



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y



WASHING
DEPART
E C O



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Measurable Progress

Input from SRRTTF
Summary Observations
November 20, 2013

Summary of Presentation

- Background
- Guiding Concepts
- Listening Sessions
- Continuum of Responses
- Schedule and Next Steps
- Best Case Scenario



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Background

■ Clean Water Act: Washington State

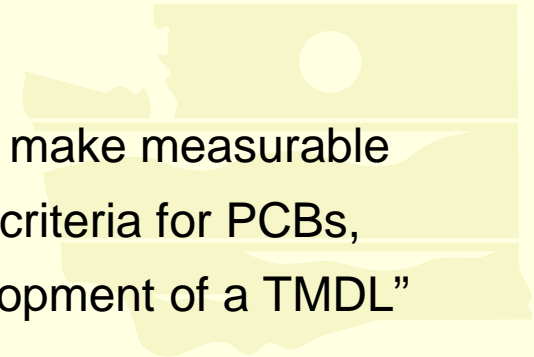
- Identifies segments not meeting the WQS
- Establishes Total Maximum Daily Loads
- Has discretion as to process

■ SRRTTF Memorandum of Agreement

- Implements “participation in a regional effort to make measurable progress toward meeting applicable water quality criteria for PCBs”

■ Permit Requirement

- “If Ecology determines the Task Force is failing to make measurable progress toward meeting applicable water quality criteria for PCBs, Ecology would be obligated to proceed with development of a TMDL”



Guiding Concepts

- **Goal:** Achieve the Water Quality Standard
- **Tools:** Regulations, MOA, Permits
- **Constraints:**
 - Data gaps
 - Resources
 - Time factor
 - Regulations



Considerations

- Meet the requirements of the Clean Water Act
- Foster collaboration towards the goal
- Implement source reduction activities
- Achieve environmental results



Listening Sessions

■ Sovereigns

- EPA, Ecology, IDEQ, Coeur d'Alene Tribe, Colville Tribes

■ SRSP

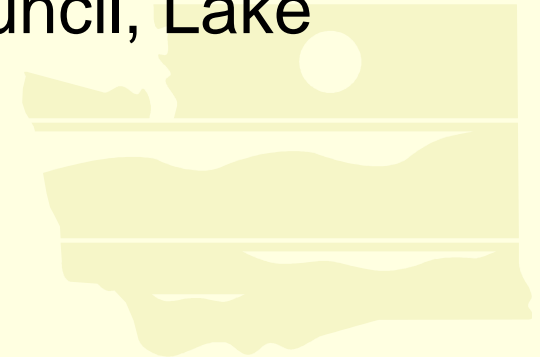
- Washington and Idaho dischargers

■ Environmental/Conservation

- Spokane River Keeper, Lands Council, Lake Spokane Association

■ Other

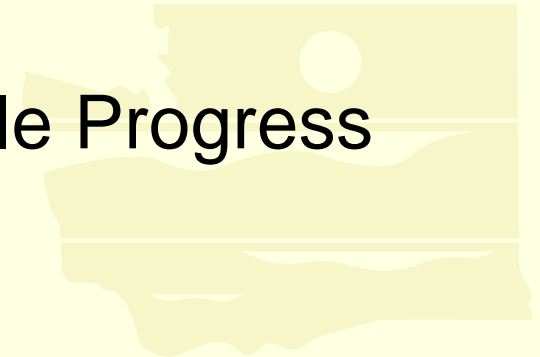
- Spokane Regional Health District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

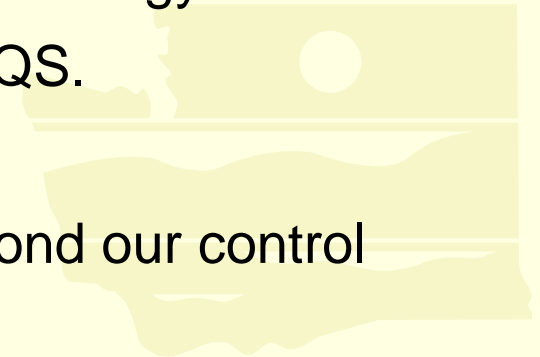
What Was Said

- Concerns
- Collaboration and Communication
- Geography
- Goal
- Timeframes
- Point and Non-Point Sources
- Data Gaps
- Metrics
- Fairness
- Measurable Progress

