

ST. JOSEPH RIVER BASIN COMMISSION

MINUTES March 4, 2014

The first quarterly meeting of the St. Joseph River Basin Commission was held on March 4, 2014, in the Elkhart County Public Services Building, in Goshen, Indiana. Daragh Deegan, Chairman, called the meeting to order at 10:00 a.m. Roll call was taken and it was noted a quorum was present with the following members in attendance:

MEMBERS PRESENT: Daragh Deegan
David Arrington
Frank Lucchese
Bill Hartsuff
Jon Roberts
Martin Franke
Ron Niezgodski
Paula Reinhold
Karl Kopec
Jack Dillon
Kris Thomas
Craig Williams
Neil Ledet

OTHERS PRESENT: Patrick Henthorn, City of South Bend

Others in attendance are listed on the Attendance Sheet and made a part of these minutes.

MINUTES OF DECEMBER 3, 2013

There were no corrections or additions to the minutes of the December 3, 2013. The following action was taken.

MOTION TO APPROVE THE MINUTES OF THE DECEMBER 3, 2013 MEETING WAS MADE BY FRANK LUCCHESI AND SECONDED BY RON NIEZGODSKI. THE MOTION CARRIED.

FINANCIALS

Quarterly Report

Shirley Czerna presented the financial report for the period ending January 31, 2014. She reported current assets were \$192,247.42, current liabilities were \$26,223.71, leaving a fund balance of \$166,023.71. Total funds received were \$35,836.84; disbursements year-to-date totaled \$40,985.72. As of January 31, 2014 the Comparative Statement of Expenditures shows YTD expenses to be \$47,734.64, leaving a budget balance of \$61,082.36.

MOTION TO APPROVE THE FINANCIAL REPORT AS PRESENTED WAS MADE BY MARTIN FRANKE AND SECONDED BY CRAIG WILLIAMS. THE MOTION CARRIED.

Budget Update

Karen Mackowiak updated the Basin Commission that the State Budget Agency in December, informed the St. Joseph River Basin Commission that due to the speculated reduction in state revenue, the SJRBC is required to reduce their current distribution from the state by 1.5%. At this point in time, to accommodate for the necessary cost reduction, funds have been transferred from Local Contributions to make up the difference. Daragh Deegan asked what was the reason for the state budget reduction. Karen explained that the state has not received the anticipated funds of tax revenue.

Approval of Claims

A list of the quarterly SJRBC claims and a description of the bills paid by MACOG were distributed to the Commission members for their review. Once approved, Ron Niezgodski, SJRBC Second Signatory Treasurer, signed the checks.

MOTION TO APPROVE THE SJRBC CLAIMS FOR THE OCTOBER, NOVEMBER, DECEMBER 2013 AND JANUARY 2014 MACOG REIMBURSEMENTS WAS MADE BY KARL KOPEC AND SECONDED BY MARTIN FRANKE. THE MOTION CARRIED.

OLD BUSINESS

Basin Updates

Karl Kopec reported that the City of Mishawaka has been negotiating their Long Term Control Plan Consent Decree with EPA, IDEM and the Department of Justice since November 2004. In December 2013 the plan was approved and a language agreement was met. Following the 30 day public comment period and admission to Federal Court, the implementation schedule will officially begin. However, the 20 year implementation schedule actually started in 2011. But the City is ahead of schedule already investing over \$100 million in CSO and sewer system improvements. The estimated remaining amount of work to be done will cost approximately \$150 million.

Paula Reinhold reported that the St. Joseph County Health Department is currently forming a Water Protection Task Force to investigate potential contamination and strategize solutions focusing on nitrates and other pollutants in the drinking water. The initial goal is to investigate small areas of the County such as Gilmore Park and sections of Granger.

Daragh Deegan reported that the Elkhart River Restoration Association (ERRA) has raised more than a third of what it needs to remove three feet of sediment from the floor of the Goshen Dam Pond. Thus far they have raised \$675,000. Once they reach \$1 million, they can start dredging. The project will cost about \$2 million total. The ERRA is planning to ask the Goshen Redevelopment Commission for tax increment financing dollars to help support the project.

Water Quality Testing Program

Karen updated the St. Joseph River Basin Commission on the plan to initiate a water quality sampling program in the Indiana portion of the St. Joseph River Basin. In early February an RFP for Water Quality Assessment activities was sent to eight contractors and posted on the St. Joseph River Basin Commission website. One contractor also forwarded the RFP packet to another company. Three separate proposals were received by the due date of February 20: Commonwealth Biomonitoring; SNRT, Inc.; and CF Environmental Laboratory.

