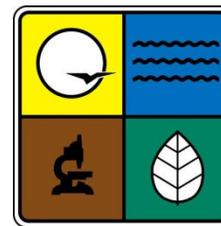


10 CSR 20-6.060 Water Quality Certification Rule

Water Protection Forum Meeting

June 26, 2014



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Overview

- Authority
- Purpose
- Process/Timeline
- Thoughts on Changes
- Questions?



Authority

- §401 Water Quality Certification
 - Missouri Revised Statutes Section 644.051.14
 - 10 CSR 20-6.060
- Rulemaking
 - *Section 536.016, RSMo.*, staff is required to find that a proposed rule is necessary to carry out the purposes of *Section 644.026 RSMo.*, granting rule making authority.

Purpose

- Update rule to include:
 - Current practices and policies and
 - Make clear the certification process, documents required for a complete application, and general conditions.



Process/Timeline

- Water Protection Forum:
 - Introduction today.
 - Updates and discussions at future meetings.
- Clean Water Commission:
 - Updates at quarterly meetings or as necessary.

Process/Timeline

- Stakeholder Meetings:
 - Expected formal start of discussion this summer.
 - Anticipating meeting every 2 months.
 - An estimated 6 meetings throughout entire process.

Process/Timeline

- Regulatory Impact Report.
- Small Business Impact Statement.
- Proposed Rulemaking:
 - Public comment period.
 - Public hearing.
- Order of Rulemaking.
- Effective Rule.



Thoughts on Changes

- Outline application process more clearly:
 - What is required, when is an application complete, who does what when, etc.
- Missouri's General and Specific Conditions:
 - Increase public participation process (public notices, meetings).
- Clarify what actions trigger need for WQC.
- Add no net lose statement.
- Reference Mitigation guidelines & policies.

Thoughts on Changes

- Outline requirements for Antidegradation and analysis of alternatives.
- Certification timeline:
 - Per statute, must be addressed within 60 days.
 - Time extensions past 60 days.
 - Clarify when waiver applies.
 - Expedited process if certain requirements met?
- Inspection and/or Enforcement.

Questions?



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