

**DRAFT**  
**MINUTES OF THE**  
**MISSOURI CLEAN WATER COMMISSION MEETING**  
**Truman Hotel and Conference Center**  
**1510 Jefferson Street**  
**Jefferson City, Missouri**

**October 1, 2014**

**Present Via Telephone**

Todd Parnell, Chair, Missouri Clean Water Commission  
Dennis Wood, Missouri Clean Water Commission  
Ashley McCarty, Missouri Clean Water Commission (Joined meeting at 1:25 p.m.)  
Sam Leake, Missouri Clean Water Commission  
Wallis Warren, Missouri Clean Water Commission  
Buddy Bennett, Missouri Clean Water Commission  
John Madras, Director of Staff, Missouri Clean Water Commission  
Jacob Westin, Legal Counsel, Missouri Clean Water Commission  
Malinda Steenbergen, Secretary, Missouri Clean Water Commission

Karen Bataille, Missouri Department of Conservation, Columbia, MO  
Robert J. Brundage, Newman, Comley & Ruth P.C., Jefferson City, MO  
Adam Darrell, Benton and Associates, Kirksville, MO  
Lorin Crandall, Missouri Coalition for the Environment, St. Louis, MO  
Karen Flournoy, Environmental Protection Agency, Kansas City, KS  
Jenny Fung, Missouri Coalition for the Environment, St. Louis, MO  
Ed Galbraith, Barr Engineering, Jefferson City, MO  
Doug Garrett, Missouri Department of Natural Resources, Jefferson City, MO  
John Hoke, Missouri Department of Natural Resources, Jefferson City, MO  
Leslie Holloway, Missouri Farm Bureau, Jefferson City, MO  
Hans Holmberg, LimnoTech, Oakdale, MN  
Jay Hoskins, Metropolitan St. Louis Sewer District, St. Louis, MO  
Shirley, Kidwell, Fulton, MO  
Margot McMillen, Fulton, MO  
Jan Millington, City of Springfield, Springfield, MO  
Leanne Tippett Mosby, Missouri Department of Natural Resources, Jefferson City, MO  
Traci Newberry, Missouri Department of Natural Resources, Jefferson City, MO  
Sara Parker Pauley, Missouri Department of Natural Resources, Jefferson City, MO  
Jill Sellenriek, Fulton, MO  
Jeff Starr, Missouri Department of Natural Resources, Jefferson City, MO  
Kendra Todd, Columbia, MO  
Roger Walker, REGFORM, Jefferson City, MO  
Phil Walsack, Missouri Public Utility Alliance, Columbia, MO  
Chris Wieberg, Missouri Department of Natural Resources, Jefferson City, MO  
Jimmy Williams, Missouri Department of Agriculture, Jefferson City, MO

Dean A. Willis, P.E., Allgeier, Martin & Associates Inc., Joplin, MO  
Stephanie Wilson, Macon Municipal Utilities, Macon, MO  
Mark Young, Kansas City Water Services, Kansas City, MO

## CALL TO ORDER

Chair Parnell called the meeting of the Missouri Clean Water Commission to order on October 1, 2014 at 1:00 p.m. at the Truman Hotel and Conference Center, 1510 Jefferson Street, Jefferson City, Missouri. Chair Parnell thanked the Commissioners for taking the extra time to attend the tour on September 30<sup>th</sup> of the Boone County Sewer District and city of Columbia wastewater treatment facilities and for attending the Joint Commission's Meeting earlier in the morning.

Chair Parnell introduced the Commissioners, Staff Director, Legal Counsel, and the Commission Secretary.

## ADMINISTRATIVE MATTERS

### **Approval of the July 9, 2014 Missouri Clean Water Commission Meeting Minutes** **Agenda Item #1**

**Commissioner Wood made a motion to approve the July 9, 2014 Missouri Clean Water Commission Meeting minutes as presented. Commissioner Leake seconded the motion. The motion passed with a roll call vote:**

<b>Commissioner Cowherd:</b>	<b>Not in attendance</b>
<b>Commissioner Wood:</b>	<b>Yes</b>
<b>Commissioner Bennett:</b>	<b>Yes</b>
<b>Commissioner McCarty:</b>	<b>Not in attendance during vote</b>
<b>Commissioner Warren:</b>	<b>Yes</b>
<b>Commissioner Leake:</b>	<b>Yes</b>
<b>Chair Parnell:</b>	<b>Yes</b>

Mr. Doug Garrett, Financial Assistance Center apologized for not stating earlier and noted that, as part of the July 9, 2014 minutes, corrections needed to be made to the Official Hearing Transcript portion of the Clean Water State Revolving Fund Intended Use Plan from the July 9<sup>th</sup> meeting. He noted the following changes to the transcript:

- Page 17, line 16 – Change spelling of ‘Lake’ to ‘Leake’
- Page 19, line 10 – Change spelling of ‘Melinda’ to ‘Malinda’
- Page 19, line 15 – Change spelling of ‘Direct’ to ‘Director’
- Page 19, line 21 – Change to read “public hearing on the Fiscal Year 2015 **Clean Water State Revolving Fund ...**”
- Page 20, line 4 – Delete the period at the end of the sentence and change to read “forum for debate **or** resolution of issues.”
- Page 21, line 25 – Change to read “**identify EPA Green components...**”
- Page 23, line 21 – Change to read “and made available to the public”

