



## **New Institutional Arrangements**

The existing International St. Lawrence Board of Control (Board of Control) has overseen implementation of the Order of Approval and has directed outflows to deal with a wide variety of circumstances. In order for it to function according to the new direction proposed by the International Joint Commission (the Commission), the Commission intends to make some institutional changes, while keeping much of the structure, duties, and activities of the Board intact. The changes include additional responsibilities for monitoring and adaptive management along with communications assistance during a transition period covering new plan implementation.

### **Board Composition and Name**

The Commission intends to retain a board of 10 members with equal numbers from each country. The Board will include members from federal agencies, the state of New York, and the provinces of Ontario and Quebec, and it may include some public members appointed by the Commission. The Board's Canadian and U.S. co-chairs will be appointed from the respective federal governments by the Commission. All members are to serve in their personal and professional capacities, rather than as representatives of their countries or organizations. The current Board of Control will be renamed. The new name will be the International Lake Ontario–St. Lawrence River Board. A diagrammatic sketch of the proposed institutional structure is provided in Figure 1.

As shown in the figure, public collaboration opportunities are a central focus of the structure. The Board may, at its own discretion, establish an informal group of public advisors chosen from among the various interests and diverse reaches affected by regulation.

### **Board Secretariat**

One Canadian Secretary and one U.S. Secretary are to serve the new Board in much the same capacity as currently exists. Activities and duties of the Secretaries include the following:

- Assure that the Board's directions to the Regulation Representatives, power entities, and others are carried out;
- Maintain the permanent files for the Board;
- Generate Board responses to letters and e-mails;
- Generate and coordinate correspondence and reports with each other and with Board members;
- Set up Board meetings, conference calls, and meetings with the public, handle logistics for events, prepare presentations to be made by the Board, and prepare media releases;



- Serve as the primary point of contact for the public and media to bring issues to the Board, and explain Board decisions and policies;
- Work on the Communications Committee to enhance communications with the public;
- Help maintain the Board web page;
- Secure funding for support of the Board Co-Chairs, Secretaries, and support staff (i.e., Regulation Representatives, River Gauging Committee members); and
- Provide expert advice to the Board Co-Chairs and other Board members.

### **Board Communications Committee**

The Board will establish a Communications Committee to develop, implement, and maintain the Board's communications strategy. The purpose of this strategy is to provide a mechanism for exchanging information with the public, obtaining public input on regulation, and effectively implementing the Board's public involvement and communications activities. The committee will be similar to the existing Communications Committee, which comprises six members (two Board members, two Board Secretaries, and public affairs advisors from each section of the Commission). The committee will have equal numbers of individuals from Canada and the United States. It is expected that they will continue monthly teleconference calls and meetings in person as needed (usually scheduled around Board meetings). They will plan and coordinate all Board communications activities. The committee will also assist the Adaptive Management and Monitoring Committee in preparations for their forums and workshops. The Board believes that there will be a window of opportunity to establish effective communications when the new Order of Approval is implemented. Effort equivalent to one full-time position by a mid- to upper-level communications professional will be needed during the first 1–2 years to accomplish this. The focus of the effort should be on outreach to stakeholders and news media via timely information products, web sites, and a speakers' bureau. Bilingual capacity or support, web site technical support, and graphic design and distribution support will also be required.

### **Regulation Representatives and Operations Advisory Group**

The two existing Regulation Representatives (Reg Reps), one from each country, hold key positions supporting the Board for system regulation. Their work includes calculating hydrologic supplies and flows associated with the plan (i.e., plan flows) for the regulation week (quarter-months) along with tracking and reporting flows, peaking and ponding, water levels, and deviations under the operational plan. The Reg Reps also calculate and report what the pre-project water levels and flows would have been. The U.S. and Canadian Reg Reps are from the U.S. Army Corps of Engineers, Buffalo District Office, and the Great Lakes–St. Lawrence Regulation Office of Environment Canada, Cornwall, respectively.



