

Michigan Statewide Public Advisory Council Meeting Minutes

May 15 – 16, 2019

Shoreline Inn Conference Center

Muskegon, Michigan

Attendees:

Rick Hobrla, Michigan Department of Environment, Great Lakes, and Energy (EGLE)
Jennifer Tewkesbury, EGLE
Stephanie Swart, EGLE
John Riley, EGLE
Melanie Foose, EGLE
Paul Seelbach, University of Michigan
Collin Knauss, University of Michigan (recent graduate)
Ben Pollins, University of Michigan (recent graduate)
Marc Tuchman, Environmental Protection Agency, Great Lakes National Program Office (EPA GLNPO)
Mark Loomis, EPA GLNPO
Matt Doss, Great Lakes Commission
Horst Schmidt, Torch Lake AOC (Vice Chair of SPAC)
Dick Micka, River Raisin AOC
Greg Mund, White Lake AOC (delisted)
Dennis Zimmerman, Saginaw River/Bay AOC
Kathy Evans, Muskegon Lake AOC
Anne Brasie, Clinton River AOC
Paulette Duhaime, St. Clair River AOC
Dan Ballnick, Rouge River AOC
Bob Burns, Detroit River AOC (via phone)

Welcome, Introductions, Review of Agenda – Horst Schmidt

Horst Schmidt, SPAC Vice Chair, welcomed the group and brought the meeting to order.

Logistics – Kathy Evans

Kathy Evans provided logistical comments on Muskegon dining and attending the film event in the evening. The film “Back from the Brink” will be shown at the Frauenthal Center in downtown Muskegon promptly at 6:30 PM followed by a panel of local, state and federal partners to discuss Muskegon’s restoration and revitalization with Matt Doss moderating the panel discussion.

Review/Approve Minutes from November 27-28 SPAC Meeting – Horst Schmidt

Dick Micka moved to approve the minutes; Dennis Zimmerman seconded. Minutes approved.

Revised SPAC bylaws – Bylaws subcommittee

The Bylaws subcommittee (John Riley, Dennis Zimmerman, Bill Craig, Horst Schmidt and Patty Troy) presented the latest draft of the revised SPAC Handbook: Mission Statement, Operating Procedures & Bylaws. John indicated the most recent change to the bylaws included the addition of “EGLE” as the agency of the Area of Concern (AOC) program. Horst commented the John was very helpful in the

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updates of the bylaws. The Bylaws document will need to be signed by the SPAC Chair, Mary Bohling. A motion to accept the current bylaws document was made by Dennis Zimmerman and was seconded by Dick Micka. Motion approved.

ACTION ITEM: Melanie will contact Mary Bohling to get the SPAC Bylaws signed.

Great Lakes Commission Update – Matt Doss

The annual Great Lakes Day in Washington D.C. was held on March 7, 2019 with a reception on Capitol Hill. The Great Lakes Commission (GLC) provided a federal priorities statement and called for full funding of the Great Lakes Restoration Initiative (GLRI). Other priorities included funding for Great Lakes navigation, invasive species, agricultural conservation and coordinated federal programs. Matt provided several fact sheets that were used for the annual event. Matt also strongly recommended that PAC members have annual conversations with their elected officials and suggested the fact sheets can be used for those discussions. Multiple methods of engaging with elected officials were mentioned, including asking for meeting in their offices, inviting them to a PAC meeting, and inviting them on a tour of AOC project sites.

Regarding GLRI funding, the current year is appropriated for FY20 at \$300 million as of the date of the SPAC meeting. Matt mentioned that as in years past, there remains strong binational support for the GLRI.

Matt also briefly discussed the completed GLRI economics study conducted by the GLC in partnership with many other organizations. The study revealed a 3.35 to 1 “return on investment”. It was a rigorous and credible analysis which can be used in discussions with elected officials on the benefits of the GLRI. A fact sheet on the economic analysis was provided as well as reports on the case studies in Michigan, including Detroit and Muskegon.

Matt mentioned that John Hartig continues his work writing case studies of AOCs throughout the Great Lakes, including reports on the River Raisin, Detroit and Muskegon AOCs. These papers authored by Hartig and others are available on the International Association of Great Lakes Research website (<http://iaglr.org/aoc/>).

The GLC semi-annual meeting will be in Ann Arbor in May and will include a tour of the Detroit River AOC, including stops on Belle Isle and the Detroit Riverwalk, among other stops.

Last fall Matt committed to updating the document which lists out the state and federal representation for Michigan’s AOCs. The document was shared at the meeting and is available electronically and as part of this minutes package.

