

Michigan Statewide Public Advisory Council

Summer Business Meeting

June 3-4, 2015
Constitution Hall
Lansing, Michigan

MEETING SUMMARY

Meeting Attendees

Anne Vaara, Clinton River AOC
Lynne Seymour, Clinton River AOC
Mary Bohling, Detroit River AOC
Patty Troy, St. Clair River AOC (legislative briefing only)
Paulette Duhaime, St. Clair River AOC (legislative briefing only)
Richard Micka, River Raisin AOC
Dan Stefanski, River Raisin AOC (legislative briefing only)
Jamie McCarthy, Kalamazoo River AOC
Kathy Evans, Muskegon Lake AOC
Dennis Kirksey, Muskegon Lake AOC (legislative briefing only)
Dan Ballnik, Rouge River AOC (legislative briefing only)
Noel Mullet, Rouge River AOC
Dennis Zimmerman, Saginaw River/Bay AOC
Emily Martin, St. Marys River AOC
Mike Ripley, St. Marys River AOC
Matt Konieczki, St. Marys River AOC
Emily Lang, Menominee River AOC
Greg Mund, White Lake AOC (legislative briefing only)
Jon Allan, Michigan Department of Environmental Quality (MDEQ)-Office of the Great Lakes (OGL)
Rick Hobrla, MDEQ-OGL
John Riley, MDEQ-OGL
Jen Tewkesbury, MDEQ-OGL
Melanie Foose, MDEQ-OGL
Sharon Baker, MDEQ-OGL
Michelle Bruneau, Michigan Dept. of Health and Human Services
Matt Doss, Great Lakes Commission (GLC)
Rebecca Pearson, Great Lakes Commission
Jim Ridgway, Environmental Consulting and Technology, Inc.
James Clift, Michigan Environmental Council
Jean Doss

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

Wednesday, June 3

Welcome, Introductions, and Review of Agenda

Mary Bohling, SPAC Chair, Detroit River AOC, opened the meeting. *Matt Doss, Great Lakes Commission (GLC)*, gave an overview of the meeting agenda and logistics. Meeting minutes from the May 2015 SPAC business meeting were adopted with corrections that were emailed to the Great Lakes Commission in advance of the business meeting.

Preparation for the SPAC Legislative Briefing

Matt Doss shared the following materials in preparation for the SPAC legislative briefing: citizen guide to state government; information packets for the briefing; and a copy of *Mary Bohling's* slide presentation.

James Clift, Michigan Environmental Council, noted that he spent a lot of time looking at Michigan's cleanup criteria, which were a recent priority for the state legislature. He acknowledged that the legislators will not know much about this topic. The retired chair of toxicology at Michigan State University can tell you how much this field has changed over time. The legislature is currently focused on underground storage tanks. In the future, \$20 million of petroleum money will be given to a new authority to clean up new releases from this source. This is separate from the orphan sites. A new triage program has been created to review orphan sites. About 10 percent of these orphan sites are "ticking time bombs." For about half of the orphan sites, no more work is necessary, and they can be redeveloped. Related to the budget, there have been some minor cuts made to the Department of Environmental Quality. Looking forward, roads and road funding will be the major challenge facing the legislature, which stems from our national infrastructure crisis including roads, railroad lines, sewer and water. The legislative discussion focuses on how we get enough money to address these infrastructure concerns. A number of people are willing to pay more fees to improve infrastructure. Legislators are asking, "Why should state government solve your problem?" The key in resolving this debate (as well as other environmental issues) is to start at square one and show how solving your problem will help the state moving forward.

Rick Hobrla, Michigan Department of Environmental Quality (MDEQ), asked if *Clift* had a sense of the legislators' opinions on the new water rule from U.S. EPA. *Clift* responded that the agricultural community is fighting the rule, since they know they have to address environmental problems that take collection action to solve. He emphasized not to point fingers, but talk about the collective effort need to solve these complex, environmental problems.

Matt Doss, Great Lakes Commission (GLC), noted that there was a resolution passed by the Michigan Senate calling on the GLC to look into the issue of siting a nuclear waste disposal facility near Lake Huron. The GLC decided not to take a position on it because the GLC doesn't have the technical resources to make such an assessment. The nuclear disposal facility siting issue may or may not come up in the legislative briefing. *James Clift* suggested

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deflecting such issues by discussing the on-the-ground work that SPAC members are doing today.