Following the deadline, three members of the MACOG staff were asked to open the proposals, and review each based on the evaluation guideline that contractors received in the RFP packet. The evaluation is based on a point system. None of the MACOG staff have ever worked with any of the companies or individuals associated with the three companies that submitted proposals. Of the three companies, SNRT, Inc. received the most points.

At this time, Karen asked both Dave Arrington, who serves as the Governor's Appointee and Martin Franke, who represents the LaGrange County Commissioners on the St. Joseph River Basin Commission to leave the meeting room, which will include abstaining from voting on the recommendation of the review committee. Dave Arrington is the President of SNRT and Martin Franke in his capacity at the LaGrange County Soil and Water Conservation District has worked with SNRT on projects.

She asked that the minutes reflect that both men left the room. Karen explained to the Commission that of the companies that submitted proposals, all were able to comply with the Scope of Services, and that the MACOG staff recommendation is based on the evaluation process and came down to cost, with SNRT, Inc. providing a proposal far less than the other contractors and therefore receiving a greater number of points. She explained that since Dave is involved in SNRT, Inc., he will need to sign a document for the SJRBC indicating that he was not involved in any way with the evaluation process, the recommendation or the Basin Commission decision to accept or decline the recommendation and no conflict of interest exists.

Daragh Deegan asked what the project budget is. Karen replied that the SJRBC project has a current budget of \$10,000 for one year, with intentions to commit a similar amount for the next two years. SNRT's cost proposal was \$7,940 a year, with an agreement to renew the contract on a yearly basis. Karl Kopec asked where SNRT is located. Karen said they are located in LaGrange County. Commonwealth Biomonitoring is out of Indianapolis and CF Environmental Laboratory is out of Fort Wayne.

Daragh asked for a motion to approve the recommendation of the RFP review group to offer a Water Quality Assessment Program contract to SNRT, Inc.

**MOTION TO APPROVE THE RECOMMENDATION OF THE
REVIEW GROUP TO OFFER A CONTRACT TO SNRT, INC
WAS MADE BY JACK DILLON AND SECONDED BY
FRANK LUCCHESI. THE MOTION CARRIED.**

Let the minutes reflect that Dave Arrington and Martin Franke returned to the meeting for the remainder of the meeting.

NEW BUSINESS

Ontwa Township Wastewater Treatment Facility

Karen reported that at this time Ontwa Township in Michigan has a contract with the City of Elkhart to accept wastewater from a collection system managed by the Township for several of the lake communities in Edwardsburg. Ontwa Township also has a contract with the St. Joseph County Sewer and Water District to accept a small volume of waste water from Granger, Indiana.

Recently, the Ontwa Township government developed a plan to build their own wastewater treatment plant. According to a Wightman and Associates engineering report, a new wastewater treatment plant would have three key benefits: It would alleviate a lingering hydrogen sulfide issue that has damaged part of the discharge network connecting Ontwa Township with the City of Elkhart. (High organic wastewater, containing hydrogen sulfide has a long residence time in the piping system, converting to corrosive sulfuric acid); A new system would give Ontwa Township more control over the fees it charges sewer customers; Finally, the new network would alleviate capacity limitations resulting from interconnection with the Elkhart network.

The proposal to construct a wastewater treatment plant in Ontwa Township has raised some concerns about potential impacts to Cobus Creek in Elkhart County. The new facility would discharge treated wastewater into nearby Garver Lake outlet, which feeds into Cobus Creek. The discharge produced would be of much higher quality than the untreated wastewater currently going to the City of Elkhart's sewage treatment, but some people have voiced concerns there might still be pollutant impacts to the Creek. Finally, Cobus Creek is considered a cold water trout stream. The large discharge of warm wastewater could alter the balance of the Creek for fish and wildlife. It was also noted that the Creek serves as a center piece for a county park in Elkhart County and any impact to this feature could adversely impact the quality of the park.

Martin Franke asked if hydrogen sulfide was Ontwa Township's primary problem. Karen said that is causing the biggest issue right now. David Gunn, who lives on Cobus Creek, asked if the waste that is dumped into the Creek would produce a smell in the creek. Karl Kopec said most treated waste water is discharged to a receiving stream and the treatment process along with the flowing water reduces the hydrogen sulfide so odor is not an issue. Furthermore, treatment plants have to be monitored by government agencies to assure a safe, clean discharge where permitted limits are maintained.

John Swald Sr., Elkhart County resident, asked what guarantee is there that it will stay at the 2.7 million gallon flow and for what period of time, and when might they increase the flow. Also, with Edwardsburg continued increase in population, what is the guarantee that in 20 years it is not going to triple with flow?

