

## MEETING RECORD

### DRCC Steering & Implementation Committee

Tuesday, December 15, 2014 – 1:00 pm to 3:00 pm

Teleconference: 888-289-4573 Code: 8475559

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#### 1. Welcome, Introductions & Approval of Agenda (J. Gee)

Jon Gee welcomed everyone to the teleconference call and called the meeting to order at 1:01pm. (see Meeting Attendance – Appendix 1). The agenda was approved by consensus.

#### 2. Review of Action Items; Approval of Meeting Record from June 16, 2015

The group reviewed past action items:

Mike Moroney will provide a name for a communications person at the Ministry. Claire will begin to draft a communications work plan and will liaise with the Work Groups to identify communications priorities for 2015. – Done.

Claire noted that Mike put her in touch with Donna Shaw at the Ministry who was very helpful in the initial planning stages. The Essex Region Conservation Authority provided a communications person (Susanne Tomkins) to assist with the plan, but there may be some delay now as Susanne just resigned her position with ERCA. Claire also noted that she is working with Sandra on planning a communications workshop for RAP coordinators. Approximately 10 coordinators will attend the 2-day workshop, planned for February. The first day will be devoted to sharing communications strategies around delisting and the second day will consist of communications training.

**ACTION:** Claire will send a reminder e-mail to fill out the communications plan survey, which was sent out to the group in early December.

Karina will send Jake Renaud's contact information to Claire. – Done.

Future SIC meeting to focus on communications work plan and engaging SIC members – In progress.

Jon Gee and Environment Canada will initiate discussion with the Canadian Coast Guard on their dredging policy and will involve Ted and Claire. – Done.

Jon contacted the Canadian Coast Guard and passed contact information along to Sandra. Sandra spoke with Al Beaucage who informed her that the CCG currently has no means of disposing of dredgeate and is working on a management plan. The CCG has hired a consultant who has found a few potential sites for disposal.

The June 16, 2015 Meeting Record was approved by consensus.

#### 3. Update from GLWQA or COA, BUI Re-designations (J. Gee)

Jon Gee informed the group that the Great Lakes Executive Committee met last week in Toronto, and that meetings are held twice a year. Many Great Lakes agencies were present, along with public interest groups, tribes, Métis, First Nations, and representation from the Province and some states. Jon noted

that Wendy Carney (his U.S. counterpart) gave a presentation on the AOC work plan. A guidance document was developed on Areas of Concern in Recovery. The document was circulated to AOC practitioners and quite a few comments were made, mostly requesting clarification. Jon noted that part of the confusion is due to the fact that different terms are used in Canada and the U.S. Jon and Wendy will revise the document and then share it on binational.net before the end of winter. A situation analysis report will also be completed, which will attempt to describe how AOCs are managed in both countries to improve understanding. The report is currently being reviewed in the U.S. and it will be sent out following revision. Jon also informed the group that draft nearshore frameworks will be part of the Lakewide Management and Action Plans. These will be posted on binational.net by late-January or February. Lastly, Jon mentioned that the Great Lakes Public Forum will be held in Toronto in 2016, from October 3-6. The forum is intended to engage a broader audience on the Great Lakes and share information about what is happening through the Water Quality Agreement.

Jon gave an update on BUI redesignations. He explained that one of the last steps of redesignation is asking the province whether they concur with the proposed redesignations. Environment Canada is currently awaiting the approval of five suggested BUI redesignations, two of which are for the Detroit River AOC (i.e. Beach Closings and Degradation of Aesthetics).

#### **4. Four Agency Management Committee Update (S. Kok/T. Briggs)**

Ted informed the group that the last meeting was held in Port Huron on November 3. There are typically three meetings a year, one of which is in-person. The last meeting gave managers a chance to get into the field and see the work done on the St. Clair River. There has been a lot of habitat work done on the American side of the river. The managers were updated on items related to Annexes 1 and 2 and the Ontario Great Lakes Protection Act. Ted also informed the group about the Lake St. Clair Conference that was held in October and approximately 100 people. Ted informed the group that there are four AOCs anticipated to be done by the end of 2016; they will either be delisted or have completed all actions. Ted noted that Lakewide Action and Management Plans need to be completed for each lake and the Detroit River and St. Clair River will fall under the Lake Erie report, which is due by the end of 2018 and will include objectives and targets.

#### **5. Restrictions on Dredging BUI Re-designation Presentation (C. Sanders)**

Claire reminded the SIC that she presented a recommendation to redesignate BUI #7 in June. The SIC did not endorse the redesignation as there was concern and questions regarding the long term management of dredged sediment. Claire explained that the dredgeate is no longer taken to the CDF in Michigan because of an increase in tipping fees and border crossing issues. Claire noted that the Monitoring and Research Work Group discussed it again and wanted it to bring it back to the SIC again because the Canadian Coast Guard assumes responsibility for dredged sediment and is looking for a long-term management plan, which is beyond the scope of the RAP. Furthermore, Ken's sediment work indicates that there are no locations on the Canadian side that require sediment remediation work. Claire explained that the Monitoring and Research Work Group feels there is no more work to be done to address this BUI and would like to see it redesignated.

