

**Meeting Minutes**  
**Chilkat Bald Eagle Preserve Advisory Council Special Meeting**  
**Wednesday, March 13, 2019 at 10:00 a.m.**  
**Haines Borough Assembly Chambers**

**1. Call To Order/Roll Call:**

**Members Present:** Jan Hill (Haines Borough Mayor), Derek Poinsette (Upper Lyn Canal F&G Council), Bill Thomas (Chilkoot Indian Association), Brian Willard (Chilkat Indian Village), Steve Lewis (USFWS), Kate Kanouse (ADF&G Habitat), Rich Chapell (ADF&G), Andy Hedden (Business & Industry), Travis Russell, Preston Kroes (DPOR), Sidney Campbell Conservation Organization) Other agency members present telephonically. Greg Lockwood, Bob Trousil, Jim Scholl (DOT&PF), Dylan Krull (ADF&G Habitat), Beth Astley (USACE)

**2. Agenda Approval**

Andy Hedden made motion to approve the agenda, Brian Willard seconded, the motion carried.

**3. Public Comment**

Kathleen Menke reminded the Chilkat Bald Eagle Preserve Advisory Council (CBEP AC) the Haines Highway is a Federal Scenic Byway, which gives flexibility to addressing river access, wetlands, public access, pullouts, recreation, business interests, wildlife, fisheries. Reminded CBEP AC that Haines Highway Project will go on for a while and reminded CBEP AC of purpose and encouraged them to collaborate.

**4. Minute Approval**

Bill Thomas wanted to amend minutes to show he did not receive the correct email, otherwise he would have been at the last meeting. He made a motion to approve the minutes as amended, Andy Hedden seconded, the motion carried.

**5. Old Business**

None

**6. New Business**

- a) Haines Highway Phase 2 mitigation plans, rip rap and habitat structures (reference Herrera Plans)

Jim Scholl addressed the letter the CBEP AC had sent to (Alaska) Dept. of Transportation and Public Facilities (DOT&PF). He stated the response was a technical memorandum authored by Bob Trousil about what the DOT&PF plans propose. Sidney Campbell asked about contaminated fill removal regarding oil spill area, question deferred until later in the meeting. Derek Poinsette commented the memo only dealt with the mitigation structures. He clarified that much of the structures in question are not included in the Haines Highway mitigation plans. Jim Scholl confirmed rip rap is used to armor the Haines Highway from the Chilkat River. The Haines Highway is considered critical infrastructure. He stated Takshunuk Watershed Council (TWC), Chilkat Tribe and Alaska Dept. of Fish and Game (ADF&G) preferred to have woody debris added

to the river to improve fish habitat. Jim Scholl stated that woody debris was included within the mitigation plans. Derek Poinsette clarified that DOT&PF was not going to replace rip rap with woody debris, commenting there are 17 log structures as mitigation. Jim Scholl stated that rip rap was the only appropriate material for armoring the Haines Highway. Bob Trousil commented that DOT&PF cannot use bioengineered material for fill within what is classified as critical infrastructure. He commented the rip rap is required by policy and the mitigation structures would tie into the toe of some of the embankments created by the rip rap. Jim Scholl and Bob Trousil stated they believe the rip rap is the correct material to ensure the Haines Highway remains intact with the least amount of future maintenance. Jim Scholl stated the rip rap was sized larger to be conducive to having predator prey habitat based on studies for habitat among rip rap sizing.

Brian Willard commented about the Herrera design being anchored to the river bed to create a pool for fish to stop. He asked for clarity on the root wad final design compared to the three separate Herrera designs. Bob Trousil responded there are four different mitigation structures. Phase 1 included log-lattice structures, but was unstable because of not being secure during high water events. First type of structure discussed was a root wad lattice structure dependent upon dry conditions. The second type is an embankment root wad lattice, placed on the embankment of the river in high flow areas, so it is slightly more robust. The third type of structure is an apex bar lattice, which is the most robust structure, consisting of 10-14 logs. The structure points upstream and is placed in high energy situations, primarily used in areas closest to the Klukwan Village area. The fourth and final structure is the river protrusion structure with 3 different configurations consisting of type A, B and C. Structures become more robust as moving up the alphabet, accompanied with larger diameter and length of logs. These would be used in lieu of ballasted log jams used in Phase 1 of the project. Goal is to have all structures anchored and incorporating some sort of lattice combined with woody debris. No boulders will be used to hold down these structures. Protrusion structure is a carryover from Phase 1. Brian Willard asked if the design was on the website, Jim Scholl clarified the best available information is the technical memo already provided. He clarified the mitigation is for the purposes of mitigation fill placed in waters regulated by U.S. Army Corps of Engineers (USACE). Andy Hedden asked for clarity on if the river protrusions used in Phase 1 are what is seen that kind of looks like the Petrified Forest sticking out of the Chilkat River. Bob Trousil clarified the protrusion structures are placed in areas to catch debris being deposited from the river and create hydraulic conditions conducive to fish habitat. He clarified the drawings from configuration C were used in Phase 1 to have more root wad and lattice. Examples of this are in areas of low energy levels with silt beds such as near 10 mile.

