

Notes from First Meeting of the Public Interest Advisory Group IUGLS
Dykema-Gossett, Ann Arbor, Michigan
July 31 – August 1, 2007

Day 1 – July 31, 2007

1. Welcome & Introductions: Kay Felt & Jim Bruce.
(Agenda – Attachment 1)

(Note: Action items are bold and a summary is provided as Attachment 2)

IJC Canadian Co-Chairman Herb Grey: Appreciated the group's willingness to participate within their personal and professional capacities. Fortunate to be able to build on the framework developed for and having access to the experts of the Lake Ontario-St. Lawrence River Study. He noted that the Study will be conducted within the context of the original 1914 IJC Orders of Approval for Lake Superior regulation which was updated in 1977, and that the IJC can amend them at its discretion or based on Study recommendations. He also pointed out that the IJC can interpret the terms of the Boundary Water Treaty of 1909, but cannot unilaterally amend them.

After welcome remarks from Kay Felt and Jim Bruce, the new members introduced themselves and described their background and expertise.

PIAG Members present: Kay Felt (U.S. Co-Chair), Jim Bruce (Canadian Co-Chair), David Powers (Bay City, Michigan – Save Our Shoreline), Roger Smithe (Manistee, MI – retired chemical engineer, Great Lakes Coalition), Dan Tadgerson (Sault Ste. Marie Tribe of Chippewa Indians), Sam Speck (retired Director of Dept of Natural Resources, Ohio), James Anderson (Ducks Unlimited), Doug Cuddy (Sault Ste. Marie, Ontario – retired fisheries biologist, not affiliated), Dick Hibma (Conservation Ontario), William Hryb (Thunder Bay – Lakehead Shipping Company), Mary Muter (Georgian Bay Association), John Jackson (Kitchener-Great Lakes United).

Kenneth Higgs (Port Severn), Don Marles (Lake Superior fisheries) and Alan Steinman (Muskegon) were not present.

Others present that were not PIAG members: IJC Chairman Herb Grey, Paul Pilon (Canadian IJC Engineering Advisor and liaison to the Study), Mark Colosimo (U.S. Engineering Advisor and liaison to the Study), Syed Moin (Canadian Study Manager), Tony Eberhardt (U.S. Study Manager), Gene Stakhiv (U.S. Study Co-Director), Ted Yuzyk (Canadian Study Co-Director).

2. Presentation regarding the Study and Its Objective: Gene Stakhiv & Ted Yuzyk
(Presentation is on the Study FTP Site)¹

¹ Note: The presentations are on the Study FTP site which can be accessed by going to <ftp://67.71.254.28> and entering the username: IUGLSBoard and password: 11ugls#

Syed Moin will revise Org Chart to show interaction of PIAG with Study Board and IJC (revised arrows).

Comments:

- a. Sedimentation will be considered as it impacts flow conveyance.
- b. Data on St. Clair River will be included from records back to 1929. All data will be standardized so that datum points are consistent. It was noted that data relating to periods prior to 1929 was not kept on the same basis, which affects the ability to make the datum points consistent between the pre- and post-1929 periods.
- c. Invasive species are not directly part of the scope and will only be considered if they can be addressed in terms of water level changes.
- d. The Study objective regarding Lake Superior regulation is to review the original 1914 Orders. Changes to the Orders would be implemented by the Commission as noted by Chairman Grey above.
- e. New gauge locations were chosen where they would provide the most comprehensive information regarding levels and flows.

3. Role of PIAG members in the Study: Paul Pilon & Mark Colosimo
(Presentation is on the Study FTP Site)

Comments:

- a. Public Information Officer (PIO) will handle communication for both countries. **Study Managers and PIAG Co-Chairs will interview Candidates.**
- b. Study Board may ask for the assistance of PIAG members to give presentations to their agency or organization or ask for input regarding a performance indicator.
- c. **The Study Managers and PIO will provide guidance to PIAG regarding protocol.**
- d. Communication should not only be used to get information out but also to get information back to the Study.
- e. **Care should be used by PIAG members when information is being conveyed to individual PIAG member organizations or to the public** to differentiate the opinions of an individual member from those of the PIAG as a group and those of the Study Board. It was noted that the practice of the Study Board is to act insofar as possible by consensus, and to address and seek to resolve individual differences of view first within the group before making public statements. Goal for PIAG is to follow the precedence set by the Board.
- f. Several public meetings will be held. **PIAG Members should think about issues, organizations and people, and where to have public meetings.**
- g. Experts from PIAG member agencies may be asked to attend a PIAG meeting.
- h. The sooner we get out to the public, the better – maybe Fall 07.
- i. Members can not send an alternate to meetings since they serve in their personal capacities.
- j. Members should request what technical working groups (TWG) they wish to liaise with based on their background. **The Study Team will work with the PIAG so that there is an equitable distribution of PIAG members with the various TWGs.**

4. Day's wrap-up, questions, comments, etc. : Kay Felt & Jim Bruce

Thanks to all for making the effort to attend with fairly little notice.

