

Memorandum

To: Board of Trustees
From: Rick Manner
Date: November 27, 2013
Re: Agenda Item 7a - Draft Resolution - Minimum Effluent Discharges

Requested Action:

Approve a resolution that is acceptable to the Board, or provide direction regarding modifications, or additional actions.

Discussion:

There are three versions of a resolution to address proposed minimum flow targets from UCSD's two treatment plants attached to this memo. All three versions are acceptable to staff.

The first draft is closest to the version Prairie Rivers Network proposed. It includes the same numeric targets of 1.5 MGD into the Copper Slough and 4.5 MGD into the Saline Branch that UCSD staff expects to meet even if the sale to Cronus Chemicals LLC occurs. The second avoids mentioning specific numeric targets. Instead it includes the narrative goal of mitigating the negative impacts that low natural flow may have upon aquatic life. The third again includes the numeric targets. However, the third draft also discusses the follow-up actions that are expected if those flow targets are not met every day during a given month. If that occurs, staff will specifically review the flow rates that were discharged and the reasons that the targets were not met.

As Executive Director, I am most comfortable with the third version. It provides more detail regarding the targets that we have reviewed and it provides direction regarding what happens if the targets are not met.

"PRN"

RESOLUTION

A RESOLUTION EXPRESSING THE GOAL OF THE URBANA & CHAMPAIGN SANITARY DISTRICT TO MONITOR AND MANAGE EFFLUENT DISCHARGES FROM THE DISTRICT'S SOUTHWEST SEWAGE TREATMENT PLANT TO THE COPPER SLOUGH AND FROM THE DISTRICT'S NORTHEAST SEWAGE TREATMENT PLANT TO THE SALINE BRANCH OF THE SALT FORK RIVER.

A resolution directing staff of the Urbana & Champaign Sanitary District (District) to maintain sustaining volumes of treated sewage effluent (effluent) discharges from the District's southwest sewage treatment plant to the Copper Slough and from the District's northeast sewage treatment plant to the Saline Branch of the Salt Fork River.

WHEREAS, the Board of Trustees has approved a Term Sheet setting forth the potential terms of a contract for the sale of 6.3 million gallons per day (MGD) or more of effluent from the District's treatment plants to Cronus Chemicals Incorporated L.L.C. (Cronus) for use in a fertilizer manufacturing facility.

WHEREAS, the Board of Trustees recognizes that during periods of drought, the low volume of natural flow has the potential of adversely impacting the health and abundance of aquatic plants and animals in those streams;

WHEREAS, the Board of Trustees recognizes that permit compliance and effective, reliable operations of the District are the primary purpose;

WHEREAS, the Board of Trustees also seeks to continue to provide sustaining flows to the aquatic communities in the Copper Slough and the Saline Branch by using effluent discharges from the District's sewage treatment plants to these streams during the term of any contract for the sale of effluent.

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF TRUSTEES of the Urbana & Champaign Sanitary District: Staff of the District are directed to discharge as a daily average at least the following minimum amounts, and to report to the Board should these volumes not be met:

- (i) 4.5 million gallons per day from the northeast plant to the Saline Branch; and
- (ii) 1.5 million gallons per day from the southwest plant to the Copper Slough.

ADOPTED on this ____ day of December, 2013.

Diana Lenik
Board of Trustees Chair

Date

RESOLUTION

A RESOLUTION EXPRESSING THE GOAL OF THE URBANA & CHAMPAIGN SANITARY DISTRICT TO MONITOR AND MAINTAIN APPROPRIATE LEVELS OF SEWAGE EFFLUENT (EFFLUENT) DISCHARGES FROM THE DISTRICT'S SOUTHWEST SEWAGE TREATMENT PLANT TO THE COPPER SLOUGH AND FROM THE DISTRICT'S NORTHEAST SEWAGE TREATMENT PLANT TO THE SALINE BRANCH OF THE SALT FORK RIVER.

