

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

**Wednesday September 27, 2023
8:30am - 10:00am CT (9:30am-11:00am ET)**

Virtual Meeting
Chair: Mike Goffin

1. Welcome and Administration

U.S. Member Participants

COL Eric Swenson
Theresa Haugen
Doug Franchot
Jim Stark
Shelly Patten
Pam Tomevi
Rebecca Seal-Soileau (Secretary)
Abby Moore (Engineering Advisor)

Canadian Member Participants

Mike Goffin
Greg Chapman
Megan Garner
Todd Sellers
Karen Cederwall
Matt Myers
Maria Jawaid (Secretary)
Elizabeth Jamieson (Engineering Advisor)

International Joint Commission

Mark Gabriel
Rob Caldwell
Teika Newton (International
Watershed Coordinator)
Kevin Bunch
Kathey-Lee Galvin
Geneviève Asselin

Additional Participants

Phil Talmage (AMC US Co-Chair)
Joanne Jayck (NWMO)
Ranziba Nehrin (NWMO)
Ryan Maki (Voyageurs National Park)
Brianna Wagner (US DOS)
Felicia Minotti (GAC)
Carla Torchia (ECCC)
Joshua Jones (alternate for Al Pemberton)
Scott Jutila (USACE)
Joel Wessman (GAC)

Mike Goffin welcomed Board members and asked for an approval of the meeting agenda. With the agenda approved, the meeting proceeded with the Board approving the August meeting summary with no changes. The Secretariat provided an update on Action Items from the August meeting.

2. Nuclear Waste Management Organization Presentation

The Board received a presentation from the Canadian Nuclear Waste Management Organization's (NWMO) Director for the Ignace site (Joanna Jacyk). The presentation included background on nuclear waste and an overview of the NWMO project to select a site for the long-term storage of Canada's spent nuclear fuel.

NWMO is currently assessing two sites near Wabigoon Lake Ojibway Nation (Ignace, ON) and Saugeen Ojibway Nation (South Bruce, ON). NWMO confirmed that site selection will consider the geology of the area to ensure the nuclear waste can be isolated from water and that they would not proceed with site selection without an agreement from the host community.

Board members shared concerns received from the public regarding the 'dumping' of nuclear waste from southern Ontario in northern western Ontario, where there is no nuclear power generation facility. The NWMO Director clarified that the northwestern part of the province is part of a provincial grid and periodically, including within any given 24-hour period, receives power from southern Ontario. Further, the entire grid system relies on the stability of both the southern and northern grids. Other concerns discussed included the potential for long term nuclear fuel storage in other transboundary watersheds, to which NWMO confirmed that there were no plans at the time of the meeting.

Board members asked if NWMO has engaged with groups/organizations opposed to the project. NWMO confirmed that they have been in dialogue with North Watch and other local opposition groups and that they have invited these groups to tour their facilities to learn more about nuclear power and nuclear waste management. NWMO noted that if nuclear power is something governments want to pursue then there is a need to establish a life cycle plan that includes waste management.

The Board noted that one of the top concerns with the NWMO project is the transportation of nuclear waste within the basin. While NWMO has not developed a transportation plan, it was noted that the actual transportation of nuclear waste, once a site is selected, will only begin once other elements of the project go forward, including the regulatory approvals and the development of the receiving location. This will take time. The Board suggested a follow-up meeting with NWMO on nuclear waste transportation planning.

ACTION: Secretariat to share contact information for NWMO staff with Board members.

ACTION: Secretariat to invite NWMO to a future Board meeting to discuss nuclear waste transportation.

3. Preparation For IJC Fall Semi-Annual Appearances

The Secretariat provided a draft presentation for the Board's appearance with Commissioners on October 17 for Board members to review. The CA Board Co-Chair noted that there is a new U.S. Commissioner, who is the US Co-Chair of the IJC, and that there should be some focused time in the presentation to provide a general overview of the basin and introduce the new Commissioner to the Board.

ACTION: Board members to review the IRLWWB appearance presentation and provide comments to the Secretariat.

4. Water Levels Committee

Megan Garner provided an overview of basin conditions. Rainy and Namakan Lakes were within their rule curves and WLC targets. Inflows were lower than normal based on the historical record. On September 1, H2O Power notified the WLC of the need to remove debris from the International Falls/Fort Frances dam spillway that would require a temporary closure of all gates. The WLC confirmed with the IJC that a Temporary Order was not required to allow H2O Power to cut flow for the short period of time. The debris removal occurred on September 6. Additionally on September 20, there was a breach of the minimum flow from the Fort Frances side of the dam due to a power outage, but it was quickly restored.

