

International Rainy-Lake of the Woods Watershed Board

Summary of Discussion

Wednesday, March 17, 2021

2 – 3 pm CT (3 – 4 pm ET)

Virtual Meeting

Chair: COL Jansen

1. Welcome and Review of Meeting Materials

U.S. Member Participants

COL Karl Jansen (Board Co-Chair)
Nicole Blasing
Mike Hirst
Kelly Sjerven
Jim Stark
Patty Thielen
Doug Franchot
Pam Tomevi
Scott Jutila (Secretary; Engineering Advisor)

International Joint Commission

Commissioner Lance Yohe
Mark Gabriel, US Engineering Advisor
Wayne Jenkinson, Canadian Engineering Advisor
Glenn Miller, Health Professional Advisory Board
Norman Barth, Washington Section
Carole Smith, Communication Director

Canadian Member Participants

Michael Goffin (Board Co-Chair)
Erika Klyszejko
Todd Sellers
Kiley Shebagegit
Trina Rawn
Greg Chapman
Karen Cederwall
Matt Myers
Mark Lee
Andrew Liddiard (Interim Engineering Advisor)
Wellsley Hamilton (Secretary)

Additional Participants

Kelli Saunders, International Watershed Coordinator
Abby Moore, U.S. Army Corps of Engineers
Rebecca Seal-Soileau, U.S. Army Corps of Engineers
Megan Garner, Environment and Climate Change Canada
Amy Adrihan, Minnesota Pollution Control
Lucas King, alternate for Chief Perrault
Ryan Maki, AMC Co-chair
Teika Newton, AMC Co-chair
Joshua Jones, alternate for Al Pemberton
John Thomas, Minnesota Pollution Control Agency

The agenda and the February 5, 2021 meeting summary were approved. Action items were completed, or updates were provided under specific agenda items during this meeting.

- **ACTION:** Secretariat to post approved meeting minutes on IRLWWB website.

2. Emergency Respond Communications

On March 5, 2021 pink foam was identified on the Rainy River coming from the Packaging Corporation of America mill. John Thomas, the MPCA's Wastewater Compliance and Enforcement officer provided an overview of the notification procedures were followed noting that an ongoing investigation is underway and could take several months to complete.

The first duty officer report received at 8:15 am from a member of the public who spotted the foam. MPCA staff contacted the International Falls Fire Department to coordinate a response. The Fire Department took lead as a member of chemical assessment team with the response coordinated through the Fire Marshall office. There was communication with the International Falls and Fort Francis Fire Departments.

PCA called the MPCA at 9:30 am and was directed to contact the state duty officer and Ontario Spills Action Center. At 9:43 am PCA call MN duty officer. At 10:00 am staff from the Ontario Spills Action Centre contacted the MPCA duty officer inquiring about the pink foam. The National Response Centre Report was filed according to their website at 10:15 am. A formal report to the Ontario Spills Action Center was made at 10:49 am.

Trina Rawn spoke to a communications official in Ontario. Based on communications from local residents given the visibility of the foam the MECP Environmental officer contacted PCA's mill superintendent of the pink foam. The Company indicated they had contact with MPCA and that the foam was non-toxic and contained to the US side of the River. The Spills Action Center contacted MPCA as identified by John Thomas. If this was a toxic substance further protocols would have been followed to ensure other groups are notified and additional coordination would take place.

Pam Tomevi indicated that Soil and Water Conservation District received notification within the community from landowners. Field staff were on site taking water and foam samples by 9:30 am.

There was an insufficient amount of de-foaming agent. Paper dye caused the foam to turn pink. The effluent wastewater was already treated when released. The Fire Department did preliminary screening to determine possible Public Health issues with substance. The foam was deemed non-toxic. The IRLWWB has questions about the process for the toxicity determination and whether the effluent is up to health standards. Kiley Shebagegit noted that the Ministry of Environment's data sheet indicated the substance should not be released to the environment and should be soaked up with an absorbent material. There is very little data available in the press release and communications with the company have not been transparent.

Matt Myers noted that the main concern is that individuals are notified rather than who is notifying and that a precautionary approach is being taken. At this time, it appears that the agencies operated as best as they could. MPCA's presentation suggests that lessons learned locally still need to be included in the communications guidelines for emergencies. There is a view that transboundary incidents should have mandatory after action review with the agencies involved. The CAG will be sending a letter to the Board based on their recent assessment of the Environmental Emergency Preparedness and Response Protocols to reflect this commentary.

