

## **PUBLIC MEETING**

### **PUBLIC INTEREST ADVISORY GROUP INTERNATIONAL LAKE ONTARIO - ST. LAWRENCE RIVER STUDY**

#### **MEETING SUMMARY**

**DATE:** Thursday, June 30, 2005

**TIME:** 7:30 P.M. to 8:00 P.M. (Presentation provided as Agenda Item 4 under the General Meeting for the Mohawk Council of Akwesasne)

**LOCATION:** Kanatakon Recreation Centre  
10 Community Centre Road  
Cornwall Island

#### **PARTICIPANTS:**

Angela Barnes	Grand Chief of the Mohawk Council of Akwesasne
Doug Cuthbert	Study Board Canadian Co-Chair
David Fay	Plan Formulation and Evaluation Group
Kathy Forde	Recording Secretary
Herb Gray	IJC Commissioner Canada
Elaine Kennedy	Public Interest Advisory Group
Larry King	District Chief for Kanatakon
Sandra LeBarron	Study Board
Henry Lickers	Study Board
Greg McGillis	IJC Staff
Russ Trowbridge	IJC Staff
Danielle Trudeau	IJC Staff
Bill Werick	Plan Formulation and Evaluation Group
Attending Guests	

#### **1. INTRODUCTIONS**

Elaine Kennedy welcomed everyone to the public consultation portion of the meeting. Members of the Study Team were introduced along with Canadian IJC Commissioner, The Honourable Herb Gray. Approximately 20 guests were in attendance. Comment cards and handout material were provided.

#### **2. OPENING REMARKS**

The Honourable Herb Gray, Canadian IJC Commissioner, provided opening remarks. The purpose of the consultation was to share in the latest developments of the study and to talk about something that is common to all -- the water of Lake Ontario and the St. Lawrence River. The importance of water to the Akwesasne history and

culture is recognized. Study Team members were at the meeting to hear all concerns. Recommendations will be based on consultations with many different interest groups. At the end of the year, once all complications have been resolved, the Study Board will deliver the final report to the Commission. At that point, the six Commissioners will then decide whether or not to modify the Control Order according to the water that the watershed warrants on the St. Lawrence and lower Lake Ontario for various reasons. The Control Order has not been reviewed since the seaway was first built many years ago. It will be essential to consider all interests, as the water levels will impact ourselves and our children and grandchildren in years to come.

### 3. STUDY PRESENTATION

Sandra LeBarron presented an overview of the study. Since the early 1960s, the current regulation, Plan 1958D with Deviations has been in place but is no longer responsive to the various uses of the system. Based on water supplies experienced in the first half of the century and upon 1950's technology and political, social and economic climate the plan has become dated. Although the interests of water uses, commercial navigation and hydroelectric power are accounted for, needs for the environment, recreational boating and shoreline erosion must now be considered. Since the Control Board actually deviates approximately half the time, emphasis of a new plan will focus on reducing extremes, reducing high and low levels and addressing new interests.

Over the last five years, Study Team members have examined numerous reference plans and developed interest-specific plans. Plan E was designed to simulate more natural conditions and maximize environmental benefits. However, implementation of this plan would cause severe economic losses for the coastal and recreational boating interests so should not be considered as a candidate plan. As a result, environmental objectives should be considered as a long-term management goal for the system.

Various users require different water levels throughout the year. Conflicts are encountered. Plan formulators have studied more than ten plans in an attempt to meet a variety of targets. Three plans most representative of the various interests remain as the best options. These plans continue to be refined recognizing that tradeoffs are inevitable.

