

**Michigan Statewide Public Advisory Council
Spring Business Meeting
Crowne Plaza Hotel – Grand Rapids
March 28, 2017**

Attendees:

Clinton River

Anne Vaara, SPAC Vice
Chair

Amanda Oparka

Detroit River

Mary Bohling, SPAC Chair
Robert Burns, (phone)

Muskegon Lake

Kathy Evans

Menominee River

Donna Buechler

River Raisin

Richard Micka

Rouge River

Bill Craig

Saginaw Bay/River

Dennis Zimmerman

St. Clair River

Patty Troy

Kristen Lyons

St. Marys River

Aubrey Maccoux-LeDuc
(phone)

Mike Ripley

Torch Lake

Horst Schmidt

EPA

John Perrecone

Amy Pelka

Mary Beth Giancarlo

MDEQ

Rick Hobrla

John Riley

Jennifer Tewkesbury

Melanie Foose

Rachel Coale

Stephanie Swart

Ginny Berry

MDHHS

Aaron Cooch

Great Lakes Commission

Matt Doss

Welcome, Introductions and Review of Agenda

Mary Bohling, Statewide Public Advisory Council (SPAC) Chair, Detroit River Area of Concern (AOC) opened the meeting. Introductions were given, and the Agenda was reviewed.

Oct. 27-28, 2017 SPAC business meeting minutes were approved with one necessary change on Page 6 under “St. Clair River AOC”-”fleshing” should be used instead of “flushing”.

Report from the Great Lakes Commission

Matt Doss reported that the Great Lakes Commission (GLC) put out a statement of federal priorities, and they’re advocating for water infrastructure, including building a new Soo Lock, sustaining the Great Lakes Restoration Initiative (GLRI), having strong programs to keep out invasive species, etc.

Great Lakes Day

The president released his draft budget during the GLC meeting on Thursday, March 16, when the commissioners were there. The proposed GLRI was cut 100 percent. Many speakers, both democrats and republicans, were in support of the GLRI and committed to making sure the program continues. Matt is optimistic that it will, but most likely the funding level will be considerably less than \$300,000,000. He recommended that everyone keep communicating with their representatives on the value and importance of the program.

Candice Miller has been appointed as a Commissioner of the Great Lakes Commission.

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

GLRI budget process

Dramatic cuts were proposed to other environmental programs, as well. The budget process will play itself out for fiscal year (FY) 2018 over the course of the year.

A Congressional letter requesting \$300,000,000 for the GLRI for next year garnered 63 signatures in total, including 24 republicans and included legislators outside of Great Lakes States. Matt will send the list of signatories to everyone.

In December, Congress passed a water resources bill, sometimes referred to as the Water Resource Development Act (WRDA). It typically is an authorizing vehicle for the Corps of Engineers to do different projects.

The appropriations committee will start hearings soon. The President's complete budget proposal will most likely be submitted next month or possibly in May.

Report from the Michigan Office of the Great Lakes

Rick Hobrle of the Office of the Great Lakes (OGL) has been working with Matt to try to modify our current grant agreement with the Great Lakes Commission to provide funding to allow access to a national economic model.

The commission has been working very closely with an international expert on economic geography. He is into modeling, and we're working to try to give him access to the tools he needs. We've had internal discussions about ways to develop our own capacity to provide some of that support. We may set up an economic position.

The proposed cuts to the GLRI and the EPA have inspired non-governmental organizations to action. One is Healing Our Waters Great Lakes Coalition. Yesterday they held a webinar for folks to express concerns about cuts. They prepared a number of written materials they've made available, including guidance on writing letters to the editor and a general guide for actions you can take to protect the Great Lakes Funding.

GLRI Program Staffing and Funding

At the time of our last meeting, the states had received informal word from the EPA that they were open to considering changes on how they calculate how much GLRI funding is given to the states. We proposed significant changes to the formula that is used.

