

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL
(BPAC)

Minutes - Final
Meeting 2016-1

Tuesday, January 26, 2016
St. Clair County Building, Conference Room A
200 Grand River Avenue
Port Huron, Michigan

ATTENDEES:

Donna Strang
Terry Burrell
Kris Lee
Judy Ogden
Marina Plain
Lori Eschenburg

Kathy Watts
Paulette Duhaime
Patty Troy
April White
Naomi Williams

Peter Westfall
Dan Collins
Sheri Faust
Melanie Foose
Fred Kemp

REGRETS:

Darrell Randell
Craig Griffiths

Phil Vallance
Ted Briggs

Theresa Warren

GUESTS:

Lt. Paul Reid – St. Clair County, Marine Division
Cheri Meyer – Michigan Department of Environmental Quality, Office of the Great Lakes
Sally Hirzel
Wood Alef
Monica Hudson
Elizabeth Zimmer-Lloyd
Venessa Davis

Call to Order and Introductions – P. Troy

The meeting was called to order by Patty Troy at 6:35 pm.

Adoption, Additions or Corrections of Draft Agenda – All

The draft agenda was reviewed and additions or corrections were solicited from BPAC members.

Moved by Terry Burrell and seconded by Kathy Watts that the draft agenda be accepted with the following revisions: 1) the National Wildlife Federation Lawsuit agenda item will be deferred as Neil Kagan was unable to attend the meeting and 2) after the Bird or Animal Deformities or Reproductive Problems BUI – MDEQ agenda item, Kris Lee would like to update BPAC on the Lake Erie and St. Clair Binational Forum.

CARRIED

Approval of December 1, 2015 Draft Minutes and Actions – All

Actions arising from the last meeting on September 29, 2015 were reviewed along with the draft minutes.

Moved by Fred Kemp and seconded by Terry Burrell that the draft minutes of December 1, 2015 be accepted.

CARRIED

Election of Officers - All

The Chair asked that Fred Kemp facilitate the elections process. Fred Kemp called for nominations from the floor for the following four positions:

United States Co-Chair:

Patty Troy was nominated by Kris Lee. No other members were nominated. **Moved by Terry Burrell and seconded by Paulette Duhaime that nominations be closed and that a unanimous ballot be accepted.**

CARRIED

Canadian Co-Chair:

Kris Lee was nominated by Patty Troy. No other members were nominated. **Moved by Terry Burrell and seconded by Paulette Duhaime that nominations be closed and that a unanimous ballot be accepted.**

CARRIED

United States Vice Co-Chair:

Paulette Duhaime was nominated by Patty Troy. No other members were nominated. **Moved by Terry Burrell and seconded by Sheri Faust that nominations be closed and that a unanimous ballot be accepted.**

CARRIED

Canadian Vice Co-Chair:

Terry Burrell was nominated by Peter Westfall. No other members were nominated. **Moved by Paulette Duhaime and seconded by Patty Troy that nominations be closed and that a unanimous ballot be accepted.**

CARRIED

Statewide Public Advisory Council (SPAC) Representatives:

Moved by Terry Burrell and seconded by Kris Lee that Patty Troy and Paulette Duhaime represent the St. Clair River Area of Concern BPAC on the SPAC.

CARRIED

Wake/Boating Laws and Enforcement – Lt. P. Reid

At the September 29th, 2015 BPAC meeting Wood Alef, a concerned citizen from Algonac, expressed to BPAC members concern over wakes created by boating traffic along the St. Clair River and the impact it was having on local shorelines (e.g., turbidity, damage to docks, etc.). At BPACs request, Lt. Paul Reid of the Marine Division of the St. Clair County Sheriff's Office attended the current meeting to provide an overview on regulations and enforcement surrounding this issue.

Lt. Paul Reid advised that there are 12 different types of no wake zones In St. Clair County that are regulated. In addition to speed restrictions, boaters must abide by rules governing required travelling distances from shore. In some counties, there are no markers or signage alerting boaters of these rules and due to capacity restraints, enforcement of these regulations can be limited. In response, in some areas, private land owners have erected signs on their properties

alerting boaters of the laws, however, Lt. Reid cautioned that anyone considering this should first discuss with neighbours.

In an attempt to promote greater education on no wake laws with boaters, Lori Eschenburg, Planner with St. Clair County will be creating a map that identifies no wake zones along the St. Clair River. This map will be made available to BPAC members and the public via numerous information sharing venues. BPAC members were encouraged to contact Lt. Paul Reid should they have additional questions or comments about no wake zones and enforcement.

