



**Nisqually River Council
Citizens Advisory Committee
Meeting Minutes
February 10, 2015, 6:00 – 8:00 PM
Nisqually Tribe's Natural Resources Office**

CAC Members Present: *Fred Michelson, Karelina Resnick, Debbie Anderson, Marjorie Smith*

Guests: *Donovan Gray*

Staff Present: *Morgan Greene*

Welcome and Introductions

The meeting was called to order at 6:13pm. There was a motion to approve January's meeting minutes. They were approved, as was the agenda for the evening.

Water Quality & TMDL – Donovan Gray, Department of Ecology

Donovan's presentation will highlight the Department of Ecology's Water Quality Program, the Clean Water Act, and Total Maximum Daily Loads (TMDL) and Water Quality Standards. Ecology's mission is to preserve, protect and enhance the environment. The water quality program (WQP) is one of many programs within Ecology, though it is an important aspect of the agency. The WQP mission is to protect and restore Washington waters. To achieve its goals, the WQP provides help and information relating to water quality. Although several people work on TMDL issues, other employees work with municipal wastewater plants, stormwater runoff or other focuses.

The inspiration for the Clean Water Act (CWA) started in the 1960s as people became more concerned about environmental protection. During that time, the Cuyahoga River (Ohio) literally lit on fire due to all the pollution from industrial dumping. This sparked concerns relating to the nation's waters, and water quality became a top national issue. The Clean Water Act was passed in 1972 as a response. The Act sets a structure for regulating pollutants in waters, and establishes water quality standards. It's important to recognize that the CWA sought to resolve problems largely stemming from industrial waste, which are often different than pollution caused by residential or agricultural uses.

At this point, it's important to understand the difference between point and non-point sources. Point sources stem from a discrete location—a pipe releasing chemicals, for example. Non-point sources are diffuse and much harder to pinpoint. Good examples are leaking septic tanks, or stormwater runoff. The CWA regulates point sources through a permitting system, but exempts many non-point source pollutions. The exemptions make regulating non-point source pollution very difficult on a national level. As a reminder, Donovan pointed out that this is an effect of the CWA targeting industrial pollution, rather than agricultural or municipal runoff. On the other hand, Washington has its own Clean Water Act (WCWA). The State is delegated by the EPA to regulate and enforce the CWA within Washington. However, WCWA does not exempt non-point source pollution from permitting, which means that Washington has the power to target this type of pollution. As a result, Washington is able to target and clean non-point source pollution.

The Department of Ecology monitors water quality standards that apply to swimming, fishing and other 'beneficial uses.' Water quality standards relating to drinking water are regulated by Department of Health. Depending on the 'beneficial use' deemed acceptable to each water body, different water quality standards

apply. Beneficial uses with direct human contact (shellfish beds, for instance) have much stricter standards to adhere to, whereas beneficial uses with indirect human contact are less strict.

There are two types of water quality standards.

- Conventional—This includes the 8 parameters familiar to Stream Stewards and Sheila’s NREP. They include pH, Dissolved Oxygen, Fecal Coliform, Turbidity, Temperature and total dissolved gas. Ecology has developed optimal ranges of each parameter, which varies by water body depending on the uses of each location. It also varies between freshwater and marine waters. In order to effectively gauge water quality issues in the Nisqually, Donovan suggested first identifying the uses given to local waterbodies, then determining the resulting parameter ranges. He also suggested reviewing the 303(d) list for the watershed—see below for more information.
- Toxics—This category includes heavy metals, pesticides, PCBs and other chemical pollutants. As of now, pharmaceuticals are not monitored under current standards, though they are becoming more of a concern. Donovan noted a constant struggle in monitoring toxins: once a particular toxin is determined to be dangerous and banned, it must be replaced with something else. The replacement isn’t necessarily an improvement.

Section 303 of the CWA requires the EPA to develop a list of impaired waters in the nation and to establish priority rankings for listed waters. This is known as the 303(d) list, and it contains 5 listing categories.

- Category 1: Waterbody meets water quality standards
- Category 2: Waters of concern. This means there is some data to suggest there’s a problem, but not enough to require a TMDL plan.
- Category 3: Insufficient data
- Category 4: Polluted waters that do not require a TMDL plan.
 - Category 4a: Waterbody already has a TMDL plan in implementation
 - Category 4b: Waterbody has a pollution control program, but not a TMDL plan.
 - Category 4c: Waterbody is impaired by a non-pollutant, like low water flow.
- Category 5: Polluted waters that require a TMDL plan. These waters are a red flag—it means there is a problem, but nothing is being done to fix it.

A TMDL—or Total Maximum Daily Load—is the maximum pollutant that a Waterbody can receive and still meet water quality standards. Donovan’s analogy was to think of pollution flowing into a bucket; when the bucket overflows, the pollutant has exceeded its TMDL capacity. The second component of a TMDL is a plan that identifies point sources of pollution and assigns waste load allocations to polluters. In contrast, non-point source pollution is managed through Best Management Practices (BMPs) and regulated with load allocations. TMDL implementation is a long process. It begins with data collection and assessment. Next, a Water Quality Improvement Plan is submitted to the EPA for approval. Once approved, the plan can be implemented. Finally, effectiveness monitoring happens 10 years after implementation and tracks whether water quality is improving. Due to a lack of resources, most capacity is dedicated to implementation rather than effectiveness monitoring.

