

*Approved November 12, 2010*

**MINUTES  
INTERNATIONAL JOINT COMMISSION  
EXECUTIVE MEETING  
Ottawa, Ontario  
October 19, 2010**

The International Joint Commission met in Executive Session at the Canadian Section office in Ottawa, Ontario on October 19, 2010 and with its Boards, Task Forces, and the Governments on October 18, 20, 21 and 22, 2010 with Joe Comuzzi in the chair.

<b>COMMISSIONERS</b>	
Joe Comuzzi	Chair, Canadian Section
Lana Pollack	Chair, U.S. Section
Irene Brooks	Commissioner, U.S. Section
Pierre Trépanier	Commissioner, Canadian Section
Sam Speck	Commissioner, U.S. Section
Lyll Knott	Commissioner, Canadian Section
<b>SECTION STAFF</b>	
Murray Clamen	Secretary, Canadian Section
Chuck Lawson	Secretary, U.S. Section
Bernard Beckhoff	Public Affairs Adviser, Canadian Section
Frank Bevacqua	Public Affairs Officer, U.S. Section
Antionette Cade	Special Assistant, U.S. Section
Mark Colosimo	Engineering Adviser, U.S. Section
Susan Daniel	Legal Adviser, U.S. Section
Nick Heisler	Senior Adviser to the Chair, Canadian Section
Jim Houston	Environmental Adviser, Canadian Section
Marlene Joly	Executive Assistant, Canadian Section
Michael Laitta	GIS Coordinator, U.S. Section
Brian Maloney	Staff Assistant, U.S. Section
Tom McAuley	Engineering Adviser, Canadian Section
Gavin Murphy	Legal Adviser, Canadian Section
Paul Pilon	Engineering Adviser, Canadian Section
Isabelle Reid	Executive Assistant, Canadian Section
Robert Reynolds	Senior Adviser, U.S. Section
Victor Serveiss	Environmental Advisor, U.S. Section
Karen Vigmostad	Great Lakes Adviser, U.S. Section (by phone)
Joel Weiner	Senior Adviser, Canadian Section
John Yee	Chief, Information and Technology Management Services, Canadian Section
Ted Yuzyk	Senior Science Adviser, Canadian Section
<b>GREAT LAKES REGIONAL OFFICE STAFF</b>	
Saad Jasim	Director
Doug Bondy	Executive Assistant
Mark Burrows	Physical Scientist (by phone)

Richard Delisle	Administrative Manager
John Gannon	Physical Scientist
Bruce Kirschner	Physical Scientist
John Nevin	Public Affairs Adviser

## **APPROVAL OF THE AGENDA**

1. Commissioners approved the agenda with the addition of three items under Other Business.

## **IJC RULES OF PROCEDURE**

2. Commissioners approved proposed changes to the IJC's Rules of Procedure that: 1) requires notices for applications, references and hearings be published in two local newspapers, one in each country (the change removes the requirement to publish a notice in two newspapers for three consecutive weeks); 2) requires notices to be published on the IJC website; and 3) now describes the existing policy whereby IJC records are available to the public after 25 years, unless Commissioners decide otherwise in specific cases. Commissioners also approved a letter to governments informing them of the changes and requested that staff review all the Rules of Procedure and consider proposing additional amendments within twelve months and report back to Commissioners.

## **REDEVELOPMENT OF IJC WEBSITE**

3. Commissioners received a presentation on the redevelopment of the IJC website and recognized the appointment of a three-office Website Contract Management Team to guide the project.

## **IJC VIDEO CONFERENCING**

4. Commissioners considered a proposed policy on the use of video conferencing technology for IJC Executive and public meetings and approved: 1) the recommended purchase and rentals of equipment; and 2) testing the technology by using it for the IJC Executive meeting in December and for an upcoming Commissioners conference call.

## **SKAGIT ENVIRONMENTAL ENDOWMENT COMMISSION (SEEC)**

5. Commissioners received a briefing by Mr. Peter Kennedy, Canadian Co-chair of the SEEC, on the mandate and activities of this Commission and possible linkages with the IJC and, in particular, noted the SEEC's August 3, 2010, letter to the U.S. Department of Homeland Security regarding potential environmental implications of the U.S. Northern Border Project. Staff was asked to continue to explore possible linkages with the SEEC and to ask IJC Boards how the border project might affect their operations.

