which a Director may be appointed.

B. **Performance of Duties.** A Director shall perform his/her duties as a Director, including his/her duties as a member of any committee of the Board upon which he/she may serve, in good faith, in a manner he/she believes to be in the best interests of the Stewardship Council. An alternate Director shall serve in the absence of the Director for which he/she is an alternate.

C. **Vacancies.** Any Director may resign at any time by giving written notice to the chair of the Board of Directors. Such resignation shall take effect at the time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. In the case where the Director is an elected official, a Director's office shall be deemed to be vacant upon the failure of any Director to be re-elected to public office

of the Director's designating Party. A vacancy will occur if a Director dies during his or her term of office. Any vacancy occurring on the Board of Directors shall be filled as provided in the IGA.

D. Expenses. By resolution of the Board of Directors, any Director may be paid his/her direct expenses, if any, of attendance at meetings or other Stewardship Council business.

E. Conflict of Interest. No Director (including alternate Directors who are elected public officials) may enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter. An alternate Director who is not an elected official may not enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter.

F. Non-Voting Members of the Board. At its discretion, the Board may appoint ex-officio members to the Board from federal and state agencies, including the U.S. Department of Energy, the Environmental Protection Agency, the Colorado Department of Public Health and Environment, and/or the U.S. Fish and Wildlife Service. Ex-officio members shall not be a Party to the IGA but shall have the ability to designate a non-voting representative to the Board of Directors. At its discretion, the Board may also appoint former elected officials who previously served on the Stewardship Council Board of Directors. These non-voting member appointments shall be reviewed annually, and may be renewed for additional one-year terms by an affirmative vote of the Board.

G. Removal of Directors. Any Director may be removed from the Board by a vote of the Board of Directors with or without cause whenever in its judgment the best interests of the Stewardship Council will be served by such removal. A Director who is absent for three

consecutive regular meetings of the Board of Directors and whose absence is deemed unexcused by the Board of Directors shall automatically be removed from the office of Director.

ARTICLE III.

Officers of the Board

A. General. The Chair, Vice Chair, and Secretary/Treasurer shall be elected annually by the Board of Directors. The terms shall commence at the first meeting of the Board held on or after February 1 of each year. There shall be no limitation on the number of terms for which a person may serve as an officer, except as provided in Article III.G. herein.

An officer shall hold office until he/she is no longer qualified to serve or his/her successor is chosen, until his/her death, or until he/she shall resign. All officers of the Stewardship Council shall be Directors of the Stewardship Council; provided, however, that an alternate Director shall not assume any office held by the Director for whom the alternate Director is substituting.

B. General Duties. All officers and agents of the Stewardship Council, as between him or her and the Stewardship Council, shall have such authority and shall perform such duties as may be provided in these Bylaws or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws.

C. Vacancies. When a vacancy in one of the Board offices occurs due to any of the reasons listed in paragraph III.A., it shall be filled by a resolution of the Board of Directors at the following meeting of the Board at which a quorum is present.

D. Chair of the Board. The Chair of the Board shall preside as chair at meetings of the Board of Directors. He/she shall, in addition, execute resolutions and documents, represent the Board and Stewardship Council at public functions and perform such other duties as the Board may prescribe.

E. Vice-Chair. The Vice-Chair shall fulfill the responsibilities of the Chair when the Chair is unavailable to do so.

F. Secretary/Treasurer. The Secretary/Treasurer shall perform both the duties of a secretary and of a treasurer, as follows:

- The Secretary/Treasurer shall keep or cause to be kept, in books provided for that purpose, the minutes of the meetings of the Board. The Secretary/Treasurer may have one or more assistant secretaries, which need not be Directors and which shall be appointed by the Board.

