

Deschutes River, Capitol Lake, and Budd Inlet TMDL Advisory Group Meeting

Thursday, February 28, 2013, 9:10 a.m. to 12 noon
Dept. of Labor & Industries Building, 7273 Linderson Way SW, Tumwater

Attendees

Capitol Lake Improvement and Protection
Association (CLIPA)

- Bob Holman

Citizen

- John DeMeyer

Deschutes Estuary Restoration Team (DERT)

- Cliff Mitchell
- Dave Peeler

Ecology, WA State Dept. of

- Bob Bergquist
- Kim McKee
- Lydia Wagner

Enterprise Services (DES), WA Dept. of

- Carrie Martin

Lacey, City of

- Julie Rector

LOTT Clean Water Alliance

- Karla Fowler

Olympia, City of

- Laura Keehan

Olympia Yacht Club

- Jim Lengenfelder

Squaxin Island Tribe

- Scott Steltzner

Thurston Conservation District

- Kathleen Whalen

Thurston County Environmental Health

- Sue Davis

Thurston Public Utility District

- Linda Oosterman
- Chris Stearns

Transportation, WA State Dept. of

- Emily Miller

Tumwater, City of

- Dan Smith

Weyerhaeuser

- Steve Barnowe-Meyer

General Updates

Timeline change: Unfortunately the timeline presented at the January meeting is changing again. Ecology staff from the Environmental Assessment Program (EAP) is still working on several models related to the Puget Sound and Budd Inlet. Water Quality (WQ) Program staff will provide an update when they can.

Meeting logistics:

- **Location:** Due to construction activities near the Tumwater Fire Department, their training room is no longer available for this year. Ecology revised the 2013 Meeting Schedule and it is available online at <http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advisorycomm/DeschutesAdvGroup2013MtgDates-Rev.pdf>.
- **March 28:** We will meet at the LOTT Clean Water Alliance building, 500 Adams St. NE, Olympia.
- **April 25:** Due to Ecology staff conflicts, it is likely the April meeting will be cancelled. Ecology will provide either confirmation of this or of the change in date later through email.

Western Forester newsletter: Lydia shared the January/February 2013 publication from the Society of American Foresters. It includes articles about riparian best management practices (BMPs), forest management and how it affects fish habitat, and an update on forest roads and the Clean Water Act (CWA). The newsletter is available online at www.forestry.org/northwest/westernforester/2013.

Capitol Lake: Carrie Martin, DES, provided a brief update on the status of the 2011-13 biennium project to begin the process of seeking necessary permits to dredge and spot dredge excess sediments in Capitol Lake. DES has hired Floyd Snider, an environmental consulting firm, to develop a road map of the permitting process, including review of existing technical documents, a permitting analysis and identification of key data gaps. Floyd Snider has invited agency technical staff involved in the permitting process to meet with them on March 13 to review and provide input on the draft road map. Another meeting will be held in mid-April for interested stakeholders to learn about the status of the project. The final permitting report will be completed by June 2013.

Load and Wasteload Allocations

Kim McKee and Lydia Wagner, Ecology, Water Quality Program

General reminders

- **Advisory Group Review:** The group will have another chance to review and comment on the allocations section of the Implementation Strategy. This will happen before the public comment period begins.
- **Forest Practices Rules:** These generally cover forest landowner requirements and the water cleanup plans don't usually go beyond them. However, we can still consider and encourage voluntary actions which go above and beyond those requirements.

Ecology used the EPA Office of Water program's "MyWATERS Mapper" tool to see aerial images of the watershed. This is available online at www.epa.gov/waters/enviomapper/. The discussion for this meeting was concentrated on the "Mainstem Temperature FTP" tab.

Table suggestions

- Add a "priority" column. If this isn't an option then list the items in their priority order.
- Reword the column "Responsible Party" to "Lead Entity" and provide an explanation to avoid confusion. Specify if they are regulatory or non-regulatory. *For example, is it the property owner or the agency overseeing the implementation actions?*
- Can Ecology make photos of certain areas to document exactly where actions are needed? This could be a good way to make it easier for the layperson to understand.
- Add a numeric priority of high/medium/low for the action items.
- Add a column to list land use (such as forests, farms)
- Add a column for land ownership. Examples include Weyerhaeuser, WA-Dept. of Natural Resources (DNR), private/small.
- Use images superimposed on a map to provide a better visual of the issues. Perhaps include text box with other information such as sampling stations, water quality standards, parameters of concern, or reductions/increases needed.
- Identify watershed segments that can be controlled or improved by shade. If possible, identify which side of the river bank is affected. This can help specify if work is needed on one side or both.

Challenges and Considerations

Gravel bars: There are many areas of the watershed with wide gravel bars. These are priority areas. *Can we create islands within the gravel bars?* We need to consider potential flood concerns for any work related to these areas. We should consider innovative approaches.

Forested areas: *Can Ecology work with Weyerhaeuser and the WA State Department of Natural Resources (DNR) to get information about their progress with the Road Maintenance and Abandonment Plan (RMAP)?* The information could possibly help with identifying what work is completed and what is still needed.

- Weyerhaeuser staff stated accomplishment reports are submitted to the DNR and the information is public knowledge. The specific area we are interested in is the Vail Operations.
- Follow-up: Ecology staff sent an email to Kristi Tausch, DNR, on 3/1/13. She arranged for Lydia to have access to this information.

