

DuPage River Salt Creek Workgroup

December 7th, 2011 Meeting Minutes

10:00 AM - Noon

Venue – Lombard Village Hall, 255 E. Wilson Ave., Lombard, IL 60148
Equivalent of 1 PDH Recognized for Attendance

1. Minutes for October 2011 Meeting (Attachment 1)

Motion to approve the minutes made by Nick Menninga, seconded by Tom Richardson, unanimously approved.

2. **Presentation:** Exploring the Benefits of Watershed-Based Permitting

NPDES permitting, traditionally, has been approached either individually for each POTW and industrial discharger or through the use of a general permit for similar activities, such as in the case of regulating MS4 and construction site discharges. In recent years, USEPA has begun to support a watershed-based approach to NPDES permitting, a process that emphasizes addressing all stressors within a hydrologically-defined drainage basin, rather than addressing individual pollutant sources on a discharge-by-discharge basis. Watershed-based permitting can encompass a variety of activities ranging from synchronizing permits within a basin to developing water quality-based effluent limits using a multiple discharger modeling analysis. The presentation will examine how watershed-based permitting has been used in other areas, the benefits and drawbacks of such a permitting system, and how watershed-based permitting aligns with the overall activities undertaken by the DRSCW.

Presenter: Rob Swanson, DuPage County Stormwater Management Division

This presentation is available on www.drscw.org. Discussion following the presentation included:

Watershed-based permitting (WBP) is under development, with flexibility for how communities implement the process. WBP can be used to broaden discussion about how to work collectively with IEPA to develop solutions for identified problems that are currently outside the scope of the standard permitting process. This process would create a shift in permit timing and permit scope, while streamlining the time and resources need to file the permit. Permit renewal would occur throughout the watershed at the same time providing opportunities for efficiencies, without reducing permit requirements. Each permit holder maintains responsibility for individual limits. This is an iterative process, providing opportunities to reassess as new information becomes available. WBP supports using data such as that the DRSCW is collecting and offers flexibility. Structural improvements may be somewhere down the road.

There can be a trading infrastructure incentive. For example, one community may mentor another to help move to compliance. Member self policing can ensure that the entire group move to compliance. Violators are held responsible individually. Groups may organize permits through a lead agency permit holder. Pilot programs began approximately 7-years ago. Rob said he was in contact with Connecticut for figures on cost-savings. There is

approximately \$500,000.00 in their fund at this time, indicating that trading was working there.

The Nancy Stoner letter, Achieving Water Quality Through Integrated Municipal Stormwater and Wastewater Plans, talks about the financial burden municipalities are facing. It is encouraging and promotes collective pooling of resources. With an integrated approach, maybe we do the steps, but in different order. Current driver is pollutant specific. Over the next 5-10 years ammonia, nutrients, MS4 blending excess flows may be called into question. The IPS tool identified where our problems lie (not here, over there). This would allow us to work with US and Illinois EPA and provide the opportunity to see what we can accomplish with our approach – keeping in mind that we may still have to do theirs. Instead of spending money on xyz we will commit to spend abc to address issues we have identified first. Agencies can redirect public investment into these other areas and commit to spending funds in a different way– there is no legal mechanism to do the projects we are proposing. We understand that this approach does not relieve members of any responsibilities. We would advocate that membership be required. This is a discussion for all DRSCW members, IEPA, USEPA, and environmental groups.

The concept of WBP was the vision when DRSCW was formed. Members can see the benefits for next steps down the road. How to best focus limited resources for a watershed using a prioritized approach. We need participation from regulators. Adaptive Management requires there be a process in place with adequate resources available. We know based on our investigation that we're not getting results at present.

Blending is currently permitted and grant funded by both agencies. WBP would allow us to offer communities alternatives in exchange for them not having to do other IEPA directives. DRSCW can provide X dollars to fund projects (in addition to local match dollars) in the watershed to hopefully get them off the list. DRSCW will continue to monitor results of our efforts. IPEA has been supportive of funding to implement this initiative.

If we get local commitment, local match dollars could be calculated based on: a percentage of what an IEPA directive would cost, annual dues, which local agency is most interested in a project, etc. Continued local match dollars will be required on a recurring basis, and there is the risk that our recommendations will not meet the goals. Our data suggests that aquatic scores will improve. Agencies will be required to spend their dollars on something (blending for example) so why not spend those funds on projects that maximize environmental outcomes– the philosophy is pay now or pay later.

