



## Great Lakes Regional Collaboration

### GREAT LAKES REGIONAL COLLABORATION NOVEMBER 17, 2009 PUBLIC CALL SUMMARY

#### **1. Welcome:** *Tom Looby (GLNPO Contractor and Call Facilitator)*

Mr. Looby convened the call, summarized the purpose of the GLRC stakeholder outreach initiatives and reviewed the agenda. Mr. Looby referred call participants to the GLRC web site for the agenda and other meeting materials at [www.glrc.us/](http://www.glrc.us/). GLNPO has a record of the call participants.

#### **2. Great Lakes Restoration Initiative (GLRI) Update:** *(Cameron Davis – Senior Advisor to USEPA Administrator)*

Mr. Davis began by congratulating everyone on their efforts to get the \$475 million for the Great Lakes restoration included in the appropriations bill that the President recently signed. He then provided an overview of the steps that lay ahead. The federal Great Lakes Inter- Agency Task Force (IATF) is continuing to process requests for proposals under the GLRI and will be finalizing their decisions by the end of November. The group is also sponsoring an independent scientific review of the action plan which was one of the conditions stipulated in the appropriations bill. The purpose of the review is to ensure that movement forward is done according to best scientific data available and that funding is going to the right places in the right amounts. Mr. Davis emphasized that the funding allocations are not static and will be changed according to the scientific findings. He also noted that there will be performance and accountability mechanisms developed to track progress, support management decision-making and to assure transparency in the GLRI funding processes.

Mr. Davis also emphasized the GLRI's commitment to public outreach. He commented that the GLRI will involve ongoing dialog with the public and will continue to get RFPs out. GLRI will also make the action plan publicly available online.

#### **3. Asian Carp Barrier: Construction and Maintenance Update:** *(Charles Shea, U.S. Army Corps of Engineers)*

Mr. Shea began by providing a brief background on the project which is a joint effort sponsored by IL DNR and the U.S. Army Corps of Engineers. Over the summer, the project employed a new monitoring technique which involved measuring water samples for Asian Carp environmental DNA. They took EDNA samples in the Lockport Pool below the dispersal barriers. This process resulted in different results, suggesting that the carp, at least in small numbers, are in the vicinity of the barriers. Mr. Shea emphasized however that according to the data, carp remain on the correct side of the barriers. The program is also monitoring neighboring waterways due to concern that in the event of a high flood, carp could move to neighboring waters. There was one positive detection in the neighboring Des Plaines River.

Mr. Shea also provided an overview of the current barrier system. Barrier I, the original barrier, is in operation and Barrier IIA, which is the first half of a more permanent barrier system, is also active right now. Barrier IIA is operating under different parameters than barrier I because of ongoing research which shows that different settings are necessary to protect against smaller fish. Barrier IIB is currently under construction. The contract to build was awarded on October 30, 2009, and the barrier is expected to be completed by September, 2010. Mr. Shea commented that once both barriers are running, performing maintenance on one of the two barriers will be much easier because the two systems are designed to work independently during maintenance periods.

The proposed maintenance on barrier IIA will last two days and involves many partner organizations. The plan calls for using Rotenone to kill the carp while the barrier is down. Mr. Shea informed everyone that because of

the importance of doing this work before the weather turns too cold, the public comment period on the environmental assessment for the activity will only be 7 days. The assessment will be posted on the USACE Chicago District web site for comment.

#### **4. Rapid Response Plan for Barrier Shutdown:** *(Bill Bolen-USACE and Steve Shults, Illinois DNR)*

Mr. Bolen provided additional detail on the maintenance effort which is proposed to take place on December 2, 2009. Mr. Bolen explained that to support the maintenance effort, Rotenone (a toxic) will be applied to a section of the waterway. During a single operation period, there will be 230 responders working on the ground on this effort. Steve Schults of IDNR will be the Incident Commander for the effort. He indicated that it is crucial to drive the fish back out of the Lockport pool. He also commented that this effort is benefiting from high level interstate support, participation from the Great Lake states and international support from Canada. At the time of the call, the permits for the action had been obtained and approved and the action plan for the effort was predicted to be completed before Thanksgiving.