Jon asked if there is a policy or rule preventing the CCG from choosing to dispose of the dredgeate in open water. Ted informed the group that there is no official policy precluding open water disposal and that it still takes place in the Great Lakes. Open water disposal, however, is not the preferred option as it has negative impacts on habitat. Jon explained that dredging is more straightforward for lake AOCs because there are established policies ensuring all dredgeate goes to a Confined Disposal Facility. Therefore, since the CCG doesn't have a management plan yet, Jon suggested that the BUI is still

relevant. Rich informed the group that the Ministry had to deal with open water disposal in the Kingsville area this year and that there is a handbook available (*A handbook for dredging and dredged material disposal in Ontario, 2011*). Ted argued that what is done with the dredgeate is outside of the scope of the AOC and that the RAP has done all they can. There was some discussion regarding the disposal of dredged sediment on the US side and Claire offered to look into the disposal options the Army Corps. uses. Ted informed the group that this BUI was redesignated on the U.S. side of the St. Clair River years ago and that they still send their dredgeate to a CDF. Jon said this is similar to what is done in the Toronto region (i.e. all dredgeate goes to a CDF) and that the BUI is going forward for redesignation. Jon noted that he would like to see a report outlining what the existing policies are that influence the fate of Detroit River dredgeate. He would like assurance that contaminated dredge spoils will be managed responsibly. Although there are still restrictions on disposal, Jon feels that, if it can be argued that the spoils are no longer disposed of in a way that has a harmful effect on habitat, water quality, aquatic life, etc., the BUI should not be considered impaired.

**ACTION:** Claire will re-circulate the Restrictions on Dredging BUI Re-designation Report to the Monitoring and Research Work Group so that members can ensure the necessary points are covered to push for redesignation. Claire will then re-circulate the report to the Steering and Implementation Committee. Discussion can take place via e-mail or at the next meeting.

Claire noted that Al Beaucage (CCG) has already made comments on the report which have been incorporated.

## **6. Work Group Updates (Work Group Chairs)**

### **Monitoring and Research Work Group (S. Kok)**

-Degradation of Phytoplankton and Zooplankton Populations: Sandra informed the committee that zooplankton samples have been collected. The University of Toledo will complete the analysis and Sandra is hopeful that a report could be drafted by December 2016.

-Bird/Animal Deformities or Other Reproductive Problems: Sandra gave an overview of the research being conducted on snapping turtles and tree swallows. The toxicology group at Environment Canada found 12 turtle nesting sites and collected eggs to look at hatching success. The group is going back in 2016 to collect more eggs. Swallows are going to be studied in lieu of herring gulls. So far, Environment Canada has set up nest boxes at three locations: White Sands Conservation Area, Sandpoint Beach, and Riverdance.

-Fish Tumours or Other Deformities: Sandra noted that 100 Brown Bullhead have been caught. In the lower part of the Detroit River, exceedance was a bit higher and more samples were sought. However, the researchers at the University of Windsor were unable to catch more this year and will try again in the spring.

### **Habitat Work Group (R. Drouin)**

-Loss of Fish and Wildlife Habitat: Rich noted that the work group met many times this year to work through a process of identifying priority areas in the Detroit River for restoration. This past summer, an MNRF crew went out to survey ~20 potential sites. There was intense macrophyte growth at many sites. An RFP went out through ERCA to hire an engineer to take a more in-depth look at potential sites.

-Degradation of Fish and Wildlife Populations: Rich noted that, this past summer, the Ministry partnered with the Michigan Department of Natural Resources to conduct a river-wide creel survey. The aerial

portion was completed by USGS. The data have not been analysed yet but a preliminary look has shown that there were more boats fishing on the Detroit River than anywhere else in Michigan. There are many species using and spawning in the river. Evidence of walleye and sturgeon spawning has been found on the reef.

## **7. Proposed Work Priorities in the AOC for 2016/17**

Claire circulated Kevin's presentation prior to the meeting. Along with the BCS work, he's interested in hiring someone to pursue LID projects with municipalities. Kevin explained how the proposed work supported the COA, the Stage 2 Report and Clean/Water Green Spaces. He has also applied for RBC Blue Water Project funding. The total cost will be \$800,000 and Kevin is requested 1/3 from GLSF. Other proposed funding partners include: province of Ontario, Ontario Power Generation and ERCA (i.e. levy funds). Karina mentioned that the City was also planning to apply for support for LID work. Karina and Kevin will discuss their projects in more detail to determine whether they should submit a single application or separate applications.

