



St. Clair River Canadian RAP Implementation Committee (CRIC) Meeting Minutes

**Thursday, June 23, 2022
Zoom Teleconference
Minutes produced by Mike Moroney**

Attendees:

April White, Environment and Climate Change Canada (ECCC)
Stephen Marklevitz, Ministry of Natural Resources and Forestry (MNRF)
Ted Briggs, Ministry of the Environment, Conservation and Parks (MECP)
Vince Gagner, Bluewater Association for Safety, Environment and Sustainability (BASES)
Terry Burrell, City of Sarnia
Donna Blue, St. Clair Region Conservation Authority (SCRCA)
Cathleen O'Brien, Aamjiwnaang First Nation (AFN)
Courtney Jackson, Aamjiwnaang First Nation (AFN)
Kris Lee, Binational Public Advisory Council (BPAC)
Trevor Robak, Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA)
Mike Moroney, RAP Coordinator (SCRCA)

Regrets:

Annette Verhagen, Ministry of Environment, Conservation and Parks (MECP- Sarnia)
Dennis Plain, Aamjiwnaang First Nation (AFN)
Kyle Williams, Aamjiwnaang First Nation (AFN)
Naomi Williams, Walpole Island First Nation (Walpole Island First Nation)
Sara Varty, Environment and Climate Change Canada (ECCC)
Joe Boothe, City of Sarnia

Actions Arising from Meeting

- a) April White to share an updated draft Assessment Report for BUI 3 – Degradation of Fish and Wildlife Populations to CRIC members.
- b) CRIC members to provide comments directly to April White if they see any gaps or have suggestions for revisions to April White's presentation on the redesignation process.

- c) Mike Moroney is to add another row to the draft 2022 - 2027 Workplan table to identify the sediment work that needs to be completed before the Degradation of Benthos BUI can be redesignated.
- d) Mike Moroney to check reports and notes and confirm whether the official delisting criteria has changed or if the spill prevention work was just considered additional context when assessing BUI 9 due to community interest.
- e) Mike Moroney to update the draft 5-year Workplan based on comments received, circulate it to the agencies for review, then circulate it to the wider CRIC group for review and comment.
- f) The Outreach Committee, led by Mike Moroney, is to explore the concept of an Annual Community Event.
- g) Mike Moroney to compile a list of who participated in the last virtual science symposium and the last event at Bogey's Inn in St. Clair Township, as potential invitees to the September 2022 redesignation event.
- h) Kris Lee to share the completed GLEN survey with CRIC once the responses are finalized after the June 23, 2022 BPAC meeting.

Meeting called to order at 1:30 pm

1. Welcome and Introductions:

April White chaired the meeting and welcomed CRIC members to the Zoom teleconference.

2. Approval of Agenda and Previous Minutes:

The June 23, 2022 draft agenda was accepted with the understanding that Kris Lee would speak to the GLEN survey during Member Updates or other business, and Vince Gagne would speak to CODE 10 and Emergency Response during the Member Updates.

3. Review and Acceptance of Minutes from January 20, 2022

The minutes from the January 20, 2022 meeting were accepted.

Update on Actions Arising from Previous Meeting:

- Natasha Pozega had circulated the Redesignation Process document
- April White was to share an updated draft Assessment Report for BUI3 – Degraded Fish and Wildlife Populations. It is close to being completed but needs a couple of more weeks before it can be circulated.

4. Status of Beneficial Use Impairments – April White, Ted Briggs

BUI 1- Restrictions on Fish and Wildlife Consumption (Impaired): This BUI is tied to BUI 6, they are going to move together. Working on getting GLIER to compile and analyze fish

body burdens and compare them to the fish consumption guide. GLIER will be looking at the data and preparing a report that will support the BUI assessment report.