- The Secretary/Treasurer shall have oversight of Stewardship Council funds and assets. He/she shall review accounts of receipts, disbursements and deposits of all Stewardship Council monies and other valuable effects in the name and to the credit of the Stewardship Council and report to the Board of Directors upon request. The Secretary/Treasurer or his/her designee shall provide a detailed quarterly financial statement to the Board. The financial statement shall include all revenue, revenue sources, expenditures and balances, and include quarterly and year-to-date figures.

G. Delegation of Duties. Except for the Chair, whenever an officer is unable to perform the duties of his/her office for any reason, the Board may delegate the powers and duties of an officer to any other officers or to any qualified Director or Directors.

ARTICLE IV.

Stewardship Council Staff

At its discretion, the Board may hire an Executive Director who shall serve at the pleasure of and report directly to the Board of Directors of the Stewardship Council, and who shall be responsible for implementing the Board's policies, and for the overall management of all activities of the Stewardship Council.

ARTICLE V.

Meetings of the Board

A. Place of Meetings. The regular or special meetings of the Board of Directors or any committee designated by the Board shall be held at the principal office of the Stewardship Council or at any other place within or without the boundaries of the Parties that the Board of Directors, any such committee, or Stewardship Council staff, as the case may be, may designate from time to time.

B. Regular Meetings. The Board of Directors shall meet quarterly, or as otherwise determined by a quorum of the Board of Directors, for the purpose of transacting such business as may come before the Board.

C. Special Meetings. Special meetings of the Board of Directors may be called by any three members of the Board of Directors, and held at any time.

D. Notice of Meetings. Notice of the regular or special meetings of the Board of Directors or any committee designated for such notice by the Board shall be as follows:

(1) **Regular Meetings.** The time, date and place of regular meetings shall be set by the Board and notice thereof shall be provided (a) to the city/county/town clerk of all Stewardship Council Parties for posting in a public place, with at least seven (7) days

advance notice of the meeting time, place and date, (b) to the Directors and alternate Directors, with at least seven (7) days advance notice of the meeting time, place and date, and (c) to those members of the public who so request.

(2) Special Meetings. Written notice of each special meeting of the Board of Directors setting forth the time and the place of the meeting shall be given as follows: (a) by telefax or electronic mail to each Director not less than 72 hours prior to the time fixed for the meeting; provided, however, that in the instance of any Director who in writing requests that such notice not be given by telefax or electronic mail, the notice shall be by hand delivery to an address within the boundaries of the Parties designated in writing; (b) to the clerk of each Stewardship Council Party for posting in a public place, not less than 72 hours prior to the time fixed for the meeting; and (c) to those members of the public who so request.

(3) Emergency Special Meetings. When necessary, an emergency special meeting may be called with notice given in the same manner as provided for special meetings, except that notice may be given not less than 24 hours prior to the time fixed for the meeting, in accordance with the Colorado Open Meetings Act.

Unless notice is required herein to be given by telefax or delivery, all notices of meetings may be given either by sending a copy of the notice through the United States mail, or by telegram, telex, telefax or electronic transmission (unless a Director requests in writing that such notice not be given by electronic mail), any charges prepaid, to the work or home address of each Director and alternate Director and to the designated addresses of Stewardship Council participants, and the

public who so request appearing on the books of the Stewardship Council. If mailed, such notice shall be deemed to be delivered 72 hours after deposit in the United States mail so addressed, weekends and holidays excluded. If notice be given by telegram, telex, telefax or electronic mail, such notice shall be deemed to be delivered when the telegram, telex, telefax or electronic mail is transmitted.

The general nature of the business proposed to be transacted at, or the purpose of, any meeting of the Board of Directors shall be specified in the notices of such meeting where possible. The Board of Directors' ability to act on matters brought before it at a special meeting is restricted to those items specified in the notice.

