Transcripts

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

In the Matter of:

INTERNATIONAL LAKE ONTARIO/
ST. LAWRENCE RIVER STUDY

June 22, 2005

Transcript of Public Meeting held in the above matter at 10 West Orvis Street, Massena, New York on June 22, 2005,beginning at 7:00 p.m., pursuant to Notice.

PRESENT:

KEN MACDONNELL - Mayor of Massena

TONY EBERHARDT - Study Manager

IRENE BROOKS - USIJC Commissioner

ELAINE KENNEDY - PIAG Member

JON MONTAN - PIAG Member and Chairperson

EUGENE STAKHIV - U. S. Co-director

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TOM FREGOE

CARL LARSON

JON MONTAN (Closing)

PROCEEDINGS

MR. MONTAN: Thank you all for coming to our public consultation session for the International Lake Ontario/St. Lawrence River study.

We have a good crowd tonight and I hope there will be lots of information and questions. Before saying anything else, I would like to invite the Village of Massena Mayor Kenneth MacDonnell, to open the meeting and say a few words.

MAYOR MAC DONNELL: Am I live? Yes. I can hear it. Thanks, Jon. I thought I was just going to open the meeting but apparently I'm going to say a few words, too, which I'm happy to do. Pardon my tardiness. I just came from another meeting working on our community center in the Town Hall next door.

First and foremost, I want to thank all of you for coming. We were here at our last meeting, and in all honesty it was very lightly attended. So I'm glad to see that so many people have come out tonight to talk about this water study because Massena and the St. Lawrence River go hand in hand. It is by far our most important resource, without question. That river drives the economy, not only in Massena but throughout the North Country. It provides the jobs at the New York Power Authority. The power that's produced there provides the power for Alcoa, General Motors, those plants and the thousands of jobs that are created from the work that's done there. And then the spinoff from all the retailers and the other businesses that serve both the workers and the plants themselves. Literally thousands of jobs are directly related to the St. Lawrence River.

But I think most of you, like me; what's important is the quality of that river and that's why we choose to live in the North Country, is because of the great resource that we have for recreation, for boating, for fishing, for swimming, for the water activities, the winter activities that go on out there, just as -- probably the most important reason why I've chosen to live in Massena, and I think that's probably true for most of you.

I would ask that everyone please don't be shy. If you have something to say we really want to hear from you. That's why everyone's come here tonight. Your comments are important to us. Please feel free to speak, even though you may be asked to come before a microphone. Don't worry about that. It's easy to do. Just step up and please, give us your comments. Let us hear what you think.

Since I, since I have the floor, I'm going to give my comment right now. And that is, I brought with me and I'll present it tonight; the Village Board passed a resolution last night endorsing plan B. We've talked about it and we feel that this is the best plan for the St. Lawrence River in this area and up and down the St. Lawrence River from Alex Bay to here. So we're supporting plan B.

(Applause.)

MAYOR MAC DONNELL: And so now I'm going to turn it over to our professionals and our volunteers, thank them all for the time that they put in because this has been a significant effort on their part. They've really worked hard. Many, many hours have been put into getting us to this point. So thank you, everyone, and especially thank you for being here to voice your opinions.

(Applause.)

MR. MONTAN: Okay. Very quickly I'd like to acknowledge some elected people that we have in the audience. Chuck Raiti, Massena Town Council member; Roger Waters, the Town of Lisbon; Elizabeth Phillips, Village of Waddington Mayor; Jack Sauve, New York State 118th assembly district, Daryl J. Aubertine, representing, and Katie Van Gardener from the Town of Louisville Board.

My name is Jon Montan. I work for St. Lawrence County. I live near Canton, and I volunteered my time to participate in this study as a member of the Public Interest Advisory Group. The acronym is PIAG, in case some of you have wondered what that meant on your literature. And in that capacity to represent the people whose lives may be affected by the study decisions. I personally do not work for any of the agencies doing the study.

We have an IJC Commissioner present tonight, Ms. Irene Brooks. Irene, just raise your hand. She's sitting in the front. She'd be happy to talk to you later if you would like to speak to her about the role of the IJC in this.

There are other members of the study team here tonight. I would ask quickly that you stand just so people know who you are. I'm not going to introduce everyone. I believe each of these people will probably be speaking at some point later in the meeting and they will introduce themselves every time they speak.

Tonight the study team is returning for the last time to talk with you about this study on water levels and flows in Lake Ontario and the St. Lawrence River.

The format for this evening is as follows. There will be a 30 minute Power Point presentation given by Gene Stakhiv, who is the U.S. co-chair of the Study Board. Then the meeting will be turned over to Elaine Kennedy, right here, in the hat, another member of the Public Interest Advisory Group who will facilitate the question and answer period.

Gene, the meeting is now yours.

MR. STAKHIV: Thanks, Jon. Welcome, everyone. I'll just, this is just an overview of where we're going, the different parts of the presentation; who we are, what the study is, why did we do the study, what we found, new candidate plans that we've developed and are presenting. We'll discuss the processes and how to implement these plans; what the next steps are, some of the issues that -- the kinds of feedback that we would like from you, and then the question and answer period.

We're, as most of you know and as you've read from your handouts, we're in the final year of the five year study. We've had over 120 people involved in the study, on the study team, and most of them have been with the study for the entire five year period. The International

Joint Commission mandates that all of its boards and study teams have equal representation from both countries, so we have equal numbers, in each one of these boxes there are equal numbers of Canadians and Americans.

And the Study Board is an independent advisory body, as is the Public Interest Advisory Group. So even though we may represent, we may have permanent chairs in various agencies, government agencies, state, federal, county agencies; we came to the board as independent members, and we provide independent advice to the International Joint Commission and we've got technical experts from academia, federal agencies, state agencies and the private sector. So we have a fairly high level group of technical people, scientists engaged in various aspects of the study.

Five years ago the federal governments of Canada and the United States requested and funded the International Joint Commission to review their orders of approval for regulation of water levels and flows in Lake Ontario and the St. Lawrence River system. This action was in response to public concern of the 40 year old regulation plan for directing and managing water outflows through the St. Lawrence Seaway. Control dams was out of date and not responsive to the current and future uses of the system.

And there are several people in this room who had a major hand in getting that congressional funding, so thanks for that.

The International Joint Commission is a bi-national organization created under the Boundary Waters Treaty of 1909 for the purpose of preventing and resolving disputes related to our share of inland waters from coast to coast, not just the Great Lakes but all the way to the Columbia River basin. The final decision on changing the regulation plan and criteria rests with the Commission in consultation with stakeholders and governments. So it's not our job, the Study Board to make the final determination. We pass it on to the Commission. They will be making the final decision about the plan, the selected plan. Again, in consultation with the stakeholders and with governments.

The outflows through the Moses Saunders Dam at Cornwall and Massena are currently regulated using a set of written rules for releases that's called Plan 58-D. Although it takes into account the interests of water uses, commercial navigation, hydroelectric power, this plan doesn't consider the needs of the environment, recreational boating and shoreline erosion. Plan 58-D was based on the kind of water supplies we got in the first half of the 20th century. Remember, it went into effect in 1963 so they only had that period of record from 1900 to 1960 on which to base their design criteria. So it wasn't well-designed to handle the extremely dry period of the mid 1960's that came right after implementing the plan, and the very wet period from the 1970's to this very day.

So this plan was implemented by the International St. Lawrence River Board of Control, which is appointed by the IJC.

The operation of 1958-D, Plan 1958-D with deviations, we call it 58-DD to shorten it, has been able to accommodate the needs of the shoreline property owners as well as hydroelectric power and commercial navigation interests despite significant increases in the natural water supply to the system, to the lake over the last few decades. The operators have fine tuned the system, and by the operators I mean the St. Lawrence Control Board; have fine tuned the system to reduce extreme water level conditions by deviating as necessary from Plan 58-D which was implemented in 1963. And these deviations are included in the plan. There are allowances made for certain types of extreme conditions.

But without detailed data on the environment, operators can't address environmental issues well, and in the same way, recreational boating, which is also a fairly recent and growing interest, hasn't been accommodated as well under Plan 58-D with deviations.

You've seen us several times here, I suppose, many of you. We've consulted with a wide array of people, including many of you who have provided us with preferred water levels from your perspectives and the perspectives of the interests in the groups that are listed here. So we not only talked to recreational boaters but to all of the interest groups that are on that slide.

We've been able to translate these needs and wants into specific measurable indicators for each aspect of the system.

Let me -- let's go to the findings of the study, and if you have any questions I'd prefer that you hold off until the question and answer period.

During many of the slides we'll refer to the upper river, which is above the Moses Saunders Dam and the lower river, which is below the dam. We found what you already know, which is, the Lake Ontario, St. Lawrence River and many interests affected by water levels represents a very complex water management system.

The dam at Cornwall is just one factor in managing and dealing with water levels and flows. Nature and changing water supplies to the region is probably the most unpredictable factor.

For example, this is a plot of the total water supplies to Lake Ontario over the past 140 years that we have recorded, from 1860 to 2000, and you could see there's considerable variation from year to year, of water supplies into Lake Ontario. You could see the trends, very dry water supply years occur in the 1930's and early 1960's. That line represents the time, 1963, when the Plan 58-D went into effect. And since that time you could see that during the 1960's you had the drought of record, the lowest flows, and also the highest flows subsequently thereafter, 1973.

And the plan was not designed to deal explicitly with those conditions, which is why we have -- but, in a sense it was because it had deviations. It allows for deviations to deal with these extreme conditions.

This is a slide, as I recall, thanks to Dalton Foster, from about five years back, when he taught us how Lake St. Lawrence responds to changes in Lake Ontario. It's just one example of the complexity of the system, what happens when you attempt to change water levels on Lake Ontario through operating Moses Saunders Dam.

During the wet periods, during wet periods and rising water levels on Lake Ontario, consideration could be given to letting more water out of Lake Ontario to lower water levels on the lake and reduce the potential for shoreline flood and erosion problems.

Similarly, during dry periods in the summer, the same action could be considered to help ships that are having low water level problems in Montreal harbor. But if the Lake Ontario outflow is increased for one week, so that Lake Ontario is reduced by two centimeters, or three-quarters of an inch, you could see the one on the left; you could see that the water level changes in Lake St. Lawrence, upstream of Moses Saunders Dam and Lake St. Louis, just upstream of Montreal, vary; the effects are magnified tenfold, roughly tenfold. So a two

centimeter drop in Lake Ontario causes a 30 centimeter drop in Lake St. Lawrence, and a 23 centimeter gain in Lake St. Louis. So that's one of the, that's just one of the myriad of problems that we have in trying to come up with a plan that deals with all of these effects. Next.

