



Buffalo River Remedial Action Plan  
Remedial Advisory Committee Meeting  
Tuesday, September 21, 2004

**Meeting Summary**

Facilitator: Jill Jedlicka, Buffalo River RAP Coordinator  
Participants: Joe Atkinson, UB  
Todd Bolster, FBNR  
Barry Boyer, UB  
Helen Domske, NY Sea Grant/Great Lakes Program @ UB  
Marty Doster, NYSDEC  
Robbyn Drake, FBNR  
Bill Frederick, USACE  
Dave Gianturco, Buffalo River RAP  
Joe Ghosen, FBNR  
Mike Greer, USACE  
Mike Hamilton, FBNR  
Tom Hersey, ECDEP  
Kim Irvine, Buffalo State College  
Byron Rupp, USACE  
Jill Singer, Buffalo State College  
Bruce Wager, NYSDEC  
Susan Wattle, FBNR

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Meeting Summary:

I. **Buffalo River Sediment Remediation Feasibility Study**

The USACE and FBNR are currently negotiating a contract for conducting the FS for sediment remediation of the Buffalo River. As the "local project partner", FBNR is required to generate a 50% match in cash or in-kind services for this effort. In order to leverage ~\$100,000 in state grant funds, a contract must be signed within the next month. FBNR is asking RAC advisors and their organizations for assistance in generating another ~\$900,000 in local match over the next 3 years. A chart indicating project tasks and possible sources of in-kind match from throughout the community was reviewed. RAC advisors are asked to investigate existing projects or programs that may be leveraged for local match- whether it be cash, in-kind staff time, product, or overhead. Jill and Julie O'Neill will be contacting stakeholders personally to discuss this effort.

II. **Economic Valuation Project**

The Northeast-Midwest Institute and the University of Illinois have asked FBNR and NY Sea Grant to assist with the implementation of a project that will look at the potential economic impacts of sediment remediation in the Buffalo River AOC. FBNR and NY Sea Grant, with the help of RAC Advisors, identify ~15 people to participate in Focus Groups that will develop a survey which is part of the Study. RAC Advisors are asked to share any list serves or community contacts who they feel may be interested in participating in this effort. Focus Group members will receive a small stipend and total commitment is a few hours. For more information check out [www.nemw.org](http://www.nemw.org)

II. **Accomplishments- Summer 2004**

The following major tasks and accomplishments were completed during the summer of 2004:

- Completed Phase I Update of 14 BUIs
- Drafted 2004 Buffalo River Report Card
- Drafted 5 Restoration Targets/Delisting Criteria

- Ongoing coordination with BOS for bird population survey
- Toured Buffalo Color Peninsula
- Participated in Niagara EcoRegion Management
- Planning for October Public Forum
- Welcomed four new FBNR Buffalo River Team members (Joe Ghosen, Robbyn Drake, Todd Bolster and Susan Wattle)
- Commenced 2005 Buffalo River RAP Status Report Update

### III. **Restoration Targets/Delisting Criteria**

Prior to the meeting, Jill had prepared multiple draft Targets for the Buffalo River AOC five confirmed “impaired” BUIs. RAC Advisors reviewed these drafts and offered comments and suggestions. (Once targets are set, then the RAC can pursue establishing monitoring methods and requirements.) Long, detailed discussions took place at the meeting under each of the 5 categories. The following briefly summarizes the discussion points, as well as the consensus reached for each BUI:

#### *BUI #1- Restrictions on Fish and Wildlife Consumption*

Major Discussion Points:

- A reasonable level of detail for each Target
- Can we actually reach a state of “no advisory” for this BUI?
- RAC establishment of Targets may encourage future resources for monitoring basin-wide
- Successful attainment of Target should be based on a non-AOC waterbody for comparison
- Consumption criteria must be included
- Advisories by NYS may miss specific problems with specific species of fish that are consumed
- A discussion with NYSDOH is warranted regarding advisory protocols and species

#### **Consensus Reached for Restoration Targets (\*pending discussion with DOH regarding advisories)**

- 1) **There are no AOC-specific fish and wildlife consumption advisories by NYS (i.e.; carp for PCBs); and**
- 2) **When contaminant levels in native and exotic fish and wildlife populations that could be consumed do not exceed current standards for 2-3 consecutive years and levels are representative of a non-AOC reference community.**

#### *BUI #4- Fish Tumors and Other Deformities*

Major Discussion Points:

- Need to discuss with fish experts about periods of testing, not just consecutive years, also frequency
- Brown bullhead could possibly be used as indicator species- again speak with Eric Obert in Erie, PA
- Targets for bottom feeders versus water column species?
- Question remains on duration of monitoring required for delisting

#### **Consensus Reached for Restoration Target (\*pending discussion with DOH regarding advisories)**

**Fish tumors and deformities shall be no greater than expected rates at control sites or reference communities (such as brown bullhead) over a X-year period.**

#### *BUI #6- Degradation of Benthos*

Major Discussion Points:

- Rochester Embayment targets are all inclusive and most likely representative of our AOC
- EPA RBPs are redundant with NYSDEC indices

#### **Consensus Reached for Restoration Target**

- 1) **Benthic macroinvertebrate communities are “non-impacted” or “slightly impacted” according to NYSDEC indices (Bode et al., 1996); OR**
- 2) **In the absence of conclusive community structure data, the toxicity of sediment-associated contaminants is not statistically higher than controls.**

*BUI #7- Restrictions on Dredging*

Major Discussion Points:

- Status of overflow dredging locally and its legality (USACE will verify this)
- Should this target include just navigational channel dredging or potential bank to bank dredging

**Consensus Reached for Restoration Target**

**No limitations on disposal of dredge spoils.**

(Time constraints prevented the discussion of BUI #14. RAC Advisors are asked to review the examples and e-mail comments. This BUI Restoration Target(s) will be discussed at the next RAC meeting.

V. **Buffalo River Report Card**

A draft narrative was sent out to all RAC Advisors for their review. The Report Card will go to print within the next two weeks, in time for the Buffalo River Public Forum in late October. Several comments and changes were suggested, the remaining RAC Advisors would like a few days to review the materials and e-mail additional comments/suggestions as necessary. Jill reminded everyone that this Report Card is being produced under the RAC's name and the RAC will be accountable for the information- therefore it is important that all advisors take a few moments to review the content.

VI. **Buffalo River Public Forum – Thursday, October 21, 2004, 6:30 PM**

The Valley Community Center has offered use of their facility for the first of a series of public meetings about the RAP. All RAC Advisors are invited to attend. The agenda will include:

- A presentation on the status of the RAP and the Buffalo River Report Card
- A facilitated discussion about the community's use of the Buffalo River
- Small breakout sessions to identify community concerns and priorities for the River
- An opportunity for feedback on the Restoration Targets

The target audience will include members of all local community centers, Erie County residents, fisherpeople and other recreational users, local church and community groups, and local business owners.

VII. **Summary of Next Steps**

- TAG meetings will be scheduled for November
- Completion of the Buffalo River Report Card by mid-October
- Assist with the creation of the Focus Groups for the Economic Valuation Project
- Prepare for and implement the Buffalo River Public Forum
- Buffalo River RAP Status Report Update- 2005
- Next RAC meeting TBD

\*Jill will most likely begin a 3-month maternity leave in early December. The remainder of the Buffalo River Team will continue work on RAP implementation during her absence.

Any questions or comments can be directed directly to Jill Jedlicka at (716) 681-1730, or e-mail at [jedlicka@fbr.org](mailto:jedlicka@fbr.org).