E. Voting.

1. Quorum. At meetings of the Board of Directors, eleven (11) of the appointed Directors (or their alternate if a Director is not present) shall be necessary to constitute a quorum for the transaction of business. If a quorum is present, an affirmative vote of at least eleven (11) Directors shall be required to be the act of the Board of Directors

2. Consent Agenda. Within a meeting agenda, Stewardship Council staff may place on the consent agenda any one or more items which staff believes do not give rise to discussion by the Board, and which may be acted upon by singular action and vote of the Board. Any Director may pull from the consent agenda any one or more items which shall then be separately and individually discussed and voted on by the Board.

F. Conduct of Meetings. The Board may adopt such rules of procedure as it deems proper. To the extent any rules adopted by the Board do not specify how an item of business of the Board is to be conducted, Roberts' Rules of Order shall apply.

ARTICLE VI.

Open Records and Open Meetings

A. All accounts and records of the Stewardship Council and its committees shall be open to the public as provided for in the Colorado Open Records Act and any other applicable laws, at all reasonable times under reasonable regulation, except where a specific determination is made by the Stewardship Council that there is a legitimate public purpose achieved by withholding a document concerning legal, personnel, or private proprietary information.

B. All meetings of the Board of Directors of the Stewardship Council and any of its committees are open to the public as provided for in the Colorado Open Meetings Act. Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation or other formal action occurs or at which a quorum of the Board is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public as provided herein. In accordance with Colorado statutes, executive sessions may be held upon the affirmative vote of two-thirds of the quorum present, for the sole purpose of considering any of the following matters: the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest; conferences with legal counsel for the Stewardship Council for the purpose of receiving legal advice on specific legal questions; matters required to be kept confidential by federal or state law or rules and regulations; specialized details of security arrangements or investigations; determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; personnel matters; or consideration of any documents protected by the mandatory nondisclosure provisions of the "Open Records Act". No adoption of

any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session, except for the approval of executive session minutes, as allowable by law.

C. Minutes or similar record shall be kept of all meetings of the Board of Directors of the Stewardship Council.

ARTICLE VII.

Committees

A. **Stewardship Council Committees.** The Stewardship Council is interested in working with the public and will seek the input of the local community and other interested parties. As necessary, and to the extent practicable, the Stewardship Council will seek the input of the local community and other interested parties by establishing *ad hoc* committees and task forces, and by holding public meetings, workshops, special meetings, or other forums of public involvement, from time to time as may be deemed appropriate by the Board. By resolution or motion of the Board, the Stewardship Council may establish such working committees from time to time as it deems appropriate. These committees shall be open to all persons interested in participating with the Stewardship Council. Each committee shall have a chair appointed by the Board of Directors. Committees may consider issues consistent with the Stewardship Council's purposes and make recommendations for actions to the Board of Directors. Any such recommendations, together with any minority reports, shall be made to the Board of Directors. The Board may consider and comment on committee recommendations and formulate its own recommendations for official action by the Board. Any minority report(s) from a committee shall be transmitted simultaneously with such recommendations. The Board of Directors may take such

actions as it deems appropriate, notwithstanding recommendations or lack thereof or the fact of pending deliberations of committees and of the Stewardship Council.

B. Board Committees. The Board may have committees on finance, personnel and such other matters as the Board deems proper for the administration of the Stewardship Council.

ARTICLE VIII.

Fiscal Year

Fiscal Year. The fiscal year of the Stewardship Council shall be January 1 to December 31. Said fiscal year may be changed from time to time by motion or by formal resolution of the Board of Directors in its discretion.

ARTICLE IX.

Amendments

A. General. The Board of Directors may amend, supplement or repeal these Bylaws or adopt new Bylaws, and all such changes shall affect and be binding upon the Stewardship Council. Any amendment, supplement or repeal of these Bylaws or adoption of new Bylaws shall require consideration at two meetings of the Board.

B. Notice of Consideration. Specific notice of each meeting at which consideration of proposed amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall be given in the same manner as notice of special meetings is to be given pursuant to III.D.(2) hereof.

C. **Vote Necessary.** Amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall require approval by eleven (11) Directors of the Board at the second meeting at which the amendment, supplement, repeal or adoption is considered.

