

Spokane River Regional Toxics Task Force

Facilitated by the William D. Ruckelshaus Center (Chris Page and Kara Whitman)
Liberty Lake Sewer and Water District Office | 22510 E. Mission Ave. | Liberty Lake, WA
Wednesday, October 26, 2016 | 9:00 am – 12:30 pm

Attendees:

Voting Members and Alternatives (*Denotes a Voting Member)

Tom Agnew*, Bijay Adams –Liberty Lake Sewer and Water District

Mike Coster*, Jeff Donovan –City of Spokane

Don Keil*, Kris Holm (phone) –City of Coeur d’Alene

Doug Krapas* –Inland Empire Paper

Mike LaScuola* –Spokane Regional Health District

Bud Leber*, Brent Downey –Kaiser Aluminum

Lisa Manning* –Kootenai Environmental Alliance

Dave McBride*(phone) –WA Department of Health

Dave Moss* –Spokane County

Mike Petersen* –Lands Council

Rich Watson* –WA Dept. of Fish and Wildlife

Jerry White*, Dave Schwab –Riverkeeper

Advisors

Jim Bellatty, Patricia Brommer, Dave Knight, Jessica Schwing, Diana Washington –WA Dept. of Ecology (Ecology)

Meghan Lunney, Darrell Soyars –Avista

Brian Nickel –Environmental Protection Agency

Public/Interested Parties

John Beacham –City of Post Falls

Dave Dilks (phone) –LimnoTech

Lisa Dally Wilson –Dally Environmental

Paul Klatt (phone) –J-U-B Engineering

Greg Lahti –WA Dept. of Transportation

Ken Windram –Hayden Area Regional Sewer Board

Introductions and Agenda Review

After introductions, no changes were made to the agenda.

Meeting Summary Review

The group reviewed the September 28, 2016 meeting summary.

DECISION: The 9/28/16 Notes accepted with no edits.

ACTION ITEM: Ruckelshaus Center to post the Final September 28, 2016 Meeting Summary to the Task Force website. (COMPLETE)

Highlights from the California Stormwater Quality Association (CASQA) 12th Annual Conference

Presentation: <http://srtrtf.org/wp-content/uploads/2016/10/CASQASpokane-1.pdf>

Patricia Brommer and Jessica Schwing (Ecology) briefed the Task Force about work in California that could serve as a model for the Spokane River Basin. “*The California Stormwater Quality Association (CASQA) is a professional member association dedicated to the advancement of stormwater quality management through collaboration, education, implementation guidance, regulatory review, and scientific assessment.*” The 501 (c) includes cities,

counties, special districts, industries, and consulting firms and shares resources and ideas on policy related to permits while supporting local jurisdictions and assisting permittees in implementing stormwater quality programs. CASQA researches whatever managers need to help meet permit conditions. CASQA has no regulatory role, it has lots of peer review, and serves as a clearinghouse.

This year's Conference focused on visioning and a "One Water" approach, recognizing the changing attitudes around stormwater management from simply handling its conveyance to viewing stormwater as a water resource (due to California's long-lasting drought). CASQA focuses on getting from watershed-scale plans to on-the-ground implementation of projects.

Highlights of the conference:

- A color wheel provided visual representation of the evolution of how stormwater management since the 1950s. Management then was represented by a wheel with three primary colors (drainage and flood control; water supply, treatment, and distribution; and wastewater, collection, treatment, and discharge) to a wheel with primary, secondary, and tertiary colors (adds many more management pieces including LID, reuse, runoff, potable and graywater, recharge and capture etc.).
- Modern plans to meet water quality standards are getting integrated with other infrastructure. Utilities are costing them out and communicate funding needs to the public using the "One Water" strategy.
- Utility funding in California needs a two-thirds vote to establish a stormwater district. Typically all funding thus comes from the general fund; California has only half the state dollars that Washington has for this.
- Bay Area Stormwater Management Agencies Association (BASMAA) – being part of this group provides a stronger position at the table when asking for funds. BASMAA has a high level of data resolution, to project how many projects are needed to maintain compliance.
- Use of technology to create flexible, measurable program success. Technological tools also allow easy communication with those holding the purse strings and provide public accountability.
- Resources:
 - Catchment Mapping: unified strategy for field checking using technology: Green Infrastructure Master Plan, Integrated GIS Map <http://iwatr.com/map>
 - ["Grading Surface Water Quality Infrastructure in Orange County"](#)
 - ["Stormwater Finance Game II: Paying for Success"](#)
 - ["Challenges of Stormwater Retrofits in a Built Environment"](#)
 - ["Improve Quality and Promote Consistency in Urban Runoff program Assessment and Implementation Using Catchment-Scale Discharger and Pollutant Loading Information"](#)

