

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

24 June, 1988

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 June 2, 1988 by the International Rainy Lake Board of Control that Rainy Lake and Namakan Lake levels were below the IJC operating band. The Board also informed the Commission that conditions in the basin are very dry and are likely to remain so based on current weather forecasts.

The Commission's 1949 Order, as amended, (hereinafter referred to as the Order) provides in part that emergency conditions exist on Rainy Lake and Namakan Lake when water levels are below 1104.6 above mean sea level feet and 1108.6 feet above mean sea level respectively. The Order also provides that "in order to prevent the occurrence of such emergency conditions, it is necessary to anticipate high and low inflows to said lakes insofar as possible and so regulate the outflow at the Kettle Falls Dams and the International Falls-Fort Frances Dam as to avoid as far as possible the occurrence of such conditions." To achieve this objective the Order prescribes total outflows of 1000 cfs for Namakan Lake and 4000 cfs between the hours of sunrise and sunset in the months of May to October, inclusive, and 3300 cfs at all other times for Rainy Lake whenever the levels of the lakes are below the respective IJC operating bands.

To conserve water during the current drought conditions and to avoid as far as possible the occurrence of emergency conditions on the two lakes, the International Rainy Lake Board of Control has recommended that the minimum permissible outflow from Rainy Lake be reduced to 2000 cfs and that from Namakan Lake be reduced to 500 cfs until such time as the lake levels are back within their bands. The Board has also requested that it be given authority to set the actual outflows at or above the minimum permissible values until such time as the lake levels are within their bands.

The International Rainy River Pollution Board has advised the Commission that based upon a review of previous experience and current conditions, a minimum outflow of 2250 cfs from Rainy Lake should be acceptable under present water supply conditions to meet pollution control requirements in the Rainy River and to ensure adequate water level over the Town of Emo water supply intake.

Based upon the above information and advice, the Commission concludes that a reduction in the outflows from Rainy Lake and Namakan Lake below those prescribed in the Order is required to avoid as far as possible the occurrence of emergency conditions in the Rainy Lake watershed during the current year.

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 Lake shall be regulated so that the daily mean discharge shall be no lower than 2250 cfs and 500 cfs respectively, provided that the outflows from each Lake shall

be determined by the International Rainy Lake Board of Control. The Board shall inform the Companies in writing regarding the appropriate outflow from each Lake.

The outflow from Rainy Lake may be reduced immediately to 3000 cfs with further reductions being made incrementally to the minimum allowable 2250 cfs. The flow reduction shall be accomplished at the discretion of the Board subject to maintaining Rainy River dissolved oxygen levels at or above 5 mg/l, ensuring adequate water supply to the Town of Emo, Ontario and minimizing disruption to the fishery in the Rainy River.

The Companies shall ensure, that during the period of reduced outflow from Rainy Lake, dissolved oxygen levels are monitored 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 ensure that dissolved oxygen information is provided 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 downstream from International Falls-Fort Frances, 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 16, 1988.

Dated this 24th Day of June 1988

By the Commission

A handwritten signature in cursive script, appearing to read "E.A. Bailey", is written over a horizontal line.

E.A. Bailey

Acting Secretary, Canadian Section