

Michigan Statewide Public Advisory Council

Fall Business Meeting

Thursday-Friday, Nov. 14-15, 2013
Dossin Great Lakes Museum

Meeting Participants

Tanya Cabala, *SPAC Vice Chair, White Lake AOC*
Dennis Zimmerman, *Saginaw River/Bay AOC*
Jamie McCarthy, *Kalamazoo River AOC*
Roger Eberhardt, *Michigan Office of the Great Lakes*
Richard Micka, *River Raisin AOC*
Lynelle Marolf, *Michigan Office of the Great Lakes*
Rick Hobrla, *Michigan Office of the Great Lakes*
Sharon Baker, *Michigan Office of the Great Lakes*
Kathy Evans, *Muskegon Lake AOC*
Marc Tuchman, *U.S. EPA GLNPO*
Stephanie Swart, *Michigan Office of the Great Lakes*
Bretton Joldersma, *Michigan Office of the Great Lakes*
John Riley, *Michigan Office of the Great Lakes*
Jen Tewkesbury, *Michigan Office of the Great Lakes*
Melanie Foose, *Michigan Office of the Great Lakes*
Mary Bohling, *SPAC Chair, Detroit River AOC*
Anne Vaara, *Clinton River AOC*
Matt Doss, *Great Lakes Commission*
Erika Jensen, *Great Lakes Commission*
Matt Preisser, *Michigan Office of the Great Lakes*
Michelle Selzer, *Michigan Office of the Great Lakes*
Patty Troy, *St. Clair River AOC*
Paulette Duhaime, *St. Clair River AOC*
Sam Lovall, *Friends of the Detroit River*
Chris Hoard, *U.S. Geological Survey*
Joseph Duris, *U.S. Geological Survey*
Amanda Oparka, *Clinton River Watershed Council*
Bill Craig, *Rouge River AOC*
Dan Ballnik, *Rouge River AOC*
Mark Richardson, *Clinton River AOC*
Jim Ridgway, *Environmental Consulting & Technology, Inc.*
Tricia Blicharski, *Friends of the Detroit River*
Sharon Bender, *St. Clair River AOC*
Brian Sweeney, *Michigan Office of the Great Lakes*
Rose Ellison, *U.S. Environmental Protection Agency*
Sanjiv Sinha, *Environmental Consulting & Technology, Inc.*
Matthew Child, *International Joint Commission*
Paul Evanoff, *SmithGroup JJR*
Meghan Price, *Environmental Consulting & Technology, Inc.*
Mebby Pearson, *Belle Isle Conservancy*

**Please note these minutes have been reformatted to meet accessibility requirements.
The original content has not been changed. 7/2022**

Meeting Summary

Thursday, November 14, 2013

Overview of the Detroit River Area of Concern

Mary Bohling, Chair, Detroit River Public Advisory Council

Bohling gave a presentation on the Detroit River Area of Concern (AOC), which Belle Isle (the meeting location) is a part of. The Detroit River AOC is 32 miles long and was designated with 11 beneficial use impairments (BUIs), two of which have been removed. The AOC received \$15 million in funding from Great Lakes Restoration Initiative (GLRI) to help restore the AOC. Bohling noted the multiple sources of sediment to the river and described a valuable project that was recently undertaken to identify and assess these sources. The project included a research and literature review to determine where to conduct sediment work. She also explained a hazard ranking system that was developed as part of the project to help prioritize sediment work in the AOC. The results of the project were helpful to the U.S. Environmental Protection Agency (EPA) in determining where to do site characterizations. The support for this effort was provided through a Public Advisory Council (PAC) support grant from the Michigan Department of Environmental Quality (DEQ) and the Great Lakes Commission (GLC). This work could serve as a model for other AOCs with sediment issues.

Welcome, Introductions and Review of Agenda

Mary Bohling, SPAC Chair, Detroit River AOC

Bohling opened the meeting, leading a round of introductions and reviewing the agenda. SPAC members approved the April 2013 SPAC meeting summary with no changes.

Reports from SPAC members

- Clinton River AOC: The Clinton River is considered a “mega-AOC,” looking toward 2018 for delisting. Current efforts include a 500-acre natural beach project that is wrapping up; a NOAA spillway restoration project in the planning phase; fish, macro-invertebrate and sediment studies; a tributary sedimentation prevention and wetland restoration project; and another NOAA project to improve drainage, wetlands and fish passage in the Troy area. In addition, the Paint Creek dam removal was completed a few years ago which led to some restoration in an urban area of Rochester. Work is being completed on a PAC support grant to conduct a comparative analysis on fish and wildlife populations between the AOC and a non-AOC river, in this case the Huron River. The latest PAC grant is being used to address impediments to fish passage, water quality and sediment problems. Another three potential habitat restoration projects are being considered by the U.S. Army Corps of Engineers. The AOC is working on a “short list” of projects for delisting; a public symposium was held recently which was very successful.