EGLE Update – Rick Hobrla

Reorganization: Rick began the discussion of the state’s AOC program update with the changes to the structure of the state’s department which houses the AOC program. Recently the AOC program was

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part of the Michigan Department of Natural Resources (DNR) under the umbrella of the Office of the Great Lakes (OGL), but with the election of a new governor, many changes occurred. Most notable was the creation of a new department to replace the existing Michigan Department of Environmental Quality (DEQ). This new department was created effective on April 22, 2019 and combined the Michigan DEQ, Michigan OGL and the Michigan Agency for Energy under a new name known as the Michigan Department of Environment, Great Lakes, and Energy (EGLE – pronounced “eagle”). Further, the Michigan AOC program was moved out of the Michigan OGL and into the Water Resources Division of EGLE. Rick stressed that even though there were substantial changes to the structure of the department, the PACs should not see any major changes. Rick also indicated that James Clift, formerly of the Michigan Environmental Council (MEC) is now with EGLE and is advisor to the EGLE director on Great Lakes issues among other responsibilities including environmental justice and legislative issues. As there is currently not an organizational chart for EGLE, it is unclear what the AOC program’s relationship will be with James Clift.

OAG Audit: The AOC program recently underwent an audit under the State’s Office of Auditor General (OAG) and has now received all preliminary findings. Due to the findings, there will likely not be any major changes to the operations of the AOC program; but we must be more careful in documenting our work, including the removal of Beneficial Use Impairments (BUIs). Another finding was regarding RAP updates, and that we are not preparing them regularly. As a result of this finding, we have indicated that we will be adjust our work plan to indicate RAP updates, will only be prepared as requested by EPA. A third finding was a minor criticism of our partnership with the University of Michigan.

PAC Support Grants: The capacity grant, or more formerly, the cooperative agreement the AOC program has with EPA is at the end of its three-year term. Therefore, new PAC grants cannot be provided until we have a new agreement with EPA. The new agreement, once it is completed and signed, is anticipated to run until March 31, 2022. However, there have been delays in having our work plan completed, approved and submitted to EPA due to the significant changes to the organization of EGLE. The new PAC grant Request for Proposals (RFP) will come out as soon as possible; but will likely be renamed something else as this was another issue the OAG found. John Riley recommended that the PACs begin discussions amongst their local groups and with their AOC coordinator on the plans for the next round of PAC grants; so as soon as funding is available, PACs can apply.

ACTION ITEM: EGLE will provide information on PAC support grant funding for the 2019/2020 cycle soon. In the meantime, discuss plans within your PACs and with your AOC coordinator.

AOC Event Planning: Matt commented that the current GLC/AOC program relationship includes the use of GLC for planning of celebratory events including: BUI removals, delisting, and project completion events, as three examples. Contact your AOC coordinator if you are planning an event and need support.

University of Michigan Collaboration: Rick mentioned that tomorrow you would hear the final results of the current collaborations between the AOC program and the University of Michigan. Likewise, a new project is in its beginning stages with a new group of master’s students who will be studying three AOCs: Kalamazoo, Saginaw River/Bay, and Rouge and the topic of larger community outreach. Following this

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project, the AOC program would like to continue its collaboration with Dr. Paul Seelbach at the University, but due to the changes in the structure of the AOC program, the fate of this collaboration is uncertain.

USEPA update – Marc Tuchman

Marc provided his EPA update through the use of PowerPoint slides. These slides are included as part of the minutes package.

GLRI Action Plan III: The Action Plan II is nearing completion, and Action Plan III will begin October 1, 2019. Action Plan III will run from 2019 to 2024. Action Plan III is currently undergoing public comment, and comments can be made by visiting glri.us. (Note: At the time of the SPAC meeting, the Action Plan III comment period was open; however, the comment period has now been closed).

ACTION ITEM: Comments on the Action Plan III are due to EPA by May 24, 2019.

Under Action Plan II, 85 BUI removals were targeted, and this appears to be met! Two metrics were reported for Action Plan II: management actions completed and BUIs removed. A third metric will be added for Action Plan III: approved management action lists for all 31 remaining AOCs.

A total of 85 BUIs have been removed in the history of the US AOC program, with about 47 of those BUIs coming from Michigan, considering only ½ credit is given for the bi-state Menominee AOC. This is still remarkable, and it was commented that Michigan is “smokin’ it!”