Craig Williams explained that any increase in permitted flow, especially for a Great Lakes discharger, would require additional anti-degradation demonstration, which can be very expensive and very difficult to undertake. There is probably no guarantee, but strict permit requirements must

be followed. An increase in flow would require an increased level of treatment. Karen reported that the Preliminary Engineering Report stated the plant would be designed for the projected 20 year service at 550,000 gallons per day. Jack Dillon said a public notice meeting would be a good time to enter questions to the agencies and receive satisfactory answers.

Daragh Deegan stated that as an aquatic biologist for the City of Elkhart, he spent a lot of time in Cobus Creek and believes it is a beautiful, fantastic resource. He is concerned with the proposal related to flow and potential flow in the Creek in the future. In addition, he questioned how Ontwa Township could manage a wastewater treatment plant, due to the fact that the hydrogen sulfite issue was handled poorly. Paula Reinhold mentioned that the water temperature is a big factor, since Cobus Creek is a trout bearing stream.

Karen reported that she has received a lot of communication regarding the treatment plant. One of the purposes of the SJRBC is to serve as an advocate for the water resources in the St. Joseph River Basin. For that reason, she felt it was necessary to inform the Commission of the proposed project and explain how it might affect Cobus Creek in case they receive inquiries. Karen will keep the SJRBC updated as the process develops just in case in the future the Commission decides to make a statement one way or another.

PRESENTATION

South Bend's CSONET-Update – Patrick Henthorn, City of South Bend

Patrick Henthorn, City of South Bend, presented the Commission with a CSOnet update. CSOnet was originally explained at the 2008 River Basin Symposium and the system has now been in operation for a few years. Patrick explained that CSOnet means that the City of South Bend has a “smart sewer system” which can react in real time to reduce combined sewer overflow events.

CSOnet is a technology which monitors and controls wastewater in real time, through a network of wireless sensors embedded in the municipal sewer system. The broad network of tiny computers provides 24/7 data on the depth and flow of storm water and sewage in the 500-mile sewer network, including the 36 combined sewer overflow outfalls within the city. It provides real-time analysis of available inline storage. In the process, it has helped South Bend avoid millions of dollars in expenses associated with conventional civil engineering upgrades to prevent combined sewer overflows.

Instead of having to tear up streets and install separated storm and sanitary sewer lines throughout the City, CSOnet identifies existing capacity in a large header pipe, called the “interceptor line”, which carries water from the different service areas to the wastewater treatment plant. Installed “smart” valves with motorized controls and overflow reservoirs at key points in the system are used by CSOnet to redirect flow into the interceptor line, eliminating the risk of more than 250 million gallons of sewage possibly being discharged into the St. Joseph River.

The City of South Bend has invested about \$6 million in CSOnet, in addition to sewer modifications and control valves. The environmental benefit that has been achieved through CSOnet is equal to about \$120 million of conventional civil engineering improvements. Not only does the data obtained

allow for more efficient use of the infrastructure, but it also reduces the amount of manpower it used to take to check sewer lines during storm events.

As the largest cyber-physical embedded sensor network in the world, CSOnet and the City of South Bend are getting national and even international attention.

Ron Niezgodski asked if the reason the City Council does not want to increase sewer rates is because of the possibility of less expense with the new technology in the near future. Jack Dillon said it is not that the Council is aware of new technology. Rather they are not all aware of the negotiations South Bend has been having with the USEPA and Department of Justice to reduce combined sewer overflows as part of the City's Long-Term Control Plan. The Council just wants to be sure that the \$500 million plan, which includes rate hikes for completed work, is the right plan. CSOnet is just a component of that Plan.

Joe Foy asked how the predictions of the model compare to real-time. Patrick Henthorn said the model calibration just took place; the next step will be run an update and compare the results. Jack Dillon pointed out that using the CSOnet system along with some upgrades to the system have resulted in dry weather overflows basically being eliminated, compared to about 20 per year, in the past. In addition, the City of South Bend has reduced a CSO discharge from around a billion gallons down to 400,000 gallons during wet-weather events.

ITEMS FROM THE FLOOR

Karen reminded the SJRBC that the 14th Annual Indiana/Michigan St. Joseph River Basin Symposium is scheduled for May 16, 2014 at Fernwood Botanical Garden and Nature Preserve. The agenda is being developed and speakers are being invited to participate.

Ron Niezgodski announced that the Annual Friends of the St. Joe meeting will be held on March 14, 2014 at Sturges-Young Auditorium in Sturgis, Michigan. The event will include a meeting, silent auction fund raiser, and dinner. On March 29, 2014 the South Bend Friends of the St. Joe River will host a Riverbank Cleanup along the St. Joseph River

ADJOURNMENT

There being no further business to come before the Basin Commission, the following action was taken.

MOTION TO ADJOURN WAS MADE BY KARL
KOPEC AND SECONDED BY PAULA REINHOLD.
THE MEETING WAS ADJOURNED.

Daragh Deegan, Chairman

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