& BUI 6: *Degradation of Benthos (Impaired)*: As was highlighted at the previous meeting, this BUI is dependent on the progress of the sediment management project. The final engineer and design plan was completed in Dec 2021. ECCC and MECP and Dow have entered into discussions on moving forward. Need to confirm who will lead and need to address permits/approvals plus there is a tight window in which the work can be performed.

Continuing to collect fish consumption data and fish contaminant data and all of that information will be tied into the assessment report.

BUI 3- *Degradation of Fish and Wildlife Populations (RFA)*: Just in the process of addressing comments from the last draft that was circulated.

BUI 9- *Restrictions on Drinking Water Consumption, or Taste and Odour Problems (Impaired)*: We have completed engagement with Aamjiwnaang First Nation. Presented recently to Chief and Council during their Environment Seminar and now working with Naomi Williams to support Walpole Island First Nation engagement. A community information session that was scheduled for the previous day had to be rescheduled. Once engagement with Walpole Island First Nation has been completed, the assessment report will be shared with BPAC, then the Four Agency Managers Committee, then the Canada/Ontario ANNEX leads, and then the Executive.

BUI 14: *Degradation of Fish and Wildlife Habitat (Impaired)*: The Fish and Wildlife Populations and Habitat Subcommittee met in November 2021, and again in January 2022. For this BUI, there are 7 specific delisting criteria. There is agreement that all 7 have been met with the exception of one. Waiting for Department of Fisheries and Oceans analysis.

Information is now being posted to a SharePoint site so that all subcommittee members can have access. A rough draft of the framework for the assessment report has been prepared. Each delisting criteria has an agency lead. This is the priority for the subcommittee for his year. Relying on agencies to provide the content. April White and Mike Moroney will lead the write-up.

5. Redesignation Process – April White, ECCC

April White spoke to a slide presentation that outlined the Redesignation Process.

Slide 1 – RAPs were developed with partners under the GLWQA and those that are partners should all be engaged in the Redesignation Process. ECCC is the “Party” under the GLWQA that can remove a BUI designation after the established criteria have been met but it is with consultation with the provincial government. COA is developed every 5 years and the new COA was put in place last year. Whatever the commitments are in COA is what both

governments commit to advance the AOC. Under the new COA there is a commitment for more engagement, especially with Indigenous communities. It also now includes Metis. There is a local Metis Council and ECCC is working on engaging them. The Metis Council will likely also have to be included in the circulation list in the future when draft assessment reports are being circulated.

Slide 2 – The detailed BUI Redesignation process came out of the 2014 COA agreement. From that came the CRIC steps. Current steps refer to an initial draft, a draft and a final draft. The BUI redesignation process that was previously circulated to CRIC after the last meeting was dated and has evolved since that version was prepared. The purpose of the discussion today is to see if any minor revisions are required to the process outlined in April White's presentation.

Slide 3 – Likely more detail than what is needed to explain the various versions of each draft report.

Slide 4 – The purpose of tracking the engagement process so carefully is because the Annex leads are interested in knowing the details of the engagement process. They want to be confident in the level of engagement completed with the RAP partners.

Slide 5 – This summarizes the key high-level steps in the process for redesignating to Not Impaired. COA annex lead can ask for more information or additional technical review or more engagement etc. For BUIs that are Impaired, the process requires that it go to the COA Executive for approval to redesignate. For BUIs that Require Further Assessment, the approval for the status stops at the COA Annex leads, it does not go to the COA Executive.

Slide 6 – Do we need to add this level of detail for Step 1 and Step 2? Kris Lee commented that the slide contains too much detail for BPAC purposes. Just a simple flow chart is all that BPAC would likely need. Depends on who the audience is. The RAP Coordinator may need more detail to make sure the process is followed.

Slide 7 – Outlines how the recommendation gets to the COA AOC Annex leads. When the BUI Status report is circulated, that is the que for Aamjiwnaang First Nation and Walpole Island First Nation to take it to their respective committee and council and CRIC supports that engagement process.

