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**Transcript of the public meeting held by
the International Joint Commission
on the Great Lakes Water Quality Agreement Review
at Thunder Bay, Ontario, on October 25, 2005
(duration: 67 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 Thunder Bay (Ontario) le 25 octobre 2005
(durée : 67 minutes)**

ALLEN OLSON (Commissioner, U.S. Section, International Joint Commission): ...discussion, but it would be helpful to our staff and to the record that is being kept all across Canada and the United States and the basin of the Great Lakes. So keep that in mind as we proceed.

But before the IJC, the International Joint Commission gets to its work, I believe the Mayor has a few words.

LYNN PETERSON (Mayor, City of Thunder Bay): Which is welcome. I'd like to recognize our International Joint Commissioners, Jack Blaney from the Canadian and Al Olson from the U.S. unit, It's a real pleasure to have you here.

To all of you that have come out this evening, welcome. As Mayor of Thunder Bay, I am pleased to be here today to welcome you to Thunder Bay's public consultation meeting on the review of the Great Lakes Water Quality Agreement and the status of the public consultation plan.

On behalf of City Council and the citizens of Thunder Bay, I would like to thank the International Joint Commission for asking us to join 13 other major cities around the Great Lakes basin to host public consultations.

Our city location at the head of the Great Lakes has given us an extra sense of pride in Lake Superior and a keen understanding of the importance of a healthy Great Lakes basin for our future.

We have been very proud to do our part under the Great Lakes Water Quality Agreement to deal with pollution and restore the quality of our portion of Lake Superior and its adjoining rivers and streams.

We are also proud to work with our neighbours from the United States to restore and protect Lake Superior and to address mutual challenges, and we look forward to working cooperatively for the benefit of generations to come.

In Thunder Bay – and I’m going to boast a bit here – we are pleased to share the world’s largest inland body of water with Sault Ste. Marie and our sister city, Duluth, Minnesota, and many other Canadian and American communities.

We are very much aware of the fact that everything that we do on Lake Superior impacts not only ourselves, but all of our neighbours who share this absolutely, absolutely magnificent body of water.

As citizens of Lake Superior, we should all remember the statement that was authored by the Lake Superior Binational Forum and adopted by the governments of the Lake Superior Binational Program that stated water is life, and the quality of water determines of the quality of life.

This city and the City Council has consistently moved forward with initiatives to protect water quality and fisheries’ habitat in the rivers passing through the city and in Lake Superior, and often well in advance of being regulated to do so.

Together with our partners, we are proud of the lead role we have played in Great Lakes protection. This city is one of the very few municipalities in Ontario that introduced full user-pay rate structures for both water and sewage systems.

These rate structures...and you have to say thank you to councils of the past. I'm sure it wasn't a particularly easy decision to make, nor popular with the community when their bills went up in order to do this, but it creates a significant reserve in advance of implementation of major upgrades of our water systems and our sewage treatment systems.

When the federal government announced the creation of the Community and Strategic Infrastructure Fund last fall, our City's Manager of Engineering saw an opportunity to expand and accelerate the City's \$90 million plus water pollution prevention and control program.

Built with major support from our federal partners in the form of \$25 million, our brand-new secondary sewage treatment facility, which was just commissioned a couple of weeks ago, enhances the sewage treatment process and will also greatly reduce ammonia discharges.

Next year's plans include a change in the disinfection process from chlorine treatment to ultraviolet radiation, which will eliminate the discharge of chlorine and chlorine byproducts into the waters of Lake Superior.

And in keeping with the City's strategic plan and its commitment to green energy, we will build facilities at the same plant to generate electricity from the methane gas that is generated by the sewage treatment process, so it helps the City meet its commitments under the Kyoto Agreement.

So as you can see, we are very proud of our commitment to the protection of Lake Superior and the extensive work that we have done on this front, and we

are very proud to host this consultation meeting. And once again, thank you very much for being here.

And thank you to everyone that's come out to voice your opinions. Your voices, as I understand...everything that's been said here will be brought back.

ALLEN OLSON: Literally.

LYNN PETERSON: Literally, every word, so that...and heard. So thank you very much.

ALLEN OLSON: Well, thank you, Mayor Peterson. My colleague, Dr. Jack Blaney and I are privileged to be in the Lakehead region and the wonderful city of Thunder Bay.

As the Mayor indicated, this is one of, I believe, 14 meetings around the cities in the Great Lakes basin, and it's all predicated on the condition of the Great Lakes prior to 1972, which, as some of you may recall, included the Cuyahoga River in Cleveland starting a fire, and I think that that is perhaps what precipitated the serious and deep concern on both sides of the international boundary.

It resulted in the 1972 Great Lakes Water Quality Agreement, signed by Prime Minister Trudeau and President Nixon, and here we are.

I am chairing tonight. Normally, we exchange. If we're in the U.S., a U.S. Commissioner presides, and if we're in Canada, the Canadian Commissioner presides. Well, I had a problem that prevented me from joining my colleague in

Duluth last night and he was kind enough to pick up the pencil and the microphone there, and has asked me if I would preside tonight.

I am Allen Olson, as Mayor Peterson indicated. We are among six commissioners of the International Joint Commission, created by the Boundary Waters Treaty of 1909 between the United States of America and, at that point, Great Britain on behalf of the Commonwealth country of Canada.

It is a treaty and an agreement and a history that is known throughout the world for what it produces and what it reflects in relationship between the two countries. We essentially under the agreement are to prevent and resolve disputes relating to water on the international boundary.

So let's get to the business as soon as we can. Behind us, you will see, I think, a number of information points that will be a background for the meeting. As I indicated, the agreement was first effected in 1972. In 1978, I believe, a new agreement relating to an ecosystem approach to conditions in the Great Lakes was effected.

And in 1987, a protocol reference to the areas of concern, one of which, I believe, is here, and according to the Mayor, is almost to be de-listed – you are to be congratulated. I believe that would be the third AOC de-listed among 43 around the Great Lakes, so that's indeed a significant accomplishment.

The governments have asked the IJC, in its role...we are a (inaudible) oversight of the Agreement, the Water Quality Agreement, with an office in Windsor, Ontario, to do the heavy lifting.

