

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

April 1, 2015

Present

Todd Parnell, Chair, Missouri Clean Water Commission
Dennis Wood, Missouri Clean Water Commission
Ashley McCarty, Missouri Clean Water Commission
Sam Leake, Missouri Clean Water Commission
Wallis Warren, Missouri Clean Water Commission
John Madras, Director of Staff, Missouri Clean Water Commission
Laura Elsbury, Legal Counsel, Missouri Clean Water Commission
Malinda Overhoff, Secretary, Missouri Clean Water Commission

Mike Alesandrini, AECOM
Brenda Bardwell, Department of Natural Resources, Jefferson City, Missouri
Karen Bataille, Department of Conservation, Columbia, Missouri
Mike Beezhold, CDM Smith, Kansas City, Missouri
Robert Brundage, Newman, Comley, and Ruth, Jefferson City, Missouri
David Casaletto, Ozarks Clean Water Company, Kimberling City, Missouri
Logan Cole, Department of Natural Resources, Jefferson City, Missouri
Doug Garrett, Department of Natural Resources, Jefferson City, Missouri
Bart Hager, Metropolitan St. Louis Sewer District, St. Louis, 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
Jeff Jones, Forag, Fulton, Missouri
Shirley Kidwell, Citizen, Fulton, Missouri
Mike McCarty, Northeast Public Sewer District, Miustadt, IL
Steve McIntosh, Department of Natural Resources, Jefferson City, Missouri
Margot McMillen, Citizen, Fulton, Missouri
Leasue Meyers, 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
Linda M. Offineer, Friends of Responsible Agriculture, Fulton, Missouri
Kevin Perry, REGFORM, Jefferson City, Missouri
John Rustige, Department of Natural Resources, Jefferson City, Missouri
Jill Sellenriek, Fulton, Missouri
Tim Snoke, Metropolitan St. Louis Sewer District, St. Louis, Missouri
Jeff Starr, Department of Natural Resources, Jefferson City, Missouri
Darrick Steen, Barr Engineering, Jefferson City, Missouri

Julie Wheeler, Citizen, Fulton, Missouri
Chris Wieberg, Department of Natural Resources, Jefferson City, Missouri
Jimmy Williams, Department of Agriculture, Jefferson City, Missouri

CALL TO ORDER

Chair Parnell called the meeting of the Missouri Clean Water Commission to order on April 1, 2015 at 10:00 a.m., at the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, Missouri.

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

ADMINISTRATIVE MATTERS

Approval of the January 7, 2015 Missouri Clean Water Commission Meeting Minutes **Agenda Item #1**

Commissioner Leake made a motion to approve the January 7, 2015 meeting minutes as presented. Commissioner Wood seconded the motion. The motion passed with a roll call vote:

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

Approval of the January 7, 2015 Missouri Clean Water Commission Closed Session Meeting Minutes **Agenda Item #2**

Commissioner Leake made a motion to approve the January 7, 2015 closed session meeting minutes as presented. Commissioner McCarty seconded the motion. The motion passed with a roll call vote:

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

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

Doug Garrett, Financial Assistance Center, presented revisions to the State Fiscal Year 2015 Clean Water State Revolving Fund Intended Use Plan (IUP). Mr. Garrett stated that the department was seeking approval to increase the Metropolitan St. Louis Sewer District, Public I/I Reduction Program – Phase III, C295023-37 project from \$30,000,000 to \$59,000,000 with a corresponding decrease in the Public I/I Reduction Program – Phase IV, C295023-38 project from \$73,000,000 to \$44,000,000. He also noted the department was seeking approval to transfer \$5 million from Clean Water State Revolving Fund repayment fund (Fund 0602) to the Drinking Water State Revolving Fund repayment fund (Fund 0602).

Commissioner Warren made a motion the Commission approve the proposed changes to the Fiscal Year 2015 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 Warren: Yes
Commissioner Leake: Yes
Commissioner Cowherd: Not in attendance
Commissioner Wood: Yes
Commissioner Bennett: Not in attendance
Commissioner McCarty: Yes
Chair Parnell: Yes

Small Borrower Loan for Silex
Agenda Item #4

Traci Newberry, Financial Assistance Center, presented the allocation of funds request for a small borrower loan of \$100,000 for the city of Silex. Ms. Newberry noted the department was requesting approval for the allocation of funds to help fund the costs to install upgrades to the centralized wastewater treatment and collection system.

