

**International Rainy-Lake of the Woods Watershed Board
Summary of Discussion**

Wednesday, June 16, 2021

1:00pm – 3:00pm CT

Chair: Mike Goffin

1. Welcome and Review of Meeting Materials

U.S. Member Participants

COL Karl Jansen (Board Co-Chair)
Doug Franchot
Pam Tomevi
Mike Hirst
Jim Stark
Kelly Sjerven
Patty Thielen
Matt Gouin
Scott Jutila (Secretary; Engineering Advisor)

Additional Participants

Kelli Saunders, International Watershed Coordinator
Rebecca Seal-Soileau, USACE
Ryan Maki, AMC Co-chair
Teika Newton, AMC Co-chair
Amy Adrihan, MPCA
Lucas King, alternate for Chief Perrault
Joshua Jones, alternate for Al Pemberton
Joshua Cummings, US Department of State
Theresa Haugen, MPCA

Canadian Member Participants

Michael Goffin (Board Co-Chair)
Karen Cederwall
Todd Sellers
Kiley Shebagegit
Trina Rawn
Greg Chapman
Megan Garner
Wellsley Hamilton (Secretary)

International Joint Commission

Mark Gabriel, US Engineering Advisor
Rob Caldwell, Canadian Engineering Advisor
Carole Smith, Communication Director

Mike Goffin welcomed the Board to the meeting. He noted the seriousness of the forest fires and the dry conditions in the basin. The agenda was approved with the addition. Approval of the April 27 meeting summary was deferred.

Action items in the log were noted as completed or in progress by the Canadian Secretary. The Canadian Secretary informed the Board that the Canadian Nuclear Safety Agency confirmed that work in the Ignace area is outside of the Rainy-Lake of Watershed. The same information was previously requested from the Nuclear Waste Management Organization on behalf of the IRLWWB in 2019. Since that time, nothing has changed with respect to the location of the site being investigated relative to the watershed. Todd Sellers requested additional information about groundwater implications of the proposed nuclear waste sit near Ignace, Ontario.

- **ACTION:** Board members to review meeting summary from April 27th and provide edits to Secretariat by July 2nd.
- **ACTION:** Canadian Secretary to confirm with Canadian Nuclear Safety Agency that the location of proposed nuclear waste management site near Ignace, Ontario will not have impacts on Lake of the Woods groundwater resources.
- **ACTION:** Board, Committee and Advisory Group Co-chairs to review membership lists in May 16th meeting package and provide Secretariat with updates.

2. Adaptive Management Committee Climate Change Adaptation Paper

Teika Newton, Canadian Co-chair of the AMC presented on the climate change adaptation paper included in the meeting package and submitted to the Board in January. The IJC's planning Guidance Framework consists of four primary steps: (1) organize, (2) analyze, (3) act, and (4) update. The paper notes the iterative and cyclical nature of the climate change framework that lends itself to being an adaptive management approach.

An end-to-end pilot project against the framework in the International St. Croix River Board has done an end-to-end pilot project. The St. Croix Board has a dual mandate similar to the IRLWWB, however their adaptive management approach is focused only on water quantity. This aligns with the mandate of the IRLWWB adaptive management committee. The paper also references Great Lakes climate change work underway to address the large fluctuations of water levels on the Great Lakes.

The AMC suggests focusing on climate change adaptation as it relates to water quantity starting with a review of the rule curve model variables. The AMC recommends that the Committee/IRLWWB consult with other regional experts, such as climate researchers at the IISD Experimental Lakes Area or climate modelers at the Prairie Climate Centre, to identify additional high priority climate indicators.

Discussion questions at the end of the report include:

1. For private dam operators on the Rainy system, what happens if models show a high likelihood that future climate scenarios could result in rule curve violations and dams failing to perform optimally? Who bears the responsibility to remedy the risk?
2. What additional indicators would we need to consider to extend this analysis to understanding *water quality* impacts from climate change? Would we want this to be more holistic (like ecosystem impacts or even socio-economic impacts in addition to ecosystem)?
3. Thinking ahead to the 'act' and 'update' steps, where we will need to be able to act on recommendations and implement adaptive management mechanisms based on the results of this work, we need to plan for long-term, post-pilot funding to support this work.

