

ST. JOSEPH RIVER BASIN COMMISSION

MINUTES March 3, 2015

The first quarterly meeting of the St. Joseph River Basin Commission was held on March 3, 2015, 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
Dona Hunter
Frank Lucchese
Bill Hartsuff
Jon Roberts
Martin Franke
Alfredo Garcia
Jeff Moore
Jason Pippenger
Ron Niezgodski
Paula Reinhold
Karl Kopec
Jack Dillon
Craig Williams

OTHERS PRESENT: Joseph Zakas, Legal Representative, Thorne Grodnik LLP
Michael Newton, Noble County Emergency Management Agency

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

MINUTES OF DECEMBER 2, 2014

There were no corrections or additions to the minutes of the December 2, 2014 meeting. The following action was taken.

MOTION TO APPROVE THE MINUTES OF THE DECEMBER 2,
2014 MEETING WAS MADE BY MARTIN FRANKE AND
SECONDED BY RON NIEZGODSKI. THE MOTION CARRIED.

FINANCIALS

Financial Report

Lori Ratliff reviewed the SJRBC Financial Report for the period ending December 31, 2014 and then asked for any questions. There being none, Lori asked for the Commission's approval of the December 31, 2014 Financial Report.

New SJRBC Website

James announced MACOG has completed and released the St. Joseph River Basin Commission's new website. The website will serve as an easily accessible resource to find information on the St. Joseph River Basin, the Commission and its programs, and to keep up with upcoming events and news in the watershed. The Commission was encouraged to visit the website at www.sjrbc.com and pass on any suggestions they may have for the website.

St. Joseph River Basin Filter Strip Initiative

Jeremy discussed the progress of the St. Joseph River Basin Filter Strip Initiative. Since the last SJRBC meeting, two goals have been met. First, an informational meeting was held in January, where county surveyors, NRCS, and SWCD members gathered to exchange ideas. Second, a steering committee was constructed with representation from each county in the basin. The first meeting is scheduled for the end of March, at which time an application process will be developed. Jeremy will keep the Commission updated, on a regular basis.

Regional Conservation Partnership Program Rewarded

Jeremy informed the Commission that the Regional Conservation Partnership Program (RCPP) promotes coordination between NRCS and its partners to deliver conservation assistance to producers through partnership agreements. As a direct result of Michigan Senator Stabenow's 2014 Farm Bill, NRCS awarded the St. Joseph River watershed a \$6.8 million grant, titled the St. Joseph River Watershed Conservation Partnership.

The Michigan Department of Agriculture and Rural Development will partner with the State of Indiana and over 30 local organizations. The partnership includes farmers, businesses, and lawmakers alike to help improve the overall quality of the watershed. The project will offer farmers public and private financial and technical assistance to access conservation tools that reduce excessive sediment and nutrients in the St. Joseph River and improve wildlife and fish habitat. Partners are required to match federal funding, effectively doubling the federal investment to \$13.6 million.

Daragh said he understood a position would be created to coordinate the program. James said when it comes to a coordinator for the program there are no administrative fees that come out of the RCPP. Therefore, the situation is being discussed with Southwest Michigan, Friends of the St. Joe, and the SJRBC to find different avenues for funding a coordinator.

2016 Indiana Watershed Leadership Academy Sponsorship

James explained at the last quarterly meeting a request was made to explore the potential to develop a scholarship program for interested members of the Commission to attend the Indiana Watershed Leadership Academy. The cost of the academy is \$500. After looking at the budget for the upcoming year, it was determined there would be funding available to sponsor at least one individual every year. So for the 2016 academy, an application process will be created for people to apply. The first sponsorship would preferably be a Commission member, but NRCS and SWCD members would also be able to apply.

