

International Rainy-Lake of the Woods Watershed Board

Summary of Discussion

August 18, 2020 1 – 3 pm CT (2 – 4pm)

Virtual Meeting

Chair: Mike Goffin

1. Welcome, Introductions and Virtual Housekeeping

IJC Commissioners Lance Yohe (USA) and Merrell-Anne Pharé (CAN) were in attendance.

A transition was noted in the Canadian Secretariat role. Wellsley Hamilton of Environment and Climate Change Canada replaces Pamela Finlayson, effective from this meeting forward.

U.S. Member Participants

COL Karl Jansen (Board Co-Chair)
Nicole Blasing
Amy Adrihan
Mike Hirst
Kelly Sjerven
Jim Stark
Patty Thielen
Doug Franchot
Joshua Jones
Scott Jutila (Secretary; Engineering Advisor)

International Joint Commission

Commissioner Lance Yohe
Commissioner Rob Sisson
Commissioner Merrell-Anne Pharé
Mark Gabriel
Wayne Jenkinson
Carole Smith
Kevin Bunch
Caron DeMars

Additional Participants

Kelli Saunders, International Watershed Coordinator,
Abby Moore, U.S. Army Corps of Engineers,
Rebecca Seal-Soileau, U.S. Army Corps of Engineers,
Joshua Cummings U.S. Department of State,
Doug Walker, U.S. Department of State,
Alexandra Lavictoire, Lake of the Woods Control Board Secretariat,

Canadian Member Participants

Michael Goffin (Board Co-Chair)
Karen Cederwall
Erika Klyszejko
Mark Lee
Todd Sellers
Kiley Shebagegit
Greg Chapman
Trina Rawn
Chief Brian Perrault
Lucas King
Matt Myers
Matthew DeWolfe (Engineering Advisor)
Wellsley Hamilton (Secretary)

Ryan Maki, Adaptive Management Committee,
 Teika Newton, Adaptive Management Committee,
 Pamela Finlayson, Environment and Climate Change Canada,
 Carla Torchia, Environment and Climate Change Canada,
 Megan Garner, Environment and Climate Change Canada,
 John Thomas, Minnesota Pollution Control Agency,
 Felicia Minotti, Global Affairs Canada,
 Brad Kirbyson, U.S. Consulate Winnipeg,
 Joel Wessman, Canadian Consulate Minneapolis,

2. Review of Meeting Materials

No additions to the agenda were identified. The summary from the June 18, 2020 meeting was approved.

The Action Items from June 18th below are ongoing or in progress. All other action items were completed or updates were provided under specific agenda items during this meeting.

LEAD	ACTION	STATUS
AEHC	<ul style="list-style-type: none"> AEHC to complete AEH report. 	<ul style="list-style-type: none"> In progress. Report up to 2019 should be available this fall. New action item
Secretariat	<ul style="list-style-type: none"> Determine date and time for 2020 Public meeting and publicize new approach. 	<ul style="list-style-type: none"> In progress. Doodle poll sent out. New action item
Jim Stark	<ul style="list-style-type: none"> Coordinate webinar for Board members on the Mining Collaboration Project's transboundary mapping 	<ul style="list-style-type: none"> Ongoing. New Action item created.
Todd Sellers	<ul style="list-style-type: none"> Submit IWI proposal for State of the Basin Report in Fall 2020 using new template 	<ul style="list-style-type: none"> In progress. Proposal will be submitted for review at next meeting. New action item created.
Lucas King and Wayne Jenkinson	<ul style="list-style-type: none"> Edit Wild Rice IWI Project proposal in light of COVID-19 restrictions and resubmit. 	<ul style="list-style-type: none"> In progress. Proposal will be submitted for review at next meeting. New action item created.
Secretariat	<ul style="list-style-type: none"> Lead development of the Written Board Annual Report for submission to the International Joint Commission. 	<ul style="list-style-type: none"> In progress. Additional time to submit annual reports given to Boards by IJC due to COVID-19. US Secretariat finalizing sections. Final draft was to be circulated to Board for review in early July
Mike Goffin (ECCC)	<ul style="list-style-type: none"> Support and move forward with implementation of 2-gauge proposal for Wheeler's point. 	<ul style="list-style-type: none"> Ongoing. ECCC internal discussions are underway. Commitment to ongoing funding.

IRLWWB	<ul style="list-style-type: none"> • Send ideas about local stories for newspaper articles to Kelli 	<ul style="list-style-type: none"> • Ongoing.
Board Co-chairs and Secretariat	<ul style="list-style-type: none"> • Add “Watershed Concerns and Awareness” as a standing agenda item for meetings. Consider individual 	<ul style="list-style-type: none"> • Ongoing.

- **ACTION:** Secretariat to post approved meeting minutes on IRLWWB website.

3. Update on Sulfuric Acid Spill from the Boise Paper Mill in 2017

John Thomas, from the Minnesota Pollution Control Agency, Compliance and Enforcement, gave a presentation. The powerpoint document was included in the meeting package.

