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**Transcript of the public meeting held by
the International Joint Commission
on the Great Lakes Water Quality Agreement Review
at Sault Ste Marie, Ontario, on October 27, 2005
(duration: 55 minutes)**

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**Transcription de la réunion publique tenue par
la Commission mixte internationale
sur l'examen de l'Accord relatif à la qualité de
l'eau dans les Grands Lacs
à Sault Ste-Marie (Ontario) le 27 octobre 2005
(durée : 55 minutes)**

JACK BLANEY (Commissioner, Canadian Section, International Joint Commission): ...machines somewhere, whereabouts do we pick them up?

UNIDENTIFIED: Right outside.

JACK BLANEY: Right outside, you can pick up your machine if you wish to do so. You probably noticed the Mayor is not sitting in his chair; I've really just kind of taken over for this evening. We're going to start about two minutes from now, okay?

Okay, ladies and gentlemen, I think we'll begin. And we'll give Frank a moment to just...you okay there? Very briefly, first of all, I want to thank you very much for being here, and I will make further comment about that in a minute.

I am Jack Blaney and I am a Commissioner with the International Joint Commission, and with me is my fellow Commissioner Allen Olson, who is a commissioner who lives in Minneapolis, and I am from British Columbia.

And I will tell you a little bit more about the Commission and the commissioners in a few minutes, but the most important thing at this very moment is I want to introduce the Mayor, who usually sits here, by the way, John Roswell, who wants to make a few comments to the citizens gathered here tonight.

JOHN ROSWELL (Mayor, City of Sault Ste. Marie): Welcome, everybody. Just a little bit of history. The present Chair of the International Joint Commission is Herb Gray.

And four and a half years ago, when we were lobbying to save Algoma Steel, he was Deputy Prime Minister, and we happened to go down and chat with him and he was very helpful in persuading the Prime Minister at that particular point in time to come forward, and they did, and they helped save Algoma Steel. And that's how I met Herb Gray.

Now of course, Herb Gray calls the Mayor up and says I need to borrow your council chambers for this important hearing. Now you know the rest of the history, and it's not me to say no to him. That's definitely what we're going to be doing this evening.

But this particular issue of water quality in the Great Lakes is actually near and dear to my heart. And the reason why I say that, the mayors of the Great Lakes and the St. Lawrence, which is city mayors of all around the Great Lakes, both American and Canadian, we continually talk about water quality and we continually...it's now called Great Lakes United...no, it's part of that blended into the mayors of the Great Lakes.

And we talk about water quality. We pass resolutions to consider looking after the water quality in the Great Lakes. And then it goes up into the government systems, between six states and two provinces and two countries, and lo and behold, we in the city and the St. Mary's River still have a few hot spots that need to be looked after.

And I can only talk about them. Earlier this year, with the Minister of the Environment, Stéphane Dion, I talked to him about one hot spot in the St. Mary's

River. Now the sediment is not stuff we really want to talk about, it's been identified, it's been where it is, but still, to actually clean it up, it's far beyond this municipality to even think of doing that.

These areas exist within the Great Lakes. And although most of these hot spots are probably covered over with sediment and probably well sealed for the time being, things change in the Great Lakes, and the quality of water is absolutely important to every one of us.

Prior to becoming mayor, we in this community had a particular issue with our east end sewage treatment plant. We were sending...I don't want to say it this way, but we didn't have secondary treatment, and when it rained, I'm sure the people downstream, including our homestead property town at Tarbot Township, well, the water was probably least desirable.

We, the City, had to clean up our act. And now, that water treatment plant, it took us a long time to get the money, but we have got the money and we're cleaning our act with respect to our own effluent coming out of this community.

The other point I would like to make is that most of you are aware I have travelled to Russia on a particular project. It started many years ago, but the one thing...one observation I noticed about the Russians and their Lake Bikal...Lake Bikal is the largest freshwater lake in the world. It's bigger than Lake Superior in volume, not in area.

And because they have all this hydro power and they have immense water resources and bigger areas than us in Canada that collect the rain and actually

feed it into the systems, the rivers are monstrous, they've generated a lot of hydro power.

But with hydro power comes cheap electricity, and so what did they do? They built aluminium smelters right in those areas of the power dam, and the aluminium smelters emit aluminium oxide that floats through the air and drops right in their water source, and then they wonder why there's a higher incidence of Alzheimer's.

So water quality and what we do today and the hearings that we're involved with right now pre-determine, really, I'm going to say, the sanity and the health of our children and the children's children.

It's been, I've heard, 25 years since we've visited this particular act between Canada and the United States. Tonight is a very serious topic, and of course, when Herb called, we were delighted to host a session so that the International Joint Commission commissioners that are here co-chair this evening, chairing and co-chairing, can hear from the public to deal with this very important topic.

And with that, thank you very much. You're welcome here, and I have to go back to another function, so I'll turn it back to the chair.

JACK BLANEY: Mr. Mayor, thank you very much. (inaudible)...

ALLEN OLSON: Thank you, Mayor.

JACK BLANEY: And if I'm going to pretend I'm mayor, you can pretend you're councillors, and we will make some very radical legislation for Sault Ste. Marie tonight, okay, how about that?

