PUBLIC MEETING

PUBLIC INTEREST ADVISORY GROUP
INTERNATIONAL LAKE ONTARIO - ST. LAWRENCE RIVER STUDY

MEETING SUMMARY

DATE:	Thursday, September 02, 2004
TIME:	7:00 P.M. to 9:00 P.M.
LOCATION:	Best Western Country Squire Resort 715 King Street East Gananoque, Ontario

PARTICIPANTS:

André Carpentier	Study Board
Annie Carriere	Water Uses
John Ching	Hydroelectric
Doug Cuthbert	Study Board
Marie-Claire Doyle	Environment Canada
Stephanie Dumoulin	IJC Staff
Larry Field	Toronto Region Conservation Authority
Kathy Forde	Recording Secretary
Herb Gray	IJC Commissioner (Canada)
John Hall	Public Interest Advisory Group
Connie Hamilton	Information Management
Marc Hudon	Public Interest Advisory Group
Elaine Kennedy	Public Interest Advisory Group
Sandra Lawn	Public Interest Advisory Group
Wendy Leger	Plan Formulation and Evaluation Group
Tom McAuley	IJC Liaison
Greg McGillis	IJC Staff
Syed Moin	Hydrology & Hydraulics
David Orr	Recreational Boating
Serge St. Martin	Recreational Boating
Paul Webb	Public Interest Advisory Group
Attending Guests	(17 approximately)

1. **INTRODUCTIONS**

Paul Webb welcomed everyone to the public meeting. IJC Commissioner Herb Gray was introduced along with members of the Study Team. Handout material was available for information. Approximately 17 guests were in attendance.

2. **OPENING REMARKS**

IJC Commissioner Herb Gray provided opening remarks. Approximately $30 million has been dedicated over five years to carry out an extensive review of the control orders regulating the waters of Lake Ontario and the St. Lawrence River. Many changes have been experienced over the past 60 years. New developments must be considered along with the growth of pleasure boating and sport fishing. Major public input is essential to the progress of the study. When the Study Board completes its mandate and presents its final report to the IJC, a decision will be made on changes to the Order based on consensus. Public input is highly valued.

The focus of the Study concentrates on water levels and flows. In an attempt by the IJC to improve the current regulation plan 1958D, a stakeholder approach has been initiated through the Public Interest Advisory Group to ensure that users are not isolated in the new regulated plan. The intention is to produce a comprehensive plan that serves all interests. Public meetings provide a forum to communicate and report on progress. Conflicting viewpoints do exist. Although the system is complex and natural impacts are unknown, regulations are needed. Public input is essential. Comments will be evaluated and incorporated into the study where possible.

3. STUDY PRESENTATION

Paul Webb provided a presentation on the study. As a part of the Public Interest Advisory Group, the role of volunteer members is to represent various locations and interests concerning the International Lake Ontario - St. Lawrence River Study. The five-year study, initiated in 1999 by the IJC to review the regulation of outflows, is currently in year four. Both Canada and the United States are equally represented. On average, 85 percent of Lake Ontario water supplies come from Lake Erie outflow. The system is complex. Nature is unpredictable. The Ottawa River must be carefully considered when regulating flows on the St. Lawrence, particularly in the spring. Plan 1958D, implemented by the International St. Lawrence River Board of Control, was based on water supplies from the first half of the century. However, following a dry period in the mid-1960s and a wetter period in the 1970s deviations were needed. Deviation adjustments occur approximately 50 percent of the time to allow for changes in supplies, new interests and ice formation.

Technical Work Groups have been researching, collecting and studying data. The Plan Formulation and Evaluation Group has been running computer models to formulate potential plans for evaluation by the Study Board. Guidelines for ranking options include environmental sustainability, no disproportionate loss, flexible management, mitigation alternatives, climate change adaptability, transparent decision-making and adaptability to future technology. Based on input provided by stakeholders and scientists, the decision process includes plans, criteria/metrics and performance indicators. Details are being refined to develop a variety of plans to best determine the minimum and maximum water levels desired most often and to measure the environmental, social and economic benefits. For example, wetlands require higher lake levels (75.50 m / 247.71 ft) once every 20 to 25 years for about a three-week period. In contrast, wetlands also require a very dry period with low lake levels (74.7 m / 245.08 ft) every 20 to 25 years for two years in succession with a gradual return to higher levels during the succeeding two years. These are the preferred levels for healthy wetlands to produce a greater abundance and diversity of fish. The first week of April is also important for fish spawning.

