

March 21, 1992

Mr. Richard A. Fowers
Asst. Chief of Surface Water Qual. Div.
MDNR
Lansing, Michigan

Dear Mr. Fowers,

I got worried when I received your letter dated March 20, 1992. I thought the time machine went into reversal and we were back in pre Rachel Carson days. After shaking my head, I realized that the world is still on course: MIT has developed a Program in Environmental Engineering Education, where one studies the pollution problems caused by industry; Yale Law school is deep in environmental protection, etc. You allege that the industry declines to participate in the Detroit RPT because of the environmentalists' wide behavior bias the question. Facts assure. Environmentalists have not polluted the Detroit River. They are the ones who try to protect the River.

I think that if you and other MDNR officials would start to attend the scientific conferences, you would not Rip Van Winkle yourselves to the old days when pollution was the King. Hence, I extend my cordial invitation to come to the 1992R conference in Waterloo.

Sincerely,
Saulus Simolunas

STATE OF MICHIGAN



NATURAL RESOURCES COMMISSION

LARRY DEVUJYST
PAUL EISELE
MARLENE J. FLUHARTY
GORDON E. GUYER
DAVID HOLLI
O. STEWART MYERS
RAYMOND POUPORE

JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING
P.O. BOX 30028
LANSING, MI 48909

ROLAND HARMES, Director

March 20, 1992

Mr. Saulius Simoliunas
665 West Warren
Detroit, Michigan 48201-1162

Dear Mr. Simoliunas:

I am responding to your letter of March 11, 1992 in which you ask for my comments on two abstracts. I do not find the abstracts to offer any "provocative, innovative, or creative approaches for solving the Detroit River problems", as you stated in your letter. The first abstract authored by you and Mr. Leonard does not contain sufficient detail to allow any type of evaluation.

The second abstract, by you and Mr. Coronado, is largely a rehash of material which you have distributed before. I find this "abstract" to be factually incorrect, insulting, and certainly not a "scientific" paper in any sense of the word. I would characterize it as a personal tirade offering only criticism with no constructive suggestions on how to improve the situation.

For the most part, I find the specifics of this "abstract" unworthy of any response. However, there is one issue which requires correction. I strongly object to your continued slanderous and libelous attacks on staff working on the Detroit RAP. You are certainly entitled to your personal opinions on how successful the Detroit RAP effort has been. The continued unwarranted, untrue, and unprovoked personal attacks on staff are unprofessional and unacceptable. We have always treated you with courtesy and we expect the same type of treatment.

I am the first to admit that our attempts to date to complete RAPs have not always been perfect. The binational RAPs, which involve both the United States and Canada, have presented their own unique challenges. I can assure you, however that our intentions have been to complete the highest quality RAPs in the shortest period of time. We are learning as we go and hope to do better in the future.

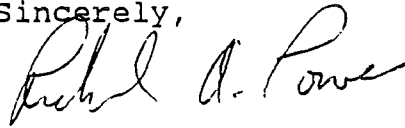
I would suggest that you objectively consider the possibility that one of the problems with the Detroit BPAC may be your behavior. One of the reasons that attendance at the BPAC meetings by industries and municipalities has declined is that when they are present they are attacked by you and your associates. I have personally observed an unbelievable degree of

Mr. Saul Simoliunas
Page Two
March 20, 1992

abusive, rude, and disruptive behavior by you. A more constructive approach is needed where all parties involved can discuss issues and seek mutually agreeable solutions to problems in a nonthreatening environment.

In conclusion, I find it hard to believe that an organization such as IAGLR would include such nonscientific, nontechnical, nonresearch oriented documents in their program.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Powers". The signature is written in dark ink and is positioned above the typed name.

Richard A. Powers, Assistant Chief
Surface Water Quality Division
517-373-1949

SAULIUS SIMOLIUNAS

665 WEST WARREN • DETROIT, MICHIGAN 48201-1162

313-832-3117

March 11, 1992

Dear Mr. Richard Powers,

I am sending to you two abstracts of papers to be presented at a session "Remedial Action Plans for the Great Lakes" (15 papers in all ranging from policy to technology, organized/chair by me) at the International Assn for Great Lakes Research, Waterloo, Ontario annual meeting on May 31 - June 4, 1992. I shall edit a book of these papers within one year.

The two abstracts of the papers deal with the Detroit River RAP, which now is floundering and has no leadership. A lot of thought went into this policy work and could constitute a blueprint for the Detroit R. RAP development.

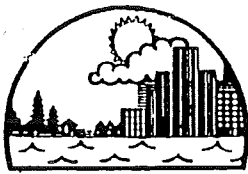
Stage I document is a very flawed study. It is actually a poor rewrite of UGC CCS. Its bibliography breaks off at 1958. The few new entries are missing the great body of work, which appeared since 1958, e.g., Kelly et al. studies of Detroit River's input to Lake Erie, etc. or are of very questionable nature, such as personal communications to and from MNRK employees. We, the BPAC, as students knew more about the condition of the Detroit River than the RAPT Team, the teachers. This was the primary reason why BPAC did not approve the Stage I document.