During this study we carefully examined the effects of fluctuating water levels throughout Lake Ontario and the St. Lawrence River on the ecosystem, recreational boating and tourism, as indicated on this slide, as well as all of the other aspects of water management in the system which are included in the orders of approval.

This has been, I believe this has been one of the most sophisticated research studies ever done on the issue. We've collected a lot of data, we know a lot more about the system, and it's all available to anyone to look at and analyze. And it's currently subject to an independent peer review by the National Academy of Sciences and the Royal Society of Canada. So it's not just our word.

In the studies of the natural environment and the ecosystem, over 400 environmental indicators were developed and examined and researched. Thirty-two were identified as being especially sensitive to water level variations, including some species at risk.

Some of the details about these environmental indices are in your handouts. You could see those tables, the 32 indicators that we're using for analyzing the system and the impacts.

The general conclusion is, and it's not surprising, that a more natural variation in water levels is better for the environment on Lake Ontario and the upper river, but not much different for the lower river because it's a different dynamic system.

In the recreational boating and related tourism sector, we found, quite expectedly, that water level problems are greatest at low water levels, fewest at average to higher levels, and increase in extreme high water level conditions. Because of the location of marinas in shallow waters, recreational boaters need higher water level conditions than commercial ships that operate in the main channels.

Economic impacts have been identified for each part of the system and reviewed and approved by a panel of outside experts.

With regard to coastal processes, the current regulation plan and Control Board deviations, that is Plan 58-DD, has significantly reduced flooding on Lake Ontario and St. Lawrence River shorelines. 1958-DD is effective in slowing shoreline erosion, but you have to understand that no regulation plan can eliminate shoreline damage. Shoreline erosion is worse during fall, winter and spring because of storm events, confluence of lake levels and much more severe storms during those periods. High water levels during calmer, summer weather are not as damaging.

On commercial navigation; our investigation of fluctuating water level impacts, have identified how navigation costs go up when ships don't have enough water or are delayed by high currents. And it's -- we found then in just about every plan, it's difficult to keep enough water in Montreal harbor for ships during the fall and the extended dry periods. And that's another aspect of the complexity of the system, to keep all of these sectors balanced and equal, and getting equal benefits.

When we studied municipal and industrial water supply, we examine the sensitivity and domestic water intakes and outfalls to varying water levels; we found that municipalities by and large have adapted to expected water patterns. In other words, they've built their outfalls and intakes far enough in deep enough water for the larger system. But individual shoreline water users tend not to adapt to extremes and therefore are vulnerable to very high and low water level conditions.

The hydro power sector, consisting of the hydro power plants at Cornwall and Massena and Beauharnoise, represent a huge piece of the water puzzle. Small changes in water flow and level regimes can result in differences of millions of dollars to this sector.

Okay. Let's get to the heart of the presentation tonight, the stuff that you've been waiting for, since you knew everything else that I just mentioned previously. We've developed these regulation plans where we tried to consider all of the interests, balance them in a fair and equitable manner.

To guide and assist us, meaning the Study Board, PIAG and all of the members of the study, in the formulation and evaluation of the new regulation plans; we developed a set of Study Board guidelines which we have said that all plans should follow. And let's define some of the terms that you see on the slide.

Contributes to ecological integrity. Means that the Study Board would look at how well the plan performs against the environmental indicators that you have in your handout. Those 32 indicators.

Maximize net benefits; means that the Study Board will look at both economical -- economic and ecological performance of the candidate plans.

No disproportionate loss; means that no interest nor region is seriously harmed. Seriously harmed. That doesn't mean they're not harmed at all, but significantly harmed.

Those three that I just read are the key guidelines that the Board used in evaluating the plans in addition to the other ones that you see; adaptability to climate change, adaptability to future statistically generated scenarios, and so on.

We've insured that our work has been transparent to the public and representative of all of the interests through the involvement of our Public Interest Advisory Group, through our public meetings, through out website and through our newsletters. And we send out about 10,000 of these to people all across the region.

Throughout the study the Board assured that decision processes were open to the public and representative of all interests.

We've examined -- we have the three candidate plans that we'll be presenting. But we also examined many other plans, plans that we call reference plans, and we've developed interest specific plans, just for comparison, so we can see how the system operates.

For example, Plan 58-D, the official plan, if we stuck, if we adhered rigorously to that plan, what would be the impacts to the system? That is, the plan without any deviations. Plan 58-D with deviations, which is the current operational plan.

We also examined Plan 1998, which was developed from a previous study that everyone thought was a fairly good plan. We developed the Ontario Riparian Plan which the aim is to reduce flooding and erosion on Lake Ontario but it has severe environmental and recreational boating impacts. The recreational boating plan specifically designed just for that interest group. It improved recreational boating but it had severe impacts on the environment, downstream flooding, and it had navigation, serious navigation -- serious economic navigation impacts.

Because of the significant concern, and remember one of our guidelines was to protect and sustain the ecological integrity of the system; because of that concern and the concern that the current regulation has considerable adverse impact on the environment and the natural system, we've developed a natural flow plan. To implement this plan would result, however, in significant economic losses to shoreline property and recreational boating interests. Although this plan is considered by some as a much longer term management goal for the system, the Board believes that it cannot at this time be considered as a candidate plan for implementation because of its serious adverse impacts. It does very well for the environment but it does poorly for every other sector.

This is just one example of, if you recall our previous meetings, we went and talked to many people and asked them to translate their wishes and needs into specific lake levels, targets for lake level. So you could see that these target water levels show that different interests want different water levels at different times of the year. The coastal, the coastal target water level for January, February and March, for example, is 73.5. Then it rises higher in the summer months. And the coastal, the navigation water uses, the minimum level for water uses is, looks like -- sorry, I'm in the wrong country -- 234.62 feet.

So we factored all of these targets throughout the system into the plan to try to meet those target levels as often as we can. But as you can see, it's difficult to meet all of the targets simultaneously. It's difficult to keep everyone happy all of the time.

You saw the target levels, we've developed target levels for every one of these squares and triangles on this figure. And they're included in the model. So we could show you what the impacts are of all of the plans at each one of these specific sites that are on this graphic.

So here are the three plans. The result of all of this work, debate and public input is three candidate regulation plans that we'll summarize for you tonight and on which we'll have a discussion, I'm sure. We'd like your views and comments.

More than 10 plans were formulated during the course of the study, reflecting various inputs and public and technical participants. These plans were considered and evaluated by the Board and many were discarded. We've kept some of them as reference plans, but essentially we're not carrying these forward.

These three plans remain as the best and the most representative of the plans that were developed. All of the plans were designed to provide overall benefits to the economy and the environment with minimal harm to any sector. But they differ in the distribution of benefits among the different interests and how much each sector, and the losses that each sector would bear.

And in the following slides I'll give you an overview of each one of these plans.

We've come up with these plans, all of which have improvements over 58-D with deviations, but we still haven't found that golden plan, the ideal. And I would say it's probably impossible to find the ideal plan that keeps everyone happy, satisfies everyone all of the time. But we still have people working, designing, formulating the plans, refining these plans. We're getting new data. We constantly get review comments and critiques and we're adjusting and adapting to those. And in particular, I know that we've been talking with Dalton Foster. He's made a few valid critiques and we're running around trying to adjust to that.

Plan A. The balanced economic plan. It's designed to maximize overall economic benefits. It provides some improvement for the environment, especially on the upper St. Lawrence River. It has losses to shoreline interests on Lake Ontario and the river, and it provides recreational boating benefits.

Now, these are the overall sort of outcomes of -- both the objectives and the outcomes of each one of the plans.

Plan B. The balanced environmental plan. It was designed to simulate more natural conditions and provide overall economic benefits. In other words, it's the natural flow plan adjusted also to provide some economic benefits as well. It improves the environment on the lake and upper river. It has losses to shoreline interests with significant flooding around Montreal, and it has losses to recreational boating, especially on the lake.

The third plan is plan D, which is the blend -- we just called it the blended benefits plan, designed for balanced performance. These are like mutual fund portfolios, when I think about it. You know, do you want high risk or low risk plans. Designed for balanced performance with overall economic benefits, and minimizes losses. Has little change from 58-D with deviations for the environment. In other words, the environmental impact is slightly better but really not significant, not statistically significant. No overall losses for shoreline interests, but there is some added flooding potential. And provides recreational boating benefits.

Okay. So how do the plans compare? During the winter and the summer months this year the Board and the study team have evaluated these three candidate plans from economic, environmental and equity perspectives, and in a quantitative, both in quantitative and in qualitative terms.

You have a very detailed chart in your handout. This is really an over-simplification of that detailed chart that could be found in your handout. The environmental index, for example, is a ratio, the top line, is a ratio where one is the same as 58-D with deviations. In other words, we used 58-D with deviations as the plan to compare all of the other plans. Anything above one is better. Anything below one is worse.

So you can see that plan A is significantly better than 58-D with deviations. Plan B is much better, and plan D, the blended benefits plan, is just barely better. 1.03, meaning 3% better, not statistically significant.

The rest of the interests from shoreline owners to hydroelectric are also shown in millions of dollars of average annual benefits. We can see, for example, that plans A and B both result in losses to shoreline, shoreline interests, and shoreline property, more so than -- more so in plan B which was designed to improve the environment. So you always have a trade-off,

no matter which way you go. Each plan is a different balance of trade-offs, different balance of economic and environmental performance to all of the sectors.

Plan D strikes a balance and therefore produces no strong benefits to any one interest, but it does have net positive benefits in all of the categories.

So to evaluate all of these plans, how did we do all of this work? How did we figure this out? This is where all of the money went into, collecting all of the data for the performance indicators, for the environment, for the recreational boating, for navigation impacts, et cetera. We simulate water -- we simulated water and flow conditions so that they could produce -- that they would produce if they were to receive the same water supply that we did from 1900 to 2000, meaning the historical record. We simply repeated the historical record.

We could show you lots of tables of data and graphs, charts of information on all of these plans. And it should satisfy even the most extreme number-crunching and data junkies here, that are here tonight. But I don't want to bore you and I don't want to prolong this presentation and bury you in numbers. But I'll give you a few examples, and these examples from your area.

