

Michigan State Public Advisory Council
January 20, 2022
Business Meeting Agenda
Via Microsoft Teams

In Attendance:

Horst Schmidt, Torch Lake Area of Concern (AOC) (Chair of the State Public Advisory Council [SPAC])
Patty Troy, St. Clair River AOC (Vice Chair of SPAC)
Eric Diesing, Clinton River AOC
Mary Bohling, Detroit River AOC
Robert Burns, Detroit River AOC
Erma Leaphart, Detroit River AOC, Sierra Club
John O'Meara, Detroit and Rouge River AOCs
Christine Kosmowski, Kalamazoo River AOC
Cheryl Vosburg, Kalamazoo River AOC
Fallon Chabala, Muskegon Lake AOC
Kathy Evans, Muskegon Lake AOC
Brian Egen, River Raisin AOC
Richard Micka, River Raisin AOC
Bill Craig, Rouge River AOC
Marie McCormick, Rouge River AOC
Sally Petrella, Rouge River AOC
Laura Ogar, Saginaw River/Bay AOC
Paulette Duhaime, St. Clair River AOC
Mike Ripley, St. Marys River AOC
Derek Bradway, Torch Lake AOC
Rosita Clark, United States Environmental Protection Agency (USEPA)
Rosanna Ellison, USEPA, Great Lakes National Program Office (GLNPO)
Amber Falkner, USEPA
Chris Korleski, USEPA, GLNPO
Leah Medley, USEPA, GLNPO
Allen Melcer, USEPA
Todd Nettesheim, USEPA, GLNPO
Amy Pelka, USEPA, GLNPO
Carolyn Koch, Michigan Department of Health and Human Services
Mike Alexander, Michigan Department of Environment, Great Lakes, and Energy (EGLE)
Melanie Foose, EGLE
Rick Hobrla, EGLE
Kimberly Passick, EGLE
John Riley, EGLE
Stephanie Swart, EGLE
Jennifer Tewkesbury, EGLE

Welcome (Horst Schmidt)

Horst began the meeting by welcoming everyone.

Roll Call (All)

As Rick announced each PAC and Agency, those in attendance introduced themselves.

Review of Agenda (Horst Schmidt)

Agenda was modified to allow flexibility in the timing of the USEPA update. – Brian Egen moved to accept agenda as amended, Mary Bohling seconded the motion, and it was approved unanimously. *Additional modifications were made through the course of the meeting – these minutes were written to the accepted agenda and do not represent the chronological flow of the meeting.

Review/Approve Minutes (Horst Schmidt)

Bill Craig moved to approve minutes as written; Mary Bohling seconded the motion, and it was approved unanimously.

Review of Action Items (Melanie Foose)

All action items from the previous meeting were completed, some of which will be discussed during the course of this meeting.

EGLE Update (Rick Hobrla)

- Working Remotely – EGLE staff are currently scheduled to return to office on February 28. The omicron variant has caused significant difficulties but there is hope that cases will begin to resolve rapidly. Although the end of February is the scheduled date, many staff will continue to spend the bulk of their time working remotely, and physically working in the office on an as needed basis
- Funding /Budget - EGLE is in the third and final year of its capacity grant which includes funding to support PACs under the Great Lakes Restoration Initiative (GLRI). When the work plan was put together things were quite different; the unit was within the Department of Natural Resources and the SARS-COV-19 virus had not yet been discovered. Due to the upheaval caused by the pandemic, the grant has been underspent. USEPA prefers that EGLE find a way to spend down the grant as the funds cannot be repurposed and would be returned to the treasury. Consequently, USEPA is asking that it be spent down before EGLE applies for a new grant. To that end, EGLE has submitted a request for an extension of six

additional months. Once the extension is in place, an additional amendment request will be submitted that will include a lot of additional items that EGLE would like to do. One of those items is a comprehensive monitoring program for Saginaw Bay that would provide EGLE with the information needed to put together a management actions list for that AOC. There has been some reluctance on the part of USEPA to use the funds for that project, but discussions are ongoing, and it is hoped that EGLE can get that approval. As the budget is reworked, it may be determined that more than six months will be needed to spend down the current grant so it is possible there could be another extension. This is speculative and nothing will be known until the budget is revised and items are approved.

For USEPA's next round of grants that will supply funding to the states to support programs under the GLRI there are two pieces of good news. First, they are proposing, at the state's discretion offering five-year grants rather than three-year grants. This means that the current potential problem with a gap in PAC support funding will be put off for five years instead of three. EGLE would have the potential to issue PAC support grants that would last almost as long as five years. The most recent round was for two or so years. EGLE will be exploring that possibility for the PACs that are interested. The second piece of good news is that with the influx of federal funds, USEPA is proposing to significantly increase the amount of funding that they are making available to the states, which in turn means increasing the amount of funding available for PAC support grants. Rick anticipates that in the next round of funding they will be able to be more generous than they have been. PACs will still need a work plan and will need to work with their AOC coordinator to come up with ideas that advance the goals of the AOC program. For PACs that can do this, there could be significant funding available.

- PAC Support Grants – all current grants are due to expire the end of February; therefore, the PACs will be offered the opportunity to extend those grants for up to six months along with potential additional funding for continued work. Some new work may also be possible under these amendments. PACs should work with their AOC coordinator to put together an updated work plan. The grants cannot be formally extended until USEPA approves EGLE's extension request, but PACs can go ahead and submit their requests now and staff will get them prepared and have them ready up to the point of needing final signatures. Rick advised that any PACs interested in getting additional support funding for the next six months should meet with their AOC coordinator to put a plan together, prepare a cost estimate, and begin working on the formal amendment request so the process can be started.
- 2022 SPAC Designations (Melanie Foose) – As previously discussed, SPAC representatives are elected for two-year periods on a rotating basis. This year Kalamazoo, Muskegon, River Raisin, St. Clair, and Torch Lake are scheduled to appoint their new or reappointed representatives. This fall it will also be time to elect a new chair and vice-chair for the SPAC. If you are interested in one of these positions, please put some thought into that over the next few months. Horst

encouraged some of the newer SPAC members to consider running for one of these positions.

