

Record of Meeting

International Osoyoos Lake Board of Control Annual Meeting

The Old Depot
Oroville, Washington
September 24, 2002, 2:00 PM

Attendance

| | Canada | United States |
|--------------------|--|------------------------------------|
| Chairs | Kirk Johnstone | Dr. Cynthia Barton (host) |
| Members | Brian Symonds Glen Davidson for Jim Mattison | Col. Ralph Graves Kris Kauffman |
| Secretaries | Daniel Millar | Robert Kimbrough |
| Guests | IJC Commissioner Dennis Schornack, IJC Commissioner Robert Gourd, Gerry Galloway (Secretary, U.S. Section, IJC), Murray Clamen (Secretary, Canadian Section, IJC), Tom McAuley (Canadian Section, IJC), Lisa Bourget (U.S. Section, IJC), Larry Merkle (USACE), Marian Valentine (USACE), Ray Newkirk (WA Ecology), Robin McNeil, Michelle Boshard (Okanagan Similkameen Boundary Fisheries Partnership), Howie Wright (Okanagan Nation Fisheries Commission), Dave Moore (ONFC), Deana Machin (ONFC), Jillian Tamblyn (Canadian Okanagan Basin Technical Working Group), Joe Peone (Confederated Tribes of the Colville Reservation), Kim Hyatt (Fisheries and Oceans Canada) | |

Agenda

1. Welcome and introductions—Dr. Cynthia Barton

Dr. Barton opened the meeting by welcoming everyone to Oroville and expressing thanks to the individuals who coordinated the morning tour of the Similkameen Basin.

Members and guest introduced themselves.

IJC Commissioner Schornack announced two recent nominees to the U.S. Commission; Ms. Irene Brooks and Mr. Allen Olson.



The Board and guests visited Enloe Dam situated on the lower Similkameen River. The dam was completed in 1920; however, it has not produced electricity since the 1950s. A local Public Utility District continues to explore the possibility of resuming power generation in the future.

2. Review of the agenda—Dr. Cynthia Barton

The award presentation was moved up to agenda item 3.0

3. Award presentation—Commissioner Gourd

IJC Commissioner Gourd, on behalf of the IJC, presented Robin McNeil with a plaque award in appreciation of dedicated service to the Osoyoos Lake Board of Control and IJC from April 1997–March 2002. Mr. McNeil thanked the Commission and encouraged continued cooperation between the two countries.



Robin McNeil, pictured above with IJC Commissioners Robert Gourd (left) and Dennis Schornack (right) received an award from the IJC in appreciation of his dedicated service to the Osoyoos Lake Board of Control.

4. Previous business

4.1 Channel capacity below Osoyoos Lake—Robert Kimbrough

On September 24, 1996, the Washington State Department of Ecology (Ecology) petitioned the Board to use hydrologic records for verifying the hydraulic capacity of the Osoyoos Lake outlet channel. The Board approved the request on September 26, 1998. In an October 7, 1999 letter to Ecology, the Board enumerated the new procedures for verifying the hydraulic capacity. In a September 20, 2001 letter to the Board, Ecology accepted the new procedures developed by the Board. The Board advised the Commission by letter dated November 13, 2001 that the Ecology letter had been received. This last letter to the Commission satisfied the action item listed under agenda item 3.2, Osoyoos Board Annual Meeting, Oct. 3, 2001.

The Board discussed the requirement for georeferencing the reference points that mark the location of the survey cross-sections in the outlet channel. The survey marks consist of either brass survey caps set in concrete or locations on the sheet pile wall at the WA State Park. Ray Newkirk with Ecology indicated that the georeferencing would be accomplished by the next annual board meeting and agreed to notify the Board when this was completed.

4.2 Re-issuance of the Osoyoos Orders—IJC Commissioners and Board members

The discussion began with the Board reciting the list of studies and components of a renewal work plan that was sent to the Commission in a letter dated September 4, 2002. The Commission indicated they had not had time to review the letter and that it might be premature to discuss the list of ideas. It was agreed that the next step is for the Commission to consider the list of proposed steps, and specifically the recommendation that the Commission write to the Applicant (the state of Washington) to determine if they intend to apply for a renewal of the Order.

