

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL  
(BPAC)

Minutes - Final  
Meeting 2015-4

Tuesday, July 14, 2015  
Suncor Energy Projects  
1900 River Road  
Sarnia, Ontario

ATTENDEES:

Donna Strang  
Terry Burrell  
Judy Ogden  
Marina Plain  
Anne Marie Gillis

Kathy Watts  
John Jackson (via phone)  
Theresa Warren  
Darrell Randell  
Fred Kemp

Terry Richardson  
Patty Troy  
Melanie Foose  
Phil Vallance

REGRETS:

Ted Briggs  
Frank Frisk  
Pat Davidson  
Sheri Faust  
Christine Loeffler

Sandra Kok  
Rose Ellison  
Peter Westfall  
Jim Clatworthy  
Craig Griffiths

Patty Hayman  
Monte McNaughton  
Archie Kerr  
Fred Fuller

GUESTS:

Girish Sankar – St. Clair Region Conservation Authority

**Call to Order and Introductions – K. Lee**

The meeting was called to order at 6:40 pm by Kris Lee. She thanked Terry Richardson of Suncor for offering to host the meeting.

**Adoption, Additions or Corrections of Draft Agenda - All**

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

**Moved by Kathy Watts and seconded by Terry Burrell that the draft agenda be accepted with the following addition: Paulette Duhaime will provide an overview of the Michigan Department of Environmental Quality (MDEQ) Directors meeting after the discussion on the MDEQ Water Strategy Roundtable.**

**CARRIED**

**Approval of May 12, 2015 Draft Minutes and Actions – All**

Actions arising from the last meeting on May 12, 2015 were reviewed along with the draft minutes.

*Action Item – Beach Monitoring Report – St. Clair County Health Department  
BPAC members will send any questions they have regarding the “Beach Closings” Beneficial Use Impairment (BUI) to Melanie Foose*

*([foosem@michigan.gov](mailto:foosem@michigan.gov)) for inclusion in the FAQ document that will be included in the assessment.*

Melanie Foose reported that no questions about the “Beach Closings” BUI were received.

**Moved by Patty Troy and seconded by Fred Kemp that the draft minutes of May 12, 2015 be accepted.**

**CARRIED**

### **BPAC Member Survey – K. Lee and P. Troy**

At the March BPAC meeting, Kris Lee and Patty Troy distributed a draft survey aimed to solicit feedback from BPAC members regarding the role BPAC has in effective public outreach and education activities and how the BPAC should move forward after the St. Clair River is delisted as an Area of Concern (AOC). BPAC members were asked to comment on the survey (e.g., structure, wording, etc). Comments were incorporated into the draft survey distributed to members prior to the current meeting.

Kris Lee and Patty Troy requested that BPAC members fill in the survey and send to Donna Strang ([dstrang@scrca.on.ca](mailto:dstrang@scrca.on.ca) or St. Clair Region Conservation Authority, 205 Millpond Crescent, Strathroy, Ontario, N7G 3P9) by August 17, 2015 so results can be tabulated and discussed at the September BPAC meeting. The anticipated next step will involve the circulation of a slightly revised version of the survey to local advocacy and stewardship groups for their feedback regarding BPAC outreach and future outlook.

**ACTION** – Donna Strang will circulate a digital version of the survey to BPAC members with the meeting minutes.

**ACTION** – BPAC members will fill out the survey and send to Donna Strang by August 17, 2015.

**ACTION** – Donna Strang, Kris Lee and Patty Troy will tabulate survey results for discussion at the next BPAC meeting.

### **United States Drinking Water BUI Subcommittee – P. Troy**

*\*\*This topic was discussed prior to the “Cuttle Creek” You Tube agenda item.\*\**

A meeting was held the week prior to discuss the water intake monitoring results presented by Paulette Duhaime at the May BPAC meeting in Port Huron, Michigan in support of the “Restrictions on Drinking Water Consumption or Taste and Odour Problems” BUI on the American side of the river. The survey outlined, among others, water quality parameters monitored at each water intake along the St. Clair River and sample frequency. Those who attended the meeting were impressed by the program implemented at the Marysville intake but noted that this level of monitoring was not consistent among all intakes along the St. Clair River. The meeting outcome resulted in the recommendation to send a letter to each of the other water intakes along the river, encouraging them to expand their monitoring program to that implemented at the Marysville facility.

BPAC members expressed their concern regarding other issues surrounding water intake facilities such as the lack of communication between plants along the river and the level of support available for water intake operator training.

The United States Drinking Water BUI Subcommittee is planning to reconvene after information is provided by Rose Ellison of the United States Environmental Protection Agency (USEPA)

regarding federal, provincial and state policies and practices the address spills and prevent their occurrence.