Mike Goffin noted that the focus on water quantity given the current mandate of the committee makes sense. He also noted that some of the questions apply to the Board's across the boundary and suggested that it would be helpful for the IJC to clarify which questions the Board's to tackle and which should be addressed more globally across the IJC/boundary.

Mike Hirst queried about whether any climate change-related work needed to be added to the Board's work plan, particularly if they needed to seek IWI funding. Teika stated that there are items that are items identified in the AMC's work plan regarding this report.

IJC Advisors, Rob Caldwell and Mark Gabriel, have been working with ECCC to help line up modelling capacity for the AMC and USGS capacity is also being identified. The AMC has added a project that the US National Park Service funded to support development of a lake level management performance indicator. Improving digital elevation modelling is a high priority as it will improve all of the modelling going forward. Mark Gabriel indicated that almost all of the projects planned by the AMC have a modelling component. I think IJC staff would feel more comfortable with a formal agreement between ECCC and the IJC, and possibly with Corps of Engineer. He also indicated that there is \$120K available until the end of this fiscal year from the US section for AMC work.

3. CAG Update

Matt Myers presented on the letter from the CAG to the Board regarding Advice on Environmental Emergency Preparedness and Response Protocols (EPRP). The CAG task team included Tom Mosindy, Wayne Jenkinson, Matt Myers with support from Doug Franchot.

The document reviewed by the CAG does a good job of looking at environmental planning, but the CAG considers it light on the response side. The CAG has 5 main recommendations:

- Recommendation: An opportunity exists for the board to use the Boise spill as a case study in investigating the adequacy of agency and industry plans in place, especially with respect to ensuring effective timely, and transparent communications.
- Recommendation: The board consider revising the review document to urge governments to complete a bi-national review of this incident and share the findings with agencies, industry and communities on both sides of the border.
- Recommendation: the board consider revising the review document to urge governments to require lead agencies to take a “joint command” approach to incidents occurring within shared watersheds and that agency and industry plans are revised and are complimentary in their description of processes in this regard. Further that all incidents within shared waters receive lead agency bi-national reviews that include input from local communities, with lessons learned incorporated into shared operating plans
- Recommendation: the board consider revising the review document to urge governments to mandate the establishment of cross Border committees where they currently do not exist in shared watersheds, that the makeup of the committees include both community representatives and industries operating within its boundaries, and that a minimum of one table top emergency response exercise be completed annually by the committee to assist in operational preparedness at all levels (Reference to Rainy River Cross Border Committee is proposed as a potential forum.)
- Recommendation: the Board consider pursuing a Risk Based Basin Analysis of the entire IRLow watershed. An approach we understand has been adopted for other watersheds to better understand and prioritize the entire suite of environmental risks that exist.

The lack of review of the Boise incident and lessons learned from this and other incidents should be incorporated into agency plans and processes. Review of these kinds of spills should be international. The existing Rainy River Cross Border Committee is likely a good vehicle for table-top planning and response exercises. The response from industry is important and the degree to which dam operators should be prepared for incidents from climate change. Industry’s responsibility should be more than knowing the number to call, especially as it relates to small and remote capabilities in some of the communities in the R-LOW basin.

In addition to communications, Matt explained that emergency response and preparedness is about risk-assessment and management. To this effect, the CAG is interested in learning more about the St. Croix

Risk-Based Basin Analysis tool and whether there could be opportunities to consider risks associated with emergency response, vulnerability of mining and other Board related interests.

Mike Goffin identified that the Commission was advised by the Board on emergency preparedness and response in 2018, but the status of whether the Board's recommendations were communicated to governments and/or whether a response was received was unknown. He recalled that at the time, governments were behind in updating plans for R-LOW and the Board suggested the plans be updated and renewed on a regular basis. The parallel with advice on mining was also noted. The IRLWWB also identified interested in understanding what the international St. Croix Board did with the results of the risk-based basin analysis and whether the information was sent to government.

IJC Advisor, Mark Gabriel identified that a number of letters were sent to the governments related to mining from the IJC. At most, the IJC had received general responses from governments noting that the correspondence has been received.

Greg Chapman appreciated the recommendations from the CAG and noted that they are practical boots on the ground level recommendations that should be considered seriously. He identified that the agencies don't always have these insights and recognized Matt's experience with emergency preparedness and response in forestry.