Fiscal Year (FY) 23-25 AOC Projects Prioritization List and Priorities for BUI Removals (Rick Hobrla)

Rick had hoped to have a draft available to share but it is still in the process of being prepared. USEPA had asked for a prioritization list for FY22 AOC projects that was provided and shared with the SPAC. For FY23-26, they asked for an additional list of projects which has been drafted and is being fine-tuned. It is due to USEPA on January 21, 2022, so Rick will be wrapping that up. The previous list asked EGLE to specifically prioritize all the projects from most to least important. This new list is not really looking for a prioritization, but an estimate as to what funding will be needed and when it will be needed in terms of splitting it up among years. Each project on the list has some amount of funding for FY23, FY24, FY25, and FY26, either in combination or in a single year. The draft list includes approximately 15-20 projects for Torch Lake, the Kalamazoo River, the Detroit River, and the Rouge River. This list is expected to be a changing document as USEPA realizes it will be difficult to predict four years in advance how much funding will be needed. This list will be revisited and revised probably on a six-month basis to adjust funding amounts and/or timing. This will likely become a recurring SPAC topic to update members as to where it stands. In terms of AOCs that have work remaining, the one missing is Saginaw Bay as they are working on preparing a management actions list and clearly identifying what needs to be done and when. It is anticipated that as the list is revised, projects for Saginaw will be added in.

EPA Update (Chris Korleski - Amy Pelka)

Chris thanked the participants of the SPAC for their work and great progress in the AOCs. He discussed the new infrastructure law which provides billions of dollars in funding in many areas. This is the largest investment in water resources in U.S. history. One feature of the funding from the infrastructure bill is that the funds do not expire, which is really good news. USEPA funding is generally tied to a timeframe and if not expended, is returned to the treasury. The funding from the infrastructure bill is \$1 billion over five years and is in addition to whatever funds may be appropriated annually to GLRI. This could result in annual budgets of \$530-\$575 million per year over the next five years once a budget is approved by Congress.

One of the biggest questions facing USEPA has been where this additional funding should be used. Chris feels very strongly that the bulk should be spent in the AOCs and is advocating for that result. These 31 “toxic hotspots” were identified over thirty years ago but didn’t make much progress until 2010 when the GLRI started and meaningful funding was made available to begin working in earnest. Prior to GLRI, one AOC was delisted, but five more have been delisted since 2013. In addition to the six delistings, ten more AOCs have completed management actions and once BUI (Beneficial Use Impairment) removal criteria has been met, they can be delisted.

His reasons for focusing on AOCs are simple; first, because they have been identified as significantly environmentally degraded areas, some of which will continue to contribute to degradation due to contaminated sediments. Until those sediments are removed, there will continue to be issues in those AOCs, and he would really like to get them removed. Second, because with AOCs, there is an end point. The locations are known, what work has been done so far is known, and there is a goal line to delist them once and for all so focus can then be placed on non-AOC areas. Third, hundreds of millions of dollars in funding has been spent in the AOCs with measurable results and there are hundreds of millions of dollars to go. He feels that with the financial resources being made available, the time is right to finish this work. Also, restoring an AOC provides more than just an environmental benefit; it also provides economic and community benefits. With these infrastructure funds, these AOCs can be completed or close to completed which is his goal.

For those with concerns that there may not be funding for other focus areas, funding will still be available for them even with a heavy focus on AOC work. He went on to share that a theoretical analysis had been done that suggests that focusing infrastructure funds could result in all but 9 of the 31 U.S. AOCs being delisted by the end of the decade. Of those nine, six would have management actions completed, leaving three that would still require additional work. While optimistic, there is the potential to have the vast majority of the AOC work completed in a twenty-year time span (from 2010-2030). While there is no guarantee that GLRI funding will continue through that time, there is a great amount of support for the program. And while there will be other work that needs to be done in the Great Lakes, the long-standing burden of the AOCs could be one less item to address while restoring their communities to a higher degree of environmental health.

He also went on to discuss that environmental justice (EJ) is at the forefront for the current administration. He admitted that this isn't an easy issue. What factors go into making an EJ community? Is that the same as an underserved community? What criteria are used? Income? Educational levels? Percentage of minorities? He has been spending time exploring these questions and his guidance to staff has been that it is important and in the absence of clarity, he is relying on common sense and thought about how those communities are or will be impacted. There are AOCs that fall within what could be considered EJ communities, but is it enough to say that cleanup is sufficient? Do the residents of that area have access to new green space? Can they go to the river and fish? Can they take their families to the beach? These are questions that need to be considered to ensure that as this directive is being implemented, work in AOCs and under the GLRI really provide a benefit to those communities.

Another issue is climate, and the administration is looking at this in a couple of ways, one of which is mitigation. GLNPO cannot do much to impact mitigation, so he sees their role more in the area of resilience. He feels their job is to make sure that as projects are being designed, they can withstand increased environmental energy due to

climate change. Whether it be wind speed, temperature changes, water levels, etc., those elements need to be considered so projects will be resilient.

The director's remarks were followed by a question-and-answer session that addressed such topics as management actions, removal of contaminated sediments, funding, timelines, staffing, and more.

Amy Pelka commented that Chris Korleski had covered the infrastructure funding thoroughly and added that those funds had not been disbursed to USEPA yet. She had an approval meeting with Chris the day before and said that the task force leads were the best sources of information on what will be funded. Although the infrastructure funds have not yet been received, they will be able to fund nearly everything that the states have identified as being ready. Because the states submitted their priority lists, it allows for USEPA to plan efficiently and prepare to spend a great deal of that funding. Discussions are now focused on what projects are ready, timeframes, and seeking approvals ahead of receiving the funding. She emphasized that the priority lists received last fall have helped her in planning and preparing projects for approval.

She gave an update on the AOC Conference that is scheduled for May 25-26, 2022, in Muskegon and her hope that this will be able to proceed in person as planned. There are some great activities, the venue is convenient and there are a lot of great breakout sessions planned. There are also optional activities planned for evenings during the conference. The registration can be found at [EGLE - U.S. Great Lakes AOC Conference \(Michigan.gov\)](https://www.eagle-aoconline.org/).

Amy shared some slides for the [Great Lakes Public Forum](#); a triennial meeting that is being planned for fall of 2022 in Windsor, Ontario. She gave some information on the meeting's goals. The steering and planning advisory committees are working to obtain approval to meet in person and there is an agenda being drafted. The slides were prepared by Jamie Schardt, who could not attend the meeting, but is available to respond to questions about the Forum at Schardt.James@EPA.gov. The slide presentation is attached at the end of these minutes.

EPA Presentation: Brownfield Opportunities in AOCs (Rosita Clarke)

Rosita's presentation was to provide some background on the Brownfields program with the goal of educating and providing funding for AOC communities. Competitive grants and technical assistance are available through this program. She provided some examples of Brownfield work done in AOC communities. The presentation slides were sent to everyone that received the meeting notice and are also attached at the end of these minutes.