The governments have asked us to get in touch with the public, as we are doing here tonight and, as I indicated, in other cities around the basin over the next few weeks.

This is a framework for binational cooperation. Currently, domestic policy initiatives are underway that will frame Great Lakes restoration efforts in each country.

These include the Great Lakes Regional Collaborative in the United States and the forthcoming renewal of the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem.

This makes the forthcoming review of the common goals of the Great Lakes Water Quality Agreement a timely endeavour. The two governments are now getting ready to review the Agreement, and in preparation for that, as I indicated, they have asked us to hold these meetings.

The governments and the IJC believe that it's very important for the Great Lakes community to be heard at this stage so that governments get a sense of your priorities.

As I indicated, there will be a record of these meetings, citizens' viewpoints will be recorded and will be part of the whole process of review of the Agreement.

There will be additional opportunities. Tonight is not the only opportunity for citizens to participate in this process. They also have said that they will

consult – and we believe they will – with First Nations on this side of the boundary and Tribes on a government-to-government basis.

And as indicated in the slide behind us here and in our printed materials, there are several ways to provide comment to us. Please join us also for a live Web dialogue – we are in the 21st century - that will be held from November 29th through December 2nd. I think there will be other information about that that will appear locally.

When the consultations end, the IJC will write a report synthesizing all the views it has heard. We will also send all of the documents we have received, along with transcripts of these meetings, to the governments.

And I believe that we intend to whole the governments' feet to the fire to listen, to pay attention to what we have generated in these public meetings around the basin.

As for the meeting today, we will call you in the order that we have received your request to speak. Unfortunately, we only have one formal request. As I indicated, it would be nice if you could, but that will not prevent you from taking the mic and telling us what you think.

There are six of us commissioners, three U.S., three Canadian. The U.S. commissioners are nominated by the President and confirmed by the United States Senate; the Canadian commissioners, I believe, are appointed by Council...Cabinet in Council or Council in Cabinet, did I reverse that? It's like corn on the cob or cob on the corn.

Let's begin. And again, we will be encouraging you to participate, but there has been one formal request to speak, and that would be Mr. Hollenstein, Julian Hollenstein. What, Frank and Paula, have we...will they take the mic here?

(VOICES OVERLAP)

ALLEN OLSON: Just take those. I guess they work. And if those in the back of the room want to speak, we'll find a mic for you. Go ahead, Julian.

JULIAN HOLLENSTEIN: Thank you, and thank you for coming to the Lakehead. For me, it is really comforting to know that you incorporated a public consultation component into your review process, and that should be recognized and much appreciated.

Frequently, that's overlooked when we're making decisions about community resources such as this, and I think it's an essential component of your work.

Right now, you're located approximately four kilometres from the Thunder Bay Area of Concern site, located on the waterfront, and you're also about two hours' drive from three additional Areas of Concerns. I'm not sure if you've had a chance to visit these sites, but the scenery on Lake Superior is spectacular. Have you had a chance to ever visit these AOCs?

ALLEN OLSON: I haven't. I don't know if Dr. Blaney has, but our staff certainly have. And in the course of this process that we're engaged in now, I expect we will.

JULIAN HOLLENSTEIN: Get a chance to get out there, yeah. It's unbelievable. One's (inaudible) river, the other one's (inaudible) Bay on Lake Superior.

And the unfortunate thing is the hidden, non-visible contaminants that exist in these waters, which is a pretty serious concern for our north shore communities, and we're very hopeful that the IJC will be able to continue to work in the cleanups in these areas.

I don't have a long brief, but I have three suggestions or my priorities that I'd like to see with (inaudible). The first is to continue following up on water testing in Thunder Bay's remediated waterfront, next to northern wood preservers.

If there is any way that you can make recommendations to make the water testing results public...it's one thing to do, remediation, but it's the follow-up that needs to occur to make sure that these contaminants don't continue to enter the Lake Superior basin.

And that is one of my priorities, and it's pretty critical for the City of Thunder Bay because our water intake is another four kilometres from this toxic blob.

And we're hopeful that the cleanup has been successful, but we just need to see the water testing results. I know that's not something you take on personally, but the staff might be able to place emphasis on that.

My second priority is to encourage you to move forward with endorsing and implementing this new agreement. It's a great new draft and it's come a long way from its first go-round, and I think time is of the essence.

In Ontario, we've had one of our longest summers this season, and possibly linked to global warming trends. It can have a big implication on water bodies around the basin, and I think we need to take pro-active actions now.

You have made some great accomplishments in this regard and I congratulate you on your efforts for prohibitions on diversions. It's essential that we get that into the Agreement.

One area that still appears to need some refinement is intrabasin transfers, taking water from one Great Lake and dumping it into another Great Lake. In my mind as a biologist, good ecosystem management would suggest that water should be returned to the point of taking, and I think that's something that needs to be incorporated a little further into the Agreement, and I urge you to continue strengthening this component of intrabasin water transfer.

Finally, something a little less formal. I'd just like to ask you if you've ever read two books. I'm kind of a prolific reader, and there's two books that made a huge influence on my life and have brought me here today, probably, to speak with you.

One book is called *Our Stolen Future*, by Theo Colborn. Have you read that, any of you gentlemen?

JACK BLANEY (Commissioner, Canadian Commissioner, International Joint Commission): No.

ALLEN OLSON: No, we're still (inaudible).

JULIAN HOLLENSTEIN: What's that? Our Stolen Future. I have it written down and I'll pass that on to you.

ALLEN OLSON: Okay, all right.

JULIAN HOLLENSTEIN: Fascinating read and very scary about implications of these contaminants that are in the basis. It's very subtle, the health impacts that can occur from these contaminants.

They're endocrine disruptors, and it's a slow process, and it's very hard to prove cause and effect, but some of these scientists have made some great strides there. You have to read this book to carry on your work with the IJC, it's essential.

The second book that I am going to recommend is Water, and I don't know if you've read this one. You've read this one, terrific.

ALLEN OLSON: I've read Water Qualities by a professor from Arizona State University...

