



**MINUTES OF THE
MISSOURI CLEAN WATER COMMISSION MEETING
Lewis and Clark State Office Building
1101 Riverside Drive
Jefferson City, Missouri
April 29, 2019**

Present at Lewis and Clark State Office Building

Ashley McCarty, Chair, Missouri Clean Water Commission
Patricia Thomas, Vice-Chair, Missouri Clean Water Commission
Stan Coday, Missouri Clean Water Commission
Tim Duggan, Legal Counsel, Missouri Clean Water Commission
John Reece, Missouri Clean Water Commission
Allen Rowland, Missouri Clean Water Commission
Krista Welschmeyer, Secretary, Missouri Clean Water Commission
Chris Wieberg, Director of Staff, Missouri Clean Water Commission

Michael Abbott, Missouri Department of Natural Resources, Jefferson City, Missouri
Robert Brundage, Newman, Comley, and Ruth, Jefferson City, Missouri
David Carani, Metropolitan Sewer District, St. Louis, Missouri
Sharon Davenport, Missouri Department of Natural Resources, Jefferson City, Missouri
Jane Davis, Missouri Department of Natural Resources, Jefferson City, Missouri
Chelsey Distler, Missouri Department of Natural Resources, Jefferson City, Missouri
Joan Doerhoff, Department of Natural Resources, Jefferson City, Missouri
Eric Fuchs, Missouri Rural Water Association
Tim Geraghty, Alliance Water, Columbia, Missouri
Jodi Gerling, Missouri Department of Natural Resources, Jefferson City, Missouri
Bob Hembrock, Northeast Public Sewer District, Fenton, Missouri
Jennifer Hernandez, Attorney General's Office, Jefferson City, Missouri
Jeanne Heuser, Citizen, Jamestown, Missouri
John Hoke, Missouri Department of Natural Resources, Jefferson City, Missouri
Jay Hoskins, Metropolitan Sewer District, St. Louis, Missouri
Ramona Huckstep, Missouri Municipal League, Jefferson City, MO
Donald Jones, Missouri Rural Water Association, Poplar Bluff, Missouri
Shirley Kidwell, Citizen, Fulton and Columbia, Missouri
Diane Kimber, Citizen, California, Missouri
Misty Lange, Missouri Department of Natural Resources, Jefferson City, Missouri
Carol Lawrence, East West Gateway Council, St. Louis, Missouri
Traci Lichtenberg, Missouri American Water, St. Louis, Missouri

Margot McMillen, Citizen, Fulton, Missouri
Refaat Mefrakis, Missouri Department of Natural Resources, Jefferson City, Missouri
Leasue Meyers, Missouri Department of Natural Resources, Jefferson City, Missouri
Bruce Morrison, Great Rivers Environmental Law Center, St. Louis, Missouri
Morgan Mundell, Missouri Limestone Producers Association, Jefferson City, Missouri
Holly Neill, The Nature Conservancy, Springfield, Missouri
David Nelson, Kansas City Water, Kansas City, Missouri
Randy Norden, MRCRA, Ashland, Missouri
Emilie Peterson, Missouri Department of Natural Resources, Jefferson City, Missouri
Joel Reschly, Missouri Department of Natural Resources, Jefferson City, Missouri
Kristi Savage-Clarke, Missouri Department of Natural Resources, Jefferson City, Missouri
Jason Seger, Rock Creek Public Sewer District, Imperial, Missouri
Jill Sellenreick, Citizen, Fulton, Missouri
Darrick Steen, Missouri Corn Growers/Soybean Association, Jefferson City, Missouri
Trent Stober, HDR, St. Louis, Missouri

CALL TO ORDER

Chair McCarty called the meeting of the Missouri Clean Water Commission (CWC) to order on April 29, 2019, at 10:07 a.m., at the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, MO.

