

International Rainy-Lake of the Woods Watershed Board Meeting

August 14, 2024

1:00pm – 3:00pm CT (2:00pm – 4:00pm ET)

In-person and Virtual Board Meeting

Kenora, Ontario, Canada

Chairperson: Karl Jansen

1. Special Presentation: Canadian Nuclear Waste Management Organization (NWMO)

The meeting began with a special presentation from Ulf Stahmer of the Canadian Nuclear Waste Management Organization (NWMO). The presentation covered the transport of used nuclear fuel from existing temporary storage facilities to a future long-term repository site. The presentation covered the regulation and certification of packaging of the used fuel and regulation in place over route selection. The Board requested this presentation in response to public inquiries and concerns over the potential transportation of used nuclear fuel in the basin, particularly given the NWMO is considering a long-term repository in the Ignace area, just outside of the Rainy-Lake of the Woods Watershed. NWMO is expected to make a decision on the final site location in late 2024.

2. Welcome and Administration

U.S. Member Participants

Karl Jansen (acting Co-Chair for COL Eric Swenson)
Kelly Sjerven
Mike Hirst
Doug Franchot
Jim Stark
Amy Adrihan
Shelly Patten
Pam Tomevi
Joshua Jones
Rebecca Seal-Soileau (Secretary)
Abby Moore (Engineering Advisor)

International Joint Commission

Commissioner Lance Yohe
Mark Gabriel
Rob Caldwell

Canadian Member Participants

Carla Torchia (acting Co-Chair for Jennifer Vincent)
Rhobi Chacha
Megan Garner
Greg Chapman
Todd Sellers
Lucas King
Karen Cederwall
Matt Myers
Mark Lee
Maria Jawaid (Secretary)
Alexandra Lavictoire (Engineering Advisor and AMC Co-Chair)
Rodney Johnson (CAG member)

Additional Participants

Ulf Stahmer (NWMO)
Chantelle Gascon (NWMO)

Teika Newton (International Watershed
Coordinator)
Christina Chiasson
Julien Houle
Celine Desjardins
Jo Werba
Kevin Bunch

Laura Pyles (US DOS)
Felicia Minotti (GAC)
Joel Wessman
Mike Kennedy (MPCA)
Glenn Skuta (MPCA)
Aliesha Krall (USGS)
Jesse Anderson (AMC member)
Scott Jutila (USACE)

The Board meeting carried forward with opening introductions for the new U.S. Board member Amy Adrihan of the Minnesota Pollution Control Agency. Karl Jansen, the acting U.S. Co-Chair, then actioned Board members to review the June meeting summary and provide comments to the Board Secretariat by August 21 before it would be approved as final.

ACTION: Board members to provide comments on June Board meeting summary to Secretariat by August 21.

3. PRESENTATION: Mining Vulnerability Study- Phase 1

Aliesha Krall of the U.S. Geological Survey gave a presentation on Phase 1 of the Mining Vulnerability Study. The objective of Phase 1 of the Study was to provide a better binational understanding of existing and historic mines, water quality, and mineral potential at a Hydrologic Unit Code (HUC) 8 scale. Products from this phase in the Study were harmonized datasets and maps from the United States and Canada. Phase 2 of the project will include analysis of the compiled data to prioritize sub watersheds within the basin and see what gaps exist in available and relevant information. Phase 2 of the Study has been approved for International Watershed Initiative (IWI) funding.

4. Water Levels Committee

The Canadian Co-Chair of the Water Levels Committee (WLC) provided an overview of basin conditions since the last Board meeting in June. The Basin received a lot of precipitation in June and July, causing both lakes to be out of their rule curves at the beginning of July. The WLC met weekly to biweekly to discuss conditions and forecasts and respond to public inquiries and concerns via email and telephone. Water Level Notices were updated on the webpage during this time. Rainy and Namakan Lakes returned to their rule curves on August 1 and were back within their water level targets between August 4-6. Current water level targets for both lakes are the middle of their rule curves (25-75% range).

The WLC continues to work on an infographic that provides a map of the Rainy-Lake of the Woods watershed with the different Boards involved in water management, as well as pictures and descriptions of control structures. The WLC is also meeting with Bill Werick later in August to discuss his modeling

analysis regarding the 2024 Temporary Order. Finally, a project proposal was submitted and accepted by the IJC to investigate bi-national real-time regulation modeling in the basin to inform water level decisions. This will be a phased project.

5. Adaptive Management Committee

The Canadian Co-Chair of the Adaptive Management Committee (AMC) provided Committee updates, including updates on current AMC projects to the Board. The AMC met the day before this Board meeting and received a presentation on the Lower Rainy River Bathymetry Project. The AMC is close to completing its Anishinaabe Performance Indicators report and will be extending its modeling conversion project to 2025-2026. The AMC is also working on a communications fact sheet that will provide an overview of the AMC. Finally, the AMC is looking forward to the climate change workshop scheduled on the last day of the 2024 August Basin meetings to help define the scope of AMC's climate change work in its mandate.

6. Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) is in the process of updating its Terms of Reference in response to a letter from the IJC requesting to incorporate a five-year reporting cycle for making recommendations on binational water quality and ecosystem health objectives and alert levels. The Committee is seeking additional guidance from the IJC regarding expectations on the five-year reporting cycle.

ACTION: IJC Advisors to confirm the following in writing: a) IJC expectations for the 5-year review, and b) whether the Board needs to submit an IWI proposal every five years to account for this additional workload.

The AEHC is also finalizing the Objectives and Alerts Phase 2 report. The committee and working groups have until September 16th to submit comments with the final report being brought forward at the September 24th Board meeting, along with the Annual Exceedance report. The AEHC also updated that the South Shore Erosion study report is complete, with final committee comments to be submitted by September 16th. The final report anticipates Phase 2 of the project.

ACTION: Comments on the Objectives and Alerts Phase 2 Final Report to be submitted by September 16, 2024.

7. Engagement Committee

The Engagement Committee updated the Board that their Terms of Reference has been approved by the committee and will be included in the September 24th Board meeting package for approval. There was discussion around workplan ideas at the Engagement Committee meeting the day prior to this Board meeting and the committee will continue to develop its workplan based on that discussion.

ACTION: Board members to review the Engagement Committee Terms of Reference for the September 24, 2024 Board meeting.

8. Advisory Group Updates

The Community Advisory Group (CAG) began the advisory group updates, stating that their last meeting was on July 30th. The CAG welcomed new member Rodney Johnson from Two Harbors, MN who has spent time in the Northwest Angle. Two IWI project proposals, the first for Phase 2 of the Mining Vulnerability Study and the second for improving binational coordination of response to environmental emergencies have been approved by the IJC. IWI Coordinators have asked CAG to provide input for the Scopes of Work for both projects. The CAG continues to review and update its prioritized list of issues. It was noted that there is a public perception that the summer high water event could have been handled more proactively. The co-chairs recognize the hard work of the WLC and think it would be beneficial to have a communication document related to water level conditions and decisions this summer.

ACTION: WLC to consider creating a fact sheet or communication document on water levels during summer 2024.

The Industry Advisory Group (IAG) U.S. Co-Chair provided an update on IAG activities to the Board. The IAG typically meets in the fall, winter, and at the March Watershed Forum, so updates from the June Board meeting remain current. The IAG Co-Chair noted succession planning discussions from the Board Capacity Workshop held earlier the day of this Board meeting; since the IAG Co-Chairs are the only Board members that attend IAG meetings, they will need to think about how to transition new IAG Co-Chairs when the time comes.

9. LWCB Updates

Megan Garner, Board member and member of the Lake of the Woods Control Board (LWCB), provided an update on recent LWCB activities to the Board. The LWCB met in Dryden, ON in June for its summer regulation meeting, primarily focused on the English River Basin. The basin for which the LWCB is responsible experienced the same high water as the Rainy River basin this summer. The International Lake of the Woods Control Board (ILWCB) came close to being activated in July and there was regular communication between the ILWCB and LWCB in anticipation of reaching the trigger point of 1061 feet (about 323.39 m). There was also coordination with Water Survey Canada and the U.S. Geological Survey to take outflow measurements at the outlets of Lake of the Woods, in case the lake reached 1061 feet.

There was discussion on the role of the two Board's when the ILWCB is activated above or below the normal operating range, specifically if the LWCB dissolves if the ILWCB is activated. The ILWCB Co-Chairs stated that the LWCB and Canadian communications don't stop once the ILWCB is activated; the ILWCB's role is to approve provide oversight of the LWCB directions per the 1925 Convention and Protocol.

The next LWCB regulation meeting will be held in October 2024 and will include a presentation on the Southern Shore Erosion Study.

10. IJC Updates

The IJC advisors to the Board stated that the Commission has a new Canadian Co-Chair, Pierre Baril. IJC advisors also provided updates on Board membership, with the newest Board member, Amy Adrihan, joining in July 2024. IJC Advisors also noted progress on current IWI projects and emphasized that IWI project proposals can be submitted at any time.

As previously mentioned in the AEHC update, the IJC sent a letter to the Board requesting that water quality objectives and alert levels be reviewed on a 5-year basis. The IJC asked that the AEHC to consider a cost and resource estimate of needed support to accomplish reviews every 5-years.

The IJC will hold its Fall Semi-Annual Appearances October 21-25th in Ottawa, ON and informed U.S. public members to submit travel reimbursement forms before the end of the U.S. fiscal year.

ACTION: AEHC to estimate a cost and resources needed to support 5-year review of objectives.

ACTION: U.S. public members to submit travel reimbursement forms to the IJC before the end of the U.S. fiscal year.

11. Roundtable

During the roundtable, the Board discussed the logistics and content of the public meeting that would be held later that evening in Kenora, ON.

12. Closing Remarks

The U.S. Co-Chair closed the meeting, stating the Board would meet next virtually on September 24.