

## **Transcripts**

UNITED STATES & CANADA  
INTERNATIONAL JOINT COMMISSION  
PUBLIC INTEREST ADVISORY GROUP  
PUBLIC MEETING

In the Matter of:

INTERNATIONAL LAKE ONTARIO/  
ST. LAWRENCE RIVER STUDY

August 19, 2004

Transcript of Public Meeting held in the above matter at 11 Holland Street, Alexandria Bay, New York on August 19, 2004, pursuant to Notice. Connected via telephonic conference to Toronto, Ontario, Canada.

PRESENT:

SAM P. SUTTON - Alexandria Bay Town Supervisor

DONNA CHATTERTON - Town of Orleans Supervisor

KATHY LeCLAIR - County Legislator

SANDY LeBARON - Deep Sea Representative

TONY EBERHART - Study Manager

IRENE BROOKS - USIJC Commissioner

DAN BARLETTA - PIAG U.S. Co-Chair

SCOTT TRIPOLI - PIAG Member

ELAINE KENNEDY - PIAG Member

BILL WERICK - PFEG, U.S.

EUGENE STAKHIV - U.S. Co-Director

ANDRE CARPENTIER - Study Board Member

JON MONTAN - PIAG Member & Facilitator, Alexandria Bay, N.Y.

MARC HUDON - PIAG Member & Facilitator, Toronto, Ontario (Via Telephonic Conference)

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IJC-PIAG-ALEXANDRIA BAY/TORONTO

P R O C E E D I N G

MR. TRIPOLI: I would like to invite Supervisor Sutton of the Town of Alexandria to open the meeting.

TOWN SUPERVISOR SUTTON: Well, for anybody that doesn't know me here, my name is Sam P. Sutton. I'm the Town Supervisor. And I'd like to welcome you all to Alexandria Bay. And it's unfortunate that you couldn't come in the summer, but that was last weekend.

As you can see, the international coalition has kept the water up this year. We had a little mishap right out here in front. A barge went between the shoal -- between Fronac Shoal and Imperial Island. If it was an airliner done that, they'd of called it pilot error, but they said the steering broke down. And so, we had a great tourist attraction for about a week here.

I'm sure with all the cold and rainy weather we've had that Niagara Mohawk is going to add a surcharge to their bills this winter, so we get a higher bill.

But we're really pleased to have you here and it's unfortunate you're going to be able to spend one day here. I'd like to see you spend a lot more time, and spend a lot more money here, but, most of you people are within driving distance.

I'd like to introduce our County Legislator from Clayton and Cape Vincent, Kathy LeClair, and the Supervisor from the Town of Orleans, Donna Chatterton, and the next most important person here is Sandy LeBarron from Deep Sea. But other than that, thanks for coming and we're glad to have you here.

(Applause.)

MR. TRIPOLI: Next I'd like to introduce Irene Brooks, Commissioner of the International Joint Commission.

MS. IRENE BROOKS: Thank you very much. During greetings from my fellow commissioners, I'm really pleased to be here, and I'm glad my friends from Alexandria Bay provided us with such beautiful weather. They kept saying it was really, really pretty here.

It is gorgeous, and I do want you to know that I did do a little retail therapy here today, so I did drop some dollars. I wish I had more time but I have to head out tomorrow to the West Coast.

But this is really PIAG's meeting, and I'm here to observe. And one observation I can give to you is that I am so impressed with PIAG and its members and the dedication they have given to this study. I'm here tonight to give you an update, and I'm here to hear what you have to say, and see the presentation myself.

And with that I will turn it back to you and we'll begin. Thank you.

MR. TRIPOLI: My name is Scott Tripoli. I live in Mansville, New York, which is about 15 or 20 miles south of Watertown, and I have volunteered my time to participate in this study and to represent the people whose lives might be affected by any study decision.

I do not work for any of the agencies doing the study. The study that we are presenting to you is about water levels and flows in Lake Ontario and the St. Lawrence River.

The International Joint Commission has made many attempts at developing a better regulation plan than the present one entitled 1958-D. In this latest attempt and for the first time the International Joint Commission has broken new ground by involving, from the beginning, the various stakeholders throughout the system, including first nation people.

By involving the stakeholders the International Joint Commission is trying to make sure they would not isolate the various users from the study teams, and risk missing any potential concerns in the preparation of the new regulating plan. In doing so the IJC could not have been more fair and transparent in its attempt at producing the most comprehensive regulating plan for all the communities and users it serves.

We have invited you here tonight to hear your concerns and to tell you how the study is doing. This may be the first time you have come to one of our public meetings, or you may have talked to us in the past. We have heard from people around the lake and down the river, and know that there are conflicting viewpoints. We know that nature has a huge impact but regulations are needed to manage water levels. No one can forecast the weather precisely enough to guarantee when water levels should be raised or lowered.

One of the strongest impressions I've formed from working with this study team is how complex the lake and river system is. We really need this research to provide good science upon which to base better decisions.

The format for the evening is as follows. There will be about a 30 minute Power Point presentation. Then we will take a break for you to write down your questions. During that time we are going to link up with people attending a meeting just like this one, across the lake in Toronto. Some of you have come to this meeting with one important question in mind, or several. We encourage you to listen to the presentation, knowing that your question will be presented, not only to this office but to those in Toronto, and everyone will hear the answer.

We have a variety of personnel here available with different expertise, to answer your questions. We will be alternating questions between here and Toronto. Since we want as many people in both places to ask their questions, we ask that you be as brief as you can, and precise, and people answering your questions hopefully will do the same. We have other guests here who will be introduced to you during the presentation, as appropriate.

Now making the Power Point presentation this evening is Dan Barletta, another volunteer on the Public Interest Advisory Group, who lives in Greece, New York, near Rochester.

DR. BARLETTA: Good evening. As Scott said, my name is Dan Barletta. I reside on Lake Ontario just outside of Rochester, in the -- along the shoreline in Greece, New York. Some of you -- Well, Dalton, was at our meeting last night in Massena. We made a few changes since last night, so we'll keep you awake tonight. But let me begin here.

The International Joint Commission has asked me along with 20 other members of the public to be part of this Public Interest Advisory Group. Our job is to insure that your concerns and ideas are addressed in the Lake Ontario-St. Lawrence River study.

As Scott has said, we're all volunteers and we represent different locations and interests around the lake and down the river.

Together we've held more than nine public meetings and 51 local stakeholder meetings with over 3500 members of the public in attendance.

The International Joint Commission is responsible for the waters shared between the United States and Canada. It was founded in 1909 by the Boundaries Waters Treaty. In December of 1999 the International Joint Commission initiated our study to review the regulation of the outflows from Lake Ontario through the St. Lawrence River to Trois Rivieres, the area circled in red on the slide.

We are now in year four of the five year study. There are over 120 people involved in the study. The International Joint Commission mandates that all its boards and studies must have equal representation from both countries. You've already met Commissioner Brooks.

I'd like to introduce a few other members of the study that are here. We have from the study board, the study board, we have the U.S. co-director, Gene Stakhiv. Stand up. Anthony, or Tony Eberhardt, is the U.S. General Manager.

Some of the study board members, Andre Carpentier, Sandy LeBarron, and Frank Quinn. Sandy is in the back and Frank is in front of her. From the technical work groups, I'm just going to ask them, if you're here, to stand as a group. We have water uses groups, coastal processes. We have our water use member back in the back.

There are also, some of these groups may be in Toronto. Some of them just couldn't get at both locations. So, coastal processes are here. Commercial navigation, I don't know if anybody came up from Messina. Hydroelectric power, hydrology and hydraulics information management is in the back, back by the laptops back there. Environmental technical working group, we've got a couple members here. Recreational boating, oh, we do have them, okay.

