



**INTERNATIONAL JOINT COMMISSION**  
**ORIENTATION**  
**BRIEFING**

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# INTERNATIONAL JOINT COMMISSION

- ◆ **Three members from Canada and three from the United States.**
  - ◆ **Canadian members appointed by the Governor in Council.**
  - ◆ **U.S. members appointed by the President of the United States.**



# INTERNATIONAL JOINT COMMISSION

- ◆ **Established by the Boundary Waters Treaty of 1909.**
- ◆ **Purpose of the Commission is to prevent and resolve disputes over use of waters shared by Canada and the United States.**



# INTERNATIONAL JOINT COMMISSION

- ◆ **To prevent and resolve issues, the Commission:**
  - ◆ Investigates.
  - ◆ Holds hearings.
  - ◆ Issues Orders----For example the 1938 IJC Order on Kootenay Lake.
  - ◆ Appoints Boards of Control to monitor its Orders.
  - ◆ Issues reports with facts, findings and recommendations.



# INTERNATIONAL JOINT COMMISSION

- ◆ **Approximately 20 Boards of Control, composed of equal numbers of U.S. and Canadian members report to the IJC.**
- ◆ **Examples:**
  - ◆ **Lake Superior Board of Control**
  - ◆ **Kootenay Lake Board of Control**
  - ◆ **Osoyoos Lake Board of Control**



# INTERNATIONAL JOINT COMMISSION

- ◆ **Board members are:**
  - ◆ **appointed to act in their personal and professional capacity rather than representatives of their organizations.**



# INTERNATIONAL JOINT COMMISSION

- ◆ **International issues may be resolved by IJC action or by Treaty**
  - ◆ **Operation of the complex international Columbia River system resolved by Treaty**
  - ◆ **Treaty may reference an IJC Order**



# INTERNATIONAL JOINT COMMISSION

- ◆ IJC usually appoints a Board of Control (BOC) to monitor implementation of its Orders.
- ◆ Boards members are usually senior water resource managers in the local area likely to have background knowledge.
- ◆ Corps of Engineers, Seattle District Engineer has historically served on the IJC Kootenay and Osoyoos Lake Boards of Control



Kootenay Lake

Board of Control



Kootenay Lake sits in a BC mountain trench just north of the Idaho border.

The Kootenay River rises in BC, then flows through Montana and Idaho (as the "Kootenai") before entering the lake from the south. The river discharges through the lake's west arm into the Columbia River.



Kootenay Lake  
Order relates to  
Corra Linn Dam,  
owned by  
FortisBC.

The dam can  
cause backwater  
upstream to  
Bonners Ferry,  
Idaho.



IKLBoC 2005

In 1938, the Commission issued an Order setting out the management regime for the lake and appointed a Board of Control.

Current membership:

For Canada:

- Kirk Johnstone (chair)
  - Environment Canada
- Glen Davidson
  - Land and Water BC Inc.
  - Daniel Millar (sec.)

For U.S.:

- Col. Debra Lewis (chair)
  - US Army Corps of Engineers
- Kathy Peter
  - US Geological Survey
  - Larry Merkle (sec.)

