

**DuPage River Salt Creek Workgroup
Annual Meeting Minutes
Lombard Village Hall
February 26, 2014**

Equivalent of 1 PDH Recognized for Attendance

9:00-9:05 Welcome, Introductory Remarks

Dave Gorman – DRSCW President and Assistant Director of Public Works, Village of Lombard

Dave Gorman welcomed everyone to the annual meeting and announced the DRSCW's new members from this past year: City of Warrenville, Arcadis US, Inc., Christopher B. Burke Engineering, Inc., WellSpring Environmental Products. Joining in the upcoming fiscal year are the College of DuPage and HR Green. He also noted that the DRSCW was at a critical stage with a proposal in front of Illinois EPA and US EPA to allow local funding to local priorities. Dave then asked everyone to introduce themselves.

9:05-10:00 Annual Business Meeting

• **Approval of the minutes for the December 11, 2013 meeting (Attachment 1)**

Jennifer Hammer made a motion to approve the December 11, 2013 meeting minutes; seconded by Steve Zehner; motion carried unanimously.

• **Election of Officers and Members-at-Large, New Business**

- President - Dave Gorman, Village of Lombard
- Vice President - Sue Baert, Wheaton Sanitary District
- Secretary-Treasurer - Antonio Quintanilla, Metropolitan Water Reclamation District of Greater Chicago
- At Large - Mitch Patterson, Village of Addison
- At Large - Tom Richardson, Sierra Club – River Prairie Group
- At Large - Robert Swanson, DuPage County Stormwater Management
- At Large - Steve Zehner, Robinson Engineering, Inc.

Nick Menninga made a motion to elect the officers and members-at-large; seconded by Dennis Streicher; motion carried unanimously.

• **Adoption of FY 2014-19- Budget, New Business**

- Review and approval of the FY 2014-15 Budget (Attachment 2 - one page budget summary). The detailed Five Year Financial Plan for Fiscal Years 2014-2015 to 2018-2019 available at <http://www.drscw.org/financials.html> will also be presented and discussed for planning and information purposes.
- Discussion of Agency member assessments, assessment methods, total Agency member dues and assessments, which are detailed on pages 9 through 19 of the above referenced Five Year Plan, and Board and staff assistance for advocacy at member agencies. The proposed Agency member assessments are proposed to begin next year, FY 15-16, if IEPA and USEPA approval of the proposed white paper is received. No vote will be required on this item; it is a planning discussion.
- Approval of the FY 14-15 Annual Dues Schedule and Annual Dues by Agency (Attachment 3). A 3% rise in member annual dues is proposed in the budget.
- Accounts Update (Attachment 4)

Larry Cox made a motion to approve the FY2014-2015 Budget (Attachment 2); seconded by Steve Zehner; motion carried unanimously.

Larry Cox made a motion to approve the annual dues schedule and annual dues by agency; seconded by Gary Smith; motion carried unanimously.

- **Appointment of Committee Chairpersons by incoming President, New Business**
 - Monitoring Committee Chairperson – Jennifer Hammer, The Conservation Foundation
 - East Branch DuPage River Watershed Committee Chairperson – Larry Cox, Downers Grove Sanitary District
 - West Branch DuPage River Watershed Committee Chairperson – John “Ole” Oldenburg, Forest Preserve District of DuPage County
 - Salt Creek Watershed Committee Chairperson – Dennis Streicher, Sierra Club – River Prairie Group

Stephen McCracken suggested that members interested in participating on any of the committees, including the Chloride and Projects Committees, should speak to him and/or the committee chair. The time commitment is minimal as meetings are typically held 4-5 times per year, and much of the communication can be made electronically. These committees profit from the breadth of expertise represented in the Workgroup membership.

- **Other business**

Coal Tar MOU and proposed State ban update.

Tom Richardson stated that the Sierra Club has been looking at the impacts of coal tar sealants over the years. They have worked with Kathleen Willis who co-sponsored a bill to ban CTS state-wide. Tara Neff will send a link to the bill to members.

