

2006 Status Report and Legislative Agenda

Prepared by the Statewide Public Advisory Council for Michigan's Great Lakes Areas of Concern Program

Background

The Statewide Public Advisory Council thanks the legislature for its continued support for cleanup efforts in Michigan's 14 Great Lakes Areas of Concern designated under the Great Lakes Water Quality Agreement. Legislative language in Section 218 of the Department of Environmental Quality's (DEQ) 2006 budget directs the department to develop a strategy for optimizing federal resources for cleaning up the Areas of Concern. This language, coupled with new federal funding, has enabled the department to prioritize its efforts and expedite progress in several important areas. The Council urges the legislature to retain this language in the 2007 DEQ budget, and to support other priorities to maintain progress in restoring Michigan's Great Lakes "toxic hot spots."

Progress Report

With the legislature's support, we are accelerating progress in restoring Michigan's Areas of Concern, with a focus on leveraging federal funds for on-the-ground cleanups, establishing measurable restoration goals, and removing the areas from the federal list of Great Lakes "toxic hot spots." Accomplishments from the past year include:

- ✓ Secured nearly \$15 million in federal funding to implement toxic sediment cleanup projects in Michigan's Great Lakes Areas of Concern.
- ✓ Completed the first contaminated sediment cleanup under the federal Great Lakes Legacy Act on the Black Lagoon in the Detroit River and began a second cleanup on Ruddiman Creek in Muskegon Lake. The two cleanups are removing more than 200,000 cubic yards of toxic sediments from Michigan waters.
- ✓ Leveraged increased federal funding to double staff support for implementing cleanup efforts in Michigan's Areas of Concern and supporting community-led restoration activities.
- ✓ Completed measurable, science-based criteria for assessing progress in restoring Michigan's Areas of Concern and a process for removing them from the list of Great Lakes "toxic hot spots."
- ✓ Contributed to the *Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes*, providing a comprehensive plan for restoring the Great Lakes, including the Areas of Concern.

Legislative Agenda

To continue leveraging federal funds for cleaning up Michigan's Great Lakes Areas of Concern and promoting economic and recreation opportunities in waterfront areas, the Statewide Public Advisory Council urges the legislature to support the following priorities:

- ☛ Convene hearings and collaborate with DEQ, local communities, and other parties to identify options to maintain funding for cleaning up polluted areas after Clean Michigan Initiative funds have been exhausted.
- ☛ Urge Michigan's Congressional delegation to support federal funding for recommendations in the *Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes*, including increased federal support for restoring and delisting Great Lakes Areas of Concern.
- ☛ Retain language in Section 218 of the DEQ budget that directs the department to develop a long-term strategy for restoring Michigan's Areas of Concern, including continued opportunities to leverage federal funding under the Great Lakes Legacy Act. (See p. 4 for the complete language.)

**The Statewide Public Advisory Council and the citizens in Michigan's 14 Areas of Concern
thank you for helping to keep the Great Lakes great!**

Selected Accomplishments in Michigan

Detroit River - Black Lagoon Contaminated Sediment Cleanup

"We always knew that as long as it was contaminated, the area wasn't going to do much. By cleaning up Black Lagoon, we gain as a community and as a region."

Hon. Gerald Brown, Mayor, City of Trenton

The Black Lagoon, located on the lower Detroit River adjacent to the City of Trenton, trapped pollutants moving downstream from Detroit-area industries. The DEQ leveraged \$6.2 million in federal funds under the Great Lakes Legacy Act to match \$3.3 million from the Clean Michigan Initiative to clean up the lagoon. The City of Trenton plans to build a marina and park in the area, which will complement redevelopment plans for the adjacent McLouth Steel plant site. Nearby property values are projected to increase by \$60 million or more.



Oil plume entering the Black Lagoon on the Detroit River.



Dredging underway in the Black Lagoon. The silt curtain prevents pollutants from entering the river.



Redevelopment planned for the Black Lagoon, including park, marina, condominiums and shops.

