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## Proceedings of the 42nd Canada-United States Law Institute Symposium A State-Provincial Approach to Harmful Algal Blooms in the Great Lakes Basin: Possibilities and Pitfalls — Welcome & Opening of the 2020 CUSLI Symposium

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PROCEEDINGS OF THE 2020 CANADA-U.S. LAW  
INSTITUTE SYMPOSIUM –  
A STATE-PROVINCIAL APPROACH TO  
HARMFUL ALGAL BLOOMS IN THE GREAT  
LAKES BASIN: POSSIBILITIES AND PITFALLS

OCTOBER 15, 2020

TABLE OF CONTENTS

Welcome & Opening of the 2020 CUSLI Symposium.....	1
Keynote Presentation – Harmful Algal Blooms in the Great Lakes Basin: A Binational Sub-federal Approach? .....	5
Government Regulatory Panel .....	13
Academic & NGO Panel.....	30
Question & Answer Period .....	40
Conclusion by the Authors.....	48

WELCOME & OPENING OF THE 2020  
CUSLI SYMPOSIUM

*Speakers: Stephen J. Petras, Jr., The Honorable James J. Blanchard  
& Chios Carmody*

MR. STEPHEN J. PETRAS: Well, good morning everyone. Welcome to a symposium put on by the Canada-U.S. Law Institute on “Harmful Algal Blooms in the Great Lakes Basin: A Binational Sub-federal Approach?” So, this is going to be an interesting symposium, where we will have two professors give us a proposal on how to solve harmful algal blooms. That will be followed by a panel of government regulators, who will comment on the proposal and give their insights and thoughts. Then we will have an academic/NGO panel that will do the same. And then our two presenters, Kathryn Friedman and Irena Creed, will give us their conclusion.

I’m Steve Petras. I’m the U.S. national director of the Canada-U.S. Law Institute, and it’s our honor and privilege to put on this program.

A couple of words at the start. This is a symposium, and the point of this symposium is to share ideas and to enter into an open and honest dialogue, with people being allowed to present their ideas and thoughts freely and openly. This is not a symposium where we’re here to pin anybody down, or to try to get the official position of any state or regulatory body. Rather, we’re here for a dialogue and

exchange. And the opinions, and thoughts, and ideas of the presenters—although they may be part of states, governments, institutions—will be their own. And we're looking forward to your participation and an open dialogue.

There's also CLE credits for this program and, at the end of the program, we will give the activity number for those CLE credits.

So, we do have a very tight schedule, because we have an outstanding presentation, followed by seven members of the regulator panel, and three members of the academic/NGO panel. I'm going to moderate the questions for all the panels.

But before we start, it's our honor and privilege to have with us the former governor of the State of Michigan, and also former U.S. ambassador to Canada, as well as a member of the Executive Committee—actually, the co-chair of the Canada-U.S. Law Institute. So, Governor Blanchard, we look forward to you now introducing our topic.

Okay. Can we go to Governor Blanchard please, Martin and Eric? I just spoke with Jim [Gov. James Blanchard], so I know he's on as a participant. So, let's see if we can get him here. Eric?

MR. MARTIN RASKA: We're looking, Steve.

MR. PETRAS: Okay. I hope he's got his video on.

MR. RASKA: Okay, he's been added to the panelists.

MR. PETRAS: Okay, great. These are the challenges in today's Zoom world. Just bear with us for a minute. How are we doing Martin? Do we have Jim?

MR. RASKA: He's been added as a panelist. He just needs to turn on his camera and unmute himself and start talking.

MR. PETRAS: Okay. Alright, Jim. I hope you heard that. There you go. Yeah, there you are. Now we see you. Excellent.

THE HONORABLE JAMES J. BLANCHARD: Yeah, I don't have a device. I mean, I'm looking and I—look, I do two or three Zoom a day. There's nothing here for me to put the camera on. But if you can hear me, that's probably enough.

MR. PETRAS: And we can see you too. We do see you.

HON. JAMES BLANCHARD: Alright. Good, good. Alright, well then. Anyway, thank you, and thank you, Steve. And welcome everyone. This is going to be a really interesting, important symposium with algae blooms and the Great Lakes Basin, a binational sub-federal approach.

You know, it's interesting. Having served as a member of Congress for Michigan, then governor, ambassador to Canada, I've actually worked on cross-border issues for a number of years, starting with acid rain in the seventies and eighties. And certainly, as governor dealing with Great Lakes issues.

You know, a binational approach has been a hallmark of our relationship with Canada really, I think, probably at least formally starting in 1909 with the Boundary Waters Treaty, which ended up creating the International Joint Commission—I might add, headquartered in Windsor and in Washington, D.C.