Dave Gorman noted that the DRSCW’s role would be to support a state-wide ban and to share data/information; not to lead a fight down in Springfield. Stephen McCracken added that the DRSCW’s research kicked off the issue locally – even while national research was occurring simultaneously.

Sue Baert asked if PAHs are something we continually monitor. McCracken affirmed that they are and that we monitor a subset of them in each Bioassessment cycle. He continued that the majority of all sites sampled were above probable effects concentrations.

Steve Hill asked if there is a DuPage County ban. McCracken replied that there was not. Several agencies including DuPage Public Works have voluntarily stopped using CTS and a number of big box stores like Lowes, The Home Depot and Menards have stopped selling CTS. We have asked for more insight as to why they have elected to not sell CTS products and are awaiting responses.

The DRSCW’s MOU to discontinue the use (and hired contractor use) of CTS is written for your own agency’s public works department. In Lombard, the Public Works Director signed this agreement. Note that this can also be applied as part of NPDES good housekeeping requirements. These MOUs help show our commitment to reducing PAHs on a watershed scale to Illinois EPA.

- **DRSCW Calendar**

- The Tollway invited the DRSCW to co-present in a national webinar for stormwater BMPs on transportation infrastructure hosted by the USEPA. The webinar is scheduled for March 6th 2014.
- The DRSCW has been asked to speak on the subject of PAHs and Coal Tar sealants by the local chapter of the Sierra Club on March 10th.
This meeting will be held at the Glen Ellyn Public Library at 7:00 PM.
- The DRSCW is scheduled to present information on the White Paper proposal and Chloride Offset model on March 18th at WATERCON 2014. WATERCON is hosted by the Illinois Section American Water Works Association & Illinois Water Environment Association.

- **Workgroup meeting schedule (9:00 AM start time)**

All meetings are scheduled to occur at Lombard Village Hall beginning at 9:00 AM.

- April 30, 2014
We will hear from Huff & Huff about the ammonia mass balance study on the lower East Branch DuPage River and the dissolved oxygen in-stream monitoring and results.
- June 25, 2014
- August 27, 2014
- October 29, 2014
- December 10, 2014

Meeting Presentations

1. 10-10.15 DRSCW Special Conditions Tool Outputs and White Paper

Recommendations. The Special Conditions proposed by the DRSCW create a fund to implement priority projects generated by the Identification and Prioritization System, the DO Improvement study and partners' priorities. All projects have been selected to maximize impacts on basin biological health. In return the POTW members participating in the Special Conditions would not have a numeric standard for total phosphorus in their new permit. DRSCW members would use the additional time gained to design an optimal plan for implementing future numeric standards at their plants or meeting basin wide nutrient reduction targets.

**Presenters: Stephen McCracken, TCF/DRSCW
Nick Menninga, Downers Grove Sanitary District**

Currently, permits in the DRSCW's service area are on hold to allow the DRSCW to put forward an alternative plan. Illinois EPA is placing phosphorous limits in all permits for treatment plants upstream of a segment listed on the 303 (d) List as having an offensive algae condition. Illinois EPA wants the DRSCW to develop standard language to put into all of its members permits. Nick Menninga addressed the special conditions language; they set out POTW expectations and would be a permit condition that would commit agencies to the funding the IPS too, nutrient monitoring and planning.

The first step is a facility plan - what agencies need to do to remove Phosphorus, anticipated at 1.0 mg/l and what interim incremental improvements can be made to capture P in the interim.

Dan Bounds noted that other communities in Illinois are conducting studies to look at 0.5 mg/l. Menninga stated that the current proposal is to study reducing phosphorus levels to 1.0 mg/l and added that if your facility is looking at 1.0, why not take farther?

Shirley Burger asked whether the permit cycle would start at the date it expired or when it was renewed. Menninga stated that Downers Grove Sanitary District's permit was delayed and was renewed dated at the time of issuance, that seems to be standard practice.

