



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

March 28, 2018

Honorable Lana Pollack  
Chair, U.S. Section  
International Joint Commission  
1717 H Street NW, Suite 801  
Washington, DC 20006

Dear Chair Pollack:

New York State continues to prioritize efforts to address the impact of potential flooding along the Lake Ontario and St. Lawrence River shorelines, particularly after last year's devastation. I write to again urge the International Joint Commission (IJC) to use all means to minimize potential flooding this year, including maximizing outflows from the Lake Ontario system. I am troubled that the IJC plans to decrease outflows this week – rather than authorize the maximum possible outflow – despite the continued high water level of Lake Ontario and the entire upstream Great Lake system, and near record inflows from Lake Erie. On behalf of New York's municipalities, businesses, and residents along the Lake Ontario shoreline, I implore you to sustain or increase the outflow levels until the risk of flood is averted.

The current Lake Ontario outflows are set at 8,950 m<sup>3</sup>/s which is significantly higher than the 7,680 m<sup>3</sup>/s at the same time in 2017. Despite this increased outflow, the Lake Ontario water level remains high – over half a foot above average for this time of year. The IJC has scheduled a substantial decrease in outflows to 8,550 m<sup>3</sup>/s on Thursday, March 29th in advance of the navigation season.

New Yorkers are justifiably concerned about renewed flooding this spring. The problems associated with high water levels should not fall disproportionately on New York's shorelines. Understanding that the difference of inches of water can determine whether a house is habitable or a road is passable, the IJC should implement outflow decisions in accordance with the 1909 Boundary Waters Treaty which calls for the equitable sharing of this burden. To New York's knowledge, maintaining high Lake Ontario outflows at this time would not cause flooding downstream of the Moses-Saunders Dam. To be clear, New York does not seek to cause flooding in the Montreal region but instead insists that the IJC take all reasonable actions to limit flood risks along Lake Ontario.

As I have repeatedly stated, there is no higher interest for New Yorkers who live and work within these areas than protection from potential flooding. However, it appears that the IJC is favoring fairly limited commercial navigational interests over the broader public interest and property of shoreline communities who have already suffered devastating adverse impacts.

I strongly encourage the IJC to adopt a different course of action this year to ensure the protection of the public on both sides of the waterways. I am confident that, working with our State agencies, we can ensure that both New Yorkers and Canadians avoid the calamity of inundation and the damage incurred last year. Within New York, our agencies have already begun to prepare for potential flooding by staging equipment in high-risk areas, as well as working with our local partners to respond to their needs. We are advancing multiple flood protection and remediation projects, as well as disbursing recovery funds to affected homeowners, businesses, and local governments. Lastly, I have proposed additional resiliency funding in this year's budget to continue our aggressive planning efforts and hope to leverage those dollars with support from the Federal government.

I look forward to your prompt response to this extremely important matter for New Yorkers.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is stylized with a large, sweeping initial "A" and a long, horizontal stroke extending to the right.

ANDREW M. CUOMO