

Duluth-Superior Metropolitan Interstate Council

HARBOR TECHNICAL ADVISORY COMMITTEE

Meeting Summary

December 1, 2010

Inn on Lake Superior, Canal Park, Duluth, MN

HTAC Voting Members Present

Representative	Organization	Representative	Organization
Ed Anderson (Vice-Chair)	MIC	Patty Fowler	MN DNR
Cameron Bertsch	Douglas County	Joel Johnson	Industry-Recreation
Julene Boe	St. Louis River Alliance	Bob Libby	Industry-Pilots
CDR Ken Bryan	US Coast Guard MSO	Mike McCoshen	Industry-General Bulk
Pat Carey	MPCA	Denise McDougall	Industry-General Cargo
Gene Clark	WI Sea Grant	Jason Serck	City of Superior
Pat Collins	US Fish & Wildlife	Jim Sharrow	Duluth Seaway Port Authority
Mark Erickson	Industry-Ore Sector	Scott Smith	St Louis County
Jack Ezell	WLSSD	Ted Smith (Chair)	Industry-Harbor Engineering
Martin Forbes	WisDOT	Danny Weber	NRCS

HTAC Voting Members Absent

Representative	Organization	Representative	Organization
Dale Bergeron	MN Sea Grant	Nancy Larson	Wis DNR
Steve Brossart	US Army Corps of Engineers	Jason Laumann	NWRPC
Chuck Froseth	City of Duluth	Ed Montgomery	Industry-Harbor Services
Gary Glass	Izaak Walton League	Nancy Paisley	SLSA
Dick Lambert	MnDOT	Mick Sertich	Industry-Grain sector
		Fred Shusterich	Industry-Coal sector

Other Stakeholders Present

Representative	Organization	Representative	Organization
Nick Baker	Douglas County/MIC	Susan Johnson	MPCA
Ron Chicka	MIC staff	Beth Krebsbach	MIC staff
Larry DiDomenico	USCG Duluth MSU	Cordell Manz	WisDNR
Eric Dott	Barr Engineering Co.	Andy McDonald	MIC staff
Todd Fryzek	SHE, Inc.	Lisa Nietzel	JPG Group
Ken Gerasimos	Key Lakes - Fleet	John Perrecone	U.S. EPA – GLNPO
Aaron Gross	USCG Duluth MSU	Kody Thurnau	MIC staff
Marc Hershfield	MPCA	Rondi Watson	MIC staff
		Carol Wolosz	GLMRI

1. Agenda Review / Introductions

HTAC Chair **Ted Smith** called the meeting to order at 9:03 am. All participants introduced themselves. No changes to the agenda were put forward.

Ron Chicka introduced Beth Krebsbach, new Administrative Assistant, replacing Rondi Watson who will be working on planning and communications initiatives for the MIC.

2. Committee Business

September 1, 2010 HTAC Meeting Summary

Chair Ted Smith called for changes to the previous meeting summary. Hearing none, he asked for a motion to approve.

Motion by Jim Sharrow/Joel Johnson to approve the previous HTAC Meeting Summary with no changes. Motion carried unanimously.

Announcements

2011 HTAC Meetings Calendar

Rondi Watson reviewed the schedule of 2011 quarterly HTAC meetings.

HTAC Officers for 2011-2012

Andy McDonald announced that a nominating committee of former HTAC officers would be polling members and putting forward nominations at the March 2011 meeting for chair and vice-chair for the next two-year (2011-2012) cycle.

Dredge Subcommittee Meeting with MnDOT – Erie Pier Materials

McDonald also reported that a meeting was set for December 14 to discuss MnDOT's contractual restrictions on utilizing the dredge materials as part of the I-35 reconstruction project with staff members from MnDOT's Environmental division. He will report on the results at the next meeting of the full HTAC on March 2, 2011.

Ted Smith commented that we are very far ahead of the rest of the country in developing the PRF (Processing and Reuse Facility) concept, but its success will depend on local jurisdiction and agency willingness to utilize the sorted dredge materials in their large-scale construction problems.

Legislative Update

Smith reported that with the last election, we now have two freshman Congressmen who have a lot to learn about our issues, including how important the harbor and shipping is to this region. Jim Sharrow reported that both congressmen had met with the Port Authority to give background on our major issues and legislative priorities, including the WRDA (Water Resource Development Act) bill, the harbor maintenance tax, invasive species including Asian Carp, and ballast water standards.

