Transcripts

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

In the Matter of:

INTERNATIONAL LAKE ONTARIO/
ST. LAWRENCE RIVER STUDY

July 20, 2005

Transcript of Public Meeting held in the above matter at Curter's Restaurant, 6483 Catchpole Shore Road, North Rose, New York on July 20, 2005, at 7:00 pursuant to Notice.

PRESENT:

HENRY STEWART - Chairperson - PIAG Member

RUSS TROWBRIDGE - IJC Liaison to the study

SANDY LaBARON - PIAG Member

DAVID KLINE - PIAG Member

BILL WERICK - PIAG Member

DOUG WILCOX - U.S. Geological Survey

DOUG CUTHBERT - Canadian Study Director

MAX STRIEBEL - PIAG Member

DAN BARLETTA - U.S. Co- Lead PIAG

FRANK SCIREMAMMANO - Member of Study Board

ARLEEN KREUSCH - Public Relations

AARON SMITH - Public Relations Assistant

MIKE SULLIVAN - MAYOR OF SODUS POINT

DONNA CHITMAN- SUPERVISOR OF THE TOWN OF SODUS

WILLIAM McFEY - MAYOR OF FAIRHAVEN, NEW YORK

TRANSCRIPTION SERVICE:

Associated Reporting Service
Post Office Box 674
229 West Genesee Street
Buffalo, New York 14201-0674
(716) 885-2081

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JIM AND IRENE QUICK

PROCEEDINGS

MR. STEWART: Hello, good evening, Folks. How are you this evening? It's really a pleasure to see so many of you here. We know that there has been a conflict scheduled recently with the Town of Huron, so frankly, some of us who became aware of that at the last moment were somewhat concerned that there might not be a good turnout, and we're very grateful to you for appearing here tonight.

First off, I would like to invite Linda Edinger from Save Our Sodus to come up for a moment to open the meeting. Linda, how are you?

MS. EDINGER: Hello. As he said, I'm Linda Edinger and I'm on the board of directors for Save Our Sodus, who is helpful in making sure you people knew about this meeting. And I'd really like to thank the International Joint Commission that is represented here for coming again to our area to let us know what they have been working on and help us to have some input. They've been here every year.

They've allowed -- they've listened to us and allowed us to put some input into what's going to affect us greatly. So I want to thank them very much for being part of this and letting us be part of it, too.

And I want to thank all of you for coming. It's just so great to look out and see so many people here. You know that it's a concern and that's why you're here. And I hope that you won't hesitate to make your views known and to also tell your neighbors that maybe weren't able to come through some conflict or weren't just sure of what was going on here, that they have a part, too, because there's going to be a way of everybody to let their voices be known as to what they feel the results of this study. This Lake Ontario/St. Lawrence River study started about in 2000, so it's running five years, so we've got sort of a culmination of a lot of time of studying from all interests, not only residents like we are, but also marinas, which may be represented here as well, and boating interests and power. There's a lot of different interests so it's important that we let out interests be known as well.

And in addition to the residents and -- of Sodus Bay, I think we probably have some from Port Bay. Do we have someone here? East Bay. Blind Sodus Bay. We're all in this together, as well as the lake.

And I'd like to recognize some officials that are related to this that are here tonight. Donna Chitman, who is the supervisor for the Town of Sodus.

(Applause.)

MS. EDINGER: And we appreciate her presence. Unfortunately the Town of Huron with Chuck Fredericks is, as we mentioned earlier, has got a conflict, so he sends his support but wasn't able to come here personally. Mike Sullivan, Mayor of Sodus Point.

(Applause.)

MS. EDINGER: Thank you. William McFey, the Mayor of Fairhaven.

(Applause.)

MS. EDINGER: Thank you. Sharon Willa, County Planner for Wayne County.

(Applause.)

MS. EDINGER: Again, I just want to stress that this is a very important decision that has to be made. Nothing has been finalized yet. We all have a chance of putting our voices and thoughts into this, so I hope you will listen, ask questions and get something out of this evening. Thank you.

(Applause.)

MR. STEWART: Okay. Thank you, Linda, very much. My name is Henry Stewart. I'm a volunteer to this study. I'm actually one of the members of what's called the Public Interest Advisory Group. That started out as a 24 member body, 12 members from Canada and 12 members from the United States. Not all the positions were filled and not everyone has

stayed with it as a volunteer, but we've been close to that 24 member number. That fits into the study, as I say, as the public interest advisory aspect of it.

We're sort of the conduit of information from the public and the transmitter of information from the study to the public, and we tried very hard to do a good job at that, and throughout last summer we had meetings similar to this where we were mostly in charge of the meetings. This year it's really more the Study Board who is in charge of the meetings and they're bringing forth their proposals to you, and still ready to hear from you what your concerns are, what your interests are and what your feedback is with respect to that. So there are many other -- well, I might note my local connection. I'm a resident of Rochester, the Town of Greece, but I also have a summer cottage on the Crescent Beach sandbar here in the Town of Huron. So I'm really quite acutely aware of how significantly this study can impact precariously situated properties, and I'm very concerned, and I hope all of you are, to make sure that the outcome of this remains very fair to property owners as well as other interests.

There are other members of the study team here tonight. I want to introduce them to you. But first, I'd ask that they stand, each of them, and perhaps they can just introduce themselves to you. So if all of the study team members who are in the room would stand, and then we'll have each of you introduce yourselves.

This is, as people are standing, we'll start with Doug Cuthbert here, who is actually one of the key members of the study team.

MR. CUTHBERT: Hello, my name is Doug Cuthbert, and I am from Burlington, Ontario, Canada. I am the Canadian study director.

MS. LaBARON: I'm Sandy LaBaron. I represent --

MR. WILCOX: And I'm Doug Wilcox. I work for the U.S. Geological Survey and I did the wetland research related to the study.

MR. KLINE: I'm David Kline --

MR. BROWN: Hi, I'm John Brown. I'm U.S. lead for the U.S. --

MR. ZUZEK: Hi, My name is Pete Zuzek, I'm a contractor for the study and I am one of the technical people -- Lake Ontario and the Upper St. Lawrence River.

MR. STEWART: Thank you all very much. If we could give all of those individuals a nice round of applause.

(Applause.)

MR. STEWART: Okay. And there are certain other key individuals from the study team who will be introduced at a later point as they have an integral role in the presentation tonight. I'd like to note as well that the members of the Public Interest Advisory Group are not connected with any of the agencies who have been within this study or within contractors with respect to the outcome of this study. Tonight the study team of the International Lake Ontario/St. Lawrence River board is returning to you for the last time to talk with you about

the study on water levels and flows in Lake Ontario and the St. Lawrence River and to seek your further involvement with respect to participation here.

The format for the evening is to be as follows. There is going to be a 30 minute Power Point presentation, and that will be given by Mr. Frank Sciremammano, who is a member of the Study Board. After Frank gives his presentation, the meeting will be turned over to Dr. Dan Barletta, seated next to him, also from Rochester and Greece, and Dan is a member as well of the Public Interest Advisory Group. He will facilitate the question and answer period of this presentation tonight. So tonight I'd like to introduce you to Dr. Frank Sciremammano.

(Applause.)

MR. SCIREMAMMANO: Okay, let's see if I can get my microphone to work. Can everyone hear me? There we go. I want to start off tonight by thanking the PIAG and the public relations folks that are working with the study, who have put on these and organized all public information meetings. The public input is very important.

Here's a little overview of the presentation. Basically we'll talk about who we are, what the study is, what it's about. Then the important part, what we found what the new candidate regulation plans look like and what the results would be, the implementation, the process, the decision-making that will go forward from here, and then try and get your input during the question and answer period. I would ask that you do hold your questions until the question and answer period, if that's all right.

Arlene, can you get the next one? Here's who we are. Again, the IJC -- this is the final year of a five year study that was commissioned by the IJC, funded by the two governments, Canada and the U.S. The IJC was created by the Boundary Waters Treaty of 1909 between Great Britain and the U.S.

There are six commissioners. Is that right, Ross, six commissions, and they really oversee all the boundary waters and diversions between the two countries. They work through Study Boards and this is one of them.

The Study Board has the two leads. We are honored to have one of the leads here tonight. The Canadian side. And has 14 members, again, half from Canada and half from the U.S. Dan and I are Study Board members and Sandy LaBaron, so you do have a pretty good turnout tonight of Study Board members. The Study Board, by the way, is also voluntary. None of us get paid. Although some folks, this is kind of an assignment that's part of their job, but generally we're all volunteers and we're an independent advisory board, just as the PIAG is.

To get the technical expertise though, experts have been engaged from Federal agencies, state agencies, and academic as well as consultants to do this part of the work, which is the technical working groups.

So, we have the Study Board and we'll recommend to the IJC who has the final decision. Study managers really take care of the details, and Public Interest Advisory Group advises both as well as works with the technical groups to validate our studies.

Why the study? Many of you know, over the years there have been a lot of complaints about the water level variations. We hear them all the time. Five years ago the federal governments of Canada and the United States requested the funding for the International Joint Commission to review what are termed the orders of approval for the regulation of water levels and flows in Lake Ontario.

Basically there's a dam on the St. Lawrence River that had to be approved by the IJC. As part of that approval, rules and regulations had to be established for how it would be operated. That was done in the 50's. Now they're re-examining that to see if it meets current day needs. Again, the International Joint Commission was created under the Boundary Waters Treaty of 1909 and this Study Board is the vehicle the IJC uses to undertake the work of reviewing the orders and criteria.

We will make a recommendation to the IJC. The decision on whether to implement any of these plans or do something else is really up to the IJC and they'll take that up, you'll see on the time line, probably next year. Next slide.

We're currently operating under a regulation plan termed 1958-D. And basically it's a calculation procedure that tells us how much water to let out of the dam on the St. Lawrence River each week. There is a control board that oversees that process.

I'm honored to be one of the members of the control board. There's another member of the control board that also sits on the Study Board from the Canadian side.

Plan 1958-D was designed to meet the criteria and the regulations that were set up as part of the original approval. It's been in effect since 1963, plan 1958-D. It was based on 1950's technology. And if you go back that far, you remember that we were using slide rules and we had fairly limited technology.

It was designed prior to any practical experience with regulating the lake, and it was really guided by the political, social and economic climate of the times. And obviously that has changed. Next slide. The features of the current plan, basically we had the operating plan and then there are deviations to that that are implemented by the control board. In general, the emphasis, as embodied in the current criteria and in the orders of approval, is to reduce the extreme high and low water levels that had occurred in the past on the lake. In the 30's and the 50's, extreme lows and extreme highs.

As part of the approval, the deal was that this system would be operated to reduce those extremes. It does a relatively good job in that regard. It also does a relatively good job for hydroelectric power production at the dam on the river, and for commercial navigation which utilizes the Seaway as well as Montreal Harbor, which is downstream.

It does not specifically address, however, environmental conditions or recreational boating, although I would argue that those have benefitted also.

The control board again, has to deviate to achieve some balance and over the course of time has deviated approximately half the time from the plan. And that's one of the reasons to re-examine the plan. Next slide.

Over this five years, we've gone out of our way to consult with a wide array of people. Some of them are with us today. I don't have to read it to you. But the Native Americans

was one of our constituencies, you folks, and a number of others, as you can see. And they've all had input through the PIAG and through the technical working groups. Next slide.

Okay, the important part of this is, let me go over what the findings are to date, and again if there are questions I would ask that you hold them to the end. We'll have the slides available so you can point to it. First thing is, as you may know already if you've been involved in this issue, it's a fairly complex system. I'm going to use some terms here that are common for us. We have the lake, the outflow down the river. We call this part before the dam which is at Massena the upper river, and then when we refer to the lower river, the part below the dam through Montreal and down to Three Rivers and Quebec. All of that area from here through to the Niagara is affected by the flow conditions and the lake level.

The dam at Messina, you should keep in mind, and the stuff that we're dealing with is just one factor in the water levels and flows in that management. The other is Mother Nature. And you know that Mother Nature can throw curve balls and you can't anticipate them exactly. Next one. Here's an example, this is a plot of the total water supply into Lake Ontario from 1860 up to the present, and what was very interesting is, first of all you can see periods of low water, 1930's, high water that occurred due to this -- and this is reflected in the lake levels, obviously.

The control is put in right here, the red line, and you could see that even after control we still had extreme low levels and some extreme high levels. But in general, what has been found is that the current regulation plan has tended to dampen the fluctuations somewhat in the lake level compared to what would have happened without the controls. You should also keep in mind that the plan was developed originally on the basis of the data from 1860 to 1950, which didn't include these extreme supplies. Remember, these are supplies. How much water arrives. Not the lake levels.