SPAC EJ-DEI Subcommittee Update (Eric Diesing)

The committee met and began working on the creation of a mission statement. There was discussion whether it should be a statement, a list of goals, or something else. The members determined that they should do some self-exploration and take time to learn about DEI (Diversity/Equity/Inclusion) issues to gain some perspective about what they wish to accomplish before drafting a statement. Another issue that was discussed was the creation of a PAC welcome packet that could be used to recruit members. They discussed what would be included in these packets and how they could be tailored for each PAC. This topic was well timed for Eric as this coincides with a project he is involved with in creating a packet to educate newly elected officials about what is happening in the watersheds.

Melanie added her thanks for the members of the subcommittee and their commitment to this process.

PAC Member Updates (All)

Torch Lake AOC – Horst Schmidt

Horst shared that he had no updates at this time.

Detroit River AOC– Bob Burns

The Lake Okonoka project at Belle Isle was completed this past summer and the water control structures that were in place at both ends of the lake were removed this fall allowing river water to flow through the area for the first time in over 100 years. In addition, the project opens up 70 acres of new fish spawning and nursery habitat that was previously unavailable. The Sugar Island project began construction this past summer with the building of five shoals that will extend over 2,500 feet around the southern end of the island. These shoals will help stop erosion and provide for the addition of 1,500 acres of protected fish and wildlife habitat. Work has paused for the winter and will begin again in the spring with the completion of the shoals and the commencement of shoreline work that will stabilize it and create new emergent habitat. Finally, at Hennepin Point, located in the Trenton Channel just below the Gross Isle toll bridge, is a 25-acre coastal wetland that depends on earth and shoal to protect it from the effects of wind, current, and boat driven waves coming from the main channel. Over the years, these shoals have eroded to the point that they are fully submerged and are no longer providing protection to the marsh. The project was designed to rebuild the existing shoals with an engineered rock shoal configuration and with materials at the top and back side that will allow for the growth of plants and shrubs that will provide additional emergent upland habitat as well as protect the existing historical wetlands behind them. Construction began this week and will continue through the winter.

Mary Bohling also shared that they have a draft of a 2022 biennial report that will provide updates on the progress of each of their BUIs. They continue to work on sediment. They have a public meeting coming up on January 31, 2022, at 6:30 pm for a

sediment cleanup plan known as [the Monguagon Creek/Upper Trenton Channel \(MCUTC\)](#) project for a portion of the Trenton channel in the lower part of the Detroit River.

Rose Elision added that a sediment project along the Ralph C. Wilson, Jr. Centennial Park should be starting construction this spring in Detroit in partnership with the [Detroit RiverFront Conservancy](#). It will result in capping sediments along approximately 2,000 feet of shoreline as well as a large water garden and a spawning reef in a part of the river that is mostly devoid of habitat.

Rouge River AOC – Bill Craig

They have held two meetings since the previous SPAC meeting. At their most recent meeting Marie McCormick was voted in as the new chair with Dan Ballnik as the new vice chair. The EGLE PAC grant deliverables should be completed on time. There are more than a dozen projects in various stages of progress. They are in discussion with landowners along the concrete channel for eight habitat projects. The old channel is getting more debris removed. The main channel is in a sampling stage. There are two projects in construction currently, two projects to begin later this fall, one to begin in early 2023, two with approved quality assurance project plans, and one daylighting project in the middle Rouge. Also, there are several people in the watershed who are participating in the Southeast Michigan Report Cards Project for five southeast Michigan AOCs.

River Raisin AOC – Brian Egen

There were not a lot of new items to report as they are in a monitoring phase. They have been working steadily on the items associated with their PAC support grant and should have those done soon. They created several promotional posters. They have placemats with information about what they do distributed to local restaurants throughout the community. They are also updating their field guide; a 25-page document that is user friendly, portable, and easy to handle. It explores a history of the area, and the recovery efforts that they've been working on. They have also migrated old web content about the River Raisin Legacy project to the city of Monroe. They are excited about wrapping up their documentary project which is longer than they originally planned at close to 40 minutes. It includes interviews with residents, local stakeholders, EGLE's director Liesl Clark, and many others. They continue focusing on outreach and education while monitoring.

Dick Micka added that he attended a Monroe Port Commission meeting and learned that the port director will be meeting with the U.S. Army Corp of Engineers next week on maintenance dredging. He wondered if such dredging should be observed by EGLE and what effect it may have on the cap that is in place to contain contaminated sediment.

Saginaw River and Bay AOC – Laura Ogar

The PAC has not met for a while but is working on gathering information to put management actions together. They are working on a couple of shoreline fishing

projects that they hope can be used to address the populations BUI. Work with the Dow Superfund had been delayed due to high water levels and they are waiting to see if there will be an impact this coming year. They have learned that there is a recommendation by EGLE, and DHHS, to not consume eggs, meat, and milk from animals raised along the Saginaw River corridor due to dioxin levels. That the Saginaw River floodplain has dioxin levels that put the public at risk is new information to them and is disappointing.

Jen Tewkesbury added that a long-term monitoring plan is being planned in coordination with USEPA to collect information on eutrophication issues and the changing dynamics in the bay. There is a possibility that they will look at revising the criteria for eutrophication and perhaps develop local criteria. There will be more information on that this spring.

Clinton River AOC – Eric Diesing

All habitat projects are pretty much complete. They are in the process of completing their documentary and a restoration booklet that will highlight all the work that has been done throughout the watershed. They are developing signage for each of those projects. Eric completed the initial draft of a monitoring report for all their habitat work and it has been turned over to their technical committee for comment. He will then assist Jen with any assistance needed for the BUI removal write up relating to that data. They are looking at some new technology and into purchasing a drone that would be outfitted with cameras that will allow them to run vegetative indices and sediment and channel morphology monitoring on projects.

Jen Tewkesbury added that they are beginning to have meetings concerning the PCB hotspot and some discussions for getting crews out this year to get that corrected. That will be the last big management action before getting the BUI removals completed.

St. Clair River AOC – Paulette Duhaime

On the U.S. side, a drinking water information webinar was hosted virtually on October 19, 2021, with about 30-40 in attendance. Much of the information shared has been placed on a new [drinking water information page](#) on the Friends of St. Clair River website ([scriver.org](#)). Once in person meetings are available, they intend to use this information for public awareness programs in anticipation of removing the drinking water BUI. In Canada, work is also being done on the drinking water BUI and they are working together to create a public information fact sheet. Canada also presented a webinar on the fish and wildlife population BUI and are recommending a redesignation to not impaired. At their BPAC meeting which is scheduled for next week they will continue to discuss implementing the University of Michigan student's recommendations. PAC recruitment, educational components of algal blooms, and community engagement are the topics they are focusing on.