Jon Allan, MDEQ-OGL, reported that Michigan's comprehensive water strategy will be released June 9. The water strategy addresses everything from healthy systems, stewardship and placemaking. The state would like partners to take ownership of pieces of the strategy, whether it is restoration, infrastructure or maritime navigation. He also noted that the state just received the final proposal budget from U.S. EPA on the capacity grant for its Great Lakes program. It is less than we asked for.

Jean Doss noted that the legislature is at a midpoint of its two-year session. She recommended that SPAC members stay on message despite your feelings about roads, fracking or other issues. The legislature has 110 state representatives, 41 of whom are freshmen, and 38 senators, 11 of whom are freshmen. Expect to see young legislative staff. They want to meet with constituents in their region. Always paint a picture that is a map. They really come to serve their area. It is great to come with stories. Remember to listen. If they ask a question that you don't know, try to collect those questions and get back to them at a later time. Even though there is not an election, with term limits, they are always running. Please invite local legislators to a tour which is always a good learning experience.

John Riley, MDEQ-OGL, noted that the Areas of Concern program is almost entirely federally funded, so there isn't a need to ask for more funding. *Jean Doss* responded that, while there is not a funding ask, the legislative briefing is just a learning experience and perhaps these state legislators can be allies for these programs down the road. *Jon Allan* added that the legislators and their staff may end up in the federal legislature.

Dennis Zimmerman, Saginaw River/Bay AOC, asked if the Clean Michigan Initiative (CMI) bonding program been discussed among legislators. *Jean Doss* has not heard those discussions. *Jon Allan* noted that the water strategy calls for long-term funding strategies. The state is running out of CMI bond dollars; the program will be gone in 2017. The state will be putting a group together exploring those strategies. The CMI was leveraged by the state to match funding provided under the federal Great Lakes Legacy Act. SPAC members could recommend that there is some type of state match for federal dollars.

Jean Doss suggested capturing feedback on the legislative briefing from attendees by using short evaluation forms in the future. *Mary Bohling* suggested recording questions for the legislators. *Sharon Baker, MDEQ-OGL*, suggested that SPAC members continue to meet the legislators at their home office. Legislators may have local coffee hours in their districts.

Update from Michigan DEQ

Rick Hobrla, MDEQ-OGL, reported that U.S. EPA is cutting funds to the Great Lakes Restoration Initiative state capacity grant program. For Michigan, the cuts are not drastic. However, MDEQ will reduce staff travel to save costs. The fiscal situation for the other Great Lakes States may be different. For Wisconsin and New York, staff may be reassigned or laid off. Secondly, U.S. EPA is reassigning two AOCs that are shared between states. Wisconsin

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shares the St. Louis River AOC with Minnesota and the Menominee River AOC with Michigan. For the FY2015 round of capacity grants, the state of Michigan will receive credit for 11 AOCs now that we delisted two AOCs. Wisconsin will gain Michigan's half credit for the Menominee River. Nevertheless, Michigan will work with Menominee as we always have. U.S. EPA did not give a timeline for the capacity grants, but Rick thought it may be relatively quick. For the most part, the PAC support grants are on track. Grants will be issued to the PACs, but we do not know when. It is likely that the PAC grants will be issued in the late summer or early fall. U.S. EPA may give the state a grant for a year and a half (October 2015-March 2017). At that point, all state and tribal capacity grants will be issued annually, around April 1. MDEQ is conducting an internal examination of the program structure. A possible outcome of this program evaluation is terminating the DEQ relationship with the GLC for SPAC support. In that case, DEQ staff would support the SPAC.

Kathy Evans, Muskegon Lake AOC, suggested that a third party such as GLC should facilitate the SPAC, not DEQ staff. There was general consensus among SPAC members to write a letter to OGL supporting the GLC in continuing its facilitator role of the SPAC.

