

## Meeting Notes

### **Partnership for the Saginaw Bay Watershed** **Beach Closings Task Group Meeting**

*Partnership for the Saginaw Bay Watershed Board Members are:*

**Zygmunt Dworzecki** – Director  
**Taylor Hollis** – Director  
**Laura Ogar**-Vice-Chair  
**Dennis Zimmerman** - Secretary

**Pete Frauson**- Treasurer  
**David Karpovich**– Director  
**Glenn Rowley** – Director

**Jim Hergott**- Director  
**Elan Lipschitz** - Director  
**Bill Wright** – Chair

**May 1, 2017 10 am to 12 pm**

Bay County Building - 3rd Floor Personnel Conference Room  
515 Center Avenue Bay City, Michigan

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#### **Summary of Meeting's Action items:**

- *11th meeting of the Task Group for Beach Closings/BUI Review. Chair/Wright convened the meeting at 10:04 a.m.*

Team Members present included: **Dworzecki, Frauson, Rowley, Sivy, Strasz, Wright and Zimmerman.**

*On phone: Hollis*

Also attending were: **Rick Finn** – Bay City Manager, **Mike Duranczyk** – County Commissioner, and **Jo Ellen Strieter** - Administrative Contractor.

**Strasz** asked that a correction be made to the minutes of the April 4 meeting, instead of 28,000 septic systems in Bay County that it is changed to between 12,000 and 17,000 septic systems in Bay County.

**Zimmerman** made a motion to approve meeting notes with correction. **Dworzecki** seconded. All were in favor of accepting amended meeting notes.

The minutes were handed out for the April 10<sup>th</sup> Work Group and **Strasz** asked that a correction be made to the minutes instead of Brissette Beach being tested once or twice a year that it read that Brissette Beach is tested weekly.

**Zimmerman** made a motion to approve Beach Closing Work Group meeting notes with correction. **Dworzecki** seconded. All were in favor of accepting amended meeting notes.

**Wright** suggested that we skip **New Business and Beach Closings Work Group update under Old Business** and move directly to **Select BUI Removal Criteria for Beach Closings under Old Business** which is our most important focus at this time. **Wright** – stated that GLRI funding should be okay for next year. With that in mind, the DEQ wants us to have a set of delisting criteria for the Beach Closing BUI in place before we get funding for next year. While working toward Beach closings BUI removal criteria, we need to consider the nature of the Saginaw River/Bay Area of Concern. **Although the river and bay are designated together as an AOC, they are different types of water bodies.** **Zimmerman** made a motion to confirm

that they are different types of water bodies. **Dworzecki** seconded the motion. The task force voted to confirm this observation.

The Saginaw River is closer in form and function to many of the areas designated as AOCs in the Great Lakes and in Michigan. Saginaw Bay, on the other hand, is a large arm of Lake Huron. Only St. Louis Bay and River (Lake Superior at Duluth), the Fox River and southern Green Bay (Lake Michigan) and the Bay of Quinte (Lake Ontario) are AOCs that involve similar parts of other Great Lakes, and none of these involve as much water area as Saginaw Bay. No other Michigan AOC involves part of a Great Lake.

Regarding Beach Closings, Michigan's criteria for removal of this BUI uses the Integrated Report on the status of impaired water bodies to determine an AOC's status. Although the 2016 Integrated Report notes the designation of Saginaw Bay as an AOC, the bay is not designated as "impaired waters" due to lack of data supporting such a designation. Further, the IR says, "...Beneficial Use Impairment removals under the AOC program are unrelated to the designated use impairment status." (2016 Integrated Report, page 116) This creates a conundrum for us, but may help clarify a path forward.

**Since we understand that the Saginaw River is designated as impaired as regards to pathogens, accepting Michigan's BUI removal criteria for that part of our AOC can be accepted.** The task force voted to recommend this action to the Board of the Partnership for the Saginaw Bay Watershed. **Zimmerman** made a motion to recommend this action to the board concerning accepting Michigan's BUI removal criteria for the Saginaw River part of our AOC. **Dworzecki** seconded the motion. All were in favor of making this recommendation to the board.

**Wright** had thought that achievement of BUI removal criteria for one part of the AOC, either Saginaw Bay or the Saginaw River, would allow us to use the term "AOC in Recovery." However, **Zimmerman** explained that this applies only to areas where known human causes of impairment have been addressed, but the BUI cannot be removed until natural biological processes have had sufficient time to recover to a non-impaired state.

