



January 2020 CARE Meeting Summary

Thursday, January 28, 2021, 1:00 PM – 3:00 PM CST
MS Teams Meeting, Held Remotely

In Attendance: Michael Spinar, Michelle Caldwell, Paul McMurray, Jim Bailey (IDEM); John Fekete (CARE); Emily Stork, Carl Wodrich (IDNR); Leslie Dorworth (IL-IN Sea Grant); Kristen Isom, Caitie Nigrelli (USEPA); Will Tucker (USFWS); Paul Labus (TNC); Maureen Turman (NiSource); Tom Barnett (Cleveland-Cliffs, formerly ArcelorMittal); Kay Nelson (NWI Forum)

Public Attendees:

1. CARE Introductions:

John Fekete opened the meeting at approximately 1:02 pm and worked with Michael Spinar to take roll of those in attendance.

2. GLRI Action Plan III and Management Actions Presentation

Caitie Nigrelli, the Grand Calumet River Area of Concern (AOC) Task Force Lead, provided a short presentation on the Great Lakes Restoration Initiative (GLRI) Action Plan III and the prioritization of funding for AOC projects.

Caitie described how this is Year 2 of Action Plan III. GLRI continues to place focus on implementing management actions (on the ground projects that aid removal of a beneficial use impairment or BUI) and delisting AOCs. Action Plan III has three related metrics for AOCs: number of AOCs with all management actions complete, total number of BUIs removed, and total number of AOCs with approved management action lists (MALs) for all BUIs. MALs are the lists of all actions required to remove a BUI or set of BUIs. Such lists are approved by management of USEPA's Great Lakes National Program Office (GLNPO). Once an AOC is listed as management actions complete, it means that all on-the-ground work required for BUI removal is complete.

AP III specifically lists ten AOCs at which completion of all management actions by 2024 is considered possible, including the Grand Calumet River AOC, and lists a goal of achieving management actions complete status at five of those. There are currently two MALs on file for this AOC – one pertaining to the Sediment BUIs and one pertaining to the Habitat BUIs. Three management action lists are currently outstanding.

Due to numerous requests for GLRI funding, GLNPO organizes such requests into a tiered system. The highest tier is reserved for AOCs that meet criteria in alignment with Action Plan III goals, including projects listed in Action Plan II with remaining management actions, continuation of existing projects, and those Action Plan III AOCs with the highest probability



of completing all management actions by 2024. Caitie is working to help provide the AOC with the best chance of securing funding in a very competitive environment.

Kay Nelson stated that she is on the Great Lakes Advisory Board (GLAB) and that GLRI is one of six topics the board is examining for a list of recommendations to be delivered to USEPA in 2022. Kay stated that she would appreciate specific information on how GLRI could be improved, not requests for increased funding. Those responding may choose to remain anonymous.

3. Sediment Working Group Update

IDEM, working with USEPA and the U.S. Army Corps of Engineers, launched a new working group aimed specifically at accelerating sediment cleanup progress and the evaluation of pending or potential cost share proposals. The first meeting was held on January 12. Representatives attended from IDEM, U.S. EPA, U.S. Army Corps of Engineers, and several current and past Great Lakes Legacy Act nonfederal sponsors.

The initial meeting focused on providing a common discussion framework, including Great Lakes AOC Program and Great Lakes Legacy Act overviews. Then a discussion of past, present, and planned sediment projects was provided. Finally, attendees had an opportunity to provide updates or ask questions of the others on the call.

IDEM and USEPA are planning a follow up meeting, likely for some time in March.

Kay asked whether the construction of a new CDF would be envisioned for the Chicago area, since the CDF is running out of space and what constitutes the cost share mentioned here. Michael explained that the Indiana Harbor CDF was currently undergoing a dike raise to expand its capacity. He then went on to describe how cash and in-kind cost share contributed by nonfederal sponsors is required under the Great Lakes Legacy Act to conduct contaminated sediment management projects.

4. Indiana Federal State AOC Meeting Update

Each year, joint meetings occur between the state and federal agencies directly involved in addressing AOCs. These Federal-State AOC meetings focus on key project updates and obstacles to implementing management actions and are designed to set the AOC up for success over the upcoming year. This year's meeting took place on the morning of Thursday, January 21 via a Microsoft Teams webinar.

