

**Lower Menominee River Area of Concern  
Citizens Advisory Committee Meeting Minutes  
March 20, 2014**

**\*note Things written in green denote potential action items.**

**ATTENDEES**

Gail Clark, John Clark, Mark Erickson, Keith West, Jon Sbar-Attorney-City of Marinette, Larry Wilson-TYCO, Cheryl Bougie-WDNR, Ben Uvaas-WDNR, Sharon Baker-MDEQ

**DESIRED OUTCOMES**

- Meeting attendees are kept up-to-date with the current status of the Betterment Action and Menekaunee Harbor projects, they have an opportunity to ask questions and discuss each project
- A rough plan is developed for 2014 CAC based public outreach

**Introductions and Overview of Agenda – Mark Erickson and Keith West, CAC Co-Chairs**

**City Zoning Ordinance Review:** provided by Jon Sbar

Uvaas requested Sbar to attend the March CAC meeting so the CAC could learn more about city zoning ordinances and how zoning may assist with meeting the fish and wildlife plan's protection objective. Zoning is how the city plans short and long term land usage. Sbar specifically discussed park district (P1) including; permitted uses, conditional uses, and other restrictions (see Sbar Handout). Boom Island, the South Channel's southern shoreline, and wetlands surrounding Menekaunee Harbor are the city properties in question. Each of these areas is currently zoned P1.

Sbar did not feel that development pressure was significant on any of the undeveloped properties in question. He did clarify that portions of the Menekaunee Harbor area are not zoned P1, and may require a zoning change to be used as a public boat launch. The eastern wetland areas are zoned P1, and no changes are proposed. Discussion occasionally arises to change Boom Island to the Historic Preservation District, but hasn't been seriously pursued.

Sbar explained that all zoning changes are made by vote of the Marinette Common Council. In addition, city zoning should align with the city's comprehensive plan. The comprehensive plan is being revised in 2014, and there will be an opportunity for public comment. **If the CAC has an opinion on zoning as a means to protect these areas, they're welcome to provide comment at that time.**

**Monthly Betterment Action Update – , Larry Wilson (Tyco),**

- Still negotiating the Great Lakes Legacy Act (GLLA) Betterment Project with Great Lakes National Program Office (GLNPO). These negotiations are satisfactory, though there are still hurdles with Resource Conservation and Recovery Act (RCRA) process.
- The drop dead date for completed negotiations is early July beginning with low production work, planning design.

- The 50ppm arsenic levels remaining in sediments goal was reached in 2014 with the 20ppm arsenic the goal for the Betterment Project
- If RCRA asks TYCO to do more than for more than they can afford will drop the Betterment Project and allow the natural attenuation of bottom sediments to occur

### **Monthly Menekaunee Harbor Update – Cheryl Bougie and Ben Uvaas (WDNR)**

- The Project Design by Ayers & Associates is close to 90% complete
- Another Phragmites Control treatment is planned for this year
- Still looking for direction on shoreline habitat
  - Baker suggested an island or indentations in bay area to accommodate additional waterfowl nesting sites-these birds don't like "line of sight" with other nesting pairs
- Permits are coming together
- Still waiting on GLNPO for funding status letter
- **Project Implementation Schedule**
  - can't begin dredging until after June 15 to accommodate fish spawning; anticipate 60 days to complete dredging
  - Lot 24 should be secured by Fall to avoid erosion including: grading, cover planted, invasives control. The City of Marinette would like to complete dredging and have Lot 24 under restoration by Fall 2014.
  - Developing a 5 year monitoring & control plan to be implemented after ecological restoration is completed in the Harbor (2015).
- Deed restriction on Lot 24 area where uncontaminated dredge spoils will be placed
- Cheryl will attend weekly progress meetings in Marinette once project is underway.

### **Public Comment, Other News, Identify Future Agenda Items & Meeting Date**

- **ACE to dredge this summer Navigation Channel (mouth to interstate)**
  - **Cheryl & Mark would like to see ACE data (Sharon has seen data from mid 90's dredging and will provide a copy)**

### **Community Outreach**

Uvaas developed an excel table to track public outreach material and events. If you'd like to assist with an event, or know of an event that you feel the CAC's message would fit in, please make the CAC aware. It is the CAC's responsibility to keep the tracking table updated as they continue public outreach efforts over the year.

- **Place notes of display & materials & supply locations on matrix display sheet with Keith, Mark, my contact information & instructions on reporting**
- **Sharon to take another display board to CAC**
- Contact Ben if need to access supplies in Peshtigo
- **Additional Outreach Ideas**
  - Kayak trip
  - Clean up after MH complete
  - Riverboat trip
  - Canoe/kayak trips in AOC
- **Additional thoughts on Logistics Related to Ideas**
  - Could Chad Cook help with AOC outreach? 5 year grant ends in September 2014?
  - Marinette County has an outreach coordinator

- Liability issues

### **Other News, Identify Future Agenda Items & Meeting Date**

- **Review of 2013 AOC Conference in Chicago**

Keith explained that he felt it was well worth the trip learned: quite a lot about other AOC's and how those PACs helped address their contamination issues; BUI removal and AOC delisting processes. Examples of different groups have done or done differently in their AOC; various publications and materials; successful AOCs had active participants and community involvement; several AOCs are on the cusp of delisting and trying to understand what is next: friends groups, watershed groups, some part of a group recognized by agency including city committees;

- **John Gumtow would like to talk to CAC about BUI targets (follow up).**
  - Area of Recovery (AOR) concept was just formalized under the newly revised Great Lakes Water Quality Agreement revised (GLWQA)
  - Keith's-Impression that as soon as get real close to AOC Delisting or becoming an AOR EPA will become a bigger presence in your life
  - Anyone who has an opportunity to attend the Regional AOC Conference should DO IT!
- Rio Vista Slough-Sharon- the group who would do the sampling has yet to determine if they will sample. The purpose of the sediment sampling will be to disprove or prove if RVS is a source of contamination to the AOC
  - Mike indicated that the Lower Scott Flowage preliminary results are back. The report will likely be completed in June

### **2013 RAP and F&W Plans available at:**

<http://dnr.wi.gov/topic/greatlakes/documents/Menominee2013RAPUpdate.pdf>

<http://dnr.wi.gov/topic/greatlakes/documents/Menominee2013FishAndWildlifePlan.pdf>

**Next meeting proposed for April 17, at 6:30PM**

## **CONTACT INFORMATION**

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## **ONLINE RESOURCES**

EPA – <http://www.epa.gov/grtlakes/aoc/menominee/index.html>

MDEQ – [http://www.michigan.gov/deq/0,1607,7-135-3313\\_3677\\_15430\\_57388---,00.html](http://www.michigan.gov/deq/0,1607,7-135-3313_3677_15430_57388---,00.html)

UW-Extension – <http://fyi.uwex.edu/aocs/>

WDNR – <http://dnr.wi.gov/topic/greatlakes/menominee.html>