

***Executive Meeting Minutes***  
***International Joint Commission***  
**Cleveland, Ohio**  
**September 11, 2012**

The International Joint Commission met in Executive Session at the Fifth Third Bank Building, Regus Office, Cleveland, Ohio, on September 11, 2012, chaired by Lana Pollack.

**COMMISSIONERS**

Lana Pollack	Chair, U.S. Section
Joe Comuzzi	Chair, Canadian Section
Dereth Glance	Commissioner, U.S. Section
Lyall Knott	Commissioner, Canadian Section
Richard Moy	Commissioner, U.S. Section

**SECTION STAFF**

Chuck Lawson	Secretary, U.S. Section
Camille Mageau	Secretary, Canadian Section
Paul Allen	Senior Advisor, Canadian Section *
Bernard Beckhoff	Public Affairs Advisor, Canadian Section *
Frank Bevacqua	Public Affairs Advisor, U.S. Section*
Anne Chick	Policy Advisor, U.S. Section*
Mark Colosimo	Engineering Adviser, U.S. Section*
Susan Daniel	Legal Advisor, U.S. Section*
David Dempsey	Policy Advisor, U.S. Section
Nick Heisler	Senior Advisor, Canadian Section *
Michael Laitta	GIS Coordinator, U.S. Section*
Brian Maloney	Staff Assistant, U.S. Section
Gavin Murphy	Legal Advisor, Canadian Section *
Isabelle Reid	Executive Assistant, Canadian Section*
Ted Yuzyk	A/Director, Science and Engineering, Canadian Section*
John Yee	Chief IM and IT Services, Canadian Section*

**GREAT LAKES REGIONAL OFFICE STAFF**

Saad Jasim	Director
John Nevin	Public Affairs Officer

**\*Participated in the meeting via video conferencing.**

**APPROVAL OF THE AGENDA**

1. Commissioners approved the agenda with the addition of an appointment to the International Lake Superior Board of Control.

#### **APPOINTMENT**

2. **International Lake Superior Board of Control**  
Commissioners approved the appointment of Mr. Jaymie Gadal to be Canadian member of the International Lake Superior Board of Control on an interim basis for a four month term effective September 4, 2012.

#### **WINDSOR HUM**

3. Commissioners received an update on Commission efforts to respond to Canadian Foreign Minister Baird's request that the Commission: a) compile information about the Windsor Hum; b) identify what additional information might be needed to identify the source of the hum and who could undertake any needed studies, and d) provide an estimated timeframe and cost. They noted that staff plans to have a document ready for Commissioners' consideration by September 28, 2012.

#### **OSOYOOS LAKE REVIEW OF ORDERS OF APPROVAL**

4. Commissioners reviewed a draft Osoyoos Lake Orders of Approval, suggested some minor modifications, and approved providing the modified draft to the International Osoyoos Lake Board of Control for its review. Commissioners also approved having staff discuss with the Board next steps for studying the feasibility of creating an IWI Board in the future.

#### **LAKE OF THE WOODS - RAINY RIVER**

5. Commissioners reviewed the governments' responses to the Commission's report "Binational Water Management of the Lake of the Woods and Rainy River Watershed" and noted the governments' endorsements of the recommendations to: a) amalgamate the two current Rainy Boards into a single Watershed Board with an expanded geographic mandate for the Lake of the Woods-Rainy River basin; and b) develop a plan of study on water quality for Lake of the Woods. Commissioners approved: a) the content for a draft directive to the new Board, with minor modifications; b) having an 18 member amalgamated Board; c) having staff provide a draft directive to the two current Rainy Boards for their review; d) the proposed timetable for establishing the new Board by January 2013; e) use of U.S. IJC funds to partially fund the position of watershed coordinator up to 1/3, with staff to seek funding participation from all jurisdictions and f) having the new amalgamated Board take the lead on developing the plan of study on Lake of the Woods water quality.

## **INTERNATIONAL UPPER GREAT LAKES STUDY PUBLIC HEARINGS**

6. Commissioners discussed lessons learned as a result of the 13 public hearings that were held in July 2012 on the International Upper Great Lakes Study. They agreed that the use of video conferencing during the hearings had not been satisfactory. They discussed the pros and cons of using video technology to conduct hearings or having all Commissioners participate in hearings in person. The Canadian Chair opined proper usage of the IJC videoconferencing equipment technology should be considered, where appropriate, for public events in addition to the IJC's internal use. The Canadian Chair indicated that he would undertake a cost-comparison of video conferencing for hearing versus in-person hearings. The other Commissioners agreed that it would be useful to have a binational cost comparison of the two options and pointed out that, in the case of public hearings, they firmly believed that, notwithstanding the outcome of the cost-comparison that Commissioners should participate in person. As follow up to the lessons learned analysis, Commissioners agreed: a) that the guidance material for the conduct of quasi-judicial hearings provided to Commissioners prior to the IUGLS hearings should be refined into a consolidated IJC policy to guide the conduct of future hearings; and b) as videoconferencing is used by the IJC for non-hearing events, that staff expeditiously develop a technical guidance manual on testing and setting up videoconferencing facilities.