#### **5. Status of the GLRC Joint Initiatives**

##### Invasives – *(James Schardt, Great Lakes National Program Office, USEPA)*

Beyond the Asian Carp which is the most pressing issue, the group is transitioning to full scale implementation of the priorities identified in the group's action plan which include: development and use of ballast water technology, competitive funding for community protection and restorations operations, control technology, education and outreach to resource and recreation users, and best management practices. The group looks forward to the impending release of the GLRI RFP.

##### Toxics – *(Deb Jacobson, Great Lakes Regional Pollution Prevention Roundtable)*

The group is currently focused on the mercury emissions reductions strategy. The project strategy for this effort was launched in April 2007 and called for the formation of a management team and a technical team to develop a comprehensive emissions reduction strategy for the Great Lakes states. The document was finished and submitted to the environmental directors of each Great Lakes state for a review period which finished on October 21, 2009. The teams addressed the comments and submitted the document for final approval on November 9. The final comment period will run from November 12, 2009 through January 12, 2010. Documents are available on the GLRC and the Pollution Prevention Roundtable websites. Ms. Jacobson believes the strategy should be finalized by April, 2010.

Ms. Jacobson also provided an update on the mercury products strategy which is an ongoing effort. The plan, which was finalized in June, 2006, called for submission of an updated report from the states to the GLRC. The group held a conference of Great Lakes state representatives to get updates regarding efforts on implementing the recommendations from the product strategy report. The group anticipates submitting a findings report by June 2010.

##### Wetlands/Habitat – *(Mike Greer, U.S. Army Corps of Engineers)*

The charter for this group, which came out of the Habitat Initiative and is focused on habitats and species, was approved in January, 2009. The group is currently working on maintaining two databases that were created under the habitat initiative: an inventory of proposed projects database and a companion funding database. The initiative continues to make improvements to these databases which are available online through GLRC.

The group also received funds in July under the American Recovery and Reinvestment Act (ARRA) to conduct a strategic planning effort to identify the obstacles related to implementing conservation and restoration projects, the overall readiness of projects, the number and type of projects that are waiting to occur. The report will also offer recommendation on how to best overcome the identified obstacles. The contract for the effort was awarded in August. *Jan Miller of the USACE* noted that more details on the effort should be available in the next few weeks and a final report will be submitted in March, 2010.

*Beaches* – (*Melissa Soline, Great Lakes and St. Lawrence Cities Initiative*)

Over the spring and summer, the group focused on issuing questionnaires to beach managers asking about the use of beaches, predictive models, and best management practices. The aim was to pull the information into a resource for beach managers. However, the group has not received very many responses and the quality of response varies widely. The group plans to reconvene to determine what they can do with the data available. Ms. Soline noted that from the responses provided, there appear to be major gaps regarding the information managers have about what resources EPA has available to help.

*Botulism* – (*Laura Evans, Great Lakes National Program Office, USEPA*)

The group has been monitoring shorelines at various locations across the Great Lakes, including Sleeping Bear Dunes National Lakeshore, and populating a database on avian mortalities attributable to botulism. The hope is that the data will provide a better understanding of the changes in the Lake Michigan ecosystem. The group is also working on using new test methods with more accurate and quicker turnaround time as well as projects to detect the presence of botulism and test for causes. USEPA is also developing a botulism field guide which will be distributed to beach managers.

**6. Interagency Task Force on Ocean Policy Public Meeting** (*David Ullrich, Great Lakes and St. Lawrence Cities Initiative*)

A public meeting was held in Cleveland on October 29, 2009. This meeting was the first of six that will be held across the country and involve 24 federal agencies on the task force. The task force was created by President Obama on June 12, 2009, is chaired by the Chair of the Council on Environmental Quality (CEQ) and has three main objectives:

- a. Develop recommendations for a national policy on oceans, coasts, and the Great Lakes.
- b. Create a framework for implementing the policy recommendations
- c. Develop and carry out an Implementation Strategy

The objectives listed above apply to coastal, spatial, and marine planning.