If Boise Paper had contacted the NRC as requested by MPCA, then ECCC would likely have received notification of the spill in transboundary waters. EPA did their own investigation into this event. US EPA will not take enforcement action because the spill was within the plant, and did not exceed the threshold for direct release to the river itself. There is no requirement to report further.

A better practice if a future incident occurred may be for the company to report a spill in transboundary waters to Ontario’s Spills Action Centre, and if refused then MPCA could do so.

John is not aware of any further reviews, documents, or products to share regarding this event.

John noted that MPCA contacted the SAC and First Nations representatives 1-2 days after the event, and noted concern and communication issues. The company was urged to inform, but in the end MPCA released the information instead to fill the gap.

It was noted that the plan for industry to notify SAC should be shared more broadly within MPCA in order to operationalize the lesson learned from this event.

4. IWI Process and Proposals

Mike Hirst presented the documents outlining the IWI process and new cover page.

Based on a question from Matt Myers, the Canadian CAG Co-chair asked for clarification regarding the process for IWI proposals from CAG. Given IWI projects are supposed to come from the Board the CAG is encouraged to bring proposals forward through the Committees.

The process document and cover page were approved for use. Todd Sellers voted to approve, and Kelli Saunders seconded. IWI project proponents and Board committees are expected to use the IWI process and cover sheet for Fall 2020 IWI proposal submissions to the Board.

Co chairs of various committees expect to submit the following proposals to the Board in Fall 2020.

- Aquatic Ecosystem Health Committee
 - State of the Basin report
 - Wild Rice
- Water Levels Committee
 - Data sources to Support Inflow Forecasting

Cumulative effects of mining proposal will be discussed during the Roundtable later in the meeting.

Ryan Maki asked about having a call for proposals earlier than one month in advance since it generally takes more than a month to prepare an IWI proposal, e.g. 3 months before the due date. Mike Hirst clarified that the IJC puts out the call for IWI projects and set timelines. IWI proposals are typically due with the IJC towards the end of October and the end of April each year. This should be noted by Committees and the Board for planning purposes.

- **ACTION:** Board to Review IWI proposals from AEHC and WLC for fall submission deadline at September Board Meeting (Wild Rice, State of the Basin, Data Sources to Support Inflow Forecasting, etc.).

5. Board Work Plan 2020-21

A copy of the Board Work Plan was included in the meeting package. A new section was added for the Adaptive Management Committee. The Work Plan is an Evergreen document that can be updated throughout the year. The Work Plan should include deliverables. Judgement should be used when adding items. The Work Plan should be updated if further IWI proposals are added throughout the year, as this will be checked by the IJC when proposals are submitted.

- **ACTION:** Committees should review the work plan and confirm deliverables.
- **ACTION:** Secretariat to add discussion on 2020-2021 Work Plan to September Board meeting.

6. Update from Board Committees

Water levels committee

A summary was provided in the meeting package. Water levels were regulated within rule curve this spring without implementation of the High Risk Rule Curve.

The National Research Council Report on PCA Intakes is being finalized. The WLC will coordinate proposed changes with the operators following receipt of the final report and aims to seek approval of updated Operational Guidelines by the end of this calendar year.

The IJC contemplating a Lake of the Woods Water Levels Study, WLC prepared to assist in development of a position of merit for a study.

The WLC will collaborate with the Adaptive Management Committee regarding bank erosion in an International Falls neighborhood. Among the several variables involved, rapid water level changes may influence the situation which may threaten private residences in the future. The IRLWWB may be a helpful partner to local / state / federal government entities that seek to understand and resolve the concern.

Aquatic ecosystem health committee

The AEHC working on the Aquatic Ecosystem Health report and has requested agency data A.2019 update is anticipated by the fall focusing on phosphorus and nitrogen

Minnesota DNR is sampling for zebra mussels and will provide an update on their monitoring work in the fall. For the IMA-AIS Awareness project, educational materials were put together and shared with public this spring and summer. In addition, AIS mapping is underway. The AIS Coarse Filter IWI project completed contracting and work is expected to begin this week.

The Objectives and Alerts work is in Phase 2. The IJC is looking at the Statement of work is being reviewed given meetings were restricted by COVID-19.

IWI proposals for Fall 2020 being considered are: wild rice mapping, state of the basin report version 3, and core monitoring (tentative).

- **ACTION:** US Board Co-chair to Coordinate with Red River Basin for a presentation on nutrient management plan to Board.
- **ACTION:** AEHC Co-chairs to Circulate AEH Report (with info up to 2019) this fall.

Adaptive Management Committee

Four top priority projects were identified:

- Assessing the impact of water level regulation on medicinal plants.
- Improving the Digital Elevation Model for Rainy and Namakan by collecting bathymetry in the near shore portions of the lakes.
- Verifying that walleye spawning areas on Rainy Lake that have been used in the modelling to date are actively used by walleye.
- Enhancing whitefish monitoring on the Canadian side of Rainy Lake and Namakan Reservoir and verifying that whitefish monitoring in entire system is adequate for development of a performance indicator.