## **GUIDE FOR IJC APPLICATIONS**

6. Commissioners reviewed a draft "Guide for Seeking IJC Approval" on uses, obstructions or diversions under the Boundary Waters Treaty and approved sending the draft to the governments (DFAIT and State) for comments. The intent is to reach agreement on a document that both governments and the IJC could make available to the public, and to discuss what information should be provided in response to inquiries about the need for an Application to the IJC.

## **GREAT LAKES WATER QUALITY AGREEMENT (GLWQA) NEGOTIATIONS**

7. Commissioners received an update on the governments' negotiations of the GLWQA, noting that their letter to the Parties had been sent on October 14, 2010 and that the Parties were meeting with the Commission in a special session at this semiannual on October 21.

## **2011 GLWQA BIENNIAL MEETING**

8. Commissioners received an update on plans for the 2011 Biennial meeting to be held in Dearborn, Michigan, October 4-5, 2011 and approved the following:
  - a. October 3 (5 pm to 7 pm) - cruise on the Detroit River with presentation by Dr. John Hartig,
  - b. October 4 (lunch) - networking/social media/new IJC website luncheon,
  - c. October 4 (5:30 pm to 7 pm) - reception honoring winners of the Great Lakes Awards for Scholarship and Service (GLASS),
  - d. October 4 (7:30 pm to 9 pm) - "Town Hall" with a special focus on key issues of public interest, and
  - e. October 5 (lunch) - panel discussion with federal legislators and state and provincial department heads.

## **GLWQA ASSESSMENT REPORT**

9. Commissioners received an update on their July 2010 request to the GLWQA Boards for their assistance in producing a report assessing progress under the GLWQA since 1987. The plan is to develop a report that compares environmental conditions of 1987 with today and to release the report to the public in advance of the 2011 Biennial Meeting. Commissioners agreed to discuss the matter with the Board Co-chairs during the semiannual appearances and noted that the GLRO Director may be able to assign a newly-hired GLRO scientist to this project.

## **IJC 15<sup>th</sup> BIENNIAL REPORT ON GREAT LAKES WATER QUALITY**

10. Commissioners noted the current draft provided for their information and that a penultimate draft will be submitted to Secretaries by October 29 and a final draft to Commissioners by November 12.

## **2009 – 2011 GREAT LAKES PRIORITIES**

11. Commissioners received a briefing from the GLRO Director on the 2009-2011 Priorities prior to the Roundtable Discussion with the GLWQA boards on October 21.

## **UPDATING OF THE JOINT IJC/GLFC 2004 BROCHURE "THEN AND NOW – AQUATIC ALIEN INVASIVE SPECIES (AIS) AND THE GREAT LAKES – ST. LAWRENCE ECOSYSTEM"**

12. Commissioners discussed and approved the outline and design of an updated brochure and public release of a web enabled AIS timeline. Costs will be shared with GLFC, and the Commissions plan to produce a mock up of the brochure for Commission review in the spring of 2011. Commissioners also requested that advisers expand discussions beyond the Great Lakes and include issues along the entire boundary.

## **DRILLING AND PIPELINE OIL SPILLS**

13. Commissioners received an update on the report being drafted by staff that reviews oil and gas drilling and pipeline practices in the Great Lakes and the rigor of government oversight, including

plans to provide a final draft report to Commissioners by November 22, 2010. The commitment for this project was made in the IJC's letter to the Parties and Press Release on August 6, 2010.

#### **INTERNATIONAL UPPER GREAT LAKES STUDY (IUGLS)**

14. Commissioners received an update on activities being conducted or completed since the IUGLS Board's spring 2010 semiannual appearance and agreed:
  - a. to raise with governments the importance of continued funding of gauges and the designation of certain hydrometric gauges as International Gauging Stations,
  - b. to request more information from the IUGLS as to timing and particulars of participating with the IUGLS Board in a climate change adaptation workshop, (c) legal advisers should continue to work with the IUGLS Board to address legal issues related to Lake Superior regulation plan formulation,
  - c. legal advisers should continue to work with the IUGLS Board to address legal issues related to Lake Superior regulation plan formulation,
  - d. to discuss with the IUGLS Board at their appearance having one final Phase 2 report rather than two separate Phase 2 reports, as well as various issues related to seeking views of the public prior to finalizing their phase 2 report,
  - e. lead Commissioners would attend the next meeting of the Public Information Advisory Group on October 27, 2010 in Thunder Bay, and
  - f. staff should provide an inventory of all the different kinds of gauges operating on the Great Lakes and the costs associated with such operation.

