

Missouri Clean Water Commission Meeting
Lewis and Clark State Office Building
LaCharrette/Nightingale Creek Conference Rooms
1101 Riverside Drive
Jefferson City, Missouri

October 4, 2017

Approval of Minutes

Issue:

Commission to review the Open Session minutes from the July 12, 2017, Missouri Clean Water Commission meeting.

Recommended Action:

Commission to approve the Open Session minutes from the July 12, 2017, Missouri Clean Water Commission meeting.



**DRAFT
MINUTES OF THE
MISSOURI CLEAN WATER COMMISSION MEETING
Lewis and Clark State Office Building
1101 Riverside Drive
Jefferson City, Missouri
July 12, 2017**

Present

Ashley McCarty, Missouri Clean Water Commission
Wallis Warren, Missouri Clean Water Commission
John Reece, Missouri Clean Water Commission
Jim Howerton, Missouri Clean Water Commission
Dennis Wood, Missouri Clean Water Commission
Todd Parnell, Missouri Clean Water Commission
David J. Lamb, Acting Director of Staff, Missouri Clean Water Commission
Tim Duggan, Legal Counsel, Missouri Clean Water Commission
Susan Borton, Secretary, Missouri Clean Water Commission

Mike Alesandrini, Leverage, French Village, Missouri
Melissa Bagley, U.S. Environmental Agency, Region 7, Lenexa, Kansas
Jeff Barnard, St. Louis, Missouri
Emma Bennett, Department of Natural Resources, Jefferson City, Missouri
Kurt Boeckmann, Department of Natural Resources, Jefferson City, Missouri
Michael F. Bollinger, Ameren, St. Louis, Missouri
Robert Brundage, Newman, Comley, and Ruth, Jefferson City, Missouri
John Carter, Geo Engineers, Rolla, Missouri
David Casaletto, Ozarks Environmental Services, Kimberling City, Missouri
Eric Crawford, Department of Natural Resources, Jefferson City, Missouri
Sharon Davenport, Department of Natural Resources, Jefferson City, Missouri
John Delashmit, U.S. Environmental Protection Agency, Lenexa, Kansas
Kim Dickerson, Associated Electronic Cooperative, Inc., Springfield, Missouri
Paul Dickerson, Department of Natural Resources, Jefferson City, Missouri
Jake Faulkner, Department of Natural Resources, Jefferson City, Missouri
Steve Feeler, Department of Natural Resources, Jefferson City, Missouri
Carol Garey, Department of Natural Resources, Jefferson City, Missouri
Liz Grove, Missouri Rural Water Association, Ashland, Missouri
Lacey Hirschvogel, Department of Natural Resources, Jefferson City, Missouri
Jennifer Hoggatt, Department of Natural Resources, Jefferson City, Missouri
John Hoke, Department of Natural Resources, Jefferson City, Missouri

Leslie Holloway, Missouri Farm Bureau, Jefferson City, Missouri
Ramona Huckstep, Missouri Municipal League, Jefferson City, Missouri
Hannah Humphrey, Department of Natural Resources, Jefferson City, Missouri
Shirley Kidwell, Citizen, Fulton, Missouri
Chris Klenklen, Department of Agriculture, Jefferson City, Missouri
Hebin Lin, Department of Natural Resources, Jefferson City, Missouri
John Lodderhose, Missouri Sewer District, St. Louis, Missouri
Dennis Mason, O&M Enterprises, Holden, Missouri
Steve Meyer, City of Springfield and Association of Missouri Cleanwater Agencies, Springfield, Missouri
Jan Millington, City of Springfield, Springfield, Missouri
Nick Muenks, Geosyntec Consultants, Jefferson City, Missouri
Holly Neill, The Nature Conservancy, Statewide, Missouri
David Nelson, Kansas City, Missouri
Mark Osborn, Citizen, Columbia, Missouri
Kevin Perry, REGFORM, Jefferson City, Missouri
Krishna Poudel, Department of Natural Resources, Jefferson City, Missouri
Tad Pruitt, Alliance Water Resources, Columbia, Missouri
John Rustige, Department of Natural Resources, Jefferson City, Missouri
Jill Sellenriek, Citizen, Fulton, Missouri
Darrick Steen, Missouri Corn Growers/Soybean Association, Jefferson City, Missouri
Taylor Steffen, Department of Natural Resources, Jefferson City, Missouri
Trent Stober, HDR, Columbia, Missouri
Phil Walsack, Missouri Public Utility Alliance, Columbia, Missouri
Chris Wieberg, Department of Natural Resources, Jefferson City, Missouri
Tammy Wilson, Department of Natural Resources, Jefferson City, Missouri