And from the plan formulation and evaluation group we're got Bill Werick in the back, and we're going to be pointing him out later in the meeting. From the Public Interest Advisory Group you've met myself, we have Carol Simpson, who's newly appointed to our board. Jon Montan, many of you know John. Scott, you met him. Elaine Kennedy, who is going to be running our laptop here.

So hopefully when we get to the question and answer period, our technical working people that are here tonight can help answer your questions. If not, maybe the ones from the other location can help. So we hope with that much background sitting in these two rooms, we'll be able to answer your questions.

Now thinking about the water coming over from Niagara Falls, I'm sure you're not surprised that up to 85% of the water coming into Lake Ontario during periods of average to high water levels in the upper Great Lakes comes from those Great Lakes. The lighter green area is the local Lake Ontario watershed.

The darker green that Elaine is going around includes not only the Ottawa River watershed but also the St. Lawrence River watershed.

The Ottawa River has few control dams down on the lower part. Okay. So it's harder to predict how much water from the Ottawa is going to flow into the St. Lawrence in the next week or so. And that is especially important in the spring. That's one of the reasons why the Ottawa River must be carefully considered when regulating flows on the St. Lawrence River. Just this small fact gives an inkling to the complexity of the system. The Moses Saunders Dam at Massena is just one factor in controlling water levels. Nature has a more unpredictable factor.

The outflows through the Moses Saunders Dam are currently regulated by a set of written rules for at least four releases called 1958-D. This plan, although it takes into account the interests of water uses, commercial navigation and hydroelectric power, the plan does not consider the needs of the environment, recreational boating or shoreline erosion.

Plan 58-D was based on the kind of water supplies we got in the first half of the last century. And after the extreme dry periods of the mid-60s and the wetter periods of the 70s, the plan allowed deviations from the written rules. These days 1958-D is deviated from about 50% of the time to make adjustments for not only changes in supplies, but accommodating old and new interests, and for ice formation. So we call the rules we use today, 1958-D with deviations.

This plan is implemented by the International St. Lawrence River Board of Control which is also appointed by the International Joint Commission.

On this slide you see that the green area indicates that the technical working groups have been in their study and data collection phase during the first three years of the study. The Plan Formulation and Evaluation Group is mandated to prepare computer models that will use all this data to evaluate possible regulation plans for evaluation by the Study Board.

On this slide here, you can see the Study Board has approved these guidelines for deciding which new alternative plans and criteria would best serve the public. The guidelines are used in ranking options for the International Joint Commission. We know we can't please everyone all the time, but the goal of the Study Board is to have every significant interest do as well or better than they do now.

Now, this is an important slide, so I'd like to just go over to it here in detail. Any plans that we come up with in the next year or so, we want to have them be environmentally sustainable. We do not want to have any disproportionate loss to any particular stakeholder.

We'd like to have the plan to have some sort of flexible management, and we're also going to mention in any of the options we give to the IJC, mitigating alternatives. The plans have to be adaptable to future climate changes. And we're working as part of the PIAG, our process here is trying to make this decision process, decision-making transparent to the public. And we'd like to have any plan adaptable to future technologies.

For future -- On the tables outside there is a handout with these guidelines a little bit further, you know, with further explanation of them. Okay, based on the input we have received from the public and the scientists, the Study Team has written criteria, metrics, and performance indicators. These are being studied in order to come up with a variety of plans. Okay.

Now -- and as you can see on this slide, the team will keep refining these things, starting with criteria, and those are the water levels people prefer or want to avoid. Next, they will develop plans that will try to create those water levels more often.

Then they will measure the economic and environmental benefits, those are the performance indicators, to see if the new plans and criteria will really help society. You'd think that if you gave people the water levels they wanted you'd increase benefits automatically, but it doesn't always happen. And we'll touch on that in a bit.

First though, let's clarify some of the definitions of these terms that we are sharing with you.

In the folder you received when you signed in, there is a list of first cut of evaluation criteria for plan formulation. These suggested evaluation criteria are not final; in fact, they are

being adjusted as we go through the decision process, based on the study research and public input. We hope you will review these criteria and comment on them.

The suggested evaluation criteria represent shared common objectives by the various stakeholders, such as not letting the water get too high or too low, or reducing or accentuating the changes in levels and flows. All these terms will become easier to understand if we show you a couple examples.

We talked early of the extent of the study. This evening you heard we are being paired with Toronto, Ontario. And we'll talk more about that later. But let's look at the area here. When we talk about criteria, these lines on this slide, they represent the criteria, the minimum and maximum levels that the different stakeholders, the researchers have come -- researchers have come up with so far. There's a number of lines, they're different color coded for the different stakeholders, the different groups. Let's give you an example what some of these lines mean.

The recreational boating and tourism would like to minimize the frequency, severity and duration of water levels below 245.2 feet, or above 247.2 feet from April 15th to October 15th. If it is necessary to change the water levels more than seven tenths of a foot from the beginning of May to the end of June, they don't want us to do it any more often than it would happen before March of 1955 or the pre-project era, what we call pre-project. And they don't want us to drop the water from the spring peak to the first week of September more than 9.6 inches, any more often than that would have happened.

Performance indicators are the economic and environmental impacts the study researchers say will occur because of one plan or another. Beach users prefer that levels are maintained within the range of 243.4 feet to 246.7 feet during May through August, to have the best access to beaches and all the associated recreational benefits.

For those living along the shoreline, the coastal group has developed the criteria shown with this line. The erosion process occurs at any water level. But the levels in the winter are the most important. The research that they've done shows that the water -- winter storms cause the most damage because the wave action force during the winter months is much more severe. Therefore, we want to have a lower maximum of 245.1 feet from November through the end of February.

Coastal would like to see that 246.7 feet be the upper limit from May to August. Above this level the erosion process accelerates in the summer. On the following next couple slides, we kept the explanation of the performance indicators very brief. In your folders is a detailed explanation of all the performance indicators by technical working groups.

Okay. The environmental-technical work group has found that wetlands need higher lake levels about once every 20 to 25 years. So during periods of high supplies and lake levels, the environmental-technical working group would like Lake Ontario to rise to about 247.7 feet at the time it would usually peak. Although this is a few inches higher than it would rise on the current plan, but do this for about three weeks. In a different climate situation, wetlands also need a very dry period about once every 20 to 25 years. So during periods of low supplies and lake levels, the environmental technical working group would like Lake Ontario to be held to 245 or below for two years in succession with a gradual return to higher levels during the succeeding two years.

So most of the time no change would be needed, but a few times a century we need to allow the lake to get a little higher or a little lower, and this would give us healthier wetlands which we believe -- and the researchers are still working on this part, which will in turn give us greater abundance and diversity of fish.

Under normal climate conditions minimum wintertime weekly Lake Ontario levels should be kept above 245 feet in most years. In Lake Ontario the first week of April is important because of fish spawning. If Lake Ontario levels can be at 246 feet and higher in that first week of April, the fishermen will be happy when those young reach keeper size. Notice that these performance indicators are -- impacts are -- excuse me, notice that these performance indicators are the impacts that would occur rather than the economic measures.

The commercial navigation companies find these levels important. During the shipping season if water levels get above 247.2 feet the ships must reduce their speeds to prevent shore damage to the eastern end of Lake Ontario. Of course, this increases their costs. The two minimum levels shown here are also important to the companies. Any level below 243.9 feet means that they have to reduce speed to maintain safe under-keel clearances. Below 243.6 feet the ships must reduce the size of the loads. Each of these levels increase the shipping costs.

Again, if you want a more detailed explanation of performance indicators, you know, as I said, we have them in your handouts or your folders there.