- **Plan A: Balanced Economic Plan** - Designed to maximize overall economic benefits, this plan provides some improvement for the environment particularly on the Upper St. Lawrence River. Losses would impact shoreline interests on Lake Ontario and the River. Benefits would be provided to the recreational boating community.
- **Plan B: Balanced Environmental Plan** - Designed to simulate more natural conditions and provide overall economic benefits, this plan improves the environment on the Lake and Upper River. Losses would impact shoreline interests with significant flooding potential around Montreal. Losses would also impact the recreational boating community, especially on the Lake.
- **Plan D: Blended Benefits Plan** - Designed for balanced performance with overall economic benefits and minimized losses, this plan has few changes

from Plan 1958D with deviations for the environment. No overall losses for shoreline interests but some flooding potential. Provides recreational boating benefits.

The candidate plans have been evaluated from an economic, environmental and equity perspective in both quantitative and qualitative terms. The average level, highest level and most sensitive environment indicators have been closely examined.

Public consultations and agency briefings will continue over the summer. The closing date for public comments is August 05, 2005. The Study Team will complete final modifications in August. The Control Board and Public Interest Advisory Group will then discuss study results with the IJC in the fall. Public release of the final report is expected by December 31, 2005. Over the winter, the IJC will consider results and will conduct public hearings and government consultations in 2006 as work progresses towards the final selection and implementation of a new plan.

#### **4. QUESTIONS/COMMENTS**

Elaine Kennedy facilitated a question and answer session following the presentation. All views and comments on the candidate plans were encouraged. Concerns were expressed related to the water levels, erosion, water diversion, St. Lawrence Seaway, candidate plans and study costs. Recorded questions, answers and comments are appended. Accuracy of speaker names was based on clarity during the session.

#### **5. CLOSING REMARKS**

Appreciation was extended for the opportunity to provide information and for sharing concerns. Input is essential. It will be a difficult task for the Commissioners to make a decision on the new regulation plan. New interests must be considered. Additional information is available at [www.losl.org](http://www.losl.org). Written comments can be forwarded to local PIAG representatives before August 05, 2005.

#### **6. ADJOURNMENT**

The meeting adjourned at 8:00 P.M.

The General Meeting for the Mohawk Council of Akwesasne continued as scheduled.

### **PUBLIC MEETING QUESTIONS AND ANSWERS**

#### **Water Levels**

Q1. Why is this part of the river system so low? (Unidentified Speaker)

A1. *The river in this area does not fluctuate very much. The amount of flow is coordinated from both dams so little fluctuation occurs. There is very little variation because*

*outflows are about the same. (David Fay)*

- Q2. The rear end of my dock does not touch the bottom. The ecosystem seems to be deteriorating. Water generally goes down through the summer, which is bad for boaters in this area. Anyone who does not know this river will have problems. This is a big concern here. People used to earn a living on this river and now they cannot even fish here. It would be appreciated if levels on this part of the river could be raised back up. Comments? (Mike Thomas)
- A2. *From the plans that will be presented to the IJC, one will be chosen or will be modified depending on input provided but the plan will not change what happens on Lac St. Francis. Regardless of the plan that is chosen, releases from the Moses Saunders Dam will not change much. It is a product of creating electricity here and downstream. (Elaine Kennedy)*

### **Erosion**

- Q3. The roads to the islands used to go 25 to 30 feet further up but now the western tip of Yellow Island is eroded. Comments? (Mike Thomas)
- A3. *We have been consulting for four years. Now we are presenting candidate plans for review. Considerable information on Akwesasne concerns has been brought to our attention. We have tried to improve plans. We consulted to find out what was needed. Concerns have been incorporated. Now we are coming back for additional comments and to identify preference for the various plans. (Doug Cuthbert)*
- Q4. The rise and fall in the dams and river has caused erosion on the western end and on Yellow Island. Trees along the river have fallen into the water due to erosion. Comments? (Unidentified Speaker)
- A4. *The Commission does not have a mandate to provide funds to cover erosion. (Doug Cuthbert)*

*More variation of levels for environmental interests causes more shoreline erosion. The question is tradeoff and what are we prepared to accept. (David Fay)*

