

ENVIRONMENTAL MANAGEMENT POLICY COMMITTEE

December 6, 2012

MINUTES

Members/Guests Present: Mike Molnar, Letty Zepeda, Lee Botts, Susan MiHalo, Cathy Csatari, Michelle Caldwell, Maggie Byrne, Leslie Dorworth, Geof Benson, George Adey, Jennifer Gadzala, Mark Reshkin, Laurie Keagle, Mardanna Soto, Jody Melton, Deb Backus, Kay Nelson, Nicole Barker, Charlotte Read, Dennis Rittenmeyer, Bob Daum, Steven Holcomb, Paul Kysel, Larry Jensen, Dorreen Carey, Chandra Viswanathan

NIPRC Staff: Kathy Luther, Meredith Stilwell, Kevin Garcia, Bill Brown

Call to order and Pledge of Allegiance

Chairman Benson called the meeting to order at 9:05 with the Pledge of Allegiance.

Approval of November 1, 2012 EMPC Minutes

On motion by Jody Melton and second by Susan MiHalo the November 1, 2012 EMPC minutes were approved.

Presentations:

◆ NWI Partnership for Clean Water Program – Kathy Luther, NIRPC

Formerly known as Northwest Indiana MS4 Community Partnership, the Partnership focuses on shared stormwater education and outreach programs to support local Governments with Municipal Separate Storm Sewer System NPDES permits. An MS4 community owns or operates a system for collecting and conveying storm water such as pipes or ditches in an urban or urbanizing area. The proposed urbanized area boundaries which will be voted on by the NIRPC board on December 13 were shown. The boundaries are determined by census information, collaboration with local communities and looking at future plans. A brief discussion was held regarding the subject. History of why and how the program was developed was reviewed by Kathy. 23 communities entered into MOUs with NIRPC for 5 year permit cycles from 2005-2009 and 2010-2014 and the entire group agreed on a mutual Scope of Work to be incorporated into each permit. Six Minimum Control Measures (MCMs) required. NIRPC was contracted to handle the public education and outreach, and public participation and involvement MCMs but also helps with the other MCMs. The Scope of work includes classroom and youth outreach; advertising; articles; brochures and materials; training and community workshops; fairs and festivals; partnerships and surveys. Activities for the 2011-2012 reporting cycle were reviewed by Kathy and included detailed information on materials distributed; equipment used; print, on-line, social media and other advertising; fairs and festivals attended; school and youth programs and training workshops. Advantages of the Partnership include NIRPC reports to IDEM and all partners get credit, cost savings of SCALE and a common message for the region. Some of the challenges have been uneven participation by communities, geographic scope, changing State expectations, water quality surveys are expensive, insufficient revenue for both staff hours and a strong media campaign and cost increases vs. static revenue. Some MS4s have hired educators, some want to partner with agencies already in the schools and some want to order their own materials but some communities do not have the capacity to do any of these things. An attempt is currently being made to renegotiate the MOUs, but response has been minimal and the program may eventually disband. If the program remains with less funds, some current events will have to be cut back on. The educator time is already being transferred to air quality education and some transportation areas and won't be available for many things. *Kevin Breitzke spoke about education and his attempt to organize Porter County educators and the limited amount of tax dollars to convey the water quality messages. A discussion was held regarding what monies could and could not be spent on the MS4 program. Dorreen Carey noted NIRPC has done an excellent job bringing the communities to where they are now and making the program regional and assisting with public outreach and involvement, but noted that communities have learned ways to utilize their own staffs and their dollars in a most effective and efficient way.*

NOTE: Upon request by Charlotte Read, Chairman Benson moved the Unfinished Business agenda items of membership and voting, and Pines letter to be ahead of the next presentation.