Need to be open, clear and honest.

Need input on all technical issues, e.g., climate change, etc.

Day 2 – August 1, 2007

5. Discussion by Members on Key Issues from their perspectives

a. Jim Bruce for:

- i. Alan Steinman – two main classes of issues – ecological issues related to coastal wetlands and wetlands as sinks for nutrients – effect of changes in water levels on coastal biodiversity. Raised issue of invasive species. General water balance in the Great Lakes (Annex 2001). Rec. Boating access to harbors and commercial navigation. Will the value of ecological services be accounted for in terms of water levels? What is the effect of changing water levels on the filtering capacity of coastal wetlands?
- ii. Ken Higgs – have an agency that has power to act (like Conservation Authority) involved to protect beaches and dunes and erosion issues. Properties on Georgian Bay are high and dry. Has the cyclical regime changed? Is it the result of human intervention? What is the effect of climate change?
- iii. Don Marles – what are the measured affects regarding recruitment of fry as affected by water levels. Need to balance levels by readjusting Lake Superior regulation.

- b. Dave Powers - Keenly interested in property values affected by high and low levels. Concerned about invasive species (phragmites) as water levels support growth. Interested in State Parks around Lake Michigan – muck build-up and the economics of recreation impacted by low water levels.
- c. Dan Tadgerson – Fisheries. St. Marys issues raised in 1820 Treaty. Access to fisheries in that river. Contaminants in the river system. Brook trout missing. Tribe is introducing walleye. Need to restore native fish to the St. Marys system. Concern regarding changes in the river system regarding the diversity of needs of the tribal population.
- d. Roger Smithe – Great Lakes Coalition's main objective is to prevent the record highs of the 1980s and 1990s. Recognize the issues related to low levels and their impact on recreation and tourism, but would not want a level a foot higher now, if it would result in levels one-foot higher when high levels return. Encouraged balance of issues. Need to alleviate extreme changes in water levels.
- e. William Hyrb – Keen interest in public involvement and transparency of the Study process. Sustainability of the shipping industry. Thunder Bay is a key destination point to the heartland of Canada (grain, potash). Cargo ships are not operating at their potential. Every centimetre is equivalent to 40 metric tons of cargo. Concerns about climate change. Need to balance environmental issues with commercial viability.

- f. John Jackson - See Study as an exploration. Better understanding of impact of man-made factors on nature. What are our predictions for the future? Give nature a high priority. Toxic issues - as water levels change, exposure of contaminated sediments. Ecosystem management - can't predict what will actually happen. Lessen man-made impacts and unexpected consequences. Bring the Great Lakes back to a more natural state.
- g. Mary Muter - Unlike the other Great Lakes (Superior and Ontario), there are no control structures for the outflow of Lake Huron into the St. Clair River near the Blue Water Bridge. The southern end of Lake Huron has been hardened with extensive bed-load traps on the Canadian side. High value East and Northern Georgian Bay wetlands have dried up and have now converted to grass meadows with very significant loss of fish spawning and nursery habitat. These wetlands cannot migrate out as there are only adjacent steep granite shorelines. Even if flooded again it will take a decade or more for wetland plants to re-establish especially high value plants like wild rice. Concerned about the changes that have occurred in the St. Clair River over the last century and their impact on the conveyance capacity of the St. Clair River. Historically there was a natural sand and gravel bar at the bottom of Lake Huron that acted as a natural weir to restrict the flow. It has been cut through many times. Once that hard gravel cover was removed it exposed soft sand and clay that naturally eroded with the strong current. A comparison of USACE's 2002 and 2005 upper St Clair River bathymetry determined that 31,700 cubic meters of material had eroded at the critical sections of the riverbed where the river is the deepest (over 50 feet deep) and the flow is the fastest and has increased conveyance capacity. The erosion can be stopped by covering over the exposed soft sand and gravel with large rocks. This work needs to be done as soon as this can be confirmed. Consideration should then be given to installing control structures in the very deep parts that will not interfere with navigation. Recognizes that if structural changes are recommended by this Study, an additional Order would be required by the IJC and a request to both governments to fund that work. This will take many years and we will continue to lose water from the middle lakes until this problem is corrected.
- h. Dick Hibma – Grew up near Owen Sound. Passionate about conservation work. Look at St. Clair issue expeditiously. Concern about whether we have gone past tipping point. Concern about how little is known about these complex, interrelated issues and the brief time in history that has been studied. Focus on water quantity and more importantly water quality (e.g., bioaccumulation of pharmaceutical waste products). Need to get general public involved.
- i. Jim Anderson – Three points – resource management and protection (coastal wetlands), how well the planning process handles realities of implementation of a planning product (accountability framework), appreciate the value of the system (ecological or natural goods and services), focus Study on concept of natural capital.
- j. Doug Cuddy – Fishery and wildlife habitats. Concerns regarding rec. boating, shipping, tourism and property values. Safety an issue. Water level change is good for the system, but we've gone to the extreme.
- k. Sam Speck – Come with no constituency. Need to determine what has been done and what is the impact if conditions continue? What will be the trade-offs? Develop a common understanding for the Great Lakes States which will allow us to move