Doug Franchot provided an update on the continuing to work to develop a mining vulnerability proposal for IWI funding. The team is hoping to have a proposal ready for Board review in September. Given the changes in membership related to the Board, Doug asked for a check in to ensure this mining vulnerability is of concern worthy of developing an IWI project.

The focus of the current proposal is on vulnerability of the basin to impacts from mining. The socio-economic elements of the debate are considered outside of the scope. The vulnerability to mining led the CAG to discussions about broader risk-based analysis. It is likely that over time these topics would get woven together.

Jim Stark identified that the champions for the original project have moved on, but the Board would still appreciate seeing the proposal. This continues to be a topic of interest for the broader CAG.

Mike Goffin stated that the IJC's Health Professional Advisory Board's proposal dissolved because there was no Canadian project contact to assist Doug. Workload for this Board continues to be a key discussion point and there was a lot of persuading needed to come up with a Canadian lead. Matt Myers has agreed to play this role. Based on discussions with the Canadians on the Board and previous discussions on this topic there appears to be general support for a proposal, however the workload constraints are not insignificant.

- **ACTION:** Secretariat to coordinate a presentation by the St. Croix Board on risk-based basin analysis for mid-July.
- **ACTION:** IJC Advisors to determine whether previous Emergency Response recommendations submitted to the IJC in 2019 were shared with government and whether a response was received.

4. Review 2021-22 Work Plan

The Secretariat reminded the Board that input on the Annual Work Plan is requested. The AMC

completed and submitted their plan for 2021-22 earlier this year.

- **ACTION:** Committee and Advisory Group Co-chairs to update 2021-22 Work plan.

5. Discuss upcoming Basin and Public Meetings

The forward-looking Board meeting schedule is included under TAB 5 of the Board meeting package. The following virtual meeting dates were identified based on the Board’s responses to the doodle polls.

Date and Time	Meeting
September 1, 2021 noon-2pm CT	Resource Management Agency Meeting
September 9, 2021 9-10am CT	Board-CAG Meeting
September 9, 2021 1-3 pm CT	Board meeting
September 14, 2021 1-3pm CT	Public Meeting

Committees and Advisory Groups are encouraged to hold their meetings between June 17th and September 3rd.

ACTION: Committee and Advisory Group Co-chairs to advise Secretariat about summer Committee and Advisory Group meetings taking place prior to September 6th.

ACTION: Secretariat to send out meeting invitations for September meetings.

6. Committee Updates

- *Water Levels Committee*

The WLC has been very active working with industry and engineering advisors. Conditions in the basin have been very dry this year. Early in the year water levels in Rainy and Namakan Lakes were both at or above the rule curve. Based on temperature data and some visual anecdotal information, the Sturgeon protocol was implemented during the spawning period. It was recognized that tradeoffs would likely need to be made and a series of meetings were held to discuss.

The first WLC meeting was on May 12th with local fisheries experts. H2O power was then instructed to withhold flow. On May 19th the WLC reconvened and based on local observations advised the operators to hold off on any outflow changes through to the end of May based on the sturgeon sensitivity window. The International Falls level subsequently decreased significantly over 24 hours due to a fire in one of the mills. This resulted in most of the eggs were lost near the dam. A small outflow adjustment was made to save any eggs that may have remained under water. Fisheries experts have advised that the sturgeon protocol was successful this year even with the additional challenges.

On June 1st normal operations resumed and operators started a gradual outflow reduction. On June 5th all restrictions lifted. Outflow has been reduced to the minimum. Engineering Advisory, Matt DeWolfe, is optimistic that the Lake will remain within the rule curve as long the status quo remains.

The committee has been keeping the website up to date throughout the spring and summer. The WLC has been receiving supportive and understanding comments from the community with one negative comment. The WLC also reconvened the flood forecast advisory group in June.

The Board was advised that the Minnesota State Interagency Task Force on drought is convening and this is an evolving issue. Mike Goffin stated that he is pleased to hear there is a sturgeon protocol and that hear it was successful given the circumstances this year.

- *Aquatic Ecosystem Health Committee*

The IWI contract for the State of the Basin Report 2021 was signed and the project is underway. The content outline review will take place in mid-July. This is relevant to the IMA, AEHC, CAG and IAG. Input to ensure the table of contents is accurate and the information required is identified will be requested. A draft of the full report will be provided to the Board, IJC and Agencies of the IMA closer to November 30th, with approximately two weeks for review. The full technical draft report is due on January 11th, 2022 for review.

