

St. Marys River AOC BPAC Meeting Minutes

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

When: November 1st, 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, Crystal Falk, Ron Prickett

Agency Reps: Lisa Derickx (Algoma U), Lisa O'Connor (DFO), Steve Chong (MNR), Catherine Taddo (City), Mark Chambers (ECCC)

Guests: Josh Brooks, Daniel Laudreville

Regrets: Don Marles

2. Approval of Last Meetings Minutes

- August 24th, 2017 – approved as presented

3. Business arising from previous minutes

- Review action items from previous meeting
 - Compendium 2012 consultation process – update from John Riley (MDEQ). The Compendium does not set policy but lays out the administrative procedures for how the four Parties implement the Great Lakes Water Quality Agreement. As such, it is an internal document and the Parties are not seeking consultation from any of the Binational Public Advisory Councils on revisions to the document. A few more very minor revisions were identified as being needed at the meeting, which will be incorporated into the document. When it becomes final John will share it with you and the BPAC. Through this discussion, the Parties reiterated their commitment to consult extensively with the BPACs and others before taking any unilateral steps, especially as it may relate to delisting AOCs.
- Wetland deforestation of privately owned wetland – Review of draft letters prepared by Klaas Oswald
 - Letters are to be sent to the Planning Department and Ontario legislature suggesting regulations be fixed and loopholes addressed to prevent this type of wetland degradation from happening again. Draft letters are circulated to BPAC members in attendance.
 - Suggestion: Small adjustment changing the name of a minister listed on the letter.

4. Presentations

- Nearshore Fish Community Health in the St. Marys River AOC – Lisa O'Connor, Fisheries and Oceans Canada, Great Lakes Laboratory
 - The purpose of this study was to look at fish populations with respect to the BUI delisting criteria for the St. Marys AOC.
 - Based on two studies starting in 2006 – 2009 and then 2014 – 2015, an index of biotic integrity for the river was created and then compared with other AOC sites and non-AOC sites in Ontario.

- With the completion of these studies, a portion of the Fish Populations BUI will have been satisfied.
- These studies provided a good representation, however, it only gives us a picture of half of the AOC (Canadian side) and the American side would more than likely improve upon the results.
 - Variations differ from comparison sites due to colder climate, water level fluctuations and shorter growing season for species in Northern Ontario.
 - It was suggested that due to a lack of data on the original reason that drove the listing of this BUI back in 1980s, it was suggested that we try and find information on the original condition of fish populations and have that included in DFO's official report.
- St. Marys Fishery Task Group Update – Steve Chong, Ministry of Natural Resources and Forestry
 - Update on Task Group's evaluation of the open water fish community for St. Marys River – Fish Community Survey.
 - This was a standardized survey using graded meshed gillnets used in overnight sets during August, rotated every 4-6 years (last completed August 2017).
 - This year also had a river wide creel survey that was done in conjunction with the MDNR which had not been completed since 1999, giving data on harvest and sport fishing
 - They are just starting to get data now and are the process of entering it and are currently waiting for aging of samples to be completed.
 - Data entry is expected to be completed in the following weeks with aging data to be received over the following couple of months followed by a discussion. A draft of the official report expected in about a year's time after the discussion
 - Mentioned the installation of gate automation in the rapids on the US side, there are funds to automate 4 of the 8 US gates
 - Automation will help make it easier to manage water levels, improving habitat downstream
 - An assessment has been suggested to understand how the automation of these gates will impact downstream habitat
 - Proposal for the use of dredging sediment to create hardened islands that promote habitat creation and improvement for areas in the river (American side)
 - Suggestion: Have a representative from the Army Corps of Engineers to meet with BPAC next meeting across the river to explain this potential project and its details

5. Office Reports

- An annual Areas of Concern Conference will be held in Sheboygan Wisconsin on May 16 and 17, 2018. Everyone is invited and welcome to attend.

6. Agency Updates

Environment and Climate Change Canada (ECCC)

- ECCC is drafting a study report on its summer 2015 survey that found 6 out of 100 White Suckers had liver tumours. This 6% tumour rate is down from 10.6% detected in a 2009 survey, and is lower than the 9.2% tumour rate from the 1985-90 survey that led to BUI designation. It is just above the delisting criteria target of <5%. The lead investigator will present and discuss the results at a future BPAC meeting.

- ECCC continues to work with the Batchewana First Nation to advance proposed aquatic habitat restoration around Whitefish Island to benefit native fish species, including Brook Trout, Whitefish and Walleye. A contract will be issued for the next phase of the project: develop and produce engineered designs (construction plans) for naturalizing the Whitefish Channel bed and bank areas, and constructing islands and shoals east of Whitefish Island. The concept drawings were shared with BPAC in December 2016.

Ministry of Environment and Climate Change (MOECC)

- MOECC and ECCC are reconvening a technical committee to further the development of a multi-agency contaminated sediment management strategy for the area east of Bellevue Marine Park and downstream of Topsail Island on the Canadian side of the AOC.
 - Not a lot has been done yet concerning contaminated sediment, and this is largely due to the fact that they were still waiting on the results of the fish tumour study. Now that this has come in, they are starting to move forward with the next steps in creating a management strategy
 - With Algoma Steel's dredging of its boat slip, it is expected that a good chunk of these contaminants (PAHs) will be removed

United States Environmental Protection Agency (USEPA) & Michigan Department of Environmental Quality (MDEQ)

- In September, MDEQ submitted a request to US EPA to remove the Restrictions on Dredging Activities BUI from the US side of the St. Marys River. Concurrence with the BUI restoration is anticipated very soon.
- The Office of the Great Lakes is being moved via Executive Order from the Governor, from the Department of Environmental Quality to the Department of Natural Resources, effective December 28. Staff learned about the change a couple hours before the public announcement was made. At this point, we don't anticipate any substantive change in how the AOC program operates. Personnel will remain the same, and we see this as a positive re-alignment of the program to become closer with the resource management side of government, as opposed to the more regulatory side.

7. Memberships

- For new members, applications must be received & prospective members present for confirmation – standard procedure.
- Daniel Laudreville to submit a membership request letter for next meeting to be approved by the BPAC.

8. New Business

- **ACTION ITEM:** Update on changes made in the Implementation Annex on the current status of the RAP has been tabled for the next meeting (possibly via email)

9. Public Comments

- None

10. Next Meeting

- Agreed to postpone the next meeting until January.