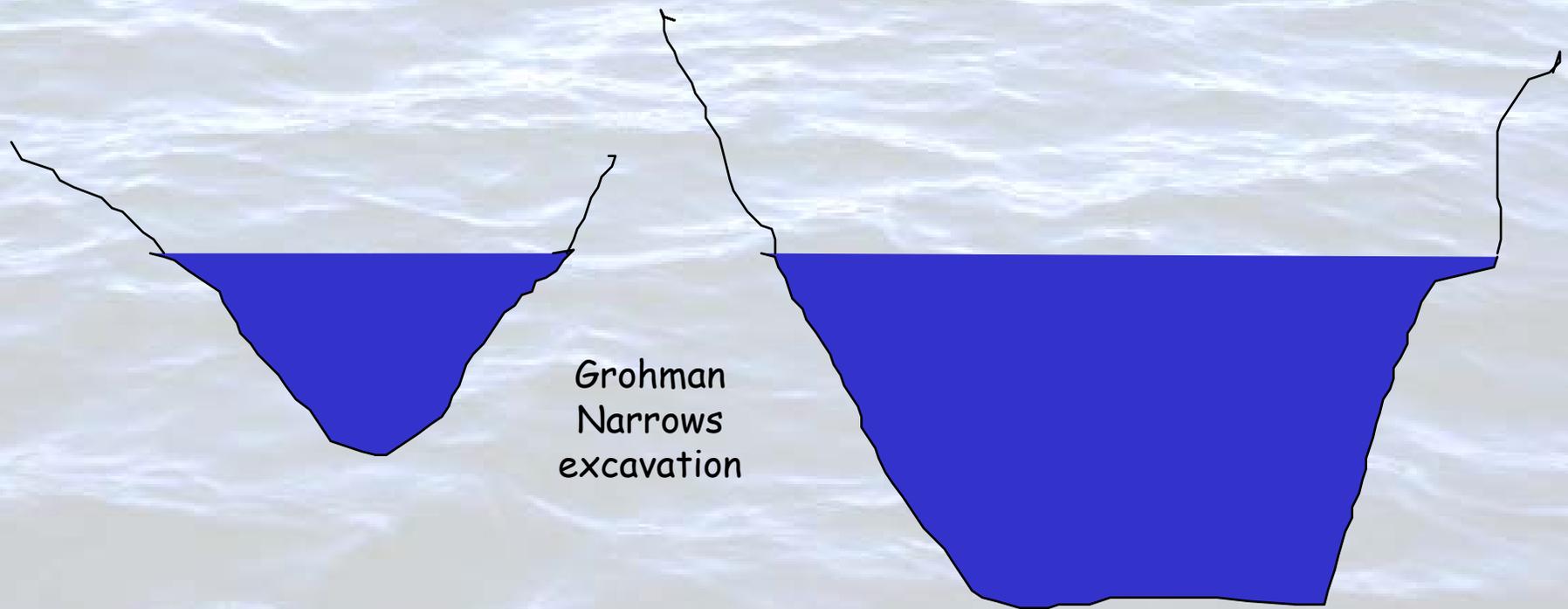


The Order allows FortisBC to store water in the lake, but specifies a "lowering" formula for the freshet.

FortisBC must financially compensate Idaho farmers for increased pumping costs caused by the backwater.

IKLBoC 2005

The lowering takes advantage of a late 1930s lake outlet excavation required by the IJC Order that reduces flooding around Kootenay Lake and in the Kootenai and Creston valleys (i.e. upstream of the lake).



## Principal Effects of the IJC Order on Kootenay Lake

- Permits increased hydropower generation
- Provides flood damage reduction
- Compensates Idaho farmers for effects of higher groundwater

