

MEETING SUMMARIES

International Rainy - Lake of the Woods Watershed Board
Basin Meetings
August 15-17, 2017
Fortune Bay Resort Casino
Tower, Minnesota

ATTENDANCE

PARTICIPANTS	
BOARD MEMBERS	
Colonel Calkins (Board U.S. Co-Chair)	U.S. Army Corps of Engineers
Nolan Baratono	Local U.S. Member
Jim Stark*	U.S. Geological Survey
Mike Hirst*	Lake of the Woods Soil and Water Conservation District
Charlene Mason	Local U.S. Member
Shane Bowe	Red Lake Department of Natural Resources
Lori Dowling-Hanson	Minnesota Department of Natural Resources
Suzanne Hanson	Minnesota Pollution Control Agency
Michael Goffin (Board Canadian Co-Chair)	Environment and Climate Change Canada
Gail Faveri	Environment and Climate Change Canada
Trina Rawn	Ontario Ministry of the Environment and Climate Change
Greg Chapman	Ontario Ministry of Natural Resources and Forestry
Kiley Shebagegit	Local Canadian Member
Todd Sellers	Local Canadian Member
Karen Cederwall	Local Canadian Member
Chief Brian Perrault	Local Canadian Member
Lucas King	Local Canadian Member
Teika Newton*	Local Canadian Member
INTERNATIONAL JOINT COMMISSION	
Commissioner Rich Moy	U.S. Section
Mark Gabriel	U.S. Section
Mark Colosimo	U.S. Section
Frank Bevacqua	U.S. Section
Wayne Jenkinson	Canadian Section
Paul Allen	Canadian Section
BOARD ENGINEERING ADVISORS/SECRETARIAT	
Scott Jutila (U.S. Engineering Advisor/Secretariat)	U.S. Army Corps of Engineers
Daniel Rokitnicki-Wojcik (Cdn Secretariat)	Environment and Climate Change Canada

*Participated remotely

ABSENTEES	
BOARD MEMBERS	
Mark Lee	Manitoba Sustainable Development
Holly House	Local U.S. Member
Matthew Gouin	Local U.S. Member
BOARD ENGINEERING ADVISORS/SECRETARIAT	
Matt DeWolfe (Cdn Engineering Advisor)	Environment and Climate Change Canada

Tuesday August 15

International Joint Commission Update **1:30pm – 2:00pm**

ADDITIONAL PARTICIPANTS	
OTHER	
Felicia Minotti	Global Affairs Canada
Joel Wessman	Consulate General of Canada
Pat Carey (alternate for Suzanne Hanson)	Minnesota Pollution Control Agency
Kelli Saunders*	International Watershed Coordinator

*Participated remotely

As an opening to the Board's basin week meetings, the Board requested the IJC to provide a brief update on activities and decisions that might be of interest to the Board and their work.

IJC U.S. Commissioner Rich Moy opened the meeting with a brief introduction and welcomed members to the Minnesota. IJC advisors to the Board provided a brief summary on the following topics:

- tentative dates for the fall semi-annual meetings in Ottawa are October 25th and 26th
- status of the work of the International Rainy and Namakan Lakes Rule Curves Study Board
 - the study board has completed its obligations this summer and has submitted its final report
 - the report included 11 recommendations which 10 the Commission has conditionally supported
 - the Commission will be holding a series of public hearings during the week of August 14th to receive public feedback on the study board's work
 - a number of recommendations put forward by the study board do suggest changes to how the watershed board operates and the Commission will keep the Board apprised of any decisions made that will impact the board's mandate or activities
- the status of the Board's IWI submission regarding ProjectWet
 - the proposal did not pass peer review by the review committee due to the proposal being a different type of project than what the committee typically reviews
 - there were a small number of comments that could easily be addressed should the board wish to resubmit for consideration
- update on the SPARROW modelling work (water quality model) that has been completed for the Great Lakes and Rainy-Lake of the Woods basins
 - this project is being developed by the USGS
 - the Board is expected to have access to this information by the end of the year
- update on the IJC's water quality objectives review
- the status of the cumulative and transboundary effects of mining in the boundary waters letter
 - no formal written response to the Commission's letter has been received

Binational Approach
2:00pm – 4:00pm

ADDITIONAL PARTICIPANTS	
OTHER	
Felicia Minotti	Global Affairs Canada
Joel Wessman	Consulate General of Canada
Pat Carey (alternate for Suzanne Hanson)	Minnesota Pollution Control Agency
Kelli Saunders*	International Watershed Coordinator

*Participated remotely

At the request of the Board, representatives from Environment and Climate Change Canada (ECCC), Global Affairs Canada (GAC) and Minnesota Pollution Control Agency (MPCA) participated in a meeting devoted to the Binational Approach.