JULIAN HOLLENSTEIN: Right, it might have a lot of similar content. But some of the implications of our extensive water usage in North America...I think Canada lags only behind the U.S. in consumption of water, and it's sad for such a progressive country to remain in that state.

So this book I am going to loan to you. I have written my name and address in there, and I should write me e-mail and phone number in here.

ALLEN OLSON: If I read it now, do I have to take a test? (LAUGHS)

JULIAN HOLLENSTEIN: No test, no test whatsoever. But this is the nice part about community interactions and getting out and reaching out to the community. You can give me a phone call or an e-mail and we can discuss it. But that's the essential thing.

Because when we set up these forums, sometimes there are such huge barriers between the people and legislators. And really, all of us have such an individual responsibility for the water, and it just brings a little bit closer that connection.

And that's my final point. I've got a little-used book, get it back to me whenever, it can be two years. I might not see you again, but I'll know you have an interesting document in your hands.

And again, I want to thank you for this final draft; hopefully, it's a final draft.

ALLEN OLSON: You know, I suspect that if you (inaudible)...you hadn't said anything about water...

JULIAN HOLLENSTEIN: Yeah.

ALLEN OLSON: ...said that afterwards, Mr. Olson, you should read this book, I would have probably shrugged and said, oh yes, I will, and forgot about it.

I can't, there's so many witnesses here. (LAUGHS) Whoa, it must be a very persuasive...

JULIAN HOLLENSTEIN: It's hard to look at all of these things. Obviously, you've already looked at some of those, sure, but this one is quite a terrific review of the water situation on the (inaudible)...

ALLEN OLSON: This is a very distinguished educator...

(VOICES OVERLAP)

JULIAN HOLLENSTEIN: Yeah.

JACK BLANEY: Remind us who the author is.

JULIAN HOLLENSTEIN: Oh, it's...I don't know if I can pronounce his name properly, but it's Mark de Villiers (?), yeah...

JACK BLANEY: I think he lives in the Maritimes.

JULIAN HOLLENSTEIN: Is that right? Yeah. And it has gone through a couple of revisions since then.

UNIDENTIFIED: I just wanted the spelling (inaudible)...

ALLEN OLSON: Good for you. Julian, are you here on your own behalf or are you representing an organization?

(VOICES OVERLAP)

JULIAN HOLLENSTEIN: No, I'm on my own behalf here. I've represented and worked with a number of environmental groups (inaudible)...

ALLEN OLSON: You're a biologist by training, profession?

JULIAN HOLLENSTEIN: Yes.

ALLEN OLSON: Are you a consulting biologist?

JULIAN HOLLENSTEIN: I have been consulting, I'm not consulting right now. Right now I'm working with a community group with the City of Thunder Bay that are involved in developing a community environmental action plan, looking at community sustainability issues.

UNIDENTIFIED: (inaudible)...

ALLEN OLSON: Well, thank you very much.

JULIAN HOLLENSTEIN: Well, thank you.

ALLEN OLSON: We appreciate it.

JULIAN HOLLENSTEIN: And please, good haste with this agreement because I really think we need to get on with it and get the Agreement in place.

ALLEN OLSON: Well, there's lots of folks on both sides of the boundary that have to be convinced that more needs to be done, but I think it's happening throughout the basin.

You know, we recognize that Lake Superior is unique in the sense...it's sort of more equal in a sort of Lakes' equality. And it's nice to be here...

Jack, Dr. Blaney told me earlier that he wasn't going to say anything tonight, I was going to insist that he do, and he already has, so (inaudible)...at some point, I'm going to ask him to review some of the thoughts from the Duluth meeting last night that he presided over and that I missed, but that we do have, and we're encouraging more to come to the mic or to use their mics.

Number two would be Paul Filteau. Paul?

PAUL FILTEAU: You'd make a good Frenchman, good pronunciation. I guess, two concerns. The first one is the wide-spread spring envision...that's the herbicide that's used for conifer (inaudible) forest companies.

So it's a Monsanto chemical that was accepted by our federal government and (inaudible) by our provincial government, but as far as I know, there's been no follow-ups to look at the impacts of the use of that pesticide. And I'd certainly like to see what the cumulative effect is, especially (inaudible)...

(VOICES OVERLAP)

ALLEN OLSON: It's curiosity at this point. You don't know that it has a negative impact, but you don't know that...if it does or doesn't.

PAUL FILTEAU: We don't know that it has a negative impact (inaudible)...correct. So that's the first concern. The second one I think has already been said, and I'll just reiterate it, it's the interbasin transfer of water.

Near the 1970s, I was director of the Damn the Dams campaign here in Thunder Bay (inaudible)...keep northern Ontario water starting in 1969, and then roughly from 1971 to 1976, the Damn the Dams campaign, concerning large-scale interbasin transfer of water, the North Atlantic Water and Power Alliance...the northern Ontario coordinating studies that were done in all of our major tributaries flowing into Hudson's Bay, rivers like the Albany, the Ottawa (inaudible)...Moose River basins, looking at transfers of those rivers south, over (inaudible)...and through the Great Lakes and then into the southwest states, large, very large programs (inaudible)...U.S. Army Corps of Engineers, the

ongoing studies by the...ongoing discussions by the U.S. Senate Committee on Water (inaudible)...very aware of water problems in the United States and we certainly sympathize.

But at the same time, I think we do have (inaudible)...very cognizant that a large-scale interbasin transfer of water is a (inaudible) future possibility and (inaudible)...

ALLEN OLSON: Thank you. Number three, Josephine, and then (inaudible)...would you help me with that pronunciation?

UNIDENTIFIED: Madamann (?).

ALLEN OLSON: Madamann, the one I didn't use. Go ahead, please.

JOSEPHINE MADAMANN: Translated, it means corn (?). I am from the native woman's perspective, and I didn't know this was a consultation, I thought it was just a session to speak on behalf of our interests.

I have walked around Lake Superior with a pail of water from Lake Superior, walked around Lake Michigan with a pail of water from Lake Michigan water. I've walked around Lake Huron with a pail of water from Lake Huron water. Next year I'll walk around Lake Ontario with Lake Ontario water.