This slide and the next one show an estimate, an estimate of the water levels that would occur under each of the plans, for comparison. This plot shows the average levels for Lake St. Lawrence and Long Sault throughout the year. Remember, this is the long term average. In this comparison, plan A, plan A is in red, has the highest -- yes, has the highest average levels throughout most of the year, followed by plan B.

Plan B has higher average levels in the spring, in the spring and summer, than Plan 58-DD, but lower average levels in the late fall. On average, Plan B has the most gradual decline in levels from spring to fall. I think you can see that, Plan B being the blue. The lowest decline. This is what Dalton mentioned in his handout and what he's been after.

On the next one, slightly different picture here. These are the highest Long Sault levels for the four plans. And one of the things that I wanted to point out on this is that during the main period, during the main recreational period, all of these levels are more or less the same. They hardly vary. So the greatest fluctuations in the water levels are not during the peak recreational period, but before the recreational period and later on. But there's no question that Plan D has the steepest decline starting in September and declining thereafter. But during, during that central period in the summer, all of the lake -- all of the lake levels, Long Sault, are very stable.

Let me just give you a couple of examples from the environment. And why we have difficulties making these decisions about which plan is the best. It isn't just looking at one specific gauge, one specific sector. We've got many different performance indicators. We have 78 performance indicators. These are just two of them.

If you look at Lake Ontario Meadow Marsh as a performance indicator, each one of the plans does reasonably well. The bars on the left. If you look at the northern pike young of the year for the upper river, which is this area, you'll see that Plan A does a lot better than Plan B or D. Plan B does well. Plan D barely registers any difference.

Another one. If you compare to other environmental pi's, the black tern reproductive index -- now the black tern is one of these endangered species. You could see that Plan D does better for the black tern than Plan A or B. And the muskrats, if you look at lower river muskrats' surviving houses, all of the plans do poorly, but they do differentially less poor. Plan A is the least poor of the three plans.

So when you start looking at the data, it's not an easy decision to make about which is the best plan. You have to really balance lots of factors, take lots of factors into account.

Looks like Arlene glued my pages together. Okay. She didn't want me to see one of the slides here.

Here's another way of looking at the problem, and you know, each one of them gives you a different slice, a different perspective on how to view the analysis.

This slide shows the economic impacts, the regional impacts of the three plan options. For shoreline, recreational boating and water use interests over the regions considered. Lake Ontario shown by the blue bar. The upper river shown by the maroon bar. And on the lower river shown by the yellow bar. So now we're looking at a regional slice. Lake Ontario, upper river, lower river, and how the impacts vary. Compared with Plan 58-DD, which is a zero-no change plan. So this is Plan 58-DD. If it's above zero, it's a benefit. If it's below zero, it's a cost, it's a net loss.

Also shown are the overall hydropower and seaway impacts shown by light blue and purple bars respectively. Note that the values are in average U.S. dollars, average annual U.S. dollars.

As shown, Plan A, the balanced economic plan, would result in average annual economic benefits to interests on the upper and lower river, and slight net losses on Lake Ontario. So here's that little loss here. But overall Plan A does very well regionally, across all regions.

Plan B, the balanced environmental plan, would result in average economic losses in all regions. Right here. Lake Ontario, upper river, lower river. But it does very well for hydropower and navigation.

Plan D, the blended benefits plan, would result in positive economic impacts for all interests and regions, although the benefits in the upper river would be small. So that's yet another way of looking at the results of our study, and judging which is the best plan and why it's going to be difficult to select one of the plans.

This is another way economists like to present information, another slice of essentially the same data, key economic impacts. This, this, Plan A shows the average annual benefits to recreational boating, navigation and hydro interests and losses to shoreline interest, resulting in a total net benefit of $9.25 million.

So you have recreational boating, navigation, hydroelectric power, all above zero. But there's a loss to the coastal, total coastal. For a net, net benefit of $9.25 million. The net benefit being these three bars minus this one.

Plan B shows benefits to navigation and hydro interests with losses to recreational boating and shoreline interests, resulting in a total net benefit of $4.32 million annually. Although

the shoreline benefit is small in Plan D, it shows benefits to all interests, resulting in a total net benefit of $5 million on average, annually.

So now we're looking just at economic impacts to shoreline interests. We're just focusing on shoreline erosion, shoreline damage, all of the shoreline -- flooding and erosion type damages. Now I'm looking at each sector.

You could see Plan A, Plan A has a, basically a net loss of about, just a little bit over a million dollars a year. Plan B has a net loss of nearly $3 million, and Plan D has a net gain of about $500,000 minus $100,000 or $400,000 net gain, compared to 58-D with deviations.

And you could see the distribution of the benefits in each of the different sections of the system.

Yes. Now we're looking at recreational boating interests, same thing. I showed you the shoreline damages, now we're looking at recreational boating. You could see that the Plan A and D show positive average annual benefits in all areas, except Ogdensburg, when compared to Plan 58-DD, and the net average annual benefits are highest with Plan A. Plan B shows losses for all areas except Lock St. Louis. But I need to caution you here. We are adjusting the information based on sort of Dalton's questions and we're dividing the Ogdensburg reach into two sections. Ogdensburg and then Lake St. Lawrence. So we expect somewhat different numbers but nothing, I wouldn't say that it's going to change the results that much.

Let's look at the environmental impacts, the regional environmental impacts. Same thing. We're looking at Lake Ontario in blue, the upper river in red, lower river in yellow. One is the -- one is the, Plan 58-DD, so anything above one is positive, anything below one, this is negative here. So Plan A does well on Lake Ontario, a little bit, not enough to make any, any difference, and a little bit worse in the lower river, but significantly worse in the -- significantly better in the upper river. This is your section of the river. Plan B does much better in your section of the river and just a little bit better in Plan D.

This is taking longer than I thought. Anyway, what happens after this, after this meeting, what's next on the agenda. We're going to have -- we're having public consultations now, June and July, at various areas along the system. We've had a series of briefings with elected officials and agency briefings, and they will continue through July as well. We'll be closing public comments. The closing date for public comments will be August the 5th. And then after the study team will take all of the input from these meetings and all of the other meetings we're having, and the consultations with public officials, and we'll incorporate those into refinements of the three plans and into the final report. And we will complete the final report for public release by December 31st, 2005.

We expect that the International Joint Commission will consider the study results over the winter and hold their own public hearings and public consultations in 2006. So we're just handing off the last leg of the, of the relay team. We're handing off the baton on December 31st, 2005.

Then the decision on the selection of the new plan and implementation of the plan will be made by the International Joint Commission in consultation with the governments.

So Jon, I finished my part.

MR. MONTAN: Thank you.

MR. STAKHIV: It's time to have a little fun now.

MR. MONTAN: Yes. Now we'll hear from Elaine Kennedy, who will be our facilitator for the question and answer period.

MS. KENNEDY: Thanks, Gene and Jon. Before we move to the question and answer part of the evening, I would like to emphasize the we, the Public Interest Advisory Group, the Study Board and the International Joint Commission want to hear your views tonight on these candidate regulation plans. We would also appreciate your filling out the survey postcard that was in the left-hand pocket of your folder that you were handed when you came to the meeting. You can either leave it with us before you go or mail it to us, whichever is more convenient for you. We will insure that all your views are conveyed to the Commission. Your comments and questions will be recorded so that we can make sure that they are taken into account as the final decisions are made, and that we've got them accurately.

Please use a microphone. And we've got two of them, one that's closer to the front over here, of course, and then there's one over on the other side that's back a bit. We want you to use microphones so both, you can be heard by everybody, and it's recorded so that our transcriber can get it down accurately.

Please state your name and where you are from. I would ask both the people asking questions and those answering them to be as concise as possible. That way we will have time for more questions for more people. If someone asks a question very similar to what you were planning to ask, please consider waiting until everyone else has had a chance to ask theirs. And then if you have time we could do yours. If for some reason your question is not answered tonight, we will try our best to get an answer for you. Okay. Those are my formal comments, and now it's up to you. And so therefore, microphones, folks. And I will start according to where I see the first gentleman starting back there, and then I will go to the other one, back and forth, or depending upon how many arrive at which microphone. So the gentleman back here, please.

MR. HOOPER: Yeah. My name is William Hooper. I'm from Potsdam. And when we were watching your slides, you always listed Plan B as being negative for recreational boaters, a loss in millions of dollars for recreational boaters. Yet Plan B is the only one that keeps the water levels high enough for us to keep using our boats. So I was wondering if somebody could explain to me how you think my using my boat is bad for me, and my not being able to use my boat gives me economic benefits.

MR. STAKHIV: What you saw were average numbers. And what you're focusing on is the rate of decline, the lower rate of decline of water level in Lake St. Lawrence. We -- the plans were designed in such a manner to improve recreational boating not only on Lake St. Lawrence but throughout the entire system. So that includes -- but we have divided it into various sectors and segments. This particular segment here, from Ogdensburg to Moses Saunders Dam is a problem area for us. It's a problem area because of the effect that we showed you. If you lower water levels on Lake Ontario you get a, you get a much -- you get a magnified effect in Lake St. Lawrence. And we're adjusting that. So this is one of the areas that I have to tell you that I don't know exactly that the numbers we've given you are the best numbers that we have. We're reworking them and breaking them down into two segments. Lake St. Lawrence and upper Ogdensburg. I believe that we can improve

recreational boating benefits in the Ogdensburg reach, but it's going to be difficult in the Lake St. Lawrence -- excuse me, in the Lake St. Lawrence reach, because of the nature of the fluctuations of water levels. So that's why, just in this particular area it's a problem area that's created by the hydraulics and the hydrology in the management of the system.

MR. HOOPER: Well, I actually use my boat in Alexandria Bay area, and we have to keep a watch, once Labor Day hits; every single day to make sure that we have enough water under our boats so we know when we have to pull them out before it runs out. Plan B would keep the water level higher so we wouldn't have that concern. We have to pull our boats off shortly after Labor Day and we can't use them in the fall. We would like to be able to keep using them; the extended time period would be a boon to recreational boating, yet in all of your slides you continually list it as the only plan that's bad for recreational boaters. And I don't understand that.

MS. KENNEDY: I'd like to just jump in for a quick comments. In your package, did you get one of the packages when you came in?

MR. HOOPER: Uh-huh.

MS. KENNEDY: Okay. In your package on page 3 there is a breakdown of the numbers for recreational boating and tourism by reach, and so therefore, that will give an explanation, too, of those totals that we have up there as well. But I think your point is certainly one that is of concern I think to a lot of people in this room. And so we have it down. Thank you. Dalton.

