

ST. CLAIR RIVER BI-NATIONAL PUBLIC ADVISORY COUNCIL

Final Minutes

Meeting 2007-3

**St. Clair County Administration Building
200 Grand River Ave. (Auditorium)
Port Huron, Michigan**

**Wednesday, March 28, 2007
6:30 p.m.**

ATTENDEES:

Paulette Duhaime	Al Lewandowski	Frank Frisk
Fred Kemp	Chris Christenson	Greg Mayne
Phil Vallance	Judy Ogden	Patty Troy
Terry Burrell	Bela Trebics	Mark Richardson
Janice Littlefield	Fred Fuller	Frank Schoonover
Laura Esman (phone)	Stewart Thornley	Gary Johnson
Ken Hall	John Jackson	Jim Clatworthy
Jennifer Vincent	Darrell Randell	Ted Briggs
Kyle Burleson (alternate for Rep. Candice Miller)		
Sue Levesque (alternate for Dr. John Thompson)		

GUESTS:

(phone) Roger Eberhardt, Michigan Department of Environmental Quality (MDEQ)

REGRETS:

Kris Lee	Geoff Donaldson	Donald Craig
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1. Welcome and Introductions

Janice Littlefield, U.S. Co-Chair, called the meeting to order, followed by introductions.

2. Approve Agenda

The Agenda was approved with the addition of **Item 7. vi) Friends of the St. Clair River Watershed**

3. Approve **January 18, 2007** Draft Minutes and, **March 8, 2007** Draft Minutes

The minutes were approved as recorded.

4. St. Clair River Canadian Draft Work Plan Update

Ted Briggs gave a brief update of the draft work plan as presently being prepared by the Canadian RAP Implementation Committee (CRIC). Ted indicated that the plan is in five sections: Point Source; Loss of Fish and wildlife Habitat; Non-Point Source; Sediment; and Research and Monitoring. The work plan contains recommendations, BUIs affected, specific actions and rationales, responsible organizations for actions, costs and timelines.

In response to questions, Ted further indicated that following the next CRIC meeting, April 4, 2007, and with CRIC approval, he will forward the Draft Work Plan to BPAC. The Work Plan will not be posted on the EBR. The Work Plan continues following the expiry of the 1995 Stage 2 – Work Plan. The Work Plan has focuses such as contaminated sediment, combined sewer overflows (CSOs), and habitat. The work plan structure and allotment of available funding lines up with the Draft COA Agreement.

Greg Mayne provided further information regarding the BUIs of fish tainting, and aesthetics, indicating that they require additional information. A draft questionnaire has been prepared to obtain the required further information, and will piggy back on events such as the Bluewater Anglers 2007 Salmon Derby, the bass derby and River Day. In response to questioning, Greg indicated that the survey will consider residency. Distribution will include the First Nations and the St. Clair River Conservation Authority. In response to her question, Patty Troy was informed that while the survey should dovetail with the MDEQ Delisting Criteria, the MDEQ will probably rely on the Michigan criteria, although they will consider other data for a decision. Judy Ogden expressed concerns about how the public will perceive the definition of tainting and about off-flavour resulting from other causes such as disease. Sue Levesque noted, and received agreement, that one major difference between the Michigan and Canadian approaches is that the EC survey constitutes “solicited” data, while the Michigan Criteria rely on “reported” data.

Motion:

It was moved by Darrell Randell, seconded by Jim Clatworthy, that FOSCR work with EC on the questionnaire/survey. Motion approved.

Ken Hall indicated that the survey can be posted on the FOSCR website.

Motion:

It was moved by Darrell Randell, seconded by Al Lewandowsky, that BPAC request Friends of the St. Clair River Watershed to conduct the same or similar survey. Motion approved.

5. MDEQ Delisting Criteria Recap and Discussion

Roger Eberhardt and Laura Esman joined the meeting via teleconferencing and presented a summary of their presentation to the BPAC meeting held March 8, 2007. Laura indicated that while data collections have been scheduled for tributaries, data collection in the St. Clair River has not been scheduled and that data collection in the River is contingent on BPAC acceptance of the Michigan delisting criteria.

It was clarified that acceptance of the Michigan criteria does not affect the Canadian delisting criteria. Acceptance does not affect final delisting criteria. This includes all BUIs (nine) except the Degradation of Fish and Wildlife Habitat. Roger Eberhardt indicated that MDEQ will try to do more extensive assessment for BUIs closer to delisting.

Motion:

It was moved by Darrell Randell, seconded by Frank Frisk, that the BPAC accept the Michigan delisting criteria and move forward. Motion approved.

6. COA Agreement (2007–2010)

Jennifer Vincent from Environment Canada presented the information, beginning by indicating that the agreement was for three years which is shorter than previous COA agreements. The Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem (COA) consists of four Annexes. **Annex 1 - Areas of Concern, Annex 2 - Harmful Pollutants, Annex 3 - Lake and Basin Sustainability, and Annex 4 - Coordination of Monitoring and Research Information.**

Jennifer concentrated on **Annex 1 - Areas of Concern**. She further focused on areas pertaining to the St. Clair River. The critical path for finalizing 2007 COA includes a 60-day period for public input. Both governments are seeking public input on the draft COA. Three public meetings are scheduled; Windsor, Toronto and Thunder Bay. The closest meeting is in Windsor scheduled for three hours on April 24th.