There is a challenge with access to modelling expertise that is limiting progress on IWI projects. Conversations for performance indicators where modelling is not needed are underway. Wayne Jenkinson identified that the modelling framework from ECCC. And the IJC is working on increasing capacity

Engagement committee

The US Co chair completed IJC website training and can now post to the site. The Canadian Committee Co-chair position remains vacant. The Committee provided input on the annual workplan. Steps were taken to revive project WET in July. A number of issues are being worked on before work can resume.

The Engagement Committee will meet following the August Board meeting based on members' calendars. The time and date are yet to be determined.

- **ACTION:** Board to fill Canadian Co-chair position for Engagement Committee.

7. Roundtable

Update on HPAB mining project

Minnesota is working with the Great Lakes Indian Fish and Wildlife Commission, who have GIS and a database. Once the IJC Health Professionals Advisory Board has approved the work, the next step will be

to demonstrate the project. A one page document is being drafted to update IJC Commissioners on the project, and can be shared with the IRLWWB.

Initial phases of the project may include: identification of possible locations for sulfide mining in the Basin, and the existing water quality and aquatic ecosystem health at those locations. Additional phases will follow.

Next steps for the project are: completion of the one page summary, webinar demonstration to the IRLWWB, and possibly an IWI proposal submission.

Mark Gabriel suggested that there are two parallel tracks, and to be prepared to provide additional detail to support the one-page summary and/or the IWI proposal if requested by the Commissioners. There is no deadline for the summary, and other options may be sufficient such as an email, call or webinar demonstration. Since this could be a long project it is recommended that any proposal focus on the initial phases at this time.

- **ACTION:** Jim Stark and Secretariat to Coordinate HPAB on mining project presentation.
- **ACTION:** Jim Stark and AEHC to develop IWI proposal on cumulative effects on mining.

Feedback from meeting with resource agencies

No action items were reported from this meeting. It was primarily informative and focused on science topics, such as: TMDL for Lake of the Woods, US EPA review, Canada Water Agency, and Twin Metals mine proposal in Minnesota. Wayne Jenkinson identified that the CAG is interested in plastic pollution and the ELA is launching a study on plastics

Identification of other watershed issues of concern

None identified.

CAG update

Current topics of interest to the CAG include: mining and proposed projects, scope of the environmental emergencies report, microplastics, shoreline development regulation, reviewing CAG membership terms and filling member vacancies. There are two vacancies on the Canadian side and one on the US side. Suggestions about someone from Beaudette are of particular interest.

Teika Newton identified that Mike Rennie at ELA is the contact for the microplastics work. He is keen to do a webinar for the CAG at their convenience (<https://www.kenoraminerandnews.com/news/local-news/microplastic-research-at-experimental-lakes-area>)

- **ACTION:** Board to provide CAG Co-Chairs with recommendations for additional CAG members (2 Canadian, 1 US).
- **ACTION:** CAG Co-chairs and Secretariat to extend membership term of 4 CAG members.

IAG update

The most recent IAG meeting was March 10 2020. Current topics of interest to the IAG include: Ice upstream of International Falls (with Water Levels Committee), tourism concerns due to mining in the upper watershed, high water and damage, and hydropower.

IJC update

IT is setting up a sharepoint site for document storage.

Going forward meetings will be virtual, and commitments for meetings in the IRLWWB Directive are not possible due to special circumstances of COVID-19. The IJC will continue to follow this situation. It is recommended that Board minutes identify when the public meetings are completed. Fall Board updates to the IJC will virtual. The week of October 19-23 is being targeted.

Caron De Mars identified that Rainy-Lake of the Woods is one of the basins that hasn't been studied for nearly a century. With Indigenous issues, other stakeholders and rights holders, and climate change. Advisors have recommended we reach out to the Board for opinion.

International watershed coordinator update

The *Ask an Expert* public webinar series has been recorded and is available to watch online. New episodes will be added in future. Promotions have been noticed, and it seems to be effective in the basin. About 20-30 people have participated in each webinar.

8. Other Board Business

September board and public meeting

It was noted that the AEHC, resource agencies and others are planning virtual public meetings in the fall 2020 time frame. Context and coherent communications are recommended, as well as managing expectations for effort and timing.

- **ACTION:** Secretariat to confirm date for public meeting.
- **ACTION:** Secretariat to coordinate with Resource Agencies on public meeting opportunity.

2020 Fall Semi-Annual IJC Appearance

- **ACTION:** Secretariat to coordinate with Committee Co-chairs to develop a draft public meeting presentation.
- **ACTION:** Secretariat to coordinate with Committee co-chairs to develop a draft IJC presentation.

Annual Meeting Schedule 2020-21

The updated schedule was provided to Board members in the meeting package.

Feedback about virtual meeting experience to date

Not discussed.

9. Review of action items and adjournment

The meeting was adjourned at 3:00pm CT.

Drafted by: Pamela Finlayson, ECCC, Abigail Moore USACE, Wellsley Hamilton, ECCC, Scott Jutila USACE