MR. FOSTER: Dalton Foster. I'm president of the International Water Levels Coalition. We've done a great deal of analysis of the data. We have taken a look at what your levels are. We have based our assessments on what real levels are. We passed out, earlier when you came in you may have gotten a boating survey. And when you go home tonight take a look at that survey. We did not base our boating estimates on a marketing survey. We based it on water levels. And if you look at that survey, it basically is a marketing survey, and it's an interpretation about, okay, if a certain level is here, it's going to have an economic impact.

What we based our analysis on were; were the levels sufficient to boat. Two things that a boater looks for when he goes out. How's the weather, and do I have enough water to boat on. That's what we base our analysis on and we didn't base it just in Lake St. Lawrence. We based it all the way from Lake Ontario down to this area.

The boating surveys that we did for ourselves and before the study ever started, we used those levels as minimum levels where people wanted to boat and they thought boating was acceptable. And we looked at the frequency, not only the averages but the frequency, that those levels would be below an acceptable boating level. And we, for years and years, have heard from people is that, sometime in August somebody pulls the plug, and there goes all the water. And that there's no good autumn boating. And to the people who live here, and the fishing is very important for, they don't want to give up their boating on Labor Day. It's not just July and August that's important to boaters. The entire season is important. And we don't have a long season. You know, we're pretty far north. We realize it's pretty cold up here, and that we like to boat and we have a short season. So we do want to be able to boat in the fall.

The fact is that the study was based on primarily July and August. It was also based on willingness to pay. Now, most of us who have boated, and the survey showed that there

was at least, I think the average was 27 years of experience, boating. When people have boated for 27 years and you ask them, if you're going on a trip are you willing to pay three times as much, four times as much or two times as much to do the same thing you just did, they think you're crazy, because they know what they should pay.

And the idea that, yes, I'm going to pay a lot more, especially when right in the report it says, if you decided you didn't want to pay any more than you already did, then your data wasn't included.

So we don't think it's a legitimate way to analyze the data. We think the economic indicators reflect this willingness to pay figure, which we don't consider to be valid. More valid is how often are boating levels acceptable. Boaters are intelligent enough to go out and see, if I, do I have enough water to go boating, I will. If I don't, I've got to pull my boat, and the season's over.

And so our analysis, our problem is not with your numbers on A, B and D for water levels. The problem is the economic interpretation you made off of that. Another error was in that -- you asked the question and you'll look in there when you see it, the question was, how often do you go boating? And list the number of days you go boating. And it also asks how many boats you have. But it asks, how often do you go boating?

Then, when they took the data, they decided to multiply the days boating by the number of boats, not the number of boaters. Now, I've never gone out boating with three or four boats at the same time. I've only ever gone out in a boat, one boat at a time. And so when you look at the data, the data is overinflated.

I mean, it's not that we want to dismiss the importance of recreational boating but you don't divide, when the question was asked, how often do you go boating, I don't think it was sent to the boat, I think it was sent to the boat owner.

So I mean, we have a great many problems with the way that study -- not in the levels themselves. And we interpret those levels, and we didn't do it just for Lake St. Lawrence. We did it from the lake on down and we found that taking the whole season from Alex Bay down, it was more favorable. Lake Ontario was about a break-even. And we also think as a suggestion that we made back in March, that there can be some modifications made and included in the plan, still, would be to take off some of the low lows and the high highs out of B, that would make it less favorable to people.

But we find, the IWLC started out with two purposes, to get recreational boating and the environment included, and the only way that we figured we could really accomplish that, and it's in our brochures from the very beginning; is to restore the natural balance to the river, the normal rises and the normal fall. Both of the plans, A and D, create the same increased outflows during the fall. And in fact, Plan D is nothing more than a slightly exaggerated 15-DD in disguise. It's not really something new. You know, to me, when you look at the data, when you look at the frequency that you don't have boating with Plan D, and how anyone could ever say that that was positive and better than B, is absolutely ludicrous.

So the numbers, if you're going to re-evaluate the boating, you really should do it based on levels and not on these very suspect, willing to pay figures, of somebody, the only people who are included are those silly enough to pay two, three, four times as much as they ought to pay. Thank you.

(Applause.)

MS. KENNEDY: Anybody want to comments?

MR. STAKHIV: Yes. Dalton, I appreciate your comments. I know that you've spent a lot of time, one of the few people that's spent a lot of time digging into our information and models, and by and large, you're right. But let me address several of your comments, and then I'll pass it on to David Fay who actually worked on developing a couple of the plans, so he could get into the details.

Each plan, we're not saying that any plan is better than any other plan. As you saw, each plan has its plusses and minuses. No plan, not even Plan B, is unambiguously, you know, the best plan. So the choices have to be made by people such as yourself, on which plan suits you the best and which plan suits the region overall.

In terms of the economics and the modeling data, the willingness to pay is an old economic method. It's been used for the last, since I came into government and worked. and I'm not an economist, but they were using these methods 40 years ago. We had a panel of expert outside economic advisors going over all of the data, all of the economic analysis that we did. In navigation, recreational boating, hydroelectric power. They, they gave us insights and directions. We started off in wrong directions. They corrected us. I stand behind the willingness to pay information that we have to develop it. Even if you don't use the willingness to pay information; even if you don't multiply that last dollar per boater day, okay, we still developed lots of information for you on the number of boats, the size of the boats, the frequency of use, the number of boaters; all of that information is in the database for you to use. So you don't have to use willingness to pay.

But in order for us to bring it to the same level as all of the other economic uses of the system, we had to use some methodology that was widely accepted by the economic profession, and willingness to pay is one of those.

On the specifics of the previous question I was asked, which is; how is it that you have higher levels and, you know, no recreational boating benefits, I'll ask David Fay to address that because he spent a lot of time tweaking one of those models. I think it's Plan D, isn't it? One of those plans.

MR. Fay: This thing looks like it's --

MS. KENNEDY: John, John, do you want to wait for after David, or do you want to speak first?

MR. Brown: I can wait.

MR. Stakhiv: Oh, John, I didn't see you back there. Okay.

MR. FAY: I didn't either; he can answer these questions. I can sit down.

MR. BROWN: Well, actually with regard to the plan, David is the person to find out about the subtleties of why one plan -- I should say, I'm John Brown. I'm the U.S. lead for the rec boating technical work group to the study. I want to start off, I guess, by talking about a

little bit of the background of the science that went into this thing. I personally have over 20 years of experience doing advanced recreation economics for the Corps of Engineers.

When we formed our technical work group, we thought it wise to include Cornell University Human Dimensions Research Unit, who has many, many man years of experience doing recreation studies right here in New York State, and vastly familiar with Lake Ontario and again New York State economics. They developed the boating survey and we had it -- in terms of advanced recreation economics, the state of the art, it was done properly. So, Dalton, if you've got particular questions that you'd like to address, we would love to answer those on a point by point basis. Maybe off-line and put it part of the record. So I would be glad to clear up any misunderstanding you have about the details of the actual economics.

As Gene pointed out, if you just use boating days, that's the thing you really ought to key on is, comparing plans and the impacts to boating days. One of the things, not just the dollars, and the willingness to to pay surveys, but we actually did do depth measurements at all the marinas, and a sample of individual berths, and then related the actual fleet that was in those marinas, and we also did a similar type of analysis for private boats by user solicitation, to establish what the depths were, what the draft requirement of the boat was, and find out how often boats would be impacted by various water levels. So that's kind of the key to it. Then what numbers spin off of that in terms of the dollars or something else. And that's another point.

But boater days, and that's finding out how often a person uses their boat, or boats. We can talk, again off-line, we'll talk to Dalton about the details of what are the proper questions for that, to generate then, what is the total impact from, again, looking at different quarter months across the period of analysis for all the different plans, and seeing how often it's impacted at various locations in the various study reaches.

With regard to plans though, David knows a lot more about those than I do so he can explain those.

MR. FAY: I don't see anybody else jumping up to ask a question right away so I'll -- but I'd like to, I think I understand Dalton, and I think I basically agree with what he's saying. Although I'm not the economist and I can't talk about how the willingness to pay numbers were developed and that sort of thing. But I can give you my interpretation of why the numbers that we are reporting in your handout for recreational boating are the way they are, at least.

And I'm going to use the Alexandria Bay average water levels. This is the long-term average over 100 years, to help me try and explain this to you, to tell you why we get bigger benefits for recreational boating with Plan A and D than we do with B, and it is basically because, and Dalton was pointing out that he doesn't think this is right, but the economics show that higher water levels in July and August are much more important to most boaters than are higher water levels in September. I know a lot of you want to extend the boating season. I don't blame you; I would, too. But because on average, Plan A and Plan D have significantly higher levels, and more consistently, I should say, higher levels, we don't really control the variability of how levels vary from year to year on this graph. This is just a long-term average level. But because they're higher in the peak boating season, that's worth a lot of dollars, the economists tell us. And that's why those numbers come out as significant benefits for those two plans, and no so much so for Plan B, because Plan B is just about the same as 58-D in the July and August heaviest use period.

Now, the trade-off, and why Plan B likely does a little bit better than it would otherwise; is that you're right, Dalton, on average, even in, upstream at Alexandria Bay, and even on Lake Ontario the decline in the fall is less. And we heard from Mr., I think it was Hooper, saying that he thinks this is more important. And I'm not so sure. I'd have to go back and ask John Brown to see how this was factored in to the economics if indeed, a decline, or the importance of a decline from the summer to the fall, was factored into the economics or not, but that is the explanation, as I understand it, why Plan A and Plan D scored better or had a higher economic benefit than Plan B did.

MR. HOOPER: I just wanted to mention. It's Hooper. And if you've got enough water to boat, you've got enough water to boat. To put it another way, if you've got 10 feet of water at your dock, it doesn't matter if it goes down to nine feet of water, you've got a lot of water at your dock.

The problem is when you have three feet of water at your dock and suddenly you've got less than a foot. And that's why getting in a little bit extra water in July, no one's even going to really care. And I'm speaking as someone who's been on the water recreational boating my entire life.

MS. KENNEDY: Okay. David, just a second. Could the gentleman just give your name again. I know you've been up before but they've got to identify you.

MR. HOOPER: William Hooper.

MS. KENNEDY: Thank you.

