

Committed to the environmental and economic well being of our community

Lake Roosevelt Forum

NEWSletter

WINTER 2023

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SPONSORS

- Bureau of Indian Affairs
- Bureau of Reclamation
- Colville Confederated Tribes
- Ferry County
- Lincoln County
- National Park Service
- Spokane Tribe of Indians
- Stevens County
- Teck American
- Upper Columbia United Tribes
- Washington Department of Ecology
- Washington Department of Fish & Wildlife

Forum Seeks Transparency for Northport Area Soil Sampling

In the fall of 2022, the Lake Roosevelt Forum submitted a Freedom of Information Act (FOIA) request to EPA for the soil sampling results of 218 residential properties that were tested in 2014 and 2016. These properties are outside the town of Northport but within the Upper Columbia Valley that extends east and west of the Columbia River from the U.S.-Canada border to China Bend (about 40 miles).

“Transparency is the reason” said Forum Executive Director Andy Dunau, “The red-hot real estate market has led to historic buying and selling of properties in the area, and many of the people buying are new to the area. The Forum wants to help potential buyers see the results of soil sampling conducted with federal government oversight.”

“Also,” said Dunau “in 2023 EPA expects to update the national standards for Residential Soil Lead Guidance for Contaminated Sites. As tighter thresholds for triggering cleanup are expected, the need for transparency becomes that much greater.”

EPA, however, withheld identifying each property’s soil sampling data, “... because

the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.” The United States Code cited [5 U.S.C. § 552(b)(6)] bases withholding information on a need to protect “... personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.”



There was nothing in the Forum request that pertained to releasing personnel or medical files. Based on a Supreme Court ruling, however, EPA interprets “similar files” to include all information that applies to a particular individual. In this case, the parcel number or physical address of property sampled.

The Forum’s FOIA request and EPA response is available at <https://bit.ly/3R5BCMq>

STATE LAW REQUIRES DISCLOSURE FOR REAL ESTATE TRANSACTION

In December, the Washington Department of Ecology updated its Dirt Alert “Selling or Buying Land or a Home in the Upper Columbia River Valley?” The Dirt Alert is shared as an insert to this newsletter.

Lake Roosevelt Updates

2022 - 2023 Winter Access at Lake Roosevelt National Recreation Area

Visit <https://bit.ly/3kM6llB> for availability of facilities and services. For instance, winter access for camping is limited to the Kettle Falls, Fort Spokane, and Spring Canyon campgrounds.



Department of Ecology Water Rights Adjudication

Working with Federal partners at the Department of Justice, U.S Bureau of Reclamation and Bureau of Indian Affairs, Ecology is continuing to prepare for adjudication of water rights for Lake Roosevelt and its middle tributaries. The Governor's budget for the 2023-25 biennium includes a request for \$1.5 million to support this effort.



The Colville Confederated Tribes have requested a Federal Negotiating Team to assist with resolution of the paramount rights on Lake Roosevelt. This includes the Spokane and Colville Confederated Tribes, along with the U.S. Bureau of Reclamation. Visit <https://bit.ly/3wuSDpX> to view request.

Grand Coulee Security Response Force Upgrades Project

The Bureau of Reclamation is preparing an environmental assessment for the



— BUREAU OF —
RECLAMATION

Grand Coulee Security Response Force (SRF) Upgrades project. The purpose of the proposed project is to: (1) update existing security components that have reached their expected service life or do not conform with current security requirements; (2) create an integrated, hardened, physical perimeter around security assets and facilities; (3) consolidate security department administrative operations and access control offices; and (4) upgrade and enhance the SRF training facilities.

Reclamation proposes to relocate and install new guard stations, create improved inspection areas, establish additional or improved security cameras and lighting, and replace or install security gates, fences, and intrusion detection systems. Reclamation also proposes construction of new office and training buildings, installation of utilities, and training center access road improvements.

