

**MINUTES**  
**INTERNATIONAL JOINT COMMISSION**  
**Executive Meeting**  
**Great Lakes Regional Office**  
**Windsor, ON**  
**July 10-12, 2019**

The International Joint Commission met in Executive Session in the regional office in Windsor, Ontario, on July 10, 2019, from 11:00 a.m. to 5:30 PM, on July 11, 2019, from 8:30 a.m. to 4:00 p.m., and on July 12, 2019, from 8:30 to 10:30 a.m., chaired by Pierre Béland.

**COMMISSIONERS**

Jane Corwin	Chair, U.S. Section
Pierre Beland	Chair, Canadian Section
Lance Yohe	Commissioner, U.S. Section
Henry Lickers	Commissioner, Canadian Section
Rob Sisson	Commissioner, U.S. Section
Merrell-Ann Phare	Commissioner, Canadian Section

**SECTION STAFF**

Chuck Lawson	Secretary, U.S. Section
Camille Mageau	Secretary, Canadian Section
Paul Allen	Manager, Policy and Communications, Canadian Section
Frank Bevacqua	Public Information Officer, U.S. Section
Christine Blanchet	Legal Advisor, Canadian Section
Kevin Bunch	Writer-Communications Specialist, U.S. Section
Pierre-Yves Caux	Director, Science and Engineering, Canadian Section
Christina Chiasson	Policy Advisor, Canadian Section
Mark Colosimo	Engineering Advisor, U.S. Section
Susan Daniel	Legal Advisor, U.S. Section
Antionette Dunston	Special Assistant, U.S. Section
David Fay	Senior Engineering Advisor, Canadian Section
Anthony Frio	Policy Advisor, Canadian Section
Andrew Heath	Geospatial specialist, Canadian Section
Nick Heisler	Policy Advisor, Canadian Section
Wayne Jenkinson	Senior Engineer Advisor, Canadian Section
Jeff Laberge	Information Management Analyst, Canadian Section
Tristan Lecompte	Environmental Officer, Canadian Section
Catherine Lee-Johnston	Environmental Officer, Canadian Section
Robert Phillips	Senior Water Quality and Ecosystem Adviser, Canadian Section
Isabelle Reid	Executive Assistant, Canadian Section
Victor Serveiss	Environmental Advisor, U.S. Section
John Yee	Chief, IM and IT Services, Canadian Section

## **GREAT LAKES REGIONAL OFFICE STAFF**

David Burden	Director
Antonette Arvai	Physical Scientist
Raj Bejankiwar	Physical Scientist
Jennifer Boehme	Physical Scientist
Mark Burrows	Physical Scientist
Matthew Child	Physical Scientist
Sally Cole-Misch	Public Affairs Officer
Sheila Dugmore	Administrative Assistant
Kenneth Getty	Administrative Assistant
Ryan Graydon	Sea Grant Fellow
Monique Myre	Administrative Assistant
Diane Varosky	Administrative Coordinator
Allison Voglesong-Zejnati	Communications Advisor
John Wilson	Physical Scientist

## **APPROVAL OF THE AGENDA**

1. Commissioners approved the agenda as amended with the addition of several items under Other Business.

## **RECORD OF MEETING DISCUSSIONS AND MEETING MINUTES**

2. **A. Commission Practice on Meeting Discussions and Meeting Minutes**  
Commissioners received information on past practices for generating a record of Commission meetings and meeting minutes for posting on the website and agreed to continue past practices. Commissioners requested that the Executive Agendas also reflect the scheduling of Commissioner sessions for which minutes and audio recordings are not produced. Commissioners requested increased use of conference calls and webinars to streamline in person Executive meetings.  
  
**B. Minutes of June 5-6, 2019, Executive Meeting**  
Commissioners approved the draft minutes of the June 5-6, 2019, executive meeting.

## **BRING FORWARD**

3. Commissioners reviewed the Bring Forward list of correspondence and requested that a detailed briefing on the Shoal Lake issue and correspondence with governments be scheduled for the July 25<sup>th</sup> conference call. Commissioners also requested that webinars be prepared concerning water quality issues along the transboundary including past discussions with governments and the relevance of current water quality objectives and targets.

## **ACTION ITEM LIST, COMMUNICATIONS ACTIVITIES LIST, AND COORDINATED CALENDAR**

4. Commissioners reviewed the IJC Action Item List, Communications activities list and the coordinated calendar.

## **GREAT LAKES WATER QUALITY AGREEMENT**

5. Commissioners received a summary of messages heard during the Town Hall, Round Tables and Public meetings held on June 12, 2019, at the IAGLR meeting and June 18 and 19, 2019, at the Great Lakes Public Forum in Milwaukee on the Progress Report of the Parties and the Commission's Triennial Assessment of Progress report; and to identify issues needing resolution.