- Page 23, line 22 – Change to read “President signed into law the...”
- Page 26, line 12 – Change to read “EPA to give the state latitude on how these changes are”
- Page 26, line 17 – Change to read “all **this** trickles down into the program.”
- Page 27, line 3 – Change to read “EPA and appropriations **from** Congress have”
- Page 27, line 6 – Delete “law as” at the beginning of the line.
- Page 27, line 22 – Change to read “appropriation language **passed** by Congress.”
- Page 27, line 23 – Change to read “to hurry up **and** get our 2014 CAP grant awarded.”
- Page 28, line 3 – Change to read “iron and steel unless a waiver is granted by EPA. **The** loan term”
- Page 28, line 15 – Change to read “assets or asset groupings, and a certification that recipient”
- Page 29, line 12 – Change ‘stated’ to ‘studied’
- Page 30 – line 21 – Change to read “Those folks who borrow money pay”
- Page 32, line 1 – Change ‘Natalie’ to ‘Labadie’
- Page 32, line 16 – Change name from ‘Summitt’ to ‘Summit’
- Page 33, line 6 – Change ‘water shed’ to ‘watershed’
- Page 35, line 9 – Change ‘plans’ to ‘plant’
- Page 35, line 11 – Take out ‘or Pacific’
- Page 35, line 24 – Change ‘watership’ to ‘watershed’
- Page 36, line 3 – Take out the ‘e’ at the end of the line
- Page 38, line 10 – Change to read from “We the three districts” to “We three districts”
- Page 38, line 16 – Change ‘corporation’ to ‘cooperation’
- Page 39, line 3 – Change ‘water’ to ‘WRRDA”
- Page 39, line 9 – Change ‘resources’ to **Resources**’
- Page 40, line 22 – Change ‘Works’ to ‘Watch’
- Page 41, line 7 – Change to read “Malinda **will**”
- Page 41, lines 7, 10, and 13 – Change ‘Star’ to ‘Starr’

**Commissioner Leake made a motion to approve the July 9, 2014 Missouri Clean Water Commission Meeting minutes with the changes to the official hearing transcript  
Commissioner Wood seconded the motion. The motion passed with a roll call vote:**

<b>Commissioner Bennett:</b>	<b>Yes</b>
<b>Commissioner McCarty:</b>	<b>Not in attendance during vote</b>
<b>Commissioner Warren:</b>	<b>Yes</b>
<b>Commissioner Leake:</b>	<b>Yes</b>
<b>Commissioner Cowherd:</b>	<b>Not in attendance</b>
<b>Commissioner Wood:</b>	<b>Yes</b>
<b>Chair Parnell:</b>	<b>Yes</b>

**Approval of the August 13, 2014 Missouri Clean Water Commission Teleconference Meeting Minutes**

**Agenda Item #2**

**Commissioner Wood made a motion to approve the August 13, 2014 Missouri Clean Water Commission Teleconference meeting minutes as written. Commissioner Leake seconded the motion. The motion passed with a roll call vote:**

**Commissioner McCarty: Not in attendance during vote**  
**Commissioner Warren: Yes**  
**Commissioner Leake: Yes**  
**Commissioner Cowherd: Not in attendance**  
**Commissioner Wood: Yes**  
**Commissioner Bennett: Yes**  
**Chair Parnell: Yes**

**Fiscal Year 2015 Clean Water State Revolving Fund Intended Use Plan**  
**Agenda Item #3**

Doug Garrett, Financial Assistance Center presented the Draft Fiscal Year 2015 Clean Water State Revolving Fund Intended Use Plan and Priority List (IUP). Mr. Garrett noted a public hearing had been held by the Commission on July 9, 2014, and that the public comment period closed on July 16, 2014. He stated that during the public hearing the proposed project lists had been revised to include projects meeting the Commission's readiness to proceed criteria prior to the close of the public comment period. Mr. Garrett noted that as a result of comments received the City of Jefferson was removed from the Outstate Fundable Projects list and the city of Wellsville project was moved from the Outstate Fundable List to the Disadvantaged Community Reserve list. He noted that comments were also received from the U.S. Environmental Protection Agency and A Civil Group related to programmatic issues and requesting clarification on how items were presented in the IUP.

**Commissioner McCarty made a motion to approve the Fiscal Year 2015 Clean Water State Revolving Fund Intended Use Plan as presented. Commissioner Leake seconded the motion. The motion passed with a roll call vote:**

**Commissioner Warren: Yes**  
**Commissioner Leake: Yes**  
**Commissioner Cowherd: Not in attendance**  
**Commissioner Wood: Yes**  
**Commissioner Bennett: Yes**  
**Commissioner McCarty: Yes**  
**Chair Parnell: Yes**

**Administrative Hearing Commission's Recommended Decision for Glover Permit Appeal**  
**07-0543 CWC**  
**Agenda Item #4**

John Madras, Director of Staff, recommended the Commission table the Administrative Hearing Commission's recommended decision for the Glover Permit Appeal and take it up at a later meeting. Robert Brundage, Newman, Comley & Ruth P.C stated he agreed with tabling the decision. The Commission tabled the recommended decision.

