

The Secretary, United States Section
International Joint Commission (IJC)
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July 11, 2008

Dear Secretary,

The following are my personal comments on the proposed new Order and regulation plan ("Plan 2007") that the IJC is recommending for adoption. I would also like to note some observations of the one information session (Olcott, New York) and the two public hearings (Olcott and Oswego, New York) I attended.

Clearly, there are different views on what the IJC should do or not do in regards to the proposed new Order and regulation plan. But in all this discussion, there needs to be a modicum of personal responsibility. There were several people that commented they had recently bought lakeside homes and then expressed anger at beachfront and lakeside erosion occurring since their purchase. How could such erosion possibly take these landowners by surprise, if they had done the appropriate due diligence? There should be a serious discussion on future lakeside development and the level of risk that property owners should assume.

Some of these problems have been exacerbated by the way in which lakeside homeowners use their houses. Up until about twenty-five years ago, in Orleans County most people who owned cottages were seasonal lakeside dwellers – they came to their cottages only in the late spring, summer and early fall. Now that is not the case – many people (~50-60 percent) live in their lakeside homes year-round – and expect the full suite of government services. Those services do not come without a cost, including erosion control.

With that said, homeowners who have worked to install and repair erosion control structures expressed a high level of dissatisfaction with the New York State Department of Environmental Conservation (NYSDEC) Region 9 employee who approves such structures. These complaints were noted at the Olcott, New York public hearing and re-counted the DEC

employee interjecting their own opinion of lakeside homeowners living on the lake when homeowners worked to get the proper permitting for erosion control structures. This is not appropriate. Regardless of what the DEC employee personally believes, it is their job to process paperwork in accordance all state and federal laws, absent the personal beliefs.

At the Oswego, New York public hearing, one assertion made by several people was that the area of Sodus Bay had built its' infrastructure and tourism based on a set water level of no more than four (4) feet of variance per the 1956 Order of between 243.3 feet and 247.3 feet, and that any variation was going to seriously damage the community. This is shortsighted planning. As has been noted during the entire IJC study and review process, there is going to be erosion no matter which plan is selected by the IJC. If water levels are at the upper end of the range, and a storm out of the north or northeast hits Lake Ontario, Sodus Bay like so many other lakeside communities will suffer damage, perhaps severe damage. This damage will occur regardless of what plan is selected.

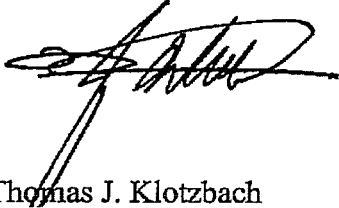
It is the height of arrogance and ignorance to expect the IJC to turn on a dime to accommodate Sodus Bay lakeside dwellers, just as it is the case for any other region to expect benefits to the detriment of other regions. The entire lake shore basin tilts generally from North to South and West to East (differential isostatic rebound). Lake Ontario water levels have been rising for approximately 11,000 years and will continue to do so, and even the IJC can't completely remediate such a fact of nature

I believe Plan B+ is a viable plan if there is a firm commitment to reasonable remediation and mitigation of erosion where possible by New York State for lakeside dwellers. Unfortunately, this commitment is not net yet been made. I support Plan B+ if an official commitment by New York State to assist lakeside dwellers to build erosion control structures and mitigate future erosion where possible. If such a commitment is not possible, I would be supportive of Plan 2007. In all likelihood, in five to ten years the ability to more accurately forecast spring lake levels will be at a point technically which will make Plan B+ the plan to implement.

Lastly, I was disappointed that at times, some of the IJC meetings became contentious. At the Olcott, New York information session, people behaved reasonably. However, at the Olcott, New York public hearing, speakers were interrupted, and after the hearing one member of the public became very aggressive. This person had to be separated from initiating a physical confrontation with a member of the public who supported Plan B+, calling this Pan B+ supporter and others "you fucking faggots." Later as he left the building, this same person said to Plan B+ supporters "you're nothing but a bunch of lying bastards." A similar incident occurred at the Oswego, New York public hearing where a person (who supported Plan B+) said to another member of the public "I hope your house falls into the lake." This led to a confrontation between

the two men with several comments of "fuck you" being exchanged and the wife of one man having to get between the two men to prevent an altercation. This sort of conduct was unfortunate and underscores how coarse some people were at the public hearings. No matter what the IJC decides, a little more civility is in order by the public at future meetings.

Regards,

A handwritten signature in black ink, appearing to read 'T. Klotzbach', with a long, sweeping underline that extends to the left and then curves back under the name.

Thomas J. Klotzbach

Waterport, New York