

International Joint Commission
Canada and United States



Commission mixte internationale
Canada et États-Unis

May 3, 2018

Mr. Sylvain Fabi
Director U.S. Transboundary Affairs Division
Affairs International Trade Canada
Lester B Pearson Tower A
125 Sussex Drive
Ottawa, Ontario K1A 0G2

Ms. Cynthia Kierscht
Director, Office of Canadian
Room 3918
U.S. Department of State
2201 C St., NW
Washington, D.C. 20520

Dear Mr. Fabi and Ms. Kierscht,

The International Rainy-Lake of the Woods Watershed Board wrote the Commission on April 12, 2018, on the subject of phosphorus loading in the Rainy-Lake of the Woods basin, and the Commission writes in order to bring the Board's letter to the attention of the Governments of Canada and the United States. The Board commended the State of Minnesota for its progress toward establishing a total maximum daily load (TMDL) for phosphorus in the basin and noted that an overall reduction in phosphorus loading of approximately 18.4 percent is targeted in the basin.

Specifically, the Board asked that the Commission raise three specific requests to the Governments of Canada and the United States, which are quoted in full here:

- That the Governments of Canada, Ontario and Manitoba commit to an 18.4 percent reduction in phosphorus loads to Lake of the Woods as an interim measure at this time;
- That the Governments of Canada and the United States work together to establish a shared binational phosphorus substance objective and load reduction targets for this important shared binational waterbody; and
- That the Governments of Canada and the United States commit to regularly reviewing and revising this shared binational objective and targets as further science becomes available, with a first review as soon as possible after Environment and Climate Change Canada completes its current scientific assessment of Lake of the Woods in 2020.

The Commission endorses these Board recommendations and considers them to be extremely important to the overall goal of reducing phosphorus loading, and the associated harmful algal blooms, in the Rainy-Lake of the Woods basin.

While the Commission recognizes that scientific work is being undertaken by Environment and Climate Change Canada that may inform future efforts to reduce phosphorus loading, the Commission does not believe that the two federal governments, or provincial or state governments, need to wait for this scientific work to be completed before giving consideration to and committing to an interim target for a reduction in phosphorus loading in the basin.

Additionally, governments will have to consider the question of where the reductions in phosphorus loading may come from and the scope of these reductions. The Commission, while endorsing an interim target of an overall reduction of 18.4% in phosphorus loading in the basin, is not commenting on what reductions will be necessary in each of the jurisdictions that share the basin. The reductions in phosphorus loading required in each jurisdiction in order to accomplish an overall reduction of 18.4% may be higher or lower than the target, depending on existing loading and other circumstances.

The Commission and the Board will continue to assess the issues of phosphorus loading and harmful algal blooms in the basin and will make further recommendations to governments as appropriate. The Commission appreciates your attention to these serious issues and the recommendations noted above. We would be happy to address any questions you may have.

Sincerely,



Charles A. Lawson
Secretary
U.S. Section



Camille Mageau
Secretary
Canadian Section

Attachment:

- April 12, 2018, letter from the IRLWWB to the Commission



International Rainy-Lake of the Woods Watershed Board

Camille Mageau
Secretary, Canadian Section
International Joint Commission
234 Laurier Avenue West, 22nd Floor
Ottawa, ON K1P 6K6

Dr. Charles A. Lawson
Secretary, U.S. Section
International Joint Commission
2000 L Street, NW
Suite #615
Washington, DC 20440

April 12, 2018

Dear Secretaries,

The International Rainy-Lake of the Woods Watershed Board members wish to commend the State of Minnesota on the progress they have made towards the establishment of a Total Maximum Daily Load (TMDL) for phosphorus in the Rainy-Lake of the Woods basin. Information presented at the recent 2018 Rainy-Lake of the Woods Watershed Forum indicated that, in effect, Minnesota is on track to creating an overall phosphorus load reduction target of approximately 18.4 percent, with specific source targets soon to be released for public consultation and finalization. Information also presented at the Forum, provided supporting evidence that there are substantial sources of phosphorus loads from Canada.

Further, following the Board's Directive 4 d) "Keep the Commission informed of boundary waters plans, policies, and developments, actual or anticipated, which have the potential to affect water quality", we wish to advise the IJC of Minnesota's incipient plan. We note that Minnesota's overall target of 18.4 percent likely cannot be achieved without a commitment to phosphorus reductions on both sides of the Canada-United States border.

Although the Board recognizes that additional science is being conducted by the Government of Canada to determine what level of phosphorus reduction is required to achieve positive environmental outcomes in Lake of the Woods, we strongly believe that a commitment to an 18.4 percent reduction in phosphorus loads is a step in the right direction.

For this reason, the International Rainy-Lake of the Woods Board recommends that the International Joint Commission raise this issue with Governments and specifically that the Commission urge:

- the Governments of Canada, Ontario and Manitoba to also commit to an 18.4 percent reduction in phosphorus loads to Lake of the Woods as an interim measure at this time;
- the Governments of Canada and the United States to work together to establish a shared binational phosphorus substance objective and load reduction targets for this important shared binational waterbody; and
- the Governments of Canada and the United States to commit to regularly reviewing and revising this shared binational objective and targets as further science becomes available, with a first review as soon as possible after Environment and Climate Change Canada completes its current scientific assessment of Lake of the Woods in 2020.

With the impending release of the Minnesota TMDL plan and as the IJC will be holding its meetings with the Governments during the last week of April, the Board believes it timely to raise these issues now and we respectfully ask the IJC to bring these issues and recommendations to the Governments.

The above recommendation has been endorsed by all members of the International Rainy-Lake of the Woods Watershed Board, with two members (Michael Goffin and Trina Rawn) abstaining due to real or perceived conflict of interest.

Sincerely,



Michael Goffin
Canadian Board Co-Chair



COL Samuel Calkins
U.S. Board Co-Chair

c.c.:
Nick Heisler, Canadian Section/IJC
Mark Colosimo, U.S. Section/IJC