It was agreed that no decisions need to be made right now with respect to the information presented in the slides.

Action: If any CRIC members see any gaps or revisions required, they are to provide comments to April White.

6. Workplan for 2022-2027 – Mike Moroney – RAP Coordinator

Mike spoke to a rough draft of the proposed Workplan for 2022-2027, focusing on the table of action items for each remaining BUI. Additional work on the content is underway.

The Workplan will be updated to reflect the actions that remain to be completed to address the five remaining BUIs:

- BUI 1: Restrictions on Fish and Wildlife Consumption
- BUI 3: Degraded Fish and Wildlife Populations
- BUI 6: Degradation of Benthos
- BUI 9: Restrictions on Drinking Water Consumption or Taste and Odour Problems
- BUI 14: Loss of Fish and Wildlife Habitat

BUI 1: Is there value in adding in the workplan the sport fish contaminant analysis results are expected in 2022/23? For discussion.

BUI 3: A discussion occurred around the Sport Fish Survey identified under Degraded Fish and Wildlife Populations with MNRF as the lead and agreed this survey is related to BUI 1 and not needed to move this BUI forward.

Stephen Marklevitz advised the CRIC that MNRF is organizing a sport fish survey on a rotational basis. A survey of the St. Clair River may be conducted within the next couple of years and while it is not linked to the AOC program, it could provide valuable information on fish communities post delisting. In 2019/20 MNRF did implement a pilot so they have some data if that is of interest to partners.

BUI 6: Degradation of Benthos – **Action:** Mike Moroney is to add another row to the table to identify the sediment work that needs to be completed before the BUI can be redesignated.

BUI 9: Restrictions on Drinking Water Consumption or Taste and Odour Problems – A discussion occurred with respect to the delisting criteria for this BUI. The previous workplan just identified one delisting criteria – “no treatment plant shutdowns due to exceedances of drinking water guidelines over a two-year period”. Mike Moroney asked for clarification as to whether there are now 3 delisting criteria because of how there was also an assessment conducted of spill prevention and contingency initiatives and spill response and spill notification systems.

Kris Lee recommended that MECP look at what new technologies are out there and whether they are sufficient in regard to spill prevention.

April White did not believe that the official delisting criteria had changed but acknowledged that there was agreement to look at those other aspects as part of the assessment. That is why the assessment report prepared by Natasha Pozega does reference preventative measures etc.

Kris Lee asked that the assessment report make it clear that there was much community interest in also considering the spill prevention component, and that the BASES spill notification system also be referenced in the report.

Action: Mike Moroney to check reports and notes and confirm whether the official delisting criteria has changed or if the spill prevention work was considered additional context when assessing this BUI due to community interest in this additional consideration.

BUI 14: Loss of Fish and Wildlife Habitat – April White indicated that the Fish and Wildlife Habitat Management Plan was drafted several years ago and needs to be updated in the coming workplan year so this should be identified as an action item.

Mike Moroney explained that the information in the previous workplan year will be included as an Appendix to the new workplan so that the information is easy to reference.

Action – Mike to update the Workplan based on comments received, circulate it to the agencies for review, then circulate it to rest of the CRIC for review and comment.

7. Annual Community Event – April White, ECCC

Ted and April suggested an annual community event for the St. Clair River AOC, similar to what is done for Detroit River AOC. The event would provide an opportunity to bring the community together to provide an update on the AOC and have a keynote speaker. The event doesn't have to be focused on BUIs, it can include other relevant things going on in the community. The event would be organized by the Outreach Committee and Ted Briggs suggested the event coincide with the release of the annual report. It is something that could possibly continue after delisting of the AOC.

April White suggested coming up with a unique name for the annual event, as has been done in other AOCs. Such an event helps with reaching out to the community to make sure there is awareness of what is going on.

Action: The Outreach Committee, led by Mike Moroney, is to explore this more.