In that walk, I have seen the devastation of our waters. And Lake Superior, our home, is, to me, one of the most beautiful bodies of water. Twenty years ago, you could see almost way down into the bottom of the Lake. Now, 20 years later, you're lucky if you can see fish when you're on the water.

I am hoping with this agreement that there will be participants...I have noticed, on the IJC, there are no aboriginal participants on your committee, on your Commission. And I just want to raise a concern that First Nations are always an afterthought.

And I want to emphasize that we have traditional knowledge that we carry within ourselves about the environment, and if you would be serious enough to take us into consideration, we could be very helpful in giving advice to the waters, protection of the waters.

Water quality is a grave concern to us. And if you could go without water for one day, you would know how precious it is. If you still haven't done one day without water, go three days, four days, go seven days.

As aboriginal people, we go fasting twice a year to go without food and water for four days and four nights. We know what it's like to be without food and water, it is not anything new to us.

There is a grave concern that First Nations and tribal organizations in the States around the Great Lakes area share the concern that I have raised with our First Nations tribes in and around the Great Lakes area, and I have been in touch with them, letting them know that as women, we are very concerned and we need your support.

And I also speak to my non-native brothers and sisters that I also ask that you share the same concerns that we have as aboriginal women, as native women.

I noticed that in 1987, there was supposed to have been, every six years, revisiting the agreement. And with my calculations, with my additions, it's been three times that it has not been reviewed.

2005 was to have been the last review of the Agreement, to review the document for amendments. So far, that has not been done since 1987...is that right?

ALLEN OLSON: Correct.

JOSEPHINE MADAMANN: So you have missed three counts of review of the Agreement or the act, that you're putting forth to us. And that gives me great concern because you have to be accountable to your members, to the people, when you're writing agreements and acts. And consultations with us, this is...I understand now that this is a consultation.

I want to emphasize that there has to be consequences. What happens if you don't? 1987 plus six, that's 1993. Nothing was done. Add six years, 1999. Nothing was done. Add six more years, 2005. Nothing was done.

So, for me, if I don't do anything that I promise, I get my hand slapped or I get fired. What are the consequences that you as a Commission put forward to us to let us know that you will have consequences if you don't follow the promises that you make to us?

And I am firm believer that promises are made to be kept, because history has told us, as aboriginal people, there were many promises made to us, First Nations, tribal people, where promises and treaties have been broken.

And I don't want to sit here and say that I am standing beside you to be a part of this agreement and six years later, find that nothing has been done. I am a firm believer in strong values and beliefs that the water is also our worst enemy. You're witness to that.

If you don't respect the water, it is going to fight back, and I see that happening now, that we cannot be all-powerful to nature. Nature has a way of getting back if we don't treat it right.

So I don't have much to say other than the waters have to be respected. It is not monetary, we're not here to make money on our Great Lakes waters.

We have to think about the future of our children. Our great-grandchildren are going to one day say to us they did something, all of you that are sitting here will be a part of that history, when you sat and spoke about the water, the importance of taking care of that water.

I myself, in the walk that I do, that is my petition to everybody in the world that we need to stand up and protect the waters of our nations, wherever we are, whether in North America, South America, Asia, Africa, the other countries.

We have to always be conscious of that water, the purity of that water that will keep us alive. If the water is gone, we are dead. (Inaudible).

ALLEN OLSON: Thank you. I'd like to point out that the IJC is not...we're not ambassadors, we are independent. When we are finally appointed to the position, we take an oath to uphold the Boundary Waters Treaty of 1909.

So we look at ourselves as unilateral...uniform...unilateral...help me with the term I want to use...

UNIDENTIFIED: Unified.

JACK BLANEY: An integrated...

ALLEN OLSON: Integrated. We try to...we can't ignore that we are Canadians and Americans, but we try to. And I would also point out that there will be separate consultations with First Nations and tribes in the United States.

And then, finally, we have boards that advise us. We have a science advisory board that has...one of its recommendations is to bring the wisdom accumulated by aboriginal people over time regarding nature and water, and it came from a science advisory board.

I had to confirm myself that scientists would recognize that there is a great deal of knowledge and wisdom with our aboriginal people.

We don't have any other formal requests. I'm going to ask my colleague Dr. Blaney to just give a brief review of some of the thoughts that we heard in Duluth last night that might prompt some more discussion.

Please feel comfortable to simply raise your hand, and if you'd like to talk to us, talk to all of us in the room, please do. But Jack, would you talk about last night?

JACK BLANEY: Happy to, Al. I also might point out (inaudible)...you're absolutely right, by the way, about the importance of water, absolutely right. And secondly, that the Agreement has not been renewed since

1987, it's the governments that have (inaudible)...it's their agreement. It's an agreement between Canada and the United States. And the International Joint Commission has recommended that it be...

ALLEN OLSON: We try to be their conscience, but we're not always successful.

JACK BLANEY: They don't necessarily take all of our recommendations. I understand, from Frank, that the governments did get together in the late 90s and they started to review and then kind of backed off.

However, this review is underway and they're very serious about it, and we're very pleased that they have asked us not only to do these public consultations, but to also give our own views about the Agreement.

Going to last night in Duluth, it was a great evening. Duluth, as you know, is another great lake city. But one thing a couple of people there said that was interesting, they said don't open the Agreement. The Agreement as it stands is actually quite a remarkable agreement, and if you open it up, you might lose something. That was just a different point of view.

I know that the Boundary Waters Treaty of 1909, I don't think anyone would want us to open that treaty because that was a treaty that probably never could (inaudible) today, it's a remarkable treaty between Canada and the United States. The United States has no other treaty like that with any other nation in the world, where they share authority equally with one other country.

The three themes last night – and I’m happy to be helped in this one by our two colleagues who are here as well – but the most important theme, the most frequently mentioned talk of last night has not been raised here directly, and that was restoration is very important, and these areas of concern are very important, and these contaminants and the sediments are important to clean up, but the most important thing to spend our time on right now is protection.

We have got Lake Superior, one of the finest bodies of water in the whole world. Let’s protect it and don’t let it get any worse. Let’s do everything we can to protect it. We agreed that was a major theme last night.

