

St. Marys River Binational Public Advisory Council (BPAC) Meeting Minutes

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

When: June 17th, 2014
6:30 – 9:00 p.m.

1. Call to order/introductions

Members: Don Marles, Paula Antunes, Mike Ripley, Klaas Oswald

Agency Reps: Corrina Barrett (AU), Catherine Taddo (City), Carrie Ginou (AU), John Riley (MDEQ), Trisha Westman (MOE), Kristina Denison (Chippewa/Luce/Mackinac Conservation District)

Guests: Michelle McChristie (MOE), Mark Chambers (EC), Terry Heatlie (NOAA), Emily Martin (Bay Mills Indian Community), Brian Wesolek (Bay Mills Indian Community), Matt Doss (GLC)

Regrets: Greg Zimmerman, Barb Keller, Sheri Glowinski, Chris Graham, Crystal Bole, Kyle Rogers (MNR)

2. Approval of Last Meetings Minutes

- March 5th, 2014 - minutes approved and adopted.
- April 23rd, 2014 - minutes approved and adopted.

3. Business arising from previous minutes

- None at this time.

4. Presentation

Mark Chambers (EC) and Michelle McChristie (MOE) led a 90 minute discussion on the updated BUI Delisting Criteria for the Canadian portion of the AOC. Presentation is posted to the BPAC website under “BPAC Library” in the Downloadable Materials section.

The presentation included information on what delisting criteria are, and what makes effective criteria. It also included how the BUIs are being assessed, the rationale for the assessment, and next steps.

Delisting criteria are an essential part of the RAP and were included in Stage 2 RAP report (2002), but the Stage 2 delisting criteria are too general, not quantifiable and in some cases, no longer relevant (hence needed updating).

Michigan updated their delisting criteria in 2008; some are similar (e.g., fish consumption), others need to be Ontario-specific. Hence, the SMART method is currently being used in an effort to make the criteria Specific, Measurable, Attainable, Relevant, and Time-bound.

Restrictions on Fish Consumption:

- Pike and Walleye are the U.S. target fish (this is a good start for consistency).
- The group recommends using a downstream AND an upstream reference site. Therefore change to “suitable reference sites” in the criteria and take out the “a”.
- It was suggested that MOE find the species of concern on the Canadian side in the late 1980s and early 90s, and use these as the assessment fish.
- Remove Cisco as a “resident river species” as they tend to act more like the Salmon and move in and out of the river from Lake Huron.

Degradation of Fish Populations – a) Body burdens of fish

- PAHs are closely associated with fish tumours and therefore already covered under the “Tumours” BUI; PCBs are a Great Lakes wide issue, and are being covered under the “Fish Consumption” BUI; and Resin Acids are no longer an input to the river as the paper mill has closed its operations in 2012 (as well as the mill having upgraded their contaminant removal from wastewater over a decade prior to closing).
- Michigan and the EPA don’t look at the “body burdens” either.
- BPAC agreed to remove this sub BUI as contaminants are already being looked at through the above-mentioned BUIs.

Degradation of Fish Populations – b) Dynamics of fish populations

- The proposed delisting criteria will look at the nearshore fish community for the entire stretch of the river. It will evaluate the health of the fish community, not just the population levels of fish.
- BPAC suggested that we should continue to work with the St. Marys River Fisheries Task Group and consider their surveys for this BUI as well. These surveys help evaluate fish populations of “managed” species (i.e., not all river species), which will complement DFO’s fish community studies.
- BPAC expressed interest in having a Task Group member present on the IBI and fish/ecozones included in their surveys. Mark recommended Tom Pratt (with Fisheries & Oceans Canada) and will look into having him come and present.
- BPAC supported the IBI approach, as the DEQ do IBI assessments every 5 years too.
- Need to define or remove “desired”, “historical”, “compares favourably” as these are too ambiguous.
- Make sure to define what time frame the fish communities are being compared to. 150 years ago, the fish community was a lot different that it was 50 years ago, or today.
- Look at overall community health, not just population level.