Water Quality Testing Program

Since Dave Arrington, with SNRT, was not able to attend the Commission meeting, Jeremy gave a brief overview on the Water Quality Testing Program. Test results from the data collected thus far were distributed to the Commission. The first year of sampling is coming to an end with the first 10 sites. It was noted that some of the test sites did not meet the water quality targets. The three main areas of concern were E. coli, nitrate-nitrite, and phosphorus. It was discovered that many of the issues identified were unbuffered waterways and cattle access to waterways, which can contribute to the high E. coli and phosphorus numbers.

The overall concept of the water quality testing program is to get a baseline understanding of what is occurring within the watershed. As the first full set of data approaches, there are plans to store the information on the website for anyone to view. It is anticipated that the next 10 sample sites will take place on Turkey Creek, in Kosciusko County. After reviewing the budget, there is the possibility of adding 5 to 10 additional sites, for a total of 15-20 sites for the next round of sampling. Looking ahead to FY2017, the thought is to begin sampling in St. Joseph County.

Karl Kopec asked if the zeroes in the E. coli column were accurate. Daragh said he has not seen zeroes with E. coli and asked Jeremy to check with Dave for clarification and accuracy, for future reference. Karl also expressed concern about the meaning of the BOD % column. Jeremy said he would resend the e-mail to the Commission with the explanation of how the percent is represented. Paula Reinhold asked if testing is performed in both wet and dry weather. Jeremy said the requirement is to have at least 3 or 4 samples within 48 hours of a rain event.

Dona Hunter, LaGrange County SWCD, reported, in 2000, IDEM granted funding to LaGrange County SWCD to do a compared watershed study, on the Little Elkhart River. The study is almost completed, and as a result, IDEM and EPA are ready to suggest that there has been up to a 40% reduction in pollutants in the watershed do to conservation practices that have been installed.

NEW BUSINESS

Lake and River Enhancement Program Grant Application – Cobus Creek

Daragh announced, in January, the City of Elkhart, SJRBC, and other entities in the Cobus Creek watershed applied for a LARE grant, to fund a detailed Cobus Creek watershed study. It looks encouraging, since there are several enthusiastic partners involved who have come forward pledging money toward the project. It is estimated that the study will require roughly \$40,000 in funds and would need to include the entire watershed. The watershed is separated by the State Line, and LARE funding cannot be used in Michigan. So it will be necessary to look for further funds to do study work in Michigan. It should be known by the end of June if the LARE grant request has been accepted.

James encouraged the Commission to come forward with other grant requests for projects of interest to their organizations or communities.

Water Quantity Initiatives

At the last SJRBC meeting, Jack Wittman gave a presentation on a study he conducted concerning water resources in Indiana. His objective was to develop a statewide water plan to preserve water

quantity resources. Subsequently, Jeremy has been in the process of gathering additional water resource data in the St. Joseph River basin area, focusing on ground water used for irrigation. Once a thorough investigation has been conducted, the Commission would decide if it is an issue they want to move forward on.

Daragh said he was particularly interested in the issue of water quantity. Future projections indicate that water supply will be a critical issue in the United States. Joe Zakas said a study has been initiated in the Indiana State Legislative system to evaluate what needs to be done to protect our water resources.

Contracts

James distributed a sample copy of the two biennial contracts that will expire June 30, 2015. The two contracts include a Contract for Personal (legal) Services and a Contract for Services between the SJRBC and MACOG. The two contracts are essentially identical to the previous contracts and will be formally presented to the Commission in June for consideration and action.

Noble County Lake Gauges

Mick Newton, Director, Noble County Emergency Management Agency (EMA), gave a presentation concerning the future status of the lake gauges in the West Lakes area. He explained, in December, the Sylvan Lake Association received a letter, which stated the monitoring of gauges that track water elevation in the West Lakes area operated by the Indiana Department of Natural Resources (DNR) will be suspended on September 30, 2015. Given the fact that the West Lakes region is prone to flooding, it becomes a great concern.

