

Erie Pier Management Plan Committee Meeting Summary

Wednesday, January 8, 2020 from 1-4 PM

Minnesota PCA conference room 400-1

PARTICIPANTS:

Brett Ballavance (Wenck)	Patty Fowler (MN DNR)
Dan Breneman (MN PCA)	Anna Hess (MN DNR)
Natalie Chin (WI Sea Grant)	Jason Serck (City of Superior)
Deb DeLuca (DSPA)	Ted Smith (Marine Tech)
Diane Desotelle (City of Duluth)	Mike Wenholz (MIC) - facilitator
John Downing (MN Sea Grant)	

PURPOSE: Kick-off meeting of the Erie Pier Management Plan (EPMP) Committee. The focus of the meeting is on organizational aspects of what it is we plan to do, whether this effort will result in an updated or new EPMP, what the EPMP is to contain, and who is to do what.

AGENDA:

1. **Introductions/Agenda Review**
2. **Primary Responsibilities**
 - Who will be the primary author?
 - Funding
3. **Purpose & Goals of the EPMP**
 - Does the purpose of the 2007 EPMP remain applicable today?
 - Do the goals and objectives of the 2007 EPMP remain applicable today?
 - Have the goals and objectives of the 2007 EPMP been implemented?
 - What new purpose, goals, and objectives should we consider, if any?
4. **Revision/Update OR Full Rewrite?**
 - What aspects of the 2007 EPMP do we want to keep?
 - What are new topics we want covered or covered more completely?
 - What information in the 2007 EPMP needs to be updated?
5. **Wrap-up**, Next steps and identify future work and topics of the Committee

HANDOUTS: *Questions and Notes Regarding the 2007 Erie Pier Management Plan*
Erie Pier Management Plan 2020 Draft Chapter Outline

SUMMARY:

Introductions/Agenda Review

- Mike thanked everyone for participating and after introductions asked if there were suggestions for revising the agenda. There were no changes necessary.

- Mike gave a brief overview of what this effort is about (updating or rewriting the EPMP) and shared the purpose of this initial kick-off Committee meeting.
- Mike shared that he had asked Dan and three US Army Corps of Engineers (USACE) staff to provide examples of documents similar to EPMP across the Great Lakes for us to review and learn from. To date had only received one from Toledo, OH that is very comprehensive and much more equivalent to a dredged material management plan (DMMP) than the EPMP.

Primary Responsibilities

- Mike shared some background from the January 2018 and October 2019 HTAC Dredging Subcommittee meetings at which updating EPMP was discussed. Both times people wanted the plan to be updated or rewritten, but no one offered any ability to be a significant contributing author. As per discussion at the October 2019 meeting, Ron Chicka and Mike asked Andy McDonald if he was interested in being the primary author of this EPMP update or re-write? Mike shared that he is not, although he is open to answering a few questions to help us out, if needed.
- Deb explained that Jeff Stollenwerk has volunteered to be the primary author of the revisions or re-write of the EPMP. He has the background knowledge of EP to be able to do this effectively. And it makes sense for the DSPA to staff the primary author since it is their facility. Deb also stated that there may be need for one or two others to write a chapter or two, or at the very least assist Jeff, as needed.
- Mike shared he plans to draft the purpose and/or background chapters to take these off Jeff's plate, as well as organize and facilitate the Committee meetings and distribution of materials.
- After a couple of questions about who owns and operates the property, Deb stated that out of a 1978 agreement the City of Duluth and the Duluth Seaway Port Authority (DSPA) co-own the property, but that DSPA is primary and has primary responsibilities. She also said USACE operates the EP facility on the property. Diane asked if there is a specific MOU or other document regarding the agreement between the City and DSPA. Deb and Brett both believe there is, and they will attempt to locate a copy to share.

Purpose & Goals of the EPMP

- With the intent of helping to establish the purpose and goals for this effort, Mike asked for initial thoughts on the 2007 EPMP and its contents, current needs at EP, ideas we should consider, etc. The following are responses shared:
 - Ted said in general the 2007 EPMP will need a few updates but is still relevant. The problem is much has not been implemented. There have been many discussions about reuse of dredge material (DM) for many years, but relatively little has been done to implement reuse other than using DM for remediation and habitat projects around the harbor the past 5-10 years. None of that material came from EP. There needs to be a much greater emphasis on implementation. Many agreed.
 - Deb shared that Jeff Stollenwerk sees a need to identify barriers to DM reuse and find solutions to them.
 - Brett noted how there have been many years of DM reuse. It just is not going through EP.
 - Ted and Brett stated there is a lot of data showing DM has gotten much cleaner (less contaminated) over the years.
 - Dan said there has been a lot of sampling at EP.
 - Diane said there is a need to include an administrative structure to help ensure implementation. This can include MOUs and other strategies.
 - Brett said to include a table similar to Table 2 for in-water placement.

