

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL  
(BPAC)

Minutes - Draft  
Meeting 2015-5

Tuesday, September 29, 2015  
St. Clair County Building Auditorium  
200 Grand River Avenue  
Port Huron, Michigan

ATTENDEES:

Donna Strang  
Peter Westfall  
Dan Collins  
Jim Clatworthy  
Marina Plain  
Lori Eschenburg

Kathy Watts  
Terry Burrell  
Patty Troy  
Judy Ogden  
Phil Vallance  
Kris Lee

Christine Loeffler  
Paulette Duhaime  
Sheri Faust  
Melanie Foose  
Fred Kemp

REGRETS:

Anne Marie Gillis  
April White  
Rose Ellison

Naomi Williams  
Ted Briggs

Theresa Warren  
Craig Griffiths

GUESTS:

Rick Loster – United States Coast Guard  
Wood Alef – Resident of Algonac, Michigan  
Jim Bloch – The Voice

**BPAC Member Survey – All**

Prior to the beginning of the meeting, the BPAC Survey was circulated to members. BPAC members filled in the survey and submitted to Donna Strang.

**Call to Order and Introductions – P. Troy**

The meeting was called to order at 6:50 pm by Patty Troy. Rick Loster from the United States Coast Guard and Wood Alef, a resident of Algonac, Michigan were introduced.

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

The draft agenda was reviewed and additions or corrections were solicited from BPAC members. Patty Troy informed BPAC that the draft agenda available at the meeting had one revision compared to the agenda emailed prior to the meeting. The National Coastal Conditions Assessment agenda item by Rose Ellison was replaced by a discussion and update on the Drinking Water BUI by Patty Troy and Paulette Duhaime.

**Moved by Terry Burrell and seconded by Kathy Watts that the draft agenda be accepted as prepared.**

**CARRIED**

### **Approval of July 14, 2015 Draft Minutes and Actions – All**

Actions arising from the last meeting on July 14, 2015 were reviewed along with the draft minutes.

**Moved by Phil Vallance and seconded by James Clatworthy that the draft minutes of July 14, 2015 be accepted.**

**CARRIED**

### **St. Clair River Restoration Partner Award – P. Troy and P Duhaime**

Patty Troy and Paulette Duhaime presented on behalf of BPAC the St. Clair River Restoration Partner Award to Jim Bloch, a writer with The Voice newspaper in Michigan. Jim has actively followed the restoration of the St. Clair River AOC and written numerous articles on the progress towards delisting. Patty and Paulette thanked him for his help in educating the public and reporting on significant activities and milestones.

### **Anchors Aweigh Exercise Follow-up, USCG – R. Loster**

Rick Loster of the United States Coast Guard (USCG) attended the BPAC meeting in February to inform and provide an overview of upcoming spill exercises on the St. Clair River in May. A table top exercise was held on May 6, 2015 in Port Huron, Michigan that simulated a major release of hydrocarbons in the St. Clair River from Enbridge Energy Company's Number 5 Pipeline off of Marysville, Michigan. The purpose of the table top exercise was to bring together all agencies and organizations who would respond to such an incident to test awareness, prevention, response and recovery.

A number of lessons were learned through the table top exercise including:

- Errors in Notification – a number of important phone numbers were not on the National Response Centre's (NRC) notification list and the wrong county was contacted.
- Unified Command Inclusion – too many agencies felt that they would be "in charge" of the incident and take the lead.
- Communications – a pre-approved communications plan was not included in the Geographic Response Plans (GRP) and a number of local water intakes along the St. Clair River were not identified in the GRP.
  - Rick Loster informed BPAC that a work group has been established with the task of preparing a communications plan.
- DECON Procedures Prior to Deployment – the threat of invasive species is a constant threat in the Great Lakes and any vessel responding to the spill should be disinfected prior to deployment.

A full scale exercise will be conducted on the St. Clair River in May or June of 2016 that will take into consideration the lessons learned from the table top exercise.

Questions from BPAC surrounding the exercise included:

1. Have there been any simulations conducted of a spill during the winter months to take into account ice coverage?  
*Rick Loster – There is research currently being conducted that looks at oil and ice interactions.*
2. How often are these exercises conducted?  
*Rick Loster – The last time an exercise was held for the St. Clair River was in 2009 so the exercises are conducted fairly regularly.*
3. How is it ensured that equipment is locally available to respond to a spill?