### **Water Diversion**

- Q5. When you look at the larger picture of the Great Lakes, it will have a more detrimental impact than what we have now. If Canada allows diversion of Great Lakes water bodies into the U.S. the impacts will be felt throughout Northern Ontario. What type of support can the IJC provide to First Nations with respect to water diversion? (Angela Barnes)
- A5. *Several years ago the Commission undertook a study on diversion and recommended to governments that they would not support or allow diversion of water from the Great Lakes. Supporting documentation is on record. The Canadian government is directly opposed to diversion. (Doug Cuthbert)*

*On the Canadian side there is a federal law stating no removal of water on the Canadian side of the Great Lakes basin. The International Lake Ontario-St. Lawrence River Study is not designed to address water diversion. The study is designed for the regulation of water levels and flows in Lake Ontario and the St. Lawrence River system. The original Order did not take into account all interests. Now with consultation, the Study Team is responsive to all concerns expressed and new interests are being heard. As work*

*evolves, comments will be reviewed and consensus building will continue on both sides of the border. (Herb Gray)*

*As stated on CBC today, seven states and Ontario and Quebec have agreed on protocol for no diversion out of the Great Lakes. (Elaine Kennedy)*

*With respect to Annex 2001, a 60-day comment period is underway. Everyone has the opportunity to read the document and provide comments. Regarding the water levels study, as the Public Information Officer, business cards are available and expression of all interests on process or content are encouraged. (Greg McGillis)*

### **St. Lawrence Seaway**

Q6. Do you agree that the St. Lawrence Seaway is perhaps one of the biggest manmade surroundings in the last 50 years? (Larry King)

A6. *I cannot agree it is the biggest manmade calamity. I know it is a concern to your community. We cannot take out the dams but we can try to operate in a more environmentally pleasing manner. That is part of our mandate. (Doug Cuthbert)*

### **Candidate Plans**

Q7. How far away is Plan B? (Unidentified Speaker)

A7. *That is a tough question. Six months ago the plan was not even defined. Now we have heard from every interest group. The challenge will be in 50 years when things have happened to the shoreline, like flooding. It is speculated that people will want to hear back from the agencies over the years through consultation. (Doug Cuthbert)*

*The role of the Study Board is to develop options. The role of the IJC is to make decisions. Currently, no views have been expressed by the IJC because recommendations have not yet come forward. However, efforts to obtain a goal or at least get closer are underway. Perhaps mitigation will help but the IJC does not have the authority or funds to actually implement or acquire mitigation. Further steps may need to be developed in that direction. (Russ Trowbridge)*

Q8. How long would the new plan last? (Unidentified Speaker)

A8. *Until reviewed again. Ideally, changes should be considered through time, perhaps every 10 years. (Doug Cuthbert)*

### **Study Costs**

Q9. How much money does the IJC pay to support this study? How much funding covers the environmental experts? (Unidentified Speaker)

A9. *The IJC is not a funding body. Money is voted by the Government of Canada and U.S. Congress basically to cover salaries, phone, accommodations and travel. To carry out a study the governments have to provide an additional appropriation. We do not give money to environmentalists or corporations. We may support a small conference in terms of a key speaker. We do not have a program budget. (Herb Gray)*

*Over five years, costs will total approximately \$30 million Canadian, or \$20 million U.S. The current regulation addresses hydropower, commercial navigation and water uses*

*but does not address any environmental concerns or recreational boating. The primary focus of this study was on these new interests. Roughly a quarter of the money has been spent looking at environmental issues, which is probably what was spent on commercial navigation so the pendulum has swung as we try to incorporate environmental interests. (Doug Cuthbert)*

### **Comments**

- In this day and age with the consultation process all concerns should be heard. Regardless of whether our points matter or not, the IJC will say they talked to the Indians but nothing will happen. It is a slick and savvy process.
- Environmental preservation is essential.
- Community concerns are important.
- The study group has done a lot of work and it is very much appreciated -- thank you.
- All of the study information produced is available publicly for anyone to use and access.