## **GLWQA BOARD MEMBERSHIP**

6. **A. Overview of GLWQA Board Membership**  
Commissioners received a briefing on the board membership recruitment and appointment process for Great Lakes Water Quality Agreement Advisory Board members and approved the following nominations:

### **B. Water Quality Board**

Commissioners approved the reappointments of: Messieurs Mark Fisher and Mark Mattson as Canadian members, each for a two-year term effective July 10, 2019, to July 9, 2021; and Messieurs Frank Ettawageshik and Jon Allen as U.S. members, each for a three-year term effective July 10, 2019, to July 9, 2022. Commissioners approved the appointments of Messieurs François Houde and Chris Mc Laughlin to be Canadian members, each for a three-year term effective July 10, 2019, to July 9, 2022; and Ms. Monica Lewis-Patrick and Ms. Elizabeth Kirkwood to be U.S. members, each for a two-year term effective July 10, 2019, to July 9, 2021.

### **C. Science Advisory Board – Science Priority Committee**

Commissioners approved the reappointments of: Dr. David Allan as a U.S. member for a one-year term effective February 26, 2019, to February 25, 2020; Drs. Bob Hecky and Jeff Ridal as Canadian members, each for a two-year term effective February 26, 2019, to February 25, 2021; Dr. Carol Miller as a U.S. member for a three-year term effective February 26, 2019, to February 25, 2022; and in addition to renewing Drs. Carol Miller and Jeff Ridal as SPC members for an additional term, Commissioners approved them continuing in their role as SPC Co-Chairs for the duration of the additional term.

Commissioners approved the appointments of Drs. Gail Krantzberg and Jerome Marty to be Canadian members for a three-year term effective July 10, 2019, to July 9, 2022; Dr. Karen Kidd to be a Canadian member for a two-year term effective July 10, 2019, to July 9, 2021; and Mr. Mic Isham to be a U.S. member for a two-year term effective July 10, 2019 to July 9, 2021.

#### **D. Science Advisory board – Research Coordination Committee**

Commissioners approved the reappointments of Drs. Val Klump and Christopher Winslow as U.S. members, each for a three-year term effective March 14, 2019, to March 13, 2022.

#### **E. Health Professionals Advisory Board**

Commissioners approved the reappointment of: Dr. Elaine Faustman as a U.S. member and her appointment as the U.S. Co-Chair for a three-year term effective July 10, 2019, to July 9, 2022, and Dr. Seth Foldy as U.S. member for a two-year term effective July 10, 2019, to July 9, 2022. Commissioners approved the appointments of: Dr. Shannon Waters to be a Canadian member for a two-year term effective from July 10, 2019, to July 9, 2021; Dr. Tom Edge to be a Canadian member for a three-year term effective from July 10, 2019, to July 9, 2022; and Dr. Ruth Etzel to be a U.S. member for a two-year term effective July 10, 2019, to July 9, 2021.

### **LAKE ONTARIO-ST LAWRENCE RIVER PLAN 2014**

7. Commissioners received a briefing on: current water level conditions in the Great Lakes system, including Lake Ontario-St. Lawrence River; the method used during development of Plan 2014 to determine appropriate balance of interests; and the mandate, past, current and proposed activities of the Great Lakes Adaptive Management Committee. Staff provided a broad outline of the type of work that could be undertaken by the GLAM Committee if U.S. funds become available to match Canadian funds.

Commissioners discussed the need for a series of webinars/workshops for local officials including municipal and county planners to better understand the way in which the Great Lakes system works and the role of Plan 2014 in regulating the outflow from Lake Ontario. They requested that staff explore the possibility of an IJC facilitated workshop on coastal resiliency in partnership with interested parties. Commissioners agreed to appoint an additional member from each country to the ILOSLRB and that these members should be from shoreline municipalities.

### **GREAT LAKES ADAPTIVE MANAGEMENT COMMITTEE**

8. Commissioners received a briefing on the GLAM Committee's establishment and funding and a summary of the GLAM Committee 2017 flooding report. Commissioners received information on a preliminary GLAM Committee proposal to assist the ILOSLRB, once sufficient funds had been secured, to explore the feasibility of strategies to discharge more water from Lake Ontario in extreme water supply periods such as 2019. Commissioners indicated that two seats on a proposed Stakeholder advisory group that would be established for the study should be set aside for one upstream and one downstream member from shoreline municipalities. Advisors outlined the progress achieved to address the Commission's request that the GLAM scope out what an expedited evaluation of extreme high water impacts might include and discussed potential funding sources.

