

## Proposed Directive for International Red River Board

1. Pursuant to the Boundary Waters Treaty of 1909, responsibilities have been conferred on the Commission under a 1948 Reference from the governments of Canada and the United States with respect to the use and apportionment of the waters along, across, or in the vicinity of the international boundary from the eastern boundary of the Milk River drainage basin on the west up to and including the drainage basin of the Red River on the east, and under the May 1969 authorization from the governments to establish continuous supervision over the quality of the waters crossing the boundary in the Red River and to recommend amendments or additions to the objectives when considered warranted by the International Joint Commission.
2. This directive replaces previous directives and instructions provided by the International Joint Commission to the International Souris-Red Rivers Engineering Board, and in the February 8, 1995 Directive to the International Red River Pollution Board. This Directive consolidates the functions of those two former boards into one board, to be known as the International Red River Board (Board).
3. The Board's mandate is to assist the Commission in preventing and resolving transboundary disputes regarding the waters and aquatic ecosystem of the Red River and its tributaries and aquifers. This will be accomplished through the application of best available science and knowledge of the aquatic ecosystem of the basin and an awareness of the needs, expectations and capabilities of residents of the Red River basin.
4. The geographical scope of the Board's mandate shall be the Red River basin, excluding the Assiniboine and Souris Rivers. The Board's activities shall focus on those factors which affect the Red River's water quality, water quantity, levels and aquatic ecological integrity.
5. The Board's duties shall be to:
  - A. Maintain an awareness of basin-wide development activities and conditions that may affect water levels and flows, water quality and the ecosystem health of the Red River and its transboundary tributaries and inform the Commission about transboundary issues.

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- B. Provide a continuing forum for the identification, discussion and resolution of existing and emerging water-related issues relevant to the Red River basin.
  - C. Recommend appropriate strategies to the Commission concerning water quality, quantity and aquatic ecosystem health objectives in the basin.
  - D. Maintain continuing surveillance and perform inspections, evaluations and assessments, as necessary, to determine compliance with objectives agreed to by governments for water quality, levels and quantity in the Red River basin.
  - E. Encourage the appropriate regulatory and enforcement agencies to take steps to ensure that agreed objectives are met.
  - F. Encourage the appropriate authorities, such as resource and emergency planning agencies, to establish and maintain contingency plans, including early warning procedures, for appropriate reporting and action on accidental discharges or spills, floods and droughts.
  - G. Monitor and report on flood preparedness and mitigation activities in the Red River basin and their potential effects on the transboundary aquatic ecosystem, and encourage and facilitate the development and maintenance of flood-related data and information systems and flood forecasting and hydrodynamic models. In carrying out this responsibility, the Board shall:
    - i. Monitor progress by the governments (federal, state, provincial, municipal) in implementing the recommendations of the Commission's report on Red River basin flooding, and in maintaining and advancing the work of the Task Force's legacy projects.
    - ii. Encourage governments to develop and promote a culture of flood preparedness in the Red River valley.
    - iii. Encourage government efforts to develop and implement a long- term strategy for flood mitigation and emergency preparedness.
    - iv. Encourage the sharing of accurate and timely transboundary information to support the development of improved flood forecasting techniques and procedures for early flood warnings and to improve communication of flood forecasts.
    - v. Provide through the activities of the Board a forum for the exchange of best practices and for other flood-related information on preparedness, mitigation, response, and recovery, to assist in transboundary problem solving.
    - vi. Promote the application of innovative technologies for supporting flood modeling and mapping.
    - vii. Monitor the adequacy of data and information collection networks (meteorological, hydrometric, water quality) for flood preparedness, forecasting and mitigation, within the larger context of overall water management needs in the basin.

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- viii. Monitor potential transboundary effects of flood mitigation and other works in the basin, and encourage cooperative studies necessary to examine these effects.
  - ix. Encourage governments to integrate floodplain management activities in watershed and basin management.
  - x. Interact with all levels of government to help decision-makers become aware of transboundary flood-related and associated water management issues.
  - xi. Assist in facilitating a consultative process for resolution of the lower Pembina River flooding issue.
- H. involve the public in the work of the Board, facilitate provision of timely and pertinent information within the basin in the most appropriate manner including electronic information networks, and conduct an annual public meeting in the Red River basin;
  - I. provide an annual report to the Commission, plus other reports as the Commission may request or the Board may feel appropriate in keeping with this Directive.
  - J. maintain an awareness of the activities of other agencies and institutions, in the Red River basin;
7. The Board shall continue to report on the non-Red River geographic areas under the responsibility of the former International Souris-Red Rivers Engineering Board, including the Poplar and Big Muddy basins, until the Commission determines otherwise.
  8. The Board shall have an equal number of members from each country. The Commission shall normally appoint each member for a three-year term. Members may serve for more than one term. Members shall act in their personal and professional capacity, and not as representatives of their countries, agencies or institutions. The Commission shall appoint one member from each country to serve as co-chairs of the Board. An alternate member may not act as a co-chair.
  9. At the request of any member, the Commission may appoint an alternate member to act in the place of such member whenever the said member, for any reason, is not available to perform such duties as are required of the member.
  10. The co-chairs of the Board shall be responsible for maintaining proper liaison between the Board and the Commission, and among the Board members. Chairs shall ensure that all members of the Board are informed of all instructions, inquiries, and authorizations received from the Commission and also of activities undertaken by or on behalf of the Board, progress made, and any developments affecting such progress.
  11. Each chair, after consulting the members of the Board, may appoint a secretary. Under the general supervision of the chair(s), the secretary(ies) shall carry out such duties as are assigned by the chairs or the Board as a whole.

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12. The Board may establish such committees and working groups as may be required to discharge its responsibilities effectively. The Commission shall be kept informed of the duties and composition of any committee or working group. Unless other arrangements are made, members of the Board, committees, or working groups will make their own arrangements for reimbursement of necessary expenditures.
  13. The Commission should also be informed of the Board's plans and progress and of any developments or cost impediments, actual or anticipated, which are likely to affect carrying out the Board's responsibilities.
  14. The Commission shall be informed, in advance, of plans for any public meetings or public involvement in the Board deliberations. The Board shall report, in a timely manner, to the Commission on these meetings, including representations made to the board.
  15. The Board shall provide the text of media releases and other public information materials to the Secretaries of the Commission for review by the Commission's Public Information Officers, prior to their release.
  16. Reports, including annual reports, and correspondence of the Board shall, normally, remain privileged and be available only to the Commission and to members of the Board and its committees until their release has been authorized by the Commission.
  17. If, in the opinion of the Board or of any member, any instruction, directive, or authorization received from the Commission lacks clarity or precision, the matter shall be referred promptly to the Commission for appropriate action.
  18. In the event of any unresolved disagreement among the members of the Board, the Board shall refer the matter forthwith to the Commission for decision.
  19. The Commission may amend existing instructions or issue new instructions to the Board at any time.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2001

Gerald E. Galloway  
Secretary  
United States Section

Murray Clamen  
Secretary  
Canadian Section