

INTERNATIONAL JOINT COMMISSION

IN THE MATTER OF EMERGENCY REGULATION OF THE LEVEL OF RAINY LAKE AND OTHER BOUNDARY WATERS IN THE RAINY LAKE WATERSHED.

SUPPLEMENTARY ORDER

29 April, 1987

to the Order Prescribing Method of Regulating the Levels of Boundary Waters, dated 8 June 1949, as amended by Supplementary Orders dated 1 October 1957 and 29 July 1970.

The Commission was informed on April 24, 1987, by the International Rainy Lake Board of Control that Rainy Lake was only slightly above the emergency conditions level and, based on present water supply trends, was about to go outside its operating band. The outflow from the lake is subject to minimum outflows prescribed in the Commission's 1970 Supplementary Order when the level reaches or falls below the lower rule curve. The Board also informed the Commission that conditions in the basin are very dry, and based on available forecasts, are expected to continue to be very dry.

The Board has recommended reducing outflows from Rainy Lake to 2500 cfs until such time as Rainy Lake is back in its band in order to conserve water under the prevailing critical drought conditions. The International Rainy River Water Pollution Board has advised the Commission that a minimum release of 2500 cfs would be acceptable under present water supply conditions to meet pollution control requirements in the Rainy River. It has also informed the Commission that this reduction in minimum outflow would be adequate for fish spawning in the Rainy River but advised that because of fish spawning every possible effort should be made to stabilize the levels of Rainy and Namakan Lakes over the next couple of weeks.

Based upon the above information and advice, the Commission finds that emergency conditions now exist in the Rainy Lake watershed.

THE COMMISSION THEREFORE ORDERS AND DIRECTS THAT, notwithstanding the terms of the Commission's Order dated 8 June 1949, as amended, the outflows from Rainy Lake and Namakan Lakes shall be regulated so that the daily mean discharge shall be no lower than 2500 cfs and 500 cfs, respectively, provided that the outflows from each Lake shall be determined by the International Rainy Lake Board of Control and provided further that the outflow from Rainy Lake shall be increased temporarily, as necessary, to prevent the dissolved oxygen level in the Rainy River from falling below 5 milligrams per liter.

The Companies, during the period of reduced outflow, shall monitor dissolved oxygen levels once per week in the Rainy River at the following three locations:

1. Upstream from Fort Frances
2. At the 19 KM range marker
3. Upstream from Manitou Rapids

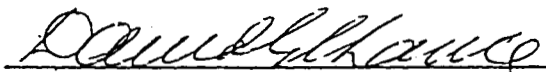
The Companies shall furnish the outflow information each day and dissolved oxygen information weekly to the United States and Canadian members of the International Rainy Lake Board of Control and the Co-Chairmen of the International Rainy River Water Pollution Board.

In the event that it comes to the attention of the International Rainy River Water Pollution Board or either Company that these flows are causing difficulties on Lake of the Woods or the Rainy River, they shall immediately advise the Commission and the International Rainy Lake Board of Control.

Unless otherwise ordered by the Commission, this Supplementary Order shall continue in force until September 10, 1987.

Dated this 29th Day of April 1987.

By the Commission

A handwritten signature in cursive script, appearing to read "David G. Chance", is written over a horizontal line.

David G. Chance

Secretary, Canadian Section