

ENVIRONMENTAL MANAGEMENT POLICY COMMITTEE

NIRPC AUDITORIUM, PORTAGE, IN

January 3, 2013

Members/Guests Present: Mike Molnar, Richard Morrisroe, Lee Botts, Andrew Peloso, Cathi Murray, Matt Mikus, Paul Kysel, Larry Jensen, Chandra Viswanathan, Charlotte Read, Abigail Derby Lewis, Jennifer Gadzala, Julie Duttlinger, Natalie Johnson, Geof Benson, Lauri Keagle, Deb Backhus, Linda Wilson, John Sweeney, Leanne Whitesell, Staci Goodwin, Cathy Csatari, Nick Dernik, Michelle Caldwell, Ashley Snyder, Mardanna Soto, Dorreen Carey, Kay Nelson, Vince Griffin, Sandy O'Brien, Mark Reshkin, Kevin Breitzke, Bruce Carter, Nick Minich, Lauren Riga

NIPRC Staff: Kathy Luther, Ty Warner, John Swanson, Steve Strains, Bill Brown, Joe Exl, Meredith Stilwell

Call to order and Pledge of Allegiance

Chairman Benson called the meeting to order at 9:08 with the Pledge of Allegiance and self-introductions.

Approval of December 6, 2012 EMPC Minutes

On motion by Kevin Breitzke and second by Mardanna Soto the December 6, 2012 EMPC minutes were approved.

Presentations:

◆ **Deep River TMDL & Baseline Monitoring** – *Leanne Whitesell and Staci Goodwin, IDEM*

The formal request made by NIRPC for a TMDL (total maximum daily load) and baseline monitoring to be performed in Deep River has been approved by IDEM and is moving forward. There will most likely be a public meeting in March, sampling will begin in April and the report should be completed in the fall of 2014. Stakeholders will be looked to for input. IDEM will also be working with the universities on modeling. The 35 sites being looked at is a much greater number than a grant would fund. Flow is also going to be monitored at each sub watershed point. Although no decision has been made yet regarding NIRPC's 319 grant application to update the Watershed Plan, this year's application is much stronger and more competitive. It was pointed out that IDEM is required to go to any watershed that has an impaired water body. Typically five weeks of Ecoli testing and three samples for general chemistry and nutrients are completed but longer and more extensive testing will be done. That information will be used to determine what is causing the impairments in the waters of the Deep River Watershed and shared with watershed groups to build a management plan. Chairman Benson voiced his excitement that this is the first time that the EMPC as a representative body of interested parties has asked IDEM as a regulatory agency to complete a TMDL and it is taking place and is a really big deal. The IDEM representatives noted this is being looked at as a pilot project on how to address some things. A brief discussion was held regarding the enforcement of TMDLs and the permitting community enforces those issues.

◆ **2013 Indiana Chamber of Commerce Legislative Agenda** – *Vince Griffin, IN Chamber of Commerce*

Environmental Director Griffin discussed 2012 election results which resulted in 25 freshmen legislators elected to the Indiana House and 4 to the Senate and newly elected Indiana Governor Mike Pence. The 2013 General Assembly will begin January 7 and has to end before May 1, 2013. The Environmental Quality Service Council came up with three recommendations which were 1) the Environmental Rules Board have a full-time independent staff; 2) Prohibit solid waste management districts from permitting motor vehicles; and 3) Increase funding and promoting the use of historical insurance policies for brownfield clean-up. Director Griffin mentioned several possible issues he feels might be arise in 2013 and discussed several water issues in Indiana.

