



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

**77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590**

SEP 26 2011

REPLY TO THE ATTENTION OF:

**Mr. Dan Wyant
Director
Michigan Department of Natural Resources
525 West Allegan
Lansing, Michigan 48909**

Dear Mr. Wyant:

Thank you for your September 13, 2011 request to remove the "Restrictions on Dredging" Beneficial Use Impairment in the Muskegon Lake Area of Concern (AOC), Muskegon County, Michigan.

The U.S. Environmental Protection Agency approves your removal request based upon a review of your submittal and the supporting data. We share your desire to restore all of the Great Lakes AOCs and to formally delist them. EPA will notify the International Joint Commission of this significant positive change in the environmental health of the Muskegon Lake AOC.

We congratulate all of the parties involved in this federal/state/local partnership. They have been instrumental in achieving this important environmental improvement, which will benefit people who work and live near the Muskegon Lake AOC, the State of Michigan, and the Great Lakes basin. We look forward to the continuation of this important and productive relationship with your agency and local coordinating committees as we work together to fully restore all of Michigan's AOCs.

If you have further questions, please contact me at (312) 886-3000 or your staff may contact John Perrecone, Great Lakes National Program Office, at (312) 353-1149.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Korleski", is positioned above the typed name.

**Chris Korleski, Director
Great Lakes National Program Office**

Cc: Patricia Birkholz, MDEQ, Office of Great Lakes
Frank Ruswick, MDEQ, Office of Great Lakes
Stephanie Swart, MDEQ, Office of Great Lakes
Dr. Saad Jasmin, IJC
Chris Korleski, EPA, GLNPO
Wendy Carney, EPA, GLNPO
John Perrecone, EPA, GLNPO
Marc Tuchman, EPA, GLNPO



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GREAT LAKES
LANSING



PATRICIA BIRKHOLZ
DIRECTOR

September 13, 2011

Mr. Chris Korleski, Director
Great Lakes National Program Office
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (G-17J)
Chicago, Illinois 60604-3507

Dear Mr. Korleski:

The purpose of this letter is to request the United States Environmental Protection Agency (USEPA), Great Lakes National Program Office's (GLNPO) concurrence with the removal of the Restrictions on Dredging Activities Beneficial Use Impairment (BUI) for the Muskegon Lake Area of Concern (AOC). The Michigan Department of Environmental Quality (MDEQ) has assessed the status of this BUI in accordance with the state's *Guidance for Delisting Michigan's Great Lakes Areas of Concern* and recommends that the BUI be removed from the list of impairments in the Muskegon Lake AOC.

Enclosed please find documentation to support this recommendation, including the BUI removal Briefing Papers prepared by the MDEQ's technical staff. The Muskegon Lake Watershed Partnership submitted a letter of their support for the removal recommendations on August 8, 2011, and a public meeting was held on July 14, 2011, to obtain public input on the recommendation.

We value our continuing partnership in the AOC Program and look forward to working with the GLNPO, in the removal of BUIs, and the delisting of AOCs. If you need further information concerning this request, please contact Ms. Stephanie Swart, Office of the Great Lakes, at 517-335-6721, or at swarts@michigan.gov, or you may contact me.

Sincerely,

Patricia Birkholz
Director
517-335-4056

Enclosures

cc/enc: Mr. Mark Tuchman, USEPA
Mr. John Perrecone, USEPA
Mr. Richard Hobrla, MDEQ
Ms. Stephanie Swart, MDEQ

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE COMMUNICATION

TO: Birkholz, Director, Office of the Great Lakes

FROM: Rick Hobria, Chief, Great Lakes Management Unit *RMH*

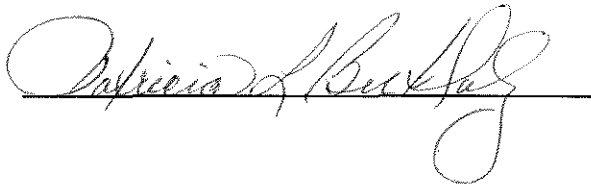
DATE: September 13, 2011

SUBJECT: Removal of the Restrictions on Dredging Activities Beneficial Use Impairment (BUI) for the Muskegon Lake Area of Concern (AOC)

The Department of Environmental Quality, Great Lakes Management Unit, AOC Program staff request concurrence with the recommendation to remove the Restrictions on Dredging Activities BUI in the Muskegon Lake AOC. This request is made in accordance with the process outlined in the *Guidance for Delisting Michigan's Great Lakes Areas of Concern*.

