

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

Tuesday, November 9, 2010 -- 9:00 a.m. to 12:00 p.m.

Tumwater Fire Department, 311 Israel Rd. SW

Attendees

Agriculture, WA State Dept. of

- Nora Mena
- Ann Wick

Black Hills Audubon Society

- Sue Danver

Ecology, WA State Dept. of

- Betsy Dickes
- Chuck Hoffman
- Kim McKee
- Derek Rockett
- Lydia Wagner

LOTT Clean Water Alliance

- Karla Fowler
- Paula Williamson

Olympia, City of

- Laura Keehan

Olympia Yacht Club

- John DeMeyer

Thurston Conservation District

- Kathleen Whalen

Thurston County Environmental Health

- Sue Davis

Thurston Public Utilities District

- Chris Stearns

Tumwater, City of

- Dan Smith

Deschutes, Dairies, and the Department of Agriculture

Guest Speaker, **Nora Mena, WA State Department of Agriculture (WSDA)**, provided an overview of the work done by the WSDA.

Items addressed in her presentation:

- Dairy Nutrient Management Program
- Dairies in the Deschutes
- Other WSDA Programs (for example: Food Safety and Consumer Services, Commodity Inspections, and Pesticide Management)

The WSDA only has 3.5 dairy inspectors for the entire state. There are two dairies located in the Deschutes watershed. Dairy inspections occur on a 22-24 month cycle unless there are specific issues reported. This program is under the WSDA's jurisdiction, while other Concentrated Animal Feeding Operations (CAFOs), such as feedlots and poultry operations, and remain under the Department of Ecology.

Discussion items:

Sampling & Monitoring:

- The WSDA does not take groundwater samples.
- The Food Safety Program requires dairies on private water systems to take a sample once a year to check fecal coliform levels.
- They do not conduct any routine surface water sampling during inspections but do take samples when the inspectors suspect there is a problem either during an inspection or in response to high bacteria counts from other sampling activity.
- Ecology's CAFO Permit does not cover most dairies. Dairies, whether permitted or non-permitted, are not required to conduct surface water monitoring.
- All dairies test soil using the Natural Resources Conservation Service (NRCS) sampling standards. Permitted CAFOs are required to send a report to Ecology annually. Soil tests include a variety of nutrients and conditions, such as pH. They must also conduct tests on nutrient sources including manure, fertilizer, and used bedding material or compost.
- Phosphorus typically does not leach through the soil but can runoff. Nitrogen readily leaches when in the form of nitrate. Proper irrigation is important to avoid pushing nutrients below the root zone, which wastes both the water and nutrients.

Dead animals:

- There are regulations in the WSDA Animal Services Program and WA State Department of Health regarding the correct disposal methods. Composting dead livestock, generally with manure, is one option and another is sending them to a rendering facility.
- Bioremediation: There was a brief discussion about concerns related to composting dead animals. Bioremediation includes reducing fecal coliform and other pathogens from composting (of livestock, manure, or other organic materials), removing excess phosphorus, or nitrates from soil by cropping, or using microorganisms to break down toxins of various sorts to harmless derivatives.

Nora provided copies of the following fact sheets from the WSDA Dairy Nutrient Management Program:

- "Field and filter strip conditions", (January 2010), available online at <http://www-stage.agr.wa.gov/FoodAnimal/Livestock-Nutrient/Docs/FilterStripsFactSheet01-10.pdf>.
- "Changes in nutrient management recordkeeping requirements effective July 26, 2009." (September 2009), available online at <http://agr.wa.gov/FoodAnimal/Livestock-Nutrient/Docs/RecordkeepingFactSheet082109.pdf>.
- "Soil and Manure Testing and Application Record requirements for dairies NOT under the CAFO PERMIT", (September 2010). *(Note: This document is not available online.)*
- "Silage Leachate: Another reason to walk your ditches", (August 2008), available online at <http://agr.wa.gov/FoodAnimal/Livestock-Nutrient/Docs/silageleachatefactsheet.pdf>. *(Note: The September 2009 version is not available online.)*