MR. FAY: And it's David Fay again. I don't disagree with you but what we don't show on these graphs is the variability from year to year. And that variability is very important for the environment and that's why Plan B is such a good environmental plan. But from a recreational standpoint, recreational boating standpoint, you're going to have more years of consistently low levels with Plan B than with the other two plans.

Now, that may be fine. You can put up with a few bad years because generally you would like a flatter sort of seasonal drop. That may well be the case. I don't argue.

MS. KENNEDY: I'm sorry.

MR. SCOTT: That's okay. That's all right. Yeah, I better say something because they're getting a little restless here, three screaming kids in the hall. My name is Mark Scott. I'm from Waddington. I am part of Waddington Redevelopment Association. We've been promoting tourism in Waddington for the last three years. In addition to that, I'm the owner and operator of Lake St. Lawrence Boat Tours.

I'm a relative newcomer to the St. Lawrence River Valley. I've been living in the St. Lawrence for the last seven years. And I've noticed that the water levels change drastically between the spring and the fall. We've seen a lot of shoreline erosion and in the fall the water levels drop so much it's very difficult to even get a boat off the lift. I have to bring some people back to move the lift out a little farther to get the boat off.

The economic impact is very important to us. Like I say, we're trying to improve the economy through developing tourism. My understanding with Plan B is that Iroquois Dam

would be, the gates would be up more often than with Plan A and D, is that correct? So in that case, with the gates up, boaters are allowed to come underneath the gates and not have to go through the locks, which is a tremendous benefit to Lake St. Lawrence and Waddington. When the gates are down, we see a drastic decrease in boating activity up in the Waddington area. So to me it's very important that those gates stay open as long as possible.

I also understand that with Plan B that the water levels change less drastically. There's less variability in Plan B for Lake St. Lawrence. Is that also true?

MR. STAKHIV: Could you repeat that question?

MR. SCOTT: My understanding is with Plan B that the variability in water levels on Lake St. Lawrence is less --

MR. STAKHIV: Yes.

MR. SCOTT: -- than with Plans A and D, is that correct?

MR. STAKHIV: Correct.

MR. SCOTT: Okay. From a boating standpoint, recreational and a tour boat operator, it's more advantageous to have water levels that are more constant than go up and down more drastically.

I'd like to thank you for coming tonight and giving the presentation. And I'd also like to thank Mr. Foster for all the work that he's done. And I appreciate his opinion very much, and I would support Plan B. Thank you.

(Applause.)

MR. FREGOE: I'm Tom Fregoe. I live in Louisville. Now, on that chart up there you showed that, a couple charts you showed that there is going to be a loss of $2.88 million, that there was going to be an increase in hydroelectric, of something like 6.41 or something like that. Now that increase, of course, would be increased hydroelectric power made at the dam.

MR. STAKHIV: Generated, yes.

MR. FREGOE: Okay. Could that power be used for, say labor-intensive jobs instead of power intensive jobs, so to offset that $2.88 million that you've going to have a loss in the area with.

MR. STAKHIV: You're asking a difficult- -

MR. FREGOE: I mean, if it would benefit from Plan B. And Plan B is going to cost us.

MR. STAKHIV: This is what economists discuss in the literature, in the academic literature, of compensation and redistribution of benefits. And it's potentially feasible to do that. But in the real world it's difficult to get one sector to pay another sector and compensate them for it.

MR. FREGOE: Yeah, but they're going to gain right down in the blue.

MR. STAKHIV: It could be done. I'm saying, it can be done through, but it's at a level beyond the IJC and the Study Board. It can be done through additional taxes. Your respective governments will have to sort of weigh in on that matter to do that. And you realize how difficult it would be to convince your legislators to tax the hydropower interests and on both sides, by the way, on both the U.S. and the Canadian side, and say, okay, we're going to use that and give a tax break to the recreational boat owners. Again, conceptually it's feasible.

MR. FREGOE: Well, I mean, to the region; that's what I'm saying.

MR. STAKHIV: Yeah, yeah.

MR. FREGOE: Not necessarily to the boat owners but to the regions. If the regions are going to have a loss because of a new plan, then if there's now an opportunity to regain that loss, it's only reasonable to do so. But in due course, with a difference of 2.88 and 6.41 or whatever it was, the hydroelectric power is going to gain anyway. But this way nobody would lose.

MR. STAKHIV: You need to understand and I'll pass this on to David Fay, but you need to understand that when the plans were designed to maximize benefits, they didn't look specifically to maximize the hydroelectric power benefits. They were really designing plans primarily to improve the environment and to do better for recreational boating and shoreline interests. It just so happens that the way the plans came out with the higher lake levels, hydroelectric power and navigation are sort of an ancillary or incidental benefit. They didn't design plans to generate more hydropower. If we did, we could design plans that generate lots more hydroelectric. We're talking 10 to 40 million dollars a year more. We didn't do that. These are just incidental benefits because we were trying to tweak the system to improve recreational boating and the environment.

MR. FREGOE: Yes, but I'm saying this is not -- economic depressed area, and the loss of 2.88 million is quite a bit in this area. And if there's going to be an increase in hydroelectric power, they'd still gain over and above, because the increase is 6.4 or something like that.

MR. STAKHIV: Right.

MR. FREGOE: Now, the other point I'd like to make is, in the St. Lawrence River, at least the upper St. Lawrence River where they flooded, they left a lot of obstacles which they didn't take out. And I would say that before you go into this, whichever plan you're going to go into, to lower the water level to get rid of these obstacles and then raise it back up to whichever plan you're going to use, will be, so that the boaters and other people will not get hung up on these obstacles that have been left. Thank you.

MR. SKONSKY: My name is Pete Skonsky. I live here in Massena and I just have a couple questions. Number one; on your, on your handout here, on economic benefits on the coastal process shoreline interest; under the upper St. Lawrence River in shoreline protection, maintenance and erosion in unprotected developed parcels, there's nothing at all. There's no, on the dollar amounts it shows nothing. Is that because there was no study done or --

MR. STAKHIV: No. My understanding is that in that part of the river, generally two effects. One is that you have a hard shoreline. In other words, you have rocky shoreline so there's no erosion. And in other parts of that segment there aren't that many, there aren't that many unprotected parcels. A lot of them are protected. So this is erosion to unprotected developed parcels. Most of the developed parcels are protected already. So there's no damage.

MR. SKONSKY: I just get the impression that the Lake St. Lawrence area is basically being written off as a trouble spot. Is that --

MR. STAKHIV: No, not at all. We've done a lot of work in this, in this segment of the river, for all of the sectors, including the environment.

MR. SKONSKY: Well, there seems to be a lack of performance indicators in this area, even though it's the most affected area. I've gone to meetings before and raised the question of why -- the U.S. Geological Survey maintains water -- real time water flow data across the country and even into the smaller rivers in this region. It seems to me that real time water data at boat launches through this area would be a benefit, not only to the boaters but also for gathering data. It seems to be difficult to get real time data, other than from the power dam, on water levels within the Lake St. Lawrence area.

Other than that, thank you very much.

MR. STAKHIV: David, would you like to comment on that?

MR. FAY: I can comment --

MR. STAKHIV: Take the mike, please.

MR. FAY: Regarding real time water level data, I can only speak for the Canadian side. What we've done on several marinas and yacht clubs on the Canadian side is, we've installed stop gauges at the main docks, so any boater that's there at the marina can at least see what the water level is relative to chart datum, navigation charts; say, how many feet above datum am I at today? So that is one available, and that's apparently a low cost thing that you could do on the American side, too. Even, you're basically, it's a snazzy ruler. So your marina or yacht club could easily install that and have it referenced to chart data. That's the first thing.

Secondly, there -- if you look on websites, they're, I guess on the U.S. side, the available site, the nearest available site would be Ogdensburg. However, there is a Canadian site at Morrisburg, if you know where Morrisburg is on the Canadian side, on Lake St. Lawrence. And you can get real time or very close to real time water level data off the Canadian site that would give you data for Lake St. Lawrence. If you're a web user.

MR. SKONSKY: On the American side though, is there a problem gathering real time -- is there a problem getting the U.S. Geological Survey to install real time data?

MR. FAY: There is -- I shouldn't speak. I'm a Canadian. I shouldn't speak for the American agencies. Gene will --

MR. STAKHIV: As a matter of fact, we're having a meeting, a big meeting on Monday when I return, with the USGS on stream gauging because -- and you know, it's unfortunate, they have budget cuts, and they've been cutting the stream gauge system down, and they want the Corps of Engineers to help out with, you know, with their stream gauges. And we have the same problem. So the network of stream gauges throughout the United States has been reduced by about 30%. And it's purely a budget related issue.

MR. SKONSKY Well, I'd have to argue that. They just added real time data at Frasier Center on the St. Regis River, which seems to be a little bit -- there's less economic impact on the St. Lawrence River --

MR. STAKHIV: They're probably doing a -- it's probably part of a specific study. They have different watersheds that they've identified as priority watersheds for their climate change impact research. And that's probably one of those.

They're not -- see, the USGS doesn't look, doesn't cite gauges, stream gauges because of the economics. They cite stream gauges because of the interesting science.

MR. FAY: Can I jump in here, if you don't mind, Gene. On the St. Lawrence and the Great Lakes the American agency responsible for water level gauging is NOAA, the National Ocean and Atmospheric Administration. It isn't the USGS. The nearest NOAA gauge is at Ogdensburg. However, I can talk to you afterwards and give you the name of my contact at NOAA. He's been very interested in trying to establish a gauge perhaps at Long Sault Dam or somewhere else nearby, and I'm sure he'd love to get a letter from you supporting the installation of another gauge because he's a real zealot for having water level information available, real time, where people want it. So I could talk to you and exchange that, and I'm sure he'd love to get a letter from you or a number of you, pushing for another gauge.

MR. SKONSKY: That's what seems to be missing in this whole study. Thank you very much.

MR. RAITI: Good evening, everyone, and we thank you from the Town Board of Massena for coming tonight. My name is Chuck Raiti. I'm one of the councilmen on the Town Board. I'm here to, one thing I want to say is, the Town Board of Massena has elected not to come up with a resolution because we wanted our constituents to go through this meeting, see the plans, and then what we're looking for, and Dalton Foster came in and gave us a presentation one night, with his information but what now we're looking for is your input to us, John McCauley, Albert Nicola, Sandy Cook, myself and Greg Pacquin, and what you feel about this, and then we will, we are going to vote at our next Board meeting, which plan the Town Board is going to support. So we're waiting for your input after this meeting.

