

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

Meeting Summary

October 21, 2009

WITC Conference Center, Superior, WI

HTAC Voting Members Present

Organization	Representative	Organization	Representative
City of Superior	Jason Serck	MN DNR	Patty Fowler
Duluth Seaway Port Authority	Adele Yorde	MN Sea Grant	Dale Bergeron
Industry-General Bulk	Mike McCoshen	St. Louis River Alliance	Bill Majewski
Industry-General Cargo	Denise McDougall	U.S. Army Corps of Engineers	Steve Brossart
Industry-Harbor Engineering	Ted Smith (<i>Chair</i>)	Save Lake Superior Assoc.	Nancy Paisley
Industry-Harbor Services	Ed Montgomery	WisDOT	Martin Forbes
Industry-Ore Sector	Mark Erickson	Wisconsin Sea Grant	Gene Clark
Industry-Pilots/ Vessel Ops	Bob Libby	WLSSD	Jack Ezell
MIC	Ed Anderson (<i>Vice-Chair</i>)		

HTAC Voting Members Absent

Organization	Representative	Organization	Representative
City of Duluth	Chuck Froseth	NRCS	Danny Weber
Industry-Coal sector	Marshall Elder	NWRPC	Jason Laumann
Industry-Grain sector	Doug Christianson	St Louis County	Scott Smith
Industry-Recreation	Joel Johnson	USCG Duluth MSU	Michael Lebsack
Izaak Walton League	Gary Glass	Wis DNR	Nancy Larson
MnDOT	Denny Johnson	US Fish & Wildlife Service	Dave Warburton
MPCA	Marc Hershfield		

Other Stakeholders Present

Organization	Representative	Organization	Representative
ASL-RailMate	Patrick Dorin	MIC staff	Andy McDonald
ASL-RailMate	Betty Juntune	MIC staff	Rondi Watson
Baird & Associates	Lars Barber	MN Power	Dave Pessenda
Barr Engineering	Eric Dott	NRRI	Marsha Patelke
City of Duluth	Jim Benning	NRRI	Larry Zanko
City of Duluth	David Montgomery	St. Louis River Alliance	Julene Boe
City of Superior	Mayor Dave Ross	St. Louis River Alliance	Howard McCormick
Douglas County/MIC	Nick Baker	US ACOE – Detroit District	Dave Bowman
Foth Infrastructure & Env.	Nick Azzolina	US ACOE – Detroit District	Col. Jack Drolet
GLMRI	Carol Wolosz	US ACOE – Detroit District	Lt. Col. Jim Davis
MIC staff	Ron Chicka	USCG – St. Paul	Warren LaPlante
MIC staff	Tyler Freeman	USCGC Alder	Mark Brass

Chair Ted Smith convened the meeting at 9:30 am. All meeting participants introduced themselves.

Col. Jack Droulet thanked meeting participants for attending today on short notice and explained that commanding General Peabody was called away by the army and unable to

attend as originally planned. He stated that he wished to convey General Peabody's commitment to the expedited DMMP development project. The DMMP update is being conducted by the Corps at 100% federal cost and thanked the City of Superior, the City of Duluth and the Port Authority for partnering in this agreement to provide for secure dredged material management for the next twenty years.

Mayor David Ross, representing the City of Superior, complimented the great partnership the HTAC has created and stressed the city's commitment to the DMMP process.

Jim Benning, representing Mayor Ness and the City of Duluth, thanked Col. Drolet for making the trip to formalize the process of working toward a common goal for the harbor, which was the center of both cities' existence initially. Anticipates that the development of the DMMP will start some significant, mutually agreed initiatives that he looks forward to implementing, this project will support the livelihood of both cities.

Adele Yorde, representing the Duluth Seaway Port Authority, noted that both Adolph Ojaard and Jim Sharrow, who has been central to the Erie Pier project, were both out of town at conferences. She noted that the rest of the world knows Duluth-Superior as one port and added that the DSPA values the collaborative nature of this process and the opportunity to work with the USACE in this manner toward a shared goal.

Dave Pessenda introduced himself as manager of Minnesota Power's Hibbard facility, the goal of which is to expand renewable energy generation. He noted that the facility is located on a very congested small area on the water, and they would like to be included on the DMMP project list to use dredge materials as a way to expand their real estate in order to improve traffic flow patterns, biomass storage.

Mark Erickson from CN Rail explained that they are looking at ways to stabilize the east side of their dock facility; placement of dredge materials would help this.

Col. Droulet noted that he has worked previously with the Great Lakes, adding that the issues being dealt with are not easily solved—dredge facilities are all maxing out while dredge requirements are not decreasing. But by working toward a sustainable solution that addresses multiple interests, a stronger solution is possible, the good of the entire region is accomplished this way, complimented all participants.

In regard to the traditional use of CDFs, the Corps is now being forced to consider a course correction, by looking for beneficial uses and a variety of projects and solutions, stressed the win-win potential for this project.

He added that given the in current resource-constrained environment, the Corps has moved to a system-wide approach looking to keep a balance by approaching it as an interdependent system, all ports must be addressed for the system to work.

FY 09 was a very good year for dredge funding. Future may include \$1 million reclamation funding as well as money for corrosion study to develop solutions in order to prevent a crisis management scenario.

