

Agenda

Environmental Protection Commission

Wednesday, February 19, 2025

Teleconference: 661-615-8170 PIN: 219 411 781#

Video Conference: meet.google.com/fdw-vjzq-wcs

Wednesday, February 19, 2025

10:00 AM – EPC Business Meeting

If you are unable to attend the business meeting, comments may be submitted for public record to Alicia Plathe at Alicia.Plathe@dnr.iowa.gov or 6200 Park Ave, Des Moines IA 50321 up to 24 hours prior to the business meeting.

1	Approval of Agenda	
2	Approval of the Minutes	
3	Monthly Reports	Ed Tormey (Information)
4	Director's Remarks	Kayla Lyon (Information)
5	Contract with The United States Department of the Interior-Geological Survey (USGS)-Beach Monitoring	Jason Palmer (Decision)
6	Contract with Iowa Association of Municipal Utilities (IAMU)-Training and Onsite Technical Assistance for Targeted Public Water Supplies	Laurie Sharp (Decision)
7	DNR's Nonpoint Source Strategy Presentation Part 2	Steve Konrady (Information)
8	General Discussion	
9	Upcoming Meetings	
	<ul style="list-style-type: none">• Tuesday, March 18, Des Moines• Tuesday, April 15, Des Moines	

For details on the EPC meeting schedule, visit <http://www.iowadnr.gov/About-DNR/Boards-Commissions>

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¹Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

Any person with special requirements such as those related to mobility or hearing impairments who wishes to participate in the public meeting should promptly contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or Webmaster@dnr.iowa.gov to advise of specific needs.

Utilize bookmarks to transition between agenda items or progress forwards and backwards in the packet page by page with the Packet Page number on the agenda.

The upper right-hand corner will indicate the Agenda Item Number and the page of the agenda item.

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Iowa Department of Natural Resources
Environmental Protection Commission

#5

Decision Item

Contract Amendment #3 to 16ESDWQBKAMEN-0009, Original Contract for the Silver Creek (Clayton County) Watershed Project

Commission approval is requested for a contract amendment with Iowa Department of Agriculture and Land Stewardship, of Des Moines, Iowa.

Amendment #3
Terms: Additional funds for Original Tasks, funding agricultural best management practices (BMPs) for fall 2020 construction
Amendment Amount: \$45,600
Amendment Dates: August 19, 2020 to December 31, 2020
Funding Source(s): EPA Clean Water Act Section 319 grant number 00740423

Amendment Purpose: The Silver Creek (Clayton County) Watershed Project has been active since 2007 and has been successful in its goal of reducing the sediment and nutrient levels of Silver Creek. Upon its completion, this Contract will conclude the Silver Creek Watershed Project and a success story will be jointly published by the EPA and the DNR in the near future. Nutrient reduction work in the Silver Creek Watershed will continue through the expanded Clayton County Water Quality Initiative project conducted by IDALS.

Amendment #3 will increase the funding of the Contract to allow for the final installation of agricultural BMPs in the fall

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Bookmarks

Agenda Item Page

**MINUTES OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING**

December 17, 2024

**Video Teleconference
and
6200 Park Ave.**

Approved by the Commission **TBD**

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Meeting Minutes

CALL TO ORDER

The meeting of the Environmental Protection Commission (Commission or EPC) was called to order by Acting Chairperson Amy Echard at 10:00 am on December 17, 2024 via video/teleconference attendees.

