

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL
(BPAC)

Minutes - FINAL
Meeting 2019-5

Thursday, November 14, 2019

Maawn Doosh Gumig Community Centre, Aamjiwnaang First Nation
1972 Virgil Avenue
Sarnia, Ontario

ATTENDEES:

Donna Blue
Kirsten Lyons
April White (by phone)
Susan MacFarlane

Patty Troy
Archie Kerr
Marina Plain
Fred Kemp

Kris Lee
Ted Briggs
Terry Burrell

GUESTS:

Girish Sankar, St. Clair Region Conservation Authority

REGRETS:

Peter Westfall
Theresa Warren

Christine Loeffler
Melanie Foose

Sheri Faust
Vince Gagner

Call to Order and Introductions – K. Lee

The meeting was called to order by Kris Lee at 6:31 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 Patty Troy and seconded by Fred Kemp that the draft agenda be accepted as prepared.

CARRIED

Approval of September 4, 2019 Draft Minutes and Actions – All

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

- April White advised that minor clarification was required under the Environment and Climate Change Canada update. The new COA Agreement between the Government of Canada and the Government of Ontario is not finalized. Rather the new COA is in draft and was open for public comment. Following the federal election, next steps will be determined.

Moved by Terry Burrell and seconded by Marina Plain that the draft minutes of June 20, 2019 be accepted with the noted revision.

CARRIED

Action items from the September 4, 2019 meeting were reviewed and updated where necessary:

Actions from April 4, 2019 Meeting – Other Business:

- Ted Briggs will address the IPAT Report at the next meeting on the Canadian side.

CARRIED FORWARD

CDN Fish Tumours and Other Deformities Beneficial Use Impairment (BUI):

- April White will provide an electronic copy of the “*Fish Tumours or Other Deformities*” BUI status assessment for BPAC members to review. Comments are solicited by the end of October.

COMPLETED

- Marina Plain will invite April White to an upcoming meeting to present the “*Fish Tumours or Other Deformities*” BUI status assessment to Aamjiwnaang First Nation representatives.

COMPLETED

- The Canadian “*Fish Tumours and Other Deformities*” BUI status assessment will be discussed at the next BPAC meeting.

COMPLETED – Scheduled for discussion later in the agenda

Committee Reports – Friends of the St. Clair River (FOSCR) - USA:

- Sheri Faust will share the final beach monitoring report prepared by the St. Clair County Health Department with BPAC once it is completed.

COMPLETED – Sheri Faust provided Donna Blue with the report.

ACTION – Donna Blue will circulate the final beach monitoring report prepared by the St. Clair County Health Department to BPAC members with the draft minutes.

Disaster Mitigation and Adaptation Fund (DMAF) Shoreline Restoration Projects – Girish Sankar

Girish Sankar, Director of Water Resources at the St. Clair Region Conservation Authority (SCRCA) attended the BPAC meeting to provide a background on shoreline protection work conducted by the SCRCA and the recent funding the Authority will be receiving through Infrastructure Canada’s Disaster Mitigation and Adaptation Fund (DMAF).

The SCRCA has been involved in shoreline protection projects since the 1970’s particularly along the Lake Huron shoreline. In the 2000s however, as part of the St. Clair River AOC program, the SCRCA conducted a shoreline assessment to identify opportunities where shoreline protection work was required and could be completed along the River.

Projects generally involve replacing steel sheet pile walls with structures made using armour stone. This technique provides improved shoreline stability while also enhancing habitat, improving the aesthetics of the location, and reducing long-term costs. The SCRCA works

closely with municipalities to ensure that additional considerations outside the scope of shoreline protection are implemented when possible (e.g., improved public access, vehicular viewing opportunities, etc.).

In 2019, the SCRCA was successful in its application to the DMAF and were granted \$8 million over 10 years to support the rehabilitation and protection of several stretches of shoreline along the Lake Huron and the St. Clair River shorelines. The funding is specific to municipal property and required matching funds from the municipalities where the work would be taking place (City of Sarnia and St. Clair Township). The proposed projects are focusing on the Brights Grove region in the City of Sarnia and shoreline restoration at Courtright along the St. Clair River.

