

Contaminated Sediments External Advisory Group (CSEAG) September 16, 2015 Meeting Minutes

External Participants:

DJ Burns, Tom Chapman (phone), Karen Dettmer, Frank Dombrowski, Randy Johnson, Kristin Kurzka, Steve Laszewski (phone), Lynn Morgan, Laurie Parsons, Bob Pearson, Kari Rabideau, Jim Rose, Geoff Siemering (phone), Shar TeBeest and Mark Thimke

Department of Natural Resources (DNR) Participants:

Margarette Brunette, Marsha Burzynski, Kristin DuFresne, Judy Fassbender, Rob Grosch, Gena Larson, John Morris, Pam Mylotta, John Robinson, David Swimm, Mike Thompson and Jim Zellmer

Roles & Responsibilities

Draft document is undergoing internal review. Evaluating respective DNR program authority based on state statutes and the constitution (i.e. public trust doctrine). Incorporating roles and responsibilities based on the DNR's Strategic Realignment.

CSEAG members would like to see a copy of the DNR's new organizational chart.

DNR's Integrated Sediments Team

Team membership has changed. First meeting with new membership is scheduled for October 7, 2015. The 2015 – 2016 team action plan was discussed. Many of the items in the action plan (e.g. finalize NR 347 guidance document and DNR roles and responsibilities) are consistent with recommendations made by the Brownfields Study Group. The Integrated Sediments Team will be working with DNR staff involved with the CSEAG and the Great Lakes Dredging Team where there is overlap in assigned tasks (e.g. evaluating numbers for polynuclear aromatic hydrocarbons).

The CSEAG asked for clarification regarding their role with respect to the Integrated Sediment Team. Members are investing significant amounts of time to the CSEAG and want to see progress for their efforts. The DNR envisions the CSEAG members working on sub-groups and providing input for issue papers.

CSEAG members believe the current DNR review process is broken and sediment sites take a long time to work their way through the process. The CSEAG asserts that an interim process needs to be established now so sites can move through the review process faster. The CSEAG believes there are two core issues that need to be addressed:

1. Need to identify the laws that apply to sediment sites.
2. Need to define sediment and soil.

A sub-group will be established to start working on the definition of soil and sediment. The following individuals volunteered to participate: Burns, Dombrowski, Kurzka, Parsons, Pearson, TeBeest, Thimke and Thompson (until an alternate can be found.)

DNR's Waterfront Revitalization Initiative

Lis Olson is the contact person for the DNR's Waterfront Revitalization Initiative. The DNR's Strategic Realignment will determine how this initiative will move forward in the future (i.e. pilot or full-scale).

NR 347 Guidance

The DNR provided a brief summary of the public comments that were received. Public comments are being reviewed and the guidance document is being updated. The DNR's Integrated Sediment Team will work on updates to the guidance as a high priority. As updates are made to the document, changes will be shared with external stakeholders.

Case Studies

It is not too late to submit case studies to John Robinson. The DNR is seeking "real world examples" so we can gain a better understanding of existing sediment sites, potential sediment redevelopment sites and the issues that are occurring. The DNR wants to be able to identify what has worked well in the past and identify areas for improvement. A number of topics were discussed during the meeting. A few examples include:

- Desire to look at the NR 716 process and apply it to sediment sites
- Desire for flexibility from NR 716 requirements (i.e. defining degree and extent) for smaller projects, such as pier development and navigation related dredging
- The ability to break large areas with sediment impacts into smaller operable units
- Certainty for land owners with impacted sediment in front of their property which they did not cause (e.g. comfort/assurance letters and an explanation of continuing obligations)
- Identify the responsibility/liability associated with finding contaminated sediment
- Identify sediment remediation review process concerns

Next Meeting Date

The DNR will send out an email to notify members of the next meeting date.

Action Items

- CSEAG members will be provided with a DNR organizational chart.
 - On September 21, 2015, Jim Zellmer sent out a PowerPoint presentation showing the DNR's interim structure and the timeline for the alignment process



- DNR legal staff will identify what laws apply to sediment sites
- DNR will establish sub-groups to work on:
 - the definition of sediment and soil
 - NR 716 type process/guidance for investigating sediment sites

Look for an email invitation from the DNR in the coming weeks.

- CSEAG members will provide case studies to illustrate their concerns and issues.
- DNR will determine the next meeting date (November/December) and notify members via email.

Adjourn

The meeting adjourned at 12:10 p.m.