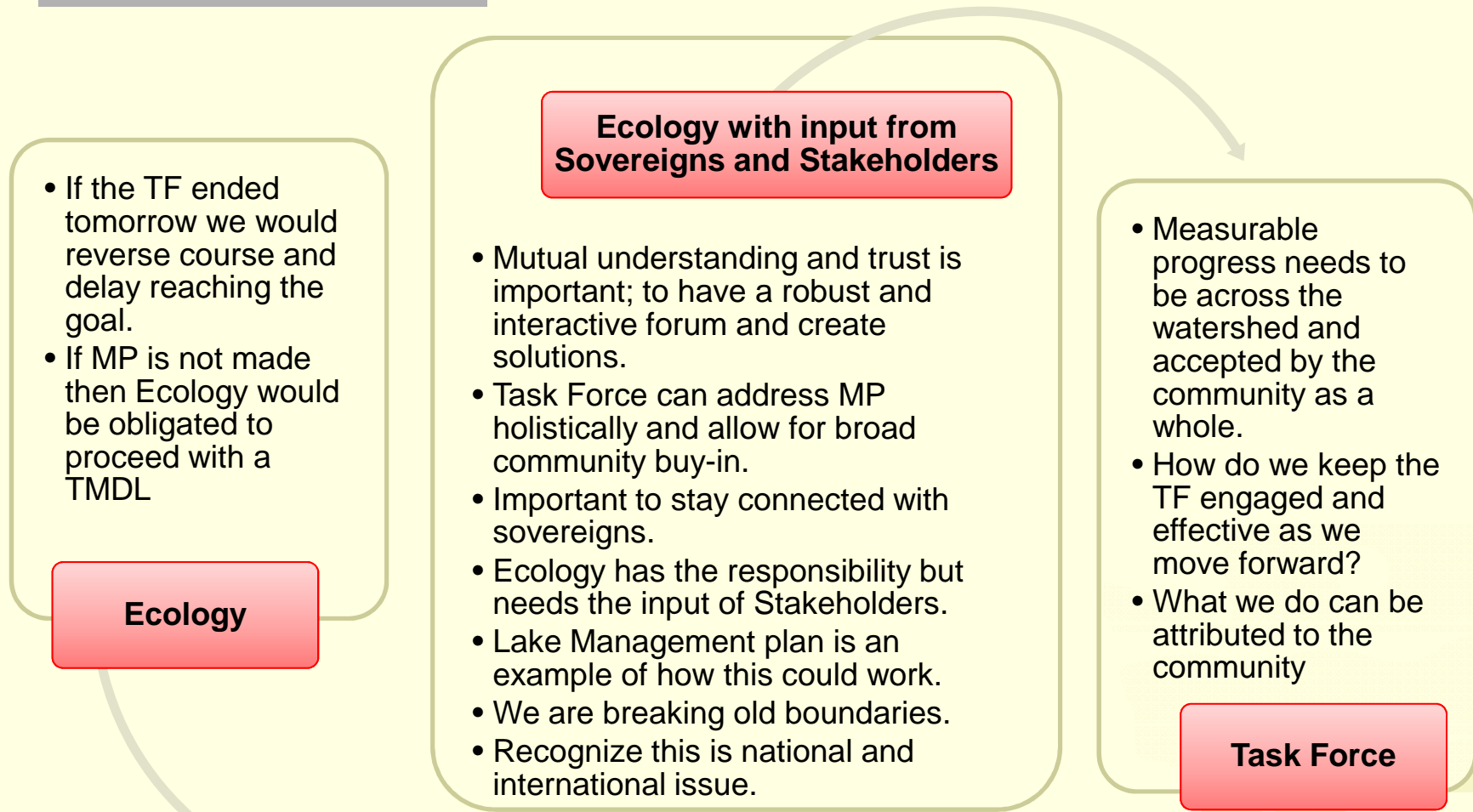


Concerns

- Non-traditional approach, ambiguity about definition and process
- Not all are at the table: Using the work of others as a measure
- What will the numbers be? What is the schedule?
- Develop definition: now or later
- Trust, wedge issue, potential for litigation
- Staff changes, inconsistency, lack of clarity at Ecology
- Time and resources needed to achieve the WQS.
- Cost/benefit and technological challenges
- “Deus Ex Machina” – something happens beyond our control



Collaboration and Communication



- If the TF ended tomorrow we would reverse course and delay reaching the goal.
- If MP is not made then Ecology would be obligated to proceed with a TMDL