Questions and Comments from BPAC Members:

1. *Do inspections of the shoreline protection works occur at regular intervals?*

Yes, SCRCA staff visit shoreline protection projects annually to inspect the infrastructure and identify any required maintenance. This is in addition to the visits municipal staff make to the park for general maintenance throughout the year.

2. *Are there any funding opportunities that private landowners would be eligible to receive?*

Depending on the application requirements (eligibility) of the funding source, there may be opportunities for private landowners to apply for grants.

CDN Fish Tumours and Other Deformities Beneficial Use Impairment – A. White

At the September BPAC meeting, April White presented the results of status assessment for the “*Fish Tumours or Other Deformities*” Beneficial Use Impairment (BUI). The status assessment recommended the re-designation of this BUI from “Requires Further Assessment” to “Not Impaired” based on studies of liver tumour prevalence in Brown Bullhead (*Ameiurus nebulosus*) and Shorthead Redhorse Sucker (*Moxostoma macrolepidotum*) along with associated sediment chemistry data.

A motion was made to accept the re-designation recommendation but BPAC members requested additional time to review that status assessment report prior to voting. The motion was tabled.

April White participated by phone to field additional questions and comments surrounding the “*Fish Tumours or Other Deformities*” BUI.

Questions, Comments and Discussion from BPAC Members:

- *Have the Aamjiwnaang First Nation (AFN) Environment Committee or Chief and Council endorsed this recommendation?*

No they have not. A presentation was made by April White to the AFN Environment Committee on November 5th. Both AFN and Walpole Island First Nation have their own processes for BUI status recommendations.

Moved by Terry Burrell and seconded by Fred Kemp that the motion tabled on September 4, 2019 to approve the recommendation to re-designate the “*Fish Tumours or Other Deformities*” BUI to “Not Impaired” be taken from the table.

CARRIED

Moved by Kris Lee and seconded by Archie Kerr that the motion tabled on September 4, 2019 be amended to state that the BPAC approves the recommendation to re-designate the “*Fish Tumours or Other Deformities*” BUI to “Not Impaired”, based on the results of the status assessment report.

CARRIED with one opposition

Questions, Comments and Discussion from BPAC Members:

- Marina Plain advised BPAC members that she has sent April White additional concerns and questions that she recommends be considered during the assessment of this BUI. The concerns related to: 1) lesions observed on locally caught Walleye, 2) why AFN fishermen were not consulted, 3) a recent meeting by the Chiefs of Ontario where fish tumours was a topic of discussion, and 4) a new process that will be implemented in the near future by the Anishnabek Nation that should be reviewed.
- Although not specific to the “Fish Tumours or Other Deformities” BUI, BPAC members expressed their support and encouragement that studies continue on lesions on walleye at a Great Lakes level to determine their cause and distribution.
- One reference was noted as missing from the status assessment report (Pg. 23 for Drouillard, K.).

CDN Beneficial Use Impairment Status and Next Steps – T. Briggs

Ted Briggs presented to BPAC a chart showing the current status of BUIs on both the Canadian and American sides of the St. Clair River, Detroit River and St. Marys River. The chart identifies BUIs that are designated as “Impaired”, “Not Impaired”, and “Requires Further Assessment.” In addition, BUIs that were never identified as “Impaired” are listed. Re-designation and proposed re-designation dates are also provided.

On the Canadian side of the St. Clair River, there are four BUIs that remain “Impaired”:

- Restrictions on Fish and Wildlife Consumption
- Degradation of Benthos
- Restrictions on Drinking Water Consumption or Taste and Odour Problems
 - Patty Troy recommended that a review of the IPAT report be presented to BPAC prior to the “*Restrictions on Drinking Water Consumption or Taste and Odour Problems*” BUI to understand how the recommendations outlined in that report were addressed.
- Loss of Fish and Wildlife Habitat

In total, at the beginning of the AOC program, a total of 60 BUIs were identified as “Impaired” on both the American and Canadian sides of the St. Clair River, Detroit River and St. Mary’s River. To date, 33 of these BUIs have been re-designated to “Not Impaired”.

