

Council of Lake Committees

Crowne Plaza Detroit Metro Airport
8000 Merriman Road
Romulus, MI 48174

April 19, 2006

1. Call to order and Introductions

Members: Rob MacGregor (Vice-Chair, OMNR), William Culligan (NYSDEC), Tom Gorenflo (CORA), William Horns (WI DNR), Roger Knight (OH DNR), Steve Lapan (NYSDEC), David McLeish (OMNR), Mike Morencie (OMNR), Tom Trudeau (IL DNR), Jack Wingate (MN DNR).

Attendees: Bob Adair (USFWS), Bill Archambault (USFWS), Gerry Barnhart (NYSDEC), Brian Breidert (IN DNR), Dale Burkett (GLFC), Leon Carl (USGS), Gavin Christie (GLFC), John Dettmers (GLFC), Kofi Fynn-Aikens (USFWS), Gene Fleming (USACE), Marc Gaden (GLFC), Jim Galloway (USACE), Chris Goddard (GLFC), Michael Jones (MSU), Bruce Kirschner (IJC), Chuck Krueger (GLFC), Heather Lutz (GLFC), Robert Matthews (GLFC), Bill Mattes (GLIFWC), Chuck Murray (PFBC), Jaci Savino (USGS), Stuart Shipman (IN DNR), Sean Sisler (GLFC), Roy Stein (OSU), Dave Wright (USACE).

2. USFWS Region 5 Great Lakes Issues Update and the Allegheny National Fish Hatchery Update

Bill Archambault reported that Infectious Pancreatic Necrosis (IPN) was found at the Allegheny National Fish Hatchery (ANFH) through standard fish health monitoring. IPN was confirmed during the complete station inspection in September 2005 by the Lamar Fish Health Center. The virus was found in the fish tissue and raceway effluent. ANFH destroyed the remaining 650,000 fish and went into minimal operations. The New York State Hatchery System supplied 100,000 lake trout for stocking into Lake Ontario in 2006. These fish were tagged at the Bath Fish Hatchery by ANFH. Unfortunately, there were no fish available for stocking in Lake Erie in 2006. The 2007 production was moved to White River National Fish Hatchery and Pittsford National Fish Hatchery. These fish will be coded-wire tagged prior to release. Egg requests for 2008 stocking should be made to the United States Fish and Wildlife Service (USFWS) and New York State Department of Environmental Conservation (NYSDEC). 2008 yearlings will also be raised at White River and Pittsford National Fish Hatcheries. The Freshwater Institute was contacted to complete a Facility Planning Document. This document examined a range of options for the ANFH, including how much it would cost to keep the facility at Allegheny and how much it would cost to move to a new facility. The final recommendation was to renovate the facility at a cost of \$12 million. The document also identified that hydro power generation was feasible at the facility, at an additional cost of \$650,000. There was a short term option outlined in the document, to return the facility to production as soon as possible, costing \$4.5 million. Pennsylvania congressmen Peters has been briefed about the ANFH's condition and is interested in getting the hatchery running again. ANFH is set to receive a significant portion of the maintenance budget for this year. **The CLC will write letters to the Interior Appropriations Committee and Pennsylvania congressmen in support of funding ANFH's restoration.**

3. USGS Large Vessel Research Program

Dr. Leon Carl gave a synopsis of the 2005 accomplishments of the Deepwater Science Program. On Lake Ontario, the USGS had a successful juvenile lake trout bottom trawl survey, completed a two year re-evaluation of the Lake Ontario alewife survey, and caught deepwater sculpin, once thought to be extirpated. On Lake Erie, they are conducting a cross-basin comparison of burbot populations, working to identify potential lake trout spawning habitat in the lake, and discovered that all major age-0 spiny-rayed fishes had lower catch rates than the 15 year means. On Lake Huron, the USGS captured wild age-0 lake trout for the second consecutive year, found a record abundance of juvenile rainbow smelt, developed and sent a survey to partners to obtain feedback, and found potential prey shortages. The USGS explored long term trends of bloater recruitment dynamics on Lake Michigan, documented a reduced condition of alewife, and found that bloater biomass drastically declined between 1989 and 2005. On Lake Superior, they discovered that a significant portion of the biomass is pelagic (and therefore unavailable to bottom trawls), monitored lower trophic levels, and completed a survey to address the partners' needs. Across the basin, the USGS standardized relative indices of abundance or biomass of important prey species to facilitate comparisons of trends among lakes and to illustrate the present status of the populations. They also found that the biomass of age-1 and older coregonids, alewife, and rainbow smelt recorded in 2005 were at very low levels and fit a trend of declining biomass of prey fish across the Great Lakes since 1990.

The Deepwater base budget for FY 2005 to FY 2006 was \$4.5 million with an additional \$250,000 from the President to aid in the \$1.4 million costs to repair the *Kiyi* dock. The base budget for FY 2006 to FY 2007 is \$4.75 million, leaving an additional \$2.15 million needed for full funding. The USGS hired a Center Safety Officer, Marc Blouin, and is developing a Vessel Safety Management Plan. The Vessel Capital Improvement Plan is underway, lead by Time Cherry, to replace the *Musky II* and the *Kaho*. The *Kaho* has a haul-out planned for June 2006, but overall the vessels are in good shape and are fully staffed. Plans to hire the Western Basin Branch Chief are on hold until the budget for 2007 is obtained. The USGS continues to address thiamine and the Huron-Erie Corridor issues, as well as looking at the ecosystem approach and cross basin comparisons.

