

Regulatory Framework Working Group

Charge from Groundwater Management Area Advisory Committee

Define Existing Regulatory Framework Within the GWMA Boundary - Identify existing laws, policies, goals, and responsibilities of state, local, tribal, and federal governments for each source or activity that may affect the area's groundwater

Working Group Members

Andres Cervantes (DOH), Laurie Crowe (SCCD), Dan DeGroot (YDF), Chelsea Durfey (Turner and Co.), Jim Dyjak (CCYR), Larry Fendell (citizen), Steve George (YCFB), Charlie McKinney (DoE), Jean Mendoza (FTC), Nick Peak (EPA), Ginny Prest (WSDA), Vern Redifer (YCPS), Jason Sheehan (YDF), Jan Whitefoot (CCYR)

Meetings/Calls Dates

Meeting: April 2, 2015 1:00PM – 3:00 PM

Call Number: 866-299-3188 CODE #3607539437

Participants

Present: Andy Cervantes*, Jim Davenport, Dan DeGroot, Jim Dyjak, Larry Fendell, Charlie McKinney, Jean Mendoza, Lee Murdock, Ginny Prest, Vern Redifer, Jan Whitefoot, Erica Naasz (Yakima County Support Staff)

Key Discussion Points

- **How the Regulatory Framework Group should proceed to select a new Work Group Chairman**
- **Franchises for pipes**
- **Identify additional work elements for inclusion in the overall project timeline**
- **Discuss how to proceed with the study session approached previously envisioned**
- **Timeline for the Work Group**

Welcome and Meeting Overview: Jim Davenport welcomed the group and facilitated the meeting as chair due to the retirement of past chair Tom Eaton. Jim asked for additions to the agenda – Jan Whitefoot requested the addition of Franchises for Pipes be added.

Work Group Chair: The work group discussed the process that was used to determine the original selection of chairs during the formation of the GWAC. There was agreement that the original process was informal and involved members either volunteering or being recommended followed by a general consensus. The work group agreed they would move forward using this process to fill Tom Eaton's position.

Jim announced that Jean Mendoza had submitted her interest in becoming the chair of the Work Group and that he had received no other notices from GWAC members. He asked if anyone present at the meeting had an interest in chairing the work group. No one else responded affirmatively. The members of the Work Group present concurred that Jean Mendoza would succeed Tom Eaton as the chair of the Work Group. Jim offered that Jean chair the remainder of the meeting. Jean deferred to Jim to finish facilitation of this meeting.

This topic was revisited when another work group member arrived and additional discussion regarding process for selecting chairs occurred. There was concern that should the process change from the one used in the formation of the GWMA, there would be a long-reaching impact on progress to the group's goal.

Franchises for pipes: Jan expressed concern about Yakima County granting “franchises” to private parties to permit pipelines to cross under county roads. Jan stated that these franchises facilitate distribute of liquid wastes into land application or disposal sites. Vern clarified that a franchise (permit) for pipes allows a private individual to utilize public right of way over roads. The current process does not include where those pipes are being discharged and as a result, are a potential gap in the regulations. The Work Group concurred that the issue of franchises should be included within the purview of the Work Group.

ACTION: Add Franchise for pipes to list for Regulatory Framework.

Study session next steps: The group discussed the feedback from the first Study Session held on February 19, 2015 and how to integrate that feedback into the next two planned study sessions. There was concern that there was not enough time to cover all the necessary information and a variety of options were discussed on how to proceed moving forward. It was decided that the best approach would be more of a round-table discussion where the presenters only provide a short presentation and the remainder of the time spent asking direct questions and having a group discussion. Jim stated that he had already scheduled Bonda Habets and Laurie Crowe for the original April 23rd session. Ginny concurred that she also had that date blocked out. The group decided to move forward with this roundtable method, but for a shorter list of topics.

After much discussion around which topics those should be, Jim asked the work to identify their top priorities for discussion which included a myriad of program areas, new and existing regulations, and more. This led to a discussion around conducting an analysis on current regulations in order to identify gaps and areas of overlap in order to move forward in a systematic manner. Some of this work had been done early on in the process and while there was interest in doing this moving forward – specific action steps were not identified.

Regarding the next study session, it will occur on the previously scheduled date at the First Street Conference room. Topics will include:

Dairy Nutrient Management Act, RCW 90.64, WAC 16-611, Ginny Prest, Washington State Department of Agriculture. Jean Mendoza later requested that subject of Dairy Nutrient Management Act, RCW 90.64, be delayed to a later study session.

Washington State Conservation Commission, South Yakima Conservation District, RCW 89.08, Laurie Crowe, South Yakima Conservation District

Nutrient Management (Code 590), Bonda Habets, State Resource Conservationist, USDA-Natural Resources Conservation District (NRCS), Washington State Office, Spokane.

ACTION: The group agreed to move forward with another study session on April 23rd, 2015.

Timeline: The group agreed that the timeline would require at least another year which will be added to the timeline. The ultimate goal of this group is to present a draft of recommendations to the GWAC.

Resources Requested

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Recommendations for GWAC

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Deliverables/Products Status

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Proposed Next Steps

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