

1                   **YAKIMA VALLEY GROUNDWATER MANAGEMENT AREA ADVISORY COMMITTEE**  
 2                   **(GWAC)**

3                   **MEETING SUMMARY**

4                   **Thursday, December 18, 2014 – 5:00 p.m. – 7:00 p.m.**

5                   **Radio KDNA**  
 6                   **121 Sunnyside Ave, Granger WA 98932**

7                   **Note: This document is only a summary of issues and actions of this meeting. It is not intended to be**  
 8                   **a transcription of the meeting, but an overview of points raised and responses from Yakima County**  
 9                   **and Groundwater Advisory Committee members. It may not fully represent the ideas discussed or**  
 10                  **opinions given. Examination of this document cannot equal or replace attendance.**

11                  **I. Call to Order**

12                  **Roll Call:** This meeting was called to order at 5:10 p.m. by Penny Mabie, Facilitator.

<b>Member</b>	<b>Seat</b>	<b>Present</b>	<b>Absent</b>
Stuart Turner	Agronomist, Turner and Co.,	✓	
Chelsea Durfey		✓	
Bud Rogers	Lower Valley Community Representative Position 1		✓
Kathleen Rogers	Lower Valley Community Representative Position 1 (alternate)		✓
Patricia Newhouse	Lower Valley Community Representative Position 2	✓	
Sue Wedam	Lower Valley Community Representative Position 2 (alternate)	✓	
Doug Simpson	Irrigated Crop Producer	✓	
Jean Mendoza	Friends of Toppenish Creek	✓	
Eric Anderson	Friends of Toppenish Creek (alternate)		✓
Jan Whitefoot	Concerned Citizens of the Yakama Reservation		✓
Jim Dyjak	Concerned Citizens of the Yakama Reservation (alternate)		✓
Steve George	Yakima County Farm Bureau	✓	
Frank Lyall	Yakima County Farm Bureau (alternate)	✓	
Jason Sheehan	Yakima Dairy Federation	✓	
Dan DeGroot	Yakima Dairy Federation (alternate)	✓	
Jim Trull	Roza-Sunnyside Joint Board of Control	✓	

Ron Cowin	Roza-Sunnyside Joint Board of Control (alternate)		✓
Laurie Crowe	South Yakima Conservation District	✓	
Jim Newhouse	South Yakima Conservation District (alternate)		✓
Robert Farrell	Port of Sunnyside	✓	
John Van Wingerden	Port of Sunnyside (alternate)	✓	
Rand Elliott	Yakima County Board of Commissioners	✓	
Vern Redifer	Yakima County Board of Commissioners (alternate)	✓	
Gordon Kelly	Yakima County Health District	✓	
Dr. Troy Peters	WSU Irrigated Agriculture Research and Extension Center	✓	
Tom Eaton	U.S. EPA	✓	
Marie Jennings	U.S. EPA (alternate)		✓
Elizabeth Sanchey	Yakama Nation	✓	
Tom Ring	Yakama Nation (alternate)		✓
Kirk Cook	WA Department of Agriculture	✓	
Virginia "Ginny" Prest	WA Department of Agriculture (alternate)		✓
Andy Cervantes	WA Department of Health		✓
Ginny Stern	WA Department of Health (alternate)	✓	
Charlie McKinney	WA Department of Ecology	✓	
Tom Tebb	WA Department of Ecology (alternate)		✓
Lino Guerra	Hispanic Community Representative		✓
Rick Perez	Hispanic Community Representative (alternate)		✓

13

14 **II. Welcome & Meeting Overview**

15 Moment of Silence

16 Introductions

17 **III. Committee Business: Penny Mabie**

18 The October 16, 2014 meeting summary was approved as presented.

19 Jean Mendoza noted she disagreed with an opinion expressed in the October 16, 2014  
 20 meeting that Yakima County has the experience necessary to effectively manage contracts.  
 21 The GWAC approved Jean's request to distribute information to the committee supporting  
 22 her concerns and note her concerns in the meeting record.

23      **Facilitation Support for 2015 – Vern Redifer**

24      Vern announced that the contract with EnviroIssues expires at the end of December. Penny  
25      excused herself so the GWAC could discuss EnviroIssues' contract and facilitation services.  
26      Members felt that it was critical to have a facilitator at the outset and Penny was very  
27      instrumental in getting the group where it is today; however, members felt that the group  
28      is now established and no longer needs an outside facilitator. The money could be better  
29      spent on GWMA program efforts. Vern noted that he and Penny had discussed the  
30      contract and she feels that she is no longer needed on a day-by-day basis.

