

MINUTES
Board of Directors' Meeting
Great Lakes United

Buffalo, March 24-25, 1990

Saturday

Board members present: John Jackson, Daniel Green, Jack Manno, Joe Finkbeiner, Bill Neuhaus, Pam Leisinger, John Witzke, Fred Brown, Dwight Ulman, Dick Kubiak, Sister Margeen Hoffman, Paul Muldoon, Sarah Miller, Rick Coronado, Glenda Daniel.

Staff present: Phil Weller, Bruce Kershner, Jim Ahl, Karen Murphy.

President John Jackson called the meeting to order at 9 a.m.

There were two corrections to the minutes. 1) On page 2, item 6, change Environment Canada to Executive Committee. 2) On page 13, second motion, Paul Muldoon moved, Joe Finkbeiner seconded.

Joe Finkbeiner moved and Bill Neuhaus seconded a motion to approve the minutes as corrected. Motion passed.

Areas of Concern

Dick Kubiak reported that the International Joint Commission has recommended to the Parties that Erie, PA, be named an Area of Concern. Pennsylvania DER says this designation is premature. U.S. State Department (James Baker) and Canada External Affairs (Joe Clark) presumably have final word. Val Adamkus, asked in Washington, said international office of U.S. EPA will be asked to make a formal recommendation to State Department on Erie. EPA will probably support designation.

Dick said Presque Isle gets 4-6 million visitors annually. They were down 1 million visitors last year, mainly due to beach closings, but press announcement from IJC regarding AOC designation got blamed. The TV program, Nature, was scheduled to air a program on Presque Isle the first week in April.

Dick also reported that Pete Yeager from Pennsylvania DER, liked well by everybody, just died unexpectedly of a heart attack.

Bruce Kershner noted that because the matter of listing new AOCs is sensitive, we should be cautious about moving further on other areas until Erie designation is certain.

Jack Manno asked if GLU has a list of additional AOCs we want and/or whether we have any systematic outreach to local groups on this subject?

Phil said there is no formal list, and that any outreach on this issue is through regular contact with the citizen advisory groups

on existing RAPs and/or organizational members. Dick said the Erie County Environmental Coalition is recommending reversal of National Natural Landmark status for Presque Isle because of the pollution issues. An additional breakwater has been proposed; this threat have the effect of delaying or stopping that. The National Park Service could stop Corps funding. The zebra mussel issue may also stop new breakwaters.

Karen Murphy reported that about 70 people attended the RAP workshop held in Stella Niagara in February. All of the lakes were represented and 3/4 of the RAPs. Follow-up evaluations were very positive. A follow-up conference call on networking for the future is planned.

A panel and workshop on RAPs at the annual meeting may be part of this follow-up and could become an annual event.

John Witzke mentioned the Saginaw Basin Alliance as the group most active on Saginaw.

Sarah Miller noted that GLU always gets requests to do more on RAPs and needs a "standing grant" for that purpose.

John Jackson said we also get frequent requests to organize new networks.

Daniel Green asked if GLU would be interested in co-sponsoring The Center for the Great Lakes Fact Sheets?

Fred Brown said GLU and the Center had a meeting about three years ago and agreed on who is doing what--general info vs. grassroots organizing, etc. If we ask to co-sponsor, we could be perceived as treading on their territory.

A regular RAP update section was suggested for the GLU newsletter; Glenda suggested designating a portion of any grant to work on RAPs to help pay part of newsletter costs. Bruce noted that the newsletter already does have RAP updates fairly regularly as needed.

Contaminated Sediment

Glenda reported on ARCS (Assessment and Remediation of Contaminated Sediment), the U.S. EPA-sponsored project to do sediment analysis and test remedial technologies in five Great Lakes AOCs. Initial assessment work has been done and "hot spots" for sediment contamination identified at Indiana Harbor Canal, Buffalo and Sheboygan. Assessment at Saginaw will be completed this spring. Approximately 20 treatment technologies have also been identified and are being tested bench-scale (some also pilot scale) this year. Doug Hallatt and Wayland Swain are inviting observers from both countries to a demonstration of the chemical destruction treatment technology with Hamilton Harbor

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sediment on April 24. The demonstration will be at their lab in Rockwood near Toronto.

Fred Brown, a member of the ARCS management team and Risk Assessment/Modeling Team, has recommended incorporating data on placental transfer into the risk assessment. The work group has agreed to investigate feasibility of that.