Ecology

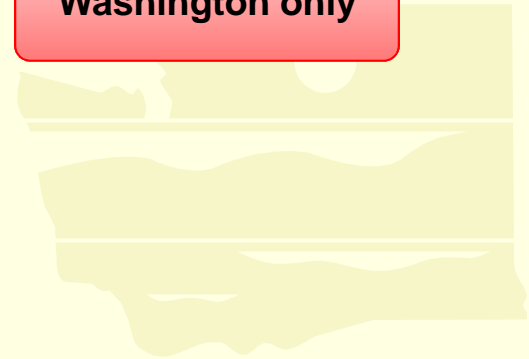
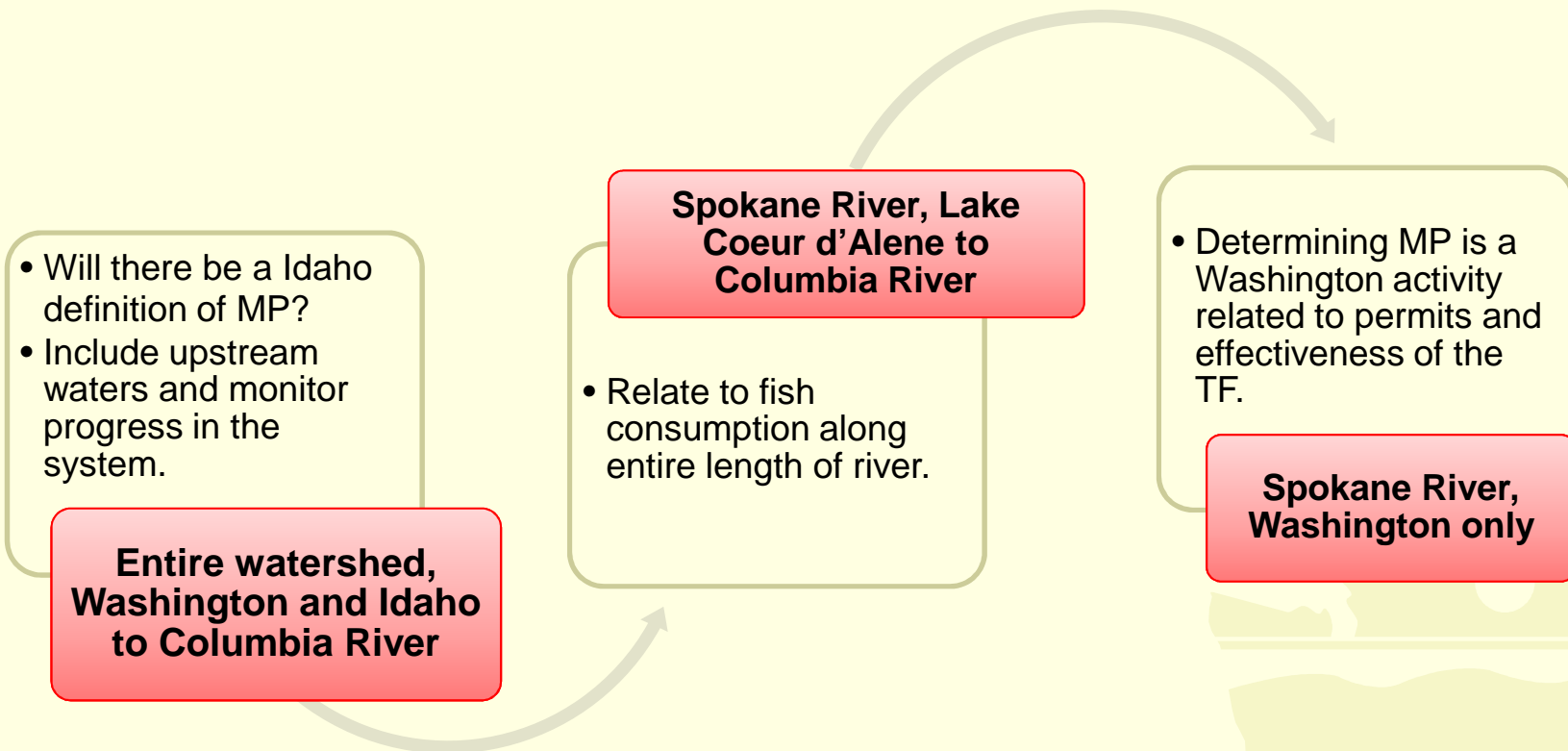
Ecology with input from Sovereigns and Stakeholders

- Mutual understanding and trust is important; to have a robust and interactive forum and create solutions.
- Task Force can address MP holistically and allow for broad community buy-in.
- Important to stay connected with sovereigns.
- Ecology has the responsibility but needs the input of Stakeholders.
- Lake Management plan is an example of how this could work.
- We are breaking old boundaries.
- Recognize this is national and international issue.