Muskegon Lake AOC – Kathy Evans

The Muskegon Watershed Partnership has been working on the removal of their last remaining BUIs for benthos, fish and wildlife habitats and populations, and eutrophication. The major management actions are essentially done. There is monitoring occurring and reports will need to be reviewed and evaluated. The PAC, WMSRDC, and EGLE, have been discussing ways to educate the public on algae blooms because they have had some severe ones recently. The public needs to be aware of what they are, what they can do about them, and how it relates to the removal of the eutrophication BUI. They will hear from Dr. Matt Cooper with Muskegon Community College regarding his study with Central Michigan University who did a benthos study for Muskegon last summer. They are also doing some work that is not necessarily related to the AOC; nonpoint source work, work related to DEI, urban tree canopy planning, community engagement, and planning for green infrastructure for neighborhoods around the lake.

Kalamazoo River AOC – Cheryl Vosburg

They have 14 projects that have been approved and will begin soon under a settlement with NCR Corporation. Under the Superfund, USEPA has submitted a PCB removal and dam removal project (Trowbridge) that is at 60% design. The plan has been reviewed and comments have been sent in to address some gaps in channel design and ecological restoration. Two years ago, there was a dam that did an emergency drawdown and released a bunch of sediment (approximately 300,000 cubic yards) and none of it has been removed to date, nor have there been any actions taken to limit its movement downstream. Some of it is sitting on top of the AOC PCB sediments. As a response [Senate Bill 813](#) has been introduced by Senator Sean McCann, and [House Bill 5661](#) has been introduced by Representative Julie Rogers. Both bills are geared toward amending the [Natural Resources and Environmental Protection Act](#) and would give EGLE the authority to issue emergency orders when there is a threat to inland lakes and streams, essentially giving EGLE the authority to conduct immediate sediment removal in cases such as this. For this issue, they have been in negotiations with the responsible party for over two years to get the sediments removed voluntarily to no avail, so it is likely this will be litigated, a lengthy process. In the meantime, the sediments remain. While these bills will not help the immediate situation, it is hoped they can be passed so these types of issues can be resolved more quickly in the future. She asked that SPAC members review the bills and offer comments or support to assist in getting them passed. The bills appear to have bipartisan support and the Senate Bill has been referred to the Senate Committee on Natural Resources.

Manistique River AOC – John Riley

Management actions are complete so they are looking for fish tissue concentrations which he believes will be collected this year. The Restrictions on Fish and Wildlife Consumption will be the last BUI to remove.

St. Marys River AOC – Mike Ripley

All management actions are complete on the U.S. Side. On Canadian side there is a large issue with contaminated sediments. At their BPAC meeting in December there was an update by Environment and Climate Change Canada (ECCC) on a sediment management plan, to address that contaminated sediment. Mike has not heard comments back from that plan yet. However, at the previous update there was concern because ECCC is considering that the clean sediment that has been deposited over the contaminated sediment would simply be left. There is a great deal of disagreement on that. This is a dynamic area with a lot of shipping, Sault Ste. Marie, Ontario, a large city, is located right at the hotspot of contamination. It is anticipated that in the future there will be dredging for navigation and for development on the Canadian side and they would run into that contaminated sediment. He may have a better update at the next meeting.

Michigan BUI Removal and AOC Delisting Process (Jen Tewkesbury)

Jen's presentation gave an overview of how the process begins within EGLE, who is involved, what information is needed, and the steps taken to remove BUIs and delist AOCs. The slides from this presentation are attached at the end of these minutes.

SPAC Opinions Poll - Subcommittee Results (Melanie Foose)

Melanie shared slides to highlight some of the poll results and began a discussion for members thoughts on forming subcommittees. The EJ-DEI subcommittee was established last spring and has been meeting for nearly a year. The poll asked if there was interest in the formation of any other subcommittees to focus more closely on a given issue. The poll result showed that long-term stewardship, maintenance, and monitoring of habitat restoration projects had the most support followed closely by outreach, education, and advocacy and improving the strength and effectiveness of PACs. Melanie shared that EGLE was happy to facilitate by organizing meetings and preparing agendas.

After discussion, it was decided that there was interest in forming a long-term stewardship and maintenance subcommittee and there were several volunteers to participate in such a group. The purpose would be to have more in-depth conversations which can be difficult in larger meetings such as the SPAC.

The other result shared was the timing and location of the next SPAC meeting and it seemed there was more support for a virtual meeting. The slides Melanie presented are attached at the end of these minutes.

All PAC Members Meeting (Rick Hobrla)

- Date to Be Determined – We are currently looking at the end of April (18-29), as the timeframe. This would likely be a two-to-three-hour virtual meeting. Due to the anticipated size of this meeting a Doodle poll will not be sent, however, if there are specific events that could significantly conflict with those dates, please send Melanie an email at FooseM@Michigan.gov to let her know. A comment in the chat suggested that April 22 is Earth Day and there could be conflicting events that day. This will likely be set up as a webinar due to the potential number of participants. EGLE's Director Liesel Clark, and EGLE's Water Resources Division Director Teresa Seidel, are being invited to speak if their calendars allow. GLNPO's Director Chris Korleski has expressed interest in speaking and Rick is also considering extending an invitation to USEPA Region 5 Administrator, Debra Shore.
- Call for Agenda Items – SPAC members were asked to consider what topics their PAC members would be interested in. Patty Troy commented in the chat "I think PAC members would appreciate an AOC program overview - such as # of BUIs removed, management actions done, bucket lists." SPAC representatives were asked to go back and ask their PAC membership what they would be interested in and what topics they would like to see presented. Several ideas were offered during the course of discussion that will be considered as a draft agenda is created.

Schedule 2022 SPAC Meetings – Call for Agenda Items (Rick Hobrla)

- Spring 2022 Meeting - After discussion and a vote using the hand raising feature in Teams, it was decided that this will be a virtual meeting in June unless the AOC Conference is cancelled or delayed. If the AOC conference does not take place, a virtual meeting would likely be scheduled on May 25th or 26th.
Topics for the agenda could include:
 - Follow up on the AOC conference in Muskegon.
 - Updates on PAC support grants and funding.
 - Report out from the EJ-DEI subcommittee.
 - Presentation by Lynne Heasley; author of *The Accidental Reef*. (Horst made this suggestion and Rick asked if he could reach out to her.)
 - Report out by maintenance subcommittee should they meet before May or June.
 - PAC report outs.
 - USEPA update.
 - EGLE update.
 - Action items.
- Fall 2022 Meeting – there is support for and interest in holding this meeting at the River Raisin AOC if it is possible to meet in person at that point. The plan is to pursue a meeting at that location and a date will be determined as planning is done.

