



**Binational Public Advisory Council (BPAC)**  
**Meeting Minutes**  
**February 16, 2023- Virtual Meeting Via Zoom**  
 Minutes Prepared by Mike Moroney

**Attending Members:**

Paulette Duhaime	U.S. Co-Chair, Citizen at Large	Mike Moroney	St. Clair River RAP Coordinator
Kris Lee	CAN Co-Chair, Wallaceburg Advisory Team for Cleaner Habitat	Patty Troy	U.S. Co-Vice Chair, Citizen at large
Terry Burrell	CAN Co-Vice Chair, City of Sarnia, Friends of St. Clair River	Melanie Foose	Michigan EGLE
John Jackson	CAN Env. Sector	Ted Briggs	Ministry of the Environment, Conservation and Parks
Andrew Bahrou	Michigan EGLE	April White	Environment and Climate Change Canada
Susan MacFarlane	Citizen at large	Theresa Warren	Lambton Public Health
Donna Blue	St. Clair Region Conservation Authority	John Timar	Appointed by City of Sarnia
Sheri Faust	Friends of the St. Clair River (U.S.)	Amber Falkner	U.S. EPA Task Force Lead
Fred Kemp	Citizen at large	Michael Hennessy	U.S. EPA
Vince Gagner	Business and Industry		

**Actions Arising from the Minutes**

- a) Paulette to provide Patty with a link to the recording of the webinar about mercury in the St. Louis River and the use of isotopes to try to determine the source.
- b) BPAC members to send suggestions to Kris or Paulette of possible locations and topics for the next USA/Canada Science Symposium.
- c) BPAC members to send suggestions for amendments to the BPAC By-Laws to either Paulette and Kris.
- d) Melanie to share a couple of examples of recently amended by-laws with Paulette and Kris that reflect Diversity, Equity, Inclusion and Environmental Justice.
- e) Patty to send a survey link for the proposed SPAC AOC webinar to Mike for distribution to all BPAC members.

- f) BPAC members are to provide ideas to Paulette on ways that BPAC has taken to incorporate Diversity, Equity, Inclusion and Environmental Justice in the work that it does.
- g) Paulette to reach out to DTE for their availability to participate in a BPAC virtual meeting in April 2023.
- h) Mike to send out a Doodle Poll to BPAC members for their availability to meet in April 2023, based on dates when DTE is available.
- i) Mike and Donna to look into options for being able to have hybrid meetings, going forward, after the April 2023 virtual BPAC meeting.

### 1.0 Call to Order, Introductions and Land Acknowledgement

Meeting called to order by Paulette Duhaime at 6:30 pm.

### 2.0 Adoption, Additions or Corrections to Draft Agenda

**Moved by: Terry Burrell**

**Seconded by: Patty Troy**

**MOTION to approve the agenda.**

**No objections.**

***CARRIED***

### 3.0 Review of Action Items and Approval of November 1, 2022 Draft Minutes

- a) Paulette Duhaime to follow-up on registering for MYCNN again. Previous attempts have been unsuccessful. – **Completed. Successful.**
- b) Mike Moroney to convene a sub-committee meeting to work on creating a Fact Sheet on notification procedures when spills occur to the St. Clair River. The Fact Sheet should include a list of agencies and responsibilities, as well as a flow chart if possible. – **In Progress. Update is an agenda item.**
- c) Anyone willing to work on the Spill Notification Fact Sheet sub-committee is to inform Kris Lee and Mike Moroney. – **Paulette, Theresa, Susan, Patty put their names forward to participate on the committee with Mike and Kris.**
- d) Paulette Duhaime to email Ted Briggs and April White to see if they can provide the fish contaminant information for discussion at the next BPAC meeting. – **Completed.**
- e) Kris Lee to finalize letter to Transport Canada, obtain required signatures, and send it to Transport Canada. – **Update to be provided by Kris.**
- f) Patty Troy to provide information on Ohio Sea Grant Webinar – Monitoring New Contaminants in Public Drinking Water Sources to Mike Moroney to circulate to BPAC members. – **Completed.**