Preferred minimum and maximum water levels were illustrated with respect to frequency, severity and duration along with the associated impacts. A small two-centimetre decrease on Lake Ontario creates a significant 23-centimetre increase downstream. Flooding has a

considerable impact on the south shores of Lake Ontario. Diverse interests are expressed at various times for different reasons. Ideally, a smoother transition between levels is preferred. Work continues to integrate performance indicators and to evaluate criteria. Various issues and interests are being addressed. Comments will be incorporated where possible.

Based on operations and deviations experienced with 1958D, plans are being evaluated. Environment plans, considered the most important component, continue to be entered into the computer model (Shared Vision Model) along with economic benefit plans, stakeholder plans and baseline plans to improve and meet new demands. Work will continue over the winter to develop recommendations. In 2005, alternative plans based on science and stakeholder input will be presented for consideration. Meetings are tentatively scheduled in June and July. In the fall of 2005, a report will be submitted to the IJC for their decision process. Numerous stakeholders are participating in the study. Contributions of past and present PIAG and Study Board members were acknowledged.

4. **QUESTIONS/COMMENTS**

Sandra Lawn facilitated a question and answer session following the presentation. Gananoque was connected simultaneously with the meeting in Oswego, New York for an interactive audio session. The teleconference was intended to exchange comments and concerns between competing interests around the lake. As a consensus building process, public input and interests are extremely important and will be considered in the study. Concerns focused on water levels, water flows, shoreline erosion, performance indicators, accountability and the Iroquois Dam. Appreciation was extended to all participants for their knowledge and insight to various concerns. Recorded questions, answers and comments are appended. Accuracy of speaker names was based on audio clarity.

5. **CLOSING REMARKS**

Paul Webb extended thanks to everyone for participating in the meeting. Public input is extremely important to the study. Although it will be difficult to please all people at all times, ideally the need to develop a plan to satisfy most of the people at most times is essential. The Public Interest Advisory Group will visit again in 2005. Comment cards were provided to gather additional comments and to stay in touch. Study information is available at www.losl.org.

6. **ADJOURNMENT**

The meeting adjourned at 9:00 P.M.

PUBLIC MEETING QUESTIONS AND ANSWERS

Water Levels

Q1. I have lived on the river since 1971. I have monitored the water and met with the Control Board three times over the last five years. This year we have had a very mild summer with a lot of rain. In August the St. Lawrence dropped over eight inches. Why? (Gananoque - Alan Marvel)

A1. Seasonal decline is normal. Levels peak in June and decline in the fall. The decline has

begun through diminishing supplies and evaporation. Although July experienced record rainfall, we are now on the natural curve. With a lot of rain in July more water was released to return to average levels as much as possible but the increase in flows was not noticed due to high supplies. Although levels were down by eight inches the average is usually more than that. As a reminder, no changes will occur until the new plans are in place sometime in 2006/2007. (Tom McAuley/André Carpentier/Elaine Kennedy)

Q2. We must consider lowering the water more in the winter so that when spring rain occurs we are not in a delicately high water situation already. Comments? (Oswego - Unidentified Speaker)

A2. We have the research and information to model this new idea. We will come back next year to present the results. There will be a price to pay for the benefits of drawing the lake down. The model will help to determine the tradeoffs that will be required. Winter draw down is important in terms of fish production. Winter ice that forms kills the fish. In 1964 and 1965 large numbers of fish were found dead due to water levels. (Bill Werick/Study Board member)

Q3. When the seaway opened, it was said that controls would be within a one-foot range. Through Valleyfield there is a hydroelectric dam where generators are running wide open to provide power. This year, I have noticed all gates open simply to dump water without good reason, which lowers the levels here. Why do we have this problem? (Gananoque - Ed Dempster)