The GAC representative briefly provided an update on activities since the Board's previous update during the July 17th teleconference. As promised in July, an updated Binational Approach document was circulated to the Board for discussion. Also during this time, development of the proposed IMA subgroups on nutrients and algae has been advancing. MPCA and ECCC are working together to develop group objectives, roles and responsibilities, and activities. The development of the other subgroups is ongoing.

The ECCC representative then provided an update on recent public engagement in Kenora in the form of a science information session. The event was possible with the assistance of LOWWSF and LOWDPOA and provided an opportunity for members of the public to learn more about the research, science and monitoring underway and ask questions of those in charge of science and policy. ECCC will work with LOWWSF to facilitate the sharing of this information with those unable to attend the session. Government representatives reiterated that they happy to provide updates at future Board meetings.

The Board then discussed comments and concerns raised by the CAG during a recent meeting which included:

- the need for two-way communication with the public
- the need for cooperation from local scientists
- and how the science will lead to action and policies to improve conditions on the Lake

The Board and IJC also provided feedback on the Binational Approach specifically:

- questions regarding the nature and role of the IMA subgroups
- how the IJC can assist in setting up the subgroups
- reiteration of the concern of what comes next after the Canadian funding has ended
- the expectation of transparency in the program underway
- the need for political involvement to ensure buy-in on any actions stemming from the scientific work
- the urgent need of a web-based platform that will allow for public involvement and input
 - could the IMA develop a web-platform to provide updates on binational coordination
- the need for more information on milestones and reporting

The Board and IJC also discussed how to move forwards from the Water Quality Plan of Study and that there is no directive or wording in the Board's mandate to implement the studies that are not being addressed by governments. Further discussion on this topic was deferred until later in the week during the time set aside for this when the Board meets on Thursday.

The meeting was adjourned at 3:30pm.

Public Meeting ***6:30pm – 8:00pm***

The Public Meeting was well attended and included 12 members of the public and 30 in total. Other participants included Commissioner Moy and members of the Board and indigenous communities.

The meeting was opened with an introduction by Commissioner Moy, who welcomed participants and provided a brief overview of the IJC and Board.

Colonel Calkins then provided a brief presentation covering Board mandate, structure, membership, and activities. The presentation was followed by a question and answer period.

Questions and Comments

The following questions were posed and comments made during the second half of the meeting.

- the status of political appointees (i.e. IJC Commissioners)
- the nature of copper-nickel mining and the potential for waste rock constituents reaching and affecting the quality of boundary waters
- what the Board and IJC are doing to ensure that the impacts of mining are not felt in the waterways of the basin and boundary waters
- what the extent of monitoring efforts are in the headwaters of the basin with respect to water quality and aquatic ecosystem condition
- specific water quality impacts in local lakes and the associated variability in monitoring data
- the need for prevention rather than restoration/remediation
- the need for support from the Commission in protecting the environment and water resources of the headwaters
- more information on the acid spill that occurred in International Falls
- the role of the Board's water levels committee and also of the dam operators in regulating levels for the benefit of culturally significant wild rice production

The meeting was adjourned by Commissioner Moy and Colonel Calkins who thanked the participants for their time and input.

Wednesday August 16

Meeting with Resource Management Agencies 1:30pm – 5:00pm

ADDITIONAL PARTICIPANTS	
OTHER	
Ivana Vouk*	Research Council of Canada
Richard Burcher*	Research Council of Canada
Jeffrey Ross	Grand Council Treaty #3
Lucas King	Grand Council Treaty #3
Mike Kennedy	Minnesota Pollution Control Agency
Ben Vondra	Minnesota Department of Natural Resources
Jeff Bonnema*	Ontario Ministry of Natural Resource and Forestry
Emily Nelson	North St. Louis Soil and Water Conservation District
Anita Provinzino	North St. Louis Soil and Water Conservation District
Erin Loeffler	Minnesota Board of Water and Soil Resources
Ryan Maki	Voyageurs National Park
Kevin Peterson	Minnesota Department of Natural Resources
Eldon Voigt*	Koochiching Soil and Water Conservation District
Ralph Horn	Ontario Ministry of Natural Resource and Forestry
Melissa Mosley	Ontario Ministry of Natural Resource and Forestry
Phil Talmage	Minnesota Department of Natural Resources

*Participated remotely

The meeting with resource management agencies was centred around six presentations provided by various agencies in the basin on a diverse range of topics including:

- tools for visualizing water resource data
- watershed management planning
- aquatic invasive species prevention
- fisheries monitoring and management
- mining rehabilitation
- watershed protection and restoration

Ivana Vouk and Richard Burcher (NRC) introduced a data dashboard platform in development for the IJC which can visualize and display water resources information. This is a product that could be incorporated into the IJC's plan for a new web-platform and has implications for displaying data to support the water levels committee.

