

Missouri Integrated Planning Framework

I. Background

Integrated planning will assist municipalities on their critical paths to achieving the human health and water quality objectives of the Missouri Clean Water Law (MCWL) and the federal Clean Water Act (CWA) by identifying efficiencies in implementing requirements that arise from distinct wastewater and stormwater programs, including how to best make capital investments. The integrated planning method does not remove obligations to comply with the MCWL and CWA, nor does it lower existing regulatory or permitting standards, but rather recognizes the flexibilities in the MCWL and CWA for the appropriate sequencing or scheduling of work.

The department recognizes each community must meet numerous requirements relating to environmental obligations. Where applicable, it is encouraged to engage with other departments within the municipality and/or neighboring communities during this integrated planning process.

II. Principles

Following are comprehensive principles that a municipality should consider when establishing an integrated management approach to meet all of their water, wastewater and stormwater obligations under state and federal regulations. Also presented are guiding principles that the department recommends a municipality should use in the development of their integrated plans.

Comprehensive Principles:

1. This effort will maintain existing regulatory standards that protect public health and water quality.
2. This effort will allow a municipality to develop a plan that will allow the community to address the highest public health and environmental risks first.
3. It is the municipality's responsibility to develop an integrated plan.
4. The department encourages municipalities to include green infrastructure as a part of the integrated planning process.
5. In most cases an integrated plans will be utilized to justify a request to modify an existing schedule of compliance (permit or enforcement established) therefore it is important that the document establishing the schedule be in a final or nearly final state to facilitate a meaningful modification request.

Principles to Guide the Development of an Integrated Plan

Integrated Plans should:

1. Incorporate department input on priority settings and other key implementation issues.
2. Provide a specific scheduled plan that identifies all of the environmental obligations the community would fulfill during the term of the integrated plan. The timeline should be reasonably attainable by the all municipal departments included within the integrated plan.
3. Include details on the financial capability of the community. Pursuant 644.145; financial capability is defined as the capability of a community to make water quality-related improvements. It is important for the integrated plan to include specifics about the community's financial capability such as:
 - a. bonding capacity,
 - b. current bonds,
 - c. the maturity dates of current bonds,
 - d. bond rating,
 - e. sales tax,
 - f. property tax,
 - g. population trends or projections,
 - h. rate or revenue models,
 - i. rate determination studies used to determine recent rate increases,
 - j. data and trends on late payments, and
 - k. extraordinary stressors such as those from a natural disaster or a municipal bankruptcy.
4. Include a reasonable alternative's analysis detailing why treatment options/ practices selected to meet requirements are the most practical options for the community.
5. Include a preliminary engineering report to support the plan's use of estimated costs for the most practical treatment options/ practices.
6. Layout the potential rate structure(s) where applicable of all obligations to be met under the integrated plan and ensure that a financial strategy to meet all obligations are in place.
7. Include a sufficiently detailed methodology on how the community will meet the items listed within the integrated plan.
8. Ensure all technology-based requirements are complied with during the course of the integrated plan.
9. Incorporate green infrastructure where applicable
10. Include community engagement in order to facilitate support from the residents, stakeholders, and neighboring communities.
11. Include periodic monitoring and reporting so that progress of work under the plan is known and transparent, and any shortcomings can be readily addressed.

III. Elements of an Integrated Plan

Defining the Scope:

Any upgrades, improvements, or operation and maintenance as regulated by a department issued permit can be incorporated into the integrated plan. Each of the permits may have different owners/operators responsible for the various types of plants/ facilities as well as different geographic service areas and different service populations. As stated in the 2012 EPA written document titled; Integrated Municipal Stormwater and Wastewater Planning Approach Framework, “when developing an integrated plan, a municipality/community must determine and define the scope of the integration effort, ensure the participation of entities that are needed to implement the integrated plan, and identify the role each entity will have in implementing the plan.” Once this is completed, a draft of the integrated plan can be developed.

Plan Elements:

An integrated plan should be tailored to fit the size of the municipality/community and the number of permits/ facilities addressed within the plan. Communication with the department is encouraged during this time to ensure all criteria are met during the draft phase of the plan. Each plan will be site specific toward the municipality/community; however, each integrated plan should include the following elements:

Element 1: A description of the regulatory issues to be addressed in the plan, including:

- Dates of compliance schedules
- Pollutants, best management practices, and other new requirements needed to be addressed within the final regulatory department written documents included within the plan.
- Identification of human health threats
- Identification of environmental impairments such as but not limited to 303(d) listed streams, brownfields, wetlands, and other sensitive environmental areas of concern
- Metrics for evaluating and meeting human health and environmental objectives

Element 2: A description of existing infrastructure under consideration and summary information describing the systems current performance, including:

- Identification of municipalities and utilities that are participating in the planning effort. The integrated plan can include multiple municipalities on a watershed level.
- A list of issued, expired, and/or public noticed permits relating to the plan.
- Recent inspection reports pertaining to the facilities within the integrated plan.
- If applicable, all enforcement documents relating to the utilities acknowledged in the plan.