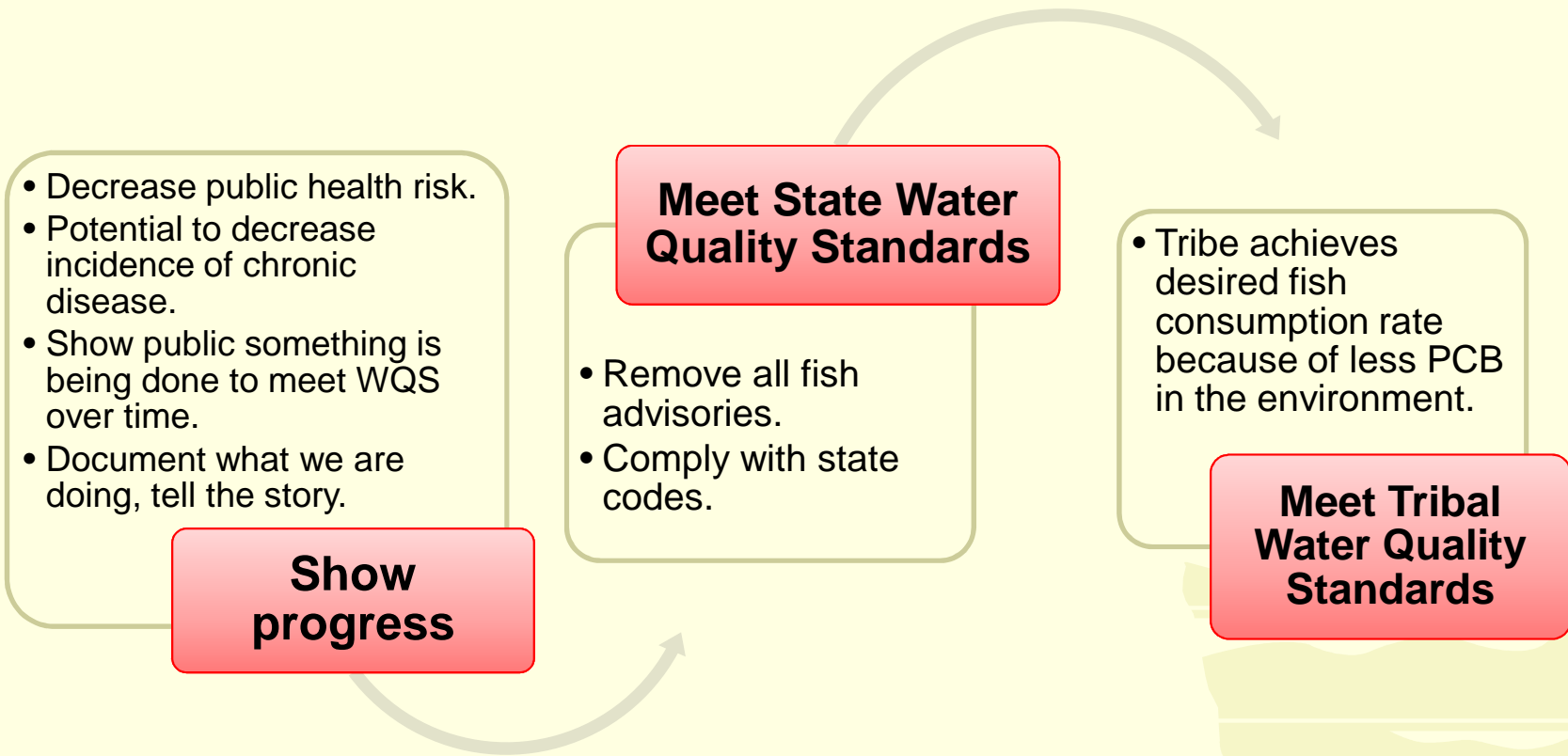
- Measurable progress needs to be across the watershed and accepted by the community as a whole.
- How do we keep the TF engaged and effective as we move forward?
- What we do can be attributed to the community

