

CRITICAL LAKE ERIE LEADERSHIP DIALOGUE

Proceedings Summary

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INTRODUCTION

The purpose of the meeting was to strategize about critical Lake Erie issues surrounding implementation of the LaMP, RAPs and jurisdictional watershed plans including: governance, leadership, communication, and funding in the Lake Erie basin. The meeting outcome was the identification of implementation needs and development of the next steps to address these issues to mutually benefit the LaMP, RAPs and jurisdictional watershed plans and identify the ways and means to improve linkages between them. A further intended outcome was the development of specific suggestions to the IJC Great Lakes Water Quality Board on obstacles and opportunities in implementing Annex 2 (RAPs and LaMPs) of the Great Lakes Water Quality Agreement, using the Lake Erie basin as a case study. The Board is interested in how watershed considerations might be better addressed in Annex 2, including nonpoint source pollution abatement and inter-jurisdictional governance issues, as the Board develops its advice to the Commission on agreement review. A pre-workshop background paper was developed to focus and stimulate discussion at the workshop. The meeting consisted of two sessions. The first session provided participants with an overview of current activities and challenged participants to identify gaps and needs. The second session tasked the participants to create specific activities to address the gaps identified in the background paper and generated in the first session. The following table lists the attendees:

Attendees	Organization	Address	Phone	E-mail
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SESSION I: INTRODUCTION AND BACKGROUND

Lori Boughton, the Pennsylvania representative of the Great Lakes Water Quality Board, welcomed everyone to the dialogue. Like many of the participants, Lori indicated that she wore many different hats when working on Lake Erie issues and stated that she hoped that all hats would be taken off and everyone would work to develop, improve and increase linkages to further the work in the Lake Erie Basin. Lori also indicated that she was excited because numerous conversations were already taking place to understand how to tease out some common ground on Lake Erie needs. Lori also stressed that there was an opportunity for these conversations to move forward since the GLWQA review process was starting. John Gannon suggested all attendees volunteer on review workgroups of their interest. Lori closed her introduction with her view of the work in Lake Erie being analogous to a giant puzzle—the puzzle had some of the edges together, some of the center pieces together, with some areas better formed than others, but the large connections missing in places. She envisioned that the meeting would help to start getting more puzzle pieces in place.

Peter Wise, Delta Institute, the facilitator for the dialogue, welcomed the group and went through the agenda. Peter indicated that there were four major objectives for the sessions:

- Understand Status of Lake Erie Programs
- Identify Implementation Needs and Gaps
- Discussion of Next Steps
- Provide Advice for the review of GLWQA and Annex 2

Peter briefly summarized that the background paper aligned with the meeting agenda. In developing the paper, the Delta Institute interviewed a cross section of attendees to get a feeling for the overall status of activities around Lake Erie. Peter stressed that this was not a Lake Erie LaMP directive meeting, and not for the development of a timeline to the LaMP process. A Lake Erie LaMP update would be provided by Julie Letterhos and Jennifer Vincent. Lake Erie has 12 AOCs/RAPs within 34 watershed basins and all have very different structures and different levels of restoration and protection activity. The overriding theme was a disconnect between the LaMP and locals, which generally includes watershed groups, RAP groups, municipal personnel, and citizens. Funding was also an issue. Locals didn't see the importance of the LaMP or use LaMP as a funding justification. Communication was also seen as a major need for Lake Erie. The respondents to the background paper had lots of ideas for next steps including the possibility of new governance structures and new funding mechanisms.

Peter asked the group for initial responses to the background paper and whether there were any surprises. Bill Craig, Rouge River RAP PAC, suggested there was a need to monitor loading into Lake Erie from local waters—this would help make the connection between local watersheds and Lake Erie. Barry Boyer, Lake Erie Forum, agreed that real time continuous monitoring of watersheds as a point source would be very beneficial. Additionally, Barry added that communication was easy, but creating value and incentives for people to react was difficult. Sandra George, Environment Canada,

commented that the RAPs are important to LaMP, even if not realized by the RAPs. Julie Letterhos, Ohio EPA, agreed with Sandra and added the LaMP committee members didn't communicate to RAPs because they didn't know the best means to communicate and the scope of exchanging information.