31      A member suggested that Jim Davenport act as the facilitator as he was already facilitating  
32      several of the working groups. Vern agreed, noting that Jim had volunteered to serve in  
33      this capacity. The group affirmed the decision to have Jim serve as the GWAC facilitator. It  
34      was further noted that the contract with EnviroIssues will not be renewed.

35      **Actions:** Yakima County will not renew EnviroIssues's contract. Jim Davenport will serve as  
36      the GWAC meeting facilitator.

37      **IV. Nutrient Loading Assessment Scope of Work (SOW) Version 1.2a dated December 3, 2014  
38      – Kirk Cook**

39      Kirk reviewed a Scope of Work that had been distributed to the committee. The intent of  
40      the assessment is to better understand the sources of nitrogen in the GWMA and provide a  
41      foundation on which the GWAC can make future recommendations about Best  
42      Management Practices and other actions to address groundwater contamination. He said  
43      the data working group discussed the SOW, he received many comments and made  
44      adjustments to the proposed SOW and there is still one dissenting opinion on the work  
45      group. Kirk noted that the Washington State Department of Agriculture (WSDA) had  
46      acquired additional information to supplement the data. He suggested that the assessment  
47      may have to utilize peer-reviewed published reports. He reminded the group that the SOW  
48      is a living document and can be modified. There will be a lot more work done on the  
49      nutrient loading assessment this spring.

50      A member asked if agricultural growers could be surveyed to get additional data for the  
51      assessment. Kirk noted that he assumed those who were sent the announcement about  
52      the Deep Soil Sampling (DSS) received the accompanying survey, which may yield  
53      information for the Nutrient Loading Assessment, but that it appeared few surveys had  
54      been submitted. Kirk suggested that perhaps it was not clear that participating in the  
55      survey did not obligate residents to participate in the sampling. Jim Trull pointed out that  
56      only those who agreed to participate in deep soil sampling were provided the survey; it did  
57      not go out with the letters inviting farmers to participate.

58      A member noted there was probably concern that with the multitude of data being used  
59      and some incomplete data, it might end up with skewed results from either under-

62       estimating or over-estimating by one industry or another. This assessment is not easy to do  
63       since there isn't direct data; it will have to use other sources of data.

64

65       Kirk explained that this is only an approach; there will not be a lot of Deep Soil Sampling  
66       data; and the data needs to be as transparent as possible. He noted the SOW is iterative  
67       and discusses the kinds of data that can be used for the assessment. The data exists and  
68       just needs to be carefully collected and used. Kirk said the GWAC should expect an update  
69       at each meeting from Data Collection.

70

71       A member expressed concern that the assessment could be used to set an arbitrary  
72       standard based on averages of what soil needs are that might be inflexible.

73

74       Another concern was that the study was not being set up to be reliable if someone  
75       questions the data and the funding allocated to the effort was inadequate to produce  
76       more than superficial results.

77

78       Kirk noted that WSDA and Yakima County were putting more staff time into the project  
79       than what was called out in the GWAC budget. The budget for the proposed scope of work  
80       was designed to stay within the GWAC budget parameters; he agreed that a lot more  
81       investment will be needed and will be made outside of the GWAC budget.

82

83       Kirk discussed plans for peer review of the loading assessment. Kirk noted that Ginny Stern  
84       (DOH) would provide peer review assistance. Ecology offered Melanie Redding to assist  
85       with data collection and validity. Kirk noted he has also contacted the WSU Center for  
86       Sustainable Agriculture staff, and intends to have up to five peer reviewers from different  
87       agencies participate. He noted the Data Working Group could help be accountable to the  
88       GWAC for adaptive management of the scope; could help advise and inform the GWAC  
89       about how data gaps are filled; and act as a steering body for the assessment. Other  
90       working groups will also need to be involved as the assessment moves into different parts  
91       of data collection.

92

93       A member expressed concern with the GWAC relying on this effort, noting that no actual  
94       testing for groundwater data was being planned or discussed in the GWAC and that was a  
95       serious oversight in fully understanding the extent of the groundwater contamination  
96       issue. Kirk concurred with the need and added that the working group was beginning to  
97       discuss groundwater monitoring and needs to queue the issue up for the full committee to  
98       discuss, particularly regarding what a plan should include. This could inform discussions  
99       with Pacific Groundwater Group (PGG) on the Groundwater Monitoring Plan and how to  
100      direct their work.

