

## ST. JOSEPH RIVER BASIN COMMISSION

### MINUTES June 7, 2016

The second quarterly meeting of the St. Joseph River Basin Commission was held on June 7, 2016, in the Elkhart County Public Services Building, in Goshen, Indiana. Jon Roberts, President, 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:** Jon Roberts – Kosciusko County  
Gary Myers – LaGrange County SWCD  
Bill Hartsuff – Elkhart County  
Daragh Deegan – City of Elkhart  
Martin Franke – LaGrange County  
Jerrod Nisley – LaGrange County  
David Dolezal – Noble County  
Paula Reinhold – St. Joseph County  
Karl Kopec – City of Mishawaka  
Kieran Fahey – City of South Bend  
Kris Thomas – Steuben County  
Craig Williams – City of Angola  
Neil Ledet – Department of Natural Resources

**OTHERS PRESENT:** Joseph Zakas, Legal Representative, Thorne Grodnik LLP  
Jason Kauffman – City of Goshen  
Lauren Rowe – LaGrange SWCD  
Alexis Myers – LaGrange SWCD  
Jeremy Reiman – MACOG  
Lori Ratliff – MACOG  
Shirley Czerna – MACOG

#### MINUTES OF MARCH 1, 2016

There were no corrections or additions to the minutes of the March 1, 2016 meetings. The following action was taken.

MOTION TO APPROVE THE MINUTES OF THE MARCH 1,  
2016 MEETING WAS MADE BY MARTIN FRANKE AND  
SECONDED BY DARAGH DEEGAN. THE MOTION CARRIED.

#### FINANCIALS

##### Financial Report

Lori Ratliff reviewed the SJRBC Financial Report for the period ending March 31, 2016 and then asked for any questions. Martin Franke asked for the spelling of “Steuben” to be corrected on the

contribution received sheet of the financial report. Lori said she would correct it. There being no other questions, Lori asked for the Commission's approval of the Financial Reports.

MOTION TO APPROVE THE FINANCIAL REPORTS AS PRESENTED WAS MADE BY CRAIG WILLIAMS AND SECONDED BY DARAGH DEEGAN. THE MOTION CARRIED.

### **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. Lori asked for the Commission's approval of the Claims.

MOTION TO APPROVE THE SJRBC CLAIMS FOR THE JANUARY, FEBRUARY AND MARCH 2016 MACOG REIMBURSEMENTS AND FOR THE JUNE 2016 ATTORNEY FEE WAS MADE BY MARTIN FRANKE AND SECONDED BY KARL KOPEC. THE MOTION CARRIED.

### **Budget Revision**

Lori Ratliff explained a budget revision would be necessary. Money received from the LARE Grant and LARE Grant Local Contributions would be used to increase Contractual Services from \$10,000 to \$34,900. In addition, to avoid a negative balance, due to extensive travel time, it was recommended that \$250 be transferred from Contributions to Travel & Mileage.

MOTION TO APPROVE THE BUDGET REVISION AS INDICATED WAS MADE BY MARTIN FRANKE AND SECONDED BY DARAGH DEEGAN. THE MOTION CARRIED.

### **Banking Resolution**

Lori requested the SJRBC make a motion to remove Ron Niezgodzki, previous Secretary/Treasurer, and add Martin Franke, current Secretary/Treasurer, as a signatory for the signing of SJRBC checks.

MOTION TO REMOVE RON NIEZGODSKI AND ADD MARTIN FRANKE AS SIGNATORY FOR THE SJRBC WAS MADE BY KARL KOPEC AND SECONDED BY PAULA REINHOLD. THE MOTION CARRIED.

### **OLD BUSINESS**

#### **Basin Updates – Basin Commission Members**

Daragh Deegan reported that IDEM will be conducting a baseline study in the St. Joseph River watershed to change or modify the process for biological sampling and water quality monitoring. The study will focus on 3 sites in the watershed; 2 sites in Elkhart County and 1 site in LaGrange County.