## **LAKE CHAMPLAIN-RICHELIEU RIVER FLOODING REFERENCE**

9. Commissioners received a briefing on the work of the LCRR Study Board, including its outreach efforts. They approved the study board's request for a one year extension to the study noting that public notification should be given that the study report will be delayed.

## **LAKE CHAMPLAIN-MISSISQUOI BAY-LAKE MEMPHREMAGOG WATER QUALITY REFERENCE**

10. Commissioners received a briefing on the work of the Lake Champlain-Missisquoi Bay and Lake Memphremagog working groups regarding the water quality reference for these water bodies. The Commission approved the Champlain Science Advisory Group's request for a six month extension to the study. Advisors note that the unfunded nature of the reference has limited the extent of the analysis that can be undertaken and that ensuing recommendations may lack specificity.

## **DEVELOPMENT OF IJC INDIGENOUS ENGAGEMENT STRATEGY**

11. Commissioners received a briefing on the status of the IJC Indigenous peoples engagement strategy that is under development and requested that a workshop similar to the one held to consult FN, Metis and Tribal board members be held to better involve western aboriginal peoples in the development of the strategy. Commissioners also requested that cultural sensitivity training sessions be organized for all Commission staff. In preparation of a one day Commission workshop proposed for November, advisors are to prepare background material on indigenous communities/territories in each transboundary basin. This background material should include an overview of federal American Indian and tribal law in both countries.

## **ST. CROIX RIVER WATERSHED BOARD**

12. Commissioners approved posting of the Board's 2018 annual report and received an update of activities in the basin including the proposed decommissioning of the Milltown dam in St. Stephen NB and Calais ME by the operator NB Power.

## **13. OTHER BUSINESS**

### **A. Invasive Mussel Collaborative (IMC)**

Commission approved the tri-commission (IJC, Great Lakes Fishery Commission, Great Lakes Commission) media release supporting the work of the Invasive Mussel Collaborative

### **B) Plan 2014 correspondence**

Commissioners requested modifications to the proposed response to in-coming correspondence regarding Plan 2014.

**C) Immunity of International Organizations** Commissioners received a briefing on a recent U.S. Supreme Court case, Jam v. IFC, which concerned the interpretation of the U.S. general statute providing privileges and immunities to international organizations (IOs), the International Organization Immunities Act (IOIA). The Supreme Court ruled, consistent with the U.S. position, that the IOIA provides IOs the same immunities from jurisdiction of U.S. courts as is currently afforded to foreign states, not the absolute immunity afforded to foreign states when the IOIA was enacted in 1945. While it is not expected that this case will significantly change the U.S. legal landscape for most organizations, advisors will work with DOS and GAC to clarify any potential implications for the IJC.

**D) IJC Policy on Health and Well –being in the workplace**

Commissioners requested that staff draft guidance for its staff and board on harassment.

**DECISIONS TAKEN VIA POLLING**

**Great Lakes-St. Lawrence River Adaptive Management Committee**

On July 9, 2019, Commissioners approved the appointment of Mr. John Allis to be the U.S. Co-Chair of the Committee and Ms. Deborah Lee to be a U.S. member of the Committee, each for a three year term, effective from July 9, 2019, to July 8, 2022.

**International Lake Ontario-St. Lawrence River Board**

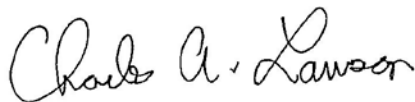
On July 5, 2019, Commissioners approved a response to the board's June 25, 2019 letter concerning outflows from Lake Ontario.

**Great Lakes Adaptive Management Committee**

On June 14, 2019, Commissioners directed advisors to discuss with the GLAM Committee what the outlines of an expedited review of the performance of Plan 2014 might entail if additional funding could be secured.

**International Osoyoos Lake Board of Control**

On June 7, 2019, Commissioners approved a revised letter to the board in which the commission approves the board's request that it be granted the authority under Condition 10 of the 2013 Order to allow the Applicant (Washington State) to manage the level of Osoyoos Lake within the broader rule curve range specified in Condition 8 under drought conditions until September 30, 2019.



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Charles A. Lawson  
Secretary  
U.S. Section



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Camille Mageau  
Secretary  
Canadian Section