Q&A/Comments

- **Q.** What is the relationship with CASQA and local-scale San Diego master planning? **A.** The latter was one project presented at the conference.
- **Q.** Is CASQA information publicly available? **A.** Some is public. The Task Force can send them an email; sharing info outside California is part of their function.
- **Q.** Any discussion about stopping the production of a pollutant, focusing on manufacturing etc.? **A.** Yes and no. Currently focusing on brake pads (zinc source study).

Washington funding via Ecology: The funding cycle just closed. Ecology received 145 applications to the combined funding program, which opens back up in mid-august 2017. Ecology will hold a workshop to let people know potential funding options (wastewater, stormwater, and non-point source pollution projects). Funding programs include the Centennial grant program, stormwater grant program, Section 319 program, and state

revolving loan fund (combined, these total about \$100 million). Ecology has a budget request of \$50 million for stormwater programs and \$60 million for the Centennial program.

TTWG Report and Technical Topics

Monthly Sampling: Gravity will be out sampling in the next few days. The City of Spokane is ready to go for opportunistic sampling in wet weather. Gravity will go out one more time this fall after late October.

Data Management Pilot Project: The Data Management Work Group Identified eight or nine possible data management contractors and issued an RFP with a due date of November 4th. The RFP (with links to Task Force data) and database files are at <http://srtrtf.org/?p=7150>. The Data Management Work Group will conduct a first screening of proposals. (*Update, the RFP deadline was extended to November 11th, 2016*).

ACTION ITEM: The Data Management Work Group to schedule a meeting once all of the bids are in. (after November 11th)

Comprehensive Plan

Dave Dilks sent a first full Draft for review in late September, with another revised redline draft sent October 24th (revised draft out now). LimnoTech received 170+ comments, posted at http://srtrtf.org/?page_id=6228. Dave provided an Excel spreadsheet with all comments received, and provided a full draft (redline) of The Comprehensive Plan on the 24th, with a quick update on the 26th of section 5.15.

Key changes:

- Chapters 3 and 4, originally issued as memos, are now in the Comp Plan body (instead of appendices). These are already Task Force reviewed-and-approved documents, simply moved to the body of the plan.
- Watershed maps: now broken into two: one showing the watershed, the other showing the area of study for the Task Force.
- Show current status of PCB water quality in river, including tables that summarize Task Force data.
- Magnitude of delivery mechanisms: used percentile values when presenting loading range. Old ranges now shown in box-and-whisker plots for each source.
- Fewer activities in first-year implementation schedule. This includes actions requiring development of work plans.
- Revised Future Studies section to include a look at both fish tissue and sediment. Now Future Studies lists has a three-phased process:
 - Phase 1: Start with initial data mining step (Task Force/Ecology) holistic look at existing data (fish, water column, and sediment data). This will help to identify where data is needed.
 - Phase 2: Format the data to send to Lisa Rodenburg for Positive Matrix Factorization analysis.
 - Phase 3: More rigorous assessment.

Draft Comprehensive Plan Comments Needing Discussion/Resolution:

Comment 1: Request for more specificity on milestones, including interim targets for loading and environmental response. Accountability plays a vital role in building a defensible plan. The group discussed the challenges of putting targets in the plan (particularly in river load targets). Riverkeeper would be willing to accept a plan without environmental targets if it includes some performance-based goals for accountability.

