

# LOWER YAKIMA VALLEY GROUNDWATER MANAGEMENT AREA ADVISORY COMMITTEE (GWAC)

## MEETING SUMMARY

Thursday, November 15, 2012

Denny Blaine Board Room  
810 E. Custer, Sunnyside, WA 98944

### I. Call to Order

- A. Roll Call:** The meeting was called to order at 5:05 pm by Penny Mabie, Facilitator.

**Members present:** Vern Redifer, Yakima County (alternate); Charlie McKinney, Dept. of Ecology; Andy Cervantes, Department of Health; Tom Eaton, EPA; Jan Whitefoot, Concerned Citizens for Yakama Reservation, Jim Dyjak (alternate); Robert Farrell, Port of Sunnyside; Helen Reddout, Community Association for Restoration of the Environment; Wendell Hannigan, alternate; Jim Trull, SVID; Jean Mendoza, Friends of Toppenish Creek; Mark Nielson, Benton Conservation District, Heather Wendt (alternate); Stuart Turner, Turner & Co.; Steve George, Yakima County Farm Bureau, Don Young (alternate); Jason Sheehan, Yakima Dairy Federation, Dan DeGroot, (alternate); Laurie Crowe, South Yakima Conservation District; Elizabeth Sanchez, Yakama Nation, Tom Ring (alternate); Lonna Frans, USGS, Matt Bachmann (alternate); Gordon Kelly, Yakima County Health District; Bruce Perkins, Benton-Franklin Health District; Dr. Kefy Desta, WSU IAREC and Dr. Troy Peters (alternate)

**Members seats not represented:** Benton County Commission; Lower Valley Community Representative; Hispanic Community

**Members absent:** Rand Elliott, Yakima County Commissioner; Jim Beaver, Benton County Commissioner; Jim Newhouse (alternate); John Van Wingerden (alternate); Tom Tebb (alternate); Robert Morales, Lower Valley Community Representative; Eric Anderson; Ginny Stern; Ron Cowin; and Jaclyn Ford

**Members resigned:** Charlie McKinney announced that Ramon Tobias had resigned from the GWAC, effective immediately. He will check with Ramon to see if that resignation includes Margarita.

### II. Committee Business :

The October 18, 2012 meeting summary was discussed but not approved. Pending committee acceptance of Penny's re-wording of a paragraph regarding the EPA Nitrate study and adding Kirk Cook in attendance for the meeting, it will be approved.

The committee discussed a question about conflict of interest between Helen Reddout's position with CARE and the GWAC, given that CARE is a party to an intent to sue notification regarding some local dairies. Committee members acknowledged that the

committee does not have the authority to replace Helen—that authority rests with Ecology. Some concerns expressed included the ability for someone to work collaboratively when pursuing solutions outside the group; working together for the common goal; CARE taking matters into its own hands; the general public's health and well being; action against the local dairies; honesty/distrust among members; use of data that is obtained and members at the table not wanting to share information in fear of it being used against them.

Helen stated that she does not feel there is a conflict of interest. The information she shared was public information and was not taken from the GWAC. The action she is pursuing away from the table is in support of the community's health, which is a goal in alignment with the GWAC. She stated she will not resign from the committee.

Charlie McKinney told the committee he had researched the issue of conflict of interest, and there is no reference in the Washington Administrative Code or any other relevant guidance about litigation being a conflict of interest. Charlie and Vern both noted the committee had a big job ahead of it and encouraged all to come to the table with a willingness to collaborate and be as open-minded as possible. Charlie also noted that the right people were at the table and they all needed to be involved to make this program successful and decisions durable.

Penny discussed with the group the need for them to all be committed to the purpose of this committee, and she reviewed purpose statements from the Operating Guidelines. She asked each member at the table to state if they could re-commit to the purpose of the committee and work together towards the common goal of the GWMA. All members re-committed. Some concerns were expressed, including a concern with degree of suspicion on the committee, lack of honesty, concern with use/misuse of information going forward, and diminishing willingness to participate if committee members continue to pursue actions and activities outside the committee that could impact the work the committee is doing. Tom Eaton stated that EPA is unable to check its regulatory authority and responsibilities when participating on the GWAC. Tom said that if EPA's presence on the committee is hindering the GWAC's progress to develop a comprehensive groundwater protection plan, then EPA will resign from the committee. Penny noted that the group was very early in its formation and that these types of issues occur with many new groups and are not unexpected.

### **III. Work Plan**

#### **Framework and Work groups (subcommittees):**

Penny stated that in order to meet the Department of Ecology's December 31 grant deliverable deadline, the work groups need to concentrate on getting their work plans organized and written. They need to provide work plan information including activities, information needs, milestones, and any thoughts on needed funding to submit to the County by early December. The County will take all the input from the work groups and merge it into a GWAC work plan. Four of the seven proposed work groups—CAFO (Concentrated Animal Feeding Operation), Irrigated Agriculture, Residential, Commercial, Industrial and Municipal, and Education and Public Outreach—broke out into separate meeting groups for 40 minutes to discuss their goals, timelines, actions and funding needs.

The Regulatory Framework , Data Collection and Funding work groups did not meet as Vern felt the County could do a good job of outlining the plan for those groups. Charlie McKinney noted that as he was Ecology's grant administrator for the GWMA program, he was aware the committee was working hard on the work plan and assured them that Ecology would be supportive of the work.

**Work Plan Framework:**

Penny reminded the group that the work plans do not have to be perfect; rather, they should be a best guess as to the group's "general plan" and not have emphasis on details. The group's work plans need to be submitted to the County or to Penny as soon as possible. The committee asked the County to e-mail the draft GWAC work plan to the committee with adequate time for review prior to the GWAC's discussion and approval.

Several of the work groups made arrangements to continue to work on their work plans in the coming two weeks so as to complete them.

**IV. Next Meeting:**

The committee discussed the next meeting's topics. The two major topics for the meeting will be the draft GWAC work plan the County will be developing, and the Education and Public Outreach Plan, which is also due to Ecology by the end of December, 2012.

Give the two major topics on the agenda, committee members discussed making the December meeting longer. The committee agreed to meet from 4:30 to 7:30 p.m. on December 12.

**V. Next Steps:**

- At the next meeting there will be a discussion of the dates, times and length of the meetings in 2013.
- Replacements for Hispanic representation will be discussed.
- The next scheduled meeting is on Wednesday December 12, 2012 at 4:30 p.m. at the Denny Blaine Board Room
- The County will try to get the combined draft work plan out to the committee for review no later than two days before the meeting; all committee members are urged to carefully review the work plan before the meeting.
- Penny will send the committee the reworked paragraph from the October meeting summary concerning the EPA Nitrate Study discussion.

**VI. 2012 Meeting Calendar:**

- December 12, 2012

The meeting was adjourned at 6:50 pm.

Meeting summary approved by the Lower Yakima Valley Groundwater Management Area Advisory Committee on 12-20-12.