ARTICLE X.

Annual Review

On an annual basis, any one or all of the parties to the IGA may request Stewardship Council to submit an annual report which shall generally address Stewardship Council's operations for the previous year; Stewardship Council's proposed plans for the upcoming year; a summary of Stewardship Council's financial status, including revenue projections and operating costs; and any changes or proposed changes in Stewardship Council's policies. Upon request, the Executive Director shall present an oral presentation of the annual report at a designated board or council meeting of the requesting party.

ARTICLE XI.

Miscellaneous

A. **Invalid Provision.** The invalidity or non-enforceability of any particular provision of these Bylaws shall not affect the other provisions herein, and these Bylaws shall be construed in all respects as if such invalid or unenforceable provision was omitted.

B. **Governing Law.** These Bylaws shall be governed by and construed in accordance with the constitution and laws of the State of Colorado and the IGA, as amended from time to time. To the extent there are inconsistencies between the IGA and any amendments thereto and these Bylaws and any amendments thereto, the IGA and amendments thereto shall control.

C. **Debt.** The incurrence of any revenue-based or other non-general obligation debt shall be subject to the prior approval of the governing body of each Party.

D. **Members' Terms.** Members' terms shall be limited to two years at which time such Members must reapply for membership to the Stewardship Council, except as stated herein. In preparation for staggering terms, starting at the February 2018 meeting, two of the Member terms shall be for two years, and the remaining Member terms being for one year. Thereafter, commencing February 2019, all Member terms shall be for two years.

E. **Selection Process for Members.** At least two months prior to the expiration of the Members' terms, the Stewardship Council shall publish a Notice advertising the Stewardship Council's solicitation of Member Applications. In addition to any other means selected by the Stewardship Council, notice shall be provided by a one-time publication in a newspaper of general circulation, and posted on the Stewardship Council website. Any entity or person who desires to become a Member of the Rocky Flats Stewardship Council shall submit a Membership Application on the form provided by the Stewardship Council. The Executive Director shall forward all completed Membership Applications to the Board for review. The Director representatives for the Permanent and Rotating Parties shall interview representatives of the prospective Members, at a public meeting as determined by the Board. Following completion of the interviews, at a Stewardship Council Board meeting the Director representatives for the Permanent and Rotating Parties shall nominate and vote to appoint up to four (4) Members from the Membership Applications. The procedures for voting shall be pursuant to a process identified by the Board in advance.

ACRONYMS

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

| Acronym or Term | Means | Definition |
|-----------------|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alpha radiation | | A type of radiation that is not very penetrating and can be blocked by materials such as human skin or paper or one inch of air. Alpha radiation presents its greatest risk when it is inhaled or ingested. Plutonium, the radioactive material of greatest concern at Rocky Flats, produces this type of radiation. |
| Am | americium | A man-made radioactive element that is a byproduct of plutonium (Pu) production. Am emits gamma radiation, which can penetrate many types of protective shielding. During the production era at Rocky Flats, Am was chemically separated from Pu to reduce personnel exposures. |
| AME | Actinide Migration Evaluation | An exhaustive, years-long study by independent researchers who studied how actinides such as plutonium, americium, and uranium move through the soil and water at Rocky Flats. |
| AMP | Adaptive Management Plan | Additional water quality sampling and analysis that DOE is conducting, beyond the normal environmental assessments, to inform decisions regarding future breaches of remaining dams. |
| AOC well | Area of Concern well | A particular type of groundwater well. |
| B | boron | An inorganic compound that has been found in some surface water and groundwater samples at Rocky Flats. |
| Be | beryllium | A very strong and lightweight metal that was used at Rocky Flats in the manufacture of nuclear weapons. Exposure to beryllium is now known to cause respiratory disease in those persons sensitive to it. |
| Beta radiation | | A type of radiation that is more penetrating than alpha (but less penetrating than gamma). Beta particles can be stopped after traveling through 10 feet of air or a thin layer of glass or metal. Some forms of uranium emit beta radiation. |
| BMP | Best Management Practices | A term used to describe actions taken by DOE that are not required by regulation but warrant action. |
| BZ | Buffer Zone | The portion of the Rocky Flats site that was added during production to provide a "buffer" between the neighboring communities and the industrial portion of Rocky Flats. The buffer zone covered approximately 6,100 acres. Most of the buffer zone lands now make up the Rocky Flats National Wildlife Refuge. |
| CAD/ROD | Corrective Action Decision/Record of Decision | The complete final plan for cleanup and closure for Rocky Flats. The Federal/State laws that governed the cleanup at Rocky Flats required a document of this sort. |
| CCP | Comprehensive Conservation Plan | The refuge plan adopted by the U.S. Fish and Wildlife Service in 2007. |
| CDPHE | Colorado Department of Public Health and Environment | The state agency that regulates Rocky Flats. |