forward. Require trade-offs. Consider cumulative effect of withdrawals and diversions, limits on diversions and standards for limits. Desire to protect Lake Erie – most valuable in terms of fishing (evidence that we may be going back to former conditions – over enrichment).

- l. Jim Bruce – Very concerned about climate change and whether the cycle we're seeing is long-term or part of a natural variability. Concerned about water conservation and net basin supplies.
- m. Kay Felt – Was initially concerned with accretion in front of properties and fisheries near-shore and concerns about invasive species. Now more concerned with potential for growing wetlands – what's controllable and not controllable? Need to determine St. Clair conveyance impacts. Need to get science as right as possible. Care must be taken in doing no harm. Consider the law of unintended consequences. Focus PIAG on its role: all issues are covered, monitor information to and from the public, where and when we hold our public meetings.

Discussion:

- a. Dave Powers - What information suggested that a control structure should be built in the St. Clair River in 1962? Ted Yuzyk - Information regarding this work is being pursued, but the issue seemed to have been dropped because levels began to rise. Kay Felt – need to gather all of the history. **Study Managers will pursue through agency contacts.**
- b. Jim Bruce – temperature of water has gone up, so logically evaporation has also gone up. Isostatic rebound is another issue in determining all of the factors affecting level changes.
- c. Jim Anderson – need to be cautious when going to the public. Make sure we have expertise and good information to present.
- d. Mary Muter – two issues on the St. Clair – the erosion and whether we need control structures in the river.
- e. Roger Smithe – What are the limits of the Study? Will structures on the Niagara River be considered? Gene Stakhiv – Niagara River structural changes are not part of this Study.
- f. Herb Grey – Regarding future public meetings, maybe helpful to talk with Elaine Kennedy about how they were handled during ILOSLR Study. Future presentations should include information on the Boundary Water Treaty. **Study Managers will send a copy to all PIAG members.**

6. Communications Plan: Ted Yuzyk

(Presentation on Study FTP Site)

- a. PIAG will be the strongest group regarding communication.
- b. Need interaction between PIAG member organizations sharing information.
- c. Communication plan will become quickly implemented once the Public Information Officer (PIO) is hired.
- d. One PIO will serve both countries with part-time assistance.

- e. Presently compiling and verifying data which will be used for Studies. Will use animation to convey information. **Mary Muter will provide information about animated products.**
- f. This Study will be cognizant of other agency studies.
- g. Study has invested in SharePoint allowing a management and sharing of information.
- h. Web site set up at www.iugls.org.
- i. Study Managers and PIAG members will consider related sites to which to link.**
- j. (Herb Grey – a cautionary note regarding holding Study public meeting this summer/fall conflicting with public meetings being held in September/ October for the ILOSLR Study and by the Control Boards).
- k. Reach-out may occur before formal public meetings – looking for opportunities to piggy-back off of other related conferences and events.
- l. Study Managers will draft a “canned presentation” that can be used by all PIAG members.**
- m. Media training will occur.