Jennifer Vincent, Environment Canada and acting Co-Chair of the Lake Erie LaMP Work Group, presented on the evolution of the Lake Erie LaMP and current issues. The LaMP was created as binational management plan under Annex 2 of the GLWQA. The original scope was to identify and reduce critical pollutants; however, the environmental challenges have changed and increased in Lake Erie over time. The Lake Erie LaMP was revised in its scope to be more encompassing and to institute an ecosystem management plan for the long term. Currently, the LaMP committees are dealing with understanding what is feasible and how to be as inclusive as is possible. The LaMP is a management tool for integrating programs towards common objectives (the Plan); a connection of public involvement and government participation; and a mechanism for the involvement of federal agencies, provincial and state agencies, NGOs and the public. There are 3 subcommittees under the Work Group: indicator development, sources and loadings, public involvement. The subcommittees are not permanent tackle specific tasks. The binational public forum is integral in commenting on management plan.

Jennifer indicated that the current Lake Erie LaMP issues are: exotics, contaminants (specifically, Hg and PCBs), nutrients and sediments, resource use, and biodiversity. Additionally, the identification of indicators is 80% complete, and the assessment of problems, which will be measured by the indicators, was estimated to be 90% complete.

The Lake Erie LaMP has five ecosystem objectives based on a fuzzy logic model: land use, nutrients, natural resource use and disturbance, chemical and biological contaminants, and non-native invasive species. There is a consensus that Lake Erie is the ultimate sink for environmental quality issues and management needs to occur locally but how to implement the management plan has many challenges environmentally and administratively.

Administrative and management challenges currently facing the LaMP Working Group:

- Is the current management structure sufficient?
- Definition of lakewide vs. local
- Connection of land and tributaries to lake
- Connection with existing programs
- New partners needed?
- Comparable data on a lakewide basis
- Funding for process
- Funding for implementation
- Role of the public in implementation
- Are all the appropriate agencies and authorities on board?
- Are they providing the expertise that is needed from them such as monitoring, facilitation, funding, policy, etc.?

- What kind of product would be helpful for the LaMP as it progresses through this change to implementation?
- What kind of decision tree would work?
- What stage is the most effective to interact with RAPs and conversely?

The binational nature of the Lake Erie LaMP also creates challenges. Jennifer identified the following implementation challenges on the Canadian side:

- Canada-Ontario Agreement (current COA ends 2007)
- Connections to RAPs
- Connections to Watersheds
 - Conservation Authorities
 - Source Water Protection Plans
- Participation of municipalities
- Engaging First Nations

Julie Letterhos presented the challenges to LaMP implementation on the United States side:

- Engaging conservation agencies
- Connection to RAPs
- Connection to non-RAP Watershed groups
- Connection to municipalities
- Participation of state environmental and natural resource agencies
- Total Maximum Daily Loads (TMDLs)

Jennifer Vincent indicated that she and Lori Boughton had brainstormed on the phone and had developed the idea of creating a decision tree that could be used by the LaMP Work Group, RAPs and watersheds to evaluate when the different entities should interact and help coordinate implementation.

Peter Wise opened the floor for general discussion and reaction of the presentation given by Jennifer Vincent and Julie Letterhos.

- Dick Kubiak ask why the RAPs don't have a lakewide or basin wide view from the start and why that isn't in the creation of them. Sandra George responded that from a Canadian perspective, RAPs were created to bring them up to the same level of environmental quality as what is around them—not a crown jewel. The planning and implementation weren't always linked. Additionally in Canada, 32 agencies are involved in the Lake Erie program and a change in governance philosophy needs to occur. Moreover, the LaMP is not staffed properly—it is just an add-on to normal job duties. Jennifer Vincent commented that there is general consensus that RAPs need to be linked and are not connected to LaMPs. Jennifer recommended to formally recognize the link.
- Peter Wise provided some background and stated that the two programs were not linked because understanding and vision was not there when RAP and LaMP were created. The political strategy was to get focus on hot spots on the Great Lakes.

- Matt Doss commented that the LaMPs could play larger role in advocacy and communication. A LaMP priorities crosswalk of all the Great Lakes would be useful to align communication to go to Congress.
- Matt asked why the LaMPs did not play a more prominent role during the U.S. Collaboration. Dan O’Riordan added that the LaMPs are buried in the appendices of the Collaboration. Dan also commented that finding a commonality of LaMPs is difficult and there is a need more work and education.
- Julie Letterhos stated the LaMPs don’t have a high enough profile, and while good in theory, they are still working on the practice. Julie also indicated that the U.S. Great Lakes Strategy (2002) did not really include LaMPs/RAPs and their importance was questioned.

