

**International Lake Ontario-St. Lawrence River Study
Board Meeting
Buffalo, New York, August 28, 2003**

SUMMARY OF MEETING

Those present were: Doug Cuthbert, Pete Loucks, Dan Barletta, Elaine Kennedy, Frank Quinn, Sandy LeBarron, Ian Crawford, Frank Sciremammano, Andre Carpentier, Lynn Cleary, Ed Eryuzlu, Tony Eberhardt, Russ Trowbridge, Arleen Kreuzsch, Bill Werick and Wendy Leger.

1. Review of Agenda and Day's Objectives

The [agenda](#) was approved with additional items and the objective of the meeting - to review the guiding principles, performance indicators and criteria and discuss preparations for the next Board meeting - was described.

2. PFEG Overview of Board Interviews

- Wendy gave a presentation regarding the results of interviews she had with the majority of Board members.
- A summary of the interviews was provided.

3. Outstanding Issues

- Wendy provided a paper, which described [outstanding issues](#).
- The Board agreed that each of the issues would be addressed.
- Tony and Ed will ask Board/TWG leads for volunteers to address each.
- No deadline was set for this item.

4. Review of Draft Guiding Principles

The Board reviewed the proposed wording of the [Study Board's Vision, Goals and Guiding Principles](#) and adopted statements.

5. Performance Indicators

- The Board reviewed the proposed performance indicators accepting those provided. During the PFEG interviews, additional indicators were identified.
- A serious point was raised by Bill regarding the likelihood of all PIs being provided in time for incorporation in the plans being evaluated by the Shared Vision Model and review during the March 2004 workshop. The Board stressed that the identification and incorporation of all PIs into the SVM must be complete by 31 December 2003. The entire schedule of Study completion will be delayed by a year if PIs are missing; which is completely unacceptable.

6. Review of Draft Criteria

- Bill gave a presentation regarding the 42 criteria that have been developed.
- The triangular evaluation process will assess plans and criteria based on hydrologic outcomes and the assessment of reliability versus vulnerability and resilience (vulnerability).
- Visualization will be used as much as possible to simplify the evaluation.
- Since a display of long periods-of-record (POR) of levels may be difficult to assess, it was suggested that annual levels be displayed, along with the maximum and minimum levels for the POR (and their date of occurrence) and also 5% and 95% exceedance values.

7. Other Business

a. Preparing for September 24th Meeting/Agenda

- Irene Brooks will be meeting with the Akwesasne Tribe on the afternoon of September 22nd. Russ, Tony, Ian, Pete and Doug will also attend.
- Lynn will arrange a tour of Montreal and downstream areas by plane or helicopter.
 - Dan, Elaine and Bill said they would take the tour.
 - Doug and Tony said they could, but would give up their space if others wanted to attend.
 - PIAG members will be invited.
 - Bill will videotape the tour and Christiane Hudon will be invited to provide a voice over.
 - The tour will take place in the morning on September 23rd.
- PIAG will have its meeting on the afternoon of the 23rd.
- Board representatives will meet with the Kahnawake Mohawks on the evening of the 23rd.
- The Board meeting will take place from 8:30 am to noon on the 24th and resume from 1:00 to 4:00 pm on the 25th. PFEG will conduct a workshop with the Board and other Study participants from 1:00 to 5:00 pm on the 24th and from 8:00 am to noon on the 25th.
- PIAG will conduct a public meeting in Dorval, Quebec during the evening of the 24th.

b. Great Lakes Commission Conference

The Study has been asked to give a brief presentation at the GLC Conference in Chicago, Illinois on October 2nd. It will either be given by Ian Crawford or an IJC representative.

c. Canadian Funding

Doug reported that Canadian funding for the Study has been assured through March 2006.

d. Study Mementos

Doug provided Study water bottles and pens. The pens will be provided to Study participants. The bottles will be more widely distributed.

8. Future Meetings

- The week of October 20-24, 2003, IJC Semiannual Hearings in Ottawa, Ontario.