Riparian projects: TCD staff suggested looking at a grant report completed several years ago.

- Follow-up: Centennial Clean Water Fund, Grant #G0300130, Thurston Nutrient Reduction & Riparian Assessment. One element of the work included conducting a riparian habitat assessment to locate areas where buffer zones are non-existent or inadequate. As a result of this project, 258.2 miles of stream were identified as degraded riparian areas with potential for restoration. The TCD and other entities can use this assessment to identify sites for restoration work.
- We should consider a seed source for some areas to jump start vegetation. Instead of a broad scale approach, look at smaller sections. Consider the appropriate trees needed for these sections.
- Buffer widths: Ecology continues to have internal discussions on this issue. Our goal for this watershed is to have system potential shade where identified in the technical report. The minimum buffer standard is 35 ft. This may not be ideal in all situations but if this is all we can get then we will take it. There are other areas where a larger buffer is preferred and this will result in more discussions and negotiations with the affected landowner.

Holistic approach: We should look holistically at the system and not just at short-term fixes. We need to consider the hydrology, fish habitat, environmental impacts, high flood events, etc. We should also consider the costs associated with work needed. Remember that a positive change for one area could have a negative impact downstream.

Flow: Squaxin Island Tribe staff stated parts of the river actually look great from a fish habitat perspective. The group should be cautious when suggesting changes. *Is Ecology going to concentrate on the need for increased flow in the watershed or only shade?* Ecology staff explained that flow is not considered when developing water cleanup plans. Implementation actions recommended could benefit flow but it is not the primary target.

Agriculture: Remember that we cannot apply the Forest and Fish regulations to agricultural activities. Thurston County and the Thurston Conservation District have actively worked in the watershed for decades, including riparian revegetation and restoration, and have seen improvements. There are some property owners who have been unwilling to cooperate with any of the efforts. Some of the segments needing the most riparian restoration work are large agricultural properties. These are clearly visible with the map's aerial views, where we can see livestock present and no fences. An example of an implementation action to include

is Ecology using the authority under RCW 90.48 to require the livestock be excluded from the river channel. This could allow native vegetation to take hold and stabilize the river bank to reduce fine sediment and bacterial pollution. By focusing in on a particular property, this has the potential for a special project funding by Ecology's Directed Implementation Funds (DIF) or Coastal Protection Grant (CPG) funds.

- **3 Directors talks:** There was brief discussion on the status of the talks underway with Directors from the Washington State Departments of Agriculture, Conservation Commission, and Ecology.
- **Follow-up:** These agencies were charged by former Governor Christine Gregoire to improve water quality on agricultural lands. The discussions sometimes involve the EPA and the Natural Resources Conservation Service (NRCS). The following items are available online:
 - *Three Directors' Progress Report:*
www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp/3DTsProgressReportGovGregoire11Jan2013.pdf.
 - *Recommended agency actions in lieu of manure legislation in 2013:*
www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp/3DTsRecommendationsInLieuOfManureLegislation11Jan2013.pdf.

General discussion

Potential Projects: Bob Bergquist reminded the group if they have any watershed improvement project ideas to send them to Lydia. These could possibly get funded through Directed Implementation Funds (DIF) or Coastal Protection Grants (*generally referred to as the Terry Husseman account*). The proposals are reviewed quarterly and funds can be disbursed as soon as a project is approved. We're keeping a "living list" of projects. There is also potential through the EPA's National Estuary Program (NEP) funding. Lydia will continue to forward grant opportunities as she is aware of them.

Allocations Tables: It was observed and noted that Ecology is not included anywhere in the bacteria or temperature tables as a Responsible Party. Ecology staff acknowledged this oversight and provided assurance to correct it. Staff reminded the group these tables are "working drafts" and will go through numerous edits before the final version is included in the Implementation Strategy.

March meeting: Ecology was asked to include specific references from the Technical Report to aid the Advisory Group members in their prep work. Follow-up: This information will be included in the March meeting agenda and corresponding email.

Open Comments:

Jim Lengenfelder: He is frustrated over how long this process is taking. (*Ecology response: We share your frustration.*)

Dave Peeler:

- He is also frustrated and unhappy with the delays in this TMDL effort.
- Implementation: To address the agricultural issues strategies to work with landowners and help identify funding sources are needed. It can be challenging in getting funding through the National Resources Conservation Service (NRCS). We need their help to target and direct funds and resources for high priority projects or areas. The NRCS is one of the biggest funding sources. Is there a better way to work with them?
 - *Kathleen Whalen, Thurston Conservation District, addressed this comment and question. She stated the NRCS Environmental Quality Incentive Program (EQIP) historically required all resource issues be addressed with an EQIP contract. This often cost several thousand dollars when combined and they were unable to spread the funding out across a larger geographic area. Due to the current economic challenges, including farmers unable to contribute adequate matching funds, the NRCS is now allowing single practice implementation.*

Next meeting

Date: Thursday, March 28, 2013
Time: 9:00 a.m. – 12:00 noon
Place: LOTT Clean Water Alliance
500 Adams St. SE, Olympia, WA

Draft agenda: Conclude discussion about allocations for temperature and fine sediments.