Martin Franke informed the Commission the LaGrange County SWCD received a LARE grant for the fourth year in a row. It is for log jam removal on Pigeon River. The project will enable passage of watercraft for recreational purposes, reduce sediment loading, increase fish and wildlife habitat, and improve water quality. In addition, the LaGrange County SWCD received preliminary notification for approval of a nutrient and sediment reduction grant for the north branch of the Elkhart River, through the Great Lakes Commission. Further information will be available at the next SJRBC meeting.

### **St. Joseph River Basin Filter Strip Initiative**

The SJRBC has developed an education outreach initiative to encourage landowners to install filter strips on their property. An application process has been developed for landowners to apply, through each specific county, for the filter strip initiative program. Currently, Jeremy and the steering committee are in the process of updating the existing filter strip brochure to further promote the use of filter strips. In addition, the education outreach initiative is looking into creating an informative filter strip workshop for farmers and property owners to attend.

Joe Zakas asked if the updated filter strip brochure could be sent directly to farmers. Jeremy said that would be possible. Additionally, there are plans to distribute the brochure to local SWCDs and local Farm Bureaus, since they are frequently in contact with farmers.

### **Indiana Watershed Leadership Academy Scholarship**

Randy Sexton, Noble County surveyor, received the first Indiana Watershed Leadership Academy scholarship offered by the SJRBC, to a professional in the St. Joseph River watershed. The workshop ran from January through May, 2016. As part of the final project, Randy presented on *how to use Midwest Cover Crops Council Cover Crop Decision Tool*. Randy appreciated the opportunity to participate in this very beneficial program.

After looking at the budget for the upcoming year, Jeremy determined there would be funding available to sponsor an individual for the academy in 2017. The Commission agreed. The scholarship program has been included in the FY2016-2017 workplan, and the application process is in place from last year. Any Commission members interested in being on the subcommittee, to review the applications once they are submitted, should notify Jeremy.

### **Cobus Creek Watershed Diagnostic Study**

Jeremy updated the Commission on the progress of the Cobus Creek Watershed Diagnostic Study. The land-use windshield survey is complete. The aquatic organism's surveys have started. Chemical testing will start soon, along with scheduling site visits to public properties, Elkhart Conservation Club, and Edwardsburg. Lastly, the fish passage survey is scheduled for September. The steering committee will give updates and discuss information gathered thus far, at the next meeting. A draft document of the results is expected to be available by early 2017, with final approval in March 2017.

### **Water Monitoring Program Update**

It was reported the Water Monitoring Program completed a full year of testing Phase 1 and Phase 2 sampling sites. On average most of the 30 sites tested for E. coli, turbidity and suspended solids were below water quality standards, with the exception of nitrate and phosphorus levels, which were consistently high. In general, there were a few sites in the north and south branch of the Elkhart

River that exceeded water quality standards over 50% of the time. These sites should be the focus on improving water quality through implementing conservation practices, hopefully, before the next round of sampling occurs. Daragh asked if the high nitrogen and phosphorus levels could be caused by fertilizer runoff. Jeremy said he believes that is the case, along with feeding operations upstream and in waterways. Martin Franke said besides agriculture, residential lake properties could be a part of the problem. Martin also questioned the effectiveness of the USDA-Farm Bill with regards to water quality issue. Lastly, Jeremy distributed the first round of results taken from 20 sites selected in Elkhart and St. Joseph County, for Phase 3 sampling. Updated results will be given as the sampling progresses.

### **Elkhart River Conservation Initiative**

The Elkhart River Conservation Initiative is a steering committee of stakeholders composed of local, state, and federal officials in the Elkhart River watershed. The first meeting, which was held last November, discussed major environmental concerns in the watershed. At the workshop in March, the stakeholders focused mainly on identifying water quality and drainage projects currently in a watershed management plan or feasibility study that could be linked to a problematic location. A steering committee meeting is planned for next month to assess the information gathered at the workshop and to prioritize potential projects for implementation. The intention is to choose projects that would provide multiple benefits to the watershed, without creating a negative impact downstream.