8. BUI Redesignation Event – Kris Lee, BPAC

The Duc d'Orleans has been booked for Tuesday September 13, 2022 from 6 pm to 8 pm., with food catered in. Kris Lee will be informing BPAC about the event during the BPAC meeting this evening. Kris Lee and Mike Moroney will be on the planning committee and any others that indicate they are interested during the BPAC meeting. The planning committee will discuss the agenda, invitees, and catering. Capacity is to be confirmed but will likely range from 120 to 198. Deposit has to be in by Aug. 1, 2022 for the event.

Action: Mike Moroney to get a list of who participated in the last virtual science symposium and the last event at Bogey's Inn and Suites in St. Clair Township. These are potential

persons that could be invited to the redesignation event. Need to have an RSVP approach to make sure the capacity is fully utilized.

The Outreach Committee is led by the St. Clair River RAP Coordinator (Mike Moroney).

FOSCR could likely contribute to the cost of the boat cruise as well.

It would be a Canadian redesignation event because only Canadian BUIs are being redesignated. Regardless, the U.S. side should still be invited to participate.

Action: Mike to prepare a list of who will be invited to attend, get consensus from the Outreach Committee, and share it with ECCC and MECP as soon as possible so that they can create internal awareness about the proposed event.

9. Funding Updates – April White, Ted Briggs, Stephen Marklevitz, Trevor Robak

9.1. Environment and Climate Change Canada- April White

- ECCC is continuing to provide funding for the RAP Program through a contract agreement with the SCRCA. Contract in place until March 2024.
- ECCC also provided funding to Aamjiwnaang First Nation and Walpole Island First Nation for community engagement. In year three of a 3-year agreement.

9.2. Ministry of the Environment Conservation and Parks- Ted Briggs

- Have a funding agreement in place for the St. Clair River RAP Coordinator until March 2024.
- Also provided funding to the SCRCA for shoreline rehabilitation work
- MECP is now discussing a workplan for 2023 funding. This is something that the FOSCR will need to apply for if they are interested in receiving funds for that year.

9.3. Ministry of Northern Development, Mines, Natural Resources and Forestry- Stephen Marklevitz

- No updates at this time.

9.4. Ontario Ministry of Agriculture, Food, and Rural Affairs- Trevor Robak

- No updates at this time.

10. RAP Coordinator Updates

- Getting familiar with the work completed to date on the remaining BUIs and next steps so that the Workplan for 2022 to 2027 can be prepared.
- Submitted a request to Chatham-Kent Council to provide an update on the St. Clair River AOC. Shared the 2021 Annual Report and the proposed presentation. Will use the opportunity to make the municipality aware of redesignation process underway for BUI 9 – Restrictions on Drinking Water Consumption or Taste and Odour

Problems. A previous request was made by Natasha Pozega in January 2022 but she was not successful in getting on Council's agenda.

- The plan is to make a virtual presentation to the Walpole Island First Nation community on BUI 9 once a new date has been confirmed. Naomi Williams to confirm the date and time.
- Need to start planning for the Redesignation Event and Annual Community Event.
- Will be providing input to the draft assessment report for BUI 14 – Loss of Fish and Wildlife Habitat, primarily the administrative tools component.
- Reminder that the Great Lakes Public Forum is scheduled for Sept. 27-29, 2022.

11. Member Updates:

11.1. Friends of the St. Clair River (FOSCR) – Terry Burrell:

- Friends have been involved in a few projects. Worked with Bluewater Anglers hatchery by providing a donation for their operations during an event held in May 2022. FOSCR also continues to sponsor the SCRCA education programs.
- Working on a budget for applying for MECP funding. It appears that the current focus of MECP funding is more on information and education about the St. Clair River and status of the river.
- FOSCR will be participating in the Sombra Days event on July 9, 2022.
- FOSCR is working on the signage for the river. The signs have been ordered but it will take a while for them to get delivered. FOSCR is coordinating posting of the signage with the Village of Point Edward, City of Sarnia and St. Clair Township.