Funding for stream restoration/ habitat project might be a challenge for WWTPs. If there is a WBP and habitat is included, that is the incentive for funding. Compliance with a permit is the only way to make funding feasible. Increasing dues is added protection for how soon an agency would have to implement changes. Phosphorus could also be included. This would provide opportunities to look at habitat (dams, shade, channelization, etc) before setting phosphorus limits downstream for algae.

Next step: Feasibility Study. The Executive Board will continue dialogue with IEPA and USEPA and develop a scope. Motion made to begin feasibility study on WBP made by Larry Cox, second Gary Smith, unanimously approved. If you are interested in actively participating to develop the study contact Stephen or Tara Neff.

3. Presentation: Nutrient Management in Urban Illinois

Over the last few years the IEPA has been working to develop approaches to deal with the issue of nutrients, including point and non-point sources of nitrogen and phosphorus. IEPA is currently under pressure to apply nutrient limits in NPDES permits based on their existing narrative standard for offensive conditions caused by excessive algae and plant growth. In order to implement this concept, IEPA is looking to develop a clear definition of cultural eutrophication, and applying technology-based effluent limits on significant phosphorus point sources where streams are thus impacted. Stream characteristics under discussion include DIEL variation and dissolved oxygen minimums in receiving streams.

Presenter: Jennifer Clarke, Illinois EPA

This presentation is available at www.drscw.org. Discussion following the presentation included:

Larry Cox introduced Sanjay Sofat, IEPA's Acting Director of the Division of Water Pollution Control, who was attending the meeting with Jennifer Clarke.

The septic survey was a desktop activity; no actual sampling occurred. There are entire subdivisions in the study area that are still on septic. The tool is being developed to allow for the mapping of such areas so that local entities can better target education materials. Regarding the Graue Mill Dam, IEPA have reissued permits under the understanding that the dam be removed. However, utilizing an adaptive management approach cannot mean that permittees can push the removal date into the future indefinitely.

The flip side of the argument is that the dam will probably not be removed unless there is pressure from IEPA. The IEPA also wish to address significant issues ASAP, right way if possible, it does not always have a 6-months-from-now timeframe.

IEPA's Nutrient Standard Stakeholder Workgroups:

- 1. Narrative Water Quality Standard (Bob Mosher)*
 - Offensive conditions*
 - Concept- using DO signature*
- 2. Technology Based Effluent P Standard (Al Keller)*
 - IAWA recommendations*
 - What is significant upgrade without expansion?*
- 3. Determining Significant Source of P (Jenny Clarke)*
 - What determines significant P contribution from point sources*
- 4. Low Phosphorus Waters (Bob Mosher)*
 - Preserve low phosphorus waters (antideg standard)*
 - Low P streams must be defined and identified*

The DRSCW will determine which of the workgroup(s) it should be active in. There are no low phosphorus waters in our service area. Bob Mosher has set up a mailing list of stakeholders who wish to be involved or to follow the process.

4. Presentation: Results of 2010 Basin Assessment for Salt Creek

Presentation will be a summary of the results from the 2010 basin assessment in Salt Creek. The part of the basin downstream of the Fullersburg Woods Dam showed partial support of the aquatic life goal. That information allows some conclusions on management of the waterway to be drawn.

Presenter: Stephen McCracken DRSCW

This presentation is available at www.drscw.org. Discussion following the presentation is as follows:

Stephen is reviewing the final draft of the 2010 Salt Creek 2010 Basin Assessment Technical Support Document and will highlight and send specific sections to targeted members for review. A question was asked about the IPS tool and the data shown in the presentation. Stephen said that the IPS tool included data from the 2006-7 basin surveys only.

The projects committee needs to determine whether and when to integrate the new data and how to validate the tool. Other data that could be included may be included might be produced by the Lower DuPage River Coalition; our reference watersheds have biological data but no chemical data. A question was asked about why habitat increased in importance in 2009 as compared to 2007. Stephen responded that higher precipitation in 2010 increased dilution and so decreased concentrations of NH₃ and TKN (both proximate stressors). As a result the correlation between macroinvertebrates and those stressors decreased while the correlation between MIBI and habitat increased. This type of result shows the value of repeat sampling.

