



December 31, 2011

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Dear Secretaries and Members of the Commission:

This letter provides the comments of the Council of Great Lake Industries (CGLI) on the IJC draft report *Assessment of Progress Made Towards Restoring and Maintaining Great Lakes Water Quality Since 1987* (hereafter, *Draft Assessment Report*) dated October 6, 2011, addressed as instructed. CGLI members are engaged in manufacturing and energy production throughout the Great Lake Region. Member facilities support sustainable development and sustainable resource utilization/protection programs within the Region. A substantial portion of these efforts involves participating in and supporting Great Lakes science programs – particularly those that produce data used to populate many of the indicators that have been developed over the past two decades within the SOLEC, LaMP, and AOC/RAP processes and are utilized by Great Lake Managers to restore and protect Great Lakes ecosystems. CGLI has served on the SOLEC Steering Committee since the very beginnings of that program in 1994. In fact, organizers of the CGLI participated in a 1992 state of the Lakes evaluation project<sup>1</sup> that preceded and inspired the SOLEC process

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<sup>1</sup> Great Lakes Environmental Assessment, LTI - Limno-Tech, Inc. December 17, 1993, prepared for and distributed by the National Council for Air and Stream Improvement (NCASI), Central-Lake States Regional Center, Western Michigan University,

It is from this long term perspective and expertise in viewing indicators of Great Lake ecosystem status that these comments are provided. CGLI looks forward to working with the IJC on questions regarding how best to assess and track progress towards further progress in restoring and protecting the Great Lakes.

**CGLI Shares the Frustrations of the Commissioners:**

All of us who work to observe and track the state of the Great Lakes ecosystem would find it to be a much easier task if we had a single indicator that could be used to do so. But, the fact is the Great Lakes ecosystem is complex. Not only is it made up of many separate subsystems, but it is one in which the nature and make-up of subsystems varies widely across the Great Lakes Basin. It is important to recognize the scope of science needed to monitor this vast array of subsystems. The appropriate data points must be obtained and indicators must be identified and built from these data points. Ecosystem status reports must include trends and the drivers of those trends (what is the cause of a decline in status, or responsible for an improvement). Consequently, the quest to find or develop a small number of “key indicators” while appealing, is elusive. And, attempts at doing so run counter to the broad range of science factors that must be included in a credible assessment of Great Lakes ecosystem status. As we have learned in the 20 years that we have been pursuing this objective, the best approach is to bundle indicators into topical areas regarding ecosystem character and view overall status, trends, and the State of the Great Lakes from this broader perspective. A fine example of doing so was provided during the most recent SOLEC event held in Erie, PA, October 26-27, 2011. CGLI has congratulated SOLEC Organizers on conducting what we believe was the “best ever” SOLEC event.

**The IJC Lacks the Resources Needed for Ecosystem Status Assessment:**

Establishing an indicators suite to be used to track ecosystem status is just the beginning of the job. What is important, and takes a large commitment of resources, is the collection and analysis of the data needed for ecosystem assessment. The Parties to the Great Lakes Water Quality Agreement have the structure to take on these tasks, not the IJC. The hundreds of scientists within the various agencies, U. S. and Canadian academic institutions, as well as scientific resources available within the private sector must all be tapped to accomplish the enormous job needed to assess an eco-region as large as the Great Lakes. Attempts to take on this huge coordinating task within the IJC would not produce the quality of output that would reflect well on the Commission since it does not have the resources needed to accomplish the Great Lakes ecosystem status assessment.

CGLI believes a more appropriate role for the Commission is to observe and comment on the Parties commitment to ecosystem status assessment practices and whether or not they

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Kalamazoo, MI, 49008. This report was prepared for NCASI by Limno-Tech, Inc. with Principal Investigator Dr. Paul Rodgers of LTI assisted by Dr. Thomas Heidtke of Wayne State University and an Expert Resource Panel consisting of 19 prominent Great Lakes scientists.

are following through to provide the resources needed to adequately assess and track ecosystem status.