A scoping comment period was open Aug. 15 to Aug. 29, 2022. For more information, visit <https://on.doi.gov/3wuOK4p>

Lake Roosevelt Water Festival Reaches Over 350 students



Water Festival presenter

Since 1999, the Lake Roosevelt Water Festival has rung in the school year for upper elementary students in the Upper Columbia. Taking place at Kettle Falls swim beach and Sherman Creek fish hatchery, the festival went into hibernation in 2020 and 2021 due to COVID.

But the Festival came back strong last September as agency volunteers gave kids the gift of touching and doing to learn about the environment around them.

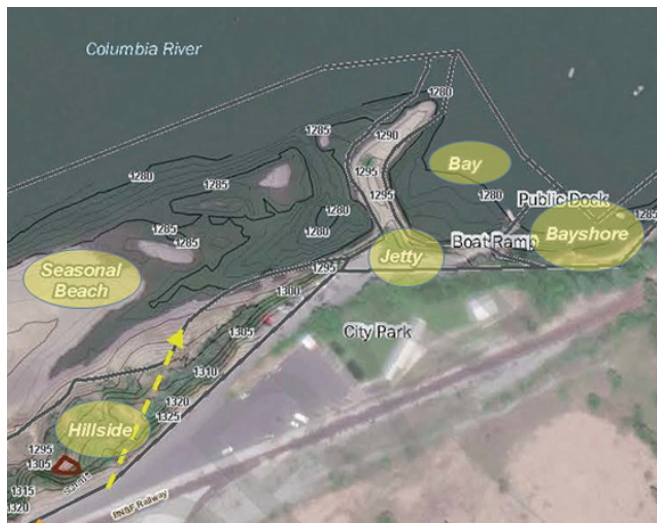
A big thank you to agencies and tribes for making this happen: Colville Confederated Tribes, National Park Service, National Weather Service Spokane, Spokane Tribe of Indians, Washington Department of Fish and Wildlife, U.S. Forest Service. 🌲

Proposed Ecology Northport Waterfront Cleanup Progresses

The Washington Department of Ecology continues to make progress on cleanup of the Northport waterfront area. The site is located on the Columbia River bank and shore next to the Northport City Park and around the boat launch. As described in the Forum's summer 2022 newsletter, elevated levels of arsenic, copper, lead, and zinc that are a risk to human health and the environment were found in soil and sediment. The newsletter also summarized the Cleanup Action Plan (CAP), including public comments.

Ecology expects the Engineering Design for the adopted CAP to be complete and ready for public review in the spring of 2023. If all goes well, site cleanup will begin in the fall of 2023.

For more information, visit <https://bit.ly/3HBkHhK> for more information. 🌐



Proposed Northport waterfront cleanup areas

Additional Soil Cleanup Conducted by EPA in Northport



EPA contractor conducting soil removal and implementing dust control measures, with cultural resource monitor present. Northport WA, 2022.

EPA completed additional soil cleanup at 15 properties in Northport during the summer and fall of 2022. With the consent of property owners, cleanup was conducted at 14 residential properties and a common use area located at the corner of 3rd Street & Columbia Avenue. Cleanup included removing contaminated soil, typically to a depth of approximately 6 to 12 inches below ground surface at yard areas and to a depth of approximately 12 to 24 inches at garden areas, then backfilling with clean gravel and topsoil and restoration.

The cleanup work addresses a threat to people's health from exposure to lead in their soil. This cleanup builds on previous soil cleanup work conducted in and around Northport in 2004, 2015, 2018 and 2020. 🌐



Town of Northport

Forum Seeks Transparency CONTINUED FROM PAGE 1

Said Ecology “Potential buyers have the right to know about possible hazards in their environment, and sellers are required to disclose information about their property.” Specifically, sellers of property must disclose on “Form 17” if the seller knows of any soil contamination, which includes metals and adverse materials defects. Further, Ecology states “A buyer cannot waive the right to Form 17 if the answer to any of the questions in the Environment section are ‘yes’.” The buyer can also ask the seller and realtor if they are aware of any soil testing for metals on or near the property.

EPA not sharing soil sampling data does not relieve property owners from the requirement to disclose potential soil contamination, and potential buyers may still request soil sampling results from the seller when purchasing. New and existing properties owners may also inquire with EPA whether their property has been tested and, if so, may request a copy of the results.