Attached is a Briefing Paper documenting restoration and justifying removal of this BUI. Also attached is a draft letter to Mr. Chris Korleski, Director, Great Lakes National Program Office, United States Environmental Protection Agency, requesting removal of the BUI. The re-designation was discussed by the Muskegon Lake Watershed Partnership (MLWP) at their regular meeting on July 14, 2011. A public meeting was held immediately following the MLWP meeting to discuss the removal of this BUI with the Muskegon Lake AOC community. Both the MLWP and the local community expressed their support for removal of the BUI. As part of their continued support for this BUI removal recommendation, the MLWP submitted a letter on August 8, 2011. Please indicate your approval of this recommendation and we will provide a final letter to Mr. Korleski for your signature.

Approved:



Date:

09/13/11

Attachments

cc: Stephanie Swart, Office of the Great Lakes

BRIEFING PAPER
Removal Recommendation
Restrictions on Dredging Activities Beneficial Use Impairment
Muskegon Lake Area of Concern

Issue

The Restrictions on Dredging Technical Committee recommends the removal of the Restrictions on Dredging Activities Beneficial Use Impairment (BUI) for the Muskegon Lake Area of Concern (AOC) based on the collective review of the related documentation per the process and criteria set forth in the *Guidance for Delisting Michigan's Great Lakes Areas of Concern* (Guidance) (DEQ, 2008). This recommendation is made by the Restrictions on Dredging Technical Committee, comprised of staff from the United States Environmental Protection Agency (USEPA), Great Lakes Commission (GLC), the Michigan Department of Environmental Quality (MDEQ), and the United States Army Corps of Engineers (COE) and with the support of the Muskegon Lake Watershed Partnership.

Background

Muskegon Lake is a 4,150 acre drowned river mouth located in Muskegon County, directly connected to Lake Michigan by a federal maintained navigation channel. The Muskegon Lake AOC includes Muskegon Lake and portions of its tributaries: the Muskegon River, Ruddiman Creek, Ryerson Creek, Green Creek, Four Mile Creek, Little Bear Creek (including the unnamed tributary), and Bear Lake. Muskegon Lake was listed as an AOC primarily due to historic discharges of industrial process wastewater, municipal wastewater treatment plant effluent, combined storm sewer overflows, alterations of shoreline, excessive shoreline filling, and urban runoff. These discharges introduced elevated levels of PCBs, heavy metals, nutrients, oils, and other contaminants into the Muskegon Lake AOC Michigan Department of Natural Resources (DNR), 1987).

Nine BUIs have been identified for the Muskegon Lake AOC: Restrictions on Dredging Activities, Loss of Fish and Wildlife Habitat, Degradation of Fish and Wildlife Populations, Degradation of Aesthetics, Restrictions on Drinking Water Consumption or Taste and Odor Problems, Restrictions on Fish Consumption, Beach Closings, Eutrophication or Undesirable Algae, and Degradation of Benthos.

According to the original 1987 Remedial Action Plan (RAP), the federal maintained navigation channel begins at the shore of Lake Michigan and extends to the west shore of Muskegon Lake, for a total length of approximately 6,500 feet (2,000 meters). The recommendation to remove the Restrictions on Dredging BUI in the Muskegon Lake AOC does not mean the AOC is free of contaminated sediments. Contaminated sediments outside of the navigation channel still require remediation and will be addressed with appropriate regulatory programs. For further information please see the Stage 2 Remedial Action Plan (RAP) for the Muskegon Lake AOC (MDEQ, 2011).

Removal Criteria

The Guidance has two tiers for the Restrictions on Dredging BUI, the first of which applies to the Muskegon Lake AOC. This BUI is considered restored when:

- There have been no restrictions on routine commercial or recreational navigational channel dredging by the COE, based on the most recent dredging cycle, such that special handling or use of a confined disposal facility is required for dredge spoils due to chemical contamination.

OR, in cases where dredging restrictions exist:

- A comparison of sediment contaminant data from the commercial or recreational navigation channel in the AOC indicates that contaminant levels are not statistically different from other comparable, non-AOC commercial or recreational navigation channels.

