

St. Marys River Binational Public Advisory Council (BPAC)

Meeting Minutes

Place: BT 202, Essar Convergence Centre, Algoma University
Sault Ste. Marie, Ontario

When: June 19th, 2013
6:00 – 8:00 p.m.

1. Call to order/introductions

Present: Martha Scott (new RAP Supervisor), Chris Graham, Klaas Oswald, Kira Fry, Catherine Taddo, Corrina Barrett, Crystal Bole, Mary Rossiter, James Dukes, Gary Leith, Bretton Joldersma, Don Marles

Guests: Doug Crump (EC), Kim Williams (EC), Mark Chambers (EC), Jason Bertrim (Q104), Tesha Zimmerman (Sault Tribe)

Regrets: Mike Ripley, Greg Zimmerman, Lorelei Premo, Barb Keller, Chris Tenaglia, Paula Antunes, Trisha Westman, Max Cox

2. Approval of Last Meetings Minutes

- May 21st, 2013 adopted.

3. Business arising from previous minutes

- Letter of Support to revive Bill 6 (formerly Bill 100)
 - Klaas provided an update: Bill 6 is currently in its “Second Reading” in the Ontario Legislature. The Legislature is currently recessed until September. It should go into committee hearing, soon after which it will go into third reading and be voted on.
 - Klaas will keep an eye on Bill 6 and both Paula and Klaas have been working on a letter to pass along to the Minister of the Environment.
- Meeting with EDC to discuss Deep Water Port
 - May want to designate someone else to contact the EDC as Paula is no longer with the Innovation Centre.
- Contact Blair McLaughlin of the local MOE regarding Essar’s activities (i.e. renewal of certificate to dispose of wastes in slag piles).
 - Attached is an update given by Essar regarding the slag piles.
- Should BPAC schedule a meeting with the Sailing Club to discuss their plans?
 - Should follow up with Paula to see if there are any updates on the Sailing Club’s activities.

4. Presentations

- Doug Crump (Environment Canada Biologist) presented the findings of the 2 year bird deformities study which assessed the bird and animals deformities or reproductive problems BUI. The presentation is available on BPAC website <http://www.lssu.edu/bpac/bpac-library>. The study found that:
 - Contaminant levels [PCBs, other organochlorines, PBDEs, and mercury] were low overall and not sufficiently elevated to have an adverse impact;
 - Although no physical deformities were detected within gull or tern chicks [the original issue identified by the RAP], there was a low incidence of embryonic deformities. The significance of this is unknown, but based on the low burdens of PCBs, other organochlorines and mercury found in embryos, it is unlikely that this is a contaminant-related issue; and
 - The reproductive success for gulls within the AOC is at healthy levels, and that of the terns is similar to that found within the region.

- **Question:** What if some chicks die between when you were last at the colony (April) and this visit (today)?
 - **Answer:** Chicks hatched around end of May / beginning of June. We would still be able to see the carcass or un-hatched eggs. The number of chicks who die are factored into the productivity measurement.
 - **Question:** Did you compare the percentage of deformities to other published literature where similar issues of contamination occurred?
 - **Answer:** Comparing these numbers to literature numbers is difficult as literature studies have much larger sample sizes, and are hatched birds. These are embryonic birds that would likely not be able to hatch. There are no parallel studies that use the same methodology.
 - **Question:** Can something other than contaminants in the river be causing the deformities?
 - **Answer:** Yes, there are natural deformities. The diet / nutrition of the animal may also cause deformities.
- Bretton Joldersma (DEQ AOC Coordinator) presented the results from Michigan's statewide assessment of the bird or animal deformities or reproductive problems BUI. The presentation and final report are available on BPAC website <http://www.lssu.edu/bpac/bpac-library>. The results of Michigan's study indicate that the BUI is not impaired in the St. Marys River AOC. The study found that:

Herring Gull:

- PCB and TEQ concentrations in herring gull eggs are lower than lowest effect level benchmarks (benchmark: 360 ng/kg; SMR: 222 ng/kg)
- TEQ concentrations in herring gull eggs are lower than 5 of the 8 colonies located outside the AOC

Bald Eagle:

- Productivity data indicate a healthy bald eagle population (healthy population: 1.0; SMR: 1.2 fledged nestlings/occupied nest)
- Bald eagle productivity in the AOC was higher than the 5 comparison populations
- PCB concentrations in bald eagle plasma are lower than benchmarks (benchmark: $\leq 35 \mu\text{g/kg}$; SMR: $25 \mu\text{g/kg}$)

Carp Toxic Reference Values:

- PCB concentrations in carp exceed the low end (0.25 mg/kg), but not the high end (1.1 mg/kg) of the fish tissue range considered to be protective of mink
- PCB concentration in the SMR is lower than comparison sites
- Studies looked at large carp (>20 inches) and it's expected that large carp would have higher concentrations of PCBs than fish consumed by most wildlife (mink generally consume fish that range from 1-7 inches length). If the ratio of PCB concentration in forage fish to carp in the SMR is equivalent to that in Lake Huron then the estimated PCB concentration in SMR forage fish is 0.04 mg/kg (well below the fish TRV).