Michigan Statewide Public Advisory Council

Draft Business Meeting Summary

November 14-15, 2013 – Detroit, Michigan

River Raisin AOC: Despite recent sediment remediation efforts, there remains a one acre “hot spot” of contamination in the river. AOC partners are currently considering whether to remove the contamination or to cap it. The River Raisin is now part of the Detroit River International Wildlife Refuge. Signs of restoration include a point along the river that used to be a landfill which is now an eagle sanctuary. Three BUIs have been delisted: eutrophication, degradation of aesthetics and beach closings. Work is ongoing to remove the benthos, fish consumption, dredging and fish and wildlife BUIs. A project to put in fish passage around several dams in the river is also ongoing; once it is complete there will be 27 miles of uninterrupted passage from the mouth of the navigation channel to Dundee, Michigan and on two tributaries which have been opened up to the river.

- Kalamazoo River AOC: The Superfund program just completed a time-critical removal action in Portage Creek to address PCB contaminated sediments. The Kalamazoo River Watershed Council is working with University of Michigan graduate students on a conservation plan for the watershed. Specifically, the effort is identifying parcels of land that have the potential for conservation easements or other protections for areas that are no longer usable for other purposes. Engineering and design is underway for two Otsego city and township dams which have outlived their useful lives; the Michigan Dept. of Natural Resources and the GLRI are funding this effort and looking to generate other, possibly local, funds.
- Rouge River AOC: There have been no BUIs delisted for the Rouge River AOC. The PAC is active with meetings and members. A recently completed PAC support grant generated an AOC “report card.” The Michigan Department of Community Health should have fish sampling results available soon; it is expected that those results will be good. Other projects are focused on the Henry Ford dam; Oxbow restoration; and two Great Lakes Legacy Act (GLLA) projects.
- White Lake AOC: Four of the AOC’s 8 BUIs have been removed. Most recently, the PAC voted in support of removing the aesthetics BUI at their November meeting. A second sediment removal is needed at the former tannery site. Removal of the drinking water BUI is still under discussion because it meets state criteria but not local criteria; PAC members are interested in making sure that groundwater supplies are not threatened. A new PAC support grant was started related to AOC delisting next year. Final results are being compiled from focus groups and community surveys about the needs for White Lake in the future.
- St. Clair River AOC: A shoreline restoration effort was recently completed as part of phase two of a habitat restoration project in Port Huron. Another shoreline restoration project in the City of Marysville was completed last spring and underwater footage shows the area is being used by fish. Design work for five additional projects was completed. There is local concern about a paper company discharging into the river in violation of their NPDES permit and this is being addressed. Discussion is ongoing related to spill response as a result of low quality sulfur diesel being released into the river in September. DEQ is considering removal of the benthos BUI on the U.S. side. More information is being gathered about the fish and wildlife consumption BUI.

Michigan Statewide Public Advisory Council

Draft Business Meeting Summary

November 14-15, 2013 – Detroit, Michigan

- Menominee River AOC: The beach closing BUI was removed. A fish and wildlife habitat and population plan was completed that identifies a list of habitat projects need for those BUIs, including fish passage projects; more funding is needed to implement the projects. A sediment removal for arsenic is underway and another sediment project still remains. The AOC is working toward a possible 2016/17 delisting.
- Torch Lake AOC: Michigan Technological University is working on an integrated assessment funded through Michigan Sea Grant. A model was developed showing all known PCB sources; there is a large unknown source which needs to be identified. Fish contaminant monitoring is also underway.
- Saginaw River/Bay AOC: Two of 12 BUIs are delisted. The criteria for the fish and wildlife habitat have been met and the PAC held one formal and one informal hearing on removing that BUI. The PAC Board held their annual meeting and elections and added two new Board members. There is an ongoing E. coli issue that is contributing to the beach closings BUI. Saginaw Valley State University is working a qPCR testing project to identify specific pathogens and their sources. In addition, monitoring will be conducted on a tributary river where there is a dead zone (i.e., there is no dissolved oxygen).
- Muskegon Lake AOC: There are some problems in the lower Muskegon River and some tributaries. Three of 9 BUIs are removed, including dredging, drinking water and fish consumption. The remaining BUIs are fish and wildlife habitat and populations, benthos, eutrophication, beach closings and aesthetics. Several GLRI projects are underway including remediation at the Zephyr site; a remedial design for contaminated sediment along the river; developing a public-private partnership to match a GLLA project in Ryerson Creek; a NOAA grant for engineering and design by Cardno JFNew to address fish and wildlife and eutrophication BUIs; aesthetics work was completed as part of an ARRA grant which also restored a significant amount of habitat and shoreline. Additional work is being done on the beach closings BUI, which is close to removal and to look at an abandoned oil well issue that is impacting aesthetics.
- Manistique River AOC: The DEQ Water Resources Division is taking over a GLRI contract from NOAA to do remedial design and habitat design work; 10 proposals were received for that design work and a decision is pending. The AOC is working toward a 2015 delisting.
- Deer Lake AOC: A media event was held to celebrate separation of Partridge Creek and a mine which was contributing a large amount of mercury to the lake. This was the last management action needed for the AOC. A PAC meeting will be held to discuss documentation for removing the last BUI – fish consumption. The next step is the AOC delisting documentation.
- St. Marys River AOC: No BUIs have been removed to date; however, a removal package is close to being ready for the aesthetics and bird or animal deformities BUIs. A habitat restoration at Little Rapids is underway through a NOAA partnership grant with the Great Lakes Commission. It is a \$5.9 million project that will restore the only remaining rapids habitat in the AOC. Some local opposition issues are being addressed and the GLC is

working on a contract with the local road commission. Engineering and design work for the project was completed by the local planning commission. This process has emphasized the importance of having a local representative as the “face” of a project in a local community (instead of the EPA or state). Overall, the project will contribute to the removal of the two fish and wildlife BUIs.