#### **INTERNATIONAL WATERSHEDS INITIATIVE (IWI)**

15. Commissioners received an update on binational hydrographic data harmonization activities. In recognition of the excellent work that has been completed by Task Force members, Commissioners agreed to consider further financial support and committed to issuing a Press Release and holding a high level meeting in April 2011 to promote this effort. Commissioners also agreed to provide an IWI briefing during the meeting with governments at this semiannual on October 22.

#### **INTERNATIONAL LAKE OF THE WOODS AND RAINY RIVER WATERSHED TASK FORCE (TASK FORCE)**

16. Commissioners received an update on the work of the Task Force, noted that it has submitted a draft work plan and associated budget and created a Citizens Advisory Group, and approved the Task Force's budget request and discussing with the Task Force at its appearance the issue of engagement of Tribes and First Nations.

#### **HYDROLOGICAL DATA AND INTERNATIONAL GAUGING STATIONS (IGS) PROTOCOL**

17. Commissioners received an update on the status of Hydrological Data and IGS Protocol documents noting that the draft Protocol is still under review by staff and is being sent back to the relevant federal agencies in Canada and the U.S. for further discussion.

#### **OTHER BUSINESS**

##### **18. Chicago Waterway Study Resource Group**

Commissioners noted receipt of an invitation from the Great Lakes Commission for the IJC to serve on the Resource Group for this study that will evaluate various ecological separation scenarios to prevent the transfer of AIS in the Chicago Waterway System. Commissioners agreed to designate Mark Burrows from the GLRO as the IJC observer to the study.

**19. Shipment of Nuclear Generators through the Great Lakes**

Commissioners noted that the Council of Canadians has written the Commission directly (October 18, 2010) and that seven U.S. (Great Lakes) Senators have copied the Commission on letters expressing concern about Bruce Power's proposed shipment of radioactively-contaminated nuclear steam generators through the Great Lakes en route to Sweden, and agreed to review a draft response by staff.

**20. Oil and Gas Drilling in the Great Lakes**

Commissioners noted that on October 6, 2010 six U.S. Senators and ten member of the U.S. Congress wrote to the IJC Co-chairs requesting the IJC discuss a Canadian ban on oil and gas drilling in the Great Lakes, and agreed to review a draft response by staff.

***Decisions made during discussion/appearances of Boards/Task Force/Council reporting on Monday, October 18, Wednesday, October 20 and Thursday, October 21.***

*NOTE: Commissioners agreed that, subject to any final edits by staff and Boards, all submitted Board Reports could be released to the public and posted on the IJC website. Those Boards submitting reports included: the International Upper Great Lakes Study Board, the International Lake Superior Board of Control, the International Niagara Board of Control, the International St. Lawrence River Board of Control, the International Rainy Lake Board of Control/International Rainy River Water Pollution Control Board, the International Red River Board, the International Souris River Board of Control and the International Osoyoos Lake Board of Control.*

**HEALTH PROFESSIONALS TASK FORCE**

21. Commissioners agreed the current mandate of the Task Force be extended for a period of one year and requested the views of the membership with respect to human health and its explicit inclusion in a renewed Great Lakes Water Quality Agreement.

**INTERNATIONAL UPPER GREAT LAKES STUDY BOARD**

22. Commissioners received an update on the International Upper Great Lakes Study from the Study Board Co-Chairs and informed the Co-Chairs that the Commission preferred that the results of the investigation into restoration of water levels be incorporated into the final report of the overall study, rather than be done as a separate report.

Murray Clamen  
Secretary  
Canadian Section

Charles Lawson  
Secretary  
U.S. Section