COMMISSIONERS PRESENT

- Patricia Foley
- Roger Zylstra
- Lisa Gochenour
- Kyle Tobiason
- Harold Hommes
- Lisa Gochenour
- Amy Echard

COMMISSIONERS ABSENT

- Rebecca Dostal
- Jim Christensen
- Mark Stutsman

APPROVAL OF AGENDA

<i>Motion was made by Harold Hommes to approve the item as presented. Seconded by Kyle Tobiason.</i>
<i>The Acting Chairperson asked for the Commissioners to approve the agenda by saying aye. There were no nay votes.</i>

APPROVED AS PRESENTED

APPROVAL OF MINUTES

<i>Motion was made by Roger Zylstra to approve the item as presented. Seconded by Lisa Gochenour.</i>
<i>The Acting Chairperson asked for the Commissioners to approve the Minutes of the November 19, 2024 meeting by saying aye. There were no nay votes.</i>

APPROVED AS PRESENTED

MONTHLY REPORTS

- Division Administrator Ed Tormey informed Commissioners of the 50th anniversary celebration of the Safe Water Drinking Act. Mr. Tormey provided several statistics about Iowa’s drinking water, noting that the state has 1800 public water supplies serving nearly 93% of Iowans with upwards of 4000 highly skilled operators throughout the state. He also mentioned that all of Iowa’s public water supplies have submitted their lead service line inventories, which were due to EPA by October 2024.
- As a response to an inquiry from Commissioner Foley, Mr. Tormey also noted that Iowa DNR plans to comment on EPA’s 303(d) impaired waters list before the end of the extended comment period.

INFORMATION

DIRECTOR’S REMARKS

- None

Theresa Enright requested Commission approval for the FY 2025 third quarter update of the Clean Water and Drinking Water SRF.

Public Comments – None

Written Comments – None

Motion was made by Harold Hommes to approve the items as presented. Seconded by Patricia Foley.

Roger Zylstra-aye, Harold Hommes-aye, Lisa Gochenour-aye, Rebecca Dostal-absent, Kyle Tobiason-aye, Jim Christensen-absent, Patricia Foley-aye, Mark Stutsman-absent, Amy Echard-aye. Motion passes.

APPROVED AS PRESENTED

ASSIGNMENT AND ASSUMPTION CONTRACT-WATER STORAGE SPACE IN SAYLORVILLE RESERVOIR

Bradley Adams requested Commission approval for a contract for water storage space in Saylorville Reservoir. Mr. Adams clarified that the new contract was drafted because of the name change of Des Moines Water Works to Central Iowa Water Works.

Public Comments – None

Written Comments – None

Motion was made by Roger Zylstra to approve the items as presented. Seconded by Kyle Tobiason.

Roger Zylstra-aye, Harold Hommes-aye, Lisa Gochenour-aye, Rebecca Dostal-absent, Kyle Tobiason-aye, Jim Christensen-absent, Patricia Foley-aye, Mark Stutsman-absent, Amy Echard-aye. Motion passes.

APPROVED AS PRESENTED

FLOODPLAIN PROGRAM STRATEGIC PLANNING CONTRACT WITH WSP USA ENVIRONMENT & INFRASTRUCTURE INC.

Jon Garton requested Commission approval for a contract with WSP USA Environment & Infrastructure Inc. to assist in the creation of Iowa’s floodplain program strategic plan.

Public Comments – None

Written Comments – None

Motion was made by Patricia Foley to approve the items as presented. Seconded by Amy Echard.

Roger Zylstra-aye, Harold Hommes-aye, Lisa Gochenour-aye, Rebecca Dostal-absent, Kyle Tobiason-aye, Jim Christensen-absent, Patricia Foley-aye, Mark Stutsman-absent, Amy Echard-aye. Motion passes.

APPROVED AS PRESENTED

DNR’S NONPOINT SOURCE STRATEGY PRESENTATION

Lori McDaniel gave a presentation to Commissioners that included an overview of the Clean Water Act and how it is implemented in the state of Iowa as a foundation of Iowa’s nonpoint source program. Ms. McDaniel noted that a more in depth presentation on the DNR’s Nonpoint Source Strategy structure and decision making will be delivered to Commissioners during the January EPC meeting.

Public Comments – Wally Taylor provided comments on the Nonpoint Source Strategy presentation and urged Commissioners to ensure all required development of TMDLs be completed.

Written Comments – None

Motion was made by Rebecca Dostal to approve the item as presented. Seconded by Amy Echard.