## **LAKE ONTARIO - ST. LAWRENCE RIVER WORKING GROUP**

7. Commissioners received an update on Lake Ontario-St. Lawrence River Working Group activities, including the status of drafting of documents on the proposed new approach and progress of Working Group teams toward making a decision on the new approach. Commissioners review possible timelines for moving forward and agreed to consider the issue further at the December 2012 Executive meeting.

## **INTERNATIONAL MISSISQUOI BAY STUDY**

8. Commissioners reviewed a draft Commission report on the Missisquoi Bay Study and draft transmittal letter to the governments, suggested modifications to both documents, and directed staff to provide Commissioners with revised versions of the letter and report.

## **16<sup>TH</sup> GREAT LAKES WATER QUALITY BIENNIAL REPORT**

9. Commissioners received an update on preparations for the 16<sup>th</sup> biennial report and reviewed the schedule for completing the report by the end of 2012. They noted that Commissioners would be provided with a final draft of the report for their review on October 5 and be asked to approve the draft report at the October 15-16 Semi-Annual meeting Executive session.

## **DECISIONS TAKEN VIA POLLING**

### **International St. Lawrence River Board of Control, International Niagara Board of Control, and International Lake Superior Board of Control**

On September 5, 2012, Commissioners approved the appointment of Colonel Robert Peterson to be the alternate U.S. Chair of the International St. Lawrence River, International Niagara, and International Lake Superior Boards of Control for a term effective August 3, 2012 for the length of his service as Deputy Commander of the Army Corps of Engineers' Great Lakes and Ohio River Division.

### **International Kootenay Lake Board of Control**

On August 31, 2012, Commissioners approved the appointment of Mr. Michael Lewis to be a U.S. member of the International Kootenay Lake Board of Control for a term effective September 1, 2012, to August 31, 2015.

### **International Upper Great Lakes Study**

On August 30, 2012, Commissioners approved: arrangements to conduct an additional public hearing by teleconference for the International Upper Great Lakes Study on September 19, 2012; an extension of the public comment period to September 30, 2012; an announcement to inform the public of the hearing and the comment period extension; and an open letter to communities that hosted the July 2012 public hearings.

### **Health Professionals Advisory Board**

On August 29, 2012, Commissioners approved the Health Professionals Advisory Board's request to engage graduate students to carry out tasks for the Board.

### **Great Lakes Water Quality Board**

On August 14, 2012, Commissioners approved the re-appointment of Mr. Eric Boysen as a Canadian member of the Great Lakes Water Quality Board for a term effective August 7, 2012, to August 6, 2013.

### **International Red River Board**

On August 9, 2012, Commissioners approved the appointments of Dr. Brian Parker and Ms. Nicole Armstrong to be Canadian members of the International Red River Board for terms effective August 17, 2012, to August 16, 2015.

### **International Souris River Board**

On August 9, 2012, Commissioners approved the appointment Ms. Nicole Armstrong to be a Canadian member of the International Souris River Board for a term effective August 17, 2012, to August 16, 2015.

### **International Lake Superior Board of Control**

On July 25, 2012, Commissioners approved the International Lake Superior Board of Control's request to deviate from Plan 1977-A to allow routine discharge measurements to be conducted at the Compensating Works. Flow measurements are tentatively planned for the third week of August 2012.

**Windsor Hum**

On July 25, 2012, Commissioners approved an approach for addressing the issue and draft letters responding to Canadian Foreign Minister Baird, Ontario Minister of the Environment Bradley, and Members of Parliament Masse and Watson inquiries about the Windsor Hum.

**Pipeline Oil Spill**

On July 25, 2012, Commissioners approved a letter responding to a Canadian Environmental Law Association and the U.S. National Wildlife Federation letter concerning oil pipeline spill regulations in the Great Lakes Basin.

**International Great Lakes St. Lawrence River Adaptive Management Task Team**

On July 24, 2012, Commissioners approved the International Great Lakes-St. Lawrence River Adaptive Management Task Team's draft work plan, as modified, and a draft reply to the Task Team.

**International Lake Champlain-Richelieu River Workgroup**

On July 24, 2012, Commissioners approved a work plan submitted by the International Lake-Champlain-Richelieu River Workgroup for development of a Plan of Study.

**2009-2011 Great Lakes Priority Reports**

On July 9, 2012, Commissioners approved a letter to governments transmitting the six Work Group reports from the Commission's 2009-2011 Great Lakes priority cycle.

**St. Croix River Alewives**

On July 5, 2012, Commissioners approved a letter to the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration concerning the St. Croix River alewives issue.

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Camille Mageau  
Secretary  
Canadian Section

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Charles A. Lawson  
Secretary  
U.S. Section