SESSION I: IDENTIFICATION OF NEEDS AND GAPS

The attendees of the dialogue generated a list of over thirty needs that are integral to continuing to improve the restoration of Lake Erie basin environmental conditions. To facilitate the generation of possible activities to address the identified needs, the needs were grouped into several overarching categories.

Communication/Education/Outreach

Communicate positives and stress recurring/emerging issues

Social marketing/public involvement

Citizens/Decision makers need to understand econ/health/social benefits

Create a consistent, strategic communications plan

Define Audiences

Maximize information sharing

Education/focus at the local level and lake level

Create an atmosphere for friendly acknowledgement of water basin issues

Governance

Governance/leadership/guidance from top-down

U.S. EPA needs to ensure programs being administered/provide funding and capacity

Clear roles and responsibilities on the U.S. Side/Federal, State and Local levels

Strategic coordination/collaboration of federal agencies to manage efforts/resources

Oversight of activities

Accountability in decision making at all levels

Simplify/understand geopolitical complexity

Connection from local activities to lake

Ecosystem management across agencies

Funding

Generation of funding/shift methods

Need dedicated staff

Implementation

Use nonprofit sector

Use Science to prioritize efforts
Stop/control invasive species
Target non point source pollution
Use LaMP for direction
Solve the agriculture conundrum
Offer better option to incentivize agricultural practices
Keep watching wastewater treatment plants

Data

Information on tributary impacts on lake
Understand impacts of air deposition
Information/delivery and availability
Assess health effects around Lake Erie/tie to AOCs

LaMP

Define federal expectations
Use to direct priorities
Sketch RAP/LaMP interface

- Loadings
- Monitoring/Indicators

Need to define LaMP implementation

GLWQA

The language of the agreement is outdated and does not tackle current problems
More issues about scope and implementation need to be addressed
Understand the state role in the federal agreement
Understand the intent of the governments/what do they want to get out of the agreement

SESSION II: INTRODUCTION

Peter Wise opened the second session with an overview of the results from the first session and tasked the group with the following objectives:

- Formulate Advice to Parties/IJC on GLWQA Review
- Create Specific Activities that Address the Identified Needs and Gaps, including who and when

Julie Letterhos stressed to the group that the LaMP is not just a document—it is a program and process.

Gary Gulezian, Director of U.S. EPA Great Lakes Program Office, summarized the Great Lakes Congressional Day meeting that occurred yesterday in Washington, D.C. Representatives from NGOs and governmental groups met with the congressional delegation. This year, a Senate hearing of the Environmental and Public Works Committee was held. Gary indicated that this was a departure from past formats, due to new interest in Great Lakes and the Regional Collaboration. The hearing was very well attended—a couple of hundred people with ten senators present either hearing or

testifying (including Senators Clinton and Obama). Gary commented that he had not seen that level of attendance at a hearing of this sort for the past 10 years. Governor Taft of Ohio, Andy Buchsbaum (Director of National Wildlife Federation Great Lakes Office), Dave Ullrich, speaking on behalf of Mayor Daley of Chicago (Great Lakes and St. Lawrence Cities Initiative), George Kuper (Council of Great Lakes Industries), Stephen Johnson (Director of U.S. EPA), and others presented. A lot of support of the Collaboration strategy was present, and the questions revolved around implementation and funding. \$300 million was asked for in this year's budget. EPA is going to be looking over the \$300 million package to see where money is currently being spent and explaining why there isn't movement on some of those issues. Additionally, a Great Lakes Restoration Bill was announced by Senators Levin and DeWine; a comprehensive bill, which includes NAISA, other existing legislation and all GL legislation and incorporates funding recommendations in GL Collaboration report. Gary commented that Senator Voinovich was stressing leadership and coordination. After the hearing, a meeting was held at Canadian embassy, which presented Canadian perspective.

SESSION II: RECOMMENDATIONS

The participants of the dialogue were tasked with developing recommendations based on the needs assessment that was synthesized by the background paper and group discussion during the afternoon session. The needs established were grouped into four categories and a summary of the recommendations developed is provided below. A member from each group presented the group's conclusions and then all participants were asked for their questions and comments.