MacGregor asked Carl if he felt a letter of support from the CLC would be beneficial in obtaining more funds. Gaden clarified that a letter of support had already been composed and should be mailed out shortly. Horns felt that a task group should be formed to investigate the replacement of vessels.

4. Dispersal Barrier in the Chicago Sanitary and Ship Canal

Tom Trudeau announced that commitments were given at a stakeholder meeting last Tuesday to keep the barriers in operation and to ensure safe passage. Under existing United States Army Corps of Engineers (USACE) authorizations, Barrier 1 would be shutdown by May 8, 2006. By that time, Barrier 2a should be in operation. Barrier 2a just had a successful test run and safety testing for it is currently underway. Barrier 1 operated with one volt per inch while 2a can operate with four volts per inch. Until the Coast Guard approves the four volts per inch, Barrier 2a will operate at Barrier 1's voltage. Assuming no new legislation, Barrier 2 will not be turned over to

the State of Illinois until it passes all safety tests, for both 2a and 2b. Barrier 2b's design has not yet been finished. Total project costs are estimated at \$16 million, which is considerably higher than first calculated, however it is probably an overestimate.

An important regulatory bottleneck exists for future operation and funding because the USACE needs authority and appropriations for projects. To get the appropriate authority is the most critical thing that the USACE needs to keep this project moving forward. The USACE is looking for passage of the Water Resources Development Act (WRDA) in the Senate and signature from the President. The language in WRDA would allow the USACE to consider Barriers 1 and 2 as a single combined unit, make Barrier 1 permanent, and to make operation of the barriers a federal responsibility, rather than a state responsibility, as it currently is for Barrier 2. The House version of WRDA (already passed) includes a by-pass study to examine whether invasive species can move around the barrier via flooding. In all likelihood, this is a small probability, and this study would identify areas of concern and any ways to get around this problem. The House version also has a feasibility study that looks at ways to avoid invasive species passing the barrier to be funded at 100 percent federal costs. On the budget side of things, the administration has allocated no money in FY07 for barriers. The House version closed on March 15, 2006, but the Senate version has not yet closed. 81 Senators have requested floor time for WRDA.

Macgregor noted that there is a request for a series of letters from the CLC (see briefing book item) and wondered what the timeframe for passage of WRDA might be. Gaden responded that the WRDA could come up at anytime, perhaps still in April, so the sooner the better for letters. Gaden also clarified that the GLFC has written 3-5 letters about these issues in the past, but are overdue to send another one, and will do that in the next week or two. One letter from the GLFC and one from the CLC would be most appropriate. There is very strong support among stakeholders that authority and operation of the barrier should not be a responsibility of the state of Illinois. Illinois would appreciate anything anyone could do to give the USACE its needed authority. Gaden queried whether operation of Barrier 2 would not get turned over to Illinois until Barrier 2b is done. Trudeau responded that that is what Illinois is striving for, unless legislation changes. The USACE has said it is unlikely to turnover operations to Illinois until Barrier 2 is running and has passed all safety tests. Gaden wondered whether the General would like to see support for this decision. Trudeau responded that this is the General's decision and he has taken his position so it does not appear there is a need for any more support. Gaden then asked whether, once barrier 1 is turned off, it can be restarted and Trudeau said that it could. Trudeau was also asked given that the USACE runs Barrier 1 at a low voltage, can it be turned up in a rapid response situation? He replied that Barrier 1 is currently not designed to run at a higher voltage, but if authority to make Barrier 1 permanent is available, this option could be built into the design. Trudeau reported that some testing is ongoing at Barrier 2a, (started last Tuesday), and the General's intent is to not turn over operation to Illinois until both 2a and 2b are up and running satisfactorily. Lastly, Trudeau mentioned that the USACE will operate Barrier 2a with construction funds. **The CLC approved the writing of the letters outlined in the briefing book.**

5. Quantitative Fisheries Center

Mike Jones announced that the Center started last July with funding from MSU's Office of the Provost. Last winter the Center received funding from the GLFC's Science Transfer Program that matched funds from CLC partner agencies and will provide the Center with support for

communication workshops. The Center has also received funding from CLC agencies in 2005 and 2006 with a commitment of funding from Michigan, Ohio, and Minnesota for 2007-2009. The Center is hosting a workshop in June, and Jones invites the CLC to come and see the new facility. The Center is working on an on-line course in non-linear estimation (the beginning of a suite of on-line courses to be offered), AD Model Builder courses, advising the LEC on percid stock assessments, and various research projects that were started before the Center officially began. The graduate program at MSU agreed to match funds for a fellowship, The William E. Ricker Distinguished Fellowship in Quantitative Fisheries Sciences, for a student looking to get a Ph.D in Quantitative Fisheries Science. The Center continues to seek and encourage other partners to think of ways to support the Center. The Center is now open to provide technical support, advice and training for the perceived needs of the CLC agencies. Jones encourages members to let him or Jim Bence know if there is anything the Center could do to help an agency.