**Moved by: Terry Burrell**

**Seconded by: Patty Troy**

**MOTION to approve the minutes of the last meeting of the BPAC on November 1, 2022.**

***CARRIED***

#### 4.0 Great Lakes Ecoregion Network Area of Concern Survey (GLEN) – Presentation - J. Jackson

- John spoke to a slide presentation on the outcome of a survey that was based on input from individuals from a number of AOCs, not just the St. Clair River.
- The survey targeted individuals active on committees - the citizen activists. GLEN received responses from 30 individuals from 16 of the 43 AOCs.
- Main successes – number one was public involvement. Others included restoration of fish and wildlife habitat, water quality improvements, and engaging Indigenous communities.
- One of the main challenges was addressing contaminated sediment, and other challenges included addressing increased phosphorus loadings, the need for clarity on binational delisting criteria/process, and what is going to happen after an AOC is delisted.
- In terms of threats to the AOCs, the main ones identified were: climate change; weakening of environmental regulations; reduction in resources to monitor, remediate and prevent; new toxic substances; and adverse impacts from new development.
- Need on-going public advisory and public action committees after delisting.
- Don't want to lose the gains that have been achieved to date.
- Protecting and preventing degradation of the environment is more cost effective than trying to remediate the damage that could potentially occur if it is not prevented.
- Contact information for GLEN: John Jackson, Email: [jjackson@web.ca](mailto:jjackson@web.ca), Website: <https://greatlakesecoregionnetwork.weebly.com/>
- The presentation was not presented to the IJC but it was submitted to them. The IJC does take comments seriously. It was also sent to the Great Lakes Commission.
- Sheri explained that the FOSCR (USA) is planning for a joint St. Clair River AOC BPAC Symposium in 2025. The information in John's presentation on the new threats would be good content for a symposium.

#### 5.0 Spill Notification Fact Sheet – Update on Progress – M. Moroney

- Mike explained that to support the work of the sub-committee that is to be formed to discuss creation of a Spill Notification Fact Sheet, as a first step, he created draft spill notification flow charts and met with Kris to discuss next steps. One flow chart was created based on the spill originating in Ontario and another for a spill originating in Michigan.
- Mike sought input from MECP's Sarnia District Office and St. Clair County Homeland Security, then reached out to Suncor.
- Suncor advised that they were also developing a spill notification flow chart and were seeking input from stakeholders, and once finalized would be able to share it with BPAC.
- As there is also the need for some clarity around the notification process on the Michigan side, input is being sought from the Michigan Department of Environment, Great Lakes and Energy.
- Further work on the flow charts is paused pending receipt of information from Suncor and Michigan.
- Once this additional information has been received, a sub-committee meeting will be scheduled to discuss the flow charts and further develop the FACT Sheet. Other topics that could potentially be included in the Fact Sheet are: spill notification legislation; and roles and responsibilities of the various parties identified in the flow charts.
- Kris suggested that the Fact Sheet have a flow chart designed in a way that is similar to a Story Map. A person can click on an image and get more details about that specific item. FOSCR (U.S.) has used that approach on their site.

- Paulette – dotted line from SAC to St. Clair County should be included in the flow chart. Its not the official process but would be good to become the official process.
- It was recognized that the main purpose of the flow chart will be to just provide a high-level overview as opposed to an official process. Each agency/organization has their own internal procedures and processes.
- Reviewing and developing a flow chart may also help to identify gaps that need to be addressed.

## **6.0 Fish Consumption Advisories – Most Recent Canadian and American Data – P. Duhaime**

- Paulette presented a number of slides related to Restrictions on Fish and Wildlife Consumption.
- Lots of data lately on the U.S. side on the analysis of fish that were sampled between 2016 and 2019.
- There are different criteria between the U.S. and Canada. On the U.S. side, the BUI will be considered restored when:
  - the fish consumption advisories in the St. Clair River AOC are the same or less restrictive than the associated Great Lake or appropriate control site, OR
  - if the fish consumption advisories in the St. Clair River AOC are more stringent than the associated Great Lake or control site, there are two possible approaches that can be used:
    1. A comparison study of fish tissue contaminant levels can be conducted to demonstrate that there is no statistically significant difference in fish tissue concentrations of contaminants causing fish consumption advisories in the AOC compared to a control site.  
OR,
    2. Analysis of trend data (if available) for fish with consumption advisories shows similar trends to other appropriate Great Lakes trend sites.
- For the St. Clair River AOC, the control site is the Les Cheneaux Islands near the Mackinaw Bridge.
- Challenge is that can't get every species of fish at the control site that is in the SCR AOC, and difficult to catch the right species.
- For Canada, the BUI will be considered restored when fish consumption advisories in indicator fishes and wildlife in the St. Clair River are comparable to non-AOC sites in the Great Lakes. The indicator species are Walleye, Smallmouth Bass and Brown Bullhead. This analysis will be conducted after the sediment management plan has been implemented.
- Paulette outlined the current Michigan fish consumption advisories that are in place for the SCR AOC.
- Fish consumption guidance tends to be complicated. Would be helpful to communicate in way that can readily be used by those that fish.
- A targeted monitoring request has been submitted to Michigan EGLE and accepted. Want an additional round of sampling conducted in 2023. Requested that it be done for Walleye, Freshwater Drum, Rock Bass, Yellow Perch, Carp, Smallmouth Bass, Largemouth Bass and Lake Sturgeon.
- For Ontario, the fish consumption advisories are based on upper, middle and lower portions of the river. There is a difference between Ontario and Michigan in terms of how they determine what a safe consumption level is. Paulette spoke to the advisories in Ontario for walleye, smallmouth bass, and brown bullhead.