Daniel Green noted that high temperature incineration of 100,000 cubic yards of sediment has been proposed at Massena. The St. Lawrence River/Seaway is a fast moving body of water, and any dredging could resuspend sediment and significantly affect AOC. He is interested in potential of using state of the art dredging technology to minimize resuspension.

Fred Brown recommended that Canadian consulate and EPA international affairs representative be asked to point out dangers to the Superfund project of dredging contaminated sediment at the GM site. Daniel said the project is currently at feasibility stage.

* GLU will support request that a provincial/federal task force look at the GM/Cornwall/Massena project for sediment.

Sister Margean proposed that our testimony on this as on other subjects point out the issues and not feel obligated to provide the solutions or get too technical.

John said ARCs needs some clear recommendations about what citizen groups should/can do. Sarah requested some good numbers on cost of various options.

Great Lakes Initiative and Offset Concept

Fred Brown presented a progress report on the Great Lakes Initiative. He also alerted board members to a new proposal, championed by The Center for the Great-Lakes, for establishment of "offsets" for Great-Lakes direct discharges, similar to the "bubble" system already in place for trading polluted air among different companies. If one discharger achieves compliance well under state regulations and/or his permit level, he can "sell" the excess to another company. In early stages this can provide an incentive to decrease pollution, but in the long-run it creates a new market for pollution, guarantees the status quo, and effectively prevents zero discharge.

Jack Manno said an incentive needs to be developed to motivate industries to improve below permitted levels.

Sarah Miller suggested advocating legal sanctions rather than economic incentives.

* John Jackson appointed a committee to develop a resolution on offsets for the annual meeting. Members are: Charlie Tibbitts,

Joe Finkheiner, Paul Muldoon, Jack Manno, and Glenda Daniel.

Daniel Green said our slogan should be not "toxic freeze" but "toxic free." Anti-degradation laws are mainly a defense of the pollution status quo.

Jack Manno said we must move to a mass loading concept rather than concentrations.

MISA

Paul reported that the project continues to develop technology-based limits. Currently it is just copying U.S. technology limits adopted in the 1970s. Finished monitoring guidelines, now working on effluent control regulations--due by October. Forgot to include the public in discussions. GLU wrote a letter in December on behalf of five other groups. A meeting with public groups was held in February. Industry was invited, too. GLU wrote a follow-up letter. A political problem is that provincial elections will likely be held in the fall. A systemic problem is that these kinds of issues are very complicated, and it's hard to find staff time and resources to contribute in a substantive way. Ontario currently considers "virtual elimination" to be 1/10th of detection level. Industry wants a risk assessment process.

Fred agreed to review MISA with an eye to learning from any mistakes we've made and learned from on U.S. process. Greenpeace plans to oppose MISA entirely but hasn't proposed an alternative.

Daniel Green said we can get trapped into responding, accepting someone else's dotted line, rather than sticking to our own vision.

Contested Case Hearing on Detroit Wastewater Treatment Plant--
Fred reported that GLU's petition has been accepted. Others participating are Clean Water Alliance, National Wildlife Federation, MUCC. Water Resources Commission recommended contested case hearing, including speed-up of process. Pat Hartig will represent the group and is arguing the validity of the Water Quality Agreement over state law. GLU's position, less inclusive, is not getting into the legal validity question but arguing that the permit violates the spirit of the Agreement and so should be revised.

Paul is proposing a legal workshop on how we can best defend/strengthen the Water Quality Agreement. He will get back to GLU with details.

Fred recommended to the Water Resources Commission that the hearing officer be a lawyer and preferably a law professor, then that the decision goes back to the Water Resources Commission so that it would in future have jurisdiction in the state courts. Currently a federal court judge in Detroit is claiming jurisdiction, at least for timing and implementation, but will

wait to see what happens with the administrative process.
Health Project

Sarah Miller reported. The workshop will be by invitation only. Health and Welfare will report on data available now and on a five-year project for health research in the Great Lakes, then ask for public reaction. Part of the plan will be to replicate or expand on the Michigan Fish-Eaters Study. GLU's role in the first stage of this project will be limited to a straightforward survey, without editorializing.

The conference is proposed for late May/early June. Sarah would also like to see a U.S. component for this survey. Joe Finkbeiner suggested approaching Blue Cross-Blue Shield.

