

International Rainy-Lake of the Woods Watershed Board Meeting

March 5, 2024

3:00pm – 4:30pm CT (4:00pm – 5:30pm ET)

Minnesota North College- Rainy River Campus
International Falls, MN

Chairperson: Mike Goffin

1. Welcome and Administration

U.S. Member Participants

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

International Joint Commission

Mark Gabriel
Rob Caldwell- Virtual
Teika Newton (International Watershed Coordinator)
Kathey-Lee Galvin
Jo Werba

Canadian Member Participants

Mike Goffin
Rhobi Chacha
Greg Chapman
Todd Sellers
Karen Cederwall
Matt Myers
Lucas King
Maria Jawaid (Secretary)
Elizabeth Jamieson (Engineering Advisor)

Additional Participants

Alexandra Lavictoire (AMC CA Co-Chair)
Phil Talmage (AMC US Co-Chair)
Laura Pyles (US DOS)
Marilyn Gayton (US DOS)
Felicia Minotti (GAC)
Joel Wessman (GAC)
Scott Jutila (USACE)- Virtual
Eric Johnson (CAG/ Rainy Lake Property Owners Association)
Janet Marsh (U.S. EPA)

Mike Goffin welcomed Board members and Karl Jansen, the Deputy District Engineer for Programs and Project Management for the USACE St. Paul District, sitting in for COL Eric Swenson while he is on deployment to Maui for disaster relief. The meeting then commenced with the approval of the agenda and the January 30 Board meeting summary. The Canadian Secretariat stated that the status of most recent action items is ongoing and will be discussed in the meeting.

2. Focused Discussion: Committee Capacity

The Aquatic Ecosystem Health Committee (AEHC) initially brought up concerns of committee capacity at the January Board meeting. The AEHC is responsible for all items in the Directive that are not related to

public engagement or water level management. These include the review and recommendations of water quality objectives and alerts, as well as monitoring and reporting on water quality in the watershed. The AEHC reports on an annual basis and needs to develop International Watershed Initiative (IWI) project proposals to fund projects. The IWI project proposal for Phase II of Objectives and Alerts has exhausted the committee's capacity this year. A secondary issue identified by the AEHC is the need to look at its current workload and appropriately distribute over its members. It was stressed that most Board and committee members have day jobs, and this work occurs at the margins of jobs, which impacts deadlines for Board work. The AEHC has done some work to streamline the IWI process and completed a major effort last year to conduct more focused data collection for annual exceedance reporting.

There was a suggestion that the Board have a full-time executive director that is local to the watershed. Committees and advisory groups have improved functionality with the International Watershed Coordinator's support and need to ensure there is stability in that position to be able to integrate the different groups, foundations, and the Board. An executive director could support the funding and reporting aspects of the Board. Another suggestion was work with the IJC to streamline the IWI project proposal process further. Mike Goffin suggested that the Board look inward and see if Board members have capacity to take some of the workload. The Secretariat was actioned to develop a survey for Board members to indicate current committee and advisory group work they support. A final suggestion to assist in capacity issues was to investigate external partnerships that could support the Board's work.

Teika Newton shared that another item to consider is future member turnover and the Board's need for better succession planning and suggested to have a future Board discussion on rotation of committee Co-Chair roles and adequate transition into those roles.

ACTION: Secretariat to develop a Board member questionnaire on committee/advisory group participation and capacity to contribute to Board's workload.

ACTION: Board to discuss succession planning and rotating committee Co-Chair positions at next Board meeting.

3. Water Levels Committee

The Water Levels Committee (WLC) held its virtual Pre-Spring Engagement on February 29 with approximately 50 participants. There were presentations from the Lake of the Woods Secretariat and National Weather Service. It was noted that there is a lack of winter in most parts of the basin, with low amounts of snowpack and higher than normal temperatures. The El Nino condition will be transitioning to La Nina so there is no clear signal if this spring will be wet or dry. It was noted that there were not a lot of questions after the presentations during the Pre-Spring Engagement compared to 2023, likely because 2023 was right after the historic flooding in the basin. The International Joint Commission (IJC) granted an extension on the Temporary Order from last year that combines Rainy Lake's high flood risk rule curve and standard rule curve. The WLC planned to make an initial spring target at the end of the week to kick-off the Spring Regulation Plan on March 10.

The Canadian Engineering Advisor mentioned the current modeling effort by Bill Werick to compare different Rainy Lake rule curve implementations (2023-2024 Temporary Order vs. the standard rule curve) that will support the WLC in its final recommendation to the IJC regarding the Temporary Order. The Engineering Advisors are also working on an International Watershed Initiative project proposal to investigate real-time regulation modeling systems that could be used in the basin to support WLC

decisions.

4. Adaptive Management Committee

At the January Board meeting, the Adaptive Management Committee (AMC) asked the Board for guidance on the next steps in climate change work. The AMC worked on a draft report that summarizes all of the Board's projects and reports regarding climate change and how it relates to the International Joint Commission (IJC)'s 4-step Climate Change Guidance Framework. Examples include documentation in State of the Basin Reports, the rule curve study, water quality plan, and the climate change workshop held in August 2022. The steps of the framework are to organize, analyze, action, and review. Steps 1 through 3 have been accomplished through various AMC projects and past Board reports. However, climate change extends beyond the AMC's mandate to review the rule curves and impacts other committees' work.

