

INTRODUCTION OF A RESOLUTION TO OPPOSE THE IJC'S PROPOSED WATER
LEVEL MANAGEMENT PLAN

THE HONORABLE JOHN M. McHUGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

April 24, 2008

MR. McHUGH. Madam Speaker, I rise today to introduce a resolution concerning the International Joint Commission (IJC) and water level management on Lake Ontario and the St. Lawrence River. I am deeply disappointed that it has come to the point where such action by Congress is necessary.

I have the distinct privilege of representing the entirety of the American span of the St. Lawrence River, as well as a significant portion of Lake Ontario. As a native of the area, I cannot emphasize enough the importance of the selection of an appropriate water level management plan to my constituents who live, work, and vacation along Lake Ontario and the St. Lawrence River.

The Great Lakes represent the largest supply of fresh water on the planet and this vast supply of fresh water flows out to the saltwater of the Atlantic Ocean via the St. Lawrence River. However, following the completion of the St. Lawrence Seaway and the Moses-Saunders Power Project in the 1950's, there was no choice but to come up with a plan for "artificially" regulating this outflow. Unfortunately, the current water level regulation plan, known as "1958 D with Deviations," has resulted in significant negative environmental impacts on fisheries and wildlife throughout the region I represent in Congress. For example, the current regime has resulted in the substantial derogation of at least 33,000 acres of wetlands, allowing a thick cattail monoculture to expand and replace large areas of biodiverse meadow marsh, resulting in the loss of habitat for a wide range of aquatic, avian, and upland species.

Since 2000, the IJC's International Lake Ontario St. Lawrence River (LOSL) Study has spent more than \$20 million in taxpayer money to develop an approach to water level regulation that would best suit the environmental and economic needs of this vital natural resource. And, over the years, the IJC has devised plan after plan to achieve that goal – soliciting extensive public comment to fully vet these proposals with the residents who are most affected. Yet, for all of that effort, the IJC has chosen to waste years of research and millions of dollars in taxpayer money, in addition to ignoring significant amounts of public comment, by proposing a brand new water levels regime "Plan 2007." Moreover, I am very concerned that the lack of transparency in the IJC's final development of "Plan 2007" was created in the shadows and with little or no outside input.

It is clear to anyone living in this region that the wrong approach to water level regulation can have significant negative impacts. We have all seen firsthand the devastating consequences that the existing regime has had on the environment. The status quo is simply unacceptable. We need a comprehensive and effective approach to regulate the water levels of both Lake Ontario and the St. Lawrence River. Thus, like many residents along the lake and river, I invested time and effort to support the approach I believed best met the environmental and economic requirements of the region— Plan B+. I believe B+ appropriately balances sound environmental principles with the needs of both residents and recreational boaters, while, at the same time, providing benefits for the Moses-Saunders Power Project.

Virtually every regional and environmental organization that has examined this process agree that Plan B+ is based on sound scientific principles and is the one approach that best meets all the needs of the various stakeholders. Unfortunately, despite the public vetting of three proposed plans, on March 28, 2008, the IJC released “Plan 2007,” which had not previously been submitted to the public for comment or fully evaluated by the scientific community and the State of New York, as the proposed water level management plan for Lake Ontario and the St. Lawrence River.

Plan 2007 does little to improve the existing water level management plan, both in terms of environmental protection and hydropower generation. Further, lessons learned from the LOSL Study will be used for the Upper Great Lakes Study to examine water levels on the St. Claire River and Lakes Ontario and Huron.

Therefore, today, along with the Gentlewoman from Western New York, Mrs. Slaughter, a co-chair of the Great Lakes Task Force and trained biologist, I am introducing a resolution which calls on the Secretary of State to not approve Plan 2007. It further asks that the Secretary ensure that any plan which is adopted provide adequate environmental protection, maximize hydropower generation, and fully considers the views of the public and affected state governments.

For the record, I am including letters of support for this resolution from Alcoa- Massena Operations; Alliance for the Great Lakes; American Rivers; Audubon; Audubon New York; Buffalo Niagara Riverkeeper; Citizens Campaign for the Environment; Ducks Unlimited- Great Lakes Region; Environmental Advocates of New York; Freshwater Future; Georgian Baykeeper for Georgian Bay Association and Foundation; Great Lakes Sport Fishing Council; Great Lakes United; International Association for Great Lakes Research; International Water Level Coalition; Izaak Walton League- New York Division; Michigan United Conservation Clubs; Midwest Environmental Advocates; National Wildlife Federation- Great Lakes; Save the River/ Upper St. Lawrence Riverkeeper; The Nature Conservancy- New York; The New York State Conservation Council; Thousand Islands Land Trust; and Wisconsin Council of Trout Unlimited.

I urge my colleagues to join with Mrs. Slaughter and me as cosponsors of this resolution. I will continue to work with my colleagues and my constituents by using every legislative tool at my disposal to ensure that the St. Lawrence River and Lake Ontario continue to be vibrant natural resources for future generations.