

Assemblyman William A. Barclay

New Lake Level Plan Leaves Questions Unanswered and Shore at Risk

August 19, 2013

There is a new water level plan proposed for Lake Ontario that will threaten shoreline property, recreational activity, and damage public infrastructure. Plan 2014 has been proposed by the International Joint Commission (IJC). The IJC is comprised of six members from Canada and the U.S. It was created to help handle issues in shared waters, such as the Great Lakes. Proponents of the plan say Plan 2014 will return the lake levels to a more natural state, and therefore, create higher highs and lower lows, depending on the time of year. I fear these new highs and lows will have a significant and detrimental impact on all property and business owners along Lake Ontario, and communities have not been given enough consideration with this new study.

Lake Ontario water levels are adjusted by the Moses-Saunders dam at Cornwall, Ont., and Massena, New York, which was built in the 1950s in order to produce hydropower and permit larger ships to navigate between Montreal and Lake Ontario. The current lake plan system has been in place since 1958 and generally keeps levels within an expected range. It has worked for 60 years, keeps water more contained, and property along the shore generally protected from storms, high waves and flooding.

I agree that we need to create policies and management plans that will better our environment. In this case, however, the environmental benefits to implementing such a plan are not being made clear. Some have said muskrats will multiply with this new plan. Muskrats are already prolific. Another advantage that has been mentioned is Northern Pike will flourish; however, they too exist in healthy numbers. I also understand Plan 2014 may increase our ability to harness more hydropower, but the property, community, and infrastructure damage it will cause surely outweighs the expected increase in hydropower. The increased volume of the Lake may not allow water to freeze. Without the ice and snow build-up, this inhibits natural storm shore protection during the winter.

Another aspect missing from Plan 2014 is it does not make provisions for homeowners along the shore, for when their property floods and erodes, and property value likely decreases and flood insurance increases. While the study contains detailed data outlining how wildlife will be impacted with charts, it does not include estimates of private or public property loss, job losses, loss of tourism revenue, or cost to prevent floods, all of which are important to the many communities and residents that will be affected by any lake plan.

Homeowners along the shore, however, estimate that along a six-county region there are 10,025 private and public parcels with a total assessed value of \$3.7 billion. This property has a few effects on the economy and local tax bases:

- At an average 4% property and school tax rate, there is \$148 million annually which support local economies.
- At an average of 1% (data found on cost of annual maintenance of property) the annual cost to maintain the properties equals \$37 million into local economies. Since property

maintenance involves most likely taxable product, this equals a loss of \$2.96 million per year to state and local governments.

- If just 10 % of properties are damaged due to Plan 2014, this will equal damages amounting to \$370 million.

The public has until August 30 to submit comments. Many local municipalities, counties and landowners already have voiced opposition to the plan. I appreciate hearing from many of you who have called to voice your concerns as well. Some municipalities have put forth resolutions calling for further study on the impact this will have on communities. Many others, however, have unfortunately voiced support for the proposed plan, including some federal representatives. Both the Canadian and U.S. federal governments will decide whether or not to implement the plan. There is more information available to the public at http://ijc.org/en_/losl and a web form people can fill out online that accepts comments at http://ijc.org/en_/losl/Submit_a_Comment. The mailing address for comments is International Joint Commission, Secretary, U.S. Section, 2000 L Street, NW, Suite #615, Washington, DC 20440, and the Canadian address is International Joint Commission, Secretary, Canadian Section, 234 Laurier Avenue West, 22nd Floor, Ottawa, ON K1P6K6.

If you have property or are concerned about recreation, tourism, public infrastructure, and tax revenue losses, I would encourage you to also submit your thoughts to the IJC by August 30.

If you have any questions or comments on this or any other state issue, or if you would like to be added to my mailing list or receive my newsletter, please contact my office. My office can be reached by mail at 200 North Second Street, Fulton, New York 13069, by e-mail at barclaw@assembly.state.ny.us or by calling (315) 598-5185. You also may find me, Assemblyman Barclay, on Facebook.