- Additional forms and publications are available at <http://agr.wa.gov/FoodAnimal/Livestock-Nutrient/FormsPublications.aspx>

For more information contact:

Nora Mena

WA State Department of Agriculture
Dairy Nutrient Management Program
NMena@agr.wa.gov
360-902-2894

Virginia “Ginny” Prest

WA State Department of Agriculture
Livestock Nutrient Management Program
VPrest@agr.wa.gov
360-902-1928

Useful websites:

- WA State Department of Agriculture (WSDA) main page: www.agr.wa.gov
- WSDA Dairy Nutrient Management: <http://www.agr.wa.gov/FoodAnimal/Livestock-Nutrient/Default.aspx>
- WA State Department of Ecology, Concentrated Animal Feeding Operation (CAFO) General Permit: <http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html>
- Memorandum of Understanding (MOU) between the WSDA and Ecology: <http://www.ecy.wa.gov/programs/wq/permits/cafo/AgriMOU2009.pdf>
- EPA Publication, “A Citizen’s Guide to Bioremediation”: <http://www.epa.gov/tio/download/citizens/bioremediation.pdf>

Nora’s presentation is available online at

<http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/110910DeschutesAdvMtgDairies-Mena.pdf>.

Putting Conservation on the Ground in the Deschutes

Guest Speaker, **Kathleen Whalen, Thurston Conservation District (TCD)**, provided us with an overview of the TCD, described work done through an Ecology grant, and successful technical assistance efforts. The “Deschutes Early Action TMDL Response” grant project occurred from 2007-2010. One part of the project was a Stewards Program, where they had a goal of providing outreach to 50 participants. They surpassed that goal and helped 72. They could not take on any additional participants due to limited funding. Separate from the Stewards Program, the TCD provided technical assistance to 176 agricultural or streamside landowners.

The focus of the project was to encourage Deschutes watershed residents to:

- Implement Best Management Practices for
- Pet waste
- Pasture and manure management
- Septic system management
- Nutrient management (only use the amount of fertilizer necessary)
- Become a Deschutes Watershed Steward with incentives such as:

- Watershed friendly products
- Free native plants
- Slow release fertilizer
- Dog leash with bag dispenser
- Take Advantage of Cost Share Opportunities for riparian areas such as:
- Reduction in cost of riparian planting
- Reduction in cost of riparian fencing

They are already planning workshops for 2011 and will have at least one each addressing riparian issues and farm management. They recently submitted a new application to Ecology for the current grant cycle.

Through the **Deschutes Early Action TMDL Response** grant, they developed the following publications, both available online.

- “Clear Choices for Clean Water” program booklet:
<http://www.thurstoncd.com/files/CLEARCHOICESweb.pdf>.
- “Your Role in Deschutes Watershed Water Quality Protection” brochure, (May 2010):
<http://www.thurstoncd.com/files/Deschutes%20TMDL%20Grant%20Brochure.pdf>.

Cost-share money comes primarily from grants and the match can include labor by the landowner. Incentives such as cost-share, free native plants, and free labor are big motivators for landowners to participate. When landowners do not want to participate, the TCD will focus their outreach on high priority areas.

If there are water quality issues on a site, but the landowner is not willing to work with the TCD, there is no obligation from the TCD to refer the site to any regulatory agency. As a reminder, the TCD is a non-regulatory entity who encourages voluntary compliance by landowners.

Her presentation is available online at

<http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/110910DeschutesAdvMtgConservation-Whalen.pdf>.