Action items

- Follow up on a subcommittee regarding long-term maintenance and monitoring of habitat restoration projects interest via email.
- Prepare a Doodle poll to set a June meeting date.
- Send out the AOC Conference registration link.
- Send out link to Great Lakes Forum.
- SPAC members to provide input on agenda items for all-PAC meeting.

Motion to Adjourn made by Bill Craig, seconded by Brian Egen.

Meeting concluded at 3:30 PM.



EPA update to the Michigan SPAC

January 20, 2022

A scenic landscape featuring a calm lake in the foreground, reflecting the surrounding environment. The middle ground is filled with a dense forest of evergreen and deciduous trees, some of which have yellowed, suggesting autumn. In the background, majestic mountains with patches of snow rise against a clear blue sky.

BIL

Bipartisan Infrastructure Law

AOC Conference

May 24-26, 2022



- You can register now and make hotel reservations too
- If possible, plan to arrive Tuesday by noon to take advantage of the pre-conference programming
- The agenda is being finalized but we plan to have a large number of breakout sessions this time
- There will be two nights of optional activities as well



Great Lakes Public Forum

50th anniversary of the GLWQA

Jamie Schardt
<schardt.james@epa.gov>

Great Lakes Public Forum

- Delivery of the Great Lakes Public Forum (GLPF) every three years is a commitment in the *Canada-United States Great Lakes Water Quality Agreement, 2012*, Article 5.
- The GLPF is an opportunity for:
 - Canada and the United States to discuss and receive public input on the state of the lakes and future binational priorities for science and action, which will set the courses of action for each country over the next three years
 - The International Joint Commission to discuss and receive public input on the Progress Report of the Parties, which outlines the progress that Canada and the United States have made under the Agreement in the past three years.
- The next GLPF is planned for Fall 2022.

2022 - a Year for Celebration

The 50th anniversary of Canada and the United States signing the first GLWQA
*Opportunity to celebrate a half-century of binational collaboration and successes,
and to offer special programming, including a premier Great Lakes event at the
Great Lakes Public Forum*



Event Planning – Status Update

- ECCC event approvals in progress.
- Binational Steering Committee established.
 - ECCC, US EPA, Global Affairs Canada, and US Department of State.
 - Guide strategic planning for the Forum.
- Planning Advisory Committee established.
 - Composed of GLEC members, observers and other members of the Great Lakes community.
 - Provides an open platform to provide advice on planning for the GLPF and 50th celebrations.
- Continued collaboration with the IJC will be important.
- Draft agenda is in development.

Proposed Theme, Location and Timing

Theme: *Our Great Lakes: Celebrating past successes and preparing for future challenges*

Location: *Windsor Ontario Canada*

- *In-person*, with virtual/remote access opportunities*
- *Potential for side events in Detroit*

Timing: *3 day main event; Late September (Sep 27-29 –TBC)*



Preliminary agenda elements (1)

- **Opening prayer, welcoming remarks**
 - Indigenous remarks/prayer; remarks by Mayors (Windsor and Detroit).
- **Presentations by the Parties**
 - Overview of Progress Report of the Parties; Highlights of State of the Great Lakes; Draft Binational Priorities for Science and Action.
- **Panel discussions focused on GLWQA issues, with representation from GLEC and the Great Lakes community**
 - Toxics.... Nutrients.... Invasive species... Habitat and species... Science ... Areas of Concern... Climate change impacts.
 - Panelists and speakers to include GLEC members and the broader Great Lakes community (including academia, industry, non-government organizations) to bring diverse perspectives.

Preliminary Agenda elements (2)

- **Exhibit hall**
- **Indigenous-led sessions**
 - First Nation, Metis and Tribe led restoration efforts. Opportunity for other Indigenous-led session or panel.
- Invite **ECCC Minister and EPA Administrator participation** through keynote or armchair discussion.
- **Evening reception** to celebrate the 50th anniversary
- **Keynote speaker:** attract high profile, climate change impacts focused
- **IJC led session(s)** to seek public input
- **Closing remarks**

Next Steps

- Secure approvals; secure venue; issue save the date notice
- Detailed agenda planning
- Continue to identify partner-led side / field events
- Call for speakers and panelists
- Develop and implement 50th anniversary and GLPF digital marketing campaign
- Registration site

Brownfields and the Bipartisan ► Infrastructure Law

Region 5

Brownfields and Redevelopment Program

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Purpose of this Presentation

- ▶ To describe the Brownfields programs
- ▶ Discuss how the Bipartisan Infrastructure Law funds for Brownfields can be used to advance the Agency's priorities and support EPA's air, water and land programs

What is a Brownfield?

“...real property, the expansion, redevelopment, or reuse of may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”*

Practical implication: Brownfields are everywhere!

*(Public Law 107-118 (H.R. 2869) - “Small Business Liability Relief and Brownfields Revitalization Act”, signed into law January 11, 2002).



The Brownfields Program: Resources

Grant Types:

- ▶ Competitive, open to Public Entities, Tribes and Non-profits
 - ▶ Assessment
 - ▶ Revolving Loan Fund (RLF)
 - ▶ Cleanup
 - ▶ Multipurpose
 - ▶ Environmental Workforce Development & Job Training (EWDJT)
- ▶ Non-Competitive, open to States and Tribes
 - ▶ State and Tribal Response (CERCLA 128(a))

The Brownfields Program: Resources

► Technical Assistance

- Targeted Brownfields Assessment (TBA)
- Technical Assistance to Brownfields Communities (TAB)
- Land Revitalization technical assistance
- Other technical assistance

Targeted Brownfields Assessments

- ▶ TBA program is designed to help minimize the uncertainties of contamination often associated with brownfields—especially for those entities without EPA Brownfields Assessment grants.
- ▶ The TBA program is not a grant program, but a service provided through an EPA contract. EPA directs a contractor to conduct environmental assessment activities to address the requester's needs.
- ▶ TBA assistance is available through EPA's Regional Brownfields offices.

TBA may cover one or more activities:

Phase I - An “all appropriate inquiries” assessment, including

historical investigation and a preliminary site inspection;

Phase II - A more in-depth environmental site assessment, including sampling activities to identify the types and concentrations of contaminants and the areas potentially needing cleanup; and

Evaluation of cleanup options and/or cost estimates based on future uses and redevelopment plans.

* Cleanups are not eligible activities

Who Is Eligible to Apply for a Targeted Brownfields Assessment?

- ▶ Eligible entities include state, local and tribal governments;
- ▶ general purpose units of local government, land clearance authorities or other quasi-governmental entities; regional council
- ▶ or redevelopment agencies; states or legislatures
- ▶ nonprofit organizations.

Technical Assistance to Brownfields Communities (TAB)

The Technical Assistance to Brownfields (TAB) Program provides technical assistance to communities and stakeholders to help address their brownfield sites, and to increase their understanding and involvement in brownfields cleanup, revitalization and reuse.