- **ACTION:** Secretariat to organize a presentation on chemical assessment process in emergencies with the International Falls Fire Department.

- **ACTION:** MPCA to provide an update once the investigation of the March 5th pink foam incident is completed.

3. Spring 2021 International Watershed Initiative Proposal Update

The Board was notified that IJC call for spring IWI proposals was received on Monday, March 15th. The documents are included in the meeting package. The deadline for submitting proposals is April 30th. Any proposals for this round will have to be circulated secretarially to meet this deadline.

The Vulnerability of Mining Proposal is the only proposal being discussed for submission for this call for proposal. Doug Franchot put his name forward to act as the US project lead on for this IWI proposal. The CAG feels this is an important project and will provide input and information. A Canadian project lead has not been identified. The capacity issue amongst public members of the Board is ongoing.

- **ACTION:** AEHC comments on the Vulnerability of Mining proposal to be shared with Doug Franchot.

4. Review of the Adaptive Management Committee Work Plan

The AMC's 2021-22 work plan is included in the meeting package. It was reviewed by the Committee several times and submitted prior to March 31st as per the Terms of Reference. Modelling capacity is the main constraint. COVID restrictions are also having an impact on what field work can take place. Teika Newton completed a report on first report on Climate Adaptation. A briefing on the report is planned for a future meeting. At this time, the Committee has 4 priority projects: 1) Medicinal plants and water levels, 2) Whitefish monitoring, 3) Digital elevation model and near shore bathymetry data on the Canadian side, 4) Walleye spawning on US side. Future work will involve adaptive management planning for water levels.

The value of the AMC is recognized. Mike Goffin spoke with Global Affairs Canada about the field work challenges. Global Affairs Canada (GAC) clarified that it really does need to be an emergency to work around the border restrictions. Vaccinations will need to continue before there is a change at the border.

- **ACTION:** Secretariat to add AMC Climate Change Report to the June Board Meeting agenda.

5. Board Business

The Secretariat updated the draft 2020-21 annual report based on discussions over the past year. On March 1st a copy of the draft was circulated to Board members tasked with updating various sections of the Annual Report. The Secretariat received input on most of the sections. Updates to the workplan to ensure we are reporting out on the right 2020-21 work plan will be provided. The Secretariat is compiling the updates and should have a copy ready by the end of the month.

The draft presentation for the annual meeting is included in the meeting package. Board members may provide input during the meeting or by email. The presentation follows the format requested by the IJC for the fall Board presentation. The Communications and Engagement slide will be updated based on the discussion with the IAG and CAG prior to this meeting. The Board will be informed about the exact timing of the presentation during the week of April 19th once it is confirmed by the IJC.

- **ACTION:** Board members originally tasked with sections of the draft Annual Report to provide them to the Secretariat as soon as possible if not already provided.
- **ACTION:** Secretariat to circulate final draft Annual Report to Board for review.
- **ACTION:** Secretariat to circulate IJC Annual meeting invitation once received.

6. Roundtable

IJC Advisor, Wayne Jenkinson identified that he is working with the CAG co-chairs to connect them with members of the St. Croix Board. A discussion with the Board about the Lake of the Woods Water Levels Study recommendations from 2012 is planned for the end of April. The IJC is continuing to work on increasing modeling capacity. Wayne will be stepping down as the Canadian IJC Advisor at the end of March to take on a new role with Environment and Climate Change Canada.

Kelli Saunders provided an International Watershed Coordination Update. She is working to have social media posts in the spring in coordination with AEHC and the Anglers Association. There is also a virtual Community engagement workshop planned for March 31st; Board members are encouraged to attend. Environment and Climate Change Canada also held two public sessions on Lake Ecosystem Objectives and Phosphorus Reduction Scenarios; there are four more public sessions planned.

Kelly Sjerven, requested that input on projects or website postings be sent to the Engagement Committee.

7. Closing Remarks

The meeting adjourned at 4:00pm CT.

Drafted by: Abigail Moore USACE, Wellsley Hamilton, ECCC, Scott Jutila USACE