- December 2-3, 2003, Meeting on Akwesasne Lands (proposed).
- March 13-14 or 20-21, 2004, PFEG Workshop in Toronto, Ontario.
- The week of April 19-23, 2004, IJC Semiannual Hearings in Washington, DC.
- May 18-20, 2004, St. Lawrence River Institute Conference in Cornwall, Ontario.

*Prepared by Tony Eberhardt and Ed Eryuzlu
September 19, 2003*

International Lake Ontario-St. Lawrence River Study Board Meeting
Airport Holiday Inn, Buffalo, New York
 August 28, 2003 (8:00 am to 5:00 pm)

Agenda

1. Review of Agenda and Day's Objectives (Directors)

2. PFEG Overview of Board Interviews (Leger)

3. Outstanding issues (Leger)

4. Review of Draft Guiding Principles (Scioremammano)

5. Performance Indicators
 - a. Review of draft Indicators (All)
 - b. Red/Yellow/Green TWG Ratings (Werick)
 - c. Additional PIs (All)

6. Review of Draft Criteria (All)

7. Other Business (All)
 - a. Preparing for Sept. 24th Mtg/Agenda (Leger/Werick/GMs)
 - b. Schedules

8. Next Board Meeting (GMs)

Outstanding Issues

The following are a list of issues that have been raised on different occasions by the Board, or others within the study, but have never come to complete closure, or do not have documentation as to why a decision was made or not made.

1. Possible Missing Performance Indicators:

a. Water Quality/Algae:

Water quality and particularly algae are very important issues to shoreline property owners and those using the lakes and river for recreation purposes.

- Water quality should be addressed by Environmental TWG. (March 2002)
- Water quality issues are being addressed for the lower St. Lawrence River by the Environmental TWG. Joe will look into WQ issues on Lake Ontario, such as algae and other concerns related to municipalities as mentioned by Max; (Sept 2002)
- ETWG requested funds for an algal study at March 2003 meeting - Board declined (not in minutes) Nothing is currently being done with respect water quality and algae. (Communication with B. Parker).

b. Propeller Noise:

- Board requested that Commercial Navigation consider how to address any water-level impacts on native concerns regarding vibrations, erosion, and water intakes (Nov 2001)
- Commercial Navigation TWG not expected to consider propeller noise. (Feb 2002)
- Akwesasne will be asked to document problems due to propeller vibrations. (March 2002) Propeller vibrations in the vicinity of Akwesasne: Henry Lickers will identify problem areas. Roger Haberly will look at these sites and during what times problems occur, although problems may be related to ship operations rather than water levels (Sept 2002)

c. Beach Access

- Recreational beaches will not be considered since they are beyond the scope of the study. (Feb 2002)

d. Municipal & Industrial Water Uses

- M&I: Board confirmed that consumptive uses (Agriculture, farming, industrial and domestic) should not be included in their studies. (Nov 2001)
- Sewers and septic systems has been raised a number of times. Need to confirm that M&I is covering this.
- Impacts to shore wells has also been raised but is being covered by M&I.

e. Other PIs:

- Board confirmed commercial fishing is not in Board's mandate and will not be considered. (Feb 2002)
- Currently no social or cultural indicators are listed (especially Native issues)

- Air quality - question of whether a reduction to hydro could cause a significant impact on air quality as a result of an increase reliance on thermal plants?

2. Environmental Valuation: (May 2003)

- The Board did not approve the proposal by Frank Lupi of Michigan State University for an Environmental Valuation Feasibility Study (scientific sample of the public, their willingness to make environmental tradeoffs and rank alternatives); it will be discussed further at the September Board Meeting in Montreal. Dr. Lupi will attend.

3. Peaking and Ponding

Peaking and Ponding has been discussed many times through the course of the Study with different direction given at each time. There has been no definitive answer on how to deal with peaking and ponding

- Board confirmed that "peaking and ponding" operations are not part of a regulation plan and need not be included in their work (Nov 2001)
- There may be need to look at short-term water level fluctuations resulting from or impacting peaking & ponding and commercial navigation, recreational boating, fish spawning. (Feb 2002)
- Peaking and ponding will only be considered as it effects operation of Moses-Saunders powerhouse within Lake St. Lawrence and Lake St. Francis. Environmental, commercial shipping, coastal, rec. boating impacts in these locations to be considered. (March 2002)
- The H&H and Environmental TWGs will address the issues related to peaking and ponding. They will also assess water temperatures as they relate to ice formation and wetlands. (Sept 2002)
- All information could be gleaned from FERC re-licensing reports, but no one is looking at it at this point. (Communication with B. Parker) None of the criteria apply to day to day operations.