The attached excerpt from the Guidance (pages 31-32) includes the rationale for the delisting criteria (Attachment A).

Process

The Restrictions on Dredging Activities Technical Committee was formed in 2008 to bring together state and federal agency dredging experts and technical staff. The Technical Committee's purpose was to determine whether restrictions on dredging activities due to sediment contamination currently exist in the 12 Michigan AOCs listed as having this BUI.

The Technical Committee was tasked with: 1) developing a framework to consistently assess the Restrictions on Dredging BUI in Michigan's AOCs, and; 2) coordinating data assessment and providing supporting documentation to remove this BUI in AOCs that have met the first tier of the Guidance criteria.

The COE has a preferred disposal option for each dredging site. The Technical Committee relied on the COE to identify the preferred disposal option for each AOC. The COE also made a determination, on whether or not there were restrictions placed on the dredging project. If use of a preferred option is restricted due to chemical contamination, a restriction on dredging activities exists. If there is no restriction on use of a preferred disposal option due to chemical contamination, the BUI can be removed.

Analysis

The MDEQ AOC program staff solicited comments regarding the redesignation of this BUI from the Technical Committee. In accordance with the Guidance, the Technical Committee reviewed the most recent dredge cycle information provided by the COE, and other supporting documentation for the Muskegon Lake AOC.

According to the attached COE Muskegon Lake Dredging History Summary (Attachment B), the Muskegon Lake navigation channel was dredged nearly every year between 1971 and 1982. In each of those years, the COE determined that the dredge spoils were suitable for open water disposal. Between 1984 and 2011, the channel was dredged 10 times. In each of those years, the COE utilized the dredged materials for beach nourishment projects in the area. The COE sediment analysis from 1974, 1982, 2000, 2004, 2008, and the most recent dredge cycle conducted in 2011 indicate that contaminant concentrations in the dredge spoils were less than the USEPA open water disposal criteria (FutureNet, 2011). Based on those results, dredged sediments from the navigation channel have been approved for and used in the federal beach nourishment program for Lake Michigan. No special handling or use of a confined disposal facility is required for the spoils generated by the dredging of the Muskegon Lake navigation channel.

The preferred disposal option for the Muskegon Lake harbor is Lake Michigan beach nourishment. The Technical Committee determined that there are no restrictions on routine navigational channel dredging by the COE because there are no restrictions on the preferred disposal method. Therefore, according to the Guidance restoration criteria outlined above, this BUI can be considered restored.

Recommendation

Based upon review of the data (FutureNet, 2011) and technical input from the MDEQ, the USEPA, and the COE project staff, we recommend removal of the Restrictions on Dredging Activities BUI, in the Muskegon Lake AOC.

The removal recommendation was discussed with the Muskegon Lake Watershed Partnership at their regular meeting on July 14, 2011, with a public meeting held afterward to discuss the recommendation with the Muskegon Lake AOC community (Attachment D).

Prepared by: Stephanie Swart, AOC Coordinator
Great Lakes Management Unit
Office of the Great Lakes
Michigan Department of Environmental Quality
June 28, 2011

Attachments

- A – Restrictions on Dredging Activities; pages 31-32 of the Guidance for Delisting Michigan's Great Lakes AOCs
- B – COE Muskegon Lake Dredging History Summary
- C – Muskegon Lake Watershed Partnership letter supporting BUI removal, August 8, 2011
- D – Muskegon Lake Watershed Partnership July 14, 2011, public meeting announcement, agenda, and minutes

References

- FutureNet Group, Inc. 2011. Sediment Sampling and Analysis Report Muskegon Harbor, Michigan. Contract No. W911XK-09-D-0014, Task Order #0032. Prepared for the United States Army Corps of Engineers, Detroit District, Detroit, Michigan.
- International Joint Commission. 1987. Revised Great Lakes Water Quality Agreement of 1978.
- Michigan Department of Environmental Quality. 2011. Stage 2 Remedial Action Plan for the Muskegon Lake Area of Concern. Office of the Great Lakes, Michigan Department of Environmental Quality, Lansing, Michigan.
- Michigan Department of Environmental Quality. 2008. *Guidance for Delisting Michigan's Great Lakes Areas of Concern*, revised. MI/DEQ/WB-06-001.
- Michigan Department of Natural Resources. 1987. Remedial Action Plan for the Muskegon Lake Area of Concern. Great Lakes and Environmental Assessment Section, Surface Water Quality Division, Michigan Department of Natural Resources, Lansing, Michigan.

