

INTERNATIONAL JOINT COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2010 Actual	FY 2011 CR	FY 2012 Request
American Positions	24	24	24
Funds	8,000	8,000	7,237

Program Description

The Boundary Waters Treaty of 1909 (BWT) established the International Joint Commission (IJC) as a cornerstone of United States – Canada relations in the boundary region. The IJC has fine-tuned a successful model for preventing and resolving disputes that is unbiased, scientifically based, inclusive, and open to public input. Under the BWT, the IJC licenses and regulates uses, obstructions, or diversions of boundary waters in one country that affect water levels and flows on the other side of the boundary. The IJC provides advice to and conducts studies at the request of the U.S. and Canadian Governments on critical issues of joint concern, and apportion waters in transboundary river systems. The IJC also alerts the governments to emerging issues that might have negative impacts on the quality or quantity of boundary waters and brings to the attention of senior officials the latest developments in science, engineering, and administration that could benefit the management, security, or conservation of water-related natural resources. Other treaties, agreements, and conventions direct the IJC to assess progress in restoration of water quality in the Great Lakes, and, in specified transboundary basins, to respond quickly to emergency water level conditions, apportion flows, and approve diversions. The IJC also assists the governments in efforts to prevent transboundary air pollution and improve air quality.

Led by three commissioners from each country, the IJC operates through small section staffs in Washington, D.C. (U.S. funded), Ottawa, Canada (Canadian funded), and a binational Great Lakes Regional Office in Windsor, Canada (jointly funded). Currently, 20 active boards and task forces, plus various related technical working groups and committees, provide expert advice on both science and policy issues. Approximately 300 professionals from within government agencies, universities, nonprofit agencies, and industry carry out this work in their personal and professional capacities and not as representatives of their respective organizations or countries.

Under the BWT, the IJC is given the responsibility to approve applications for and oversee the operation of hydropower dams and other infrastructure projects in waters along the U.S.-Canadian border in order to suitably protect all interests from potential adverse effects of these projects. When the IJC approves such projects, typically a binational board is established to oversee construction and operation of the project. The board assures that treaty requirements are met and helps the IJC carry out its regulatory functions. As required, the IJC conducts studies to review the operational criteria for projects under IJC jurisdiction. In addition, the BWT provides that the U.S. and Canadian Governments may refer questions or matters of difference to the IJC for examination and report. When such a “reference” is received, the IJC appoints an investigative board or task force for advice on the matters addressed in the reference. Since the establishment of the IJC, the two governments have requested, on more than 120 occasions, that the Commission review applications for projects affecting boundary waters and undertake studies, or “references,” on critical issues about which they disagree or on which they seek the advice of the IJC.

The IJC supports three of the Department’s performance goals. These are: 1) The establishment of close, strong, and effective U.S. ties with allies, friends, partners, and regional organizations 2)The containment

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or resolution of existing and emergency regional conflicts, and 3) The development of partnerships, initiatives, and implemented international treaties and agreements that protect the environment and promote efficient energy use and resource management. The IJC's annual project agenda consists of scientific and technical studies performed at the request of the two national governments, some known in advance, others requested during the course of the fiscal year.

A long-term program goal is to ensure that the IJC's ability to address existing and emerging issues remains strong, thereby helping governments prevent and resolve disputes. The IJC must maintain its ability to respond to references issued by the two governments, and to address issues early and, as much as possible, at the local level so that more substantive transboundary controversies are averted and the need for formal references avoided. A short-term program goal toward this end is steady progress in ensuring scientific, technical, and institutional capacity. The structure of the Commission's boards and task forces is a critical component of this capacity, providing a forum for relevant agencies, academics, industry representatives, and others in both countries to bring their scientific and technical expertise to bear, to address emerging issues, and to discuss these issues with the local public. In FY 2009, the IJC and its 20 boards and task forces held 59 meetings to address issues under their purview, including some 30 public consultation sessions in communities along or near the international boundary, and 60 reports were issued under the auspices of the IJC providing information on work undertaken by the Commission.

A second long-term program goal is to ensure that the requirements for the design, construction and operation of facilities affecting international water levels and flows remains relevant for current and anticipated conditions. A short-term goal within this context is to ensure steady progress in reviewing the IJC's decades-old international approvals in light of changed social, technical, and climatic conditions.

Justification of Request

The FY 2012 request of \$7.237 million for the International Joint Commission reflects a decrease of \$736,000 below the FY 2010 enacted level.

The FY 2012 request reflects a decrease in operational funding below the FY 2010 level for the following activities: 1) The Upper Great Lakes Study examining the regulation of Lake Superior outflows and their water levels and flow impacts for Lakes Superior, Huron, Michigan, and Erie and their connecting channels, including the St. Clair River (-\$875,000); 2) the pathogens and parasites study in the Devils Lake watershed (-\$103,000); 3) the Lake Ontario-St. Lawrence River Working Group (-\$50,000); and 4) and the IJC public review process under the U.S.-Canada Air Quality Agreement (-\$60,000).

Requested funding increases for FY 2012 consist of the following: 1) \$300,000 for the Rainy and Namakan Lake-Rainy River Study, required for the mandated review of the IJC's 2001 Order of Approval; 2) \$125,000 for the Great Lakes Regional Office to cover inflation and exchange rate fluctuations and additional activities to assist the governments in protecting the Great Lakes; 3) \$100,000 for increased water monitoring by the U.S. Geological Survey to cover inflation and additional gauging stations, including three critical stations in the Great Lakes region; and 4) \$100,000 for the International Watersheds Initiative to allow for increased participation by IJC Boards and Task Forces in resolving transboundary water issues at a local or regional level.

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Funds by Program Activity (\$ in thousands)

Activities	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Program Expenses	7,923	8,000	7,237
Special & Technical Investigations by U.S. Geological Survey	750	787	838
U.S. Section	7,173	7,213	6,399
Total	7,923	8,000	7,237

Funds by Object Class (\$ in thousands)

	FY 2010 Actual	FY 2011 CR	FY 2012 Request
1100 Personnel Compensation	2,653	2,971	2,132
1200 Personnel Benefits	655	749	466
2100 Travel & Trans of Persons	394	454	365
2300 Rents, Comm & Utilities	174	186	137
2400 Printing & Reproduction	87	59	15
2500 Other Services	3,350	3,369	4,077
2600 Supplies and Materials	82	76	40
3100 Personal Property	155	103	5
4100 Grants, Subsidies & Contrb	373	33	0
Total	7,923	8,000	7,237