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

| Acronym or Term | Means | Definition |
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| CERCLA | Comprehensive Environmental Response, Compensation and Liability Act | Federal legislation that governs the Rocky Flats cleanup. Also known as the Superfund Act. |
| cfs | cubic feet per second | A volumetric measure of water flow. |
| COC | Contaminant of Concern | A hazardous or radioactive substance that is present at Rocky Flats. |
| COU | Central Operable Unit | A CERCLA term used to describe the DOE-retained lands (about 1,300 acres) at Rocky Flats. The COU overlays the former Industrial Area (where manufacturing activities took place) and contains all engineered elements of the remedy (two landfills and four groundwater treatment systems) and areas of residual subsurface contamination. |
| CR | Contact Record | A regulatory procedure where CDPHE reviews a proposed action by DOE and either approves the proposal as is or requires changes to the proposal before approval. CRs apply to a wide range of activities performed by DOE. After approval, the CR is posted on the DOE-Legacy Management (LM) website and the public is notified via email. |
| Cr | chromium | Potentially toxic metal used at Rocky Flats. |
| CRA | Comprehensive Risk Assessment | A series of analyses that assess human health risks and risks to the environment (flora and fauna). |
| D&D | decontamination and decommissioning | The process of cleaning up and tearing down buildings and other structures. |
| DG | Discharge Gallery | The location where the treated effluent of the Solar Ponds Plume Treatment System (defined below) empties into North Walnut Creek. |
| DOE | U.S. Department of Energy | The federal agency that manages portions of Rocky Flats. The site office is the Office of Legacy Management (LM). |
| EA | Environmental Assessment | A study required by NEPA (defined below) when a federal agency proposes an action that could impact the environment. The agency is responsible for conducting the analysis to determine what, if any, impacts to the environment might occur due to a proposed action. |
| EIS | Environmental Impact Statement | An evaluation that is undertaken by a government agency when it is determined, via the EA, that a proposed action by the agency may have significant impacts to the environment. |
| EPA | U.S. Environmental Protection Agency | The federal agency that regulates Rocky Flats activities. |
| EEOICPA | Energy Employees Occupational Illness Compensation Program Act | An act passed by Congress in 2000 to compensate sick nuclear weapons workers and certain survivors. |

