

MINUTES

International Kootenay Lake Board of Control Annual Meeting

Kootenai River Inn
7169 Plaza Street
Bonners Ferry, Idaho

Thursday September 11, 2008
2:30 – 4:30 PM

Attendance

	United States	Canada
Chair	Col. Anthony Wright (host)	Kirk Johnstone
Members	Kathy Peter	Glen Davidson
Secretary	Larry Merkle	Daniel Millar
Guests	Commissioners: Irene Brooks (USA), Pierre Trépanier (Canada) Dr. Mark Colosimo (IJC), Tom McAuley (IJC), Ken Brettmann (USACE), Dave Cochrane (FortisBC), Kelvin Ketchum (BC Hydro), Jim Barton (USACE), Vlad Plesa (BC Hydro), Eric Weiss (BC Hydro)	

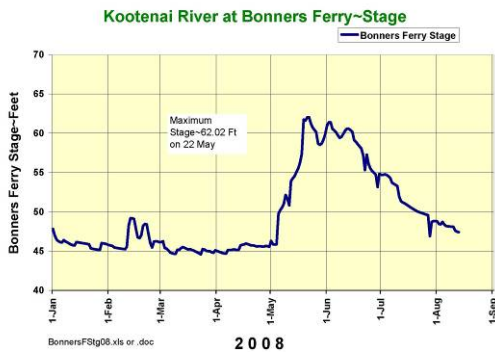
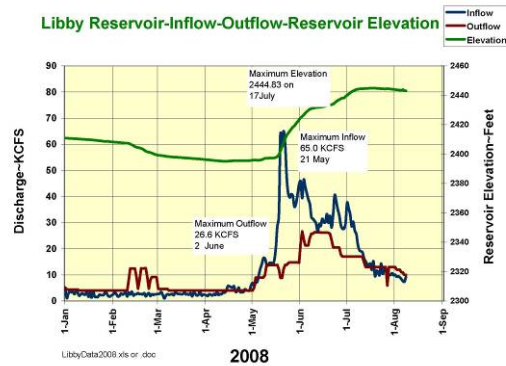
Agenda

1. Welcome and introductions Tony Wright
2. Review of the agenda Tony Wright
3. Business from previous meeting
- 3.1 Status of changes to Libby operation: VARQ & Biological Opinion (BiOp). Tony Wright

Col. Wright reported that pending law suits in the US regarding Libby operation for fish flows and related biological opinions are likely to result in a flow regime very similar to VarQ. Components of the settlement are likely to include both flows and water temperature restrictions. Corps staff are studying the probability of exceedence of any of the various operational restrictions that apply to the project.

Kelvin Ketchum reported that the Canadian Entity to the Columbia River Treaty will present a letter to the Corps conveying the position that Canada objects to VarQ. The issue is under discussion between the Canadian and US Entities.
- 3.2 Libby and Bonners Ferry hydrographs Larry Merkle

Larry Merkle presented hydrographs for Libby Dam and the Kootenai River at Bonners Ferry to the Board.



3.3

Upstream Columbia River Treaty dams operation relative to the Kootenay Lake Order

Daniel Millar

This item is in response to an action item from last year's meeting. At issue is the operation of the two upstream Columbia River Treaty dams during a period when lake levels exceed the rule curve: whether the facilities should operate to limit outflow to inflow or not. During the 2007 exceedence event, the two projects operated differently. The operators have asked the Board to advise them which operation is consistent with the Kootenay Order. Details of the issue are available in the previous minutes.

Board members and guests discussed the matter with the following highlights:

- The Order was written in the context of natural inflow from upstream.
- Legal advice indicates the Board does not have authority over the upstream dams.
- Stolid adherence to the Kootenay Lake rule curve by upstream projects may lead to dangerous situations of trapped storage in their reservoirs. Upstream operators should plan to prevent such occurrences; however the operators are required

to respond to a number of different requirements. The Board recognizes the need to manage the flood risk.

- When an exceedence of the rule curve is at hand, the Applicant must take all possible, reasonable measures to reduce the level of the lake to comply with the rule curve. In practicality, the Board accepts that the Applicant will have done everything possible if Corra Linn forebay level is reduced in a timely manner sufficient to assure the natural upstream constriction at Grohman Narrows controls the lake level.
- Reclamation Districts and other interests at the south end of the lake have emphasized the need for lake levels to be reduced to at or below 1739.32 foot elevation on or about April 1st. This greatly reduces the pumping costs for draining their land.
- Further commentary related to this matter may be the subject of comments at the public meeting this evening.

