

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

Thursday, November 20, 2014

9:05 a.m. to 11:20 a.m.

Attendees

Black Hills Audubon Society

- Sue Danver

Citizens

- John DeMeyer

Capitol Lake Improvement and Protection
Association (CLIPA)

- Bob Holman

Deschutes Estuary Restoration Team (DERT)

- Dave Peeler

Ecology (Ecy), WA State Dept. of

- Dustin Bilhimer
- Andrew Kolosseus
- Mindy Roberts
- Lydia Wagner

Enterprise Services (DES), WA Dept. of

- Carrie Martin

LOTT Clean Water Alliance

- Karla Fowler

Olympia, City of

- Jeremy Graham

Olympia, Port of

- Alex Smith

Olympia Yacht Club

- Jim Lengenfelder

Pacific Shellfish Institute

- Bobbi Hudson

Squaxin Island Tribe (SIT)

- Erica Marbet

Thurston County

- Sue Davis
- Molly Levitt

Transportation (WSDOT), WA State Dept. of

- Brandon Iwasaki
- Elsa Pond

Washington Stormwater Center

- Aaron Copado
- Lisa Rozmyn

Deschutes River, Capitol Lake, and Budd Inlet Total Maximum Daily Load Study – Supplemental Modeling Scenarios: Mindy Roberts, Department of Ecology, Environmental Assessment Program

Mindy provided a preview of the supplemental report which highlights the additional work done since the June 2012 Technical Study was published. Ecology is making the draft document available for review and comment by the advisory group. Send comments to Lydia.Wagner@ecy.wa.gov by December 12, 2014.

Q: *Is Capitol Lake dam considered as a human activity?* **A:** Yes

Q: *Regarding natural conditions, is it fair to assume there will be an opening equivalent to that of the dam, what is now Capitol Lake?*

A: No. See the 2012 Technical Study regarding the opening about natural conditions. The Deschutes River, Capitol Lake, and Budd Inlet Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load Technical Report: Water Quality Study Findings (June 2012) is available online at <https://fortress.wa.gov/ecy/publications/publications/1203008.pdf>.

Q: *If the Attorney General's Office determined the natural conditions are pre-dam, doesn't that mean the bathymetry is what it would be before the dam?*

A: No. See November 15, 2012 Advisory Group meeting notes available at <http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advisorycomm/111512DeschutesAdvMtgNotesFinal.pdf>. The notes reflect Ecology's decision that the natural background condition and baseline to use for this water cleanup efforts is without the dam in place. Up to this point, the previous Ecology work considered alternatives with the current condition of the presence of the dam.

Comment: There are people who want to see things go back to natural conditions, which is not a 500-600 ft opening.

Comment: Regarding the scenario of moving the LOTT discharge to a northern boundary at Boston Harbor. Some of the material LOTT discharges go past the boundary and the model doesn't capture it. The report states how much comes across the northern boundary, for example, boater waste, Deschutes River.

Ecology Response: Mindy stated they used the South Puget Sound Model to determine what part of nitrogen load comes in from the tide due to human sources. Ecology has to consider the order of magnitude, load, and point of origin. The supplemental report describes this process. It also refers to reflux and the sensitivity analysis.

Q: *Are you intending to run more model runs on this issue?*

A: This is dependent on discussions in 2015 by the Advisory Group. These discussions could result in suggestions for new model run scenarios to consider. Ecology staff will work together to determine the feasibility, prioritizing, and timing of conducting additional model scenarios.

Q: *Does Ecology plan to address the dissolved oxygen violations elsewhere in the South Puget Sound?*

A: Yes. The **South Puget Sound Dissolved Oxygen Study: South and Central Puget Sound Water Circulation Model Development and Calibration** was released in April 2014 and is available online at <https://fortress.wa.gov/ecy/publications/publications/1403015.pdf>. Data showed violations in other areas such as Carr and Case Inlets. We don't have all the answers yet.

Q: *Why not include Budd Inlet in that bigger (South/Central Puget Sound) picture?*

A: The Budd Inlet model is still the best tool due to the resolution of the grid cells. The larger South and Central Puget Sound model has a different grid scale. The data produced from that model can be used in combination but the Budd Inlet model needs to be used for Budd Inlet only. In the South Puget Sound we don't know how many human sources are causing violation and where the sources are coming from.

Q: *Was LOTT completely removed in one of the model runs?* **A:** Yes. Ecology recognized the sensitive time is summer and other combination scenarios are represented.

The presentation slides are available online at

<http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/advgrp.html/112014DeschutesAdvMtgSupplementalRptOverview.pdg>.

- Thank you to Andrew Kolosseus and Dustin Bilhimer for leading the October 20 meeting in her absence.
- Thank you those who those who submitted comments on the draft Deschutes River, Percival Creek, and Budd Inlet Tributaries Water Quality Improvement Report and Implementation Plan (WQIR/IP). Ecology staff is currently reviewing those comments, and those received by the Environmental Protection Agency (EPA) and Squaxin Island Tribe (SIT). Staff will revise the document and prepare it for the public review process. Advisory Group members are encouraged to submit comments at anytime, up to and including the formal public review process. Comments such as minor edits could be addressed prior to the formal review. If any organizations want their comments included in the final WQIR/IP which Ecology submits to EPA, they should wait and submit them during the formal review.
- Ecology staff is meeting with EPA staff in November to discuss their comments on the draft WQIR/IP. If needed or requested, Ecology will also meet with SIT staff to review and discuss their comments.
- The 2015 meeting dates are all reserved for the Tumwater Fire Department. As in previous years, Ecology will cancel a meeting if necessary. With the exception of November and December, all meetings are the 4th Thursday from 9:00 a.m. to 12:00 noon. In November and December we'll meet the 3rd Thursday. The focus for 2015 is **1)** finishing up the freshwater WQIR/IP, **2)** discussing how to continue or begin implementation plans identified in it; and **3)** Capitol Lake/Budd Inlet marine waters WQIR/IP development.

