

ST. CLAIR RIVER BI-NATIONAL PUBLIC ADVISORY COUNCIL

Meeting Minutes

Meeting 2009-3

**Suncor Sustainability Centre
1489 London Road
Sarnia, Ont.**

**Thursday, September 24, 2009
6:30 p.m.**

ATTENDEES:

Kris Lee
Darrell Randell
Stewart Thornley
Paulette Duhaime
Frank Schoonover
Victoria Donohue
Ted Briggs

Terry Burrell
Janice Littlefield
Sharon Bender
Whitey Simon
Kristen O. Jurs
Sheldon Parsons
Sandra Kok

Sue Levesque
Tip Haagsma
Patty Troy
Fred Kemp
Greg Brown
Ron Simon
Rose Ellison

REGRETS:

Patty Hayman
Frank Frisk
Mark Richardson
Modris Zandbergs

Jim Clatworthy
John Jackson
Christine Aiello

Phil Vallance
Penelope Peck
Chris Loeffler

GUESTS:

Anne Borgman (Environment Canada) Victoria Renner (Environment Canada)
Annette Verhagen (MOE) Kim Wells (ENVIRON)

1. Welcome and Introductions

Kris Lee called the meeting to order at approximately 6:30 p.m., followed by introductions.

2. Approve Draft Agenda

The Draft Agenda was approved (moved by Sheldon Parsons, seconded by Darrell Randell) with the addition of Communications and Business Arising (from previous minutes)

3. Approval of March 28, 2007 Draft Minutes

The Draft Minutes from March 25, 2009 were approved (moved by Frank Schoonover, seconded by Fred Kemp).

4. Business Arising from Previous Minutes

Patty Troy, indicated that on behalf of BPAC a letter was sent to Michigan Governor, Jennifer Granholm and various state legislators urging them to retain the MDEQ program for wetlands protection.

5. Communications

Janice Littlefield reported that she had received a letters from the Office of the Governor acknowledging the BPAC letter on wetlands protection, and from the Office of Congresswoman Candice Miller regarding the conservation briefing of September 28, 2009. Also Janice indicated that she had received a letter from the EPA that they (EPA, MDEQ) have now approved the re-designation of the Beneficial Use Impairment for Tainting of Fish and Wildlife Flavour from, Requires Further Assessment to Not Impaired.

6. BPAC Elections

It was moved by Patty Troy, seconded by Sharon Bender that Kris Lee be nominated for Canadian Co-Chair of BPAC. Kris accepted the nomination. There were no other nominations and it was moved by Darrell Randell, seconded by Whitey Simon, that nominations be closed. Kris Lee was elected the new Canadian Co-Chair of BPAC.

It was moved by Darrell Randell, seconded by Frank Schoonover that Terry Burrell be nominated for Canadian Vice-Chair of BPAC. Terry accepted the nomination. There were no other nominations and it was moved by Annette Verhagen, seconded by Victoria Donohue, that nominations be closed. Terry Burrell was elected the new Canadian Vice-Chair of BPAC.

7. Contaminated Sediments Update

Kim Wells from ENVIRON International Corps, gave a presentation summarizing their project to apply the “Canada Ontario Decision-Making Framework for the Assessment of Great Lakes Contaminated Sediments”, to the St. Clair River, Area of Concern. The purpose of this report was to apply the Canada-Ontario Decision-Making Framework for Assessment of Great Lakes Contaminated Sediment (COA Framework) to the St. Clair River. The COA Framework uses an ecosystem approach to sediment assessment to evaluate potential effects on sediment-dwelling and aquatic organisms, as well as potential for contaminants to biomagnify in the food chain. This report primarily focuses on approximately 8 kilometres along the Canadian shoreline of the upper St. Clair River, referred to as the Area of Interest (AOI). The COA Framework focuses on four lines of evidence (LOEs): 1) potential for biomagnification; 2) sediment chemistry; 3) benthic community structure; and 4) sediment toxicity. This report will form the technical basis for sediment risk management decisions. The project focused on mercury and octachlorostyrene in sediments. The report indicated that certain species of sportfish are predicted to be at risk in the AOI from mercury.

Prioritized zones for sediment management based on risks to fish were identified and mapped.

Further investigation and data collection were recommended to characterize sediment stability, as well as methylation and methylmercury exposure potential for subsurface mercury-contaminated sediment within focused reaches of the AOI.

Anne Borgman from Environment Canada indicated that, to address the report recommendations, additional information is currently being collected (e.g. on-going sediment stability studies).

Anne also informed the BPAC that a new Request for Proposal (RFP) is being prepared for the next stage of the process (i.e. sediment management options).

