

**Spokane River DO TMDL Toolbox Development Workgroup  
Washington Department of Ecology  
September 25, 2012**

**Minutes**

**In Attendance:** Bud Leber, Kaiser; Galen Buterbaugh, Lake Spokane Association; Sarah Hubbard-Gray, HGC; Lynn Schmidt, City of Spokane; Lars Hendron, City of Spokane; Jeff Donovan, City of Spokane; Don Martin, EPA; Doug Krapas, Inland Empire Paper; Thomas Herron, IDEQ; Mike Petersen, Lands Council; Diana Washington, Ecology; Lee Mellish, Liberty Lake Sewer and Water District; Tom Agnew, Liberty Lake Sewer and Water District; Dale Arnold, City of Spokane; Ben Brattebo, Spokane County; Adriane Borgias, Ecology; Dave Moss, Spokane County, Meghan Lunney, Avista; Bruce Rawls, Spokane County; Mike Cannon, City of Spokane; Jim Bellatty, Ecology; Dave Knight, Ecology, Dave Moore, Ecology.

On Phone: Kris Holm, Attorney

**Spokane River Forum Staff:** Andy Dunau, Cami Haveman

All meeting materials, including those referenced in these minutes can be found online at [www.spokaneriver.net/dotmdl](http://www.spokaneriver.net/dotmdl).

**Welcome and Introductions**

Andy Dunau welcomed participants to the meeting, each of whom introduced themselves.

**Administration**

Dave Moore explained shifting roles within Ecology. Dave Knight has returned from military duty and resumed duties as water quality watershed unit supervisor. Dave Moore will resume his duties as DO TMDL lead, focusing on nonpoint source reduction actions and the 10-year assessment, and Adrian Borgias will focus on Spokane River Regional Toxics Task Force. In addition, Diana Washington will provide assistance specific to tool box development as they apply to discharge permit and development of permit conditions.

**Tool Box Development**

Diana walked the group through the Tool Box Evaluation Flowchart and role of Ecology permit unit. Key discussion and clarifying points:

- There are three “agreement” points. At each point, Ecology will consult with their water quality unit, Attorney General’s Office and EPA to see if there is

consensus. Without consensus, the expectation is that the tool being developed will not move to the next step.

- Step 1 Agreement: Is the definition and the concept clear to all parties? Is it legal? Is it viable? Will amendment to DO TMDL or other requirements be needed?
- Step 2 Agreement: Is the scope of work for research and/or modeling needs sufficient to determine viability of tool?
- Step 3 Agreement: Does EPA and Ecology agree with research/modeling results? Based on findings, is the recommendation to implement the tool?

At Step 1, one or more permit holders interested in developing a tool, will bring a draft definition/concept to the advisory committee. Ecology (Diana) will review the definition, identify resources in EPA, Ecology, Attorney Generals office, and potentially other Sovereign entities (Tribes, Department of Health...), and provided the group with an estimated timeline for evaluation. The required agencies will be provided with the definition, specific permit related questions, and a request for input. Upon conclusion of meetings and information gathering, Diana will provide feedback to the group with a request to refine the definition to address issues identified in the review or move forward.

- The same process will be used at Step 2.
- At Step 3, Diana will coordinate the resources to evaluate findings and identify how tool may be used to develop permit conditions. An estimated timeline for completion will be based on resource availability and provided to the group. Diana will update the group as to the progress and update the timeline as information is made available.
- Committee would like to include Idaho interests as much as possible so tool box development in Washington can be utilized in Idaho. Diana noted that actions taken by Ecology for Washington permit holders can not be construed as having any regulatory significance in Idaho. EPA, however, is participating in advisory committee and may be able to establish a parallel track for Idaho permit holders. Don Martin, who is retiring at the end of December, will consult with the Seattle office to determine a) how this might be done, and b) who can represent EPA at advisory committee meetings. Don asked the group if they would prefer to have a participant at an administrative level equal to Diana's, and he will be requesting that resource be available at the meetings. He will speak with Michael Lidgard about this.
- Once a tool is in place, each permit holder may seek to apply it to their circumstance. On a case by case basis, Ecology will determine if it is appropriate, e.g.-- meets AKART, the data collected in the development of the tool reflects their effluent quality and technology, etc. .A tool approved for one permit cycle will need to be reintroduced for use in future permits.

## Tool Box Updates

Approval of Static Equivalency: The first two steps of the Toolbox Evaluation Flowchart have been met. Further, Ecology approved this tool for use in Spokane County's permit. The permit unit will begin the process of reviewing and bundling (definition, data, permit language ...) to submit Static Equivalency tool. A timeline will be provided back to the group estimating the process and timeline to get the tool formally approved for the tool box.

