



Proposed Actions for Planning the Future of the CAG May 10, 2021

The Superfund cleanup project is in transition. The existing work on the Tittabawassee River is ending and the plan of work moving forward is not clear. Significant staffing changes at EPA and the State are expected, and we will see further transition among CAG members as well. The Leadership Team wants to ensure that we are planning proactively for this transition.

Background

- The CAG was formed in 2009 to help EPA, Dow, and the community create a platform for communication regarding the Superfund cleanup after years of disagreement and difficult communication about the contamination and the planned cleanup. The CAG has met regularly since then and provided input to all aspects of the cleanup and provided a platform for community information and conversation.
- Early membership drew largely from the Midland area and residents along the Tittabawassee. As the Midland work was completed, those members retired. As we turn our attention to the Saginaw River, we will lose many of those members whose focus was the Tittabawassee and we hope to continue to attract more stakeholders from the Saginaw River and Bay.
- For most of its life, the CAG met monthly. As work transitions from the Tittabawassee and work on the Saginaw is still uncertain, the amount of activity has slowed and the CAG is now meeting quarterly. This makes it more difficult to maintain momentum and focus on the project.
- The CAG has always had a 3-person leadership team that manages the overall operations of the CAG and coordinates with EPA, Dow, and our facilitator. The current leadership team has been in place since 2017 and are ready to pass the baton.
- Early on in its process, the CAG incorporated as a nonprofit in order to be able to apply for EPA grants for technical assistance. The CAG believed that the nonprofit status would provide it more flexibility in its activities. We had the support of a lawyer member and a Midland law firm to handle the registration process and the annual filings and reports. This requires that we have officers and that all CAG members are also members of the Board of the nonprofit organization. The Treasurer is required to file forms yearly with the IRS, State of MI Treasury and the State Attorney General to keep our Tax Exempt Status and Non-Profit Status. This requires about 20 to 30 hours of work. We also have

been using the President's home address as the registered address for all of these filings.

- In 2012 the CAG moved from getting its facilitation and administration support from EPA to paying for its expenses directly and getting reimbursed from Dow. This has required that the CAG manage a bank account and have the Treasurer perform the functions associated with the financial management of the organization.

Proposal for Moving Forward

The Leadership Team firmly believes that the CAG provides a valuable service to the community and must continue. We believe it is time to look at the operations and make sure that we have a sustainable model during this time of transition and beyond. We also believe that the CAG needs to simplify its operations and put fewer financial and administrative burdens on its members. We need to focus on transition to the future and attract additional members and our future leadership from the Saginaw River and Bay. As such, the Leadership Team is making the following recommendations for consideration by the CAG:

1. **Non-Profit Status.** The CAG should dissolve the non-profit organization and simply operate as an independent community group. Most Superfund CAGs are not incorporated and we believe that the CAG does not gain anything of substance by continuing to operate as a formal non-profit organization. The CAG will work with Dow and our facilitator to identify how to transition the financial operations to a workable arrangement for all parties under this new situation.
2. **Meeting Schedule.** The CAG will continue to meet quarterly as the workload remains slow and transition to more frequent meetings as conditions warrant.
3. **Leadership Composition.** The leadership team is looking for members who are interested in stepping up to leadership and transitioning over the next six months to join the leadership team at the beginning of 2022.
4. **Leadership Meetings.** Regular formal meetings of the leadership team will be scheduled between existing CAG meetings to help with continuity of operations.