I want to also...as I've indicated, Allen Olson is with me. I also want to introduce Frank Bevacqua. He is from the Washington, D.C., office, he is Director of Communications and Public Affairs. And Paula Fedeski-Koundakjian...where are you, Paula? Right there. She is from the Ottawa office, as Director of Communications and Public Affairs.

The International Joint Commission, a lot of you here know what it is, some don't. I'm just going to briefly talk about it and how we're going to go tonight; I've got about three minutes of preamble which I think I will probably keep to my text so that I don't ramble.

But the International Joint Commission essentially was created out of a 1909 treaty between Canada and the United States. And I have to remind people that neither Allen nor I were around at that time.

But this is a treaty of almost 100 years before the two countries, a treaty that probably would never be written today, and it created the International Joint Commission, which appoints three Canadians and three Americans, in each case appointed by the President or the Prime Minister of the country.

And this organization, the International Joint Commission's essentially is to help the two governments resolve transboundary water issues – initially transboundary water issues, but it has become, it has extended from that, and it

now basically helps to resolve disputes that are environmental in nature, that is, air and water.

Tonight, we will...the primary reason for being here tonight, after my three minutes of preamble, which I'll get to in about ten seconds, is to hear your words about what you want to say to the governments about amending or changing the Great Lakes Water Quality Agreement. So we'll be listening to you.

Questions to us, by the way, we will answer questions of fact and certainly questions about process, that is, the process that we're currently underway, or any decisions that the IJC has made.

But because the IJC or the Commission makes decisions by consensus among six commissioners, we will not offer you our independent speculation or opinions, okay? So if you do ask questions of opinion of us, we probably will not respond to those, but we certainly will respond to any questions of facts or process.

So to my text, which was carefully done by Paula and Frank, so I'll keep to that. We are here tonight because the governments of Canada and the United States asked the IJC to find out what you think the governments should consider as they begin their review of the Great Lakes Water Quality Agreement in the spring of 2006.

In 1972, when the Great Lakes were suffering from heavy loads of conventional pollutants, the governments signed a visionary agreement that

focused on reducing pollution from municipal and industrial sources, and in particular on controlling the input of phosphorus.

In 1978, the governments recognized that it would be necessary to adapt to new challenges. So in that year, they signed a new Great Lakes Water Quality Agreement.

The 1978 Agreement took on an ecosystem approach and focused on persistent toxic substances. Now, an ecosystem approach, I'm sure almost all of you know what it means, but it means that land and air and water and every living thing, including us, are all connected, and that was again somewhat ahead of their times to do that.

A protocol was added in the Agreement in 1987 to address degraded conditions in the Great Lakes called Areas of Concern, which is know most of you know about, and to reduce critical pollutants on a lake-wide basis.

Under the Agreement, Canada and the United States have set common objectives for a variety of pollutants and have agreed to implement a range of research, monitoring, and pollution control activities.

Efforts in both countries have resulted in dramatic reductions in discharges of nutrient toxic pollutants, particularly from municipal and industrial sources.

The Agreement has resulted in binational initiatives that have brought about important results. For example, Canadians and Americans have set the same limits on total phosphorus loads for each lake, and they have agreed that

approaches to address persistent toxic substances will be guided by a philosophy of zero discharge.

Both countries have made major advances in understanding the dynamics of this complex ecosystem.

The Agreement provides a framework for binational goals and cooperative efforts to restore and protect the Great Lakes, but the governments have not made any changes to this 1987 protocol for now 20 years. There is now widespread recognition that parts of the Agreement are out of date.

At the same time, there are several issues that require binational cooperation, either under the Agreement or through separate processes, such as, for example, preventing the introduction of aquatic invasive species, reducing the impacts of urban development use around the Lakes, and conducting research programs that will enable us to understand large-scale ecosystem changes, particularly as we anticipate climate change.

The two governments then are now getting ready to review the Agreement. In preparation for that, they have asked us, to hold these meetings to find out your views on how well the Agreement has worked and what, if anything, needs to be changed.

The governments and the IJC believe that it is very important for the Great Lakes community to be heard at this time so that they have a good sense of your priorities before they undertake its review.

The two governments have said there will be additional opportunities later for review of the Agreement, and they also have said that they will consult First Nations and Tribes on a government-to-government basis.

As indicated in the slide on the side here and in our printed materials, there are several ways to provide comment, so please join us in many ways, and certainly in the Web dialogue that will be held from November 29th through to December 2.

Now in our meeting today, we will call you in the order of request to speak. Do we have some?

UNIDENTIFIED: (inaudible)...and if you don't have them, I'll be happy to provide them.

JACK BLANEY: So we'll ask you in the order that I've received these cards. And then, after we hear from any presentations, we will then of course encourage anyone here who wishes to...

UNIDENTIFIED: (inaudible)

JACK BLANEY: Yes, speak. There are two mics from which you will speak, one is right straight ahead of me there and the other one is right beside...yeah, you're pointing to it, right. So there's two mics that can be used.

There's three mics here that are connected with the booth there so that we can later on transcribe these...those other mics, by the way, that are hanging around don't work, so you don't have to worry about them. Just push them down

and get them out of your face. So either speak at that mic there or that one there, okay?