In Concert with Nature

Charlie Tibbits described In Concert with Nature further in follow-up to the previous GLU board meeting. He is president of its board. They have had six concerts so far, all broke even or made money, but not a lot. This summer he is proposing an 18-city tour, with GLU taking the lead in AOC areas--co-sponsoring with Atlantic States Legal Foundation in several locations. They're looking at large clubs--1,000 seat places. Two groups are available at a minimum: the Tony Ellis Band and Robert Topper.

GLU wouldn't have to put up any front money. The William Morris Agency may help. The potential is to raise \$1,000 to \$6,000 per concert. They will hope to get a headline act for each site plus Ellis and Topper. The concert would last 4 to 5 hours, and In Concert With Nature would present "the environmental sales pitch" for an hour in the middle of the program. He predicts GLU can make \$12,000 minimum and \$50,000 maximum from the series. Local sponsoring groups would get a share, but his projection is that GLU would get this amount after the other sponsoring groups take their share.

Another possibility for funding through entertainment is the Slick Tour. River Barge Productions, an ongoing theatre company for the Great Lakes basin. GLU would need to go for funding on this along with River Barge Productions, and it may be too late already to organize something for this summer.

Exotic Species

Dick Kubiak reported on a conference he attended recently on exotic species. Sixty-six exotics are thought to be in the Great Lakes. Approximately 30 have been brought in by ballast water. There are also many escapes from the aquarium trade. Possibility for transmission of diseases. There are heating coils in ballast tanks, because sometimes they use crude oil instead of ballast water. Possibilities discussed included: Use a biocide? ultraviolet light? Heat? to kill the creatures. Coating

inside of tanks with a poison that would kill the creatures? De-ballasting and re-ballasting are not always possible in storms. Compliance from shipping companies under a volunteer ballast water exchange program has dropped from 97% to 83%.

Jim Carlton, an expert on exotics, brought wide attention to this problem originally.

Some diving ducks are predators for zebra clams. So is the freshwater drum ("Pittsburgh bass..."), but they get distended anuses from eating the shells. (These kind of details are included in the minutes just to see if any of you are still reading...GD).

There will be a meeting in London, England in June on this subject; a primary focus will be on redesigning vessels.

Annual Report Committee--Paul Muldoon, Jack Manno, Glenda Daniel, Dick Kubiak, Sarah Miller. Articles will be assigned to different board members and staff for this report; articles will be due by April 10.

Paul Muldoon, Glenda Daniel, and Bruce Kershner reported that Doree Stein had recommended that notices to organizational members to get nominations in should be set out farther ahead, so local groups have time to meet with their boards, get notices in their newsletters, etc. and have more time to decide whether and who they would like to nominate. Doree also mentioned to Bruce that Chicago Audubon had agreed to nominate her, but Bruce said nobody in the office had seen a letter from Chicago Audubon or had any other communication to this effect. It was suggested that the staff get back in touch with Doree and Chicago Audubon to clarify and affirm nobody was intentionally left out. Doree had said she mentioned to Camilla Smith, nominations committee chair, that she would be interested in running, but it was generally thought that no reference had been made at that time to an official organizational request to nominate her. Camilla was not present at this board meeting for discussion on this issue. She did ask ahead of time, however, that the by-laws committee review and consider clarification on the electoral process, including whether members or only member groups may vote, etc.

Annual Meeting

Task Force Discussions at the meeting--It was suggested that we don't focus so much on revising or developing resolutions at this meeting but rather on general issue discussion and planning strategies for the future. Facilitators should begin each session with a "State of the Issue" discussion--what has and hasn't been accomplished in the past year based on our existing resolutions and what we need to focus on with what priority in the future.

Can people suggest resolutions from the floor? yes.

John Jackson appointed Fred Brown to head Rules and Credentials Committee. Volunteers will be sought to help him man the table.

An Awards Committee was appointed. Members are Joe Finkbeiner, Daniel Green and John Jackson.

An Annual Meeting Fundraising Committee was appointed. Members are Dwight Ulman, Joe Finkbeiner, Rick Coronado, Scott Stewart, Dick Kubiak.