Roger Zylstra-aye, Harold Hommes-aye, Lisa Gochenour-aye, Rebecca Dostal-absent, Kyle Tobiason-aye, Jim Christensen-absent, Patricia Foley-aye, Mark Stutsman-absent, Amy Echard-aye. Motion passes.

APPROVED AS PRESENTED

GENERAL DISCUSSION

ADJOURN

Acting Chairperson Amy Echard adjourned the Environmental Protection Commission meeting at 11:00 am on December 17, 2024.

ADJOURNED



Fourth Quarter Chemical Spill, Manure Release and Wastewater By-Pass Report

(Quarterly report to the Environmental Protection Commission)

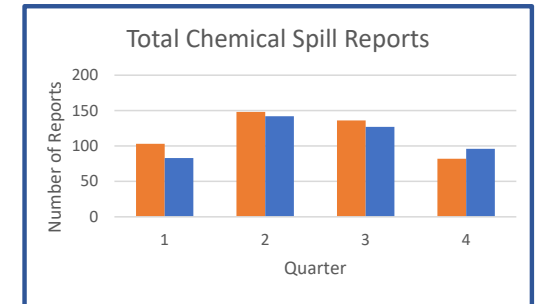
Chemical Spills

During the period October 1, 2024, through December 31, 2024, 96 hazardous conditions were reported to the department (567 IAC 131.2 (455B.386)). This does not include releases from underground storage tanks, which are reported separately.

		Total Chemical Spills		Substance						Mode			
				Agricultural		Petroleum		Other Chemicals*		Transportation**		Fixed Facility	
Quarter	Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year
1st	2024	83	103	2	2	62	79	27	26	28	38	55	65
2nd	2024	142	148	26	31	89	82	44	51	53	59	89	89
3rd	2024	127	136	8	9	57	75	68	60	45	42	82	94
4th	2024	96	82	22	12	54	40	30	49	42	31	58	51
Calendar Year to Date		448	469	58	54	262	276	169	186	168	170	284	299

chemicals

** Transportation includes: water transportation, vehicle transportation, rail transportation and pipeline transportation. All other types of incidents are considered fixed facility.



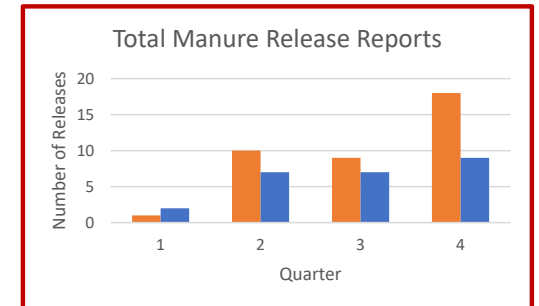
Previous Year
Current Year

Manure Releases

During the period October 1, 2024, through December 31, 2024, 9 manure releases were reported to the department. 567 IAC 65.2 (455B, 459, 459A, 459B)

		Total Reported Manure Releases		Impacts to a Water of the State		At an Animal Feeding Operation (on-site)		Not at an Animal Feeding Operation (off-site)*	
						Current Year	Previous Year	Current Year	Previous Year
Quarter	Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year
1st	2024	2	1	0	1	0	1	2	0
2nd	2024	7	10	2	10	7	7	0	3
3rd	2024	7	9	3	3	3	5	4	4
4th	2024	9	18	4	2	2	9	7	9
Calendar Year to Date		25	38	9	16	12	22	13	16

* Off Site includes: transportation and land application related incidents.