MacGregor asked Jones if the group submitting a proposal to the Center has to provide their own funding. Jones answered that the Center has funding, but it would depend on the nature of the proposal and the Center would look to use the base funding for some of the proposals. Jones and Bence hope that they will eventually get enough proposals that the Board of Advisors will have to decide which ones are a priority and should be accepted. McLeish asked who was on the Board of Advisors. Jones explained that there are two representatives from the CLC and major contributing partners. Right now, Knight and Newman sit on the board, although Newman serves both for the CLC and Michigan DNR. Wingate strongly recommended that those agencies that are not giving funding to the Center to consider becoming contributing members as he sees the Center as a valuable resource. Stein inquired as to what staff the Center has. The Center just filled the associate director position, Travis Brenden, whose role is half administrative and half science. Jones said the Center hired a programmer who will start in May and they have plans to get two more graduate students to support research activities through the new fellowship. **MacGregor would like to see an agenda item for the next CLC meeting in October to set basin-wide priorities for the Center's proposals.** Krueger also suggested that the lake technical committees could give input after they discuss their research priorities. Jones thought that they could call for a solicitation of ideas that are valuable to the CLC at the Lake Technical Committee meetings.

6. Great Lakes Fish and Wildlife Restoration Act (1998) - Reauthorization

Wooley provided the CLC with a brief summary of the reauthorization process. The process began in July 2004, with the USFWS having informal discussions with their partners. In April 2005, the first draft reauthorization bill was prepared by the Great Lakes Task Force (GLTF). Members of the Council of Great Lakes Fishery Agencies (CGLFA) met with the USFWS in August 2005 to further discuss the reauthorization and contents of the Act. The chair of the CGLFA, Kelley Smith, worked with other agencies to develop language for a State draft of the bill in September 2005. This draft was revised in October to include the Great Lakes Tribes. In the beginning of this year, the GLTF revised the bill and Smith met with the House and the Environment and Public Works subcommittee. The bills introduced to the House and the Senate are a combination of the GLTF draft and the state draft.

The funding is identified at \$20 million in both the house bill and the senate bill. The Great Lakes Commission (GLC), in their request to congress for funding in 2007, requested \$28 million for the Act and is one of the highest priorities for the GLC. At the \$20 million figure and in the current

bill language, there is \$11.4 million set aside for restoration proposals. That would be a significant increase from the \$4.5 million in the 1998 bill. Five percent of this \$11.4 million would be given to the USFWS to administer the bill. The wording of “Regional Projects” came from the language of the state draft and clarifies the type of projects that would get priority for the funding. These projects would be large in scope, impact a number of states and jurisdictions, and would be appropriate for the USFWS (at the direction of the states or the CLC) to become involved in. An example used by Smith was cormorant control, as it would be broad in scope, coordinated throughout the basin, and would benefit habitat management and sport and commercial fisherman. In the bill, \$2 million are allotted for the Great Lakes Fishery Resource Offices (commonly referred to as FROs) and the Great Lakes Coordination Office. The USFWS will be more involved in coordinating the Project Review Committee and to take a more pro-active role in the process. The committee structure would change from what is currently in place to include representatives with a fish and wildlife balance as well as tribal and state representation. The language of the draft bill was purposely written to be unspecific to allow for the development of an MOA among the partners of the bill. Reporting language has been included in the draft bill which requires the USFWS to report to Congress regarding how the funding is being spent. Currently, the language states that the USFWS will provide an annual report, however, reporting to Congress can be a drawn out process and the Service would like to see more time being spent on implementation than on reporting. The Senate would also like to see more action with the projects and less reporting, and, therefore, the language regarding reporting may change.

The Service’s main goal for the reauthorization has been to restore and maintain self sustaining fish and wildlife resources. Wooley acknowledged how rewarding it has been to see the interplay between state fish and wildlife chiefs and the Service. With the strong collaborative nature of the Act, and the great partnerships that have been established, Wooley believes there is great hope for the Act to be reauthorized this year.

Wingate asked about the status of the 2002 report to congress from the USFWS. Wooley explained that it had been at OMB for almost two years, and that the USFWS just received the report back from them. The USFWS hopes to have the report in to Congress in the next month after making some corrections. Knight questioned if the GLC was working with any legislators to get the Act reauthorized. Wooley reassured him that they were working with Senators DeWine, Voinovich and Levin from Michigan. Goddard noted that when the CGLFA met last fall, the USFWS was going to start working on the MOA at that time. However, according to Wooley’s presentation today, it appears the USFWS is waiting until the Act gets reauthorized. He also pointed out that it would be beneficial to develop the MOA now to articulate the process and so that the states and tribes would know specifically what they were supporting.

7. Recommendations for the Great Lakes Fish and Wildlife Restoration Act (handout)

There were very few pre-proposals submitted for review this year. To increase the number of proposals submitted, Wingate suggests that the technical committees be reminded that funding is available through the Act. This year, there are six proposals recommended for CLC approval to be sent to the USFWS, using the entire \$561,000 budget. **The CLC approved the six proposals.**

Wingate informed the CLC that the review committee is seeing an increase in proposals to map the bottom substrates of the various basins. Each researcher, however, has a different method for the

mapping. The review committee would like to see a proposal on the use of mapping technologies and substrate classification standards. This would allow for cross-basin comparisons of the substrate once the mapping has been done. The committee would like the CLC to approve a language change in the RFP that would allow for proposals like this to be submitted. **The CLC approved this language change.**

Bob Adair spoke about the USFWS lake trout brood stock management. The USFWS, for several years, has been evaluating how the brood stocks are maintained, how they genetically represent founding populations in the wild, and how they are spawned to produce yearlings of the highest quality of health, condition, and representation of the genetics of the founding population. In 2003, the USFWS provided the CLC with a report indicating that the USFWS needed to make some significant changes in the number of brood stocks being held to make sure the stock is genetically diverse and producing high quality fish. Unfortunately, the USFWS are no longer able to back up all the brood stock strains, so they have decided to reduce the number of strains. Nevertheless, the USFWS is looking at other ways to ensure the security of these brood stocks in the hatcheries while also providing the quality of fish that everybody demands.

