

**St. Marys River Binational Public Advisory Council  
Minutes of Meeting**

**Place:** Alumni Room, Cisler Center  
Sault Ste. Marie, Michigan

**Time:** Monday, May 6, 2002  
7:00 - 9:00 p.m.

**Binational Public Advisory Council Members Present**

John Bain - Ontario  
Marilyn Burton - Michigan  
Kara Flannigan - Ontario  
Dr. Barb Keller - Michigan  
Don Marles - Ontario (BPAC Chair)  
Mike Ripley - Michigan  
Dr. Greg Zimmerman - Michigan

**Guests**

Art Ostaszewski - Michigan Department of Environmental Quality

**Regrets**

James Dukes - Ontario  
Jennifer Manville - USEPA  
Martin McPherson - Ontario  
Mary Rossiter - Ontario  
Rod Stewart - Ontario Ministry of the Environment

**1) Opening Remarks by the Chair**

Don Marles, as Chair, welcomed everyone and then announced regrets he had received. He apologized for the delay between meetings but indicated that there were circumstances beyond his control that prevented scheduling an earlier meeting.

**2) Approval of Meeting Minutes**

It was moved by Marilyn Burton, seconded by Dr. Barb Keller, and carried, that the minutes of January 14, 2002 , be approved as circulated.

**3) Business Arising from January 14, 2002 Minutes**

There were no business items arising from the January 14, 2002 minutes requiring discussion.

**4) BPAC Office Update**

Dr. Zimmerman indicated that the BPAC Office had received renewed funding through the Great Lakes Commission. The funding will be available until the first of September and must be committed by then. A new student Shannon Becker (in Biology) has been hired to help in the requirements of the BPAC office. One of Shannon's responsibilities will be to help plan the second Environmental Summit which is tentatively planned for October.

Professor Ron Schott has been generous with his time in developing the BPAC website.

Dr. Zimmerman also reported that the BPAC Power Point presentation is finalized and is available for distribution.

**5) OPAC Report**

John Bain indicated that the Federal government is continuing to cut back on funding. As a result, the OPAC telephone conferences are scheduled less frequently than previously and now occur every month or two.

On June 23-28 there will be a Coastal Zone Conference and OPAC hopes it can be involved. Pollution Probe is requesting funding to support having one or two representatives from each of the AOCs to attend the conference. John indicated that he will not be available but has recommended that Don Marles and Mike Ripley be the St. Marys River BPAC representatives.

**6) Agency Reports**

**6.1) Michigan Department of Environmental Quality - Art Ostaszewski**

Art Ostaszewski reported that the State of Michigan has implemented an early retirement incentive package for its civil servants. This is a cost saving program. Art indicated that the incentive may result in approximately 8000 staff retiring but government will only be rehiring at a 1 for every 4 retirements ratio. He said the Remedial Action Plan Program may not be as adversely affected as compared to other programs where the anticipated retirement levels are significantly higher.

There may be additional implications as a result of the early retirement package. Art indicated that 6 of 9 Division Chiefs are planning to retire. With this degree

of senior management change, there may be a re-organization of MDEQ. Involved could be a collapsing of the number of divisions and this in turn might result in the Remedial Action Plan Program being relocated into another division.

Art also indicated that program funding will likely be stable for the next funding period. EPA funds will be available but this was a concern initially. BPAC funding might be available through uncommitted Great Lakes Commission funds. The St. Marys BPAC might want to propose the need for extra funding for the website development as well as funding for a public forum tied to the St. Marys AOC.

New publications are available. Art cited the following new releases: the Annual 2001 Report of the State of the Great Lakes, the Great Lakes Strategy - 2002 - A Plan for the New Millennium, and Restoring United States Areas of Concern - Delisting Principles and Guidelines. For each publication he provided the location of the respective websites. Art briefly described the contents of each report. He said Restoring United States Areas of Concern indicates that it may be able to delist geographic portions of the AOC where problems do not occur.

