

Approved December 9, 2003

**MINUTES
INTERNATIONAL JOINT COMMISSION
COMMISSIONERS CONFERENCE CALL
October 15, 2003
10:00 am EST**

The International Joint Commission met in executive session by conference call on October 15, 2003 with Chair Herb Gray in the chair.

COMMISSIONERS

Herb Gray	Chair, Canadian Section
Dennis Schornack	Chair, U.S. Section
Robert Gourd	Commissioner, Canadian Section
Jack Blaney	Commissioner, Canadian Section
Irene Brooks	Commissioner, U.S. Section
Allen Olson	Commissioner, U.S. Section

HEADQUARTERS' STAFF

Murray Clamen	Secretary, Canadian Section
Lisa Bourget	Secretary, U.S. Section
Helen Kay Austin	Ecologist, U.S. Section
Edward Bailey	Engineering Adviser, Canadian Section
Frank Bevacqua	Public Information Officer, U.S. Section
James Chandler	Legal Adviser, U.S. Section
Joel Fisher	Environmental Adviser, U.S. Section
Nick Heisler	Special Adviser to the Chair, Canadian Section
James Houston	Environmental & Informatics Adviser, Canadian Section
Rudy Koop	Research Adviser, Canadian Section
Fabien Lengellé	Public Affairs Adviser, Canadian Section
Ann MacKenzie	Economics Adviser, Canadian Section
Tom McAuley	Engineering Adviser, Canadian Section
John Nevin	Policy Adviser, U.S. Section
Russ Trowbridge	Adviser, U.S. Section
Michael Vechsler	Legal Adviser, Canadian Section

GREAT LAKES REGIONAL OFFICE STAFF

Gail Krantzberg	Director
Jennifer Day	Public Information Officer

APPROVAL OF THE AGENDA

1. Commissioners approved the items covered below as the agenda for the conference call.

MINUTES

2. Commissioners approved the Minutes of the September 8, 2003 Executive Meeting held in Vancouver, BC.

APPOINTMENTS

3. The Commission:

- a. **Science Advisory Board, Canadian Section**
--> approved the appointment of Lesbia Smith as a member effective November 1, 2003 to October 31, 2006;
- b. **Council of Great Lakes Research Managers, Canadian Section**
--> approved the re-appointment of Dr. Alex Bielak as a member to February 28, 2006;
- c. **Great Lakes Water Quality Board, Canadian Section**
--> approved the re-appointment of David DeLaunay as a member to September 30, 2006;
- d. **Great Lakes Water Quality Board, U.S. Section**
--> approved the appointment of David Ullrich as a member as part of expanding this Board by two new members (one Canadian and one U.S.) representative of local governments (see Minutes of October 20, 2003 executive meeting);
- e. **Science Advisory Board, U.S. Section**
--> approved the re-appointment of Dr. Deborah Swackhamer as a member to May 1, 2006;
--> deferred the re-appointments of John Braden, David Carpenter and Judith Perlinger to the December executive meeting;
- f. **St. Croix Board, Canadian Section**
--> approved the appointment of Sheila Washburn as a member.

2003 BIENNIAL MEETING ON GREAT LAKES WATER QUALITY

4. The Commission discussed impressions of the 2003 Biennial Meeting in Ann Arbor and the process for planning public consultation in the 2003 - 2005 cycle, including the 2005 Biennial meeting, and agreed that:

- a. overall public consultation for the GLWQA review and the Biennial Meeting would be by a phased approach;
- b. Phase I would be public consultation on the GLWQA review and Phase II would be the overall public consultation process over the next two years to include planning for a possible Biennial Meeting;
- c. staff should propose possible sites for a 2005 Biennial Meeting in Canada for consideration by Commissioners at the December executive meeting;
- d. Chairs Gray and Schornack would be the Lead Commissioners for this item;
- e. the Communications Advisers in the three Commission offices would be on the staff committee to assist Lead Commissioners and that additional staff membership would be considered at the December executive meeting.

GREAT LAKES WATER QUALITY AGREEMENT (GLWQA) REVIEW

5. Commissioners discussed the role of the Commission in the governments' review of the GLWQA and the process to be followed and agreed that:

- a. assisting governments in the GLWQA review is the Commission's top priority, including Phase I of the public consultation process over the next two-year cycle;
- b. staff should develop a plan of action for the Commission's role in the governments' review of the GLWQA, including costs and public consultation options, for consideration at the December executive meeting;
- c. a report to the governments from the Commission should be issued in early spring and take into consideration government views on how the Commission could be most helpful in the review process;
- d. in addition to the discussions on this matter at the semiannual meeting, Chairs and Secretaries/Director should consult with government officials concerning the timing of the government review;
- e. a letter should be sent to governments requesting a response to the question of a "special mandate" referred to in the Declaration issued by the Commission at the close of the Ann Arbor Biennial Meeting.

