

Directive to International Osoyoos Lake Board of Control

April 16, 2013

1. The International Joint Commission (Commission) issued an Order of Approval for Zosel Dam on 12 September 1946 pursuant to the Boundary Waters Treaty of 1909; it issued a replacement Order on 9 December 1982 regarding the construction and operation of a replacement structure for Zosel Dam, which was subsequently amended via Supplementary Orders issued 17 October 1985 and January 29, 2013.
2. The Commission established the International Osoyoos Lake Board of Control (Board) in accordance with Condition 14 of its 1982 Order to ensure the carrying out of the provisions of the Order.
3. The Board's mandate is to ensure compliance with the provisions of the Commission's Order, to act as an adviser to the Commission, and to provide a vehicle for local/regional interaction.
4. The Board's duties shall be to:
 - a. Ensure compliance with the terms of the Order and with any instructions of the Commission issued with respect to the Order. Whenever, in the opinion of the Board, the terms of the Order are not being complied with, the Board shall so inform dam owners and operators and make such recommendations as it considers appropriate. At the earliest opportunity, the Board shall report to the Commission such apparent lack of compliance with the Order, the circumstances under which it occurred, the action taken by the Board, and the action, if any, taken by or on behalf of the dam owners and operators.
 - b. Keep the Commission currently informed of all matters relating to the Order. Alert the Commission to existing or potential Osoyoos Lake water levels above the Order's upper limit of the rule curve or below the Order's lower limit of the rule curve, as may happen from time to time under certain watershed conditions; provide the reason for the excursion outside the rule curve and, for significant excursions, the anticipated maximum or minimum water level and anticipated duration of the excursion.
 - c. Maintain awareness of water management issues within the watershed with potential impact on the management of Zosel Dam. Apprise the Commission of such water management issues as appropriate.
 - d. Meet annually with the applicant to discuss water level issues that have occurred during the previous year. Locations of such meetings shall typically alternate between the United States and Canada.
 - e. Convene a public meeting at least annually to report on the Board's work and receive the views of the public. Facilitate provision of timely and pertinent information on Board activities in the most appropriate manner including electronic means, such as on the Board's page on the Commission website. Ensure notifications are issued regarding unusual Osoyoos Lake water level and outflow conditions, such as anticipated significant

excursions from the Order's rule curve, so that the public at large may be informed and have such advance warning as is feasible.

- f. Coordinate with appropriate Native American or First Nation representatives, government agencies, and other institutions in both countries as may be needed or desirable.
- g. Carry out such other studies or activities as the Commission may, from time to time, request.
- h. Prepare an annual work plan including both routine board activities and new initiatives planned to be conducted in the subsequent year. The work plan shall be submitted annually to the Commission for review.
- i. Submit a report covering Board activities annually to the Commission, at least three weeks in advance of the Commission's spring semi-annual meeting, and submit such other reports as the Commission may request or the Board may desire.

The Board shall consist of a United States Section and a Canadian Section, comprising an equal number of members from each country. The Commission shall normally appoint each member for a three-year term. Appointments may be renewed for additional terms. Members shall act in their personal and professional capacity, and not as representatives of their nations, agencies, or institutions. The Commission shall appoint one member from each Section to be chair of that Section.

At the request of any member, the Commission may appoint an alternate member to act in the place and stead of such member whenever the said member, for any reason, is not available to act as a member of the Board.

The chairs of the two Sections shall be co-chairs of the Board and shall be responsible for maintaining proper liaison between the Board and the Commission, and among the Board members.

Co-chairs shall ensure that all members of the Board are informed of all instructions, inquiries, and authorizations received from the Commission and also of activities undertaken by or on behalf of the Board, progress made, and any developments affecting such progress.

Co-chairs may appoint secretaries of the Board who, under the general supervision of the co-chairs, shall carry out such duties as are assigned by the co-chairs or the Board as a whole.

The Board may establish such committees and working groups as may be required to fulfill its responsibilities in a knowledgeable and effective manner. The Commission shall be kept informed of the duties and composition of any committee or working group.

Unless other arrangements are made, members of the Board, committees, or working groups shall make their own arrangements for reimbursement of necessary expenditures for travel or other related expenses.

The chairs shall keep the Commission currently informed of the Board's plans and progress and of any developments or cost impediments, actual or anticipated, which are likely to impede, delay, or otherwise affect the carrying out of the Board's responsibilities.

The Board shall inform the Commission in advance of plans for any meetings, or other means of involving the public in Board deliberations, and report to the Commission, in a timely manner, on these and any other presentations or representations made to the Board.

The Board shall conduct its public outreach activities in accordance with the Commission's public information policies and shall maintain files in accordance with the Commission policy on segregation of documents.

Reports shall be submitted in a format suitable for public release, with electronic copies provided to each of the Commission's section offices. Reports shall normally be available only to the Commission and to members of the Board and its committees until their release has been authorized by the Commission. Annual reports, however, shall be an exception: the Board shall produce annual reports in a format suitable for public release (ideally via the Board's page on the Commission's website as well as via printed copy) and shall make annual reports available to the public upon request normally one week after formal receipt by the Commission at its semi-annual meetings unless directed otherwise by the Commission. The Board shall provide minutes of Board meetings to the Commission within 45 days of the close of the meeting in keeping with the Commission's April 2002 Policy Concerning Public Access to Minutes of Meetings. The minutes will subsequently be put on the Commission's website.


Prior to their release, the Board shall provide the text of media releases and other public information materials to the Secretaries of the Commission for review by the Commission's Public Information Officers.

If, in the opinion of the Board or of any member, there any instruction, directive, or authorization received from the Commission lacks clarity or precision, the matter shall be referred promptly to the Commission for appropriate action.

The Board shall operate by consensus. In the event of any disagreement among the members of the Board which they are unable to resolve, the Board shall refer the matter forthwith to the Commission for decision.

The Commission may amend existing instructions or issue new instructions to the Board at any time.

Signed this 16th day of April, 2013,



Dr. Charles A. Lawson
Secretary
United States Section



Camille Mageau
Secretary
Canadian Section