

**International Rainy-Lake of the Woods Watershed Board
Summary of Discussion**

**Wednesday August 16, 2023
2:00pm - 4:00pm CT (3:00 pm – 5:00pm ET)**

**Lake of the Woods County Museum
119 8th Ave SE
Baudette, MN 56623**

Chair: COL Eric Swenson

1. Welcome and Administration

U.S. Member Participants

COL Eric Swenson
Kelly Sjerven
Theresa Haugen
Mike Hirst
Doug Franchot
Jim Stark
Shelly Patten
Rebecca Seal-Soileau (Secretary)
Abby Moore (Engineering Advisor)

International Joint Commission

Lance Yohe (Commissioner)
Mark Gabriel
Alexandria Farrell
Kathey-Lee Galvin
Teika Newton (International Watershed
Coordinator)
Raj Bejankiwar (HPAB)

Canadian Member Participants

Mike Goffin
Greg Chapman
Megan Garner
Mark Lee
Todd Sellers
Karen Cederwall
Chief Brian Perrault
Lucas King
Matt Myers
Maria Jawaid (Secretary)
Elizabeth Jamieson (Engineering Advisor)

Additional Participants

Briana Wagner (US DOS)
Felicia Minotti (GAC)
Joel Wessman (Consulate General of Canada,
Minneapolis)
Alexandra Lavictoire (AMC Co-Chair; LWCB)
Joshua Jones (alternate for Al Pemberton)
Scott Jutila (USACE)
Mike Kennedy (MPCA)
Victoria Christianson (USGS?)
Wendy Wells (USACE)
Joan Rose

The meeting agenda was modified to include a trivia game on the 1909 Boundary Waters Treaty led by COL Eric Swenson. When the game concluded, the meeting proceeded with an

Indigenous lands recognition. The Board approved the June 6, 2023, Board Meeting Summary and the Secretariat provided an overview of the status of action items that came out of the June 6 meeting.

2. Focused Discussion: IJC Semi-Annual Follow-up

The Board Co-chairs led a focused discussion based on questions raised by Commissioners at the IJC April Semi-Annual Appearances regarding water regulation and public communication in the basin. The first topic was examining the effectiveness of the 2023 Temporary Order. The Water Levels Committee (WLC) decided to submit a request to the IJC to extend the Temporary Order into 2024. This will allow the WLC to understand the effectiveness of the combined Rainy Lake Rule Curve under a potentially different freshet condition. This would also provide additional time for the WLC to perform supporting modeling work and the IJC to collect public input.

The second topic focused on understanding the roles, responsibilities, and communication between the International Rainy Lake of the Woods Watershed Board (IRLWWB), WLC, Lake of the Woods Control Board (LWCB), and International Lake of the Woods Control Board (ILWCB). The Canadian WLC Co-Chair reminded the Board that, while the IRLWWB has a broader water quality mandate that includes Lake of the Woods, the WLC's water level responsibilities are focused on Rainy and Namakan Lakes, and do not extend to Lake of the Woods. The LWCB regulates Lake of the Woods water levels and provides technical support to the WLC. Through this discussion, the Board achieved an improved understanding of the roles of each regulation Board within the basin, although it was recognized that there are opportunities to improve communication and engagement.

The WLC noted that their April virtual information session saw an increase in participants residing on Lake of the Woods. The WLC noted attendees were disappointed when the Board only presented conditions and regulation decisions for Rainy and Namakan Lakes and not for Lake of the Woods. This indicates some confusion amongst the public on the roles and responsibilities of the different Boards in the basin. The WLC was actioned to develop a 2-page document on water regulation in the basin that highlights the role of the different boards. This document could be posted on the website and will build upon the "Roles and Responsibilities" infographic developed last year during the flood.

There was Board discussion on how to harmonize public engagement between the IRLWWB-WLC and LWCB while still distinguishing their roles in the basin since the LWCB functions differently when making decisions. An example being that LWCB holds meetings with specific special interest groups for input on regulation but does not do public engagement sessions. The Board also discussed communication with the public, especially during floods. Information from both Boards needs to be accessible to the public and there also needs to be a better understanding of what the public wants to know and what is the best way to package the information. It was decided that members of the WLC and LWCB would schedule a separate meeting to discuss harmonizing public engagement.

ACTION: WLC to submit request to IJC for extension of Temporary Order for 2024.

ACTION: WLC to schedule meeting to consider the harmonization of LWCB and WLC public engagement

ACTION: WLC to develop a 2-page document on water regulation in the basin that highlights the role of the different Boards.

3. Water Levels Committee

Most of the WLC's updates were mentioned during the previous agenda item, but WLC stated the 2022 Post Flood Report would be finalized in September of 2023.

4. Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) Co-Chairs reported that next steps of Interim Exceedance Reporting are well underway and that the AEHC would be requesting information from relevant agencies as a next step. Co-chairs then provided an update to the Board on the status of current IWI projects. Phase 2 of the Objectives and Alerts project has been approved by the IJC and is now working on vendor contracts. There are concerns over the gap in Ontario agency representation that will have influence in remedial actions for water quality and aquatic ecosystem health.

The mining vulnerability study is underway on the US side, with contracted work to develop a mining data inventory by the USGS scheduled to be completed in March 2024. The product of Phase 1 of the project will be data collection for both countries. The next phase will be to assess and assimilate the work done by both countries. There are concerns over the differences in timelines and progress between the US and CA contracts. The US contracts final report will be submitted first, and the CA final report will need to be in a similar format. Finally, AEHC co-chairs stated the Lake of the Woods - Southern Shore Barrier Island Erosion Investigation has been funded by the IJC and contracting process is underway.