**More Comprehensive Reporting of Existing Indicator Data is the Real Need:**

The biggest need is not for additional or different data or indicators but to provide access to and distribution of information currently collected by the many Great Lakes researchers already engaged in this work. Having a single point for access to assessment data would make the existing data much more useful for reporting on ecosystem status and progress towards restoration goals. This does not mean that the IJC should attempt to build or provide a data access system. Indeed, these resources are currently being developed by the Parties. The Great Lakes Observing System (GLOS) seeks to provide this Data Management and Communications (DMAC) system for the Region. Rather than attempting to duplicate the extensive work of others the Commission could add value by supporting full, bi-national, implementation of the GLOS DMAC system and assist the Parties in bringing the various investigators and agencies in the Region together to embrace, support, and utilize this tool.

**IJC Draft Assessment Report Does Not Accurately Recognize The Parties' Indicator Work:**

The IJC's *Draft Assessment Report* discounts entirely the work done previously, and asserts that no data or tools are available to assess progress towards restoration of Great Lakes ecosystems. The following points demonstrate why these assertions are incorrect:

- The Parties held the first SOLEC in 1994. In their first State of the Great Lakes report, published in 1995 – utilizing the results of the 1994 SOLEC assessment process – the Parties wrote, “In presenting the State of the Great Lakes Report, the Parties wish to draw attention to the substantial improvements that have occurred in response to cleanup activities and to the major improvements yet to be achieved.” Since this first SOLEC and corresponding State of the Lakes Report, assessments have continued every two years through 2008, when the interval between assessments was shifted to a three year cycle. This information and the data behind it have been fully shared with the public and are available to the Commission. CGLI therefore seriously questions the *Draft Assessment Report* statement regarding “the Commission’s continued inability to acquire environmental data from the governments”.
- The SOLEC indicator suite was initially developed between the 1996 and 1998 SOLEC assessments. The *Draft Assessment Report* states that “those indicators are not linked to the Annex objectives, nor do they provide a consistent and historical trend analysis.” This statement is incorrect. In their 1999 report, *Selection of Indicators for Great Lakes Basin Ecosystem Health, Version 3, May 1999*, the Parties stated “[t]he Parties to the GLWQA want to establish a consistent, easily understood suite of indicators that will objectively represent the state of major ecosystem components across all the Great Lakes basins which the Parties can use to report progress every two years. This suite of indicators should also be used to assess the Parties regarding achievement of the purpose of the GLWQA.”

- Once the SOLEC indicator suite had been put in place, the Parties set forth to utilize it to track status and trends relative to GLWQA Purpose, “to restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes Ecosystem.” To do so, the Parties established themes for a successive SOLEC assessment initiative. The theme for 2002 was Biological Integrity, 2004 – Chemical Integrity, and 2006 – Physical Integrity.

***Draft Assessment Report* needs to more closely track the important contribution of the IJC Indicators Implementation Task Force:**

The *Draft Assessment Report* acknowledges and uses as a reference the work of the IJC Indicators Implementation Task Force (IITF). However, it mischaracterizes this important work. The IITF, established in 1993, published their Final Report in 2000. In that report, the Task Force recommended that “the Parties” utilize several indicators to assess progress towards meeting “Desired Outcomes.” It was towards this objective that specific themes were selected for SOLECs 2002 through 2006. The report also highlighted the need for integrated Data and Information Management (DMAC) enhancements. It recommend that the Commission “commend the Parties” for initial work on tracking “Fishability”, “Swimability”, and “Drinkability” objectives. And, the report called for full implementation of the 80 SOLEC indicators, continued involvement of the IJC in the SOLEC process, and additional work on indicator development. The report did not discredit the indicators work of the Parties or suggest that the IJC perform progress assessments on their own or develop alternative indicators to do so.