- Detroit River AOC: Three GLRI projects are completed, one at a U.S. Steel site and two on Belle Isle. One of the projects created habitat for snakes and as the contractors were constructing the habitat, the snakes were trying to use it. The AOC was awarded a grant from NOAA to conduct feasibility and engineering design for Stony Island and Celeron Island sites. The sediment work that Mary Bohling discussed at the beginning of the meeting is being used by EPA; plans are being made to remediate 250,000 cubic yards of sediment in the Trenton Channel in 2015. There are also plans to delist the fish tainting BUI jointly with Canada next spring.

Report from U.S. EPA

Marc Tuchman, U.S. EPA, Great Lakes National Program Office (GLNPO)

Status of the GLRI (Action Plan updates, funding opportunities, Great Lakes Legacy Act)

Tuchman gave an overview of key AOC-related accomplishments of the GLRI, as well as key goals for the AOC program in the future. In 2012-13, the Presque Isle Bay AOC was delisted and management actions were completed for the Deer Lake, White Lake, Sheboygan River and Ashtabula River AOCs. In addition, as of September 2013, 41 BUIs have been removed out of 256. Looking forward through 2014, the EPA hopes to remove at least 5 more BUIs; delist the Deer Lake and White Lake AOCs; and complete management actions for the Waukegan Harbor AOC and the U.S. side of the St. Clair River and St. Marys River AOCs. Regarding future funding for the GLRI, it was noted that the current appropriations bill in the House of Representatives includes \$210 million for the GLRI and the Senate appropriations bill includes \$300 million. There is a lot of uncertainty around the federal budget; however, there is strong bipartisan support for the GLRI in Congress.

Tuchman provided information about efforts under the GLLA, which has supported the remediation of 2,370,500 cubic yards of sediment as of September 30, 2013. Planned GLLA remediation projects at Michigan AOCs include the old channel and main-stem of the Rouge River; two sites in the Muskegon Lake AOC; two sites in the Menominee River AOC; and the upper Trenton Channel in the Detroit River. Other sediment-related GLRI work is being conducted at Manistique Harbor and in the Kalamazoo River.

Tuchman also discussed recent activity at the White Lake AOC Tannery Bay site. There was a sediment cleanup at the site in 2002 and it was thought that the issue was resolved. In the spring of 2013, the Muskegon Conservation District (MCD) was out walking in the water looking for aesthetics issues associated with the site and broke through a crust on the lake bottom and found contaminated sediments (i.e., purple colored tannery waste). EPA quickly mobilized to do a second clean up; as part of their work EPA realized that the nearshore area

was left out of the previous cleanup. All visible contaminated sediment was removed and a clean layer of sand was found underneath. The effort cost \$2.4 million. The degradation of aesthetics is the last BUI for the White Lake AOC, and hopefully the AOC will be delisted in 2014.

Plans for the annual AOC conference

The next regional AOC conference will be held March 18-19, 2014 in Chicago, IL at the federal building. An organizing committee is being put together and working on a draft agenda. Funding will be made available to support the travel of at least one representative from each AOC and will be administered by the GLC. The GLC is also looking into organizing a social event on the evening of the 18th, possibly at the Shedd Aquarium.

Activities under the AOC Annex of the new Great Lakes Water Quality Agreement (GLWQA)

AOCs are covered under Annex 1 of the GLWQA. Task teams are being put together to implement parts of the Annex; the first task team will be charged with completing a “situational analysis” of key issues that need to be worked on regarding the AOC program.

Report on activities of the Great Lakes Advisory Board

Jim Ridgway, Great Lakes Advisory Board

Ridgway discussed recent activities of the Great Lakes Advisory Board (GLAB), much of which has been focused on providing input to EPA on the GLRI plan for the next five years. He emphasized the importance of SPAC members and AOC representatives providing input on the GLRI as they have been working successfully to restore AOCs with the funding provided by the GLRI. This was evidenced in a recent GLRI symposium showcasing stories and progress in watersheds across southeast Michigan. Ridgway explained that the GLAB provides advice to the Federal Interagency Task Force chaired by the EPA Administrator and is charged with looking at a wide variety of technical issues using an open and transparent process. Its first task was look at current GLRI progress and make recommendations about GLRI priorities for the next five years. This included a number of “charge questions” which were addressed in the GLAB’s draft report which is now available. The general recommendations in the GLAB report included that the GLRI should better address climate change issues; prioritize on-the-ground/in-the-water projects; and continue its focus on AOCs, Asian carp and invasive species prevention, and phosphorus reduction. Ridgway said the GLAB tried to stay away from making recommendations on how to evaluate projects/proposals. Other specific recommendations included strengthening the LAMPs; encouraging matching funds; tracking economic benefits; promoting environmental justice; integrating scientific indicators; and greater monitoring and assessment. Public comments on the draft GLAB report can be submitted to <http://greatlakesrestoration.us/advisory/index.html> over the next couple of months.

EPA and partner federal agencies are working on the next five-year Action Plan; the GLAB will likely have input on the draft action plan and the recommendations in its recent report will also be used. A recent GAO (Government Accountability Office) report on the GLRI was also discussed. The GAO report was requested by members of Congress and made recommendations such as strengthening the program's goals, objectives and measures of progress to provide a clearer picture of the progress. The GAO report also discussed climate change and wastewater discharges that may affect the impacts created by GLRI.

