

**International Rainy-Lake of the Woods Watershed Board
Summary of Discussion**

**Wednesday January 11, 2023
1:00pm - 3:00pm CT (2:00pm-4:00pm ET)**

Virtual Meeting
Chair: Mike Goffin

1. Welcome and Administration

U.S. Member Participants

COL Eric Swenson
Theresa Haugen
Pam Tomevi
Mike Hirst
Doug Franchot
Jim Stark
Scott Jutila
Rebecca Seal-Soileau
Abby Moore

International Joint Commission

Mark Gabriel
Alexandria Farrell
Kevin Bunch
Kathey-Lee Galvin
Rob Caldwell
Geneviève Asselin
Tia Dumoulin

Canadian Member Participants

Mike Goffin
Chief Brian Perrault
Greg Chapman
Megan Garner
Mark Lee
Matt Myers
Todd Sellers
Matt Gouin
Karen Cederwall
Wellsley Hamilton (Secretary)

Additional Participants

Briana Wagner (US DOS)
Carla Torchia (ECCC)
Maria Jawaid (ECCC)
Alexandra Lavictoire (LWCB)
Teika Newton (AMC)
Lucas King (alternate for Chief Perrault)
Ryan Maki (AMC)
Joshua Jones (alternate for Al Pemberton)

Mike Goffin welcomed Board members and invited COL Eric Swenson to introduce himself as the new US Co-Chair. The Board then did a brief roundtable of introductions. The Agenda was approved, as were the meeting summaries for August 10, 2022 and October 5, 2022. The Secretariat noted the Board action items are complete or in progress and that there will be updates on a number of action items during the meeting.

IJC Advisors spoke on membership vacancies on the Board, as well as announcing the expiration of three Commission Terms this year. Global Affairs Canada (GAC) posted notices for the CA Commissioner positions on its website and Secretariat was actioned to share the link with the Board for distribution to their networks. Approval of a new US IJC Commissioner Co-Chair is also underway. With respect to one of the Canadian Board vacancies the IJC has been corresponding with Ontario's Ministry of Environment

Conservation and Parks (MECP) based on the draft letter to the IJC from the Board. The Director of MECP identified to the IJC there was likely a better point of contact within the Ministry to reach out to and agreed to provide said contact. Based on the Board discussion the draft letter will be edited to remove references to contacting the Deputy Minister and it will be signed by the IRLWWB Co-Chairs.

Grand Council Treaty 3 is in their process of putting forward a nominee to IJC for the Canadian public member vacancy on the Board and Water Levels Committee (WLC). Correspondence from Grand Council Treaty 3 is expected by next week.

For U.S. Board membership, Kelly Sjerven and Chief Al Pemberton both have expired terms. Kelly Sjerven has expressed interest in renewing her participation on the Board. Chief Pemberton and Joshua Jones are meeting with the Red Lake Tribal Council to discuss potential appointment of Joshua Jones (current alternate to Chief Pemberton) as Board member due to Chief Pemberton's limited availability.

ACTION: Secretariat to share link to IJC Canadian Commissioner recruitment posting with the Board.

ACTION: Secretariat to edit letter regarding MECP representation on the Board and seek Co-chair signatures.

2. Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) briefed the Board on activities throughout the year. The Committee's focus was on completion of the Exceedance Report and mentioned desire to align the report with the new calendar year and the Board's new annual reporting schedule. In the absence of having any contemporary international objectives or confirmed alert levels for water quality and ecosystem health, the AEHC will be requesting data on phosphorus loading from different agencies, as well as spills and permit exceedances reports within the last year.

Other AEHC activities included the mining vulnerability IWI project and the Lake of the Woods South Shore Erosion study proposal which was recently submitted as an IWI funding consideration. The Board approved the addition of the Lake of the Woods South Shore Erosion study to the 2023 work plan.

