

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

Place: Cisler Center (Lake Superior State University)
Sault Ste. Marie, Michigan

When: September 4th, 2013
6:30 – 8:30 p.m.

1. Call to order/introductions

Present: Corrina Barrett, Mike Ripley, Lorelei Premo, Barb Keller, Bretton Joldersma, Paula Antunes, Kristina Denison, Chris Graham, Greg Zimmerman, Klaas Oswald, Gary Leith, Crystal Bole, Catherine Taddo, Martha Scott

Guests: Pedro Antunes (Algoma U), Sheri Glowinski (LSSU Professor), Cody Jodoin (LSSU Student), Jess Haller (LSSU Student), Addie Dutton (LSSU Student), Benjamin Osterland (LSSU Student), Justin Thompson (LSSU Student), Michelle Kane (LSSU Student), Devin Daly (LSSU Student), Unai Miguel Andres (LSSU Student), Jacob Northuis (LSSU Student), and Nathan Rapp (LSSU Student)

Regrets: Trisha Westman, Kira Fry, Donald Marles

2. Approval of Last Meetings Minutes

- June 19th, 2013 adopted.

3. Business arising from previous minutes

- Klaas Oswald wrote a draft letter on behalf of the BPAC to the Ontario Minister of Natural Resources and the Ontario Municipal Board regarding Proposed Pte. Estates development and Bill 6.
 - The Pointe Estates matter is making it's way to the Ontario Municipal Board.
 - This letter was written urging the Minister to look into recounting the wetland's significance value, as there are some "species of interest" within the wetland, including Bald Eagles and Black-crowned Night Herons.
 - This is also one of the few remaining intact coastal wetlands within the AOC, and a goal of the RAP is to increase (or at the very least sustain) wetland area within the AOC, not decrease it.
 - Barb Keller motioned that Klaas be allowed to sign the letter on BPAC's behalf. Lorelei Premo seconded it. All in favour. Motion Passed.
 - This item to stay on agenda until a follow-up is available.
- Meeting with EDC to discuss deep water port: Lorelei Premo volunteered to send out some emails and see if she could come up with some concrete information pertaining to the deep water port.
 - This item to stay on agenda until more information becomes available.
- Should BPAC schedule a meeting with the Sailing Club to discuss their plans?
 - The Commodore has informed us that they received a Trillium grant application that was successful to do a survey of the area for depth, bottom composition, and to better outline what the cost of dredging would be. There are no further plans to dredge at this time.

4. Presentations

a) Discuss draft removal recommendation documents for the Aesthetics and Bird and Animal Deformity BUI's – Bretton Joldersma, MDEQ

Aesthetics BUI

- BPAC asked for additional information regarding the Aesthetics BUI before they could make a decision. The MDEQ provided the BPAC with a summary of the removal recommendation, which included data

from past studies (such as the work done by the Sugar Island Monitoring Workgroup). They also contacted the Chippewa County Health Department to see if they had any relevant information or data from the 2013 beach season, and the CCHD had not received any complaints of floating solids at Sugar Island or any other location within the AOC in 2013. The MDEQ feels that this information strongly supports the conclusion made after the 2011 and 2012 monitoring cycles that there is no longer an aesthetic impairment in the AOC.

- Greg Zimmerman motioned to move forward with the removal of the Degradation of Aesthetics BUI (for Michigan). Barb Keller seconded. All in favour. Motion Passed.
- BPAC to provide a letter of support. The chair emphasized that they would like to see both sides of the river delist at the same time. (Martha and Corrina informed the group that funding has come through for the water quality sampling project, but that the project is three years long, so the Canadian side will not be delisting for awhile yet).

Bird and Animal Deformities BUI

- As was presented at the June 19th BPAC meeting, based on the review of the data and input from the DEQ Water Resources Division, the MDEQ AOC program is recommending the removal of the Bird and Animal Deformities or Reproductive Problems BUI. The MDEQ is requesting a letter of support from the BPAC to that affect.
- Klaas Oswald motioned to move forward with the removal of this BUI (for Michigan). Greg Zimmerman seconded. All in favour. Motion Passed.
- BPAC to provide a letter of support.

b) Overview of Canadian Implementation Annex – Corrina Barrett, Algoma U

- Corrina gave a preliminary presentation on the Annex and how to understand it / read through it.
- Presentation can be found on the BPAC website.
- Ultimately looking for feedback on the Implementation Annex from the BPAC.
- Deadline for comments is October 11th, 2013.
- Corrina will create a Dropbox account for BPAC members and will upload the Annex there for members to access and comment on. A follow-up email will be sent to members by the end of the week with instructions and details on how to access the Annex.
- Corrina will summarize the feedback for discussion at the next meeting. A plain language summary will be produced once the document is finalized.

5. Office Reports

6. Agency Updates

- 4-agency update is attached.
- USGS update on tree swallow study – Crystal Bole gave an update on the preliminary results, and the update is attached. You can also visit the project website: http://www.umesc.usgs.gov/wildlife_toxicology/glri_project80.html for more information on what was found.

7. Memberships

- Martha Scott is interested in becoming a BPAC member, and so is Dr. Pedro Antunes. Corrina to send them both the template letter to fill out.