The Board discussed the matter further 'in camera' at the end of the meeting. Kirk Johnstone recommended that a response to the question of operation consistent with the Order will be sent to the Commission for their consideration and possible conveyance to the governments of Canada and the United States.

3.4

Review of spring rise declaration process

Larry Merkle

This item is in response to an action item from last year's meeting, the details of which are in the minutes. At issue is the procedure for declaring spring rise. In response to ambiguity related to the 2007 declaration, the Board is considering whether the procedure should be revised within the bounds of the Order.

Board members and guests discussed the matter with the following highlights:

- Any delay in declaration of the spring rise may lead to trapped storage in Libby and Duncan reservoirs in advance of the freshet. A fixed date for the declaration would be an asset to the operation of these two dams.
- At question is the subjectivity of the current declaration method and whether a more objective method is warranted.
- A previous Board had commented that the selection of a fixed date was not in keeping with the intent of the Order.
- The majority of correspondence received in response to the Board's letter requesting comment was opposed to the fixed date and was either in favour of the current practice or suggested that a decision to change was premature pending more information and details on the implications of any change.
- Missing is a listing of the Board's factors for

declaring spring rise. If such a list were available, the Applicant and the upstream dam operators would be in a better position to develop models that could forecast the date each year. Such a method might even be considered for adoption by the Board.

- Further commentary related to this matter may be the subject of comments at the public meeting this evening.

The Board discussed the matter further 'in camera' at the end of the meeting. A decision on the spring rise declaration process will follow in due course.

3.5 Development of new generation/discharge curves for lake outlet projects Dave Cochrane

During last year's meeting, the Applicant reported finding discrepancies in the calculated discharge at Corra Linn as compared to other dams on the lower Kootenay. Following investigation, a new discharge model was developed. Under non-freshet conditions, the new model is expected to give similar results to the old. Under freshet conditions, the new model may understate inflows to the lake by up to 2 kcfs. BC Hydro work on the model as it relates to their Kootenay Canal Plant should improve the calculation.

3.6 Proposed Change of Bonners Ferry Flood Stage Tony Wright

As reported at last year's meeting, Boundary County, Idaho had made a request to the U.S. National Weather Service to lower the flood stage elevation at Bonners Ferry from 1764 to 1762 feet. The Service has since declined the change.

4. New Business

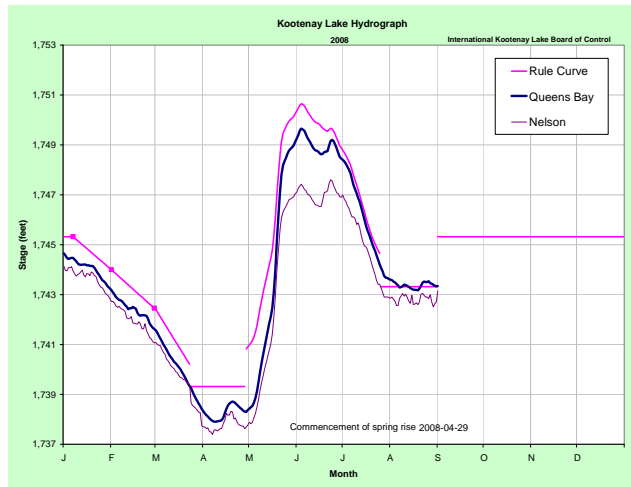
4.1 Fortis BC operations in 2008 Dave Cochrane

Mr. Cochrane reported that the winter of 2008 produced an average snowpack. However, due to a cool dry April, lake level remained at the pre-freshet low for an extended period. The freshet peak was not particularly high (~1749 feet), but held for the whole month of June. These conditions led to numerous public complaints about water levels too low in April and too high in June.

ACTION: Mr. Cochrane agreed to provide the Board with a letter providing additional information on the maintenance and operation of the Applicant's four gauging stations, and the status of compensation payments to Idaho farmers.

4.2 Compliance with the Kootenay Lake Order in 2008 Daniel Millar

During 2008, lake levels have been effectively managed within the bounds set by the Order.



5. Preparation for public meeting

5.1 Review of agenda

Kirk Johnstone

No changes were made to the draft agenda for the public meeting.

6. Adjourn