Under Action Plan II, management actions complete were meant to include Manistique, Muskegon, Black, Clinton and Buffalo. These are all well on their way to completing the “on-the-ground” work. However, they are all expected to slide into the Action Plan III time period. In Michigan, by June 15th Manistique will be starting their last management action to remove 30,000 cubic yards of PCB contaminated material from the river; Muskegon’s Ryerson Creek project is currently in design; and in the Clinton, substantial progress in habitat projects has been made with a recent finding of a potential sediment issue including PCBs in the navigational channel.

Marc discussed the polling data from the last AOC conference held in Spring 2018. The polling data indicates an awareness by PAC members and state and federal partners that sediment contamination clean-ups are many of the projects that remain in the AOCs, and that these projects are difficult and timely to complete.

Marc discussed the “Bucket List” which most recently saw movement to the next to last “bucket” of the Rouge and Torch AOCs. The last “bucket” includes many other long-term Michigan AOCs including Detroit, Kalamazoo, and Saginaw.

Marc stressed that long term maintenance and stewardship is important to projects funded under GLRI, but cannot be funded by GLRI, and that the local project teams and PACs must find ways to ensure

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stewardship occurs on these sites in the long-term. Kathy Evans provided some examples on how Muskegon is working to maintain the projects they have implemented.

The GLRI budget for the last several years has held steady at \$300 million per year. About 1/3 of this budget goes to AOCs, including habitat and Great Lakes Legacy Act (GLLA) sediment remediation projects. Chris Korleski had recently characterized the AOC program as the “poster child of the GLRI” due to the successes of the program and the projects, including all the revitalization that follows.

The EPA’s Great Lakes National Program Office (GLNPO) under the leadership of Chris Korleski, is prioritizing the communications and outreach of the work of the AOC program throughout the US Great Lakes states. EPA has a website (glri.us) in which they tell “good news” stories about projects in every AOC. And, EPA wants to partner with PACs on celebrations of AOC milestones, and to spotlight projects, BUI removals and AOC delistings.

Great Lakes Public Forum: The forum is held every third year, and this year will be held June 17-19 in Milwaukee, Wisconsin. Marc will be in attendance to report out on the AOC Program (Annex 1 of the GLWQA). At the forum, it is intended that some local voices will be discussing the stories of their AOCs, and these highlighted AOCs will likely include Sheboygan and Muskegon. There is also a possibility of showing the recent River Raisin mini documentary.

2019 AOC Conference: The AOC conference will be held on September 11 and 12, 2019 in the Cuyahoga AOC of Cleveland, Ohio and will commemorate the 50th anniversary of the Cuyahoga River fire. The conference will include many relevant topics during plenary and breakout sessions and additional relevant tours will be available for participants. The GLC, as per previous years, will provide funding to local PAC members to attend the conference. Begin discussing your plans for attending the conference, and please attempt to lower costs by carpooling and sharing hotel rooms where possible. A call for funding proposals to attend will likely go out around late June/early July. Registration for the conference is now open and will cost \$95.00 for the conference only (<https://www.epa.gov/great-lakes-aocs/2019-great-lakes-areas-concern-conference-september-11-12-2019-cleveland-ohio>).

Great Lakes Legacy Act/ Contaminated Sediment Remediation in Michigan AOCs – AOC Coordinators

Rouge (Jen Tewkesbury): Contract awarded for the Lower Rouge Old Channel Project (LLROC). Project will be about 10 acres and cost around \$50 million. Dredging to start late June 2019. Four miles of the main channel as yet unaddressed.

Clinton (Jen Tewkesbury): Recently, sampling in 2017 and 2018 revealed some PCB hot spots in the Clinton River near the Mt. Clemens WWTP. Investigation and discussion continue on how to proceed.

Detroit (Melanie Foose): Two projects are currently in design: Upper Trenton Channel and Monguagon Creek/Upper Trenton Channel. A GLLA application was recently submitted by the Detroit Riverfront Conservancy for two sites: Uniroyal which is by the Belle Isle MacArthur Bridge, and Centennial Park. EPA over the last few years has performed characterizations on six sites: Harbortown North, Harbortown, Riverbend, River Rouge/Ecorse Shoreline, Mid-Lower Trenton Channel, Gibraltar Canals.

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Partner search reports were recently completed for all these characterized sites with the exception of Harbortown North.

River Raisin (Melanie Foose): The last dredging project for PCB contamination was completed in Fall 2016. Monitoring continues, the third year of monitoring is currently being conducted in Spring/Summer 2019.