Now we don't have very many speakers, so I'm not going to be really stringent on time limits, but when you do speak, try to keep it to a maximum of five minutes. You can certainly be briefer, but five minutes. And if you're going beyond that, I'm going to kind of interrupt and say could you please conclude.

If you do continue beyond that, then there is very severe punishment. Those who go on too long will be asked to stay behind and listen to a one-hour presentation from Commissioner Olson and Commissioner Blaney, and Frank and Paula can tell you that is the severest, unkindest punishment of all.

ALLEN OLSON: That's severe and unusual and cruel, too.

JACK BLANEY: Yes. So the first speaker is Mike Wilton. Mike?

MIKE WILTON: Thank you, Mr. Chairman. I guess I'll just...

JACK BLANEY: Yeah.

MIKE WILTON (Algonquin Ecowatch): I'm just going to read this. And I have read it to myself and it seems to take about four minutes, so I think I can get in under your deadline.

Eight major southcentral Ontario rivers source in the Algonquin highlands, that is the Magnetawan, South, Amable Duluth Fond, Petawawa, Bonnechere, Madawaska, York, and Muskoka.

Much of the flow in these rivers is derived from condensing moisture resulting from upward westerly airflow off the Lake Huron-Georgian Bay basin, a phenomenon known as lake effect.

Our group, Algonquin Ecowatch, is committed to the protection of headwaters within the Algonquin ecosystem. We are concerned that continuing long-term drawdown within the Lake Huron-Michigan basin will result in decreasing flow within Algonquin River systems, since lake effect is directly proportional to surface area evaporation rate.

Question: why has the International Joint Commission still not seen fit to create a governing board for the Lake Huron-Michigan basin similar in nature to the boards governing the Lake Superior and Lake Ontario-St. Lawrence basins and indeed all other shared Canada-U.S. waters?

Since we have no way of determining the extent of water diversion to the Mississippi River via the city of Chicago, our ability to monitor and control water flows through the Great Lakes basin are several impeded.

Until or unless a group or a coalition of groups challenges or appeals the U.S. Supreme Court decision to exempt the State of Illinois from this agreement, there is little hope of its success.

Question: is there presently or likely to be a group or groups willing to appeal that Supreme Court ruling? Algonquin Ecowatch would be interested in joining such a group or coalition of groups.

The absence of the term “interbasin transfer”, not to be confused with the term “intrabasin transfer”...I’ll start this again. The absence of the term “interbasin transfer” from this agreement strongly implies that this form of replenishing Great Lakes water is considered to be a viable option.

The only practical source for such activities would be the Arctic watershed. While we suspect that plans for diverting Arctic water to the Great Lakes have already been initiated by the U.S. Army Corps of Engineers, we wish to state emphatically that Algonquin Ecowatch is steadfastly opposed to that alternative, the results of which would prove catastrophic to Canada’s Arctic ecosystem.

Question: can anyone state categorically in writing that no such diversions are or will be considered now or in the future?

Algonquin Ecowatch acknowledges the intent and good faith in which all of the participants in this program are acting. However, since the city of Chicago, with its massive and increasing withdrawal diversion program, is not subject to the terms of this agreement and need not even disclose the accurate volumes of its massive and increasing withdrawals diversions to any international body, we hold out little hope for the long-term success of this agreement.

In summary, Algonquin Ecowatch would summarize as follows. An international governing board for the Lake Huron-Michigan basin must be formed.

Two, the State of Illinois, that is, Chicago, must somehow be included in this agreement. Three, a commitment must be made whereby no new diversions or withdrawals from the Arctic watershed will be allowed.

I think that's about my four minutes. There are other off-the-cuff remarks that I might wish to make later, but for now, that's my...

JACK BLANEY: Thank you, Mr. Wilton. And actually, we would encourage you to make those comments later. Could we have a copy of your...thank you very much.

And I noticed Algonquin Ecowatch, you have an e-mail address here. Is that for yourself or Algonquin Ecowatch as well?

MIKE WILTON: Oh, it's both.

JACK BLANEY: Both, okay. Thank you very much. The next person who asked to speak is John Swartout (?). Did I get that right?

JOHN SWARTOUT: Yeah.

UNIDENTIFIED: (inaudible)...

JOHN SWARTOUT: Well, I'll sit (inaudible)...sit or stand. I also have a written statement I'll read to you, and I have a copy of it for you.

Thank you for the IJC for this opportunity to be heard. I want to address the Commission on a subject that is attracting increasing interest from the media and government and that is certain to command more of your attention as well, if it hasn't already: invasive aquatic species.

I have an interest in this issue for several reasons. I was born and raised near the shore of Lake Michigan and came to treasure the native species of the Great Lakes, as I still do, the brook trout and lake trout in particular.

I also make my living on the St. Mary's River piloting the foreign registered ships whose ballast tanks are the vector responsible for the introduction of dozens of aquatic aliens into the Great Lakes over the past several decades, if not longer.

And the most important reason for my interest is that it pains me to see public policy driven by ignorance and hysteria, as when the public sometimes childishly implores the government to do something quick about a perceived problem, or even more pathetic, when a politician feels the need to be seen as doing something or to claim to be doing something even when nothing effective can be done.

I am troubled by the numerous unscientific and irresponsible newspaper and magazine articles and editorials I have read on this subject and by the statements of ostensible experts often quoted in them.