A3. The generating station is just using the flows coming down from the Moses Saunders Dam. They are not storing water or emptying Lake St. Frances. Sometimes the turbines are out for maintenance. If there is too much water they do dump but normally water is spared. Regulation orders from Cornwall are followed. (André Carpentier/Elaine Kennedy)

Q4. I have lived on the river since 1966. September 01 seems to be the magic date for a dramatic drop each year. Since power stations east of Cornwall do not have the capacity to hold water back, water is released down the system. Why can't surplus water be let out slower over a longer period of time? This would benefit recreational interests and should not provide any negative impact. Is an easy drop of the system possible? (Oswego - John Hampton)

A4. Levels follow a natural cycle. During the spring more comes in. The peak is normally seen late June then supply goes down during summer and fall months. Even without the dam the lake would follow seasonal highs and lows with the lowest point in December. One problem with holding back the water is where to keep it. At the shoreline of Lake St. Frances, flooding would be a real problem. Lake St. Frances is not as big as Lake Ontario so fluctuation of water levels is much more restricted. We try to stabilize levels there because there is no place to store the water. These are good suggestions. A more gradual drop of lake levels will be modeled and the results will be presented next year. (Syed Moin/Elaine Kennedy/André Carpentier/Bill Werick)

<u>Water Flows</u>

Q5. If increased water flow from the watershed creates a problem, will you change anything? (Gananoque - Melanie Bonham)

A5. We have looked at 100 years worth of records to develop a plan. There has been a shift

in supplies since the 1960s. The shift is noticeable for Lake Erie and Lake Ontario so higher flows have been experienced since the mid to late 1960s. Changes in the watershed have such a small impact in comparison to what has fallen on the lakes themselves. (Syed Moin)

Shoreline Erosion

Q6. As a property owner on the eastern shore of Lake Ontario, spring erosion is my biggest concern. Riprap is ineffective. Why can't something be done in anticipation of high waters in April caused by storms? Why can't we drop levels in the winter? (Oswego - Ray Oliver)

A6. Shoreline erosion is a common concern. A key point to understand is that shore erosion is a natural process where land and water interface. Erosion is not due to the dam in Cornwall. Erosion benefits the beaches. Parts of the lake provide sediment and parts receive sediment. Erosion occurs at many levels across the profile. Low erosion occurring on the lake bottom is not visible. The current upper range is 75.37 metres but we are recommending lower seasonal maximum ranges of 74.7 metres November through February and 75.2 metres May through August to minimize erosion of shoreline property. Water levels do however increase in the spring. (Peter Zuzek)

Higher water levels in the spring are important for fish spawning. (Study Board member)

Another complexity during the spring is the snowmelt from the Ottawa River. For example, an increase of two centimetres in Lake Ontario can create a 30-centimetre increase in Lake St. Lawrence and a 23-centimetre decrease in Lake St. Louis. Small changes in lake levels can produce dramatic impacts downstream. Flooding downstream is a huge concern so balance between interests is essential. (Elaine Kennedy)

Q7. Regarding erosion, why have things been so bad with water levels since the 1930s? (Oswego - Cheryl Dufannie)

A7. Eastern Lake Ontario is a complex area. The supply of water into Lake Ontario has been much greater than in the early part of the 20th century. The eastern portion of Lake Ontario has therefore suffered more due to greater supply coming into the lake in comparison to the 1930s when the beaches were very wide. Protection has a negative impact to the natural process so adds a dynamic complication. (Peter Zuzek)

Performance Indicators

Q8. Does the strategy focus on particular stakeholders or specific expenditures? (Oswego - Cheryl Dufannie)

A8. The study has focused on measurable components in order to compare plans. Although we are not quantifying all impacts, the measurements are a good indication of good and bad plans. We feel confident with the performance indicators to rank options. As a riparian, rest assured that various effective performance indicators are being considered. (Pete Zuzek)

Q9. As a resident for 51 years, my family has been in the same location since 1930. I have photos illustrating erosion since 1960. I suggest that taxes paid by shoreline owners be considered as expenditures within the performance indicators. In comparison to beach interests where only two dollars per day may be generated by the boat launchers who visit for only part of the day and a fraction of the year, shoreline

owners pay much greater taxes on their properties, gas, entertainment and food. Performance indicators tend to focus on expenditures for control structures rather than on shoreline owner expenses. Comments? (Oswego - Cheryl Dufannie)

