

Vancouver Lake Watershed Partnership

February 21, 2007 Meeting Summary

The seventeenth meeting of the Vancouver Lake Watershed Partnership was held on Wednesday, February 21st from 4:00-6:00pm at the Port of Vancouver Administration Offices.

Partnership members in attendance:

Patty Boyden, Pete Capell, Brian Carlson, Chris Hathaway, David Judd, Gary Kokstis, George Medina, Thom McConathy, Jim Meyer, Iloba Odum, Doug Quinn, Scott Robinson, Shayne Cothorn, Jennie Ju, Clark Martin

Staff in attendance:

Loretta Callahan, Annette Griffy, Jeanne Lawson, Kalin Schmoltdt, Ron Wierenga, Pete Capell, Phil Trask, Kim McKee, Tonnie Coummings, Katy Brooks

Public in attendance:

Bill Kalenius, Nancy Chandlee, Vinton Erickson, Don Jacobs, Tim Rajeff, Kath Hani, Traci Nolan, Ed Stroymaier, Michael Bertish, Dick Chandler, David Page

Agenda Review

Jeanne welcomed the group and noted that the meeting was rescheduled from mid January because of the weather. She noted agenda highlights, specifically the project manager update and the potential for Ecology performing a TMDL project.

Jeanne asked the partnership if there were any issues to discuss that were not on the agenda. Thom McConathy noted that there have been repeated requests since August to address the mercury problem and the Department of Ecology study, and he felt that those concerns were being ignored. Jeanne asked Iloba to respond to those concerns later in the meeting. Thom also noted that there was to be a technical advisory meeting that has not happened. Jeanne offered to conduct a wrap up and note issues at the close of the meeting.

Partnership Business

Minutes from 11/15/06

Donald Jacobs requested that he be added to the list of attendees for the previous meeting. He reflected on how long the committee has been meeting. Jeanne said there would be discussion regarding the transition of the committee soon.

Iloba Odum requested that the reference to "DEP" on page 7 be changed to "DEQ."

Membership updates

Thom McConathy noted that some members of the Partnership have been absent from recent meetings and he questioned whether the membership needs to be revisited. Jeanne offered to contact the absent members and confirm that they are still committed to the group process.

PIO Update

Loretta noted the availability of the Partnership Overview and the Steering Group's Support for Future Federal Spending handouts.

She noted that there had been a question raised about posting meeting summaries on the web. Standard procedure has been to post summaries after they have been approved by the Partnership, but because of the time between meetings there have been concerns over making the summaries available more promptly. Loretta said it was her preference to post accurate information. Thom asked whether the drafts could be posted and noted as such. Loretta warned that people can still read drafts as the final word. James Meyer said he would also like to see drafts posted as most of the in meeting changes to date have been minor. Jeanne offered to send out the meeting summaries after the meetings and seek changes. She noted that silence would be taken as acceptance. She added that any issues involving major changes would be forwarded to the group for consideration. The group agreed with the idea, agreeing to return comments within one week. Notes will then be posted online.

Clark Martin noted that he had passed along information about the North American Lake Management Society international conference that included information on shallow lake ecology and he wanted to follow up. Ron Wierenga said that he had attended the NALMS regional conference in Portland that covered similar information. He offered to look into the conference notes for any relevant information.

Funding Update

Loretta noted that they had been asked to submit a request for 2008 appropriations to federal representatives and that the Steering Group had approved the request to seek appropriations as a formality. The request would include \$100,000 for the general reconnaissance study and the 536 Program. Loretta characterized the request as an uphill battle with the understanding that it would be wise to keep the issue visible to legislators.

Jeanne introduced Jennie Ju who is now the alternate for Parks and Recreation.

Pete Capell noted that while there hasn't been a lot of funding activity, it isn't for lack of trying. He noted that the lack of funding opportunities is part of the reason for the project's slow pace lately. Thom asked whether agencies like the County, City, and the CPU could characterize the priority of the lobbying and where it is included in their lobbying packages. Brian said it was included at the top of the list. Patty said it was on the appropriations request as well. Brian noted there is some funding that is flowing and the County is acting as the fiscal agent. Loretta said that the governmental affairs group had requested the appropriations requests.

Clark Martin suggested seeking bids from groups for farming carp from the lake as a potential funding source. Don Jacobs said there were already some groups harvesting. Jeanne noted the idea but there was little support for follow-up from the group.