EPA STRATEGY TO REDUCE LEAD EXPOSURES AND DISPARITIES IN U.S. COMMUNITIES

In October 2022, the “EPA Strategy to Reduce Lead Exposures and Disparities in U.S. Communities” was released. The Forum’s Winter 2022 newsletter (<https://bit.ly/3WIG4IA>) reviewed the draft strategy.

A performance milestone of the strategy calls for the following: “By June 30, 2023, evaluate and revise the

Residential Soil Lead Guidance for Contaminated Sites to protect communities by further reducing the potential for exposure to lead in soil.” Revisions to EPA guidance could impact the approaches taken to address contamination on residential properties within the Upper Columbia River site. In addition, EPA also is evaluating updates to Agency cleanup levels for lead-contaminated sites. The outcome from this evaluation could impact the total number of properties within the Upper Columbia River site that may be eligible for soil cleanup in the future.

The Centers for Disease Control (CDC) recently reduced the level of blood lead considered to pose a minimal risk to sensitive human populations such as young children. The CDC’s updated blood lead reference value is now 3.5 µg/dL; this blood lead value assumes a person ingests, or is exposed to, soil that has a lead concentration of approximately 50 parts per million (ppm).

To date, higher lead levels, well above 50 ppm, have been used to trigger Upper Columbia Valley cleanup of contaminated properties through a phased approach. For example, EPA’s latest round of time-critical removal actions completed in 2022 focused on Northport properties with soil lead concentrations above 700 ppm. Properties with soil lead at or above 700 ppm were identified by EPA as posing the greatest potential risk to public health and thus prioritized for this round of cleanup.

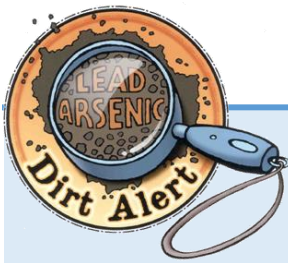
CONTINUED ON BACK COVER

ASSESSING UPPER COLUMBIA VALLEY TARGET BLOOD LEAD LEVELS

| EPA Benchmarks Evaluated | Blood Lead Level | Corresponding mean/average Soil Concentration Benchmark | Comparative Soil Concentration Values | Residential Decisions Units (DUs) <i>sampling exceeding benchmark</i> | Residential Decisions Units (DUs) <i>cleaned up since 2014</i> | Upland ADAs samples exceeded benchmark |
|--------------------------|------------------|---|--|---|---|--|
| LOW | 3 µg/dL | ~50 ppm | 35 ppm EPA interim estimate of the upper end of background soil lead concentrations in the Upper Columbia Valley | 389 of 588 | | 139 of 142 |
| MEDIUM | 5 µg/dL | ~200 ppm | 250 ppm WA State lead cleanup level for soil when action triggered | 87 of 588 | | 68 of 142 |
| HIGH | 8 µg/dL | ~400 ppm | 700 ppm Action level used by EPA for time-critical soil cleanup actions on residential properties sampled in 2014 and 2016 | 40 of 588 Of the 40, 12 DUs currently exceed 400 ppm benchmark after 2015-18 cleanups | 28 DUs on 18 properties | 15 of 142 |

DEFINITIONS:

- µg/dL: micrograms of lead per deciliter of blood
- ppm: parts per million
- DUs: Decision Units, also referred to as exposure areas. DU counts exclude tribal allotments.
- ADAs: Aerial Deposition Areas



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Websites

Seller Disclosure Form 17:

apps.leg.wa.gov/rcw/default.aspx?cite=64.06.020

Dirt Alert Program:

ecology.wa.gov/DirtAlert

Upper Columbia River Cleanup Site Information

Ecology:

apps.ecology.wa.gov/cleanupsearch/site/12125

Find this fact sheet and more!

EPA: epa.gov/columbiariver/upper-columbia-river-remedial-investigation-feasibility-study

Teck: <http://www.ucr-rifs.com/>

Cleanup site ID: 12125

Facility site ID: 17013

Selling or Buying Land or a Home in the Upper Columbia River Valley?

