

Spokane River TMDL Collaboration

Steering Workgroup

April 12, 2006

Dale Arnold

Brock Baker (as observer)

Rick Eichstaedt (as observer)

Dick Denenny

Sid Fredrickson

Wayne Frost

Kris Holm

Todd Mielke

Dave Peeler

Bruce Rawls

Bill Ross

Ryan Orth

Mike Sharar

John Spencer

The Steering Workgroup met to discuss the following agenda:

1. Update on Ecology's Recent Consultations on the draft Managed Implementation Plan & Fundamental Concepts
2. Discuss Collaboration Activities and Future Schedule

1. *Update on Ecology's recent consultations on the draft Managed Implementation Plan & Fundamental Concepts*

Dave Peeler described the Department of Ecology's recent round of consultations on the draft Managed Implementation Plan (MIP) and Foundational Concepts. Ecology received comments on its draft MIP from several Collaboration participants in early March 2006. After reviewing these comments, and after the last Full Group meeting of January 25 which discussed the draft MIP, Ecology conducted face-face consultation meetings during the week of March 27th with several participants, including Spokane County, the City of Spokane, the City of Spokane Valley, Liberty Lake Water & Sewer District, Inland Empire Paper Company, and the Sierra Club, to further discuss their submittals. Ecology also had the opportunity to discuss these issues with EPA on April 6. At each of these meetings, Ecology shared its thoughts through a draft set of "Foundational Concepts" designed to assist the Collaboration in understanding what the MIP is intended to implement. These meetings were productive and provided additional feedback for Ecology to consider as it develops a revised version of its draft MIP document. One of the participants, the Sierra Club, provided additional written comments to Ecology and EPA after its meeting with Ecology. Ecology is not seeking additional written comment on these Foundational Concepts at this time. Issues of interest during the discussion of the Foundational Concepts with the various parties included that of waste load allocations and how to make them work from a legal perspective, both at the 10- and 20-year timeframe, as well as offsets for a Spokane County plant and how this will be handled within the process. Mr. Peeler shared that Ecology is considering elements of the framework set forth in the Kalamazoo River TMDL, a situation similar to that found in the Spokane River, for ways to structure this TMDL. Ecology is also currently working on another TMDL for PCBs in the Spokane River and anticipates that there will be interest in how this

relates to the current TMDL Collaboration. Ecology does not have an definitive answer to the PCB TMDL question at this time, but will continue this discussion and have a technical document available in the future for participants to review.

Sid Fredrickson asked if Ecology and EPA had discussed of the role of the Idaho dischargers in the Collaboration process. Mr. Peeler responded that the Idaho dischargers cannot be included in the Washington TMDL for legal reasons, but that Ecology and EPA hope to remain in-synch with their processes as EPA looks to issue permits for Idaho dischargers. EPA is currently working with their modelers to develop conclusions on loadings from Idaho dischargers and will give Ecology their final results to input into the Washington baseline model.

2. *Discuss Collaboration Activities and Future Schedule*

The Steering Workgroup discussed the future schedule of the Collaboration. Co-Chair Dave Peeler proposed that convening a smaller group, representative of the principals within the Collaboration, would be more productive for the Collaboration's process than another round of consultation meetings. Co-Chair Todd Mielke agreed with the notion that a small group would be better-suited to complete clarification-seeking revisions to the draft MIP. The Steering Workgroup discussed the purpose and structure of such a small group session. It was emphasized that this meeting should not become a venue for debating the Foundational Concepts, but for developing workable final solutions for any outstanding matters that remain within the draft MIP. The Steering Workgroup agreed that the small group will consist of a subset of principals of the Collaboration with assistance from their technical and legal staff. Ecology will capture in writing, based on their consultation meetings and comments received, a finite number of issues to be discussed amongst this small group and come prepared to a small group meeting with a straw proposal or list of questions that will assist in developing agreeable solutions. After the small group meets, their revisions will be shared with the Full Group, local elected officials, and the general public. If there is not agreement overall, there could still be agreement between Ecology and some of the parties. Ross & Associates will work with Ecology to identify the core issues, develop any straw proposals, and schedule the small group meeting.

The Steering Workgroup discussed the role of modeling in the Collaboration's next steps. Mr. Peeler explained that Ecology has already re-run the baseline model with the preliminary inputs for Idaho dischargers from EPA, but has not included factors for the "shoulder season" or increased flows. Ecology anticipates being able to complete model runs simulating the effect of the shoulder season and increased flows by the middle of May. Mr. Peeler reiterated that EPA continues to review their model and therefore the input parameters at the Washington-Idaho border could experience minor changes, and would be incorporated into Ecology's baseline model as they arose. Ecology will develop a summary description of the flows and shoulder season issues and model questions, as well as a description of the new baseline model, for Collaboration participants to review by the end of the month.