The TAB Program is funded by EPA and available to all stakeholders. In Region 5, Kansas State University is the TAB provider.

Services Provided Through TAB

Provide expert technical assistance and guidance to help communities, among other things, understand:

- ▶ acquiring, assessing, cleaning up and redeveloping brownfield properties;
- ▶ the health impacts of brownfield sites;
- ▶ how science and technology are used for site assessment, remediation, redevelopment and reuse; and
- ▶ how to comply with voluntary cleanup requirements.

Services Provided Through TAB (cont)

KSU TAB services may include:

- ▶ Assistance with identifying brownfields in the community
- ▶ Assistance with planning, visioning
- ▶ Assistance with identifying sources of funding
- ▶ Community outreach

Services Provided Through TAB (cont)

KSU TAB services may include:

- ▶ Creation of fact sheets and dissemination of information
- ▶ Educational workshops, webinars, e-tools and online resources
- ▶ Review of Brownfields grant applications
- ▶ Review of plans and technical reports
- ▶ Other assistance, as needed and agreed upon. Services can be tailored to a community's specific needs.

Other Technical Assistance

- ▶ The Brownfields Program provides discretionary Technical Assistance
 - ▶ The use of these programs are targeted at communities identified by Region 5
 - ▶ These are not competitive grants; HQ provides services through their contracts with ICF and Tetrattech
 - ▶ The projects must involve a brownfield site in some way
 - ▶ Typical projects center on neighborhood revitalization planning, site reuse planning, or market analysis
 - ▶ Region 5 goals in the year ahead prioritize underserved communities impacted by racial disparities.

Examples of Brownfields Work in AOCs

- ▶ Collaboration with Other Programs to achieve communities' and Agencies' Goals
 - ▶ GLNPO
 - ▶ GLRI Funds
 - ▶ USDA
 - ▶ USFS
 - ▶ SF- Remedial, Removal
 - ▶ HUD, DOT

DWP Site Duluth, MN

Funding for the restoration of this site was provided by the Urban and Community Forestry Program of the U.S. Forest Service, Department of Agriculture to the City of Duluth through the Great Lakes Restoration Initiative project "Using Green Infrastructure on a Duluth, MN Brownfield Site to Reduce Toxics Load to the St. Louis River Area of Concern".



The USDA is an equal opportunity provider.



- Removed 40.79 acres of invasive species
- Plantings totaling 11,681
- Overall, 55 acres impacted by this project through invasive removal, and capping with dredged material
- The majority of work performed under this grant project was provided by employees of the Community Action Duluth's Stream Corp program.
- This program is dedicated to providing employment opportunities to people who were formerly unemployed, underemployed and sometimes homeless and who use this work opportunity as a chance to gain valuable employment history for their resumes and skills to find future employment.

DWP Roundhouse Before



DWP
2022 Google Earth View




DWP Roundhouse After

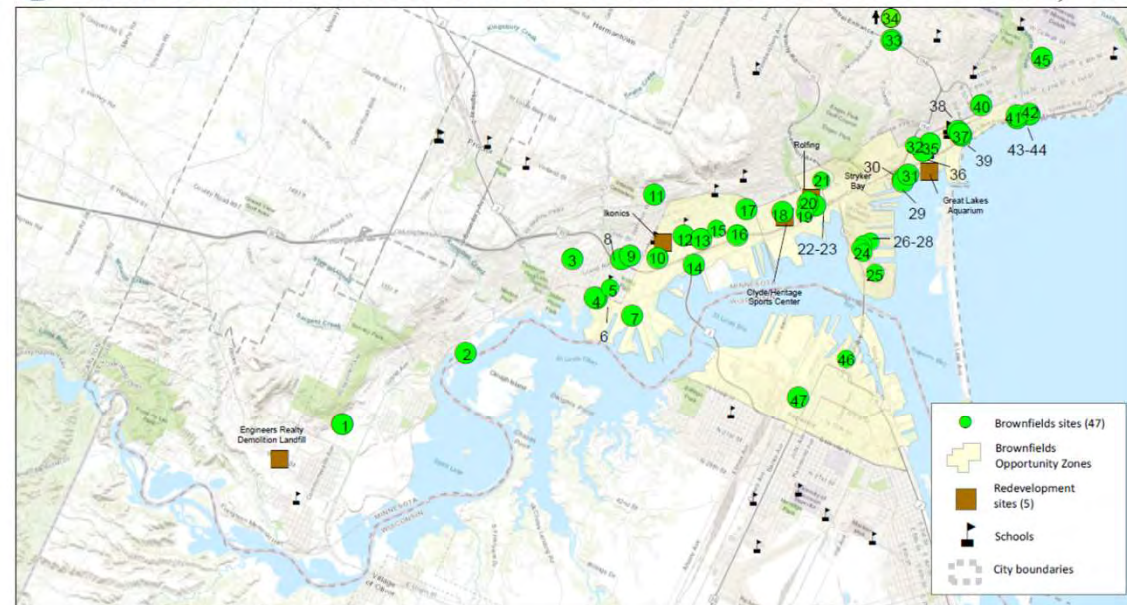
DWP Roundhouse Plantings



BF projects along the St. Louis River AOC

- ▶ Former Atlas Cement
- ▶ Spirit Lake Marine
- ▶ DWP Site
- ▶ 6100 Waseca St
- ▶ Irving Infill Project
- ▶ Waseca Industrial Road
- ▶ Ponds Behind Erie Pier

 Land Revitalization in the St. Louis River Corridor - Duluth, MN



Brownfields working with GLNPO Cuyahoga River - Old River Channel

- ▶ Partners:
- ▶ Cleveland Cuyahoga County Port Authority(Port) - Non- Federal Sponsor
- ▶ City of Cleveland - Project Partner
- ▶ Great Lake Towing
- ▶ Ohio EPA
- ▶ USEPA Brownfields and Westlake Ohio Office



Cuyahoga River Old River Channel

- ▶ **Benefits of Collaborating:**
 - ▶ Conversations early in the process sped up the process
 - ▶ Collaboration between GLNPO and Brownfields facilitated communication between Project Partners and GLNPO
- ▶ Brownfields staff prior involvement in assessment and remedial activities on adjacent properties
- ▶ Property can then be sold to Great Lakes Towing for business expansion; retaining 47 jobs and creating at least 10 new jobs resulting in additional payroll of \$500,000.

Thank you!

Now let's discuss how Brownfield's and GLNPO's resources can be used to advance the Agency's priorities and support EPA's air, water and land programs



BUI Removal Process for Michigan AOCs



Clinton River AOC

Jen Tewkesbury - EGLE



All management actions for a BUI are complete...now what?