Unfinished Business:

◆ Membership and Voting

After the November meeting at which a vote took place, a few people approached Kathy asking how voting worked and they did not vote because they were unaware if they could. Kathy updated her membership and voting list and included it in the meeting packet. She reviewed the list with the Committee and noted the other committees at NIRPC only allow one vote per entity. A main voter and alternates may be listed and a representative may vote even if they have not been listed as an alternate. She also indicated some members are not part of an agency, but have been attending EMPC for many years and hold expertise in environmental areas. Kevin Breitzke suggested anyone attending should be welcomed to vote and would like to see more corporations on the list. Lee Botts commented the original purpose of EMPC was communication on issues of common concern and hoped to not get hung up on fine details of who can participate. In response to the comments and suggestions Kathy Luther informed the Committee that very soon EMPC will be able to vote on dollars NIRPC spends from the Transportation Alternatives Program funding and a system beyond whoever shows up needs to be in place and Chairman Benson spoke about EMPC's impact and the need to validate and make a plan regarding voting rules. Any changes to the list should be addressed with Kathy. Suggestions were made to note action items on the agenda that is forwarded to the Committee before the meeting and to take roll call during voting.

◆ Pines Letter

Chairman Benson noted that at the November meeting it was voted five to four for Kathy to draft a letter from NIRPC to the EPA for the EMPC's consideration for recommendation to the Commission. He remarked that since the November meeting Town of Pines Councilman George Adey contacted him requesting the letter be written. A copy of the email from Councilman Adey and the letter drafted by Kathy Luther were included in the meeting packet for review. Kathy tried to capture the concerns as well as awareness of ongoing dialogue between the EPA and the PINES group in the letter. After reviewing all the documents she could find she personally doesn't feel the EPA did anything inappropriate and their action was reasonable, but due to the citizen and town council concerns wrote the letter requesting additional investigation consideration. Also included was a request for education and a better conversation on the topic. Charlotte Read commented that having made the motion for the letter to be written, she doesn't feel it is as strong in favor of a survey as she would like. If approved by the EMPC, the recommendation would be voted on by the NIRPC Executive Board at their December 13 meeting. Kay Nelson stated coal has been extremely well studied and radiation has never been the leading cause of concern in their decision making and coupled with the superfund department looking at risk issues from a conservative standpoint in order to alleviate future responsibility she does not support sending the letter to modify their decision. She would prefer EMPC recommendations to Commissioners to request additional activities and expended financial resources from the EPA to be for issues that have not already been studied. Paul Kysel said he would also like to see the EPA be careful how they spend tax money, but if they directed potentially responsible parties to conduct studies they would not have to spend money. Larry Jensen remarked the EPA sent the PINES group their feasibility study for one of the last phases of the superfund project but the risk assessment section does not include gamma ray exposure data. Kevin Breitzke motioned to forward the letter to the Full Commission with a favorable recommendation. The motion was seconded by Charlotte Read. Chairman Benson remarked the next NIRPC Board meeting is the Executive Board and the Full Commission would not meet until January. He then asked for clarification and Kevin indicated his motion was for presentation to the Full Commission. Charlotte once again noted she would like to second the motion. No further discussion was held and a roll call vote was taken with 7 yes votes, 4 no votes and 7 abstentions. With no definitive voting rules established by the EMPC for how abstentions should be counted, discussion was held regarding voting rules, quorum and Roberts Rules of Order. After the discussion Chairman Benson suggested taking the voting results under advisement and conduct further review on voting rules. Kevin Breitzke motioned to continue the discussion at the January EMPC meeting to present to the Full Commission at the January meeting. Dennis Rittenmeyer seconded the motion and with no objections the motion passed to continue the discussion at the January 3 EMPC meeting. Kevin Breitzke suggested inviting the EPA to have further dialogue concerning the subject. Dennis Rittenmeyer commented that the local universities could be used as resources to review how the surveys were conducted and their results.

