

**DRAFT  
MINUTES OF THE  
MISSOURI CLEAN WATER COMMISSION MEETING  
Lewis and Clark State Office Building  
1101 Riverside Drive  
Jefferson City, Missouri**

**January 6, 2016**

**Present**

Todd Parnell, Chair, Missouri Clean Water Commission  
Buddy Bennett, Missouri Clean Water Commission  
Ashley McCarty, Missouri Clean Water Commission  
Sam Leake, Missouri Clean Water Commission  
Wallis Warren, Missouri Clean Water Commission  
John Cowherd, Missouri Clean Water Commission  
John Madras, Director of Staff, Missouri Clean Water Commission  
Thais Folta, Legal Counsel, Missouri Clean Water Commission  
Malinda Overhoff, Secretary, Missouri Clean Water Commission

Joseph Bachant, Citizen, Holts Summit, Missouri  
Kurt Boeckman, Department of Natural Resources, Jefferson City, Missouri  
Robert Brundage, Newman, Comley, and Ruth, Jefferson City, Missouri  
Greg Burris, City of Springfield, Springfield, Missouri  
Patricia Churchill, Attorney General's Office, Jefferson City, Missouri  
Eric Crawford, Department of Natural Resources, Jefferson City, Missouri  
Joe Engeln, Department of Natural Resources, Jefferson City, Missouri  
Doug Garrett, EI ERA, Jefferson City, Missouri  
Jodi Gerling, Department of Natural Resources, Jefferson City, Missouri  
Lacey Hirschvogel, Department of Natural Resources, Jefferson City, Missouri  
John Hoke, Department of Natural Resources, Jefferson City, Missouri  
Leslie Holloway, Missouri Farm Bureau, Jefferson City, Missouri  
Jay Hoskins, Metropolitan St. Louis Sewer District, St. Louis, Missouri  
Errin Kemper, City of Springfield, Springfield, Missouri  
Kelsey Kemper, Department of Natural Resources, Jefferson City, Missouri  
Shirley Kidwell, Citizen, Fulton, Missouri  
Margot McMillen, Citizen, Fulton, Missouri  
Steve McIntosh, Department of Natural Resources, Jefferson City, Missouri  
Mike McKee, Department of Conservation, Columbia, Missouri  
Refaat Mefrakis, Department of Natural Resources, Jefferson City, Missouri  
Lynn Milberg, Department of Natural Resources, Jefferson City, Missouri  
Leanne Tippet Mosby, Department of Natural Resources, Jefferson City, Missouri  
Traci Newberry, Department of Natural Resources, Jefferson City, Missouri  
Sara Parker Pauley, Department of Natural Resources, Jefferson City, Missouri  
Kevin Perry, REGFORM, Jefferson City, Missouri

Trish Rielly, Department of Natural Resources, Jefferson City, Missouri  
Todd Sampsell, Department of Natural Resources, Jefferson City, Missouri  
Trent Stober, HDR, Columbia, Missouri  
John Sykes, Department of Natural Resources, Jefferson City, Missouri  
Darrick Steen, Missouri Soybeans, Jefferson City, Missouri  
Alicia Embley Turner, Newman, Comley, and Ruth, Jefferson City, Missouri  
Julie Wheeler, Citizen, Fulton, Missouri  
Bill Whipps, Department of Natural Resources, Jefferson City, Missouri  
Chris Wieberg, Department of Natural Resources, Jefferson City, Missouri

## **CALL TO ORDER**

Chair Parnell called the meeting of the Missouri Clean Water Commission to order on January 6, 2016 at 10:00 a.m., at the Lewis and Clark State Office Building, 1101 Riverside Dr., Jefferson City, Missouri.

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

## **ADMINISTRATIVE MATTERS**

### **Draft 2016 303(d) List – Public Hearing**

#### **Agenda Item #1**

The Commission held a hearing on the draft 2016 303(d) List. The hearing was to introduce and provide an opportunity for the public to comment on the 2016 303(d) list. Trish Rielly, Watershed Protection Section provided background, a summary of public comments received to date, and a summary of changes and updates to the draft document on behalf of the department. Leslie Holloway, Missouri Farm Bureau provided detailed comments on the draft 303(d) List. Ms. Rielly noted that the department plans to present the final 303(d) List for Commission approval at the April 6, 2016 Commission meeting. No action taken by the Commission.

