

ENVIRONMENTAL MANAGEMENT POLICY COMMITTEE

NIRPC AUDITORIUM, PORTAGE, IN

October 3, 2013

Members/Guests Present: Lee Botts, Michelle Caldwell, Ashley Snyder, Richard Morrisroe, Matt Mikus, Kevin Breitzke, Charlotte Read, Deb Backhus, Lauri Keagle, Leslie Dorworth, Mardanna Soto, Courtney Blouzdis, Mike Milatovic, Erin Nolan-Higgins, Michael Kuss, Mark Reshkin, Brenda Scott-Henry, Dan Plath, Chandra Viswanathan, Kay Nelson, Tina Tabisz, Jim Micheals, Bill McNeill, Arber Himaj, Nick Minich, Paul Vicari, Jennifer Gadzala
NIPRC Staff: Kathy Luther, Meredith Stilwell

Call to order and Pledge of Allegiance

Chairman Breitzke called the meeting to order at 9:07 a.m. with the Pledge of Allegiance and self-introductions.

Approval of September 5, 2013 EMPC Minutes

On motion by Charlotte Read, second by Michael Kuss and no opposition the September 5, 2013 EMPC meeting minutes were approved as presented.

Presentations:

a. Michigan City Sanitary District – Agreed Order Compliance Progress Update –

Michael Kuss, General Manager-Sanitary District of Michigan City

Michael introduced the staff of the Sanitary District present at the meeting. His former position at IDEM included completing inspections of wastewater treatment facilities and he was asked to complete a complaint investigation with reference to unreported alleged overflows of the sewer system as well as general maintenance issues at the Michigan City wastewater facility. The allegations, which also included safety issue complaints, were brought forth by Ron Meer a worker in the collections group who was eventually terminated for not completing proper protocols. A complaint was also made to OSHA and the district was found to be in violation of some regulations. Meer, who was a City Councilman at the time ran for and was elected Mayor of Michigan City and approached Michael about working for him in the Sanitary District. Michael accepted requesting the General Manager position, which he was awarded and took over in January 2012. State of Indiana Ethics rules have stipulations regarding a person working for facilities they have formerly inspected, but one of the provisions for allowance if it is in the public's interest and a waiver is provided by the Attorney General's Office. A request was submitted to the Attorney General's and a waiver was granted. Many problems existing, but as a Class 4 and Class D Certified Operator Michael knew about proper reporting and felt he could help.

The first thing completed was an engineering firm was hired to complete a facilities assessment for the entire collection system, lift stations and treatment plant to identify all problems and needed improvements. The assessment was a good collaboration between the engineering firm and employees. Funding was needed to implement improvements so a five year Capital Plan was created and resulted in staff reorganization and a rate increase of around 36% for the average homeowner. The rate was structured so bigger users pay more because of their capacity. The largest user is the prison which was notorious for dumping anything and everything down the sewers which was clogging the sewer system. A manual bar screen was installed at the end of the prison and mission control floats were also used to notify the Sanitary District as well as the prison in case of backups. One of the facility assessment plans was to install an automatic bar screen. Although originally identified as about a \$300k project, it is now up to around \$1.5m because expenses are not being spared for the state of the art dual bar screen system. The prison is paying for the project and donated the land to the City which will be in charge of operation and maintenance.

Other problems identified in the facilities assessment involved equipment and vehicles, and staffing issues including problems with departments not working together. Reorganization was completed involving combining the plant superintendent and superintendent of collections jobs into one position and name change to Water Reclamation Department. The Sanitary District is also in charge of the refuse department. Two assistant superintendents were appointed below the superintendent and are the assistant superintendent of collections systems and assistant superintendent of plant operations and maintenance. An agreed order had been signed by IDEM and the previous administration before Michael was in charge of the Sanitary District requiring the immediate actions of staff training; better monitoring of the sewer system and plant; proper reporting and the putting together of specific improvement plans. Michael noted Mayor Meer truly cares about and is committed to fixing the problems and Attorney James Meyer has been very helpful.

Staff training has been provided. Improvement plans were developed for the sewer system; wastewater treatment facility and vehicle equipment acquisition. Other items added included sand filtration and diffuser cleaning. Improvement lists with implementation schedules and some project examples were given for the sanitary system; lift stations; vehicle, equipment and machinery; wastewater treatment plant; IT Department and Sand Filter Bypass. Michael presented a completed table noting there are 99 projects and items to be completed and currently 50 are done.

The City is required to do a Municipal Separate Storm Sewer System (MS4) and was formerly in a five member group which wasn't going well and they were in non-compliance. They decided to go out on their own for permitting and compliance and has tasked an engineer for that purpose. Stormwater monitoring has been implemented for the major sewers and is done once a week. At least one EPA priority pollutant toxic scans has been completed on the Cheney Run sewer which is a 108" storm sewer that goes into Trail Creek. In order to make the water cleaner before it goes into Trail Creek a LAAR grant was applied for and a wetland treatment system is being looked into to be placed at the end of the pipe. A daylighting system is also being looked into upstream of Cheney run to provide treatment. The Trail Creek Watershed group meets once a month and Natalie Johnson from Urban Waters serves as meeting facilitator. One project that came out of the group was the Karwick landfill project which was explained and before and after pictures provided by Michael. It is a temporary fix and requests for proposals have been received for engineering to develop a long-term solution.

Public education and outreach has involved bringing the W G Jackson boat, a research vessel with a full lab inside, into Michigan City the first Friday in June. An art contest was also held at the Lubeznik center for stormwater drawings for sewer grates.