*Rick Loster – Each facility is required to have on hand spill response equipment such as booms or skimmers.*

4. Would a company like Enbridge have its own notification plan?

*Rick Loster – Each facility would have its own notification plans that would likely include the MDEQ Pollution Emergency Alerting System (PEAS) and the local community.*

5. Are Canadian agencies involved in the exercises?

*Rick Loster – Yes. We are in constant contact with the Eastern Canada Response Corporation (ECRC) among other agencies involved in spill response.*

6. Can people observe when the on-the-water exercise is being conducted?

*Rick Loster – Yes.*

BPAC members requested that Rick Loster attend a meeting after the full-scale exercise is conducted in 2016 to provide an overview.

### **North Channel Turbidity Issues – W. Alef**

Wood Alef is a citizen of Algonac who is concerned about the wakes created by boating traffic along the St. Clair River and the effect on shoreline turbidity. He owns property on Harsens Island directly across from Russell Island that is impacted by waves created by passing watercraft. He expressed that he was looking for advice and guidance on what steps he or BPAC could take to convey his concerns to the proper agency or individual.

Wood presented four videos showing the wakes and turbidity created by local water craft. Wood acknowledged that the majority of the boats were the regulated distance away from the shoreline however, questioned whether speed regulations were being followed.

BPAC members acknowledged that due to funding issues the sheriff likely finds it difficult to enforce no wake rules and that better communications need to be developed.

Recommended next steps included:

- Requesting clarification on regulations.
- Inviting a representative from the regulating agency to a BPAC meeting to hear concerns and provide additional information.

**ACTION** – Lori Eschenburg will provide Patty Troy with contact information for Lt. Paul Reid with the Marine Division of the St. Clair County Sheriff Department. Patty will contact him to request a presentation at the January BPAC meeting.

### **Ontario Power Generation Nuclear Waste Disposal – S. Faust and K. Lyons**

Sheri Faust addressed BPAC members on behalf of herself and Kirsten Lyons who was unable to attend the meeting. She inquired as to whether BPAC had an official position regarding the proposed Ontario Power Generation (OPG) nuclear waste repository being proposed along the Lake Huron shoreline. The proposed site has received over 170 resolutions opposing it. She acknowledged that the issue is beyond scope of the BPACs mandate but solicited from BPAC members their interest in developing an official position.

After discussion, BPAC members decided that the best course of action was not to take an official position on the OPG nuclear waste repository as the issue is outside the scope of the St. Clair River AOC and mandate of the group. Members were encouraged to stay informed and if they felt compelled to do so, submit on their own behalf any comments or concerns they have with the OPG facility.

**ACTION** – Any website links or information related to the OPG nuclear waste repository can be forwarded to Donna Strang who will circulate to BPAC members.

### **Vortex Hydroenergy Status Update – P. Troy**

Patty Troy updated BPAC on the status of the Vortex Hydroenergy project in the St. Clair River that will see one energy generating unit deployed in the St. Clair River adjacent to the Dunn Paper facility in Port Huron, Michigan. The research project will be conducted over a three month period.

BPAC has submitted questions and concerns to the researchers. One concern surrounded the potential impact on fish and fish habitat in the St. Clair River and the recommendation by BPAC to install cameras to obtain video footage of fish behavior and habitat impacts during the three month deployment. Patty informed BPAC members that cameras will be installed on the units and Vortex Hydroenergy has received advice on how best to obtain the video footage. Permitting required for the deployment includes one from the MDEQ (approved) and one from the United States Army Corps of Engineers (USACE; pending).

### **Beach Closings BUI Draft Assessment – MDEQ – M. Foose**

Melanie Foose presented the draft “Beach Closings” status assessment for the American side of the St. Clair River. Although the draft has been prepared, the new statewide delisting criteria prepared by the MDEQ requires concurrence from the United States Environmental Protection Agency (USEPA). The new criteria focuses on the impact to local beaches from *E. coli* originating from human sources. In the St. Clair River, Combined Sewer Overflows (CSOs) were identified as the primary source of anthropogenic *E. coli* to downstream beaches.

The assessment provides an overview of the significant work completed to reduce *E. coli* levels at local beaches along the Michigan side of the St. Clair River. In particular, the cities of Port Huron and Marysville have completed substantial work to separate combined sewers, eliminate CSOs and Sanitary Sewer Overflows (SSOs) and implement green infrastructure to reduce runoff to the river. The assessment also provides an overview of beach water quality at local beaches monitored by the St. Clair County Health Department (SCCHD) which yield mainly positive results.