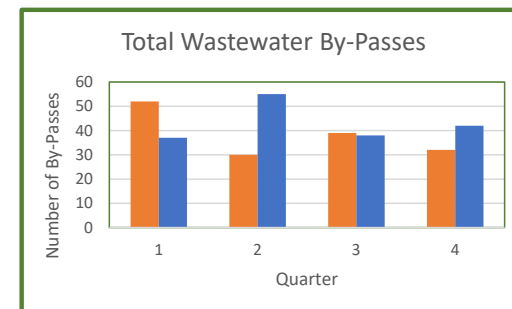


Previous Year
Current Year

Wastewater By-Passes

During the period October 1, 2024 through December 31, 2024, 42 wastewater by-passes were reported to the department (567 IAC 63.6(3) (455B.186)). This does not include by-passes resulting from precipitation events (including flood water infiltration) or bypasses resulting in basement backups.

		Total Wastewater By-passes		Average Length (days)		Average Volume (gallons)		Reported Fish Kills	
Quarter	Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year	Current Year	Previous Year
1st	2024	37	52	0.317	0.429	0.208	0.981	0	0
2nd	2024	55	30	0.745	0.332	1.095	0.036	0	0
3rd	2024	38	39	0.363	0.418	0.241	0.034	0	0
4th	2024	42	32	1.282	0.368	0.07	0.021	0	0
Calendar Year to Date		172	153					0	0



— Previous Year
— Current Year

Iowa Department of Natural Resources
Environmental Protection Commission

Item #5

Decision Item

Contract Amendment #1 to the contract with THE UNITED STATES DEPARTMENT OF THE INTERIOR – GEOLOGICAL SURVEY (USGS), 23-ESD-WQB-JPALM-0001

Commission approval is requested for a contract amendment with the USGS

Amendment #1

Terms: Additional funding, tasks and time extension

Amendment Amount: \$ 137,100.00

Amendment Dates: February 19, 2025 to October 31, 2026

Funding Source(s): Clean Water Act Section 604 (75%) and Section 106 grants (25%)

Amendment Purpose: This contract extension will add funding and extend the length of the current contract. The additional funding will be used to pay for the analysis of an additional year of sampling.

Original Contract Purpose:

The DNR has been collecting E. coli bacteria samples at public beaches for many years and has just recently been adding source tracking and pathogen sampling to some of these systems. This contract amendment will further DNR's ability to understand the nature of the problems at Iowa public beaches by expanding the number of locations and samples the DNR is able to obtain for these additional parameters.

These efforts are an expansion of the beach bacteria investigation efforts that were highlighted in a presentation during the December 2022 EPC meeting. Highlights of these efforts are outlined in the attached fact sheet.

Original Selection Process Summary:

Intergovernmental contracting is authorized by 11 IAC 118.4. The USGS was chosen for this project because they were the most capable and affordable laboratory available for processing samples.

Contract History:

Original Contract Terms: Amount \$ 180,960.00; Timeframe: August 30, 2023 to June 30, 2025; Purpose: Sample processing and analysis

Jason Palmer, Natural Resource Biologist, Water Quality Bureau
Environmental Services Division
February 19, 2025

Iowa Department of Natural Resources
Environmental Protection Commission

Item #6

Decision Item

Commission approval is requested for a contract with Iowa Association of Municipal Utilities, IAMU, of Ankeny, Iowa; **Contract #25ESDWQBLSharp_025.**

Contract Terms:

Amount: Not to exceed \$986,396.00.

Dates: March 1, 2025 to March 31, 2028.

DNR shall have the option to extend this Contract for up to six years from the beginning date of the original contract by executing a signed amendment prior to the expiration of this Contract.

Funding Source(s): The source of funding for this Contract is through State Revolving Fund; Safe Drinking Water Act (SDWA) Section 1452(k), Local and Other Authorized Uses Set-Aside.

Contract Purpose: Contract Background and Purpose:

The 1996 Amendments to the SDWA required states to establish and implement Capacity Development strategies to identify and prioritize public water systems in need of technical assistance. The DNR solicited public input on the development of the strategy and also on its subsequent revision. One of the primary needs identified by stakeholders was for one-on-one, on-site technical assistance to help water system operators, owners, and administrators develop the technical, financial, and managerial skills they need to fulfill their operational permit requirements and provide safe drinking water to their consumers at a reasonable price both now and in the future. The state has developed a method of prioritizing water systems for technical assistance and this Contract provides a means of targeting assistance directly to the systems most in need.