**PRESENTATIONS**

Director Sara Parker Pauley, Department of Natural Resources noted that a Joint Commission meeting was held earlier in the morning between the Missouri Clean Water Commission, Safe Drinking Water Commission, Soil and Water Districts Commission, and Well Installation Board to discuss roles of the different Commissions, the Department, and the individual Programs. She stated the Commissions and Board had decided to move forward on a strategic planning process for the future and that each Commission and Board would be selecting one member to represent them on a workgroup. The workgroup members would work on how to go about putting together a strategic plan and a comprehensive water plan for water quality and quantity and bring it back to the larger group at a meeting to be scheduled in the spring. Chair Parnell noted that Commissioner Ashley McCarty would represent the Missouri Clean Water Commission on this workgroup.

Director Pauley announced that a Governor's Conference on Natural Resources is being held November 12-13, 2014 at the White River Conference Center in Springfield, MO to discuss past, present, and future challenges facing the state of Missouri. She also announced that on the afternoon of November 11<sup>th</sup> a Commission/Board training workshop is being held for all the Boards and Commissions.

**Nutrient Reduction Strategy Update**

Joe Engeln, Department of Natural Resources presented the draft Nutrient Reduction Strategy and explained the context and process of developing it.

Robert Brundage of Newman, Comley & Ruth P.C, representing Missouri Agri-Business and Leslie Holloway of Farm Bureau spoke in favor of the strategy. Ms. Holloway also noted many aspects of the strategy were already in progress.

Lorin Crandall of the Missouri Coalition for the Environment stated he did not believe the strategy would be successful and noted several areas that could be improved.

Roger Walker, REGFORM, stated that he applauds the leadership of Director Pauley and the Department's efforts on getting stakeholders involved in the early stages of issues and the overall balance efforts.

No action taken by the Commission.

## **Director's Report**

John Madras, Director, Water Protection Program reported the following to the Commission:

- Thanked the Boone County Regional Sewer District and the city of Columbia for hosting a tour of the Commissioners at several of their wastewater treatment facilities on September 30th.
- The Department announced Hannah Humphrey as the Division of Environmental Quality Community Services Coordinator, and that together with regional office staff, she would focus on small cities and assist them.
- The Department will conduct a hearing on a proposed Concentrated Animal Feeding Operation in Calloway County.
- The Department is preparing to refer 28 cases to the Attorney General's Office for nonpayment of fees, twenty of which have other violations in addition to not paying fees.
- The Environmental Protection Agency has reached a decision on the impaired waters list approved earlier by the Commission. Several changes were placed on public notice.
- The Department had revised the procedure for affordability, or the cost of compliance analysis. This is in use now and will be the subject of further discussion, including a meeting December 5.
- The water quality certification rule amendment is under development and will have a meeting October 20.
- The water quality standards rule continues under development. No draft rule is completed at this time and there have been suggestions for other additions. Several of these were discussed by those present, including sulfate/chloride and wetlands.

No action taken by the Commission.

## **Public Comment and Correspondence**

Several individuals addressed the Commission, including:

- Robert Brundage of Newman, Comley & Ruth P.C, and Roger Walker, REGFORM, expressed interest in proceeding with the sulfate/chloride standard.
- Ed Galbraith, Barr Engineering, presented the city of St. Peter's invitation to the Commission to visit and review their stormwater facilities.
- Phil Walsack, Missouri Public Utility Alliance, spoke in favor of commission tours and inquired whether the Department would be commenting on the proposed waters of the United States rule. Director Pauley responded that the Department is actively involved in the discussion of the rule through several venues and anticipates submitting comments.
- Karen Flournoy of the Environmental Protection Agency described the status of the agency's reviews of standards rules, and some specific comments on the sulfate/chloride criteria.

- Robert Brundage and Hans Holmburg presented a request for revisions to the aquatic life standards for cadmium and lead. Jacob Westin noted that a response to the petition was needed in 60 days but the next Commission meeting was January 7, 2015, Mr. Brundage stated a response by January 7<sup>th</sup> was sufficient as far as he was concerned.
- Joseph Bachant expressed concerns about environmental concerns about Concentrated Animal Feeding Operations.
- Lorin Crandall, Missouri Coalition for the Environment, asked that we keep in mind human health aspects before making changes to the aquatic life standards for cadmium and lead.

No action was taken by the Commission.

### **Future Meetings**

The Commission noted that the next Commission meeting is scheduled for January 7, 2015 at the Lewis and Clark State Office Building in Jefferson City beginning at 10:00 a.m.

### **ADJOURNMENT OF MEETING**

**Chair Parnell adjourned the meeting at 3:35 p.m.**

Respectfully Submitted,



John Madras  
Director of Staff