Soil in the upper Columbia River valley of Stevens County, Washington, may contain unnaturally high levels of metals, including lead and arsenic. Concentrations depend on many factors, including land-use history and soil disturbances such as landscaping and grading.

Metal ore smelting during the last century emitted metal particles into the atmosphere and broadly dispersed them across this area. The Teck Metals smelter (Teck), less than 10 miles across the U.S.-Canadian border in Trail, British Columbia, is the main source. Smaller contributions also came from the now-closed and cleaned up Le Roi, or Northport, smelter.

The U.S. Environmental Protection Agency (EPA) is directing a far-reaching metals contamination investigation that includes soil and water in the upper Columbia River valley from the Grand Coulee Dam to the U.S.-Canadian border. Analyses of soil samples show that some soil in this area can be unnaturally high in lead, arsenic, and other metals due to past smelter air emissions, primarily in the area highlighted in Figure 1 (page 3). Soil here may contain levels of metals above concentrations considered safe by health specialists and Washington cleanup standards.

How does this affect me if I am selling?

- **Sellers and realtors must comply with real estate disclosure law.** [Chapter 64.06 Revised Code of Washington](#) (RCW) creates seller disclosure forms with questions about the property being sold. Real estate transactions include a seller disclosure statement, known as Form 17. You can get this form from your real estate agent, or copy the questions from [RCW 64.06.020](#). Form 17 asks if the seller knows of any soil contamination. Soil along the upper Columbia River valley (Figure 1, page 3) may be contaminated with metals. Sellers also are required to disclose “adverse material defects,” which could include soil contamination. The disclosure requirements apply to both improved and unimproved properties, with some exceptions. If you have questions about Form 17, please seek legal advice.
- **EPA-directed soil sampling is ongoing in the upper Columbia River valley** (Figure 1, page 3). You can learn more on [EPA’s website](#) and [Teck’s website](#), or by calling EPA (see left).
- **You may test your soil.** [Ecology’s Dirt Alert website](#) has [guidance](#) about sampling soil for residential and commercial properties. For help understanding sampling procedures or results, you may contact the Washington State Department of Ecology (see left).

Why it matters

Potential buyers have the right to know about possible hazards in their environment, and sellers are required to disclose information about their property.

Health effects

Arsenic and lead in soil does not pose an immediate health risk. High concentrations of lead or arsenic in soil pose a long-term health risk. People are exposed primarily through hand-to-mouth contact with contaminated soil. This includes eating food or mouthing toys with traces of soil or dust, and breathing in dust.

Arsenic can cause a variety of health problems, including heart disease, diabetes, and cancer of the bladder, lung, skin, kidney, liver, and prostate.

In children, who are more sensitive to toxins than adults, lead can cause behavioral problems such as hyperactivity, permanent learning difficulties, and reduced physical growth. In adults, lead can increase blood pressure, affect memory, and contribute to other health problems.

Healthy actions make a big difference

- Wash your hands with soap after contacting dirt.
- Take your shoes off at the door.
- Mop and vacuum once a week.
- Wash children's toys, bedding, and pacifiers frequently.
- Cover bare patches of soil in your yard to reduce contact.
- Wear shoes and gloves when gardening.
- Wash fruits and vegetables before eating them.
- Wipe your pets' paws before they come inside, and brush and bathe them regularly.

How does this affect me if I am *buying*?

- **Check the seller disclosure form.** Unless the buyer expressly waives the right to receive the disclosure statement, the seller must provide Form 17 ([RCW 64.06.020](#)). A buyer cannot waive the right to Form 17 if the answer to any of the questions in the Environment section are "yes." The buyer can ask the seller and realtor if they are aware of any soil testing for metals on or near the property.
- **Ask the seller if you may test the soil.** [Ecology's Dirt Alert website](#) has [guidance](#) about sampling soil for residential and commercial properties. For help understanding sampling procedures or results, you may contact Ecology (page 1).
- **Learn more.** Simple [healthy actions](#) can help your family avoid potential exposure to metals in soil (see left). Visit [Ecology's Dirt Alert website](#), or contact us for more information (page 1).



