

GWMA Regulatory Meeting Summary February 26, 2015

Lower Yakima Valley Groundwater Management Area Advisory Committee Feb 26, 2015

Regulatory Framework Working Group

Charge from Groundwater Management Area Advisory Committee

[Insert Charge]

Working Group Members

Tom Eaton – Chair (Environmental Protection Agency), Andres Cervantes (Department of Health), Charlie McKinney (Department of Ecology), Chelsea Durfey (Turner and Co.), Dan DeGroot (Yakima Dairy Federation), Ginny Prest (AGR), 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), Jim Dyjak (Concerned Citizens of the Yakama Reservation), Larry Fendell (citizen) and Steve George (Yakima County Farm Bureau)

Meetings/Calls Dates

Conference Call: 3:00p.m. To 4:13p.m., Thursday 26, 2015

Call Number: 866.299.3188 CODE #3607539437

Participants

Present: Tom Eaton (Chair), Andy Cervantes, Charlie McKinney, Jean Mendoza, Jim Davenport, Larry Fendell, Vern Redifer, Dan DeGroot, Jim Dyjak

Other Attendees: Lisa Freund, Erica Naasz (Yakima County Support Staff)

Key Discussion Points

- The purpose of this conference call was to discuss the first Regulatory Framework Working Group Study Session held on February 19, 2015. Jim reminded the members that he has sent out a draft for the next two study sessions.
- Tom thought that the first session went well; we were able to receive information, capture results, and get a complete picture for later discussions. Jim stated he has written a chapter on regulatory structure. He will make the draft available for members who take notes at these study sessions so they can incorporate their notes into the chapter. In the meantime anyone who took notes or has a copy of their presentation was directed to send them to Lisa F.

A broad discussion followed. Tom suggested that the agenda is in fact too crammed to discuss each law and we will need more sessions. A member also brought up Vern's timeline, stating we cannot make it within the suggested timeframe of July. Vern stated the timeline is a reflection of what he has seen and what is planned. He also added that

he was a little disappointed in the first session, feeling that the presenters did present the laws but the questions [they were provided in advance of the session] were not answered. He added that this was likely due to the broad subjects and time limits.

Another member expressed frustration that the law(s) were not investigated or analyzed in the study session. The speakers did not address enforcement. Jim Davenport pointed out the intention to lay down the fundamentals, then analyze whether the regulatory structure is sufficient. Charlie McKinney agreed, noting that analysis will take place when the group starts focusing in on specific laws that regulate nitrate. Tom Eaton observed that the EPA did report on enforcement actions. Additional discussion took place around time, presenters, cost, the laws and concern about how (if) the laws are being implemented and if they are making a difference. Member also suggested regulations they wanted discussed at future sessions.

- Jim asked the members what they would like to see at the next sessions. Requests included providing session information a week in advance so members have more time to process the material. A round table seating approach was also suggested as well as more microphones. Jim requested that the members suggest relevant legal authority for consideration of discussion. The members were asked to list their priority topics and submit to him within two weeks, sending a copy to Tom as well. Jim and Tom will then prioritize the list and make a proposal as to how to move forward.
- Jim observed that based on today's discussion, the second study session may not be ready by April 2.

Resources Requested

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Recommendations for GWAC

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Deliverables/Products Status

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Proposed Next Steps

- Send study session presentations and/or notes to Lisa Freund
- Send priority topics for the upcoming study sessions to Jim Davenport (cc Tom Eaton) within the next two weeks.