Muskegon Lake - Ruddiman Creek Contaminated Sediment Cleanup

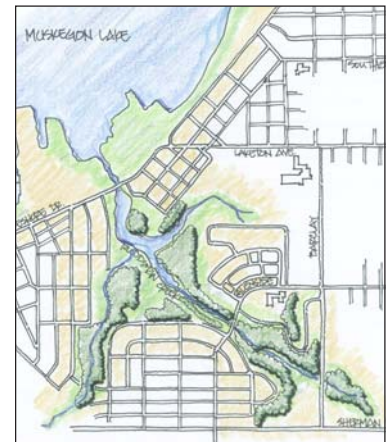
For years Ruddiman Creek has been an environmental liability in the heart of our community. With this cleanup, it becomes a positive resource and a vital part of our vision for developing and benefitting from the beautiful Muskegon Lake waterfront.

Hon. Steve Warmington, Mayor, City of Muskegon

Contaminated sediments prevent swimming, fishing or recreation in Ruddiman Creek and pond, located in a residential neighborhood adjacent to Muskegon Lake. More than 80,000 cubic yards of toxic sediments are being removed using \$8.4 million from the Great Lakes Legacy Act and \$4.5 million from the Clean Michigan Initiative. Native vegetation will be planted after the cleanup is completed, and other improvements will enhance recreational opportunities for local residents.

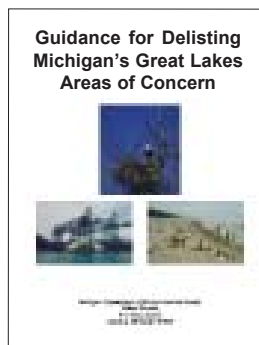


Signs like this soon will be a thing of the past.



This greenspace and habitat improvement vision will be implemented after the toxic sediment cleanup is completed.

Restoration Goals and Monitoring Plans for Michigan's Areas of Concern



The DEQ has established measurable, science-based restoration goals for Michigan's Areas of Concern that provide a consistent, statewide approach for evaluating progress in cleaning up the areas. The new document, *Guidance for Delisting Michigan's Great Lakes Areas of Concern*, outlines how environmental conditions will be monitored and the process the state will use to formally remove – or “delist” – the areas from the federal list of Great Lakes Areas of Concern. The guidance is based on existing state water quality standards and monitoring programs, and responds to language in DEQ's budget calling for a long-term strategy for restoring, monitoring and delisting the Areas of Concern. The complete document is available online at www.deq.state.mi.us/documents/deq-wb-aoc-delistguide.pdf.

Michigan's Great Lakes Areas of Concern

Torch Lake Stamp Sands Remediation

More than 200 million tons of stamp sands and smelter slag wastes from copper mining operations were dumped into Torch Lake and on its shoreline in the 1800s and early 1900s. U.S. EPA began remedial activities in 1998 under the federal Superfund law. Approximately 800 acres of stamp sand piles have been covered with up to six inches of soil and vegetation to prevent them from eroding into Torch Lake and Lake Superior. Wildlife has returned and the Superfund remediation process is nearing completion.



Mason stamp sand area on Torch Lake before remediation.



Mason stamp sands two years after remediation.



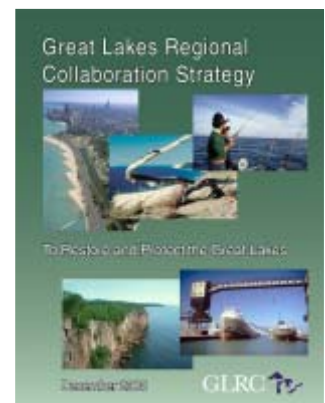
Once a "biological desert," the area is now home to a variety of wildlife.

A Comprehensive Plan for Restoring the Great Lakes

"I have been pushing for a comprehensive restoration action plan for the Great Lakes for several years. The Regional Collaboration Strategy will help agency officials and policymakers set funding priorities to better address the many problems facing the lakes. The State of Michigan, bordering on four of the Great Lakes, will benefit tremendously from this effort."

Congressman Vernon Ehlers

In May 2004 President Bush issued an executive order recognizing the Great Lakes as a "national treasure" and calling for a comprehensive strategy to restore and protect them. The restoration strategy, released in December 2005, focuses on priorities identified by the Great Lakes governors and the Great Lakes Commission. DEQ Director Steven Chester cochaired a team that prepared recommendations for restoring the Areas of Concern. More than 1500 people from diverse interest groups contributed to the strategy and it represents a broad consensus on priorities for restoring and protecting the Great Lakes. Legislation to fund its recommendations has been introduced in Congress. As the "Great Lakes State," Michigan will benefit from this increased focus on Great Lakes restoration needs. The complete strategy is available online at <http://www.gllrc.us/>.