The deadline for written comments is May 16, 2007. The Agreement is available on Environment Canada's website at: www.ec.gc.ca/CEPARRegistry/agreements. It is available through Ontario's Environmental Registry at www.ebr.gov.on.ca under the **EBR number 010-0063**.

Annex 1 expected results pertaining to the St. Clair River include: **Result 2.1** Reduced nutrients, microbial and other contaminants from municipal sewage treatment plants, combined sewer overflows, urban stormwater and industrial wastewater. **Result 2.1** Reduced nutrient, microbial and other contaminants from rural non-point sources. **Result 2.3** Progress made in developing sediment management strategies to reduce ecological and human health risk. **Result 2.4** long-term management plans being developed and priority actions for delisting being implemented for rehabilitation and protection of fish and wildlife habitats and populations. **Result 2.5** Informed, effective collaboration amongst government, communities and individuals to prioritize and complete actions required for delisting and confirming environmental recovery. **Result**

2.6 Identify monitoring needs, undertake required studies and evaluate results to assess environmental recovery and support remediation strategies.

There was discussion about the benefits of expressing BPAC support for the Draft COA Agreement. There was general agreement that a letter of support from BPAC would help with the finalization of COA.

Motion:

It was moved by Frank Frisk, seconded by Jim Clatworthy, that Phil Vallance and John Jackson prepare a draft letter of support for COA on behalf of BPAC, and that this would be circulated for review by BPAC prior to the next meeting of BPAC. Motion approved.

7. Committee Reports

i) SPAC

Patty Troy reported that SPAC is having a conference call next week to discuss the agenda for the next meeting of SPAC (April 24th and 25th) and to discuss meeting with legislators.

ii) OPAC

John Jackson distributed the summary of OPAC's report on RAPs in Ontario entitled 'Great Lakes Hotspots: Ontario Citizens Speak Out.' To obtain copies of the full report contact John at jjackson@web.ca.

iii) FOSCR

Darrell Randell reported that Friends is still finalizing the distribution list for the FOSCR Report Card. Friends now also has copies of the Fact Sheet to distribute, to among other things, act as an assist to those giving the Power Point presentation. In this regard it was emphasized by Darrell that those that have given the Power Point presentation and/or have presentations scheduled should provide such information to Stew Thornley so that BPAC has a complete record of presentations. It was clear that not all such information is being provided to Stew. **To ensure that all presentations are recorded, all those who have given presentations and/or are scheduled to give presentations, are to please forward to Stew Thornley the dates of presentations, and the audiences for the presentations.** Apologies were offered to those who have provided this information once already.

iv) BPAC Membership

Fred Fuller indicated that there are no changes to report. He did review the Sectors in which there are membership vacancies as listed in previous reports, and asked that BPAC think about suitable representatives in the respective Sectors.

v) CRIC

This was covered by Ted Briggs as part of Agenda Item 4.

vi) FOSCR Watershed

Janice Littlefield went over the non-profit status FOSCR Watershed (FOSCRW under the **IRS 501(c)(3)**), indicating that FOSCRW must re-file for that charitable organization status. It has already been incorporated as a non-profit organization. Janice indicated that they have applied to MDEQ for funding, under the PAC Support Grant Program, with the St. Clair County Drain Commissioner serving as fiscal agent. They are also applying to the Great Lakes Aquatic Network for funding. Janice also indicated that Earthvoyager will be coming to FOSCRW with an anticipated delivery date of **June 30th**. The boat will be donated to FOSCRW as soon as corporate sponsorship is secured for the annual operating costs of Earthvoyager.

8. Other

Patty Troy announced that the Port Huron State Game Area Cleanup is on **April 28th**, at 9:00 a.m. Call Patty for details and directions.

Fred Fuller announced that US Army Corps of Engineers has told the McComb/St. Clair Intercounty Watershed Advisory Group that it has allocated \$100K per year for four years, to work on alien Phragmites control. There is the requirement for 50% matching funds that can be 25% in cash and 25% in kind. Fred asked for ideas for partners to help achieve this match.

Fred Fuller and Fred Kemp updated BPAC on the installation of water plant intake monitoring equipment. Fred has asked Eric Barnowski of Ira Township to give an update at the next BPAC meeting. Ira Township and the City of Mount Clemens have installed the first intake monitors. Fred indicated that the installation for Port Huron is scheduled for March 29, 2007.

9) Adjourn/Next Meeting

The next meeting of the BPAC is set for **Wednesday, May 9, 2007** at 6:30 p.m. in Sarnia at the Lambton - Kent District School Board Auditorium, 200 Wellington St., Sarnia, Ont.

The meeting was adjourned.