| Acronym or Term | Means | Definition |
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| ETPTS | East Trenches Plume Treatment System | The treatment system near the location of the East Waste Disposal Trenches. This system treats groundwater emanating from the trenches that is contaminated with organic solvents, as well as groundwater routed from the Mound Plume Site Collection System. Treated effluent flows into South Walnut Creek. |
| FC | functional channel | Man-made stream channels constructed during cleanup to help direct water flow. |
| FACA | Federal Advisory Committee Act | The federal law that regulates federal advisory boards. The law requires balanced membership and open meetings with published Federal Register meeting dates. |
| Gamma Radiation | | The most penetrating type of radiation at Rocky Flats. Thick, dense shielding is necessary to protect against gamma rays. Americium (Am) is a strong gamma emitter. |
| GAO | Government Accountability Office | Congressional investigative office that reports to Congress. |
| g | gram | A metric unit of mass. |
| gpm | gallons per minute | A volumetric measure of water flow. |
| GWIS | Groundwater Intercept System | A below-ground system that directs contaminated groundwater toward the Solar Ponds Plume and East Trenches Plume Treatment Systems. |
| IA | Industrial Area | The central core of Rocky Flats where all manufacturing activities took place. The IA covered 385 of Rocky Flats's 6,500 acres. |
| IC | Institutional Control | Administrative and legal controls employed to protect the integrity of the remedies in place and minimize the potential for human exposure to residual contamination. |
| IGA | intergovernmental agreement | A cooperative agreement between local governments that establishes the framework of the Stewardship Council. |
| IHSS | Individual Hazardous Substance Site | A name given during cleanup to a discrete area of known or suspected contamination. There were formerly over two hundred IHSSs at Rocky Flats. |
| ITPH | interceptor trench pump house | The location where contaminated groundwater collected by the interceptor trench is pumped to either the Solar Ponds Plume Treatment System or the East Trenches Plume Treatment System. |
| L | liter | Metric measure of volume (slightly larger than a quart). |
| LANL | Los Alamos National Laboratory | One of the US government's premier research institutions located near Santa Fe, NM. LANL is continuing to conduct highly specialized water analysis for Rocky Flats. Using sophisticated techniques, LANL is able to determine the percentages of both naturally occurring and man-made uranium, which helps to inform water quality decisions. |
| LHSU | lower hydrostratigraphic unit | Hydrogeological term for deep unweathered bedrock that is hydraulically isolated from the upper hydrostratigraphic unit (see UHSU). Data show that site COCs have not contaminated the LHSU. |

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

| Acronym or Term | Means | Definition |
|-----------------|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LM | Legacy Management | DOE office responsible for overseeing activities at closed sites. |
| LMPIP | Legacy Management Public Involvement Plan | A plan that follows DOE and EPA guidance on public participation and outlines the methods of public involvement and communication used to inform the public of site conditions and activities. It was previously known as the Post-Closure Public Involvement Plan (PCPIP). |
| O&M/OM&M | Operations, monitoring, and maintenance | Term that describes ongoing activities at Rocky Flats. |
| MOU | Memorandum of Understanding | The formal agreement between EPA and CDPHE specifying that CDPHE is the lead post-closure regulatory agency with EPA providing assistance when needed. |
| MSPCS | Mound Site Plume Collection System | The system that collects groundwater and routes it to the ETPTS for treatment. |
| MSPTS | Mound Site Plume Treatment System | The remediation system formerly in place (reconfigured in 2016) to treat groundwater contaminated with organic solvents emanating from the Mound Site (a portion of Rocky Flats where waste barrels were buried). |
| NEPA | National Environmental Policy Act | Federal legislation that requires the federal government to perform analyses of environmental consequences of major projects or activities. |
| nitrates | | Contaminant of concern originating from Solar Ponds wastes. Nitrates have been detected in the North Walnut Creek drainage. Nitrates are very soluble in water and move readily through the aquatic environment. |
| Np | neptunium | A man-made radioactive isotope that is a by-product of nuclear reactors and plutonium production. |
| NPL | National Priorities List | A list of Superfund sites. The refuge lands were de-listed from the NPL, while the DOE-retained lands are still on the NPL because of residual groundwater contamination and associated remediation activities. |
| NWCS | North Walnut Creek Slump | Slumping observed on the hillside east of the Solar Ponds Plume Treatment System. |
| OLF | Original Landfill | Hillside dumping area of about 20 acres that was used from 1951 to 1968. The OLF underwent remediation with the addition of a soil cap and groundwater monitoring locations. |
| OU | Operable Unit | A distinct area within a cleanup site. These areas may address geographic areas, specific problems, or medium (e.g., groundwater, soil) where a specific action is required. |
| PCE | perchloroethylene (a.k.a. tetrachloroethylene) | A volatile organic solvent used in past operations at Rocky Flats. |
| pCi/g | picocuries per gram | A unit of radioactivity in soil. |
| pCi/L | picocuries per liter | A unit of radioactivity in water. CDPHE's regulatory limit for Pu and Am in surface water at Rocky Flats is 0.15 pCi/L. This standard is 100 times stricter than the EPA's drinking water standard. |

