

**International Rainy Lake of the Woods Watershed Board
Meeting**

Summary of Discussion

August 16, 2018
8:30-12:30 CT
Kenora, Ontario

U.S. Member Participants

COL Calkins (Co-Chair)
Suzanne Hanson
Mike Hirst
Charlene Mason
Al Pemberton
Jim Stark
Patty Thielen
Pam Tomevi

Canadian Member Participants

Michael Goffin (Co-Chair)
Karen Cederwall (by phone)
Greg Chapman
Erika Klyszejko
Mark Lee
Teika Newton
Lucas King (alternate for Chief Perrault)
Trina Rawn
Todd Sellers

U.S. Absentees

Matthew Gouin
Holly House

Canadian Absentees

Chief Perrault
Kiley Shebagegit

International Joint Commission

Wayne Jenkinson
Mark Colosimo
Commissioner Rich Moy
Commissioner Walker

Secretariat

Scott Jutila

Diane de Beaumont

Additional Participants

Rebecca Seal-Soileau (U.S. Army Corps of Engineers) (by phone)
Brad Kirbyson (U.S. Consulate, Winnipeg)

Kelli Saunders (International Watershed Coordinator)

Carla Torchia (Environment and Climate Change Canada)
Mohamed Mohamed (Environment and Climate Change Canada)

1. Welcome and Introductions

The Canadian Board co-chair called the meeting to order and welcomed participants.

2. Review of Meeting Materials

No additions to the agenda were identified and action items were addressed as completed or as ongoing.

ACTION: Scott to circulate January 18, 2018 and June 12, 2018 meeting summaries to Board for review/approval.

3. Committee Updates

Water Levels Committee:

The Water Levels Committee summarized the new 2018 Supplementary Directive to the IRLWWB and Supplementary Order for the regulation of boundary water levels which will result in the implementation of new rule curves at the start of August 2018. The Committee provided context on how these changes came to be. It was highlighted that the focus is now to operate to the middle of the rule curve, giving companies some flexibility in general day to day operations, with the Water Levels Committee having some control and oversight. The Committee mentioned that the Supplementary Order is subject to review in 15 years.

Members were informed that the flood forecasting workshop is planned for October 2018. Also, it was mentioned that the March 10th deadline outlined in the Order for determining whether to follow the high flood risk rule curve is not realistic. The Committee will be requesting that the deadline be moved to March 19th to allow for engagement with the companies and the public during the annual Rainy-Lake of the Woods Watershed Forum.

An update on 2018 operations on Rainy-Lake of the Woods to-date was provided. In March, the Committee directed the Companies to target the lower portion of the curves. There were below normal temperatures throughout April, and very little precipitation through the early part of the year. In May, the Companies were directed to resume targeting the middle portion. In July, the Companies were asked to continue targeting the middle portion through the transition to the new curves. Drier conditions are expected during the transition to the new rule curves.

Aquatic Ecosystem Health Committee

The Aquatic Ecosystem Health Committee (AEHC) provided an update on the Objectives and Alerts Project. The Board was informed that the statement of work will shortly go out to the short list of vendors. Kelli Saunders will coordinate the project. The project is expected to start in early fall and the associated workshop in March 2019. A sub-committee of the AEHC will work with the project team.

The AEHC thanked the Commission for quickly reacting to the Board's recommendations on phosphorus reduction targets. The committee encouraged the Government of Canada to keep looking for ways to reduce phosphorus, particularly should the mill in Fort Frances ever re-open, because the draft MN TMDL includes the phosphorus reduction from the mill closure in 2014.

The AEHC noted that the Community Advisory Group was disappointed by the Governments' response regarding the potential cumulative effects of mining in the basin on transboundary waters, but pleased that a door was left open in the letter by stating that this issue could be considered in the later phase of the binational framework.

The Committee mentioned that government agencies submitted an International Watershed Initiative project proposal related to sediment work that had merit but did not align well with the Board mandate. A revised project proposal may be considered should it better align to our mandate. It was also mentioned that the Stream Stats project is in final stages of approvals and is expected to be completed this fall.