- Ted – MECP did collect more recent data. They were able to collect 101 samples in 2021. This data will be used for the next round of Ontario’s consumption guide. Also, there has been work on developing a framework that looks at 4 different tiers of fish consumption as another way to do the analysis for this BUI. It looks at the consumption advisories and remedial actions that could be completed to make a difference. Lastly, the final remaining project to address contaminated sediment is the implementation of the engineering and design plan to address the 3 remaining priority areas.
- Ted – A fish consumption survey was undertaken on the Canadian side and closed in December 2022. This will help understand what species of fish are being consumed. A report is being prepared on the outcome of the survey.
- Would be ideal if Canada and the U.S. can move this BUI forward at the same time.
- Melanie – If MECP is able to have their subject matter expert come to speak to BPAC, Michigan EGLE may be able to have their subject matter experts participate as well.
- Paulette mentioned a webinar she watched about mercury and the use of isotopes to try to determine where the mercury is from. Did a study on the St. Louis River. Walleye had a higher level of mercury. Interesting findings from the study in terms of possible sources. May be helpful for this BUI. **Action:** There is a recording of the webinar and Paulette will share it with Patty Troy.

#### **7.0 U.S./Canada Science Symposium – Proposal – P. Duhaime**

- Thinking of a joint science symposium around 2025. Put in a PAC support grant.
- Terry commented on potential issue for individuals/presenters crossing the border and being paid for their participation.
- **Action:** Send suggestions of possible locations to Kris or Paulette and suggested topics.
- Donna – the last event was at Double Tree in Port Huron.

#### **8.0 Updating of BPAC By-Laws – P. Duhaime, K. Lee**

- Kris and Paulette will work on updating the by-laws.
- **Action:** Send suggestions for amendments to the by-laws to either Paulette or Kris.
- Melanie – all Michigan PACs have been asked to look at their by-laws. Looking at it from the lens of Diversity, Equity, Inclusion and Environmental Justice. A few Michigan AOCs have updates that Melanie can share. **Action:** Melanie to share a couple of examples of recently amended by-laws with Paulette and Kris.

#### **9.0 Elections of Officers**

- Paulette suggested that if the by-laws are going to be revisited, might want to consider changing the frequency of elections of officers to once every 2 years, instead of the current once every year.
- Susan administered the Elections of Officers. Positions to be elected included Canadian Co-Chair, Canadian Co-Vice Chair, U.S. Co-Chair, and U.S. Co-Vice Chair.

#### **Nominations open for U.S. Co-Chair:**

Patty Troy nominates Paulette Duhaime, seconded by Kris Lee.

Paulette Duhaime accepts the nomination.

**MOTION** to close nominations.

Moved by Terry Burrell and seconded by Fred Kemp.

***CARRIED***

**Nominations open for the U.S. Co-Vice Chair:**

Kris Lee nominates Patty Troy, seconded by Paulette Duhaime.  
Patty Troy accepts the nomination.

**MOTION** to close nominations and a unanimous ballot cast.  
Moved by Terry Burrell and seconded by Fred Kemp.  
Unanimous.

***CARRIED***

**Nominations for Canadian Co-Chair:**

**MOTION** to elect Kris Lee as the Canadian Co-Chair of the Binational Public Advisory Council.  
Moved by Patty Troy and seconded by Terry Burrell.

**MOTION** to close nominations and a unanimous ballot cast.  
Moved by Terry Burrell, seconded by John Timar.  
Unanimous.

***CARRIED***

**Nominations open for Canadian Co-Vice Chair:**

Kris Lee nominates Terry Burrell, seconded by Susan MacFarlane.

**MOTION** to close nominations and a unanimous ballot cast.  
Moved by Patty Troy, seconded by Fred Kemp.  
Unanimous.

***CARRIED***

**10.0 Appointments to CRIC**

- Appointments to CRIC administered by Susan MacFarlane:

**MOTION** to appointment Kris Lee as representative and Susan MacFarlane as the alternate representative on the Canadian RAP Implementation Committee (CRIC).

Moved by Terry Burrell and seconded by Paulette Duhaime.

