

## Regulatory Framework Working Group

### Charge from Groundwater Management Area Advisory Committee

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[Insert Charge]

### Working Group Members

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Jean Mendoza, Chair (Friends of Toppenish Creek), Andres Cervantes (Department of Health), David Bowen (Department of Ecology), Chelsea Durfey (Turner and Co.), Dan DeGroot (Yakima Dairy Federation), David Newhouse (interested party), Ginny Prest (WSDA), Jason Sheehan (Yakima Dairy Federation), Jim Dyjak (Concerned Citizen of Yakama Reservation), Larry Fendell (interested party), Laurie Crowe (South Yakima Conservation District), Nick Peak (EPA), Patricia Newhouse (Lower Valley Community Representative), Steve George (Yakima County Farm Bureau), Stuart Crane (Yakama Nation), Sue Wedam (Lower Valley Community Representative), Vern Redifer (Yakima County Public Services), Jim Davenport (Yakima County Public Services)

### Meetings/Calls Dates

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Meeting: October 12, 2016 5:00-7:30 PM

Call Number: 360 407-3780 PIN Code: 306589#

### Participants

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Present: Jean Mendoza (Chair), David Bowen, Larry Fendell, Steve George, Dan DeGroot, Patricia Newhouse, Vern Redifer, Stuart Crane, Ginny Prest, Bobbie Brady (Yakima County Public Services). No one was on the phone.

### Key Discussion Points

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Jean opened the meeting at 5:03 PM. Everyone introduced themselves.

Jean informed the group that she had met with the RCIM Working Group earlier in the week to talk about pertinent regulatory requirements. Jean provided the group with a summary of her meetings with both the Irrigated Ag (IAWG) and RCIM Working Groups. The Irrigated Ag group had compiled a list of potential solutions (some were agreed upon in the Irrigated Ag meeting and others did not have the full agreement of the group). Jean reviewed each with the Regulatory group and the group discussed several in particular. A member emphasized the importance of the GWMA working groups being up-to-date with the technology available to the agricultural community and suggested that some of the consultants in attendance at the IAWG meetings may be able to provide this information. Vern added that a member of the Irrigated Ag Working Group had been concerned that the group didn't drive smaller growers out.

Jean noted that RCIM had already looked at WAC 246-272 which governed onsite sewage systems, and asked for more information regarding the National Pollution Discharge Elimination System (NPDES) permits issued by the Department of Ecology (Ecology). Vern pointed out that while

the WAC included design parameters and construction requirements, it only included one small sentence pertaining to the homeowners' responsibility for operation and maintenance. A discussion ensued about onsite sewage systems. David volunteered to get additional information on the NPDES permitting for RCIM as his group at Ecology oversees the permitting. Dan added that it would be nice to see what commercial, industrial and/or municipal entities are discharging and what is being discharged. In addition, he asked to see samples of the reports and what the group does to analyze, chart or monitor them. Dan also said it would be nice to have a spreadsheet summary from the last two to three years' reports.

Non-Point Source Pollution: Jean had provided the group with an invitation to a Clean Water Guidance for Agriculture Webinar she had received from Ben Rau. Jean asked if the group desired to invite Ben to speak at its next meeting to answer questions on this topic. A member wanted to know if it was relevant to the group and another asked if he was addressing surface water or groundwater. Both David and Ginny thought it was surface water. David will check into this further.

Total Maximum Daily Load (TMDL's): David provided the group with a written update on TMDL's and asked them to browse through it. There were no questions and/or comments.

RCW 90.64.180 Protocol for Monitoring Water Near Dairies and CAFO's With Executive Summary: Jean was concerned that this only pertained to surface water and not groundwater. Another member indicated that the executive summary related to the whole State and was not applicable to the area within the GWMA as the land is irrigated and governed by irrigation districts. Jean did not believe that discharge to groundwater was sufficiently monitored and felt that since Ecology hadn't developed a plan to monitor groundwater there was a gap in the regulations. Several members brought up the fact that the GWMA was setting up a groundwater monitoring system. A member didn't feel like there was a gap because of this ambient monitoring plan.

Confined Animal Feeding Operations (CAFO's) Water quality protection requirements: Jean said that Steve and Laurie had provided this information to her and she read aloud the last paragraph on page 1 and No. 7 on page 2 to the group. She believed that this raises questions about monitoring requirements for agricultural composting found in WAC 173 350 500. A discussion ensued. Jean indicated that she would send the group a list of applicable laws and highlight areas that apply to the groundwater in Yakima Valley.

Jean noted that the following items would be on next month's agenda:

- Regulations for decommissioning abandoned wells.
- Cost Analysis for GWMA proposals. Jean had hoped to have this presentation ready, but felt better postponing it until next month's meeting. She reminded the group that they had been willing to revisit this issue if she had more specific data.
- WAC 173 350 500 Groundwater monitoring Jean indicated that she desired to talk more about this WAC at next month's meeting. A member wanted to know how this correlates with groundwater.

The meeting concluded shortly after 7:00 PM.

Next meeting Wednesday, November 9, 2016, 5:00-7:30 PM.

**Resources Requested:** None.

**Recommendations for GWAC:** None.

**Deliverables/Products Status:** None.

**Proposed Next Steps**

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- David volunteered to get additional information on the NPDES permit through the Department of Ecology as outlined above.
- David will check on the Ben Rau presentation.
- Jean will send the group a list of applicable composting laws and highlight areas that apply to the groundwater in Yakima Valley.