Phase 2 of the Objectives and Alerts project and the development of a core monitoring framework are the key priorities of the AEHC this year. Phase 2 of the Objectives and Alerts project involves establishing the individual and specific guidelines (e.g., concentrations, loads, or other narrative guidelines) associated with proposed Water Quality Objectives and Alert Levels. The core monitoring project involves an assessment of the existing monitoring stations across the basin and identification of the monitoring sites that should be funded on a long terms basis to be able to evaluate progress against objectives and permit basic tracking from time-to-time for parameters related to alerts.

This work of the AEHC will be accelerated with the newly appointed International Watershed Coordinator Teika Newton, who introduced herself and identified both projects as priority tasks along with preparing for the Watershed Forum in March.

Lucas King provided an overview of the outcomes of the Wild Rice Mapping work Grand Council Treaty 3 did with the IJC. Grand Council Treaty 3 worked with the IJC's GIS group to develop a map for the IJC's delineated basin. Grand Council Treaty 3 then took that map and made additions to reflect the broader area where wild rice beds exist. Lucas King will share the maps that have been developed with the

Board. There is an intention to develop a new IWI proposal to start doing some of the community interviews on the Canadian side and working with the US that would support development of a protocol for use with dam operators.

Karen Cederwall noted that there was wild rice mapping done in the past by the Ontario Ministry of Natural Resources. There were also studies on wild rice densities and productivity that could be used as a baseline for the IWI work. Greg Chapman may have access to these studies and would connect with Lucas King after the meeting.

Chief Brian Perrault stated that the wild rice harvest was poor this year from the flood which impacted Couchiching's annual traditional wild rice roast. Chief Perrault noted that wild rice is a sacred gift from the Creator and has sustained life in local communities for time immemorial.

ACTION: Secretariat to add the South Shore Lake of the Woods Study to the 2023 work plan.

ACTION: Lucas King to circulate the completed wild-rice base map with the Board.

ACTION: Greg Chapman and Lucas King to determine next steps for accessing previous wild rice mapping and studies housed with the Government of Ontario.

3. Engagement Committee

The Engagement Committee (EC) met in December 2022 to discuss their Terms of Reference and to introduce proposed members. The consensus from their discussion was that the EC should not be responsible for all engagement of the Board, but rather should play a role supporting committees with their engagement needs and providing a non-technical perspective to encourage effective engagement and communications.

The EC felt it was important to identify some priority deliverables/actions for 2023, while further considering their purpose and scope. Supporting the WLC's work to enhance engagement as part of the post-flood work was noted a key area where the EC could provide support. Historically, the EC's role was focused on education and getting information out to the public. Maintaining a contact list would be an important task the EC could take on for the Board. The importance of messaging was emphasized at the meeting and that local communities have limited to no knowledge of the IJC and IRLWWB's role in the watershed.

Access to the IRLWWB SharePoint is slowly being expanded to facilitate enhanced collaboration and information sharing amongst Board members. The role out and organization of SharePoint will be further discussed by the EC in 2023.

The Board discussed the question of expanding EC membership to public members. Public members could help provide input on effective Board messaging. It was raised that the CAG includes public members. The different roles of the CAG versus the EC were noted. The CAG's role is to provide feedback to the Board and be the information source going to the Board, whereas the EC is the information source going out to the public. Opportunities for the EC to gather information through surveys and opportunities for public input may be an area where these two groups could collaborate. The IJC Communication Advisor suggested that expanding communication sources to get information (public meetings, social media, etc.) may be more effective than expansion of membership. It was also

noted that some communities prefer getting the information from their leadership, rather than outside sources. The EC should renew their Terms of Reference and propose an action plan before expanding membership. The Secretaries were tasked with work with the EC and the CAG to put together a document laying out engagement options for future Board discussion.

ACTION: Secretariats to work with Engagement Committee and the CAG Co-chairs to put together engagement options for future Board discussion.

4. Water Levels Committee

The WLC provided a brief update on basin conditions. Both Namakan and Rainy lakes were trending down to their rule curves. Outflow reductions were completed at Namakan Lake. Rainy Lake would have to schedule outflow reductions to stay in the rule curves. After hearing concerns on the ice stability on Rainy River from locals, the WLC advised that the substantial outflow cut be completed incrementally rather than one single cut.