Task Force

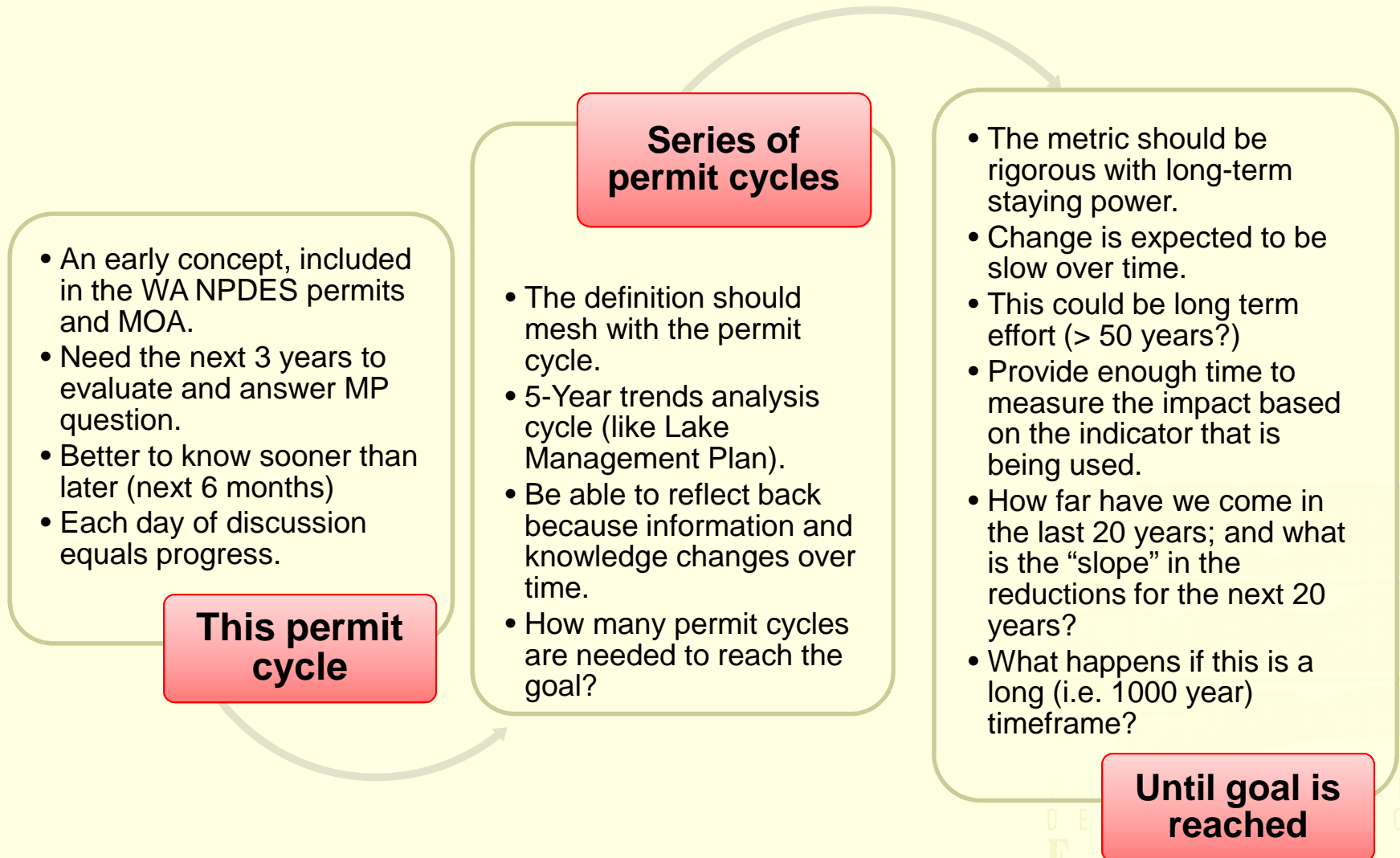
Geography



Goal



Timeframes



Point and Non-Point Sources

Point and Non Point Sources

- Concerned with regulatory compliance, impact on permit conditions and litigation. Challenge is to achieve WQ based limits.
- TSCA and CWA regulatory conflict affects NPDES permittees.
- If all point sources are removed from river then in-stream flow is affected and still won't meet WQS