Minimize the frequency, severity and duration of Lake Ontario levels of 243.1 feet and lower so that municipalities, industries and shoreline property owners as well were not negatively impact. These are mainly economic but the social impact on people with wells could be considerable. I'll give you a second to read through those. Okay. Now, we placed here, we didn't really have a good spot for this slide, we kind of put it in with these other performance indicators. These are the hydroelectric performance indicators, and they're important because you know, whether it's a hot day or a cold day, we all need power.

Let us know what you think by contacting us by either regular mail or email. Our addresses are in the material you've received. We especially need to hear from you about any of the metrics that need to be different in the upper St. Lawrence River. We will be summarizing any -- or, all these comments tonight, and concerns expressed at this meeting, and also the other ones we're having this summer, and thus providing your input to the plan formulation and evaluation group and the study board. Your input will be evaluated and incorporated in the study where possible.

Regulation in the early 1960s began with a plan called 1958-D. At the time it was the most advanced plan using the technology available at that time. Shortly after its use began, changes occurred in the climate. First we had extended drought periods in the '60s and extreme precipitation in the '70s, along with demographic changes that now include new stakeholders in the system.

The board of control was allowed to deviate from Plan 1958-D to satisfy these new conditions. Plan 1958-D with Deviations, that's the 58-DD up on the screen, became the actual although not formally recognized operation plan.

During this study we are researching and developing plans based on economic rules, plans with the environment as the most important component, plans the stakeholders are giving



us, and plans using information from other attempts that were made in the past. All these plans are being entered into a computer model called the Shared Vision Model. And for those of you that are computer minded and are interested in seeing the Shared Vision Model, back in the back of the room, Bill's got his hand up back there, Bill Werick is the U.S. lead for the public performance indicator -- Plan Formulation and Evaluation Group, and he will run you through that whole Shared Vision Model.

Next year we're going to be returning here with plan options 2005 for your consideration. And here is our tentative meeting dates for next summer, when we'll present you these alternate plans, alternative plans based on the science and your input.

The Public Interest Advisory Group, the Study Board, the study general managers and the International Joint Commission liaisons will continue to meet with the Plan Formulation and Evaluation Group throughout this winter. We were going to develop recommendations for plans to bring to you next summer. In the fall of 2005 our report will be submitted to the Commissioners of the International Joint Commission for their decision process.

Over the last three and a half years, many people have been involved with the Public Interest Advisory Group. They have all been volunteers, and they're all interested in the lake and the river. Some for a variety of reasons have not been able to stay on the PIAG, but you'll see my name along with the members that are here present today, plus a few that are in the audience. They're all listed on here. They're very valuable volunteers.

On this side of the next you'll see the names of the Study Board members. Some of them also have not been able to stay on the Study Board for whatever reason. But you'll see some of the names of the people you're introduced to tonight.

Now, for the next portion of the meeting we will be connecting by speaker phone with some of the experts who cannot attend tonight's meeting here in person. You've already met the experts who are able to be here tonight. And we're getting ready to connect with Toronto.

We're going to give you a very short break. Maybe a little bit longer. Write down any questions while we set up our equipment. If you don't have a pen, please go out to the table. We've got pens out there where you signed in.

(Off the record.)  
(Short recess taken)  
(On the record.)

MR. MONTAN: They're getting organized in Toronto and I think they'll be ready to go very shortly. So I'm going to make a few short remarks before we get into the question and answer period.

My name is Jon Montan. I work for St. Lawrence County in the planning office, and I'm a member of the Public Interest Advisory Group. Your comments and questions will be recorded tonight so that we can make sure they are taken into account throughout the progress of the study.

We have an interesting set-up tonight. You're going to have to speak into a microphone which is in the middle of the room there. You don't have to get right down close to the microphone. You can just stand up normally, but be physically close to the microphone,

please, and state your name, how you spell your last name, please, for the benefit of our recorders, and where are you are from. I would also ask both --

MR. HUDON Okay. All right. We're ready to go live in about ten seconds, okay?

MR. MONTAN: Maybe I'll speak to them before continuing here.  
(Attempting to connect with Toronto)

MR. MONTAN: Okay. We're zeroing in on it. Since we're going to be using that middle microphone, if people who are sitting this side of the microphone want to see what's going on or be able to get to the microphone more easily, if you might, turn your chair around, that might -- it's up to you but that's something you might consider doing.

Our target end time is 9:00 p.m. so I would ask that both people asking questions and those answering them be concise as possible. That way we can hopefully meet our end time. You can, of course, stay afterwards.

MR. HUDON: I think I can hear, but they've got a different system than we have.

MR. MONTAN: Just tell them we'll be with them in 30 seconds.

MS. KREUSCH: We'll be with you in about 30 seconds.

MR. MONTAN: If someone asks a question very similar to what you were planning to ask, please consider waiting until everyone else has had a chance to ask that question. Then you can ask yours. If for some reason your question is not answered tonight, we will try our best to get an answer for you. All right, does everyone understand?

So now we will join the group in Toronto. I'm going to move up close to the microphone so they can hear me. And hello, Toronto. Is Marc Hudon there? Maybe. I believe the facilitator in Toronto is Marc Hudon. Okay. Hello, Marc?

MR. HUDON: People in Alexandria Bay, are you there tonight?

MR. MONTAN: Marc, this is Jon Montan. I can hear you but you're somewhat faint.

MR. HUDON: Is this better?

MR. MONTAN: You're still on the faint side. I assume that we're okay for the time being. Marc, if you'd like to go first, that will allow us to see how well we can hear.

MR. HUDON: Okay. I'll go with that then.

MR. MONTAN: Yes.

MR. HUDON: I'll ask someone in the audience here if they have a question or comment in regards to what they heard tonight about the presentation.

MR. MONTAN: Yes.

MARLENE: Marlene Joan Miles, I'm with the Humber Watershed alliance in Toronto. And the question is what is the water level and the natural process. Thank you.

MR. HUDON: Did you hear that, Bill?

MR. MONTAN: Yes, we heard that.

MR. HUDON: Okay. Someone here can give an answer to the question?

MR. MOIN: My name is Syed Moin. I am with the study team. I'm responsible for hydrology and hydraulics. Under the natural conditions the lake would be about 1.4 meters total -- 1.4 meters higher than what it is today. Today ( He was breaking up on the phone, couldn't get all of the answer) 1.4 meters, 1.9 meters on the high side and 1.4 meters on the low.

MR. HUDON: Did you get that? Bill, are you there?

MR. MONTAN: It's Jon, Marc. Yes. We heard. We heard the response.

MR. HUDON: Okay. Some people here did not understand the answer quite well so we're putting on the screen the graph that we had in the presentation.

MR. MONTAN: Is someone going to orally interpret the screen presentation for us?

MS. KENNEDY: Ask them which slide, which slide number?

MR. MONTAN: Do you know which slide number it is, or is it a different program altogether?

MR. HUDON: I think it was slide number 5 for the presentation tonight.

MR. MONTAN: 75 -- 5. Slide 5.

MR. HUDON: Okay. Ralph is going to give a piece of the information again.

MR. MONTAN: Okay. We'll wait for Marc.

MR. MOULTON: My name is Ralph Moulton, M-O-U-L-T-O-N. This is Ralph Moulton with Environment Canada. The natural range on Lake Ontario prior to regulation was about 6 feet from the high level to the low level. That's how much it varied prior to regulation existing. Since regulation has occurred it's generally kept within a range of 4 feet. That's what the target is, keep it within 4 feet. So about 1 foot is taken off the high levels and the low levels are about 1 foot higher than they would have been naturally. Now it's not always possible to keep it within that 4 foot range but that's what the target is and that is generally what happens as well. So again, it's about 1 foot off the top and about 1 foot higher at the bottom.