Fish Tumours and Other Deformities

- The group recommended removing the second half of the criteria (after the and/or).
- Mark mentioned that EC will repeat the survey in 2015, and the results are anticipated by mid 2016.
- The fish tumour survey will not only look at neoplastic liver tumours, but will also look at bile duct assays, and well as a red blood cell assessment (as recommended by Dr. Paul Baumann). Please note this is above and beyond the delisting criteria.
- Mark noted that the binational aspect of this BUI is complementary. Michigan and Canada/Ontario are taking different approaches to assess this BUI – specifically in assessing different fish species – but in the end it will result in a better “bigger picture” of what is happening in the river.

Degradation of Benthos:

- This BUIs delisting criterion is “to be determined” by the Sediment Management Technical Team, with BPAC’s advice.
- EC and MOE propose a dedicated meeting in the fall with BPAC to discuss this BUI, and the next steps pertaining to the sediment management plan.
- Currently the agencies are waiting on results from the “sediment deposition” study (expected this summer), which is needed before the Tech Team begins assessing sediment management options, with BPAC’s input.

Restrictions of Dredging Activities

- BPAC recommends revisiting this BUI once a Sediment Management Plan is in place.
- The group wants to see if there can be an option added to the “dredging permitting process” for the public to comment on proposed dredging projects.
- BPAC agreed with the drafting/preparation of a “Dredging Administrative Controls” document by the RAP Coordinator and the agencies, which was first recommended at the delisting criteria workshop in March 2010.

- The document will articulate the roles and responsibilities of each regulatory agency through the permitting process for dredging with best practices, and will also help communicate to project proponents what the requirements are. The document will also flag the sites of most concern with respect to contaminants.

Eutrophication and Undesirable Algae

- BPAC recommends to making sure the delisting criteria compares relevant parameters to appropriate levels from available standards such as Provincial Water Quality Objectives. The agencies confirmed that is the intention, so the criteria will be revised to make it more explicit.
- The group considered combining this BUI with the “Aesthetics” BUI, but in the end decided to keep them separate.

Beach Closings

- The group agreed to remove option iv, as it veers too much away from the original issue.
- The City asked for the paragraph on Stormwater Management Master Plan be removed to avoid any future confusion.
- First Nations are not reflected as they are not covered by APH’s Beach Warning Program. Mark will discuss this with Garden River First Nation and Health Canada.

Degradation of Aesthetics

- Included this BUI while discussing the “Eutrophication and Algae” BUI. BPAC decided that they are comfortable with both BUIs, and to keep them separate.

Loss of Fish and Wildlife Habitat

- Need to define or remove “compares favourably with” in the delisting criteria, because it is too ambiguous
- BPAC recommends separating this BUI up into sub-components and define the specific actions needed for delisting better.
- The Flora and Fauna Task Team created some comprehensive suggestions, BPAC suggests we need to look back at their documents and figure out feasible actions – such as those relating to rapids habitat
- The group felt this BUI needs more work on the wording (including the protection of existing wetlands/other habitat within the AOC).

5. Office Reports

- Corrina spoke to the update that Dr. Zimmerman sent earlier in the day: the BPAC will have a BPAC table at the ARL/powerplant open house.
- Since there was no “Environmental Summit” this year, they will be producing an updateable summary of environmental projects in the Sault area.

6. Agency Updates

- Update on the Little Rapids meeting earlier today from Matt Doss (GLC): turnout was good. A few BPAC members were present. The GLC has a partnership with NOAA that is being used to implement high priority habitat restoration projects within the AOC. It is being funded by the Great Lakes Restoration Initiative. They are currently in the implementation stage. The primary local implementation partner is the Chippewa County Road Commission (who own the site). Also working with the Planning Commission for public consultation and outreach, and LSSU’s Aquatics Lab is doing the monitoring. The Road Commission has a Request for Qualifications out for potential bidders. They hope to have proposals in for the fall, and to select a contractor to finish the design for construction by the end of the year, and go to construction next spring.

7. Memberships

- Two people have sent in application letters to become BPAC members, but they are not present at the meeting so this will be deferred until they are present.

8. New Business

- Mike shared a Toronto Star article from Nov 8, 2013 entitled: “Ontario must ban SLAPP suits to protect free speech”. Article available here:
http://www.thestar.com/opinion/commentary/2013/11/08/ontario_must_ban_slapp_suits_to_protect_free_speech.html

9. Public Comments

- None.

10. Next Meeting

- Date in September to be determined. Will send out Doodle Poll.

11. Adjourned @ 9:40 pm.