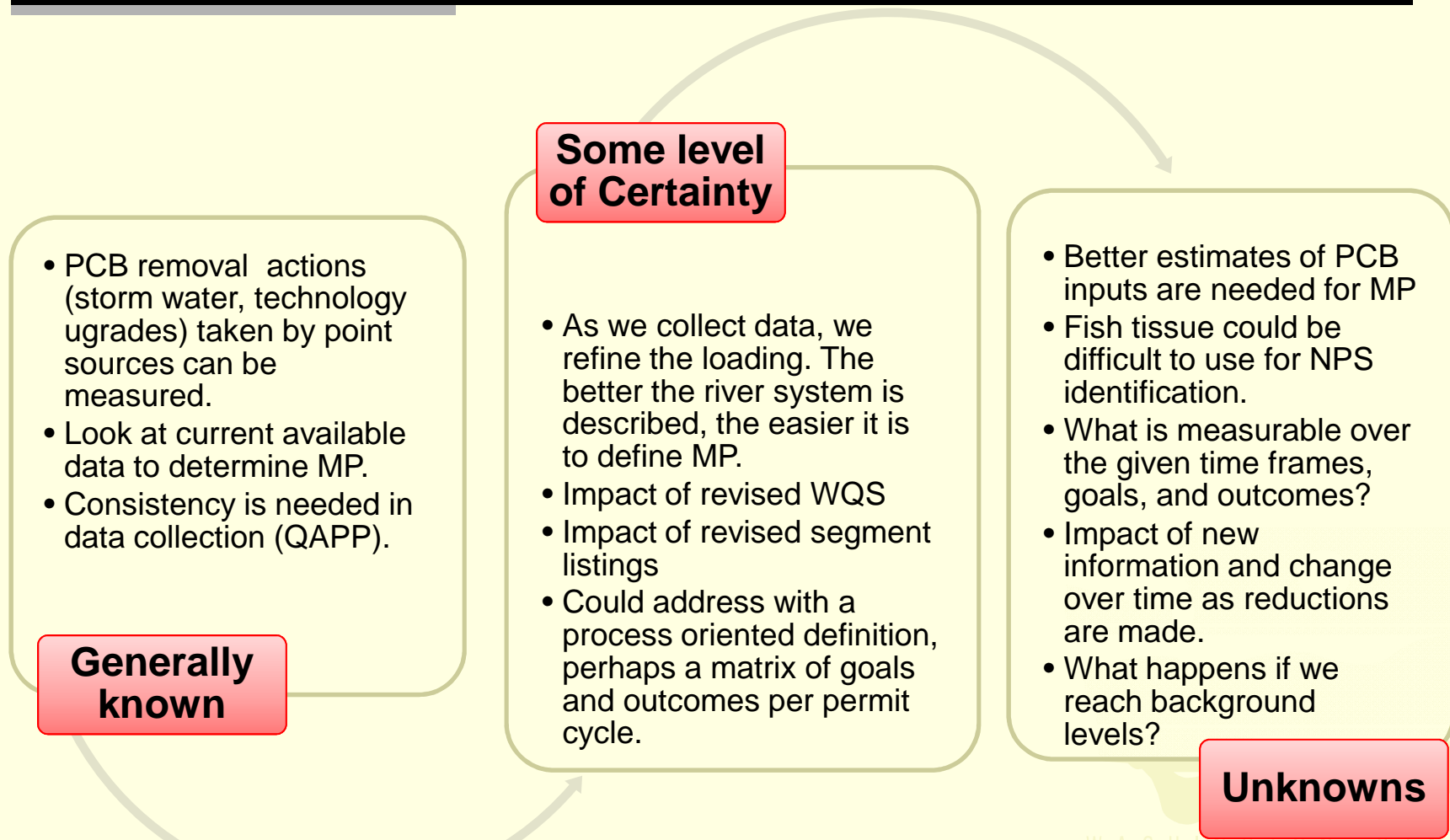
Point Sources

- Can't meet WQS because of inputs from stormwater and NPS.
- Better data is needed to clearly identify source contributions.
- Can only reduce what you know.
- Consider source types and ability to measure/predict PCB reductions/inputs to river.
- We could rely on a tool, perhaps a model, to manage point and NPS discharges.

- Non point sources need to be included in the reductions in order to reach the 3.37 ppq WQS
- Clean ups can be significant reductions.
- Avista is removing all transformers that contain PCB oil. Find out more and what this adds up to.
- Some (new) sources are outside the control of dischargers to manage.