An example: in an AP story widely published in Michigan newspapers last December, Gary Fannensteel (?), a scientist with the National Oceanic and Atmospheric Administration in Muskegon, is quoted as saying that the introduction of harmful exotic species into the Great Lakes is “a simple problem with a simple solution”, which, in his view, is to close the Welland Canal.

This is the view I keep hearing from both the scientists and the pundits. This view correctly recognizes the simple problem that numerous invasive species have found their way into the Great Lakes via the ballast water of ships trading between the Lakes and overseas ports.

The simple solution, however, would sadly not be a solution at all and is simple and therefore appealing only to the extent one is content to disregard unintended consequences.

Editorial writers have said that new invasive species are being introduced to the Great Lakes at the rate of one every eight months. How do they know this? If a new species is discovered this week, does that mean that it just arrived this week?

According to a recent article in the London Observer, researchers discovered 20,000 new species of animals around the world last year alone. These are previously undiscovered species anywhere, most of them discovered in the Amazon watershed.

I would suggest the researchers are finding one new species every eight months in the Great Lakes not because new species are continually arriving, but because researchers are looking for them more diligently than ever before and finding species that may have been here for a long time.

The St. Lawrence Seaway opened in 1959, but the sea lamprey, the first exotic known to take up residence in the Great Lakes, arrived in the 1830s. The Erie Canal first connected Lake Erie to the Hudson River in 1825. In 1840, the

first Welland Canal opened the upper lakes to ocean shipping. In 1933, the Illinois Waterway opened another potential conduit to the Great Lakes for alien invasion.

My point is that the problem we confront started a long time ago. Some 250 to 400 foreign ships reach the upper three Great Lakes via the Welland Canal annually, and traffic was far heavier in the 1960s and 1970s than it is now.

It is quite possible that over the span of 46 years, any exotic species which could be transported alive in the ballast tanks of ships and which would find the Great Lakes hospitable has probably already established self-sustaining populations here. The opportunity has certainly existed for 180 years.

Closing the Welland Canal would not eradicate the zebra mussel or the spiny water flea or the round goby, nor would it serve any other useful purpose. I suspect that whatever environmental peril was invited by the opening of the Great Lakes to the rest of the world's commercial waterways, that peril is already an irrevocable fait accompli.

In retrospect, the decision to build the St. Lawrence Seaway and its predecessors may well have been environmentally unsound, but to close it now would be economically unsound and quite probably environmentally irrelevant. Unfortunately, some environmental blunders cannot be undone by simple repentance.

One can hardly evaluate the costs and benefits of closing the Great Lakes to foreign shipping without addressing the larger question of whether foreign trade per se is beneficial or harmful.

Should one conclude that it is a net positive, then perhaps one should ask whether it is better to conduct such trade efficiently or inefficiently. Cargo moves in and out of the Great Lakes region by water because that is the most economical way for it to move, using far less fuel per tonne/mile than any other mode.

Regardless of whether cargo moves by truck, rail, ship, or a combination of the three, which is typical, infrastructure must be created and maintained, and none of it is free, nor without environmental impact.

The magnitude of the impact of non-indigenous species on the ecosystem of the Great Lakes is immeasurable, its ultimate consequences yet unknown. This tragedy is enormous, incomprehensible, stunning, on a par with the effects of 100 years of industrial pollution that has poisoned the Lakes from one end to the other with dioxins, heavy metals, PCBs, PBBs, and hydrocarbons.

The Michigan Fish Advisory and its companion pamphlets from other Great Lakes states and Ontario are like little paper tombstones reminding us of what poor stewards we have been of the world's largest endowment of freshwater and its inhabitants.

We should indeed vigorously pursue remedies for the unconscionable degradation we have wrought upon these magnificent waterways. But until we have effective means to target and exterminate individual species that are already

established in the Great Lakes, closing the Seaway will accomplish nothing.
Thank you.

JACK BLANEY: Thank you very much. Again, we can have your notes?
Please? Thank you very much. The next speaker, Marianne Amadiel. If you'd
like to take that mic up there...how's that feel? Are you comfortable with that?

UNIDENTIFIED: (inaudible)...

MARIANNE AMADIEL: Story of my life.

JACK BLANEY: Story of my life, too.

UNIDENTIFIED: (inaudible)...

JACK BLANEY: Yes, but you have hair. (LAUGHS)

MARIANNE AMADIEL: I guess it's not just vertically challenged, eh?
Okay. I just have a simple question.

I am a high school teacher and a lot of my students are really concerned
about water, it's a growing concern across the globe, and they wanted me to ask if
the International Joint Commission had it in their mandate to be concerned about
diversion projects and the selling of the water without any kinds of checks and
balances.

They have read a little bit about some of the annex agreements and that,
and I'm just here to find out if the IJC...if that falls under your mandate to
address.

JACK BLANEY: First of all, we do have a Web site. Have you
discovered the Web site of IJC?

MARIANNE AMADIEL: Okay.

JACK BLANEY: And your students probably would enjoy the Web site. It's a good Web site. It's been upgraded, right, Frank, and a lot of people have commended us on the Web site.