Another reason for updating the plan. We have a better handle on some of the extremes. Again, it's -- the complexity of the system can be illustrated by the next slide because we have to recognize that whatever we do on the lake and with the flows affects many people.

For instance, if we want to lower the level on Lake Ontario by roughly two centimeters over the course of a week, and two centimeters you know is not very much, less than an inch; the effect right by the dam is a 30 centimeter drop, because the water has to be drawn down to get it to flow out of the lake to the dam. Downstream in the Montreal area, you get roughly a 10-time, 23 centimeter increase. So you're fairly limited in how quickly you can react on the lake without either drying out or flooding other people. And the opposite occurs if you're trying to hold water back.

So all of this had to be cranked in. And what we did was, we looked at the effects of the fluctuating water levels on a number of areas, every area we could think of. The primary ones was the ecosystem, that's both upstream and downstream, rec boating and tourism, coastal property and processes, as well as the Seaway and downstream navigation, water intakes. Lot of people take water out of the lake and the river. As well as the hydro production. I might add that this has been the most sophisticated research ever done on this issue. We've had studies in the past.

This has been the most in-depth regarding this system. We have employed outside experts to review the science and to review the economic assumptions. It's also currently

undergoing a review by the National Academy of Sciences and the Royal Society of Canada who is going to issue a report on the validity of the study.

Let's talk about each of these areas in a little more detail. In terms of the environment, the environment is fairly wide, there were over 400 of what we're calling environmental indicators, things that you can see and measure that indicate how healthy the ecosystem is. Thirty-two were identified as being especially sensitive to water level variations. Some of those include species at risk, endangered and threatened species. Further details about these are in your handout. You'll have a listing of some of them.

There's a general assumption in the study that more variability on the lake is better for the environment. And that is what's cranked into the computer models. It turns out that we don't see a big difference on the lower river though.

Recreational boating and tourism. As you might guess the greatest problems are with low water. You see that right out here, and as the water drops in the bay, the marinas down at the south end won't be able to operate and many of the launches won't be able to operate. But recreational boating, by the way, also need higher water levels than commercial shipping. We hear about people saying that the lake is being kept high for commercial shipping. They're out in the deep water, they're in dredged channels. They're not really the ones that get affected the most. It's really recreational boating.

And the economic impacts have been identified for each part of the system and we had the outside folks review that, the experts, to make sure they were valid.

Coastal processes, I got a feeling there's a few people here that are involved with that, or concerned about it. Again, 58-D was designed to, and with the deviation, has reduced the flooding on Lake Ontario and the St. Lawrence over what would have occurred if there was no system in place.

In addition it has slowed down the shoreline erosion but it hasn't eliminated it. It's a natural process. It's going to go on whether or not the controls are in place, but has been effective at slowing down the shoreline erosion.

We also found that, based on the wave climate and the storm patterns, that shoreline erosion is worse during the fall, winter and spring because of storm events and that you can tolerate relatively higher levels in the summer than in those periods, without damage to the shoreline, significant damage.

In terms of commercial navigation, in general navigation costs go up if the ships don't have enough water, if it's too shallow in the river, and that's particularly in the river and in the harbor and in the seaway, or are delayed because we're releasing too much water and it can't control the ship actions.

We also find from the control board's perspective, and we're seeing this in our models, that it's difficult to keep enough water on the lake, if you will, to allow for the ships to enter Montreal in the fall and early winter. And in the past few years you've probably noticed that the control board has held back a little water to then be able to release it in the fall and early winter. In terms of water intakes and outfalls, the varying levels, water levels, long droughts can affect a few municipal intakes, but generally the municipalities have the resources to address that. That put them out deeper and they do what they need to do.

There are, however, individual shoreline water users that have shallow wells, and those are the ones that are affected by water levels.

Hydroelectric power is an important benefit from this system. Again, in the original approvals, there was a set aside of power from the St. Lawrence for the North Country. That was kind of their benefit from this project. And that, that goes on today. There are, the most variable economic factor, while the amount of power produced is pretty well established, at least it's easy to calculate, the economic value, that is hard to judge, especially with changing markets. And so we had an economic analysis reviewed by independent experts to make sure it was valid.

All right. So that's the background. We'll go through a little bit of the results, and we'll look at a series of plans that have been put together to try and address all these interests. Before making a decision though, we had to decide how we were going to decide, the Study Board. On what basis will we make a decision on a recommendation to the IJC. These are the guidelines we came up with, and I'll call your attention to the top three. To me those are the most important ones. First, if we wanted to contribute to ecological integrity, not on the environment any further. Maximize net benefits. And not provide a disproportionate loss. Now, some of these are a little fuzzy and some of us interpret these a little differently. The, no disproportionate loss in particular is interpreted as no loss to one interest or one geographic region, that's out of synch with everybody else.

We have attempted, and I have personally attempted to make sure that the work of the study has been transparent and that you folks are aware of it. The PIAG has been instrumental in that. And all of our discussions and decisions have been open to the public.

Let's go through some of the plans. We started with some reference and interest specific plans. We wanted to try and judge how things are relative to things that we knew.
Plan 1958-D, again, that's the official approved plan that's part of the orders of approval. Plan 58-DD is our representation of the current operational plan that includes 1958-D and the control board making deviations to that to meet various needs. Now, we analyzed a hundred years of data. The control board has only been around for 40 years.

Also, the membership of the control board varies. So the results for plan 58-D are the best guess, the best estimates of a number of experts that worked with the board over many years. But it's not exact.

Plan 1998 was the plan that came out, the control board came up with in 1998. It's basically the best plan that could be implemented, we felt, under the existing criteria, which were the rules of engagement, if you will, for the system.

We also looked at a plan specifically designed to protect the shoreline, Ontario Riparian Plan, and it did reduce flooding and erosion on Lake Ontario but there were severe environmental and recreational boating impacts, as you might expect. The recreational boating plan, on the other hand, kept the water high, if you will, improved recreational boating, but severe impacts again to the environment, as well as flooding downstream, because the longer you hold the water on the lake, the more you have to release it quickly. Let's go to the next one. There's also another plan which has some support in the study, and we're calling it the natural flow plan. It's based on the flows that would have occurred had the dam not been built. And it's designed again to simulate the natural conditions, and it will, according to our modeling, maximize environmental benefits. The board decided that the environmental objectives should be considered as a long term management plan but

because of the development that has occurred, that with Plan E, which we call the -- this natural flow plan, would cause severe, much worse than anything you're going to see tonight, economic losses, in terms of the coastal zone as well as recreational boating. So that is no longer a candidate plan. How about we go to the next one. This next slide is just to illustrate that there are lot of different competing needs, and what we have on this slide is target water levels for Lake Ontario for the various user groups. Commercial navigation would like to -- and this is by month -- commercial navigation, for instance, would like to keep it between this level and this level.

Rec boating would like to see it above this level during the summer months. Below this level where they start having damages. In terms of water intakes, as long as it's above this level, they're okay. Coastal, which is one of the people that is interested here, on the basis of work that Pete Zuzek did, who's in the back, basically the recommendation is that the levels that are in the fall and winter be in this range, no higher than this, and then rise up in the summer to be a bit higher, again because the weather is a little more gentle in the summer.

I just want to show you on this plot where the current criteria are. 247.3 roughly here and 244.3 roughly here. So that's the target range right now under the existing criteria. We go to the next slide. And this same kind of exercise was done throughout the system because there's not only the lake but all the various points along the river that had their own preferences and desires.

On the basis of all of that, we've come up with three plans that right now are candidates to be advanced to the IJC for consideration for implementation. Tonight is part of the public debate over these plans, and the public input.

More than 10 plans were formulated. Many were -- well, obviously most of them were rejected and these three plans remain as the most viable. All of these plans were designed to try and balance the benefits overall, provide benefits to the environment and the economy, with a minimal harm to any one sector. But again, that's in the eyes of the beholder. They differ in their distribution of benefits geographically as well as by interest.

While we've come up with new plans which provide improvements in some areas over 58-DD, we still haven't found the golden plan, the one that everybody is going to be happy with. And I think the Study Board, all the members would recognize that. And our plan formulators are still working through the summer. All reports going to be out in the fall; to try and tweak some of these and maybe even come up with some new ones. Let's start looking at the plans then. Plan A, which we've dubbed the balanced economics plan. It's designed to maximize overall economic benefits, the net return on the resource. It provides some improvements in the environment, especially on the upper river, it has losses to shoreline interests on Lake Ontario and the river, and I will quantify this in a few more slides, as well as provides some recreational boating benefits. Next slide.

Plan B, we're calling the balanced environmental. It's kind of like Plan E but toned down in that it will, it's designed to simulate more natural conditions in terms of fluctuations and flows but still provide overall economic benefits. It does improve the environment on the lake and the upper river. It has losses that are more significant to the shoreline, and it provides for significant flooding around Montreal, at least right now, the way it's set up. It also has losses for recreational boating, especially on the lake. And we'll quantify these results in the next few slides.

Plan D, blended benefits. This is really designed for balanced performance. It has overall economic benefits but the key was to minimizes losses in all the sectors. Small improvement over 58-D with deviations. Sot it's not a big change over what's actually occurred in the past. And for the environment there's a small improvement. There's no overall losses for shoreline interests, although there are some plus and some minuses and there is some flooding potential. It does provide recreational boating benefits. And again we'll quantify these with some economic numbers.

That is where the plan evaluation comes in. Let's go to the next slide then. I'm going to show you a number of different measures. This is a summary of the results and then we'll delve into a little more detail some of the things of interest here.

And what's on here is average annual benefits in millions of dollars per year. Plan A, B, and D, the three, and then environment, shoreline property, navigation, rec boating, hydroelectric. Keep in mind these are overall numbers for a hundred years of simulation and for all of the areas lumped together.

As you can see, Plan A has an improvement for the environment as measured by this index, a decrease of roughly 1.1 million in shoreline property damages, and again, that could be in the river as well as on the lake, commercial navigation benefits, recreational boating benefits and hydroelectric benefits.

Plan B, that was the balanced environmental, you could see it has a much higher score on the environmental index, much higher shoreline property damage, less but still positive commercial navigation, losses for rec boating and positive for hydroelectric. Plan D, less environmental benefits. Some would say that it's not significantly different than 1.

Shoreline property overall, does not damage, but again, that's a lump, based on the entire system. Commercial navigation benefits, roughly the same as Plan B. Recreational boating, much better than plan B, but still less than A. And hydroelectric, the least of all of them in terms of additional economic benefit. Let's go to the next slide where we're going to delve into this a little bit more.

What I've tried to do is pull together particular results that are important to this area. If you were going to this presentation in Montreal, the next series of slides would have been slightly different. All right. I'm going to show you -- we could show you hundreds of graphs and tables, and I've been struggling, and I love numbers, and I love computer projections but I struggle to absorb it all. So we've tried to distill it down to something that's reasonable and understandable and we could present in a little while.

So let's go to the first. Obviously in this area we're interested in Lake Ontario levels. This is a plot that shows for the four plans what the average level would be. So over a hundred years what's the average level, by month through the year. I point out a couple of things regarding the plan. First of all, the black in 1958-D with deviations, again a simulation of what we think the control board would do in conjunction with 58-D. Plan A in red, B in blue, D in green. And that will be consistent over the next several slides.

Here you can see that A and B basically have higher levels in the fall and the spring -- in the winter, I should say, and in the early spring and late fall, than either Plan D or 58-D with deviations, and they also have higher levels in the summer. Notice also that Plan D has a higher level than 58-D with deviations but it has moved slightly into the better season, if you will, July and August, in terms of erosion.

Let's go to the next slide, which is the maximum levels over the hundred years of simulation for each of these plans. Again, once again, as you might expect, A and D, you have some high peaks that are in the fall and spring. They're all roughly consistent in terms of the peak levels during the summer, although it's a little bit higher for B here, you could see, and also Plan D has the shift to back out a little.

Now, again, these are the highest level that occurred for each month. They're not continuous. They're basically over the whole record.

Let's go to the next one. This is the minimum levels on Ontario, and I haven't done it with the others, but this one I'll point out, our current criteria says 243.3 so that would be roughly here, and you could see, they all keep it about the minimum level for the summer. A is much higher.

The new plans, however, and 58-DD has it drop very low in the winter. And those, those levels, this level, for instance, we haven't really seen since the 60's. So it's about 30 years, 40 years since we've seen the highs and lows that we're seeing for -- showing for 58-D. Let's talk about each of the areas.