Non Point Sources

Data Gaps



Metrics

- As an alternative way of showing what we are doing to reduce PCBs.
- All coordination and collaboration
- Tell the story: Database, timeline, documentation on website
- Efforts at TSCA rulemaking reform.
- Getting financial support for the work.
- Having Ecology staff participate.
- Education of new TF members

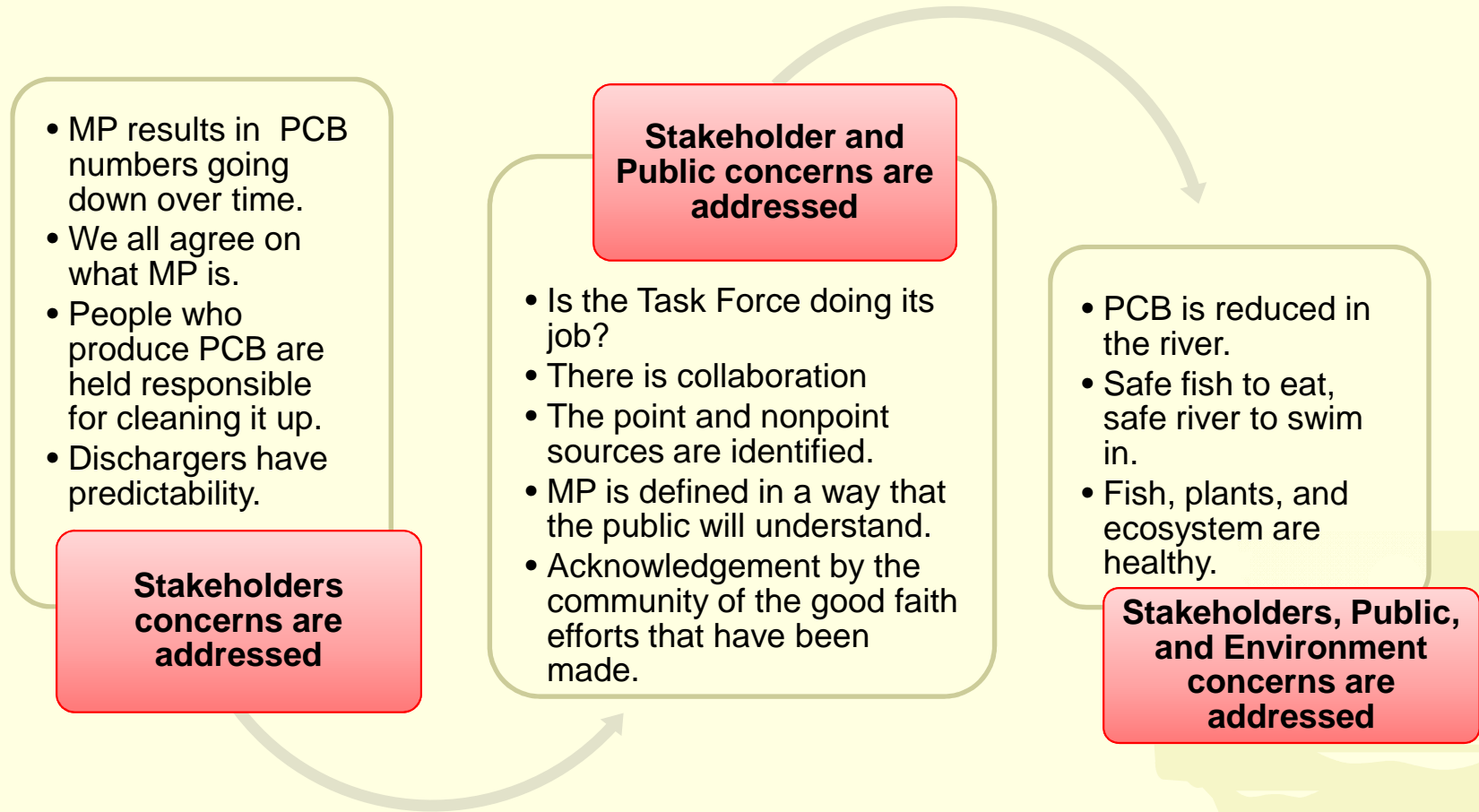
Anything that can be measured

- **Significant accomplishments and environmental data**
- Tracking clean up sites (Upriver Dam, Avista)
- Upgrades to treatment systems
- Source identification, control, removal, and prevention
- Workshops and educational efforts
- Research efforts
- Annual report could be used by Ecology as evidence of MP.