Increasing Capacity to Implement Cleanups and Leverage Federal Funds

The legislature's support and DEQ's leadership are securing much-needed federal funding to clean up Michigan's Great Lakes "toxic hot spots."

Greg Mund, Chair, Statewide Public Advisory Council
for Michigan's Areas of Concern Program

With the legislature's support, DEQ has secured new federal funds to coordinate cleanup efforts in Michigan's Areas of Concern. New staff are providing increased technical support to local communities and expediting efforts to restore the areas and, ultimately, formally "delist" them. DEQ continues to aggressively seek federal funds for on-the-ground cleanups, with future projects being planned for polluted sites in the Detroit River, Muskegon Lake and River Raisin. However, much work remains. A key challenge is to continue leveraging cleanup funding under the Great Lakes Legacy Act and other federal programs. Contaminated sediment cleanups are extremely expensive and the Legacy Act requires a 35% non-federal cost share. With Clean Michigan Initiative funding running out, Michigan will soon lack the ability to access federal funds for large-scale cleanups. The legislature and DEQ must take action to prevent this and ensure we maintain progress in restoring Michigan's Great Lakes "toxic hot spots."

Legislative Language for the DEQ Budget on Michigan's Areas of Concern Program

The following language was included in the 2006 DEQ budget and has been retained in the Senate-passed DEQ budget for 2007 (Section 218, SB 1086). The Statewide Public Advisory Council for Michigan's Great Lakes Areas of Concern program endorses this language and urges the legislature to retain it in the 2007 DEQ budget.

The department shall collaborate with the statewide public advisory council, local advisory councils, the United States environmental protection agency and other appropriate federal agencies, the department of natural resources and other appropriate parties to develop a long-term strategy to restore and formally remove Michigan's Great Lakes areas of concern from the federal listing. Among other information, the strategy should include a list of cleanup, source control, monitoring and assessment activities eligible for funding under the federal Great Lakes legacy act; their estimated cost; options for meeting any nonfederal funding match requirements for these activities, including recommendations for changes to existing appropriations and program expenditures to qualify as matching funds for federal grant programs; a description of the optimum staffing level for the areas of concern program and available funding options; and a description of the department's role in seeking the formal removal of areas of concern, or specific beneficial use impairments, from the federal list, including minimum cleanup goals for identified impairments based on applicable state and federal regulatory standards and the monitoring programs available for assessing progress in achieving those goals. In addition, the department will strive to apply for an equitable share of federal funding and technical assistance available to support the area of concern program and strive to provide the funds needed to meet nonfederal funding requirements.

Background on Michigan's Great Lakes Areas of Concern

Michigan is cleaning up 14 Great Lakes "toxic hot spots," or Areas of Concern, designated under the Great Lakes Water Quality Agreement. Nearly half of the U.S. Areas of Concern are in Michigan. They are spread throughout the state, from southeast Michigan, to western Michigan to the Upper Peninsula. The areas include rivers, bays and lakes. Some are in heavily industrialized areas, such as the Rouge and Saginaw rivers. Others are in more rural areas, such as those in the Upper Peninsula. In some cases, a single industry or facility is responsible for the major pollution problems. In most cases, however, pollution stems from a number of sources.

The Areas of Concern suffer from severe pollution problems that threaten public health, damage valuable fish and wildlife resources, restrict recreational opportunities, and hamper waterfront redevelopment. The Department of Environmental Quality (DEQ) is implementing cleanup plans for the Areas of Concern in cooperation with the U.S. Environmental Protection Agency and community-based advisory councils.



Statewide Public
Advisory Council

The Statewide Public Advisory Council is a coalition of local advisory councils that works with state, federal and local agencies in cleaning up the Areas of Concern.

Background on Michigan's Great Lakes Areas of Concern is available from the Statewide Public Advisory Council's website at <http://www.glc.org/spac/>.

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