101

102      At the conclusion of the discussion, the GWAC agreed to approve the SOW in a consensus  
103      agreement.

104

105

106       **Action:** Jim Davenport will schedule a meeting date with the Data Working group soon:  
107       probably after Christmas. PGG is onboard and he suggested that perhaps Pony could come  
108       to the next meeting.

109

110       **Recommendation:** The Data Working Group should act as the steering committee for the  
111       Nutrient Loading Assessment SOW and provide updates to the GWAC.

112

113       **Action:** Scope of Work approved.

114

115       **V. Working Groups - 2014 Status Reports**

116       Each working group chair reported on the progress their group has made on their task lists  
117       over 2014.

118       **Funding Working Group – Vern Redifer**

119       Nothing to report.

120       **Data Working Group – Kirk Cook**

121       Originally this working group was set up to be technical consultants to the other working groups;  
122       however, during the process, they met and dealt with topics such as the scope and need for a USGS  
123       proposal for a groundwater model. The Data Work Group met once after the USGS proposal. According  
124       to the meeting summary “the group was somewhat divided in the USGS proposal, as some supported it  
125       while others advised to proceed with caution if this approach was adopted.” The Data Working Group  
126       made a recommendation to the GWAC that the USGS effort would be revisited in the future.

127       The working group brought an interim final groundwater monitoring plan to the GWAC and  
128       it was approved. The group also worked with the Irrigated Agriculture working group  
129       (Irrigated AG) to develop a questionnaire with the Deep Soil Sampling. With Jim  
130       Davenport’s participation, the group now has productive meetings.

131       The group will be very active with the groundwater monitoring plan development in 2015  
132       and will be working a lot on the Nutrient Loading Assessment into the spring.

133       **Education and Public Outreach (EPO) Working Group – Lisa Freund**

134       High Risk Well Assessment Surveys – Completed

135       EPO evaluations of the public questionnaire and high risk well assessment surveys were not  
136       completed as the working group could not come to agreement on an evaluation  
137       methodology.

138 Education Outreach Campaign – EPO/EPA New Mom campaign is ongoing with a flyer  
139 completed, printed and hand delivered by a working group member.

140 GWMA Educational Slides were approved and uploaded to the GWAC website to serve as a  
141 reference for GWAC members.

142 Abandoned Wells campaign – met with the Residential, Commercial, Industrial and  
143 Municipal (RCIM) working group to discuss the issue; GWAC approved the budget. It will be  
144 ongoing in 2015

145 GWMA Website update is in process.

146 No other requests received from the working groups.

**147 Irrigated Ag Working Group – Jim Trull**

148 Deep Soil Sampling is underway – The Scope of Work was completed in 2013; in the first  
149 half of 2014, the group resolved the confidentiality issue. 33 DSS surveys were completed  
150 in 2014.

151 Significant change was made due to concerns about data. It is generally agreed that 200 or  
152 more samples are desired. It was decided that these would be collected in four sampling  
153 periods. The first round of sampling is complete and the results have been sent to Vern  
154 Redifer. Vern will try to get the raw results out to the group.

155 They plan to encourage growers to fill out surveys even if they are not participating in the  
156 Deep Soil Sampling – Early 2015

**157 Livestock/CAFO Working Group – Charlie McKinney**

158 Their charge was to address all nitrogen sources related to dairies.

159 Manure field application – Irrigated Ag working group is addressing this issue through the  
160 deep soil sampling.

161 Corrals/Pens – Originally the working group thought to include this in the deep soil  
162 sampling; but since they have decided DSS is not the best place to do it because of the  
163 methodology being used. This effort is on hold as there is a need to develop a study design  
164 with PGG and the 2015 studies.

165 Plan and schedule presentation on Compost Regulations/Policy – An Ecology employee is  
166 currently working on this.

167      Seepage from Lagoons – They are waiting on lagoon data from EPA. The data has been  
168      collected; they are now waiting on the data to be available. Once they have acquired the  
169      data they will begin evaluating it.

170      Develop CAFO/Livestock education through the EPO – This task is on hold until after the  
171      study is complete.