Corps Update

George Medina explained that they had initiated a Project Management Plan formal document that lays out the processes for executing the feasibility study and the construction of the project. He explained that the plan is reviewed by the different levels of management in the USACE and will be eventually be reviewed by the Partnership. He emphasized that it's a draft scope budget and schedule document that also lays out some communication strategies and contractual elements. He said there is still some scoping to finish, and that they were working with Ron to set up a meeting where the Project Development Team will integrate with the Technical Group to identify project constraints, commonalities, and strategies. He explained that the planning process for the feasibility study will serve as a backbone to delineate what will happen over the next several months. He said that while a typical Corps study would cost around \$250,000 and take 9-12 months, it's conceivable that integrating the various studies could take over eighteen months and could cost between \$250,000 and \$1,000,000. He said he hoped to present a scope that reflects the budget, and noted that anything in excess of \$100,000 would be split 50/50. He said they were planning to meet with the Technical Group for March 14 and would be better able to speak to a potential budget after that.

Thom asked for clarification on whether the document would be ready by March 14. George explained that they are planning to lay out their process for the technical group, gather input, and integrate the elements they suggest. That will be followed by sharing the result with the Partnership. Thom asked whether the doctor from WSU will be involved in the Technical Group meeting. Ron said that WSU will be involved. George added that once the technical issues are addressed, they hoped to lay out the processes used by the USACE so the Partnership has a better idea of what will happen, why the Corps is doing it that way, and what corresponding costs are associated. He emphasized that while there is a Preliminary Restoration Plan, (PRP,) it is just an idea and they want to be absolutely sure of what we're going to do and why.

Gary Kokstis asked about the timeframe. George said they would meet on March 14th, and then report back in April.

Tech Group Update

Ron reiterated that he's been working with George to establish a planning strategy. He said that the Technical Group hopes to build on what the Corps brings to the process. He acknowledged the limited funding and time. He said they would be inviting a diverse group to expand the Tech Advisory Group. He noted that while the Corps will lay out a starting plan, it will probably take several other meetings. Ron said he would be trying to invite previously uninvolved agencies for the technical discussion, and offered to report back at the next meeting.

Ron noted that an agreement has been reached on the work plan and contract with WSU and they hope to have it signed by the Board of County Commissioners soon. He said that Professor Gretchen Bolens will be doing much of the work and that a grad student will be doing graduate work on Vancouver Lake. WSU is continuing to collect data at the sailing club dock and building their database. He noted that the port is still collecting data from the flushing channel. He added that WSU will hopefully start their contract in March.

Gary Kokstis asked about dredging and flow monitoring. Patty said that flow monitoring is underway and dredging is complete. She said the data has been sent out on a regular basis although she hasn't seen it recently. George said that Gail Lovell is the technical lead and will be reviewing questions concerning the flow conditions and how efficiently the channel is operating. Patty offered to include the flushing channel data with George. Thom requested that the data be added to the website to make it public. Patty said she would work with Loretta to make it available.

Public Comment

Jeanne asked for newcomers to introduce themselves.

Scott Robinson introduced Shayne Cothorn as the new D.N.R. alternate.

Bill Kalenius introduced himself as a representative of Vancouver Lake Crew rowing team. He expressed a strong interest in water quality and noted the various activities the lake is used for during the year.

Iloba Odum introduced Tonnie Coummings as the TMDL Coordinator for the Lower Columbia and the Columbia Gorge. She is replacing Dave Howard and will serve as Iloba's alternate.

Chris Hathaway noted that the Estuary Partnership in conjunction with USGS is sponsoring a Science to Policy Perspectives Conference May 7-9 in Vancouver. He encouraged the group to let him know if they had questions. Jeanne offered to forward the information to the full group.

Gary noted that the sailing club will be changing their gate combination and noted that anyone using that gate will need to email the club for the new combination.

Project Manger Position Update

Pete Capell noted that Phil Trask has been selected for the project manager position and that the committee felt that Phil was the best of the three candidates. He said that Phil is not currently under contract because of recent complications. He said that Deb Marriot of LCREP suggested that Phil be contracted through their group so they could contribute administrative work, tech support, and grant writing to assist the cause. Pete noted that the Steering Group had agreed to the arrangement. He said they had only recently realized that hiring through another organization violates some of the standard processes and it has consequently taken some extra time to justify the decision. He said there is currently a draft contract/scope of work that is six months in duration. He noted that the goal is to develop a work plan and demonstrate that the relationship will work, with the intent to extend the contract at its conclusion. Thom asked how soon a signed contract can be expected. Pete said that he expected it to be signed mid-March.