Because this AOC is specifically listed in GLRI Action Plan III, which ends September 30, 2024, the focus of this year's meeting was on addressing any obstacles to completing all actions necessary to remove the remaining BUIs by that date. This principally involved discussing the status of all the AOC contaminated sediment management projects and the



timing of next steps. It also involved discussing the status of the management action lists for the following BUIs:

- Beach Closings
- Degradation of Aesthetics
- Eutrophication and Undesirable Algae
- Degradation of Phytoplankton and Zooplankton Populations

5. Sediment Management Actions (BUIs #1-2, #4-7) Update

a. Lake George Branch Middle & East

The East Portion extends from Indianapolis Boulevard to the CSX railroad bridge in East Chicago. Approximately 40 percent of the Lake George East project area is within the federal navigation channel. The Middle Portion extends from the CSX bridge to the BP land bridge in Hammond.

The contractor for the US Army Corps completed the first phase of the dredging of the East Project portion on December 11, with dredged materials placed in the Indiana Harbor Confined Disposal Facility in East Chicago. The initial estimated volume dredged is 20,000 cubic yards, pending the results of post-dredging surveys. The second phase of the dredging, along the south bank of the IHSC, is currently expected to be conducted during most of 2023 and 2024. This phase of the dredging will likely utilize offsite disposal of the dredged materials in a permitted landfill.

The US Army Corps is currently working to complete the 90 percent project design for the Lake George Middle project. Construction is currently projected to begin in the spring of this year and continue through the first half of 2022. In the meantime, ARCO/BP continues its source control work on the South and West Tank Farm parcels at the former ECI refinery site. That work is expected to extend from mid-2021 through 2023.

b. East Branch, Phase II

East Branch Phase II includes the dredging and capping of 2.5 miles of the East Branch of the Grand Calumet River between Cline Avenue and the US Steel Reach in Gary, as well as closure of the Ralston Street Lagoon in Gary.

EPA staff continues to work with the Gary Sanitary District to identify potential nonfederal Great Lakes Legacy Act cost share.

In response to a question from John, Michael clarified that the Cline Ave Ditch was not part of the East Branch Phase II project and was a separate remedial action through the RCRA program.



c. Junction Reach

The Junction Reach includes approximately 1.5 miles of the Indiana Harbor Ship Canal south of Columbus Drive and approximately 1.4 miles of the Grand Calumet River between Indianapolis Boulevard and Kennedy Avenue. It is currently anticipated that only containment will be utilized for the portion of the Grand Calumet River from the Junction to Kennedy Avenue. Both removal and containment are anticipated for the remainder of the project area.

EPA, IDEM, and the East Chicago Waterway Management District are working to complete the identification of additional non-federal cost share needed to complete the Grand Calumet River and Indiana Harbor Ship Canal project areas concurrently. The District is also working to amend the existing Great Lakes Legacy Act Project Agreement or develop a new one to allow for completion of the work. If all goes according to plan, the project design would be completed in 2021 and the project itself would be conducted during most of 2022 and into early 2023.

6. Habitat Management Actions (BUI #3 & BUI #14) Update

a. Management Action #1 – Dune, Swale, and Riverine Restoration

Carl Wodrich stated that there are only about eight months of funding remaining under the initial dune and swale grant. IDNR is currently working to draft a Phase II request application to complete work, including drafting a final budget. IDNR plans to submit the application no later than April 1.

Emily Stork stated that two intermittent field crew staff were hired by IDNR this week. In total, there have been around four crew members operating for the last few months due to COVID-related travel restrictions for staff living in Chicago. Paul Labus added that TNC is putting together job descriptions to hire short-term summer staff. Paul said that IDNR and TNC hoped to apply lessons learned this year on how to operate well under COVID restrictions. The anticipation is that COVID restrictions will not be lifted until late in the next growing season.

b. Management Action #3 – Lake George Branch Wetlands Restoration

Carl stated that the current grant is nearly completed and that IDNR is just awaiting the final invoice from Davey Resource Group. IDNR is working to fund a contract for continued maintenance on the properties, with the aim of getting them executed by mid-May.

Kay then inquired whether Carl or others were aware of whether the recent bill in the Indiana Senate would be likely to impact protections for the dune and swale if passed.



Carl stated that the extent to which dune and swale wetland habitat could lose protection is unclear and that it is something that would be determined on a case-by-case basis, utilizing a wetland delineation to determine applicability of the federal Navigable Waters Protection Rule that went into effect in June 2020.

c. Management Action #4 – Prescribed Fire Plan/Contractual Burns

Will Tucker provided an update that three prescribed burns were executed during calendar year 2020. These included burn units at Pine Station, Seidner, and Roxana Marsh. The latter was burned in November. That means nine burns have been executed in total to date. Will is working to implement cooperative agreements for an extension of the project through December 31, 2022.

