

# St. Marys River AOC BPAC Meeting Minutes

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

**When:** June 1<sup>st</sup>, 2017  
6:30 – 8:30 p.m.

## 1. Call to order/introductions

**Members:** Paula Antunes, Mike Ripley, Klaas Oswald, Jim Dukes, Mary Rossiter, Alex Whisler, Mike McCarthy, Aubrey Maccoux-LeDuc

**Agency Reps:** Lisa Derickx (Algoma U), Curniss McGoldrick (MOECC), Catherine Taddo (City)

**Guests:** Josh Brooks

## 2. Approval of Last Meetings Minutes

- April 26<sup>th</sup>, 2017 – approved as presented

## 3. Business arising from previous minutes

- **Discussion of Beach Closings Re-designation Report for the Canadian side of the St. Marys River AOC – Lisa Derickx**
  - A preliminary presentation on the Draft report was given at the March 2017 BPAC meeting and comments were gathered from BPAC members in attendance. Since March, comments and suggestions were incorporated into the report and highlighted in an accompanying matrix (see attached).
  - To date, there have been significant accomplishments made that have helped to improve overall water quality and address sources of *E. coli* contamination in the St. Marys River AOC. All remedial actions identified in the Stage 2 RAP report have been completed including:
    - The development of a stormwater management plan for the City of Sault Ste. Marie (Action PS-2)
    - East End Wastewater Treatment Plan upgrades (Action PS-3)
    - Confirmation that the floating masses are predominantly comprised of algae, detritus and pollen, and not a significant source of *E. coli* bacteria (Action NPSM-7)
  - In addition, a multi-year beach water quality assessment was completed in 2016. Results from this study indicate that there are no major anthropogenic sources of bacterial contamination on the Canadian side of the St. Marys River and that the water quality within the St. Marys River AOC is comparable to non-AOC areas. In Sault Ste. Marie, Michigan, the beach closings BUI was removed from the US side of the St. Marys River AOC on July 27, 2016.
  - It is recommended that the status of the Beach Closings BUI be re-designated from impaired to not impaired.
  - BPAC members in attendance vote in favour of drafting a letter of support.
- **MDEQ request for letter of support re: Removal Recommendation for the Restrictions on Dredging BUI (US side)**
  - As discussed at the last BPAC meeting (April), there was concerns about whether one set of samples was enough to warrant redesignating the Restrictions on Dredging BUI from the U.S.

side of the St. Marys River AOC. As a result, BPAC requested additional data from historical sampling. John Riley (MDEQ) provided the additional data and the following information:

- Prior to 2014, the most recent data set collected in the St. Marys River was from 2001, in preparation for navigation channel dredging in the upper part of the river. Twenty sediment samples were collected, beginning just downstream of the Locks and ending just upstream of the Neebish Rock Cut. Those data are available for your review in a report prepared by Altech Environmental Services, dated January, 2002.
  - Of the 20 sediment samples collected in 2001, only one contained elevated concentrations of any contaminants, namely PAHs. The sample site location was at the former Consumers Energy Manufactured Gas Plant (MGP) site. This site was the target of a 2010-2011 Great Lakes Legacy Act cleanup, lead by EPA's Great Lakes National Program Office. Post remedial monitoring of the site indicated that the sediment remediation project was successful and low levels of residual contaminants were contained with 6-12 inches of sand cover.
  - The 2001 sediment data shows no contaminant levels in the navigation channel that would require special handling or disposal requirements. At that time, the sediment quality was such that dredge spoils were eligible for unrestricted upland disposal.
  - Based on sediment data collected from the navigation channel in 2014/2015 and in 2001, and considering the successful remediation adjacent to the former MGP site, Michigan's restoration criteria for the Restrictions on Dredging Activities Beneficial Use Impairment have been met. With this in mind, the Office of the Great Lakes respectfully requested a letter of support from the St. Marys River Binational Public Advisory Council for the removal of the Restrictions on Dredging Activities BUI from the U.S. side of the AOC.
  - BPAC members in attendance vote in favour of drafting a letter of support.
- **Draft letter to USEPA regarding unilateral delisting of the St. Marys River AOC.**
    - A letter drafted by Mike Ripley was circulated to all members of BPAC via email prior to the meeting. Minor comments were received regarding the letter and no issues were raised regarding the contents of the letter.

