

GWMA Regulatory Meeting Summary: February 12, 2014

Lower Yakima Valley Groundwater Management Area Advisory Committee

[February 12,
2014]

Regulatory Framework Working Group

Charge from Groundwater Management Area Advisory Committee

2014 Task List

Working Group Members

Tom Eaton – Chair (Environmental Protection Agency), Andres Cervantes (Department of Health), Charlie McKinney (Department of Ecology), Dan Degroot (Yakima Dairy Federation), Jason Sheehan (Yakima Dairy Federation), Jean Mendoza (Friends of Toppenish Creek), Laurie Crowe (South Yakima Conservation District) Nick Peak (Environmental Protection Agency), Vern Redifer (Yakima County Public Services)

Meetings/Calls Dates

Conference Call: (509) 574-2353 - PIN# 2353

When: 2:00 pm – 3:30 pm Thursday, February 12, 2014

Participants

Tom Eaton (Chair), Laurie Crowe, Jean Mendoza, Larry Fendell, Ginny Prest, Dan Degroot, Charlie McKinney, Vern Redifer, Andy Cervantes, Dan McCarty, Don Gatchalian (Yakima County support staff) and Troy Ross-Havens (Yakima County support staff)

Key Discussion Points

Welcome & Meeting Overview

Tom Eaton began by welcoming the group and outlining the purpose and Agenda for the meeting.

Regulatory Framework Purpose Statement

The participants of the meeting discussed the working group's purpose statement; which led to the finalization and adoption of the following statement:

To educate the GWAC on the existing regulations, policies and guidelines in regards to all uses and sources of nitrates in the GWMA. To determine the level of compliance of all regulations, policies and guidelines through contact with the agencies that have

regulatory authority and educate the GWAC on the levels of compliance. Identify overlaps and alternative management strategies in current regulatory and non-regulatory programs; Identify and evaluate alternative regulatory and non-regulatory strategies and programs that will support the GWMA goals.

Technical Memorandum #1 from HDR

The group discussed Technical Memorandum #1 (TM#1) composed by HDR for the LYV GWMA, which included a technical review of regulations associated with nitrate sources pertaining to the LYV GWMA. It was decided that these regulations should be sorted into their respecting working group purviews such as livestock/CAFO, irrigated agriculture, residential, commercial, industrial, and municipal.

Some discussion occurred regarding regulations on mines and abandoned wells, and how they were not included in TM#1; which the group thought would be necessary to include. WAC 173-160 covers requirements on decommissioning abandoned wells, specifically WAC 173-160-381.

In addition, the group thought it would be beneficial to include a background of each law with additional information such as legislative intent, date enacted, etc.

ACTION: Vern R. to draft the initial categorization of regulations identified in TM#1

Regulatory Program Analysis

In order to get a better feel on the effectiveness of regulations, policies, and guidelines pertaining to the LYV GWMA, the group decided to create an analysis or questionnaire to be submitted to regulating agency's inquiring on how these regulations, policies, and guidelines are working, or aren't working. Some key points in the questionnaire might include adequacy of funding for implementation, guidance needs, potential areas of improvement, process effectiveness, enforcement effectiveness, compliance issues, adequacy of staffing level, etc. This questionnaire will also provide guidance for speakers that may address the working group/GWAC on specific regulations, policies, and/or guidelines.

ACTION: Vern R. to draft the initial agency questionnaire

Task List

The task list was modeled off of the work plan for the working group. The task list presented by Tom was nearly complete, although it was still needing milestone dates. Tom offered the group on if they wanted to do it together or not. One participant suggested that Tom complete it by himself as it would be expected to take less time this way.

ACTION: Tom E. to finalize the task list with associated milestones

Other Items

Regulatory Framework Webpage Content

It was suggested that a library of regulations, policies and guidelines be placed within the LYV GWMA website. In addition, the website would include the working group's task list, and notes from previous working group meetings.

Satisfaction with WAC 173-100

One participant inquired the working group on whether or not they fully understood WAC 173-100 and whether or not all of the laws presented within WAC 173-100 applied to the LYV GWMA. It was mentioned that the code was written as a tool with a lot of flexibility which is up to the local group to define the goals of the GWMA. Members generally agreed that they did fully understand it and the laws applied; however some content of the law would not necessarily be germane to the LYV GWMA, as areas around Washington State vary immensely in many aspects such as hydrology, geology, hydrogeology, etc. For example the LYV GWMA should not need to address coastal estuaries and marine life.

Resources Requested

None at this time

Recommendations for GWAC

None at this time

Deliverables/Products Status

None at this time

Proposed Next Steps

Carry out action items described above