The AEHC indicated that it is aiming to submit a scaled-back annual Aquatic Ecosystem Health Report this fall and reminded members that it will focus on a few issues such as nutrients and other aquatic ecosystem health issues where there have been significant changes since last year's report.

ACTION: AEHC to prepare annual aquatic ecosystem health report in fall 2018.

Engagement Committee

The Engagement Committee (EC) and the International Watershed Coordinator briefly described the Social Engagement Project that the Minnesota Protection Agency is currently conducting. Part of this 3-year project involves gauging people's willingness to get involved. A questionnaire is being developed which should be released this fall. It is expected that the project will offer helpful information to the EC once completed.

The EC noted that the first phase of Project WET will wrap this fall. The second phase will roll out in a few schools in Minnesota and the third phase will involve wider participation in Ontario and Minnesota. It was noted that the curriculum guide is already in use in Ontario.

The EC updated members on the implementation of the Board's microsite. It is expected to be launched this September. The Committee recommends use of general mailbox as opposed to individual member mailboxes.

The EC informed the Board that is looking at organizing a meeting with Grand Council Treaty 3. It was advised that the initial relationship with Grand Council Treaty 3 should be built at the leadership level and that the first meeting should take place after the fall's election or perhaps once the Water Declaration is in place in May 2019.

The Committee confirmed that it will get orientation of new members organized soon.

The Engagement Committee provided an update on the vertical implementation of the International Joint Commission's Climate Change Guidance Framework. In order to participate in this project, the Board needs to discuss the "where, how, and who". The International Joint Commission (IJC) noted that a workshop will take place during the Semi Annual Meeting in October, which will assist the IJC in determining a path forward. The IJC also added that the project has a flexible timeline and may take up to 5 years to complete. It was pointed out that the work done on water levels by the Water Levels Committee aligns well with this initiative.

ACTION: Teika Newton to develop climate change strawdog proposal for discussion at September 18th IRLWWB meeting.

ACTION: IRLWWB to send interactions with public to Teika by September 7th.

4. Adaptive Management Initiative

The Water Levels Committee (WLC) summarized the 4 recommendations related to adaptive management that came out of the Board's March 2018 Adaptive Management workshop. The WLC is considering requesting at the October Semi-Annual Meeting that the IJC appoint members (e.g., resource agencies, Board members, one WLC member) to the Adaptive Management Committee (AMC) and also appoint a coordinator to lead the climate change component. The AMC chairs would be pulled from the WLC and the Board. It was suggested that the Board's Climate Change Strawdog should potentially integrate adaptive

management and climate change, and possibly “Objectives and Alerts”. It was also suggested that the Board’s Adaptive Management approach could include continuous engagement of Indigenous Peoples.

ACTION: Water Levels Committee to develop Terms of Reference for the Adaptive Management Committee and propose membership names for discussion at September 18th IRLWWB meeting.

5. Board Directive Updates

Members discussed the overly prescriptive language in its Directive (and associated CAG and IAG Terms of Reference) mostly related to the Community Advisory Group, and the need to build-in more flexibility related to advisory group membership composition, appointments and terms. Commissioner Walker indicated that the International Joint Commission is open to updating the Directive. Proposed changes to the Directive and Terms of Reference include: CAG membership that is composed of roughly equal number of Canadian/US members; CAG membership to reflect diverse nature of the environment; Board to appoint CAG co-chairs; CAG membership to include public members of the Board and Board representatives from First Nations, Métis and Tribes; possible extension of CAG membership term; may hold separate meetings of the Board with the Cag and with the IAG, and CAG and IAG meeting agendas and summaries are to be shared with the Board for information only. There was discussion around appointing CAG and IAG members that aren’t Board members as co-chairs of the CAG and IAG. It was decided to shelve this issue until further input from the IJC on the legal implications of this proposed change. The Board agreed to leave the second sentence regarding binational management plans (4iii) in the Directive. Commissioner Moy added that it is critical to leave the sentence in the Directive as it may be needed in the future.