The WLC met with the U.S. Army Corps of Engineers to discuss a developing IWI project proposal to develop a regulation model setup for Rainy and Namakan Lakes. This would be a phased project with Phase 1 investigating the best modeling approach and scoping for Phase 2 model development. Other WLC activities included submitting a letter to the IJC requesting an extension of the 2023 Temporary Order that combines the high flood risk rule curves and the standard rule curves Rainy Lake, for another year. During the extension, the WLC will be investigating potential impacts of the combined rule curves through modeling analysis to fully understand the change in rule curves. The IJC Advisors that the extension has been approved and the IJC office is working on a formal response. Finally, the WLC's 2022 Post Flood Report is almost ready for final publication. The Co-Chairs noted that some people may not be completely satisfied, but the WLC needs to stay within its resources and mandate of regulating Rainy and Namakan Lakes.

5. Engagement Committee

Karen Cederwall, the CA Engagement Committee (EC) Co-Chair, provided an update of recent EC activities and posed a few questions for Board action. First, the current in-basin spokespeople (on behalf of the Board) are Todd Sellers (CA) and Matt Gouin (U.S.). EC Co-Chairs asked members to consider whether the Board needs in-basin spokespeople, and who would be best to serve these roles. Further, Board members were asked if they would like the EC to maintain a list of local spokespeople (for various water-related themes).

The EC has been reviewing and updating media contacts and compiling a list of relevant social media pages and websites. The EC would benefit from additional membership and Board members were invited to reach out to Kelly Sjerven, Karen Cederwall, or Teika Newton to express interest.

ACTION: Board to confirm in-basin spokespeople.

6. Aquatic Ecosystem Health Committee

Todd Sellers, the CA Aquatic Ecosystem Health Committee (AEHC) Co-Chair, provided an update of recent AEHC activities. The AEHC continues work on the Interim Annual Exceedance report, acquiring the needed data from open water and river sources, as well as information on permitted spills from the U.S. side of the border. Information is still needed for permitted spills on the Ontario side, and the AEHC is drafting a letter requesting data from the Ontario Ministry

of the Environment, Conservation and Parks (MECP). It was decided that the letter would be sent by the Board Co-Chairs to the appropriate MECP Assistant Deputy Minister (ADM).

There were two recent IWI Projects under the guidance of the AEHC. Phase II of the Objectives and Alerts IWI project was approved for funding at the end of July 2023. Contracts are currently being finalized; the project timeline will need to be revised. The Southern Shore Barrier Island IWI Project contract was signed; work should be starting shortly.

Finally, the AEHC Co-Chair stated that the Lake of the Woods algal bloom was progressing, with the extent and severity above 75% and well above the historical average for this time of year. If the warm fall continues the algal bloom will continue to expand. The EOLakeWatch bloom visualization tool is available for more information on the algal bloom at link below:
<https://www.canada.ca/en/environment-climate-change/services/water-overview/satellite-earth-observations-lake-monitoring/interactive-algal-bloom-monitoring-tool.html>

ACTION: Todd Sellers to submit a draft letter to Secretariat for Board Co-Chairs' signatures.

ACTION: Board to send letter to MECP ADM requesting data necessary for the AEHC to complete its Interim Annual Report.

7. Adaptive Management Committee

Phil Talmage, Adaptive Management Committee (AMC) Co-Chair provided an update on ongoing AMC projects and a recently submitted IWI project proposal regarding Métis Nation of Ontario engagement which is proposed to begin next year after a contract is in place. Phil noted that the U.S. section of the IJC is in the process of onboarding new U.S. AMC members.

8. Advisory Group Updates

Doug Franchot, the Community Advisory Group (CAG) U.S. Co-Chair noted that the next CAG meeting will be scheduled some time in November. The Co-Chairs continue to look for new members and have started the conversation with Chief Medicine-Horton of Rainy River First Nations about joining the CAG. The CAG continues to work on a prioritized list of watershed issues. The CAG Co-Chairs will meet with Board Co-Chairs October 4 to discuss next steps for the 2021 recommendations on environmental emergency planning, preparedness, and response (EEPPR). Matt Myers, the CA CAG Co-Chair, highlighted a Great Lakes risk analysis that connected water quality, water quantity, regulation, and public concerns. He offered to share the article with Board members as the discussion on a basin-wide risk assessment continues at Board meetings.

Greg Chapman, the Industry Advisory Group (IAG) CA Co-Chair, stated the fall IAG meeting is scheduled for November and that the IAG Co-Chairs will be bringing forward another IAG member candidate for Board approval at the next meeting.