Unanimous.

***CARRIED***

**11.0 Agency Updates**

**Ministry of the Environment Conservation and Parks - Ted Briggs**

- MECP now putting out funding to various groups based on submissions they made to MECP in 2022. FOSCR is one of the organizations that will be receiving funds.

**Environment and Climate Change Canada- April White**

- Continuing to provide support for RAP Coordination. Extended the agreement into the third year with SCRCA. ECCC is also renewing agreements with local FN communities.
- ECCC will be having an internal reorganization. Related to creation of a new Water Agency. Expecting an announcement shortly. Will change reporting structure.

**Michigan Department of Environment, Great Lakes, and Energy (EGLE) - Melanie Foose**

- Sept 12 to 14 is next AOC conference in Green Bay, Wisconsin.
- Looking at fish consumption sampling this year.
- Andrew Bahrou is the new Lake Coordinator for Lake Erie which includes Lake St. Clair and the St. Clair River.
- Two BUIs left on the U.S. side, Fish Consumption and Drinking Water. Waiting for facility response plans from DTE. One of two plans completed.
- Rick Hobrle is retiring on March 31, 2023 to fill the upcoming vacancy. Melanie was the successful candidate - Unit Supervisor, Great Lakes Management Unit. There will therefore soon be a new AOC Coordinator for the SCR.

**U.S. Environmental Protection Agency – Michael Hennessy**

- Michael provided some staff updates within U.S. EPA.
- Michael is the lead for US EPA in developing the agenda for the upcoming conference on September 12th to the 14th that Melanie referenced.

**12.0 Committee Reports**

**i. Statewide Public Advisory Council (SPAC) - Patty Troy**

- There are two vacancies that need to be filled in Michigan EGLE for the AOC program.
- SPAC is planning another all AOC webinar. They are looking for topics for the webinar and sent out a survey. **Action:** Patty to send the survey link to Mike for distribution to BPAC members. Looking for dates in April 2023.
- The possibility for a state-wide AOC outreach tool was discussed at the last SPAC meeting, ideas included a video to highlight statewide success and the general AOC program or a story map.
- Paulette explained that there is a sub-committee that has been put in place to address Diversity, Equity, Inclusion and Environmental Justice. **Action:** Provide ideas to Paulette on ways that BPAC has taken to incorporate this in the work that it does.

**ii. Friends of the St. Clair River (Canada) - Terry Burrell**

- Craig Griffiths continuing as Chair/President of FOSCR.
- FOSCR will be providing funds for a tree planting project on Walpole Island First Nation.
- Undertaking a project to update 5 signs along the St. Clair River for public education. Hope to have them in place this summer.
- Funding from MECP for FOSCR (Canada) is now coming indirectly through another group.

**iii. Friends of the St. Clair River (USA) - Sheri Faust/P Duhaime**

- Sheri provided information on a crowd source photo monitoring project. Photo stations are located along the river. Phones are placed in the bracket and a picture is taken then uploaded to their website. The photos contribute to a time lapse image of that area along the river. It helps monitor water levels, erosion, vegetation etc.. Interested in seeing outcome after 3 years. They are currently in to year 2.
- Have a date for the Sturgeon Festival – Saturday June 3, 2023 at the lighthouse in Port Huron.
- Ted confirmed that if FOSCR decide to use their funds for the photo project, it would be in line with what the funding is being provided for – public outreach.

**iv. Canadian RAP Implementation Committee (CRIC) – Kris Lee**

- No recent CRIC meetings. The next one is still to be scheduled.

**v. Four Agency Managers Work Group – Melanie Foose/Amber Falkner/Ted Briggs/April White**

- Melanie – have a meeting scheduled virtually with topics similar to those discussed on the agenda today. Meeting likely in March or April 2023.

**13.0 Other Business**

- Patty would like someone to come from DTE to speak about ash disposal issue and would like an update on their emergency response plans, and decommissioning of the Belle River Plant - how it is progressing. Plus, how the Bluewater Energy Centre is coming along.

**14.0 Next Meeting Data and Adjournment**

- The next meeting will be a virtual meeting and it will be chaired by Kris Lee.
- **Action:** Paulette to reach out to DTE for their availability to participate in a BPAC virtual meeting in April 2023.
- **Action:** Mike to send out a Doodle Poll to BPAC members for their availability to meet in April 2023, based on dates when DTE is available.
- **Action:** Mike and Donna to look into options for being able to have hybrid meetings after the April 2023 meeting.

**Moved by:** Paulette

All in favour.

**MOTION** to adjourn the meeting.

***CARRIED***

**Meeting adjourned at 8:45 pm.**