Next steps will include:

1. Receiving comments from Technical Committee and BPAC members and incorporating into narrative.
2. BPAC approval of new delisting criteria.
3. BPAC support for Beach Closings BUI removal on the American side
4. Binational consultation
5. Submission to USEPA for approval to remove BUI.

**ACTION** – BPAC members will send any questions, comments or concerns on the removal strategy to Melanie Foose ([foosem@michigan.gov](mailto:foosem@michigan.gov)).

### **Drinking Water BUI – P. Troy and P. Duhaime**

In response to the results presented by Paulette Duhaime at the May BPAC meeting, the United States Drinking Water BUI subcommittee drafted letters to water intake facilities along the St. Clair River recommending and encouraging them to expand their water intake monitoring program to that implemented at the Marysville facility. Patty Troy updated BPAC members that the letters had been sent to local City Managers and superintendents. No responses have been received, however a response was not requested.

BPAC was also advised that the draft delisting criteria approved by BPAC in 2015 is still awaiting official approval which is expected in the near future.

**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 was unable to attend the meeting. No update was available.

MDEQ Update:

Melanie Foose provided an update on MDEQ activities to BPAC.

- Habitat work at Cuttle Creek continues but nearing completion.
- The Krispin Drain project on Harsens Island has begun including treatment of Phragmites.
- Forage fish sampling conducted in the St. Clair River in support of the “Bird or Animal Deformities or Reproductive Problems” BUI is complete and a draft report will be available soon.

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. She reported that the Public Advisory Council (PAC) support grants typically administered through the Great Lakes Commission (GLC) would now be managed by the Michigan Department of Environmental Quality (MDEQ). The next SPAC meeting is scheduled for November 16<sup>th</sup> and 17<sup>th</sup> in Bath, Michigan.

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

Terry Burrell reported on behalf of Darrell Randell who was unable to attend the meeting. The last FOSCR meeting was held at the beginning of September. The group is supporting a project at a Thornyhurst farm that will involve treating Phragmites and excavating the land to create improved wetland habitat.

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

Sheri Faust reported to BPAC members that tours of the Blue Water River Walk have been held every Saturday morning this summer and will end on October 3. Field days were held every Tuesday. Field days are mini-events where FOSCRW does hands on work with Stewards for an hour, then take them out on the River Walk for an hour to perform citizen science activities and to learn and share about various topics. Field days will end on October 27 for the season and start up again in the spring. In addition, volunteers dedicated a great amount of their time maintaining the walkway. A speaker series is also beginning and being organized by Kirsten Lyons, Stewardship Director at the FOSCRW. Lastly, Sheri reported that the two articles/posts on the FOSCRW Facebook page related to the Mudpuppy research being conducted along the St. Clair River and the work conducted to eliminate CSOs in Port Huron received the most “likes” out of any other posts uploaded by the group (2000 and 1000 likes, respectively).

BPAC Membership Subcommittee – A. Kerr:

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

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

Donna Strang and Kris Lee reported on behalf of Phil Vallance. The last CRIC meeting was held on September 24<sup>th</sup>. The major agenda items included a presentation by Melanie Foose on activities taking place on the American side of the St. Clair River. In addition, there was further discussion surrounding the “Restrictions on Drinking Water Consumption or Taste and Odour” discussion paper currently being developed/reviewed by the CRIC.

Four Agency Managers Work Group – T. Briggs:

Ted Briggs was unable to attend the meeting. Melanie Foose advised that the face-to-face meeting of the Four Agency Managers Work Group that was scheduled for September 23<sup>rd</sup> was cancelled. The meeting has been rescheduled for November 3, 2015.

**Other Business:**

- Lori Eschenburg reported on a number of St. Clair County activities and events:
  - New aerial imagery is now available for St. Clair County. The air photo imagery was taken in April 2015 and is updated every five years.
  - The County has received \$10K in funding towards developing and installing 10 information signs along the St. Clair River. Eight will be placed along the Thomas Edison Parkway. One of these signs will highlight the St. Clair River National Water Trail.
  - A successful Paddle and Pour event was held in Port Huron, Michigan the weekend of September 11<sup>th</sup>.

**Next Meeting Date:**

The next BPAC meeting will be held on Tuesday, December 1, 2015 in Sarnia, Ontario (Location – TBD).

**Adjournment:**

**Moved by Lori Eschenburg and seconded by Kathy Watts that the meeting be adjourned.**  
**CARRIED**

The meeting was adjourned by Patty Troy at 9:25 pm.