

**Saginaw-Tittabawassee Rivers Contamination CAG
Summary of Full CAG Meeting
Saginaw Valley State University – Curtiss Hall
Monday, March 18, 2013
6:00 PM – 8:34 PM**

DRAFT

CAG Members Present

Drummond Black
Leonard Heinzman
Deborah Huntley
Ryan Jankowksi
Wendy Kanar
Michael Kelly
Rachel Larimore
Judith Lincoln
Laura Ogar
William Webber
Bob Wiese

CAG Members Absent

Jeffrey Bulls
Charles Curtis
Matthew de Huis
Janet McGuire
David Meyer
Joel Tanner
Paul Vasold

Ex-Officio Members Present

Joe Haas, US FWS
Mary Logan, US EPA
Todd Konechne, Dow Chemical
Al Taylor, Michigan MDEQ

Support and Agency Staff Present

Diane Russell, US EPA
Doug Sarno, facilitator

Deb Huntley called the meeting to order at 6:01 pm. Agenda items included:

- Leadership Team Updates
- Segment 2 – Activities and schedule to develop cleanup approach
- EPA's planned outreach on the Tittabawassee River Floodplain
- Public questions and comments

1. Leadership Team Update

Wendy Kanar is scheduled to retire from the CAG this summer and we are seeking a replacement for the Leadership Team. Interested members can contact Deb or Drummond.

2. Segment 2 Activities and Schedule

Mary Logan, US EPA provided an overview of planning for Segment 2 cleanup.

Bank Management Areas (BMA). A total of 7 BMA have been identified, two are complete and five still require a remedy. There are three basic alternatives:

- Alternative 1-Enhanced Natural Stabilization
- Alternative 2-In-Place Stabilization
- Alternative 3-no action

EPA will look at range of protective options allowing location-specific issues to be taken into account as well as property owner preference to some degree.

EPA Evaluation Considerations that will apply to segment 2 include:

- No presumptive remedy
- Consideration of dredging, capping and monitored natural attenuation
- Both in-place and removal approaches may be considered
- Must consider risk reduction
- Evaluation criteria include effectiveness, implementability and cost.

Timeline:

- Dow preparing Segment 2 response proposal, large technical document for review
- Agencies will review/finalize the response proposal
- EPA, working with MDEQ, will issue a proposed plan for comment in summer 2013 (current estimate is mid-June)
- EPA, working with MDEQ, will select cleanup options summer/fall 2013
- Dow designs remedy fall/winter 2013
- Dow implements response during the 2014-2015 construction seasons.

Public Comment/Questions:

Who does the monitoring? Dow has the agreements to do that currently. A monitoring plan for segment 2 would be developed as part of the design documents.

On Reach JK about 300 Oak Trees were removed, these were mature trees and this was very controversial, some trees obviously will be removed but not all trees are equal? EPA agrees not all trees are equal but construction does have consequences, there are tradeoffs, and this is part of the overall discussion. Generally, trees will need to be removed. Current banks not as big a swath as JK was.

Comment: This was a big deal and should be discussed more fully in talking to the public so that people do not fear their trees automatically getting cut down.

Please expand on comment that mass removal does not necessarily equate to risk reduction? This is a mantra from EPA's program, risk comes from exposure, not merely the presence of contamination. If a bank is contaminated but will never erode and can be managed and monitored, then removing it does not get you any risk reduction. Looking to take the most appropriate actions to get the most benefit.

What is the timeframe we should be thinking about this contamination? EPA generally uses a 100 year flood event as a worst case. Not really the best case in the Tittabawassee due to how the flow energy dissipates. In terms of all remedies with contamination left behind, EPA conducts reviews every 5 years to ensure protectiveness is maintained.

Public Outreach on the Floodplain Cleanup

EPA will conduct a series of small group discussions with floodplain landowners at convenient times and places, work directly to meet with organized groups, and allow informal comments at any time.

EPA has developed a 12 page Alternatives Array outlining options and tradeoffs, as well as a factsheet. Also providing floodplain figures, posters, and meeting handouts. All documents are available on the web site.

Believes this approach will allow for more effective input and a faster overall process to floodplain cleanup.

CAG Comments and Questions.