Derek Poinsette asked if there would be efforts to not work within the river during the peak of the salmon runs? Bob Trousil stated that the structures need to be put in at low water, working with the contractor to install them in the spring or the fall. Jim Scholl stated that DOT&PF will apply for ADF&G Habitat permits for work to begin. Kate Kanouse commented that all work within the Chilkat River should be completed by 4/30/2019 with the exception of possibly some drainage culverts, although those had been placed in 2018. For Phase 2, there will be some work that will need to be done at low water specifically at mile 14.3 or 14.5 where fill

will be added, but it will not be done during the Chum spawning. Phase 2 will certainly have timing restrictions.

b) Discuss the historic pipeline spill cleanup in conjunction with Phase 2

Jim Scholl responded to Sidney Campbell's question. Sidney Campbell asked what contaminated soil removal would occur in the area of 15.5 mile where there would be a grade raise and if more than only grub material would be removed. Jim Scholl clarified that DOT&PF would be responsible for the material within the project footprint. The area is large and the responsible party is the USACE, so DOT&PF has coordinated with USACE. Beth Astley from USACE with the Formerly Used Defense Sites program (FUDS) responded in regard to the Haines-Fairbanks Pipeline, pipeline milepost 17.7 (PMP). FUDS has been investigating site since 2007 following a release of petroleum in the 1970's. The petroleum has now reached equilibrium in the environment. Working with DEC and DOT&PF about the plan moving forward. Current plan is to address soils in the area that exceed the Dept. of Environmental Conservation (DEC) established levels. USACE plans to coordinate with DOT&PF to do removal at the same time as the highway work. USACE is funded separately from DOT&PF so they are continuing to coordinate.

Sidney Campbell asked if the Haines Highway project was contingent upon the USACE's ability to coordinate with DOT&PF within the area? Beth Astley clarified that there are two different Federal efforts by two different agencies, so it is difficult to combine the two efforts. The agencies are Federal Highways and USACE. Sidney Campbell asked if Phase 2 is completed without coordinated cleanup effort, if it will hinder future USACE cleanup efforts in the area. Beth Astley stated it would change the USACE approach in still trying to remediate the soils in the area. Problem is that if it doesn't occur when easily accessible soils are available with the road exposed, cleanup would be much more difficult once the new road covers it. Other techniques that may not work as well would have to be implemented. Largest concern is groundwater contamination, so the USACE goal is to get the groundwater to remediate below what is considered safe for human consumption.

Andy Hedden asked if the cleanup does not occur with Phase 2, how long it would be until future cleanup would occur. Beth Astley stated there was not a finite time because of the complexities of environmental cleanup. Emphasis was made on successes at other sites; first step is to remove the source to eliminate residual contamination. This would allow the groundwater to attenuate naturally and dissolve through the break down process. FUDS has a goal to clean up 90% of their sites with a remedy in place to clean up the areas by 2021. Coordination with DOT&PF would maximize efforts and also reduce costs.

Brian Willard asked about the valve at Wells Bridge that has a leak. Jim Scholl clarified that it would not be included in the Haines Highway project because of funding sources; however if other agencies would like to remove it, they could. Beth Astley responded that USACE was currently evaluating alternatives at that site with multiple alternatives to protect human health. Once action evaluated in a removal action although nothing is for sure. There would still need to contact the land owner about the removal issues.

**7. Next Meeting: Wednesday, April 17, 2019 10:00 a.m.**

a) Items requiring follow up?

- Presentation from Liz Cornejo of Constantine Metals
- Bald Eagle count numbers presented by Pam Randles

b) Agenda item requests?

- Derek Poinsette requested discussion of bill in Senate Finance Committee in reference Tier 3 designation SB51, would like to add to discussion
- Steve Lewis asked to add response to letter regarding aerial bald eagle counts in CBEP
- Bill Thomas requested ADF&G to propose how they plan to bring more spawning fish back into Chilkat River to build back up to 400,000-500,000 Chum run
- DMLW permits follow up (Preston been in contact, scheduled for next meeting)
- Jim Stanford presentation of final proposed memorial

**8. Member Comments**

Bill Thomas stated he recently saw a Facebook posting of a vehicle in the Chilkat River above Chilkat Lake and asked why ADF&G has not made the owner pull the vehicle out of the river. There is now 2ft. of snow on the vehicle. Derek Poinsette stated the vehicle is 6-7 miles upstream from the Tsirku Landing, still in the middle of the river. Stated it is way above Devil's Elbow. Preston Kroes stated he was unaware of it. Kate Kanouse commented she was aware of it and had found out from an article in the newspaper fall 2018. A few miners with claims up there had gotten stuck. She had contacted State Troopers and they had a location, which the area is upriver of where fish are known to be, so ADF&G does not have jurisdiction because of no known fish in the area. Bill Thomas commented that the CBEP AC is sticking their nose everywhere else, but the oil, gas and petroleum products from the vehicle flows downstream so the truck needs to be removed. Kate Kanouse mentioned she had been working with Trp. Trent Chiakawalski to have the owners remove the vehicle. Preston Kroes stated State Parks would work with Wildlife Troopers to get the vehicle removed. Derek Poinsette commented that he would like to see fish habitat be a primary concern as the Haines Highway project moves forward.

**9. Adjourn: 10:56 a.m.**