

**Duluth-Superior Metropolitan Interstate Council
HARBOR TECHNICAL ADVISORY COMMITTEE**

Meeting Summary

March 4, 2009

EPA Lab Conference Center, Duluth, MN

HTAC Voting Members Present		HTAC Voting Members Absent	
Organization	Representative	Organization	Representative
City of Superior	Jason Serck	City of Duluth	Chris Kleist
Duluth Seaway Port Auth	Jim Sharrow	Douglas County	(vacant)
Industry-Coal sector	Marshall Elder	Industry-General Bulk	Mike McCoshen
Industry-General Cargo	Denise McDougall	Industry-Grain sector	Doug Christianson
Industry-Pilots/ Vessel Ops	Bob Libby	Industry-Harbor Services	Ed Montgomery
Industry-Recreation	Joel Johnson	Industry-Harbor Engineering	Ted Smith (<i>Vice-Chair</i>)
Izaak Walton League	Gary Glass	Industry-Ore Sector	Mark Erickson
MIC	Ed Anderson	WI Sea Grant	Gene Clark
MN DNR	Patty Fowler	Others Present	
MnDOT	Denny Johnson	American Service Lines	Betty Juntune
MN Sea Grant	Dale Bergeron	Barr Engineering	Eric Dott
MPCA	Marc Hershfield	Barr Engineering	Guy Partch
Natural Resources Conservation Service	Danny Weber	Congressman Oberstar's office	Jackie Morris
NWRPC	Jason Laumann	City of Duluth	Chris Kleist
St. Louis River Association	Ted R. Smith	US EPA-Region 5	John Haugland
St Louis County	Scott Smith	GLMRI	Carol Wolosz
U.S. Army Corps of Engineers	Alan Mozol	GLMRI	Stacey Carlson
Save Lake Superior Assoc	Nancy Paisley	JPG Group	Lisa Neitzel
USCG Duluth MSU	CDR Michael Lebsack	MIC staff	Ron Chicka
US Fish & Wildlife Service	Dave Warburton	MIC staff	Andy McDonald
Wis DNR	Nancy Larson	MIC staff	Rondi Watson
WisDOT	Martin Forbes	MnDOT-Central Office	Matthew Pahs
WLSSD	Jack Ezell	MPCA	Susan Johnson
		NRRI	Marsha Patelke
		Technical Advisor	Bill Majewski
		US Customs Office	Barbara Lambus

1. Agenda Review / Introductions

HTAC Chair **Jason Serck** called the meeting to order at 9:06 am. All participants introduced themselves. No changes to the agenda were put forward.

2. Committee Business

December 3, 2008 HTAC Meeting Summary

Chair Serck called for changes to the previous month's Meeting Summary as presented. .

Motion by Joel Johnson/Ted R. Smith to approve the December 3, 2008 Meeting Summary with no changes. Motion carried unanimously.

Membership and Bylaws Subcommittee Report

MIC Principal Planner **Andy McDonald** reported on the committee's proposed changes to HTAC membership and bylaws. The first recommendation was to change the Minnesota and Wisconsin Sea Grant program representatives (Dale Bergeron and Gene Clark, respectively) from technical advisors to voting members, due to their level of involvement in the HTAC as well as the expertise they bring to the table.

They also recommended changing the status of the EPA Region 5 representative (John Haugland) from voting member to technical advisor-at the request of that agency. Haugland explained that they thought it best to maintain a neutral stance in regard to any votes that might come before the committee. He emphasized the agency's continued interest in provide input and technical assistance to the HTAC and its member constituencies.

These membership changes, if approved, would increase the total number of members from 30 to 31, and increase the quorum from 15 to 16.

Andy also reported on the recommendation that the Bylaws define state affiliation—Minnesota, Wisconsin, or both—for each member jurisdiction. He noted that this distinction really only matters once every two years, when nominating new committee chairs and vice-chairs; the HTAC bylaws specify that these leadership positions must alternate between the states. While state affiliation is obvious in some cases—the respective DNRs and DOTs, for example—it was unclear in for others. The revised Bylaws now spell out which groups are affiliated with what state, with federal agencies and port-based industries representing both states.