Also in connection with the Restoring United States Areas of Concern report, Marilyn Burton said that the delisting criteria associated with contaminated sediments and our knowledge of these materials in the St. Marys River was a concern for her. She indicated that on the St. Marys River, we have focussed our attention on contaminated sediments located at the known point sources but we have very little knowledge of what exists downstream. She would not be in favour of delisting geographical portions of the River unless scientific knowledge could confirm it.

Dr. Barb Keller indicated that Lake Superior State University presently has a proposal with the US EPA to look at downstream portions of the St. Marys River through a drill core sediment assessment program. Art agreed that contaminated sediments are a major concern. He had hoped to talk to Rod Stewart about the possibility of a similar drill core sediment assessment study downstream on the Canadian side of the St. Marys River. John Bain indicated that he thought there was a report to be produced as a result of sediment cores obtained through Dr. Peter Kauss's (Senior Environmental Scientist - Great Lakes) study of the river. There was a concern however since Dr. Kauss had retired from the Ministry of Environment. Don Marles agreed to follow up and ask about the status of the study

**Action item:** Don Marles to request the availability of the sediment sampling and contaminated assessment program undertaken by Dr. Kauss in 1999.

## 7) **New Business**

**7.1) Statewide Public Advisory Council meeting in Sault Ste. Marie, Michigan - June 6-7**

Mike Ripley reported that the 4 Party representatives would also be attending the scheduled Statewide Public advisory Council session here in the Sault Ste. Marie, Michigan and there would be a workshop dealing with communication between the public and the agencies. The workshop is scheduled for Friday June 7 from 2:30 - 5:00 pm. (Art Ostaszewski explained that the 4 Parties were made up of the US EPA, MDEQ, Environment Canada, and OMOE with responsibilities for the binational connecting channels AOCs. The 4 Parties guide the relationships between the concerned agencies. They act as an overseeing board of the actions being undertaken. The water bodies involved in the 4 Party agreement consist of the Detroit River, St. Clair River, Lake St. Clair, and the St. Marys River. Art agreed to send a copy of the 4 Party Agreement to Don Marles.) Mike explained that this Joint Session workshop would involve senior managers from the 4 parties and should be considered a key session. Mike has requested that a BPAC representative be included in the session.

**7.2) “Community Health Profile of Windsor, Ontario, Canada: Anatomy of a Great Lakes Area of Concern” report by Michael Gilbertson and James Brophy**

Don Marles indicated that a similar report to the Community Health Profile statement that was done for Windsor should also be done for Sault Ste. Marie. Dr. Greg Zimmerman said Michael Gilbertson is prepared to come to Sault Ste. Marie to discuss the approach that might be taken. Required would be the synthesizing information contained in the report “ Health - Related Indicators for the Great Lakes Basin Population “ - St. Marys River component.

**7.3) East End Sewage Treatment Plant Update**

Don Marles reported that the City of Sault Ste. Marie has agreed to provide an update to BPAC on what is occurring with the East End Sewage treatment plant improvements. Unfortunately there has not been follow-up. City Engineering staff have indicated that the final report is not complete. Kara Flannigan said she would talk to the City Engineer directly to see if the update will be available in the near future.

**Action item:** Kara Flannigan to speak to the City Engineer to obtain an update on the status of the East End Sewage Treatment Plant improvements.

**7.4) IJC Questionnaire to evaluate progress in RAP development and implementation**

Mike Ripley, Dr. Greg Zimmerman and Don Marles have been contacted by a consultant hired to evaluate the participation of the PACs and the progress being

made with respect to the development of the RAPs and their subsequent implementation.

Don Marles indicated that he was interviewed for approximately one hour by the consultant. Don read several of the questions to provide the BPAC members with an indication of the kinds of questions being asked.

**7.5) Release of "State of the Great Lakes Annual Report 2001"**

As was indicated previously by Art Ostaszewski, the State of the Great Lakes Annual Report for 2001 has been released. Mike Ripley provided copies of the report to BPAC members.