Attachment A

2008 Guidance for Delisting Michigan's Great Lakes Areas of Concern

Restrictions on Dredging Activities

Significance in Michigan's Areas of Concern (AOC)

Twelve AOCs in Michigan have identified restrictions on dredging as impaired or potentially impaired (all except Deer Lake and Torch Lake). This Beneficial Use Impairment (BUI) addresses the requirement for special handling or disposal of commercial or recreational navigation channel dredge spoils due to chemical contamination of sediments. This BUI was originally identified for some AOCs based on the existence of contaminated sediments, not on whether there were actual restrictions on dredging in the AOC.

Michigan Restoration Criteria and Assessment

This BUI will be considered restored when:

- There have been no restrictions on routine commercial or recreational navigational channel dredging by the U.S. Army Corps of Engineers (COE), based on the most recent dredging cycle, such that special handling or use of a confined disposal facility is required for dredge spoils due to chemical contamination.

OR, in cases where dredging restrictions exist:

- A comparison of sediment contaminant data from the commercial or recreational navigation channel (at the time of proposed dredging) in the AOC indicates that contaminant levels are not statistically different from other comparable, non-AOC commercial or recreational navigation channels.

Rationale

Practical Application in Michigan:

Dredging sediments in the Great Lakes and connected waterways requires state and federal approvals that regulate the extent of dredging, disposal of dredge spoils, and pre-dredge studies. Restrictions on dredging is defined as special handling or use of a confined disposal facility is required for dredge spoils due to chemical contamination. Open water disposal of any clean or contaminated dredge spoils in the Great Lakes or connected waterways is not routinely permitted in Michigan. As a result, use of disposal options (e.g., confined disposal facility) other than open water is not automatically a restriction on dredging. This restoration criterion applies only to the commercial and recreational navigational channels in the Great Lakes and connected waterways that are maintained by the COE.

1991 International Joint Commission (IJC), General Delisting Guideline

When contaminants in sediments do not exceed standards, criteria, or guidelines such that there are restrictions on dredging or disposal activities.

The IJC general delisting guideline for the BUI is presented here for reference. The Practical Application (PAC) in Michigan subsection above describes application of specific criteria for restoration based on existing Michigan programs and authorities.

State of Michigan Programs/Authorities

As part of existing planning and regulatory requirements, the MDEQ and the COE evaluate the environmental impacts associated with any proposed navigational dredging and disposal projects.

In assessing restoration of this BUI, the State, in consultation with the COE and the PAC, will conduct an evaluation of the most recent navigational dredging projects in an AOC to determine whether there have been restrictions on the dredging or disposal due to sediment contamination. For those AOCs where there have been dredging restrictions, the MDEQ will coordinate with the COE to evaluate sediment contaminant data from the commercial or recreational navigation channel and compare it to sediment data collected from other, non-AOC commercial or recreational navigational dredging sites. Comparison will be based on those contaminants which are causing the dredging restrictions. Non-AOC comparison sites will be chosen based on geographic similarity, type of navigation channel and dredging time frame. The State will evaluate whether the AOC commercial or recreational navigation channel sediment has statistically higher levels of contaminants than non-AOC reference navigation channels.

Some local AOC communities also have programs for monitoring water quality and related parameters which may be applicable to this BUI. If an AOC chooses to use local monitoring data for the assessment of BUI restoration, the data can be submitted to the MDEQ for review. If the MDEQ determines that the data appropriately address the restoration criteria and meet quality assurance and control requirements, they may be used to demonstrate restoration success.

All non-navigational channel dredging is evaluated under federal and state authorities and any special circumstances are addressed in the permit process, including contamination. These programs apply across the state, not just in AOCs.