Oh, here's the ranges in the hydrology. The current criteria say that the lake shall be kept within 243.3 to 247.3. This is 58-DD. Obviously it hasn't kept it within that range. In the 60's we were down here and in '73 we were up here. But the board is charged with trying to keep it in this range so at least they're trying to work in that regard.

Plan A, here's the observed range over the 110 years. Plan B. Plan D. And Plan E I threw on here to illustrate the effect that would have. Basically all the plans bring the level up above 248 and that would be allowed under the new operation.

We have seen levels above 248, 248-1/2 in 1973 so you could think back to that and it will give you an idea of what the rest of the plans will do.

On the low end, there's the recreational boating. You could see how Plan A is going to do a little better than B or D, it looks like, in terms of the minimum level. And also, the current operation as we modeled it had levels that were quite low in the 60's, at least the way we've modeled it.

Let's go to the next slide. What we're going to start looking at is a number of areas, economics and environmental impacts and the environmental in terms of -- I mean, the economic in terms of coastal and recreational boating which is what's important here.

Here we have overall regional environmental impacts broken down by Lake Ontario, upper river and lower river. An index of one indicates the same as we have on the 1958-D with deviations, so basically the status quo.

And you can see that on Lake Ontario Plan A is basically the status quo. On the upper river it's an improvement. On the lower river slight degradation, if you will.

Plan B, on the Lake Ontario it's an improvement, a large improvement on the upper river, and again a slight degradation in the lower river.

And D, slight improvement in the lake, the upper river, and basically a washout on the lower river, although it is slightly negative.

In terms of the most sensitive environmental performance figures, Lake Ontario Meadow marsh was one of the things. That's the marshes around the lake, which is one of the prime drivers for making changes. And you can see here that actually Plan D and A are roughly tied in terms of their effect on Lake Ontario Meadow marsh, Plan B clearly better.

However, if you look at upper river northern pike, the measure that we have of that, Plan A clearly much better than either B and D is basically a wash.

If we go downstream, the lower river, and remember there were a lot of negatives for them in terms of environment, A is negative, B is negative, D is the only positive in terms of the downstream, at least for that particular indicator.

On the lower river for muskrat surviving houses, they're all negative, with A being the best. So you could see it's a complicated picture. The number that you saw, the one point something is a compilation of all of these in an average.

Let's go on. I want to get into the regional economic impacts in a little more detail. And again this is regional economic impacts. So we converted the water levels into numbers that reflect damages or benefits.

Plan A, B and D, Lake Ontario, upper river, lower river, all hydro, all seaway, or all navigation, I should say. And you could see for Plan A, basically Lake Ontario is a wash in terms of the overall economics. There's nothing showing there. The red, the upper river, slightly positive, positive in the lower river, and hydro power is positive, seaway is positive.

In terms of Plan B we have a fairly large negative economic overall impact on Lake Ontario, on the upper river and on the lower river, but positive for both the hydro power and navigation. And D, positive on the lake but small again for the upper river, basically a negligible but improvement, lower river. No change for hydro power and the seaway for navigation.

I'll confuse with a few more because I want to get into some of the things that are a little more detailed about around here. Again, let's go to the economic impacts. Let's get this slide.

Let's look at the coastal, coastal impacts. I think this is what people are interested in here, as well as rec boating. We have that next. And this is a breakdown again by area, Lake Ontario being the blue on the bottom, and then the annual average millions of dollars.

For Plan A, you could see that the lower river is a negative, and then we get -- I'm sorry, they're all negatives, including Lake Ontario. This is zero. Coastal impacts under Plan B, more pronounced except in the, that's got to be the lower river. And then Plan D, hovering around the line with Lake Ontario being slightly positive.

Let's get into that in even a little more detail. This is a breakdown by county of the coastal performance indicators. These are measures of the economic impact of flooding and erosion basically, by county.

In this room we probably have many people from Wayne County. You could see they're all negative, A, B and D. Monroe County, which we may have some people, we'll have more tomorrow night, positive in terms of D, negative in terms of A and B. I'm not quite sure how that happened. We're trying to drill into the results to see. But again, you could see the distribution of benefits or costs.

Let go to the next slide. This is just shore protection maintenance, so this is how much it's going to cost on an average annual basis to maintain shore protection that's in place already, with changes in the water level. Again, Wayne County and Monroe County. I don't know if anybody's here from Cayuga. There's not a big change. And then Orleans and further west.

Why don't we go to the next slide. This is now erosion damages, economically to properties that have homes on them but don't have shore protection right now. Again, Wayne County, there's no numbers. I'm not sure why. I'll have to get that from the folks. Monroe County, again pretty -- no properties that are unprotected?

(Laughter)

MR. SCIREMAMMANO: I guess the point, the point is, we can break this down to this level of detail with the models we have in place, and if anybody's curious we can break it down even further. Why don't we go on though.

Here's recreational boating, again a key, key interest around here. Annual average in millions. Again, here's the zero line. Plan A, downstream, Lac St. Pierre, Montreal, all downstream, Lac St. Louis downstream, Alex Bay positive. Lake Ontario positive. Ogdensburg on the river is the only negative.

Plan B, we get again all negatives except it looks like that's the lower river. And then for Plan D, all positive except Ogdensburg. And again, we can break that down even further, if you need to.

All righty. So we gave you an overview. There is more information in the handout that you have and there's obviously a lot more available.

Let me just talk a little bit about what happens next. Again, we're an advisory board, the study team. We're going out on our public consultations on where we are right now, June and July. We have also been briefing elected officials all through the spring and through the summer.

A closing date for public comments, if you want to submit something in writing, August 5th. And the addresses are in the handouts. We'll make final modifications to these plans and to our study based on the comments and input we received. We're going to meet at the end of August to do that. We may have to meet in September again.

We're due to have our report to the IJC by basically late this year, and then the IJC will then go out. They've suggested that they're going to go out for more public consultations before they make their decision. The ultimate decision, whether there is a change to the criteria and whether or not any of these plans get implemented and if so, which one, is the IJC's decision. The Study Board is going to make a recommendation, and they've asked us to give them a range of options. So that's what we'll be doing.

By the way, it was said that this would be the last time that we'll be here. Formally that's true. Many of you know where I live though. So if you have input you know where to get it to me and Dan is right in Greece. So your input won't end and our interactions won't have to end with tonight's presentation. With that I turn it over to Dan.

MR. BARLETTA: Thanks, Frank. I just want to introduce myself again. I'm Dan Barletta. I am the U.S. co-lead for the Public Interest Advisory Group and like Henry I live in the Town of Greece. I'm on the shoreline and I also consider myself a rec boater. And so before we get into the question and answer period, let me just make a couple comments about that. We, you know, the PIAG, the Study Board, the IJC, we all want to hear your views. And we'll stay here tonight until the questions are done. We want to hear from -- if you've got a comment we want to hear from you.

In your folders there is a survey postcard. We would appreciate you filling it out and either handing it in tonight or mailing it to us. That way we can record your comments regarding the candidate plans.

We want to make sure that your views make it to the Commission. That's our major goal for tonight. Your comments -- your questions and comments are being recorded and they will be taken in account when we make the final decision. There are microphones on either side of the room. We appreciate if you would use the microphones, state your name and where you're from, and as far as the questions, if you hear somebody asking a question that's very similar to yours, please hold off till maybe the end. We'll let you ask your question but if somebody is asking a very similar question, you know, let's give other people a chance to ask theirs and then we'll get back to yours. And when you ask your questions try to be as concise as possible. It gives us more time for everybody.

And if for some reason either myself or Frank or Doug can't answer your questions tonight or any of the other people here associated with the study, we will do our best to get an answer back to you.

So, with that, who would like to be the first questioner? Go ahead.

MR. STEINCAMP: Hi. I'm Jack Steincamp from Sodus Point, and Frank, I wonder if you could go back to the slide with the ranges of those plans, because it was a little bit difficult to see the maximum range.

MR. SCIREMAMMANO: I got to point to the computer operator.

(Colloquy.)

MR. STEINCAMP: So the number for the Plan D, that looks like it might be the best of these for shoreline owners. Am I correct in understanding that you would get the water level up to almost 249?

(Colloquy.)

MR. STEINCAMP: And would the criteria, like criterion K, also stay in place for that plan?

MR. SCIREMAMMANO: We don't know yet. We haven't gotten that far. But the 58-DD here I don't think included a criterion K operation. So we're not sure yet. I anticipate there will be

some kind of emergency criteria, like criterion K. But there are, I'll tell you, to be very honest, there are people on the study that don't agree with that.

MR. STEINCAMP: One last comment. One of the biggest concerns that I have is that when we've had high water in the past like in '93 and you call up the Corps of Engineers or the DEC or the IJC, and they talk about that they're operating within that range, even at the current range we would have damage.

And now, the pat answer is, we're operating the range and we don't have to react, and we're getting up to 248.5, I mean my property and a lot of other people's property here is going to be damaged. Sodus Point is going to be underwater again.

So I think that -- I think that none of those plans work for people who live on the lake. Probably people who live on the bay, too.

MR. HAISLIP: Hello, I'm John Haislip from Sodus Point. First question is, are the ranges shown for 58-DD actual or modeled?

MR. SCIREMAMMANO: Modeled.

MR. HAISLIP: So you just show us what we've actually seen then have you?

MR. SCIREMAMMANO: Yes, but actually the top and bottom are pretty close. This occurred in the 1930's and this occurred, I believe it was '73.

MR. STREIBEL: And 1993, too.

MR. SCIREMAMMANO: '93 wasn't quite that high.

MR. HAISLIP: Why didn't you put in actuals?

MR. SCIREMAMMANO: I actually didn't even have them available. We had them at one point on one of the slides but I'll take that as -- but we did have the range. The actual range that has been experienced is not very different from this. But that includes the 30's, you know, back, the 50's before the control as well as after control.

MR. HAISLIP: A second question. You mentioned a lot in the shoreline analysis about erosion protection and break walls. What was done to evaluate the cost of property reduction, tax base reduction, if we have flooding?

MR. SCIREMAMMANO: Nothing.

MR. HAISLIP: Great.

MR. SCIREMAMMANO: That is a point that we are still discussing. The economic experts told us how to evaluate this economically. That's one of the reasons we're doing also the hydrology because the economics doesn't sometimes jive with a gut feeling, but basically properties that have no shore protection, there was no economic cost associated with that erosion for those properties in our study.

MR. HAISLIP: Does that include Canada, too?

MR. SCIREMAMMANO: Over the whole thing, and except on the river, downstream. In addition, there is no factor, which is probably secondary, but it will be important to individuals for any reduction of property value.

There was no accounting for that in the cost. With the exception, and I think Pete can correct me; if the properties were directly flooded, then there would be. But for the most part properties weren't really flooded. There was damage due to erosion.

(Colloquy.)

MR. SCIREMAMANNO: Can we do one at a time? If people feel that way, make sure we get that on the record.

MR. ZUZEK: I'll just try and add a few comments to Frank's answer there. I think there might have been a bit of confusion on the question and maybe the answer.

When flooding occurs, the models calculate flood damages to properties, how much damage occurs to the exterior of your home if waves are smashing against it, if flood waters exceed your first floor and cause damage to the rugs and the carpets and the walls, the interior, the furniture, those types of damages are calculated every time they occur throughout the model simulation in our models. So that is calculated.

So I think there might have been a perception, at least it was my interpretation that maybe we don't calculate flood damages. So those types of damages are calculated when the water levels are high and flood the properties. And the calculations I should say, as a point of clarification, are made at each individual property around the perimeter of Lake Ontario, in the embankments and on the St. Lawrence River.

So we look parcel by parcel at what the damages would be from flood waters to your home. So that is looked at very carefully.

MR. SCIREMAMMANO: I thing the question, however, was, were erosion damages calculated and included for properties that are unprotected.

MR. HAISLIP: Not only erosion damage, but the property values.

MR. SCIREMAMMANO: Right. I think I answered that correctly.

MR. HAISLIP: The tax base for a lot of these communities along the waterfront is the waterfront properties. And if you lower the value, which will definitely happen if you have flooding years, and they won't recover for probably 10, 20 years till the values go up, it will decimate the tax base, and that should be considered.

(Applause.)

MS. POTTER: My name's Corey Potter and I'd like to ask a question and reserve the right to make my emotional impassioned statement later.

On this card it directs us, an old school teacher knows multiple choice questions, it directs us to Plan A, Plan B, Plan D. Do you like this, do you like that, what do you think about this one, about that one. Can we put on the bottom additional comments? I would like 1958-D. Do we have that option on this card to send in to the officials?

