Irondequoit Bay Coordinating Committee

Town of Irondequoit New York | Town of Penfield New York | Town of Webster New York | County of Monroe New York

July 21, 2006

The Secretary, United States Section
International Joint Commission
1250 23rd Street NW, Suite 100
Washington, DC 20440
United States

FILE:

Dear Secretary:

We are writing to express extreme disappointment with the recommendations recently made by the International Lake Ontario-St. Lawrence River Study Board regarding the management of water levels and flows for Lake Ontario and the St. Lawrence River. None of the recommended plans are acceptable as formulated and presented in the final report.

Our communities have supported the Study and encouraged our elected representatives to do likewise under the assumption that improvements would be provided for south shore property owners, businesses and communities. If that was not possible, it was assumed that benefits to other interests would only be provided to the extent that the existing shoreline property owners, businesses and communities would be protected to at least the extent they are under the existing Orders of Approval. The Orders currently state that:

> "*Consistent with other requirements, the levels of Lake Ontario shall be regulated for the benefit of property owners on the shores of Lake Ontario in the United States and Canada so as to reduce the extremes of stage which have been experienced.*

In addition, the current Orders of Approval provide for a target four-foot range of level on Lake Ontario, which has been relied upon for over forty years in the development and protection of the shoreline, in the design and protection of navigation channels and facilities, and in the design and operation of recreational boat docking, launching and mooring facilities. Furthermore, considerable public infrastructure is in place that has been designed in reliance upon the water level regime contained in the existing Orders of Approval.

The Study recommendations would remove these basic protections assured by the government through the existing Orders of Approval, disrupting the shoreline and shoreline communities, with no compensation and no mitigation.
Implementation of the Study recommendations would, thus, violate the trust that government will live up to its agreements and assurances to citizens and communities.

It is now clear from the Study results that no serious attempt was made to improve the situation for the Lake shore communities. It is also clear that the study was predicated on the provision of benefits to other interests solely at the expense of the south shore and downstream riparian communities.

All three of the recommended plans harm south shore property owners, businesses and communities. (See Table 6, page 55) While the primary damage will be associated with erosion and flooding of shoreline residential properties, considerable further damage will occur to the recreational boating industry in our area due to high and low water extremes. This impact does not appear to have been adequately accounted for in the Study, which relied upon telephone survey information to assess damages to the recreational boating industry and did not account for the direct damages, need for dredging and loss of business that will result under extreme water level situations.

Comments from numerous public officials at the public hearings conducted during the summer of 2005 pointed out the substantial economic impact to communities due to a loss in property values along the shoreline and the subsequent loss of property tax revenues to the local government units. Public officials also highlighted the considerable public infrastructure, such as parks, that would be damaged or destroyed by the predicted extreme water levels. These impacts remain ignored, resulting in a serious bias in the economic results presented in the study.

The primary justification given for the creation of extreme high and low water levels is environmental restoration. However, the primary environmental issue identified in the Study was the lack of periods of low water. This is due to the actions of the St. Lawrence River Control Board, which never allows the lake level to drop into the lower portion of the four-foot target range set by the IJC. It is noted that this has already resulted in a raising of the average Lake Ontario water level since 1960 compared to what occurred prior to the construction of the St. Lawrence system and implementation of outflow control.

It is interesting to note that existing, approved operating Plan 1958D, without deviations, shows an environmental benefit that is over 100% better than the recommended "environmental plan", Plan B. (See Table 8, page 60 and Table C-5, page 218) If the justification for change is environmental restoration, why not utilize Plan 1958D and merely avoid the deviations that harm the environment? Why was this option not even considered during the Study and not presented in the final report?

Under the guise of environmental restoration, the Study recommends extreme water levels, with increased high levels that are inconsistent with the natural water level regime that occurred prior to the construction of the Seaway and dam in the late 1950's. How can a water level regime that has never occurred on the Lake be considered "more natural"?
It is clear that an artificial water level regime is being recommended in the Study report based solely on environmental response assumptions incorporated into the analysis.

Cc: Congressman James Walsh
Congresswoman Louise Slaughter
Senator Charles E. Schumer
Senator Hillary Rodham Clinton

Table 6 **Economic Results by Interest and Region (based on stochastic supply sequence)**

Average Annual Net Discounted Benefits	Plan A*	Plan B*	Plan D*	Plan E
Total	**$0.44**	**$4.63**	**$4.48**	**$16.85**
COASTAL	**-$0.10**	**-$2.84**	**-$0.10**	**-$28.60**
Lake Ontario	*-$0.36*	*-$2.52*	*-$0.23*	*-$27.15*
Shore Protection Maintenance[2]	-$0.57	-$2.16	-$0.17	-$19.85
Erosion to Unprotected Developed Parcels[2]	-$0.23	-$0.17	-$0.02	-$0.58
Flooding	-$0.12	-$0.20	-$0.08	-$5.72
Upper St. Lawrence River	*-$0.01*	*-$0.01*	*-$0.01*	*-$0.75*
Flooding	-$0.01	-$0.01	-$0.01	-$0.75
Lower St. Lawrence River	*-$0.27*	*-$0.31*	*-$0.17*	*-$0.59*
Flooding	-$0.51	-$0.22	-$0.09	-$0.49
Shore Protection Maintenance[2]	-$0.06	-$0.09	-$0.05	-$0.10
COMMERCIAL NAVIGATION	**$0.47**	**$2.13**	**$1.53**	**$3.21**
Lake Ontario	-$0.03	-$0.01	-$0.01	-$0.02
Seaway	$0.57	$2.16	$1.56	$3.21
Montreal down	-$0.07	-$0.02	-$0.02	-$0.02
HYDROPOWER	**$2.26**	**$6.09**	**$1.84**	**$12.34**
NYPA-OPG (Energy$ + Peaking$)	$2.18	$3.87	$0.48	$8.77
Hydro Quebec (Energy $)	$0.08	$2.22	$1.36	$3.82
RECREATIONAL BOATING	**$3.81**	**$0.74**	**$1.42**	**$3.46**
Above Dam	*$1.20*	*$7.42*	*$2.56*	*$5.31*
Lake Ontario	$0.70	$7.18	$0.41	$4.93
Alex Bay	$0.47	$0.29	$0.03	$0.36
Ogdensburg	$0.01	$0.00	$0.01	$0.07
Lake St. Lawrence	$0.01	$0.05	$0.05	$0.05
Below Dam	*$2.61*	*$0.68*	*$1.78*	*$1.85*
Lac St. Louis	$1.09	$0.49	$0.89	$1.03
Montreal	$0.93	$0.19	$0.58	$0.54
Lac St. Pierre	$0.59	$0.00	$0.31	$0.18
M&I	**$0.00**	**$0.00**	**$0.00**	**$0.00**
SL One-time Infrastructure Costs	$0.00	$0.00	$0.00	$0.00
LSL Water Quality Investments	$0.00	$0.00	$0.00	$0.00

Notes to Table 6:

1. Figures reflect the average annual impact relative to Plan 1958-DD and are reported in millions of U.S. dollars. Blue represents a positive net benefit relative to 1958-DD and red indicates a negative net benefit relative to 1958-DD.
2. These are economic results based on the 50,000-year stochastic supply series, using a 4% discount rate over a 40-year period, for coastal erosion and shore protection maintenance.
3. The St. Lawrence River Model component of the Shared Vision Model could not be adapted to run the full 50,000-year stochastic series. The results presented represent an average of the historical sequence plus the four 101-year trial segments from the stochastic (ST1, S2, S3 and S4 series).