CALL TO ORDER

Vice-Chair McCarty called the meeting of the Missouri Clean Water Commission to order on July 12, 2017, at 10:08 a.m., at the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, MO.

Vice-Chair McCarty introduced the Commissioners, Staff Director, Legal Counsel, and the Commission Secretary. She also took a moment to extend appreciation and thanks to previous Commissioners Cowherd and Leake and previous Chair Bennett to recognize and honor their service to the Commission.

ADMINISTRATIVE MATTERS

Introduction of Department and/or Division Directors

Agenda Item 1

David J. Lamb, Acting Director of Staff, provided an update on Department and Division Directors. He announced that Ed Galbraith had been named the Director of the Division of Environmental Quality (DEQ), and Dru Buntin as the new Deputy Department Director. Deputy Director Buntin provided a short PowerPoint presentation and information on the Missouri Red Tape Reduction. No action was taken by the Commission.

Election of Missouri Clean Water Commission Officers
Agenda Item 2

Commissioner Warren made a motion to elect Ashely McCarty as Chair. Commissioner Parnell seconded the motion. The motion passed with a Roll Call vote:

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Commissioner Warren: Yes
Vice-Chair McCarty: Yes

Commissioner Parnell made a motion to elect Wallis Warren as Vice-Chair. Commissioner Reece seconded the motion. The motion passed with a Roll Call vote:

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Commissioner Warren: Yes
Chair McCarty: Yes

Approval of the April 5, 2017, Missouri Clean Water Commission Closed Meeting Minutes
Agenda Item 3

Commissioner Wood moved to approve the April 5, 2017, closed meeting minutes as presented. Commissioner Reece seconded the motion. The motion passed with a roll call vote:

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Vice-Chair Warren: Yes
Chair McCarty: Yes

Approval of the April 5, 2017, Missouri Clean Water Commission Meeting Minutes
Agenda Item 4

Vice-Chair Warren moved to approve the April 5, 2017, meeting minutes as presented. Commissioner Parnell seconded the motion. The motion passed with a roll call vote:

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Vice-Chair Warren: Yes
Chair McCarty: Yes

Fiscal Year 2017 Clean Water State Revolving Fund Intended Use Plan Revisions
Agenda Item 5

Eric Crawford, Financial Assistance Center, provided revisions on the Fiscal Year 2017 Clean Water State Revolving Fund Intended Use Plan and recommended the Commission approve the changes to the Fiscal Year 2017 Clean Water State Revolving Fund Intended Use Plan as proposed. Steve Meyer, representing the city of Springfield, provided comments.

Commissioner Reece made a motion to approve the changes to the Fiscal Year 2017 Clean Water State Revolving Fund Intended Use Plan as proposed. Vice-Chair Warren seconded the motion. The motion passed with a roll call vote:

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Vice-Chair Warren: Yes
Chair McCarty: Yes

PRESENTATIONS

2016 Annual Report on Affordability
Agenda Item 6

Chris Wieberg, Water Protection Program, provided background and information on the 2016 Annual Report on Affordability. Phil Walsack, Missouri Public Utility Alliance (MPUA), and Lacey Hirschvogel, Water Protection Program, provided comments. No action was taken by the Commission.

Nutrient Criteria Status Update
Agenda Item 7

John Hoke, Water Protection Program, provided an update of Numeric Nutrient Criteria currently under development. Steve Meyer, representing the Association of Missouri Cleanwater Agencies; Mark Osborn, citizen of Columbia; and Trent Stober, HDR, provided comments. No action was taken by the Commission.