Jon Allan, as Chair, received a letter from Gina McCarthy stating the EPA will change their calculations for funding. For Michigan it meant approximately a 25 percent increase. The EPA has notified us that they want to give us a second installment in the 3-year grant at the same rate they funded the first year, allowing us to keep current program and keep it level for another year. We've significantly underspent last years' grant, so we're not in danger of losing our program. It may take 60 days to give us an answer about extra funding we're asking for. In theory, they have the money to give us our request for this year, even though the future is uncertain. There's no way to know if they'll do that or not, but we should be level, and still might get an increase. We are not expecting staff loss, but we're waiting on filling Sharon Baker's vacancy. We won't proceed until we have the money in hand, but once we do, we will decide on possibly one or two new positions, and PAC support grants will proceed, hopefully before the end of April.

PAC Support Grants

If we receive additional money, there are many different ways we could use it including possibly providing additional training for PAC people. We're looking at setting a grants specialist position. Then you'd be working with your AOC Coordinator on the programmatic aspects of your grant, and a dedicated specialist to assist with the financial and administrative pieces of that grant. They would also be the primary liaison to the SPAC.

Rick reported that there was a really good sign-up for AOC conference, maybe the biggest ever (about 250). Because so many registered, it overwhelmed the travel budget to reimburse the travel expenses, so to avoid cutting way back on that, the OGL will use part of our grant to reimburse travel expenses for the Michigan people. So SPAC members going to the AOC conference should use our SPAC reimbursement process rather than go through the process that the GLC has set up for the non-Michigan people. The OGL will cover the AOC registration costs for SPAC members.

Traditionally the OGL has helped plan the AOC Conference, but this year we are a full co-sponsor of the conference with the EPA. Next year's conference may be done differently.

International Association of Great Lakes Research (IAGLR) Conference

Rick invited SPAC members to attend the sessions on AOC's at the IAGLR Conference May 16-19 and provided details on the Conference. Mary Bohling is one of the Conference co-chairs and will send out the list of presentations to everyone. Friends of the Detroit River will be a sponsor. They'll have a booth and will put out information about AOC work and other things too.

Training SPAC/PAC Members

Rick informed everyone that the OGL is considering what we could do to make our PACs work more effectively and mentioned possibly providing leadership training to SPAC and PAC members. He briefly reviewed MSU's Lake and Stream Leader's Institute, a four to five day program spread out over about six months, and the Great Lakes Leadership Academy, a three week program spread out over about six months. He solicited additional suggestions from SPAC members. Some mentioned were:

- Going through regulations that are applicable.
- Risk Assessments and what to do.
- Week long trainings.
- Project-specific training.
- Bringing a trainer in for a two day session and inviting two or three additional PAC members to come, covering the two days plus the overnight stay. Having them come to the meeting for two days rather than going somewhere else for a long training might work well.
- Bringing elected officials and administration from their PAC to the meeting so they could go out and be community leaders for the region and their particular AOC.
- Online courses.
- Building it around a two day SPAC meeting. We need to know where to find the information and how to use it.
- Mary will share a tool kit which is, "What it is, where do we find it, and who do we contact?" Maybe have the author come in for a future training too.

Reports from SPAC Members

Saginaw River/Bay – Dennis Zimmerman

They're working on the Beach Closing BUI and getting closer with criteria. Now they are beginning to look in depth at Eutrophication and nuisance algae criteria which will hopefully be their next BUI removal. They have determined that they've eliminated CSO problems, but they do have problems with agriculture. A lot of them come from outside the AOC in the watershed.

Detroit River – Mary Bohling

They finished up Belle Isle reef construction, and they're working on the sediment assessment report. The Legacy Act project is moving forward. The NOAA partnership grant received with the Rouge River AOC is moving forward. The Lake Okonoka project should be under construction later this year, and their Stoney Island project started last year. They have ten habitat projects in total.

Detroit River – Bob Burns

The Celery Island project is to be funded later on this summer.

Clinton River AOC – Anne Vaara

They're in the middle of ten habitat projects. Some are being handled by county and local governments and some by EPA with the U.S. Army Corps of Engineers and consulting firms. They're hoping to hear how the final habitat restoration will be funded in the future. The Beach Closing BUI is going to be the most difficult removal because of the location of the Metro Park beach and the difficulty of controlling bacterial contamination there.

Clinton River AOC – Jennifer Tewkesbury

Beach Closing BUI – they're getting Oakland County and the DEQ to present to the PAC on the status of the CSO's so there will be a better understanding of how permits work, and what's being done.

