

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

### MEETING SUMMARY

**Thursday, August 15, 2013**

*Radio KDNA  
121 Sunnyside Ave, Granger, WA 98932*

#### I. Call to Order:

Roll Call: The meeting was called to order at 5:04 p.m. by Angie Thomson, Facilitator.

| Member             | Seat   | Present | Absent |
|--------------------|--|---------|--------|
| Stuart Turner      | Agronomist, Turner and Co.   |         | P      |
| Chelsey Durfey     | Agronomist, Turner and Co. (alternate)                               | P       |        |
| Helen Reddout      | Community Association for Restoration of the Environment             |         | P      |
| Wendell Hannigan   | Community Association for Restoration of the Environment (alternate) |         | P      |
| Jan Whitefoot      | Concerned Citizens of the Yakama Reservation                         |         | P      |
| Jim Djak           | Concerned Citizens of the Yakama Reservation (alternate)             | P       |        |
| Jean Mendoza       | Friends of Toppenish Creek   | P       |        |
| Eric Anderson      | Friends of Toppenish Creek (alternate)                               |         | P      |
| Larry Fendell      | Friends of Toppenish Creek (Stand in)                                | P       |        |
| Lino Guerra        | Hispanic Community Representative                                    |         | P      |
| Rick Perez         | Hispanic Community Representative (alternate)                        | P       |        |
| Kathleen Rogers    | Lower Yakima Community Representative Position 1                     | P       |        |
| Bud Rogers         | Lower Yakima Community Representative (Position 1 alternate)         | P       |        |
| Patricia Newhouse  | Lower Yakima Community Representative Position 2                     | P       |        |
| Sue Wedam          | Lower Yakima Community Representative (Position 2 alternate)         | P       |        |
| Doug Simpson       | Irrigated Crop Producer  | P       |        |
| Robert Farrell     | Port of Sunnyside  |         | P      |
| John Van Wingerden | Port of Sunnyside (alternate)  |         | P      |
| Jim Trull          | Roza-Sunnyside Joint Board of Control                                | P       |        |
| Ron Cowin          | Roza-Sunnyside Joint Board of Control (alternate)                    |         | P      |
| Laurie Crowe       | South Yakima Conservation District                                   |         | P      |
| Jim Newhouse       | South Yakima Conservation District (alternate)                       |         | P      |
| Tom Eaton          | U.S. EPA   | P       |        |
| Marie Jennings     | U.S. EPA (alternate)   |         | P      |

|                   |   |   |   |
|-------------------|---|---|---|
| Lonna Frans       | USGS Washington Water Science Center                                | P |   |
| Matt Bachmann     | USGS Washington Water Science Center (alternate)                    | P |   |
| Kirk Cook         | WA Department of Agriculture  |   | P |
| Ginny Prest       | WA Department of Agriculture (alternate)                            | P |   |
| Charlie McKinney  | WA Department of Ecology  |   | P |
| Tom Tebb          | WA Department of Ecology (alternate)                                | P |   |
| Andy Cervantes    | WA Department of Health   | P |   |
| Ginny Stern       | WA Department of Health (alternate)                                 | P |   |
| Dr. Kefy Desta    | WSU Irrigated Agriculture Research and Extension Center             |   | P |
| Dr. Troy Peters   | WSU Irrigated Agriculture Research and Extension Center (alternate) |   | P |
| Elizabeth Sanchez | Yakama Nation   |   | P |
| Tom Ring          | Yakama Nation (alternate)   |   | P |
| Rand Elliott      | Yakima County Board of Commissioners                                | P |   |
| Vern Redifer      | Yakima County Board of Commissioners (alternate)                    | P |   |
| Steve George      | Yakima County Farm Bureau   | P |   |
| Justin Waddington | Yakima County Farm Bureau (alternate)                               |   | P |
| Gordon Kelly      | Yakima County Health District                                       | P |   |
| Jason Sheehan     | Yakima Dairy Federation   | P |   |
| Dan DeGroot       | Yakima Dairy Federation (alternate)                                 |   | P |

## II. Committee Business:

### Introductions

### Moment of Silence

June 20<sup>th</sup> meeting minutes were approved by the committee with no changes.