Gateway for Community Assistance
Agenda Item 8

Hannah Humphrey, Division of Environmental Quality, gave a PowerPoint presentation and provided background on the Gateway for Community Assistance. No action was taken by the Commission.

2016 Clean Water State Revolving Fund Annual Report
Agenda Item 9

Eric Crawford, Financial Assistance Center, provided a PowerPoint presentation and information and background on the 2016 Clean Water State Revolving Fund Annual Report. Phil Walsack, MPUA, provided comments. No action was taken by the Commission.

Enforcement Update
Agenda Item 10

Paul Dickerson, Water Protection Program, provided a PowerPoint presentation and information on the Compliance and Enforcement Annual Report detailing workload and efforts and outputs of the Enforcement section. David Casaletto, Ozarks Environmental Services, provided comments. No action was taken by the Commission.

Litigation Status Update
Agenda Item 11

Tim Duggan, Attorney General's Office, provided a litigation status update of active judicial cases affecting the Commission. No action was taken by the Commission.

Director's Update
Agenda Item 12

David J. Lamb, Acting Director, Water Protection Program, began his update by congratulating Commissioners McCarty and Warren on their election to their new officer positions on the Commission as Chair and Vice-Chair. He also welcomed Commissioners Howerton and Reece to their new positions on the Commission, noting an orientation session was held for them the previous day.

He then discussed the ongoing transition at the Department, noting that Connie Patterson was appointed as the Department's new Communications Director and officially started in that position on May 15; and with the appointment of Ed Galbraith as the new DEQ Director, Steve Feeler would be returning to his Deputy Director position with DEQ. He also noted that interviews were completed for the Water Protection Program Director position and stated the position should be filled on a permanent basis in the very near future.

He then provided an update to the Commission on various Program activities including the status of the 2018 303(d) Impaired Waters List and the 2020 Listing Methodology Document that were placed on public notice, the status of several Total Maximum Daily Load projects in various stages of approval, the status of the draft renewals of the State and the National Pollutant Discharge Elimination System Concentrated Animal Feeding Operations master general permits on public notice, the status of the permit backlog, and the status of fee collection efforts and subsequent enforcement actions that were taken to compel compliance.

Public Comment and Correspondence
Agenda Item 13

Robert Brundage, Newman, Comley, and Ruth, provided comments on behalf of Associated Industries of Missouri regarding the water quality criteria for cadmium. Mr. Brundage wanted to remind the Commission it has been some times since he had petitioned the Commission to revise the water quality criteria for cadmium. Associated Industries has provided to Department staff a detailed study and review of the literature, and a response to the U.S. Environmental Protection Agency criteria change on cadmium. It is Associated Industries hope that whenever the next change to the water quality standards occurs with the nutrient criteria rule, that cadmium be included in that rulemaking. Chair McCarty requested Mr. Brundage to resubmit the document that he provided to the Commission when he made the request to Ms. Borton, so she can provide to the new Commissioners to review.

Phil Walsack, MPUA, began his comments by thanking Buddy Bennett, John Cowherd, and Sam Leake for their service and also thanked the returning Commissioners for their service on the Commission. He also welcomed new Commissioners Howerton and Reece.

No action was taken by the Commission.

Missouri Clean Water Commission Meetings
Agenda Item 14

- October 4, 2017, Lewis and Clark State Office Building
- January 10, 2018, Lewis and Clark State Office Building
- April 4, 2018, Lewis and Clark State Office Building

ADJOURNMENT OF MEETING

Vice-Chair Warren moved the Commission adjourn the meeting. Commissioner Howerton seconded the motion. The motion passed with a roll call vote.

Commissioner Reece: Yes
Commissioner Howerton: Yes
Commissioner Wood: Yes
Commissioner Parnell: Yes
Vice-Chair Warren: Yes
Chair McCarty: Yes

Commission adjourned the open meeting at 12:39 p.m.

Respectfully Submitted,

Chris Wieberg
Director of Staff