

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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Oswego County Opposes Recommendation To Adopt Lake Plan

Article from Oswego County Today newspaper <http://oswegocountytoday.com>

Posted on [July 10, 2014](#) by [Steve Yablonski](#)

OSWEGO, NY – A resolution urging the US Congress to reject the recommendation by the International Joint Commission to adopt Plan 2104 (regarding lake levels) was approved Thursday by the county legislature despite opposition from some of the minority.

The current plan between the US and Canadian governments have (with very few exceptions) kept the lake levels between 243.3 and 247.3 feet above sea level. Residents and businesses along the Lake Ontario shoreline have come to accept these levels as “normal” and made their investments accordingly.

Plan 2014, as proposed, doesn’t contain commitments to keep lake levels below 250 feet above sea level, according to county lawmakers. Opponents of the plan say that it will result in significant erosion and other damage.

“There is an awful lot of valuable real estate that is along the lakeshore,” Legislator Shawn Doyle pointed out. “The proposed agreement that has been proposed by the International Joint Commission will adversely affect, in my view and the view of many people of Oswego County, our property values and will result in severe erosion because of higher highs and lower lows in the level of the lake. Legislator Richard Kline concurred with Doyle.

“The value of the properties along our waterways is extremely high and it does pay a lot of bills, putting it very bluntly,” he said. “They say the reasoning for (Plan 2014) is that local municipalities should have looking in the future years ago about these particular properties. Things have changed since the 1940s, ‘50s and ‘60s. Much of this property was developed during that time. We have the obligation, as legislators and a county that also has a lot of waterfront property, to protect those rights of those people.”

Anything he’s read about the plan doesn’t talk about storm surge and a lot of things that need to be addressed, he added. Legislator Kline is “spot on about his concerns,” Doyle said.

Flood insurance rates (for waterfront properties) have more than doubled, he added.

“It’s going to come to a point where only the very wealthy can afford waterfront (property),” he said.

Legislator Jacob Mulcahey said it was his understanding that the plan would be positive for power production and shipping, which are large parts of the county’s economy.

Legislator Terry Wilbur pointed out that the county has, on the lakeshore alone, well over a billion dollars of assessed value in properties.

“It is a significant impact on our community. (The plan has) no compensation for landowners who’ve put their heart and soul into this and they’re already having issues. When a family built their camp years ago, they had plenty of land between their camp and the water. That (land) has now disappeared,” he said.

He pointed to the erosion of the shoreline along the county-owned Camp Hollis as a prime example of the problem. Sandy Island Beach as well as Camp Hollis could be “destroyed,” he said.

“I’m just asking you to weigh the economic benefits, I’m not sure what those numbers are,” Mulcahey said. “So, I’m not going to support this resolution.”

“Just in Scriba alone, from the city line of Oswego to Novelis / power plants, there are over 100 not just camps but homes that are right on the water,” Legislator Shane Broadwell said. “If you click on the property tax map right now, half of their property is out in the water; they have already lost half of it. When they lose it all, it will be useless. They are already sitting there saying, ‘we need to protect what we have.’ They are not just summer camps, they are permanent residences. That’s just in a snapshot from the city of Oswego to the nuclear facilities.”

In proposals of any sort, generally, there is a target population that is estimated, the group of people that will either share the benefits or detriments of the agreement, Legislator John Proud said.

“In this case, the target population term takes on a very ominous meaning. Because, the target population with what will happen in this agreement is anyone along the southern shore of the lake who lives or owns property there, it excludes everywhere else on the lake but the southern shore. They will be really negatively affected if this thing goes through,” he said.

Wilbur, referring to Legislator Mulcahey’s concerns that opposing the plan could hurt shipping in the area, said the Port of Oswego director said they are doing very well.

“I haven’t heard of any negatives toward the port with this whole issue,” he said. “I haven’t heard many positives as well. The heart of the matter is the properties that are on the lakeshore that will be hurt by this thing,” he said.

“Lakefront is always going to be lakefront. Whatever nature wants to do, it’s going to do,” Legislator Jim Karasek said. “This is a feel good resolution and I feel good about making that statement. But we’re not going to change anyone’s opinion on this. (The commission) has already decided what they’re going to put into place.” The public comment period on the plan has closed, but it hasn’t been adopted by the US Congress, Doyle pointed out. “So every voice that can be aimed at Washington may persuade our congressional leaders to not approve this. This is primarily to benefit the Port of Montreal. French Canada has pushed for this more than anyone else,” he said.

