
IWRA REGIONAL WATER PLANNING COMMITTEE

TO: MARTHA CLARK METTLER, BOB AUTIO, KONRAD BANASZAK, TOM BRUNS, KATHERINE JAMRISKA, MATT MEERSMAN, SHERRY MITCHELL-BRUKER, DAVE LAMPE, JACK WITTMAN, SCOTT HAM, BILL WEEKS, BILL BLOMQUIST, TODD FEENSTRA, LINDA PROKOPY, KENTON WARD, JIM SULLIVAN, BILL DAVIS

FROM: SALLY LETSINGER

SUBJECT: MEETING SUMMARY NOTES FROM FEB 26, 2019, MEETING

DATE: FEBRUARY 26, 2019

The group (Bob Autio, Konrad Banaszak, Tom Bruns, Katherine Jamriska, Dave Lampe, Sally Letsinger, Matt Meersman, Martha Clark Mettler, and Sherry Mitchell-Bruker) met at the IDEM Shadeland office in Indianapolis for our first meeting to discuss regional water planning in Indiana. Jack Wittman (INTERA) could not make the meeting and guide the conversation, so we spent the time discussing aspects of statewide water planning that the Indiana Water Resources Association (IWRA) membership might be in a position to inform. We used the recent Water Infrastructure Task Force final report as a framework for our wide-ranging discussion.

The overarching outcomes from the first meeting include:

- IWRA should stress the importance of water planning in any studies.
- Geographic focus (and scale of the inquiry) depends on the question(s) being asked.
- “What do we already have available?” should be identified prior to new planning
 - What groups exist who have already studied issues or portions of issues?
 - What data exist?
 - What are the overlapping/intersecting interests of stakeholders?
 - Existing but unfulfilled statutes should be identified for execution.

Several documents, statutes, and reports were referenced during the meeting. Attached to these notes is a copy of the presentation of Wittman’s rationale for his proposed regional planning map. I am also included a letter from the Indiana Water Monitoring Council to the Water Infrastructure Task Force for your review.

The other documents are available online through the following links, as follows:

Water Infrastructure Task Force final report (including Appendix B, Centers of Collaboration Map)
<http://iga.in.gov/static-documents/5/a/5/4/5a544f19/water-infrastructure-task-force-final-report.pdf>

Water Infrastructure Task Force meeting minutes
http://iga.in.gov/legislative/2018/committees/water_infrastructure_task_force

Current water-resources legislation under consideration
<http://iga.in.gov/legislative/2019/bills/senate/4>
<http://iga.in.gov/legislative/2019/bills/house/1406>

Indiana Finance Authority – Central Indiana Water Study background and RFPs
<https://www.in.gov/ifa/3006.htm>

Indiana Finance Authority – Southeastern Indiana Regional Water Supply
<https://www.in.gov/ifa/files/IFA-Final%20Southeast%20Regional%20Supply%20Report-January%202018.pdf>

Indiana Finance Authority - Evaluation of Water Utility Planning in Indiana, 2015
https://www.in.gov/ifa/files/IFA-2015_Water_Report.pdf

Indiana’s Water Shortage Plan
<https://www.in.gov/dnr/water/files/watshplan.pdf>

IC 14-25-7 Chapter 7. Water Resource Management
<https://statecodesfiles.justia.com/indiana/2014/title-14/article-25/chapter-7/chapter-7.pdf>

Kentucky Infrastructure Authority (infrastructure mapping)
<https://kia.ky.gov/WRIS/Pages/Internet-Mapping.aspx>

US Water Alliance and the UNC Environmental Finance Center report on utility consolidation
<https://efc.sog.unc.edu/resource/strengthening-utilities-through-consolidation-financial-impact>

Points of discussion:

Lorraine Wright (former IDEM staff, Rock Solid GIS, long-time IWRA member) submitted an e-mail containing rationale for hydrology-based (watershed) planning regions. The e-mail was summarized and presented to the group as part of the discussion.

The unique qualities of northern Indiana with respect to the Great Lakes Compact and International Joint Commission was identified as a region that has many additional considerations than the rest of Indiana for cross-border issues and restrictions on what is allowable with respect to water transfers.

Much time was spent trying to reconcile the objectives of the Water Infrastructure Task Force with upcoming water studies, and previous studies, such as the IFA-funded Southeastern Indiana Regional Water Supply study. There was broad agreement that the inclusion of water quality as emphasized in the Task Force final report was appropriate. The entire emphasis of water planning in the state cannot focus solely on water supply; water quality, waste-water treatment, and storm-water management is of critical importance into the future.

What do we have? We spent some time identifying the need to wrangle available data, and also pre-existing work of other stakeholder groups, in water-planning efforts. Not only to reduce duplication of effort and increase efficiencies, but to be respectful of the entities with “boots on the ground” who already have the best local knowledge of problems and potential solutions. This includes understanding local prohibitions and existing programs.