I think that for Stage II an open discussion approach should be substituted for Detroit

of PAE instead of the top-down approach. The two abstracts are offering provocative, innovative, and creative approaches for solving the Detroit R. problems. We have to move in Stage II from problem solvers to problem solvers. If the RPP team, having the credit of UGLCCS, could not come up with a possible document, how could it attempt any problem solving on its own?

I thought that the 2nd Citizens Conference on Areas of Concern in Michigan in the case study of Detroit River would have offered anything of substance, but not a rewriting of a half page festival. By the way, those festivals in the last 4 yrs have gone down in attendance and are getting counterproductive or bad publicity. That presentation was trivial, not even whimsical.

I ask for your comments about these papers. I want to find out what is MFR's position about the varied questions. I know that I shall get a lot of comments from scientists and policy seters in Detroit. Now I am certain about Lansing. I assume that nobody from MFR will go to Detroit.



CITIZENS ENVIRONMENT ALLIANCE

(formerly Clean Water Alliance Environment Group)

P.O. Box 548, Stntlon A, Windsor, Ontario N9A 6M6 (519) 973-1116

CRITIQUE OF DETROIT RIVER REMEDIAL ACTION PLAN

STAGE 1

February 1992.

SAULIUS SIMOLIUNAS & RICK CORONADO

International Association for Great Lakes Research

The development of the RAP has two major components: technical information and public participation.

The technical information was gathered by the RAP Team, which includes representatives from Federal, State, and Provincial governments. Representatives on the RAP Team were mainly made up of bureaucrats from Michigan Department of Natural Resources (MDNR) and Ontario Ministry of Environment (MOE), other departments and agencies were involved, such as U.S. Environmental Protection Agency (EPA) and Environment Canada, but it was MDNR that was the lead agency for the Detroit River RAP.

A Technical Advisory Committee was organized but did not have a primary review role, that is, the Technical Review Committee was given the opportunity to only comment but had no official status as a review or advisory committee that was necessary for the overall success of the Detroit River Stage 1. Furthermore, the Technical Advisory Committee did not have the opportunity to interact with the Public Bi-National Advisory Committee (BPAC), this acted to further enhance the separation of science and technical aspects of the RAP process from the BPAC and general public understanding.

The RAP Team did include four public members of the BPAC on its committee, plus the BPAC Chairperson, but their role was minimal due to the lack of opportunity for review and interaction with the Technical Advisory Committee. In other words, the separation of science and the public was to continue throughout the Stage 1 RAP, and no opportunity existed for an independent technical review that could be conducted by the public BPAC

As a result, the written document of June 1991 was more an effort in effective public and agency relations than an extensive and thoughtful review of what is known about impairments in the Detroit River. Although it has been referred to by the MDNR as "not a public document" it cannot be classified as a comprehensive technical document either, because of constant clarifications of data and comments by MDNR bureaucrats. The Upper Great Lakes Connecting Channel Study (UGLCCS), of December 1988, was published before the present Stage 1 report. UGLCCS provided excellent and practical recommendations, and has been referred to by a Great



Lakes Scientist as the "best data we will get for the next 50 years, and we should use it and act with it". This data was not used effectively by the Detroit RAP Team. Unfortunately, the Stage 1 document has settled for the status quo, which means, "what is and what is not" impaired according to the IJC delisting/listing criteria. Neither MDNR nor MOE looked at what was actually achievable and what was possible beyond, merely prescribed, guidelines from the International Joint Commission (IJC). These guidelines were interpreted by MDNR, and to a lesser extent MOE, as the ultimate adjudication for the Detroit River area of concern.

Another of the major shortcomings of the Detroit RAP Stage 1 is that it was written by bureaucrats, re: public relations agency people, as contrasted by the UGLCCS scientists and engineers. This is an example of the failure of the experiment in binational public relations on the Detroit River as offered by the MDNR (lead role) and MOE, while ignoring, misinterpreting, and in some cases, deflecting the science and engineering work of the Technical Advisory and the UGLCCS.

As per the Great Lakes Water Quality Agreement, the BPAC was formed in December 1987. The BPAC consists of approximately 20 members from Michigan and 20 members from Ontario from the following interest groups: environment, labour, academic, industry, recreation, municipal, port authorities, and conservation groups, non-point sources and citizens at large. Unfortunately, "stakeholder" participation at BPAC meetings has dwindled down to the point where only three industry representatives are active and only the City of Windsor and Amherstburg have been attending meetings while the City of Detroit has not been involved. Public attendance has not been very good at meetings, but the public membership and involvement on the Detroit BPAC has been consistent, while, at the same time, participating with no resources to conduct independent scientific reviews of Stage 1 documents. The Citizens Environment Alliance (CEA) did publish their own "dissenting" report and "citizens guide" to the Stage 1 RAP, which was entirely funded by charitable donations. This material is not found in the Stage I document.