Coastal Management Zone Program – C. Meyer

Cheri Meyer, Public Access/Water Quality Specialist with the Michigan Office of the Great Lakes provided BPAC members with an overview of the Coastal Zone Management Program. The goal of this program is to promote the management of cultural and natural resources within the coastal boundary. The program provides funding between \$10 000 and \$100 000 for projects supporting one or more of five focus areas:

1. Coastal Community Development – planning and managing future growth and development on lands adjacent to the coast
2. Coastal Public Access – protecting, restoring, creating and enhancing public access to the Great Lakes
3. Coastal Habitat – protecting, managing and restoring sensitive coastal habitats
4. Coastal Water Quality – protection of high quality water through the protection, restoration and enhancement of critical coastal resources (e.g., wetlands)
5. Coastal Hazards – increase community resiliency to coastal erosion and flood hazards

Beach Closings BUI – MDEQ – M. Foose

New State Delisting Criteria:

Melanie Foose reported to BPAC members that the United States Environmental Protection Agency (USEPA) has accepted changes by the MDEQ to the Beach Closings delisting criteria and today was hoping to gain local support for the new criteria from BPAC.

Revised Criteria:

According to the 2015 Guidance, this BUI will be considered restored when:

No waterbodies within the AOC are included on the list of non-attaining waters due to human pathogens in the most recent Clean Water Act Water Quality and Pollution Control in Michigan: Section 303(d) and 305(b) Integrated Report (Integrated Report), which is submitted to U.S. EPA every two years.

OR, in cases where the waterbodies within the AOC are on the list of non-attaining waters due to human pathogens, this BUI will be considered restored when human sources of pathogens regulated under the National Pollutant Discharge Elimination System (NPDES) are on schedule to be controlled through implementation of permit requirements. Sources of pathogens from failing on-site septic systems regulated under county health departments can be an issue state-wide and are not included in the AOC program.

Moved by Terry Burrell and seconded by Sheri Faust that BPAC accept the new delisting criteria proposed by the MDEQ for the “Beach Closings” Beneficial Use Impairment (BUI) on the American side of the St. Clair River Area of Concern (AOC).

CARRIED

Removal Recommendation:

Over the last few months, Melanie Foose has presented to BPAC an overview of the “Beach Closings” BUI assessment report for the American side of the St. Clair River. The report summarizes the significant work to reduce *E. coli* levels through the elimination of Combined Sewer Overflows (CSOs) and implementation of green infrastructure. The final CSO remaining is being addressed in 2021 under an NPDES permit for Port Huron. The report also provides a summary of water quality at beaches monitored by the St. Clair County Health Department. Comments and feedback from BPAC members have been incorporated as appropriate.

The report results are positive and recommends removal of “Beach Closings” as an “Impaired” BUI.

Moved by Terry Burrell and seconded by Lori Eschenburg that the recommendation to remove the “Beach Closings” BUI on the American side of the St. Clair River AOC be accepted.

CARRIED

ACTION – Patty Troy and Paulette Duhaime will draft a letter of support to the MDEQ on the removal of the “Beach Closings” BUI on the American side of the St. Clair River AOC. In the letter, they will express BPAC’s recommendation that beach water quality monitoring programs continue to be supported.

Bird or Animal Deformities or Reproductive Problems BUI – MDEQ – M. Foose

Melanie Foose provided BPAC members with a brief overview of results from a recently released assessment of the “Bird or Animal Deformities or Reproductive Problems” BUI for Michigan Great Lakes AOCs. Information contained in this report will be used to draft the narrative for the BUI assessment report for the St. Clair River AOC. The report includes information on deformity rates and the reproduction of Bald Eagles (*Haliaeetus leucocephalus*), Mink (*Neovison vison*) and Tree Swallows (*Tachycineta bicolor*) along with the BPAC recommended sampling and analysis of forage fish in the St. Clair River. Results are positive. Next steps in presenting to BPAC may include a webinar or presentation by one of the scientists.

ACTION – BPAC members will review the document and send Melanie Foose (foosem@michigan.gov) any questions and/or comments by February 26, 2016.

Lake Erie and St. Clair Binational Forum – K. Lee

Kris Lee advised BPAC members that there is no longer funding for the Lake Erie and St. Clair Binational Forum but that funding is currently being sought to maintain the Coordinator position. The forum has a good website with lots of information. The forum leads are looking to integrate the website into another until funding to maintain it is available again. Kris Lee suggested that an opportunity to do this may be through the Friends groups.

OMOECC, EC, MDEQ and USEPA Updates on Canadian and American Projects – T. Briggs, A. White, M. Foose and R. Ellison

OMOECC Update:

Ted Briggs was unable to attend the meeting. No update was available.

EC Update:

- April White reported to BPAC that Environment Canada has had an official name change and is now called Environment and Climate Change Canada (ECCC).

- Three applications for the St. Clair River AOC are currently being reviewed for funding under the 2016-2017 Great Lakes Sustainability Fund.
- Four BUIs are currently being actively worked on for the Canadian side of the St. Clair River and include 1) “Bird or Animal Deformities or Reproductive Problems”, 2) “Restrictions on Dredging Activities”, 3) “Beach Closings” and 4) “Restrictions on Drinking Water Consumption or Taste and Odour Problems”.
- ECCC is currently preparing a 5-year work plan outlining science and monitoring activities required in the St. Clair River AOC.
- Discussions continue with Dow Chemical Canada regarding the Sediment Management Project.
- In collaborations with Walpole Island First Nation, a science symposium is being planned for March that will provide the opportunity to update the local community on a number of research projects conducted in the area (e.g., fish tumour sampling, frog deformity sampling).