MWRD-GC is seeking a longer commitment because the current proposal leaves open the second permit cycle. Dennis Streicher stated that communication with Illinois EPA would be maintained throughout the first permit cycle. During this time, we have a number of projects identified that span the entire watershed that are anticipated "home runs." The outcomes from these projects would show the validity of the DRSCW's approach and allow for a better informed discussion in 5 plus years.

The current proposal includes in-stream restoration and minimal cost phosphorus reductions where possible. Stephen McCracken stated that by delaying the first permit cycle, members would have time to investigate trading amongst point sources. Simply putting a 1.0 mg/l limit on every plant is an expensive use of taxpayer dollars to achieve a reduction target. Nick Menninga noted that ammonia toxicity is an acute problem that our stressor-analysis has identified which we need to address. The analysis did not identify phosphorus as a proximate stressor.

Ross Hill asked if Al Keller had the authority to decide what goes into the permits. Nick replied that ultimately US EPA makes the final call but we need to convince Illinois EPA first. Our proposal would be easier for both agencies to accept if it had the approval of environmental advocacy groups.

Larry Cox noted that no one has said "no" yet, which would be easy for them to do because what we are proposing is very out of the box. Dan Bounds added that US EPA has been promoting an integrated option to prioritize projects and use funds efficiently – this fits what they have been promoting. No one wants to say "no" to funding projects that are not mandated.

Having all DRSCW permits due at one time is a good thing for watershed based permitting. The DRSCW's approach promotes the watershed context.

Jim Knudsen asked where in the process we are currently. What has to be done and what is scheduled? Stephen said that the latest discussions with the EAGs had not been encouraging. They have advocated for nutrient reductions and remain steadfast that nutrient limits be included in permits and would like the DRSCW to implement proposed projects in addition to making those reductions (which we are not in a position to do).

This begs the bigger question of, "Why would technical watershed groups like the DRSCW spend the time and funds for data and analysis, if their lawyers will end up telling them what to do regardless of what the data shows?"

However, generally the Sierra Club has expressed support for the DRSCW's concept. We are scheduled to have more conversations about our approach and hope for a more favorable response. So far, we have been sending our proposal in piecemeal to Illinois EPA; however, Illinois EPA has not been sharing these communications with US EPA. Illinois EPA will have a final review; then Illinois EPA with DRSCW will present to US EPA. Again, MWRD-GC is advocating for 2-3 permit cycles.

Gary Smith asked how to plan for costs relative to one permit cycle. Menninga stated that with a 1.0 mg/l limit agencies will have a 3-year compliance schedule. Using DGSD as an example, he would spend \$3M in capital costs and \$50-100K for 2 years in Operations and Maintenance (OM) costs. The alternative is .5M in three years and OM over one permit cycle. Special assessment is \$800K. Even if 1.0 mg/l is included at the end of first permit cycle, the current proposal allows for a 5-year delay.

Erik Lanphier asked whether confirmation was given for 1.0 mg/l. Al Keller stated in a meeting last Friday that those POTWs who do not participate in the DRSCW's proposal would see 0.1 mg/l in their permits. Lanphier added that Keller asked what else GBWWA would do if they were not part of Workgroup. This may have been a statement to encourage continued participation in the Workgroup.

Gay Smith asked about the special assessment costs. Larry Cox stated that no changes have been made to the proposed calculations. We had hoped to implement these in the new fiscal year (2014-2015), and now we hope to implement next year (2015-2016).

Larry Cox stated that when you do a facility plan it is important to look into 0.5 mg/l or even 0.1 mg/l. Cox added that over the next five-years, the special assessment does not remain constant – you can't just multiply it out. The initial proposal was \$1.5M in project costs, but step increases were added to generate \$4.5M in the fifth year. We will discuss the special assessment calculations in detail at the April meeting. The savings hinge on claiming the OM cost savings.

Erik Lanphier asked whether DRSCW has polled permittees to see where everyone stands. There has been no formal poll, and no member has said they do not plan to participate. Stephen has talked to a number of members individually. Thus far in the process, we have only had questions.