MR. HUDON: Bill, did you get that?  
(Laughter.)

MR. MONTAN: Yes, we got it.

MR. HUDON: I suppose from hearing the laughs that you have more fun at this meeting than us.

MR. MONTAN: We're not laughing at you, we're laughing with you.

MR. HUDON: Okay. So I guess we would go back to you now for the next question.

MR. MONTAN: Thank you. Okay. So did everyone understand that? The question was, how does the regulation plan compare with the natural, and in Lake Ontario it used to fluctuate a maximum of 6 feet and now it's 4 feet and 1 foot higher than the lowest it used to get, but 1 foot lower than the highest. I think that's what I heard anyway.

So are there any questions or comments that we want to entertain right now? Yes, sir, would you mind stepping up to this apparatus and tell us your name.

MR. SMITH: Only if I'm convinced it's safe.

MR. MONTAN: It's safe.

MR. SMITH: I'm Jerry Smith. I'm from Barns Corners, in New York State which has the reputation of providing a lot of water into the Lake Ontario basin from 400 inches of snow every year. So the comment question I'd like to make is, you brought up the issue of no disproportionate law, and if you all can pull that off, I think that's wonderful.

But I guess my concern, under plan 1958-D, et cetera, there really was no consideration of environmental matters. We have a major modified system, much as the Everglades system in Florida was modified. So my take would be, we have ground to make back in environmental protection. And I guess the question would be, is there a mechanism at some point to really bring environmental matters to the forefront, if necessary, because from my standpoint environmental matters and protection and the return of functioning natural systems is far, far more important in the long-term and will be remembered in a hundred years, where how many mooring units have been damaged on the St. Lawrence, how many megawatts of power have been produced, will be long forgotten.

And my question would be, what is going to be the arbitration method for ranking the importance of the environment as a specific case? Thank you.

MR. MONTAN: Thank you. And would you spell your last name?

MR. SMITH: Oh, Smith, normal spelling.

MR. MONTAN: Normal spelling. Thank you. That was an easy one for the first one. We have a couple people I believe here from the environmental technical working group. Perhaps one or both would like to address that question, concern.

MR. STAKHIV: Jon, let me try the first shot.

MR. MONTAN: Gene.

MR. STAKHIV: I'm Gene Stakhiv and the reason I don't like to answer questions is, I have a funny name. S-T-A-K-H-I-V. The first -- so that we have various lines of attack on this. The

first thing was that we introduced environment as one of the additional interests in the study. The original orders of approval only dealt with navigation, hydro power and water supply. So we have recreational boating, environment. If you remembered, one of the principles was that we will promote environmental sustain ability, that's sort of the second thing.

So it's a clear objective and goal. So it's not that we're dealing with the environment as a negative and looking at it we will not incur any additional disproportionate losses. We actually have it as a positive objective to try to recreate some of the losses that were built into the system under the old program, 58-D.

MR. MONTAN: Is there anyone else who wants to add to that? Okay. Is that satisfactory or would you like more information?

MR. SMITH: I make an observation. In about 40 years as a birder and working with the environment very often when you get, when it becomes crunch time, shall we say, in the political standpoint, issues such as coastal erosion, such as power production, such as things which are perceived as directly important to humans, the environment often and frankly usually gets short shrift in the political battles to come. In other words, if people are, their houses are dropping in, or if they're breaking lower units on the St. Lawrence, they make noise.

There aren't as many people making noise about, do shore birds have habitat, do wetlands, are wetlands being adequately protected. So my specific point here is that the environment may have to be, to make up for past abuses, may have to be a little more equal among equals. And I hope that the whole mechanism will make environmental protection more equal among equals.

MR. MONTAN: Okay. Thank you. I would encourage you to look at the Shared Vision Model afterwards, and there's some specific thing in there about the environmental component. I think we'll switch over to you, Marc, and, if you're still there. Are you?

MR. HUDON: Yes, I'm still there.

MR. MONTAN: Oh, wonderful. So it's your turn now.

MR. HUDON: You're doing a fine job, we're hearing you loud and clear. Does someone else have a comment? Yes.

(Static and buzzing on telephone and person could not be understood)

MR. MONTAN: Marc, excuse me for butting in, but the quality of the signal is just too poor, so I'm afraid we're going to have to cut off.

MR. HUDON: All right.

MR. MONTAN: Okay?

MR. HUDON: Okay.

MR. MONTAN: Sorry. Take care. My goodness.

(Telephonic conference call with Toronto, Ontario was terminated at this point due to poor audio quality)

MR. MONTAN: David, you wanted to make an additional comment?

MR. ORR: Sure. Jerry, I'm sure you're aware that there's been quite a number of environmental studies going on now as part of the IJC study. Several million dollars have been invested and now these studies are approaching their conclusion.

I'm standing here now, I can't really speak to specific final conclusions from these studies, but what will emerge is a pretty comprehensive predictive model that will allow us to simulate what the environmental impacts will be of alternative plans. Of course, these are models and they're based on data from several years of study, so the models themselves will need to be looked at over time as the new plan is implemented.

But there has been a pretty comprehensive approach to environmental variables. There's a lot of thought being given now to, what are the key indicators of environmental sustain ability? How can you best define that? But that's work that we're approaching the end of but we're very much in the midst of now. But I do want you to know that there is an awful lot of attention being paid to the points that you raised.

MR. SMITH: I'd like to just add something quickly. I know that's the case and as we all know, when you are standing up and thinking off the top of your head you often leave things out that you'd really like to say. I think the whole effort here is wonderful. It is -- in my 30 years of exposure to the river and the lake, the most comprehensive effort, and everybody involved should be thoroughly congratulated for your efforts. I just, it's just -- I tend to be, and David can testify to this, he's known me long enough, I tend to be sometimes a skeptic so I always, many people are uncomfortable asking hard questions. I'm not. So my bottom line is, as he could testify, I will ask the hard questions when I have to, but you all are doing a wonderful job and everybody deserves tremendous congratulations. Thank you.

MS. KENNEDY: Can I add something?

MR. MONTAN: Yes, you may.

MS. KENNEDY: My name is Elaine Kennedy. I'm from just north of Cornwall, Ontario, and I consider myself to be an environmentalist and so therefore, one of the things that I keep an eye on is what is happening in the environmental field. I think that your point is well taken, and we heard it last night in Massena that, well, we heard it in Massena from somebody down at the west end of Lake Ontario and their point was that, I'm losing my waterfront, erosion, et cetera, et cetera, and I don't care about what happens to the environment if it's going to destroy my waterfront, and I'm losing land, et cetera, et cetera. So that you're absolutely right. We've got to watch that.

We have to be aware, and from my point of view, we have to be aware of the future in the long term, because I'll be even more blunt than you were. We only own our property here, each of us, for a certain length of time. I'm hoping for, you know, another 20 years at my place and maybe I'll have to move out. But what we've got to also be aware of is what we're doing for the -- as our native people will say, for the seven generations. And so therefore, it's very important, and one of the things that I will definitely speak up on behalf of at any

occasion is keeping those environmental issue in fore. And it's just that from my point of view a healthy environment means healthy me.

MR. MONTAN: Okay. Are there any other questions or comments? Yes. Why don't you go first.

MR. DALY: My name is Ron Daly. I live on Wellsley Island. Last name is D-A-L-Y. I'm also a member and a director of the International Water Levels Coalition. Not to take away from all the effort the volunteers have done over these past four years, so this is constructive criticism.