The Aesthetics BUI will be removed once they complete the St. Marks Cemetery project. That permit has been issued, so they will begin work in the spring. With the other three core project permits, two have been issued and one is in submittal right now, so they're will have eight projects going this spring. On the Dredging BUI and Fish Consumption – they're working with the EPA to determine what additional monitoring they need to do for the sediments.

River Raisin – Dick Micka

The steelhead are coming up river and Monroe Harbor is having a successful shipping season. The harmful algal blooms on western Lake Erie is the poster child for all things to do with the GLRI and other things that have to do with western Lake Erie. They're trying to connect up with the Water Resources Development Act for future funding. The City of Monroe has a commission on the environment which has taken on the duties of the public advisory council.

River Raisin – Melanie Foose

The DNR has sampled the River Raisin in 2014 and 2015. The fish biologist is waiting to hear about walleye up by the Waterloo dam. Fish from Lake Erie are being found well upstream of the 6 dam projects, including the bypass channel.

Out of nine BUIs, half are removed and others are being monitored. Eagles used to have crossed beaks, but no longer. Herring gulls are having crossed beaks. They're hoping to see decreased contaminant levels in the plasma of eaglets and herring gull chicks, and no more deformities.

Rouge River – Bill Craig

They have \$6,000,000 coming for big projects on the habitat list, but they have to deal with Wayne County. They're trying to sell a 250-acre floodplain golf course that bisects their major tributaries in the Lower Rouge as they're asking us for money for habitat projects within that same corridor. They're having troubles with the possibility of constructing a housing development to replace the existing golf course.

They have projects going on at the Lower Rouge to remove some sediment contamination, open up an oxbow, and get a fish way on the River Rouge. The NGO is using the PAC support grant to do small fish surveys which gave us a really good picture of the life that still exists in that river.

St. Clair River – Patty Troy

There are two sets of BUIs – the U.S. list and the Canadian list. At the November meeting the Canadian Bird and Animal Deformity BUIs were removed. They expect to have a re-designation recommendation on the Canadian Beaches BUI this spring. At the March meeting, the BPAC had approved the U.S. habitat removal recommendation, and work continued on habitat management plans that they're fleshing out. The drinking water subcommittee is working on gathering documentation including survey results from Canadian industries before the next BPAC meeting. They've had public education events, a Cranes article about the Blue Water River Walk, and SEMCOG recently gave an award to the County Commissioners and the City of Port Huron for Waterfront Revitalization. They're planning the sturgeon festival for the first Saturday of June.

Torch Lake – Horst Schmidt

They have a highly qualified environmental engineer who did his research work at Michigan Tech and has research experience with Torch Lake. They proposed to Jon Allan that they would like a grant to pay this environmental engineer to interpret their data.

The DEQ Remediation and Redevelopment Division is doing a survey of drums dropped into the lake by the mining company over the decades. Some contain rocks, PCPs, and other kinds of hazardous materials. This year the south end of the lake will be finished, and they'll have a good idea of what's in there and if they can get it out. The DEQ has been putting money into cleaning this up, and in 2018, the DEQ will be finished.

St. Marys River – Mike Ripley

They have new members joining and they're making good progress on BUI removals. Out of 11 BUIs, they have eight left. Degradation of Aesthetics on the U.S. side has been removed, and on the Canadian side a letter has been sent on that BUI. Bird and Animal Deformities are removed on both sides, and they're very close to Eutrophication of Undesirable Algae being removed along the Canadian side, as well. Beach closings are close and Restriction of Dredging Activities is also. The Little Rapids Restoration project is finished. They will celebrate Little Rapids in June, and they'll be inviting Representative Bergman and other legislators to attend and see that progress.

The IJC was in Sault Ste. Marie earlier this month for the triennial assessment of progress - a listening session on the Canadian side, which was very well attended, and the BPAC also made a presentation there. Mike presented on Little Rapids.

St. Marys River – John Riley

There will be in-stream monitoring at the Little Rapids this year, and we'll probably have results a year from now. Hopefully, at that point, they'll remove the Fish and Wildlife Habitat and Population BUIs.

Menominee – Donna Buechler

Three BUI removals are currently underway – Degradation of Benthos, Restrictions on Dredging, and Fish Consumption. They are hoping to celebrate BUI removals during Cabela's national walleye tournament, and they're wondering if we might like to have our SPAC meeting then also.

