

LOWER YAKIMA VALLEY GROUNDWATER MANAGEMENT AREA ADVISORY COMMITTEE (GWAC)

MEETING SUMMARY

Thursday, January 17, 2013

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

I. Call to Order

A. Roll Call: The meeting was called to order at 5:08 pm by Penny Mabie, Facilitator.

Members present: Rand Elliott, Yakima County Commissioner, Vern Redifer (alternate); Tom Tebb (alternate for Dept. of Ecology); Andy Cervantes, Department of Health; Tom Eaton, EPA; Jim Dyjak (alternate for Concerned Citizens for Yakima Reservation); Robert Farrell, Port of Sunnyside, John Van Wingerden (alternate); Ron Cowin (alternate for SVID); Jean Mendoza, Friends of Toppenish Creek; Mark Nielson, Benton Conservation District; Stuart Turner, Turner & Co.; Steve George, Yakima Farm Bureau; Jason Sheehan, Yakima Dairy Federation, Dan DeGroot, (alternate); Laurie Crowe, South Yakima Conservation District; Gordon Kelly, Yakima County Health District; Elizabeth Sanchez, Yakama Nation, Tom Ring (alternate); Dr. Kefyalew Desta, WSU Irrigated Agriculture Research and Extension Center.

Larry Fendell sat in as an alternate for Community Association for Restoration of the Environment.

Member seats not represented: Benton County Commission; Lower Valley Community Representative; U.S. Geological Survey; Washington Department of Agriculture; Hispanic Community Representative and Benton-Franklin Health District.

Members absent: Charlie McKinney, Dept. of Ecology, James Beaver, Benton County Commissioner; Jan Whitefoot, Concerned Citizens for Yakima Reservation, Helen Reddout, Community Association for Restoration of the Environment; Jim Trull, SVID; Lonna Frans, U.S. Geological Survey; Bruce Perkins, Benton-Franklin Health District; Kirk Cook, Washington Department of Agriculture; and alternates: Wendell Hannigan; Eric Anderson; Justin Waddington; Jim Newhouse; Heather Wendt; Dr. Troy Peters, Matt Bachmann; Jacklyn Ford; and Ginny Stern

II. Committee Business:

December 12, 2012 meeting summary approved with no changes.

Refresher discussion on ground rules for committee.

Introductions: Rick Perez, possible Hispanic Community Representative, observed meeting to see if he wants to become a member of the committee.

Moment of silence.

III. Presentation on Yakima County 's Nitrate Treatment Pilot Program
(Vern Redifer, Yakima County)

Yakima County began the Nitrate Treatment Pilot Program based on the results of the 2010 Lower Yakima Valley Groundwater Report. The County's focus was on public health. It was determined that the immediate needs were to educate people on the health effects of nitrate and to offer water treatment options and assistance. The long term priority was to establish groundwater management through a GWMA.

The grant, administered through the Department of Health, provided the County a short-term opportunity to implement a nitrate pilot program. With a six-month timeframe, the County understood there would not be enough money to meet all needs. As such, the main goal was to treat the symptoms first by getting clean water to the people affected by nitrates.

The County provided education, technical assistance and free- or low-cost treatment systems (reverse osmosis filters) to those households with individuals at high public health risk from nitrates. Free systems were initially offered to those households whose nitrate levels tested higher than 10mg/l, had an individual(s) at high public health risk from nitrates, and were low income. Later in the program, when the demand for systems did not meet expected levels, the free systems were offered to all households that tested at or above 10mg/l.

The County, with the help of the Yakima Health District and other partner agencies, designed and implemented an outreach and education program to reach the public in the program area. The Yakima Health District sent a targeted message out to 350 health care providers; Radio stations (KDWA and KIT) were contacted and hosted talk shows regarding the program. A kickoff news conference was held and was covered by ABC and NBC affiliates, NPR and local newspapers.

The County mailed or hand delivered 8,141 educational packets; flyers and posters were distributed door-to-door and also to businesses and churches in the program area. Yakima County created a nitrate hot-line and website. EPA personally contacted households it had tested in 2010 which had high nitrate levels, and also helped answer questions and offered application assistance for Spanish speaking residents. A "last chance" mailing to approximately 5,500 households went out to those who had not responded to the first mailing. All communications were bi-lingual. The County made a large effort to make contact with all effected in the program area. Interpreters were provided at all public meetings.

The County received 1,870 test strips back from its mailing. In addition, 271 households sent their water to be tested at a certified lab. Of those 271, 180 were found to be above 10mg/l. All 180 households were offered free treatment systems. 161 households agreed to have the treatment systems installed at no cost.

During the nitrate pilot program the County was met with many challenges and made some observations:

- It was difficult to convey the dangers of nitrates when there were not any visible effects.
- There was a lack of interest by the public as there were no reports of nitrate-related illnesses.
- Many people simply said they had been drinking the water for 60 years and hadn't had any problems.
- Economics were a challenge as some households, even though they were offered a free treatment system, couldn't afford the ongoing maintenance.
- Many households were renters of property, as such the County needed to get permission from the owners of the property.
- Others had low English literacy and didn't understand the materials they were provided. The County made people available to help those individuals.
- People feared government help; some possibly due to the fact that they are here illegally.
- With the large program area and tight time constraints, it was difficult to establish a community presence and program awareness.
- Unreliable municipal water service boundaries.
- No good source of property addresses. All returned mailings had to be hand-delivered.
- Due to HIPPA laws the County was only able to ask individuals if they were at high risk.

Questions regarding Yakima County's Nitrate Pilot Program, can be directed to Vern Redifer.