Communication/Education/Outreach

Group Members: Mary Ellen Scanlon, Bill Craig, Margaret Porter, Eric Obert

Recommendations:

- A. Update contact list to get the public 2007 Lake Erie LaMP Update out to broader audience.
- B. Create a "Friends of Lake Erie" type of group, which could be a role played by the binational public forum.
 - a. Upcoming event (Lake Erie RAP summit) in the summer may be a good time to discuss the lakewide group, get on the agenda.
- C. Create a specific event to focus attention on the state of Lake Erie. The event could use a model like Lake Superior Day. The event could work with people already in with the media to tie in local watersheds/initiatives to the lake. Boilerplate material could be sent out to groups to encompass all the benefits. Provide basic information and create a Lake Erie Day movement.

Comments/Observations:

- Matthew Child stated that good governance relies on good communication and commented that the group focused on public interaction, but another important aspect is to communicate better intra-agency.
- Mary Ellen Scanlon commented that communication is already in the LaMP work plan, but there is a need to make sure the communication gets out there well.
- John Gannon indicated that the IJC may be able to do more in communication, and were interviewing for a public information person today.

Governance/Coordination

Group Members: Matthew Child, Barry Boyer, Gary Gulezian, Jim White

Recommendations:

- D. Convene meeting of watershed implementers and LaMP personnel to discuss what the LaMP is, the status of watershed implementation, and ways to coordinate the two pieces and possibly get more strategic funding.
 - a. Enhance understanding regarding watershed participants activities
 - b. Could happen 2006, summer
 - c. Convened by GLNPO and EC
- E. Structural changes to governance. Thinking along the lines of George Francis (University of Waterloo) who advocates improving communication and interaction between “nodes and networks” of existing governmental and nongovernmental organizations.
 - a. Implementation agreements need to formally engage/ regional/local entities. (e.g. COA as a tripartite agreement).
 - b. GL Cities Initiative, conservancy districts, conservation authorities.
- F. Understand the role of Agriculture and Land Use Issues
 - a. Regulation vs. incentives
 - b. Linkage to land use, land stewardship, etc.
 - c. Nearshore and tributary focus to avoid going over the brink
 - d. Important role for local waters participants

Comments/Observations:

- Matt Doss commented that there is a need to share these ideas with other LaMP groups, and see if there are activities, like a Lake Michigan Academy type of structure, that could help the first recommendation.
- John Gannon asked who were the three parties in the tripartite agreement and how tribes would be incorporated. It was indicated that the three parties were federal, state and municipalities. There was further discussion on how tribes and first nations could be better incorporated.

- John added that George Francis' paper recommended a gap analysis, and asked if there is a need for that and who should be involved in that and how should it go forward.
- Jennifer Vincent commented that the gap analysis is starting to occur through the LaMP work group, and the management committee wants to look at how communication of LaMP is going to occur based on indicators. Jennifer said that the analysis is anticipated to be an 18 month exercise.
- John indicated that the non-point issue may be the technical focus to start the whole gap analysis.
- Mary Ellen Scanlon asked about differences between U.S and Canadian regulations and where there is not comparable legislation on the U.S. side to handle nutrient management and other agricultural issues.
- Julie Letterhos commented that farms do have to have nutrient management plans, and there are rules on manure application, pesticides applications, fertilizer storage, etc. Julie said that agriculture is regulated, but not just the same way as NPDES. Peter Wise added that some are strictly regulated, CAFOs for example; but runoff issues not addressed in a coordinated regulatory factor.

Implementation/Funding/Data

Group Members: Dan Button, Matt Doss, Tim Bruno, Jim Grazio

Recommendations:

- G. Clearer federal visions for roles of the LaMP
 - a. Who: IJC
 - b. When: During the GLWQA
- H. LE LaMP needs to provide concrete recommendations/action plans to drive implementation.
 - a. Who: Work Group/Management Committee
 - b. When: Next Meeting
- I. The LaMP should organize and analyze existing data (e.g. Lake Erie Millennium Network) leading to an implementable action plan
 - a. Who: Work Group
 - b. When: next meeting
- J. LaMP should help coordinate RAP and non-RAP watersheds efforts, facilitate 2-way communication and recommend appropriate levels of funding
 - a. Who: Working Group
 - b. When: ongoing

Comments/Observation:

- John Gannon commented that while the IJC provides advice, the development of a vision and the implementation are the responsibility of the parties.
- Jennifer Vincent suggested that funding decisions of RAP activities could be directed by analyzing Lake Erie needs, but that could not focus on the myriad of RAP issues.
- Jim Grazio commented that coordination of RAPs would be beneficial.
- Tim Bruno stated that every other grant program requires an implementation plan, and that there is a need for a stronger central authority that has an implementation plan with appropriate data to back it up.