#### 4. Presentations

- N/A

#### 5. Office Reports

- Ontario:
  - Lisa Derickx (RAP Coordinator) has been part of the Sustain Algoma Expo Planning Committee. The event will take place on Saturday June 3<sup>rd</sup> in the Desbarats Arena. BPAC members are encouraged to attend.
  - A summer employee was hired (Josh Brooks) who will be working on a tributary assessment for the St. Marys River. In particular, Josh will be looking for areas where habitat improvements could be made along 4 tributaries (Bennett, West Davignon, East Davignon and Fort Creek), he will be connecting with the SSMRCA, City and private property owners to assess the feasibility of the suggested improvements, and he will be looking for partnering organizations who could potentially take on the improvement projects.
- Michigan:
  - A little Rapids Celebration event will occur on June 10<sup>th</sup> at Rotary Park located by the Sugar Island ferry. Lots of activities will be taking place including kayaking and paddle boarding. It will be Michigan's free fishing weekend and ferry rides will be free for pedestrians who would like to see the restoration site. BPAC members are encouraged to attend.

## 6. Agency Updates

### Environment and Climate Change Canada (ECCC)

- In May 2017, ECCC received final results of the recent fish tumour survey for the St. Marys River. Of the 100 White Suckers collected in summer 2015, 6 were found to have tumours (liver neoplasms). This 6% tumour rate is down from 10.6% detected in the 2009 survey (15 of 141 White Suckers), and it is lower than the 9.2% tumour rate (17 out of 185) from the 1985-90 survey that led to Fish Tumours being designated an impairment for the Area of Concern.
- The 6% tumour rate is closer to the Canadian delisting criteria for the beneficial use impairment, which states: *This beneficial use will no longer be impaired when a survey from within the Area of Concern of a locally abundant member of the sucker family, encompassing a diverse age range, indicates a liver tumour prevalence rate of less than 5%*. Experts believe there is a state of impairment when it is greater than 5%.
- A full report will be drafted this summer, and presented to BPAC in the fall. The lead ECCC researcher will be on hand to answer questions, and participate in group discussion regarding proposed next steps.

### United States Environmental Protection Agency (USEPA)

- EPA has worked with all of the partners at this AOC in order to fund and implement those management actions that were identified by the State and the BPAC to remove BUIs. We have completed sediment remediation projects and have funded and supported the Little Rapids habitat restoration project. We will work with the BPAC and all other partners to review any new data or information that will help us to remove the remaining five BUIs. We will provide technical support and any other kind of support needed to remove BUIs and to eventually delist this AOC.
- Most recently, we reviewed the “Restrictions on Dredging” BUI Removal document prepared by MDEQ and stated that, based upon the data in the document, the target has been achieved and the BUI can be removed. As a follow-up, John Riley asked for some EPA data from the Consumers Power site to answer some questions raised by the BPAC. We provided that data and we support MDEQ’s request to the BPAC to provide a letter of support to remove this BUI.

### Michigan Department of Environmental Quality (MDEQ)

- At the April 2017 BPAC mtg, a draft Removal Recommendation for the Restrictions on Dredging BUI (US side) was presented. BPAC asked to see other sediment quality data from previous dredge cycles. The most recent data set from the US Army Corps of Engineers to support navigational dredging operations was collected in 2001. This data was summarized and presented to BPAC members via email on May 16, 2017.
- The 2001 data also supports removal of the BUI, based on Michigan’s criteria. The DEQ respectfully requests a letter of support for the BUI removal from the BPAC.

## 7. Memberships

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

## 8. New Business

- It was suggested that the media could be notified for future meetings.

## 9. Public Comments

- None

## 10. Next Meeting

- Agreed to postpone the next meeting until the end of August/beginning of September.

### Attachment:

#### **Beach Closings Redesignation Report re: BPAC comment matrix**

During the March 2017 BPAC meeting, the RAP Coordinator presented on the DRAFT Beach Closings Redesignation report for the Canadian side of the St. Marys River AOC. Although the written draft report was not ready for circulation, the purpose of the presentation was to present all information related to the Beach Closings BUI, provide an evaluation of the updated delisting criteria, and summarize an assessment of multi-year beach data. The BPAC was solicited for comments so that these could be incorporated during the early writing stage.