Above: Gathering a soil sample at a residential property in the upper Columbia River Valley.

Left: Bagging a soil sample for analysis.

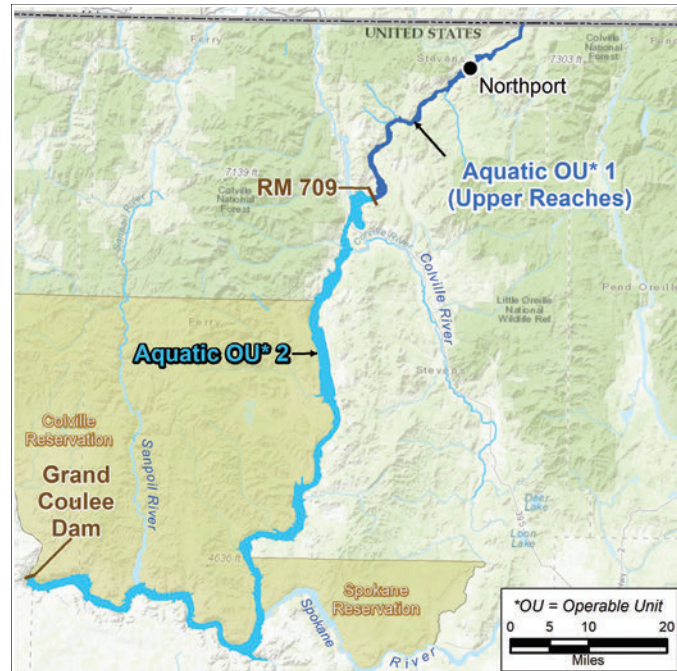
EPA Remedial Investigation Feasibility Study Update

During summer 2022, EPA released an updated, enforceable schedule and process for implementing the Upper Columbia River Remedial Investigation and Feasibility Study (RI/FS). This schedule was developed in association with Teck American Incorporated (TAI).

The RI/FS was initiated in 2006 as part of a Settlement Agreement between TAI and EPA. The remedial investigation will establish the nature, extent, and possible human health and ecological risks associated with contaminants in the Columbia River and Lake Roosevelt between Grand Coulee Dam and the U.S. – Canada Border, as well as contaminants in the uplands along the Columbia River valley. The feasibility study will develop, screen, and evaluate remedial actions to address the risks.

EPA divides the site into three “operable units” for RI/FS purposes. As shown on the map, Operable Unit (OU) 1 consists of the Columbia River from the Canadian Border to approximately Marcus (River Mile 708); OU 2 extends from River Mile 708 to Grand Coulee Dam. OU 3 consists of potentially contaminated uplands along the river valley. A map delineating OU 3 is not currently available.

The human health and ecological risk assessments are essential components of the RI. EPA completed the Human Health Risk Assessment (HHRA) for the overall UCR site in 2021. Potential exposures in each operable unit were considered, and risks to some residents, workers and visitors were identified. TAI submitted draft



Map of OU 1 and 2

versions of the OU 3 (upland) baseline ecological risk assessment (BERA) and OU 3 RI Report in 2021. The draft final version of the OU 3 BERA is due in February 2023 and the draft final version of the OU 3 RI Report is expected in June 2023. The draft aquatic BERA for the river (OUs 1 and 2) is expected in September 2023. The draft aquatic RI Report for OUs 1 and 2 will follow completion of the aquatic BERA.

EPA’s schedule also establishes dates for the development of the FS for each OU after the RI Reports are complete. The Forum will continue to work with partners to provide outreach as RI/FS milestones are complete and information made available to the public. To learn more about the Human Health Risk Assessment and studies supporting the RI/FS, visit www.lrf.org/publicguides. 🌐

Join Us for Student Discovery Days

In May, grade 4-6 students and teachers will be taking field trips to explore the ecological, social and economic complexities of Lake Roosevelt’s watershed. At locations throughout the area, local resource specialists such as biologists and water quality experts from many different agencies will lead students through hands-on, minds-on environmental activities.