For more information contact:

Kathleen Whalen, District Administrator
Thurston Conservation District
kwhalen@thurstoncd.com
www.thurstoncd.com
360-754-3588, ext. 114

Non-point Source Compliance and Enforcement

Guest Speaker, **Derek Rockett, Department of Ecology, Water Quality Program**, provided an overview of the work he does in response to non-point sources in Ecology's Southwest Region. One of his primary responsibilities is to respond to water quality concerns received either through Ecology's Environmental Report Tracking System (ERTS) or referrals from other agencies or parties. ERTS is a tracking system where environmental concerns are recorded and sent to the appropriate programs or agencies for follow-up. Referrals can go out to multiple staff or entities within and outside Ecology. The regulatory framework for his work includes Chapter 90.48 RCW, Water Pollution Control, and Chapter 173-201A, Water Quality Standards for Surface Waters of the State of Washington.

His work is compliance driven and often involves coordination with other Ecology programs, state agencies, or local jurisdictions. He may conduct joint inspections or site visits with staff from Conservation Districts or the WA State Department of Agriculture. Typical issues investigated include stream alteration, dredging, bank stabilization, illegal discharges to storm drains or surface waters, livestock issues typically associated with manure, wetlands fill, and other types of pollutant discharges. Shellfish related issues are currently the highest priority.

His experience has been that most people come into compliance voluntarily. When this does not occur, he generally addresses water quality violations as follows:

1. Technical Assistance
2. Warning Letter
3. Administrative Order
4. Penalty

For more information contact:

Derek Rockett, Non-point Specialist
Department of Ecology
Water Quality Program
Southwest Region
Derek.Rockett@ecy.wa.gov
360-407-6697

Additional information:

Department of Ecology: You can report an environmental problem (anything that may pollute the land, air, or water) by phone or online. Reports can be made 24 hours a day, 7 days a week, 365 days a year. To make a report for counties located in Ecology's Southwest Region, (*Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, and Wahkiakum*):

- Call (360) 407-6300, or
- Submit an online Environmental Incident Report at http://www.ecy.wa.gov/programs/spills/forms/nerts_online/SWRO_nerts_online.html.

Include as much information as possible, for example:

- What is the problem?
- Where is the problem?
- What kind of material is involved?
- How much is there?

Thurston County Resources: The county also receives and investigates water quality complaints regarding animal waste, septic systems, and solid and hazardous waste. Article VI of the Thurston County Sanitary Code, referred to as the "NonPoint Source Pollution Ordinance," establishes local regulations which require proper management of animal waste to prevent surface and groundwater pollution. The Environmental Health Codes are available at http://www.co.thurston.wa.us/health/ehadm/rules_regs.html.

Additional county resources:

- Nonpoint Source Pollution Compliance: <http://www.co.thurston.wa.us/health/ehhw/nspo.html>.
- Thurston County Hazardous Waste Program: <http://www.co.thurston.wa.us/health/ehhw/index.html>.
- Thurston County Surface Water Protection: <http://www.co.thurston.wa.us/health/ehrp/surfwater.html>.
- Thurston County Chapter 15.07, Illicit Discharge Detection and Elimination Ordinance, adopted September 7, 2010: <http://www.co.thurston.wa.us/stormwater/publications/other/Ordinance-14404-IDDE.pdf>.

General discussions

Environmental Education and Outreach: While there is no formal outreach for non-point sources by Ecology, Derek addresses this on a case-by-case basis as he works with property owners. Additional education and outreach is achieved through groups such as Stream Teams, Shellfish Protection Districts, or Conservation Districts (CDs). Ecology awards grant money to entities such as CDs and grantees are encouraged to share publications and resources with other entities.

The Puget Sound Partnership (PSP), was compiling resources throughout the region to develop a central "bank" of resources. These are available at <http://www.psp.wa.gov/documents.php> and include, for example:

- Puget Sound Resources
- Action Agenda documents
- Salmon Recovery & Watershed Work Plans
- Aquatic Nuisance Species documents
- Puget Sound Starts Here campaign materials
- Federal Economic Stimulus information

Transfer of Development Rights (TDR) Program: This is another tool that may provide an option for some watershed landowners. Benefits of participation could include less operating septic systems, increased riparian vegetation in areas needed to promote more shade, and preventing or limiting development. Some of Washington's larger and northernmost counties have had some success in the TDR Program along with land trusts. (We need more information about this program.)