And several independent speakers – it wasn’t like an organization or whatever – several independent speakers made the emphasis of do what you can to protect it.

It’s very interesting. We have an air quality board, also reporting to the IJC, and what they’re working on right now is, in addition to finding out where there’s bad air, one of their main emphases is to find the areas in North America where we’ve got clean air and keep them clean, don’t let them get worse because it’s much more expensive to restore something after we’ve created a problem.

So that was a very big theme last night, let’s protect this wonderful, big, beautiful lake, don’t let it get any worse.

The second theme was about mercury. And mercury, of course, has and can have bad health effects, particularly for women who are carrying a foetus, but

any person, younger people, if they eat too many fish that have too much mercury.

And mercury is in the water. The mercury in Lake Superior, of course, is less than in other lakes because there's not as much industry for the size of the lake.

So there's a lot of concern about mercury. Mercury, by the way, does occur naturally, through the groundwater and everything else that's released into the lake and through air.

And there was a very great concern about the transport of mercury from other places, because most of the mercury now that is deposited in the Great Lakes and in Lake Superior particularly is deposited by air.

This is from, for example, coal-generated energy plants...

ALLEN OLSON: (inaudible)...from China.

JACK BLANEY: Yes, internationally, it could be from China or somewhere else. So there was a great concern about that, and we indicated to them that our air quality board is now tracking how much mercury is in the air and how much is regionally generated and how much comes internationally.

Those were the two really big comments. There was one person who was quite entertaining but very serious, and her major concern was she can't swim in the lake, it's not safe to swim around Duluth itself. And she was worried about the e-coli counts and things of this sort, although other parts of the lake are of course very safe for swimming.

So those were...we had a fairly boisterous, spirited crowd, and very proud of Duluth, just like you are very proud of your city.

ALLEN OLSON: Some of the framework is that the three-legged stool of physical, chemical, and biological, or swimmability, drinkability, and fishability. This puts it in context that everybody can understand, that we all have an obligation to protect those uses that these extraordinary bodies of water provide for all of us.

We don't want to take your time, but yes, a former...retired from the Ontario...

GORDON VAN SCHLEIN: Ontario Ministry of the Environment. Yes, my name is Gordon Van Schlein (?). I spent 30 years with the Ontario Ministry of the Environment and had the pleasure of being an Ontario representative on the International Joint Commission Upper Lakes Reference Studies, which set out the baselines for Lake Superior and Huron in the late 1970s and subsequently led to the identification of the RAPs areas up here.

I also was involved at about the same time on the Phosphorus Management Task Force and presented to the IJC and the public at Windsor and Buffalo the results from those Task Force findings, and those became an Annex in the Great Lakes Agreement.

What I wanted to ask about, knowing the process somewhat, of having been involved in it, the Canada-U.S. Great Lakes Agreement drives the efforts of

the federal and provincial governments to amend the Canada-Ontario Agreement. The federal government does not by itself implement what is...

For those that don't know this, the federal government can sign an agreement, but it has to deliver on it, and the provinces is one of the major delivery participants, so that requires negotiation between the federal and provincial governments in Canada to ensure that there is a delivery of what is promised through the Canada-U.S. Great Lakes Agreement.

So having said that, it's very important that what gets put into this agreement, if there are revisions made, that they be very specific and provide little wiggle room for the federal and provincial governments, either one, to slide out of commitments.

I know back in the 70s, in the biennial reports that were produced for the IJC, we frequently had problems with setting out progress on sewage plants and phosphorus removal because they kept saying every year, every two years, they'd come by and say, well, it's being studied, it's being studied, it's being studied. And until you set firm targets on them then, it's very difficult to measure progress.

Along that line, and what I was leading up to is that there may be an opportunity now to set in place at this upper level agreement some form of commitment that would allow funding to move down through the Canada-Ontario Agreement to see the RAPs areas reinvigorated, those 43 Areas of Concern in the

Great Lakes, and as we talked about earlier, only two have been de-listed so far, and that's been in progress for a long time.

ALLEN OLSON: And a reminder that a RAP is a Remedial Action Plan.

GORDON VAN SCHLEIN: A Remedial Action Plan to clean up the Areas of Concern, the 43 Areas of Concern in the Great Lakes.

Thunder Bay, as you know, has just completed its Stage II report, which has identified all of the actions that have taken place, and is looking for a de-listing, but that requires funding to do an environmental impact assessment to determine that in fact, all of the actions that have been taken have cleaned up the problems that were originally identified.

This agreement perhaps could go far enough to stimulate the governments on both sides to put more money back into these and get these things cleaned up and more of the de-listed.

I'm afraid that if it sits the way it is, without some pressure through an agreement like this, that we may see them languishing again and just languishing many of them and not really completing what they set out to do.

Certainly, as far as Thunder Bay is concerned, I'm not sure that the funding is there yet for the environmental impact studies to be completed to in fact prove that what has been done has solved the problems that we set out to solve.

ALLEN OLSON: Thank you. One of the frustrations for all of us working to improve the quality of water is the incredible number of organizations in both countries that have a little piece of the action.

And especially as we look at industrialization as a source of future pollution, the hardening, the runoff, and all of that hardening of the shore, the great cities around the basin that sort of provide the (inaudible) for new pollution, new concerns. Yes? Would you state your name for the record, please?

EUGENE LEFRANCOIS (Northern Lakespear Aboriginal Association): My name is Eugene Lefrancois and I'm representing Northern Lakespear Aboriginal Association. I have just a couple of points.

When water does get diverted from Lake Superior down south to Mississippi, how much of that will be aboriginal water, and will they get compensated?

And another thing is with the new pollutants, what are we doing with radioactive waste that's going to be transported along the shores of Lake Superior, of Lake Ontario, both sides? Accidents do and will happen.

ALLEN OLSON: A good question. You know, I would invite Jack to comment. I think that...I have a hard time believing that given almost 40 million people live in the Great Lakes basin, the political influence that there still is in both Washington and Ottawa from those 40 million people, that there will be a diversion of Great Lakes water.