8. Tainting of Fish and Wildlife Flavour BUI Re-Designation Press Release

Ted Briggs (MOE) provided an update on the Tainting of Fish and Wildlife Flavour BUI, indicating that both Canada and the US have now officially “signed off”, indicating that they are in support of the re-designation of this BUI from “Requiring Further Assessment” to “**Not Impaired**”. Rose Ellison (EPA) added that the joint US-Canada announcement of the removal of a Beneficial Use Impairment is a “big deal”. It was agreed that members from the Four Agencies, BPAC and CRIC would work together on a press release and discuss any other form of announcement they might want to make.

9. Rain Barrel Project

Janice Littlefield updated the BPAC on the status of this project. Also at this time, Janice also informed the BPAC that results from monitoring for E. coli bacteria would be presented at the next BPAC meeting.

10. Great Lakes Restoration Initiative Update

Rose Ellison provided BPAC with information on the implementation status of the Great Lakes Restoration Initiative (GLRI). Rose indicated that the House has provided the full amount of \$475M in its appropriations bill for U.S. EPA, and the Senate passed its EPA appropriations bill last Thursday providing \$400 million for the GLRI.

Rose indicated that a large Request for Proposal (RFP) will be flowing through the EPA to 16 other Federal Agencies in the administration of the funding for the GLRI in FY 2010. There are five focus areas: 1) Toxics in AOCs; 2) Habitat and wildlife protection and restoration; 3) Invasive species; 4) Nearshore health and non-point source pollution; and 5) Strong oversight and co-ordination (accountability, monitoring, evaluation, communications, partnerships).

A brief discussion followed on how BPAC and the St. Clair River AOC could best take advantage of GLRI funding opportunities.

Motion:

It was moved by Darrell Randell, seconded by Janice Littlefield, that BPAC provide input to working groups on both sides of the river for projects that could lead toward de-listing.

11. Committee Reports

ii) SPAC

Patty Troy reported that SPAC has not had a recent formal meeting, however, they have had several conference calls and have generally been very busy focusing their efforts on the Great Lakes Restoration Initiative (GLRI). In this regard, Patty indicated that the SPAC had met with State Legislators in April. SPAC is continuing to urge their representatives to support full funding of \$475 million for FY 2010 for the Great Lakes Restoration Initiative (GLRI). SPAC is working with Rose Ellison and Janice Littlefield to put together a funding proposal for GLRI funding. On behalf of SPAC, Sharon Bender extended a particular thank you to Rose Ellison for all of her assistance.

ii) Friends of the St. Clair River

Darrell Randell updated the BPAC on some of the activities of the FOSCR including: the completion and viewing of the St. Clair River AOC RAP video; a significant multi-partner habitat restoration project; the co-sponsorship of a boat tour of the St. Clair River AOC; extended support to the St. Clair Region Conservation Authority classroom education program; support for the publication of a bi-monthly AOC E-Newsletter (two editions to date); volunteer involvement and display in an up-coming (September 26, 2009) Girl

Guides of Canada and Girl Scouts of America cross-border, environmental-theme jamboree; and financial support for a 16-acre coastal wetland restoration project in Mitchell's Bay.

Darrell also announced that: FOSCR will be participating in a meeting of Ontario Nature (former Federation of Ontario Naturalists) scheduled to be held next year in Sarnia, ON; FOSCR is applying to the Ontario Trillium Foundation for facilitation of the St. Clair River AOC process; and that the **Annual General Meeting of FOSCR is scheduled for November 26, 2009.**

FOSCR will be providing reimbursement for reasonable expenses (including mileage, meals, accommodations and registration) for two BPAC members to attend the 2009 Great Lakes Water Quality Agreement Biennial Meeting, Windsor, ON, October 7th and 8th.

iii) Friends of the St. Clair River Watershed (FOSCRW)

Kristen O. Jurs reported that FOSCRW is continuing with the stream monitoring program which now includes seven or eight streams. The most recent sampling event (third event) involved approximately 40 volunteers. FOSCRW now has printed cards. There is a strategic planning event scheduled for November and Kristen encouraged BPAC involvement.

iv) CRIC

In the absence of BPAC-CRIC representatives Phil Vallance and John Jackson (regrets received from both), there was no CRIC report.

v) BPAC Membership Sub-committee

Stew Thornley indicated that the membership had been updated and reflected the resignation of Fred Fuller and Bela Trbics.

vi) OPAC

There was no report provided by OPAC.

13. Other

Darrell Randell questioned the status of the study of amphibians (frogs) in the St. Clair River by the Canadian Wildlife Service (CWS).

Action:

Sandra Kok to look into the study of amphibians in the St. Clair River AOC by the Canadian Wildlife Service.

Patty Troy and Janice Littlefield reported on a major fish kill, in the Black River, August 10, 2009. The spill, thought to be manure, wiped out approximately 12 miles of the river. A public meeting about the fish kill was held August 31, 2009 with over 100 attendees including agency representatives and three state representatives.

14. Next Meeting/Adjourn

The next meeting was scheduled for **6:30 p.m., November 19, 2009 to be held at the St. Clair County Administration Building (Auditorium), 200 Grand River Ave. Port Huron, Michigan.**

The meeting was adjourned.