IV. Committee Work Plan

Penny reminded the committee that the Work Plan is not the GWMA program; it is the work to be done to develop the program. She asked if everyone had had a chance to review the draft Work Plan; the committee members indicated that they had. Penny asked each member of the committee present if the draft Work Plan was close enough to pass it along to the Department of Ecology. A majority of the members agreed it was sufficient enough to submit to the Department of Ecology; however, it was noted that the schedule was very ambitious. Three members of the committee were opposed to the work plan as presented. Those members were asked what they thought was missing or needed to be added or deleted in order to approve the work plan by consensus and not by a majority and minority report.

Concerns noted by the members who stated they could not support the work plan as written included:

- The committee is top heavy with representatives of agricultural and as such those members will work in their favor, rather than in favor of the public. The committee is going to disqualify or throw out previous studies on nitrates. (Penny clarified that this was an erroneous statement. No commitment has been made to throw out or disqualify any studies.)

In response to Penny's request for specifics regarding concerns, Jean Mendoza, a representative for Concerned Citizens of the Yakama Reservation, as well as describing herself as a representative of health, the Hispanic community and environmental justice, asked to read a prepared statement regarding why she opposes the work plan. Penny queried the group, which responded that Jean could read her statement.

Suggestions in the statement included

- The work plan provides no assistance, redress or hope for people in the Lower Yakima Valley who use domestic well water for drinking. The cost is too much to individuals and we must assist those residents that are affected.
- The work plan assumes the existence of legacy nitrates; that needs to be proved.
- The work plan doesn't include seeking alternative solutions to available BMPs.
- Samplings must be taken of air as well as soils.
- The committee needs to develop goals and objectives for the GWMA program.
- The work plan takes enforcement and regulation off the table.
- The committee does not have the authority to redevelop BMPs.
- There is no data on the cost of soil testing. The budget is inadequate as it does not include an amount for health impacts. During the September meeting, a member of the committee wanted money set aside on the budget for education and that issue was tabled.
- The work plan states the program will implement BMPs. The GWAC will not be implementing actions; this is the plan development work plan.

Penny reminded the committee that although some items get tabled during meetings they are not forgotten. The budget for the GWMA program has not been set and in fact that topic is on the committee's agenda later in this meeting. Penny summarized the key issues of the members opposed to the work plan:

- Need to provide assistance to the people
- Need to explore and suggest alternative activities, not just BMPs
- Legacy nitrates
- Budget inadequacies, particularly regarding providing clean drinking water and education and outreach

Penny noted that some of the issues addressed may have been included in the work plan in the appendices, not in the opening narrative, such as development of goals and objectives. She noted the Appendix has a lot of information that the group is referring to. For example, it was not the intention to not look at alternatives; it was just not mentioned in the narrative. Suggestions were made for how to include language regarding providing assistance to the public by bringing language forward from page 8 of the attachment to the narrative.

Jean advised she would like to have a mission statement included in the narrative; that suggestion was met with agreement from the committee.

Tom Eaton noted that he was under the assumption that the whole group had agreed to the goal of reducing nitrates contamination in groundwater to below state drinking water standards.

Members were reminded that this is an advisory committee. The main focus of this committee is to find the main sources of nitrates. Everyone agrees that we need to provide clean water to the people affected. See WAC 173-100-120, at the end of the day this advisory committee will have an effect on the program with its decisions.

Members that opposed the work plan were asked if the additions discussed were made to the work plan, (e.g. mission statement, short term objective: provide clean drinking water) would the members agree to the work plan. The opposing members expressed optimism, but noted they need to see the changes in writing before agreeing.

Additionally, one member would like to see the budget before agreeing. Penny and the County will make changes to the work plan and will send it out to all members for a decision at the next meeting.

Specific changes agreed to include:

- Fix III Budget - BMP language (correct "implementation" to read "identification")
- Agree to early addressing of nitrate problems
- Page 2 - under strategies, change "will" to "may"

V. Budget Priorities:

Yakima County provided members with a preliminary budget handout. Vern Redifer advised the committee that it must spend a total of \$300,000 by the end of June. \$100,000 is allocated to Program Development and Administration; the remaining \$200,000 must be spent by June 30 or it will be returned to the State. Vern provided some ideas for spending the \$200,000:

- Deep Soil Sampling
- Monitoring Plan
- Monitoring Plan Implementation
- Nutrient Loading
- Education and Outreach
- Possible Nitrate Treatment Program "Clone"

Some members of the committee would like to see safe drinking water added to the task descriptions of the budget.

- Program Development/Administration
- Monitoring and Characterization
- Public Information and Outreach
- BMP identification and Field Research
- Safe Drinking Water (addition)

One of the members suggested that the committee start working on all task descriptions splitting the \$200,000 amongst the tasks to get each of them started. Another member would like to see money allocated for a community assessment survey. Mention was made that quality assurance programs need to be written before any sampling program can be undertaken and that can be time consuming.

Vern noted that if additional money is needed above and beyond what is currently budgeted, the committee will need to come up with specifics, along with an explanation

as to why tasks cannot be done with the current budget. This packet will need to be presented to Senator Honeyford.

Vern asked the committee to forward their budget ideas, with an estimated spending plan, to him next week and he will work on putting something together by the next special budget meeting.

VI. Public Comment:

No comments.

VII. Next Steps:

- Schedule a meeting in two weeks to discuss budget.
- Penny will make changes to work plan and send to members.

VIII. 2013 Meeting Calendar:

- 2 weeks/(January 28 - February 5th) date to be determined
- February 21
- March 21
- April 18
- May 16
- June 20
- July 18
- August 15
- September 19
- October 17
- November 21
- December 19

Meeting calendar will be reassessed at the end of the year.

The meeting was adjourned at 7:20 pm.

Meeting summary approved by the Lower Yakima Valley Groundwater Advisory Committee on February 6, 2013.