## **NEW BUSINESS**

### **2016-2017 Budget Proposal**

Jeremy presented the Proposed Budget for 2016-2017. It was noted the increase in “Revenues Anticipated” represents an increase in Contributions received, an IN DNR LARE grant, and LARE grant local contributions. When reviewing the “Line Item Expenses”, there was a large increase in Contractual, due to the IN DNR LARE grant.

A MOTION TO APPROVE THE PROPOSED 2016-2017 OPERATIONAL BUDGET AS PRESENTED WAS MADE BY CRAIG WILLIAMS AND SECONDED BY MARTIN FRANKE. THE MOTION CARRIED.

### **2016-2017 Workplan**

A narrative of the 2016-2017 Workplan was distributed to the Commission members. The workplan is similar to what was presented last year. Jeremy highlighted 3 work elements included in the proposed workplan. First, to continue to oversee the Cobus Creek Watershed Diagnostic Study; second, to identify and monitor 10 new sites, in addition to sampling the 10, Phase 1, sites for the water quality program; and third, to resubmit a Request for Proposals to select a consultant to continue the, 3 year cycle, water monitoring program.

A MOTION TO APPROVE THE PROPOSED 2016-2017 WORKPLAN AS PRESENTED WAS MADE BY KARL KOPEC AND SECONDED BY KIERAN FAHEY. THE MOTION CARRIED.

## **IN-MI St. Joseph River Basin Symposium Recap**

Jeremy reported this year's Indiana-Michigan St. Joseph River Basin Symposium was a great success. The 70 people in attendance gave positive feedback regarding the interesting topics from the two main speakers and from the six "ignite style" presenters. There were suggestions to include "ignite style" presenters on the agenda next year.

## **2016-2017 Water Monitoring Sites**

Jeremy explained the goal for Phase 3 was to shift west, into Elkhart and St. Joseph Counties. There have been 20 new sampling sites selected, which are located in Turkey Creek, Baugo Creek, and Branywine Creek. Results from the first sample pull indicated some elevated levels of E. coli and nitrates in the Baugo Creek sub-watershed. However, it is too early to draw any conclusions. Eventually, the plan is to do analytical works with the information provided.

## **PRESENTATION**

### **City of South Bend CSO Long-Term Control Plan Update – Kieran Fahey, CSO LTCP Director, City of South Bend Public Works**

Kieran Fahey, Combined Sewer Overflow (CSO) Long-Term Control Plan (LTCP) Director for the City of South Bend, presented an overview and update on the City's LTCP progress. The City currently has a signed Consent Decree (CD) with the Environmental Protection Agency (EPA) and Indiana Department of Environmental Management (IDEM), which is an agreement requiring the City of South Bend to get into compliance with federal CSO standards. Within the CD is the LTCP, which outlines the projects that the City will complete to meet these federal requirements. The LTCP is broken up into two phases of projects. To date, the City has nearly completed all projects as part of Phase 1 and is on schedule to begin Phase 2 soon.

While the signed CD does get the City of South Bend into federal compliance, it also comes with a price tag of over \$600 million dollars, burdening the city and its rate payers. However, South Bend's CD allows for the City to renegotiate the terms and price of their CD if the city can prove to EPA and IDEM that other projects would provide the same benefit to water quality. As a result, the City of South Bend has been working with a team of consultants as well as a Citizens Advisory Committee to develop a new set of Phase 2 projects to be incorporated into an updated LTCP and CD. The City is looking at projects involving: green stormwater infrastructure, repairing and maintaining current systems, optimizing their current "smart sewer" network, and potentially building new infrastructure to manage combined wastewater. This project team is currently detailing the different project alternatives with regards to locations, sizes, costs, impacts, and hopes to identify new Phase 2 alternatives to renegotiate with EPA and IDEM. In the meantime however, the City is required to continue compliance with their current CD.

Several questions were raised and a discussion ensued. Kieran was thanked for his presentation.

## **ITEMS FROM THE FLOOR**

There were no comments.

## **ADJOURNMENT**

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

MOTION TO ADJOURN WAS MADE BY MARTIN  
FRANKE AND SECONDED BY PAULA REINHOLD.  
THE MEETING WAS ADJOURNED.

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Jon Roberts, President