ACTION: Matt Myers to send article on the Great Lakes risk analysis to Board members.

ACTION: Greg Chapman to provide Secretariat with IAG member candidate information.

9. LWCB Update

Due to time constraints, the LWCB update was not provided at the Board meeting and the following update was sent to Board members via email:

Lake of the Woods Conditions Update:

- Since the last IRLWWB update the basin has continued to experience dry conditions and accordingly very low inflows to Lake of the Woods, resulting in a steady decline in the level of the lake since the beginning of August (<https://www.lwcb.ca/pdf/LakeoftheWoods.pdf>).
- The Lake of the Woods Control Board undertakes active regulation of the water bodies under its mandate. The LWCB approves seasonal regulation strategies (March, June, October) that are implemented by the Lake of the Woods Control Board Secretariat. H2O Power owns and operates the control structures at the outflow of the lake based on the direction provided by the LWCB Secretariat. This active regulation system is different than the rule curve regulation system used by the IJC to regulate Rainy and Namakan Lakes.
- The current basin conditions require application of the low inflow scenario approved by the LWCB in June (<https://www.lwcb.ca/regulation/LWCBStrategy2023Jun15.pdf>). Outflow from Lake of the woods was reduced to 150 m³/s on August 22. After consultation with the Board, the Secretariat further reduced outflow to 100 m³/s on September 15th in an attempt to maintain water levels and storage for over winter needs and allow for a slightly higher end of winter lake level. Given current climatic conditions and long-term forecasts, the end of winter lake level is still expected to be lower than normal. (<https://lwcb.ca/noticeboard/regulation-actions/>)
- The present 100 m³/s outflow roughly matches the inflow rate over the past few weeks and is equivalent to the flow into the lake from the Rainy River.
- At present the Lake of the Woods is at about the 15th percentile level.

LWCB Activities

- The Board will be holding its biannual Board Administration meeting and seasonal Regulation meeting in Kenora the week of October 23.
- In conjunction with the Regulation meeting the Board will also be participating in a learning session with Grand Council Treaty #3.

LWCB Public Engagement

- In addition to the weekly water level forecasts, advisories were placed on the Lake of the Woods Control Board virtual Notice Board (<https://lwcb.ca/noticeboard/>) on August 17th and September 12th to provide information on the developing drought, the El Nino forecast, and anticipated impacts to water levels both on the lake and downstream on the Winnipeg River as a result of reductions in outflows.

10. IJC Updates & Roundtable

Due to time constraints, the IJC update, and roundtable discussion were not provided at the Board meeting. The following update was sent to Board members via email:

IJC Updates:

- IJC Staff are discussing the WLC expansion issue with Commissioners and we are very close to finalizing our position on the matter. Our plan is to either respond directly to the Treaty #3 April 11, 2023, letter or IJC will provide a response to the WLC, and the WLC can respond to Treaty #3
- Staff will let the Temporary order expire at end of this month, which will result in a default back to the original order. In the January/February 2024 timeframe IJC staff will draft a new Temporary order to allow for the additional analysis time that the WLC requested. IJC will formally respond back to the WLC in support of the one-year extension request very soon.

Public Meeting Discussion:

- For those unable to join attend the Baudette or Kenora public meetings, the meetings were successful. In Baudette, discussion focused on the 2022 flooding and tile drainage in the Rainy River area, while in Kenora conversation focused on the threat of Flowering Rush (aquatic invasive species) and the ongoing Nuclear Waste Management Organization study for a deep geologic reserve for spent nuclear waste. A summary of the public meetings is available on the Board's microsite (https://www.ijc.org/sites/default/files/Summary_IRLWWB_August_2023_Public_Meetings.pdf) board members are invited to provide any follow-up comments related to the public meeting discussions and/or meeting organization and logistics

Rainy River First Nations Engagement

- On August 17th Board members were invited by the Chief and Council of Rainy River First Nation to a meeting at their offices in Emo, ON. The meeting was successful – Board members learned about the history of the community, including the deep spiritual connection with the Rainy River and exchanged ideas on how to improve data in the area to support water management decisions. A fuller summary of this engagement was shared in the September Digest email. Chief Medicine-Horton offered to host a future public engagement at the Rainy River First Nation office, that includes nearby First Nations and non-First Nations community members. The WLC and Board Secretariat will be exploring this option for future meetings.

Floating Bogs

- This item will be deferred to the next Board meeting.

ACTION: Secretariat to add Floating Bogs to next Board meeting agenda.

11. Closing Remarks

Mike Goffin thanked Board members for their participation and concluded the meeting.