4. Adaptive Management

This issue has been raised, but it is not clear how the Board intends to approach this.

- The Board should consider and incorporate post-Study monitoring and adaptive management in its recommendations. (May 2003)
- PFEG discussed the need to develop rules and tools to support Control Board deviations from a written plan, for example, risk models using current forecasts. It was noted that an operational guide does exist for Plan1958D, but it would need to be rewritten. PFEG will work with the Board of Control to prepare a new operational guide to give guidance for deviations. (PFEG - June 2003)

5. Mitigating/Alternative Measures

- There is no mention of mitigation in the Directive to the Study Board, however there is a section in the Plan of Study that states the following...

(POS Sept 1999)

In some cases, structural and non-structural measures taken at the local area may be superior to further regulation of the levels and outflows of the Great Lakes, In this study, the Board will identify and suggest the kinds of measures that may be feasible. It is proposed that measures, such as the following, be examined:

- Dredging and other improvements to alleviate low water level problems at commercial docks or marinas.*
- Proper land use management at the local government level to reduce flood and erosion damage.*
- Possible improvement to St. Lawrence River ice management techniques.*
- Dredging and other measures to resolve navigation problems associated with high and low water levels/flows.*
- Measures home-owners, industries and municipalities can take to enhance the reliability of intakes and shore-wells affected by water level fluctuations.*

As was recommended in the Commission's December 1993 report to the governments on the work of the Levels Reference Study Board, efforts toward prudent shoreline management practices at all levels of government will be encouraged.

- Land use and land use management:
 - Considerable concerns and questions were raised on how to ensure that there is consistency in dealing with zoning, future developments, those who have built on flood plains, and land claims issues. (Nov 2001)
 - No decision was made on how to address landuse, zoning and future development. U.S. properties that were "grand fathered" would have to be considered, but it wasn't clear how to address poorly designed marinas. These issues will be raised in first year report.(Feb 2002)
 - Tom and Ralph to determine how future development is to be considered in terms of shore land use. (March 2002)
 - Land use policy differences between the U.S. and Canada should also be addressed. (Nov 2002)

6. Other Concerns raised at Public Meetings

- U.S. Public concerns for greater regulation on Ottawa River.
- Values of the Broader Public - Frank Lupi's proposals could get at some of this. No Board decision yet. (May 2003)

(Draft - no final approval)

The following Vision, Goals and Guiding Principles were adopted by the International Lake Ontario-St. Lawrence River Study Board at its meeting in Buffalo, NY on 28 August 2003:

Vision

Achieving economic, environmental and social sustainability of the Lake Ontario & St. Lawrence River System

Goal

To identify flow regulation criteria that best serve the wide range of affected interests and climatic conditions in the basin and that are widely accepted by all interests.

Guiding Principles

- a. Criteria and Regulation Plans will be environmentally sustainable and respect the integrity of the Lake Ontario-St. Lawrence River ecosystem.
- b. Criteria and Regulation Plans will produce a net benefit to the Lake Ontario-St. Lawrence River System and its users and will not result in disproportionate loss to any particular interest or geographic area.
- c. Criteria and Regulation Plans will be able to respond to unusual or unexpected conditions affecting the Lake Ontario-St. Lawrence River System.
- d. Mitigation alternatives may be identified to limit damages when considered appropriate.
- e. Regulation of the Lake Ontario-St. Lawrence River System will be adaptable to reflect the potential for changes in water supply as a result of climate change and variability.
- f. Decision-making with respect to the development of the Lake Ontario-St. Lawrence River System Criteria and Plans will be transparent, involving and considering the full range of interests affected by any decisions with broad stakeholder input.
- g. Criteria and Regulation Plans will incorporate current knowledge, state-of-the-art technology and the flexibility to adapt to future advances in knowledge, science and technology.