

# St. Marys River Binational Public Advisory Council (BPAC)

## Meeting Minutes

**Place:** Bioscience and Technology Convergence Centre, Boardroom BT 202, Algoma University  
Sault Ste. Marie, Ontario

**When:** March 27<sup>th</sup>, 2012  
6:00 – 8:00 p.m.

### 1. Call to order/introductions

**Present:** Corrina Barrett, Nancy Griffin, Marcus Scornaienchi, Klaas Oswald, Marilyn Burton, Don Elliot, Lorelei Premo, Kira Fry, H. Max Cox, Don Marles (Chaired meeting)

**Regrets:** Greg Zimmerman, Paula Antunes, Amanda Bosak, Al Wright, Charlene Katzenback, Crystal Bole, Trisha Westman, Mike Ripley, Dave Samp

**Guests:** Katie Williams, Jason Bertrim, Peter Gagnon

### 2. Approval of Last Meetings Minutes

- Feb 7, 2012 – Deferred.

### 3. Office Reports

#### **Environmental Summit**

Went very well, thank you to all who helped put it on / participated. Schools section had to be cancelled unfortunately, but a children's section was set up with 8 or 9 centres borrowed from the RCA, and was quite well attended.

#### **Ashmun Creek Task Group Meeting**

Meeting went well. Mike, Amanda, Crystal, and Kathy Brosemer were all in attendance. Maybe they can speak more to this meeting at the next BPAC meeting.

#### **Pac Support Grant**

Was submitted and should hear results in a week or so.

#### **Amanda and Greg participated in a conference call with the Federal Government (U.S.)**

The Feds explained that they will be directly funding priority projects. Our understanding is that assuming the little rapids feasibility study comes back positive, we're on track for implementation funding in that next cycle, provided there is money available from the Feds.

#### **Stakeholder outreach for Sugar Islanders regarding Little Rapids (meeting on March 29<sup>th</sup>)**

To address some of the concerns (some founded, some unfounded) of the islanders. Some people seem to think that we're rerouting the ferry or something. Speaking of Little Rapids, things are starting to come together. The vendors have been selected for the environmental assessment, and for the engineering and design work. Turns out that it will be the same firm that is already on the project for hydrology modelling -- URS. We should see things moving along soon.

#### **SPAC Teleconference**

Greg participated in a teleconference for the SPAC. The next SPAC meeting is 30/31 of May at Higgins Lake (DNR's RAM center). Greg has a class that Wednesday but would like to go for the Thursday session. Someone else can go as well (funding for two people) so if someone can go that'd be great, especially if they are available for just Wednesday or for both Wednesday and Thursday. In addition to the usual SPAC business, the discussion will be on building stakeholder connections.

### **St. Marys TMDL E. coli meeting** (took place on March 20<sup>th</sup>)

Greg and Amanda went to the TMDL meeting. Greg thought it was useful. He mentioned that he now understands that it's not a TMDL like he used to think of a particular number of how much we're allowed to put in a water body. Instead they mean it as a process and project. Their report will help identify sources and potential remedies so that will help us in our tributary work, and help make the case for funding.

#### **4. Agency Updates - attached**

#### **5. Presentation - attached**

- Peter Gagnon of the Pointes Protection Association provided an update on the Pointe Estates Development Proposal as well as the associations activities.
- The area being proposed for the development is currently a 120 acre wetland (as defined and agreed upon in the laws/plans of the City of Sault Ste. Marie). It is also surrounded by adjacent wetlands which total approximately 200 acres.
- The area is a coastal wetland, of which only 5 exist on Lake Superior.
- Wetlands are key to dealing with phosphorus loading, and testing in the area shows that phosphorus is already 5 times higher than the Provincial Standards.
- The existing wetland classification needs to be reviewed as this area is only a few points short of being designated a Provincially Significant Wetland (need 600 points and currently at 520). This was a review done by the proponent and reviewed by the MNR.
- Originally the RCA denied the proponents application. The proponent appealed the decision, and so the RCA hired Mr. Breen to prepare an evaluation of the proposed Pointe Estates Development (summary in attached documents). It found that the “legal proceedings against the SSMRCA were baseless”.
- Changes in the RCA board membership have caused the delay of the appeal of the RCA decision to deny the application. The RCA have allowed the developer an opportunity to submit a proper hydrogeological study. The study was reviewed by the RCAs staff engineer, and responded with recommendations that the developer must follow in an acceptable plan. To date no plan has been forthcoming from the developer.
- The Pointes Protection Association (PPA) has written a number of letters to the Mayor and City Councillors outlining their concerns with certain members of the RCA board. Letters have also been written to the Minister of Natural Resources, Conservation Ontario, the MP and MPP, as well as the MOE, DFO, APH, and City staff members. The MNR responded that it is a City responsibility, and the City responded that they would advise their members of the RCA.
- The PPA met with the Lake Superior Conservancy to discuss possible opportunities to collaborate. They also prepared a report and submitted it to Dr. Patricia Chow-Fraser (considered National expert on wetlands), asking her to review the wetland evaluation prepared by the developer and the subsequent review undertaken by the OMNR (awaiting her results). The PPA had their own independent review done and paid for through Beacon Environmental (considered the Provincial expert on wetlands). Beacon looked at the evaluation, did their own review, and found that the wetland is provincially significant. The PPA presented this to the OMNR, but the OMNR is sticking to their original decision.
- For more information on the PPA, please visit the website [www.pointesprotection.org](http://www.pointesprotection.org).

#### **Questions**

- Klaas motioned for a resolution on behalf of BPAC to continue to support the PPA in maintaining the Pointes as a wetland.
- Possible wording: Continue our support of the first resolution; we are concerned that the Pointe Estates hasn't been put to rest, and that the area hasn't been positively set aside and protected.
- Klaas would like to see something forwarded to the RCA on the importance of the wetland and having it stay intact (undeveloped), as it is significant/important to the health of the St. Marys River.
- Motion was seconded by Nancy Griffin. All in favour.

### **Outstanding Action**

- Klaas, Marilyn and Don to draft a letter to send off to the RCA.

### **6. Public Comment**

Guest Comment:

- None.

Member Comment:

- In relation to the remedial work done at A&M Marine last summer: at a meeting last year the construction foreman had discussed the fabric curtain designed to contain the suspended solids, and at some point in time there was a breach of this curtain. Would like the government agency / contractor to give us something on what exactly happened, was there a spill / how much went into the St. Marys River, the volume of the spill, what it consisted of, and whether or not is it considered significant. Would also like to know what the “lessons learned” were with respect to work done on the St. Marys River, and what would they have done differently to stop this from happening.

### **Outstanding Action**

- Don to follow up and find out which agency is accountable in this situation.

### **7. Memberships**

- For new members, applications must be received & prospective members present for confirmation – standard procedure.

### **8. New Business**

#### **Report on the Lake Superior Binational Forum – Klaas spoke to**

- EC informed that the Canadian portion of the Forum will no longer be funded.
- The Forum continues to write letters to try and have funding reinstated but there has been no change in the decision at this time.
- Klaas also mentioned that the Clean Water Agreement between Canada and the U.S. is well on it’s way and that the draft should be out soon.

### **9. 2012 Executive Elections**

Deferred to next meeting.

### **10. Next Meeting**

- Date to be determined – send out **doodle poll** for end of April / early May.

### **11. Adjourn**