Motion by Bob Libby/Joel Johnson to approve the revised Bylaws and membership as presented. Motion carried unanimously.

2009-10 Chair and Vice-Chair

Jason Serck reported that he and Jim Sharrow had polled members and put forward a nomination of current vice-chair, Ted Smith, to serve as chair and Ed Anderson as vice-chair for 2009-2010.

Motion by Joel Johnson/Marshall Elder to approve the nominations. Motion carried unanimously.

Jason thanked the committee for its continued and active participation, and turned the meeting over to **Ed Anderson** (in Ted's absence) as chair.

3. Captain of the Port – US Coast Guard Duluth MSU Annual Report

Commander Michael Lebsack of the US Coast Guard Duluth Marine Safety Unit reported that 2008 had been another good year with a very low number of environmental responses (the last time there was a large-scale problem was in 2004 when they had to deal with a 12,000 gallon spill).

He also reported that the Duluth MSU had been designated a Vintage Vessel Center of Excellence by the Coast Guard and will be assigned additional personnel to ensure

consistency of inspection of vintage vessels throughout the 9th district. He explained that locally there are vessels still in service that are up to 106 years old, which provides a unique opportunity to train new inspectors with the legacy knowledge of older equipment and processes. Jim Sharrow of the Port Authority commented that this type of expertise is very valuable outside this port as well, since numerous older vessels are still in service worldwide.

In addition, the Duluth MSU will be assigned a new person to conduct inspections of un-inspected commercial sector (non-TWIC) operators. He requested that if local companies are experiencing any difficulties with rules and compliance issues pertaining to TWIC cards and mariner access issues, that they contact the MSU office directly for assistance in resolving these problems. In total, five new marine safety personnel will be coming to the port of Duluth by end of 2010.

He also reported that the process for renewing mariner licenses, due to an expanded medical screening requirement pertaining to prescription drug impairments, was creating significant delays in processing time for some applicants. He noted that the National Maritime Center had recently implemented enhanced risk-based screening procedures to streamline the medical evaluation process and is prioritizing all credential renewals that have expired or are near expiration. Although the Coast Guard was “surging” the number of available medical personnel to provide additional capacity for screenings and evaluations, he urged everyone to get the process started at least six months before their license expires.

On the topic of ballast water developments, CDR Lebsack reported that no one is sure when this will be resolved at the federal level; meanwhile, headquarters is doing everything they can to move rulemaking along. He described the politics holding things up in committee as very frustrating; they really want to get appropriate science- and research-based base standards out there for states and industry to consider. He commented that some of the individual states are creating onerous regulations; Wisconsin’s state plan would require salties, starting in 2012, to treat ballast tanks and kill living organisms to a level 100 times greater than the International Maritime Organization (IMO) has proposed for existing ships and 1,000 times IMO levels for new ships. California and New York have adopted similar standards. The problem is, there’s no technology that yet exists for cost effective and viable treatment methods to meet those standards.

He closed by noting that an AMSTEP (Area Maritime Security Training and Exercise Program) drill will be held here in summer 2009 – a nationwide program to conduct full-scale exercises that allows the Coast Guard, in cooperation with federal, state, local and industry partners, to interface and test their ability to respond to a security incident. He added that this year the drill will focus on a pandemic situation, involving (for the first time locally) medical centers, emergency responders, a quarantine station, and marine firefighters.

4. SLRIDT Superfund Site Update

Lisa Neitzel of the JPG Group gave an update of the St Louis River Interlake Duluth Tar Superfund Site cleanup. This very large and complex operation is moving forward according to schedule. She reviewed the construction and remediation work that was conducted in 2008, as well as the activities planned for the 2009 season. She also noted the extensive environmental monitoring for air and water quality as well as noise levels that has taken place throughout the process, along with live web reports for local residents. She added that more detailed information is available through the project website: www.slriddt.com.

John Haugland, HTAC technical advisor from the EPA office in Chicago, commented that Lisa's presentation was comprehensive yet understandable. He also introduced Susan Johnson, the MPCA's new project manager for the SLRIDT site, adding that she would also be responsible for the US Steel site.