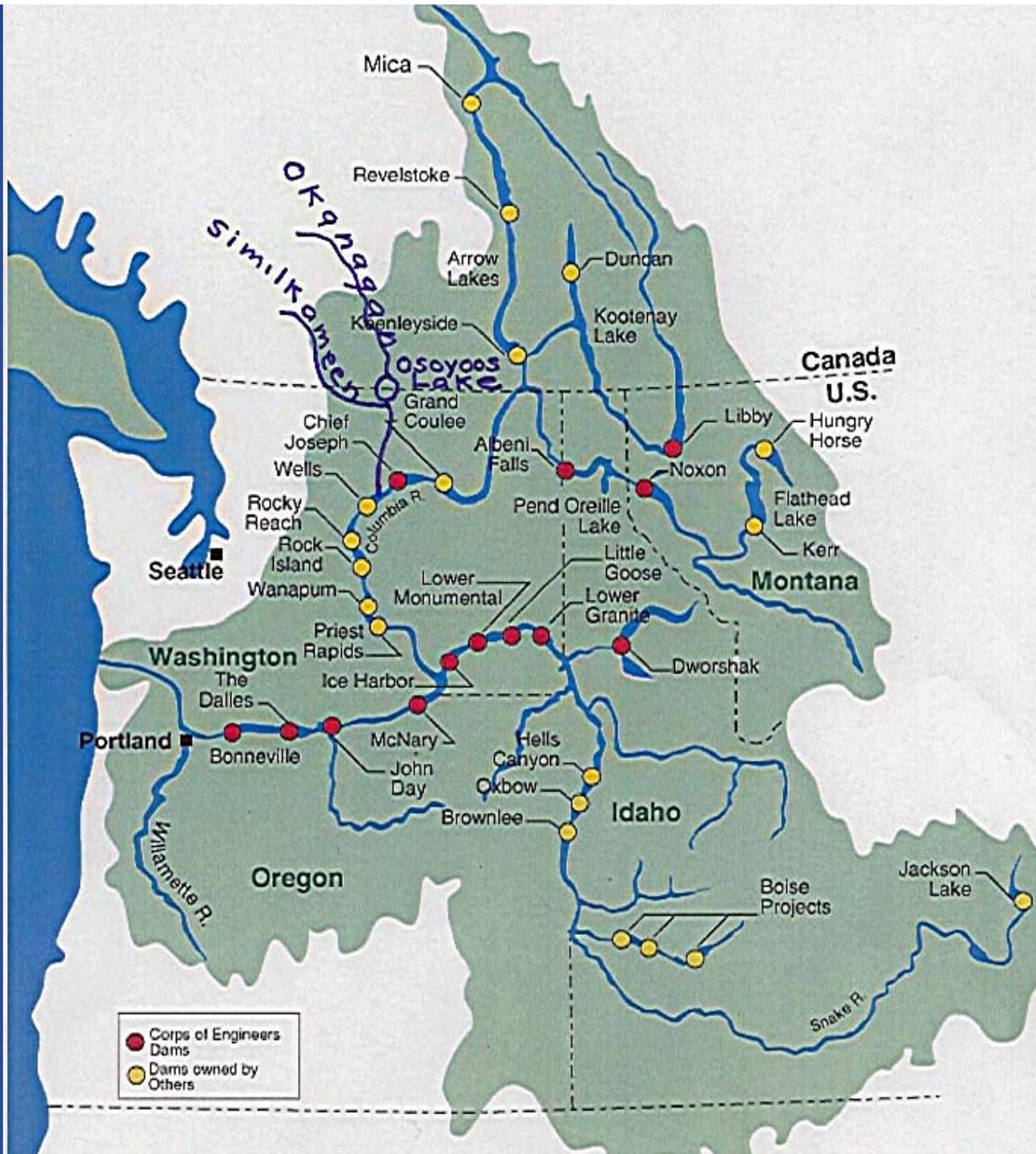
## Corps of Engineers Kootenay Focus:

- Corps Libby Dam affects Kootenay Lake levels.
- Libby is operated for flood control, hydropower and fishery mitigation.
- Libby is required under the Columbia River Treaty to not violate the IJC Order on Kootenay Lake



Osoyoos Lake

Board of Control





# International Osoyoos Lake Board of Control

## Overview of the Board and Renewal of the Osoyoos Orders in 2013





# Osoyoos Lake

- **Osoyoos Lake straddles the International Boundary between BC and Washington on the southward-flowing Okanagan River**
- **The lake's control structure is Zosel Dam near Oroville, WA**





## Brief History

**1927**—Zosel Lumber Co. constructed original dam

**1946**—IJC issued first Order on Osoyoos Lake and established the Osoyoos Lake Board of Control

**1982 & 1985**—IJC issued Orders of Approval for reconstructing the dam

**1988**—Present Zosel Dam completed



# Orders of Approval

- **The Osoyoos Order will expire in 2013**



**“This approval will terminate: ...**

**(c) twenty-five (25) years after completion of construction, unless renewed.”**



## **•Principal effect of IJC Order on Osoyoos Lake:**

**–Balances the lake levels benefits in Canada and the United States for:**

**–Residential and resort property owners for recreation and other concerns**

**–Agricultural needs especially irrigation**

**–Fisheries**

## To Summarize Principal Board Duties:

- Monitor operation of Kootenay & Osoyoos lakes.
- Participate in Public and Board meetings.
- Prepare annual reports to HQUSACE and IJC.
- Participate in studies and investigations.
- Respond to special requests from IJC on Pacific Northwest water issues.

## In Conclusion:

- Boards resolve issues by consensus.
- Public meetings assure recognition of the local perspective.
- Cooperation between IJC and their Boards is outstanding.
- IJC and the Boards are a model for international cooperation.



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END