Since the last Board meeting, the WLC met twice. The WLC has focused efforts on writing the post flood report. The WLC aims to have a draft report for Board and IJC in February and be able to present a draft at the public meeting at the March Forum. The final draft would be submitted to IJC prior to Spring Appearances.

The WLC sent a letter to the NWS in late October requesting forecast support in the Rainy River basin be continued and expanded, as well as improve snow water equivalent measurements to accurately quantify snow observations within the basin. This work is underway and areas within the basin have been included in NWS areal snow surveys.

In early January, the WLC sent a letter to IJC Secretariats requesting an amendment to the 2018 Supplementary Order that would eliminate the distinction between the regular and high risk rule curves on Rainy Lake. The proposed change would create a broadened rule curve through the spring period (including removal of all references to a high flood risk rule curve from the Order) and repurpose the March 10th decision regarding the high flood risk rule curve decision, to be a date by which the WLC establishes a 'Spring Regulation Plan'. This change would provide more flexibility in spring operations and address the misconception that implementation of the high flood risk rule curve eliminates the chance of flooding in the basin. The AMC Co-chair questioned whether this would have implications on the different performance indicators the AMC will use to review rule curves per their mandate. The WLC assured this was more of an administrative change and regulation within the rule curve would not drastically change.

The Board was encouraged to participate and spread the word on the Community Collaborative Rain, Hail and Snow Network (CoCoRaHS), a community-based network of volunteers contributing to the measurement and mapping of precipitation (rain, hail and snow). Participation in this program will strengthen the observed precipitation data the Water Levels Committee (WLC) needs and uses to inform spring regulation decisions. There is a fee for equipment once people are signed up, and the website provides training videos and tutorials on data collection and reporting. There is potential for IWI funding to cover the equipment fee for participants. It was discussed that promotion of the program could go to the Engagement Committee, as their Terms of Reference has an education component. There was some desire to setup in-person or virtual tutorials on the CoCoRaHS program. It was actioned for the Secretariat to work with the Engagement Committee on assigning promotion of the CoCoRaHS program

and how to receive funding help.

The WLC also provided an update on CN Rail. There was an interagency pre-application meeting in early December. The proposed project work is replacing the movable span of the railroad bridge, to include pier modifications, on the US side of the bridge. Although the new movable bridge deck will be able to accommodate two tracks, only one will be installed, and train traffic should not change significantly. The engineering firm will be completing their hydraulic analysis in January. Once completed it will be shared with Governments for review at which point Governments will decide if IJC involvement is required under the 1909 Boundary Waters Treaty.

Chief Perrault was not aware of the meeting and expressed the CN Rail bridge project is of great concern for First Nations. There are continued questions about a potential double track with no consultation with First Nations. There are four First Nations that own that land, and they should be included in meetings related to CN Rail. The area is known as Little Rapids Point and Koochiching means the gathering of waters that meet at Little Rapids Point. There were also concerns of the impacts on outflow if newly constructed pillars are larger.

The WLC stated they would be reviewing the hydraulic analysis to look for any change in flow, whether increase or decrease, triggering the Boundary Waters Treaty. It was noted that one of CN Rail's design criteria is no net change in hydraulic conveyance.

Matt Gouin mentioned that the Rainy Lake Properties Owner Association brought some information on historical profiles of the channel at time of construction of the CN Rail bridge. Matt inquired about whether there would be an investigation of non-natural material in the channel and if that would be considered in flow impact analysis.

Finally, the WLC was actioned at the last Board meeting to categorize the CAG recommendations to the Board regarding the 2022 flood. Many of these recommendations are being addressed with current WLC activities, but some warrant further discussion. It was decided that the WLC would meet with CAG to discuss these recommendations.

ACTION: Secretariat to work with Engagement Committee to promote community participation in CoCoRaHS and develop proposal for IWI funding support.