US Army Corps
of Engineers

Wednesday, January 12, 2011

ANNUAL REPORT/CONTRACT DREDGING REPORT, DETROIT DISTRICT, OPERATIONS OFFICE

FY	START	COMPLETION	CUBIC YARDS	COST	CPY	CONTRACTOR	CONTRACT NUMBER	PLACEMENT/DREDGE AREA
MUSKEGON HARBOR, MI								
1964			95,761	\$39,280	\$0.41	GOVT/HAINS		
1965			253,899	\$138,333	\$0.54	GOVT/HAINS		
1965			80,494	\$35,175	\$0.44	GOVT/HAINS		
1965			22,650	\$57,508	\$2.54	GOVT/TOMPKINS		
1966			63,791	\$33,601	\$0.53	GOVT/HAINS		
1966			20,350	\$38,358	\$1.88	GOVT/TOMPKINS		
1967	6/23/1967	7/3/1967	61,922	\$23,611	\$0.38	GOVT/HAINS		
1968	5/23/1968	6/6/1968	98,857	\$60,762	\$0.61	GOVT/HAINS		
1969	6/13/1969	6/24/1969	73,844	\$41,977	\$0.57	GOVT/HAINS		
1969	6/2/1969	6/7/1969	6,300	\$13,236	\$2.10	GOVT/TOMPKINS		
1970	11/28/1969	12/3/1969	42,346	\$45,969	\$1.09	GOVT/HAINS		
1970	5/23/1970	6/30/1970	2,700	\$16,615	\$6.15	GOVT/TOMPKINS		
1971	4/26/1971	5/5/1971	71,312	\$38,271	\$0.54	GOVT/HAINS		OPEN WATER
1972	6/14/1972	6/24/1972	55,009	\$33,650	\$0.61	GOVT/HAINS		OPEN WATER
1973	5/9/1973	5/20/1973	59,685	\$63,954	\$1.07	GOVT/HAINS		OPEN WATER
1974	5/28/1974	6/6/1974	49,853	\$48,815	\$0.98	GOVT/HAINS		OPEN WATER
1975	6/1/1975	6/13/1975	72,414	\$76,862	\$1.06	GOVT/HAINS		OPEN WATER
1976	4/26/1976	5/5/1976	43,902	\$57,259	\$1.30	GOVT/HAINS		OPEN WATER
1977	5/31/1977	6/11/1977	75,180	\$111,024	\$1.48	GOVT/HAINS		OPEN WATER
1978	6/16/1978	6/22/1978	36,029	\$68,403	\$1.90	GOVT/HAINS		OPEN WATER
1979	4/16/1979	4/22/1979	32,109	\$65,681	\$2.05	GOVT/HAINS		OPEN WATER
1980	3/29/1980	4/1/1980	8,462	\$21,742	\$2.57	GOVT/HAINS		OPEN WATER
1982	7/4/1982	7/17/1982	58,451	\$166,084	\$2.84	GOVT/HAINS		OPEN WATER
1984	6/30/1984	8/3/1984	50,511	\$163,055	\$3.23	LUEDTKE	DACW35-84-C-0014	BEACH 14000'-16000'N 13500'S-14500'S 8'CNTR-OHWM OUTER CONTOUR - 35+00
1988	8/10/1988	10/3/1988	53,774	\$306,931	\$5.71	KING	DACW35-88-C-0016	BEACH 650'-2650' S OF S BREAKWATER 4'CNTR-OHWM 33+00W - 24+40W
1991	6/25/1991	8/23/1991	85,107	\$319,089	\$3.30	ANDRIE	DACW35-91-C-0008	BEACH 2000'-4000' S OF S BREAKWATER 7'CNTR-OHWM 33+00W - 7+00W
1993	5/30/1994	7/18/1994	93,573	\$633,281	\$6.77	MCM MARINE	DACW35-93-C-0027	BEACH 5000'-7000' & 9000'-10000' S OF THE S INNER PIER 15000'-16500' S OF S BREAKWATER 4'CNTR-OHWM 32+00W - 15+00W
1996	7/8/1996	7/30/1996	53,795	\$423,813	\$7.88	KING	DACW35-96-C-0016	14000'-17000'S OF S BREAKWATER 4'CNTR-OHWM 32+00W-15+00W
1999	7/21/1999	8/15/1999	55,798	\$209,654	\$3.76	MCM MARINE	DACW35-99-C-0027	BEACH 5,000'-7,000' S OF S BREAKWATER 4'CNTR-OHWM 21+00W-32+00W

MLWP
Muskegon Lake
Watershed Partnership

316 Morris Avenue, Suite 340, P.O. Box 387 – Muskegon, Michigan 49443-0387

Web Site: www.muskegonlake.org

August 8, 2011

Ms. Stephanie Swart, AOC Coordinator
Office of the Great Lakes
525 West Allegan
Lansing, Michigan 48909

Dear Ms. Swart:

The Muskegon Lake Watershed Partnership is pleased to join with the Michigan Department of Environmental Quality (MDEQ) in initiating the removal of the Restrictions on Dredging Beneficial Use Impairment from the Muskegon Lake Area of Concern (AOC).