LaMP/GLWQA

Group Members: Jennifer Vincent, Elizabeth Wright, Julie Letterhos, Dan O’Riordan, Lori Boughton, Kai Chen, John Gannon

The group indicated that they redefined their task to create top priorities for GLWQA review.

Recommendations:

- K. Parties need to more clearly define LaMP and embed it within the agreement.
- L. Use LaMPs as an umbrella to manage all Great Lakes activities, so all local work is directed to the same goal, a shift in thinking and management. LaMP is currently a sideline.
- M. Current agreement is a barrier, focused on toxics, but huge impacts from land use, invasives not covered.
 - i. Remove BUI focus from the lake analysis
 - ii. Re-evaluate critical pollutant focus
 - iii. Evaluate a more ecosystem management approach
- O. Consider a shorter vision-style binational agreement with a clear domestic action agreement (e.g. COA), paired with a detailed implementation plan
 - i. Current agreement dates itself quickly with minimal provisions for responding to emerging issues
 - ii. Current agreement contains outdated material and is not taken seriously
- P. Council of Watersheds
 - i. LaMP a steward of lake and RAPs evolve to become a watershed focus to aid in implementing the LaMP. RAP work does not end with restoration of BUIs, ongoing work needed. 34 reps to meet with LaMP group to begin conservation and coordination.

- ii. "Lake Erie Jamboree", summer 2006, Lake Erie RAP coordination meeting.

Comments/Observations:

- Barry Boyer asked who would be the coordinator of the Council of Watersheds. Jennifer Vincent indicated it would be coordinated by the Work Group, but would evolve when LaMP structure changes.
- Mary Ellen Scanlon suggested keeping the GL Cities Initiative in the loop when convening watersheds.
- Gary Gulezian asked how the Council representatives would be chosen on the state side. Dan O’Riordan indicated that a Council of Watersheds would provide an opportunity for the forum to evolve. Dan added that the Jamboree could also be an organizing type session for local groups to decide how to choose delegates. Jennifer Vincent indicated it would be easy on the Canadian side with the 9 conservation authorities. Jennifer suggested that the Work Group would need to define membership.
- Gary Gulezian stated that is important to have the aspiration to organize a governance mechanism to set objectives, not just a workshop and it is necessary to understand how to choose membership. Gary asked if the states would do it and how.
- Julie Letterhos responded that the Council idea initially started out due to the concern of RAPs not wanting to delist in order to stay in the picture. Julie added that this concept would help the RAPs continue to work, and get the momentum of watershed planning activities that have been developing.
- Julie admitted that the group was not sure how to choose who would be in the organization and added that the group would not just be focused on cleanup, but on continued stewardship.
- Barry Boyer stated that this idea tied into the governance issue that was discussed previously. Barry suggested that a watershed coordinator is needed to make sure deliverables are generated, in possibly a United Way model.
- Jim Grazio commented that the binational public forum seems like it would be a natural fit for a Council of Watersheds. Peter responded that while there are some specific watersheds represented on the forum, many forum members are not watershed-specific. Barry Boyer stated that in principle, it would be possible to reinvent the forum in a Council role, but there are some resource requirements that would need to be addressed.
- Matt Doss suggested that looking at models from other lakes and areas would be helpful. Matt added that there should be some caution in the relationship between the RAPs and watersheds, since the goal is to get RAPs to delist while watershed management is ongoing.
- Matt suggested that it is possible that some RAPs have gotten too big in their scope, and they could keep it limited and then shift to the watershed management mode.