“We had to take a hiatus due to the pandemic,” said Forum Executive Director Andy Dunau. “I’m just delighted to say we’re back!!”

Interested in taking a class on an adventure? Contact us at info@lrf.org. 🌐



Discovery Days at Two Rivers Marina

Area Tribes Selected by EPA to Receive Columbia River Basin Restoration Funding

EPA's Columbia River Basin Restoration Funding Assistance Program announced awards totaling approximately \$6.9 million across 25 projects to reduce toxics in fish and water throughout the Basin. Awards were based on a competitive, grant selection process.



The Spokane Tribe of Indians and Confederated Tribes of the Colville Reservation (CCT) were each selected to receive awards for Upper Columbia River/Lake Roosevelt activities. In addition, The Confederated Tribes and Bands of the Yakama Nation will continue an initiative to track the status and trends of toxics in fish, water, sediments, and invertebrates in the Columbia River mainstem from Bonneville Dam to the Canadian border. And the Kootenai Tribe of Idaho received an award to monitor contaminant trends, transport, uptake, and transfer through the Kootenai River Ecosystem.

Pending EPA completing a final award agreement with each tribe, grant activities will begin in 2023. Below is a summary of STOI and CCT Lake Roosevelt awards:

Upper Columbia Basin Contaminant Status, Movement, and Remedial Pilot Study Spokane Tribe of the Spokane Reservation

**PROJECTED EPA GRANT AMOUNT:
\$262,500**




The Spokane Tribe of the Spokane Reservation will build on other work in the Upper Columbia Basin, including sampling conducted under EPA's Upper Columbia River Remedial Investigation and Washington Department of Ecology's recent 2019 biofilm study. This project will complement the recently funded Columbia River Mainstem Fish Tissue and Water Quality Monitoring Framework study led by the Yakama Nation. The proposed project will monitor a suite of contaminants of concern (COCs) across four media: surface water, bottom sediments, suspended sediments, and biofilm. The primary goals of the study are to: 1) identify areas where contaminant concentrations are elevated or exceed water quality and sediment quality standards set by the Spokane Tribe and EPA, 2) evaluate movement of contaminants transported through the river across media; 3) identify which contaminants are entering the food web via biofilm that are available to bioaccumulate up the food chain; and 4) test the feasibility of a sediment particle trap methodology that could be scaled up for large-scale restoration actions in the future.

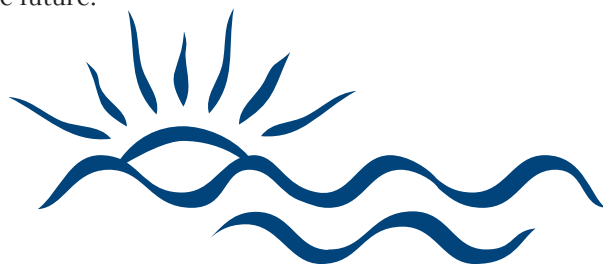
Upper Columbia River Toxics Monitoring: Caring for S'nxw'n tkwitkw Confederated Tribes of the Colville Reservation

**PROJECTED EPA GRANT AMOUNT:
\$350,000**



The Confederated Tribes of the Colville Reservation will undertake planning and piloting of an innovative environmental monitoring and risk communication program that centers the needs of Tribal members while being expansive enough to have relevance for all local residents and users of the 214-mile reach of the Columbia River from the US-Canada border through Lake Roosevelt and Lake Rufus Woods to the Chief Joseph Dam. The Tribe will sample fish tissue composites, beach sediment composites, and surface water (dissolved and total analyses), with approximately 20–25 samples per medium. The specific analytes proposed are among the top EPA priorities: metals including mercury, arsenic, copper, and lead; methylmercury (fish tissue only); PCBs (congener analysis); and DDT and its metabolites. The Tribe will determine sampling locations through community engagement and working with local project partners that have diverse constituencies. The ultimate goal is to reduce uncertainty around what activities and resources are safe for Tribal members and other local residents to do and use, and to initiate a program that will track future trends in contaminant levels.