EPA Grant Application: The Puget Sound Partnership (PSP) is coordinating the process for one grant application targeted for Puget Sound restoration work from four state agencies: The Departments of Ecology (Ecology), Health (DOH), Natural Resources (DNR), and Fish and Wildlife (WDFW). Ecology is the lead agency for the Toxics and Nutrients Reduction and Control projects. Ecology will help the DOH with the Pathogens Reduction and Control projects. A decision is still pending on whether Ecology or the Department of Commerce will take the lead on the Watershed Protection and Restoration projects.

For more information:

- Puget Sound Partnership: http://www.psp.wa.gov/EPA_funding_FY10
- EPA's Puget Sound Action Agenda 2010 Request for Proposals: http://www.epa.gov/region10/pdf/grants/eco_lead_orgs_amended_final_rfp_091310.pdf.

Urban Land Development: Concerns were expressed about local rules regarding updating plats and infrastructure to sustain new development. There is the potential for large housing developments that could have significant impact on the watershed.

Draft Implementation Strategy:

We began discussing what we already know about work currently underway in the watershed.

Thurston Conservation District:

- They are planning a Riparian Restoration workshop in Spring 2011 and a Farm Management Workshop in Fall 2011.
- They have submitted a new grant application. If they are successful, work will begin in 2012.
- Clear Choices for Clean Water.

Thurston County:

- They are updating their Critical Areas Ordinance (CAO). More information is available at http://www.co.thurston.wa.us/planning/critical_areas/criticalareas_home.htm.
- Onsite septic system information such as videos, publications, and workshop schedules is available at <http://www.co.thurston.wa.us/health/ehoss/education.html>.
- Watershed Characterization project is currently working on the Deschutes watershed. More information about work completed on other watersheds is available at <http://www.co.thurston.wa.us/stormwater/chara/chara-home.html>.

WSU Thurston Extension Office: What about their Master Gardner Program and native plant sales? Perhaps we can use these opportunities for additional outreach.

Monitoring:

- Thurston County has an ongoing monitoring program, including streams and various sites on the river. Data is available at <http://www.co.thurston.wa.us/monitoring/>.
- Thurston Conservation District, South Sound GREEN, has a Spring/Fall Monitoring Program in various locations in the watershed. Previous data and current year sampling results are available at <http://www.thurstoncd.com/?id=75>.
- Not all monitoring data taken in the watershed is comparable due to various methods or quality. We can still use it to help map out areas where we know we need implementation projects in place. For example, identify areas needing shade and estimate total number of river miles or segments. We can also use the data as an “early warning” system to identify potential or growing problem areas.
- Examples of successful efforts in other watersheds were given with the suggestion we look to see if we can use some of the same ideas or concepts. For more information:
 - **Samish Bay** Water Quality website main page at <http://www.ecy.wa.gov/programs/wq/tmdl/samish/>; and “Focus on the Clean Samish Initiative”, at <http://www.ecy.wa.gov/pubs/0910020.pdf>.
 - **Kitsap County** Pollution Identification and Correction (PIC) Projects: http://www.kitsapcountyhealth.com/environmental_health/water_quality/pic.htm.

Open Comment

Public comment was offered by Chris Stearns. He wants to encourage non-government organizations (NGOs) to participate in this process. For example, there are local granges in the watershed that could be involved. Some revitalized granges have newer membership and they do outreach to rural communities. *(Response: When the initial invitation went out to potential advisory committee members, local granges were included in the outreach effort.)*

Next meeting

Date: Tuesday, December 14, 2010
Time: 9:00 a.m. – 12 noon
Place: Tumwater Fire Department, 311 Israel Rd. SW.
Agenda: Roundtable discussion on middle watershed issues