- Lori Boughton commented that Annexes 2 and 13 do not address what happens at the end when delisting occurs. Lori suggested that added watershed management would help the RAPs evolve.
- Julie Letterhos commented that RAPs could evolve into conservancy district model.
- Mary Ellen Scanlon stated that delisting and other work be delineated in the RAP. Mary Ellen added that there is a need to keep a distinction between an advocacy group and an implementation group, keep those networks separate.
- Mary Ellen commented that Great Lakes United was not mentioned and asked if that could be an appropriate advocacy entity.

- Gary Gulezian commented that the Annex 1 provision for ecosystem objectives is underutilized; only Lake Superior has one. Gary suggested that instead of creating lakewide BUIs, Annex 1 could be used for objective setting and other annexes could be used for monitoring indicators—then the LaMP becomes a mechanism for reporting.
- Gary added that an adaptive management scheme could be built in through an Annex 1 type of process. Gary stated that creating strict lists was not beneficial because they become outdated quickly, but allowing mechanisms that are more process oriented and broader in scope would strengthen the agreement.
- Jennifer Vincent suggested that instead of focusing on the difficulty of defining BUIs have Annex 1 imbedded with the ecosystem objectives developed Lake Erie. Gary suggested not imbedding the objectives, because the GLWQA may not be reopened for some time and the objectives will become outdated.
- Peter Wise commented that accountability is also an issue, and incorporating that into the objectives would be beneficial.
- Julie Letterhos commented that there is a critical pollutant focus in Annex 2, but that is not the only problem in Lake Erie, which is why the Lake Erie LaMP tackles broader issues.
- Peter added the GLWQA is still principally a water chemistry agreement.
- Mary Ellen Scanlon observed that Annex 3 was supplemented for phosphorus and questioned if that type of amendment could happen for the LaMP.
- Jim White stated that the RAP should be focused, but there is a need for a plan for continued integrative watershed management strategies. Jim added that most of the continuing problems will be the tributaries, and they should be considered as point sources into the lake.
- Jim also commented that as reorganization occurs, a mechanism for local funding and a formal funding structure needs to be established. Self-funding watersheds should be created in conservancy districts with local funding generation. Additionally, a holistic organization from lake down to local tributaries should be achieved.
- Peter Wise commented that there is precedent for funding; the Great Lakes Protection Fund was created by a one-time state donation. Peter questioned if something like that be done to generate non-federal monies to run watershed councils.

- John Gannon provided comments on the ecosystem objectives in the GLWQA. John indicated that the Science Advisory Board was working on the Lake Superior ecosystem objectives when the GLWQA was being drawn up and that is why it got into the agreement. A keystone species was used as an integrator, but has been overtaken by a biological integrity approach. John commented that it should follow the idea of moving away from water quality objectives to ecosystem objectives. Annex 11 has that integration as indicators. John suggested that the process that the LaMPs are doing may be institutionalized.
- Beth Wright commented that many of these objectives have been established for the Great Lakes by the Great Lakes Fisheries Commission.
- Peter Wise stated that there is a gap, but the work is being done just not all integrated.
- Matt Doss added that another type of entity to incorporate into a Watershed Council is the Regional Planning groups. Matt commented that many are working on these issues on some level. Peter added that Lake Michigan does have active participation by regional planning groups.
- Peter Wise commented that there seems to be frustration due to lack of definition of the LaMP purpose. Peter added that recognition of where objectives need to go and where there are current barriers exists.

CLOSING COMMENTS AND NEXT STEPS

Barry Boyer asked how a LaMP change and Council of Watersheds would fit within GLNPO structure/funding. Gary Gulezian responded by saying that it fits within the structure, but a problem occurs when requesting agency resources. Gary stated that a Council structure could not be funded by GLNPO ongoing and local governance may need to generate funding. Tim Bruno commented that a lot of the local organization is already in place, and there may not be a need for a specifically funded coordinator in each watershed. Marcia Damato added that it is necessary to have the ability to have technical knowledge transfer from watershed to watershed.

Peter Wise, Gary Gulezian, John Gannon, and Lori Boughton thanked the participants for attending and contributing to the dialogue. The Delta Institute will draft a report, circulate to participants for comments, and then finalize and transmit it to the Water Quality Board. From that report, the Water Quality Board will make specific recommendations to the commissioners on advice for the review of the GLWQA. It is hoped that the results of the workshop will be useful to the Lake Erie LaMP management committee and work group for ongoing planning and implementation efforts.