A request by Malone to table the resolution and send it back to the committee level for more information failed.

The resolution was then approved. Copies will be forwarded to the President, Governor, the chair of the US section of the International Joint Commission, New York's Congressional delegation representing Oswego County and the Commissioner of the NYS DEC.

Pols object to lake levels

Article from Lockport Union-Sun & Journal newspaper <http://www.lockportjournal.com/>
July 16, 2014

STAFF REPORTS **Lockport Union-Sun & Journal**

Lockport Union-Sun & Journal — Armed with a three-page document and a Power Point presentation outlining their objections, two county lawmakers traveled to Washington D.C. last week to meet up with federal representatives and argue against a plan to regulate water levels in Lake Ontario.

Niagara County Legislator David Godfrey, R-Wilson, and Orleans County Legislator Lynne Johnson, R-Lyndonville, representing the Niagara-Orleans Regional Alliance, met with the U.S. Department of State as well as staff of U.S. Sen. Charles Schumer and Sen. Kirsten Gillibrand to object to the plan.

“Residents of the south shore of Lake Ontario will be devastated by this plan if it goes through,” Johnson said.

The International Joint Commission announced the “Plan 2014” in June as its preferred way of regulating water levels and flows of Lake Ontario and the St. Lawrence River by adjusting water flows by a dam in the river. The plan would create higher and lower water levels than have ever been seen in Lake Ontario.

The IJC said in a June statement that the plan would “provide more natural water level fluctuations while reducing the damage from extreme high and low water-level events to nearly the same extent as the current plan.”

NORA's concerns about the plan are that higher water would erode high-value lakeside property while making harbor levels too shallow for boaters.

“The point that we drove home again and again is that every single taxpayer in the affected county is going to suffer, because damage from erosion will create a loss of assessed value,” Godfrey said. “That means that someone has to make it up the loss in tax dollars.”

The south shore fishing industry also generates \$9.4 million annually, which would be impacted negatively by the plan, Godfrey said.

NORA has been working with U.S. Rep. Chris Collins, R-Clarence, who arranged for Godfrey and Johnson's meeting with the Department of State.

Collins criticized the IJC's Plan 2014 at a July 2 press conference at Oak Orchard in Point Breeze. He's planning on meeting with the IJC and the Department of State in Washington to discuss the impacts of the plan.

Should the Department of State review the plan and agree to it, the plan will then be referred to Gov. Andrew Cuomo, who has veto power.

“Rep. Collins has asked the governor where he stands on the issue, but hasn’t gotten an answer,” Johnson said.

After meeting with the federal officials, Johnson said that she feels more optimistic that the plan will not go through.

“We agitated them,” Johnson said.

Godfrey said that the trip marked a new landmark for Niagara and Orleans counties.

“It’s unprecedented that we’ve had two counties working together and sent all the way to Washington,” Godfrey said.



Press Release

For Immediate Release
July 2, 2014

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Niagara USA Chamber opposes Lake Ontario Water Plan (Plan 2014)

The Niagara USA Chamber, Niagara County's leading business advocacy organization, opposes the International Joint Commission's (IJC) adoption of Plan 2014, which would regulate water levels on Lake Ontario.

The negative effect to the tourism industry, commercial fishing, boaters and residents within the impacted communities comes at a time when these communities are trying to recover from the economic depression felt throughout the country in recent years.

The IJC itself acknowledged the impacts of Plan 2014, noting at least a 13 percent rise in the costs felt by property owners, municipalities and businesses along the shoreline for such things as erosion damage and maintenance or replacement of structures such as seawalls and breakwaters.

"This plan strikes at the heart of these communities and the IJC has offered no solutions to offset the negative economic impact," stated Deanna Alterio Brennen, President and CEO of the Niagara USA Chamber.

Also at issue is the science behind this decision. Both the National Research Council and the Royal Society of Canada have stated that the study used by the IJC to reach their decision is inadequate for use as basis for reaching their conclusion. While the IJC has responded that these issues have been addressed, including the recommendation that an adaptive management strategy be developed to address future uncertainties, questions still remain.

"The Federal Government must recognize the immediate and long term negative effects this plan will have. If there are still uncertainties or questions regarding this plan then it should not be enacted," stated Brennen. "While we need to respect the need for good environmental policies, this is not one of them."

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