3. Subcommittee Updates

Dredging Subcommittee

Gene Clark reported that researcher Nathan Johnson had received a GLMRI grant, the third to focus specifically on the Erie Pier facility.

Dave Bowman reported that Phase One of the Duluth-Superior DMMP (Dredge Material Management Plan) update is close to completion. The revised DMMP will identify specific uses for the materials dredged from the harbor. It will emphasize beneficial reuse and will likely combine several projects in an effort to reach the DMMP goal of 20-year dredging capacity. He

noted that several of the high-priority project ideas put forward by HTAC members are still under consideration, including habitat restoration projects at 21st Avenue West, Interstate Island and Herding Island; mineland reclamation in northern Minnesota; CN ore dock base stabilization. A few that are off the list include the Hibbard power plant and Sky Harbor airport projects, which had been withdrawn.

He added that a total of \$700,000 has been spent so far to re-engineer Erie Pier from a CDF to a PRF in the interest of promoting beneficial reuse. He added that the Port Authority recently reported a 5-year contract to use the fines in asphalt mix.

Marc Hershfield commented that the planned 40th Ave West remediation and reclamation project could potentially use dredge materials, adding that large areas of the harbor are being sampled to provide baseline data.

Gene Clark gave a short [presentation on the annual harbor tour in September](#), with a focus on Tallas Island and the newly-completed SLRIDT site. He thanked the participants and those who were able to speak to the value of dredging and habitat restoration.

4. St. Louis River/Interlake/Duluth Tar (SLRIDT) Superfund Site Update

Lisa Nietzel, Community Relations Director for the SLRIDT project with the JPG Group, gave a [presentation on the Superfund remediation project at the St. Louis River/Interlake/Duluth Tar site](#) that is now pretty much complete. She reviewed the activities that have taken place over the course of the sediment cleanup project:

2006

- Cap/surcharge construction in Stryker Bay, including sheet pile wall, carbon mat and 8-10 feet of surcharge sand;
- CAD end dike constructed in Slip 6

2007

- Water filtration plant for dredging work
- Turbidity curtain and weir wall;
- Constructed CAD in Slip 6

2008

- Completed dredging in Stryker Bay
- Cover areas in MN Channel
- Capping areas in Slip 7

2009

- Completed installation of cover sand, armor sand and armor cobble in Stryker Bay over dredged areas
- Completed remaining dredge areas in the MN channel of the St Louis River
- Completed south wetland excavation/material placement in CAD/sand capping
- Completed the removal of the temporary sheet pile containment wall

- Completed the removal of the Stryker Bay surcharge sand
- Completed the CAD leveling and isolation zone sand capping with sand removed from Stryker Bay surcharge
- Completed the installation of armor/beach sand along the eastern shoreline of Stryker Bay

2010

- Tallas Island compensatory mitigation (dredging of environmental media from behind Tallas Island/Knowlton Creek for placement at Stryker Bay)
- Shoreline riparian buffer zone and habitat restoration
- Environmental media placement on slip 7 mud flats\
- Conservation easement placed on land 200 feet from shoreline and all of 54th Ave Peninsula
- Installation of an activated carbon mat in the CAD, a new technology that was not included in the original RAP, and adds an extra layer of protection

Total cost of the project was approximately \$63 million, privately funded.

She also noted that shoreline restoration in the Wisconsin portion of the site has been delayed a bit due to ownership issues that need to be cleared up between Hallett Dock, the City of Superior and Douglas County, but will be completed in 2011.

They will also be monitoring the site periodically, per the Long Term Operation and Maintenance Plan, to check for cap stability and effectiveness. Construction and annual monitoring reports are due in March 2011. The next scheduled five-year review will occur in 2013.

5. Next Steps in the AOC Program

John Perrecone, from the US EPA Region 5 office in Chicago, began by commenting that although John Haugland was not able to attend as planned, this gave him, as AOC program manager, a great opportunity to visit this AOC location in person and to meet with local stakeholders.