Unfinished Business:

◆ **Action Item – Pines Letter**

Due to the need for clarity of voting procedures, it was decided at the December meeting to continue the draft Pines letter discussion at this meeting. It was voted on at the last meeting with 7 for, 4 against, and 7 abstentions. Since the last meeting it has been determined that abstentions are as if no vote has been cast and the vote would have indeed passed as a 7 to 4 vote and could have gone to the full commission. Chairman Benson stated however in the meantime newspaper articles have been written and the PINES group and the EPA have come to a perceived solution at this point. A letter from the EPA, dated December 21, 2012, to Kathy Luther stating further activities to be conducted was included in the packet for review. Kay Nelson made motion to place the original request to send the letter to the EPA on hold until

the activities outlined in the December 21, 2012 letter can be completed and reported upon. Lee Botts seconded the motion. Charlotte Read commented the December minutes discussed EMPC membership and voting procedure and feels the EMPC and NIRPC need to make a decision regarding membership and voting rules. Kathy noted NIRPC's attorney was consulted and NIRPC goes by Committee's Chairman's rules. She briefly touched on the fact that after having email discussions with some of the members many of the abstentions from the vote at the December meeting were from University representatives who were not comfortable representing their universities but would have felt better representing themselves as professors in their fields of expertise. Those individuals are now on the membership list as representatives for themselves in their respective fields as opposed to representing their universities. After discussion, Chairman Benson called for a vote asking for ayes and nos. With only two no votes, the motion to place the request to send a letter for further study of the Pines site on hold until activities outlined in EPA letter dated December 21, 2012 are completed and reported upon passed. It was made clear that there is still opportunity to revote on sending the draft letter to the EPA if the results are not found to be satisfactory. Doreen Carey asked if the PINES Group had anything to say to which PINES president Paul Kysel stated the PINES Group and the EPA have not had any conversations directly and as much as the EMPC has discussed this, feels the Times and some pressure has helped tremendously. They are not terribly impressed by EPA's offer because it is the responsible parties who are doing the science and their conclusions from day one have been the same; there is no problem in the town of Pines. The EPA is proposing to look at 10 residences to see if there is a problem and the PINES Group has not been impressed to date with their science and feels the chances of their methodologies used finding radioactive is like finding a needle in a haystack. The PINES Group will continue to challenge the EPA every step of the way and have drafted a precise methodology they hope will be followed and have asked the Town of Pines Town Council to sign on to it and send it out to the EPA. The PINES Group will provide a copy of a letter of the methodology they are proposing to Kathy for distribution to EMPC. Pines Town Councilwoman Cathi Murray commented this started in 2001 and the community has lived with this and they have tried to work with the EPA for 12 years.

◆ **Indicators Report** – *Discussion and Feedback – Kay Nelson, NWI Forum*

Kay stated she has gotten very few responses and has had many discussions with Kathy on how to move this forward. She has gotten criticism on the template but is not a template she created and one that has to be used. She noted the report has to marry and partner with NIRPC's 2040 Comprehensive Regional Plan. She would like to create a subcommittee that would meet directly after EMPC meetings for the next few months to go through the chapter. The first step is to look at the aspirational statement and determine if it is effective. At this point what is in the report can't be changed, but the sub-committee will be looking for what needs to be changed for the next report. A sign-up sheet was passed around for the sub-committee volunteers. The first meeting of the sub-committee will be after the February EMPC meeting.

Announcements:

A Special Thank You & Farewell to John Swanson and Welcome to Ty Warner

Organization: NIRPC and NIRPC Executive Board and Commissioners

When: Friday, January 18, 2013 / 4:00 p.m. – 7:00 p.m.

Where: NIRPC

6100 Southport Rd. Portage, IN 46368

Contact Info: Mary Thorne 219-763-6060 ext. 131 or mthorne@nirpc.org

Project Design & Evaluation Workshop

Organization: IDNR, NOAA and IN Lake Michigan Coastal Program

When: March 5 – 6, 2013, 8:30 a.m. – 4:30 p.m.

Where: Indiana Dunes State Park Nature Center Auditorium

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1600 North 25 East, Chesterton, IN 46304

RSVP: by 2/17/2013 to coastal@dnr.in.gov

The next EMPC meeting will be February 7, 2013.

Meeting adjourned at 10:37 a.m.