The Nisqually Watershed has only one TMDL in place for Fecal Coliform and Dissolved Oxygen (DO). It focuses on the Nisqually Reach, Nisqually mainstem, Ohop Lake, Red Salmon Creek and McAllister Creek. Please note—there is no loading allocation listed for the Dissolved Oxygen because of difficulties determining natural and artificial sources of DO. According to the TMDL, fecal coliform issues stem largely from septic tanks, with some agricultural influence. Wildlife probably contributes too, though that is considered a natural condition. The Category 5 listings in the watershed are mostly listed for temperature violations. There are no Category 5 listings for pesticide use, though there is one each for heavy metals and

PCBs. Donovan noted that this is typical of watersheds like the Nisqually that have very little industrial influence.

There are many useful links for those interested in learning more about water quality. For Washington State water quality standards, visit <https://fortress.wa.gov/ecy/publications/SummaryPages/0610091.html>. For more information on the 303(d) listing categories visit www.ecy.wa.gov/programs/wq/303d/WQAssessmentCats.html. To access a 303(d) database, please visit www.ecy.wa.gov/programs/wq/303d/currentassessment.html. For information on the TMDL process visit www.ecy.wa.gov/programs/wq/tmdl/overview.html. Finally, to access the Nisqually TMDL, please visit www.ecy.wa.gov/programs/wq/tmdl/TMDLsbyWria/tmdl-wria11.html. Additionally, Donovan is happy to answer other questions via email at dogr461@ecy.wa.gov.

Questions and Comments:

- It's ironic that TMDLs are based on the idea that waters will be at least somewhat polluted. However, Donovan noted that the anti-degradation component of the CWA states that high quality waters cannot be polluted below their initial pristine state.
- Karelina wondered if Ecology monitored upwards trends in water quality. In particular, she noted, Eatonville installs raingardens in the hopes of reducing stormwater runoff and increasing water quality, but the surrounding waterbodies are largely unmonitored. In response, Donovan noted that agencies have limited capacities, so most efforts target declining areas. However, effectiveness monitoring and ambient monitoring stations do help track improvements.
- Does the water quality information collected by Pierce Conservation District, or other entities, get reported to Ecology? Rather than Ecology tracking down data, it is up to other organizations to report their own data. While some entities are very good about reporting their data, others are not so reliable. Entities must also meet Ecology's strict standards for accurate data in order to access the database.

Emeritus Board – Karelina Resnick

The Executive Committee met last week to discuss the Emeritus Board and NRC membership. To start, the Emeritus Board proposal suggests forming a group of influential supporters of the NRC. The Board will be an honorary position, but members will provide influence and fundraising support. It's not required that members have served on the NRC, but simply have been supportive of the NRC in the past.

Right now, David and Fred are contacting particular people to review Karelina's current proposal. Once their input has been included, the proposal will be brought to the NRC for approval. There was a motion to approve the current proposal, and bring it before David. The motion was approved unanimously.

The Executive Committee also discussed charging a small fee for agencies to attend the meetings; this would not include the CAC. Discussion also revolved around increasing membership at the NRC meetings; Morgan is working with David to meet with agency heads soon. The hope is to bring more members back to the table.

Member Goal Reports

- *Access & Hikes (Ed and Carl):* Carl was not in attendance. Fred hopes to set a hike up this weekend, as it is President's Day. Karelina is also interested to learn more about the Land Trust's policy around public access—perhaps this could be a future presentation topic.

- *Membership App (All)*: Morgan is contacting the Nisqually Valley News and Eatonville Dispatch to discuss advertising the meetings. There is no money in the budget to fund this, but if it's free, she's happy to pursue it. Fred will also start to develop a plan for increasing and retaining membership.
- *Emeritus Board (Karelina)*: See section above.
- *Youth Council (Karelina)*: The subcommittee has developed a proposal, ready to be approved. Under the proposed plan, the Youth Council will have a seat on the NRC. The hope is to work with local high school environmental clubs to address local issues. There was a motion to approve it the proposal, which was accepted unanimously. It will be brought before the NRC at the next meeting. Thanks to Phyllis, Debbie and Karelina for all the hard work!
- *Neonicotinoids (Fred & Bob)*: No update available.
- *Climate Change (Morgan)*: Morgan is pursuing grants in partnership with Climate Solutions University. She's also in the process of developing a one-year work plan for implementation.
- *Tribal Member on CAC (Bob & Fred)*: No update available.
- *Protected Marine Areas (Ed)*: No update available.
- *Coal & Oil Trails (Grace Ann)*: No update available.
- *CCC (Karelina)*: No update available.

Organic Farms/WWOOF/Nisqually Garden – David Thorp, Grace Ann Byrd

David and Grace Ann were unable to attend today's meeting. This will be put on the March agenda.

March Guest Speakers – All

- Nisqually Land Trust:
 - A general overview of all properties owned by NLT, including maps
 - Public access policy and any future plans for allowing increased access
 - Historical fun facts about NLT properties

For the Good of the Order – All

- Important Dates:
 - Next NRC Meeting: February 20, 2015 from 9:30-12:30 at UW Pack Forest.
 - Next CAC Meeting: March 10, 2015 from 6-8pm.

The meeting was adjourned at 8:15 pm.