**Since Saginaw Bay is not designated as "impaired waters" for the Integrated Report, a BUI removal criterion based upon the Integrated Report's review of progress and/or removal from the impaired waters list is not appropriate and locally applied BUI removal criteria are needed.** **Zimmerman** made a motion to confirm this. **Dworzecki** seconded the motion. All were in favor of making this recommendation to the board.

Michigan's Beach Guard database includes local health department testing results, based on the state's Water Quality Standards for *E. coli* concentrations. It is updated continuously and publicly available via the DEQ's website. **A Beach Closings BUI removal criterion based on Beach Guard data could be functionally equivalent to a standard based on the Integrated Report.** **Dworzecki** made a motion to confirm this. **Zimmerman** seconded the motion. All were in favor of confirming this observation.

Michigan is initiating a Total Maximum Daily Load (TMDL) process for *E. coli* contamination, indicating that such contamination is a statewide problem and not just confined to Areas of

Concern. Bacterial contamination of our waters is a rather ubiquitous situation in Michigan. Areas that aren't AOCs have *E. coli* problems sometimes. **Saginaw Bay beaches don't need to be perfect to remove the Beach Closings BUI.** Dworzecki made a motion to confirm this observation. Zimmerman seconded this motion. All were in favor of confirming this observation.

The task force noted the upcoming *E. coli* TMDL and hoped that this process would continue to address bacterial contamination issues, even after removal of the Beach Closings BUI in Saginaw Bay. Regarding removal criteria for BUIs, we noted that they need to be understandable, based on accepted standards, readily documented and achievable. Criteria need to be defined broadly enough to permit us to cope with unforeseeable situations. Wright suggested that we define two types of criteria, performance based (aiming for some pre-approved standard) and comparative (matching Saginaw Bay's conditions to those of other parts of the Great Lakes that aren't AOCs), with achievement of either criterion being sufficient to permit BUI removal. The task force did not vote on this suggestion.

Following a reference from John Riley revealed Ohio's BUI Listing Criteria, including one for "Public Bathing Beaches." An AOC in Ohio will be listed for Beach Closings if, "Bathing beach advisories are posted for more than 10 percent of the recreation season due to bacterial contamination... or algal toxins." (Fortunately, algal toxins have not been an issue for us!) If exceeding such a criterion would trigger listing, presumably an area could be de-listed if results were below it.

When the task force set out to define such a performance based standard, things become more complex. The criterion would be something like, "If all the beaches are open for at least 90 percent of the swimming season, the BUI could be removed.

However, there's the question of how long is the season. Michigan's Water Quality Standard for Total Body Contact notes the period from May 1 through October 31, six months or 184 days. That would allow up to 18 days of closure for a beach to meet the criterion. However, it was noted that local Health Departments generally test beaches during a season resembling the "Memorial Day to Labor Day" definition of summer, perhaps 100 days. That's when beaches are most likely to be busy. It was suggested that the standard should be no more than 10 percent of the time between the first and last samples of the season. Sampling dates are noted in Beach Guard, so it should be possible to calculate this for each beach.

However, that raises the question of how frequently beaches are monitored. Bay County tests its beaches three times a week, but other communities may test only weekly. If a sample is high enough to close a beach, it can't be re-opened until the next acceptable finding is recorded. For weekly sampling, that would be 7 days of closure, a rather large chunk of the swimming season. The 10 percent standard might allow only one closure of such length per season. Task force members noted, however, that beaches are generally tested based on local perceptions of a need to do so. Thus, less frequent sampling may reflect better conditions and still may permit achievement of the criterion.

One alternative that was offered would be to use a standard that requires 90 percent or more of the samples collected throughout Saginaw Bay's beaches during a season to be within the Full Body Contact standards, rather than measuring days closed for each beach. Task force members, particularly **Frauson**, will review Beach Guard data to determine how such standards would apply to information from recent years.

The question arose about how we would define a "beach." Some elements include public ownership of the shoreline area in question, plus dedication of that place for swimming (full body contact). Places like boat launches or road ends generally wouldn't be included. Nor would some places listed in Beach Guard that even have "Beach" in their names, like Wenona Beach or White's Beach, if there isn't some publicly accessible shoreline there.

Another topic was the difference between an "advisory," as mentioned in Ohio's criteria, and a "beach closure." **Strasz**, Bay County's Environmental Health Director, mentioned that the department will issue an advisory when partial body contact standards are exceeded in water bodies like the Saginaw River, but will close a beach if full body contact standards are exceeded there.

The task force adjourned without identifying a BUI removal criterion, but may hold a special meeting before our next regularly scheduled meeting on June 5.

Adjourn – 12:25 am moved by **Sivy** and supported by **Zimmerman**.

Respectfully submitted, Jo Ellen Strieter, Administrative Contractor

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