I think if I were a Canadian, I'd be a little bit more concerned about water elsewhere in the country. There is so much focus on the Great Lakes that I think there are other more...but that's my personal opinion, and I think it's wise for people in the basin to be concerned about diversion, for lots of reasons.

Radioactive waste, I don't know. I'm sure that...as I understand it, the province of Ontario is giving serious consideration to reactivating nuclear energy plants, as we recognize the kind of pollution coal generation is. But I don't know about how the waste is moved around, I really don't. Jack, would you care to comment?

JACK BLANEY: No.

ALLEN OLSON: But again, those comments will be part of the record and will be taken seriously, I would think. Anyone else? Yes, Sir.

UNIDENTIFIED: I guess, further to the comment by Eugene Lefrancois, I think it's probably a good one, and it's really to broaden the scope from radioactive to all hazardous waste.

For example, Transcycle Industries (?) cleans up PCB-contaminated equipment in Kirkland Lake, and that was being sent to Swamp Hills, Alberta, so you have transportation by truck, and there's a manifest (?) system, and is it properly contained...

We had a recent case along...near Kenora. There was a courier company from Manitoba (inaudible)...biological waste. So we've got a huge number of hazardous waste and I don't know that we have a uniform set of

transportation...how would you say...we certainly need best practices in place, and guarding against that spilling into lakes. We see logging trucks going into lakes, so there certainly could be hazardous waste.

ALLEN OLSON: Thank you. Mayor Peterson, did you have...

LYNN PETERSON: Actually, I have a question, if you're finished with...

ALLEN OLSON: Sure, I think so.

LYNN PETERSON: A few months ago, I think I read about a community downstream – and while we are all downstream, farther downstream – on the American side that was actually considering passing a bylaw because they don't have separated sewer and storm sewer to allow raw sewage into the Lake.

Now, they were considering it. Given the Agreement and the ability to...well, almost, like, take some control over municipal pollution from sewage into the Great Lakes, what does the Commission...

ALLEN OLSON: I can't imagine that. EPA is pretty strict with their rules and regulations, and I know that the states, U.S. states, basin states, are pretty aggressive on managing waste.

LYNN PETERSON: (inaudible)...

ALLEN OLSON: We all know that there are circumstances when there's an overrun in a waste treatment facility and occasionally raw sewage will go into our bodies of water. But to deliberately do that, I just can't imagine that happening.

(VOICES OVERLAP)

LYNN PETERSON: (inaudible)... I actually know where I saw it...

ALLEN OLSON: I'll tell you what, we would send it to the state, the EPA there, the pollution control agency, the state pollution control agency would want to be aware of that. I can't imagine it, but who knows?

JACK BLANEY: Gordon, do you know in Ontario, I'm sure that Ontario would not allow that?

GORDON VAN SCHLEIN: Raw sewage discharges?

JACK BLANEY: Yeah.

GORDON VAN SCHLEIN: No, not at all. There are exceptions to that, where there are sewer systems that, for a temporary period of time, a community will be allowed to overflow because of combined sewers that have been there since the early years and years.

But the province requires that community to come into some agreement with them within a fixed period of time to have dealt with that issue, whether that means putting in separate sewers or redirecting drains from the (inaudible) or whatever. But yes, raw sewage...

ALLEN OLSON: That happens. Jack and I were attending a board meeting in the Rainy Lake Board of Control and that area, and there have been...the First Nations have a sturgeon production program, and I think there have been...

(BREAK IN TAPE)

...happens, especially if they're antiquated treatment plants. But there's a high level of sensitivity everywhere to that kind of problem. But if you can find it, we'd like to know about it. Anyone else? Yes?

DAVE NUTTLE (Chair, Public Advisory Committee for the Nippigan Bay RAP): Yeah, my name is Dave Nuttle. I was and, I guess, still am the Chair of the Public Advisory Committee for the Nippigan Bay RAP.

And I'd like to just follow up what Gordie had to say about, I guess, reinvigorating remedial action plans. There's a public component to it. I really don't see what the value would be of restarting that process.

We developed guidelines for our particular area, and the problem now seems to be following up on them. All you need to do is read the paper. I mean, the issues haven't changed; it's just a matter of getting the work done.

Nippigan Bay, I find, is an interesting case. Probably the same elsewhere, when you look at the issues that we identified. There was a problem with the Domtar mill. They put \$25 million into secondary treatment.

There was a problem with the violent water fluctuations in the Nippigan River, and there's now an agreement that OPG – it was Ontario Hydro at the time – OPG now regulates more carefully the water fluctuations.

Those both involved industries. Two other areas that were identified that were problems were the municipal sewage for both Nippigan and Red Rock. Both those communities are in deep financial trouble. Red Rock mill, you may or may not know, has just lost a paper machine and at least 80 workers at this point.

They are not in large centres; they simply can't afford to upgrade from primary treatment to secondary treatment.

It becomes then a matter of political will to have the province, I guess, at this point, provide the funds to upgrade those sewage treatment plants, and yet that's not done.

The point I'm making here is that governments love to jump all over industries to solve their pollution problems, and yet when it comes to municipalities, very little is done.

ALLEN OLSON: Point well taken. Any other...

UNIDENTIFIED: I guess it's probably just expansion upon the comment by Mayor Peterson, but not only municipal waste, but we're looking at (inaudible)...mine waste. I guess that to ensure that all of our abandoned mines and operating mines are properly deconditioned...decommissioned and that wastes are contained and treated where there is runoff to the lakeshore.

ALLEN OLSON: Governments move when ordinary citizens get mad as hell and don't take it anymore, and you know, just absolutely beat up on their...I was one of those for a while. And you know, it does take a committed, sort of agitated public to make the wheels turn. And you know, I'm not passing the buck, I'm saying that's just the way it works. You just have to raise hell.

EUGENE LEFRANCOIS: Eugene Lefrancois. On January 20th, 1981, the International Joint Commission internal report said there were 33 chemicals for possible immediate control. In this report here, since 1981, just two have been

de-listed, but 11 have been added. So you have 43...what happens if you put 43 chemicals in a jar and then...?

ALLEN OLSON: The jar might disappear.

