

Hinkson Creek
Collaborative Adaptive Managements
Stakeholder Committee Meeting

January 23, 2014

Members Attending: Diane Oerly, Don Stamper, Frank Gordon, Shawn Grindstaff, Jeanine Pagan, Joe Engeln, Jonathan Sessions, Commissioner Karen Miller, Paul Land, Ben Londeree, Hank Ottinger, Councilwoman Barbara Hoppe, Larry Hubbard

Members Absent: Nathan Odle, Paul Mehrle, Jay Turner

Guests:

1. Welcome and Introductions (Shawn).

The meeting was called to order; introductions were made by Shawn.

2. Approval of Last Meeting Minutes (Committee).

The minutes were approved on an Ottinger/Hoppe motion.

3. **Collaborative Adaptive Management Deliberations (Shawn and Committee).**

Shawn began by summarizing many of the positive steps the committee has taken. Questions arose concerning the directions that will be taken this coming year, and what significant milestones might be anticipated. A soon-to-be-written comprehensive report addressed to all entities participating to the agreement might well be a starting point to answer these questions.

Shawn referred to the Legal Agreement Settlement (Number 17, page 12 of 21), in which periodic reports are called for, noting that such a report summarizing the activities of Stakeholder Committee will be prepared each year, and this report should be included as part of the annual reports by Section 5.3 of the permit teams MS4 permit or made reference to in other documents prepared at the request of either MDNR or EPA.

The regulating authorities understand there is a significant amount of time spent on education and orientation of all involved parties, but it's now time to go ahead and put something together.

- Karen committed to having a draft of significant points at the next meeting. Her intention is to review the minutes and pull out the motions. What did we formally agree to through via motions and vote? What did we not agree to but were submitted? Once we approve a draft as the CAM Committee, it can be presented to all five partners, EPA, MDNR, the County Commission, the City Council and the University administration.

Details are on the website, but we should scale the report down to an executive summary. The report should link to supportive documentation and relevant information used to arrive at these decisions.

Mr. Stamper asked if there is an end game to the long-term process. The Settlement Agreement refers to different scenarios, Shawn said. Mr. Engeln reviewed the basics and answered a few questions.

1. Known pollutants: if we can identify the pollutants, then we can either continue the CAM process or the MS4 can go the more traditional route and work to remove the pollutant(s).

Karen asked how are we going to identify that pollutant by our study? A number of studies might contribute to this determination.

A second way to a conclusion would be to establish that the Hinkson is meeting all the water quality standards for this type of stream. If that were the case the Hinkson would be changed from impaired to some other category.

2. Sampling: Mr. Engeln stated that there is not a set number of samples taken that would lead to an improved designation, but the last time such a process was undertaken, there were six samples

taken over three years. The next opportunity for this to occur will be in 2016. In talking to our scientists we felt that three years and sampling once in the spring and once in the fall was the minimum that would be necessary, and that is why MDNR committed to do those tests. Because of difficulty with sampling due to water levels, there was no fall data for last year.

Engeln added that all streams are classified every two years. Thus, DNR has proposed no changes for Hinkson Creek for 2014 since there is insufficient data. Recall that in our original schedule we never expected to make a decision for 2014 since there would not be enough data.

Question: Did the two spring 2012 assessments indicate the creek was meeting water quality standards?

Answer: The two spring data assessments were good. Those taken in Fall 2012, following a serious drought, was partially supporting. Many staffers were surprised the samples were as good as they were, given the low water levels

Discussion followed about what impact improvements are having that were already planned by the three local partners.

Councilwoman Hoppe asked if the Stakeholders could suggest projects that would be helpful and that might be funded by the upcoming park tax renewal, the thought being that the protection of lands might slow runoff. The group wasn't sure that was our role.

Regarding future actions, Councilwoman Hoppe raised the need to look at opportunities to acquire natural areas that serve important storm water protection functions. One of these was raised by the CAM stakeholder group in its brainstorming list (#5: 38 acres south of Bluffdale Drive and west of Old 63). This idea/suggestion had been raised in earlier meetings and identified as "low-hanging fruit" that might be partially funded with upcoming or existing city

parks tax money to acquire natural areas. Discussion followed concerning the role of the group in suggesting storm water improvements such as the above as well as suggesting funding mechanisms. No specific conclusion or recommendation was reached, and this was left open for further discussion.

Ben Londeeree raised concerns about building on and/or filling in flood plain and whether or not the group should recommend no further building in flood plains. Discussion centered on differences between flood plain and flood way, the former being wider than the latter. Joe Engeln said he could provide data about in fill within a flood plain, and look at FEMA maps of the Hinkson watershed.

The agenda for future meetings was discussed, mentioning citizen engagement and preliminary habitat assessment results. The science team is trying to get into sync with the budget cycle of the local entities with future recommendations.

Shawn asked the Science and Action teams how they could incorporate the concerns of the Stakeholder discussion in their recommendations.

It was suggested the University, City, and County would address risk through policy. Much of the policy has been enhanced over the last few years after the Hinkson was listed.

The meeting adjourned at 5:22 p.m.