ACTION: Secretariat to review language in IRLWWB Directive and CAG/IAG Terms of Reference per August 16th instructions, for discussion at September 18th IRLWWB meeting.

6. Roundtable

Community Advisory Group (CAG)

CAG co-chairs summarized topics covered during the August 15th CAG meeting. The next CAG meeting is planned for mid-November. It was mentioned that the mining information provided by Greg Chapman and Patty Thielen in their CAG presentation would provide a good starting point for tracking mining proposals. It was also noted that the Objectives and Alerts Project is an opportunity to identify if there’s a good baseline of information on impact of mining activities in the basin.

ACTION: Secretariat to circulate information on mining (map, one-pager) to IRLWWB.

ACTION: Secretariat to develop a comprehensive map of mining in the watershed (CAG request).

Industry Advisory Group (IAG) Update

The IAG did not meet this week but will be meeting in person in March 2019. The CAG co-chairs mentioned that they organized a presentation to the CAG by IAG member Sylvie St.Jean on New Gold Inc. activities and operations. The presentation was excellent and very well received. The IAG will look for other opportunities to have IAG members speak at CAG meetings. It was noted that it is a struggle to find new IAG members and to get the current members to participate in meetings. The nomination of Chris Bazinet to the IAG was approved by the Board.

ACTION: Secretariat to prepare IAG appointment letter and certificate for Chris Bazinet.

International Joint Commission (IJC) Update

IJC Commissioner showed support for the Board's initiative to update its Directive and for the Board's recommendations related to phosphorus reduction targets. It was mentioned that the IJC wrote to the Ontario Minister of the Environment, Conservation and Protection to support setting an interim phosphorus reduction target. The IJC summarized its new Diversity Policy and provided an update on the SPARROW modeling project, which is expected to go public at the end of December 2018. It is anticipated that once all agency modeling comes together it will inform on the source of phosphorus.

The IJC's fall Semi-Annual Meeting will take place during the week of October 22nd and will include an International Water Initiative (IWI) workshop on climate change. The IWI call for proposals will come out in September.

IJC Commissioner mentioned the discussions leading up to the formation of this Board, and reiterated how pleased he is with the outcome. He encouraged the Board to stay the course with regards to water quality issues; that they are very important but of long breath. Commissioner noted that he is pleased with the Board's involvement in the Climate Change Framework project and the Water Levels Committee's activities.

7. Other Board Business

August 15, 2018 Public Meeting

The Board discussed public feedback on its presentation at the August 15th public meeting in Kenora, which was surprisingly focused on water levels. It was pointed out that the public seems to confuse Lake of the Woods water levels regulations with the Board's responsibility. Future Board presentations need to be clearer on this topic. The issue of plastics was also raised. The rest of the discussion centered on the public feedback on the presentations by Environment and Climate Change and the Minnesota Pollution Control Agency.

Update to Board work plan

It was pointed out that the Board should focus its efforts around the following key activities: Objectives and Alert Levels Project; Climate Change Pilot; Adaptive Management Initiative; and Annual Aquatic Ecosystem Health Report.

ACTION: Board committees to provide their updated work plan to Secretariat by September 7th (for discussion at September 18th ILRWVB meeting).

Annual Meeting Schedule

Members were asked for their comments on the proposed 2018-2019 Board meeting schedule. One member suggested holding next year's August basin meetings in Baudette, MN. It was also suggested that Environment and Climate Change Canada should plan to hold a public meeting in Kenora next August.

Fall Semi-Annual Appearance

This topic was covered during the International Joint Commission's update.

ACTION: Secretariat to circulate draft appearance presentation to IRLWVB for discussion at September 18th IRLWVB meeting.

8. Review of Action Items and Adjournment

The co-chairs thanked all for their participation, invited everyone to attend the Board public meeting later this afternoon and reminded members of the next Board meeting on September 18th , from 9am-11am central time. The meeting was adjourned.