EUGENE LEFRANCOIS: Well, the jar and the person who put it in. Now that leads me to the scientists who do the testing. Who are they paid by? Who do they represent? What are their interests? Is it totally public or is it like Monsanto?

I was arguing with Monsanto before about the herbicide, brought it up, and scientists said there's nothing wrong with it, you can drink it. The next day, once you spray, you can drink it. Well, ask them, can you drink it? Here, drink it then. He wouldn't.

He is a scientist and his work does not carry weight. Who pays the scientists and what is their letter of reference?

ALLEN OLSON: I can't answer the question. I can say that sometimes, they're paid by people you might be suspicious of. Yes? Anything else?

UNIDENTIFIED: I'd like to come back to the point that was made earlier about First Nation representation on the IJC Commission. Has that suggestion ever been brought up before to a group?

ALLEN OLSON: I think, in the last...the commissioners are all over the boundary, from New Brunswick and Maine to B.C. and Washington, so we run into lots of citizens.

And I know that we're just concluding a five-year, \$20 million plus Lake Ontario-St. Lawrence waterway study, and we've run into a number of First Nations and tribal interests and concerns.

And I know that there was one on the Canadian side, I think, who was apparently a pretty substantial candidate for appointment to the IJC, but was not. It's political, on both sides, and I don't think that's necessarily in a negative way.

I think that, you know, I run into First Nations and tribal folks, they have asked the same question. There will be, I'm sure. There will be a First Nations, aboriginal commissioner some day.

UNIDENTIFIED: It's just I remember the same request was made, I think, in Montreal at one time many years back. And they're political appointments, so it's a bit out of your control, but is there a way for the Commission or yourself as an individual who sees that need to make the recommendation...? (inaudible)...

(VOICES OVERLAP)

ALLEN OLSON: Again, I don't want to get extra legal on this, but tribes and First Nations have quasi-sovereignty. So in one sense, they have a sovereignty, so the U.S. and Canada deal with, you know, sort of a sovereign relationship.

I know that that has been an excuse in the past that has been used to say, well, we deal with the tribes and First Nations on an arm's length basis, they are quasi-sovereign.

I know, I am saying, I am explaining some of the reasons and excuses that have been used. I don't know if that makes sense to anybody, but I know it's been used. Look, I think again, you just have to keep knocking on the door.

UNIDENTIFIED: Yeah, I think so. And I think more effort needs to be made in that area, because both times, it was First Nations who had been making the request to have a seat.

ALLEN OLSON: I know, but the Chair of the Canadian Section is the Right Honourable Herb Gray, who has a very significant and, you know, part of Canadian political history.

So those are the kind of folks who come up to the top. It isn't purely political, but there's a lot of that. I mean (inaudible)...I am a political appointee. Although I was confirmed by a Democratic Senate, I was nominated by a Republican President, and my political background in the U.S. is Republican. But I have, you know, friends on both sides of the isle.

I think Jack's political orientation would be more Liberal. He is friends with the Liberal Premier of B.C. We're personal friends, and so we talk politics occasionally. But he can see the other side of issues as well.

We try to then digest the issues and come to some rational, reasonable conclusion. But I think, you know, I'm sure there will be a First Nations or Native American commissioner some day, when they accumulate the sufficient, you know, political clout and whatever that makes that thing happen. Jack, do you care to...have I besmirched your reputation?

JACK BLANEY: No. I am apolitical and have tried very hard to remain and do remain apolitical. There are only six commissioners, three American, three Canadian, and there's lots of (inaudible)...so they're not appointed in any interest particularly.

However, what I do want to say is that when (inaudible) studies...for example, we currently have a study going now of the St. Mary and Milk Rivers and when the Commission was visiting there, we made a very deliberate point to meet with First Nations and tribal Americans, and we met with them. And they are part of the study group, so they are part of the study we had, part of the group that will make recommendations to us in terms of the St. Mary/Milk.

And the other science advisory boards that we have do, when they work, they do make deliberate attempts to speak to First Nations and American tribal groups. So they are involved in the process of information that comes to the Commission.

ALLEN OLSON: Any other comments? Yes, go ahead.

UNIDENTIFIED: It's not a comment so much as a question. I guess it's really large-scale industrial activity, and my question is, I guess, of two sources. One is we're kind of in a bit of an energy crunch, so there's a rush on to develop hydro-electric sites.

Of course, you mentioned that mercury is a naturally-occurring substance, but if you...the upstream and downstream affects (inaudible)...we have drawdown and it cuts back on riverbanks, where downstream we divert rivers like

the Agoki diversion here, then we release that naturally-occurring mercury and it becomes concentrated in water.

And I guess the other is our forestry activities. We use heavy equipment (inaudible)...technology, and there's an awful lot of barren (?) ground left in that activity, and then flooding...I think we've seen an increase in flooding here in the last few years.

So I guess my question is directly related to mercury or other toxic or contaminating minerals that are released from (inaudible)...sources of industrial activity. Has there been any studies done or presentation to the IJC concerning that activity?

ALLEN OLSON: We spend a lot of time on mercury issues. The Great Lakes Water Quality Agreement as it is enumerates, you know, about 40-some chemicals, I think, that are enumerated specifically to be...about which we are to be concerned.

The information comes to us through our boards, science advisory board, and one of the concerns with this review is that there are new threats. Not the old chemical threats have dissipated, but there are new ones, well, about which we need to be concerned as well.

I'm not answering your question, except that we do spend a fair amount of time concerned with mercury in the waters of the Great Lakes and what to do about it.

We have the help and care of professionals, namely MDs, but scientists concerned with children's health, particularly related to mercury and others.

So we're addressing those issues, but we're not...we advise. We don't have an army or a police force. We advise the governments. Our purpose is to tell them what we think and especially if they're not doing their jobs. Is that a fair way to put it, Jack?

JACK BLANEY: Yeah.

ALLEN OLSON: But that's why we listen and then transmit and, to a certain extent, try to put some pressure on the governments to do what we recommend.

We have, you know, it's been characterized as a bully pulpit...I think Teddy Roosevelt, interesting President of the United States in the early part of the 20th century, not a great conservationist, but this President had the bully pulpit. That was his way to deal with issues, command the public attention.