Because it really feels like we're being pushed towards D, but I think that some of us, some of us would like 1958-D because at least there is then the failsafe of criterion K. And as I said to Irene Brooks two years ago, then everybody gets the pleasure and the joy of high water, Lake Ontario and Montreal.

We all get to share the joy. I'll save my comments for later. Thank you.

MR. SCHITLER: I'm Ed Schitler from Sodus Point and Webster. It's an administrative question. I've been receiving the mailed reports and there is a questionnaire, and I wondered if that's the same as the one you're asking for with the postcards here. Or should I fill out the one here and hand it to you rather than mailing it?

MR. SCIREMAMMANO: Your pleasure.

MR. MARTI: My name is Dave Marti. I live in Wolcott. I would like to say, the water levels went down too fast and too low last October and November, thereby killing the boating season pretty early. Plan D does not give any consideration to October and November boating. It just drains all the water.

I do have a question about your using a hundred year data. The water cycles, I believe Doug Wilcox said this last year, too, are 30 years, 150, 300 and 600 year cycles. Why don't you base that on 150 years? If you're only using part of the full cycle of data, then isn't your input data somewhat skewed?

MR. SCIREMAMMANO: Let me try and address that last part. We have a hundred years of actual data. In fact, well, a little bit more than that although it's a little worse quality back beyond 1900.

The 30 year cycle, 20 or 30 years is pretty well established in the water levels. The others are extrapolated from, I'll let it Doug address it, but those have not been observed the water levels themselves, and we don't have good -- what we use for input are the supplies. Basically how much water arrives and then how you will manage it. And the good record is a hundred years on those parameters.

The longer term cycles are, I think, secondary compared to that 20 or 30 year cycle, as well as the annual cycle.

MR. MARTI: Okay. I know Doug last year said that they have taken and they have some kind of data on the other lakes dating back even BC. They said they were going to be working on Lake Ontario.

MR. SCIREMAMMANO: We developed hydro logic sequences, artificial ones, but with the same statistical characteristics to test these plans also. We call them stochastic theories. And we have run it with both. So that would include all those cycles.

MR. WERICK: The long term cyclic data were collected from Lake Michigan and Huron which is unregulated, and they do show a 30 year, roughly 30 year and 160 year cycle, and the 160 year cycle is very real. It is climate driven as are the 30 year cycles. The environment was developed, everything that's growing out there was developed following that pattern, and if you cannot live with that pattern you didn't succeed.

Lake Ontario regulation has eliminated that pattern for the most part and created problems for the environment. The reason that we didn't go in this study, there was proposal originally, to try and generate a long term lake level history for Lake Ontario but it did not make it through the funding process for the study. I still believe it's very critical. The best we can do is follow what is happening in the upper lakes.

MR. MARTI: Okay. On your candidate plans. You've got Plan A, and if you look at the graph, the first graph, you show Plan A with much higher water levels than Plan B, yet you put so many negative things on Plan B, and Plan A doesn't have that negativity.

The first one designated a maximized overall economic benefit, I think, designed to simulate more natural conditions and provide overall economic benefit. And you talk about losses to shoreline on A, and you're saying losses to shoreline and potential flooding of Montreal harbor, yet B is actually lower water levels.

Okay. You say the averages. The average of A is higher than B, and then you got losses to recreational boating, especially on the lake on Plan B, but Plan A, you say it provides recreational boating benefits yet the averages are higher.

MR. WERICK: Hello. My name is Bill Werick. I'm head of the U.S. side of the plan formulation. Let me address your question and a little bit the question of the gentleman before you.

A and B both tend to keep the lake a little bit higher and you get a lot of benefits from that because you can produce more energy, more hydro power, plus you have a little more water in reserve in case you need it during long droughts.

But as the gentleman before you pointed out, A, like the current plan, tends to draw the lake down in the fall, and if you want to avoid flooding on Lake Ontario, that's a very safe practice to follow because no matter what happens through the winter then the lake is lower and you have more room to put water back on it.

B follows a more natural plan, which is about two years out of three is better for boaters around here because it means the water levels don't drop so much in the fall. But it also slightly increases the risk of flooding the previous -- the following year because the lake has a little extra water on it. So that's the conflict that we're fighting there, and that's why the performance indicators, the economic numbers are really useful, because they balance all of the statistics and the highs and the lows out. And they're pretty dependable. So when we say that Plan B is bad for recreational boaters on Lake Ontario that's driven by very high damages during very long droughts. Normal times and during wet times, plan B is a good plan for boaters. But during long droughts it will tend to bring the lake down lower, and we're trying to see what we can do about that.

We're also working on the flooding damages in Montreal, and I think -- we're working on all these plans, of course, and listening to what people say at these meetings, and I think we're going to be able to fix the problem in Montreal.

MR. MARTI: Okay. That Plan D is nothing more than a rehash of 58-DD. There's really no change to speak of between the two plans, and you know, I wouldn't even consider Plan D because it's the same old thing. And that's what we've had already.

MR. SCIREMAMMANO: Let me just respond to that because Plan D has roughly the same results as Plan 58-DD but the fundamental operation of it is much different in that you don't have the control board making the decisions on the outflows. The plan will do that automatically, so that presumably Plan D with deviations, you might be able to do even better, depending on how that's structured and what the instructions are for the control board. Does that make sense to you? Plan D, basically Plan D does what 58-D with deviations does, without any deviations.

MR. MARTI: And one other thing is, last year Doug also mentioned that the natural fluctuations of the lake were necessary for killing off certain vegetation and allowing other vegetation to grow up, which is essential for northern spawning and probably other fish and birds.

And 58-DD and -- that plan has really done a great deal of harm to the northern population in the St. Lawrence River and you've got guys paying to have northern stocked so that they can carry on their business. Without those variations to kill off this vegetation and let others grow, plus the fact that in late spring, early summer dropping the water levels too fast leaves the northern pike high and dry in the grasslands where they spawn.

Okay. They need to leave that up a little longer and let it down more slowly in order for them to clear out of the grasslands and get back into the mainstream.

MR. WERICK: One of the problems with viewing the data the way we have, which is annual averages, is it does not show the year to year variability. It averages all those out and you just see one number. From the environment standpoint, particularly the fishery habitats, the northern pike in particular, you need to look at a hundred year hydro graph of what this produces during the low supply periods when, like Frank showed the one slide early on with what supplies were, when there is very little water coming through the lake, naturally lake levels went down, and when it did things like cattails who are big plushy plants that require a lot of water, died out in the upper elevations of the wetlands, and those elevations were occupied by grasses and sedges.

Like grasses on your lawn during the droughts in summer, they turn brown and then it wets up again and they turn green again. They survive. Cattails do not survive. The regulation plan that eliminates those lows totally lets the cattails, great big tall plants, take over, and they've invaded up-slope into, and eliminated much of that meadow marsh, the sedges and grasses which are the required spawning habitat for northern pike.

The cattail invasion also has eliminated the nursery habitat for most of the small fish which are the food for the bigger fish, and changed, significantly altered the habitats on the Great Lakes. What you're not seeing in these representations is the periodicities of highs, an occasional high followed by regular, normal lake levels, and during low supply periods, some lows. Those lows are very critical. Even though they may have the negative impacts for recreational boaters, those lows also expose sand which lets the natural coastal processes

rebuild beaches and dunes, which are the natural protective structure, not concrete revetments. Those are the natural protective structures for those shoreline property owners. We have not had those since 1964.

MR. WILLIAMSON: Yes. I have a question, two questions actually. David Williamson, Sodus Point. And the first question is, it was understanding when viewing the economic damage to real property could be impacted only to the abatement areas, not including to the real property. Is it your statement that it does impact the damage to the real property and the homeowners, or is it only to the abatement area?

MR. SCIREMAMMANO: The economic damages, and Pete can correct me, for the coastal, are based on the erosion occurring and then the cost of putting in protection. And that's the only cost that's included. If it floods, however, then the costs of the building and the damage to the building are included.

MR. WILLIAMSON: But there is no, there is no cost associated with the loss of the property or the -- what was the, I lost my train -- but the losses or the change in property value. So that's not included? So it is not included in any of the studies that have been done to date.

MR. SCIREMAMMANO: Not in the economics, right. And that is basically what the economic advisors have told us, how to do it.

MR. WILLIAMSON: Well, I think that's a flaw in the study that's been done to date. If you evaluate in 1973 and 1993 what the impact was and the recovery process for property owners who have owned property in the embankment areas since 1973, it took us 20 years to get back to where we have adequate property values today.

And I'd also like to point out in Wayne County, that today the property values from waterfront properties in the county represent 10% of the total tax base in this county. So if we have an impact of another catastrophic range at the high end again, it could adversely impact the well-being of this county in a very severe manner.

So I think it proves that we need to examine what the real damage would be, not only to the real property, but as another gentleman who sat next to me earlier this evening said, what is the impact if I lose a half acre of waterfront and it's never recovered, it's gone forever. Thank you.

(Applause.)

MR. CORSICA: I'm wondering at this point if you're only accepting -- yes, my name is Joe Corsica and I live on the sandbar.

My question is this, I guess I want to know, can I make a comment or do I have to put it in a question format?

MR. SCIREMAMMANO: You can make a comment.

MR. CORSICA: Okay. Okay. Our association, the Crescent Beach Association, recently met and did some discussion about this particular issue, and I have to say, at the outset that our particular piece of geography is very much at risk. In my own section of this, the sandbar, I

think my highest, my highest level is 249, maybe .2. So 248 is getting precious close to, you know, coming over the top of our property.

Last fall there was significant erosion to some of the cottages because of, because of the high winds and the remnants of the hurricanes that ravaged Florida.

So I guess what I want to say is, I hope that the Study Board takes a look at what would happen if the sandbar were to wash away, in terms of the integrity of the entire bay. I think that this is very, very -- it's very, very important to look at that issue. That's all I have to say at this point.

(Applause.)

MR. FAGAN: My name is Al Fagan and I'm from Sodus Point. I don't have any question but I'd like to make several comments.

First, you've obviously put in a tremendous amount of work on this project, and I thank you for the work that you've done. I also want to say that I've been working with water quality issues for several years on Sodus Bay. I've never seen a group of this size assembled, which I think underlines the importance of this issue in the minds of the people in this room.

I also wanted to make the point that two-thirds of this bay is under the Town of Huron and they've drawn tremendously from what this crowd would have been because of their dock and mooring hearing tonight. So, and they I'm sure feel as strongly about it.

I suppose from my standpoint I take it personally that I'm interested in lower highs and higher lows, to put it simply. As I look at the options that are available to us, it appears that 58-DD should be an option or should be considered as a default. I think anything that gets to the 248 level for me, and for many of us in this room, could be very bad news for us, and you really need to I hope consider that as you make your considerations. But I thank you for coming to listen to us tonight, and I would say from my standpoint anything getting to the 248 level is bad.

We should probably be looking for something rather in the 247, low 247's as a high, and the recommendation I believe is somewhere around the 244 or 245 for the low. So thank you for listening and thank you for coming.

(Applause.)

MR. WHITEMAN: Hi. My name is Ray Whiteman. I live in Macedon. I have a cottage at Sodus Point that I rarely go to. I have a cottage, I don't have a boat. I don't face on the bay. That is, I don't run to the bay. I look at the bay. I love to see it below the road level, because it's a thrill to me, just an absolute thrill.

I watched it in '93 go up over the children's swim area, a very dangerous place for children and adults, but still it's there and I watched it go up over the top of that, not very high.

This is the first such meeting I've been to, and as you can tell, I'm bashful, but I don't, I listened in the beginning, thinking that I would find out why. The most important question to me in life is, why. W-H-Y. And what I see and here, why we're having these hearings,

why we're considering the question, who are the people and what are the interests that have had these complaints?

I did hear something about fish. I don't fish either, so what am I doing here. But the point is, maybe that's a valid point, but I haven't heard that yet, except from the commentator, not from the study group. I'd like to know from someone all the whys and who they came from.

I'm a great -- I'm a person who's greatly interested in politics and how it functions. I hear there's a lot of complaints. I never heard any complaints. Why didn't I hear the complaints? I'm very interested -- I get about seven newspapers. I read through the headlines of all of them. I never hear anything about the Sodus Bay area except that it's the cheapest resort area in the Northeast. Now, most assuredly it's still the cheapest. Believe me.

But the point is, will somebody please tell me where I find why in here, and if not, where will I find why we spent the money to do this study. What is the point of it?

(Applause.)

MR. WHITEMAN: Being answered by two people. That's going to be serious.

MR. SCIREMAMMANO: I think you had a rush of people trying to answer you. I'll stand over here where I can see you. I'll try to synopsize it.

