

MINUTES

International Kootenay Lake Board of Control Public Meeting

Creston Valley Seniors Association Hall
810 Canyon Street
Creston, BC

September 11, 2003
7:30 to 10:30 PM

Attendance

	Canada	United States
Chair	Kirk Johnstone (host)	Col. Debra Lewis
Members	Glen Davidson for James Mattison	Kathy Peter
Secretary	Daniel Millar	Larry Merkle
Guests	Commissioners: Irene B. Brooks, Allen I. Olson, Jack P. Blaney Murray Clamen (Secretary, Canadian Section, IJC), James Chandler (A/Secretary, US Section, IJC), Tom McAuley (IJC), Lisa Bourget (IJC), Marian Valentine (Corps), Michael Vechsler (IJC), Fabien Lengellé (IJC) Brian Stushnoff (CVWMA), Norman E. Simmons, Sidney Charman, Rob Hoegi, Delmar J. French, Hanne French, Gordon Warner, Ray Zimmerman, Larry Sywak, Ron Messinger, Leonard Messinger, Norm Simmons Jr, Ted Antifeau (BC MWLAP), Anne de Jager (CVWMA), Ray Pederson, Lawrence Beck, Mike Seaton, Cal Beebe (Rod & Gun Club), Bob Marshall, M.W. Prowse (Rod & Gun Club), Dwain Boyer (BC MWLAP), Marc-André Beaucher, Derick Todd, Dean Eastman, Peter Czar, Paula Rodriguez de la Vega (CVWMA), Marj Truscott, Thomas Mann (Director Area C, RDCK), Rosamond Eben (CVWMA), Bob Gammer (BC Hydro), Doug Robinson (BC Hydro and Columbia River Treaty rep.), V. (Wally) Koschik (Aquila Networks Canada), Dan Egolf (Aquila Networks Canada), N. Keith Warnes (Boswell & District Farmers Institute), K.J. Baric.	

Agenda

1. Welcome and introductions Kirk
Johnstone

Mr. Johnstone introduced the new US co-chair of the Kootenay Board, Col. Debra Lewis. He then asked for a moment of silence on this, the anniversary of the September 11, 2001 terrorist attacks on the United States. Finally, he invited the remaining Board Members and the IJC Commissioners to introduce themselves.
2. Review of the agenda Kirk
Johnstone

The agenda was adopted.
3. IJC and the Kootenay Lake Orders - context Kirk
Johnstone

Mr. Johnstone offered a brief overview of the Kootenay system and the Kootenay Lake Orders as follows:

Kootenay Lake sits in a BC mountain trench just north of the Idaho border. The Kootenay River rises in BC, and 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. The Kootenay Lake Order relates to Corra Linn Dam, owned by Aquila Networks. The dam can cause backwater upstream to Bonners Ferry, Idaho. In 1938, the Commission issued an Order setting out the management regime for the lake and appointed a Board of Control. The Order allows Aquila to store water in the lake, but specifies a "lowering" formula for the freshet. Aquila must financially compensate Idaho farmers for increased pumping costs caused by the backwater. The lowering takes advantage of a late 1930s lake outlet excavation by the Applicant and prevents unnecessary flooding around Kootenay Lake and the Kootenai and Creston valleys (i.e. upstream of the lake). The Order allows fall storage of water to 1745.32 ft., but calls for spring drawdown to 1739.32 ft., and lowering of the freshet.

3.1 Kootenay Lake levels 2003

Daniel
Millar

Mr. Millar presented a hydrograph depicting Kootenay Lake levels in 2003. He indicated that, to date, the Applicant had successfully managed the lake levels within the upper limit set by the 1938 Order.

3.2 Questions from the public concerning the Kootenay Order and operation of Kootenay Lake in 2003

Kirk
Johnstone

One participant asked if Libby Dam controls the water level in Kootenay Lake. A Board member replied that the management of Libby Dam affects the water level in Kootenay Lake, but, being upstream, it doesn't control the lake levels. Another asked if the purpose of Libby Dam was irrigation and power, to which Board members advised that the primary purposes of Libby are flood control and power generation.

Mr. Johnstone thanked participants and adjourned the Kootenay Lake Board of Control's public meeting.

The two items on the next page were part of the agenda of the International Joint Commission's Duck Lake Hearing, which followed the Kootenay Board's public meeting. They are appended here due to their relevance to the Board's business. They are not intended to represent a portion of the official record of the Hearing.

Appendix

Essentials of Duck Lake Orders

Kirk
Johnstone

Mr. Johnstone offered a brief overview of the Duck Lake Orders as follows:

The International Joint Commission has three current Orders that apply to Duck Lake: October 12, 1950; April 3, 1956; and March 31, 1970. Why is the IJC involved on a wholly Canadian lake? The Columbia River Engineering Board reported (1947) that the proposed outer dyke of Duck Lake along the Kootenay's East Branch had the potential to increase the river's flood water at the international boundary, for floods of elevation between 1761 to 1766 feet, by about 4 to 6 inches and about half that at Bonners Ferry. This was prior to the construction of the Libby Dam. Prior to the 1950 Order, the Creston Reclamation Company applied to the Commission to reclaim 8,100 acres of the Duck Lake area. Wildlife and power interests opposed. Creston Reclamation revised their application, and the Commission agreed. The 1950 Order allowed reclamation of the southern 3,200 acres. Duck Lake was to remain in the north for wildlife and winter release (power) purposes. An outer dyke along the Kootenay River and a cross dyke were authorized. The lake was to be drawn down with the Kootenay in the winter, and raised to 1747.32 with the recession of the freshet. In 1956, the

Order was reviewed and the post-freshet target level on Duck Lake was changed to 1745.5, commensurate with the Kootenay Lake elevation. In February 1969, the outer dyke between the lake and the river, and the cross dyke, were turned over to the province. In June, the new Creston Valley Wildlife Management Authority applied to dyke a nesting area at the south end of the lake. The application was approved with the Commission's 1970 Order. That Order also reduced the post-freshet storage level on the lake to 1745, and set the year-round water level for the nesting area at 1744. In response to concerns of anglers about reportedly excessive winter drawdowns of Duck Lake, the Commission issued a temporary, supplementary Order in 2003 that permitted Creston Valley Wildlife Management Authority to limit the winter drawdown to 1744 feet.

Management of Duck Lake in 2003

Daniel
Millar

Mr. Millar presented a hydrograph depicting the management of Duck Lake levels in 2003. He indicated that the lake had been successfully managed within the limits set by the 2003 Supplementary Order. However, at the end of the freshet when the regular Orders were in force, the lake reached its freshet maximum, but remained 0.15 feet below the Ordered target level.