

Date: October 11, 2019

To: Terence Bowles, President and CEO of SLSMC
IJC Commissioner Jane Corwin and U.S. Chair
IJC Commissioner Pierre Béland and Canadian Chair
Craig Middlebrook, Deputy Administrator of SLSDC
Bryce Carmichael, ILOSLRB U.S. Secretary
Ron Caldwell, ILOSLRB Canadian Secretary
Dr. Genevieve Behard, Co-Chair ILOSLRB
Major General Mark Toy, Co-Chair ILOSLRB

From: The Upper St. Lawrence River and Lake Ontario Region Including:

The Thousand Island Association (TIA)
Marine Contractors of the 1000 Islands
Marina Operators of the Upper St. Lawrence and 1000 Islands
Boating Ontario and their 527 member companies
Tyendinaga Mohawks of the Bay of Quinte
Port Darlington Community Association
Ontario Sailing Association and their 40,000 members
Brighton Shoreline Residents
Victoria, York Landowners Association
Camping in Ontario
Ontario Federation of Agriculture (OFA) and their 38,000 farm families
Town of Cape Vincent, NY

Regarding: **Extreme Water Levels of the Upper St. Lawrence River
and Lake Ontario.**

Given the obvious environmental, economic, social and cultural impacts to our Communities due to the catastrophic effects of the extreme high waters of 2017 and 2019 we request the IJC and its International Lake Ontario – St. Lawrence River Board (ILOSRLB) immediately take all possible defensive actions to mitigate the risk of forecasted flooding in 2020. Specifically:

- Immediately initiate a program of patterning for shipping until the end of the 2019 shipping season.
- Use extraordinary measures to target an end-of-year Lake Ontario level of 244.4 feet above sea level, 1 foot above chart datum (243.3 feet). This single action will make room to accommodate over 1.2 feet in additional water from all uncontrollable supply sources.
- Further increase the L-limit deviation similar to the 1986 fall season’s defensive actions, when outflows far exceeded the current L-limit+200 strategy. The need today is far greater for the same bold actions.

We submit that the present conditions fail to abide by the Principal Guidelines as stipulated for Plan 2014. *“If damages result from any plan, they should not fall disproportionately on any one geographic area or interest group.”*

The disproportionate burden to our communities, businesses, property owners, marine contractors, fishing guides, First Nations, tour operators, farmers and marinas on both sides of the boundary has become unsafe and too much to bear.

We are aware that the IJC has agreed to reduce outflows for 48 hours on October 12th & 13th to historically assist marinas and shoreline property owners on Lake St. Lawrence with their end of season haul-outs. If this “special arrangement” deviation can be offered to decrease flows for the 700 marina and boat club slips, plus hundreds of private docks impacted by low water as you have identified, we fully expect the same “special arrangement” deviation is an immediate option to increase flows for the thousands of people that have been directly impacted by the extreme water levels up-river. Without “special arrangements”, we fail to see how our down-river partners and the shipping industry are carrying their fair share of the burden as defined in your Principal Guidelines.

Once the Lake Ontario levels have been lowered to a safe 1 foot above datum target and the immediate danger of forecasted extreme water levels for 2020 has eased, we ask for a transparent review of the authorization process and specific control actions needed to prevent and mitigate future Lakes Ontario and St. Louis levels from reaching recent unacceptable extreme levels. We expect these safety improvements to Plan 2014 will be made by the IJC to ensure overall Seaway water level, flow and system stability for future operations.

The Upper St. Lawrence River and Lake Ontario Communities suggest the following action steps be considered in the future water management planning process for Plan 2014:

- Suspend the IJC/ILOSLR Board unanimity rule.
- Publish all motions and voting records of the IJC/ILOSLRB.
- Add up to three Tiers/Levels for Lake Ontario vs. Montreal levels in the multi-tiered F-limit to better balance “shared pain” due to high supply.
- Stretch L-limit outflows to L+3-400 m³/s, utilizing the 1986 high flow strategy in times of excess water supplies.
- We would urge the US State Department and the Privy Council of Canada to provide legal authority for a full time “Emergency Deviation” until the necessary improvements to Plan 2014 have been implemented.

We are aware the practice of patterning will disrupt the seasonal shipping schedule on the St. Lawrence Seaway and potentially cause supply chain issues on the Great Lakes. But we are well aware that we have carried more than our fair share of the burden from the extreme water levels of 2017 and 2019. Many of our members, constituents, families and businesses will not survive one more year of catastrophic water levels. We are also aware that damages are being disproportionately placed on the Upper St. Lawrence River and Lake Ontario region by another geographic area or interest group.

Respectfully,

The United Communities and Families of
The Upper St. Lawrence and Lake Ontario Region

CC:

Township of Leeds and the 1000 Islands
The City of Brookville
1000 Islands Antique Boat Museum
1000 Island Playhouse
Privy Council of Canada
NY Governor, Andrew Cuomo
Community of Quinte-west

Town of Gananoque
The City of Kingston
Gananoque Boat Museum
Ontario MPP, Steve Clark
U.S. State Department
Ontario Premier, Doug Ford
United Shorelines Ontario