8. Status of the Canada-Ontario Agreement

Rob MacGregor informed the CLC that a year ago OMNR re-established the Great Lakes branch after a hiatus of a decade. This branch has the responsibility of the provincial fish culture program, the three Great Lakes Management Units, and the management of the Canada-Ontario Agreement (COA). COA was originally signed in the early 1970s. The current COA expires at the end of next year and has seen a lot of funding attached to it. The funding peaked last year, but decreased significantly for this year.

The four key areas of COA are areas of concern, harmful pollutants, lake-wide management process, and information sharing. Three areas COA made a lot of progress with are protecting biodiversity in the Great Lakes, restoring native fish and wildlife species and their habitats, and enhancing knowledge of the Great Lakes ecosystems. Four key priorities of the last five years of COA are protected areas, networks, wetland conservation, and invasive species. Restoring native species and their habitat was also a key focus, and COA worked on restoring shorelines and wetlands. COA also spent funding on restoring native fish populations and developing watershed plans, as well enhancing knowledge of food web issues and the effects of invasive species. COA developed a program to monitor the health of fish and wildlife populations in the Great Lakes and tributaries to help understand large-scale ecosystem changes.

In 2005-2006, COA funded more than 25 projects, totaling \$2 million, to improve scientific understanding of the Great Lakes aquatic ecosystem and to monitor the status of fish and wildlife populations. The project topics ranged widely, including botulism, invasive species, bald eagle studies around Lake Ontario, research on the impacts of the round goby, food web interactions in the Great Lakes basin, and the monitoring of Toronto markets and other law enforcement activities. COA has only four projects for the 2006-2007 program, totaling \$70,000. These four projects center around improving scientific understanding of Great Lakes ecosystems and monitoring the status of fish and wildlife populations. Other activities for the 2006-2007 year include looking at the effects of mercury and PCBs on the survival of fish-eating furbearers, the

effects of variation of stream temperatures on the thermal habitat supply for salmonids, and the completion of the offshore food web model for Lake Ontario.

Currently, COA is undergoing a comprehensive review among the agencies (COA has more than 260 partners) to look into re-negotiating the agreement. This review includes interviews, questionnaires and focus groups. The future of COA depends on working together on many different levels on issues such as watersheds, individual Great Lakes, and basin-wide initiatives. OMNR is hopeful that by the end of 2006, COA will be well on the way to a new agreement. It would be beneficial for COA, however, if the CLC would write letters to the Ministry of the Environment and the Ministry of Natural Resources in support of the renegotiation of COA, including in them some of the benefits you have seen come from COA in the past and where the CLC feels it should be focused in the future.

Dettmers wondered if it would be useful to have the CLC write a letter to OMNR about maintaining assessment in the light of losing funding. MacGregor agreed that this would be good. **The CLC will compose letters to OMNR, the Ministry of the Environment and the Ministry of Natural Resources.**

9. Status of the Great Lakes/St. Lawrence Seaway Study

Dave Wright updated the CLC about the Great Lakes/St. Lawrence Seaway Study being co-managed by Environment Canada and the Army Corps of Engineers. The study is being guided by a steering committee of 7 Canadian and U.S. agencies. It is primarily a commercial navigation-related study, but it will also provide some facts about what is required to continue to operate and maintain the navigation infrastructure of the Great Lakes St. Lawrence Seaway system for the next fifty years. There are three main areas of the study; engineering, economics, and environment. Engineering focuses on the assessment of the existing condition of an infrastructure, measuring risk and liability to continue to operate that infrastructure, and examining the capital costs for the future operation. The economic team will take the engineering team's information to model and project what commercial navigation might look like in the next fifty years. They also look at the implications of less than reliable operation from the standpoint of transportation costs. The environmental team will establish baseline conditions of key resources that are most directly impacted by commercial navigation. They will also try to lay out a binational framework to look at future impacts and give recommendations for continued operation and maintenance for the system. Wright then highlighted work completed by each of the three teams and gave examples of the proposed activities in 2006. Wright felt that a final report would be available to the public in the spring of 2007.

Horns asked if, in the section on invasive species, ballast water would be discussed. Wright believed there would be, but it would be determined by the environmental team and be in their section of the report.

10. Risk Analysis for Fish Transfer

Jones identified the three Great Lakes fishery management goals: restoration of extirpated and depleted native species, support of economic opportunities for resource use, and optimal control of sea lamprey populations. One of the most important tools for accomplishing these goals is to move or introduce fish. Fishery managers stock fish that are economically valuable, they move sea

lampreys to support the sterile male release program, and they stock to deliberately reintroduce a native species. When thinking about these issues, the costs, benefits, balance between costs and benefits, and the uncertainties need to be considered. Generally, the costs are viewed as small, relative to the benefits. Nevertheless, additional costs need to be considered, such as monitoring costs and costs of undesirable outcomes. Some risks of moving fish include unwanted traveling companions, threats to genetic variation, undesirable ecological effects, and failed introductions. Benefits of moving fish include ecosystem restoration by filling ecological “holes” and suppressing undesirable species and economic impacts such as additional opportunities for resource use and lower management costs due to a healthy ecosystem. When making a decision to move fish, the expected benefits need to be greater than expected costs, including all the risks. Jones volunteered that the managers are not doing this evaluation formally, and maintained that it was because it is hard for managers to ascertain the costs, risks, and benefits. Jones believes it is also because the technical issues behind moving fish are complicated and that managers fear the preferred outcome will not be supported. Jones described that decision makers need to agree on management objectives, describe the benefits and the costs of the action, decide how uncertainty about outcomes affects the expected benefits and costs, and consider delaying the action to learn more (so a less risky decision can be made in the future). To confront these challenges, a model should be used that organizes systematic thinking, quantifies benefits and costs as much as possible, and explicitly considers the effect of uncertainty. In conclusion, Jones believes that moving fish involves significant risks, and that neither the risks nor the benefits should carry the decision. Even with great uncertainty, a fish movement decision can be evaluated formally and objectively.