**172      RCIM Working Group – Robert Farrell**

173      Three of the RCIM working group's four tasks were about gathering data about potential  
174      nitrate sources.

175      Residential Septic Systems – Information was received from Yakima County.  
176      NPDES point source permit holders – Department of Ecology supplied this information.  
177      Undergound Injection Control Wells – List of UIC wells received from Ecology.

179      The fourth task was to develop an education strategy with EPO to address risks associated  
180      with abandoned/improperly decommissioned wells – That effort is ongoing.

181      There was also concern expressed about known nitrate plumes within the GWMA  
182      boundary – Ecology is compiling a list of major nitrogen clean up sites.

183      The working group is also discussing deep soil sampling on RCIM sites. This may result in an  
184      addendum to the DSS scope. The working group will develop a proposal and then bring to  
185      the GWAC

186      There is also concern regarding loading – Ecology knows who the permit holders are but  
187      don't know what the loadings are. Department of Ecology staff are helping identify how to  
188      acquire this information and then RCIM will discuss with the Data Working Group.

**189      Regulatory Framework Working Group – Tom Eaton**

190      The group is about 90% done gathering information on statutes, rules and ordinances  
191      related to existing regulations. This information will be provided to agencies as a guide for  
192      upcoming study sessions. The working group developed a list of questions for regulatory  
193      agencies to use as a guide to help them develop presentations for the upcoming study  
194      sessions.

195      *Study Sessions:* The purpose of the study sessions is to learn more about regulatory  
196      agencies with existing authorities regarding nitrates. What they are authorized to do and

197 how effectively the existing regulations address potential sources of nitrates in  
198 groundwater: what is working, what is not working and how the regulations or  
199 implementation might be improved.

200 The working group originally scheduled two study sessions on Existing Regulatory  
201 Infrastructure within the GWMA. The first session, on January 14, 2015, will address  
202 regulations specific to the RCIM sources. A second session is scheduled for February 11,  
203 2015 and will address regulations specific to irrigated ag sources and those applicable to  
204 CAFO/livestock. It was determined that the proposed agenda was too ambitious for two  
205 sessions and a third study session will be scheduled, likely at the end of January.

206 The working group suggests a similar look at incentive programs such as section 319 of the  
207 Clean Water Act. The chairman of the working group suggested some other working  
208 group take on that work – finding agencies that are using incentive programs and explore  
209 how well they are working. The funding working group was suggested a good place for this  
210 activity.

**211 VI. Proposal presented to the EPO Working Group by Health Sciences Service Learning  
212 Group with the University of Washington – Health Sciences Schools**

213  
214 Lisa described a proposal, which would partner a UW graduate class with the EPO to  
215 develop messaging for the Abandoned Wells outreach campaign. Following discussion, the  
216 GWAC agreed not to pursue the partnership in part because there wasn't time enough to  
217 fully shape the proposal before the start of the project; the proposal was lacking in detail  
218 regarding the purpose of the proposed tour and its relationship to abandoned wells, and  
219 concerns about GWAC oversight of the products produced by the class. In addition the  
220 member who opposed the project did not approve of the text book for the class.

**221  
222 VII. Public Comment:**

223 Commentor expressed concerns with assigning an objective amount on nitrogen  
224 depending on the crop and using it as a basis for regulation or standards. Under or over  
225 application will impact the production of nitrates. The commentor believes the amount of  
226 nitrogen applied should be left up to the farmer.

227     **VIII. Next Steps:**

228     Future agenda items: Groundwater testing discussions and providing input on committee  
229     expectations for PGG

230     The Data Working Group will act as the steering committee for the Nitrogen Loading  
231     Assessment and report back to the GWAC

232     Work planning for the upcoming year:

- 233         • Vern and Jim will meet with the working groups and identify a date to report back  
234         to the GWAC (February/March 2015)

235

236     **Next Meeting**

237     Thursday, February 19, 2015

238     **2015 Meeting Calendar – The GWAC approved the 2015 bimonthly meeting calendar:**

- 239         • February 19, 2015
- 240         • April 16, 2015
- 241         • June 18, 2015
- 242         • August 20, 2015
- 243         • October 15, 2015
- 244         • December 17, 2015 (tentative, if needed)

245     The meeting was adjourned at 7:05 p.m.

246

247     Meeting summary approved by the GWAC on February 19, 2015.