Personally, as Chuck Raiti personally, who has lived both down in the eastern shore of Lake Ontario as a young boy and for the last 20 some odd years here in Massena, I would like to see us implement Plan B because of three reasons. And this is what I will say to the Town Board.

One, the hydroelectric generation that is produced with Plan B. We have a settlement with NIPA that will benefit the north country. Okay. Number two, the economic benefits -- or, excuse me, the environmental benefits. I think those things need to be looked at. And number three, myself personally, is the boating. I'm an avid boater and where I grew up, we lost water in the end of August, and now up here in northern New York we lose water in the end of August, the middle of August, extremely, and it's poor for the boating up here, as well as the tourism.

But I do have one question I would like to ask someone on the Board. As a young man I watched the shorelines of Lake Ontario with a lot of ice cover. This is the eastern shoreline, okay. And then we had some nuclear plants built. From that time on, we did not have the protection of the shorelines with the ice, and in the spring we used to get some very terrible, terrible erosion. My mother's home, my mother and father's home, lost about 10, 15 feet from one high spring. I think it was in the '70's, as you mentioned about the high water. Was that in this study at all, what the temperatures did to Lake Ontario from the nuclear plants? Did that come into effect at all? And I thank you again for coming tonight. Whoever would like to answer that question I'd be happy to hear it.

MR. STAKHIV: No, we didn't look at the impacts of the thermal effluent on ice cover.

MR. RAITI: I'll be short and I'll get out. The reason I'm saying that is because I know from personal experiences with friends and relatives and people I know who built on the lake in improper spots, were eroded, lost their property because of the high waters. And that's why I'm asking that question. A lot of that, those homes were built and then all of a sudden that ice was gone, and then those homes in the spring would get flooded. And I know there's a lot of political pressure from that area to take care of the property down there in the Lake Ontario basin. Thank you.

MR. STAKHIV: I'll just note that also there's been a general warming trend overall in this region over the past 30 years, so it would be difficult to separate the effects of the nuclear power plant from the overall warming trend.

MS. MORE: My name is Sarah More, from Waddington, and I understand in the original 1958-D plan that Lake St. Lawrence was excluded from, sort of the investigative reports. Is that true?

MR. STAKHIV: David or Tony, can anyone answer that?

MS. KENNEDY: Anybody know about the original?

MR. FAY: I wouldn't say it was excluded. What happened was, the shoreline -- well, you know that the level was raised and a lot of property was flooded and a lot of people had to be moved, and so on and so forth. So the hydropower companies basically bought out that land, expropriated that land in most cases, and bought a flood easement up to a certain quite high elevation that, the number escapes me now. But basically, anything below that flood elevation, they said, well, that's basically our land and we have control over that land, so we may flood that land, and how the water levels go up and down weren't so much a concern to the hydropower companies at the time on Lake St. Lawrence because they owned all that property. So, but there were no environmental studies as to what would that do to the fish or the wetlands, and so on and so forth, back in the '50's, because frankly none of us really seemed to be aware and concerned at the time on that.

MS. MORE: Thank you. So Plan 1958-DD, is that the closest plan that's similar to 1958-D, is that correct?

MR. FAY: Yeah. Although Plan 1958-D would produce very different results. If there had not been deviations from the plan there would have been extreme flooding on Lake Ontario and downstream. There would have been some really high levels -- well, Iroquois Dam prevents high levels from occurring on Lake St. Lawrence. By closing the gates of Iroquois Dam, you

can prevent flooding on Lake St. Lawrence. So in a sense the people on Lake St. Lawrence are protected from significant flooding, because the gates can be closed and you can protect. They cannot be used, however, to protect from low levels, and 58-DD with deviations, has actually raised levels on some occasions compared to the strict rules of Plan 58-D. And that's been significant, especially in the late fall, in November and December for commercial navigation. That's typically when those deviations occur.

MS. MORE: And in the original 1958-D plan was the Iroquois Dam intended to be used as a major -- it was?

MR. FAY: Yes, it was. It was -- one of the purposes of having Iroquois Dam there was to prevent significant flooding damage on Lake St. Lawrence. And we still use that occasionally today to do that.

MS. MORE: And is the Iroquois Dam originally intended, or was it originally built to be used that extensively?

MR. FAY: Well, it was designed to be used whenever there was a flood threat on Lake St. Lawrence. Now, they couldn't really tell how often that would occur. I mean, they could look back at the past just as we're doing now, and say, well, that should occur every so often. But one of the points that Dalton raised was, these different plans will have higher levels on Lake St. Lawrence, different numbers of times, and therefore would result in the Iroquois Dam being used, especially in the spring, more or less frequently.

Plan B, and I think another gentleman, Mr. Hooper, pointed out, and I think Dalton has worked this out, Plan B would have fewer occurrences where the Iroquois Dam gates had to be dipped or partially closed to prevent high levels on Lake Ontario.

Plan D would have much more frequent use of the Iroquois Dam to prevent high levels on Lake St. Lawrence.

MS. MORE: So Plan B basically utilizes input from Lake St. Lawrence the most, is that correct?

MR. FAY: I wouldn't put it that way. I think the outcome, however, is likely better for most of the interests on Lake St. Lawrence.

MS. MORE: Thank you very much.

MS. KENNEDY: I'd just like to add one thing. One of the interesting things, I didn't get around to ever going and seeing the Iroquois Dam and the locks until two years ago, and one of the interesting things I found was that the great big sign there says on it, the Iroquois Dam controls the water levels on Lake Ontario.

MR. LARSON: My name is Carl Larson and I'm here to represent Save The River. And I'm not here to talk about boating or jobs, but rather I'm here to talk about that which drew people up here for boating and in large part for jobs, and that's the environment. For 50 years now, the current water levels regulation plan has severely hampered fish populations and has caused major, major problems for the environment on the river. And we're very pleased that the IJC is looking to correct these problems, and I'm pleased to see that at the top of the list for considerations is improving the biological quality and

considering the environment. So in that interest, I would encourage the IJC to show the true baseline for what this river really was like and ideally should be like, which is the pre-project river.

I'm not advocating for that. Obviously the rapids are gone and it would cause some serious damages. But I think that's it's important that we strive for something closer to the natural fluctuations of the river.

At the moment the plans on the table, and I only consider A and B, legitimate plans, because frankly D is basically what we have now, and the study that we're conducting, as I understand it, is to consider a new plan. So why we would look at Plan D is at least from an environmental perspective, a mystery to me. So between A and B, Save The River sees environmental benefits to both, but we would encourage the IJC to strive for a plan that more closely mimics the natural fluctuations of the river. And to us, A, Plan A and Plan B are both closer to that than D.

We would also request that after the plan, whichever one is chosen, is implemented, that you continue to monitor the effects of that plan and keep in touch with all of us about how it is actually performing with regards to the indicators that you have chosen and seek to tweak it and make it better for those indicators.

So we'd like to see monitoring and adjustment of the plan.

And I'd also encourage the IJC to have this Board here inform them as to the costs of the current management's plan, environmentally and those plans since -- I mean previously. What I mean by that is, there's not enough emphasis placed on environmental damages caused by the water levels plans that we've had for the past 50 years. And so I think it's important that we're aware of it and that our long-term goal is to return to a more naturally fluctuating river. And I thank you for considering a change here. It's much needed.

(Applause.)

MR. STAKHIV: Thanks for your comments. I need to assure you that our plan formulators and modelers are even now tweaking the plans to continue improving the environmental performance of each one of the plans.

Now, on kind of a technical note, we can never get to the pre-project condition because part of the St. Lawrence Seaway project was to blast out and excavate the St. Lawrence River channels to increase the capacity of flows. So that would mean filling in roughly 30% of the current cross sectional area to get back to pre-project conditions, as a technical --

MR. LARSON: I believe Plan E though, did not include any of that.

MR. STAKHIV: That's right.

MR. LARSON: And then was a closer approximation to the pre-project levels. So what I'm saying is, I encourage --

MR. STAKHIV: You're correct. You're correct.

MR. LARSON: -- the environmental plan to be closer to Plan E than it currently is.

MR. STAKHIV: Let me make another technical point, that perhaps isn't appreciated well. Plan 58-DD, 58-D with deviations, is not a plan. It's our best attempt to reconstruct the decisions of the control board over the past 40 years as if it were a plan. So we sort of formalized those decisions, the deviations, this is the way they operate. The Plan D is something that improves over that, formalizes those decisions, then it becomes a plan with hard rules, hard decision rules from which you can't deviate. In other words, it increases the economic benefits, improves the environment somewhat, and you can't -- and we're narrowing the range of deviations for each one of these plans. So there is that distinction, just so you keep that in the back of your mind.

MS. FOSTER: Hi. My name is Nancy Foster. I'm with the International Water Levels Coalition. And I have a series of questions. I'd like to just read them and then perhaps you can address them. What are the expected outcomes; after spending $20 million taxpayer dollars, the general public will and should expect something more concrete than the IJC will consider this study. If a new regulation plan is adopted, when will it go into effect and for how long? What provisions are being made --

MS. KENNEDY: Could you do one at a time, please?

MS. FOSTER: Okay. I was just going to read them and then go back to them. What can we expect? There are no expected outcomes listed. What can we, the general public, expect after $20 million?

MR. STAKHIV: Well, listen, I'm not an economist, but an economist would look at it this way. If you select Plan A as an example, which has $9 million annual benefits, the study will pay for itself in two years. That's pretty good. That's a good investment. Plus, you get benefits in many of the sectors. It improves the overall operation of the system. So -- but each plan has a different suite of benefits, and I think that any one of these plans has lots of positives that, that improve the overall operation of the system and gives it the kind of formality and reliability and predictability that you didn't have up until now.

MS. FOSTER: I appreciate the fact that everyone has put a lot of hard work into this and that many of the technical working groups are all volunteers, and I appreciate that. I also appreciate the fact that the Lake St. Lawrence was left out for recreational boating. That makes me question the data. But I'll go on from there.

MR. FREGOE: There's one question I'd like to ask you. Now, with whatever plan you're going to use, you're going to have the same amount of flow through the dam, is that correct?

MR. STAKHIV: Yes.

MR. FREGOE: Okay.

MR. STAKHIV: No, no. -- Over a year. The same --

MR. FREGOE: Okay. All right.

MR. STAKHIV: The same volume of flow but not in any particular day or week.

MR. FREGOE: Okay. Now, but there will be a certain amount that goes through the dam continuously?