Matt Doss (GLC) commented on the importance of reiterating to Congress that the GLRI is a good program doing good things. The GLRI is going to be extended for another five years which will give EPA a chance to address issues raised by GLAB and the GAO. As mentioned earlier, there is strong bipartisan support for the program.

Miscellaneous updates

Status of PAC grants

Erika Jensen, Great Lakes Commission

Jensen provided a brief update on the PAC support grants. With the exception of one grant, final reports for 2012 grants were due at the end of October. Ten new grants are underway for 2013-2014. Early in 2014, the DEQ and GLC will likely begin working on a request for proposals for a 2014 round of grants.

AOC perceptions research project, Congressional action on Great Lakes priorities, SPAC representation

Matt Doss, Great Lakes Commission

Doss gave a brief overview of the planned perceptions research project which will be conducted for Muskegon Lake and White Lake. This effort will involve hiring a contractor to conduct the research and will also build in briefings for SPAC members. Doss noted several related efforts in other AOCs, including a survey for the St. Marys River, the Resilient Monroe initiative for the River Raisin and the Macomb County Blue Economy Initiative.

SPAC representation for half of the SPAC members is renewed each year and will be happening in the next couple of months.

Regarding Congressional action on Great Lakes priorities, Doss explained that as part of the GLC advocacy program, the GLRI and AOC restoration are top priorities each year. The GLC also has developed state-specific fact sheets for the GLRI showing on-the-ground restoration projects funded by the program. SPAC members were encouraged to communicate with members of Congress on the importance and value of the GLRI, as well as set-up opportunities to take officials on tours of their AOC and restoration sites. Doss also noted that Great Lakes Day in Washington will be taking place March 5-6, 2014. The GLC collaborates with other regional groups to conduct this event, including the Healing Our Water-Great Lakes Coalition (HOW).

Updates from Michigan DEQ

Status of delisting strategies, AOC work plans and BUI removals

Rick Hobrla, Office of the Great Lakes

Hobrla discussed the state's AOC program budget which is primarily funded by an EPA grant and includes funding for SPAC coordination and the PAC support grants. The DEQ is close to the end of a two year grant; a new grant application has been submitted to EPA and negotiations are underway on that grant. It is expected that the new grant will support the same level of effort that is currently in place. In planning for fiscal year 2014, the DEQ is expecting that the Deer Lake and White Lake AOCs will be delisted, which will double the amount of AOCs that have been delisted in the U.S. There will also be efforts to remove five more BUIs this year, followed by up to 10-12 BUIs each of the next two years. Hobrla emphasized the importance of making updates to the BUI tracking table to make sure that steps to BUI removal are identified so that there is a "pipeline" of BUI removals. The DEQ meets on a yearly basis with EPA and other federal agencies to look closely at what is needed for each AOC.

Michigan's Water Strategy

Roger Eberhardt, Office of the Great Lakes

Eberhardt distributed three handouts explaining concepts for the state's new water strategy, which is being developed in response to the Governor's energy and environment message. The handouts covered the five major purposes of the water strategy; the approach to the water strategy; and draft goals and outcomes. He said that they are in the initial stages of working on the strategy; a small work group has been convened which has put together some basic materials. Eberhardt noted that the purposes that have been outlined have a strong connection to the AOC program. The audience for the strategy is intended to be those who implement programs related to water in Michigan. He next described the approach, which when visually diagrammed looks like a cake, with healthy ecosystem functions at the base; human use and enjoyment in the middle; and quality of life at the top. Each layer cannot be larger than the one below it (i.e., you can't use more water for human use and enjoyment than is needed to support healthy ecosystems). More work is needed to develop the goals and outcomes for the strategy. These ideas are being shared with stakeholders around the state to get input and next steps are to continue public engagement and writing, with a draft to be released in March/April time period.

Panel Discussion: Getting to Your "Short List" of Projects Needed for AOC Delisting and Becoming a Priority for GLRI Funding

Marc Tuchman, U.S. EPA GLNPO; Rose Ellison, U.S. EPA GLNPO; Melanie Foose and Jen Tewkesbury, Office of the Great Lakes; Anne Vaara, Clinton River AOC

Tuchman, serving as moderator for this session, opened the panel with a slide showing priority AOCs for completing all management actions over the next four years. In order to get on this "priority" list he discussed the need to make decisions about what projects are most important for BUI removal and delisting and, using that information, develop a plan. He noted

Michigan Statewide Public Advisory Council

Draft Business Meeting Summary

November 14-15, 2013 – Detroit, Michigan

that \$30.85 million is being set aside in each of fiscal years 2012, 2013 and 2014 to support priority projects in priority AOCs.