St. Clair River (Melanie Foose): On the US side of the river, no contaminated sediment remediation was necessary. One last project is currently in design on the Canadian side of the river, near Sarnia, in the upper river. The primary contaminant to be remediated is mercury with some PCBS.

St. Marys (John Riley): Management actions complete in the St Marys AOC.

Manistique (John Riley): PCB remediation will begin this summer to remove 30,000 cubic yards of material. This project will complete management actions for the Manistique AOC.

Saginaw (John Riley): Through the Superfund Program, the Tittabawassee River is currently being worked on, which is why this AOC is in the last “bucket”.

Kalamazoo (John Riley): The Superfund Program is the primary mechanism for clean up, and remediation projects are working downstream. The remediations are accompanied by dam removal projects, primarily partnering with Michigan DNR.

Menominee (Stephanie Swart): Menominee had past sediment remediation projects on the Wisconsin side, and due to this work and habitat work, is expected to be delisted this year!

Muskegon (Stephanie Swart): Muskegon had three sediment remediation projects, with one more to go to remove PAHs. The total project cost is \$3.5 million with \$1 million coming from the state and \$500,000 coming from the non-federal sponsor.

Torch Lake (Rick Hobrta): There are two sites in Torch to be potentially remediated with Honeywell as the non-federal sponsor. The work could potentially begin in 2021.

Adjourn Day 1.

Call to Order, Review of Agenda – Horst Schmidt

The meeting was called to order by Horst Schmidt. No additions to the agenda were requested.

University of Michigan Presentations and Discussion – Paul Seelbach, Collin Knauss, Ben Pollins

Over the past two years, the Michigan AOC Program has collaborated with the University of Michigan and the results have been two graduate classes, one master’s project by three students (Collin Knauss, Ben Collins and Juliana Lisuk) and one master’s thesis (Allison Voglesong-Zejnati). The master’s project and master’s thesis reports are now complete and final and available at:

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- University of Michigan Master’s Project on Michigan Areas of Concern Public Advisory Councils by Collin Knauss, Ben Pollins and Juliana Lisuk:

<https://deepblue.lib.umich.edu/handle/2027.42/148804>

- University of Michigan Master’s Thesis on Michigan Areas of Concern Public Advisory Councils by Allison Voglesong-Zejnati:

<https://deepblue.lib.umich.edu/handle/2027.42/148807>

Paul prefaced the presentations with some commentary on the public engagement process, the effectiveness of the state program in facilitating this process and looking at the variation in a systematic way. In Paul’s mind, he sees four things: 1. We should see the AOC program as a system. There are actors (state, federal and local) and the larger communities. 2. See the 14 AOCs as a set, think of them this way in order to compare. 3. Pay attention to the process. This idea of process is very important. Process rather than outcomes or outputs. 4. Capture/Voice the local actors or the PACs.

Following Paul’s comments, Allison Voglesong-Zejnati’s video was shown. This video was recorded for the Healing Our Waters – Great Lakes Restoration Conference held in Detroit in May 2019 but has use for the audience of this SPAC and others interested in the collaborations between Michigan’s AOC Program and the University of Michigan. Allison’s video can be watched on youtube at:

<https://www.youtube.com/watch?v=E4Vd0Girwfc>

Collin Knauss and Ben Pollins provided a presentation on their master’s project. Juliana Lisuk, the third member of the team was unable to attend the SPAC meeting. The slides for this presentation are included as part of the minutes package. Good comments, questions and discussion followed the presentation.

ACTION ITEM: SPAC members should review the master’s project and thesis reports created by the University of Michigan students, share them with other PAC members, and discuss amongst themselves and with their AOC coordinator.

Outreach in AOCs – All

Recently, the Raisin and Muskegon AOCs completed short documentary films. Some of the funding was provided by PAC support grants. Rick Hobrle asked the group to think about potential means of continuing this video outreach and suggested talking with your AOC coordinators about your ideas. Also, drones are a good means of video outreach for projects, especially when it can include “before, during and after” footage. Rick indicated that PACs should talk to their AOC coordinator about drone video footage, the state does have some resources for acquiring this type of video.

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ACTION ITEM: Bring your ideas for video outreach to the next SPAC meeting. Do you want to do videos on each AOC, and each PAC can make the decision to do a documentary if desired? Or are there any preferences to do a statewide documentary on Michigan AOCs?