Presentations...continued:

◆ 2012 Quality of Life Indicators Report – Environment – Kay Nelson, NWI Forum

The 2012 Indicators Report was published in October and feedback is being requested for the various chapters of the report. As Chair of the environmental action group, Kay has already written two newspaper articles to solicit feedback but only received two comments. She then asked to bring the subject before the EMPC to begin discussion. A feedback form has been developed and was included in the meeting packet. Since only a few people read the chapter before the meeting Kay asked the Committee to read the environmental chapter of the report and using the template feedback form email their responses to Kathy Luther who will then forward them to Kay. Important information is included in the environmental chapter and Kay has concerns with some statements and calls to actions by the report author and wanted to revisit the topic in January to put together responses. Kay stated Kathy would send an email to the group with her (Kay's) agreements and concerns with the Report to initiate the feedback discussion. Dennis Rittenmeyer, Executive Director of One Region/One Vision for Northwest Indiana's Quality of Life agreed with Kay's statements and added in the front of the report is a trending chart and both he and Kay did not agree with the environmental trend. He pointed out there is a problem with lack of data for changes that have been made. He feels it's the best and most complete report to date, but there are issues. Kathy Luther suggested looking at the Quality of Life Report and NIRPC's 2040 Plan together. A copy of the Report can be obtained from One Region/One Vision. *A committee member felt soliciting feedback using Kay's concerns, agreements, and disagreements wasn't the best way to ask for others' opinions on the subject matter and another member wanted to make sure their opinions would be viewed and assessed in an unbiased manner.* After the concerns were brought forth, it was decided the request for comments will be sent out without Kay's opinions and feedback results will be looked at and discussed in a consensus manner. *Further discussion was held regarding the desire to see a coordinated effort to possibly create a data warehouse for the future and the importance and value of participation in such an effort. It was also noted a lot of data is already available and sometimes is just a matter of knowing where to access the information.*

Announcements:

Save the Dunes Holiday Open House

Organization: Save the Dunes

When: Friday, December 7, 2012 / 5:00 p.m. – 7:00 p.m.

Where: Barker House

444 Barker Rd, Michigan City, IN

Contact Info: Nicole Barker 219-879-3564 or Nicole@savedunes.org

Enbridge Public Hearing

Organization: IDEM

When: Tuesday, December 18, 2012 / 1:00 p.m. – 4:00 p.m.

Where: LaPorter County Library

904 Indiana Ave., LaPorte, IN

56th Conference on Great Lakes Research

When: June 2-6, 2013

Information and questions: www.jaglr.org or Leslie Dorworth at Dorworth@purduecal.edu

Funding Opportunities:

Lake Michigan Coastal Awareness Month Funding Support

Organization: DNR – LMCP

**Details: June 13 is Coastal Awareness Month in the State of Indiana. \$10,000 has been set aside for small grants to support CAM events. The \$2,000 maximum per grant can be used for event support, outreach materials, and other appropriate items.

Deadline for applications is **December 20, 2012. Event details should be submitted to coastal@dnr.in.gov by close of business April 15, 2013.

**Information on Grants and event form: www.cam.dnr.in.gov

Department of Energy \$764,000 grant

Organization(s): South Shore Clean Cities along with Wisconsin Clean Cities, the Chicago area Clean Cities and the Gas Technology Institute

**Details: A \$764,000 grant has been awarded to work on overcoming barriers to expanding the use of alternative fueled vehicles in Indiana, Illinois, and Wisconsin.

**Information: South Shore Clean Cities www.southshorecleancities.org 219-644-3690

- Kathy Luther announced there is eligibility for stormwater projects and connectivity in the new transportation bill but the entire funding pot has been reduced by half. Environmental projects will be eligible for 10% and approximately 110k will be available for environmental projects, with a possibility of more if other projects are not submitted. Scoring criteria for environmental projects needs to be reviewed and Kathy asked for volunteers to help her review the criteria with the discussion results to be brought to the Committee in January.
- Kay Nelson announced Judge Tharp ruled in opposition of Michigan's request regarding the Asian Carp issue.
- Susan MiHalo announced GLRI grant proposals are out.
- Leslie Dorworth announced the GLRI Lawn to Lakes booklet which covers sustainable lawn care practiced is now in print and online.

- Nicole Barker announced the Indiana Conservation Alliance prep meeting was held where priorities to lobby for at the state house are discussed. The priorities will be announced when decided. She also asked for the reconvening of the septic task force to discuss possible funding opportunities.
- Mike Molnar announced approval was received for the DNR to refill Colin Highlands former position.

The next EMPC meeting will be January 3, 2013.

Meeting adjourned at 10:52.