MR. WHITEMAN: By the way, please make the microphones higher next time.

MR. CUTHBERT: Anyway, again I'm Doug Cuthbert, the Canadian study director. And I was also involved in the board of control for a number of years. I guess I could take on whys.

Certainly the people on the south shore of this area feel that the levels were higher than they'd like to see, and there was a great hue and cry to say that even the way the control board was managing the levels is perhaps too high.

Now, 58-D without deviation would have created significantly higher water levels and the deviation that the board of control currently applies, we tried to standardize in 1958-DD. If you look at the chart with all the numbers, compare 58-D with deviations and 58-D you'll see that the deviation has decreased the levels and the problems on the shoreline. So that was the first why.

The second why was that recreational boaters felt that water levels dropped off in the fall far too quickly so that it was difficult to get basically out of the water, get boats back in. And the question was, can you hold water levels up a little bit in the fall on into October and November. One speaker mentioned that earlier. That's the second lie.

There's a big concern, and again, a big political pressure to include recreational boaters who have not been addressed in the current plan.

The third why was environment, that the current regulation plan does not consider environmental issues at all, and it was viewed that that should be incorporated into a plan. It wasn't the case 40 years ago. That was basically the third why.

There was no whys relative to commercial shipping or hydro power. There's no demands to do the study.

MR. WHITEMAN: I have a question about the why and about the answer. I'm old enough to remember the beach line at Durand Eastman, Lake Ontario -- I mean Ontario Beach Park, and Crescent Beach. I remember when there was a bathhouse there that was washed out by high waters on Lake Ontario. On the hump. You know what the hump is. All of that hump territory was destroyed. Was that considered in this process of '56 or now? I don't know.

MR. SCIREMAMMANO: Let me just add again. I'm on the control board. Doug had a long history with the control board.

If you want to hear the why's, just come, monitor my answering machine when the lake gets about 247 or 244. We get a lot of complaints and a lot of things the control board cannot address, and that was one of the why's for doing this study, to see if better can be done.

Unfortunately, the criteria as they're written now, the assumption is that those go away and we put in something new. And the new, and what's being proposed doesn't do any better in terms of the lakeshore folks. It does do better for rec boating and environment, depending on what you're looking at, as well as some other interests.

So the why really included rec boating, shoreline folks and environment. The plans that we've come up with so far do much better in two of those areas and worse in the other. The argument could be made that the shoreline interests were addressed in the original criteria because there's a particular criteria in there that says that it should be managed to reduce the extremes in water levels, that's the low and high. And that is what's being debated, whether that should be thrown out in, with respect to accommodate boating and recreation in particular.

So that's really the why. Hopefully that's understandable.

MR. WHITEMAN: Thank you.

MR. FOX: I'm David Fox and my family has been associated with the east side of Sodus Bay since my dad was a little boy. And I guess there's a couple of things that I'd like to kind of tie together in my mind.

A gentleman a minute ago mentioned about Crescent Beach, and what's going to happen to the bay if the beach is gone. Well, I -- we're all from around here, I assume most of us are from around this neck of the woods. But you've got Braddock Bay and you've got someplace else and you've got someplace else and you got someplace else. And a lot of those other places also have barrier bars. And what's going to happen to those places if the water level goes up a little bit? And I'm assuming that the water level goes up a little bit because of the charts and graphs that you all had up there on the screen with the colors. Which brings me up to another point. When I walked in, I was absolutely dumbfounded by the amount of work that has gone into this presentation. I got to the foot of the stairs and I saw those posters out there hanging with all the information and then the pamphlets. There's been a lot of people that have put a heck of a lot of work into this thing. And I suspect there's been a lot of money spent on it besides.

I'm wondering if that might prejudice a decision, because somebody or a lot of somebodies have decided to have this study done. And there's been a lot of effort and cold cash spent. I'm wondering if they feel as though they have to change something.

And why, why does it have to be changed? If it ain't broke, don't fix it, I heard somebody say once. And is there any reason, if the board sees enough public concern, does -- what is it, A, B or D, are those the only choices that the board is actually going to recommend, or are they going to recommend nothing. Even after all their hard work, is nothing actually going to be an option for the board to recommend?

MR. SCIREMAMMANO: Let me try and address it and anybody else can jump in. I think there will be some pressure to do something because when you spend $20 million, there is pressure to make a change. That doesn't mean -- remember, what they asked us to look at is, and some of us have forgotten that, whether or not the current criteria should be changed, and if so, how, and then a new regulation plan. We haven't got to the point where we've decided. I don't think we have. Whether the current criteria should be changed, if there's enough justification. But whatever we recommend, it will be up to the IJC. Again, there will be some pressure on them to do something because they spent $20 million. But I think they need to hear from everyone as to what their preferences are. And if there's no change, then they should hear that, and perhaps they'll make that decision. I don't know.

MR. FOX: Well, after looking at the graphs, I see that they all seem to have higher water levels. Now granted, some of them are going to be high high or low low, and even the high ones might be lower than some of the low, and it's going to be confusing from decade to decade. But still, your averages kind of indicate that things are going to go up a little bit. Now, with that in mind, what's going to happen -- a lot of people have docks and the docks have kind of been put in at whatever elevation they're in because the height of their boat, it's comfortable to step from the dock into the boat, be it a big dock and a big boat or a little dock and a little boat is irrelevant. It's whatever's comfortable. A lot of people have retaining walls in front of their property, whether it's on a calm or a rough water. A lot of people designed, they go to a lot of expense over the decades, they've designed and built these revetments specifically for a given height. Now, if your averages go up, then in theory perhaps once in a while a storm is going to come while that water is high, regardless of the season. Who's going to pay, who's going to reimburse, who's going to cover the cost of all these people with -- whether it's a business or private homeowner, to redesign and rebuild all these structures that have to be redesigned and rebuilt because the water level is now up? I haven't heard anybody address that, even though a gentleman tried to talk about parapet and walls and whatnot.

But I think a lot of people are more concerned with their front yard. That's going to get hit with a wave first before a house, probably, unless you live at the Point, and then nothing's going to stop it.

MR. SCIREMAMMANO: Let me try and address part of that. The cost of damage to existing shore protection, which was designed on the basis of the existing regulation range, is incorporated. What we have not done as a board is decide who bears all these costs. There are certain costs and benefits that will flow to, for instance, hydroelectric power. That's the New York Power Authority, Ontario Power Generation. Commercial shipping, which is a number of large shipping companies. There are other costs which will accrue to individuals or smaller businesses. Rec boating, those costs would accrue to marinas, which are small businesses, and to individuals. And for shoreline damages, those costs will accrue primarily

to individual homeowners. So there is a component of the study that we are looking at which has to do with social indicators and equity.

And that's what we will try and factor that in, and to be honest with you, we haven't put a whole lot of time into that aspect but we're getting now down -- once we have these results, we can start considering those things. It's built into the guidelines. You saw the disproportionate loss. I think we need to take that one step further to see how the costs and benefits are distributed, and what the social implications of that are. Does that make sense? For right now, you're right. The cost will go to, for shoreline individual homeowners primarily, rec boating, small businesses and individuals. For the environment though, where does the cost -- and that's for everybody, and that's the hard thing to balance against the cost --

I hunt. A lot of people don't like that, but nonetheless I do. And I contribute towards the environment, it's mandatory when I buy a hunting license and it's voluntary when I donate a few bucks here to some cause, Ducks Unlimited or some fishing thing or whatever. And so I am funding the enjoyment of hunting myself, out of my own pocket. Now, here you've got a group of government, private people, corporations, and they're making a decision to change something. And it seems to me that if they're willing to change it, then they ought to have something set aside in their back pocket, so to speak, where they can reimburse people who have a loss that is directly attributed towards the change.

No different than if I smash my car into a telephone pole, either I or the insurance company just bought a telephone pole. And so, the same analogy would apply with a change here. It would seem to me that there ought to be something in your plan, $20 million I think is the number used a moment ago. That's a drop in the bucket compared to the losses that can happen.

MR. SCIREMAMMANO: Thank you.

(Applause.)

MR. CUTHBERT: You can see as we get into this it gets more and more complex and deeper and deeper. If you have a look at this handout, it gives you a lot more information. For example, in following up on your comment, plan 58-D without the deviation is on the very right hand column, and it basically says, if we go back to 58-D without deviations, that would cause about $27 million annual average damages each year to shoreline properties. Or you can flip it around and say, the deviations the control board has imposed, superimposed on 58-D, has created that as a benefit over the last few decades.

Now, who paid for that? Certainly our environmental technical working group has said that the deviation specifically that's been applied to 58-D has caused problems for the environment. So who pays for the environment? Well, it gets more and more complex.

The other thing I'd like to say is, we tried in our specific interest plan to see what we could push the system to do to reduce shoreline damages. And that's basically represented in the Ontario Riparian Plan. And, but basically we could not get much benefit, even if we designed plans with just that sole interest in mind. It was basically half a million dollars to have returned the same benefits. Which basically says that with the water supply that we get with the system that we've got with Lake Ontario that confines to the St. Lawrence River, levels are going to have to vary to some degree. We've reduced that variability to the

regulation plan 58-D, for example. We've further reduced it with deviations. There isn't much more in the system to help the shoreline property. So where's the mix? It is complex.

MR. FOX: Thank you.

MR. STEWART: If I could respond just briefly to a comment that was made from a Public Interest Advisory Group standpoint, and as I indicated before, there's this close to 24 member Public Interest Advisory Group from both countries. There's the 12 member, close to 12 member Study Board team. The Public Interest Advisory Group doesn't get to make any decision-making. We're just a little closer in the process than some of the rest of us in the room with respect to being the public and bringing things forward. The study team gets to make the decision as to recommendations to the International Joint Commission and those six commission members get to openly make a decision.

That's how the process was designed to work and will work through the end of the five to six year period. During this time, there's still this opportunity for public input and public outcry, frankly. And we're still there within that. And one of the aspects of this study was to bring our public into the forefront at the very beginning. And that's why the Public Interest Advisory Group was created.

But within that Public Interest Advisory Group we've joined together from all parts of the St. Lawrence Lake Ontario basin, and we've tried to coalesce with people from the upper and lower St. Lawrence River and everything and see their interests and join together or learn that we can all live together.

In this room we hear that some people, and all among them, are lakeshore property owners, also as Dan noted, a recreational boater. We have those interests. Otherwise we probably wouldn't live on the lake perhaps. Then as is noted by the gentleman over at the mike earlier, I gather he might be involved in fishing. Also recreational boating, tourism, industry or commerce created from the lake. So all of these interests just perhaps within one person in the room. And then we see all of the interest diversion among the basin.

So the aspect of the study team has been how to come up with a way to bring all that together and not do undue influence to any. It may be almost impossible, and from that circumstance it might result that the end result of this study is that there isn't anything better than 1958-D with deviations. As noted, 1958-D without the opportunity for the Study Board to make deviations may be catastrophic, but with that opportunity for deviations, that might be the best result among all these plans. And I would say to the gentleman, Mr. Fox, who noted that, gee, because of this public input of $20 million, maybe it's biased toward an end result that has to happen that will be different from something else; I would suggest from my own involvement and being somebody who has tried to bring certain things to the forefront over time, that it isn't too late to let the study team, Study Board members know that perhaps what you got existing right now might be the best. And I don't say that with a bias of saying that that should be, but there isn't necessarily a bias anywhere, or rather right at this point. But I would urge you from the standpoint of we who have had the chance to be part of the Public Interest Advisory Group trying to help bring your concerns forward and trying to bring information back to you, that as individuals, whether you're property owners, recreational boaters, fishermen, hunters, whatever your interest in, if you see that things before you aren't going to be a good result for your property or for your interest, please make it known, not just at these meetings but by written comment, before it is too late and you are given an accomplished fact that may be worse than what you have today.

And I say that again nothing that as Joe Corsica noted, the current situation has had significant flooding on the Crescent Beach sandbar and erosion that if things are made worse could result in a bay that's wide open to the lake rather than a barrier bar across that. And I say that, noticing that last fall in September three hurricanes coming, aftermaths of hurricanes, caused greater devastation and erosion than I've ever seen in the 15 years that I've had a chance to watch this area. And I'm sure many people have watched it far longer. So I just want to urge you, hearing that there's a bias aspect being considered, please know that I don't think it's too late at all. Your involvement here tonight brings forth your concerns in a way that people are listening very much, I think, dutifully listening, and will listen more, particularly if you get a chance to even follow up with just the preprinted information, sending that in as a survey, or your own letters letting people know, because they are here to listen, and the whole intention has been to make the public be involved. And I've tried, along with the other PIAG members to really be dutiful to that.