**ACTION:** Karina and Kevin will discuss their GLSF applications to determine whether they should submit a single application or two separate applications.

Jon asked if the Windsor Port Authority was planning to submit an application and Claire informed the committee that the new board at the Port Authority isn't interested in undertaking any projects at this time. However, there have been discussions with the owner of Boblo Island but the proposal will not be ready in time for this funding cycle. She also noted that there is also a feasibility study being conducted to investigate the potential for habitat restoration on Peche Island so tender-ready documents will be ready for the next round of funding. Sandra suggested obtaining some bigger picture information to identify what effect the tributaries are having on the health of the Detroit River and Kevin said he is reaching out to professors at the University of Windsor regarding this type of work.

Karina mentioned that she spoke with John Henderson at ERCA regarding municipality stormwater development guidelines and would like to add information on LID and climate change. Kevin explained that there is a provincial LID document being developed that will complement the stormwater management manual, recognizing that infiltration is a big part of stormwater management. Claire noted that urban LID projects may be a good way to reengage LaSalle and Amherstburg.

## **8. Roundtable Updates (ALL)**

Mike Moroney noted that the Great Lakes Protection Act was passed in October and is aimed at reducing algal blooms. Information on the Act can be found on the DRCC website. In regards to the conversation on dredging, the Ministry has to be consulted. He would like to know what is being proposed, what potential environmental impacts exist, and what approvals are needed.

Phil Roberts noted that the City of Windsor has been requested by Francis Kennette of Brighton Beach Aggregates to consider compensation habitat for his proposed aggregate dock. The City is willing to entertain the request for property to complete compensation work but is going to be very discerning and isn't going to give up the opportunity to potentially infill their water lots in order to accommodate this compensation work. Claire elaborated explaining that Mr. Kennette's property is surrounded by the new bridge plaza, located next to Ojibway Shores. Mr. Kennette proposed to infill his water lot and received the permits to do so from DFO. John Henderson (ERCA) added that the group that is working with the bridge plaza and reworking of the Broadway Drain have been looking into whether or not Mr. Kennette's project will have any impact on the drain. The report is being written by Landmark Engineers.

Jon stated that whatever compensation is done, it should be meaningful in terms of the RAP. The Habitat Work Group should ensure that the benefit to the AOC is maximized.

**ACTION:** The Habitat Work Group will consider advising the City of Windsor on how Mr. Kennette's habitat compensation work could fit into the RAP and advance delisting.

Claire provided an update on behalf of Peter Berry since he had to leave the teleconference early. Marc Garneau (the new Transport Minister) visited the City of Windsor for the opening of the Herb Gray Parkway and the mayor advocated for the protection of Ojibway Shores. Marc then met with the WPA where he was briefed on the issue.

#### **9. Public Advisory Council Report (T. Henderson)**

Tom updated the committee on the Samsung Solar Project at the Windsor Airport. Work is slated to start soon and once the wildlife exclusion fence is created, the PAC may be able to proceed with connecting the woodlots and creating a swamp, since the major concern surrounding the restoration work was the attraction of wildlife.

Tom noted that the Windsor Detroit Bridge Authority recently held an open house, which he attended. Tom volunteered to sit on a focus group and was informed that ten people would be selected. He expects to find out in 2016, as to whether or not he is part of the focus group.

Tom informed the group that clear cutting had recently taken place around a drain behind Dainty Foods, and that it encroached on City-owned property. Phil said that the proper permission/permits were not obtained and that the City is meeting internally about this issue.

#### **10. Other items/Closing Remarks/Next Meeting**

The next meeting will be in the spring at the call of the Chair. March was suggested.

**ACTION:** Claire will propose a few dates in March for the next SIC meeting (not during March Break), and circulate them via e-mail.

#### **11. Adjournment** – Jon adjourned the meeting at 3:03.

Meeting record taken by S. Baldo.



## **Appendix 1**

### **Meeting Attendance**

#### **Steering and Implementation Committee Members**

Jon Gee, Co-Chair	Environment Canada
Mike Moroney, Co-Chair	Ontario MoECC
Peter Berry	Windsor Port Authority
Rich Drouin	Ontario Ministry of Natural Resources
Tom Henderson	Public Advisory Council
Phil Roberts	City of Windsor

#### **Resource/ Support Staff**

Karina Richters	City of Windsor
Sandra Kok	Environment Canada
Kevin Money	Essex Region Conservation Authority ( <i>in person</i> )
John Henderson	Essex Region Conservation Authority ( <i>in person – arrived at 2:40</i> )
Matthew Child	International Joint Commission
Ted Briggs	MoECC
Claire Sanders	RAP Coordinator ( <i>in person</i> )
Sarah Baldo	RAP Assistant ( <i>in person</i> )