Matt Doss noted that the GLC has 11 proposals in hand for the FY2015 PAC grant program. The GLC will review them with DEQ. The timelines for those proposals will need to be revised. The total amount requested is \$230,000. The RFP requires a letter of support from the PAC. Five proposals didn't have a letter of support. The GLC will ask for letters of support from those who did not submit one with their grant application. Erika Jensen, GLC, is managing the 2014 PAC grants; Becky Pearson, GLC, will be managing the 2015 grants.

Rick Hobrla thought that funding decisions were being made at a higher level within U.S. EPA. The U.S. EPA views the Lakewide Action and Management Plans (LAMPs) as the future once the AOCs are delisted. The U.S. EPA envisions a single contract to coordinate all LAMPs for public engagement. Further, the U.S. EPA will standardize LAMP structures across the Great Lakes and has drafted guidance toward that end.

Last, *Rick Hobrla* reported that the DEQ has been active in the task force looking at the pipeline crossing at the Straits of Mackinac and the St. Clair River. A final report will come out this month. The report will generate a lot of attention because there are strong feelings on both sides of the issue. He suggested that SPAC members steer clear of this issue if it comes up during the legislative briefing.

Options for Upcoming SPAC Activities

Matt Doss asked the SPAC members to discuss the possible locations for the fall meeting and suggest agenda topics. He suggested that the fall meeting may be appropriate for a strategic planning session for the SPAC's future.

Kathy Evans liked the idea. She thought that the fall meeting could kick off the SPAC strategic planning.

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Dennis Zimmerman suggested education outreach as topic, especially in light of the legislative briefing.

In terms of location and date, *Kathy Evans* suggested that the meeting piggyback off the State of Lake Michigan and Great Lakes Beach Association meetings in late October 2015, in Traverse City. Many SPAC members thought Traverse City in the fall was a great suggestion. Alternatively, Menominee (since the Menominee Fish Elevator event will occur in the fall) and Sault St. Marie were also suggested.

In terms of agenda topics, *Kathy Evans* suggested discussing the federal pressure to spend money quickly under the GLRI as a topic.

Discussions ensued about the best way to translate the SPAC message to Congress and the EPA higher-ups.

The GLRI reporting system is not very good. Healing Our Waters should be partners in getting the SPAC message to Congress. *Matt Doss* encouraged SPAC members to reach out to Healing Our Waters.

Status of Contaminated Sediment Remediation Efforts in Michigan's AOCs

Mike Alexander, MDEQ-OGI reported that \$2 to \$3 million is earmarked for the last contaminated sediment hotspot on the River Raisin and some sites on the Detroit River. It is a difficult project because of the nature of the material and the contamination. Additional money may be appropriated to identify hotspots along the Detroit River. The MDEQ is conducting site characterization and working on corporate project sponsors. A \$20 million NOAA grant will be used for sediment work in the Manistique River AOC to remove the fish consumption and dredging BUIs.

Alexander described the lower Rouge River project as a partnership between Honeywell and BASF. There are some difficulties on the project. A remedial investigation strategy was supposed to be developed with the industrial partners and U.S. EPA, but it fell through. The lower Rouge is a 50/50 cost share. Funds are lacking to do an actual Rouge River project. There is a lot of material to take out of the Rouge River.

Kathy Evans discussed two Legacy Act projects in the Muskegon Lake AOC: Ryerson Creek and the former Zephyr refinery. After the completion of those projects, the degraded benthos BUI will be removed. Recently, she had some private partnership dollars come in that can be leveraged for those projects.

Mike Alexander summarized that the Main Channel of the Rouge River; Ryerson Creek and the Detroit River are unfunded work. *Mary Bohling* noted that without the PAC support grant the projects in the Detroit River AOC would not have been characterized. If there is cost-share money available, the state can take advantage of Legacy Act funds. The state still has orphan sites to be addressed, and MDEQ conservatively estimates that remaining sediment work can be completed with \$10 million in nonfederal funds to leverage federal funding under

the Great Lakes Legacy Act. Discussion ensued about how to come up with \$10 million. Suggestions for raising these funds included a new bond initiative or state legislative appropriations.

Discuss Potential Framework Outlining Roles and Responsibilities for Michigan's AOC Program

Dennis Zimmerman thought that the Ohio strategy is too specific in areas and renders inflexibility in the process.