#### **“Cuttle Creek” YouTube Video – M. Foose**

Melanie Foose narrated a YouTube video now available online that provides drone footage of the Cuttle Creek restoration project nearing completion in Marysville, Michigan. This project will result in 3000 feet (914 meters) of restored habitat including a series of pool and riffles to improve the aquatic ecosystem. The project will also result in access to the creek by Great Lakes fish. It is anticipated that the project will be completed in September 2015.

Judy Ogden inquired as to how the design would benefit spawning and young-of-the-year (YOY) and how the design would facilitate the movement of YOY to the St. Clair River. Melanie Foose advised that the project design was developed with fish populations in mind, however, she would have to contact the engineer to get more specific information.

**ACTION** – Melanie Foose will contact the Cuttle Creek project engineer to obtain more specific information on how the design benefits fish populations.

**ACTION** – Donna Strang will circulate the YouTube link to the Cuttle Creek video to BPAC members with the meeting minutes.

#### **Discussion – Vortex Hydroenergy Presentation – St. Clair River Energy Generation – P. Troy and All**

At the May BPAC meeting in Port Huron, Michigan, Dr. Bernitsas of Vortex Hydroenergy provided an overview of an energy generation project that converts energy from the current of the St. Clair River into electrical energy. The deployment of one Vivace Converter prototype occurred in the river adjacent to the Dunn Paper Company at the mouth of the St. Clair River in 2014. A permit application for a three month deployment of the prototype is currently being reviewed by the Michigan Department of Environmental Quality (MDEQ) and is open to public input.

Patty Troy requested feedback from BPAC members regarding the project and whether BPAC would like to submit comments to the MDEQ regarding the permit application.

Comments from BPAC members included:

- From a research and development point of view, concerns are minor with the deployment of one unit for the three month period. Major concerns stem from the possibility of this technique becoming commercialized leading to the deployment of many Vivace Converters in the St. Clair River.
- Would be beneficial if assessments on impacts to fish and fish habitat could be conducted during the three month deployment of the one prototype. Information could be used to estimate the cumulative impact of many units.

**Moved by Kathy Watts and seconded by Paulette Duhaime that comments from BPAC be submitted to the MDEQ on the Vortex Hydroenergy permit application. The letter will express BPAC’s concern over the potential impacts on benthic and fish habitat and the recommendation that a marine habitat assessment be required as part of the permit.**

***CARRIED***

**ACTION** – Patty Troy and Judy Ogden will draft a letter on behalf of BPAC to the MDEQ regarding the Vortex Hydroenergy permit application that expresses BPAC’s concerns and recommendations regarding the three month deployment of the Vivace Converter.

### **MDEQ Water Strategy Roundtable – K. Lyons, L. Eschenburg, P. Troy**

Patty Troy provided BPAC members with an overview of the draft Michigan Water Strategy developed by the MDEQ that is currently undergoing public review. The draft strategy outlines a 30-year vision that implements an ecosystem approach to ensure Michigan waterways are sustainably maintained into the future.

Nine focus areas are highlighted in the strategy and include the need to:

1. Protect and Restore Aquatic Ecosystems
2. Ensure Clean and Safe Waters
3. Create Vibrant Waterfronts
4. Support Water-Based Recreation
5. Promote Water-Based Economies
6. Invest in Water Infrastructure
7. Monitor Water Quality
8. Build Governance Tools, and
9. Inspire Stewardship for Clean Water

Patty Troy advised BPAC member that the draft is currently posted for public comment until Friday, August 28, 2015. It can be accessed online at: [www.michigan.gov/waterstrategy](http://www.michigan.gov/waterstrategy).

### **MDEQ Directors Meeting – P. Duhaime**

Paulette Duhaime attended the MDEQ Directors meeting on June 19, 2015 and reported to BPAC members. The meeting provided the opportunity for MDEQ Directors to meet with local south-east Michigan community groups, hear what their priorities are and determine how the MDEQ could effectively provide support. Additionally, community group representatives were asked to comment on the strengths of the MDEQ as well as where improvement is required. Paulette Duhaime provided comments on behalf of the BPAC at the meeting. If interested in obtaining a copy of these comments, BPAC members should contact Donna Strang ([dstrang@scrca.on.ca](mailto:dstrang@scrca.on.ca)).

Melanie Foose also advised BPAC members that Public Advisory Council (PAC) support grants that have typically been distributed through the Great Lakes Commission (GLC) will now be administered by the MDEQ. A call is being planned with the Statewide Public Advisory Council (SPAC). Melanie Foose strongly recommended that a BPAC representative (if not two) participate. Patty Troy advised that she planned to participate in the teleconference. John Jackson might also be available.