WHEREAS, the Urbana & Champaign Sanitary District (District) has during the last year contemplated the sale of sewage effluent (effluent) from the southwest treatment plant and the northeast treatment plant as authorized by the Sanitary District Act of 1917; and

WHEREAS, during the deliberations relating to the sale of effluent, the District has sought the input of the public and a variety of groups relating to the sale; and

WHEREAS, the Board of Trustees has, after considering public input, environmental matters, long term interests of the District, and the District's rate payers, approved and entered into a contract for the sale by the District of approximately 6.3 million gallons per day or more of effluent from the District's northeast and southwest sewage treatment plants to Cronus Chemicals Incorporated L.L.C. (Cronus) for use in a fertilizer manufacturing facility; and

WHEREAS, the Board of Trustees recognizes the importance of monitoring the effluent discharged into the receiving streams; and

WHEREAS, the Board of Trustees has defined a primary goal of permit compliance; and

WHEREAS, the Board of Trustees recognizes that during periods of drought, the low volume of natural flow has the potential of adversely impacting the health and abundance of aquatic plants and animals in those streams;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE URBANA & CHAMPAIGN SANITARY DISTRICT AS FOLLOWS:

RESOLVED that the staff of the District's northeast and southwest plants are directed to regularly monitor the effluent discharge to the Saline Branch and the Copper Slough; and

BE IT FURTHER RESOLVED that, if in the District's opinion, appropriate effluent discharges are not being discharged, staff is directed to take such action as the District deems reasonable and necessary (consistent with the best interests of the District and the District's rate payers) to accomplish the stated goal of this resolution.

ADOPTED on this ___ day of _____, 2013.

Diana Lenik
President of the Board of Trustees

Date

#3

"Numbers"

RESOLUTION

A RESOLUTION EXPRESSING THE GOAL OF THE URBANA & CHAMPAIGN SANITARY DISTRICT TO MONITOR AND MANAGE EFFLUENT DISCHARGES FROM THE DISTRICT'S SOUTHWEST SEWAGE TREATMENT PLANT TO THE COPPER SLOUGH AND FROM THE DISTRICT'S NORTHEAST SEWAGE TREATMENT PLANT TO THE SALINE BRANCH OF THE SALT FORK RIVER.

WHEREAS, the Urbana & Champaign Sanitary District ("District") has considered the sale of effluent from District treatment plants as authorized by the Sanitary District Act of 1917; and

WHEREAS, during the deliberations relating to the sale of effluent, the District has sought the input of the public and a variety of groups relating to the sale; and

WHEREAS, the Board of Trustees has, after considering public input, environmental matters, long term interests of the District and the District's rate payers, approved a Terms Sheet that would allow the sale of 6.3 million gallons per day (MGD) or more of effluent to Cronus Chemicals Incorporated L.L.C. (Cronus) for use in a fertilizer manufacturing facility; and

WHEREAS, the Board of Trustees recognizes the importance of monitoring the effluent discharged into the receiving streams; and

WHEREAS, the Board of Trustees has defined a primary goal of permit compliance and reliable operations of the District's facilities; and

WHEREAS, the Board of Trustees has defined an additional goal of mitigating impairments to water quality, which can be exacerbated by low natural creek flows during droughts;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE URBANA & CHAMPAIGN SANITARY DISTRICT AS FOLLOWS:

RESOLVED that District staff are directed to monitor the effluent discharge rate to the Saline Branch and the Copper Slough; and

BE IT FURTHER RESOLVED that District staff are directed to use whatever means the District deems reasonable and necessary to maintain flows of 1.5 MGD into the Copper Slough and 4.5 MGD into the Saline Branch of the Salt Fork River; and

BE IT FURTHER RESOLVED that if the targeted flow rates stated herein are not maintained every day during a given month, this shall be reviewed with the public via a specific agenda item at the next scheduled Board Meeting, discussing the flow information, the priorities that were considered, and the specific reasons for failure to meet the targeted flow rates.

ADOPTED on this ____ day of _____, 2013.

Diana Lenik
President of the Board of Trustees

Date