(Applause.)

MR. WILCOX: I'm not going to speak per se on the economic issues that -- do you want to know why Crescent Beach is, has been threatened? I just want to give you a great primer on -- in the upper lakes, lake levels started going low in 1999 in places where there were revetments and all kinds of protective structures are now buried in sand that deep because low lake levels reactivated the sand that was underwater and moved it up and rebuilt beaches, rebuilt shorelines, rebuilt the barrier beaches and rebuilt sandbars that the wetlands that I do research in are protected by. The low lake levels occurring periodically will generate the types of protection that you need, and do it without cost to you. Mother Nature always figures out how to do this. And when you have lake levels operating within a short -- a small range, year after year after year, every storm attacks at the same elevation. And you need to have highs and lows in a natural system to make them work right.

MS. LILLA: My name is Sharon Lilla. I'm a resident of Sodus Point. My day job and sometimes my night job is as the Wayne County Planning Director. I know how difficult it is to put a plan together and how, how when you present that plan to the public, that it never says everything that the public expects it to say. So thank you for all your hard work, and now I'm going to give you my two cents. Add at least another level of consideration for you.

I share the concerns about the, about what everyone has said about the potential economic impacts of the various plans, the loss of property value, loss of tax revenue, loss of business income and expenses to businesses that are located in the areas of concern.

My concern as a public employee is that we work really hard to also increase public investment in areas along the lake and the bay for the public's enjoyment. And so we've worked on a number of projects over the last several years that could be adversely impacted, depending on the plan that's chosen. And I just want, for your consideration, the Sodus Bay channel was dredged last year. Donna Chitman beat down the Congressman's door to get that done, and that was about a $350,000 project. Lowering the water levels, of course, would defeat the purpose of the dredging of that channel.

Several years ago, again thanks to Donna's work, a half a million dollars was invested along the shoreline in Sodus Point to save the Sodus Point lighthouse. It's the largest tourist attraction in Wayne County. It brings a whole bunch of business to the Lake Ontario shoreline. And we found out today that we average, just in the lighthouse alone, 70 visitors a day. That's not the people who are going out enjoying the gardens. Those are the people

who are actually signing in. Every state in the union and somewhere in the neighborhood of 13 countries.

It's a very significant resource. It cost a half a million dollars to save it a couple of years ago. Public investment. A project we've been working on for almost 10 years now, the Sodus Point Park in Sodus Point. I mean, it is right on the shoreline. And we're about to make an $800,000 investment in that park. It's taken us almost 10 years to come up with the amount of money we need to do that. And we've gotten it from four separate grants from four separate places, but we're going to build a brand new beach house, bath house. A brand new marine patrol station. We're going to make beach improvements. I'd hate to build them in 2006 and have them washed out in 2007. Again, an incredibly significant source of tourism dollars. And when we get done with it, I expect that the use of the park at a minimum will double. And I'm thinking that it will triple, especially since we're going to also build a revetment and a green way path connecting the park to the central business district, to again help businesses in Sodus Point. Big public investment. It took us a long time to put that money together. I don't want it washed away.

About five years ago, half a million dollars was spent on the Port Bay barrier bar. I think it was 1993 that the barrier bar disappeared. I remember I was out there on a boat and we sort of just went across it.

And there was a supervisor in the Town of Huron by the name of Al Garren, and he and I didn't always see eye to eye, but I'll tell you what, he beat the pavement to get that done, and my department administered a half a million dollars worth of grants to save that barrier bar, grants that he found.

The State of New York has invested $600,000 to create a state park near Sodus Point. And I don't know when they're going to get started. They're moving a little slow. But the point is, this is Camp Beachwood. It was an old Girl Scout camp. And at some time in the not too distant future because we're working on resurrecting the master planning process for that; we'll have a beautiful state park there. It's got a half a mile of Lake Ontario shoreline, highly erodible. And we'd like to see that investment preserved.

We're also working on improving a county fishing access site on Maxwell Bay, again, a smaller investment of about $30,000, a grant from the New York State DOT. But when you add them all together, they're pushing a $3 million public investment on Lake Ontario, a public investment I believe should be protected. Thank you very much.

(Applause.)

MS. WASHBURN: Hi. My name is Denise Washburn. I live in Sodus Point. And I wanted to ask you, what interest group has given you the most pressure, and what interest group is the best organized, so that we know where we stand?

MR. SCIREMAMMANO: I can't answer that directly, but let me tell you this. As the lake level goes up, the south shore gets much more organized and we hear a lot more from them. Several years ago Jack and his partner put together a coalition along the south shore when there was high water in the early 90's and that was the big pressure at that time. Since the levels have been down, things have been pretty quiet on the shoreline. Instead we're hearing from people up on the river for recreational boating. And what emerged during the study was a very strong lobby for environmental. So I wouldn't -- it's hard to say where the

pressure is coming from, but in general it waxes and wanes in different areas, depending on what the levels and what the --

MS. WASHBURN: So we need to step it up a big.

MR. SCIREMAMMANO: If you want your voice heard, tonight's a good start.

MS. WASHBURN: Okay. I guess that's it.

(Applause.)

MR. POTTER: Good evening. My name is Howard Potter and I live in Sodus Point. I have to say that I'm astounded and frankly extremely disappointed. When we started these meetings almost five years ago, I guess I had some very good feeling after talking to a number of the people, that there would be a real balance. And I'm not seeing that. What I am seeing, and I don't mean to decry environmentalists. Please don't misunderstand me. But I am seeing a great deal of effort on saving great northern pike, which is terrific, and I want to do that. That's great. But not at the expense of my front yard or the Village of Sodus Point, for instance. Because as I look down and I see increases in these things and that things having to do with the environment, that may happen if you choose A, B or D. I can guarantee you that if you hit 248 feet, which I see in all of those plans, you will guarantee flood Sodus Point. Now, for crying out loud, folks, I really don't understand it. I do not understand how my tax dollars and the Canadian tax dollars can be spent, and you come up with three choices. I do not see the fourth, which we have spoken about, which is to leave things as they are. Sometimes as bad as they are, however, they do keep it, they do have a range of 247 and below. I don't see any ranges. I don't see any dictatorial things that say, we've got a criterion K if we reach 247 or 248 that the St. Lawrence River board of control will assist and help lower the lake level.

I don't see that at all. I see no controls. I have never been so disappointed in all my life when I see $20 to $25 million spent out of my tax dollars to come up with three choices that hurt me, hurt this village, the Village of Sodus Point, hurt Sodus Bay and yes, hurt many, many, many others on the Lake Ontario shoreline. Thank you.

(Applause.)

MR. LEE: My name is Bruce Lee and I live in Sodus Point. The current regulations effectively prohibit any kind of shoreline protection projects. With the proposed levels going up, as he says, to 248 or wherever, is there some provision to relax the regulations that a person would be able to put in a project to protect what will be damaged?

(Applause.)

MR. SCIREMAMMANO: Okay, let me try and address that also. We are not to that point yet. One of the things that we have decided as a board is that if there are disproportionate losses to any one group or interest that mitigation would be put in place. Certainly that might be, fall under the realm of mitigation.

But the IJC and certainly the Study Board or us individually, have no control over the DEC and what they do. We do have a DEC commissioner represented on the Study Board and

perhaps in exchange for environmental improvements they will relax some of their restrictions, but I haven't heard that yet.

THE FLOOR: That would be part of the consultation.

MR. SCIREMAMMANO: That would be part of the consultations that are ongoing with the government agencies.

MR. WALETTE: Hi. My name is Chuck Walette. I'm a homeowner along Lake Ontario who has had the privilege in 1993 of losing three feet of shoreline and investing about $15,000 to repair that. I'm also a sailboater, and I've had the pleasure also of experiencing the low water and the bottom condition of the bay and the lake. But I've been standing here for so long I actually forgot what question I was going to ask.

Oh, yeah. Actually as a lake dweller, my wife and I have observed the lake for something like 20 years and watched it go up and down. And we often wondered as we see the lake rise and rise and rise, and we see high lake levels in the spring, you know, it's clear that the forecast could be that, you know, we're going to be in trouble. So we've concluded that the real problem here is that there is a lack of real time control of the lake level. And my question to you is that because you folks seem to oversteer or understeer the lake according to where we really want to have it, based on certain weather events that might occur; is that control problem one of a technical issue or is it one of a political issue?

MR. SCIREMAMMANO: I will be happy to answer that. When I first got involved with control board, I'm an engineer, an engineering professor, so I said, well, this is a simple control problem. All we have to do is analyze the right -- use the right forecasting.

We should be able to control the lake to wherever we want, within reason. And then I found out that there is no target, that people in different areas have different targets. So the short answer to you is, different people have different goals and so it is a matter not of engineering control, though that's part of it, it's more of deciding where the lake should be, and that's what this study is really about.

MR. WALETTE: Okay. And just to follow up on a slide that you had earlier that made mention of 1958-D, the technology was different. What has changed in terms of the technology now that's going to make your new plans any different?

MR. SCIREMAMMANO: Well, one thing that has changed significantly is our ability to forecast. We still can't forecast the weather very well, but we can certainly take the supplies, do a little better with the supplies and we could certainly use the computers to route them through the Great Lakes system so we get a better handle on consequences, the whole modeling. The only thing that's really changed with the computers is we're able to model all these economic impacts, the erosion, the effect on the ships and stuff, much more detailed and over a much longer period. Plus we have more records to work with. So I would list those things among the technology that has improved that should enable us to do a better job.

MR. WALETTE: So consequently you feel safe in raising the high, the average highs, because there's less risk?

MR. SCIREMAMMANO: No, no. I didn't say that.

MR. WALETTE: Okay.

MR. SCIREMAMMANO: What I said is, now we can be sure that that's what's going to happen, where in the past they just said, it might happen.

MR. WALETTE: So the technology would tell you actually what has -- the reason something happened rather than trying to ward it off.

MR. SCIREMAMMANO: The technology is enabling us to say that if, if we change the regime, what will happen. We can do that much better now than we could in the past. And we're trying to show you what we think will happen with the change.

MR. WALETTE: Okay. Thank you.

MS. JONES: It's part mine, because it's the second half of what he was asking. I'm not sure I understand what your plan numbers really represent. Are they target averages that you expect to attain over days, months, years, or are they an absolute number to achieve; and if they are, what is the plus or minus variation that one can expect to achieve from that number, particularly, say at a high water level, because I know in a high wind my water levels are up two or three inches in a day. So what plan really, what is it, what is that number?

MR. SCIREMAMMANO: Well, what's unique about these new plans is, there isn't a target range. What we plotted on there was the simulation, if you put the supplies in over a hundred years, as to what would be observed in terms of the range. But unlike the old criteria, there isn't any target range built in as yet. The Study Board continues to discuss that, whether there should be.

So these plans are just operating. They are trying to weigh the benefits and the costs and optimize in certain ways, and what you see is what you get in terms of the output, which is the actual range; observed over the hundred year simulation.

MS. JONES: So at that high, that high water number, is that an actual; or is it an average?

MR. SCIREMAMMANO: It is what would have occurred if we operated under that plan during that time period, would have occurred at least once.

MS. JONES What is your plus or minus level of certainty on that, given the technology issues and the weather variables.

MR. SCIREMAMMANO: I think within a few inches, based on our simulation. Now, that is not plus or minus what might happen in the future. That could be much larger. Based on what we've modeled in the last hundred years, I think we're pretty confident that those are the ranges that would result if we get the same water levels -- water supplies back.

So it's not a target. It's what would have occurred if we were operating under those plans.

MS. JONES: So do I understand correctly that if they got high water number in July, it might at some time be two inches higher or two inches lower?

MR. SCIREMAMMANO: I was talking about the ranges we showed you. If you're looking at those plots --

MS. JONES: I'm looking at, if you approve a plan --

MR. SCIREMAMMANO: Right.

MS. JONES -- as a homeowner of waterfront property what, what should I say, I may get it higher, I may get it lower from that plan. How much --

MR. SCIREMAMMANO: That's one of the difficulties we have, is the old criteria specified a maximum high and a maximum low. A lot of things were done on that basis. The way it's set up now with the new plans, there is no maximum high or maximum low. The plans continually correct for the supplies, release more water when it's high, hold back water when it's low, and if you run it through a hundred years, the resulting ranges is what I presented to you. But there isn't a target range.

MS. JONES: Well, I want to actually build my first floor in my house.