### **Draft 2018 303(d) Listing Methodology Document – Public Hearing**

#### **Agenda Item #2**

The Commission held a hearing on the draft 2018 303(d) Listing Methodology Document (LMD). The hearing was to introduce and provide an opportunity for the public to comment on the LMD. Trish Rielly, Watershed Protection Section provided background, a summary of public comments received to date, and a summary of changes and updates to the draft document on behalf of the department. Leslie Holloway, Missouri Farm Bureau provided brief comments on the draft LMD. Robert Brundage, Newman, Comley and Ruth, P.C. and Jay Hoskins, Metropolitan St. Louis Sewer District (for the Association of Missouri Cleanwater Agencies) provided oral and written comments, respectively, on the draft LMD. Ms. Rielly noted that the department plans to present the final 2018 303(d) Listing Methodology Document for Commission approval at the April 6, 2016 Commission meeting. No action taken by the Commission.

**Election of Missouri Clean Water Commission Officers**

**Agenda Item #3**

**Commissioner Leake nominated Commissioner McCarty to serve as Chair of the Commission for 2016 and Chair Parnell nominated Commissioner Bennett to serve as Chair of the Commission for 2016. A vote was taken:**

<b>Commissioner Cowherd:</b>	<b>Commissioner Buddy Bennett</b>
<b>Commissioner Wood:</b>	<b>Not in attendance</b>
<b>Commissioner Bennett:</b>	<b>Commissioner Buddy Bennett</b>
<b>Commissioner McCarty:</b>	<b>Commissioner Ashley McCarty</b>
<b>Commissioner Warren:</b>	<b>Commissioner Ashley McCarty</b>
<b>Commissioner Leake:</b>	<b>Commissioner Ashley McCarty</b>
<b>Chair Parnell:</b>	<b>Commissioner Buddy Bennett</b>

**The vote was tied with Commissioner McCarty garnering three votes and Commissioner Bennett garnering three votes. Commissioner Wood was absent from the meeting. Due to the tie vote the election will be taken up at the next scheduled Clean Water Commission meeting.**

**Commissioner Cowherd made a motion that whichever of the two Commissioners were elected has the Chair of the Commission for 2016 the other be elected to serve as the Vice-Chair for 2016. Chair Parnell seconded the motion. The motion passed with a roll call vote:**

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

**Commissioner Parnell remains Chair until the reelection.**

**Approval of the August 12, 2015 Missouri Clean Water Commission Meeting Minutes**

**Agenda Item #4**

**Commissioner Bennett made a motion to approve the August 12, 2015 meeting minutes as presented. Commissioner Leake seconded the motion. The motion passed with a roll call vote:**

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

**Approval of the October 7, 2015 Missouri Clean Water Commission Meeting Minutes**  
**Agenda Item #5**

**Commissioner McCarty made a motion to approve the October 7, 2015 meeting minutes as presented. Commissioner Cowherd seconded the motion. The motion passed with a roll call vote:**

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

**State Direct Loan for the City of Louisiana**  
**Agenda Item #6**

Traci Newberry of the Financial Assistance Center presented a request to allocate funding in the amount of \$350,000 for a state direct loan for the city of Louisiana.

**Commissioner Leake made a motion to approve the allocation of funding in the amount of \$350,000 for a state direct loan to the city of Louisiana. Commissioner Cowherd seconded the motion. The motion passed with a roll call vote:**

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

**State Fiscal Year 2016 Clean Water State Revolving Fund Intended Use Plan Revisions**  
**Agenda Item #7**

Eric Crawford, Financial Assistance Center presented revisions to the Fiscal Year 2016 Clean Water State Revolving Fund Intended Use Plan. Mr. Crawford proposed to move the city of Ashland and city of Weston projects to the fundable list, add projects for the city of Lathrop and city of Troy to the planning list, and removed the city of Louisiana's project from the planning list. Mr. Crawford noted that the revisions would be posted to the department's website if the Commission approved the changes.

**State Water Plan**  
**Agenda Item #10**

Steve McIntosh of the Water Resources Program presented the status of work on the state water plan. He noted the plan had a detailed scope of work and would be modified as needed as the project moved forward. He stated that funding for the plan in part was from the Corps of Engineers. Director Sara Pauley added that the department is committed to identifying funding to support the plan. No action taken by the Commission.