7. Upcoming Meetings:

- a. September 4 evening – Lake Superior Control Board Public Meeting in Sault Ste. Marie, Michigan – **Only co-chairs and local members need to consider attending.**
- b. September 5 morning – tour of St. Marys Control Structures
- c. Duluth Conference “Making a Great Lake Superior” – October 30-31 – presentation on IUGLS to be made.
- d. Study Board meeting in Toronto – October 31 – November 1st
- e. Climate Change workshop in Toronto – p.m. November 1st and 2nd - **PIAG Members are invited to attend**
- f. Next PIAG meeting possibly in Toronto – Saturday, November 3rd – **PIAG participation**
- g. Possible public meeting in late September/ early October. Tentative dates are October 3-4 (alternate October 10-11), possible location Bay City, Michigan. **Study Managers will consider locations and dates and will invite Corps Reps to discuss on-going activities. John Jackson will provide information to Syed on a company that can arrange teleconferencing services.**
- h. Mary Muter and Jim Bruce are giving presentations at the Latornell Conference.
- i. Kay suggested providing a list of the activities that are underway to PIAG members. **Study Managers will provide.**
- j. A PIAG teleconference will be held soon to discuss issues and schedules further.

**INTERNATIONAL UPPER GREAT LAKES STUDY
PUBLIC INTEREST ADVISORY GROUP (PIAG)
MEETING #1
DYKEMA GOSSETT, PLLC, 2723 SOUTH STATE STREET, SUITE 400
ANN ARBOR, MICHIGAN
JULY 31 – AUGUST 1, 2007**

DAY 1 – JULY 31, 2007

Item	Time	Topic	Lead
1	1:00 - 1:30	Welcome & Introductions	Kay Felt/ Jim Bruce
2	1:30 - 2:45	Presentation regarding the Study and its Objectives	Gene Stakhiv/ Ted Yuzyk
	2:45 - 3:15	Health Break	
3	3:15 - 4:30	Role of PIAG members in the Study	Mark Colosimo/ Paul Pilon
4	4:30 – 5:00	Day’s wrap-up, questions, comments, etc.	Kay Felt/ Jim Bruce
Break for Day and Meet for Dinner			

DAY 2 – AUGUST 1, 2007

Item	Time	Topic	Lead
5	9:00 - 10:30	Discussion by Members on Key Issues from their perspectives: <ul style="list-style-type: none"> • Aboriginal/Native Perspective • Others 	Kay Felt
	10:30 - 10:45	Health Break	
5	10:45 - 12:00	Continuation of Member Discussion	Jim Bruce
	12:00 - 1:00	Lunch	
6	1:00 - 2:00	Communication <ul style="list-style-type: none"> • Communication Plan • Staffing of Communication Officer • Communication Products 	Ted Yuzyk/ Gene Stakhiv
7	2:00 - 2:30	Upcoming Meetings and Closing Remarks	Kay Felt/ Jim Bruce

Action Items resulting from First PIAG Meeting

Action Item	Responsible Individual or Group	Deadline
Revise Org Chart	Syed Moin	Sept. 1, 2007
Set up interviews and select Public Information Officer	Tony Eberhardt – set up interviews; Kay Felt, Jim Bruce, Gene Stakhiv & Tony to select best candidate.	Prior to Sept. 15, 2007
Information about Study information protocol	Public Information Officer	After PIO selection and prior to possible Fall Public Meeting
Conveyance of information by PIAG Members	PIAG with guidance from PIO and PIAG Co-Chairs	On-going
Issues and Locations of Public Meetings	PIAG	On-going
PIAG Member liaison with TWGs	PIAG Members with assistance from Study Managers	Prior to PIAG meeting no. 2 (tentatively Nov. 2, 2007)
Information about the 1962 St. Clair River structure project	Study Managers through agency contacts	Prior to PIAG meeting no. 2 (tentatively Nov. 2, 2007)
Provide copy of Boundary Waters Treaty to PIAG Members	Study Managers	Sept. 1, 2007
Information regarding animation products	Mary Muter	Prior to PIAG meeting no. 2 (tentatively Nov. 2, 2007)
Related sites for linkage to Study Web Site	PIAG and Study Managers	On-going
Development of “canned” PIAG presentation	Study Managers	Prior to PIAG meeting no. 2 (tentatively Nov. 2, 2007)
Attendance at Superior Board of Control Public Meeting at Sault Ste Marie, Michigan	PIAG Co-Chairs and Members in the vicinity	Sept. 4, 2007
Attendance at Climate Change Workshop in Toronto	All PIAG Members are invited	Nov. 1, 2007
Attendance at PIAG Meeting Number 2 in Toronto	All PIAG Members	Nov. 2, 2007
Location and date of first PIAG Public Meeting	PIAG Members with assistance from Study Managers	Sept. 15, 2007
Teleconferencing Service Information	John Jackson to provide information to Syed Moin	Sept. 15, 2007
List of Study Activities already underway to PIAG Members	Study Managers	Sept. 1, 2007