Muskegon Lake – Kathy Evans

The BUIs they're working on are Benthos, Aesthetics, Fish and Wildlife Habitat, Fish and Wildlife Populations, and Eutrophication. For the Fish and Wildlife BUIs, the habitat populations were working under the NOAA Habitat Rehabilitation and they have Habitat projects underway (approximately \$20,000,000). One is the mill debris removal project – Underwater Historic Sawmill Debris, unnatural fill material (mill debris) underwater.

There are three projects underway that are hydrologically reconnecting a wetland to two water bodies. One is at Veterans Memorial Park. At the Bear Creek project - they're removing the dike separating the Creek from a former wetland. The Lower Muskegon project is still in the design phase. That will be up for construction bids this summer. They have two Great Lakes Legacy Act projects now, Zephyr – in good shape, and Ryerson Creek - may be in jeopardy. They still don't have a cost-share partner in an agreement with the EPA, so they've been working with a company who was willing to put up \$1 million, but they're not ready to sign.

Removal of Aesthetics BUI is in good shape. The EPA funded the DEQ to work on a feasibility study, and now they have funding to actually do remedy, but they're not sure about the exact cost.

Manistique – John Riley

The state received funding through NOAA to do the last dredge project, but it's challenging because a lot of the PCBs are bound up in the organic sawdust material from the paper mill. They're doing monitoring to try figure out where those depositional areas are and how to sequence the dredge project in the navigational channel and back water areas. Next year, the final dredging operation will occur, and that will be the final project. Only two BUIs are left - Fish Consumption and Degradation of Benthos.

Kalamazoo River – John Riley

Four dams need to come out to address the Fish and Wildlife Habitat BUIs, but the Superfund program needs to perform extensive work prior to each dam removal. One dam removal is completed and a second is in progress. There is a time critical removal action occurring at the Otsego Township impoundment. That dam was removed, and replaced with temporary water control structure, and it will be out of the river this year. The Otsego City Impoundment – the dam is coming out and they're getting the buy-in of responsible parties. The DNR is the dam owner of the Trowbridge dam, and they're putting money into doing geotechnical investigations and looking at contaminants behind the structure.

AOC Monitoring

Rick explained that there was no post-monitoring of AOC projects in the beginning. The OGL is working with the EPA on developing a long-term monitoring strategy, but it will depend on funding.

There was confusion as to what post-restoration monitoring requirements are necessary to obtain a DEQ habitat restoration permit. Some were under the impression that there was a mandatory five-year post-restoration monitoring requirement. Monitoring depends on the project, maybe the district, etc. Mary asked Melanie or Jen to check into it to clear it up. Eventually, we'd like all BUIs to be part of this monitoring strategy. It will depend on how the funding goes.

Some programs are in place to monitor other projects too. Much of our monitoring program has been funded using the Clean Michigan Initiative Bond. That money will be running out by next year, so the DEQ will need to find alternative funding for monitoring, or we will have to cut way back on our monitoring program.

Report from the Great Lakes National Program Office

Amy reported that the office of Water Division Directors switched with the GLNPO office directors, so Chris Korleski and Tinka Hyde switched positions in October of last year.

GLNPO reorganization

They now have Section Chiefs instead of just Branch Chiefs, and they went from three branches Financial, Legacy and AOCs, and Science and Monitoring to two branches – financial and everything else. Tinka Hyde is the Director, the Deputy Director is Wendy Carney, and Marc Tuchman is the Branch Chief for the Great Lakes Remediation and Restoration Branch. He has three sections under him. Both Amy's and Scott's sections do AOC and Legacy work. Science and monitoring is a section headed by Todd Nettesheim. The Financial Assistance Oversight and Management branch is Bard Mosier, and Ted Smith is Section Chief in the Database and Contracts Management Section. Focus Area One lead

is done by Marc Tuchman, and Mary Beth and Amy work on AOC budgeting and planning. Sublead for Contaminants CECs is Beth Murphy, and for Health it's Jackie Fisher.

Rick asked about changes to Task Force Lead assignments for Michigan AOCs. Amy said one of the big changes is that we moved all AOCs with management actions complete to John Perrecone. That's intended to be a continued development, and they'll automatically make that switch when the time is right.