Examples of existing organizations and agencies that could coordinate and collaborate in water planning include:

- Government agencies and databases: state and federal
- River basin commissions (e.g., St. Joseph River Basin Commission)
- Planning committees/commissions (e.g., Northern Indiana Regional Planning Committee)
- Development councils (e.g., Central Indiana Regional Planning Council)

- Regional collaboratives (e.g., Central Indiana Collaborative)
- Coastal management programs (e.g., Indiana Lake Michigan Coastal Program)
- Utilities
- Watershed management planning groups/plans
- Watershed partnerships (e.g., White River Watershed Partnership; White River Alliance; Wabash River Enhancement Corporation)
- Local water organizations (e.g., Alliance of Indiana Rural Water, Indiana Rural Water Assn.)
- Stormwater management districts
- Local/county health departments
- Soil-water conservation districts
- Indiana Association of Cities and Towns
- NGOs (e.g., The Nature Conservancy)
- County surveyors
- Farmers

Examples of existing datasets include:

- Futures resource demand (e.g., IFA Evaluation of Water Utility Planning in Indiana)
- Planning documents (e.g., Regional development plans)
- IDNR Water-use data
- USGS Streamflow data
- USGS/IDNR Observation well data
- USGS/IDEM Water-quality data
- Watershed management plans
- IDNR Basin studies
- IDNR/FEMA floodplain mapping
- IGIC elevation (LiDAR data)
- Water shortage plan
- Utility water-line mapping (allowing for security considerations)
- National Weather Service data
- Climate model output data, projections
- Statewide spatial data (e.g., IndianaMap)
- Future land-use plans (e.g., Indianapolis Metropolitan Planning Organization)
- Risk mapping (e.g., Indiana State Department of Health Lead-risk mapping, IGWS Aquifer Sensitivity mapping)

What problems are we trying to address?

- Sustainable water supply – quantity and quality
- Seasonal low flows, growth in new irrigators, climate change, growth in PWSs
- Economic development for future revenue? (repurposing pipelines?)
- Preparing for relocation of outside industry to Indiana?
- Prioritization of infrastructure improvements, mechanisms for funding, collaboration
- Efficiencies of scale (small utilities working together or with larger utilities)
- How to handle excess runoff with increasing storm intensity
- Incorporation of water quality in water-resources planning (including how to pay for)
- Incorporation of geological/hydrogeological characteristics
- Communication/cooperation among stakeholders

- How to include disenfranchised unincorporated areas (with respect to water supply and also contributions to water-quality issues)

What are the existing statutes that cover water-resources planning that could be implemented in the support of current needs?

IC 14-25-7 Chapter 7. Water Resource Management

Note – in this statute, the “Commission” is the Natural Resources Commission and the “Department” is the Indiana Department of Natural Resources.

IC 14-25-7-11 Duties of commission

Sec. 11. The commission shall do the following:

- (1) Conduct a continuing assessment of the availability of the water resource.
- (2) Take and maintain an inventory of significant uses of water withdrawn from the surface or ground.
- (3) Plan for the development, conservation, and use of the water resource for beneficial uses.

[Pre-1995 Recodification Citation: 13-2-6.1-3.]

As added by P.L.1-1995, SEC.18.

IC 14-25-7-13 Inventory of water resources; plans and recommendations

Sec. 13. (a) As used in this section, "surplus water" means that water found to exceed:

- (1) existing uses; and
 - (2) reasonably foreseeable needs;
- in the watershed of origin.

(b) The commission shall make and maintain an inventory of the water resource of Indiana. The inventory must include an assessment of the following:

- (1) The capabilities of streams to support instream and withdrawal uses and of aquifers to support withdrawal uses.
 - (2) Low stream flow characteristics.
 - (3) Existing uses and projections of beneficial use requirements.
 - (4) The potential in watersheds for managing flood water for beneficial uses.
 - (5) Potential sources and amounts of surplus water available for transfers.
 - (6) Other assessment and information considered necessary to properly define water resource availability.
- (c) The commission shall maintain, on a continuing basis and with opportunity for participation and consultation with all interested persons, plans and recommendations for the development, conservation, and use of the water resource to best serve the needs of the people of Indiana for beneficial uses.
- (d) The commission shall prepare a compilation and mapping of all community public water supplies in Indiana that serve at least five hundred (500) customers. The commission shall update the compilation and mapping at least one (1) time every five (5) years. The commission may use funds from the water resources development fund established by IC 14-25-2-4 to prepare compilations and mappings under this subsection. The compilations and mappings prepared under this subsection must include the following information:
- (1) The location of water sources for community public water supplies.
 - (2) The location of treatment facilities used to treat raw water before the water is distributed to community public water supply customers.
 - (3) The extent of water mains in territories served by community public water supplies.
 - (4) The population served by community public water supplies.
 - (5) The total amount of water produced by community public water supplies for the most recent calendar year.

[Pre-1995 Recodification Citations: 13-2-6.1-1 part; 13-2-6.1-5.]

As added by P.L.1-1995, SEC.18. Amended by P.L.184-1995, SEC.2.