Alternate Season Limits and OrthoP: Definitions for Alternate Season Limits and OrthoP have been submitted. Alternate Season Limits was approved by Ecology for use in IEPs current permit. Both definitions will be reviewed in detail at October 30 Tool Box Workgroup meeting. Doug is particularly interested in OrthoP as they plan on testing tertiary and algae treatment systems in the near future. A QAPP for OrthoP was submitted in spring 2011 when consideration was being given to including this in their initial permit conditions. Doug will send version of QAPP he believes was approved to Ecology ASAP. Ecology will review and comment. Doug indicated that he is proceeding forward as if 2011 QAPP approval still applies.

Dynamic Equivalency Exchange and Bubble Permit: A definition for Dynamic Equivalency Exchange has been submitted. Dave Moore confirmed that the current model is believed to sufficiently represent time and travel distance relationship. Thus, the PSU "Spokane River Location Ratios" memo will not need to be further pursued at this time. Bubble permit will not be evaluated until Dynamic Equivalency tool is in place. The definition will be put into the flow chart for tool development.

Stormwater Credit: City of Spokane still intends to develop definition for review in 2013.

Septic Trading and Mainstem Trading: Bruce Rawls asked if Septic Trading tool could/should be considered a subset of Mainstem Trading. A concern with that approach is that it could slow down evaluation of Septic Trading. Currently, definitions for Septic Trading and Mainstem Trading have not been submitted.

Bioavailable Phosphorus/SRSP WERF Update: Sarah Hubbard Gray and Ben Brattebo provided an update on SRSP interactions with WERF (The Water Environment Research Foundation). WERF is a scientific research organization dedicated to wastewater and stormwater issues.

Based on previous Phase I work with the University of Washington, WERF is interested in pursuing a modified version of proposed Phase II research. This fits with their national work and interest on bioavailable phosphorus (BAP). Discussion ensued regarding who, how and when Ecology could review modified Phase II proposal.

Questions included:

- Should BAP definition be reviewed and used as a “lens” for reviewing Phase II proposal from a tool/permit perspective?
- Is this more associated with “ten year tune-up,” and should thus be reviewed through DO TMDL revision “lens”?

Ecology will need to consider these questions internally to determine appropriate review process. Ecology will provide feedback to group at next meeting.

### **Tracking/Monitoring**

Dave Moore thanked the group for comments to the 2004 Cusimano report. This was used as the “starting line” for developing ten year assessment. The next step is for Dave to work with Ecology’s Environmental Assessment Program (EAP) to flesh out goals/objectives that will lead to scope of work. EAP is currently completing some personnel assignments, and Dave hopes to have someone to work with shortly. The goal is to complete internal Ecology review and provide committee goals and objectives to consider at the November meeting.

Based on comments to date, Dave would like to take a broad view for ten year assessment. Some key points that will be integrated into scope of work:

- Look at multiple measures, e.g.:
  - water quality sampling
  - outcomes of technology implementation;
  - non-point source reduction efforts
  - Avista efforts
  - Septic tank reduction
  - Stormwater reduction
- Model recalibration possibilities
- Model runs for different years
- Multiple flow regimes
- Regarding NPS, work toward collecting data with stakeholders that can be included in GIS data base
- Utilize results to develop conclusions and next steps, e.g.—should DO TMDL be revised, are additional studies needed, and should a Use Attainability Analysis be pursued? Dave felt that only at the ten year assessment would it be appropriate to consider revising the TMDL, considering all but one discharger have implemented tertiary treatment and the TMDL has only been in place for one year.

### Advisory group comments and questions:

- Clarify timing issues between ten year (2021) assessment and permits. For instance, results from ten year assessment would need to be available by 2019 to affect 2021 permit cycle.
- How, or will, permit holders be given credit for regional reductions resulting from dishwasher ban, new fertilizer regulation, etc.
- Can SRSP be given goals and objectives to review before advisory committee meeting?
- How will Avista water quality attainment plan be integrated into ten year assessment plan? Their draft plan being submitted for FERC review will be made available to the public in October.

### Next Steps

- 1) Don Martin will investigate options for EPA and Idaho utilizing tool box development process to support Idaho permit needs. He will also identify who will represent EPA after December.
- 2) Permit unit will begin the process of reviewing and bundling the Static Equivalency tool. A timeline will be provided back to the group estimating the process and timeline to get the tool formally approved for the tool box.
- 3) Doug Krapas will send Ecology latest version of QAPP to support OrthoP sampling.
- 4) Meeting agenda for October 30<sup>th</sup> meeting will be developed and posted on-line.

### Meeting Adjourned