John announced that the next World Large Lakes Conference will be held the first two weeks of September this year in China. Environment Canada is willing to send John, but how does GLU feel about this? Do we feel it will be indirectly conveying some sort of support for China's current government policies? After lengthy discussion, it was determined that John will discuss the issues further with Environment Canada and with UNEP, also a sponsoring party, and that the board will leave the decision up to John.

The meeting was adjourned until Sunday.

Sunday morning

John Finkbeiner reported that there's a new coal slurry bill in Congress, which ultimately could pave the way for a new pipeline again to the west which could theoretically carry Great Lakes water.

He also reported the establishment of a new Great Lakes Environmental Center in Lansing.

Dwight Ulman gave the financial report. A draft audit has been completed for 1989. We have a deficit of \$15,000 after transferring some funds received in 1989 into the deferred income for 1990, because they are part of restricted grant projects that will have expenses in 1990. We are also \$11,000 behind budget currently for fundraising in 1990. The financial committee is developing a new cash flow sheet and will also be meeting to examine the finances and balance sheets more carefully before the final audit. Members of the Financial Committee who will be meeting on this in the near future are Dwight Ulman and Fred Brown who will meet with Dotty and Phil.

Joe Finkbeiner moved, in addition, that the executive committee be directed to take a hands-on look at the organization's budget/financial situation and management for the next six months. Dwight Ulman seconded it. Approval was unanimous.

John Jackson reported, in Bill Munson's absence, that we're not spending much of our Canadian funds right now except for minor travel, etc. Haven't spent any of the Laidlaw grant.

Sarah Miller suggested we set up a separate legal entity in Canada with separate by-laws, etc. to facilitate the charitable status process.

Fundraising

Phil reported that the Belden fund has approved a \$15,000 grant for fundraising. It will facilitate hiring a part-time person or on contract and for us to set up a long-term fundraising strategy.

Sarah Miller raised the question of canvassing and there was a general discussion.

Dwight mentioned selling calendars and stationery cards. Suggested using phone books and not just our membership list. MUCC uses the Callahan Co. to do mailing.

~~John appointed a Sales Committee. Members are Sarah Miller, Dwight Ulman, Scott Stewart and Joe Finkbeiner.~~

A grant has been submitted to C. S. Mott for \$40,000, not yet approved.

The Rockefeller Family Fund turned down a grant proposal.

Phil has also applied to the Hahn Family Foundation for \$5,000 for work on the Buffalo River/Niagara Area only. Haven't heard.

Dwight reported on the Windsor office. One \$22,000 grant is on its way, and two others have been approved--one for \$19,360 and one for \$21,780. The plan is to seek office space at the University of Windsor. The executive committee has approved this idea. While the first two grants will be spent in the Windsor office, the third grant, because of its short timeline (May workshop) may require that work be done with existing staff out of the Buffalo office.

Sarah reported on the Tapestries for the Environment project. She knows a friend who is an artist who does environmentally oriented textile/tapestry art. The friend has arranged an elaborate show in a gallery and is selling a number of them; part of the profits will go to GLU--they sell in the range of \$3,000-\$11,000.

John Witzke suggested that we have an ongoing committee to develop a relationship with the artistic community.

Daniel Green asked if we agree as a board to accept indirect contributions from corporations if they buy the tapestries.

Dwight discussed having a raffle and auction as fundraising activities during the annual meeting. The raffle prize will be a print worth \$200-\$350 framed. The print, a signed lithograph, is

by Jack Ballou, and features wild turkeys taking off from a mountainside. Raffle tickets will sell for \$1 apiece or 10 for \$5.

Five to 6 items will be donated for the auction. None will be valued under \$50.

Pam Leisinger moved and Fred Brown seconded that recommendations of the annual meeting fundraiser committee be approved. Unanimous.

Priorities issues for fundraising were identified.

- 1) Fund an American component to the health study. Insurance companies are possible funding sources.
 - 2) Ongoing funding to work on RAPs.
 - 3) A study to report on wildlife surrogates for human health. Suggest Kellogg and Ford.
 - 4) Address MIS A in a more direct way.
 - 5) Treaty project: air, transboundary transfer of hazardous waste, etc.
 - 6) Develop a proposal to the two governments--Secretary of State and External Affairs on a Citizens Advisory Board for the IJC.
 - 7) Clean Air Act--Review of implications for the Great Lakes.
 - 8) Grant to provide travel reimbursements for board members, etc. Consider kNathan, Cummings Foundation.
 - 9) Grant to provide technical/legal expertise on staff.
 - 10) An annual meeting grant.
 - 11) Groundwater grants.
 - 12) A grant to develop an international network on freshwater issues--German Marshall Fund or UNEP. Jack Manno will help write.
 - 13) Artist network--would open up possibilities of grants from Endowment for the Arts.
 - 14) ARCS--subgrant from LMF to GLU in new federal fiscal year starting in October.
- Priorities--Fred Brown said that to accommodate commitments we've already made, we need a technical analyst for sure.
- Joe said the RAP process is obviously a priority.