So I would encourage your students to look at the Web site. On that Web site, they will find a report of 2000 called Protection of the Waters of the Great Lakes, and that's a time when the two governments did ask the IJC to deliberate, consider, and present a report on the protection of the waters of the Great Lakes, and they made some general recommendations, actually some quite specific recommendations about the protection of the waters.

Since then, two things have happened. The government of Canada, I think, in about 2002, passed a bill that all boundary waters...a complete prohibition on the export of any transboundary water anywhere, from coast to coast, not just the Great Lakes water.

And then, in the United States, of course, under the Great Lakes Charter, they have created something called Annex 2001, which is a process which is not completed, but you will find that also referenced on the Web site. And this is where the eight Great Lakes...the eight states that share the Lakes and the provinces of Ontario and Quebec together are working on an agreement concerning the quantity of water.

They're dealing with the quantity of water and any potential diversions. So factually, that's where that stands now.

MARIANNE AMADIEL: Was this in July? Was there some type of government study at that point in time, some bill that has been put on the legislative table?

JACK BLANEY: No...

ALLEN OLSON: My guess is there was considerable publicity about some preliminary reports from the eight states and two provinces that had been considering the issue of diversion, concentrated primarily on intrabasin diversions, but also addressing an issue that would have to do with communities that are connecting to a major municipality within the basin but are outside the basin.

That caused a great deal of controversy, I think, on both sides of the boundary, but particularly in Canada. The issue is getting greater and greater interest and publicity, but the answer to your students is that we do not have any direct influence.

Our influence is indirect, in that we alert governments, and through these kinds of activities concerned with the Great Lakes waters, we have influence, but we do not control that issue.

MARIANNE AMADIEL: Okay, thank you.

JACK BLANEY: Okay, we'd certainly encourage you to use the Web site. And this is our third meeting that Commissioner Olson and I have done, on several of those meetings, of course, citizens have...what they want to say to the governments is that within the Agreement, water quantity should be included.

Whether or not governments take that advice or not, but that's something that we have heard, and clearly, I think that's the advice that you're giving us, too, right?

MARIANNE AMADIEL: Okay, yes, thank you.

JACK BLANEY: Okay, thank you very much. It's very rare that I have to pull a mic up. The last person we have a card for, but then we'll go into general discussion, is Rhonda Bateman.

RHONDA BATEMAN (Source Water Protection Coordinator, Sault Ste. Marie Region Conservation Authority): Might have to put it up a little bit. I am here on behalf of the Sault Ste. Marie Region Conservation Authority, I am the Source Water Protection Coordinator.

And I know you were in Thunder Bay the other day and I was wondering whether anyone from the Lakehead Region Conservation Authority came?

JACK BLANEY: Were they? Not that I remember.

RHONDA BATEMAN: Okay, I'll basically...

JACK BLANEY: Could I just make a slight interruption?

RHONDA BATEMAN: Yeah.

JACK BLANEY: Because there's something that's crossed my mind and I keep wanting to forget about it, and at my age, if I don't tell you, I'll forget it. There are several people who have represented an organization and we would like to know what your organization is, if you do have some information, a card or a Web site or whatever.

Because as Chair Herb Gray said, you know, when an individual comes, sometimes they represent 400 people or 5,000 people, and that's very important for us to know. Thank you very much.

RHONDA BATEMAN: You're welcome. I'm lucky, I represent pretty much everyone in the city, I'm hoping, right now. The program I'm involved in falls out from the Walkerton water quality issues, and our program is being funded by the Ministry of the Environment, and all of the conservation authorities in Ontario are under the same...we all have the same jurisdiction right now.

So basically, what we're interested in is quality and quantity of drinking water, source protection drinking water. And our concern with the Great Lakes, of course, is our basins drain into St. Mary's River and also into Lake Superior, and almost 50 per cent of our drinking water intake for the city of Sault Ste. Marie comes from Lake Superior.

So we want to ensure the integrity of the quality of the drinking water, and we also want to be good citizens and make sure that our effluents coming back into the St. Mary's River are clean.

JACK BLANEY: Good. Thank you very much.

RHONDA BATEMAN: Thank you.

JACK BLANEY: We now would invite anybody who wishes to make their ad hoc comments now or any further comments. Please come forward, we're delighted to hear from you. Again, it will be recorded and sent on to the two governments. Yes, Sir? We would like your name.

LYLE SAYERS (Garden River First Nation): Good evening. My name is Chief Lyle Sayers (?) with the Garden River First Nation, which is just east of Sault Ste. Marie, of which Sault Ste. Marie is a suburb. (LAUGHS)

JACK BLANEY: Yet.

LYLE SAYERS: In your earlier comments, you mentioned that First Nations would be treated as government to government. I'm not sure what you meant by that, whether if we asked you for a meeting, you would meet with us.

JACK BLANEY: No...what the governments have told us is that they will arrange meetings with you on a government-to-government basis and we were not to explicitly...First Nations, of course, as you are here, are invited to all public meetings, but they will make deliberate arrangements on a government-to-government basis.

LYLE SAYERS: Okay. And I guess my comment with regards to water quality, I mean, I see it first hand pretty well on a daily basis with the big businesses in the city such as Algoma Steel and St. Mary's Paper, I see things going into the water, I don't know who tests it, how often it's tested.