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

Approval of Minutes

Approval of the July 16, 2018, Open Session Minutes Agenda Item B-1

Commissioner Coday made a motion to approve the minutes as amended. Commissioner Reece seconded the motion. The motion passed with a roll call vote:

Commissioner Coday:	Yes
Commissioner Reece:	Yes
Commissioner Rowland:	Yes
Vice Chair Thomas:	Yes
Chair McCarty:	Yes

Approval of the September 21, 2018, Open Session Minutes
Agenda Item B-2

Commissioner Reece made a motion to approve the minutes as presented. Commissioner Rowland seconded the motion. The motion passed with a roll call vote:

Commissioner Reece: Yes
Commissioner Rowland: Yes
Commissioner Coday: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

Approval of the October 18, 2018, Open Session Minutes
Agenda Item B-3

Commissioner Rowland made a motion to approve the minutes as presented. Commissioner Reece seconded the motion. The motion passed with a roll call vote:

Commissioner Rowland: Yes
Commissioner Coday: Yes
Commissioner Reece: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

Approval of the December 10, 2018, Open Session Minutes
Agenda Item B-4

Commissioner Reece made a motion to approve the minutes as amended. Commissioner Rowland seconded the motion. The motion passed with a roll call vote:

Commissioner Coday: Yes
Commissioner Reece: Yes
Commissioner Rowland: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

Approval of the December 10, 2018, Closed Session Minutes
Agenda Item B-5

Commissioner Coday made a motion to approve the minutes as presented. Commissioner Rowland seconded the motion. The motion passed with a roll call vote:

Commissioner Rowland: Yes
Commissioner Reece: Yes
Commissioner Coday: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

Approval of the January 9, 2019, Open Session Minutes
Agenda Item B-6

Commissioner Reece made a motion to approve the minutes as amended. Commissioner Rowland seconded the motion. The motion passed with a roll call vote:

Commissioner Coday: Yes
Commissioner Rowland: Yes
Commissioner Reece: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

Approval of the January 9, 2019, Closed Session Minutes
Agenda Item B-7

Commissioner Reece made a motion to approve the minutes as presented. Commissioner Coday seconded the motion. The motion passed with a roll call vote:

Commissioner Rowland: Yes
Commissioner Reece: Yes
Commissioner Coday: Yes
Vice Chair Thomas: Yes
Chair McCarty: Yes

DNR Reports and Updates

Director's Update **Agenda Item C**

Chris Wieberg, Director, Water Protection Program, reported the following to the Commission:

- Numeric Nutrient Criteria for Lakes Update
- 2020 Listing Methodology document
- Enforcement Report (FFY 2018)
- Efforts to promote regionalization and consolidation
- July 2019 Commission meeting

Public Hearing

Proposed Amendments to the 1978 St. Louis, Missouri Water Quality Management 208 Plan **Agenda Item D**

Court reporter swore in those wishing to testify.

Refaat Mefrakis, WPP Chief of Engineering, presented the request to amend the 208 Plan for the Lower Meramec River System to the Commission due to the technical, economic and environmental conditions changes in the service area.

Jay Hoskins, Metropolitan St. Louis Sewer District, provided the Commission with a presentation about possible challenges and limited water quality benefits to the Lower Meramec River with the plan as written.

Trent Stober, HDR, provided the Commission with a presentation about the costs implications of the current plan and the proposed amendment.

Commission Reece commended MSD on the work they have completed on the plan. Chair McCarty and Commission Rowland has questions for Jay Hoskins.

Written comments on the proposal will be accepted through May 7, 2019. Chair McCarty closed the hearing.

Recommended for Adoption and Actions to be Voted On

Election of Missouri Clean Water Commission Chair

Agenda Item E1

Commissioner Reece made a motion to elect Ashley McCarty as the Missouri Clean Water Commission Chair. Commissioner Rowland seconded the motion. The motion passed with a roll call vote:

Commissioner Reece: Yes
Commissioner Rowland: Yes
Commissioner Coday: Yes
Vice Chair Thomas: Yes
Chair McCarty: Abstain

Fiscal Year 2019 Clean Water State Revolving Fund Intended Use Plan Amendment

Agenda Item E2

Joan Doerhoff, Missouri Department of Natural Resources, Financial Assistance Center, presented an amendment to the Fiscal Year 2019 Clean Water State Revolving Fund Intended Use Plan.