He noted that the \$475 million first round of funding from the Great Lakes Restoration Initiative grant program is a very important opportunity. The AOCs were put into place 25 years ago, but that money and enthusiasm ran out in the early '90s. With this new funding source, the EPA is targeting their awards with an eye toward meeting their (admittedly ambitious) goals of delisting three AOCs and 31 BUIs every year.

He added that they hope to get another RFP out there for FY 2011 but it will be another competitive process among the 30 AOCs. There is a \$300 million budget request, right now operating on a continuing resolution; they hope to get it passed.

He stressed that for the next round of funding, short term results must be shown for the money spent; previously they divided up spending among the 30 different AOC locations. They will be looking less for planning and analysis and more to see actual projects on the ground and in the water that will measurably impact their delisting goals. He commented that from the agency's perspective, this AOC is not seen as a strong candidate for delisting anytime soon.

Ed Anderson asked about the EPA's decision-making process, wouldn't it be wise to consider that water that runs downhill, therefore isn't it logical then to start with Lake Superior projects?

Perrecone responded that in today's political environment there is lots of concern about what's being spent and how – so money spent on the actual work itself is key. It is critical that projects funded are helping the delisting goals to be met. Applications for local projects need to identify the areas of overlap between EPA and agency goals for local habitat improvement.

Pat Collins commented that Clough Island is an example of a local project that may only get us 5 or 10% of the way towards delisting--but it would have a significant local beneficial impact on fish habitat and populations.

Perrecone responded that demonstrating that you have a plan to get you all the way there is key. Identify relevant BUIs and demonstrate benefits from your projects.

Marc Hershfield noted that the four GLRI grants for this harbor, taken together, form an inter-agency framework to address the complexity of the 9 BUIs for this AOC. Also the Stage 2 RAP, to get underway, is much more implementation-oriented.

Pat Carey commented that a consultant is assisting with compiling existing plans for this area, there's an estuary habitat plan, a sedimentation plan, etc., and the common driver for these issues is contaminated sediments.

Anderson asked if other factors such as positive economic impact factor in to decision making at all. Perrecone responded that it doesn't hurt but it's not an explicit goal of the funding decisions. From their agency's perspective, there must be measurable environmental impacts along with economic impacts.

6. Harbor Assistance Projects in the City of Superior

Jason Serck, Planning and Port Director for the City of Superior, [presented information about current and pending harbor projects in the city.](#)

He began with overview of Wisconsin's Harbor Assistance Program (HAP), which funds local governments along the Great Lakes and the Mississippi River to improve publicly owned commercial port facilities at 80%. The source of state match is WisDOT Transportation funds. Eligible projects include dock wall construction, repairs and rehabilitation; port rail, road and intermodal yard construction and rehabilitation; dredging and construction of dredge disposal facilities. To be funded, projects must pass a rigorous benefit-cost analysis; the local jurisdiction must have a three-year harbor development plan, and the project must meet environmental requirements (WisDOT Trans 400 and WisDNR regulations).

Locally, two projects received awards—an 800-foot dock wall replacement project at Gavilon Grain at a total cost of \$2.8 million. The second project is the first stage of a very large, 3-stage project at Fraser Shipyards that will enable them to work on 1000-footers. The HAP project is for installation of an 850-foot sheet pile wall at a total cost of \$4.6 million. Phase 2 will install a 450-foot sheet pile wall, a \$2 million project funded at 100% by a federal Neighborhood Initiative Grant. Phase 3 is not yet funded, to fill existing water area and install a 580-foot sheet pile wall. Total investment for all three phases totals \$9.2 million. Serck added that one issue with Phase 3 of the project is that the Army Corps has started to require water mitigation but has not issued clear or consistent guidance.

He also noted that he was part of yesterday's meeting with the new Congressmen representing both Duluth and Superior– it appears they are eager to get to work but need a lot of information and education.

7. Roundtable Discussion of Local and Legislative Issues

Carol Wolosz made a point of thanking Ted Smith for his leadership in the HTAC over the past several years.

Andy McDonald noted that he has contacted the Army Corps on behalf of the HTAC to clarify the issue that Jason had mentioned, regarding their new policy regarding filled lands. They weren't able to attend today, so we may be calling a special meeting for them to sit down and talk to us. They have requested additional information.

8. Adjourn

No other items were brought forward for discussion and the meeting was adjourned at 11:25 am.

Respectfully Submitted,

Rondi Watson, Planning Assistant