ACTION – Ted Briggs will discuss sharing the BUI chart with other agency representatives (ECCC, USEPA, EGLE) and if agreeable, will share with BPAC members.

Sediment Management Project Update – T. Briggs

Ted Briggs provided BPAC members with an update on the Detailed Engineering Design Plan Phase of the St. Clair River Sediment Management Project. Mike Moroney was hired by the St. Clair Region Conservation Authority (SCRCA) to lead the management of this project and provided BPAC with an update at the June 2019 meeting.

This past spring, a Request for Proposals (RFP) was advertised and after a tendering process, Parsons Engineering was awarded the contract to complete a detailed engineering design for this project. Parsons Engineering reports to the SCRCA and the Sediment Management Project Oversight Committee consisting of representatives from the SCRCA, Environment and Climate Change Canada, the Ministry of the Environment, Conservation and Parks (MECP) and Dow Canada.

Parsons Engineering has subcontracted Pollutech and Anchor QEA to assist in implementing a monitoring plan developed for each of the three priority areas which will confirm sediment stability and refine site delineation. Some delays have occurred due to unforeseen weather conditions. Initial discussions have also occurred with local industry and municipalities regarding the availability of staging areas during the implementation phase of the Sediment Management Project.

In addition, community meetings were held at both Aamjiwnaang and Walpole Island First Nations to provide an overview of the proposed work to local community members. Additional information is available on the St. Clair River Sediment Management Project website at: www.stclairsediment.ca.

Updates from OMECP, ECCC, Michigan EGLE and USEPA – T. Briggs, A. White, M. Foose and R. Ellison

OMECP Update:

Ted Briggs reported that funding through the Canada-Ontario Agreement (COA) has been released by the province. This funding supports the Friends of the St. Clair River (FOSCR) community group and RAP Coordination among other efforts throughout the Great Lakes basin.

ECCC Update:

No update available.

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

No update available.

USEPA Update:

No update available.

Committee Reports:

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

Patty Troy reported that the SPAC meeting scheduled for October was cancelled. A re-scheduled meeting is proposed for early 2020.

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

Terry Burrell advised that the COA Agreement with the MECP is currently being reviewed FOSCR also applied for an Enbridge grant that will support projects within the AOC (e.g., habitat projects, Phragmites removal, etc.). The Annual General Meeting is being scheduled for December.

Friends of the St. Clair River (FOSCR) – USA – K. Lyons

Kirsten Lyons reported that Sheri Faust, Paulette Duhaime and herself attended the AOC Conference held in Cleveland, Ohio this past September. FOSCR members were also invited on an educational tour the Great Lakes Water Authority Water Treatment Plant in Fort Gratiot. The FOSCR offices have officially moved to Marine City. Lastly, a hike is being planned on Black Friday at the Columbus County Park.

BPAC Membership Subcommittee – A. Kerr and F. Kemp

No report.

Canadian RAP Implementation Committee (CRIC) – A. White

There has not been a CRIC meeting since this last BPAC meeting, however a new five-year work plan is being prepared for the years 2017-2022. The 2012-2017 Report of Accomplishments has been finalized.

ACTION – Donna Blue will circulate the 2012-2017 Report of Accomplishments to BPAC members.

Four Agency Managers Work Group – A. White

The Four Agency Managers Work Group had their annual face-to-face meeting in Windsor, Ontario this October where they toured a number of Detroit River AOC sites and projects.

Other Business:

- The Canadian Friends of the St. Clair website has been updated and is now online. It houses minutes from the BPAC, CRIC and FOSCR along with relevant publications and information about the St. Clair River AOC, the RAP and associated committees. The only part outstanding is the photo gallery.
- Archie Kerr advised BPAC members that a “Climate Conversation” will be held on November 29, 2019 in Sarnia.

ACTION – Archie Kerr will provide Donna Blue with the “Climate Conversation” poster. Donna Blue will circulate to BPAC members for their information.

Next Meeting Date

The next meeting will be held on January 23, 2019 on the US side.

Adjournment

The meeting was adjourned at 8:20 pm.