Since the Sylvan Lake Dam is upstream from the West Lakes Area, local emergency response agencies have been required to develop an emergency evacuation plan in the event the dam fails. The plan calls for information generated from gauges at Sylvan Lake and Waldron Lake to be used when making a determination as to when and who should be evacuated should the dam be breached. The Sylvan Lake Dam gauge is written into the EMA plan, and losing it would hurt the early warning capabilities and potentially put people at risk. Mick point out the loss of the Waldron Lake gauge is not as critical as the loss of the Sylvan Lake gauge.

When Mick presented his concerns to DNR's Director of the Division of Water, Michael Neyler, it was explained that DNR was required to make the difficult decision to discontinue covering the cost of the gauges, because of increases in gauge operating costs. He added that if a multi-agency agreement could be developed for the gauges, DNR may be able to participate at a much reduced funding level. For that reason, Mick felt the need to approach the SJRBC for assistance in the matter.

Martin Franke asked Mick to clarify the action that DNR is planning to take concerning the gauges. Mick said DNR is going to discontinue financing their \$4,000 yearly share to operate each gauge. Daragh explained that the SJRBC has limited funds and would not have the means to contribute money to the Sylvan Lake gauge incident, but the Commission would be interested in assisting in other ways to acquire funds. A suggestion was made to contact the Silver Jackets, which is a flood risk management program. The program assists in resolving issues related to flooding and other hazards. Mick said he would get in touch with the organization.

Martin asked Mick if the County Commissioners, Senator, or Representative in the area were aware of the Sylvan Lake gauge problem. Mick said he sought assistance from all three entities but with little response. Paula suggested having Noble County allocate a tax on the 400 residence that live below the dam, to help cover the cost of the water gauge. A county surveyor would be able to help assess the situation and determine the money needed to be allocated. Daragh said another option would be for the County Commissioners to establish the West Lakes Area as an Economic Improvement District (EID). Through a petition, the West Lakes property owner would be asked to help contribute to the lake gauge expenses. Then they would pay an annual fee to the EID.

Mick thanked the SJRBC for their time and suggestions. Jeremy said he would continue to reach out to Mick with ideas and support, until the situation is resolved.

ITEMS FROM THE FLOOR

Jack Dillon announced this will be his last SJRBC meeting, since he is retiring from the City of South Bend in May. He said it has been a privilege to be a part of this great organization. Daragh recognized his several years of dedicated service to the Commission, including his time as Chairman.

Jeremy reminded the SJRBC that the 15th Annual Indiana-Michigan St. Joseph River Basin Symposium is scheduled for May 15, 2015 at the Fernwood Botanical Gardens, in Niles. The agenda is being developed and speakers are being invited to participate.

Nancy Brown acknowledged a great concern for DNR's decision to discontinue funding for the West Lakes gauges. Especially when you consider the fact that West Lakes is not the only community that needs DNR to assist in the maintenance of water gauges. Daragh agreed on the importance of gauges for water quality issues including, loading and calculating water activity, and modeling watersheds. James noted there are two points for discussion. First, what avenue should be taken to receive funding for the gauge on Sylvan Lake? Second, what is DNR's responsibility to water gauges to the basin as a whole?

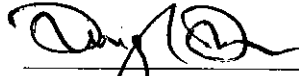
Daragh suggested the Commission compose a letter addressed to the Indiana DNR, expressing concern for DNR's responsibility to maintain water resources through water quality testing, lake gauges, or any other investment in the watershed.

A MOTION WAS MADE BY RON NIEZGODSKI AND SECONDED BY CRAIG WILLIAMS TO SUBMIT A LETTER OF SUPPORT TO THE INDIANA DNR REQUESTING TO CONTINUE TO MAINTAIN WATER RESOURCES, INCLUDING LAKE GAUGES. THE MOTION CARRIED.

ADJOURNMENT

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

MOTION TO ADJOURN WAS MADE BY JACK
DILLON AND SECONDED BY RON NIEZGODSKI.
THE MEETING WAS ADJOURED.



Daragh Deegan, Chairman

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