The 1996 Amendments also provided authority for the states to develop and operate State Revolving Funds to provide low interest loans for the replacement of aging infrastructure. Each year the state receives a federal capitalization grant which is matched by the state to provide funds for loans. One of the allowable uses for up to 15% of each capitalization grant is the Local and Other Authorized Uses "set-aside", of which 10% may be used for the implementation of capacity development programs. A portion of this set-aside will be utilized to fund this Contract.

The purpose of this Contract is to provide training and on-site technical assistance to targeted Public Water Supplies (PWS) in gaining operational, technical, financial, and managerial capacity and to achieve and maintain compliance with operation permit and DNR requirements; as well as the SDWA. The target audience for this training consists of operators, members of city councils, utility boards, water utility managers, city clerks, and city administrators. Some expected outcomes are as follows:

- improve the ability of the PWS to deal with technical, managerial, and financial aspects of the system, such as rate setting, capital planning, developing sampling plans and standard operating procedures, and recordkeeping;
- assist PWSs in completing their viability self-assessment manual, if required;
- consult with the PWS in addressing deficient areas identified through DNR's self-assessment manual or a sanitary survey performed by the DNR or a representative of the DNR;
- assist a PWS in the return to a viable status if necessary, through working with PWS management and community leaders to develop policy, training, technical documents, or consolidation;
- provide training to utility board and council members who govern many aspects of PWS operation to assist them in making decisions that enhance the viability of the systems;
- assist with presentations or the coordination of workshops as requested by the DNR; and
- assist PWSs with compliance requirements of the Federal Lead and Copper Rule Revision (LCRR).

Selection Process Summary:

IAMU was chosen using the formal competitive selection process. IAMU was the sole bidder. IAMU was chosen for this project because the organization

- has a history of providing viability technical assistance training in Iowa through over a decade of contracting with DNR for this very same purpose;
- has experienced technical assistance providers and trainers who demonstrate an understanding of Iowa's Operational and Viability Assessment concepts and needs;
- has experienced technical assistance providers and trainers with established community level relationships across the state; and
- has a history of providing quality water operator training in Iowa.

Contract History:**Contract 19ESDWQBLSHAR_0005:**

- **Original Contract:** May 21, 2019 to April 29, 2022; Amount \$ 264,738.00
- **Extension:** April 19, 2022 to April 29, 2023; Amount \$81,733.48
- **Amendment:** February 21, 2023 to March 30, 2025; Amount \$574,021.00: This amendment called for an additional FTE and the addition of a customer service hotline to aid systems in complying with the new LCRR.

Laurie Sharp, Environmental Specialist Senior
Water Quality Bureau
Environmental Services Division
February 17, 2025

Attachment A

Section 5 STATEMENT OF WORK

5.1 Statement of Work. Contractor must perform the following Tasks by the Task Milestone Dates set out in the following table: The target audience for training shall consist of city councils, utility boards, water utility managers, operators, city clerks, and city administrators. **The Contractor shall dedicate two (2) full FTEs toward the fulfillment of this Statement of Work.**