LaPan asked Jones to what degree fish managers can quantify disease transfers. Jones replied that, at the very least, fish managers can elicit and solicit opinions from experts on the risks involved. He recognized that those questions do not have simple answers, but they still should be asked. LaPan added that he thought the managers should look beyond the Fish Health Committee for these opinions. McLeish felt that going through the process not only identifies the areas of uncertainty, but it will also identify the areas where more data and research are needed. Goddard asked if there were plans to make a template to aid in the decision making. Jones responded that a framework or generic model has been created that could be used. Carl reminded the CLC that there are costs of inaction as well as costs of actions taken. Jones is an advocate for the development of a formal process and is willing to give his input. MacGregor worries that this quantitative approach could mean that it would take up to two years to make a decision. Jones agreed that the quantitative approach could take a while; however, if time was of the essence, it could be analyzed faster. Jones felt that in the grand scheme of fishery management, two years wasn't a very long time. **Jones agrees to lead a discussion regarding the process of creating a formal framework for risk assessment at the next CLC meeting.**

11. Lake Technical Committee Participation

Chris Goddard began by saying that he feels strongly that the Joint Strategic Plan is one of the most successful vehicles for cooperative, science-based fisheries management decision making. Nevertheless, if those involved in the decision making cannot agree on the science, then making that management decision is difficult. Thus, this is why technical committees are so important, they provide the management agencies with scientific and technical information about stock status, management alternatives, risk assessment, and guidelines to make and evaluate fisheries

management decisions. These things are achieved through frank and unregulated scientific discussions. Goddard recommended that if attendees are not bringing scientific data or are aiding in the understanding of scientific rationale, then they should attend the lake committee meetings, not the technical committee meetings. It is important that the technical committees remain void of socio-economic and political inputs. Lake committee members are welcome to attend technical committee meetings, but should be aware of the role they play and the possible unintended impacts they may have on meeting dynamics such as injecting agency bias or inadvertently intimidating or constraining discussions.

12. Review of the Great Lakes Water Quality Agreement

Bruce Kirschner reviewed article ten of the agreement that states that the Parties (the governments of the United States and Canada) have to “conduct a comprehensive review of the operation and effectiveness of this Agreement following every third biennial report”. This current review was triggered by the 12th biennial report that was submitted in September 2004. As part of the review, the IJC was asked by the Parties to assist in the review of the Water Quality Agreement by holding a series of public meetings. The IJC held 14 public meetings along with its June 2005 Biennial Meeting, with attendance ranging from 12 to 120 citizens. A total of 2,690 people submitted comments via emails from third party websites. The IJC’s synthesis of the public comments will be available, April 20, 2006. The next step in the review process is to have the Agreement Review Committee (ARC) coordinate the process for the review. The ARC was established by the Parties’ Binational Executive Committee (BEC) and is made of members from federal, state, provincial, and tribal agencies. The ARC established a review committee to assess the current agreement’s articles and annexes. The ARC also established a Special Issue Working Group that reviews potential environmental stressors and issues using a ten step approach. Lastly, a communications and outreach team was established to develop a strategy for public involvement and to oversee all aspects of communications and public involvement during the review. The ARC is to develop a draft Agreement Review Report from January 2007 to March 2007, with a final draft report submitted by March 30, 2007. The BEC will approve the draft by May 1, 2007 for public consideration. It will take the BEC three years, from the triggering of the review, to formulate final comments of the review. Kirschner believed that the Agreement Review process would benefit from input from the lake committees and that regardless of review outcomes, LaMP and selected RAP efforts will benefit from continued interaction with the lake committees.

13. Fiscal 2007 Budget for the Great Lakes Fishery Commission

Marc Gaden informed the CLC that the GLFC received a \$2 million increase with a five year commitment from the Canadian Federal government. For fiscal year 2007, however, the U.S. budget has been cut significantly by 15%. The sea lamprey program would see a reduction from \$14.2 million to \$12.1 million. The impact of that reduction would likely be spread out across the entire program. Gaden is confident that with increased effort the commission will recover some of the funding. The GLFC has been communicating with their stakeholder agencies about the impact the budget cut will have on the sea lamprey program. The GLFC Chair, Barnhart, has written letters to the CLC agency directors asking them to communicate the impact of the budget cut to their elected officials. Members of the Great Lakes Task Force have given this a top priority Gaden encouraged all the agencies to write letters in support of getting the GLFC’s budget reinstated.