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

| Acronym or Term | Means | Definition |
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| PLF | Present Landfill | Landfill constructed in 1968 to replace the OLF. During site remediation, the PLF was closed under RCRA regulations with an extensive cap and monitoring system. |
| PMJM | Preble's Meadow Jumping Mouse | A species of mouse found along the Front Range that is on the endangered species list. There are several areas in the Refuge and COU that provide adequate habitat for the mouse, usually found in drainages. Any operations that are planned in potential mouse habitat are strictly controlled. |
| POC | Point of Compliance (surface water) | A surface water monitoring location at Rocky Flats where contaminant concentrations must be in compliance with federal and state standards for hazardous constituents. Violations of water quality standards at the points of compliance could result in DOE receiving financial penalties. |
| POE | Point of Evaluation (surface water) | A surface water monitoring location at Rocky Flats where water quality is monitored. There are no financial penalties associated with water quality exceedances at these locations, but DOE may be required to develop a plan of action to improve the water quality. |
| POU | Peripheral Operable Unit | A CERCLA term used to describe the 4,800-acre area surrounding the Central Operable Unit. |
| Pu | plutonium | A metallic substance that was fabricated to form the core, or "trigger", of a nuclear weapon. Formation of these triggers was the primary production mission of the Rocky Flats site. There are different forms of plutonium, called isotopes. Each isotope is known by a different number, such as plutonium 239 (Pu-239) and plutonium 241 (Pu-241). Pu-239 is the primary radioactive COC at Rocky Flats. |
| RCRA | Resource Conservation and Recovery Act | Federal law regulating hazardous waste. In Colorado, EPA delegates to CDPHE the authority to regulate hazardous wastes. |
| RFCA | Rocky Flats Cleanup Agreement | The regulatory agreement that governed cleanup activities. DOE, EPA, and CDPHE were signatories. |
| RFCAB | Rocky Flats Citizen Advisory Board | The group formed as part of DOE's site-specific advisory board network. The RFCAB provided community feedback to DOE on a wide variety of Rocky Flats issues from 1993 through regulatory closure in 2006. |
| RFCLOG | Rocky Flats Coalition of Local Governments | The predecessor organization of the Rocky Flats Stewardship Council. |
| RFETS | Rocky Flats Environmental Technology Site | The moniker for Rocky Flats during cleanup years. |
| RFLMA | Rocky Flats Legacy Management Agreement | The post-cleanup regulatory agreement between DOE, CDPHE, and EPA that governs site activities. The CDPHE has the lead regulatory role, with support from EPA as required. |
| RFNWR | Rocky Flats National Wildlife Refuge | The 4,000 acres of Rocky Flats where unrestricted use is allowed. This land is now a wildlife refuge. |