Discussion followed the presentation regarding an award the Michigan City sewer treatment previously received from Region 5 EPA for stormwater improvements made and how it relates to the condition the system was in when Michael took over. Michael noted that sometimes when an award is received afterward when little things start going wrong the attempt is to hide them instead of addressing the problem. He also wanted to clarify that while there were problems with the conditions at the Michigan City Sanitary District facility, the true problem was in the reporting of problems. A brief discussion was held regarding streetscape projects being completed without fixing the underlying sewers and how to avoid that happening with a checks and balances system and leadership that wants it done correctly and possibly developing procedures with INDOT. A comment was given that there is no watershed group more active or passionate about improving the Trail Creek than Trail Creek Watershed group.

a. Livable Centers – Eman Ibrahim, NIRPC Planning Manager

As part of recommendations and strategies of the 2040 Comprehensive Regional Plan, the Livable Centers Project was developed as part of implementation and will be completed by the end of October 2013. A livable center features many different uses in a compact area and gives people the opportunity to accomplish various activities without using a car. Some of the reasons why livable centers should be developed result from high gas prices, environmental impacts and funding shortfalls for transportation projects; they also reduce congestion, vehicle miles traveled and reduce single-occupant vehicles trips.

Eman reviewed the basic elements of livable centers some of which include compact use; short block lengths; neat and distinctive design and good access. The different center sizes are classified by metro, large, medium or small and are based on population. To implement the project, boundaries needed to be developed for each community's livable center(s). Part of the reason to define the boundaries is to help establish eligibility for a new funding program that will fund projects within those boundaries. Before meeting with the communities, NIRPC's livable centers team complete preliminary analysis using GIS to identify preliminary livable center areas; analyzed plans and codes to identify preliminary livable centers and gathered data to complete a livability checklist for preliminary centers to the fullest extent possible. The project team met with 19 communities to further define the centers and also met with transit operators to discuss a transit area/station boundary within 1/2 mile. In addition, a small communities workshop was held September 5 for the remaining 22 communities.

Next steps are to send descriptive reports and maps for review by town and city staffs. Creating Livable Communities (CLC), the new funding program through the Surface Transportation Program will provide grants to fund planning projects or pre-development plans that revitalize existing centers, neighborhood, downtown transit stop or transit corridors and to prepare projects to complete for grants in the Capital Projects category. \$400k has been allocated for two years and grants require 20% match. The livable centers map will be taken to the NIRPC Board meeting in October for adoption. The CLC application should be released by November 1 and only those areas defined on the adopted livable centers map or transit area map will be eligible for the CLC funding program. The transit area map was shown. Criteria for the funding program was provided by Eman. Examples of issues, projects and final livable centers map were shown.

Discussion followed the presentation and Kathy clarified that the defined centers are areas with good bones where the structure is already there to make the area livable with livable center features. Some communities are already using those good bones and the grants are there to help communities have a place to start. Chairman Breitzke voiced that he has been involved in some of the meetings over the couple of years and city planners, administrators, elected officials and even citizens have exchanged a lot of good ideas have been exchanged in these meetings. Basically the scope is being broadened and there is a lot of communication and even if the grant is not received, it is a good idea and worth discussing. It is an idea in practice but is not as expansive as hoped for yet. Changes are being made in transportation funding program criteria is changing to encourage development within urban core communities. This not a program just to create a plan that will sit on a shelf and NIRPC will monitor what is being done with planning developed using the funding. Mostly the Mayor, planning staff and public works of cities have towns have been involved and it was encouraged for citizens to be involved. The funding can also be used for planning design which is referred to as pre-development. As part of Group 1 STP funding the first CLC round is for Lake and Porter County only. LaPorte County's STP funding was all allocated for a transportation project this year so planning funding could not be allocated for the CLC funding. Work will continue with them in hopes of getting planning funding next year.

NIRPC Business:

Kathy discussed a press release regarding the Deep River/Portage Burns Waterway 319 grant received by NIRPC. The project will start in January and all stakeholders in those watersheds will be included in discussions of plans. IDEM has also been monitoring and sampling preparing the TMDL for the watershed and are hosting a Deep River monitoring field day on October 23 at Deep River County Park.

During the last meeting discussion was held regarding the Natural Resources Commission on who is on the Commission and how appointments are made. There are 12 members, six of which are Governor appointed; two of whom must have knowledge, experience or education in the environment or in natural resource conservation and no more than three of may be of the same political party. There is no geographic distribution requirement. Of the citizen members, two are from Fort Wayne; one from Terra Haute and the rest from the Indianapolis area. The remaining members are comprised of commissioners or presidents (or their designees) of IDEM; INDOT; Office of Tourism; the department; the Indiana academy of science and the chairperson of the advisory council established by IC 14-9-6-1. Chairman Breitzke felt there might be of greater impact if the members of the group as citizens of northwest Indiana communicate their interest for a representative from the area. Discussion was held as to the best way to convey that interest with result being a motion from Charlotte Read to raise the issue to the NIRPC Commission. With second from Lee Botts and no opposition the motion passed and will be reported to the commission by Chairman Breitzke with his EMPC meeting report.

Announcements:

- Kathy announced the dates, locations and times for four public meetings being held regarding the proposed amendment to the 2040 CRP with the Illiana project.
- Various upcoming events and activities were announced. The announcements will be forwarded to the Committee in an email.

The meeting adjourned at 10:55 a.m.