Post Presentation(s) Discussion:

- Discussion after the presentations revolved around what BPAC members felt future studies should include (i.e. testing adult birds for contaminant concentrations, analyzing local food consumption and contaminant concentration).
- Corrina reminded BPAC members how the original concern of the RAP focused on deformities within the 3 cross-billed chicks back in the Stage 2 Report, and how that needs to be a factor even when acknowledging some embryos were found to have deformities this time around.
- Both EC and MDEQ spoke to the fact that the findings of both studies – which took different study approaches, looked at different species, and covered a large geographic area – taken together reached the same conclusion: there is little evidence of impaired reproduction or deformities in birds and wildlife attributable to local contamination effects within the St. Marys River AOC.
- Bretton asked the BPAC if they were satisfied with the results and if they were ready to support the

removal of the Bird or Animal Deformities or Reproductive problems BUI from the American side.

- EC hopes to get the results of the additional contaminants analysis this summer/fall, and will finalize the report shortly thereafter. Should the conclusion remain unchanged, EC will also be in a position to formally propose BUI re-designation and will be asking for BPACs support of such a decision.

5. Office Reports

- Update on Sault Watershed progress
 - The Sault Watershed group is made up of a few different entities (Sault Tribe, Bay Mills Indian Community, City of SSM, MI, and the conservation district) on the Michigan side of the river. They have been trying to deal with issues in local streams such as *E. coli*. Have been having a hard time getting funding grants to move forward with projects and implementation efforts (cleaning up local creeks).
- Proposal to develop a St. Marys River Biodiversity Atlas
 - Bretton mentioned that Michelle Selzer was in contact with their EPA counterpart to discuss the possibility of creating an atlas for the St. Marys River. Focusing on the nice features and promoting the area.

6. Agency Updates

- No 4-Agency Report was provided

DEQ

- Bretton discussed the Aesthetics BIU. Asked for more information from the group in an effort to assess the data gaps that have been recognized by the BPAC. Please make sure to send any information / data along that you may know of.
- Kira said that from the Canadian / MOE side there is nothing to share. There have been no complaints of unidentified floating masses or debris.
- Bretton also provided an update on the Little Rapids Project: End of May, there were 3 public meetings held with the Sugar Island Township residents, with the Sault Area Sportsmen Club, and with the Road Commission. All meetings went well. Hoping for approval from the Road Commission in early July. Asking for a LOS from BPAC for the project to send to the Road Commission (by July 2nd). They also just put up signs about the project and who to contact for more information near the proposed Sugar Island project site.

EC

- Mark is championing the cause to move ahead with the feasibility study for the Canadian side of the rapids, and find out which actions are ecologically feasible (such as Fort Creek, Whitefish Island, Bar River, Root River, etc., actions are outlined in the Stage 2 document).
- Mark also discussed a report created to look at the hazards associated with shipping in the St. Marys River on the Canadian Side. The report is available on the BPAC website: <http://www.lssu.edu/bpac/bpac-library>
- The report looks at all vessels from large freighters to small personal watercraft between 2001-2011. This information was gathered from the Canadian Coast Guard and recorded from their "Marine Pollution Incident Reporting System". The report summarizes: suspected causes, pollutant types, discharge severity, season and timing of spills / discharges. The report used info from the binational reports as well, as under the Can – US GLWQA, both the Canadian and US Coast Guards are expected to issue binational reports every 2-3 years.
- Some excerpts from the report include:
The number of vessel discharge incidents within the St. Marys River AOC vary from year to year, but remains fairly low. Key statistics include:
 - the prevalence of vessel discharges in the St. Marys is very low (3%), with 14 incidents within that AOC compared to 39 within the St. Clair River AOC and 380 in the Great Lakes [433 in total];

- the proportion of pollution (i.e., number of litres discharged) in the St. Marys River AOC is very low (<2%), with 1,941 litres entering that river compared to over 104,885 litres discharged to the Great Lakes; and
- of that total number of litres discharged to the St. Marys River, almost 98% of it is attributed to one single incident involving an ‘operational discharge’ in 2007, when 1892.71 litres of diesel oil was discharged.
- There exists a number of domestic, binational and international regulations/standards, agreements and programs that oversee vessel operations, and prevent, mitigate, and monitor vessel discharges in the Great Lakes system.

7. Memberships

- No new membership requests.

8. New Business

- It was asked that the US prepare a report similar to that of Canada’s report looking at spills in the river. Crystal said she would look into it.
- Corrina was sent the following:
There will be a City Council meeting on the Pointe Estates development proposal (that was originally to be heard on June 24 but because of a technical issue [it was submitted as a sub division but should be a condominium development]) be heard at the July 15 Council meeting. Anyone wanting to input or to make a presentation needs to contact Don McConnell at the city in writing.
- Klaas volunteered to present BPACs perspective at the City Council meeting.

9. Public Comments

- None.

10. Next Meeting

- Date to be determined (sometime in late August or early September). Will send out Doodle Poll.

11. Adjourn

- Meeting adjourned at 8:25 pm.