But, over the years, I've worked on a lot of different issues with Canadian provinces—particularly Ontario, but also Québec—on Great Lakes issues, including the Great Lakes Charter that we signed to prevent the diversion of Great Lakes water from our basin. The Great Lakes [Governors'] Toxics Agreement,

where we went forward to begin to clean up and locate toxic hotspots. A lot of other different approaches that we've had, you know, aside from the environmental issues, the [North American] Free Trade Agreement, NAFTA, the new NAFTA. So, there's an enormous amount of cooperation between our states and provinces, and between our federal governments.

And this is another area where I think it's really interesting to talk about how we go about dealing with algae in the Great Lakes. It's a serious issue. It affects the economy, it affects tourism, it affects our health, our enjoyment of the Great Lakes—and of course, Michigan, being in the center of the Great Lakes region, we have a particular interest.

I do want to welcome different panelists from all over the Great Lakes region. And of course, we have a presenter from the University of Saskatchewan. So, this is a big deal. I'm delighted to be part of it, of course, with our Canada-U.S. Law Institute. So, on behalf of our Executive Board of the institute, and everyone who cares about U.S.-Canada cooperation, welcome. Enjoy the program. And I look forward to the presentations. Thank you.

MR. PETRAS: Yeah. Thank you very much, Governor Blanchard. I appreciate that great introduction. And now, it's my pleasure to turn the program over to the Canada national director of the Canada-U.S. Law Institute, my counterpart in Canada, Professor Chi Carmody. Chi is with the Faculty of Law of the University of Western Ontario, and he and I work together as the two co-national directors. And he's going to introduce our two presenters. Chi, the floor is yours.

ASSOCIATE PROFESSOR CHIOS CARMODY: Well good morning, everybody. My name is Chi Carmody, and I'm an associate professor at the University of Western Ontario Faculty of Law in London, Ontario, Canada, and since 2002, the Canadian national director of this institute.

I'm very pleased to be able to join this event today—an event which has been organized with great professionalism by my American counterpart and good friend, Steve Petras, as well as some very able technical personnel on the Cleveland side of our arrangements, Eric Siler and Martin Raska. I'd also like to bring greetings on behalf of our dean, Professor Erika Chamberlain, and to wish all of you well in this very challenging time. I think it's a testament to the vision of Steve and the other organizers of the symposium that an event like this can continue to go ahead at times like these.

I've been asked to say a few words of introduction about our symposium co-conveners, Dr. Irena Creed and Dr. Kathryn Friedman. Irena Creed is a professor of the School of Environmental and Sustainability, and Associate Vice President, Research at University of Saskatchewan. Irena earned her bachelor of science, master's, and PhD degrees at the University of Toronto. And prior to taking her position at University of Saskatchewan in September 2017, she was a professor and Canadian Research Chair here at Western. Her work has been recognized with many awards and honors, including receiving an honorary doctorate from the Swedish University of Agricultural Sciences in Uppsala, Sweden, and being inducted as a Fellow of the Royal Society of Canada only last year, in 2019.

Kathryn Bryk Friedman is a Research Associate Professor of Law and Planning at the University of Buffalo, and a global fellow at the Woodrow Wilson [International] Center for Scholars, Canada Institute, in Washington, D.C. She's a multidisciplinary scholar and legal practitioner, with a focus on Canada-U.S. law and policy issues. She is a recognized expert in the field, and we've had her on a number of occasions addressing our institute. Her research and teaching focus on binational regional economies, water and policy, NAFTA, labor mobility, and border security issues.

Now, many of you may be wondering why and how these two women developed an interest in harmful algal blooms. And by way of comparison, some of you may be aware that about ten days ago, on October 17, Professor Jennifer Doudna of UC Berkeley, and Emmanuelle Charpentier of the Max Planck Institute for the Science of Pathogens in Berlin, Germany, were announced as the first female pair to win the Nobel Prize for Chemistry this year, after their early work in originating CRISPR gene editing technology. It's interesting to note that the seed of their ideas came about one afternoon while they were both attending a conference in San Juan, Puerto Rico, in 2011. And the two women decided to get together and play hooky from a conference, probably not unlike this one, and they decided to walk around the old town of San Juan, where they generated the seed for their groundbreaking idea.

In contemplating what to say by way of introduction, I had to wonder whether there was a similar anecdote that could be dredged up about how these two women developed their interest in algal blooms. They will, of course, I think, let us know. But they did let on to me that their idea was hatched over plenty of red wine in a Toronto hotel room some time ago, and has already led to a tremendous amount of insight and collaboration. So, without any further ado, I'd like to cede the floor to our two key speakers, Professors Irena Creed and Kathryn Bryk Friedman.