Chuck Fonte asked about the facility plan. The first 5-years commit POTWs to quantify what they can do now to reduce phosphorus. This includes looking at phases: what will it take for 1.0 mg/l / 0.5 mg/l / 0.1 mg/l?

Stephen McCracken stated in his conversation with Kim Knowles, Prairie Rivers Network, when 1.0 mg/l is in permits, they will likely advocate for incremental decreases (0.5mg/l, then 0.3 mg/l – for weekly averages). This means lower than 1.0 mg/l in permits. More discussion would be necessary with Illinois EPA - 0.1mg/l is at the edge of technical possibility.

Stephen McCracken stated that the DRSCW can be seen as asset to Illinois EPA. We have shown we can be successful in progressing towards aquatic life goals - not just spending public money at POTWs. Our approach provides the best opportunity to delist stream segments. You will not find any such delisting in the Integrated Report due to implemented strategies. Our approach promises to spend less money and get better results.

2. 10:15-10:30 – Chloride Usage Education and Reduction Program Summary

Presentation will review 2013 activities, including the very successful chloride management workshops and the chloride offset program development. Priorities during 2014 include making salt management ordinance language available to local agencies,

encouraging reviews of public levels of service and creating conditions for the private sector to reduce their contributions.

Presenter: Jim Knudsen, Village of Carol Stream

Dan Bounds mentioned that there have been salt stealing allegations in the private sector this year.

3. 10:30-10:45 - West Branch Fish Passage Enhancement

Presentation will address the feasibility of modifying Fawell Dam on the lower half of the West Branch DuPage River. The dam is a vital part of flood control infrastructure but is also a major impediment to fish migration upstream; numerous fish species are limited to the stretch below the dam. Creating fish passage could lead to markedly improved fIBI scores on the upper West Branch.

**Presenters: Sarah Hunn, DuPage County Stormwater Management
Phil Mahoney, V3 Companies**

Dennis Streicher asked whether DuPage County would ever have a need to fully close the gate. Sarah Hunn stated that the gate is fully closed for maintenance only, not as part of its flood control function. The dam's function as a flood control structure depends on raising the gates as the river levels rise.

Dan Bounds asked if the structure's original slope was designed to prevent silting. Phil Mahoney said that it was hard to say if that was an original intent was but he thought that silting would not be an issue post project because of the predicted flow velocity.

Dave Gorman asked if the modification would allow passage for paddlers? Sarah Hunn noted that the area is still enclosed and paddling is not and would not be encouraged. The plan is to have signs indicating, "portage here, dam ahead."

4. 10:45-11:00 - Oak Meadows Forest Preserve Dam

The DRSCW helped finance a river restoration plan for the Oak Meadows Golf Course on northern Salt Creek. In-stream work includes narrowing the channel, removing riprap, and creating in-stream habitat using gravel substrates and woody debris. The Oak Meadows dam removal project was first identified in the Stream DO Improvement Feasibility Study (2006-2009).

Presenter: Andy Selle, Inter-Fluve

Dennis Streicher inquired how long anchored trees would last. Andy Selle said that the question is difficult to answer – he has seen 1000 year old timber in lakes yet other woody material last only a few years. The submerged portion will last longer than exposed portions which are subject to constant wet/dry conditions. The short answer is approximately 10 years. This is why the plan calls for planting a new crop of trees.

Larry Cox noted that the river hasn't been overly straightened in the project area. Selle agreed that most of the project will enhance what is already there. This is very different than what is typical of streams in highly urbanized areas where streams have been straightened. There was some manipulation of Salt Creek where it crosses 290 (to the east a fair bit).

Cox asked what kind of improvement for fish and macroinvertebrate IBI scores was anticipated. Stephen McCracken stated that the mIBI scores could increase 10-15 points

but that fish scores would probably move to 24 from 22. This is because the same species exist up and down stream of the dam. We would need to remove other barriers further downstream at Fullersburg Woods and maybe the Old Oak Brook dam to see improvements over these.

Selle added that adding gravel substrate will directly impact mIBI scores.

Sue Baert made a motion to adjourn the meeting; seconded by Steve Zehner; motion carried unanimously.