Commissioner Coday made a motion to approve the amendment as proposed. Commissioner Reece seconded the motion. The motion passed with a roll call vote:

Commissioner Coday: Yes
Commissioner Reece: Yes
Commissioner Rowland: Yes
Vice-Chair Thomas: Yes
Chair McCarty: Yes

Application for Award of Attorney's Fees Regarding County Club Homes, LLC, Permit MOG10872 – Appeal No. 18-0498 and Appeal No. 18-0501

Agenda Items E3 and E4

Tim Duggan spoke to the commission and recommended that the issue be further tabled until the case has concluded.

Commissioner Coday made a motion to postpone this issue until the meeting following the finalization of the appeals. Commissioner Rowland seconded the motion. The motion was passed with a roll call vote.

Commissioner Reece: Yes
Commissioner Rowland: Yes
Commissioner Coday: Yes
Vice-Chair Thomas: Yes
Chair McCarty: Yes

New Business

State Stormwater Grant and Loan Program

Agenda Item F1

Emilie Peterson, Missouri Department of Natural Resources, Financial Assistance Center (FAC), made a presentation to the Commission regarding the State Stormwater Grant and Loan Program.

FAC will be offering funds for stormwater projects for first class counties, entitlement cities, and the Metropolitan St. Louis Sewer District. Funds were appropriated through bond sales totaling \$45 million. No grants or loans have been issues through this program since 2007 and the funds available have been growing with repayment and interest from previous loans and now total approximately \$9 million. Informational letters about project selection and the approval process have been sent out. Applicants are encouraged to form a Stormwater Coordinating Committee to work through the process and submit their application. Questions regarding the program can be directed to Joan Doerhoff, Hannah Humphrey or Emilie Peterson.

Rulemaking Process

Agenda Item F2

Jane Davis, Missouri Department of Natural Resources, Water Protection Program, made a presentation to the Commission on the Rulemaking process and how it relates to the Clean Water Law.

Appeals and Variance Requests

Administrative Hearing Commission's Recommendation Regarding Midwest Forest City, LLC Appeal No. 18-1238

No representation for Midwest Forest City, LLC was present at the Commission meeting. Jennifer Hernandez informed the Commission that Midwest Forest City, LLC was planning to withdraw their appeal. There was a short discussion as to whether or not to proceed with the vote. The Commission decided that Midwest Forest City, LLC has had adequate time to prepare and decide if they wanted to withdraw their appeal since the issue originated in 2012. The Commission then decided to proceed with the vote.

Commissioner Coday made a motion to uphold the decision made by the Administrative Hearing Commission. Commissioner Reece seconded the motion. The motion passed with a roll call vote:

Commissioner Coday:	Yes
Commissioner Rowland:	Yes
Commissioner Reece:	Yes
Vice-Chair Thomas:	Yes
Chair McCarty:	Yes

Open Comment Session

There were no items during the Open Comment session.

Future Meeting Dates

Missouri Clean Water Commission Meetings
Agenda Item I

- July 22, 2019, Elm Street Conference Center
- October 9, 2019, Elm Street Conference Center
- January 9, 2020, Lewis and Clark State Office Building
- April 2, 2020, Lewis and Clark State Office Building
- July 8, 2020, Lewis and Clark State Office Building
- October 7, 2020, Lewis and Clark State Office Building

Closed Session

There was no closed session during this Clean Water Commission meeting.

Meeting Adjournment

Chair McCarty adjourned the meeting.

Commission adjourned the open meeting at 12:08 p.m.

For more information contact:

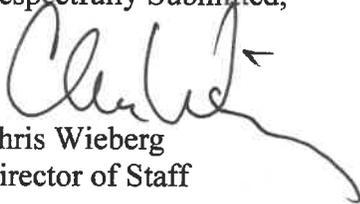
Ms. Krista Welschmeyer, Commission Secretary, Missouri Clean Water Commission
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Respectfully Submitted,



Chris Wieberg
Director of Staff