Frankly, I'm quite disappointed with what I saw tonight, after four and a half years, or at least four years, and several million dollars. In fact, it lacks being robust. I think that's the best term I can put on it. I think that kind of leads to why we don't have a larger audience here. What's going to be taking place if this study concludes to changing the current conditions, people's lives are going to change somewhat, people's businesses are probably going to change.

This room should not be able to handle the number of people that should be here tonight. Again, I think that's somewhat back to previous meetings, that the PIAG put on but maybe the Board of Control and other organizations that just do not get to the people that they actually wanted to hear what's being said. They don't find it -- maybe it's going to actually end up benefitting them, it's going to be the same old thing. So I'd like to pass that on.

The next thing that I was disappointed about, my expectation tonight, and maybe it was too much, I somewhat thought that the Shared Vision Model would actually show us some prototyping of some of the inputs from these nine technical working groups. Even though none of them would have been accurate, at least it would have given us a view up in front where all of us could see it at the same time. I have not looked at the model back there, but again, I am very surprised after four and a half years, that it's not put up front for everybody. Again, I understand it was far from being accurate but it would start giving us some ideas of what might be coming at us in the next six months.

Now, my next, actually it's a question, it's very specific. It's for the coastal processes group. I just glanced through this quickly. Something I don't see is that people such as myself that lives on an island, we cannot be all concerned as being recreational boaters. It's actually our livelihoods. A lot of us have businesses where we have construction to Goa Island, it is our roadway. I don't see where the economic measurement is that when the water is lower and you can't get to these islands, how is that economic value incorporated into the study? I see where it is with erosion, but I don't see the same, I guess, value put on where there is no erosion but there is an inability to get to one's property.

The next thing that goes along with that that can be put in the economic evaluation is, I'm disappointed that some of the realtors aren't here because they are getting more involved. When the water at someone's dock is at a more acceptable level, say six feet, the value of that property is quite significant. If it's four feet less, if it's extremely lowered, I don't see where that economic value is put into this equation. So that is my question for the coastal processes group. Thank you.

MR. MONTAN: Okay. We have one question dealing with the Shared Vision Model and another dealing with coastal processes and valuing impact. Bill, would you like to --

MR. WERICK: Sure. I'll start -- I think, help me because there were three or four questions there. And I'll try to give each one a shot, but I'll be better at some than others.

The first one, as far as the PIAG reaching out and really embracing other groups, it's good to criticize. I think we all have a sense that with the lake levels being fairly normal now and the weather being great, that this was probably not the highest priority for a lot of people, and we've got to look at other more creative ways of reaching the people who are interested in this subject. We know that, for instance, recreational boaters have meetings that we could attend, and that might be a way to reach out more.

So if you have specific ideas about groups whose meetings we could attend, we'd be interested. The second, about they didn't show the Shared Vision Model. I'm the guy who built the Shared Vision Model, and we went back and forth on this because I love to show my models. But the fact is, it's very complicated and it makes for a lot of people a pretty boring presentation. So we decided we'd bring it along. It's very much in the developmental stages, but I invite you, after the question and answer period, come on back, I'll talk to you, I'll show you the model as it stands now, and try to give you a sense of the kind of things that it's already telling us.

The recreational boating, I -- is there somebody from recreational -- nobody from the technical group here, right? But did we look at the -- I mean, not Nancy or the people who did the assessments. I don't think we looked as a separate category at work boats, people who use -- But I can tell you that I've been working on the plan formulation thing.

One of the ways that we look at new plans is to say, where are the biggest impacts, where can we help the most, or hurt the most, and recreational boating is a very powerful factor. Although we don't look at work boats specifically, the fact is is that the conditions that are bad for you are bad for a lot of people.

And the economic impacts to recreational boating are huge, especially in July and August, both on the lake and on the river. And it's one of the things that, it's certainly going to drive the new plan, and it's also one of the most difficult things to solve.

I've been fooling around with optimization plans and there are long, dry periods where I can't come up with a solution that makes recreational boaters happy every year. There just isn't enough water in the system. But it's clearly influential.

Then your last point on erosion on the -- would you repeat that?

MR. DALY: Well, the real concern is that obviously erosion -- the concern really is when the erosion process group evaluated they certainly looked into the dollars, the value of when erosion takes place, their property decreases. In fact, in some cases some people are claiming they want taxes lowered to the county because they actually have less waterfront than they did a year previous.

My question is, how are you going to evaluate that when you don't have erosion but you have less accessibility and also the value of your property is decreased because your depth of water is no longer five feet, which is very acceptable if you want to sell your property, but it's now at two feet, where someone buying your property probably will not be a boater, but they just maybe want to enjoy the water. How does that value get put into the judgment process. So you got to look at real estate values, is one thing that we're questioning.



MR. WERICK: That's not the method that they're using to estimate the damages. They had, there was a debate about this, how you do value that, and they've chosen the methods that's been reviewed by four economic experts and they feel that it's a fair way of estimating it. And of course, the two things you brought up run in conflict with one another, because in general lower lake levels are going to help the erosion problem, but give you not too much water at your dock. So it's one of the many conflicts that we face.

MS. KENNEDY: But I think what you've brought up is one of the things that we are asking from the public that come to these meetings is, you've got that point that is of concern to you. Please make sure you give us that information, that you come up with a real specific -- make your own performance indicator that you can, you know, write down and send it in to us and have them look at it again. If that's the concern that comes out of these meetings, it's got to come from you and write it down. It will go through our minutes here, but it also would be more powerful if it comes from you, because someplace in your package there's something or other about where you can send your suggestions to. Okay?

MR. DALY: Good point.

MS. KENNEDY: Yes.

MR. MONTAN: Anyone else want to add anything, Shared Vision, recreational boating, coastal erosion, loss of value? Okay. Dalton, would you like to come up?

MR. FOSTER: Hi. Dalton Foster. I'm currently president and technical advisor to the International Water Levels Coalition. Most of us who have been around the river for the last 30 or 40 years can certainly remember in the last 20 years or so there's been a lot of these types of meetings, not by the PIAG but by other groups, talking about water regulation. And the common complaint I think each and every time has been that, why aren't the water levels managed better.

And people repeat this question over and over and over. And one of the problems that we're having in the IWLC is taking a look that we're now into the fourth year of the study, and we're not seeing much progress on that management end of controlling the water levels. In other words, whatever plan someone comes up with at the end of this process, and whichever way it works, how is it going to be managed? What is the management structure going to be? What are the decision-making processes going to be? I think that is something that we think that should have been addressed much earlier in the study.

There was an independent study done by Quinton Edmonds in the first year of the study which made many of these same recommendations. And we certainly do think that this type of evaluation should be happening, and it should be happening with an independent group. Well, one thing you don't do is, say for instance you had a group of stores and you found one of those stores was not performing very well, you wouldn't go to the management of that store and say, how well are you managing? Because you know the answer you're going to get. Well, of course, we're doing it wonderfully, even if they're not performing.

The idea of having someone evaluate their own management ship is not sensible. I mean, it's sort of like a variation on having the fox guard the henhouse. Or in this case it might be that there's a whole bunch of foxes that are guarding the henhouse, and we chickens should be very content and happy and reassured. Well, I can tell you we're not. We think there should be some type of independent evaluation of the management structure of the decision-making process, and that should go into the mix as well.

For instance, when there were the TWGs, the technical working groups, put together, and they were put together with some excellent people, and they did excellent work. And they've come up with some recommendations they're giving to the Board to be evaluated and incorporated into a plan. But there should have been at the same time another group that was looking at the management structure and the overall procedures in how decision processes were going to take -- how long they would take. Everyone knows that's been a common criticism. It takes too long to get a decision made. But that should have been going on parallel and feeding in at the same time, so that when we got to the end of the study we would have these independent recommendations coming in as well.