The following table lists the comments that were received and the associated suggestions/answers:

<b>BPAC Comment</b>	<b>Remedies/Responses</b>
Remove the term “official public beach” – When explaining the basis of the beach closing beneficial use impairment it was stated that “there was no official public beaches on the Canadian side of the river in the 1980s and that the impairment was based on levels of <i>E.coli</i> in the river exceeding both Ontario Provincial Water Quality Objectives and the Michigan Water Quality Standard.”	This wording as been removed from the document.
Give a more precise explanation of the original problem with floating contaminated masses downstream of Bellevue Park. It is important to explain the severity of the problem before summarizing the 2007-2010 assessment by the Binational Sugar Island Monitoring Work Group.	A summary was provided and a link to the reports produced by the Binational Sugar Island Monitoring Work Group, as well as the Stage 1 and 2 RAP reports, where more information can be obtained.
Ensure that the report is written in a way that is understandable to the general public. Ensure that all technical terms are thoroughly explained. Simplify the wording.	This is a formal re-designation report that will ultimately be sent to the International Joint Commission. A newsletter will be created with simplified wording that can be accessed via the website and distributed at outreach events geared towards the general public.
Include a graph using the data from the table for better visualization – will allow us to see if there is a change over time. Perhaps even individual graphs for each of the beaches over time.	A set of graphs was included.
It was pointed out that Centennial Park is the only	Compliance testing is also a means to evaluate the

<p>beach that would be affected by the completed remedial actions. There is a data gap. If we are trying to evaluate the effectiveness of the completed remedial actions, then Centennial Park is the only beach that has been tested and it has only been tested 3 out of the 5 years.</p>	<p>effectiveness of the completed actions. The compliance limit for <i>E.coli</i> is 200 counts per 100mL sample. The EEWWTP has been in compliance with these limits since January 2007. As a recent example, in 2016 the average of the monthly geometric means was 38 <i>E.coli</i> /100mL.</p>
<p>List all the beaches on the map even if they haven't been tested to show inclusion.</p>	<p>The purpose of the map is to show the locations of the beaches included in the beach assessment study, it was not meant to be a map of all the beaches that fall within the AOC.</p>
<p>Request to get information on whether Health Canada tests on beaches within the Garden River Reserve. If not, why are they being excluded?</p>	<p>Beaches on private lands, including First Nation lands, are the responsibility of the landowner in terms of maintenance and monitoring. Communities can apply for funding from Health Canada and funds can be used to hire a summer technician who can develop a summer sampling plan, collect water samples, and test for <i>E.coli</i>.</p>
<p>Sugar Island Beach is often closed due to <i>E.coli</i> and it is unknown whether Bell's Point and Objibway Park are tested – therefore there are data gaps that need to be addressed. More beaches and testing are needed for inclusion in this assessment.</p>	<p>With the original focus of the Remedial Action Plan being specific to <i>E. coli</i> in the river itself (and the need to manage the bacterium in the river, not on particular beaches), the updated delisting criteria are explicit to these actions outlined in the Stage 2 Remedial Action Plan, revised with the endorsement of the Binational Public Advisory Council (BPAC) in February 2015. They state that the Beach Closings BUI will no longer be impaired when all three criteria have been met:</p> <ul style="list-style-type: none"> <li>• Stormwater infiltration is reduced to help prevent sewage treatment bypasses, and a Stormwater Management Master Plan is completed and being implemented by the City of Sault Ste. Marie that outlines the preferred solution for managing stormwater quantity and quality;</li> <li>• The East End Wastewater Treatment Plant is upgraded to secondary treatment; and,</li> <li>• Potential human health risks resulting from floating material near and downstream of Bellevue Marine Park have been assessed and managed, as required.</li> </ul> <p>Beach assessment study is supplementary, which goes above and beyond the delisting criteria, shows that AOC beaches are comparable to non-AOC beaches.</p>
<p>Delisting criteria have been met in terms of completed actions but we need monitoring to ensure that these actions have been successful. Monitoring should be focused and directed – APH data that was used in the assessment is not – we need data downstream of the point sources.</p>	<p>The EEWWTP has been upgraded and been in compliance since January 2007. Stormwater is being addressed through the Stormwater Management Master Plan and the Sugar Island Monitoring Workgroup collected samples from 2007-2009.</p>