In addition to the full technical State of the Basin Report, a summary or overview version roughly 24-26 pages is being developed and will consist of a series of 2-page fact sheets targeting a lay person audience. These could be republished as independent communications or information. The formal launch of the State of the Basin Report will be during the Science Forum scheduled for March 9-10, 2022. The project team is looking forward to receiving input from the Board and Advisory Groups during the various review stages.

The AIS Coarse Scale Risk Assessment was completed in of this year. The IMA sub-committee is scheduling meetings to discuss the higher-ranking species beginning this summer with meetings continuing into the winter to better utilize the tool that has been developed for us.

For right now, Phase 2 is in the future while the coarse-scale risk assessment results are further discussed and utilized. Opportunities to partner with the IMA agencies will need to be considered before moving to Phase 2 and making recommendations to the IJC.

For the Objectives and Alerts Project, the Phase 2 statement of work is being reviewed and finalized. The plan is to provide the statement of work to the AEHC this summer to ensure the agencies in the AEHC are fully engaged. A new lead partner for on the Objectives and Alerts project has been identified for the next phase.

The AEHC will gladly re-engage to review the vulnerability of mining proposal again once it is ready.

- *Engagement Committee*

The Engagement Committee met to discuss project WET and have decided to hold off on submitting a phase 2 proposal in October. The Co-chairs are checking up on membership for the committee. The Engagement Committee requests that other committees identify if they would consider discussing development of fact sheets or engagement as specific agenda items; the committee is here to support and lend assistance on these items.

ACTION: Canadian Secretary to work with Todd Sellers to coordinate a State of the Basin Reporting meeting for July 15th.

ACTION: Secretariat to Circulate 2018 IJC recommendation for the Board to develop bilateral phosphorus reduction targets to Board for consideration and discussion in September.

7. Roundtable

- *IAG Update*

The IAG has not met since the last Board meeting. There has been a change in staff at NewGold. The membership of the IAG has been updated to reflect this.

- *IJC Update:*

Rob Caldwell updated the Board that the IJC is continuing to work on developing an informal questionnaire to gather information related to the 2012 recommendations to look into water levels on Rainy Lake.

The IJC is aware that an IWI project proposal in 2015 paved the way for Risk-Based Basin Analysis-type work. Rob recognized that the capacity for the Board to undertake this work is a consideration.

Mark Gabriel reviewed the list of IWI projects the IRLWWB currently has funding for: AIS Risk Assessment State of the Basin; 2015 Risk Based Basin Analysis; and Wild Rice mapping. Karen Cederwall noted the value of the wild rice mapping work and asked if the information would be available to others and whether Grand Council Treaty #3 is looking at historic data. Historical data has been mapped and could be beneficial to their study as it relates to climate change and/or water level changes. The Adaptive Management Committee also has four projects with the IJC where they are looking to partnering agencies for in-kind support. Funding for these projects is split between Canada and US IJC monies. Mark Gabriel reiterated the request for a formal commitment for modelling work with agencies.

The Board was informed that IJC semi-annual meetings are planned for October 19-22 will be virtual.

- *International Watershed Coordinator Update*

Kelli Saunders worked with IMA-AIS Sub-Committee and Ontario Federation of hunters and anglers recently to coordinate distribution of key resources like signage and educational materials produced by OFAH. Six boxes of the materials have been sent out to Grand Council Treaty #3 and Karen Cederwall will be sharing the information with the Métis Nations.

The AIS Sub-committee and OFAH has also been doing some good work to spread the word on aquatic invasive species. They produced a 5 part series social media campaign, with messaging on Facebook, Instagram and twitter about preventing the spread of AIS. Sharing of the posts on these platforms was done by partners such as City of Kenora, Lake of the Woods District Stewardship Association and others. Further, the most recent Watershed newsletter was circulated last week.

- **ACTION:** Rob Caldwell to share 2015 Risk-based Basin Analysis IWI proposal with Secretariat.
- **ACTION:** Karen Cederwall to connect with Lucas King to discuss inclusion of historical data in Wild Rice Mapping project and accessibility of the product when the project is completed.

8. Closing Remarks

The meeting adjourned at 3:00pm CT.

Drafted by: Wellsley Hamilton, ECCC and Scott Jutila USACE