Kay noted the recent emphasis on PFAS and asked whether fire retardants have been used in association with these burns. Will responded that, while he does not have specific information on that question, no fires have escaped the planned boundaries and he does not believe any retardants have been used.

d. Management Action #5 – Pine Station Ponds and Oxbow

Carl noted that Tetra Tech continues to work through the final draft design. One of the remaining challenges is identifying what actions can or should be taken to address the high water levels at Pine Station. The design elements related to hydrology are being informed by data and observations collected by USGS over the last couple of years. Tom Swinford, Emily, and Carl have been in discussions with USGS and Tetra Tech on the design of the project.

e. BUI #14 Removal Target

IDEM, U.S. Fish and Wildlife Service, IDNR, and The Nature Conservancy continue work to revise BUI #14 Loss of Fish and Wildlife Habitat. Currently separate fish and wildlife habitat workgroups have convened to draft proposed revisions. The removal target currently has the following elements or requirements:

- A requirement to develop site conservation plans for restored sites and set forth a framework to manage the sites long term.
- A requirement for BUI removal to be based on more than one assessment of the sites.
- Evaluation of various metrics for upland, swale, and riverine wetland units using the protocol developed by Orbis Environmental Consulting for IDNR and TNC.
- A measure of instream habitat quality within the Grand Calumet River and the IHSC.
- A requirement, added since the December CARE Meeting, to complete projects to address contaminated sediments in AOC waterways.



It is currently anticipated that the revisions will be vetted before the full CARE Committee within the next several months.

7. Management Action List Update

a. Beach Closings

IDEM has a draft framework for the Beach Closings Management Action List. This was provided to USEPA for initial input in December 2020. The current draft provides background information on the work conducted to date to study and develop management actions to address the factors leading to *E. coli* exceedances at AOC beaches at a rate that exceeds the BUI removal targets. It then focuses on continuing outreach and education efforts to encourage adoption of *E. coli* reduction best management practices as the primary path forward, while encouraging the continuation of USDA ring billed gull depredation efforts in Chicago/NW Indiana.

IDEM is working to incorporate initial feedback from USEPA and plans to provide a revised draft to the CARE Committee for review within the next one to two months.

b. Degradation of Aesthetics

IDEM has also been developing a framework for a Degradation of Aesthetics Management Action List. The draft is still in progress, but, like that drafted for Beach Closings, will provide background on the aesthetics monitoring and other work conducted to date to study and develop management actions to address the factors leading to persistent aesthetics concerns in AOC waterways. It will then list out the management actions anticipated to address these concerns and allow for BUI removal.

IDEM RAP Program staff plan to have a draft for CARE Committee review in the first half of 2021.

8. Outreach/Education Updates

- **AOC Beach Signage**

The agency is working to complete the procurement of AOC beach signs and posts/mounting hardware within the next month. These signs are specifically designed to discourage handfeeding of birds at the beach, which contributes to *E. coli* contamination and is unhealthy for the birds themselves. CARE Members may recall that we displayed the artwork for that signage during the October CARE Meeting.

- **AOC Nuisance Bird Management Poster**



IDEM has received the final AOC Nearshore Bird Management Project poster, which describes the rationale behind measures taken to manage ring billed gulls, geese, and cormorants through the AOC Nearshore Bird Management Project.

9. Table Talk

- Kay shared an update on the present state legislative session with CARE Members.
- Kay also shared that Rob Maciel from ArcelorMittal Burns Harbor is retiring.
- Carl shared that John Davis, long-time IDNR staff member and Deputy Director, retired after 40 years of service to the State of Indiana.
- Peg Donnelly provided an update on the Cline Avenue Ditch project from Jacob Hassan, who oversees the work for USEPA. Due to weather, the start of the project has been postponed to March 29. Some work has been conducted to build the staging area and make other preparations.
- In response to an inquiry from John, Kay gave an Asian carp update. Illinois recently signed on to the Brandon Road project agreement with the US Army Corps. Illinois and Michigan signed an MOA creating an escrow account to hold an \$8 million contribution from the state of Michigan. The 80 percent federal contribution to the project is being paid from the USACE New Starts program and the Pre-Construction Engineering and Design (PED) is anticipated to take three to four years to complete. The state of Illinois will need to take over properties and clean up various coal combustion residuals to proceed with the project. Kay also mentioned that the Great Lakes Resilience and Feasibility Study would not be funded from the USACE's New Starts program in fiscal year 2021.

10. Public Comment

No members of the public were in attendance.

11. Meeting Adjournment

John Fekete adjourned the meeting at approximately 2:12 pm.

Next Workgroup Meeting: Thursday, February 25, 2021, 1:00 pm – 3:00 pm
Tentatively a Microsoft Teams Meeting