Pete introduced Phil Trask. Phil summarized his background to the Partnership. He said he is experienced with projects of this nature, such as with the Lower Columbia River Fish Recovery Board managing their watershed recovery planning processes. He said he is used to working with large groups and putting together policy. He said he feels capable of taking on the level of work. Pete added that Phil came highly recommended.

Pete noted that there will be some time spent getting up to speed and developing the work plan. After developing the work plan, a better defined scope of work can be created. Thom asked whether Phil can describe how he envisions the job description and whether he will take over as facilitator. Pete said that he didn't think it was fair to ask that of Phil at this point and noted that Phil will be under contract at the next meeting will be speaking with Jeanne about transitions. Thom expressed concern over the future of the group and whether Jeanne or Phil would serve as facilitator. Pete said he would entertain suggestions but didn't feel this was an appropriate place to negotiate. Jeanne added that while there are certain preliminary expectations, it's often difficult to do everything for the money available. Thom expressed frustration with the delay. Jeanne assured the group that the laws holding up the process were in place to protect the public from fraud and corruption. Pete said they were intending to utilize the local agency partners and that they could not afford to keep a project manager and facilitator on at the same time. He said he wants a transition period between Phil and Jeanne and part of the first phase of the contract is to develop a work plan to guide the transitional activities.

Chris Hathaway offered that Deb Marriot will be moving the process through as quickly as possible.

Thom expressed concern that decisions were being made without consulting the group. Brian pointed out that many of the duties for the project manager had been discussed on several occasions and were reflected in previous meeting summaries. David Judd said he also felt there had been discussion of the nature of Phil's work, and that there had been the assumption that specific questions will be refined as soon as he's under contract. He felt it was clearly delegated to Pete to get the contract arranged and that it didn't appear to be secretive. Jeanne offered to have Phil walk through the scope at the next meeting.

TMDL Process

Jeanne noted that Ecology had a proposal for the group and wanted to get feedback regarding the possibility of conducting a TMDL process in the area. Iloba explained that TMDL means Total Maximum Daily Load, and essentially means a water cleanup plan. He said that they wanted to take the opportunity to educate the partnership regarding the TMDL process and determine whether they should propose a TMDL on Burnt Bridge Creek. He introduced Kim McKee who supervises Ecology's water cleanup unit.

Kim described TMDL projects as an opportunity to address statewide water quality. He said that Ecology has been trying through an internal process to determine which water projects go forward. He emphasized that no decisions have been made and there were no guarantees that the projects discussed at this meeting would go forward. He described the selection process as competitive and prioritized and conducted on a five year cycle for the southwest region of the state. He said he was hoping to get informal approval for moving forward with a TMDL project for Burnt Bridge Creek. He said the creek came up as a potential project as proposed by Dave Howard, the former TMDL coordinator for the Lower Columbia and Columbia Gorge Water Quality Management Areas.

TMDL is an approach the federal government uses to address water quality problems. He said he hoped to describe why there was interest in performing a TMDL on Burnt Bridge Creek and why such a process might be beneficial to Vancouver Lake.

TMDLs, also referred to as water cleanup plans, identify water impairments. They can refer to: 1) a clean-up plan, 2) a process taking about 5 years to complete, 3) it's a specific document, 4) amount of pollutants, either as temperature, oxygen, toxins, etc. The purpose of a TMDL is to promote actions that result in a water quality improvement. TMDLs are dependent upon private/public partnerships and their value comes from working with landowners and local persons who will guarantee the effectiveness of the improvements over time. TMDLs look at non-point sources of pollution such as polluted runoff from agriculture and animal waste. He noted that the approach is voluntary rather than regulatory and that non-point sources of pollution are often difficult to apportion responsibility for. Consequently, education is an important part of the process.

The rough definition of a TMDL is: *"The amount of a pollutant that a waterbody can receive and still meet water quality standards."* Kim explained that the TMDL attempts to allocate levels of pollution to various sources and there are two such types of allocations: 1) "Waste Load Allocations" from point sources of pollution, often a polluting facility; and 2) Load Allocations from non-point sources of pollution such as runoff from streets, agriculture, septic tanks, and animal waste. The TMDL looks at the source of pollutants, assigns them proportions, and determines what needs to be done to meet the TMDL requirements. He noted that some of the load must be kept in reserve as a margin of safety and some must be reserved for future growth.

Kim said that the first two years of the TMDL process involve an assessment of the problem. The next year involves technical analysis to determine allocations. This is followed by the creation of an implementation strategy to identify what has to happen and where, followed by monitoring to ensure objectives are being met and water quality standards are being maintained.