MDEQ Update:

Melanie Foose reported that all habitat projects are complete. The restoration sites will be monitored this spring and summer after which a BUI removal document can be drafted. BPAC members inquired as to whether the data from the monitoring activities are made publically available.

USEPA Update:

Rose Ellison was unable to attend the meeting. No update was available.

Committee Reports

Statewide Public Advisory Council – P. Troy and P. Duhaime:

No Statewide Public Advisory Council (SPAC) meeting has been held since the last BPAC meeting. The next meeting is scheduled for March 1, 2016, the day before the annual AOC Conference in Dearborn, Michigan. Patty Troy requested that anyone who wishes to attend the two day AOC conference contact her prior to Friday, January 29, 2016 as that is the deadline for submission of requests for travel funding.

Friends of the St. Clair River – Canada – D. Randell and T. Burrell:

Terry Burrell reported on recent Friends of the St. Clair River (FOSCR) activities (Canada). The Annual General Meeting was held on December 2, 2015. FOSCR has recently provided funding towards coastal wetland projects in the Mitchell’s Bay area along with the River RAP education program at the St. Clair Region Conservation Authority (SCRCA). The FOSCR continues to produce an E-Newsletter three times a year. Some BPAC members reported that the E-Newsletter does not print properly and inquired if the email could include a printer friendly version.

ACTION – Donna Strang will contact Ken Hall, the FOSCR webmaster and see if a printer friendly version of the E-Newsletter can be made available.

Friends of the St. Clair River – USA – S. Faust:

Sheri Faust reported on recent Friends of the St. Clair River activities (USA). The 2nd Winter Bird Blast event is scheduled for February 20, 2016. The event will include a guided hike along the St. Clair River shoreline followed by the opportunity to paint a winter owl scene. The monthly speaker series also continues with the next talk occurring on January 27th, 2016. Dave Dortman will talk about freshwater mussels, their biology, life history, identification and local

importance. Talks are scheduled on the 4th Wednesday of every month. Lastly, Sheri Faust requested that everyone save-the-date for the upcoming Sturgeon Festival in Port Huron on Saturday, June 4, 2016.

BPAC Membership Subcommittee – A. Kerr and F. Kemp:

Fred Kemp reported that the BPAC Membership Subcommittee will be seeking guidance from BPAC regarding whether vacant positions should be filled or if BPAC should continue on as a smaller group.

ACTION – A conference call between the BPAC chairs, co-chairs and Fred Kemp will be scheduled to discuss the BPAC membership list and vacant positions.

Canadian RAP Implementation Committee – P. Vallance:

Kris Lee reported on behalf of Phil Vallance who was unable to attend the meeting. There has not been a Canadian RAP Implementation Committee (CRIC) meeting since the last BPAC meeting. CRIC will be meeting on February 25, 2016.

Four Agency Managers Work Group – T. Briggs:

Melanie Foose reported on behalf of Ted Briggs who was unable to attend the meeting. The next Four Agency Managers Work Group meeting is scheduled for March 24, 2016.

Other Business

- Sheri Faust, president of the Friends of the St. Clair River group (USA) has been chosen as the recipient of the Blue Water Woman Government Professional Woman of the Year and will be celebrated at a ceremony in February. Patty Troy expressed congratulations on the well-deserved honour to Sheri on behalf of BPAC.
- Patty Troy reported hearing of continued paper fiber discharges from the Dunn Paper facility and requested Judy Ogden to verify this with her contacts through Blue Water Sports Fishing Association.
- Patty Troy reported that the MDEQ draft Integrated Report was released and summarizes a number of different assessments for Michigan's waters. A representative will be invited to an upcoming Friends of the St. Clair River – USA speaker series event.
- Patty Troy participated in a webinar that provided an overview of the statewide TMDL development.

ACTION – Patty Troy will send Donna Strang the link to the TMDL webinar presentation to circulate to BPAC members.

- Paulette Duhaime attended the State of the Strait conference in Ypsilanti, Michigan on December 9, 2015. The conference is held every two years and includes presentations by academic and government agencies on recent studies along the corridor such as wetland assessments, habitat projects, etc. Paulette recommended that BPAC become more involved at this conference in the future.
- Lori Eschenburg reported that remaining signs created as part of the Blueways signage project are completed and installed. The informational signs provide overviews of the local history of the region and can be viewed at different locations along the Thomas Edison Parkway.

Next Meeting Date

The next BPAC meeting will be held on either Wednesday, March 30th or Thursday, March 31st depending on availability of the Lambton-Kent District School Board. Kris Lee will confirm.

Adjournment

The meeting was adjourned by Patty Troy at 9:35 pm.