Jeffrey Ross and Lucas King (GCT#3) provided an excellent overview of the Grand Council Treaty #3 Territorial Planning Unit (TPU) and activities underway by its water resource staff. The unit is undergoing watershed management planning and is currently working with 10 communities to develop plans.

Mike Kennedy (MPCA) provided a thorough overview and update on Minnesota's approach to watershed restoration and protection in the Rainy basin. Mike provided also included the status of the Total Daily Maximum Load (TMDL) study currently in development for the U.S. waters of the Lake of the Woods and its path towards completion in 2018.

Ben Vondra (MN DNR) provided a thorough overview and update on Minnesota's fisheries management programs and their activities in the Rainy Lake and the Namakan Reservoir. Also included were some of the challenges faced in implementing the program.

Jeff Bonnema (OMNRF) provided an overview of past, present and future activities with respect to Ontario's work towards long-term rehabilitation of Steep Rock Mine, near Atikokan, Ontario. This

presentation is a follow up to the Board's last briefing on the project which has since moved forward with recommending approach #5 – *Enhanced Natural Recovery and Gravity Flow to West Arm*. More information on the specific rehabilitation approaches can be found in the following fact sheet: <http://apps.mnr.gov.on.ca/public/files/er/final-steep-rock-mine-fact-sheet.pdf>

Emily Nelson and Anita Provinzino (NSLSWCD) presented on the North St. Louis Soil and Water Conservation District's work to prevent the spread of aquatic invasive species through surveys, inspections and decontamination stations at Lake Vermillion, Burntside Lake and Fall Lake.

In addition to the formal presentations, information on agency activities and programs were distributed for:

- OMNRF (Fort Frances) fisheries and aquatics monitoring activities
- VNP research and monitoring activities
- VNP wetland restoration activities

The meeting was adjourned at 5:00pm.

Thursday August 17

Board Meeting **8:00am – 12:30pm**

ADDITIONAL PARTICIPANTS

OTHER

Rebecca Seal-Soileau

U.S. Army Corp of Engineers

Introductions and Board Business

Due to the travel arrangements of several members in attendance, the Board agreed to compress the agenda to cover all items prior to the afternoon.

Action items were addressed as completed, or with status updates. Meeting minutes from the July 17th teleconference were approved.

Action: Secretariat to see that previous meeting minutes are posted to the Board's webpage.

Committee Updates

Water Levels Committee

The Water Levels Committee (WLC) provided an update on summer 2017 conditions which have been within the rule curve band for quite some time. Other topics presented were as follows:

- the committee indicated that they are closely watching the conditions over the next 3-weeks as this a critical time in the development of wild rice
- fewer lake level inquiries have occurred than normal
 - likely due to levels being within the bands for quite some time
- plan to hold a teleconference with the dam operators later in August

- plan to hold an annual meeting with the dam operators in March
- a public meeting in March is also highly likely due to the changes to the committee recommended in the rule curve evaluation process
- other potential changes to the committee as recommended through the rule curve evaluation process include developing flexible guidelines, a new terms of reference for the committee, as well as additional support (i.e. from dam operators)
 - these changes may be too ambitious to implement by Spring 2018 but are awaiting direction from the Commission on their path forwards
- an emergency contact list exists for water level conditions that currently includes roughly 50 individuals
 - the committee will work to update the list
 - committee also suggests making it known during public meetings that such a list exists and promote other stakeholders to sign on
 - committee is also considering whether the list could be developed into a database once the IJC web platform is updated in the future
- the ongoing gate refurbishment project is expected to be completed in November

Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) provided an update on their activities as follows:

- committee continues to make progress on the AEH report
 - the focus of the report is on nutrients in the boundary waters
 - expect to have a draft report completed before the fall semi-annual appearance
- collection of data is near completion for the Environmental Emergency Planning, Coordination and Response (EEPCR) review
 - there was a good response rate by agencies contacted
 - expect to have a draft report completed in the fall
- the IWI proposal on modelling a potential petrochemical spill in the Rainy River that has been in development with the HPAB has not resulted in a viable proposal that the AEHC is willing to endorse
 - there was difficulty in seeing the value-added of this project
 - committee doesn't see the outcomes of this project as a priority need at this time
 - AEHC requested Board approval to not pursue the proposal further at this time

The Watershed Board agreed to not pursue the spill modelling IWI proposal in collaboration with the HPAB at this time. AEHC co-chairs to notify HPAB collaborators of this decision.