5. Marine Community Day / Great Lakes Maritime Stakeholders Meeting with NOAA

Jim Sharrow from the Duluth Seaway Port Authority gave a report on the recent Marine Community Day in Cleveland, Ohio, organized by the Lake Carriers' Association, The Saint Lawrence Seaway Development Corporation, U.S. Army Corps of Engineers, U.S. Coast Guard and U.S. Maritime Administration. About 250 people gathered in Cleveland for the event on February 25-26. Mr. Madhu Vuppuluri, CEO of Essar American Steel, which is developing the slab steel plant on the iron range, gave the keynote address at the Admiral's Dinner which stressed the importance of Great Lakes shipping to their operations and industry.

Dale Bergeron from the Minnesota Sea Grant reported on the National Oceanic and Atmospheric Administration (NOAA) Great Lakes Shipping Stakeholder's Forum held in conjunction with the Marine Community Day event. He noted that NOAA is a huge entity which recognizes that better coordination is needed within NOAA, as well as better outreach about accessing and utilizing their services.

The forum solicited feedback on NOAA's products and services supporting navigation, maritime safety and Great Lakes commerce. He added that NOAA brought in top personnel for this session, reflecting their commitment to improving their value to maritime stakeholders. Questions included "what are the basic products you need?" and "what do you need right now?" as well as "What should we be telling the new NOAA director and the new Director of the Department of Commerce?"

Additionally, the Duluth Seaway Port Authority co-hosted a visit for NOAA officials introducing them to the people and issues associated with the Great Lakes shipping industry.

Dale reported that a common theme, brought up several times by several organizations, was the importance of NOAA's role as honest broker between science and industry; also the need for NOAA to not just provide data, but to translate it into meaningful

information. There is also a need for more modeling, especially in regard to climate change; the point being that engineering projects must be designed for future trends, not simply based on historical data. There was also a repeated interest in receiving real-time data reflecting the effects of wind, waves and seiches due to high or low pressure systems. There is also the need for better ice forecasts, as well as a request by pilots for expanded (larger scale) maps;

He added that it is predicted that the Great Lakes will see climate change impacts sooner than coastal communities because high and low water level changes of just a few inches make a huge difference on maritime and landside operations—serving in effect as the canary in the coal mine for broader impacts.

Jim Sharrow closed by noting that unfortunately the Soo Lock reconstruction project is not addressed by stimulus bill, with industry-wide disappointment on that score.

6. Northern Minnesota-Northwest Wisconsin Freight

Matthew Pahs, Principal Transportation Planner at MnDOT's Office of Commercial Vehicle Operations, provided information about the freight study that is underway for the Northern Minnesota-Northwest Wisconsin region.

He explained that the overall goal of the study is to provide a framework to better understand the demands from freight on the regional transportation infrastructure and to identify projects, programs and policies that would accommodate those needs, and to strengthen freight considerations in project planning and investment decision-making.

As part of the stakeholder input process for the Northern Minnesota/Northwest Wisconsin Freight Plan, the plan partners hosted a Freight Forum on February 25 at the MnDOT District Office in Duluth. The goal of this forum was to hear directly from stakeholders from different sectors of the area's economy including agricultural, energy, timber, forest products and mining. 31 participants turned out and were actively involved in the discussion.

A key component of the forum consisted of breakout discussion groups in which participants identified their highest-priority issues (which included roadway design improvements; truck routes/10-ton network deficiencies; of particular interest to the wood products industry; commodity corridors; rail/port service improvements; regulatory consistency; intermodal facilities; and connectivity). He noted that the highest-ranked priorities involving new infrastructure were likely to be prohibitively expensive to be able to implement, however.

He added that the study is now more than halfway complete; the next steps will be to further analyze the region's economic, demographic, industry and transportation trends. The final plan will present recommendations for projects, program and/or policy changes to address this region's freight needs, including funding strategies and private sector partnerships.