- Diane, Brett, and Deb said the EPMP should link to the local DMMP. Dan agrees this is a good idea but noted the USACE has not been interested in rewriting the DMMP at this time.
- To provide clarity, Dan said the EPMP could be seen as one option within the overall DMMP. The EPMP should stay focused to aspects of the EP facility and reuse of material from that facility.
- Deb wants the EPMP to consider aspects of closure should EP reach a point of closure in the future.
- Brett wants to eliminate the “EP will be filled within 10 year” statements in the plan. Conversely, we need to determine and state how much capacity is realistically available and try to calculate a rough timeline to EP being filled, given certain variables. Mike agrees. Brett said that from an engineering perspective it appears there is a lot of capacity remaining if you keep building up.
- Mike asked if the stated purpose in the 2007 EPMP remained applicable? Part 2 (transition EP Confined Disposal Facility (CDF) into the EP Processing and Reuse Facility (PRF)) has been accomplished and thus does not need to remain a purpose of this effort. However, part 1 (develop a successful dredged material reuse program) has not been accomplished and should remain a key part of the purpose moving forward. Ted said in terms of reuse activities at EP nothing significant has changed in the 40 or so years since the idea of washing the dredged material was first generated.
- Mike asked if the stated goals and objectives in the 2007 EPMP remained applicable? Nothing specifically was mentioned, other than suggesting there would need to be a few revisions and additions.
- In general, the group believes other than the change from CDF to PRF the other purpose, goals, and objectives from the 2007 EPMP remain because they largely have not been implemented.
- Deb noted her recollection is that only a few entities have shown interest in getting materials from EP to use for reuse since her starting at DSPA (2014). She also noted little material ever left EP for a number of reasons.
- Jason said one simple thing we can do to help others reuse the DM is to include EP on the list of quarries contractors can use.
- Brett added that another simple thing we can do is have MPCA issue a Case-Specific Beneficial Use Determination (CSBUD) number for EP which opens the door for EP materials to be reused under a certain set of conditions without needing site-specific approvals. He noted there are 6 landfills within 30 miles of EP that could possibly make use of EP materials more easily if a CSBUD were granted.

Revision/Update OR Full Rewrite?

- The Committee looked at Jeff Stollenwerk’s Draft Chapter Outline. Mike explained that Jeff provided this as a starting point for discussion, to give us something to work from. Mike asked for any comments, suggestions, etc. regarding Jeff’s outline. The following specific suggestions were made:
 - Include a history of use and history of permits at EP.
 - Include an administrative structure including an MOU to ensure implementation.
 - Include dam/dyke safety info from MN DNR. Also include who built and maintains the dams/dykes at EP. Patty can get this information.
 - Include narrative and values regarding in-water placement.
 - Make connections between the EPMP and DMMP.

- Include both MN and WI applicable standards and values.
- There was discussion whether or not a chapter on evaluating siting for a new CDF should be in the EPMP. Whether it is an entire chapter or a section of another chapter, there is reason to include at least a summary of this topic. There will be more discussion on this topic as we move forward.
- Given these and the comments in the previous agenda topic, the Committee believes this effort requires a full re-write and not simply some revisions. However, many portions of the 2007 EPMP can be included in the new EPMP, especially after some updates.
- Also, the Committee reiterated there has to be much more directed implementation focus. We discussed developing an overall implementation framework that includes formation of topic-specific implementation sub-teams (perhaps even workgroups of the HTAC Dredging Subcommittee) to address specific implementation details.

Wrap-Up

- The Committee agreed the goal is to complete the re-write of the EPMP in 2020. Deb feels taking longer than a year or so allows the process to get bogged down and burdensome. Others agreed. That said Deb and Mike will check with Jeff to make sure he agrees given his other workload.
- Jeff and Mike will start drafting chapters and share with the Committee for their review. We will plan to have Committee meetings approximately quarterly, with the expectation that Committee members will be reviewing the draft chapters and providing comments to facilitate efficient meetings and timely completion of the re-write. Everyone agreed to this approach. Mike and Deb will run this by Jeff to see if he has any different ideas. Mike will share any changes to this approach if there are any.
- Jeff will be the primary author. Mike will draft one or two chapters. Others agreed to help Jeff or Mike, or draft a chapter, if asked and if they are able.
- Mike will organize and facilitate meetings and distribute drafts and other materials for review.
- Mike asked all Committee members to answer whatever questions on the “Questions and Notes Regarding the 2007 EPMP” handout they could within a reasonably short time/with little effort. Simply answer the questions you are able to. Committee members were asked to submit the answers within the Microsoft Word document they received and return to Mike no later than January 24, if possible so he can compile the answers for him and Jeff to use in drafting chapters.
- Plan on the next meeting being the end of March or early April.

The meeting ended shortly before 3 PM.