There was also discussion following up on the EEPCR review update regarding the recent acid spill at PCA Boise in International Falls and whether it would be possible to have a summary to include for the fall semi-annual appearance. Also discussed were potential recommendations that the Board could consider transmitting to the Commission on improving communication and coordination in the event of future spills and have these incorporated into the Board's annual report.

Action: AEHC to provide a draft AEH report for Board review in advance of the Board's September 26th teleconference if available.

Action: MPCA representatives on the Board to provide updates when available on the investigation into the PCA-Boise Paper acid spill.

Engagement Committee

The Engagement Committee (EC) provided an update on their activities as follows:

- hosted ECCC and GAC representatives at their recent meeting to offer advice and discuss engagement opportunities for consideration for the Binational approach
 - the EC reiterated their disappointment that no formal written reports on Binational Approach progress are currently planned

- committee co-chairs will be speaking to the Stewardship Rangers in Fort Frances on Friday August 18th
 - will provide information on water issues in the basin and on the role of the IJC
 - the stewardship rangers are a program jointly run by OMNRF and Shooneyaa Wa-Biitong and are local youth (16-20 years old) that work on environmental stewardship projects in the region during the summer months to broaden their perspectives and experience on environmental issues
- committee will be updating the Project Wet IWI proposal to reflect the comments received from the review committee with the assistance of IJC advisors
- committee will complete a plain language summary of the basin meetings for distribution to indigenous groups and communities
- the committee is considering the development of a story board for completed IWI projects to showcase the work that has been supported by the IJC in the basin
- working with territorial planning unit staff to have watershed board included in Grand Council Treaty #3 fall assembly
 - would like to have a formal time slot on agenda to present information
- will be requesting infographics from the IJC with respect to the summary bullets to be provided for the fall semi-annual appearance
 - infographics will be used for engagement purposes
- next meeting of the EC is expected in September/October

Revisiting the Water Quality Plan of Study

Due to the uncertainty of the status of the unfunded portions of the Water Quality Plan of Study (POS) and the direction of governments with the Binational Approach, the Board decided to determine its path forward and refocus its priorities for matters concerning water quality and aquatic ecosystem health.

The discussion included a number topics and suggestions as follows:

- the need to move on from the POS as the Board has no directive or mandate to pursue the implementation of the unfunded projects outlined in the POS
- the Commission did provided guidance in their recent correspondence
 - the need to go back to focusing on the Board’s mandate on matters concerning water quality and aquatic ecosystem health
 - this includes the assessment, development and recommendations for updated water quality and aquatic ecosystem health objectives and alert levels for the Rainy-Lake of the Woods
- AEHC co-chairs proposed that the Board and AEHC refocus its efforts on developing WQ and AEH objectives as an utmost priority and coined the “***prime directive***”
 - AEH co-chairs offered to draft a proposal for Board consideration on an approach and activities to meet the prime directive
 - the proposal will likely include what some the needs for information and data and will consider the work and lessons learned from the Red and Souris Boards, who have already put in significant effort on objective setting
- also discussed was the suggestion to include climate change in the work on water quality objectives

The Watershed Board agreed that in light of the IJC’s direction and guidance in its recent written correspondence, that the Board will refocus its efforts on its mandate for water quality and aquatic ecosystem health. This will mean focusing on developing and recommending updated water quality and aquatic ecosystem health objectives and alert levels for the Rainy-Lake of the Woods.

Action: AEHC co-chairs to develop a proposal for moving forwards from the Water Quality Plan of Study to refocus priorities on the key mandate component of recommending updated water quality and aquatic ecosystem health objectives (referred to as the “prime directive”).

Action: AEHC co-chairs to provide wording for the “prime directive” proposal when updating the Board’s work plan.