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

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|-----------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RFSOG | Rocky Flats Site Operations Guide | The nuts-and-bolt guide for post-closure site activities performed by DOE and its contractors. |
| RSAL | Radionuclide Soil Action Level | Concentration of radionuclide in soil above which remedial action should be considered so that people are not exposure to radiation doses above permitted levels. |
| SEP | Solar Evaporation Ponds | An area of Rocky Flats used in the 1950s to hold excess wastewater generated during manufacturing operations. Wastewater that could not be treated in the onsite treatment plant was sent to open-air holding ponds where solar energy was utilized to evaporate and concentrate the waste. The original SEPs were unlined, and substantial quantities of uranium and nitrates made their way into groundwater. As a result, the Solar Ponds Plume Treatment System was constructed to treat contaminated groundwater before it emerged as surface water in North Walnut Creek. |
| SID | South Interceptor Ditch | A water feature designed to intercept runoff from the southern portion of the COU. The SID flows from west to east into Pond C-2. Woman Creek water does not enter Pond C-2, but is diverted around Pond C-2 through the Woman Creek Diversion Canal. |
| SPPTS | Solar Ponds Plume Treatment System | Engineered system designed to treat groundwater contaminated with uranium and nitrates. The nitrates originate from the former solar evaporation ponds, which had high levels of nitric acid. The uranium is primarily naturally occurring. Effluent from the SPPTS flows into North Walnut Creek. |
| SVOCs | semi-volatile organic compounds | Organic compounds that are not as volatile as solvent-related VOCs. SVOCs are found in many environmental media at Rocky Flats. They are found in materials like oil, coal, asphalt, and tar. |
| TCE | trichloroethylene | A volatile organic compound used as a solvent in past site operations. TCE is also a degradation product of PCE. |
| U | uranium | Naturally occurring radioactive element. There were two primary isotopes of U used during production activities. The first was enriched U, which contained a very high percentage (>90%) of U-235 and was used in nuclear weapons. The second isotope was U-238, also known as depleted uranium. U-238 has low levels of radioactivity. |
| ug/L or µg/L | micrograms per liter | A unit of contaminant concentration in water. |
| UHSU | upper hydrostratigraphic unit | A hydrogeological term describing the surficial materials and weathered bedrock found at Rocky Flats. The UHSU is hydraulically isolated from the lower hydrostratigraphic unit (see LHSU). Groundwater in some UHSU areas of Rocky Flats is contaminated with site-related COCs, while groundwater in other UHSU areas is not impacted. All groundwater in the UHSU emerges to surface water before it leaves Rocky Flats. |

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

| Acronym or Term | Means | Definition |
|------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| USFWS | United States Fish & Wildlife Service | The agency within the US Department of the Interior that is responsible for maintaining the nation-wide system of wildlife refuges, among other duties. The regional office is responsible for the RFNWR. |
| UUUE | unlimited use and unrestricted exposure | A regulatory term used to describe residual risk remaining after a site has been remediated. In 2007, the Peripheral Operable Unit (POU) was found to be suitable for unlimited use and unrestricted exposure (based on risk calculations). EPA removed the POU (now largely the Rocky Flats National Wildlife Refuge) from the EPA's National Priorities List of CERCLA or "Superfund" sites. |
| VOC | volatile organic compound | These compounds include cleaning solvents that were used in the manufacturing operations at Rocky Flats. The VOCs used at Rocky Flats include carbon tetrachloride (often called carbon tet), trichloroethene (TCE), perchloroethylene (PCE), and methylene chloride. |
| WALPOC | Walnut Creek Point of Compliance | The surface water Point of Compliance on Walnut Creek, at the COU boundary. |
| WCRA (or "the Authority") | Woman Creek Reservoir Authority | The group composed the cities of Westminster, Northglenn, and Thornton. These cities use Standley Lake as part of their drinking water supply network. Surface water from Rocky Flats formerly flowed through Woman Creek to Standley Lake, but the Woman Creek Reservoir was constructed to sever that connection. The Authority has an operations agreement with DOE to manage the Woman Creek Reservoir. |
| WOMPOC | Woman Creek Point of Compliance | The surface water Point of Compliance on Woman Creek, at the COU boundary. |
| WQCC | Water Quality Control Commission | State board within CDPHE tasked with overseeing water quality issues throughout the state. DOE has petitioned the WQCC several times in the last few years regarding water quality issues. |
| WRW | Wildlife Refuge Worker | User scenario on which exposure risks are calculated. |
| ZVI | zero valent iron | A type of fine iron particles formerly used to treat VOCs in the ETPTS and MSPTS. |