

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL  
(BPAC)

Minutes - FINAL  
Meeting 2019-3  
Thursday, June 20, 2019  
Enbridge  
1086 Modeland Road  
Sarnia, Ontario

**ATTENDEES:**

Kelly Johnson  
Patty Troy  
Melanie Foose  
Kirsten Lyons  
Fred Kemp  
Sandra Kok

Kathy Watts  
Kris Lee  
Terry Burrell  
Marina Plain  
Terry Richardson  
Naomi Williams

Paulette Duhaime  
Archie Kerr  
Vince Gagner  
April White  
Peter Westfall

**GUESTS:**

Ken Hall

Mike Moroney

**REGRETS:**

Ted Briggs  
Frank Frisk

Christine Loeffler  
Susan MacFarlane

Marilyn Gladu  
Donna Blue

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

The meeting was called to order by Kris Lee.

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

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

**Moved by Patty Troy and seconded by Archie Kerr that the draft agenda be accepted as prepared.**

**CARRIED**

**Approval of April 4, 2019 Draft Minutes and Actions – All**

The draft minutes from the last meeting on April 4, 2019 were reviewed.

- No corrections to be made to draft minutes.
  - Kelly Johnson has contacted DTE Energy for a summary or copy of their presentation from the meeting, but so far has not received anything.

**ACTION** – Patty Troy will contact DTE Energy for a summary and/or copy of their presentation from the April 4<sup>th</sup> meeting.

**ACTION** – The DTE presenters spoke about decommissioning of the St. Clair plant during their presentation. Kris Lee proposed that the BPAC chairs draft a letter to the Ontario Ministry of the Environment,

Conservation and Parks and the Michigan Department of Environment, Great Lakes and Energy requesting that the agencies keep each other aware of what is occurring during decommissioning, and who to contact if issues arise.

**Moved by Fred Kemp and seconded by Patty Troy that the draft minutes of April 4, 2019 be accepted as prepared.**

***CARRIED***

**Presentation by Enbridge – K. Hall**

Ken Hall provided a presentation about Enbridge operations.

Enbridge operates the longest crude oil and liquids transportation system in the world. The company delivers an average of 2.9 million barrels a day. Enbridge is Canada's largest natural gas distribution provider.

Enbridge is also involved in the renewable energy sector having invested \$5 billion in renewable energy since 2002. Renewable projects include wind, solar, geothermal, waste heat recovery and a host of emerging technology projects.

Enbridge strongly supports the use of pipelines to transport oil. Canada has 115,000 km of underground pipelines transporting an average of 3 million barrels of oil every day. To replace these pipelines and use an alternative transport source would require 4,200 rail cars and 15,000 tanker trucks on transportation corridors each day.

Safety is a core value and foundation of Enbridge's business. Enbridge invests close to \$2 billion annually to maintain the safety and reliability of their assets. The company has a multi-faceted approach to safety including:

- Rigorous design and construction standards
- Robust pipeline maintenance
- 24-7-365 system wide monitoring
- An inspection program regularly examining pipes, inside and out
- Leak detection
- Harnessing innovation and technology
- Value placement
- Geo-hazards assessments
- Strong emergency preparedness and response

Enbridge continues to work on the Line 5 replacement project which Ken presented on at the April 19, 2018 BPAC meeting. The project now proposes to replace the Line 5 pipeline in the Straits of Mackinac and construct a tunnel surrounding the new pipeline. The current pipeline crossing the Straits would be decommissioned. This portion of the project is expected to cost \$500 million. Enbridge has also agreed to replace the segment of the pipeline that crosses the St. Clair River using horizontal directional drilling. The St. Clair River pipeline replacement is currently at the stakeholder and agency consultation stage. It is hoped construction will begin in the fall of 2019. Enbridge continues to work with the Government of Michigan to finalize the remaining portions of the project.

**St. Clair River Sediment Management Project – M. Moroney**

Mike Moroney, Project Manager with the St. Clair Region Conservation Authority attended the meeting to speak about the Engineering and Design Plan for Management of Contaminated Sediment in the St. Clair River AOC.

Various data has been collected from the AOC over the years to determine the work that needs to be completed to remediate contaminated sediment in three priority areas. A mercury level in fish of 0.2 mg/kg has been determined to be a protective concentration (i.e. safe for fish).

Based on analysis completed, an average mercury concentration in sediment of 3 mg/kg will result in an average concentration in fish of 0.1-0.2 mg/kg. In order to achieve this concentration, all sediment contaminated at 10 mg/kg or higher will be removed and replaced with clean backfill. This will achieve an average concentration in the three priority areas of 3 mg/kg.