MR. STAKHIV: Yes.

MR. FREGOE: Okay. Now, if some of that flow could be stopped or reduced, if it could be reduced for say, a week or two or something like that, and say, the plants that use that, not wherever it goes for the general public or anything like that, but if they could not use it for a couple weeks, that would allow the river to build back up. And those workers at those plants then could have a vacation. The plant wouldn't lose any money, would it, and they would still get the same amount of power over the year, using more power during the time that the plant isn't down. That would increase the water in the river, would it not, and has that idea been thought of?

MR. STAKHIV: We thought of lots of different ideas and combinations but not specifically that one.

MR. FREGOE: No, but would it seriously be considered?

MR. STAKHIV: Not seriously, no. But it could be considered, but it would create problems in different parts of the system. In other words, the benefits that would be generated from that, from that particular sort of variant, would create downstream and upstream impacts that are negative.

MR. FREGOE: I realize there would be impacts.

MR. STAKHIV: So on balance, on balance you're creating sort of a more difficult situation.

MR. FREGOE: Yes, it would be more difficult, but like I'm saying, the workers at the plants usually take at least two weeks off, so they could all take two weeks off at one particular time. They'd all get their vacation.

THE FLOOR: The plants, you can't shut down.

MR. FREGOE: No, no. I know. I'm not saying completely. I'm not saying completely. But I'm saying, it could lessen, and that would allow a build-up of the water.

MR. STAKHIV: You need to bring that up with the plant. We don't control the plant.

MR. FREGOE: No, you don't control the plant, but you do influence the IJC. Right?

MS. KENNEDY: I'd like to take a crack. I'm not a scientist. I'm a volunteer and I'm not a scientist, but I just want to give you my first reaction to that, is that I would have concerns if that happened, and at the same time, when you do that you're -- the water level in the river would rise, but so would the lake, and if we had some of the rains that we've had recently --

MR. FREGOE: Well, you'd have to take them into account.

MS. KENNEDY: Oh, my goodness sakes. We could have a big problem on the lake.

MR. FREGOE: Yes. Well, I mean, taking everything into account, that might help the problem to a certain extent. Maybe not two weeks, but just one week. That's all I'm saying. If everything could be tweaked to reach your optimum situation.

MR. STAKHIV: In about 20 years, if we had absolutely perfect forecasting of weather, and inflows, one could consider that plan. But that's about 20 years from now.

MR. FREGOE: I don't believe that, not with the computers they have today. You could --

MR. STAKHIV: Climate forecasters can't predict beyond three days.

MR. FREGOE: Okay. Three days.

MR. STAKHIV: Not good enough.

MS. KENNEDY: Your idea is certainly unique and it's now on the record. So, Nancy.

MS. FOSTER: Okay. The next three I'd like to lump together. If a new regulation plan is adopted, when will it go into effect and for how long? What provisions are being made for any new plan to be a living plan, and are there any reopener clauses? No matter what plan is chosen, we shouldn't be stuck with it for the next 50 or 100 years. Are there reopener clauses? How will you insure that it's a living plan, and if it's going to be adopted, any plan, when will that be and when will it go into effect, and for how long?

MR. STAKHIV: Okay. These are all kind of interesting questions that we hadn't thought about. Let me start and then I'll pass it on to David.

If you think about it, Plan 58-D with deviations is a living plan. They adjust every day.

MS. FOSTER: I think it died.

MR. STAKHIV: No, no. They are making, they are making adaptive decisions, adapting to the circumstances, and they're doing a pretty good job when you look at, you know, when you compare it with all of the other plans. What we're trying to do is to develop a better plan that's more predictable, more reliable, fixed. That doesn't mean that 10 years from now if the circumstances change that the IJC couldn't undertake another revision of the plan. I don't think anything is ever fixed. But --

MS. FOSTER: Okay. But that's my point. How are you going to insure that? How are you going to insure that this will be looked at, how often it will be looked at, by whom?

MR. STAKHIV: I depend, I depend on people like Dalton Foster to make a lot of noise, bang the drums and say, we need another study.

MS. FOSTER: That's a sure bet. Okay. How will the plan that is finally chosen --

MR. STAKHIV: Hold on. Excuse me. We have a member of the Control Board here. Andre Carpentier would like to say something on that.

MR. CARPENTIER: Yeah. I am Andre Carpentier, member of the Control Board, but also a member of this Study Board on the Canadian side. I just want to let people realize that, you know, we can make a determination but it takes time in order that we know what will be the result of. We need to take into consideration what kind of supply will we get next year or next two years, and wait until that, you know, we got all the results. Don't forget that the analysis of this, tweaking these plans, are done on 100 years and we try to balance the

effects all around this origin period. So on the 100 years. Don't forget that. If we want to tweak the plan, the new plan; let's say that we apply a new plan, we want to tweak the plan after two years because we got, let's say low flows for these two years, I think that's the bad thing. We need to wait until we got, you know, kind of mixed supply and mixed result and see if, you know, everything is good.

MR. STAKHIV: Good point.

MR. CARPENTIER: And another point, you know, and what the gentleman suggesting that we can cut the flows or, you know, cut the dams for two weeks, for example, or decrease the flow in such a way that we can implement the levels and the volume of water out of the dam, I hope you take into consideration the other parts of the system, the downstream. You show on the slide that when you increase the flow you increase the levels downstream, but the reverse is also right. You know, if you decrease the flow you also decrease the levels downstream. The same amount when you show in the slide. So you need to take into consideration how the system, lake, upper lake and lower lake.

MR. WATERS: My name is Roger Waters and I'm a councilman for the Town of Lisbon. We recently had the presentation on the different plans and after reviewing the plans we decided to go with Plan B, and we passed a resolution in support of that. There were several reasons why we did that. The main reason was because the river level declined in a gradual way in which allowed for continued boating. And we live, or where, the area of the river that we have, there's also commercial shipping, which is in the area of Ogdensburg, between Ogdensburg and Waddington, so that was instrumental to us, to try and keep that water level as high as possible to make sure the commercial shipping was able to have the best chance of no shipwrecks or anything like that, or getting caught in one of the shoals. Thank you.

MS. SCHERMERHORN: Okay. My name is Bea Schermerhorn, and I've been monkeying around with this water level thing for more years than I'd like to admit to. During my employment years we were in the marine business, the boating business. So I think I have a little bit of knowledge about boating and water levels as they pertain to marinas and boating. But first off, I would like to say that I am also a member of the International Water Levels Coalition, and I would like to say that we are very, very grateful for Dalton Foster. He not only is our president, but he is our digester of all of this gobble-de-gook, and he puts it very plain, very simple, so that us folks that aren't hydrologists, can understand what's going on. And I really want to give him a good vote of confidence.

(Applause.)

MS. SCHERMERHORN: Okay. Now, if and when a new plan is implemented, are there any provisions in it or are there any being considered for reorganization of the Board of Control? Now, if a new plan is implemented, it does include the environment, it includes recreational boating, it includes tourism, hopefully; will there be representation on that board of those stakeholders? At the present time there are not. There is not representation of all stakeholders. Question one.

MR. STAKHIV: Could I ask an IJC representative to answer that?

MS. SCHERMERHORN: Yes.

MR. TROWBRIDGE: I'm Russ Trowbridge. I'm the U.S. section liaison to the board. The Control Board is being considered for reorganization but the extent and the nature of reorganization will depend upon what plan the Commission picks. It depends whether there are deviations, whether there are not deviations, what the nature of those deviations are. Either structurally or through representation it is likely that all interests will be represented. I think that's about as far as we can go with that right now.

MS. SCHERMERHORN: I certainly hope that that happens. Thank you. Now, you spoke about erosion. Erosion, and I think this is something that's extremely important, has got to be emphasized, that erosion is an ongoing thing. Erosion just doesn't happen on the day the wind blows. There is erosion going on constantly in Lake Ontario and other areas that have erosion problems. And I think it's extremely important that somehow those with scientific backgrounds make that well known to constituents on Lake Ontario who are constantly upset about erosion. And they're looking at plans that say, well, we can't have erosion, we can't have that because it's going to do this, it's going to do that. They need to understand that erosion is out there. Am I wrong on that?

MR. TROWBRIDGE: We make that point all the time. It's just, the only difference between the plans is the rate of erosion. But erosion will continue, with or without -- under any plan.

MS. SCHERMERHORN: That's right, and I don't think that that is made sufficiently well known to the Lake Ontario people, particularly on the south shore.

MR. TROWBRIDGE: I think we hammer away at that pretty well.

MS. SCHERMERHORN: I don't think they're listening.

MR. TROWBRIDGE: Well, that can be said of many groups.

MS. SCHERMERHORN: I also think it's very necessary that in areas that are having erosion problems, be they normal, natural or man-made, as they seem to feel most of their problems are; that you start hammering on the fact that an awful lot of people are building homes in flood prone areas. Now I know there's scientific definitions of flood plain. And I do not think that is a flood plain along the south shore of Lake Ontario. It is a flood prone area. Having come from that area originally, I know exactly what the lake did before the project was put in, and the lake went up and the lake went down, and the lake went through a lot of very basic fishing camps. Then along came the great and glorious discovery about water, and so these fishing camps were bought up, and now we have elaborate edifices down there. Now nobody wants to see anybody lose their home, but I do think it's necessary that they stop this, and they're making no effort whatsoever to stop the building in these areas that are prone to flood.

MR. TROWBRIDGE: Could I answer that, Bea? We need to separate -- you ask, who stops the building. It's really the responsibility of the counties and the state and the local land use management plans, not of the IJC.

MS. SCHERMERHORN: I have said that for years and years and when I have said to those people, you got to talk to your local politicians, they're not interested. But anyways, now, to the boating survey. With all due respect to the gentleman that said that it is a 40 year acceptable plan to do this kind of a survey, we got a plan that's floating around 40 to 50 years on water, and we're here to try to make a change. So I'm sorry, I think that

boating survey has got a lot of gobble-de-gook in it. And it's very disturbing to me because I made my living in the boating business.

And the very last thing which I think Nancy mentioned, I call it revisit the plan. Whatever plan is accepted, I hope that there is a provision built into it to revisit it so that we don't have to go into deviations, we don't have to live with it for 50 years, and we can move forward. And I thank you.

(Applause.)

MS. FOSTER: I have another question on the orders of approval. My name is Nancy Foster, International Water Levels Coalition. I have another question on the orders of approval. Whatever plan is accepted, would it require that the orders of approval be changed, whether it's Plan B, Plan A or Plan D. Will that not require the orders of approval to be changed? Anybody?