5. Adaptive Management Committee

The Adaptive Management Committee (AMC) has new co-chairs and is currently adding new members to the committee. The Canadian Co-chair updated the Board on the USGS flood inundation visualization tool. The project is ongoing and the USGS is now working with the ECCC modeling team to add data to the visualization tool. Work also continues for the IERM model conversions to the ISEE systems. There was a question raised on the scope of the model and if it would be expanded to cover the full watershed, including Lake of the Woods. The original model was a model that included Rainy and Namakan Lakes and the other was a model of Rainy River up to Manitou Rapids, MN based on the extent of available bathymetry data. Extending the model to Lake of the Woods has not yet been discussed by the AMC, since the mandate of the AMC is to investigate the efficacy of the Rainy and Namakan Lake Rule Curves. Extension to Lake of the Woods could be considered for water quality measures in the future. Other updates related to 2023 AMC projects included work to enhance and develop performance indicators for submerged aquatic vegetation, white fish and walleye spawning,

and coordinating bathymetry data collection for the Lower Rainy River.

The AMC is also working with Grand Treaty Council #3 on engaging Anishinaabe participation in informing vision and values for water management, with similar engagement IWI proposals for Métis Nation of Ontario and Minnesota Tribes to come later. Finally, the Board approved the new AMC Work Plan format.

6. Engagement Committee

The Engagement Committee (EC) co-chairs did not receive feedback on the draft Terms of Reference since the June 6 Board meeting. EC co-chairs have requested guidance from IJC staff to finalize the membership section of the Terms of Reference. Some members of the EC noted that they have some feedback on the Terms of Reference that they are finalizing, and it was decided that all remaining feedback for the Terms of Reference must be submitted to the US EC Co-Chair by September 11.

ACTION: Engagement Committee and Board members to provide remaining feedback on the Terms of Reference to Kelly by September 11.

7. Advisory Group Updates

Following up on the meeting between the Board and Community Advisory Group (CAG) occurring a few hours prior to this meeting, the CAG Co-Chairs suggested the Board close the loop with the IJC regarding the 2021 Emergency Environmental Preparedness and Response recommendations. It was decided that a small group discussion would be scheduled with the IJC Advisors to determine the next steps on the recommendations.

The CAG Co-Chairs were also interested in expanding the scope to a basin-wide approach for risk assessment, with the first topic looking at risk through the lens of the entire basin and the second topic looking holistically at the basin to identify risks and next steps. There was Board discussion on what is identified as risk, how risks are prioritized, and if the Board is aligned to address them. The Board has made changes to address new threats as they come up, questioning whether there is a need for creating a process for risk prioritization. It was decided that this required further in-depth discussion and the US Board Co-Chair offered to provide insights after participating in a facilitated discussion on strategic planning with another IJC Board the following week.

The Industry Advisory Group (IAG) Co-Chairs updated the Board on IAG activities over the past year. The IAG met in the fall, winter, and spring. Meetings do not typically occur in the summer due to member availability as it is a busy time of year. A new US appointment for membership, Ben Woods from the Boise Plant, was approved by the Board. On the CA side, there is currently recruitment to gain representation from H2O Power, following the retirement of a previous IAG member.

ACTION: Secretariat to organize a small group discussion (with Board & CAG Co-chairs, IJC Advisors Secretariat) on next steps for the 2021 Board recommendations regarding Environmental Emergency Planning, Preparedness, and Response.

ACTION: U.S Board Co-Chair to share insights from IRRWB meeting, and how other Boards are conducting strategic planning as it relates to risk.

8. Lake of the Woods Control Board Update

The Chair of the Lake of the Woods Control Board (LWCB) updated the Board on LWCB activities over the past year. The LWCB holds meetings with stakeholders and interest groups to discuss regulation and receive input at different times in the year. The LWCB manages Lake of the Woods, Lac Seul, and the Winnipeg and English Rivers. The basins have been dry and the LWCB met in June to discuss the summer/fall regulation strategy. Lake of the Woods strategy targets were to return to slightly lower summer lake levels and the Lac Seul strategy was focused on lake refill to preferred summer levels with specific strategies to avoid outflow reductions unless necessary.

9. IJC Updates & Roundtable

IJC staff recognized the work the Board has done in learning new avenues for public engagement and its production of regular news releases this past spring. IJC Communications staff noted that they had almost completed a template for virtual public feedback for the required public comment period on the WLC's Temporary Order. However, since the WLC have decided to request an extension on the Temporary Order, there is more time to review and develop the virtual public feedback component.

IJC staff provided an update on the status of appointments, noting that Doug Franchot's seat has recently expired and is working on the reappointment process. They also noted that ongoing negotiations are underway for Chief Al Pemberton's seat and that they are currently vetting candidates for 3 open AMC seats. Other IJC updates include: the IJC prioritizing completing scopes of work and contracts for IWI Projects and that an agenda and schedule for the IJC Semi-Annual Fall Appearances would be provided to the Board soon.

ACTION: IJC staff to provide agenda and schedule for the Semi-Annual Fall Appearances in Ottawa, ON.

10. Closing Remarks

In closing remarks, there was a Board discussion on the Wheelers Point gauge. In the past, there were issues with the location based on the hydraulics of the Rainy River in that area. Environment and Climate Change Canada (ECCC) took over the gage and installed a temporary gauge upstream, but there appears to be continued issues with the quality of the record. It was raised that this could imply the location is not good and that there may be need for a backup plan to go back to the Manitou Rapids gage and back calculate, in case there are inaccuracies in current data. ECCC was doing modeling work using gauges on Rainy River and Lake of the Woods as inputs to address data issues and could consider supplementing with Manitou Rapids if they cannot get good modeling results.