**PRESENTATIONS**

**Integrated Plan - Springfield**

Greg Burris, Springfield City Manager and Errin Kemper, Deputy Director of Environmental Services presented information on Springfield's integrated plan. The plan was developed through two years of intense public participation and reflects the priorities established through that process. The plan allows action on priority needs and can change over time as needed, for example the re-evaluation of the overflow control plan after the actions completed in the first ten years. The planning process allows various departments across the city, city utilities and the county to share information and coordinate actions so they are as targeted and productive as possible. They have been following the Environmental Protection Agency's model for integrated planning, and their work may provide an example other areas can follow. No action taken by the Commission.

**Director's Report**

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

- Apologized for the lateness of January 6, 2016 briefing packets reaching the Commissioners, despite everyone's best efforts.
- The Trenton Farms permit appeal has a recommendation from the Administrative Hearing Commission and this Commission has a statutory deadline of February 24, 2016 to reach a final decision. The Commission scheduled a meeting for February 17, 2016 to hear this appeal.
- There are two Concentrated Animal Feeding Operation (CAFO) related rules that may be ready for hearing at the April meeting; 6.300 and 8.300, the permit and design regulations.
- The department conducted efficiency events in November related to clean water and drinking water processes. There are improvement processes from each of those and staff will provide updates on the clean water projects and related work at the February 16, 2016 Water Protection Forum meeting.
- The recent heavy precipitation resulted in flooding and many people helped out in responding to it. Jay Hoskins, Metropolitan St. Louis Sewer District (MSD) added comments from MSD's perspective.
- Malinda Overhoff will be retiring before the next regular scheduled Commission meeting. The department greatly appreciates her contributions over more than the 3½ decades she worked in the Water Protection Program.

**Commissioner Bennett made a motion to approve the Fiscal Year 2016 Clean Water State Revolving Fund Intended Use Plan and Priority List as proposed. Commissioner Leake seconded the motion. The motion passed with a roll call vote:**

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

**Clean Water State Revolving Fund Update**  
**Agenda Item #8**

Eric Crawford, Financial Assistance Center presented updates regarding the Clean Water State Revolving Fund. He highlighted New Binding Commitments in Calendar Year 2015; Clean Water State Revolving Fund Grants for Federal Fiscal Year 2016; and Clean Water State Revolving Fund Program Administration. Mr. Crawford also noted the Financial Assistance Center is currently managing approximately 700 active agreements totaling over \$2.5 billion in funding. No action taken by the Commission.

**Water Quality Standards**  
**Agenda Item #9**

John Hoke of the Watershed Protection Section provided an update on the status of efforts to revise Missouri's Water Quality Standards (WQS) regulation. Mr. Hoke apprised the Commission of the Environmental Protection Agency's (EPA's) final decision on the previous WQS rulemaking effective February 2014, and informed the Commission that the Regulatory Impact Report for the current rulemaking effort was complete and under legal review. He also provided a written statement submitted by EPA regarding the state of Missouri's current effort to revise disapproved numeric nutrient criteria for lakes which Chair Parnell read into the Commission record.

Jay Hoskins, Metropolitan St. Louis Sewer District and Trent Stober, HDR Engineering supported the current numeric nutrient criteria effort. Robert Brundage, Newman Comley and Ruth P.C. raised questions on the effort and also Mr. Brundage, on behalf of Associated Industries of Missouri asked that the department consider new draft cadmium criteria currently on public notice by the Environmental Protection Agency at the federal level. Leslie Holloway, Missouri Farm Bureau reiterated the organization's position that non-regulatory methods (e.g., nutrient loss reduction strategy) should be used in lieu of the proposed numeric nutrient criteria approach. Kevin Perry, REGFORM asked for and received from the department staff clarification on the Environmental Protection Agency's statement regarding numeric nutrient criteria. Errin Kemper, city of Springfield encouraged the Commission to move forward on the numeric nutrient criteria effort.

Chair Parnell requested an update on Calloway Farrowing. John Madras, Director of Staff and Patricia Churchill, Attorney General's Office reported that it is with the Cole County Circuit Court and that no trial date has been set at this time. No action taken by the Commission.

**Public Comment and Correspondence**

No public comments. No action was taken by the Commission.

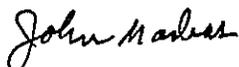
**ADJOURNMENT OF MEETING**

**Commissioner Leake made a motion the Commission adjourn the meeting. Commissioner Cowherd seconded the motion. The motion passed with a roll call vote.**

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

**Commission adjourned the open meeting at 12:40 p.m.**

Respectfully Submitted,



John Madras  
Director of Staff