Flows for each regulation week will be set according to Plan 2007. The Board oversees implementation of plan flows and the Reg Reps carry it out. Plan flows are implemented each regulation week, unless there is an approved reason to change plan flows (i.e., short-term deviations from plan flows are required). Under certain circumstances the Reg Reps or the Board can approve short-term deviations, as further described in the paper entitled *Procedures for Flow Adjustments and Deviations to Plan 2007*.

The duties of the Reg Reps and the Operations Advisory Group (OAG) will not change substantially. The OAG does not recommend plan flows, but it can recommend short-term discretionary deviations to the Board through the Reg Reps. The Reg Reps consult weekly with the OAG to discuss operational problems that would impact proposed outflow implementation specified by the plan. The OAG members currently include individuals from the three power entities—New York Power Authority (NYPA), Ontario Power Generation (OPG), and Hydro Quebec (HQ)—in addition to the St. Lawrence Seaway Development Corporation, the St. Lawrence Seaway Management Corporation, and the Canadian Coast Guard. During consultations, the OAG makes the Reg Reps aware of operational impacts of plan flows or river conditions that might prevent plan flows from being implemented due to certain conditions, such as ice, emergency conditions, turbine down-time, or other within-week flow operational constraints, such as the Ottawa River freshet. Through the Reg Reps, the OAG also makes requests for within-week flow adjustments for hydropower generation for consideration by the Board. The Reg Reps also produce statistical forecasts of basin water supplies and resultant water levels for specific exceedance probability risks for the Board to consider.

The Reg Reps will receive a new responsibility for modeling regulation plan impacts and for evaluating those impacts for the adaptive management activities of the Board. They will do this working in concert with the new Adaptive Management and Monitoring Committee. At the same time, they will no longer be required to provide the Board with alternative strategy scenarios and their analysis. A proposed operational addition is a call-in period at the end of the weekly OAG and Reg Reps call or meeting when others, including members of the public, can call in to provide input on issues that concern them relative to weekly flows. Another additional responsibility of the Reg Reps is reporting on short-term deviations as part of the Board's semiannual reports to the Commission.

### **Linking of Board Structure to Monitoring and Adaptive Management**

The Commission intends for the Board to establish a new committee called the Monitoring and Adaptive Management Committee (MAMC). The 6-10 committee members will be chosen from natural resources policy makers or managers drawn from governmental and nongovernmental organizations (NGOs). There will be two Co-Chairs, one from each country. The MAMC will provide communication between stakeholders and the Board on matters related to adaptive management. This includes revising the Adaptive Management Action Plan (AMAP), as appropriate, and planning and holding science-based forums every five years. Key performance indicator (PI) monitoring



activities will be reported annually by the MAMC Co-Chairs at the new Board's public meeting and receive public input. The MAMC will make adaptive management recommendations to the new International Lake Ontario–St. Lawrence River Board.

The MAMC will include an Adaptive Management Monitoring Group (AMMG) consisting of technical and scientific experts from within the participating agencies and organizations. The AMMG will oversee and/or conduct monitoring, assessment, hypothesis testing, and model refinement. It will interpret monitoring results and support refinement of the AMAP and forums every five years. The group will develop the information to be considered by the MAMC and new Board in making adaptive management recommendations to the Commission. The AMMG will be led by the MAMC Co-Chairs.

The Commission will also appoint two individuals (one from Canada and one from the United States) to provide an independent review function relative to the Adaptive Management (AM) Program. The advisors' duties will include providing input for consideration by the MAMC Co-Chairs on monitoring, assessment, hypothesis testing, model refinement, and other AM-related activities. They will also provide input on the AMAP during its five-year review cycle and on the selection of nonagency contractors for conducting monitoring, assessment, and model refinement. The advisors will be independent of the Board, MAMC, and AMMG. When the AMAP is being finalized or revised, the advisors will report annually to the Commission in association with the Board's reporting or as otherwise requested by the Commission.



**Figure 1.** Sketch of Proposed Institutional Structure of New Lake Ontario–St. Lawrence River Board