Draft Deschutes Freshwater Water Quality Improvement Report/Implementation Plan (WQIR/IP)

Discussion: All

Forestry related questions, comments, and responses

- *Do timber companies use fertilizer? If so, using what type of application?* **Responses:** Yes, probably. Look at different site classes because this is not a blanket practice.
- *Is it a good assumption that waters in the upper TMDL boundary are meeting water quality standards?* This assumption is based on timber companies following the best management practices (BMPs) outlined in the Forest Practices Rules.
- Other assumptions include follow up conducted by the WA State Department of Natural Resources (DNR) if forest operations do not follow the Forest Practices Rules. Compliance is marginal since the DNR has limited staff. Small landowners are required to submit forestry plans before they do work.
- Since Ecology is assuming all BMPs will be implemented and forestry operations are complying with the Forest Practices Rules, the TMDL report does not include any recommended actions.
- If we don't have strict control of discharges at the top of the watershed then we're moving the responsibility downstream. This results in tasking landowners farther down the river to make improvements. Suggest Ecology include a mechanism to ensure and maintain compliance.

- Reminder that one mechanism in place to address concerns and complaints is going to the Forest Practices Board. A few years ago a joint review of Forest Practices found compliance was generally good. There was acknowledgement that lack of DNR compliance staff is a problem. When state agencies are facing budget deficits, unfortunately enforcement generally tends to get cut, which can affect compliance issues.
- Regarding compliance, Jim Lengenfelder stated he had previously asked Ecology for a list of complaints in the forested areas of the Deschutes River watershed and that he never received a response. He wants to know how many complaints were received and what, if any, actions were taken. **Ecology Response:** We do not recall receiving this request and asked him to resend it to Andrew and Lydia for follow up.

General comments

- The Land Use maps are well done, however the report seems to be missing the obvious land use activities upstream of the problem areas. Ecology should take another look at this issue.
- The report does not address the nonpoint nutrient problem and how to address nitrogen getting into the groundwater which is working its way down the river. The report needs to identify who will address the problem, and where and how to fix it. **Ecology Response:** The draft report does address this through the implementation actions. We can review and add more text where it is needed for clarity and specificity.
- **Q:** *What is Ecology's intention in identifying "priority areas" in the action tables?* **A:** These tables are designed to help the responsible organizations prioritize their work as resources are available. Ecology's preference is the organizations concentrate their efforts first on the "priority areas" to gain the best or quickest environmental benefit.

Other discussion topics

- *What is the status of the Washington Stormwater Center educational efforts?* **WSU response:** The Ecology sponsored training workshops are offered throughout the state through June 2015 and include three levels: introductory, intermediate, and advanced. Information on the LID free workshops is available online at <http://www.wastormwatercenter.org/workshops-education/>.
- *Does Olympia and Thurston County have LID ordinances?* **City of Olympia response:** Yes. They are working through the updates and the completion is due 2017 but they expect local codes will get updated by January 2016.

Open Comments

- **John DeMeyer:** Thank you for the refreshments.
- **Dave Peeler:** For those who didn't already know, the WA State Department of Enterprise Services (DES) contracted with the William D. Ruckelshaus Center to assess the issues and potential for collaboration around future management of Capitol Lake. *What is the status of this effort?* **DES Response:** Interviews of numerous individuals and organizations began this summer and are expected to be finished soon. The Ruckelshaus Center will compile the results and prepare a report. They anticipate the report to be available the week of December 15. The State Capitol Committee and the Capitol Campus Design Advisory Committee will have a joint session on December 11 that will include a presentation by staff from the Ruckelshaus Center on the results of the assessment.

Next meeting

Date: Thursday, January 22, 2015
Time: 9:00 a.m. – 12:00 noon
Place: Tumwater Fire Department
311 Israel Rd. SW, Tumwater, WA

Note: There is a **Shoreline Planners Meeting** that many advisory group members plan to attend. The date conflicts with Ecology's scheduled January 22 meeting. Ecology will consider rescheduling the January date, although Ecology staff stated it is possible they will cancel this meeting as they are busy preparing for the formal public review comment period to begin.

Follow up: Here's the information for this *free* event.

Facing Sea Level Rise: City of Olympia

Date: January 22, 2015
Time: 9:30 a.m. – 3:30 p.m.
Location: LOTT Clean Water Alliance, 500 Adams St. NE, Olympia
Register at www.brownpapertickets.com/event/943537

Description: King Tides flooding Olympia show future impacts from sea level rise. Using the City of Olympia and the region as our laboratory, join us for a day of exploring how Washington coastal communities might start to address sea level rise. How does sea level rise relate to planning and infrastructure, architecture and tribal interests? We will start the day with a walking tour at 8:30 to see potential impacts of sea level rise as demonstrated by high tide on a day with a King Tide. We will then have presentations and discussion from 10 – 3:30 at the LOTT Center with a break for lunch.

Come prepared to talk about how your community is addressing sea level rise.

Reminder: *The December 18, 2014 meeting is cancelled.*