**Maintaining the Peer Review and Public Participation Aspects of SOLEC is Essential:**

The IJC’s *draft Assessment Report* characterizes SOLEC as “a forum for exchange of information on the ecological condition of the Great Lakes and surrounding lands,” sighting US EPA 2011 as the source of this statement. What is missing from this description is the fact that prior to each SOLEC meeting, indicator reports are prepared, assessments of ecosystem status are produced, trends are assessed, and comparisons with GLWQA objectives are made. All of this information is posted for public review (and accessible to the IJC) prior to the SOLEC conference. At SOLEC, scientists and the general public are invited to provide additional information as well as make comments regarding the data, assessments, and conclusions. This additional information and the comments provided are utilized during the preparation of the State of the Lakes Report. These, prepared pursuant to provisions of the GLWQA, follow each SOLEC conference. The SOLEC process is much, much more than a single conference or a mere “exchange of information.” It is an important and integrated scientific, peer, and public data gathering and review process that is needed to accurately characterize the State of the Lakes and assess progress towards GLWQA goals and objectives.

**Indicators Suggested in the *Draft Assessment Report* are Duplicative:**

Each of the indicators suggested in the *Draft Assessment Report* are duplicative of indicators already a part of the SOLEC indicator suite. It is counterproductive for the IJC to attempt to establish independent databases and reporting mechanisms for these indicators. As evidenced by the fact that many of the Region’s scientists who have

expertise in the topics covered by these indicators were asked to contribute to this IJC *Draft Assessment Report*, it would be necessary for the IJC to consult with the same scientists who currently report on these indicators in order to prepare the IJC's report. This duplicative reporting is unnecessary when resources are already scarce and strained. In addition, selection of just a few of the SOLEC indicators could result in "cherry picking" information that shows only one aspect, or perhaps an unbalanced and therefore flawed vision, of the state of the Lakes. The Region would be much better served if the IJC were to, instead, robustly participate in the SOLEC process and utilize the full measure of that information as needed to carry out their assigned duties under the GLWQA.

### **Helping to Define the Role of the IJC:**

So what could be the role of the IJC in this important area of assessing and tracking progress toward attaining GLWQA goals and objectives? In recognition of the need for prioritized action on the part of the Parties towards restoration and protection of the Great Lakes Ecosystem, the complexities of the system, and considering the nature of the resources needed to carry out status and progress assessments, we believe the IJC could add important value by:


- Encouraging the Parties to maintain and adequately support robust monitoring, surveillance, and reporting programs – utilizing a framework of indicators fully reflective of the size and complexities of the Great Lakes Basin ecosystems. The IJC could actively participate in these processes and make use of the data as needed to support its own charge and purposes.
- Recommending to, and assisting, the Parties in supporting and utilizing a robust Basin wide DMAC system for access to and distribution of data and ecosystem status information usable by scientists, managers, governments, policy makers, and the public at large. The GLOS model currently under development should be fully implemented and utilized.
- Developing tools required for assessment of the effectiveness of management programs within the Great Lakes Basin. In the 1995 State of the Lakes Report, the Parties stated, "[i]t should be recognized that this report addresses the state of the Lakes, not the state of programs created to deal with stresses impacting the system." The IJC could address this gap by developing indicators for judging the success of management programs rather than duplicating environmental assessment tasks. For example, are the programs in place well suited to address the priority needs of the Basin? The Basin ecosystems, and the Commission, would be better served if IJC resources were directed towards developing tools for assessing program effectiveness. Making recommendations to the Parties for program improvement(s) where required rather than pursuing the resource intensive area of ecosystem status assessments would seem more constructive.

Those who have worked over the past decades, including the CGLI, are sympathetic with the desire to expedite Great Lakes restoration trend assessments, illustrate progress made, and identify additional restoration needs. The difficulty associated with development of a limited set of indicators reflective of a very complex ecosystem should not deter us from trying. We appreciate the IJC's interest in adding to that effort and hope that the

Commission will receive our comments related to non-duplication of effort in the constructive spirit with which we offer them. We believe that the Region is better served by the IJC helping to improve the managerial effectiveness of the Parties' restoration efforts rather than trying to gear up to do the resource intensive and complex task of evaluating ecosystem status.

Thank you for the opportunity to provide these comments.

Respectfully,



George H. Kuper, CGLI President/CEO