

Spokane River TMDL Collaboration

Steering Workgroup

November 18, 2005

Dale Arnold
Tim Connor (as observer)
Dick Denenny
Sid Fredrickson
Wayne Frost
Jack Lynch
Todd Mielke
Dave Peeler
Bruce Rawls

Bill Ross
Ryan Orth

The Steering Workgroup held a meeting on November 18 to discuss the following agenda:

1. Monitoring Workgroup Report
2. Discussion of Scenarios
3. November 22 Full Group Meeting—Agenda and Materials

1. Monitoring Workgroup Report

Ryan Orth reported that the Monitoring Workgroup met on November 14 to discuss its draft report. Several members of the Monitoring Workgroup contributed to draft segments of the report addressing past and current monitoring activities on the Spokane River, Little Spokane River, and Hangman Creek; the core elements of an effective monitoring program; and several additional potential “special studies.” The Workgroup agreed on the substance of the individual submittals and are acting to combine them into a draft report for distribution at the November 22 Full Group meeting. Co-Chairs Bob Cusimano and Stan Miller will coordinate to develop a brief presentation of the Monitoring Workgroup’s progress for the Full Group.

2. Discussion of Scenarios

Bill Ross announced that both anticipated scenarios were submitted from the group of dischargers and the Sierra Club. Jim Kimball, representing Hayden Area Regional Sewer Board, submitted a six-page memorandum that poses a series of questions on load allocations in Idaho. This memorandum appears to be most germane to EPA and Ecology and is not a scenario. The scenarios, along with Mr. Kimball’s memorandum, will be distributed to the Full Group at its November 22 meeting. The Steering Workgroup discussed the option of not distributing the scenarios until November 22 to avoid overemphasis on the text of the proposals. Tim Connor commented that the Sierra Club reserved its right to distribute its scenario before the Full Group meeting.

The Steering Workgroup agreed that each scenario should receive a thorough verbal presentation at the Full Group meeting, including some context as to how each was developed. The Full Group agenda will reserve up to an hour for the presentation of each scenario with time for questions and discussion. Dale Arnold asked if any effort will be made to glean commonalities and differences from the two proposals. Bill Ross responded that after a cursory review, there are some similarities in pace and structure and some connectivity between the commitments made within the scenarios. As well, there are also some differences in the details of scope and direction of the two scenarios. The length of the two proposals also varies greatly. Conclusions from these scenarios will not be drawn at the Full Group meeting as they are recognized as the first-cut and best-faith efforts of the submitting groups. If the Full Group feels a crosswalk of the scenario elements is a good assignment, this can be performed at the Full Group meeting.

Dave Peeler described the Department of Ecology's potential next steps after the November 22 Full Group meeting. In preparation to speak to what Ecology believes is appropriate to provide reasonable assurance within a TMDL Implementation Plan, the Department of Ecology anticipates reviewing the scenarios in great detail after the November 22 meeting. Ecology will meet with the group of dischargers and the environmental community during the week of December 5 to gather any additional information and/or clarify any questions. The timeframe for a response from Ecology is difficult to determine at this point, as Ecology will need to coordinate staff from different areas of its Water Quality Department and the Office of the Attorney General.

The Steering Workgroup agreed that the intensity of the negotiations for an agreement will depend on the outcomes of the November 22 Full Group meeting. The Steering Workgroup will discuss how close the Collaboration is to reaching an agreement at their meeting before the December 16th meeting. At this point, it is expected that Hayden and Post Falls are not within the dischargers' proposal and that they will not be signatory to any agreement. Representatives from Hayden and Post Falls will have the opportunity to explain their positions at the November 22 Full Group meeting.

The Steering Workgroup discussed EPA's use of preliminary model runs. EPA has used the model to inform a preliminary approach to their compliance role for Idaho dischargers (as Idaho is a non-delegated state for NPDES, EPA will issue these discharge permits) and their review role for the permits that Ecology will issue for Washington dischargers. Dave Peeler added that EPA has expressed some concern over how the Washington water quality standards, vis a vis the TMDL for dissolved oxygen, can be applied to the Idaho dischargers within the Spokane River watershed. Several Steering Workgroup members expressed concern that EPA may be moving out of sync with the Collaboration process. Tom Eaton will be asked to speak on EPA's behalf at the Full Group meeting and address their position in relation to all participants in the Collaboration, including Hayden and Post Falls.

3. November 22 Full Group Meeting—Agenda and Materials

The Steering Workgroup discussed the order of the agenda for the November 22 Full Group meeting. The Monitoring Workgroup will first provide a brief report. EPA will then address the Full Group on its activities related to the Collaboration process. The group of dischargers will then share its scenario, with the Sierra Club's presentation directly afterwards. A discussion of these two scenarios will follow the two presentations. Time will be reserved for Hayden and Post Falls to address their positions and relationship to the Collaboration, given that they are neither part of the dischargers' scenario, nor have they submitted their own scenarios. The Full Group will then discuss next steps and future actions of the Collaboration before adjourning.

The Steering Workgroup briefly discussed the emerging role of the media in the success of the Collaboration and their likely presence at the November 22 Full Group meeting. Full Group members are encouraged not to comment on others' proposals. The Collaboration should have a basic statement about how we are moving forward over the next six weeks with respect to our commitments to the community, the economic questions, and the law. Again, the Collaboration's ground rules ask that members refrain from characterizing others' intentions and motivations. Discussion and debate kept at the table will make for a stronger agreement.

The meeting concluded at approx 9:15 a.m.