

***Eureka Township***  
*Dakota County*  
*State of Minnesota*

Special Eureka Townboard Meeting

June 2, 2004

Chair Don Pflaum called the Special Meeting of the Eureka Town board to order at 7:02 pm.

Town board members present were Chair Don Pflaum, Supervisor Kenny Miller, Supervisor Mark Malecha, Supervisor Dan Rogers and Supervisor Connie Anderson. Clerk/ Treasurer Nanett Leine recorded the minutes.

Township Consultant Gary Oberts, Emmons and Olivier Resources (EOR) was present.

Agenda: Strategy Meeting- Elko/ New Market Waste Treatment Facility

Gary Oberts, Eureka Township Consultant outlined issues for Eureka Township relating to the Proposed Elko/ New Market Waste Water Facility. (*See attachments*)

*Additional comments included:*

- Additional Water flow other than wastewater, (Runoff) probably equal to the wastewater flow. Varies from day to day.
- Possible impact of increased volume- It is more important to look at frequent rain fall events (2-5 and 10 year) rather than 100 year events. At 100 year events the flood plain is already full.
- There has been 26 violations over the past 4 years, as of end of March they were still violating their permits.
- MPCA position will be they are violating now and they need to do something.
- They claim that they are going to be lowering the contaminant levels that the total load coming out of the plant will be lower. Actually it will be 4 times as much at new permit levels ( Increased volume)
- The MPCA model ordinance for volume control- there is an exemption if the soil cannot accept the water at more than 2 ½ “ per hour, they are exempt from following the volume ordinance. (See map) If not green then they would be exempt. 1/2 to 1/3 of the soils in the two cities would be exempt.
- Supplement Environment Project only looks at construction period.

- MPDES applies to post construction run off control. Develop a Stormwater pollution prevention program. Elko/ New Market are too small, they are not covered by this regulation. But there is a clause that if a city discharges to a sensitive water or trout stream that PCA has discretionary authority to mandate that they become one of these communities.
- If a sewer interceptor is put in then the communities should be required to sign an agreement to taking care of stormwater runoff.
- If an interceptor come through Eureka Township, the township would need to express interest up front or they would not be allowed to tap into it in the future.
- 6 million gallons per day is the estimated capacity that Elko/ New Market would need until the interceptor would be put into place.
- Infiltration is a township concern.
- In 2005 the empire plant discharge will be shut off, the discharge will be sent to the Mississippi River. ( Because of the trout stream) It does not make sense that they are going to increase the flow at the headwaters of the Vermillion River.

This concluded his presentation. The floor was opened for question and answer session.

The building permits that have been issued- were they issued under permitted septic permits? (The Original permits by the MPCA)

It will be really tuff to go for an EAW, very expensive and a slow process. There are continuing problems that need to be addressed. No choice but to go forward.

Brian Watson, Dakota Soil and Water Conservation District, commented that there has never been an EIS required for a wastewater treatment plant. ( Not a significant impact on the environment) In 289 requests an EIS has never been implemented.

Rice Lake is a protected wetland, to raise the level of Rice Lake the DNR would need to be involved. Impact on Rice Lake and the Trout stream.

Is it better to make a deal or fight for an EIS?

Is it feasible to truck the overage to make the plant compliant today?

There are two separate issues- Sewer plant and storm water run off.

Brian Watson commented that the storm water run off is not being addressed in the EAW, increased storm water is huge. The amount of effluent is insignificant compared to storm water run off.

The model storm water ordinance from MPCA is not sufficient.

Dakota County Soil and Water District and New Market Township are requesting an EIS.

Brian Watson would like to see an agreement that the Elko/ New Market Water Treatment would not be able to expand again.

Vermillion watershed facilitates storm water controls.

Hydraulic study is important.

Discussion included: What is the township willing to accept? Can we live with the increase of water levels? They need to find common ground. Ask for culvert replacement, shallow point well replacement. Come into compliance as of today. (Not in two years when the plant is completed) Down size the plant. Storm water issue.

Special Town Board Meeting 6-9-04 7:00 pm Eureka Town Hall- Meeting with allies.

1. Bring plant into compliance. (Haul excess)
2. Limit on the capacity of the plant 350-450,000 gallons (.6)
3. Culvert larger capacity
4. Adequate stormwater management.
5. \$10 million liability bond or insurance policy.
6. Any building development that impacts the Vermillion Watershed get % of building fee.
7. Proof and or remedy that it will not affect the trout stream.
8. Alternate- interceptor, trucking.
9. Prove that the new facility is going to perform.
10. If non compliant- fine, immediate compliance by trucking.
11. No further expansion.
12. Four year moratorium Industrial expansion until pipe in installed.
13. Established water management plan.

Brian Watson will find out how many land owners adjacent to the watershed (41) and the number of landowners in the watershed. (478)

MPCA mission is Fishable and Swimmable waters.

It was suggested that at the June 14, 2004 Town Board Meeting a letter should be drafted to citizens in the Vermillion Watershed informing them of the negotiations.

June 16, 2004 Special Town board meeting Elko/ New Market Waste Water Treatment Plant. 7:00 pm Eureka Town Hall. All interested parties will be invited. Objective: Negotiations with Elko/ New Market on Proposed expansion of the Waste Water Treatment Plant.

A Motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Connie Anderson.

Meeting adjourned at: 10:21 pm.