Deliverables	Task Milestone Date
<p>Task 1: Insurance Description: Contractor shall obtain insurance as identified in the DAS General Terms and Conditions; and as identified in Section 8.1 below.</p>	<p>No later than March 30, 2025</p>
<p>Task 2: Conduct On-site Training and Technical Assistance Description: Contractor will dedicate 2.0 full-time equivalents toward providing technical assistance for Public Water Supplies. This assistance will focus on achieving and maintaining technical, financial and managerial compliance, encourage emerging contaminant awareness, and emphasize an understanding of and compliance with the new Lead and Copper Rule Revisions (LCRR).</p> <p>The Contractor shall use the current DNR-approved Viability Self-Assessment Manual and any other available training materials to provide on-site training and technical assistance on technical, financial and managerial aspects of water system operation. On-site technical assistance shall involve one-on-one contact with the public water supply to discuss and resolve viability issues, particularly providing technical assistance in deficient areas identified in the self-assessment manual or a sanitary survey conducted by DNR staff or a representative of the DNR. The Contractor shall have access to the variety of assistance tools that are available from various providers and shall choose the appropriate tool to assist the public water supplies (PWSs) referred by the DNR.</p> <p>The Contractor shall contact the PWSs referred by the DNR, including new systems, and offer technical assistance services. If the PWS is amenable to receiving assistance, the Contractor shall schedule an initial meeting. Based upon the results of this meeting, the Contractor shall determine what type of assistance is necessary, set the project objectives, develop an action plan, and assist the PWS in implementing the action plan.</p> <p>The Contractor shall make regular contacts and site visits with the selected PWS to work toward the project objectives. The type of assistance provided will depend on the needs of the PWS, but shall be focused on problem identification and transferring knowledge to the PWS so that the PWS could solve a similar problem or develop a similar document in the future without</p>	<p>The DNR shall refer to the Contractor the PWSs that are in need of technical assistance. The Contractor shall provide on-site comprehensive technical assistance to no fewer than 40 PWSs per year, for a minimum of at least 120 PWSs for the life of the 3-year contract. Depending on the type and amount of technical assistance necessary, more may be assisted.</p> <p>The DNR shall have the authority to add candidates throughout the contract period at no extra cost to the DNR.</p> <p>The Contractor shall also provide assistance to any PWS requesting assistance, with approval from the DNR. The DNR’s list is the primary list, and all others will be prioritized after that.</p>

<p>assistance. Examples of the type of assistance provided include developing sampling plans, standard operating procedures, or emergency response plans, hiring consultants, developing operator qualifications, developing recordkeeping systems, operator training, developing conservation plans, demonstrating rate review, developing financial oversight procedures, developing asset management plans and other items as necessary.</p>	
<p>Task 3: Conduct Water Board and City Council Member Training Description: The Contractor shall provide to PWS boards/councils referred by the DNR a system specific training which shall cover technical, financial, and managerial issues related to operating a PWS. Basic Asset management Concepts shall be included in the technical and financial portions of the training. This training also shall be offered to communities not referred by the DNR through the Contractor’s website, newsletter, and workshops, and shall be conducted as time allows. The DNR’s list is the primary list, and all others will be prioritized after that.</p>	<p>This Task shall be completed upon request.</p>
<p>Task 4: Support a Designated Phone Number and Email Address for LCRR Technical Assistance and Inquiries: Provide and monitor daily an email address and phone number dedicated to lead service line and LCRR implementation technical assistance. This number and email will be posted on all DNR Web pages and documents as a resource for LCRR technical assistance.</p>	<p>No later than March 30, 2025.</p>

Attachment B:

7.1 Budget.

Task:	Amount of compensation allotted to Task	Invoice Due no Later than:
Task 1 & 4: March 2025	\$25,639	April 30, 2025
Task 2 & 3: April – June 2025	\$76,917	July 30, 2025
Task 2 & 3: July – September 2025	\$76,917	October 31, 2025
Task 2 & 3: October- December 2025	\$76,917	January 31, 2026
Task 2 & 3: January – March 2026	\$77,734	April 30, 2026
Task 2 & 3: April – June 2026	\$79,368	July 30, 2026
Task 2 & 3: July – September 2026	\$79,368	October 31, 2026
Task 2 & 3: October – December 2026	\$79,638	January 31, 2027
Task 2 & 3: January – March 2027	\$80,533	April 30, 2027
Task 2 & 3: April – June 2027	\$82,862	July 30, 2027
Task 2 & 3: July – September 2027	\$82,862	October 31, 2027
Task 2 & 3: October – December 2027	\$82,862	January 31, 2028
Task 2 & 3: January – March 2028	\$84,779	April 30, 2028
Total:	\$986,396.00	