Amy reported that Mark Loomis is on temporary reassignment. They get him back right before Memorial Day, but then he leaves again in July. Amy will send the slide of the changes to Rick, and he'll get it to everyone. She'll also send focus area leads.

They don't have a budget at this point. They will have to prioritize projects once they get one. Things are on hold to make sure there is money to cover employee salaries. The middle of May is when the budget comes out, and then congress negotiates back and forth.

U.S. AOC Conference

John Perrecone reported that the AOC conference starts tomorrow morning with 8:30 AM registration. Poster session – 25 to 30 posters that are high quality. There are 250 attendees registered.

He noted that Nelson French wants us to hold the AOC Conference in Duluth next year in May/June.

Historical Perspective on AOC Program

There was a brief discussion on how the AOC program was handled pre-GLRI. Because of the threat to funding for the program, it was decided to share some of the stories from the good old days before GLRI, and what happened and what didn't happen then.

Participants noted that there used to be very little or no contact with DEQ people or the EPA, and many times there was no end in sight. People had it in their heads that when clean-up was completed, they would go back to the earlier days. Sometimes the PACs had to step up and find other sources of funding. Consulting firms were frequently used to accomplish many things, and there were a lot of arguments. SPAC meetings were crucial.

Other Items

Anne has resigned from the Clinton River Watershed Council and is moving on to another position as the Chief Deputy Water Resource Commissioner in Oakland County. She hasn't started yet – mid April, and she's uncertain on how much of a role she can have, but she's hoping she can stay on as SPAC Vice Chair. It will take coordination between her new boss, the watershed council and the PAC Executive Committee. She'd still like to be involved. Mary said she's been a valuable asset and Matt said she's transformed the Clinton River path, and it has made a big difference in helping to keep things on a good path for Clinton River. Rick said we're hoping she can continue as Vice Chair.

Next SPAC Meetings

The Mackinac Room was reserved in the House Building for a legislative briefing on June 1. The plan was to hold the SPAC meeting on May 31, and the legislative meeting on June 1. However, there may be very few legislators attending as that is the week of the Mackinac Policy conference. We could keep that date or postpone it until Wednesday, June 6. The legislative briefing would be on the morning of June 6, and the SPAC meeting the next afternoon on June 7. Mary and Anne may not be available. The third option is to postpone it until next fall. Dennis said no problem with moving it to June 6, and 7. We'll have to confirm funds transferring for another day. We'll also need another senator sponsor for May 31, and June 1. He's no longer able to sponsor.

Rick is leaning to 6th and 7th but he'd like to know if anyone has a strong opposition. We were thinking of inviting Candice Miller to speak, but we held the letter because of the question of the dates. Sam Singh and Wayne Schmidt were also recommended as speakers. Traditionally we try to get two legislative sponsors from two different geographic areas of the state. Representative Kivela from the U.P. has already volunteered to be our House sponsor. We'll have to confirm he would be available with that new date, and we'll still need to come up with a senator for sponsorship. Matt mentioned Candice Miller is one of our Commissioners now and is a well-known figure that carries a lot of credibility on Great Lakes issues.

Rick suggested our typical agenda would include the two legislative sponsors, Jon Allan, the SPAC Chair, and a keynote speaker such as Candice Miller. He asked SPAC members to tentatively hold those dates on calendars and agreed to see if he can get the new dates confirmed. Plan B would be to look at rescheduling in the fall.

Menominee offered to host the fall meeting - August 16th, 17th, and 18th, or the first two weeks of September. Another choice would be the Clinton. Muskegon would be a possibility also. After this year, Muskegon won't have any more habitat projects to show.

Donna will find out more about dates for Menominee at the April meeting.

Review Action Items

- SPAC members do outreach to your federal legislators regarding the budget cuts, etc., and what your feelings are about what the impact would be to your local AOC if that would occur. What would be the loss?
- Five year monitoring plan – required or recommended for habitat projects and if maintenance is included or just monitoring.
- Find out about the Legislative briefing and confirm the date of either June 6, or 7, or move to fall.
- Muskegon, Clinton, and Menominee – more details about potential fall meeting.
- EPA to provide PowerPoint presentation.

Adjourn

4:55