As the Stage I RAP came to its conclusion, members of the BPAC attempted to "table" the formal acceptance of the Stage I document, but the MDNR sought and received approval of "their" document at the Michigan Water Resources Commission, even then the approval was not unanimous. Many critical details of the Stage I document still need to be addressed, and are to be "carried over" into Stage II. Ten studies have been identified as having a "high" priority for the Stage II Detroit River RAP.

The role of the public in the Stage I has been under dispute and confusion since 1987. Both Michigan and Ontario have different interpretations of public involvement, while the public involved in the BPAC to date have another view. MDNR (and MOE) has admitted they do not have the expertise or capacity to deal with social or economic factors pertaining to the Detroit River RAP.

The decision to consolidate the role of public participation by Michigan and Ontario in June of 1987, was the key mistake in the loss of public profile of the Stage I RAP. Since then neither Michigan nor Ontario has been able to effectively tap the public interest, furthermore, neither agency should have attempted to "control" public input. Ontario's role in public involvement has been just as misguided as MDNR's. In 1986 Ontario refused to fund a separate public participation proposal from a Windsor environmental and scientific group. Several provincial and federal bureaucrats have intimated that monies earmarked for Canadian public involvement and education on the Ontario side of the Detroit RAP were never spent for fear of offending Michigan and their lead role and the agreement that was signed in 1985.

There are 5 major precepts that can be drawn from the Detroit River RAP: 1) there should be a separate technical review committee set up to actually write the documents; 2) other subcommittee's could be set up to look at various components of the RAP, including permits, sediments, point and non-point sources, treatment plants, etc.; 3) the public should control and run its own involvement, and be directly funded by government; 4) a special citizens, (Friends of The Detroit River) community group could be created with the many Detroit groups that have not participated in the Detroit RAP, along with the environmental organizations on the Canadian side (Windsor-Essex County); 5) a public edition of the Stage I RAP should be published, and it should only contain public input, review, and dissenting opinion, it would be a "public document", for public consumption.

We must acknowledge the fact that a technical review and evaluation is necessary and could be effectively integrated with public input. We are not attempting to "solve the problems of the world in one document", but, we are attempting to bridge the gap between the public and their understanding of the role of science and engineering in environmental remediations. In closing, both writers acknowledge some positive aspects of the Detroit River binational experiment, however, they are far outweighed by the negative aspects. In our opinion, the Detroit River RAP should split into a Michigan and Ontario RAP, as proposed in 1986 by the CEA and others, with periodic integration and joint evaluations of ongoing documentation and progress in this area of concern. The public interest groups would then be promoting the "Friends of the Detroit River" concept, and at the same time, democratic decision making, and public ownership.

EPA targets Great Lakes cleanup

By Jerome R. Watson
Chief, Washington Bureau
Chicago Sun-Times

WASHINGTON—William K. Reilly, administrator of the Environmental Protection Agency, said Thursday the Bush administration will seek increased funding in next year's budget for EPA's program to clean up the Great Lakes.

Reilly said Bush will ask Congress for \$61 million for the program—up from the \$10 million sought in 1989 and \$44 million requested last year—a sum that Congress subsequently boosted to about \$55 million. Lawmakers could well boost the fund request

Bush to propose funding hike

for next year, too.

Reilly called the fund request "the nucleus, the cockpit, of Great Lakes environmental planning."

He expressed concern over what he said were 35 contaminated areas in the Great Lakes and advisories against consuming some fish.

A Senate source involved in Great Lakes issues said that although the Bush budget proposal for the lakes remains to be spelled out, "The attention the administration is paying to the Great Lakes is well-deserved and long-

awaited. Is it enough? Oh, no."

Glenda Daniel, executive director of the Lake Michigan Federation, said it is good that the administration is making the Great Lakes a priority, but said there is a need for even more funds to deal with pollution.

Frank Weinberg, coordinator for Greenpeace's Great Lakes toxic program, who has been critical of EPA's Great Lakes program, said an increase in funding would be welcome, if properly used. He said EPA's existing programs have had "too little substance."

Chris Grundler, director of EPA's Great Lakes program, said any increased funding would be used in part for research on lake sediments and control of the zebra mussel, but chiefly on such cleanup programs as reducing toxic pollutants flowing into the lakes from streets and farmland, tracing atmospheric pollutants to their sources and restoring key habitats damaged by pollution.

The White House said Bush's over-all budget request for EPA would be \$7 billion—a 6 percent increase over last year's budget. The money would be for toxic cleanup, sewage treatment and air and water quality programs.

Study finds