Next, Ellison gave her perspective on several keys to success and hurdles with getting to a short list of projects that she learned working with the St. Clair River and Detroit River AOCs. This effort involved going through an exercise for each BUI to determine the steps/pathways to removal, including identifying target sites for habitat restoration and, in the Detroit River AOC, to identify sites for sediment remediation. She said it was important that there be a commitment and the will and desire to come up with a short list before the process is started. The next step is to get the right people involved; this is not a public outreach or education effort, it is a technical effort to identify target sites that are actionable. Therefore, you need people with that technical expertise, experience and practical knowledge. Ellison noted that having these people involved at the start is also helpful for when it is time to move toward implementation. She described the concept of “backward planning,” – starting with the delisting criteria or goal and then working back to determine the list of target sites, the criteria for deciding what those sites are, etc. There needs to be an objective focus on critical sites that are needed for BUI removal; it doesn’t need to be a specific number and there can be no “pet projects” that are not essential. Ellison also made the point that if a site is critical but it is privately owned, there needs to be sign off from the property owner before the site gets on the short list. She said that they had to work by and on consensus; if the group could not agree on a project, there was debate and discussion until agreement was reached. Strong leadership is also needed to keep things going because the process can take a long time, but the results are worth it. The process needs time to work and there needs to be time for deliberation. Also, uncertainty can be a challenge; often all the technical data is not available or there is uncertainty about future conditions. Ultimately, rely on the process and do the best you can.

Foose spoke next about her experiences as a DEQ coordinator working with the River Raisin, St. Clair River and Detroit River AOCs. She described how the three AOCs represent the past, present and future in terms of where each was in the process of developing a short list when Foose got involved. There has been a lot of momentum for the River Raisin AOC, with strong community buy-in through the city and well-organized plans that have been implemented. With the St. Clair River AOC, she noted how as soon as the plan was developed, funding for implementation was provided almost immediately and the AOC was put on the list for near-term delisting. For the Detroit River, progress has been made but the AOC is on a longer timeline. In terms of developing projects, Foose said to focus on the BUI, -- if it’s a habitat BUI, that’s not the same as recreation or public access. Utilizing local resources and relationships provide enormous benefit, for example, the Detroit River AOC has partnered with a local university. Regular PAC meetings and updates help keep people engaged. Foose also talked about project timelines, noting that some projects may need to come before others and it’s important to determine this ahead of time. Identifying details and answering questions early in the process will make implementation easier. She described the overall process of what is needed to work toward BUI removal, followed by AOC delisting and then continuing work after delisting.

Michigan Statewide Public Advisory Council
Draft Business Meeting Summary
November 14-15, 2013 – Detroit, Michigan

Tewkesbury described working with the Clinton River AOC to narrow down a list of 80 projects to the projects considered most necessary for BUI removals and AOC delisting. They needed to use all the data available to help make decisions. She noted that the fish and wildlife plan was put together before there was significant funding for AOCs and, as a result, some of the projects were not appropriate, while others made more sense. Because the Clinton River is a large, “mega” AOC, it will still end up with a longer list of projects than other AOCs. Communication with EPA has improved with a new EPA liaison and this has helped. A short list has been developed that is being vetted with partners and the PAC. She said that the PAC is motivated and wants to see progress. Regarding the Rouge River AOC, Tewkesbury said that identifying and implementing sediment projects are key and once those are moving, other projects will follow.

Vaara discussed her perspectives as director of the Clinton River Watershed Council, which serves as the fiduciary for the Clinton River PAC and is very engaged in AOC activities. She noted that PAC attendance has increased significantly in recent years and that a lot of consulting firms are participating that can help get projects funded. She indicated there is still some concern on the part of some PAC members that the AOC will be delisted without really addressing the problems. This concern has led to the group to look more closely at the reasons for the problems in the AOC. Cooperation of private property owners is another issue for the AOC, as well as making sure that there is communication with local communities. One way to do this is to leverage those attending the PAC meetings to carry the message. It is also important to clearly illustrate what needs to be done for the AOC and what the future plans are beyond just the AOC. The Clinton River was the most polluted river in the state 40 years ago and now it is in much better condition. Determining “how good is good enough” is a significant issue for large watersheds; each subwatershed has its own idea of what is good.

Following the panelist's remarks, there was some discussion among the broader group. It was noted that leadership and enthusiasm are important factors that make a big difference in this process.

The Grand Calumet River was discussed as another example of a priority AOC where a significant amount of work is going in to cleaning up sediments and restoring habitat.

The point was raised that many AOCs have E. coli contamination and beach closing issues, but a statewide assessment of the BUI found that all CSOs were being controlled. Some waterways were built to convey wastewater; there is only so much you can do under the AOC program and this is an example where another state regulatory program is addressing the issue. It was further noted that if a discharge is violating a permit, then it's a regulatory issue that needs to be addressed by the regulating agency. This is important, but it's not part of the AOC program. Within the AOC program, it's important to focus on the legacy issues that created the impairments and caused the AOC to be listed. Other things can and should be addressed by the regulatory programs that exist now. AOCs also have a role to play in alerting regulatory agencies to these issues so that impairments are not created anew.

There was more discussion about critical projects that are on private land. If there is not cooperation from the land owner, the project may not get put on the short list, but it could be put on a list for potential future work. This way the project does not hold up delisting, but if the

situation changes in the future you can add it to the short list. This was described as providing an “exit ramp.”

Monitoring was noted as important to confirm that a BUI can be removed and the AOC delisted. Monitoring needs to show that the condition that is meeting the criteria is reasonably durable when (e.g., low water levels in White Lake showed additional aesthetics issues). Ordinarily monitoring will be done after the remedial action and before the re-designation occurs. There needs to be integrity to the delisting process, and this is helped by the framework of the GLWQA and review of multiple agencies.