He closed by noting that more information about the plan was available via the MnDOT

7. Subcommittee Reports

Dredging

Andy McDonald, on behalf of subcommittee chair Gene Clark, reported that committee members are continuing to work with the Army Corps in the project identification phase of updating the DMMP for the Duluth-Superior harbor. He added that the Corps is very interested in moving the Erie Pier forward to function as a Processing and Reuse Facility (PRF) as part of the long-term solution to dredge materials management; however, the sticking points continue to be the issues of purple loosestrife and minimizing transportation costs of transferring the materials out of the site for beneficial reuse projects.

He also reported that Wisconsin's budget for the statewide Harbor Assistance Program (HAP) will be increased from \$12 million to \$20 million, a potential benefit for Superior port projects.

He concluded with a status report on the 21st Avenue West Habitat Creation project, an idea which dates back at least ten years. A 21st Avenue West Scoping Committee has been formed as a sub-group of the Dredging Subcommittee. At their initial meeting, each stakeholder group was asked to state their various interests in the project. It was determined that although there are some differences between agencies, there exist many more overlapping goals, which presents a win-win opportunity to work with dredge materials in this project. They also determined at the meeting that there are three main categories where more information needed: (1) sediment data; (2) project support and funding (including legal liability and project sponsorship issues); and (3) overall project scoping and design. Committee members were assigned to gather the needed data to move the project forward. He added that they will be bringing their work forward to the HTAC at a future meeting.

8. Roundtable Discussion / Project Updates

MIC Director **Ron Chicka** gave a synopsis about what the MIC has been charged with in coordinating potential stimulus projects for this area, adding that there are no large construction projects; several will simply involve moving scheduled projects up in terms of timeframes.

It is projected that Minnesota will receive about \$500 million, Wisconsin about the same; of that amount, only 5-6% of those funds were transportation projects—and of that, 2/3 will go to state projects and 1/3 to local and enhancements projects. It is known at this point that two local projects were funded: repainting the Duluth Aerial Lift Bridge, a \$5 million project put forward by the City, (its Lakewalk Construction project didn't make it); and a St. Louis County project to recondition a 2-mile stretch of Rice Lake Road. It is likely that MnDOT will be awarded four other projects in the area, including a reconditioning of Central Entrance, to be let and completed in short order.

As for the Wisconsin projects, there are none at this point awarded for Superior or Douglas County; however, WisDOT will be conducting a second round of project solicitation in a month or so, at which time local area projects may be funded.

Carol Wolosz from the Great Lakes Maritime Research Institute (GLMRI) reported that the annual report summarizing the impacts of the GLMRI program is in the final stages of production. It will be distributed after final edits and will include the final reports on 2008 research projects, including the Erie Pier marketing study conducted by Randall Hicks and Jim Skurla at UMD.

Eric Dott from Barr engineering presented information about the Tremie Diffuser, recently utilized in the SLRIDT cleanup to enhance shallow sheltered bay habitat. He explained that the Tremie Diffuser has the potential to remediate numerous “industrially influenced” areas of low-level contamination within the St. Louis River estuary. It works by evenly dispersing a slurry of fine-grained material with minimal turbidity on top of lightly-contaminated material. A key benefit is that significant habitat improvements can be achieved by improving large areas with a small amount of cover. By enhancing the natural deposition of this material, the benthic community will mix and blend with little to no change in bathymetry. He will be presenting more detailed information at an upcoming meeting of the dredge subcommittee

Jim Sharrow commented that another exciting prospect for this new technology is that it could utilize large quantities of the fine materials from Erie Pier—the materials that have been the most problematic in terms of finding markets or large-scale projects.

John Haugland presented information about the stimulus plan EPA budget for Region 5—their office received \$1.2 billion for wastewater infrastructure and underground storage tanks. He added that in the President’s 2010 budget request, the EPA’s appropriation would include a new EPA-led, inter-agency initiative to address Great Lakes issues such as invasive species and non-point source pollution.

CDR Lebsack closed the meeting by recognizing **Jason Serck** for his service to the Duluth-Superior port in his capacity of Planning and Port Director for the City of Superior and HTAC chair. He extended his thanks on behalf of the Coast Guard MSU – Duluth.

9. Adjourn

No other items were brought forward for discussion and **Chair Anderson** adjourned the meeting at 11:44 a.m.

Respectfully Submitted,

Rondi Watson, MIC Planning Assistant