11.2. Rural Lambton Stewardship Network (RLSN)

- No updates.

11.3. Binational Public Advisory Council (BPAC) – Kris Lee

- BPAC will be meeting this evening. Looking forward to planning for the boat cruise redesignation event. Kris Lee will be at the FOSCR booth on Saturday July 9, 2022 for the Sombra Days event, from 1 pm to 4 pm. The event will include activities for kids, soap box cars etc. A BBQ and evening activities will also be included.
- Great Lakes Ecoregion Network (GLEN) Survey – there was a survey sent out to all Great Lakes AOCs. The survey results will be presented at the Great Lakes Forum in September 2022. John Jackson is spearheading the survey initiative. Anyone interested in getting a copy of the survey questions should contact Mike Moroney.
Action: Kris Lee to share the completed survey with CRIC once the responses are finalized after the BPAC meeting.

11.4. St. Clair Region Conservation Authority (SCRCA) – Donna Blue

- New RAP Coordinator – Mike Moroney back on board with the SCRCA and transitioning well into the new role as the RAP Coordinator.

11.5. Aamjiwnaang First Nation (AFN) – Cathleen O’Brien

- Have had a lot of community events and visitors to their community.
- Now have the new mercury analyzer and learning how to use the device. Would like to get it up and operating this summer. Will be able to use it to analyze for mercury levels in fish tissue.
- Cathleen O’Brien had a boat tour of the St. Clair River with BASES to help become familiar with the area. The tour was much appreciated and very beneficial. The tour included travelling down to the delta then back upstream.

11.6. Walpole Island First Nation (WIFN)

- No updates.

11.7. Environment and Climate Change Canada (ECCC) – April White

- ECCC has a new Minister – Minister Steven Guilbeault.
- ECCC is working on completing year-end reports related to agreements, doing work planning for this fiscal year, and creating agreements with science partners.

11.8. Ministry of the Environment, Conservation and Parks (MECP) – Ted Briggs

- No further updates.

11.9. Bluewater Association for Safety, Environment, and Sustainability (BASES) – Vince Gagner

- Code 10 (Spill to the St. Clair River) – this new code has rolled out and companies are incorporating it into their spill response drills. This new code supplements the existing spill response systems. It will help to connect with the public, media and agencies or anyone else that wishes to be notified.
- Approximately 14,000 persons have signed up to receive MYCNN notifications.
- BASES is always working on making the Emergency Notification system better.
- A person can select notifications pertaining to all companies or to just specific companies.
- There are also non-emergency events that can happen. Flaring for example. The notification system is used to create community awareness.
- The notification system follows the Aamjiwnaang First Nation model.

11.10. Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) – Trevor Robak

- No updates at this time.

11.11. Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry (MNRF) – Stephen Marklevitz

- No further updates.

11.12. Lambton Public Health – Theresa Warren

- Will be getting a new Medical Officer of Health soon. Getting back into normal operations now that pandemic issues have lessened.
- Still monitoring beach water quality along Lake Huron area.

11.13. City of Sarnia – Terry Burrell

- Terry Burrell is also on the Board of Directors for the SCRCA. He reported that the SCRCA was successful at obtaining funding for the shoreline work along the St. Clair River at Port Lambton. The project cost is \$400,000 and they received \$200,000. The Darcy McKeough Floodway needed some repairs – it is a \$40,000 project and they received \$20,000. Sarnia has a \$600,000 project for shoreline protection along the Bright’s Grove area and the SCRCA received \$300,000 in funding for that work.
- The City of Sarnia has been receiving numerous odour complaints about a facility located at the southern end of the municipality. The MECP is involved in addressing the issue.

12. Other Business

- No other business

13. Next Meeting

It is anticipated that the next CRIC meeting will be held in Fall 2022 at the call of the Chair (Ted Briggs).

Meeting adjourned at 3:30 pm