For the Muskegon Lake AOC, a fish and wildlife plan was developed in 2008 which was funded in larger part by an American Recovery & Reinvestment Act (ARRA) grant. Through this work, however, it was found that not all of the sites in the plan were “the” sites that worked best. In this situation it was more important to reach the targets (e.g., shoreline feet, acreage, etc.) than be locked into a location.

Regarding delisting binational AOCs, while each BUI is currently removed individually by both the U.S. and Canada, both sides need to have all their BUIs removed before the AOC can be delisted. It was indicated that the GLWQA Annex 1 subcommittee might be looking at this issue as well as developing other guidance for AOCs.

Friday, November 15, 2013

Changes to Michigan’s fish consumption advisories

Michelle Bruneau, Michigan Dept. of Community Health

Bruneau gave a presentation on recent changes and updates to fish consumption advisories in Michigan. She started by reviewing the old advisory guidelines, which she noted was challenging for people with low literacy levels to understand. The new guidelines will be more like an actual “guide,” similar to those that are available for nutrition, which people can follow if they choose. One specific change is the addition of the “limited” category, which are fish that you can have one or two times a year if you are not part of an at-risk population. The “do not eat” category now actually means do not eat (not even in limited amounts) because of higher chemical levels. The new guide also includes “MI servings,” which will help people better determine the servings they can have based on their size. The guidelines are organized by fish, chemicals, size and MI servings for all different people; the old guidelines were organized just by general population and women and children. The new guide will also utilize visual indicators (icons) to indicate best choices. Bruneau noted that the data behind the guidelines was not new; however, certain assumptions about behavior were made in the old guidelines that are not made in the new. All of the data and information is now available online, including specific data by waterbody. This also allows users to see when there is limited data available and makes the guidelines more defensible because someone can clearly see how the recommendations were developed. The new recommendations take into account DNR catch size limits; for example, you can’t keep a smallmouth bass smaller than 14 inches so the recommendation is for fish smaller than 20 inches. Bruneau said the new

guidelines should be available in January and there will be outreach in the spring when the fishing season picks up. There will be an advertisement in the DNR fishing guide on the new guidelines and booklets will be available by county and waterbody. The booklets also include pictures and identification information for common Michigan fish and basic information about cleaning and cooking fish. The new guidelines will not impact delisting criteria for the AOCs.

Panel Discussion: Sustaining Public Involvement and Outreach in AOC Restoration and Ongoing Stewardship

Rick Hobrla, Michigan Office of the Great Lakes; Tanya Cabala, White Lake AOC; Richard Micka, River Raisin AOC; Dennis Zimmerman, Saginaw River/Bay AOC; Kathy Evans, Muskegon Lake AOC

Cabala was the first panelist to provide remarks. She explained that the White Lake PAC has been around for about 20 years and has placed a strong emphasis on public involvement. This involvement has waxed and waned depending on funding and leadership. She described public involvement activities including newsletters with monthly updates and public meetings. In addition, focus groups were recently convened around current and future AOC issues. The groups were publicized through paper and emails. White Lakes is a small community but there are some strong agendas. There is a desire to see PAC efforts to continue, but also to see local government take on more responsibility and have a more formal governance structure. The focus groups also indicated an interest in some upstream issues; funds will have to be identified to manage those issues. Current, though limited, capacity is being used for continuing public outreach and larger meetings and events. There is a lot of focus right now on the groundwater issue and trying to make sure that groundwater drinking supplies are not threatened before the AOC is delisted. This is an ongoing communication challenge and it seems likely that they will have to find a way a better way to explain the criteria for this issue. Despite all of the good work that has been done, the issues are still very complex and there are still a lot of false perceptions out there.

Hobrla said that it is not unusual for people to have environmental concerns that are outside the AOC program. The DEQ AOC coordinators are available and interested to provide assistance on these issues and connect PACs to the appropriate people to address the problem.

Micka spoke about public involvement in the River Raisin AOC, which has been very fortunate to have had the support of agencies and others. This has been especially important recently as new issues have emerged that are delaying the delisting process. Partners are still actively engaged and working hard to address these issues before delisting. The River Raisin is connected to many different land owners and uses, including land controlled by DTE Energy, a national park, an international wildlife refuge and a state park. All of these land owners are engaged and participating in restoration; for example, DTE plans to restore 1,000 acres of wetland on their land. Also as a result of active community engagement, a branding initiative has started which is putting together information about all of the environmental assets within the City of Monroe. In addition, because the PAC is housed under a city commission, the commission will be able to continue work after AOC is delisted.

Michigan Statewide Public Advisory Council

Draft Business Meeting Summary

November 14-15, 2013 – Detroit, Michigan

Next, Zimmerman spoke about public involvement efforts for the Saginaw River/Bay AOC. The PAC is administered through the Partnership for Saginaw Bay Watershed. The partnership was formed with group of local governments and citizens, and is headed by a board of directors. The focus has been on restoring water uses in the region, including swimming, fishing and drinking. In terms of outreach, they have generated fact sheets and videos. In addition, there are ongoing efforts with local teachers and universities on various projects. There is interest in increasing outreach efforts and different ideas are being considered. The partnership recently revised its bylaws, including refining the categories of membership to have 11 members from different parts of the region as well as a couple other groups. They have faced ongoing challenges related to pet projects and interests now that the GLRI is providing significant funding for cleanup work. There are also concerns with possible duplication of effort as a result of this influx of funding. Zimmerman emphasized the importance of economic issues to the region's local governments and the benefits that are provided by restoring AOCs.