The Board discussed the importance of evaluating the drought criteria as part of the renewal process. In doing so, the Board had a discussion on the original development of the three drought criteria that are set forth in Condition 8 of the 1982 Order of Approval (drought criteria are listed in Attachment A). Mr. Robin McNeil, past IOLBOC Member, had been party to the development of the drought criteria on behalf of B.C. and Mr. Kris Kauffman, current IOLBOC Member, had been involved on behalf of the State of Washington. Discussions between Mr. McNeil and Mr. Kaufman spoke to the appropriateness of these criteria and noted that the Similkameen criterion (Condition 8a of the 1982 Order) was generated by the State of Washington and the two Okanagan Lake criteria (Conditions 8b and 8c of the 1982 Order) were generated by B.C. The Similkameen criterion has emerged as the predominant precursor criterion used for the drought declaration because of its availability early in the year.

A review of the table entitled Osoyoos Order Drought Conditions (since the start of operation of the new Zosel Dam) provided by the IOLBOC to the IJC by letter dated July 9, 2002 and attached hereto (Attachment B) was summarized as follows:

- A. Since 1987, drought has been declared in seven years and rescinded in two, resulting in five years with drought conditions.
- B. Drought was rescinded in 1987 even though the B.C. criterion (Condition 8b) had been met.
- C. All three drought criteria were met in three of the five drought years (1988, 1992 and 2001); and,
- D. Only the Washington criterion (Condition 8a) was met in two of the five drought years (1993 and 1994).

Condition 8a of the Order stipulates that drought conditions are met when the run-off volume in the Similkameen River for April-July is 1 million acre-feet or less. Since 1929, run-off volumes of 1 million acre-feet or less for April-July in the Similkameen River have occurred about 25 percent of the time. It was noted that the U.S. Geological Survey considers the lowest flows that occur about 25 percent of the time in a river as “below normal”.

The Board discussed several other items associated with the Orders renewal process including the formulation of a budget, the importance of receiving public comment, funding potential studies, and the Board’s role in the renewal process. The question was asked whether the scope of the current Orders is adequate or if it needs to be expanded in the renewal process. One of the IJC Commissioners cited a 1997 report in which IJC proposes the idea of Boards adopting an integrative, ecosystem based approach for addressing a full range of water-related issues that arise in the transboundary environment. The Board responded that adopting this new paradigm would certainly require expanding the scope of the current Orders.

5. New Business

5.1 New IJC policy on public access to meeting minutes—Robert Kimbrough

The Board reviewed the April 8, 2002 IJC policy concerning public access to minutes of Board meetings. In particular, Board secretaries need to send approved minutes of a Board meeting by email to the Commission within 45 calendar days of the close of that meeting. Unless instructed otherwise, the Boards should publish the minutes of the meeting on the Board’s website on the 21st day after sending the minutes by email to the Commission, together with a French translation of the minutes which will be provided to the Boards by the Secretary of the Canadian Section of the Commission.

As far as the IOLBOC is concerned, Board secretaries will get a draft version to Board members within 15 working days and Board members will then have 10 working days to make comments. This will leave 5 working days for the Secretaries to prepare the final version of minutes.

The Commission asked if any part of the Board's website was in French, in which the Board responded no.

5.2 Compliance with the Osoyoos Lake Orders in 2002—Robert Kimbrough

The Board reviewed a graph showing lake levels in 2001 and 2002 (through September 20, 2002). It was noted that no drought criteria were met in 2002 so lake levels were to be maintained in the normal range to the extent possible (909-911.5 ft Nov-March, 911-911.5 ft April-October). Lake elevations had been in the normal range in 2002 except for the period May 29-June 20, 2002, when the elevation exceeded 911.5 due to backwater from the Similkameen River. The maximum lake elevation during this time was about 912.5 on June 1-2, 2002. A second graph showing lake elevation and flow in the Similkameen illustrated the influence of the Similkameen River on the lake. It was decided to distribute these graphs at the public meeting.