Mr. Ullrich explained that the task force is looking to build on the blueprint developed by the Commission on Ocean Policy. The task force aims to take the ideas developed in the past and translate them into real implementation action. An interim report on action to date was published September 12, 2009 and a link to it is available on the GLRC website.

On the policy side, the task force is struggling to balance planning and implementation action. The task force developed an implementation plan that calls for 9 priority objectives and 9 principles. The plan calls for development of a strategic action plan for each of the 9 objectives, however, this is not appealing to many people who would like to see action sooner.

Mr. Ullrich also noted that the Administration is paying attention to the uniqueness of the Great Lakes in the context of policy. There is a realization that whatever is done nationally must recognize the existing structure

and strategy in place and avoid additional unnecessary planning. It is time to move forward with implementation.

Finally, Mr. Ullrich commented that it is important to consider the proposed action within the context of the current economic environment. It is crucial to create additional jobs now.

**7. Coast Guard update on the Ballast Water Standards:** *(Commander Tim Cummins, U.S. Coast Guard- 9<sup>th</sup> District-Cleveland, OH)*

Commander Cummins referred participants to a [PowerPoint presentation](#) that was placed on the GLRC web site for the call. He provided an overview of the proposed ballast water standards and implementation plan along with an explanation of how this rule applies to the Great Lakes. Commander Cummins also emphasized that the Coast Guard is currently soliciting feedback on the proposed rule which was issued August 28, 2009.<sup>1</sup> The rule will be out for public comment until December 4, 2009.

Commander Cummins explained that the rule proposes a phased approach of implementing ballast water standards. Initially, all ships will have to comply with the International Maritime Organization (IMO) standards because this is what the ballast water industry is currently preparing for; however, the ultimate goal is to implement a final standard, which is 1,000 times stronger than the IMO standard by 2016. Implementation of this more stringent standard will be contingent on a feasibility study conducted in 2013 to determine if it is practicable to meet the proposed final standard by 2016. If the study concludes that the final standard is not practicable for 2016, an interim standard will be issued every two years until the 1,000 times standard is reached.

The rule will be implemented in stages. By 2012, all new construction must meet the IMO standards. Other vessels will need to meet the standard by 2014 or 2016 depending on tank size. The window of time is provided due to the nature of dry-dock maintenance scheduling. Commander Cummins added that an additional step will be to certify independent labs to perform the testing.

Commander Cummins noted that technology exists and is being developed to meet the IMO standards. The challenge however is that fresh water systems (like the Great Lakes) represent a very small market so there is not a large commercial advantage to developing improved systems for these vessels.

Commander Cummins also commented that managing ballast water discharge is especially important in freshwater and closed systems like the Great Lakes. In 2008, for boats entering the Great Lakes, 100 percent of ballast water forms were checked and 96 percent of ballast water tanks were sampled. Of those tested, 99 percent were in compliance with existing standards.

**8. Great Lakes Water Quality Agreement:** *(Vicki Thomas, Great Lakes National Program Office, USEPA)*

Ms. Thomas updated the participants on the discussions occurring between the U.S. and Canada regarding the Great Lakes Water Quality Agreement. Secretary of State Clinton and her Canadian counterpart have announced their decision to update the Agreement. The two governments have met twice to date and are currently working to establish terms of reference and a process for conducting the negotiations. Negotiations are expected to begin in the coming months. Ms. Thomas also commented that stakeholder involvement will be important during this process.

**9. Stakeholder News / Updates:**

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<sup>1</sup> The rule can be found at <http://www.regulations.gov/>.

*Katy McGuckin (Jay Cashman, Inc.)* asked how the GLRI will advertise issuing RFPs. GLNPO informed her that the best way to receive notification is to sign up for the listserv at [www.epa.gov/glnpo/glri](http://www.epa.gov/glnpo/glri). Ms. McGuckin also asked Commander Cummins to confirm the date by which all public comments must be received on the new ballast water rules. The Commander confirmed the date was December 4, 2009.

**10. Closing Remarks** *Gary Gulezian (Director, GLNPO)*

*Mr. Gulezian* thanked the call participants for their time and the reporters for keeping everyone informed about what is happening across the Great Lakes region. The next call will occur in approximately three months.