MacGregor asked Gaden what the reason was for the budget cut. Gaden replied that it was a bit of a mystery, but it seemed that the commissions whose budgets received cuts had good constituencies that would fight to have the money reinstated. The Great Lakes delegation has been very supportive of the GLFC, so he feels this budget cut is not from a lack of support. Gaden pointed out the fact sheet in the briefing book containing bullet points on the impact of the budget cut that can be used by the agencies when writing letters. **The CLC chair will write a letter in support of the GLFC budget to the congressional delegation.**

14. American eel Task Group

Rob MacGregor summarized the background details about the American eel, including the life cycle, habitat requirements, and jurisdictional issues. MacGregor reminded the CLC that serious declines have caused the OMNR, MRNFQ, and DFO to take action to protect the species. He showed graphs that illustrated the significant decline in the harvest of the commercial fisheries in the Richelieu River and the St. Lawrence River (including Lake Ontario) until their closure in 2003. Other graphs of recruitment across the eel ladder in the upper St. Lawrence River and electro-fishing data in eastern Lake Ontario show a collapse in the population. Eels encounter multiple sources of anthropogenic mortality at all life stages, including multiple harvests, turbine mortality at two St. Lawrence River dams, and habitat loss due to terminal dams on many rivers. MacGregor informed the CLC that during the past couple of years, a formal interagency steering committee has met to examine means to improve downstream mortality. Also, a Canadian eel working group was established to work on developing a conservation strategy for Canada. The fisheries on the east coast have not seen as much of a decline in eel populations as the St. Lawrence River and Lake Ontario populations. Fisherman on the east coast want the dams and turbines closed or fixed to decrease eel mortality, while dam operators want the fisheries closed. MacGregor suggested that there is a need for a formal task group that comprises of all the CLC agencies and Quebec to coordinate a binational recovery plan for the Upper St. Lawrence River and Lake Ontario area that can be eventually adapted for use on the Atlantic coast. The task group would have two federal co-chairs, one from DFO (Peter Thompson) and one from the USFWS (Dale Burkett). The group has a draft terms of reference completed and is supplied in the briefing book. The group will meet again in May to start the process of a binational coordinated recovery plan.

Horns asked MacGregor if the eels in the Mississippi River were a part of the St. Lawrence/Lake Ontario population of eels or if they were their own distinct population. MacGregor informed him that the eels in the Mississippi are a part of the same population as the ones on the Atlantic coast and in the St. Lawrence River. Genetic studies show that these populations are all the same genetic stock and there does not appear to be any genetic variation dependent on location, although they very well could spawn in different locations within the Sargasso Sea (not much is known about spawning). Gorenflo inquired if the dams were a contributing factor in the decline of the populations and if the dams were in place prior to the decline. MacGregor explained that the dams were built in the 1930s through the 1950s. The life cycle of the eel is approximately 20 years, so it would take a few generations of eels to see the effects of the dams. The eel experts are not claiming that the dams or the harvest are the cause of the decline, but both are being considered as possible contributing causes. Nevertheless, significant eel mortality has occurred due to the dams, as the Ontario Power Generation and the N.Y. Power Authority had to hire a company to dispose of the dead eels in the 1970s. Stein wondered if MacGregor and the Canadian Eel Working Group

had any solutions about how turbine mortality could be reduced. MacGregor explained possibilities to off-set the mortality included buying out the rest of the commercial fisheries, stocking of eels, and trap and transfer below the dams. Stocking eels will be complicated because when eels are cultured at high densities, the majority of the eels are male. The system that would be stocked is mostly large fecund females (possibly the majority of the females in the entire population). Turbine replacement is not much of a possibility as costs are high (\$50 million per turbine) and the fish friendly turbines have proven to be not very effective power and energy sources. **The CLC approved the recommendation to formalize the American Eel Task Group.**

15. Basin-wide Management of Cormorants

Steve LaPan reminded the CLC about the three options for action on this item; establishing representation on flyway councils, working to develop a basin-wide management policy linked to federal efforts in U.S. and Canada, and taking no action. He opened the floor for discussion. Dettmers informed the CLC about a bill that would authorize the GLFC to administer research into coordinated basin-wide management of cormorants. This bill states that the GLFC will be enabled “to investigate effects of migratory birds on sustained productivity of stocks of fish of common concern in the Great Lakes”. Gaden informed the CLC that this is the second time the bill has been introduced; the first time it was introduced was by Congressmen Stupak. Congressmen Stupak had been impressed with the regional approach the GLFC has taken to control sea lamprey and thought that the GLFC could do something similar with the cormorant populations. Gaden said he had introduced Congressman Stupak to the lake committees and the CLC as a process by which basin-wide management could be accomplished. Through the bill the government would provide the GLFC with research funds. The GLFC would administer these funds and then facilitate the development of a regional management plan. Gaden believed the chance of the bill passing was slim.

MacGregor stated that basin-wide management seems to be needed. Horns agreed that there is a need for a regional framework for control, but believed that the USFWS was the relevant management agency to take responsibility. LaPan disagreed, stating that the USFWS gave the states the authority to implement the control. He agreed with Horns that the USFWS should be involved, but it would take them many years to take action on the issue. Gorenflo asked LaPan how he thought the CLC should take control on the issue. LaPan thought one possibility was to have the CLC form a subcommittee that would bring all the state, provincial, and tribal jurisdictions together. LaPan believed that the CLC has the authority on the Great Lakes to do the regional management needed. Wingate agreed with LaPan, believing that the wildlife managers were leaving control of cormorants to fish managers. LaPan thought that representation from each agency on the subcommittee would be ideal. Horns re-iterated his belief that the CLC is not the correct management body, as they are fishery managers, not wildlife managers, and that the USFWS should take ownership of the control and management of the species. MacGregor believed that the state, tribal, and provincial agencies could work concurrently with the USFWS. Adair argued that the USFWS feel as though they have managed the cormorants and he thought that any further management would not come from the USFWS. He felt that the state, tribal, and provincial agencies of the CLC could look at the management of cormorants from a healthy fish ecosystem approach, similar to how sea lamprey targets were established. Barnhart stated that the USFWS understands the need for an international management plan, but will not be able to start developing

that plan until 2008 when the depredation order is complete. He believed that if the individual Great Lakes jurisdictions want coordinated management of cormorants, it should be done through the CLC. Culligan proposed the CLC establish a committee to discuss these issues and possibly develop a terms of reference. **This committee will present to the CLC at the fall meeting on possible formal approaches the CLC could take about cormorant management, as well as present a draft terms of reference. LaPan will seek membership for the committee.**