Do you want any members of the CAG to attend the meetings as well, would that be helpful? Have not had any of the meetings yet, want to wait to see how they work and the kind of turnout we get. May look at that idea in the future.

What is the timeframe for holding meetings? Very soon and through the summer, there are a lot of groups and stakeholders to talk to.

Then that information will be used to develop a plan for public comment so when will actual work begin? Formal public comment in 2014, so work beginning after that. We want to make the decisions all at once, but implementation will occur at the same time as the adjacent segment. Eroding banks in Segment 2 are also part of the floodplains.

Pleased to see this approach, good to have smaller group outreach, what is the mechanism to notify folks? Invitations will be mailed directly with different options for times to meet.

On the notices, might want to have an on-line area for comment, to get notices via email and provide input for folks who cant come to meetings.

How much participation are you seeking? We would like 100% of landowners, will make our best effort to talk to all of the Tier 1 folks. We will keep providing options and holding meetings to get folks opportunities to attend meetings or talk to EPA. Won't be just one invitation, at least three rounds.

Will we hear before July how EPA will be approaching the floodplain? EPA will be producing a guided discussion, will also ask the same questions of the CAG. Currently on the July agenda, would like to move it to May.

Need to be thinking about what options you will be discussing with homeowners and how they will be presented? Yes, we have three options, manage land use, cover it up or dig it up. Part of this is to talk about what people want to see the floodplain look like and what tradeoffs will be.

Do we know where the hotspots are so we can communicate that? This is part of the discussion for the May CAG meeting.

It is important that you understand that the community has information they need before they will be able to provide any real input.

You are going to have to somehow present something about risk for people to really understand this. What are the basics of what is found on the floodplain. People are going to want to know about the basic risks.

There is as much a need for education as for feedback, to get quality feedback you will need to give some good education.

Public Comments

Region 5 is large operation of EPA, what is the impact of federal budget constraints on all of this work? For this site, Dow has agreed to do the work and is paying for the work. However, EPA staff is facing furloughs such that staff will not be working part of the time and that could slow things down somewhat. For other sites that are being

federally funded, the affect will be much greater. The Region is making priorities based on risk.

If the purpose is outreach for a great understanding, please make sure the listserv announcements include the agenda for the CAG meeting. EPA agrees, this should be happening already, we will work to make it more clear in the future. Also, the new CAG web site has the agenda posted, as well as the EPA web site.

Why isn't the fishing community in the first tier of outreach? EPA already has a whole separate outreach program to the fishing community including brochures, river walkers, and other programs to help people make smart choices about fish consumption. The tiering was intended to prioritize floodplain impacts, not to designate any level of importance.

What about an overall risk assessment for the site, why is this now being done after cleanup? This was part of how the Dow agreement was set up and there was public comment at that time.

3. Tittabawassee River Floodplain Soils Outreach Strategy

Diane Russell, EPA, presented floodplain soils outreach strategy.

River segments 2-7 will be done upstream to downstream as planned, but EPA is looing to cleanup Tittabawassee River floodplain soils all at once.

There are about 4,500 acres in the frequently flooded (8-year floodplain) areas along the Tittabawassee River. A little over half this acreage is undeveloped or natural, 15% is the National Wildlife Refuge, 5% maintained residential, 18% active agricultural, 5% commercial and 3% public parks.

Looking to gather input from those directly affected by the cleanup decision before proposing a plan. Then the plan will follow the usual public comment process in 2014.

A Community Involvement Plan addendum will be developed for this outreach approach to the floodplain. Goals for the outreach meetings will be to understand community values and desires for the floodplain and get feedback on tradeoffs association with cleanup options and identify additional information needs.

EPA has tiered groups into three tiers based on the level of direct impact by decisions on the floodplains. This is being done to help manage EPA's formal outreach activities, but all people are welcome to comment at any time.

4. New Member Recruitment

Need to do more work to get applications out to folks and get more interest. All members need to do some work to personally get folks interested in submitting applications.

Discussed application for Donna Mallone to join the CAG. She meets a lot of the identified needs of the CAG. Will consider here with all applicants.

Laura Ogar volunteered to be on the membership committee.

Al Taylor will provide a brief update on the Midland Cleanup at the May meeting.

Meeting was adjourned at 8:00 p.m.