2003 - 2005 GLWQA PRIORITIES

6. The Commission considered the proposed GLWQA priorities for 2003 - 2005 and agreed that:

- a. assisting governments with the GLWQA review is the Commission's top priority and that work on this item should begin immediately;
- b. alien invasive species is also a high priority and work should begin on this item;
- c. the complete set of GLWQA priorities would be approved at a special meeting in Toronto (subsequently agreed to be on Saturday, November 15) in conjunction with budget considerations.

GLWQA AREAS OF CONCERN

St. Mary's River Stage 2 Report

7. Commissioners discussed the St. Mary's River Stage 2 Report and approved the final review comments for transmittal to governments and posting on the IJC website.

Hamilton Harbour Stage 2 Update Report

8. Commissioners noted the Hamilton Harbour Stage 2 Update Report and agreed that:

- a. an acknowledgment letter be prepared noting that it is not the Commission's practice to formally comment on update reports;
- b. as time permits, staff should review the report and provide comments for consideration by the Commission.

Lake Ontario Lakewide Management Plan (LaMP)

9. Commissioners agreed that staff in the GLRO, in conjunction with staff in the two Section offices, should undertake a full review of this LaMP.

ANNEX 2 TASK FORCE

10. Commissioners discussed and recognized the contributions of the Task Force and agreed to discontinue the Task Force and ask the GLWQB to undertake whatever tasks it considered necessary with respect to Annex 2, including the possible areas suggested by the Task Force at its last meeting, except for coordination of Commissioners' schedules for visits to the Areas of Concern.

AIR ISSUES: INTERNATIONAL AIR QUALITY ADVISORY BOARD (IAQAB)

Special Report on Transboundary Air Quality

11. Commissioners considered the draft report prepared by the IAQAB and agreed to discuss the report with the Board at their semiannual meeting appearance, with a view to asking the Board to work with lead Commission staff to finalize the report for Commission approval at the December executive meeting and transmittal to governments by the end of 2003, and agreed that the communications advisers should prepare a communication plan for release of the report.

Report on Transboundary Airshed Issues in the Detroit-Windsor/Port Huron-Sarnia/Sault Ste. Marie areas

12. Commissioners considered the draft report prepared by the IAQAB and agreed to discuss the report with the Board at their semiannual meeting appearance with a view to asking the Board to work with lead Commission staff to finalize the report for Commission approval at the December executive meeting and transmittal to governments by the end of 2003, and agreed that the communications advisers should prepare a communication plan for release of the report.

USEPA New Source Review

13. Commissioners discussed the USEPA New Source Review requirements and agreed to ask the IAQAB for assistance in organizing an informational briefing, drawing on the experience of the Commission's energy briefing in September, the scope of which would encompass activities related to emission controls for coal-fired power facilities.

ENERGY SOURCES FOR THE FUTURE

14. The Commission received a Summary Report on the September briefing and approved the next steps proposed by staff, to include maintaining a watching brief.

BASIN COUNCIL INITIATIVE/WATERSHED BOARD REFERENCE

15. Commissioners received an update on consultations in the Red River and St. Croix River basins and discussed a Second IJC report to governments under the Reference and agreed that staff should continue to work towards the report and, that at the session with governments, Commissioners would emphasize the need for increased funding as key to establishing watershed boards.

INTERNATIONAL RAINY LAKE BOARD OF CONTROL AND INTERNATIONAL RAINY RIVER WATER POLLUTION BOARD

16. Commissioners discussed appointments to the International Rainy Lake Board of Control and the creation of a Public Advisory Committee to the Board and approved:

- a. the appointment of Steve Richardson to the Canadian Section of the Board, agreeing that the announcement would be held pending the nomination and Commission approval of a US member, optimistically expected by October 2003;
- b. the draft letter to the Rainy Boards concerning the creation of a Public Advisory Committee, agreeing that the letter would be held pending Commission approval of a US member to the International Rainy Lake Board of Control.

ST. MARY - MILK RIVERS

17. The Commission received an update on the request from the State of Montana to review the Commission's 1921 Order for the St. Mary - Milk Rivers under Article VI of the Boundary Waters Treaty and agreed that:

- a. staff in the two Sections should work together to prepare background material on the Order for consideration by the Commission at the February 2004 executive meeting;
- b. staff should invite, by letter, the two Accredited Officers and their Field Representatives to the December executive meeting for a briefing on the way in which Article VI of the *Boundary Waters Treaty* and the Commission's 1921 Order have been implemented, and any concerns that have been expressed concerning that implementation, as well as any other views they may have with respect to a review of the 1921 Order.

ST. CLAIR RIVER DREDGING

18. The Commission considered the request from the Georgian Bay Association to implement the Commission's 1918 Order of Approval and approved the draft letter to governments.

OTHER BUSINESS

GLRO Director's Report

19. Commissioners noted receipt of the report dated October 8, 2003.

November Meeting

20. Commissioners agreed to hold November 12, 2003 open for a possible special meeting in Toronto to finalize and approve the GLWQA Priorities and discuss the outline of the 12th Biennial Report (subsequently November 15 was approved).

Murray Clamen
Secretary
Canadian Section

Elizabeth C. Bourget
Secretary
U.S. Section