16. Great Lakes Fishery and Ecosystem Restoration Program

Jim Galloway informed the CLC that the GLFER program received a funding add-on for \$371,000 and had a carry-over of \$281,000 from last year. This was distributed among the existing projects, most of which are in the pre-proposal stage.

Culligan reported that there were two action items from yesterday's GLFER meeting. The first action item dealt with the difficult issue of fishery restoration in urban areas. A workshop regarding this topic was proposed and the GLFC and the USACE will work on a one page proposal on this workshop for CLC and GLFER Review Committee consideration. The second action item was to consider funding the one project that was submitted, on the Waukegan River. This project was approved and the GLFER Review committee recommends it to the USACE with a high priority. **The CLC concurred with the recommendation.**

17. Digitizing and Distributing Lake Committee Materials

Marc Gaden reminded the CLC that every year after the lake committee meetings, the GLFC produces the minutes from the meetings including executive summaries, presentations, and handouts. These hard copy minutes are bound and put into the GLFC library. For the past couple of years, these minutes have been produced on compact disc with the help of a digital design company. The GLFC has the opportunity, now that the digital format for the lake committees is complete, to put older minutes onto disc. In other words, the GLFC would be digitizing their library of minutes. The GLFC has unbound hard copies of all the minutes and can create pdf documents of them to put them onto disc. If they worked backwards through the years, digitizing of all the minutes could be done in a couple of years. Gaden asked if the CLC was interested in having the GLFC do this. The discs of old minutes would be easy and inexpensive to distribute, and could be sent to the libraries that normally get hard copies of the minutes. Gaden asked if the CLC wished to have this backlog of minutes distributed to the libraries. Lastly, Gaden asked the CLC if they wanted the minutes posted on the internet, as the GLFC has received some requests for this recently.

Gorenflo voiced concern about the attachments and if they are viewed as lake committee approved documents by the general public or constituents. Gaden replied that the reports generally say that they should not be cited without authorization. Gorenflo is concerned that the reports could be read on the web and the data or the report itself could be taken out of context. Krueger seconds this concern, stating he had this dilemma when deciding whether or not to post research completion reports on the internet. He decided to post them, but put a disclaimer on the documents. Gorenflo liked the idea of doing something similar for the lake committee minutes attachments that states that the reports do not reflect the lake committee's opinion. McLeish pointed out that people are expecting information to be on the internet now, especially by those who are unable to attend the meetings. **The CLC agreed to digitize the backlog of minutes. Gaden will show the CLC a**

demonstration of a potential disclaimer for the attachments posted on the internet at the October meeting. The CLC will decide on the distribution of backlogged minutes to libraries and the posting of the minutes on the web at that time.

18. State-of-the-Lake-Reporting

Chuck Krueger reported that the 1999 Lake Huron and the 2000 Lake Michigan State-of-the-Lake reports were completed and published. The Lake Ontario and Lake Superior State-of-the-Lake reports have been given back to their technical committees for some minor changes. Once those changes are approved by the authors, they can be sent out for publishing. No progress has been made on the Lake Erie State-of-the-Lake report and it is unlikely to be completed. In the next round of reports that began last year, Lake Huron and Lake Michigan used the new abbreviated CLC approved format and they seemed satisfied with its use. The Lake Superior Technical Committee, on the other hand, is having a difficult time with the new format and asks that the CLC approve a shorter version that would only contain abstracts so that the report is only 5-8 pages in length. This change would be a substantial deviation from the agreed upon format.

Wingate inquired about the negative aspects of the shortened report, as the reduced writing and editing would allow the report to be published in a more timely manner. Krueger explained that the 5-8 page report would mainly be an executive summary and any detail or information beyond that would get lost. There would be approximately one page per chapter. McLeish reminded the CLC that the Lake Superior Technical Committee would not be doing a lavish 70 page report if they did not approve the shortened version, but that he felt something beyond 8 pages would be more beneficial. Krueger saw having a longer report as beneficial as a future reference. **The CLC did not accept the Lake Superior Technical Committee request for a shortened State-of-the-Lake report. The Lake Superior Committee Chair and the Lake Ontario Committee Chair will strongly encourage their respective technical committees to return the State-of-the-Lake Reports to the GLFC in a timely manner to be published. Action was not taken on the Lake Erie report.**

19. Law Enforcement Committee Update on the Memorandum of Understanding between the Government of the United States of America and the Government of Canada