MR. STAKHIV: I don't see that any of these plans would require the orders --

MS. FOSTER: They don't?

MR. STAKHIV: No. They fall, the way we look at it, they fall within the flexibility afforded within the orders of approval.

MS. FOSTER: Okay. Can I --

MR. BURT: My name is Bill Burt and I live at Wilson Hill. I have two comments. First of all, I'm very happy that we're spending $20 million to come up with data. I think decisions that are of this magnitude ought to be based on data and not on interests, although we all have interests and I certainly as a boater and recreational user have interest in the river. So I'm glad we spent the money.

My concern is, when you have this amount of data floating around, it doesn't take much for some small group of people to name it. And I think names become labels, which become very dangerous. For someone to claim that Plan D is a blended benefits plan which to a whole bunch of people who hadn't looked at it would say, blended benefits, sounds pretty good. I think that's doing a disservice to my $20 million. That's what I want to say.

(Applause.)

MR. STAKHIV: So let me just say that we had a debate on the board about what to name these plans, and we were kind of evenly divided on Plan A, B and D, or label them something. You know, what does the plan do, what does it intend to do, what is the overall objective of the plan. So we decided to put a label to sort of simply describe, just like kind of a mutual fund. What is the, sort of the main characteristic of that plan. But if you want, you could call it Plan A, B and D.

MR. BURT: I have a follow-up comment then.

MR. STAKHIV: Sure.

MR. BURT: I'm sorry, if those are the names that you came up with, they're certainly not the names that I would come up with, and I don't think they do justice to the data. I think that there needs to be a little bit -- I think you're taking too much license in your interpretation of the data and naming it, such as a study group, without even looking at the data --

MS. FOSTER: I just have one more comment. Part of it is a personal comment. My name is Nancy Foster, International Water Levels Coalition. And that is on your guidelines. One of the guidelines that I question is that decision-making will be transparent and representative. And again, I want to thank a lot of people who have volunteered their time. I appreciate that. But I think there is a problem with communication, and I will give you an example. I was asked to view your presentation, prior to your giving the presentation, and I was asked to evaluate it and send that evaluation in. I did that. I spent a whole weekend doing that. I am a retired teacher. I looked at it from that point of view, and you did not take one comment I made. So I have to ask again, how are you going to be representative and transparent when you ask for feedback and then you ignore it?

MS. KENNEDY: Oh, no. Sorry, Nancy. I'll speak up on that, Nancy. We did look at yours. We went through every point. We sat down, four of us, on the, the two communications officers, Canada and the United States, myself and Wendy Lager, from the PIAG. We sat down and we went through every point that you gave us and we incorporated some of them.

MS. FOSTER: What ones? I didn't see it.

MS. KENNEDY: Well, we didn't incorporate them into the slides. We incorporated them into the script. There was places in the script. The slides were already set, but we incorporated them in the script.

MS. FOSTER: Then my question would be, why did you ask me to do it after you already had the slides set and weren't going to change it?

MS. KENNEDY: Because we -- Well, one of the problems with the slides was that in Canada, maybe those of you don't know, but in Canada we have to have everything translated and so we had to pick the scripts far enough ago to be able to have them translated to be able to have French and English slides ready for the presentations.

MS. FOSTER: I appreciate that, Elaine. I really do. But you didn't take the information and do anything with it, really.

MS. KENNEDY: Yes, we did. Oh, yes.

MS. FOSTER: Maybe you should have asked a lot more ahead of time.

MS. KENNEDY: Well, that could be -- I'll take that as a criticism. I keep getting in front of that thing. I wander too much. I'll take that as a criticism of the PIAG not getting its act together fast enough. But as far as your comments, we definitely looked at them and I don't have my notes here, but we went through them one by one and looked at, where could we add that, where could we explain something more. We had four, we had four different people that commented, and I, frankly I don't remember which comments were used,

yours, but I do know that I had Nancy Foster, and we went through one by one and looked at them. So we definitely did.

MS. FOSTER: Okay. Thank you. Thank you.

MS. KENNEDY: Okay. They did go through the communications --

MR. LARSON: Carl Larson again. And I'm sorry, I forgot my question. Well, I think someone else had one. I'm going to have to reformulate that.

MR. FOSTER: Just a point of information. It was mentioned earlier I think by -- I'm Dalton Foster, IWLC. Mark Scott had mentioned it, about the gates being down. Just information for the audience. According to the Study Board's data, during the months of May and June, the gates would be down, totally closed 15% of the time in Plan A, 3% of the time in Plan B, and 56% of the time in Plan D.

MR. STAKHIV: We accept that information and I think it's probably correct. Over the year it's less but in those peak months, yeah, it's probably right.

MR. LARSON: Hi. Carl Larson again, and I remembered my comment, which was that, a while back in response to my earlier comments it was mentioned that 1958-DD was not a plan but had been pretty good, and has been a good job. And I would like to encourage the IJC never to mention that again because I don't feel the 1958-DD and the, quote, plan that's been realized at this point, has been well implemented, and I think it should be recognized, the environmental damages that have resulted from it. So to say that they've done a pretty good job I think is very misleading, and I'd hope that that doesn't get out further.

MR. STAKHIV: I accept your comment and I don't want to pick a fight with you, but we have the data here. Five out of the six sectors, we're talking about navigation, recreational boating, hydroelectric power, municipal industrial water supply, shoreline erosion and then the environment. So there are six sectors. 58-D with deviations does better in all of the sectors except the environment. No question about it. If you look at the last column in the performance indicators both on the environment and economics, you'll see that 58-D without deviations does very poorly on the economic side. Very poorly. Across the board. But yes, it does better on the environment. So, noted. We know that. It's in the data.

MS. KENNEDY: Tell me your name again, please.

MS. SCHERMERHORN: Bea SCHERMERHORN. I've got to take issuance with that comment that Plan 1958-DD has been a good one. We had had yo-yo water levels. It's been, please, I agree with the young man when he said he suggested that you not say that again. This plan is a mess. Why do you suppose there's been so much effort put forth to take a look at this thing again. Fifty years, you're not driving a car 50 years old. I'm not driving a car 50 years old. Why should we have to live with water level rules and regulations that are that old. Now, please, of all things, don't say it's a good plan.

(Applause.)

MR. STAKHIV: Bea, I didn't say it was a good plan. I said it wasn't a bad plan compared to 58-D. That's all, that's the only statement we're making.

MS. SCHERMERHORN: For you at the desk it's a good plan. For me out there --

MR. STAKHIV: I understand that. But it's all relative.

MS. KENNEDY: Other comments? Once more. Other comments, questions. All right. I'll do front and back. Okay. Remember your name first for the --

MR. FREGOE: Tom Fregoe. Like I was saying before, the IJC should kind of reduce their power maybe. I think every group should have to be willing to suffer a little hurt so that everybody benefits. And if they're not willing to, and you're not going to get the maximum benefit out of the river that everybody would like. So those people who aren't willing to give up anything should be pressured into doing it so that everybody can have the best that can be. I think it's just a matter of cooperation, and of course, finding good data. All these comments that may have been made here tonight, they're good and they're relevant, but everybody has to realize they're not going to get 100% of what they want. They might get 98% or only 95 or maybe only 80, but that's probably maybe 30% more than what they got now. But there's some like hydroelectric power increase that's going to be there. Like you said, they probably won't want to decrease their power at all. But the point is, they should have to. They are getting the maximum benefit out of the river. And all this power that's being produced supposedly should be to the benefit of the people, both Canadian and the American. And I would say any increase in power that comes along, it should be, all right, the hydroelectric power dam people should get paid for it, yes, but that should be used for the benefit of the people, not for the benefit of profit, which doesn't help the people to a maximum.

MR. LARSON: Carl Larson again from Save The River, and just for the record, I understand that there are lots of issues and problems with Plan E, which is no longer on the table, but neither as I understand it, is 1958-DD, though it is used for comparison's sake in many of your graphs and slides. And I'd just like to state my displeasure with the fact that for comparison sake and for the sake of the environment that the benefits of Plan E or a pre-project plan are not shown in any of your slides. Thank you.

MS. KENNEDY: Are there comments? Questions? Then I will return control of -- oh, Nancy.

MS. FOSTER: I just have one question. Can we have a straw vote as to how many people support Plan A or how many support Plan B, given on what facts were presented tonight? Any objection?

MS. KENNEDY: No.

MS. FOSTER: No?

MS. KENNEDY: I'm quite willing to do the straw vote but I'd also like one other vote, or one other show of hands before I do so. How many in the room belong to the IWLC? Okay. Then we've got --

MS. FOSTER: What's that got to do with it?

MS. KENNEDY: Because I'm trying to get some idea of the people that are outside of the IWLC, and if they've, if they've also chosen Plan B, that's a different group that are choosing Plan B.

MS. FOSTER: Well, then let's have the IWLC not vote.

MS. KENNEDY: Well, no. No, you can vote. But I just wanted to know whether or not I have no idea --

MS. FOSTER: The question is irrelevant.

MS. KENNEDY: No. Okay. My opinion as standing up here, for talking and wanting to know what the public thinks, I want to know the public also, from the point of view of non-IWLC, so that's all. Okay. So A, Plan A, straw vote. You like Plan A? Okay. Plan B. Okay. Oh, hang on. 24.

MR. STAKHIV: And Plan D.

MS. KENNEDY: Yes. D. Okay. We're not voting. No. But that's, okay. Interesting. Good idea. Thank you. Oh, guess I'm still on. Any other comments, questions?

I will pass on the information. I am not facilitating at every meeting. We take turns, but sure. There's one on Lake Ontario tonight so I don't know whether they'll -- Jordan, yeah. I don't know whether they'll be doing it or not. Yes. Okay. I'll return control of the meeting to Jon Montan.

MR. MONTAN: Okay. I'm very conscious of the hour. It's just after 9:00 o'clock. The study team and the commissioners would definitely want your input. If you haven't expressed yourself tonight there are further opportunities to do so. Please turn in the survey before you leave, and if you want to send in additional comments later, you have our contact information. If you did not sign a sign-in card on the way in, please do so as you leave, since we want to keep in touch with you. And if at any point you think of someone or if you meet someone who would be interested in information about the study, please pass on our contact information to them. Thank you very much for coming, and good night.

(Proceedings concluded.)

CERTIFICATE

I, THOMAS 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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