- **C.** Unrealistic timelines will create a lot of discouragement. Riverkeeper is suggesting tightening up where appropriate.
- **C.** Be careful not to establish goals that set the Task Force up for failure (e.g. not meeting Measurable Progress, which leads to a Total Maximum Daily Load.” Include effectiveness metrics for things the Task Force can control, i.e. “Did the Task Force do what they said they would do?”

Comment 2: Sec 5.1.2: effluent limits (interim and final) in the Comp Plan should refer to what is determined in the final NPDES permits, as part of the assurance that this plan stands up as defensible at the end of the day. May need to include a reference to the permits, as they are not out yet.

Q&A/Comments Related to PCB Control Actions:

- **C.** More specificity could help with “Support Ecology efforts in developing a clearinghouse” and “Public education on PCB product testing.”
- **C.** “Building demolition and renovation control” – How did the regulatory mechanism get into place? Must understand if there is a pathway to water to justify a regulatory mechanism. For asbestos, a whole regulatory framework of national rules (air) exists specific to exposures.
- **C.** “Waste disposal assistance” – solid waste rule is 170-33 WAC. Dave Moss and Mike LaScoula explained that to approach the board of health, there has to be evidence that the toxin makes its way to the river.
- **C.** EPA: open to partnership with local jurisdictions that are able to identify continued open uses of high-concentration PCBs (EPA does not have inspectors to go find open sources, but can act if it has been found).
- **C.** The Task Force has limited funds and has to be smart with financial and human resources.
- **C.** Actions should show which entity will lead their implementation. In Section 5.15 of Plan, add another column that defines the “owner” of the action.
- Diana Washington explained that some ambiguity in the milestones column is okay. As someone who reads many of these kinds of documents, this is typical. Specifics on timeline and ownership usually get included in specific implementation work plans.
- **C.** Credibility comes from the organization based on who is at the table. Everyone has a full plate, so taking on specific tasks can take a lot of time. Need to have a person who does this- assistant/director/coordinator etc. who can focus on these projects.

ACTION ITEM: Jerry White, Dave Moss, and other interested Task Force members to work with Dave Dilks on suggested language changes toward specificity for short-term actions prior to the Task Force Technical Track Work Group (TTWG) meeting. Ruckelshaus Center to send out for Task Force review ahead of November 2nd TTWG work group meeting. (COMPLETE)

ACTION ITEM: The Technical Track Work Group to address the suggestions proposed by Jerry White, Dave Dilks, Dave, to finalize (add a column of potential owner (from the workshop). (COMPLETE)

ACTION ITEM: Task Force to send all comments on the recent comp plan draft by November 2, 2016. (COMPLETE, all posted to the Task Force website)

Education and Outreach Workgroup

This Workgroup provided a one-page overview of SRRTTF education and outreach as potential verbiage for inclusion in the Comp Plan. Task Force members to review the section and provide comments by 11/2/16. Dave Dilks will fold this information into the Comprehensive Plan and reflect any comments received prior to the 2nd.

- **C.** Proposal to add an action row that will compile all the outreach work of the Task Force entities.
- **Q.** Is this one-page write-up more of what should be in the outreach work plan as part of implementation? Or this the overarching guide that will lead to a work plan (outreach strategy)?
- **C.** Milestones: outreach strategy/work plan, compilation of existing outreach, identification of coordination capacity, leverage points etc.

ACTION ITEM: Task Force members to review the education and outreach writeup for the plan and send comments by November 2, 2016. (COMPLETE)

Other Comments on Comprehensive Plan

- **C.** Page 1: Task Force consists of the following parties – Remove names of entities not currently participating? Clean up language and acknowledge the openness of the Task Force. Plan could link to the MOA and the roster, and the signatories. Include a sentence on the openness of the group. Participation from any entity is encouraged. Could remove stakeholders off of the roster that are not participating actively?
- **C.** Riverkeeper is okay with not having numerical targets. The Bottom bullet of Sec 1.2 page 1 still contains a discussion of numerical targets. Could change to say – “expected load reductions”. Implementation effectiveness will estimate load reductions, remove interim targets.