PAC Reports – PAC Representatives

Saginaw River/Bay (Dennis Zimmerman): The Saginaw Partnership is collaborating more with the Saginaw Chippewa Indian Tribe of Michigan. Dennis passed around a fact sheet on algae, one of the results of this collaboration. The Saginaw Partnership annual meeting is on June 4th in which half of the board will be up for reelection, including the likelihood of a new chair. There was a fisheries seminar on May 15th at Saginaw Valley State University (SVSU). The PAC is still working on BUI removal criteria for the Eutrophication BUI. John Riley mentioned a good presentation recently provided by a professor at SVSU, on a microbial source tracking project, related to the Beach Closings BUI, in addition to new qPCR methodology and tracking down e. coli sources.

River Raisin (Dick Micka): Dick recused himself as a speaker for the Raisin PAC and City Commission on the Environment and Water Quality (COTE) to offer some personal thoughts. Dick would like to work through Action Plan III for life after delisting work. Dick also came up with a term he thinks the Raisin should use, called “Area of Responsibility”. Dick is concerned about Raisin’s groundwater and chemicals of mutual concern.

Rouge River (Dan Ballnick): Bill Craig is sorry he couldn’t be here, but he is here “in spirit”. No BUIs removed yet. Current PAC grant is complete, awaiting the next 2019 grant. Henry Ford habitat project soon to be completed. Naken Lake project is ongoing. Johnson Creek project soon in 2019. Tamarack Creek project to start this fall. Five other projects in design. Fordson Island funding soon. LLROC (concrete channel) project soon.

Clinton River (Anne Brasie): Sterling Relief project is the last habitat project getting started. All other habitat projects are complete or in progress. Delisting is on my mind as projects are winding down. The last PAC meetings were not well attended, but the watershed has a huge population! We are an urban watershed with good leadership at the county levels, good possibilities for life after AOC delisting. Metro Beach e. coli issues continue, bird and bovine are the sources. USGS is doing e. coli monitoring at the beach. High e. coli in the sand. Dogs will be used again at Metro Beach to chase off birds.

St. Clair River (Paulette Duhaime): Only two BUIs remain: Drinking Water with a local criteria and Fish Consumption. Drinking water work is priority, through the local criteria, looking at spill prevention, notification and response. Fish consumption sampling in 2018 and again in 2019. Samples not yet showing the downward trend. Even though the Habitat BUI has been removed, maintenance of projects is still an ongoing problem. BPAC had a meeting with Transport Canada on spill concerns. Canada recently had their annual AOC science symposium for the St. Clair River. Friends of the St. Clair River is working on their life after delisting strategy and will soon be hiring its first executive director. The annual Sturgeon Festival is on June 1, this is the 6th year.

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Muskegon Lake (Kathy Evans): Four BUIs removed so far. Ryerson project is the last management action. Recent NOAA funding helped to complete the remaining habitat projects including removal of foundry fill at the Muskegon Lake nature preserve project. Lower Muskegon project begins this year. Work at Veterans Park continues due to flooding issues. For the Aesthetics BUI, Stephanie recently conducted another round of monitoring. The recent habitat projects will have a positive impact on the Aesthetics BUI. Fenner's ditch project has been implemented. Bear Lake must meet targets for Eutrophication BUI. They have an "action plan" for life after delisting. The goals set in the action plan came from some other plans including the Water Strategy, Action Plan III, non-point source plans, etc. New fact sheets just completed for different topics including: Stewardship, Habitat, and Water Quality.

Torch Lake (Horst Schmidt): There have been recent organizational changes with the chair of the PAC. The new chair has improved meetings and they are revising PAC bylaws. The technical summit recently held was successful with several experts from state, local and universities to discuss the issues in the Torch Lake sediments. Next step is an experimental two-year phase to find out what will work for the stamp sands, which are double ground and the consistency of flour. Honeywell is the non-federal sponsor for the clean up plans. Contaminant issues are mercury and PCBs. The PAC is still discussing whether to accept the state's criteria for the Benthos BUI or look at developing local criteria.

Next Meetings (Summer, Legislative Briefing) – All

Summer Meeting: The next SPAC meeting is scheduled for July 16 and 17 in the Torch Lake AOC. The plan is that July 15th will be a day to travel with the meeting beginning July 16th.

ACTION ITEM: Let Rick know if you have any agenda topics for the July meeting.

Legislative Briefing: The fall meeting will be the Legislative Briefing, scheduled for October 22 and 23. The business meeting will take place on October 22 with the legislative briefing to take place the morning of October 23. Due to the structural changes of the department and division that houses the AOC program, the legislative briefing process may be like in year's past or it may be individual briefings in which PAC members are expected to schedule meetings with their elected officials on their own.

Adjourn Day 2.