

**Memorandum of Understanding
between the
Missouri Department of Natural Resources and the City of Columbia, Missouri
regarding the
Integrated Management Plan for Wastewater and Stormwater**

Purpose

The purpose of this Memorandum of Understanding (MOU) between the Missouri Department of Natural Resources (“department”) and the City of Columbia, Missouri (“Columbia”) (collectively, the “Parties”) is to acknowledge and agree upon that Columbia will develop an Integrated Management Plan (IMP) for their wastewater and stormwater system improvements with implementation schedules. The purpose of this MOU is to acknowledge that Columbia is preparing an IMP and that the department will use the plan, upon its completion and agreement, in future regulatory decisions.

Background

On June 5, 2012, the United States Environmental Protection Agency (EPA) published its Integrated Municipal Stormwater and Wastewater Planning Approach Framework¹. The department’s draft Missouri Integrated Plan Framework² is available to assist municipalities in meeting their water, wastewater and stormwater obligations under state and federal regulations. The final document will be posted on the department’s website in the near future. The stated purpose of EPA’s framework is to *“assist municipalities on their critical paths to achieving human health and water quality objectives of the Clean Water Act by identifying efficiencies in implementing requirements that arise from distinct wastewater and stormwater programs, including how to best prioritize capital investments.”*

Over the next several years, Columbia plans to complete improvements to their wastewater and stormwater systems as established in their IMP. The IMP will help prioritize permit and enforcement requirements by taking into consideration the potential harmful effects to human and environmental health as well as the potential future costs to be borne by the residents of Columbia. When appropriate, Columbia agrees to incorporate green infrastructure approaches toward compliance with requirements as part of the IMP.

Implementation

Columbia’s IMP will contain all of the components of an integrated plan as written in the final version of the framework published by EPA. Communication with the department is encouraged during this time to ensure all criteria are met during the drafting phase of the plan.

Once the IMP is written and agreed to by the parties, the department will modify schedules of compliance within the Missouri State Operating Permit and/or enforcement orders, where appropriate. Further, as decisions related to schedules will be based on the IMP, Columbia’s Missouri State Operating Permit (#MO-0097837), future enforcement orders (if such may be necessary), and their stormwater permit (#MO-136557) will refer back to the plan as justification of schedules for compliance. The schedules agreed to must be consistent with 40 CFR § 122.47.

Agreement

The Parties enter into this MOU to provide Columbia assurance that the department agrees with the intent of Columbia to write an IMP which will include improvement to their wastewater and

stormwater systems. The plan shall follow the guidance as written in EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework.

Agreement to and compliance with the MOU does not remove any obligations of Columbia to comply with their Missouri Clean Water Law (MCWL) and Clean Water Act (CWA) requirements, nor does it lower existing regulatory or permitting standards, but rather recognizes the flexibilities within the MCWL and CWA for the appropriate scheduling of work.

Entry into Force

The MOU will become effective and enforceable upon signature by the Parties.

Duration and Amendment

The MOU is effective for an initial period of five years and may be renewed or amended by mutual agreement in writing between the Parties.

Termination

Each Party has the right to terminate the MOU by giving six months' notice in writing to the other Party at any time.

Authority

Each Party has full knowledge of and has consented to this MOU, and represents and warrants that each person who signs this MOU on its behalf is duly authorized to execute this MOU on behalf of the respective Party and legally bind the Party represented to this MOU.

**Missouri Department of Natural Resources
Water Protection Program**

City of Columbia, Missouri

John Madras, Director

Mike Matthes, City Manager

Date:

Date:

ATTEST:

Sheela Amin, City Clerk

Date: _____, 2016

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Date: _____, 2016

References:

1. Integrated Municipal Stormwater and Wastewater Planning Approach Framework; available from https://www.epa.gov/sites/production/files/2015-10/documents/integrated_planning_framework.pdf
2. Missouri Integrated Planning Framework (draft); available from <http://dnr.mo.gov/env/wpp/cwforum/docs/integrated-framework-draft.pdf>