

# LEVELER

## E-Newsletter from the Lake Ontario Riparian Alliance

Issue 23 August 10, 2013

Grassroots Public Advocacy for the Protection, Restoration and Conservation  
of Lake Ontario Beaches and Riparian Property

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## Call To Action

Neighbors and Friends, whether you are a property owner or a recreational boater, if you want to protect your interest, you need to go the IJC Plan 2014 Comments Page and voice your concerns about this plan.

[http://www.ijc.org/en\\_/losl/Submit\\_a\\_Comment](http://www.ijc.org/en_/losl/Submit_a_Comment)

The environmental interest has people posting comments who have (to quote a cliché) “no skin in the game” and probably would have a hard time finding Lake Ontario on a map. They are making comments that are so similar, it is hard to think they can think for themselves. In many cases, the comments are identical right and right from a boiler-plate text.

The time has come to make your thoughts known. Please use the above link to post your comments in your own words.

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### Sodus Point Town Hall Meeting On Water Levels

The Village of Sodus Point is planning to hold a Town Hall Meeting regarding Lake Ontario water level and specifically the impact on Sodus Point if PLAN 2014 is implemented by the International Joint Commission (IJC). The meeting will be on Saturday, **August 10<sup>th</sup>**, at the Fire Hall, 8364 Bay Street, Sodus Point, at 10:00 AM.

The meeting will consist of a Power Point presentation on the impact on Sodus Point, what the alternatives are, and insurance issues, as well as questions and answers.

Please try to attend to be aware of the impact on you.

For information:

Christian (Chris) Tertinek, Mayor  
ctertinek@soduspoint.info  
585-746-5266

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## Plan 2014 Triggers And Why They Will Not Work, Based On History

**1973**

March 15, 1973 the Actual water level was 247.01  
Plan 2014 Trigger for March 15 is 246.78

The USACE approached the Town of Greece 4 months prior (December 1972) to the event (**Operation Foresight**), stating that there was nothing it could do and to prepare for the worst.



**Will it happen again? Would the IJC act with a forecast to an upcoming disaster, as occurred in 1972-73?** According to what their people say, they will; but the way the proposal is written, they will not!

In December 1972, the Actual water level was 245.41 (Average for month).  
The Plan 2014 trigger for December is 245.90 (Average for month).

Once the lake reaches these extreme high or low levels, the Board of Control (those guys with their hands on the drain) must go to the Commissioners and ask for permission to let more water out or hold more back. Can they say, no? Can they say, let's wait? **Would they have said, "Let's wait," in December 1972?**

The storm caused \$1.5 million in damages in Jefferson County alone. In today's dollars, that equates to \$7.8 million.

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**1993**



On February 18, 1993, the Lake Ontario Level was 246.55 feet. On that day, the IJC invoked Criterion K of the current plan which allowed for emergency deviations. The Plan 2014 Trigger for this time of year is 246.52 feet. However, based on Plan Documents, the Board of Control would then have to go to the Commission to ask permission to begin this deviation.

Even though Criterion K was invoked, the Board of Control could not keep the lake from cresting at 248.05 feet and from the shore experiencing million of dollars in damages.

Criterion K was not revoked until August 23, 1993, when the lake was down to 245.83 feet. The trigger for that time of year is 247.18 feet. Plan 2014 would have stopped emergency deviations 1 ½ months earlier and would have left the lake above 247 feet, most likely allowing for continuation of damaging levels.

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**1997**

On January 17, 1997, the Lake Ontario Level was 245.49 feet. On this date, the IJC invoked Criterion K that allowed for emergency deviations. The Plan 2014 Trigger for this time of year is 246.29 feet. Based on Plan information, the Board of Control could **not** have not have gone to the Commission to ask permission to begin deviating to lower the lake.

The lake crested at 247.14 feet that year, producing 10 million dollars in damages to Niagara County, New York, alone. In today's dollars, that is over 14 million dollars.

Criterion K was not revoked until August 15, 1993, when the lake was down to 246.04 feet. The trigger for that time of year is 247.34 feet. Plan 2014 would have stopped emergency deviations a month earlier and would have left the lake above 247 feet, most likely allowing for continuation of damaging levels.

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**Conclusions:**

Based on the operational history and current proposed statements from the International Joint Commission, what we can conclude is:

- 1: The new plan is intended to insure that the lake eventually reaches the trigger levels which are extreme. The operational part of the plan exists not to protect from and prevent damage from extremes; it is there to guarantee that those extremes will occur as often as possible.
2. The Triggers proposed are inadequate. As seen in 1997, damages to the shore were occurring before the lake would have reached the Plan 2014 trigger, if this plan was in operation. Niagara County alone experienced damages over \$10 million, which in today's dollars would be over \$14 million.
3. Even though the emergency deviation Criterion (K) was invoked 1993 and 1997, the Board of Control was unable to reduce lake levels quickly enough to avoid more damages or to allow home owners to repair the damage that had occurred. With Plan 2014, once the lake went below the trigger level, we suspect that the IJC would not allow emergency deviation to continue and the lake would still be at dangerous levels, which could promote more damages.
4. Even with a forecast of a pending disaster, the IJC would not act, under Plan 2014, to reduce damages as occurred in 1972-73. Based on the proposed Plan documents, the IJC would not authorize emergency deviations until the trigger was reached. For the 1973 events, this would have been in February 1973. By that time, it would have been too late.

Visit [www.Loranet.org](http://www.Loranet.org) for more information.

For past newsletters, see <http://loranet.org/levelerarchive/pastissues.htm> .