ACTION: WLC to meet with the CAG to discuss the Advisory Group's post-flood recommendations.

5. Adaptive Management Committee

The Board meeting was coming to the last 15 minutes of scheduled time, so remaining agenda topics were abbreviated. The AMC stated that their priority is to gain IERM model access in order to fulfill mandates and are working with ECCC.

The AMC's written brief included the following details related to the Committee's priorities and next steps.

- In anticipation of reviving the IERM / ISEE model later in 2023, review Priority Indicators and integrate Indigenous values and knowledge to inform model revisions. Several ongoing sub-projects in the AMC's workplan support this priority task, including:

- Verify walleye spawning areas on Rainy Lake
 - Enhance whitefish monitoring on the Canadian side of Rainy Lake and Namakan Reservoir
 - Optimize aquatic vegetation monitoring to support development of a performance indicator for percent cover and/or biovolume of submerged aquatic plants
 - Assess the impact of water level regulation on medicinal plants
- Priority task 2: Work with Jean Morin's modelling team at ECCC to revive the IRLWWB IERM model and update it to the contemporary ISEE standard, integrating amendments to priority indicators.
 - Priority task 3: Work with the USGS to complete a project started in late 2022 to develop a data visualization tool for flood mapping for the basin.

The AMC also is responsible for guiding the board's climate adaptation activities. The committee will continue to promote and incorporate climate adaptation activities within the core work described above, and following recommendations from the final report to the August 2022 public climate change adaptation workshop hosted by the Committee.

We'd like to draw the board's attention to two aspects of the AMC work that have broader impact for other board committees.

First, The AMC notes that many of the activities described in this update might also be of interest to the Water Levels Committee and the Aquatic Ecosystem Health Committee. In particular, the Priority Indicators review likely aligns with the AEHC's Objectives and Alerts work. Other committee co-chairs are encouraged to meet with the AMC to ensure good alignment of efforts and non-duplication of work.

Second, although efforts to revive the IERM model should ultimately prove beneficial for the Board and all committees, it has raised the AMC co-chairs' concerns about how such models are housed and maintained in the long term. It is difficult to fulfill mandates under the Board Directive if the AMC cannot readily access the foundational models for the watershed, whether those are for water levels, rule curves, ecosystem studies, climate change or other issues. Excellent models exist but are held by external partners and thus subject to those partners' availability and budgets.

While the AMC co-chairs have had several conversations with the ECCC modelling team, the USGS modelers, IJC staff, and, in a more preliminary way, Grand Council Treaty #3's Territorial Planning Unit, it is worth having a full Board discussion about how to ensure future access to models and modelling capacity is a bit more straightforward than has been the AMC's experience in the past few years.

6. IWI Project Update

Jim Stark provided a brief status update on the Vulnerability Assessment to Mining project. The work is underway after years of planning with help of the AEHC, IRLWWB, and HPAB. The project aims to address concerns over mining impacts on waters and aquatic biology. The first step is looking at the adequacy of available data to perform a mining vulnerability study. Work on the US side is underway with a USGS contract. The USGS is prepared to deliver a presentation of the work at the March Forum. Natural Resource Canada will be the Canadian contractor. The memorandum of understanding with the

IJC is being updated and work will start next fiscal year. A main concern of the project is collaboration across the border, especially as it relates to identifying a data sharing platform and ensuring there is a harmonization of reports.

7. Board Business Items

The next Board meeting will be in International Falls, MN the week of March 7th. The forward-looking agenda for 2023 was circulated as part of the meeting package.

8. Roundtable

In the roundtable, the CAG co-chairs emphasized the lack of public knowledge on the IJC and IRLWWB and that it requires thought and action. The IJC advisors provided an update of current IRLWWB items they are tracking including the completion of Phase II Objectives and Alerts project, updated terms of reference where needed, the status of the WLC's post flood report, access to Adaptive Management Committee modeling support, communications and engagement plan for the WLC, expansion of the CAG enhancing Engagement Committee activities, and filling vacant Board seats.