A9. We do have several performance indicators. We do look at erosion and measure the impact of shoreline protection including seawalls, flooding, etc. Many proponent indicators are considered. (Peter Zuzek)

Q10. A performance indicator that reflects riparians based on economic value needs to be added. Taxes paid in the region by shoreline property owners who stay up to six months of the year versus visitors who stay only daily need to be considered fairly. The economic impact of conflicting interests needs to be balanced. Comments? (Oswego - Cheryl Dufannie)

A10. Perspective on shoreline erosion and water levels is important. Climate change studies underway show periods of major and minor highs and lows. We have been in a period of high supplies, which affected all the lakes. Seven years ago, the shores of Lake Michigan were eroding even in areas with shoreline protection. Now, the water is 100 feet from the shore, dunes are prevalent and beaches are in the process of rebuilding. However, this has not happened to Lake Ontario. The current regulation plan tries to regulate a moderate level. We are here to generate a new plan in response to several interest groups. (Doug Wilcox)

Q11. Perhaps shoreline property owners should be taken off the tax rolls. I have been a riparian since 1957 and have a building worth $100K built ten feet from shore. Compromise is needed but I am not hearing compromise tonight. Comments? (Oswego - Unidentified Speaker)

A11. The study concerns high lake levels. Both high and low lake levels have been experienced. The answer will be compromised, with no disproportionate loss for all groups. The proposed water level to help the environment will not look anything like the one for other interests groups so compromise is expected. The system is much bigger than we have the capacity to control. Every drop of water that goes over the dam to keep Lake Ontario at a certain level effects people downstream. The plan for Lake Ontario cannot be destructive to the environment downstream. Compromise is essential. (Doug Wilcox)

Compromise is the heartbeat of the study, recognizing that balance is needed between the various interests. (Doug Cuthbert)

We are focusing on changes and improvements to the current plan so that concerns are addressed in the future. (Scott Tripoli)

<u>Accountability</u>

Q12. The current plan is managed by the Board of Control in an attempt to maintain a four-foot range. Regardless of the plan that goes into effect, it must be properly managed. Hands-on management will be needed daily and hourly to avoid flooding. What is the guarantee that a new plan will be better than it is now? (Paul Webb)

A12. Concerns are noted. It is our intent to improve the current plan. The decision-making process will be addressed. Geographical reference is being considered for the whole system. (Doug Cuthbert/André Carpentier)

Q13. Accountability is an important step. Who is responsible for managing the plan, especially remembering the Walkerton situation? Comments? (Gananoque - Melanie Bonham)

A13. The Board of Control administers the Orders. Both sides are equally represented. Members meet regularly (weekly) right in Cornwall where the dam is located. The plan is followed very closely. All concerns and critical needs within the system are taken into consideration in case there is a need for deviation. The Board reports twice a year to the IJC. (Tom McAuley)

Iroquois Dam

Q14. I am a U.S. citizen living on the river and have had to put my boat away due to water levels. I understand that the Iroquois Dam was originally constructed to regulate the flows but I see no attempt at regulating the water system there. The lock system has been left open. Perhaps it is rusted. There is extra water going through at the Moses Saunders Dam than is needed. Wouldn't storage of the excess water be a helpful measure? (Oswego - Tom Regan)

A14. The purpose of the Iroquois Dam was intended to control levels. Only when the level is very high at Moses Saunders do they use the Iroquois Dam to suppress the level. The other purpose of the Iroquois Dam is to control ice formation to avoid ice jams. Hydropower companies are very conscientious of water and will not spill unless specifically required. (John Ching)

Q15. The Iroquois Dam is not being operated in the way it was originally intended. The gates are often open. The system could be used more than is currently operated. More water is going over than is needed to generate power. Comments? (Oswego - Tom Regan)

A15. I do not recall any spills at the dam. Water goes through the power turbine. Any spills have to be reported so spills are not desired. Spills are a rare occurrence (5 percent or less). (John Ching)

Comments

- Riparian taxes should be considered as a Performance Indicator.