5. Project Implementation Finance Update (old business)

Larry Cox stated that he has initiated talks to renew a contract with lobbyist, Charles Vaughn. IEPA has been supportive of funding for the proposed pilot program. As we look toward the future, we must continue seeking sustainable funding. We will address this in more detail at annual meeting.

6. Monitoring Committee (new business)

- Salt Creek Basin Assessment 2010 - Draft report update
- East Branch DuPage River Basin Assessment 2011- All survey items for the year are complete.
Staff will be requesting DMR data and getting the chemistry data into spreadsheets.
- Database RFQ – A contract and scope of work have been agreed upon and signed by both parties (Contractor Geosyntec).

7. Projects Committee (old business)

Topographical screening of stream segments – A contract and scope of work have been agreed upon and signed by both parties (Contractor Inter-fluve).

Inter-fluve will conduct initial screening of stream segments next week. First up is Downers Grove. Stephen will coordinate with Jeff Loster.

- The RFQ for the ammonia (lower East Branch DuPage River) – The committee has chosen to enter negotiations with Huff & Huff. They are developing a scope and fee for consideration by the Projects Committee and the Executive Board.
Stephen said that there was \$50,000 budgeted for developing projects from the IPS tool. That amount should cover both the topo survey and the Ammonia project. Steve Zehner made a motion to allow the projects committee to sign a contract with Huff & Huff with a do not exceed figure of \$30,000.00. Nick Menninga seconded the motion and it was accepted unanimously.
- Churchill Woods Update
The DRSCW will look into scheduling a field trip this spring.

8. Chloride Reduction Report (old business)

Dan Bounds, CDM stated that they are preparing the surveys for 2012.

9. Fecal Coliform TMDL (old business)

10. Watershed Committee Updates –West Branch, East Branch and Salt Creek

No report

11. Business Items

- **Membership 2011 -2012.** (Attachment 2 old business) Two new Associate Members joined the DRSCW since our last meeting: The Morton Arboretum and DuPage County Health Department.
- **Accounts Update** (Attachment 3 old business)
- **Budget and Officers 2012-13**

Executive Board Meeting held on December 1, 2011:

Budget discussion: we will e-mail a draft in mid-January for consideration and approval at the Annual Meeting in February.

Ex-officio: Kevin Buoy, DuPage County, has served 2 terms as President of the Board and will move into a newly created Ex-Officio position.

President: Dave Gorman, Village of Lombard, has served 2 terms as Vice President of the Board and has agreed to serve as President.

Vice President: Sue Baert, Wheaton Sanitary District, has agreed to serve as Vice President of the Board, vacating her Member at Large position.

Secretary/Treasurer: Antonio Quintanilla, MWRD-GC has agreed to remain as the Secretary/Treasurer of the Board.

Member At Large: Robert Swanson, DuPage County has agreed to serve as a Member At Large.

New Member At Large: The Board has initiated discussion with a member to fill this vacancy and have not yet confirmed with the party.

The slate of officers and a copy of the revised Bylaws (Ex-Officio addition, At Large addition, change in date/timeline) will be distributed in January for consideration and approval at the Annual Meeting in February.

- **Other Business** (new business)
- **Grant Management Update** – A grants reimbursement request has been sent to, and accepted by, the IEPA.

12. DRSCW Calendar and Press Coverage (new business)

- The DRSCW has been asked to talk at the Road Salt Symposium on Feb 2nd 2012 in Minneapolis hosted by the Freshwater Society. The subject would be the IPS tool and how we identified chlorides as a priority stressor.
- The DRSCW has been asked to present on the subject of the IPS tool to the IEPA's watershed management division on December 15th in Springfield.
Stephen and Larry plan to attend. If anyone is interested in attending there is one seat still available. Contact Stephen for more information.
- The DRSCW has been invited to speak on chlorides and their impacts on surface water resources at a CMAP workshop on the 17th of December (Future Leaders Workshop).
*The Village of Lisle is not present today. They are accepting a Conservation and Native Landscaping award from the Chicago Wilderness Society today.
The Watershed Science Bulletin accepted and will publish an article written by Stephen and Jim Huff on the Dissolved Oxygen Feasibility Study.*

13. Workgroup meeting schedule

- February 29, 2012 Annual Meeting
- April 25, 2012
- June 27, 2012
- August 29, 2012
- October 31, 2012
- December 5, 2012

Motion made to adjourn meeting made by Tom Richardson, seconded by Nick Menninga and approved unanimously.