To learn more about the Columbia River Basin Restoration Program, visit epa.gov/columbiariver. EPA funded 14 projects in their inaugural round of grants in 2020. Visit <https://bit.ly/3wvPo1r> for 2023 grant cycle opportunities. 



Mediation Process Attempts to Resolve Legal Challenge to the Columbia River System Operations 2020 Environmental Impact Statement and Biological Opinion



Salmon migration

An August 2022 order extended a litigation stay through August 31, 2023, to resolve challenges to the Columbia River System Operations 2020 Environmental Impact Statement and Biological Opinions for salmon and steelhead. The Spokane Tribe of Indians and Coeur d'Alene Tribe became parties to the litigation in 2021 because operation of the Federal Columbia River Power System continues to cut off salmon, steelhead, and lamprey access to the upper Columbia River above Chief Joseph and Grand Coulee dams, and fails to provide appropriate mitigation for the ongoing impacts caused by the operation and maintenance of these facilities.

The motion notes that as part of the stay "... the United States committed to developing strategies through inclusive regional collaborative processes that restore native fish and their affected habitats, honor the United States' commitments to Tribal Nations, deliver affordable clean power, and satisfy other interests served by the Columbia River System projects." The Federal Mediation and Conciliation Service was engaged to support this effort. Every 90 days, parties to the motion provide the court a progress report. 🌐



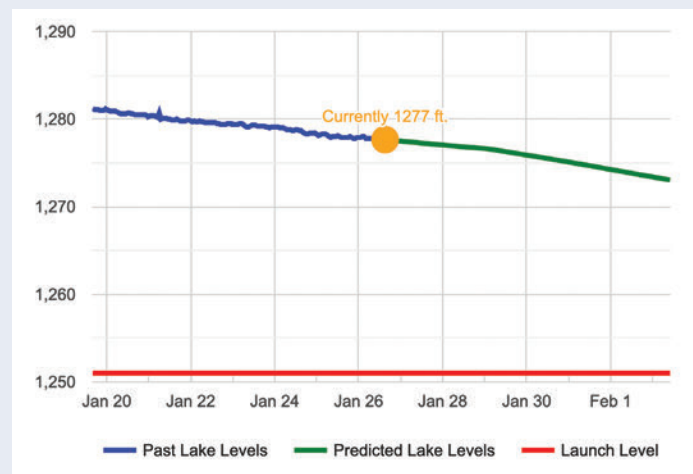
Salmon fishing, Kettle Falls

Lake Level Forecast

History shows that snowpack and precipitation destined for Lake Roosevelt can change quickly as winter turns to spring and Lake Roosevelt is managed for downstream flood control. In turn, spring lake levels can vary dramatically. For a weekly forecast, visit www.usbr.gov/pn/grandcoulee/lakelevel/

This year, however, a little more certainty is available. The U.S. Bureau of Reclamation reports that drum gate maintenance is necessary at Grand Coulee Dam because two drum gate seals are leaking. As a result, says the Bureau, "This will require Grand Coulee Dam to be drafted below elevation 1255 feet by mid-March and could last approximately six weeks depending on the damage to the seals." 🌐

Check to see if you can launch your boat at www.lrf.org/recreation/boat-launch-lake-levels



Fort Spokane boat launch lake levels



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Forum Seeks Transparency CONTINUED FROM PAGE 4

LOOKING FORWARD

Since 2004, soil/yard cleanup work has been conducted at 76 properties in the town of Northport and surrounding area. These residential property cleanup activities have relied on voluntary agreements and special-purpose government funds while the public awaits completion of the Upper Columbia/Lake Roosevelt Remedial Investigation and Feasibility Study (RI/FS). As discussed in the companion newsletter article "RI/FS Status Report," progress on the RI/FS continues. However, the EPA's Record of Decision identifying final cleanup activities for this Site is expected to be many years away. In the meantime, EPA continues to work with federal, state, tribal and local government partners to identify additional cleanup funding and resources. Additional soil/yard cleanup within and outside of Northport remains under consideration. 🌱

Paper vs. Web? It's Your Choice.

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