Contaminated sediment will be removed via hydraulic dredging wherever possible, or mechanical dredging in targeted areas. Capping may be used in areas inaccessible for dredging. Details will be refined based on additional data collected during the Detailed Engineering and Design phase of the project.

It was announced in December 2018 that the St. Clair Region Conservation Authority had been granted funding from Environment and Climate Change Canada (ECCC), the Ontario Ministry of the Environment, Conservation and Parks (MECP) and Dow Canada for the Detailed Engineering and Design Project. This project will further refine an implementation plan, and costs for remediation of the three contaminated sediment sites. It is proposed the work will be complete by spring 2021. It is hoped that a qualified consultant will be hired in summer 2019 to begin the technical work required for the project.

Two questions were asked after the presentation and Mike agreed to provide a follow up response. Below are those questions and responses.

1. Question: What is the depth of the sediment in the three priority areas?  
Response: The depth of the sediment ranges from 4 cm to 160 cm, with an average depth of 40 cm.
2. Question: What is the highest level of mercury contamination that was measured in the sediment?  
Response: The mercury concentration in the sediment samples collected ranged from less than 1 mg/kg to 60 mg/kg. The higher concentrations tended to be at the deeper depths.

### **2019 Sarnia Area Disaster Simulation (SADS) – K. Lee**

Kris Lee reported to the BPAC on the SADS exercise she attended on May 22, 2019. The purpose of the SADS exercise is to evaluate the effectiveness and efficiency of response processes and resources associated with a regionally coordinated emergency event. This evaluation identifies opportunities for improvement and actions are taken, as appropriate, to continuously improve over time.

A “table top” exercise took place on October 31 and November 1, 2018 during which a facilitator took participants through a simulated disaster scenario. This was a discussion based exercise intended to clarify key roles and responsibilities, notification and communication processes, technical decision making and overall coordination. On May 22, 2019 an on-the-ground exercise was carried out related to the previous table top exercise.

### **Canadian Loss of Fish and Wildlife Habitat BUI Criteria Update – A. White**

April White informed the BPAC that some minor edits have been made to the Loss of Fish and Wildlife Habitat BUI criteria as part of a critical review by ECCC and MECP. Some of the criteria were not measureable, achievable or relevant to the Stage 1 Report, and therefore required revision. The revised criteria are:

1. Administrative and legislative mechanisms are in place to protect recognized aquatic, wetland and terrestrial habitats from destruction or degradation.
2. Wetland coverage within the sub-watersheds of Area 1A is 6-10%, or is restored to the extent possible, and 155 ha of wetland habitat is rehabilitated, created, or protected within the Chenal Ecarte, Walpole Island First Nation delta or along the eastern shore of Lake St. Clair.

3. Habitat connectivity between the St. Clair River and Sydenham River and between Walpole Island First Nation, Bickford Oak Woods and the Aamjiwnaang First Nation has been improved.
4. 50% of the tributary lengths in Area 1A are buffered by a minimum width of 5m of natural vegetation or buffered to the extent possible.
5. Near shore and shoreline fish habitat has been enhanced at 6–12 priority sites along the St. Clair River to demonstrate the benefits of integrating shoreline protection with fish habitat enhancement.
6. Wetland habitat components (i.e. water quality, submerged aquatic vegetation, aquatic invertebrates, fish and birds) achieve a quality ranking of “Good” or better based on Water Quality Indices (WQI) and Indices of Biological Integrity (IBI) scores for a 3-year period, or when mean WQI/IBI scores within the AOC are shown to be statistically comparable to those outside the AOC for a 3-year period.
7. A long term *Fish and Wildlife Habitat Management Plan* for Ontario is completed to facilitate habitat restoration and protection beyond AOC delisting.

The Fish and Wildlife Habitat and Populations Subcommittee met in early May. The subcommittee reviewed the criteria and there were some comments/questions on some of the criteria but the committee is comfortable the criteria has been achieved, aside from the criteria addressing connectivity which DFO suggested could include connectivity to the river in addition to wetland/terrestrial habitats.

April will start compiling data soon for the Status Assessment Report and may present the findings to the CRIC at the next meeting.

#### **US Drinking Water Update – P. Troy and P. Duhaime**

Patty Troy reported to the BPAC that Melanie Foose is continuing to work on the removal document for the Restrictions on Drinking Water Consumption or Taste and Odour Problems BUI for the US side of the St. Clair River. The subcommittee continues to seek information from the relevant municipalities to include in the document. In obtaining this information the subcommittee has found one non-compliant industry and will notify the appropriate agency. There has been a very minor edit to the delisting criteria.

**ACTION** – The new criteria will be circulated to the BPAC after approval by the subcommittee. BPAC members are asked to provide comments for consideration before the next BPAC meeting on September 4, 2019.