We try to do that from time to time to call attention to issues and to use communications media, print media, electronic media. Two of our staff folks are here, it's part of their concerns.

So what you say will be transmitted, and what's done with it is something we can't control. Yes, Sir?

UNIDENTIFIED: Just along the issue of air emissions, which was raised earlier (inaudible)...identified that as (inaudible). I notice in the 1987 Agreement

that airborne toxic substances are only one small component, it's one annex, Annex 15 of that agreement.

We're more and more concerned, I think, as we clean the more visible and obvious contaminants in the Lakes, with things that...I guess, the non-point source contaminants and air pollution and the effects on the Great Lakes.

I want to raise with you two questions. One – and this may be a politically difficult question, given the differences in opinion about the use of coal for electricity generation in the U.S. and Canada, because coal is a substantial contributor to airborne mercury contamination – is that a subject that the IJC would tackle?

ALLEN OLSON: I'm going to ask Dr. Blaney to talk about it. He was the commissioner who persuaded the Commission to hold a special meeting on new energy and that type of thing. Jack, do you want to comment?

JACK BLANEY: Well, our goal, of course, just more generally, is not of course to give our individual opinions because the Commission only has an opinion when six commissioners get together and receive reports from its advisory boards and then we make a recommendation, so anything we might say tonight is not a Commission opinion.

But we do have an air quality board that is very active. And although there is only one annex, the Annex in the Great Lakes Water Quality Agreement, there are other provisions that we have with the two governments who have given some references regarding air, and there continues to be what we call an alerting

function, so that if we get advice from our International Air Quality Board about a particular situation regarding air pollution, we have the responsibility or certainly the opportunity to alert the governments to any particular concern like that.

So it's a more general...we respond largely to and depend on the advice of our science boards, but we individually do not go out and seek information and pass it on to governments as an individual. We go through our advisory and our science boards.

UNIDENTIFIED: In Annex 15, the only date that I saw in there was a 1988 date for an integrated monitoring network. And that doesn't tell me...and some research effort.

That doesn't tell me that there is really any concerted effort to tie together, I guess, to quantify the air emission, transportation of these air particles and air emissions, nor the effects of those.

And I really raise the question of whether there are two groups operating independently, still within the IJC, but a water quality board and an air quality board, and perhaps those are not being integrated as closely as they should.

I can tell you that within the Ontario government, there was substantial change in the whole structure of the organization, in the Ministry of the Environment, because they saw these groups as silo groups that were dealing within their own, rather than (inaudible) them across one to another.

And I'm wondering if the IJC has crossed that in its administration yet, has crossed that...has answered that question and is really attempting to tie together the findings of the two to come up with some reasonable recommendations.

Have you asked a specific question? Do you know the quantities of pollutants being transported, the toxic substances, for example, or mercury that's coming out of air pollutants and arising, perhaps coming across the border here into Lake Superior?

JACK BLANEY: The essence, the main point of your comment, I believe, has been anticipated. Indeed, the airborne science advisory board, the water quality board, the health professionals, are all now meeting together, have joint meetings.

The last meeting we had just recently in Ottawa, we had a joint presentation from all five of our science boards, and they are trying to integrate their work.

ALLEN OLSON: And we had, Jack and I attended a meeting in Boulder, Colorado, last winter...I think I was impressed by the integration and cooperation that is going on. In fact, I think there has been established somewhere in Ontario a cooperative monitoring location on air quality.

There are, I think, fairly significant technological advances in clean coal, but I don't know that they have been put in place yet and if they will. I think it's a legitimate concern.

But I think, as I indicated earlier, one of the great frustrations is that India and China's economies are booming and they don't...our joint efforts, Canada and the U.S., for monitoring air quality confirm that there are significant deposition from that part of the world, from Asia, and they don't have the resources and maybe at this point, the inclination to do the control that North America does.

But it's getting better, it's getting better. Yes, go ahead.

UNIDENTIFIED: So if I want to try and access that report that points the figure at China as being the main contributor to pollutants...

ALLEN OLSON: No, no, I didn't say that. I don't think there's any report that says they are the main...I think what I've at least seen is that those booming economies are contributing more and more pollutants to flumes that float around the world.

UNIDENTIFIED: So, well, how is that as a percentage of (inaudible)...coming from the U.S.?

ALLEN OLSON: I don't know. I think we're listening to those, to the (inaudible) scientists (inaudible) Environment Canada and meteo...whatever, Canada's meteorological agency, that this is occurring. I think if you contacted them, they would be able to give you information, whatever is available.

UNIDENTIFIED: Yeah. It's just so hard to tell a country such as China, when your own backyard is not in order, to start looking somewhere else for solutions.

ALLEN OLSON: But it's changing the environment. Maybe we've exhausted thoughts. We've been reminded to remind you that you do have the opportunity by mail, e-mail, Web site, fax or phone, Julian, to ask questions or to contribute your thoughts related to this session tonight.

There are brochures and information at the back of the room. And again, the Web dialogue, for those of you who are interested in that, is from November 29th through December 2nd, and there will be experts who will be participating, sort of like a chat room, I guess, in a sense. Is that fair, Frank?

FRANK BEVACQUA (Public Information Officer, U.S. Section, International Joint Commission): It's a live discussion.

ALLEN OLSON: A live discussion, and there will be participants with particular expertise in certain areas to participate in the discussion. Jack, any closing comments? Thank you all for taking your time to come and talk to us and...yes, ma'am?

UNIDENTIFIED: Where is this discussion?

ALLEN OLSON: I'm going to ask Frank or Paula...she said where is this discussion? I'm talking about the Web site or...

(VOICES OVERLAP)

Yeah, the Web site discussion, you can (inaudible)...through your computer, on the Internet.

JACK BLANEY: Paula will tell you after.

ALLEN OLSON: Paula will help with that. Otherwise, fax, phone, mail, e-mail, whatever, your thoughts, anything you have, all of the information is back there. Thank you.

UNIDENTIFIED: Thank you so much.

JACK BLANEY: Thank you, Ma'am.

ALLEN OLSON: Mayor, I appreciate it.