**7.6) Conference on Drinking Water in Northern Ontario**

Don Marles and James Dukes attended the 2 day conference. Don indicated that this was a very important conference. One of the areas discussed at the conference was the increased number of new legislation that pertains to rural areas. In particular, commercial tourist operations will be required to comply with specific requirements when drilling for water in order to obtain a new water supply. Another area that was covered was the haulage of liquid sewage by trucks and how the material was being processed or not. Don cited an example where contaminated liquid sewage was secretly being introduced into an open tank at the East End Sewage Treatment Plant without authorization.

**7.7) Election of Officers**

The following elections occurred:

**Chair, US member: Dr. Greg Zimmerman** (nominated by Mike Ripley, seconded by Marilyn Burton)

**First Vice Chair, Canadian member: Don Marles** (nominated by John Bain, seconded by Marilyn Burton)

**Second Vice Chair, US member: Mike Ripley** (nominated by Marilyn Burton, seconded by Dr. Barb Keller)

**7.8) Election of representatives to SPAC**

The following elections occurred:

**Primary representative to SPAC: Mike Ripley** (nominated by Marilyn Burton, seconded by Dr. Barb Keller)

**Alternative Representative:** this position was not filled and will be tabled for the next BPAC meeting. Mike Ripley will contact other Michigan members of BPAC to determine if there is an interest in letting their name stand for the position.

**Action item:** Mike Ripley to canvass Michigan BPAC members to determine interest in being an alternative representative to SPAC

## 7.9) Memberships

Don reported that Mary Ann Harrington will be replacing John Campbell as Chippewa County's official representative on the St. Marys BPAC. To formally endorse the change, Marilyn moved that Mary Ann Harrington be accepted as a member. This was seconded by Barbara Keller and subsequently endorsed by the BPAC members present.

Don said that he has blank applications for new members and would make these available for further recruitment.

He reported that under the BPAC bylaws, a member who misses 3 BPAC sessions in a row, will be contacted to determine if they wish to retain their membership on BPAC. Don reported that Walter Sarich and Patrick Egan should be contacted in this regard. Don Marles agreed to contact Walter and Mike Ripley agreed to contact Patrick.

**Action item:** Walter Sarich and Patrick Egan will be contacted by Don Marles and Mike Ripley respectively regarding their interest in continuing to be members of the St. Marys River BPAC.

## 7.10) Additional items

Marilyn Burton indicated that she had a concern with the Perrier ground water withdrawal that is occurring north of Grand Rapids. She reported that significant amounts of ground water is being used and this could lower the water levels in adjacent wells. Art Ostaszewski said the Michigan Department of Environmental Quality has investigated and studies that been undertaken revealed that the ground water levels will not be significantly reduced.

Art Ostaszewski asked when the Stage 2 RAP document would be formally released. Don Marles reported that no date has been given and this might have been affected by the Provincial Civil Service strike. Don also indicated that it was his hope that BPAC would be involved in the release. Art said he would like to have one of the IJC members involved. An ideal time for a release might be during the June 6-7 SPAC session when the IJC and Senior 4 Party representatives are present.

Marilyn Burton and Don Marles both indicated that BPAC needs to be consulted about the acceptance of the Stage 2 RAP. (BPAC has not accepted the Stage 1 RAP report.)

## **8.0 Next Meeting**

A tentative meeting date was agreed upon: **Monday September 9, 2002** and the meeting will occur on the Canadian side.

## **9.0 Closing remarks and turn meeting over to new chair**

Don Marles summarized the activities that the St. Marys BPAC had been concerned with over the past year. He thanked the members for their support. The Stage 2 RAP draft was seen as a definite advancement. Also very positive was a stronger working relationship with Environment Canada. BPAC also contributed to raising concerns about the need to upgrade the East End Sewage Treatment plant from a primary to a secondary treatment level.

Dr. Greg Zimmerman thanked Don for all of his efforts during the year. He identified his goals for the upcoming year as providing pro-active advocacy on both the contaminated sediments and wetlands as issues. He also said that BPAC will continue to push for action on the East End Sewage treatment plant. Having made these remarks Dr. Zimmerman, as the new Chair of the St. Marys River BPAC, adjourned the meeting.