**ACTION** – Include the Restrictions on Drinking Water Consumption or Taste and Odour Problems BUI criteria as an item on the agenda for the next BPAC meeting.

#### **Updates from OMOECC, ECCC, Michigan OGL and USEPA – T. Briggs, A. White, M. Foose and R. Ellison**

##### **OMOECP Update:**

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

##### **ECCC Update:**

April White informed the BPAC that a new Canada-Ontario Agreement (COA) is currently being developed and will hopefully go out for public comment this summer and ratified in the fall. Science and monitoring conducted by ECCC in the AOC is winding down. The Canadian Wildlife Service and Fisheries and Oceans Canada are completing work in the restored coastal wetlands related to aquatic vegetation and fish habitat.

April also reminded BPAC that 2019-2020 is the final year of Great Lakes Protection Initiative (GLPI) funding for RAP Coordination. A call for proposals will go out in December or early January and a 5-year application to continue coordination may be submitted. WIFN submitted a successful application and will be receiving GLPI funding for their Bush Marsh wetland restoration project.

Michigan Department of Environment, Great Lakes and Energy (EGLE) Update:

Melanie Foose reported that she is continuing to work on the removal document for the Restrictions on Drinking Water Consumption or Taste and Odour Problems BUI for the US side of the St. Clair River.

USEPA Update:

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

**Committee Reports:**

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

The last SPAC meeting was held in Muskegon, Michigan on May 15 and 16, 2019. At this meeting the Great Lakes Commission provided an update and issued a list of federal priorities. More information is available at [www.glc.org](http://www.glc.org). The next meeting is being held July 16 and 17 in Houghton, Michigan.

Paulette Duhaime reported that the PAC grant expired at the end of May. Further funding from the EPA to the state has not yet come through. The PAC is waiting for a request for proposals to be released.

The 2019 Regional Areas of Concern Conference is taking place in Cleveland, Ohio on September 11 and 12, 2019.

Friends of the St. Clair River (FOSCR) – Canada – T. Burrell

The Friends of the St. Clair River are waiting to hear about Canada-Ontario Agreement (COA) funding for 2019-2020.

Work on the new FOSCR website is continuing. The website should be publicly available by the end of summer.

Friends of the St. Clair River – USA – K. Lyons

The Sturgeon Festival was held June 1<sup>st</sup> weekend at Fort Gratiot Park. Approximately 2000 people attended the festival on the Saturday. In addition, 700 grade 5 students participated in sturgeon related activities in the days prior to the festival. The Adopt a Sturgeon program was launched at the festival which resulted in 12 Sturgeon being “adopted”.

The Friends Fund Development Plan committee has not yet met, but a preliminary plan has been received from the strategic planning consultant. The group is also hoping to have an Executive Director in place by the end of the year.

It has been decided that the Bluewater River Rats building which houses the Friends office is going to be demolished as it is in disrepair and does not meet accessibility standards. A new location for the Friends office has not yet been secured.

Kirsten reminded everyone of Friends Wetland Wanderings program which takes place the fourth Wednesday of each month.

BPAC Membership Subcommittee – A. Kerr and F. Kemp

Archie Kerr reported to the BPAC that he has sent out emails to members who have been consistently absent from meetings to ask if they wish to remain on the BPAC. He has heard back from some, but not others. Archie will continue contacting members.

Canadian RAP Implementation Committee (CRIC) – A. White

A CRIC meeting was held earlier in the day (June 20, 2019) in Sarnia, Ontario. The CRIC heard Mike Moroney's presentation on the St. Clair River Sediment Management project, and a presentation from April White related to the Fish Tumours or Other Deformities BUI. The CRIC voted to endorse the recommendation of the Status Assessment Report to move forward with re-designation of the BUI. Kelly Johnson reported at the meeting that the 2012 – 2017 Accomplishments Report is now complete and copies are currently being printed. Hard copies will be available for BPAC members at the next meeting.

Four Agency Managers Work Group – A. White

The Four Agency Managers Work Group will be meet next via teleconference on July 23<sup>rd</sup>.

**Other Business:**

**Aamjiwnaang Report**

- Marina Plain reported that 14-year old Autumn Peltier has been appointed chief water commissioner by Anishinabek Nation.
- The Aamjiwnaang Pow Wow is being held on the coming weekend, starting June 21, 2019.

**St. Clair River Fishing**

- Fred Kemp reported that fish populations in the St. Clair River appear to be abundant this season and the size of fish is notable.

**Next Meeting Date**

The next meeting date will be September 4, 2019 in the St. Clair County Building (auditorium) in Port Huron, Michigan.

**Adjournment**

**Moved by Paulette Duhaime and seconded by Archie Kerr that the meeting be adjourned.**  
**CARRIED**