Board members asked the IJC advisors what the IJC's expectation is for including climate change in Board work. Other IJC Boards are handling climate change in different ways as there is no prescribed way of handling climate change in Board work. A noted example was downscaling climate data to focus on basin specific climate change investigations. The IJC's International Watershed Initiative (IWI) team has oversight of the Climate Change Guidance Framework and has an ad hoc group collecting information from various IJC Boards. IJC Advisors stated the Board is well placed with the current monitoring work to move into step 4 and reiterate as needed. It was decided that the Board would frame a short discussion on next steps with climate change at the IJC Spring-Semi Annual Appearances. Another suggestion that came up in discussions was to create an IJC climate hub for data, communications, and public engagements that could be a resource for all IJC Boards.

Board members recognized the importance of understanding what effects of climate change will be in the basin, particularly projected changes in hydrology. There has been a drastic swing in climate events over the past few years in the basin with a dry 2021, historic flooding in 2022, and a summer drought in 2023 that has continued into 2024 so it is important to consider climate change in future Board work.

ACTION: IWI Coordinator to share AMC report that summarizes Board's work on climate change.

5. Engagement Committee

The Engagement Committee updated the Board that they are working on finalizing their Terms of Reference for the next Board meeting in June. There was a brainstorming session earlier the day of this Board meeting to determine tasks for 2024. Ideas included creating short story formats of Board reports and to assist in public communications once the Objectives and Alerts plan is published.

6. Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) stated that there will be presentation updates on projects under the committee's responsibility at the Watershed Forum March 6-7, including the South Shore Erosion Investigation that collected data last fall and model analysis performed this winter. The International Watershed Initiative (IWI) project is expected to be completed by September 2024. Work is ongoing for Phase II of the Objectives and Alerts project. There have been

numerous meetings the past few months and a workshop held earlier the day of this Board meeting.

For annual exceedance reporting, the AEHC focused on phosphorus and exceedances in facility spills. The south end of Lake of the Woods slightly exceeded the Minnesota state standard in phosphorus levels in the summer with increases in the fall. The north end of Lake of the Woods is close to the Ontario limits for phosphorus. Ontario exceedance data has been gathered through 2021. There have been 3 noted plant exceedances with 1 or 2 being industrial exceedances that have been addressed by the appropriate governing agencies. The AEHC is working on finding data after 2021. Delays for obtaining data may be due to agency/organization quality checks and publication rights.

The AEHC was asked if there were any items that have been put on hold due to capacity issues. Historically, IWI projects have taken precedence in the committee's work which setback work on the Objectives and Alerts project. The day-to-day effort for annual exceedance reporting has been a huge effort and taken up a lot of the AEHC's time, but the development of a simplified framework last year will hopefully streamline annual exceedance reporting. The AEHC Co-Chairs suggested that the committee develop a protocol with agency members so there are no surprises when the AEHC requests data each year. This is a planned deliverable of the Objectives and Alerts project. It is imperative that agencies engage with the Board in this project to ensure they can implement recommended objectives and alerts when they are brought up to IJC and the Governments.

7. Advisory Group Updates

The Board decided to defer advisory group updates to the joint meeting between the Community Advisory Group, Industry Advisory Group, and Board that was scheduled directly after this meeting.

8. Lake of the Woods Control Board Update

Megan Garner, Co-Chair of the Water Levels Committee (WLC) and member of the Lake of the Woods Control Board (LWCB), provided an update on LWCB activities to the Board. The LWCB met earlier in the day of this meeting to make regulation decision for the next few months. The LWCB decides water level targets as conditions change and hear from stakeholder groups, rather than following a year-round rule curve and choosing specific target bands within the rule curves. The LWCB and WLC was scheduled to have a Learning Session with Grand Council Treaty #3 on March 4, but it was cancelled due to weather.

The forecast and conditions are the same for Lake of the Woods as it is for Rainy and Namakan Lakes. There are low amounts of snowpack, lake inflows are below normal, and temperatures have been warmer than past winters. The forecasts indicate that Lake of the Woods will remain within its normal operating range (water levels above or below that range activate the International Lake of the Woods Control Board), but there is a chance for lower water levels this summer.

9. IJC Updates & Roundtable

The International Joint Commission (IJC) Advisors informed the Board that the IJC will be sending letters to all transboundary Boards asking for consistent reviews of water quality objectives and alerts. The current directive for the Board states objectives and alerts will be reviewed "from time to time". The IJC will be requesting 5-year review cycles and provide resources as needed to accomplish reviews.

The IJC is now requesting proposals under the International Watershed Initiative. There have been some changes to the proposal requirements with one of the updates being an added space for Boards to note if there will be Indigenous collaboration for proposed projects. In preparation for the Spring Semi-Annual Appearances, the IJC advisors asked the Board to have their annual report and appearance presentation submitted on March 18. The IJC also noted they are still awaiting a replacement for Commissioner Sisson (of U.S.). For Canadian Commissioners, Susan Chiblow was newly appointed, and Merrell-Ann Phare was reappointed for another term. The Canadian government is still in the process of appointing a third Commissioner.

The IJC Commissioners are still discussing the Water Levels Committee (WLC) expansion to include an Indigenous seat on the committee. They hope to respond to the Board and Rainy Lake Chiefs shortly. Lucas King, of Grand Council Treaty #3, made the clarification the Rainy Lake Chiefs' request was for Treaty #3 representation on the WLC.

ACTION: Secretariat to submit Board's 2023 annual report and Semi-Annual Appearance presentation on March 18.

10. Closing Remarks

In closing remarks, action items from this meeting were reviewed and Mike Goffin, meeting chair, mentioned that the next Board meeting would be held virtually on June 4, 2024. The meeting was then adjourned.