Element 3: A process for identifying, evaluating, and selecting alternatives and proposing implementation schedules which addresses:

- A plan that will help municipalities/communities responsibly meet their MCWL, CWA and other environmental obligations by using sustainable infrastructure planning approaches such as asset management, to assist in providing information necessary for prioritizing investments necessary to meet requirements as set forth by the department.
- Identification of alternatives to conventional treatment, including cost estimates, potential financial burdens, and potential environmental benefits from each alternative. This alternatives analysis can be completed through a qualitative comparison of each alternative's advantages and disadvantages or through a cost-benefit analysis. The alternatives analysis should include documentation on how green infrastructure was considered through the decision making process.
- Steps to incorporate community involvement. Steps that were taken to identify community sustainability priorities. If applicable, details on how the utility consulted with neighboring communities about potential partnership opportunities to share costs, information, and/or services.
- Identification of the project(s) selected including a preliminary engineering report stating proposed costs and projected user rates
- The financial capabilities of the municipality/community, including the bonding capacity, potential revenue sources, current residential user rates that are directly related to any project listed within the integrated plan, and other relevant factors impacting the utilities rate base.
- Descriptions on anticipated costs (total present worth, capital costs, and operations and maintenance).
- Selection of project funding sources (financing from current revenue, Missouri State Revolving Funds, other government grants/ loans, or bonds, property or sales tax increases).
- A detailed description of the priorities of the projects selected which includes the adverse impacts the current infrastructure places on the public health and environmental health of the community.
- Proposed implementation schedules that include the maturity dates of any bonds previously obtained by the municipality/community as well as complete debt retirement information from any current debt related to existing infrastructure included within the plan, planned rate or fee increases, and other relevant information.

Element 4: Monitoring and Modifications: a monitoring program should be incorporated into the integrated plan so that each municipality/community stays on track during the proposed schedule.

- The community will need to ensure that each step within the integrated plan is met. Each integrated plan should include an annual mechanism where by the communities evaluates milestones of the integrated plan that were started or completed during the previous year. For those components of an integrated plan that support a request for modification of a permit or enforcement schedule annual reporting will be required via the permit or enforcement document.
- Modifications to the integrated plan are necessary when the municipality's financial capabilities change or new information is presented such as a new, less expensive technology that will meet requirements of the regulatory documents, or a higher priority need is identified. At a minimum an integrated plan should be evaluated every year and revised every 5 years. Communication between the municipality and the department is necessary prior to a schedule/requirement within the plan being modified. This is especially important for those aspects of the integrated plan associated with a permit or enforcement schedule of compliance. All appropriate information to support the plan modification will need to be provided at that time.
- If previously agreed to milestones or requirements of the integrated plan associated with a modified permit or enforcement schedule are not met, the department may determine enforcement action is necessary and the integrated plan will need to be renegotiated through an AOC.

IV. Implementation - The integrated plan allows for a community/municipality to justify the appropriate sequencing of work, while prioritizing the most significant human health and environmental needs based on the financial capabilities of that community.

1. Schedules of Compliance can be used for meeting water quality-based effluent limits in NPDES permits issued for discharges from POTWs and/or combined sewer overflows need to stay consistent with 40 CFR § 122.47. The schedule needs to require compliance with the new requirements "as soon as possible."
2. The department will consider all environmental obligations within the integrated plan. However, if seeking approval of a schedule of compliance extension authorized under the MCWL or CWA through the Water Protection Program, the requirements as described in the MCWL and CWA should be the main priority within the integrated plan.

3. When appropriate, each utility should incorporate green infrastructure approaches into the integrated planning effort in order to provide more sustainable solutions for the community/municipality.
4. When appropriate, an integrated plan can be used in conjunction with an enforcement action such as an AOC in order to address noncompliance with the MCWL or CWA.

The department recognizes that there is potential for financial burden in order to maintain compliance with environmental regulations. It is the opinion of the department that all municipalities begin the practice of sustainable planning to meet new regulatory requirements. An integrated plan completed by a municipality should include the guidance provided above while keeping in communication with the department. Consistent communication will allow for refinement of the integrated plan over time.

Integrated Plans and any attachments should be submitted electronically and by mail to:

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