MR. SCIREMAMMANO: Well, that's one of the problems we're grappling with. Right now a lot of engineering design and regulation is based on the existing criteria, with that range. In fact, it's interesting tonight, the Town of Huron docking and mooring law has in it as reference levels 243.3 to 247.3, the current regulation range. So if we change that it changes a lot because there is -- and we do not have a new target range in the current plan. I don't know if I'm explaining it any better, and I'd open it up to anybody else.

MR. WERICK: First, Arlene asked if you would state your name for the record.

MS. JONES: I'm sorry. Mary Jones. I have waterfront property.

MR. WERICK: So let me say, as Frank said, the technology has allowed us to develop a lot more possibilities for the hydrology.

When they built plan 58-D they had less than a hundred years of record, and had we stuck with the plan that they had created, you would have seen water levels around 253 on Lake Ontario. So we can give a much better probabilistic outlook now, and when -- even if the control board, if the IJC said, we're going to go back to 58-D with deviations; we'd still have the tools developed on this study and they would still be useful for the control board to make better decisions than they did before. And let me just add one quick thing, and that is that it's very hard to characterize the difference between the plans because they're different in different years. But if I could put it, just make a few simple points; none of the plans are very much different from what you have now. It may seem like that, but trust me, the plan designers come to all these meetings and we hear your voices. When we formulate a plan and we run the simulation and it goes to 249, we like, oh, get it out of here, because we know what you're going to say. We own houses, too.

We understand. So you'll notice that in all of the plans the maximum lake elevation is very close to one another. And don't throw out plan D, because if you'll notice, plan D actually does improve a tiny bit on 58-D with deviations. So you'll see that the maximum levels are all pretty much the same. What are different are the variability of the levels. For instance, B, you would notice a difference most years in B, the fall lake levels wouldn't drop as much

as they do with the other plans. And then, you'd also notice a difference during long droughts. You'd hear about these droughts on the radio. There would be stories on the nightly news. And during those periods Lake Ontario would go lower and stay lower than it does now. The high end, the plans are remarkably similar. And let me just add one more thing. All of these plans, the peak levels of them are about the same or maybe a little lower than the historic peak levels of the 20th century.

MS. LEE: I'm Carol Lee and I'm from Sodus Point and I'd like to just make some comments, probably echoing many people who have already spoken. But as I look around the room, whoever, you know, whatever interests are being represented, whether it's property owners, county planners, recreational interests; I'm struck with the fact that we're all operating within the current plan, which is 1958-DD or whatever. These terms are kind of unfamiliar to me. But we're all creatures of adaptation, whether it's the fish or the wildlife or us human beings, whether it's economics, our personal lives, et cetera.

And we've all adapted to the 1958 whatever this current plan is. I think it is, it's so far-reaching, any change would be so far-reaching. I mean, we worry about bringing in an unusual fish that's not native to the lake, to the lake, because it may upset everything, even beyond our expectations. I believe this is true, whether in Plan A, B, C, D, E, F, G. It's only a projection of what might happen, without a real clear crystal ball view of how this system assembles, (sic) or to use lake words, a ripple effect. The waves might be disastrous. No plan is perfect, and I don't think perfect should be the enemy of good. But I think what is good is what we have.

If anything needs to be changed, in my humble view, and I'm not educated in this field at all; but it would seem to take the current plan that we're in right now, narrow the range just a little, so that the high water, for people for whom high water is an issue, is a little bit lower, and the low level of the range is a little bit higher for those with the recreational boating interests. But if we had to pick a plan, I certainly loudly vote that we stay where we're at. Thank you.

(Applause.)

MR. STEWART: Ma'am.

MS. POTTER: Hello, I am Corey Potter again. I think I know the answer for Frank, but how many of you on the Study Board have personally seen Sodus Point under water? Frank, have you? Okay. And the rest of you Study Board people, how many of you have come down, got your feet wet, and seen Sodus Point under water? Okay. It's a sight to behold.

And you want to see fish? I sat on South Main dock and watched fish swim over it. Okay. I don't mean to sound mad, but I am. I'll be honest with you. And I don't mean to be disrespectful, but I think these plans that you're presenting that have no limits like criterion K, are irresponsible. I am a concerned environmentalist and I am a boater. Those that know us know we're big boaters. But we're not extremists. And I am being tired of being controlled by government agencies. I own lakefront property. The New York State DEC says how high to build this breakwall, how far to put it, bring it up this high, shape it that way, and if we go real high with the lake level, you know what good all that money into my breakwall is? Nothing. And everybody else's. And that was talked about earlier. And yeah, low water on the upper lakes created sand dunes but that's after that water stayed low for a number of years, not one season isn't going to bring sand dunes in and bury my breakwall. So I'm just really getting tired of all this.

And I lost my place in my notes. And we will, we'll lose thousands and thousands of dollars. You know, we put the seaway in and we messed with Mother Nature. We did it. And now we're trying to fix it. And that's okay, too. But there has to be a balance. There has to be limits. There has to be awareness that the wishes of the boaters and the extreme environmentalists cannot cause the destruction of a whole village like Sodus Point.

Now maybe Mike can give pictures or maybe Donna can provide pictures of what Sodus Point looks like under water. And then we can go to another government agency and bring the Army Corps of Engineers in and spend a couple more million bucks and sandbag it all over again. We got to put an end to the madness.

We've seen the village and the marinas under the water and it's not pretty. When this study is all done, Frank and Dan stay. All the rest of you leave. All of us here, stay here and we have to live with the results. I'm not asking you. I'm begging you, support the status quo, 1958-D, and reject all of these proposals that do not have limits, do not have something similar to criterion K, something to bail us out and save us and keep us from being totally destroyed and losing hundreds of thousands of dollars, millions actually in the Village. Thank you.

(Applause.)

MR. STEINCAMP: Jack Steincamp of Sodus Point again. Frank, are the three plans that are proposed, are they sort of like autopilot plans? I mean, I keep hearing 1958-D with deviations and we had to deviate 50% of the time as a negative. I think it was in -- was it 1993 or 1998 when you were on the board and you convinced them that the channels could take 350,000 cubic feet, and got us out of a jam with criterion K. My concern is that these are like autopilot plans, natural plans, and you're not going to deviate from those. You have human deviation and we could really be in a lot of trouble.

MR. SCIREMAMMANO: Let me respond that that's not settled yet, but I think the intent is that they would be sort of autopilot plans unless we get into a real extreme situation. But again, that's the current debate within the Study Board as to how to approach that. And that will be an important thing for the IJC to consider. But right now the -- I think it's envisioned that as long as we're within acceptable range, and we got to define that; that they would be autopilot type operations.

MR. STEINCAMP: How do you feel about that?

MR. SCIREMAMMANO: Well, I think we're here to hear how you folks feel. I'll get to state my piece in the report.

MR. MARTINI: Dave Martini again, Can any of these plans have any effect on a very large influx of water supply or a very negative water supply? Say we got hit with three or four hurricanes like Florida and we got an influx of 20 or 30 inches of rain in the basin. Would any of these plans have an effect on that?

MR. WERICK: Obviously there's only so much control that the control board has over the system. But as I mentioned before, if you tend to keep the lake lower, you have an insurance policy that if you get surprised, then you've got a little room to absorb the water. So keeping the lake lower in general reduces your risk of flooding. But let me also reiterate what I said before, that all these plans are very close to one another in terms of the impact

that they will have on the coastal community. The plans -- we did try the -- and you see in your report, the Ontario Riparian 3 Plan, where we said, we don't care about anybody else, we're just going to try to keep the levels as low as possible without blowing out the dam downstream. We couldn't do much better than 58-D with deviations. So the range is fairly narrow.

The bad news is that the erosion is going to happen. It's really a question of making it happen a little slower or a little faster. And as far as the flooding is concerned, none of the plans flood very much, because we're always looking at that high level and trying to avoid that altogether. Erosion happens very slowly over a long period of time. One flood event would be catastrophic so all of the plans try to keep the levels lower. And if you look at D, which is an autopilot plan, it actually does better than 58-D with deviations.

MR. MARTINI: You would say yes, the plans would have an effect?

MR. WERICK: They would have an effect.

MR. MARTINI: Rainfall, and like that?

MR. WERICK: Yes.

MR. MARTINI: I don't believe that it would. Hurricane Agnes in '72, now that was one hurricane. Now, that came in. It raised the lake. Now I'm saying if we got hit like Florida, three or four, boom, boom, boom, in the period of time they got, you're going to tell me that any one of these plans would have an effect on that kind of water?

MR. SCIREMAMMANO: Yeah. It's not going to take the problem away. You're still going to have a catastrophic event. But --

MR. MARTINI: None of those plans would have an effect on that amount of water coming into the basin. And when you have flood conditions in Three Rivers, Quebec and Montreal, how much water are you allowed to dump through the Moses Saunders facility?

MR. SCIREMAMMANO: There's a limit and we're debating it. It's somewhere between 10,000 and 12,000 cubic meters per second.

MR. MARTINI: Well, there is a limit on how much water -- irrespective of how much water is in the lake --

MR. SCIREMAMMANO: That's right.

MR. MARTINI: -- if Montreal or Three Rivers are at flood stage or flooding, they're not going to let you dump as much water out of the lake as you want, regardless.

MR. SCIREMAMMANO: Well, and there's finally just a physical limit. The structures will actually get damaged if we let out too much. So this is why plans do make a difference. It's not like -- I mean, I was born and raised in Buffalo. You get a big snow storm; it's not like you're going to go to school that day if they bought a couple extra plows, but it can make a difference.

MR. MARTINI: What I'm saying is; if we get nailed with a bunch of water as in hurricanes, none of these plans are going to have any kind of effect on that amount of water being dumped into the system.

MR. SCIREMAMMANO: It's not going to change the amount of water dumped into the system. It could, it could change what happens to you, by some small amount.

MR. MARTINI: With that kind of a scenario you're going to have flooding, regardless.

MR. SCIREMAMMANO: Yeah. Russ is pushing me to talk about the ten thousand -- we actually have run, we're in the process now of running 50,000 years of stocathic, (sic) which is statistical hydrology. So we're looking at flooding events like this region has, in the 19th and 20th century never seen, droughts like we've never seen. And in the early versions of these plans, some of them failed horribly. Even though they worked fine for the 20th century hydrology they failed horribly under those circumstances.

And we're going to make sure that they would work even under those circumstances. So a plan makes a big difference.

MR. BANDY: Hello, my name is Mark Bandy. I'm from Sodus Point and live on the loop. One question I have which I think I'd like to bring up first is, what happens with the other lakes, Michigan and Superior and so on.

How does that have any effect on us? Or if all of the lakes get hit with one major storm that goes from one lake to the next and so there's a continuous water flow into the lake system, with all of the lakes, not just Lake Ontario. It seems that we're doing all our talking only about Lake Ontario and of course, the single outlet that all of the lakes have. But I'd like to bring that up and ask that issue, that somebody address that.

The other thing is that we're all talking about Plan A, Plan B, Plan C, whatever, and those are represented on the slides that we have as a bar chart kind of thing with a flat top. But when you actually show the levels, the levels are like this. And why should we be picking A, B or C, when you can't control this? That's a real concern to me. We can't pick an A, B, C or D because we know you can't control what is happening with going up and down. I'm very, very concerned about it.

Why should we pick a flat top plan that has anything above what we now have when you can't control what we now have.

MR. SCIREMAMMANO: Let me try and address the two questions. One in terms of the other lakes. That is incorporated. Basically the supply to Lake Ontario is derived primarily from what comes in from the other lakes, so we did have to simulate that. And the lakes do respond in concert to these 10, 20, 30 year cycles. However, the hurricane type storms generally hit one basin or another, so that mitigates it a little bit.

In terms of the variability, within -- what we presented were not flat top plans. What we've tried to present to you are the ranges. What's the maximum, what's the minimum in those slides. We also showed you the average, and that's because we have all that variability but how are we going to present it to you? I mean, we do have plots. I could show you the actual variability.

MR. MARTINI: I'm sorry, but I didn't see that.

MR. SCIREMAMMANO: Yeah. I said, I could present it to you, I did not. And that's partly to try and limit it, but I'd be happy to share that with you.

MR. MARTINI: Because we don't know what the variabilities would be, -- that you didn't know what the range was. How can we answer, we like Plan A, B, C or D when you don't know the range; what's going to be the top and bottom?

MR. SCIREMAMMANO: Well, generally that's what people are concerned about, what's the range. What's the maximum level I'm going to see, what's the minimum level. The economics in all the simulations include all the variations, all the changes though. And I'd be happy to share that with you.

I'll show you the plot. Generally every year the lake will go up in the spring and down in the fall, and it's really a question of how much, and then how much it comes down. But that same basic variability is preserved in all of the plans.