In addition to the Corps' allocation, there will also be new funding source via the US EPA—as much as \$400 million funding to be dedicated to the health of the Great Lakes, and the Corps will be working with them to implement solutions.

Questions/Comments:

Bill Majewski commented that Erie Pier has been a central effort for the HTAC; his understanding is the Corps is using channel dredging funds to operate it. Locally, we would like to see a separate dedicated funding source to continue and develop its operation.

Col. Droulet responded that there are two elements required for the Corps to conduct any work: first, Congressional authority is required to perform specific types of activities for specific purposes (per the WRDA); the second element is the appropriations for Operations and Maintenance or Construction. The two funds cannot be mixed, many competing projects for the O&M funds, they're adapting to a new approach.

Majewski: will you work through your organization to get these funds allocated?

Droulet: The Corps cannot lobby congress for specific ways of doing business, but they can respond to congressional inquiries.

Ted Smith commented that the Corps has to follow its orders, and we need to focus on Washington to focus on our directives and needs. We need to work the political side.

Lt. Col. Jim Davis responded that they do work behind the scenes to provide regional input into national policy discussions and to identify what policy fixes are required. The policies though, are national, though, in scope, not specific to the Great Lakes region.

Col. Droulet added that at this time there is great visibility and traction, however, because of the Great Lakes restoration funding actually being applied to this resource.

Gene Clark, speaking as chair of the HTAC dredging subcommittee, had a couple more points about the Erie Pier facility. The work to transform it from a CDF to a beneficial reuse facility

does have national significance. Mineland reclamation is one of a myriad of possible local projects, and we appreciate the allocation toward this. Question: if these initiatives prove to have tangible results based on pilot programs, will be possible then to make the case to develop new innovative approaches to dredge management on a national policy level? Demonstration projects can show the value of these projects.

Ed Anderson commented that there has been a history of overlooking Great Lakes projects, the perception here is that there has been a siphoning of resources towards east coast river projects.

Col Droulet responded that they had spoken to senator Levin and the Secretary just last week about this. The inland waterways trust fund is one of two different funding sources, although they compete under the same O & M umbrella. Once again, has to do with congressional guidance. The Corps can provide information but cannot advocate.

Anderson also noted that Wisconsin state law is an impediment to beneficial reuse because dredge materials are currently classified as hazardous waste.

Col. Droulet commented that this is a problem unique to this bi-state setup. However, various projects around Wisconsin, such as habitat restoration efforts in the Green Bay area and Milwaukee, indicates that these restrictions are not always applied, and do not necessarily impede new innovative projects. The question needs to be asked, or discussion needs to be encouraged about how those areas manage to do it. Some important innovation has come out of Wisconsin projects.

Dale Bergeron commented that an important step for the Corps would be to add Erie Pier as one of their demonstration projects, "we need to use a new box."

Ted Smith commented that he and others were very disappointed that ARRA funds were not allocated to the Soo locks project, due to a low cost-benefit ratio. He suggested that we have significant resources right in this area to examine and refine this analysis, such as the Great Lakes Maritime Research Institute.

Col. Droulet responded that the analysis goes beyond the straightforward economic impacts; and they are taking another look at the formula that is used, asking if it still applies and if it needs to be modified to incorporate other factors. They are looking at it from a system-wide perspective, including the international border, the central region of the US, it's all being considered.

Lt. Col. Davis added that potential second- and third-order impacts also need to be considered, security is one of them. He noted that the Corps will be contributing funds to GLMRI to fund

research projects. Additionally, he has volunteered the Soo Lock as the test project to apply the new principles and guidelines.

Eric Dott commented that he hoped that one component of the new principles would be the sustainability and environmental impacts benefits to the greater transportation system, i.e., considerations of impacts of waterborne vs. roadway shipping.

Jason Serck commented that both states have kicked in to come up with solutions that will also have regional and national impacts.

Harbor Partnering Agreement

Andy McDonald gave a brief presentation about the proposed update to the 1999 Harbor Partnering Agreement as a way to strengthen working relationships and better position this area to take advantage of funding opportunities for implementation.

The goals today are similar to 1996, when the Corps initially requested that signatory agencies enter an agreement to work toward developing the Dredged Material Management Plan (DMMP) which was in progress at that time. The interest areas were 1) beneficial reuse of dredged materials, 2) state and federal regulatory programs, and 3) environmental protection.

Work that has taken place since the original Agreement has had an implementation focus with projects such as Hog Island Inlet Remediation, St. Louis River/Duluth Tar Superfund Site and the Erie Pier Dredged Materials Reuse Strategies.

The strategy to update the partnering agreement is to organize a subcommittee of the HTAC and take from 4-6 meetings to develop a statement of purpose, areas of interest, and goals and objectives. This subcommittee will also determine the signatory agencies and plan an event to celebrate the new Agreement.

Col. Droulet commented that among the three districts (Chicago Detroit and Buffalo), , this is the best one to work this issue, as they are responsible for coordination with other districts and can serve as the lead to propagate good ideas, initiatives, projects. Organizational goal should be to “steal good ideas shamelessly and share good ideas openly.”

Ron Chicka closed by thanking participants on behalf of the MIC. **Ted Smith** thanked Col. Droulet and Lt. Col. Davis for making trip to Duluth, they are welcome to come back anytime.

Meeting adjourned 10:40 am.

Respectfully Submitted,

Rondi Watson, Planning Assistant