And certainly all the recommendations coming in from the technical working groups were independent, as they should have been. And I certainly would like to, on behalf of the IWC, thank everyone who was part of the study and worked very hard on this. I mean, when we were first formed, in 1999, there was only half a dozen of us got started, and now we're up over 920 members.

But the first lobbying effort we made was to get funding for this study. We thought it would be very important that this study happen. We worked and lobbied quite hard with Congressman McQue and we think we had contributed somewhat to getting the initial funding to get this study off the ground.

So we want to see it succeed, and we really want to support it and see it succeed. But parallel to this, we have to have an evaluation, independent evaluation of the overall management structure and decision-making procedures as well.

Now, I've heard, since the beginning of the study, a comment commonly made that, when we get to the end, we may find out that we can't do any better than we're doing right now. Well, to me that's a bit ludicrous. We certainly have better technologies now. Of course we can do better. But I do have a bit of advice for all the study personnel, and PIAG, the Study Board, if you plan or consider coming back a year from now and telling us the final decision is that we cannot do any better than we've done in the past, I think you should reconsider whether you really want to come back at all. Thank you.

MR. STAKHIV: Gene Stakhiv. Let me take a first crack at responding but I need to sort of have you here because you have too many ideas in there for me to sort through. You talked about the management system, and by that I assume it's the Control Board.

MR. FOSTER: It's all the way down.

MR. STAKHIV: At some point we're going to develop a set of recommended plans. The recommended plans get passed on to the International Joint Commissioners. The Commissioners will ultimately decide after another set of public hearings what is the plan. But we will recommend and we'll have a bunch of candidate plans and we'll say this one is better for this purpose, et cetera, et cetera.

Then you talk about the decision processes. The decision processes at three levels, within our study, the Study Board, which is independent. We are independent. We don't work for the I.J.C. I don't have to take any orders from the I.J.C. We do what we want, we recommend the plans to the I.J.C. Obviously we coordinate with them, but if they tell me to do something that I don't want to do, I don't. So we are independent.

We have spent a lot of time talking about the decision process within our Study Board on how to select the plan. Based on all those study guidelines, these are all qualitative guidelines. What does disproportionate loss mean? What does environmental sustain ability mean? Who knows what that means? I challenge anyone in this room to tell me, what is environmental sustain ability? Okay. In any setting, this setting or anything. I've read about a hundred papers on it. I still can't figure it out. Anyway, so we're struggling with all of these issues.

You're talking about the Control Board, you're talking about the I.J.C. Commission. We did that institutional study. We will put in recommendations that, along the lines of the kinds of things that you talked about, that there needs to be more thought given to the Control Board, how they implement the plan, what they do, how they interact with the public, all of these issues. I assume that's what you were sort of talking about.

MR. FOSTER: What we're talking about really is that the other groups, they went out there and they, the technical working groups, they did the studies but they also contacted and interfaced with the public out there and said, what have you seen going on.

And basically what we're really saying is that this other group, this management group, should be also talking to the public and saying, look it, what types of problems have you seen with the timeliness of the management, the decision-making, and to get that public input as well. I mean, it's a little late now, we're in the fourth year, but we do have a chance. We can still do it. It's to get some feedback on what the public thinks should change. Because really, this is supposed to be a plan, when it's all said and done, that serves the public.

And so that's what we're asking for is that there's something, not just a Study Board but some other body that's going out there and saying, let's get some input from the public on recommendations for any changes in management, or where do you think the problems were.

MR. STAKHIV: You raised valid points. We've been discussing it ourselves, and that's why Irene Brooks is here, because she's listening to that, because a lot of it is, it's a relay team. We've got the first leg of the relay team, we pass it on to the Joint Commission, they pass it on to the Control Board, and each one of these levels, we're interacting with the public. There's no question about it.

MR. MONTAN: Okay. Anyone else? Did you want to speak again?

MS. SCHERMERHORN: Now, which one of these am I supposed to talk to?

MR. MONTAN: Both.

MS. SCHERMERHORN: Okay. My name is Bea Schermerhorn, you want me to spell Schermerhorn?

MR. MONTAN: Yes.

MS. SCHERMERHORN: S-C-H-E-R-M-E-R-H-O-R-N. I got the same shirt on that Dalton has. I'm part of the IWLC. But I'm not, I'm not going to speak as elaborately as he did. I have in the packet that you passed out, I haven't had a chance to look at all of it, but this one sheet

here entitled, A Preliminary Performance Indicator. Something hit me right between the eyes, and it was right at the bottom of the first page, lake and upper St. Lawrence River performance indicators. I do not believe that the upper St. Lawrence River needs to be included with Lake Ontario. As you look at all of these, erosion, cost of strengthening existing shoreline structures, flooding, value of eroded sediment.

These things all apply to Lake Ontario and not the upper St. Lawrence, and I wish to specifically say, these have got to be broken out into two different areas. We are not, we do not have some of the same problems that the south shore of Lake Ontario has, and so I would like to make that criticism and ask for correction, as far as that goes.

Now, relative to what Dalton mentioned about things that need to be reviewed and re-looked at, the treaty, start at the top of the list with the treaty. I mean, that treaty has been sacrosanct forever, ever since I've been into this water levels thing. Well, politicians throw treaties out the window. They rewrite treaties. Why can't this one be re-looked at?

And then, I know you're thinking that's all I do when I get up is make criticisms, but I think you grow with some criticism, and I don't understand what the purpose was of this meeting being in conjunction with Toronto. First and foremost, I thought this was to listen to the stakeholders at this particular part of the water, the entire water thing of Lake Ontario and the St. Lawrence River. So things that are going to bug Toronto may not bug us, and vice versa. And I just don't understand what was to be accomplished by this. And I think our guardian angels took care of that.

And there's one thing, look, I was on the PIAG back in the early days. I left the PIAG for a couple of reasons, one of which was that I felt that this was just another repeat exercise of what is required by law that you involve the public. There's nothing in that regulation that says you have to listen to the public. And I had all the hopes that there was in this world that this study would produce what I personally have fought for 14 years to have some changes made, and I didn't see it happening, so I didn't have time to continue. And I do want those people in this room, and there's not many of you, to know why that happened.

And then the final thing, and I raised this when I was on the PIAG. Nobody has factored in anywhere the politics of all of this, and that is going to be one of the bottom lines. How politicians get involved. You can put together all the goodies you want, but the political end of it, and you can't just set that aside and say, well, we'll talk about that later, you've got to factor that in so that you know where you are and it doesn't hit you like a time bomb. Thank you.

MR. BARLETTA: I'll take an attempt at some of Bea's concerns. I'm Dan Barletta. I'm the U.S. co-lead for the PIAG. Unfortunately, I'm going to apologize. We had a problem with our communications. The primary reason why we wanted to have the two meetings linked was basically so you'd get the input from their concerns, they'd hear your concerns here. Being two opposite ends, so that there would be more understanding of the different situations. That was the primary purpose. Unfortunately we had a communication problem which we're going to try and address before our next series of meetings.

The other concern, as far as the PIAG itself --

MS. SCHERMERHORN: Yes. Putting the St. Lawrence River --

MR. BARLETTA: Why don't you address that because this is --

MR. STAKHIV: You should know that even though they summarized it briefly in a couple sentences there that the actual analysis is done on a very fine scale basis, so that they look parcel by parcel.

So when we look at erosion, for example, we can look at every county around the lake, every different section. So we break all those out and we know for each issue where the serious problems are. For instance, flooding, there's big numbers in Monroe County if the water levels go too high. Other places there isn't. Erosion is a bigger problem in some places. And we look at all of those in fine geographic segments.

