

# St. Marys River AOC BPAC Meeting Minutes

**Place:** CC202, Algoma University  
Sault Ste. Marie, Ontario

**When:** Wednesday October 2, 2019  
6:30 – 8:30 p.m.

## Call to order/introductions

<b>BPAC Members</b>	Mike Ripley, Klaas Oswald, Don Marles, Mary Rossiter, Aubrey Maccoux-Leduc, Paula Antunes
<b>Agency Reps</b>	Catherine Taddo (City), Lisa Derickx (Algoma U), Gurpreet Mangat (ECCC)
<b>Guests</b>	Joannie McGuffin, Peggy Lauzon, Peter Greve
<b>Regrets</b>	Kristen Sherlock, Brian Wesolek, Jessica Wesolek, Jim Dukes

## Approval of Last Meetings Minutes

- June 5, 2019 – Approved as presented

## Presentations

- Status of *Restrictions on Dredging Activities* BUI on the Canadian side of the AOC – Lisa Derickx, Algoma University
  - Draft report will be sent to BPAC members for comments/edits.
  - In the past, dredged material was often disposed of in open water under the provincial guidelines for *Open Water Disposal of Dredged Spoils*. Open water disposal was a preferred method of managing dredged sediment as the costs were low compared to other disposal options.
  - It was the additional *financial cost* associated with disposing the contaminated dredgeate on land (instead of freely in the open waters) that was considered the impaired beneficial use.
  - Today, due to the inherent environmental impacts open water disposal places on local aquatic habitat (i.e., smothering habitat and aquatic biota), the practice is highly discouraged on the Canadian side of the St. Marys River.
  - Given the potential for ecological impacts associated with open water disposal of sediment, viewing this as a “beneficial use” is contrary to the spirit and intent of the AOC program to restore environmental quality and ecosystem health.
  - As such, new options for the management of dredged sediment have been developed.
  - On-land disposal of dredge materials is a relatively efficient and low-cost approach and has been the effective, local practice for many years.
  - There are no additional costs associated with dredging in the AOC compared to other locations on the Great Lakes.
  - The current, updated delisting criterion for the *Restrictions on Dredging Activities* BUI states: *“This beneficial use will no longer be considered impaired when administrative controls and other regulatory procedures are in place within the Area of Concern that provide guidance and oversight for dredging proponents and permitting agencies in the planning and undertaking of dredging activities, including mitigating measures to reduce negative impacts. Such guidance*

*will be made clear in a multi-agency Dredging Administrative Controls document that will be part of a broader sediment management plan for the Area of Concern”.*

- The *St. Marys River Dredging Administrative Controls document* (2016) is a tool that provides guidance to proponents considering dredging projects in Canadian waters of the St. Marys River, and encourages coordination and cooperation among the different authorities and government agencies that have a responsibility in the approval, permitting and planning process. For proponents considering dredging projects, the document provides a list of approvals that need to be obtained, describes the process by which to obtain approval for dredging activities, things to consider before submitting an application and avenues for obtaining additional information.
- The Dredging Administrative Controls document satisfies the updated delisting criteria for this BUI. That is, it “...provides guidance and oversight for dredging proponents and permitting agencies in the planning and undertaking of dredging activities” as called for in the delisting criteria. It is a standalone initiative that will continue to guide dredging proponents. As the delisting criteria states, the dredging guidance it provides will be reflected in the broader Sediment Management Strategy
- Questions: Who have oversight in areas beyond the Conservation Authorities Jurisdiction?
  - Proponents must apply for permits through the MNR in these areas.
- **ACTION ITEMS:** We are recommending that the *Restrictions on Dredging Activities* BUI be changed to a “not impaired” status and are requesting a letter of support from BPAC. The draft report will be sent to BPAC for review and edit.

## **Agency Updates**

### **Environment and Climate Change Canada (ECCC)**

As discussed at the March 2019 BPAC meeting, ECCC commissioned an updated “Conceptual Site Model” to inform the development of a contaminated sediment management strategy for the Canadian side of the AOC. The CSM provides an organized framework for understanding and communicating current conditions in the river relative to the potential for contaminants to interact with humans and the environment, in order to aid effective decision-making. The CSM summarizes site-specific state of contaminant sources, fate, transport, and potential exposure of receptors to determine risk to human health and the environment. The document is currently under review, and will be presented and discussed with BPAC later in 2019.

### **Ontario Ministry of the Environment, Conservation and Parks (MECP)**

The MECP has initiated discussions with Algoma University to enter into a funding agreement to provide RAP Coordination Services for the remainder of the fiscal year. This will help supplement funding already secured from ECCC to coordinate stakeholder involvement and the implementation of priority actions for Stage Two of the St. Marys River RAP and conduct associated stakeholder involvement and communication activities to raise local and regional awareness.

### **United States Environmental Protection Agency (USEPA)**

Please see the exciting news from EGLE below regarding the removal of two BUIs on the US side on September 23, 2019! Congratulations to the St. Marys River AOC!

## **Michigan Department of Environment, Great Lakes, and Energy (EGLE)**

On September 16, the State of Michigan sent a request to EPA's Great Lakes National Program Office for concurrence on the removal of the Loss of Fish and Wildlife Habitat and Degradation of Fish and Wildlife Populations Beneficial Use Impairments from the US side of the St. Marys River Area of Concern. There was a public comment period on the proposed BUI removals August 2-30. No comments were received. On September 23, the request was approved. These two beneficial uses have been restored!

Just 3 BUIs remain on the US side: Restrictions on Fish Consumption, Fish Tumors or other Deformities, and Degradation of Benthos. Additional fish were collected in 2019 to re-assess the status of the fish consumption impairment. Data from that effort are expected in the Spring of 2020.

A sampling plan is under development for the former Cannelton Industries Tannery site to verify that remediation is complete. This monitoring effort is expected to occur in 2020. That work will inform next steps related to the Benthos BUI on the US side.

### **New Business**

- Summary of past AOC conference in Cleveland, Ohio
  - The Cuyahoga River AOC – nice to see economic and recreational revival in this area.
  - Interesting talks on the economic benefits of cleaning up an AOC.
  - Funding available from the Great Lakes Commission for travel to this conference.
- SPAC meeting update – July 2019 in Houghton, Michigan
  - Doctoral student looking at old public engagement articles relating to AOCs and comparing if there are differences relating to public engagement today.
  - Public open houses found to be best way of engaging people (ie. as compared to factsheets, emails, etc.)
- Ferrochrome smelter – discussion
  - Public meeting update
  - Concerned citizens meeting at the Water Tower Inn with ~300 people in attendance.
  - Twenty-two doctors in SSM wrote a letter cautioning about the potential smelter.
  - A petition was started in August was reaching 9000 signatures.
  - Concern over the amount of money that has been spent to clean up the AOC and hoping that the smelter won't negate all the work that has been done.
  - Has become a large issue on social media (ie. Facebook).
  - Caution was raised regarding the fact that not all the information is in yet. Should wait and see what the company proposes before a decision is made. No mines have been opened, no railway created, no infrastructure. The company has not shown any plans yet or the steps they propose.
  - October 23 is Noront's open house (time and location to be announced).
  - It was discussed that there is no requirement for an Environmental Assessment at the federal or provincial level.

### **Memberships**

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