Osoyoos Board members and guests visited the USGS gage and cableway on the Similkameen River near Nighthawk, Washington. Information from this gage is used for evaluating hydrologic conditions relative to the drought criterion set forth in Condition 8a of the 1982 Order of Approval.



5.3 Review agenda for public meeting—Dr. Cynthia Barton

The agenda for the public meeting was approved with no changes. There was discussion on how to respond to questions from the public at the evening meeting. It was suggested that if the public has issues outside the scope of the Orders, they should be advised to talk to the appropriate Board member, in their role as public officials, after the meeting.

5.4 Presentations

The Board heard the following three presentations on salmon-restoration efforts in the Okanagan Basin:

"Progress Towards Development of an Ecosystem-Based Management and Salmon Recovery Program in the Okanagan River Basin" presented by Dr. Kim Hyatt, Fisheries and Oceans Canada, Pacific Biological Station, Nanaimo, B.C. Email: hyattk@dfo-mpo.gc.ca

"A Vision for Fisheries Recovery in the Okanagan Basin", presented by Deana Machin, Program Manager, Okanagan Nation Fisheries Commission, and Joe Peone, Fish and Wildlife Division, Colville Confederated Tribes. Email contact: deanamachin@syilx.org

"Community Fisheries Interests", presented by Michelle Boshard, Stewardship Coordinator, Okanagan Similkameen Boundary Fisheries Partnership. Email: Stewardship@syilx.org

6. Adjourn

ATTACHMENTS A and B

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Attachment A

Drought Criteria set forth in Condition 8 of the 1982 Order of Approval

- (a) the volume of flow in the Similkameen River at Nighthawk, Washington, for the period April through July as calculated or forecasted by United States authorities is less than 1.0 million acre-feet, or
- (b) the net inflow to Okanagan Lake for the period April through July as calculated or forecasted by Canadian authorities is less than 195,000 acre-feet, or
- (c) the level of Okanagan Lake fails to or is forecasted by Canadian authorities to fail to reach during June or July elevation 1122.8 feet Canadian Geodetic Survey Datum.

Attachment B

Osoyoos Order Drought Conditions (since the start of operation of the new Zosel Dam)

This table was provided by the IOLBOC to the IJC by letter dated July 9, 2002.

| Figures herein are actual, not forecasts. | | | | | |
|--|-----------|---------|---------|-----------|------------|
| Measurements meeting conditions for drought declaration are highlighted in yellow. | | | | | |
| Year | Condition | | | Drought | |
| | (a) | (b) | (c) | Declared? | Rescinded? |
| 1987 | 1,003,000 | 178,880 | 1123.11 | Yes | Yes |
| 1988 | 933,000 | 192,672 | 1122.32 | Yes | |
| 1989 | 1,061,000 | 296,693 | 1123.54 | | |
| 1990 | 1,566,000 | 536,047 | 1124.90 | | |
| 1991 | 2,300,000 | 479,129 | 1123.42 | | |
| 1992 | 736,000 | 123,633 | 1121.87 | Yes | |
| 1993 | 939,000 | 458,268 | 1123.56 | Yes | |
| 1994 | 885,000 | 302,637 | 1123.39 | Yes | |
| 1995 | 1,305,000 | 368,386 | 1123.17 | | |
| 1996 | 1,661,000 | 653,998 | 1124.07 | | |
| 1997 | 1,947,000 | 863,080 | 1124.81 | | |
| 1998 | 1,231,000 | 390,958 | 1123.47 | Yes | Yes |
| 1999 | 1,707,000 | 560,661 | 1123.39 | | |
| 2000 | 1,070,000 | 431,239 | 1123.41 | | |
| 2001 | 567,000 | 192,344 | 1122.72 | Yes | |