

November 27, 2000

**RECORD OF THE  
INTERNATIONAL KOOTENAY LAKE BOARD OF CONTROL  
PUBLIC MEETING  
AT BONNERS FERRY, IDAHO**

**OCTOBER 2, 2000, 7:00 PM  
KOOTENAI RIVER INN**

<b>Attendance</b>	<b>Canada</b>	<b>United States</b>
Chair:	Kirk Johnstone (absent)	Col Ralph Graves
Members:	James Mattison	Derrill Cowing
Secretaries:	Larry Adamache	Larry Merkle

1. Reference the attached agenda.
2. Col Graves opened the meeting by welcoming the public and with introduction of Board members and the IJC and Board staff. Audience consisted of approximately 15 persons from the public, two staff persons from Canadian Section and one staff person from U.S. Section, IJC and Rick Spyker from West Kootenay Power Company.
3. Larry Merkle gave a presentation that explained the purpose of the International Joint Commission and the Kootenay Lake Board of Control and identified the membership of each organization. He also provided a geographic overview of the Kootenay basin. The presentation showed lake elevations for the year through the end of August and the Kootenay Lake elevation limits specified by the Order. He noted that levels this year were in compliance with the Order.
4. Col Graves invited questions and comments from the public.
  - a) Mr. Bill Michalk, local landowner and farmer, asked if the Board had been asked by the fisheries agencies to hold the level of Kootenay Lake at higher levels. Col Graves answered that the Board had received a request about two

years ago and had responded that the Board had no authority to control lake levels except to assure that the maximum lake level did not exceed that specified by the IJC Order. Mr. Michalk stated that he and many other farmers were opposed to holding the lake level higher and would oppose any proposal to change the Order to allow higher lake elevations. Additionally, Mr. Michalk requested that the Kootenay Lake Board of Control membership be expanded to include two local citizen members from the Kootenai Flats area; one from the Canadian and one from the U.S. side.

- b) Several attendees expressed extreme concern with dyke (levee) erosion which is occurring on both sides of the border and high ground water levels, attributing most of the problem to operation of Libby project. Col Graves explained that Libby operation is not within the authority of the Kootenay Lake Board of Control. Col Graves offered to meet with persons concerned about Libby operation in his capacity as District Engineer, Seattle District, U.S. Army Corps of Engineers after adjournment of the Kootenay Lake Board of Control meeting.
- c) Several citizens expressed the opinion that the \$3000 maximum annual payment required under the Order to compensate Idaho land owners for increased pumping costs attributable to high, regulated Kootenay Lake levels had not been increased since 1938 and was not sufficient. There were questions concerning the status of Kootenai Valley Reclamation Association (KVRA) negotiations with West Kootenay Power (WKP) Company to increase the annual payment limit. Col Graves reported that the IJC had encouraged the two parties to negotiate a settlement to this issue. He stated that WKP had presented KVRA with a proposal in October 1998 and as of mid-September 2000, KVRA had not responded.

5. The meeting adjourned at approximately 8:15 PM.

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