The Muskegon Lake AOC community has partnered with many local, state and federal agencies, non-governmental organizations, community leaders and volunteers over several years to clean up toxic sediments and restore beneficial uses in the Muskegon Lake AOC.

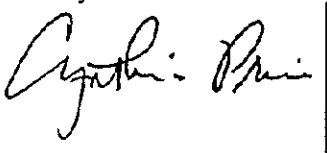
In 2006, the Ruddiman Creek Great Lakes Legacy Act project removed over 90,000 cubic yards of contaminated sediment. More recently, the NOAA Coastal and Marine Habitat Restoration/ARRA and Great Lakes Habitat Restoration Program, working on a grant through West Michigan Shoreline Regional Development Commission, have removed over # cubic yards of shoreline fill, comprised of foundry sand and slag, and other contaminated, unnatural waste materials. Improvements in managing storm water are underway, and there have been repairs and enhancements to the Muskegon County Wastewater Management System force main in order to reduce the potential for future pipeline and lift station failures and discharges.

In 2011, with the U.S. Army Corps of Engineer's documented reduction in levels of contaminants in the Muskegon navigational channel sediment and use of the sediment for beach nourishment, we are prepared to celebrate the removal of this BUI.

The MDEQ is preparing supporting documentation, and will submit it for EPA's review.

We appreciate all that MDEQ, along with the EPA, has done over the years to help us achieve this goal.

Sincerely,



Cynthia Price
Chair

From: Kathy Evans
Sent: Monday, July 11, 2011 12:33 PM
To: Kathy Evans; 'kevansmlwp@gmail.com'
Subject: Muskegon Lake Mtg at United Way, 6:00 p.m. Thursday, July 14 - Please note mtg location change

Please Note - Meeting LOCATION Change:

The Muskegon Lake Watershed Partnership's meeting at 6:00 p.m. this Thursday, July 14 will be held at United Way of the Lakeshore. *Their NEW office building address is 27 East Clay Street.* (We will NOT meet at WMSRDC/Terrace Plaza, as previously noted.)

The United Way is located at the corner of Spring and Clay. Ryerson Creek meanders through the property, and the United Way is participating in the Ryerson Creek fish and wildlife restoration project, under the NOAA/ARRA and NOAA GLHRP grants. Thank you to the United Way for providing MLWP with a great place to meet this month!

The meeting will feature a presentation on the status of the Dredging, Drinking Water, and Beach Closing Beneficial Use Impairments, by Stephanie Swart, MDEQ Office of the Great Lakes. Your input and participation is needed to discuss the process of assessing and removing the BUIs.

In addition, MLWP members will provide brief status updates on current projects:

- Division Street Outfall contaminated sediment remediation
- MRWA's Bear Creek 319 Implementation project
- AWRI's Ruddiman Creek Implementation-Ready Biota TMDL
- PHMC's AOC-GLLA-Brownfield Environmental Health Information project
- NOAA/ARRA/GLHRP Fish and Wildlife Habitat Restoration
- Zephyr Part 201 Site Remediation and Bosma Wetland Restoration

Agendas will be distributed at the meeting.

Kathy Evans
(231) 722-7878, Ext. 17

MLWP_July_14_Public_Mtg_Dredging_BUI_Muskegon_Chronicle_MLive.txt

Muskegon Lake Watershed Partnership meets Thursday

Muskegon Lake Watershed Partnership meets Thursday

Published: Tuesday, July 12, 2011, 10:32 AM Updated: Tuesday, July 12, 2011, 10:40 AM

By John S. Hausman | Muskegon Chronicle The Muskegon Chronicle

The Muskegon Lake Watershed Partnership's next meeting will be 6 p.m. Thursday at United Way of the Lakeshore, 27 E. Clay, at the corner of Clay Avenue and Spring Street.