The Clean Water Act requires states to set water quality standards for surface waters and any water bodies that don't meet standards must be listed on the 303(d) list. These water bodies must have a TMDL developed to correct the impairment. Kim noted that they are trying to make the list accurately reflect the true conditions in the environment. He explained that the TMDL program sprung from a lawsuit charging that the EPA was not implementing 303(d) in a timely manner.

Kim said that Ecology had entered into an agreement with the EPA with a goal to establish TMDLs for around 700 water bodies within a fifteen year window. He noted that they do not have and will never have enough resources to do all of the listed water bodies. He said they recognize the need for participation from local groups to ensure a TMDL's success.

Kim described how Ecology scopes a different area of the state three times over a fifteen year window with the objective of finding category 5 impaired bodies (not meeting standards) and identifying potential projects. He said that Burnt Bridge Creek had been proposed two years ago as a part of a scoping process, but was not dealt with at the time. He said the complete 2004 list of impaired bodies is available on the Ecology website.

Kim explained that the state is divided into Water Resource Inventory Areas based on surface topography and that TMDL resources are divided between the areas. Each year one of the five Water Quality Management Areas in the Southwest region is scoped for potential projects with local support. He said that they are scoping WQMA #2 (the Lower Columbia) this year, and plan to look at WQMA #5 (Columbia Gorge) in two years. He pointed out that despite this they have the option of considering projects outside of the current WQMA if a good candidate can't be found. He noted that the next scoping of WQMA #5 will be the last time within the fifteen year window.

He described a slide where Ecology staff had tried to group water quality impairments into potential projects. He said that the goal was to combine a reasonable number of impairments into individual projects. He noted that when Burnt Bridge Creek was proposed two years ago it could not be funded because it was too big—it included Lake River, Vancouver Lake, and Burnt Bridge Creek. He said that this year they were proposing partitioning the project and working from the upper part of the watershed down. He described the issues to consider as part of the selection process: the number of listings; local support and interest; Ecology staffing feasibility; and priority being given to projects within the WQMA being scoped. He said that they had not identified a reasonable project within WQMA #2 and noted that many of the other impairment issues in the Lower Columbia would be dealt with in 2009.

Kim discussed the TMDL scoping schedule. He said that the TMDL proposal can be DOA if the group doesn't want it to move forward. He said that they had prioritized two number one projects for the southwest region: Lacamas Creek and Burnt Bridge Creek. He emphasized that they are still in the proposal phase and are trying to gauge public support. He said a final decision will probably be made in July 2007.

Kim shared a slide that indicates some of the challenges to creating a management plan for Vancouver Lake. He noted the inflow from the watershed, groundwater, the flushing channel, and how Lake River can flow in or out. He also noted precipitation and evaporation as other influential factors. Kim explained that a TMDL on Burnt Bridge Creek could yield information on the Phosphorous, Nitrogen, and other nutrients entering Vancouver Lake. He said it would not provide information on groundwater.

He noted that Burnt Bridge Creek is on the 303(d) list for dissolved oxygen, Fecal Coliform, and temperature. He said that while there were no listings for phosphorous, they could take a look at phosphorus and nitrogen data if it would help. He noted the benefits of performing a TMDL: 1) it can support a better understanding of Vancouver Lake watershed dynamics; 2) it can provide information regarding the degree of external loading to the lake from the watershed; 3) stakeholder commitment can demonstrate support for watershed efforts; 4) would eliminate the need to focus future resources on studying the creek.

Kim summarized that they need to know if there is going to be local interest in participating with Ecology in the TMDL process and if not, whether there were other suggestions.

Scott Robinson asked what was considered a "waterbody." Kim said that the bodies listed vary from creeks several hundred yards long to Vancouver Lake at 2,300 acres.

Jeanne noted that the Steering Committee had raised questions regarding whether a focus on Burnt Bridge Creek would supplant other priorities and why the focus couldn't include the whole watershed.

Brian said that he would like to hear why the focus isn't on Vancouver Lake or Lake River, how Vancouver Lake would benefit from the choice, and whether focusing on another body would benefit the lake more substantially.

Thom said that he felt that Brian had obstructed focus on Burnt Bridge Creek in the past and felt that the questions being discussed had not been previously covered by the steering committee. Brian noted that Thom's statements were inaccurate and that Thom had been present at the January meeting when the issues had been discussed. He also noted that the discussion was reflected in the January 3 steering group meeting summary. Brian explained that the City does not oppose a TMDL project on Burnt Bridge Creek, but is questioning whether the project being proposed is the best use of the limited Ecology funds or whether those resources could be used more effectively looking at Lake River or Vancouver Lake or on another water body that was ranked higher by the adopted WRIA Plan such as Lacamas Creek.