AOC Coordinator recommends to the PAC that a BUI is ready for assessment and potential removal

- In some cases, the PAC may make this recommendation
- State restoration criteria or an approved local criteria?



BUI Removal Process

If the PAC concurs, the AOC Coordinator gathers data for assessing whether the criteria has been met

- The coordinator also informs state, federal, and local AOC partners/stakeholders of the formal assessment and will include any data or assessments that might support **or question** the BUI removal

BUI Removal Process continued...

AOC Coordinator drafts Removal Recommendation document which includes:

- History of the BUI; why was it impaired?
- What are the restoration metrics?



BUI Removal Process continued...



- **What progress has been made to correct the impairment?**
 - Management actions complete
 - Scientific and monitoring data supports the removal
 - Long-term regulatory improvements or corrections
 - Implementation of local projects and restoration initiatives
 - Life after delisting planning & implementation
 - Other

BUI Removal Process continued...

AOC Coordinator assembles a Technical Committee

- Includes appropriate State, Federal, PAC, and local representatives
- Reviews Removal Recommendation document and supporting data
- Will convene as many times as needed to gather input and participate in open discussions of the BUI removal
- AOC Coordinator revises the Removal Recommendation document, where necessary



BUI Removal Process continued...

Technical Committee concurs with finding; *If not, AOC Coordinator will review rationale with PAC for next steps*

Final draft of Removal Recommendation document is circulated within EGLE for review

AOC Coordinator drafts public comment period and public meeting notice (if requested)

BUI Removal Process continued.....

Final document is posted on EGLE webpage and calendar, PAC mailing list, list-serves, etc.

**30-day comment period from date of posting or date of public meeting, if one is held*

Following public comment period, AOC Coordinator shares final Removal Recommendation document and requests letter of support from PAC Chair

Final steps...

Final BUI Removal package including the following is circulated through EGLE management for approval:

- Final Removal Recommendation document
- Letter from EGLE to EPA-GLNPO requesting concurrence
- Public comment notice
- Public comments
- Public meeting agenda and minutes, if applicable
- Letter from PAC chair
- Other relevant, supporting data

BUI Removal Recommendation package is sent to EPA-GLNPO for concurrence

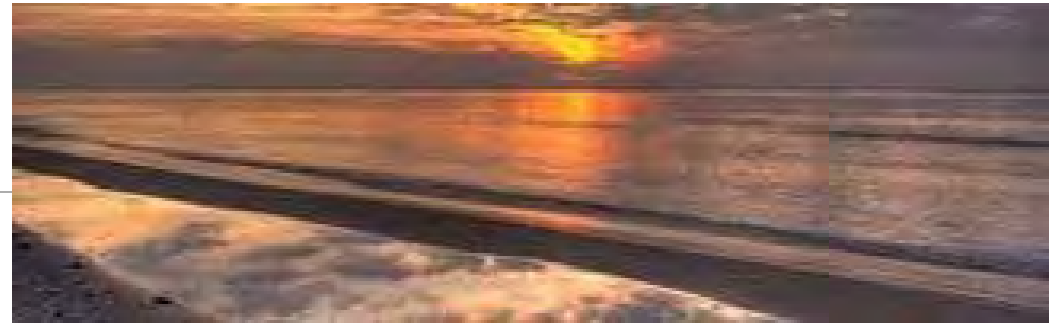
If approved, final BUI Removal package is posted to EGLE web site and a press release is issued