**ACTION** – Patty Troy will forward the SPAC teleconference information to John Jackson once she receives the information.

### **WATCH Proposal – Restriction on Drinking Water BUI – K. Lee**

Kris Lee advised BPAC members on recommendations provided to the Canadian Remedial Action Plan Implementation Committee (CRIC) by the Wallaceburg Advisory Team for a Cleaner Habitat (WATCH). The recommendations are in reference to the “Restrictions on Drinking Water Consumption or Taste and Odour Problems” BUI on the Canadian side of the St. Clair River.

The recommendations focus on conducting a survey of the industries that discharge to the St. Clair River requesting specific information on what measures are in place to prevent and contain spills along with any plans to reduce their connection to the river. The recommendations surround the need to build community confidence around the preventative measures put in place to prevent spills to the St. Clair River.

A “Restrictions on Drinking Water Consumption or Taste and Odour Problems” discussion paper is currently being prepared by CRIC. The purpose of the document is to provide relevant information regarding this BUI to initiate a discussion on its status (no re-designation recommendations are provided). Once a final draft is approved by CRIC, consultation activities with the local community will be organized. The discussion paper along with the WATCH recommendations will be discussed at the upcoming CRIC meeting on July 22, 2015.

**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:**

Sandra Kok was unable to attend the meeting. No update was available.

**MDEQ Update:**

Melanie Foose provided an update on MDEQ activities to BPAC.

- Draft narratives for the “Beach Closings” and “Restrictions on Drinking Water Consumption or Taste and Odour Problems” BUIs are currently being prepared. She will advise BPAC as to when they are available for review.
- Work on the habitat restoration project located at Krispin Drain will mobilize in the next week.
- A shorter grant period is in place for PAC support grants (March 2016).

**USEPA Update:**

Rose Ellison was unable to attend the meeting. An update was not available.

**Committee Reports:**

**Statewide Public Advisory Council (SPAC) – P. Troy and P. Duhaime:**

Patty Troy reported on recent SPAC activities. A legislative briefing was held in early June in Lansing, Michigan. Patty Troy and Paulette Duhaime attended on behalf of the St. Clair River AOC BPAC. They reported that there was good participation by the state legislators and that the Blue Water River Walk was highlighted in the keynote speech. Patty Troy followed-up by passing along information on the St. Clair River AOC and thank you cards to the state representatives that were present at the meeting.

**Friends of the St. Clair River (FOSCR) – D. Randell and T. Burrell:**

Darrell Randell reported that the FOSCR last met in April. The FOSCR is supporting a number of habitat projects in the AOC including wetland restoration along Lake St. Clair and the Swan Lake restoration project being conducted on Walpole Island. Darrell Randell also advised BPAC members that the FOSCR is always looking for articles for the E-Newsletter sent out every three to four months. Articles can be submitted through the website.

**Friends of the St. Clair River Watershed (FOSCRW) – S. Faust:**

Kirsten Lyons, Stewardship Director for the FOSCRW reported on behalf of Sheri Faust who was unable to attend the meeting. The FOSCRW hosted the Sturgeon Festival on May 30<sup>th</sup> in Port Huron, Michigan. Approximately 4000 people attended the event. The event was a complete success despite the heavy rain and thunderstorm that passed through in the

afternoon, but more volunteers would be helpful at future events. Additionally, she reported that guided tours are currently being offered along the Blue Water River Walk on Saturday mornings.

BPAC Membership Subcommittee – A. Kerr:

Archie Kerr was unable to attend the meeting. No report was available.

Canadian RAP Implementation Committee (CRIC) – P. Vallance:

The next CRIC meeting is scheduled for July 22, 2015.

Four Agency Managers Work Group – T. Briggs:

Ted Briggs was unable to attend the meeting. Melanie advised that the next meeting is scheduled as a face-to-face meeting on September 23, 2015 in Port Huron, Michigan.

**Other Business:**

1. Patty Troy presented at the annual conference of the Michigan Water Environment Association. Fred Kemp congratulated her on her presentation and informed BPAC members that it was very well received by the water quality professionals in attendance.
2. John Jackson provided a link to two videos by the Great Lakes Commission that highlights urban water management.

**Next Meeting Date:**

The next BPAC meeting will be held on Tuesday, September 29, 2015 in Port Huron, Michigan (Location – TBD).

**Adjournment:**

**Moved by Darrell Randell and seconded by Terry Burrell that the meeting be adjourned.**

**CARRIED**

The meeting was adjourned by Kris Lee at 8:45 pm.