Evans provided her perspectives from having worked on these issues for over 20 years. The Muskegon Lake AOC is fortunate to have good institutional capacity through its partnership with the local regional planning organization. To help facilitate public involvement, the PAC holds both daytime and evening meetings to accommodate different schedules. The PAC, which is now the Muskegon Lake Watershed Partnership (MLWP), has bylaws in place which establish operations and membership. There is an established a structure with broad based community stakeholder membership categories. The MLWP is valuable as a place to coordinate efforts because everyone is at the table. Evans discussed the value of hands-on activities and getting students and others involved in plantings, site tours, etc., as well as engaging the local media. Motivated volunteers are what helped keep things going when there was not a lot of funding available to do AOC work. They have also collaborated with the intermediate school district and the community college. Evans said developing relationships with different community organizations is important to institutionalize and make efforts sustainable, irrespective of funding levels. She mentioned the high level of community interest in the perceptions research project. She emphasized that the time spent educating others has helped to create a better program and the community is seeing the benefits. She also recommended that meetings be tailored to different audiences; for example, landowners need a certain type of meeting that is different than a technical meeting. But, there should also be opportunities to bring everyone together.

There was discussion on supporting PAC and AOC work. Evans explained that she works full time for the regional planning agency on many different projects, but all are related to the AOC. Others who work for watershed councils said they spend about a third of their time on AOC-related work, or 300-400 grant hours over a year. It was noted that volunteers are essential, but paid staff is also needed to coordinate and facilitate work. The PAC support grants were critical to keeping things going when there was no other money. Strong relationships and partnerships help to share the burden.

To help support outreach, one suggestion was working with the local health department and the stormwater program, which may be required to do public outreach.

There was some discussion about the impact the location of PAC meetings has on public

involvement. One SPAC representative said meetings were usually held at a DNR state park building, other times at a local university. Moving the meeting location might be helpful for larger AOCs. One person noted that their PAC stopped using PAC meetings as a measure of public involvement; the meetings are needed for coordination, but there are many other subtle things going on that indicate public involvement.

Regarding attracting new members, it was recommended that having something specific for a new person to work on will be helpful in keeping them engaged. It is hard to find people who have the time and motivation to be part of the process. Some have noticed a difference since the GLRI; people are interested, but they don't understand all the planning that's been going on for the last 20 years. It can be a struggle to educate them on the AOC process. Now that there is funding, elected officials are also getting more engaged and talking about projects in their area.

Panel Discussion: Roles and Responsibilities for the AOCs: How Can We Work Better Together Now and Looking to the Future

Mary Bohling, Detroit River AOC; Marc Tuchman, U.S. EPA GLNPO; Michelle Selzer, Office of the Great Lakes; Jen Tewkesbury, Office of the Great Lakes; Gerry Santoro, Macomb County Dept. of Planning and Economic Development

Bohling provided introductory remarks for the panel, noting that while we are working really well together, there are always opportunities to improve. She highlighted some items to consider such as strong partnerships at the local level that are key to getting projects done and moving forward along with effective collaboration and communication. Regular contact with your DEQ AOC coordinator and EPA liaison is very valuable, even if you don't have a specific issue to discuss. In addition, ensuring contractors are communicating progress and providing regular updates on their work. PACs can utilize the GLC for support outside of just PAC support grants or SPAC meetings. PAC chairs and SPAC representatives need to communicate back to the rest of the PAC members to keep them updated on progress. The SPAC is important for accountability and open communication. She emphasized that open communication helps you to be proactive and PACs should be open to new people and new relationships.

Tuchman discussed recent changes to the AOC program structure at EPA. The agency recognizes that the AOC program is a very important part of the GLRI. Task Force leads were created and dedicated to each AOC. He noted that it's been hard to "roll out" the new program given recent federal government challenges associated with sequestration, travel restrictions and the federal shutdown. The EPA wants to provide better and more proactive support to the state coordinators, including providing help, resources and technical expertise. They would be interested in hearing what they can do better, as well as what's working and what's not working.

Selzer spoke from the perspective of the Lakewide Action and Management Plan (LAMP), which is an evolving process and each LAMP has taken a different approach. The renegotiated GLWQA Annex 2 will look at an assessment of the LAMPs. It is also planned that each LAMP will have a lake forum, which will be a new opportunity for PACs to engage

Michigan Statewide Public Advisory Council

Draft Business Meeting Summary

November 14-15, 2013 – Detroit, Michigan

in the LAMPs. LAMPs have the advantage of being able to work on priorities that are not necessarily part of the AOC program. The LAMPs can also be a place to address life after delisting issues. PACs could evolve to be part of watershed councils, city governments or other structures. PACs could serve as a local voice in the lake forums. Currently, the LAMP effort is focused on identifying priorities for each of the lakes, reviewing associated plans, and collaborating with a wide variety of partners. Moving forward, a stronger emphasis is being placed on what actions can be taken to address impaired uses in the lakes.

