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January 8, 2014

Ms. Lana Pollack
Chair
United States Section
International Joint Commission
2000 L Street, NW
Suite #615
Washington, DC 20440

Re: Inquiry into ice jam flooding event of January 7, 2014

Dear Ms. Pollack:

Just before 9:30 a.m. yesterday morning, the National Oceanic and Atmospheric Administration (NOAA) issued a Flash Flood Warning for the Upper Niagara River. NOAA noted that an ice jam had formed between the New York Power Authority (NYPA) intakes and Cayuga Island. The warning was extended through the day until 9:30 this morning. Authorities have conveyed to my office that the jam has been broken, and, as of this morning, the river is falling back to more normal levels.

Obviously, this is disconcerting. The threat of flooding of neighborhoods on both sides of the river is of great concern. Additionally, I am reluctant to contemplate the dire scenario which would ensue if hydroelectric generation were disrupted by an ice jam; if this disruption happened concurrently with a 10-year blizzard like the one which visited our region yesterday, the result may be nothing short of a major humanitarian disaster.

This incident presents several pressing questions which fall within the regulatory purview of the IJC. As such, I write today to respectfully request that the IJC undertake a review to determine what went wrong here, and how it might be remedied. Specifically:

- Did the human-made infrastructure which regulates the river (including the ice boom and the control structures) perform as designed?
- Is a reconfiguration of some of this infrastructure, or new infrastructure, warranted?
- Are adequate procedures in place to manage the threat of an ice jam in this location?
- Did the authorities involved discharge their responsibilities effectively? Incidentally, I have no reason to suspect that there was a lapse in this regard.

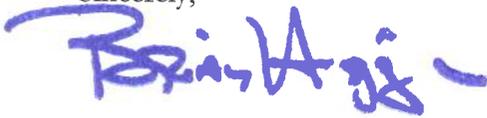
- Do NYPA and the Canadian authorities need more ice-breaking capacity, i.e., more and/or bigger ice-breaking vessels?

Historical Background

The Niagara Power Project went online in 1961, and in 1962, a substantial ice jam formed in the upper Niagara River, threatening Cayuga Island in the City of Niagara Falls and other communities. This was not the first time an ice jam had formed on the upper Niagara River, but staff from the United States Army Corps of Engineers testified to the Niagara Falls City Council that the threat of ice jam flooding in this stretch was enhanced by the new hydroelectric works.¹ While not admitting any liability for the enhanced ice jam threat, NYPA and its Canadian counterpart constructed the ice boom at the entrance of the Niagara River to reduce ice flows in 1964.²

Thank you very much for your leadership and for your consideration.

Sincerely,



Brian Higgins
Member of Congress

¹ Niagara Falls Gazette, January 4, 1963, p. 24.

² Niagara Falls Gazette, February 13, 1964, p. 1.