Kim pointed out that there is too much data collection to do the entire watershed at once. He said such a focus would represent a substantial investment and that looking at groundwater alone would exceed Ecology's resources. He pointed out that it's necessary to fix the problems in the watershed in order to fix what's going on downstream. He said that focusing on the lake would require looking at the loads coming from the creek anyway, and if the load is large and there are no efforts to reduce it, there would be no noticeable changes anyway.

Gary asked whether the TMDL would affect concurrent studies and whether it would duplicate any data. Kim said that the TMDL would be complementary to current studies and would try not to be redundant. Gary asked whether the resources could be used elsewhere. Kim said that any unused funds would probably go to other parts of the state.

Doug Quinn asked whether performing the TMDL would constrain the solutions available to the group in dealing with Vancouver Lake. Kim said he didn't foresee any constraints and couldn't think of a situation where their findings had conflicted with a local solution.

James Meyer asked whether performing a TMDL on Burnt Bridge Creek now would put a priority on Vancouver Lake during the 2009 scoping process. Kim said that there are still many other listings to consider. He said that the problem with Vancouver Lake is that it is only listed once, whereas there are multiple listings for other bodies. He added that a Burnt Bridge Creek TMDL wouldn't hurt the lake's chances, and they could argue that the lake is the next step for moving down stream.

Scott Robinson asked whether the creek is a "better sell" than the other options. Kim said that the staffing needs for Vancouver Lake would present a challenge and the strain on Ecology's resources would be greater than their ability to take on. Scott said that it would be good to look at the creek, but he didn't know what support from the community would be necessary. Kim said that in terms of implementation, support from the community is separate. He said the public is used as a reality check and a sounding board and wouldn't be relied upon for carrying out the studies. He said that the need is for local knowledge of the watershed and its impairments and the ability to advocate for the implementation actions necessary.

Thom said that Dave Howard did a TMDL on Salmon Creek in 1998 that would not meet today's standards. He asked whether the old TMDLs will be updated to modern specifications. Kim said that there were impairments that were not included on Salmon Creek but that he didn't know why. He said another TMDL dealing with dissolved oxygen would need to be done and could be looked at as part of the scoping process.

Ron asked about the timeline. Kim said the TMDL would go forward between July 2007 and June 2008.

Victor suggested working collaboratively with the USACE to possibly address lake water and groundwater flow issues. Kim said that while they've done partnerships in the past, none have looked at groundwater. He said that many of the challenges would still exist, particularly the cost of wells and monitoring staff. He pointed out that a groundwater study wouldn't address incoming

nutrients. Victor suggested that the source of phosphorus was the groundwater. Kim said it's hard to tell.

Jeanne acknowledged that Ecology has more than the Partnership to be accountable to, and said that the partnership needs to know what's achievable.

Brian pointed out that without full funding, Ecology finds itself picking the low hanging fruit. He expressed concern at the various important areas in the region to be addressed and noted that it's misleading to think that a pristine Burnt Bridge Creek will solve the problems in Vancouver Lake. He said that the factors need to be looked at holistically and as influenced by a complex system. He said he didn't think the focus should be on the creek, but rather on Lake River or Vancouver Lake. Brian said he understood that Ecology has limited budget and resources and expressed concern that these limitations appear to be driving the decision.

Jeanne noted that while it would be preferable to do the whole thing, it comes down to whether the group would prefer Lake River, Vancouver Lake, or Burnt Bridge Creek. Jeanne asked whether the group would support a TMDL study on Burnt Bridge Creek. The partnership came out clearly in support of a Burnt Bridge Creek TMDL, though the decision was not unanimous.

Public Comment

Dvija - Represents environmentally minded people, expressed support for the Burnt Bridge Creek TMDL. Indicated that it was important to note how Ecology is not asking for financial resources and it would be a gift. Said if it's not possible to take the whole thing, you move incrementally and could include Lake River next.

Tim Rajeff - Lives near BBR creek, asked how much money it would take to implement all the studies at once. Kim said he recalled that the price in 1975-1980 was around \$17 million. He noted that many of the potential changes might not require capital and could be accomplished by attitude changes.

Vinton Erickson – Asked whether the septic tanks have been taken care of. Kim said that they were still working on it. The citizen stated that if the houses were connected to the sewer line, a study wouldn't be necessary.

Next Steps

In lieu of an issues discussion, Jeanne asked members to email Kalin with any further issues that should be addressed.

Close

- Next Meeting: April 18, 2007