Tewkesbury gave remarks as a state AOC coordinator that communicates with the PAC, the Office of the Great Lakes and EPA. Within DEQ, there are regular staff meetings and one-on-one meetings to help keep momentum and track projects in the AOCs that are completed, underway or need funding. For those “mega” or watershed AOCs, this can be a much larger challenge. AOC coordinators are also trying to get out into the community. They work on maintaining BUI removal progress through tracking matrix and making sure BUI criteria are appropriate for the AOC. There is coordination with other state and federal agencies, often for monitoring and learning what other agencies are already doing that can be leveraged to get information or other things needed for the AOCs. She noted that the EPA task force leads have been really helpful to making sure everyone is on the same page. AOC coordinators regularly assist PACs with identifying work that can be done under the PAC support grants based on their individual AOC needs. One of the biggest challenges is figuring out and keeping track of all the different things that are going on.

Santoro is currently working on coordinating the Blue Economy Initiative through the Macomb County government. The initiative is based on triple bottom line: environmental stewardship and economic development for long-term sustainability. It is focused on five priorities: water access, environmental quality, increasing recreation opportunities, access greater funds, and marketing and advocacy. He said that a lot of what is being done is born out of what the AOCs are doing. There used to be a perception that the communities’ water resources were not worth utilizing, but then there was a concerted outreach effort that got a lot of people involved and engaged that wouldn’t have been otherwise. He noted that communication is both an opportunity and a challenge. The county has partnerships with a lot of different agencies and part of its role is to assist local governments in land and water planning. Another hurdle is that the county does not have a parks millage, so efforts have to be more collaborative and often take more work. Reaching out to local government officials is key, along with getting them involved in projects early on and out to see the sites. Communities are starting to realize that significant work is being done through the GLRI; future money could be spent more wisely based on lessons learned while continuing to address needs/issues.

Bohling noted some common themes from the panelists’ remarks, including relationships and partnerships; transitioning and adaptability; the need for effective communication; the relationship between the economy and the environment, which is a strength of the AOC program; and public engagement.

Another example of the value of the AOC program was shared: when a local County Executive included water resources as part of his platform, the local watershed council was an important resource and had to be prepared to make decisions and implement programs in

response to interest from local officials.

There was more discussion on the LAMPs, which face a similar challenge to AOCs in that people don't understand them unless you work in the program. The LAMPs are considering coastal, nearshore and interior watersheds. They can be very forward looking in terms of climate change and invasive species. Goals include public access and recreational opportunities. The LAMPs recognize the benefits of having healthy, clean water. The evolution of the AOCs could involve looking outside AOC boundaries (e.g., the River Raisin to Lake Erie). Ecological and environmental improvements need to continue to be made after AOC delisting because the area will continue to have an impact on the larger watershed. It's possible that the LAMPs could be a home for the AOCs after delisting. There are opportunities for people to engage in the LAMPs. It was noted that the GLAB had discussions about life after delisting and the recommendation was made to strengthen the LAMPs as a place for AOCs. LAMPs have goals but there is no list for them to be removed from, so it is likely they could be around for a long time. It was also pointed out that LAMPs are such a larger geographic area and getting volunteers involved is much more challenging; participants can't travel to meetings as easily, so there will have to be other ways to get people involved. Historically, AOCs did get help and funding from LAMPs, but the LAMP funding has not been stable.

Additional discussion focused on bringing in private interests. In Macomb County, there was a lot of outreach to and interest from the business community. Their concerns were very similar to public and local governments, such as needing greater access to the waterways. There may need to be more planning before the business community is brought in. It was further observed that once people are out on the water, they become more invested because they develop some sense of ownership.

Other Items from SPAC Members

An additional update was provided for the Rouge River AOC. A GLRI dam removal project was completed that facilitated more canoeing on the river and had a celebration event with public officials. Friends of the Rouge planned a canoe trip with a picnic/event at the end known as "Rouge-apalooza," which was very popular and will be held again in the future. This was a locally drive event not led by the PAC.

The Southeast Michigan Council of Governments (SEMCOG) is developing a green infrastructure vision for seven counties in the southeast Michigan; however there is currently no connection between the visioning and the goals/objectives of AOCs. We need to identify linkages related to green infrastructure and make sure AOCs are represented in other efforts like this one. It was noted that green infrastructure is important for addressing CSOs which impact aesthetics and beach closings BUIs in AOCs.

SPAC members voiced general support for the format and approach for this meeting. The different approaches and perspectives that were shared related to the same problem were considered valuable. It can be useful to learn both from each other's similarities as well as differences as individual AOCs and PACs.

Michigan Statewide Public Advisory Council
Draft Business Meeting Summary
November 14-15, 2013 – Detroit, Michigan

The DEQ is working to update websites, one of which will be a listing of advisory groups to DEQ like the SPAC. DEQ will be asking for GLC help about a DEQ SPAC website.

Plans for the Next SPAC Meeting

While recent past winter/spring SPAC meetings have focused on GLRI opportunities and legislative briefings, it may not be needed this year. It was decided that DEQ and SPAC staff would look into holding the winter SPAC business meeting immediately following the regional AOC conference in Chicago on March 18-19. This might also allow travel funding to be provided for more than one representative from each AOC. This would also provide an opportunity to focus on program connections with the EPA and the LAMP program. The possibility of going to the Upper Peninsula for the 2014 summer meeting was suggested, as there are a couple of AOCs there that are close to delisting; Marquette is a potential location.