Commissioner Leake made a motion to approve the allocation of funding in the amount of \$100,000 for a small borrower loan to the city of Silex. Commissioner Warren seconded the motion. The motion passed with a roll call vote:

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

Northeast Sewer District Level Two Continuing Authority
Agenda Item #5

Lease Meyers, Engineering Section, presented the Northeast Public Sewer District (NPSD) request for Level 2 Continuing Authority pursuant to 10 CSR 20-6.010(3)(B)(2). Ms. Meyers noted that the NPSD provides wastewater collection and treatment on a regional basis and plans to continue to implement regional collection and treatment facilities.

Commissioner McCarty made a motion to designate the Northeast Public Sewer District as continuing authority providing sewage collection and treatment service on a regional basis in their service area which is in Jefferson County. Under this designation, the Northeast Public Sewer District will provide regional services inside their service areas and in any subsequently annexed areas. Commissioner Warren seconded the motion. The motion passed with a roll call vote:

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

Administrative Hearing Commission's Recommended Decision Regarding the Butch Menne Appeal Number 13-2001 CWC
Agenda Item #6

Chris Wieberg, Operating Permits Section, presented the Administrative Hearing Commission's recommended decision to dismiss the Butch Menne Appeal Number 13-2001 CWC.

Commissioner Warren made a motion the Commission dismiss appeal No. 13-2001 CWC as recommended by the Missouri Administrative Hearing Commission. Commissioner Wood seconded the motion. The motion passed with a roll call vote:

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

A final order was signed by the Commission.

PRESENTATIONS

Work Plan Outline for the Missouri Water Plan

Todd Sampsell, Deputy Director of the Department of Natural Resources presented the status of the work plan to the Commission. The Commission expressed enthusiasm for the plan and noted it is one of their three priorities for this year.

Robert Brundage Newman, Comley, and Ruth inquired whether this water plan would be recommending changes to the water use laws or common law. Mr. Sampsell responded that no, it would not recommend changes to the water use law. He stated it would be making recommendations about potential water sources or recommended studies of how to address potential shortages in water issues or potential issues with water quality based on present conditions or future growth, but not changes to the water use law.

Commissioner McCarty requested that the Commissioners review the draft water plan and send any suggestions they might have to her for the joint committee.

Director's Report

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

- The affordability portion of the law has been addressed in the permitting process for several years, and is a continuing dialog with cities. This is now focused through the community services initiative. There is a stakeholder meeting to further work through the topic April 2.
- Also related to communities, the department has awarded \$1.3 million in engineering grants to cities to develop plans for upgrading systems or addressing inflow and infiltration. 37 grants have been made, and there is an additional \$950,000 to work with.
- The water quality standards rule is progressing, with some items planned for a near term rulemaking and others needing more development for a later rulemaking. The near term rule would include lake nutrient criteria, pH, some 304(a) federal criteria, general criteria, losing streams and site-specific dissolved oxygen criteria. Longer term changes may include remaining 304(a) criteria, specific criteria for sulfate, chloride, lead and cadmium, wetlands, nutrients for flowing waters update of the NHD, and other changes.
- There are eight active appeals before the Administrative Hearings Commission. The Callaway Farming appeal may be completed soon and the Clean Water Commission may schedule an interim meeting for a decision depending upon the timing and effort involved in the case. Other appeals will come before the Commission later, and staff will advise of their progress and timing.

No action taken by the Commission.

Public Comment and Correspondence

Joe Bachant presented information related to streams in the vicinity of the Callaway Farrowing permit. A discussion centered on the appropriateness of the Commission hearing such information given the ongoing appeal. The Attorney General's Office will review the information and assign legal counsel to advise the Commission.

Joe Gillman, Director, Geological Survey Division, announced that Andrea Collier had been appointed as the new Director of the Water Resources Center and Deputy Director of the Geological Survey Division.

No action was taken by the Commission.

Future Meetings

The Commission noted that the next Commission meeting would be held on July 8, 2015 at 10:00 a.m. location to be determined.

ADJOURNMENT OF MEETING

Commission adjourned the meeting at 11:10 a.m.

Respectfully Submitted,



John Madras
Director of Staff