Roundtable

Community Advisory Group Update

The CAG met this week and have the follow to report to the Board:

- received updates from the Boards committees at their last meeting
- received a presentation from Jeff Port on instruments related to unorganized areas in Ontario
- questions remain regarding the status of Water Quality Plan of Study and how and whether the unfunded studies will be implemented
- concern over the PCA-Boise acid spill and lack of binational coordination
 - reports of strange foam after event
 - issues of failure of communication to communities
- USGS has identified two new algal toxins to the Lake Kabetogama system
- next meeting expected in November

Industry Advisory Group

The IAG has not met since their March meeting and the current co-chair had the following to report to the Board:

- it has been a challenge to continue to manage the group without a Canadian co-chair
- IJC working with a member of the Board to fill the vacant Canadian co-chair position
- would like to develop a way to showcase the good work that industry does and a way to provide to provide regular updates
 - there was a suggestion by a Board member that perhaps a good way to showcase this would be to include a slot for an industry representative to speak during the resource agency meeting during the 2018 basin week
- IAG likely to meet in the fall

PCA Boise Spill at International Falls

The Board discussed what was known about the recent acid spill at PCA Boise Paper in International Falls. Concerns over the lack of coordinated communication were raised as was the fact that there is an ongoing investigation into the event which should lead to further information.

Action: MPCA representatives on the Board to provide updates when available on the investigation into the PCA-Boise Paper acid spill.

Lake of the Woods Science Briefing

A request was made for the Board to consider regarding the need for a science primer or briefing on Lake of the Woods, specifically:

- some local Board members are not scientifically trained and struggle to understand the state of science and science needs for Lake of the Woods
 - this had made it difficult to properly assess the proposed work by governments
- perhaps a workshop or science briefing during the March science forum would be appropriate to address this need? There are likely other public attendees that also would benefit from this during the March science forum

Action: CAG U.S. Co-Chair to develop a list of key topics of interest that could form the basis of a science summary/primer on Lake of the Woods.

New Member Training

New member of the Board Chief Brian Perrault is in need of new member orientation.

Action: AEHC Canadian Co-chair to follow up with Chief Perrault to complete the orientation.

Other Board Business

Work Plan

In advance of the Board's appearance at the fall semi-annual meetings in October, the Board's work plan requires updating for the year 2017-2018.

- Secretaries have included the Board's current work plan with the meeting materials for review by committees

Action: Committees and Advisory Groups to review and update their respective sections of the Board's work plan by September 20th.

Annual Meeting Schedule

A draft meeting schedule was included in the meeting materials for the board to review and consider.

It was noted that the date of the next meeting in September was a day later than previously scheduled in the new Board schedule.

It was also noted that the schedule for the march science forum week will likely be busy and that organizers are keen to receive details on the Board's needs when developing the schedule.

The Watershed Board agreed that the next meeting of the Board would be held by teleconference on Tuesday September 26th at 1-3:30pm central time

Action: Board members to review annual meeting schedule and provide comments/suggestions to Secretaries

Action: Board to consider needs for March 2018 Forum week meetings and provide request to Forum organizers to facilitate planning.

Fall Semi-Annual Appearance

The fall semi-annual appearance before the Commission is quickly approaching and committees will be requested to provide input on their activities and any products developed prior to mid-October.

Action: Secretaries to draft Board's semi-annual appearance presentation and solicit input from committee co-chairs.

IJC Climate Change Framework

To advance the Board's responsibilities under the IJC's Climate Change Framework, the Board discussed the following topics:

- what the framework is and that Boards are expected to discuss climate change impacts on how they operate and their mandate
- consider how they can advance preparing for climate change and what types of information exist and are need to do so
- overview of synthesis work already completed by U.S CAG co-chair and T. Newton
 - compilation of climate change related abstracts from past march science forums
 - synthesis of considerations of climate in the work from the state of the basin reporting

The Rainy-Lake of the Woods Watershed Board is well setup for considering and planning for climate change impacts from the synthesis work completed by Board members, the participation of a large number of board members on the Commission's climate adaptation working group, and the climate change considerations included in the work of the International Rainy and Namakan Lakes Rule Curves Study Board. Given the discussion over the Board's new prime directive and that the Board agreed to incorporate considerations on the impacts of climate change in the development of revised objectives, this would be sufficient in addressing the immediate needs required by Boards under the framework.

The watershed board agreed that moving forwards on preparing for the effects of climate change in the basin would best be addressed by considering its effects in the Board's upcoming work on assessing and recommending revised water quality and aquatic ecosystem health objectives.

Action: The prime directive proposal to include considerations for climate change with respect to the development of recommendations for water quality and aquatic ecosystem health objectives.