## III. Membership Updates:

We have had a few new members join. We are trying to keep numbers up since Benton County dropped out. We still have 23 members. Kathleen Rogers, Patricia Newhouse and Doug Simpson have joined the group and we have a few more interested in applying. Ecology will work on the appointment letters by next month.

### Reminder:

The GWAC calendar is on the Yakima County website. There is a list of working groups so you can participate in other groups or can change working groups if desired.

## IV. Budget:

Vern Redifer presented the budget. A budget request was submitted by Senator Honeyford and was approved at the last legislative session. The budget total is \$2,364,000. This is a compilation of the solicited budget requests from everyone's input. Work groups need to evaluate and determine what we should keep and what we need to change. Nothing in the budget is set in stone with the exception of money already spent. We need to think about what is the best way to spend the money.

Question: Is there a time period of budget clarity?

Money needs to be spent by mid 2015, which gives us 2 years.

A scope of work needs to be put together representing what we would like to accomplish to present to the Department of Ecology within the next 2 months.

## **V. Goals & Objectives:**

We need to review the goals and objectives listed in the approved February 2013 Work Plan. Working groups should review the objectives from work plans to see if they are still accurate or if they need to be modified.

## **VI. Working Group Report Out:**

### **Irrigated Ag:**

Irrigated Ag has had two meetings since the last GWAC meeting. The first meeting they elected Jim Trull as chair and discussed deep soil sampling. The second meeting was spent recruiting new members to get more representation. Doug Simpson and Ginny Prest joined the group.

The current scope in deep soil sampling (DSS) plan development calls for 20 samples and the work group feels that the required number of samples will be confirmed in the DSS plan.

The group is wrestling with the issue of confidentiality; there is a general consensus to keep deep soil test results confidential to increase participation. There isn't a recommendation on how to keep results confidential.

A question was raised on whether the NRCS has been contacted to see if they were interested in joining the group.

### **Livestock/CAFO:**

Jason Sheehan reported for the Livestock/CAFO working group. Meeting was held July 18<sup>th</sup> and they discussed the additional budget that Vern presented. The group discussed the breakdown and constraints. The group discussed deep soil sampling and decided that 20 samples are not adequate. It was discussed that we need to identify the purpose of deep soil sampling so that we can determine what type of tests to perform. The possibility of a coordinated meeting with the Irrigated Ag group was discussed.

The issues that the group would like to determine:

- What is the effectiveness of deep soil sampling?
- Do we want to know the locations?
- Do we need to know the capacity of the soil?

- Is the information for education or enforcement? – There is a concern about getting growers to participate if it is for enforcement purposes.
- Need to identify outcomes, including how testing should be done
- Need to coordinate with Irrigated Ag

The group will meet next month and possibly tonight if time permits.

Some questions were raised:

Who has the responsibility to determine how soil sampling will be done and when the determination will be made?

The committees will make recommendations and bring those to the large meeting. The work group needs to put a time frame on recommendations. The attorneys have been asked to look into the legality of withholding information (confidentiality) and they are researching it. Whichever decisions get made, it is important that it is done legally.

It would help to know the range of costs for the educational program to help make a determination on how to proceed. The group discussed that twenty samples may help to build a bigger program and may be determined as trial sampling. The deep soil sampling budget in the HDR contract was based on an early budget and the 20 samples identified was a placeholder.

How will landowners be approached?

If the testing is confidential, it is unknown how they will be approached.

We need to remember that some of the things we do will impact other farmers, it will impact people and their livelihood. Education and Public Outreach needs to be educating everyone, but they need input from the working groups.

What type of deep soil sampling are we going to do?

Costs will be higher for sampling moisture content, though it is fairly simple to add pH content for testing. When you measure how much nitrates are in the water you can see how much is mobile.