* As for U.S. component of the Health Effects project, Joe will contact Blue Cross/Blue Shield. Jack also has a University of Buffalo grant through which he can work with GLU on this. Phil has a grant written which involves this issue.

* Wildlife surrogate project--Jack Manno will volunteer to work on this grant.

Zero discharge subgrant from CELA--can pay after December 1.

Treaty project--mid- to long-term priority. Paul Muldoon and Charlie Tibbits will flesh out ideas for presentation at board retreat this summer.

* Citizens Advisory Board for IJC--high priority. Daniel Green will prepare a one-page proposal on it.

Air--low priority for GLU. Sierra Club taking lead.

John Jackson--Technical analyst grant and RAP coordinator have highest priority, since they are needed to fulfill commitments already made.

Annual meeting grant--Dwight's committee will continue to explore possibilities for this for the next year.

* International networking grant--Rick Coronado and Jack Manno will put together a 1-page think piece on this for the summer board retreat.

In Concert with nature--Daniel Green summarizing GLU's commitment to confirm. GLU committing to press conference, mailing to members. Cost, including staff time, likely to be \$2,000 to \$5,000 up front. Need a written contract.

Joe Finkbeiner--Make sure we're absolved from liability.

Daniel moved, Joe seconded a motion to approve GLU's involvement with assurance of executive committee supervision and above concerns addressed. Motion carried.

Discussion on SLICK concerts--investigate long-term. Part of our artist project. Don't plan it for this summer. Sarah Miller suggested develop core funding to help develop the theatrical piece. She is willing to help.

Jack Manno suggested finding 2 or 3 artists willing to be part of a task force/committee for GLU on potential relationships with artistic community.

Phil raised a personnel issue at Michelle's request. Would the board please clarify vacation policy? The way it reads now looks like 1 day per month first year, but it doesn't really increase second year. Also does a year mean calendar year or from date of

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hire? Also does 3 weeks of vacation start after 2 years from hiring date?

Pam Leisinger mentioned that Michelle had communicated with her on this issue, too, as chair of personnel committee. The board instructed Phil to relay to staff that personnel questions be presented to board through him as a preference, although personnel committee could be available as a backup for future if executive director didn't convey information.

Personnel committee said intention was to pro-rate per day for the first year at rate of 1 day per month up to 2 weeks. After first anniversary date, employee would be eligible for one year's vacation allowance.

John asked personnel committee to clarify vacation policy and resubmit it in writing.

Karen reported on Love Canal resettlement. Habitability study didn't accomplish all environmental and health standard goals. CCHW, NRDC, and other groups oppose resettlement. Can GLU take a similar stand?

A resolution was proposed: Resolved that GLU oppose resettlement until an acceptable process is in place, including adequate public participation, to determine environmental and health risks and to develop standards or guidelines based on that determination, for uses of the area, including the EDA.

A vote was taken--motion passed with two abstentions.

Phil Weller reported on Lake Erie project. Jenny Aveni is interested in establishing an advocacy office for Lake Erie in Cleveland. Will work with GLU and Ohio Environmental Council.

Daniel Green reported on a project he has underway to import the AOC/RAP approach to the St. Lawrence River. Has identified 30 AOCs. Will be doing 10 RAPs through citizen coalitions, then take them to the government for endorsement.

John Witzke said he will have a resolution to propose at the annual meeting regarding marsh restoration on the west shore of Saginaw Bay.

Karen reported on Great Lakes Washington week.

Phil said recommendations from the Wetlands Consortium, organized by Tip of the Mitt Watershed Council, will be released in June. A draft will be available at the GLU annual meeting.

Fred Brown provided an update on the Great Lakes Regional Corporate Environmental Council coordinated by Michigan Audubon. A re-use /recycle statement will be released at press conferences scheduled for the first week in April.