Chris Goddard reminded the CLC about the provisions of the 2004 MOU between the U.S. and Canada. This MOU included lakes Erie, Huron, and Superior and allowed the U.S. Coast Guard to enter Canadian waters and airspace to visually document encroachments. The MOU also allowed the U.S. Coast Guard to provide encroachment case information to OMNR for Ontario prosecution as well as U.S. prosecution. The U.S. Coast Guard is allowed to refuel in Canada, but under the 2004 MOU the U.S. Coast Guard weapons had to be offloaded before entering Canadian waters. The renewal of the MOU during 2005 consisted of changes that would have extended the MOU to include Lake Ontario waters and would have allowed for weapons to be stored on-board for self-defense purposes only. The 2005 MOU cleared the Department of State during July 2005 and was presented to the Government of Canada. During November 2005, the GLFC was notified that the Government of Canada refused to renew the MOU. The GLFC believes the Government of Canada refused to renew because the weapons related changes within the 2005 MOU text would require amendments to the Canadian legislation regarding weapons carriage. The Government of Canada responded that they wanted to continue with the positive cooperation in fisheries enforcement on the Great Lakes, but without having the U.S. Coast Guard cross into Canadian

waters or airspace. Goddard reminded the CLC about the importance of the MOU, as it provides written documentation for enforcement personnel engaging in U.S./Canada border enforcement, provides for effective and supported cross border enforcement, promotes cross border operations, and increases cooperation between U.S. and Canadian enforcement agencies. Currently, the Law Enforcement Committee, the U.S. Coast Guard, and the Department of Fisheries and Oceans Canada are revising the 2005 MOU text and are looking for areas of compromises. In the interim, the Great Lakes fisheries enforcement will continue through the Officer Exchange Program and the Combined Enforcement Team process will proceed with fisheries enforcement on the Great Lakes.

20. Fin Clip Assignment Process

John Dettmers informed the CLC that the GLFC is working with the U.S. Fish and Wildlife office in Ashland, Wisconsin to create a web-based fin clip assignment system. The GLFC is in the process of reviewing the fin clip records to be certain they are up-to-date and accurate according to all agency records. Dettmers lead the CLC through a handout that showed a sample of the web-based system. The fin clip records will not be, nor have been in the past, a substitute for the stocking database. With the new web-based system, the agencies can view the fin clips that are available for a particular fish, year, and lake. They will still email the GLFC to record the fin clip that they want to use, but this process should be considerably streamlined because the agencies can view the available clips before making a request. The GLFC will add this reservation to the website, with a turn-around period of a couple days. Dettmers asked the CLC if there should be a more formal process than the current system. Murray wanted to know if there would be a way to access the information in the database to draw fish or clip comparisons across the lakes. Dettmers was not sure and would have to check with the agents in Ashland to see if this was possible. Culligan and LaPan suggested that a password might be a reasonable consideration such that only agency personnel could view the database. **The CLC saw no need to make the process more formalized as long as agencies wait to hear back from the GLFC regarding the approval of their clip reservation.**

21. Combined Lake Committee Format

The decision to try a one week lake committee meeting format came during the April 2005 CLC meeting. This single week format featured a joint common session and an eight hour State-of-the-Lake Huron meeting. The GLFC and the Chair of the CLC created a survey that was distributed during the lake committee meetings this year. The survey determined if the goals of the new format were met. 124 surveys were returned, which was 88% of the peak attendance for the week. Gaden reviewed the attendance for this year at each lake committee meeting and showed that attendance was up considerably from the previous two years. Gaden then reviewed the survey results, focusing on a few specific questions. The last question of the survey, "Lake Committee meetings should continue to be formatted into a single week", showed a substantial majority of lake committee members said it would be good to continue with this new format or had no opinion. A very substantial majority of technical committee members agreed or strongly agreed with keeping the new format. Of all the surveys, 83% believe that the new meeting format should continue, 13% were neutral, and 8% did not feel lake committees should be formatted into a single week.

LaPan voiced concern about the need for agendas to be distributed far enough in advance so that attendees could make travel arrangements accordingly. Gaden agreed that this could be done if the

CLC chose to have the single week format again, as well as creating a week-long meeting agenda. McLeish suggested that the lake committees could invite a keynote speaker to the meetings to gain more attendance as well as media and political attention. Gorenflo felt that his previous concerns over the single week format, such as having concurrent sessions and losing the individual lake committee focus, were addressed and he had no concerns for doing the new format in the future. There was concern that if the meetings were held in the extremities of the Great Lakes basin, that the attendance would not be as high as it was this year. There was also concern that there was not enough time for advisor and executive meetings. Lastly, the CLC felt that the committee meetings would have to rotate each year. Goddard reassured the CLC that all these things will be taken into consideration by the GLFC and the chair of the CLC if this format is chosen again. **The CLC decided that the new single week format would continue next year.**

22. Future Lake Committee and CLC Meetings Locations and Dates

Steve LaPan offered that a rotation of the lake committee location should occur so that the meetings are in the State-of-the-Lake basin. He stated that the lake committees rely heavily on having a lot of presentations for SOTL and those presenters should be close to the meeting. Culligan thought that the attendees most likely to not attend because of distance would not be presenters, but members of the public. Wingate believed that not having the meetings held in the SOTL basin would be a missed opportunity as media coverage would increase and public attendance would be high. Krueger pointed out that if the CLC was concerned that attendance would be affected if the meetings were held outside of the SOTL basin, they could test that theory next year by having the meetings in Ypsilanti, Michigan. The CLC will look into inviting an external speaker for a keystone presentation at the SOTL meeting. Goddard reminded the CLC that some funding for travel could be arranged for the presenter through the GLFC if needed. **The CLC agreed to accept Ypsilanti for the location of the 2007 lake committee meetings, to be held the week of March 19th.**

The CLC agreed to keep Romulus, Michigan as the location for the April 2007 CLC meeting and to hold that meeting April 18th. A technical committee workshop, a GLFER meeting, or a Restoration Act meeting could be held on the 17th.