I know the City had problems with their sewage, and we've seen that, and I know there's complaints from the American side. And these have been going on for years and years, it's not, like, something that just happened yesterday.

And we talk about water quality and you don't see it getting any better. I mean, I don't know what the answer is, either, but certainly...I don't know if you put a stop to or charge more fines for the big businesses that are dumping

chemicals in water...a paper company, I mean, that's what they use, is chemicals, and they're right beside our main water system.

All that stuff gets in there, what happens to it? I mean, is it okay...one per cent of it is okay? I don't know how you look at that, how you say, oh, so much is okay, I don't know what that is.

And that's what confuses me, when I see the stuff going into the water and somebody says, well, that's not going to hurt us, I beg to disagree with that. So whether...I suggested larger fines for companies that are dumping into these waters, how often they are checked – I don't know, is it once a month, is it once a week, do they check these companies out, I don't know. So I'd just like to...some response to that (inaudible).

JACK BLANEY: Well, we'll pass those questions on. Thank you very much. And when you get the opportunity to discuss it with the governments, you can ask them those questions. Thank you. Other comments?

LIBBY BABIWASH: In regards to the...

JACK BLANEY: Could you give us your name please?

LIBBY BABIWASH: My name is Libby Babiwash, I am a band member at Garden River First Nation.

JACK BLANEY: Thank you.

LIBBY BABIWASH: My people have been in this Great Lakes community since time immemorial. But in relation to Lyle's comments and your

comments about government-to-government negotiations or meetings with the First Nations communities, do you have an idea about the timeframe of that?

JACK BLANEY: No.

LIBBY BABIWASH: No? Because I don't think we've heard anything.

JACK BLANEY: The governments will initiate their review in early 2006.

LIBBY BABIWASH: Okay.

ALLEN OLSON: Yeah, I think the assurance is there, but it's probably going to be in the typical relationships that exist at the Ottawa and Washington level with First Nations and native American tribes on the U.S. side.

That is what we have been told. We have been asked by the governments to engage public discussion, comment that can be recorded and will be...I mean, we have the responsibility to make sure that they hear what you have said.

And I think that you can be assured that First Nations and native American tribes will be involved, but it'll be at that level, not necessarily here in the local...

LIBBY BABIWASH: No, I was just wondering, in terms of the timeframe, I understand that our submissions are supposed to be in by November of this year?

ALLEN OLSON: You can...well, through this process here, you are welcome to submit your comments. But First Nations will be engaged in a different process, and I suppose through your national, you have, I'm sure, a national organization that represents virtually all First Nations in Canada.

LIBBY BABIWASH: Well, I was just wondering, if we're going to respond to the changes in the Agreement, how that is going to be built in at a later time if the deadline is November 25?

ALLEN OLSON: Go ahead, Jack.

JACK BLANEY: No, that won't be the deadline. The deadline is just for public comment. Actually, the government has indicated they will take comment through to the spring of 2006.

But I was just passed on a comment from Paula in terms of Ontario. Apparently, the chiefs of Ontario are working with Environment Canada now to try and find the means by which they'll have those consultations. So apparently this process is underway, the chiefs of Ontario are now working with Environment Canada.

LIBBY BABIWASH: Okay, thank you very much.

JACK BLANEY: Thank you very much for asking. Other comments? Mr. (inaudible), didn't you indicate you had some more ad hoc comments to make?

UNIDENTIFIED: That lady there (inaudible)...

JACK BLANEY: Oh yes, please come up.

LISA PALLA: Thank you. I don't have anything really formulated...

JACK BLANEY: Your name?

LISA PALLA: Lisa Palla (?).

JACK BLANEY: Thanks.

LISA PALLA: And as an individual, I just want to...since no one mentioned it, I guess, in terms of the scope of the Agreement, I would like to see that it include terrestrial invasive species and shoreline development and not just...I mean, it's easy to point fingers at the big companies, but I think individual private landowners among the shoreline need to be brought up to speed and make it very common knowledge what best practices are to ensure water quality along shorelines.

ALLEN OLSON: I was just talking to Commissioner Blaney. We met earlier for about an hour with the advisory board for the Area of Concern that includes the St. Mary's River, listening to their comments, their frustrations in fulfilling the Agreement as it exists now, and they had some very appropriate comments, many of which reflect what you just said and what others have said.

So there are others that are making formal comments and, I think, cover a full range of the concerns going forward, for the future. That's the purpose now, is to take the Agreement we have, advise the governments, and it's their responsibility to improve it.

JACK BLANEY: But thank you for repeating it, because the message gets repeated. We're giving it verbatim to the governments. Thank you. Other comments? Yes, Sir?

ROBERT PALMER: (inaudible)...

JACK BLANEY: Your name, please.

ROBERT PALMER: (inaudible)...

JACK BLANEY: Yeah, take the mic. I'm not going to give this mic up. I rather like having the Mayor's chair.

ROBERT PALMER: Well, I realize that...

JACK BLANEY: Your name, please?

ROBERT PALMER: Robert Palmer.

JACK BLANEY: Robert Palmer, thank you.

ROBERT PALMER: I realize that this meeting is on water quality, but I am concerned about water quantity. And the first thing I think of or I am concerned about is that quantity of water taken out of the Great Lakes every day by the City of Chicago, and I understand it's 2 billion gallons.