Anne Vaara liked the roles and responsibilities clearly defined, which helps facilitate a stable relationship among the state and the PACs. It was suggested that the document distinguish between the PAC and its supporting organization. In general, there was a mixed reaction among the SPAC members to whether it was a good idea to be outlining the roles and responsibilities for Michigan's AOC Program. Re-examining the roles and responsibilities will be a key element in the SPAC strategic planning and should be a topic for the next meeting.

Other Items from SPAC Members

Rick Hobrta announced that the revised BUI removal criteria were mailed to U.S. EPA today. Once U.S. EPA concurs, they will be finalized and will be available to the PACs for formal acceptance. This might be a future SPAC meeting agenda item.

Thursday, June 4, 2015

Report on Discussions with State Legislators and Staff

Matt Doss said the turnout was good. *Zimmerman* noted that people were interested and informed. It is the people who didn't show up that we need to get to.

Mary Bohling said that a staffer of a Detroit representative was interested in urban agriculture impacts to the AOC.

Kathy Evans discussed the issue of federal pressure for moving projects and spending GLRI funding with Senator Hansen. We should work with him to make the case on the federal level. She noted further that Rep. Holly Hughes came in late. Holly is very involved in environmental issues and helped with the Zephyr site.

Anne Vaara noted that of the 23 legislators in Clinton River watershed, only five showed up to the legislative briefing. She was disappointed that one of the representatives who did come did not stay for long. She sent personal invitations and the response rate was low. She asked for help in getting our legislators on board. *Mary Bohling* suggested getting the legislators and their offices involved in planning events for the Clinton River AOC.

Dennis Zimmerman complimented Jean Doss on the nice job of escorting people to their respective AOC table.

Emily Lang added that an aide from Sen. Schmidt's office attended the briefing. He was interested in seeing the Little Rapids project.

Things to follow up on from today's meeting:

- For legislators and aids
 - Follow-up with attendees thanking them for participating
 - Do they need additional information
 - Stop by office (here and local)
 - Invite to celebrations or other activities
 - Invite to sponsor local activities
 - Keep reaching out to them
 - Send thank you notes to James Cliff, Jean Doss, and legislative event sponsors
- Other ideas:
 - SPAC could coordinate local events calendar on MichRAP
 - Sturgeon "petting pond" at events
 - Keep telling the story to local stakeholders, legislators, community groups

Improvements to the program?

Mary Bohling had a well-executed presentation. It would be nice to get Randy Maiers, CEO/President of the Community Foundation of St. Clair County, to talk to all our PACs. She loved when he spoke about, "doing a lot of little pieces." Under Randy Maiers' leadership all these projects took off. Randy was very positive and a great inspiration.

Additionally, she suggested that all SPAC members follow up with the legislators who showed up. She personally will be investigating resources for questions that were posed to her. She encouraged SPAC members to visit the local offices of their legislators and give them the materials.

Matt Doss encouraged SPAC members to take as many information packets as needed and drop them off at their state senator's or rep's offices, and continue to reach out to the legislators by inviting them to kickoff or closing events to projects.

Paulette Duhaime, St. Clair River AOC, suggested sharing information about kickoff events among the SPAC members and encouraging members to come to those events via announcements on the Mich-Rap email list.

Mary Bohling asked Matt Doss to develop an events calendar for the SPAC website.

Patty Troy reported a successful sturgeon festival. Two hundred people participated in a 5k and 1k race. Approximately 4,000 people came between 10 a.m. and 1 p.m.

Action Items

1. Once the funding is finalized, the PAC grant timelines will be revised.
2. The current PAC grants will be completed over the next month. Erika Jensen will be in touch with individual SPAC members.
3. The SPAC will develop a letter to DEQ encouraging a continued relationship with the GLC for SPAC support.
4. SPAC support staff will consider options for the fall meeting. Focal topics for the fall meeting will be strategic planning and the federal pressure in spending the money quickly.
5. SPAC support staff will send letters to Jean Doss and James Clift thanking them for their assistance with the legislative briefing.
6. Matt Doss will write up the sign-in list for the legislative meeting and send it to the SPAC for review.
7. SPAC members are to review the contact information in the SPAC FAQ document and send any corrections to Matt Doss.