MS. SCHERMERHORN: I realize that but why have you included the upper St. Lawrence in your summary?

MR. STAKHIV: I think that was -- you know, they talk about those two areas and a lot of performance indicators as kind of a first crude separation of the river and the more lake-like areas.

But in actuality, if you were to actually look at the performance indicators, they're really broken into fine segments.

For instance, recreational boating, you probably are aware of all the surveys that were done and how many different places and marinas were looked at. And even then we aggregate them into six groups, not two, when we're looking at damages.

For -- I just finished doing the first programming of downstream flooding. We've got 54 communities downstream. So we have a lot of desegregation in the model and it was just a question of, this is kind of an economical way of describing it.

MR. BARLETTA: The other question you raised, Bea, also was about the political aspect of it. You're right. At the beginning of the study we didn't do a lot with the politicians, but as of like this year, I know myself I've been contacting them. Unfortunately none of them showed up here tonight.

But we have been also in the Washington offices briefing the Congress, the Senators and the Congressmen, about the study, so that they're aware of it. We are making that attempt, trying to do the best we can, but as you realize, we're all volunteers also. We all have lives to lead. Okay.

As far as your leaving, I'm sorry you did leave the PIAG. I think we do provide an input to the study, and we are making a difference. It may not be that noticeable, but it's nice to be able to call him up and say, yeah, I got a problem with this, what's the question -- what's the answer to this, or talk to Gene.

The PIAG does have an input to this study. They've changed things because of input from the PIAG, based on what we've received from our own constituents, if you want to call it that.

MS. SCHERMERHORN: It has happened.

MR. BARLETTA: It has happened, a number of times. Go ahead.

MS. KENNEDY: I'm going back to the idea of trying to pair up in these meetings us with Toronto. We're here with Toronto. And this is what we're doing around the system.

One of the things that we, I know, Bea, that you're aware of, but I'm not sure about the other people, that when we get to the decision-making process at the end of this, there's going to be a lot, as you said, the political aspect involved. But there's also going to be that pull that the Study Board is going to have to take into account, and the International Joint Commission is going to have to take into account, the pull from the rec boaters, the coastal people that have erosion problems, the environmentalists. All these people are going to have their points of view and what they want.

And what we heard last night and what we're not hearing because our equipment isn't working properly, was, the people in Hamilton last night, or near Hamilton, were saying, well, we want the water levels down, and people in Massena were saying, well, if you drop them too much, this is what it's going to do to us. And so we want the people in the two areas to hear each other, hear the problems, and therefore hopefully understand when it comes to the time of making decisions, that it's going to be a tricky thing to try to balance and figure out how we can serve everybody around the system without hurting anybody disproportionately sort of thing.

But we think, and the PIAG had big discussions about this, and we really think that the different areas have to hear each other to know what they are concerned about, so that you understand when the decisions are to be made, that there's going to have to be a lot of give and take, and okay -- well, that's the word. Give and take. At certain times of the year, for different people, for different purposes.

MS. SCHERMERHORN: But we have heard it for 14 years, Elaine. We have met in groups, we have had meetings, and we have had shouting matches.

MS. KENNEDY: Yes.

MS. SCHERMERHORN: Of which I recall one in Sacketts Harbor was a fiasco and it was absolutely awful the way that ended up. So people have heard about what other people thing. So that's not a new cookie, in fact.

MS. KENNEDY: The gentleman that's taking the notes has to hear you.

MS. SCHERMERHORN: I hear what you're saying about how wonderful it is to have meetings so that they can hear what they are thinking about, and we can all hear what they are thinking about. This has gone on, I've been in this thing for 14 years and we have had meetings. Granted -- now, I can say something positive, believe it or not, and that is that in today's environment we are seeing the St. Lawrence Board of Control and the I.J.C. come out of their ivory tower where they used to be 14 years ago, and they do come to these meetings, and that is an improvement. And that is a positive.

But when it comes to -- you're saying ideally, we want to know what the other side is thinking. They have had opportunity for this. And as I mentioned about the shouting match a few years back in Sacketts Harbor, that was an abomination. And it was rude, and what have you. But their feelings were running high.

And it's -- so they do know what, that there are different, all these 14 years that I've mused with this water thing, I have continually said that there are multiple users of this resource and not everybody can be happy at the same time, and that has got to be digested. And until it is digested, you're not going anywhere.

MR. WERICK: I want to respond, too, just on a couple of different levels. First of all, Gene and I have worked in government for 35 years, and if anything, if you've got a brain and you work for government long enough, you're skeptical of government. You know, you look around --

MS. SCHERMERHORN: No, you don't have to have a brain.

MR. WERICK: I guess I'll take -- I'm not even going to respond to that.  
(Laughter.)

MR. WERICK: And things like institutional analysis that Dalton called for, and public involvement, people have studied this, and there are good ways and better ways to do it. One of the things we know is that you can, if you do public involvement badly, you end up worse than before, because before where you thought we were stupid and dishonest, now you're sure of it.

And the fact is that there's a human story going on here that a year ago we were angry at one another and we lost a couple of valued participants. And Gene and I went to Dalton's house and tried to make peace because we had lost a lot of good ideas from Dalton. He's raised some issues today that I'm not sure are still getting through, and they're important issues, and we're trying to find ways to get Dalton's brain back into the process.

I'd like to get yours back in, too, get you involved, maybe in the recreational boating technical working group, so that you could see some of the things that are going on. In my assessment, this is the best study I've ever been involved in. And it's an honest and competent study. But you don't see a lot of what's going on. And the challenge is, how can I make that happen.

I'll give you one example of the kind of thing that we're doing. Pete Lauks from Cornell University is on the Study Board, and he's a very smart, world renowned figure, a little bit competitive, and he thought he could do better with recreational boating than we had been able to do in our plan formulation team. So he asked me to come to Cornell. He assembled all of his graduate students. So we had people from all over the world in Ithaca.

But by this time we had just gotten the first set of economic impacts for recreational boating. So this made a big difference in the study. Up until a few months ago we were, we were working on plans, but we were mostly doing it on water levels. People said, we want the water this high. Now we had economic impact, so we could say, if we make it this much higher it costs \$1,000 and the next inch costs \$1,000,000. So this really sharpened our ability to formulate plans.

So I went to Cornell. He -- I talked to his students for an hour and a half, gave them all of the models, all of the data, and their term assignment that they were graded on, was to come up with a plan which was good for recreational boating. And because these are just students, we made it kind of easy.

I said, you don't have to worry about any of the other groups. You don't have to worry about erosion, you don't have to worry about hydropower. You just have to come up with a plan that's good for recreational boaters. The whining started in about two weeks. Well, I can't get it to go so the lake is good and the river is good. And I said, yeah, well, welcome to the club, you know. They tried optimization models.

They sent me results, and their first set of results, I had to tweak it to make it a little bit better. They still weren't as good as Plan 1998. Pete was a little embarrassed. He yelled at them, they went at it again, and they got pretty good. They got better than Plan 1998, but trust me, other interest groups wouldn't like this plan.

So I mean, it was, for me it was interesting because you had young kids that are going to get PhDs or post-doc from Cornell that are going off to work in water resources all over the world, and they found, it ain't that easy. It's hard.

We're still working on it, and I think that we can do better, and Pete's still working on it now. And I would love it if you could be involved in some kind of a setting where you actually got to see us working on plans, and saw the model run.

I know you have a living and you can't spend a lot of time on this, but let's talk about some way that we can get you involved on a reasonable time amount to just see that, because I'm afraid that if we don't, if we just come out here with a slide show in a year, that you're going to wonder whether it's the best plan. So think about it anyway. Think about coming back.