MR. MARTINI: My concern is, am I going to get flooded every two years or every 10 years. Fifteen years is what's happening now.

MR. SCIREMAMMANO: Yeah, you're correct. We did not, we did not present those results tonight. And I'd be happy to show you that and I could show you that tonight on my laptop if you're willing to wait.

MR. WERICK: And just quickly say that, you know, when we came to the public meetings years ago, we asked people about this, and we've accumulated over a hundred of those measures of different kinds of variability, levels of -- how the levels change from year to year, from season to season, at different places along the river. So we've kept track. All of these plans, we have those statistics.

MR. MARTINI: Well, I think then we need to know what they are. Okay. Are your plans, that the upper is going to be at the present upper level with Plan C, is not going to seek what the range is; or is it going to escalate: that's what we, it seems to me, we don't know.

MR. SCIREMAMMANO: Well, I think I did show that.

MR. WERICK: Yeah. The absolute maximums Frank did show. And they're, they tend to be pretty much the same because if you exceed the maximum that you've got now, you almost immediately cause flooding damages. As somebody said the water regulators and the people who live along the shore have adapted to one another. And the lake levels go up to just about as far as they can go without causing flooding damage. And it's very hard to keep them any lower than that.

MR. SCIREMAMMANO: These are the ranges, the minimum and the maximum over the hundred years, in a bar chart form for each of the plans. This is the current criteria. This is the current operating plan, 58-D with deviations.

MR. MARTINI: Can you tell me what that says?

MR. SCIREMAMMANO: I'm sorry.

MR. MARTINI: Can you tell me what that says?

MR. SCIREMAMMANO: Well, this is the range in lake -- lake level's here, so this would be the maximum, maximum lake level under this plan and the minimum. I can give you a printout of that, if you want.

MR. MARTINI: Okay. Well, what is it?

MR. SCIREMAMMANO: It is, water level --

MR. MARTINI: Average high.

MR. SCIREMAMMANO: No, no. It's the maximum observed over the whole hundred years.

MR. MARTINI: Yes, but what is the plan: what are the numbers?

MR. SCIREMAMMANO: Oh, what are the numbers. This number is about -- this number is 248.5, 248, 47.5 and so forth. So this --

MR. MARTINI: They're all above flood levels for Sodus --

MR. SCIREMAMMANO: Well, the reason we presented this was to show you what that range is.

MR. KLEIN: Hello, my name is David Klein. I'm a member of the environmental technical working group, as I said earlier. But I guess I'd just like to make a few remarks in my capacity as a staff member of the Nature Conservancy. And I expect that I'm probably not going to get applauded. Hearing the comments tonight, I feel a little lonely except for the gentleman with the hat back here, who expressed concerns about the northern pike.

I guess I'd like to congratulate this study for coming up with what I think is such a positive result as Plan B. I don't, I don't think that Plan B has had a sufficient hearing here tonight. I want to emphasize that Plan B is not about high water. I think that's been, that's very apparent in the drawing that Frank just showed. Plan B is about, really about the old water, letting the lake exhale.

At long periods of time over 30 year cycles when the water supplies are low, Plan B lets the lake do what it would do naturally to go low. And Doug Wilcox has already talked to us about the tremendous and very visible impacts that this can have on wetlands.

And yes, we can have, we can have those impacts on barrier beaches as well, even in one year. I've observed that myself on Lake Ontario. So letting the lake breathe in and out as it wants to do over long periods of time, including letting it go low when it would naturally do so, has a tremendous environmental impact, positively. I don't think anybody on the study would argue that, you know, extremely high levels need to be addressed through some kind of emergency measure. I don't think anybody on this study is arguing that flooding is good.

I'm certainly not. I do not consider myself an extreme environmentalist but I do think that it's important to point out that plan 58-DD which is kind of a basis of comparison is already a disproportionate loss for the environment.

MR. KELLY: Hello, I'm Jack Kelly, Sodus Point. A question about the charter of the original team. It's my understanding that when the dam was built that there was an understanding that the shoreline would be protected as a result of that agreement to allow the dam to be built. I don't know if that's correct or not. You can help me with that. And if so, I can't help but notice that the hydroelectric benefit is the biggest number in your economic benefits, and the lowest, the worst number are the shoreline interests. So I wonder if you could help me with the question about the agreement.

MR. SCIREMAMMANO: Yes, I think you're correct in that there were agreements and commitments made by the governments when the project was built. They're embodied in the criteria, one of which says the system would be operated to reduce the extremes, the lows and the highs. There were other benefits, and those were allocated to other folks, in particular the hydro power, a large percentage of that to the north country. What we're talking about is basically changing that agreement. And that's what they've asked us to look at. We haven't put it in those stark terms. But I think we need to. And I think the Study Board will be discussing that, and the IJC certainly. Can they renege on the original agreements and change them, and is there sufficient justification to do that?

MR. KELLY: I would highly recommend you bring it to a higher level of discussion with regard to your study because the agreement was made years ago and now you're going to change it, and I don't know if people are even aware of that.

MR. WERICK: I just wanted to add quickly, this is what would have happened without the dam, so that's the natural condition.

THE FLOOR: (The individual never approached the microphone, and because of background noise, the voice was inaudible.)

MR. WERICK: Well, I think it addresses the point. What I'm saying is that you -- I think you're right also in saying that the treaty was an agreement between two countries that nothing that was built could make things worse for people along the shore than the way they were before. This is the way they were before.

MR. KELLY: Well, actually that's not what it says.

MR. WERICK: So basically the agreement -- I would interpret this as the agreement was honored because this would have been the variation and this was the variation, even though the goal was this. So the agreement has been honored so far. The question is, do we change that now and is it wise to change it. But I think you're right on on your point. That's a question for the IJC we will have input on.

MR. LOUMIS: Hello, I'm Norm Loumis. I live on the lake in Ontario, and just a question. Is it -- did you study a plan where the high level might have been about 247 or is it possible to construct such a plan?

MR. SCIREMAMMANO: We attempted to look at a plan and we called it the Ontario Riparian Plan, which basically lowers the levels and keeps the variability, so it lowered the average and kept the variability. And basically that plan showed, as we would expect, a large negative impact for recreational boating and the environment, and so that was kind of shelved along with some of the others that were developed. And I think what Bill said is

true. In terms of addressing the shoreline interests, we may have taken it as far as we can without causing serious harm to others. But that -- I'll leave it there.

MR. LAROUX: Hello, I'm Ed Laroux from Leroy Island. I'm having trouble connecting the dots between problem statement, the proposed solutions, criteria. At the end of the day, what all of this comes down to is a set of instructions to somebody to turn the valve down or open the valve. And I can't get from this what that set of instructions -- where the set of instructions comes in, at what point. How frequently the operator sits in front of the valve and turns it on and off. I understand it's once a month right now, less --

FLOOR: Every week.

MR. LAROUX: Every week. Okay. But to get the picture, so that we know where these things fit. Without criteria, without, you know, the instruction set, without the complete process flow, it's hard to understand the relevance of what was initially stated as the problem statement to reduce the variability but the solutions all increase the variability. I'm just having trouble connecting the dots and I think somewhere in this whole communication process, you need to come back and be able to give people a picture of what will be the action step, the criteria and the action steps to take place that ultimately change the level of the water, and against what purpose and what impact. Thanks.

MR. LOUMIS: Okay. Just a couple more things and I'm done. You just stated that if it weren't for the dam, Plan E, the water would have been up at that level. In 1952 that was a very high water level. Why didn't you go higher? The rapids allowed the water to come out of the lake system. It was -- the rapids would have let the water out of the lake system there, same deal. And one other question is, in 1973 what plan was in effect?

MR. SCIREMAMMANO: Okay, I can answer both of those. The -- and we showed the slide with the supplies. And the high levels of '53 were caused by a certain amount of water reaching the lake, the supply. The supplies we've seen since then, in particular in the '70's and the '90's were much higher. So that's why, it explains why that would have gone higher than in the '50's. More water came through the system. The second part is, in '73 the plan that was in effect is plan 1958-D with deviations and the board deviated to keep the level -- to make sure the level didn't go any higher than it actually did.

MR. LOUMIS: Okay. You answered my question.

MR. QUICK: Jim and Irene Quick. We own Property in North Wolcott on the lake.

I've come to many meetings, amongst them Ogdensburg, Sacketts Harbor, Oswego, Huron, Greece and Telecommunications.

One of my observations, and I think I got the point across, initially I had difficulty, was the Ottawa River flows from way up in Canada down by Ottawa and empties into the St. Lawrence at Montreal. It doesn't free flow but almost does. There's a lot of water in the spring coming down there. I believe the International Joint Commission is committed to lower the lake in the fall so that they can hold the water back as much as they can without hurting power and shipping, so that they don't flood Montreal in the spring. Also in the fall when I was up at Ogdensburg three years ago they were having trouble. You could watch the water level change where they were having their meeting from hour to hour, and the answer was that they were dumping water in the fall to raise water in the St. Lawrence at

Montreal so that a ship could come in or could go out. What I didn't realize before these meetings is, approximately one inch of water on Lake Ontario equals 12 inches in the St. Lawrence. They can't just dump it and they can't just hold it back, and so forth. They've got to help Montreal out. It's a big shipping port. A lot of dock people working there. I have a cottage on Lake Ontario. I've owned it since 1957. I've lost over 140 feet out front. I'm down to my last nine feet. That cottage has to be taken off the rolls by either taken down, moved or whatever. I'm not very happy about that. I have a DEC map that I got in the early '90's that was done in 1985, a hundred year study, indicated in front of my property we lost 18 inches per year, average. I've never had a problem with normal erosion. I have a problem when it's manmade. 140 feet is closer to three feet, and I'm finding most of that is in the recent years, since 1985 till now. I'm losing much more now. Something has happened. They're allowed to go 243.3 to 247.3. They have figures here, over 248 tonight. I scream when they go over 246. 244 to 246 is a mean.

It would be nice if they could hold the lake to those levels and use the plus or minus 12 inches to, as a cushion. I'm sure this past week we had a lot of evaporation. I'm sure there's other times when we have these big rain storms and that that the lake level comes up. One of the problems that we have on this south shore that they don't have on the west end of the lake, north end of the lake, is the predominantly winds from the west and the north. And I'm hoping that in their studies they start to take these accountabilities. I call in January the question of why the lake was a foot high above average. I was told we were having a meeting, I think we're going to do something about it. I called in April to say it was 10 inches high, and the answer I got back was, gee, we're not at 247, we can't go to those higher levels in the spring when we have these high winds. I want to thank the board for the study group and so forth, for having -- this is the first time I've ever heard of -- they've had studies before.

This is the first time I've ever heard that they've asked for public input. Hope people stay calm and write to them and have their input. I went to Oswego last week and I heard about the man that spent $90,000 for a breakwall according to DEC regulations and lost it in five years. Where I am, I don't have the money to put the wall up for the neighbors. I can't do it alone. And so, the wall isn't an option for us. I've always believed that with all the input that they're getting, there is compromise, and I hope it's favorable.

(Applause.)

MR. STEWART: Okay, thank you, Dan. Thank you, Frank. And thank you, folks. You've stayed to the end. We're grateful for that. You may be exhausted. Those of us who have been in this process for five or so years, it is an exhausting process. We try to bring so much together. We hope you're appreciative of that. And we hope that you know that you're being heard by the study team. We hope you believe that.

There are people within the study team that sometimes may even have the same concerns and questions as to integrity of the process that you folks have. If you care about this study, if you care about whatever you're interested in, if you see the plans before you that might help your situation or what you care about out, we hope that beyond tonight you'll want to voice that. If you see potentially catastrophic concerns for your interests or what your property circumstances are, we hope you'll want to voice that beyond what you've done tonight. What you've done tonight is vitally important to this study and we hope you believe that and we hope you'll believe that at the end. Okay, but we are watching within the study to make sure that that happens, and we hope you know that. So if you didn't sign

a sign-in card, we hope you will on the way out. If you have not taken a comment card, we hope you will take one and fill that out.

We hope you'll pay attention to the survey and fill that out and get it back to us. And if you know of others who are similarly situated to yourselves, there's strength in numbers.

We hope you'll voice concerns to them and get them involved in the process. And we really want to thank you for being involved tonight and at other times.

And continue to be involved. And thanks very much.

(Applause.)

(Meeting concluded)

CERTIFICATE

I, RHETT BAKER, certify that the foregoing transcript of proceedings in the USACE-PIAG, Public Meetings, was recorded utilizing a Sony BM-264, and transcribed from a Sony BM-246 transcribing and recording machine, and is a true and accurate record of the proceedings.

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