ACTION ITEM: Dave Dilks to make these two minor edits as discussed at the meeting and send to Ruckelshaus Center for Task Force dispersing. **(COMPLETE)**

ACTION ITEM: Future meeting topic: revisit the Task Force roster.

Comment Letter on Chemicals of High Concern to Children (CHCC) Reporting Rule

Lisa Dally Wilson drafted a letter with help from Bud Leber and Adriane Borgias. PCBs were taken off the list because they are regulated under the Toxic Substances Control Act (TSCA). However, TSCA does not adequately protect the environment, resulting in exposure through products.

Proposed language change during the meeting:

- Change wording on last paragraph on page 1 of letter: “TSCA regulations do not adequately.... And could potentially result in children’s exposure.”
- Also, clean up the names in the footer (add new Task Force members and remove AVISTA)

DECISION: The letter was accepted with the edits proposed above.

ACTION ITEM: Ruckelshaus Center to make the discussed edits to the letter and send to Kara Steward for the Task Force. **(COMPLETE)**

Outreach Work Group Update: The Education and Outreach Workgroup will continue to meet on a monthly basis. The group’s work over the next year includes the following:

- Broad inventory of outreach activities (WSU Student Brenden Campbell currently compiling)
- Develop an Education and Outreach Work Plan after the Comp Plan is completed (within one year?)
- Toni Taylor is investigating the Waste Disposal toolkit from the San Francisco Estuary Institute for possible adaptation by the SRRTTF.

Update on Artist/Historian Don Fels:

- History Link is a nonprofit that can seek grant funding and serve as funding channel. Can any SRRTTF participants suggest potential local funding sources? Spokane Arts was suggested.
- The Task Force has to consider whether it fits into the SRRTTF outreach strategy.

Task Force Funding: The Governor’s natural resource policy representative (Rob Duff) acknowledged receipt of the Task Force budget request. He will advocate for it, but the Office of Financial Management (OFM) wants to know how those funds would be spent. Because state funding is tight, Task Force not likely to receive the full \$800,000. Dave Moss provided financial summary to help answer these questions.

Updates and Announcements:

- **Work Groups:** Adriane Borgias reserved a conference room at Ecology for all day November 17th, 2016 to hold one or both the Data Management and TSCA Workgroup meetings. Dave Moss proposed that one or

both of the groups meet directly after the November 16th Task Force meeting (a conference room at the Water Resource Center is available that would hold either workgroup).

- Update on lawsuit? Still stayed until January.
- City of Coeur d'Alene: Sid Frederickson is retiring.
- Water quality standards (WQS): EPA action on Human Health Criteria scheduled for November 15th, to either the Washington state proposal as is, or disapprove and promulgate a federal rule by the 15th. The final EPA action could be challenged in court. **Q.** How will this info be disseminated? Brian Nickel will provide this information to the Task Force when he knows. *(UPDATE: Mary Lou Soscia will brief the SRRTTF 11/16/16.)*

ACTION ITEM: The Data Management and TSCA Workgroups to hold meetings in November, either 11/16 at the County Water Resource Center in the afternoon, or November 17th at Ecology another date/time.

ACTION ITEM: Don Keil email Kara Whitman naming a new SRRTTF alternate when Sid Fredrickson retires.

ACTION ITEM: Brian Nickel to provide information on the WQS Action to Task Force as soon as available. Ruckelshaus Center to send out blast out EPA rulemaking notice on the 15th if possible

No public comment

The next Full Task Force meeting is November 16, 2016 from 9:00 am – 2:30 pm at the Spokane County Water Resource Center

The next meeting of the Technical Track Work Group is November 2, 2016 at WA Department of Ecology, Spokane WA.