MS. SCHERMERHORN: That's very kind of you to say that but there's something, you made reference to Cornell University and to these students and graduates and so forth. There's a whole sector of people that you're not taking into consideration and they're what I consider my kind of people. We live, we made our living on the water. We're not PhDs. We're entrepreneurs that have had to put up with all kinds of slaps in the face when it comes to water and the business and the family business is the marine business and you sure as hallelujah can't do much with a boat without water.

MR. TRIPOLI: My name is Scott Tripoli. I am with the PIAG group. Everyone knows that there's competing interests throughout the lake, and what we need to do, and Bill, I'm going to ask you for your help a little bit in this, is, the performance indicators, the criteria and the metrics that are going into the model, we need to make those readily available to you folks so you can see like was earlier mentioned by Ron, what those indicators are and whether or not there should be more entered into the model and if not, why not, and if the metrics and if the performance indicators that are in there now are not indicative of the feelings of the public, then those voices need to be heard and their explanation needs to be heard.

How can we make sure that all the members of the public have easy access to what those performance indicators are, that they can put their fingers on it, that they can submit their performance indicators into the model and have a discussion as to the merits of those performance indicators so that everyone can be sure that regardless of what Toronto's viewpoint is, that my viewpoint is heard and is in the plan and in the model.

MR. WERICK: My door is open, but I don't want to mislead people either. I think the performance indicators that are in the model now were developed in cooperation with PIAG and experts over a period of time, and people have been doing research to support those



performance indicators. I don't want to give you the sense that, for example, if we were to do an Adonic (sic) pricing model for benefits now, it would, first of all, it would be very controversial. The economic experts would probably throw it out. It would take time and money to do. And in the end, it would be another indicator that would show that people like water at the appropriate levels.

I -- I mean, we are quite vocal. There is a lot of criticism that goes on within the study. For example, hydropower prices. The hydropower people came forward with prices for hydropower, well everybody who says, if hydropower wins, I lose, takes a very skeptical look at those prices. The same way we've had a natural conflict within the study between the riparian land owners on the south shore of Lake Ontario and the environmental group because, you know, each group is saying, well, if you win, I lose.

So there's a tremendous amount of peer review. The performance indicators are in pretty good shape, and they're pretty good performance indicators. That's not to say that we won't listen, but I think we have a year left on the study, approximately, and really the focus now should be on plan formulation and evaluation. I think if you took a good look at these performance indicators, they're a very good, robust set.

MR. TRIPOLI: How do we do that, Bill? How do we get them to take a good look at that?

MR. WERICK: Well, I mean, I'll tell you the one practical way which I think is important. Years ago when I managed the National Drought Study, I worked with a fellow at the Institute for Water Resources where Gene is. He was an ex-Jesuit, and a sociologist, and he works for public health now. He had some really great ideas on public involvement and I've tried to apply them.

One of his basic ideas was that when you're doing a study, you don't try to create your own lines of trust. In other words, I mean, you may have seen me once before and I don't expect you to trust me. But there are people in this community who trust you. So rather than me try to build trust between me and everybody in this room, it makes more sense for me to take your questions and try to give you satisfactory answers.

Dalton Foster is such a guy. So I think in a very pragmatic sense I'd like to try to respond to Dalton's tough questions, and if I can make Dalton happy, I think that at the end of the year a lot of people are going to be happy.

MR. STAKHIV: (Unintelligible)

MS. SCHERMERHORN: Well, I will say this, and it's a personal opinion, I'm not going to get up there.

MR. WERICK: Okay.

MS. SCHERMERHORN: You guys lost and we gained the trust. We, the IWLC. And you guys lost.

MR. WERICK: And, but I mean, think of the next sentence. If we lost, you lost.

MS. SCHERMERHORN: No. We gained.

MR. WERICK: Well, I mean, because you're going to have to live with the results from the study. With one year left, we got to work together.

MS. SCHERMERHORN: And you're going to hear about it.

MR. WERICK: You can hear about it, but help us, too. You know.

MR. CARPENTIER: What would be the gain if we just heard from you after the study. We need to do it right now.

MS. SCHERMERHORN: You've heard of me.

MR. CARPENTIER: I know, I know. Because, you know, as -- what you said, you gained, maybe you gained right now, but if we lose, you lose. I agree with Bill. If we lose, you lose also.

MS. SCHERMERHORN: No, but what I meant, and perhaps I didn't put it very well, was that PIAG lost when they lost out.

MR. CARPENTIER: Yes.

MS. SCHERMERHORN: Our group gained.

MR. CARPENTIER: Yes.

MS. SCHERMERHORN: Because we have protective --

MR. CARPENTIER: We still got Dalton.

MS. SCHERMERHORN: No, you're not.

MR. MONTAN: I would like to break in for a moment and in my role as facilitator. I am conscious of the time. We're approaching 9:00 o'clock. And I want to make sure everyone here who wants to ask a question or make a comment has had that opportunity.

We can continue after 9:00 o'clock discussing who won and who lost, but I want to see if there's any more questions or comments.

MS. KENNEDY: I just want to clarify. Originally it was 9:00 o'clock because of our talking to the other people. Now it's 9:00 o'clock because in the bar next door there's going to be a loud band starting at 9:00 o'clock.

MR. MONTAN: Right. It's a moving target.

MR. TRIPOLI: Regarding the performance indicators, in the packet there should be a list of those performance indicators in there. So go home and do your homework and if you don't agree with them or you have other ones you want to submit, submit those in and we will get back to you and show you where they wound up in the model.

MR. WERICK: Let me follow up with a suggestion that's still in the formative stage, and that is that we'd like to involve you in a more substantial way, and it's not clear exactly how we should do this yet. But we talked to Dalton a little bit about sitting down and doing some plan formulation in the workshop, and we're not exactly sure how to do this.

I think that it has to happen in 2004 for it to have any real impact on the final study process decision. But not just have a meeting where we come out and show you what we've done, but actually make you part of a working group where you bring up ideas.

We already have gotten some ideas for a plan and we'd like to develop an IWLC plan that incorporates the exact features that you want, and then we can evaluate it along with other things.

But make it a dynamic process, and make it practical, too. I mean, we understand you've got a business to run and you can't spend a week with us someplace working on models. So figure out how you can get your ideas in.

If the right way is to send your ace, then we'll work with Dalton and we'll come up with a plan that you can call the International Water Levels Coalition plan. This is the plan that you want to endorse. And then we're off the hook for Dalton's challenge. If we come back in a year and we say, even the IWLC plan isn't any better than what we've got now, at least -- well, you know, Garrison Keller's advice, you always want to walk a mile in the other man's mocassin's. That way he doesn't have any shoes and you got a mile head start.

MR. MONTAN: Last call for questions or comments. Going once, twice. Okay. Now I will turn the waning meeting back to our chairman. Thank you.

MR. TRIPOLI: From what you've heard this evening, I'm sure that you now understand it will be impossible, even all the information that the technical working groups are gathering, to please all the people all the time. We talked about that. However, if the study and decisions made are fair and transparent and all stakeholders' interests are being taken into account, I think we'll be able to come up with a regulation plan that will help most of the people most of the time without hurting any group disproportionately.

We want to come back to see you next summer to show you tentative regulation plans and get your feedback. We look forward to those meetings. In the meantime, you have the material you picked up on the table on your way, and which includes the website for the study.

If you did not sign our sign-in sheet on the way in, please do so as you leave because we want to keep in touch with you. If at any point you think of someone or if you meet someone who would be interested in information about the study, please pass on our contact information to them. You're welcome to stay and talk with us, view the banners and talk to Bill about the computer model, or Roger about his data management.

Thank you for coming, and good night. And stay in touch.