And I am wondering if that was done before 1909, before the International Joint Commission was started, or have they gradually increased it over the years? And if they're doing it by written agreement, then okay, but maybe they're stealing it.

Not all of it, but gradually increasing over time, because it seems that once an agreement is made, then it's no great effort to add a little bit more to it, and it gets to be a lot of water. And I understand, I can see in the book it's 56 billion gallons that are taken out of the system every day.

And...anyway, that's the one thing I'm concerned about. How did Chicago get permission to take all that water?

JACK BLANEY: First of all, most of your questions will be taken as a statement and they will be passed on to the governments. On one factual matter,

the Chicago Diversionary Canal actually pre-dates the Boundary Waters Treaty. I believe it was about 1902 or something of that sort. In terms of any change, I can't answer that question.

ALLEN OLSON: We have been advised by our advisors, I guess, Environment Canada, the Corps of Engineers, there is a diversion into the Great Lakes that balances the Chicago diversion. I'm not sure what the name of it is, but there is a lake that was reversed...

UNIDENTIFIED: It's called the Agoki (inaudible).

ALLEN OLSON: Yeah, and you're aware of that. And it's not under our jurisdiction, but we have been told that in the course of these kinds of discussions.

JACK BLANEY: But your statement will be given, will be part of the record.

ROBERT PALMER: Well, thank you.

JACK BLANEY: Thank you very much, Mr. Palmer. Any other comments, please? As Paula has said at a previous meeting, the water is a very personal matter, how we use it and how we about use it. And we do, of course...it is a very personal kind of thing, what we put down the toilets and down the sinks and all this other kind of stuff, and how we want to use it. So it's not a really technical matter at all, but it's a highly important matter. Yes, again?

MIKE WILTON: I was purposely waiting. If there are any people who want to make comments, I'll wait, but if...

JACK BLANEY: No, why don't you now.

MIKE WILTON: Just to go back to that past gentleman's question, the two diversions are from the Arctic watershed and into Agoki Lake and Longlac, north of Thunder Bay.

And some of us wonder why the Arctic watershed should be used as a balancing tool against the Chicago diversion. In effect, Ontario is supplying the State of Illinois and the Mississippi River with water from Ontario, and that's one of the reasons that I made the statement I did regarding the Chicago diversion.

And I'll continue on in that same vein. Because of the early agreement with the City of Chicago, it predates this agreement, therefore the City of Chicago in this agreement is exempted, which, to me, is similar to sealing up all of the windows in the house and then removing the roof.

Because we talk about diversions out of the Great Lakes system and how small diversions are going to be subject to regional committees and a great deal of thought before anybody will be given permission to divert, but it's going to take literally hundreds of these tiny diversions that we're talking about in the future to come anywhere close to what Chicago is taking out every day.

Another point that I'd like to make is that because Chicago is exempt from this agreement and because Lake Michigan is completely surrounded by United States territory, the State of Illinois does not have to make any statements regarding the total amount of water that they are taking, so we don't have any way of knowing exactly how much is going from Chicago to the Mississippi River system.

I live on the south shore of the Manitoulin Island in Lake Huron, and this year - we've lived there now for ten years, and this is the first year that the Lake Huron surface has remained stable. There has been virtually no fluctuation at all on Lake Huron this year, and this has been an extremely dry year.

For some peculiar year, on the 1st of October, Lake Huron started to go down. And between the 1st of October and now, Lake Huron's surface has gone down ten inches, which puts it down equal to or lower than the 1964 level, which was the lowest level on record.

I can't personally understand why we were able to get through the driest summer in many years with no lowering of the water surface, but for some peculiar reason, during the month of October, we have lost ten inches out of Lake Huron.

Because Lake Huron and Michigan are joined, if water is taken out of Lake Michigan, it's also taken out of Lake Huron. Those two lakes are in the same basin, therefore the surface is at the same level in both of them.

Now because Chicago doesn't have to answer to anybody about how much water they are taking out, we are then free to let our imaginations run wild and think all sorts of things.

And the first thing that came to me when I was wondering about this is isn't it a coincidence that Lake Huron starts to go down quite soon after Hurricane Katrina virtually wipes out the city of New Orleans.

And it seems logical to me that if people are trying to clean New Orleans up, they'll need more water coming down through the Mississippi River system. And where is the logical place to get that extra water but from the Chicago diversion, because nobody has to answer for that.

That's the sort of danger that Chicago puts itself in by never sharing their data with the rest of the world. That leaves us free to conjure up all sorts of ideas that may or may not be true.

I'm not saying that what I'm suggesting may be true, there are lots of other scenarios that may explain it, but it seems quite a coincidence to me that this has happened at this particular point in time.

We drove up here today to be at this meeting, and we're staying with my wife's sister and her husband. And I mentioned this hypothetical theory to him this afternoon, and he says all the guys that walk down in the park here in Sault Ste. Marie are saying exactly the same thing.

Now that's a coincidence that all of us who have no contact with one another normally are all thinking the same thing, and it makes me wonder if Chicago wouldn't be far better off to join this community and become part of the thing so that we can all work together to try and make things function in the end. Thank you.