BUI Removal Process



Next....
AOC Delisting Process

AOC Delisting Process of Michigan AOCs



Manistique AOC

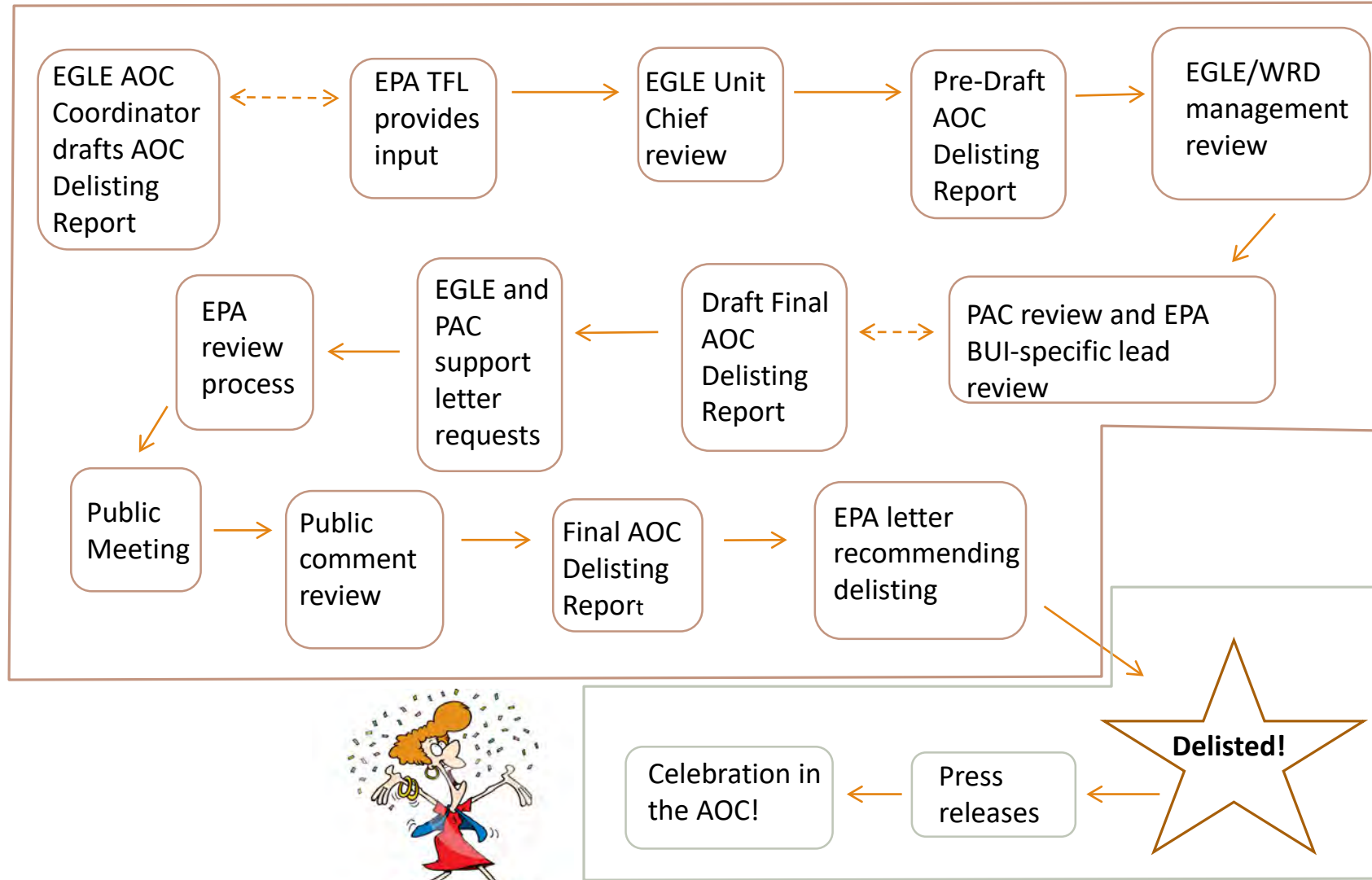
AOC Delisting Process



Deer Lake AOC

- ❖ AOC Coordinator confirms that all Management Actions are complete, in coordination with the EPA TFL, and all BUIs have been removed
- ❖ AOC Coordinator discusses delisting recommendation with Unit Chief, EPA TFL, PAC, and other agencies as needed prior to formal assessment
- ❖ AOC Coordinator initiates EGLE formal process of delisting the AOC

EGLE AOC Delisting Process Flow Chart



AOC Delisting Questions?



Thank You!

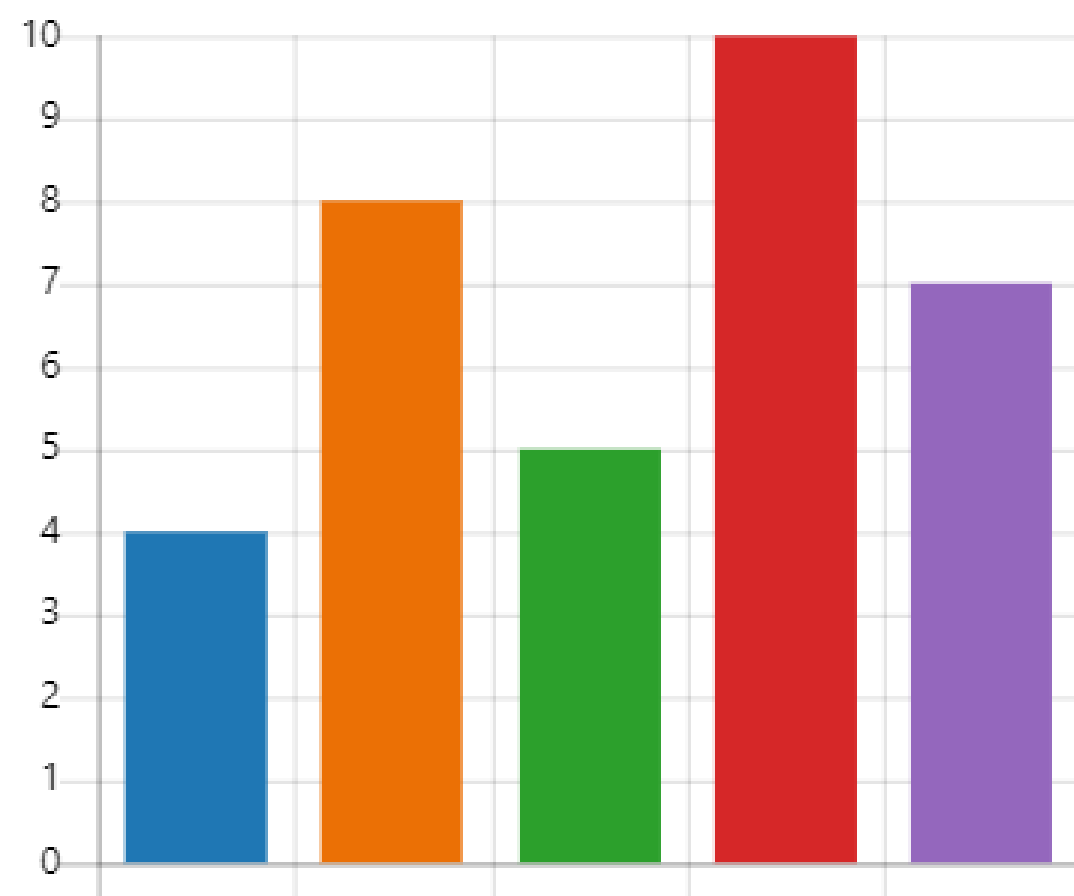
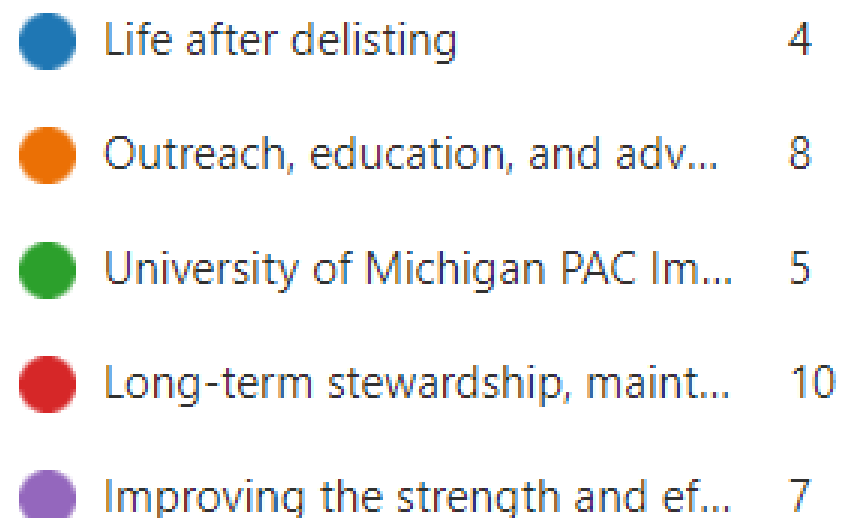
tewkesburyj@michigan.gov

SPAC Poll Results

SPAC Subcommittees

- Environmental Justice/Diversity, Equity, and Inclusion (Established 2021)
- Life After Delisting
- Outreach, Education, and Advocacy
- University of Michigan PAC Implementation Plans
- Long-term Stewardship, Maintenance, and Monitoring of Habitat Restoration Projects
- Improving the Strength and Effectiveness of PACs

I am interested in starting and/or participating in a new SPAC subcommittee related to:



I would prefer to attend the Spring 2022 SPAC meeting:

- In-person, in Muskegon, prior ... 7
- In-person, in Muskegon, follo... 7
- Via an all-day virtual meeting ... 13