IC 14-25-7-15 Significant water withdrawal facilities; registration; report to the commissioner; waiver

Sec. 15. (a) As used in this section, "significant water withdrawal facility" means the water withdrawal facilities of a person that, in the aggregate from all sources and by all methods, has the capability of withdrawing more than one hundred thousand (100,000) gallons of ground water, surface water, or ground and surface water combined in one (1) day. Subject to subsection (b), the term does not include:

(1) water withdrawal facilities that function as part of the operation or construction of a landfill; or
(2) water withdrawal facilities located in or on an off-stream impoundment that is principally supplied by a significant water withdrawal facility.

(b) A water withdrawal facility referred to in subsection (a)(1) or (a)(2) located in the basin (as defined in section 1.2 of IC 14-25-15-1) is subject to the registration requirement of section 4.1.3 of IC 14-25-15-1.

(c) Every person who has a significant water withdrawal facility shall register the facility with the commission on forms provided by the commission that contain the following:

- (1) The name and legal address of the registrant.
- (2) The source of water supply.
- (3) The total capability of the water withdrawal facility.
- (4) The total withdrawal capability per day and the amount from each source.
- (5) The use to be made of the water, the place of use, and the place of discharge.
- (6) The geographic location of the supply source.
- (7) The date of registration.
- (8) Other information specified by rule.

(d) A significant water withdrawal facility must be registered within three (3) months after the facility is completed.

(e) The owner of a registered significant water withdrawal facility shall, within three (3) months after the end of each year, make a verified report to the commission on forms to be provided by the commission of the amounts of water withdrawn during the year.

(f) Under rules adopted by the commission, the department may waive the requirement of the information set forth in subsections (c) and (e) with respect to a temporary significant water withdrawal facility.

[Pre-1995 Recodification Citations: 13-2-6.1-1 part; 13-2-6.1-7.]

As added by P.L.1-1995, SEC.18. Amended by P.L.123-1996, SEC.17; P.L.4-2008, SEC.4.

IC 14-25-8 Chapter 8. Water and Geological Resources Research

14-25-8-1 Legislative findings; research powers

14-25-8-2 Duties of department

14-25-8-3 Topographical survey map

IC 14-25-8-1 Legislative findings; research powers

Sec. 1. (a) The continuing growth of the population and economy impose ever increasing demands upon the essentially fixed water resources of Indiana. It is necessary that the development, use, and management of these resources be based upon a sound and thorough knowledge and understanding of the location, extent, capabilities, limitations, and characteristics of the basic water resources of Indiana. The need for additional knowledge is urgent in areas such as the following:

- (1) Mapping of the location and availability of ground water.
- (2) The time of travel of water from point to point on the major streams.
- (3) The Indiana climatic factors affecting evaporation losses from impoundments.
- (4) The meandering characteristics of alluvial streams.
- (5) The drainage areas of streams at selected points.

(b) To accomplish the objectives described in subsection (a), the department of environmental management and the department may conduct applied research in their respective areas of jurisdiction for the purpose of securing the scientific and technical data and information necessary for the solution of problems involving the wise beneficial development, use, and management of the water resources of Indiana. The research shall be accomplished through the use of the money that is made available for these purposes.

(c) The department of environmental management and the department may conduct research under this section:

- (1) independently; or
- (2) in cooperation with agencies of the state or of the United States.

[Pre-1995 Recodification Citation: 13-2-7-2.]

As added by P.L.1-1995, SEC.18.

IC 8 TITLE 8. UTILITIES AND TRANSPORTATION

Note – in this statute, the “Commission” is the Indiana Utility Regulatory Commission.

IC 8-1-1-1"Commission" defined; references to public service commission

Sec. 1. (a) As used in this article, "commission" refers to the Indiana utility regulatory commission.

(b) After June 30, 1987, any reference to the public service commission of Indiana shall be construed as a reference to the commission.

Formerly: Acts 1941, c.101, s.1. As amended by P.L.59-1984, SEC.1; P.L.23-1988, SEC.12; P.L.220-2011, SEC.183.

IC 8-1-30.7-7"Water related state agency"

Revisor's Note: Notwithstanding P.L.189-2018, SEC.66, effective 7-1-2018, P.L.215-2018(ss), SEC. 21 requires the expiration of this section effective 7-1-2018.

Sec. 7. As used in this chapter, "water related state agency" means any of the following:

- (1) The Indiana finance authority established by [IC 5-1.2-3](#).
- (2) The department of administration created by [IC 4-13-1-2](#).
- (3) The commission. [Indiana utility regulatory commission]
- (4) The office of utility consumer counselor created by [IC 8-1-1.1-2](#).
- (5) The department of environmental management established by [IC 13-13-1-1](#).
- (6) The department of natural resources created by [IC 14-9-1-1](#).
- (7) The state department of health established by [IC 16-19-1-1](#).
- (8) The Indiana geological and water survey established as a part of Indiana University by [IC 21-47-2](#).
- (9) The Indiana Water Resource Research Center of Purdue University.
- (10) The state department of agriculture established by [IC 15-11-2-1](#).

As added by P.L.102-2016, SEC.2. Amended by P.L.233-2017, SEC.11; P.L.189-2018, SEC.66.