The meeting will feature a presentation by Stephanie Swart of the Michigan Department of Environmental Quality's Office of the Great Lakes, on the status of lake's dredging, drinking water and beach closing beneficial use impairments. Partnership members also will give brief status updates on Muskegon Lake remediation, restoration and other projects.

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**Muskegon Lake Watershed Partnership
Minutes
July 14, 2011 Public Meeting
United Way of the Lakeshore, 6:00 p.m.**

Attendance: Lea Markowski, David Calkins, Carolyn Weng, Kevin Weng, Mary Cooper, Dennis Kirksey, Stephanie Swart, Theresa Bernhardt, Mark Evans, Tom Berdinski, Pete Meyers, Susan Cloutier-Myers, Greg Mund, Cynthia Price, Kim Arter, Brenda Moore, Sara Damm, Kathy Evans (18)

Welcome and Introductions / Minutes and Treasurer's Report:

- Kim, Vice Chair opened the meetings with a welcome and introductions by all in attendance.
- Lea Markowski, Secretary requested that the minutes be tabled until the August meeting
- Treasurer's report was given by Mark Evans. Beginning balance in the MRWA unrestricted fiduciary account was \$8,696.50. Monthly income was \$45.00 and expense was \$936.06 (website, \$975.00 and postage, \$1.06). Current balance is \$7,805.44. Motion by Bernhardt, Second by Mund, to place the report on file.
- The CFFMC provided a \$20,000 contribution for WMSRDC/Kathy Evan's support of MLWP general operations. MLWP and WMSRDC will develop a budget and WMSRDC will provide monthly financial statements.

Public Presentation:

Stephanie Swart, MDEQ- Office of the Great Lakes AOC Coordinator, gave a PPT presentation on the status of the Dredging, Drinking Water and Beach Closing BUIs. Discussion on the Dredging BUI resulted in unanimous support for the removal of the BUI. Motion by Mund, Second by Evans-M that MLWP supports the removal of the Restrictions on Dredging BUI, and will provide a letter of support to the MDEQ. Motion passed unanimously.

Technical Committee Update:

- Evans – K gave an update on the DSO and Ryerson contaminated sediment cleanup projects.
- Berdinski reported on progress with the Bear Lake/Fenners Ditch oil slick. No funding at this time, but working on finding a funding source for a remedial investigation.
- Members discussed the status of the Zephyr Part 201 remediation and Muskegon River/Bosma wetland restoration. Sen. Hansen and DEQ Director Wyant will visit Zephyr on Monday. Meeting participants provided comments for Evans-K to consolidate and send to Sen. Hansen in preparation for meeting with the DEQ Director.
- The fish consumption BUI is being addressed by AWRI with DEQ funding. Fish tissue analysis will be completed. The State Health Department will assess the status of the BUI with a FY'12 GLRI grant. Evans noted that MLWP previously committed to assisting the state health department with community outreach in their GLRI grant.
- Webster-V and Evans-K are working on an ATSDR-funded AOC/GLLA/Brownfield grant project to seek public input and to provide information about environmental health information needs.

Non-Point Source Committee Update:

- Damm-S gave an update on AWRI's Ruddiman Creek Implementation Ready Biota TMDL GLRI project, noting that two of 6 storms to be sampled have been completed so far.
- Members discussed the ongoing MRWA Cedar Creek project, noted that MCD is active with fish habitat/passageway restoration projects, and the potential to partner with CMS Energy on wetland restoration.

Habitat Committee Update:

- Mund gave an update on the NOAA Ryerson Creek fish and wildlife habitat project which will daylight a section of the stream and replace culverts for improved fish passage.
- Hartshorn Peninsula-East is being excavated to create open water and emergent wetland habitat just west of the marina. The Amoco site is still under re-design.
- Additional restoration may be completed due to NOAA grant cost savings.
- The City of North Muskegon will receive a NOAA land acquisition grant to acquire property on Bear Creek/Bear Lake, on the east side of Witham Road.
- WMSRDC will receive a NOAA for the design to hydrologically re-connect the creek and lake to its natural riparian floodplain at the mouth of the lake, and to remove sawmill debris and restore open water wetland in Muskegon Lake between Coles and Amoco.

Adjourned