8. New Business

- **Environment Canada RFP for Rapids Habitat Creation/Augmentation** – has been circulated to the group already. Please share with anyone who may be interested in undertaking this work.
- **Opening of Compensating Gates**
 - http://ijc.org/en/_ilsbc/news?news_id=125 (article on compensating gates released September by IJC)

- http://ijc.org/en/_ilsbc/news?news_id=127&myID=1 (article on compensating gates released October 2 by IJC), Canadian contact is Jacob Bruxer Jacob.Bruxer@ec.gc.ca
 - Updates on Lake Superior Outflows can be found at: http://ijc.org/en/_ilsbc/Other_Documents
- **Upcoming Water Quality Study through Algoma U** – funding has come through and Algoma U will be conducting a dry run this fall. Next year and the following year will include 24 sampling periods with a full suite of water quality parameters being tested. This study is addressing both the Aesthetics and Eutrophication BUIs.

9. Public Comments

- Sheri Glowinski to send some references related to academic research/literature that is putting numbers to the values of ecosystem services associated with wetlands (American funds).

10. Next Meeting

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

11. Adjourn

Four Agency Report to the St. Marys River BPAC Meeting
September 4th, 2013
Cisler Center, Lake Superior State University, Sault Ste. Marie, MI

Ontario Ministry of the Environment

- Degradation of Aesthetics and Eutrophication/Undesirable Algae BUIs: The MOE and EC are preparing possible funding agreements with Algoma University to support a 2+ year effort to collect and analyze water quality data and review relevant literature to advance the delisting of the two BUIs for the Canadian portion of the AOC. As proposed, the work will include the development, testing and implementation of a sampling protocol to collect and process water samples from five locations along the river and have them analyzed for a suite of physical/chemical properties relevant to the two BUIs.

Environment Canada

- Loss of Fish & Wildlife Habitat and Degradation of Fish/Wildlife Populations BUIs: This July, EC completed Year 3 fieldwork for its 5-year assessment of wildlife populations and habitat within the AOC. The study is examining the state of marsh birds and amphibians (as indicator species) and coastal marshes in 8 AOC and 4 non-AOC reference sites to assess the current state of the two BUIs.
 - In response to a question asked at the *June 19 BPAC meeting*: the Pointe Louise area was visited only briefly to confirm that wetland was dominated by swamp. Since EC's study is employing a *marsh* monitoring protocol that is not suitable for surveying *swamps*, the Pointe Louise wetland is not included in the 5-year assessment. This is not a commentary on the ecological significance or insignificance of that particular wetland. No such evaluation has been made by EC.
- St. Marys River Rapids Habitat Feasibility Study: On July 31, EC initiated a request for proposal process to solicit bids for undertaking a study on the physical, ecological and economic feasibility of undertaking actions FF-6 c and f (creating new or augmenting existing rapids areas in the St. Marys River) and FF-6e (creating wetlands in association with the existing Big Rapids), as outlined in the Stage 2 RAP report. Proposals are due September 10. The study area will focus on the Canadian side of the river, and will seek to include the "Big Rapids" area near Whitefish Island, the northern shoreline of the river downstream of the "Big Rapids", and tributaries to the St. Marys River including Big Carp River, Fort Creek, Root River, Garden River, Echo River and Bar River. The study results (expected March 2015) will support future discussions with the RAP Implementation Committee and BPAC regarding the prospect of creating and/or restoring rapids habitat in the AOC.
- Bird or Animal Deformities or Reproductive Problems BUI: As presented at the June 19 BPAC meeting, EC's 2-year study of bird deformities, contaminant levels and reproductive health reached the preliminary conclusion that there is little evidence of impairment in colonial waterbirds [herring gulls and common terns] attributable to local contamination effects within the AOC. Additional chemical analysis to confirm this is expected in October.

Michigan Department of Environmental Quality

- Little Rapids Habitat Restoration Project: On July 2, 2013, the Chippewa County Road Commission voted to support moving forward with the Little Rapids Habitat Restoration project. The project team had a pre-permit application meeting on July 23, 2013 with the IJC, USACE, and MDEQ. At this time the project team is aiming to submit permit applications by mid-September.

- Aesthetics BUI: The MDEQ reviewed the Sugar Island Monitoring Work Group's 2009 and 2010 reports. In 2008 and 2009, during the Work Group's intensive monitoring efforts, there were only 4 events (2 per year) of un-natural debris that were of local concern. According to the Chippewa County Health Department, as of August 1st, 2013, they had not received any complaints of debris within the St. Marys River or on Sugar Island. These additional lines of evidence support the finding from Michigan's 2012 Aesthetics BUI statewide assessment, which found that the Aesthetics BUI is ready to be removed from Michigan's portion of the AOC.
- Bird or Animal Deformities or Reproductive Problems BUI: On June 19, 2013, the MDEQ presented the results from the statewide assessment of the Bird or Animal Deformities or Reproductive Problems BUI. The statewide assessment found that this beneficial use was not impaired and that the BUI is ready to be removed from Michigan's portion of the AOC. This finding is supported by the preliminary data from the Canadian Tern study.
- Fish Tumors: The DEQ is waiting for the fish tumor report to be finalized. Preliminary data suggest that Michigan's restoration criteria are being met and that no reports of fish tumors or deformities due to chemical contamination have been reported to the MDEQ or MDNR in the past 5 years. However preliminary data from a Canadian fish tumor study indicates that the Canadian restoration criteria are not being met.