A budget breakdown was suggested for sampling, given each of the three purposes (education, BMP effectiveness and documenting current conditions), to get clarity for budget scenarios. We need to request analysis of scope for each purpose.

A suggestion was made to sample a variety of soil and crop types.

#### **EPO Work Group:**

Andy Cervantes noted that he, Commissioner Rand Elliott, and Tito Rodriguez (DOH) made a presentation to the Central Washington Family Medicine Residency Program in July. They discussed the GWAC, nitrate, and other health issues. Approximately 15 residents (MDs and DO's in training) attended.

-The goal is to get more information out on GWAC and its role in the community.

- Heritage University students are administering the door-to-door questionnaire. The purpose of the questionnaire is public education and outreach: to distribute information and to see what is going on. Heritage University was asked for simple statistics as to the outcome of the questionnaire.
- 300 parcels were identified for surveying and distributing information packets. The students need to survey up to 160 of those parcels. We received a lot of positive feedback.
- We need to get more information before we can determine where to site wells.
- Parcels for questionnaires were chosen based on (1) where we currently have no data on nitrate or (2) where high nitrate concentrations have been identified. We are going to hold off on well assessment surveys for now.
- Andy will be participating in the Hispanic Commission's "Connect with Your Government" radio program in September. It is an opportunity to talk about the GWMA and the GWAC in an open question forum. Andy and an interviewer will be in attendance.
- If you have materials that you want on the web it needs to be sent to the EPO.
- Yakima County has translation services if needed; contact Lisa Freund or Vern Redifer for more info.

Some concerns were brought up to the group on the overall direction of GWAC, suggesting that the regulatory framework is being neglected because the Regulatory Framework Work Group has not met yet. The group discussed whether HDR should investigate the rights of private homeowners near neighbors with contaminated wells, the history of environmental legislation in agricultural regions in Washington State, Indian Water Law related to groundwater, case law regarding BMP's, regulations that limit the number of cows in a given geographical area, and regulations that require CAFO owners to prove they have sufficient land for agronomical applications of nutrients. Some members of the group felt that the GWAC should spend as much time talking about rules and regulations as they do about BMPs. Discussion also included the threshold number of cows for a given area before the environment is compromised and the potential contribution of dairy farms to groundwater nitrate concentrations.

Group members suggested that potential regulatory approaches can be discussed at the work group level and then recommendations can be brought to the GWAC and discussed.

There was a recommendation for this regulatory discussion to be tabled until the HDR report was completed, but that recommendation was met with concern by some members. Others suggested that at this point, the focus of the Work Group should be on finding the nitrates.

What's the purpose of the Regulatory Group?

The purpose is to find all regulations that pertain to nitrates. Are they being used or enforced, what works and what doesn't, what's being ignored? Once those questions are answered then the gaps can be filled. There was a chart that was sent out that describes more about the Regulatory Framework Work Group. We need to understand what the current regulations are before we can do anything else.

When will the HDR report be out? The final report will be out in November. The draft report has been given to the County and comments were made, so it should be submitted soon. We are almost ready to schedule the Regulatory Framework meeting. Vern volunteered to coordinate the scheduling of the group.

#### **VII. Public Comment:**

Doug Moore from the Lower Valley – a dairyman was given approval to dig a ditch across private land without having the owner's permission for the purpose of a lagoon or spray sprinkler. This is a concern because 55,000 calves have been removed from this property and now the dairyman is sending manure back to that property. SVID said it was ok because it is Federal.

#### **VIII. Next Steps:**

- Look at budget numbers.
- Review Goals and Objectives
- Question on scope and budget on deep soil testing.
- Confidentiality
- Talk about the November meeting schedule (falls on Thanksgiving), bring calendars.

#### **RCIM Work Group:**

Group met after last meeting and need a new county staff to facilitate that group. The group needs to talk to a consultant about impacts. The group established a meeting schedule.

Adjourn to working groups. EPO did not meet.

Meeting summary approved by the LYV Groundwater Advisory Committee on October 17, 2013.