JACK BLANEY: Thank you for your comments, and they certainly will be recorded and forwarded to the governments. Others? Yes, Sir?

JOHN SWARTOUT: (inaudible)...

JACK BLANEY: Do you want to use a...you need the mic.

JOHN SWARTOUT: I just...I remember...

JACK BLANEY: I can't promise to answer the question, by the way.

JOHN SWARTOUT: Okay, that's fine. I think you'll have an idea. John Swartout again is my name. A couple of years ago, I remember something in the news saying that the Bush administration was going to take on a cleanup of the Great Lakes, and I never heard another word about it yesterday.

I ran across something on the Internet saying that Congress had promised to spend something like \$6 billion on a Great Lakes cleanup, you know, kind of in the image of the Everglades cleanup...and is anything happening with that?

ALLEN OLSON: First of all, there is the Great Lakes Collaboration, which is something that has been initiated by the administration and is coming to a conclusion, and it has suggested dollar figures that are rather substantial, but all of this has to be, you know, passed by Congress.

But I know this, that the Great Lakes senators and members of the House of Representatives from both parties are supporting this initiative.

And I believe I'm correct – Frank, Paula, correct me if I'm wrong – but I believe this collaboration is coming to a conclusion and it will sort of dovetail with the Great Lakes Water Quality Agreement, and people are encouraged by this as a commitment from this administration to some of the problems that are presented by the Great Lakes.

There have been lots of dollar figures thrown around. I suspect there are bills in Congress that would show numbers that you have suggested, but again, it's in the mill. You hear this, you read it, and you form impressions.

Nothing really happens until it happens, until everybody agrees on a number and it gets approved by the President. But there is activity. Anything, Frank, Paula?

FRANK BEVACQUA (Public Information Officer, U.S. Section, International Joint Commission): (inaudible)...

ALLEN OLSON: Yeah. So stay tuned. And there are collaborative efforts going on that should improve things, and it includes both countries.

JACK BLANEY: But don't spend the money yet.

UNIDENTIFIED: (inaudible)...

JACK BLANEY: Yes, Ma'am?

SARAH ACKER-PERSON: I would like to speak to the gentleman's question regarding...

JACK BLANEY: Yeah, your name please?

SARAH ACKER-PERSON: My name is Sarah Acker-Person and I represent (inaudible) and Associates, an environmental consulting company in Sault, Ontario.

We have a client on the U.S. side who has received some of that funding, pending the final signatures on the documents, and I believe approximately \$2.5

million will be going to clean up the Tanrink (?) site on the U.S. side; it's the northern most U.S. area of concern in the Great Lakes.

And the \$2.5 million is the U.S. government, through the Environmental Protection Agency, through GLNPO, the Great Lakes National Program Office. So there is money, but everything is on hold right now pending approval.

So you were right when you heard there's money, and it is supposed to be going ahead this coming fall. Not this fall, next fall.

JACK BLANEY: Thank you very much. Any other comments? Yes, Ma'am...teacher?

MARIANNE AMADIEL: Just one other question about the Chicago agreement that predates the International Joint Commission. Is there any way that if...just because they were able to do this before, before we recognized the impact of the volume that they are taking out and the potential or current damage that it causes, just because they had that in place prior to this agreement between the two countries, are they still allowed permission to do something that causes environmental and other kinds of concerns? Will that ever be challenged?

JACK BLANEY: It could be challenged.

ALLEN OLSON: There are concerns on the U.S. side about that issue as well. I would be careful, I don't have any factual knowledge of whether that is monitored, and I'm surprised, frankly, that Chicago doesn't have to...that the volume of water leaving Lake Michigan isn't monitored in some way, but that's not suggesting that it is. I'm surprised, it should be.

LYLE SAYERS: Excuse me, I think it probably is monitored, we just don't know, that information isn't be shared. I'm sure that somebody, somewhere...

ALLEN OLSON: (inaudible)...Canada?

LYLE SAYERS: I beg your pardon?

ALLEN OLSON: Have you checked with Environment Canada?

LYLE SAYERS: Yes.

JACK BLANEY: Okay, but I understand your comment. Your comment is that it should be shared. That's your recommendation.

LYLE SAYERS: Well, that's right. And I think, in answer to this lady's question, that has been tested. It's been tested in the United States Supreme Court, and they found that Chicago need not participate, that because that predates this agreement, that the State of Illinois does not have to participate in this agreement.

They are free to do what they like, and that's...(inaudible) analogy about securing the windows in your house but leaving the roof off, that's basically... The problem is that how can we make this agreement work when the biggest extractor of water need not comply and need not even make their data available to us.

JACK BLANEY: Thank you. Your view was very clear. Thank you

MARIANNE AMADIEL: Thank you.

JACK BLANEY: Any other comments? Well, if there are none, we certainly want to thank you for coming out this evening. We do know there was other meeting across the line on a very important issue, and we met with some persons who attended both meetings.

I'm very pleased to ask you here. I ask Commissioner Olson if he wishes to say some good night comments.

ALLEN OLSON: No...I would just simply my echo my colleague's appreciation to all of you, especially the teacher who was reflecting some of her students' concerns. I think we're in this together, we hope that we can make some improvements, that the existing agreement will be improved. But thank you for attending.

JACK BLANEY: Thank you and good night.
