

LEVELER

E-Newsletter from the Lake Ontario Riparian Alliance

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

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INTERNATIONAL ST. LAWRENCE RIVER BOARD OF CONTROL (ISLRBC) ADMITS LACK OF CONTROL

In a recent posting on the ISLRBC Facebook page, the Control Board says that it is trumped by natural processes. Mother Nature does her thing. Always has, always will, before and after regulation. Additionally, data from the International Joint Commission (IJC) and independent research bear out this fact.

This would seem to counter (from an IJC viewpoint) all of the Nature Conservancy propaganda that regulation and the current plan have caused a significant enough change to harm environment.

Excerpt from the International St. Lawrence River Board of Control Facebook page:

International St. Lawrence River Board of Control: Nearly every year, water levels on Lake Ontario have risen in April and May to peak, usually in June. After June, over the summer and fall, the water levels subside to the winter lows. This water level fluctuation pattern has occurred since before regulation began, due to the natural processes of snowmelt, spring rains and evaporation.

Please remember that the outflow fluctuations that the Board controls make very little differences to the water level of Lake Ontario, only a matter of a few centimeters or a couple of inches. Higher increases or decreases are occurring because of the water supplies to the lake, which are completely uncontrollable and only predictable a few days in advance; although speaking statistically the Board may plan for a range of future inflows, which it does.

Based on data from the International Joint Commission's historic records, the long-term range in Lake Ontario Levels from pre-project to post project has only been narrowed by six inches and mainly at the lower end of the range. This is confirmed by research by the Royal Botanical Gardens Science Department at Cootes Paradise Marsh that the range reduction is just over five inches¹.

¹ Tys Theysmeijer, "Environmental Consideration Lake Ontario Water Regulation as it pertains to the coastal marsh Cootes Paradise", Royal Botanical Gardens, Burlington, Ontario, page 9

The Royal Botanical Gardens Science Department research at Cootes Paradise Marsh has also shown that the intra-year water-level fluctuation has been greater post-regulation than it was pre-regulation. This fluctuation, within the year, has increased by an average of 10 cm (4 inches).²

Based on the comments from the Board's Facebook page, the historic water levels and research from Cootes Paradise Marsh, the indication is that there are other processes involved that can affect the wetlands.

One such example of an unstudied cause, which the Lake Ontario-St. Lawrence River Study did not research, was the effect of upland run-off of fertilizers from either agricultural or suburban lawns in new upland areas, on wetlands bordering the lake and the river.

CURRENT LAKE ONTARIO LEVELS VS. PLAN 2014

We have learned that, if Plan 2014 was the operating plan for Lake Ontario and the St. Lawrence River, the Lake would be at 246.93 feet, compared to 246.03 as of April 25, 2014. Montreal would still be having problems with water levels as it is having now. Just imagine the problems when the proposed plan is in place and the new Board of Control is limited in any actions they are allowed to do now.

LAKE TRUTHS WITH NUMBERS

If the International Joint Commission's water levels Plan 2014 is passed, history might very well look back at both the plan and the current IJC Commissioners as the source of more "man-made" damage than anything else in New York State history.

- The six counties on the south shore have 10,025 private and public parcels, with a total assessed value of \$3.7 billion dollars.
- At an average 4% property and school tax rate, that generates \$148 million going to support local economies.
- Homeowners spend a minimum of 1% of the property value for maintenance. This injects \$37 million into the local economies
- Since much of property maintenance involves sales of taxable goods and services, at a sales tax rate of 8%, this loss of sales results in a loss of \$2.96 million per year in tax revenue to state and local governments.
- If just 10% of properties are damaged due to Plan 2014, this will create damages amounting to \$370 million. As a reference, in 1973 there was a state and federal disaster declared for the shore of Lake Ontario. In two of the affected counties (Jefferson and Monroe), the total amount of damages was \$16.5 million. In today's dollars, that is \$87.8 million. This does not include adjustments for houses that were seasonal in 1973, and that have become year-round family homes today.

Most of the time, the damages will not be dramatic or sudden but they will take place never-the-less. The damage is a silent, hidden and constant grinding away of public and private property until the time when entire parcels are devalued or taken off the tax rolls. Somebody will have to make up that difference.

Other times, man-made extreme high levels will mean that the damages will be catastrophic, with millions of dollars in damage occurring in a single day. The cost for damages will be borne at the expense of property owners and local, state and federal taxpayers.

² Tys Theysmeijer, "Environmental Consideration Lake Ontario Water Regulation as it pertains to the coastal marsh Cootes Paradise", Royal Botanical Gardens, Burlington, Ontario, page 8

Water intakes, sewer systems, roads, bridges, power lines and other level-sensitive infrastructure might be at risk from drastic, man-made level changes on both the high and low sides. Again, the money to fix these circumstances has to come from someplace or someone.

Thousands of private and public shore-protection structures will fail when new levels exceed the design heights that were permitted under current standards. The costs of repairing these structures will fall squarely on the backs of private property owners and the taxpayers of New York State.

The above-listed damages will be in addition to the IJC estimate of three million dollars per year to the south shore of Lake Ontario. The IJC's damages are based on known defective data. We at LORA have a higher estimate of annual damages in the five to seven million dollar range.

Call To Action

Please take the time to call The Governor's Office and ask that he come to the south shore while he is here to view the area before making any decision on the International Joint Commission's **(IJC)** Plan 2014. Our properties, whether private or public, are a form of existing economic development. We estimate that the properties along the south shore have a \$3.7 billion assessed value, providing about \$148 million in tax revenue for school and county governments.

The Governor's telephone number is: **(518) 474-8390**.

The Greater Rochester Association of Realtors (GRAR) Opposes Plan 2014

The Board of Directors of the Greater Rochester Association of REALTORS passed the following resolution:

The Greater Rochester Association of REALTORS would like the NYS Association of REALTORS® Legislative Steering Committee to coordinate an effort among the Associations on the south shore of Lake Ontario to oppose Plan 2014 and to request more research on the negative impacts of new lake water levels.

Recently, the NYS Association of Realtors has met with The Governor's Office to express continuing concerns with adoption of Plan 2014.