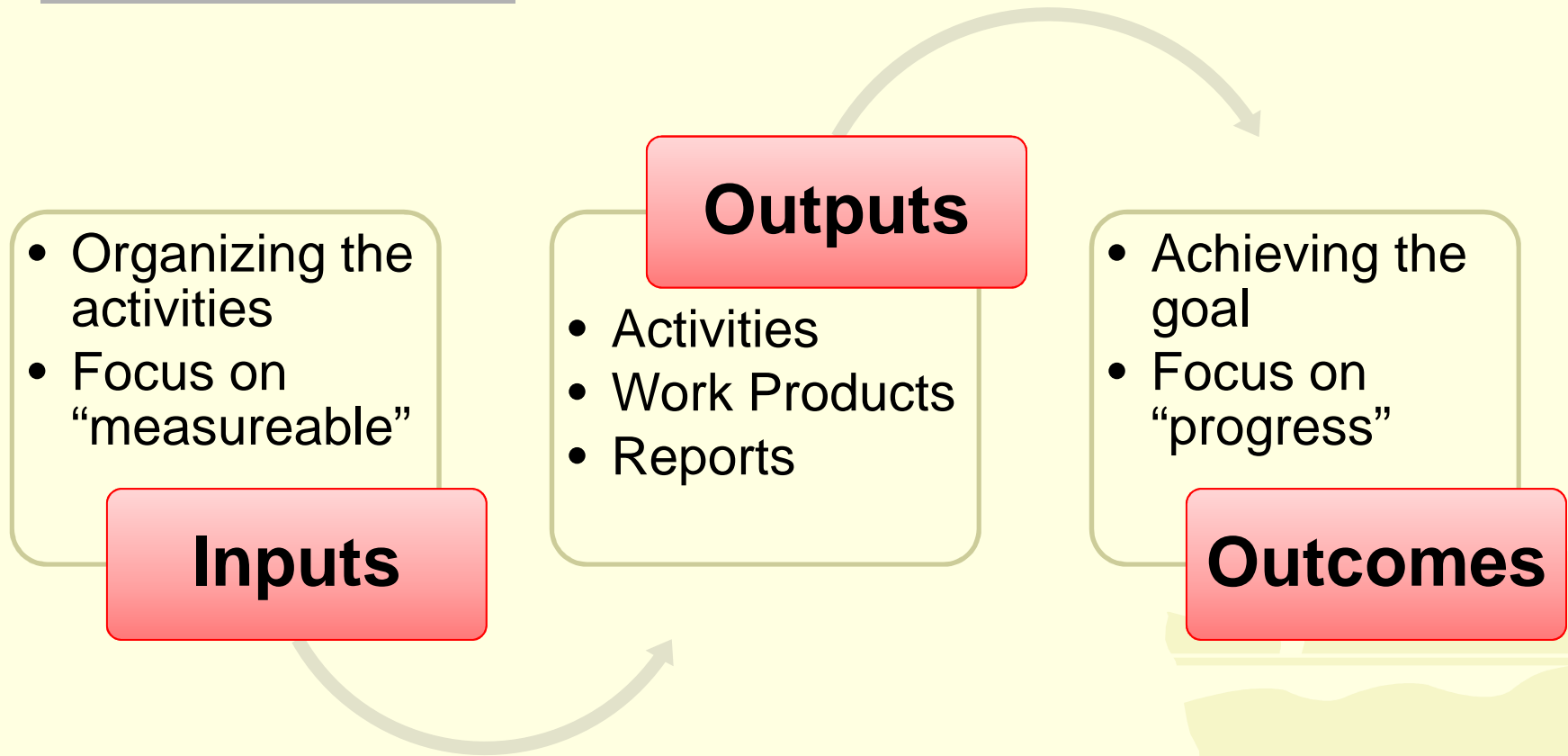
- Fish Consumption data
- Stormwater actions
- Effect of next level of treatment
- Must be “measurable” and “defensible”

Environmental data only

Fairness



Measurable Progress



We want to answer honestly the question, “Did we make measurable progress?”

Schedule

■ December 2013

- Ecology internal discussion with AGO

■ January 2014

- Ecology discussion with sovereigns
- Draft definition at SRRTTF meeting

■ February 2014

- Comments accepted on draft definition

■ March 2014

- Definition finalized



Best Case Scenario

- The current way of doing things is a better use of resources and results in fewer lawsuits.
- Have consensus about what “measurable progress” is and how it is determined.
- Every year we can look back at the work that has been done and say that it has been effective.
- Recognize that some things may not result in direct or immediate impact but there is value in figuring this out.
- Participation results in watershed-wide improvements.
- Build on successes.