



# **COLUMBIA RIVER TREATY**

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## 2018 Community Meetings Summary Report



BRITISH  
COLUMBIA

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# 1 | Introduction



In June 2018, the Province of British Columbia held a series of nine community meetings in the Canadian Columbia River Basin (Basin) to seek residents' input on modernization of the Columbia River Treaty (Treaty). The timing of the meetings coincided with the beginning of Treaty negotiations between Canada and the United States (U.S.). The Province held a subsequent meeting in December 2018 for the communities near the headwaters of the Columbia River. The information in this report summarizes input received by the Province's Columbia River Treaty Team (Treaty Team) from attendees at these ten community sessions.

The Treaty was ratified in 1964, and was created to manage flood risk and enable hydropower generation on the Columbia River. Four dams were built as part of the Treaty: the Duncan, Hugh L. Keenleyside and Mica dams in B.C., Canada, and the Libby Dam in Montana, U.S. The filling of these dams' reservoirs flooded large sections of fertile valley bottom land and resulted in the displacement of over 2,000 people.

There was a lack of consultation with Basin residents and First Nations when the Treaty was first negotiated, and feelings of hurt and anger remain to this day. The Province is committed to ensuring that this time, as Canada and the U.S. seek to modernize the Treaty, the people of the Basin are meaningfully consulted, kept informed, and see their input reflected in the Treaty negotiations.

This commitment began in 2012, when the Province conducted in-depth public consultation, and government-to-government consultation with Basin First Nations, to identify important Treaty-related interests. The meetings summarized in this report sought further input from the public on their priority interests, and what issues they felt should be included in Treaty negotiations.

During these meetings, community residents discussed the importance of enhancing ecosystems, agriculture, tourism and recreation in the Basin. They supported First Nations' participation in the negotiation process, and reintroducing salmon to the Canadian Columbia Basin. They expressed their desire for fair compensation for communities that are impacted by Treaty dam operations, and encouraged equitable sharing of benefits between Canada and the U.S. A key theme throughout these meetings was to acknowledge what has been lost as a result of Treaty dam operations, and enhance what remains.

The Province will continue engaging with the public to further refine issues and priorities throughout Treaty negotiations.



## 2 | Background



### 2.1 COLUMBIA RIVER TREATY

In 1964, Canada and the U.S. ratified the Columbia River Treaty, a transboundary water management agreement. The impetus for the Treaty was the flood of 1948, which devastated the City of Vanport in Oregon and cost many lives, along with growing power demand in the Pacific Northwest. In exchange for providing flood control and for an equal share of the incremental U.S. downstream power benefits, Canada agreed to build three dams – Duncan, Hugh L. Keenleyside and Mica - in B.C., and allowed the U.S. to build a fourth dam, the Libby Dam, that flooded into Canada. The Canadian facilities vastly reduced flood risk in B.C. and the U.S. The Treaty also enabled the construction of new hydroelectric projects in the B.C. portion of the Columbia Basin, which today provide approximately half of the potential power generation in the province. Treaty power operations also allow for the production of significantly more electricity at U.S. hydropower facilities.

The Canada-British Columbia Agreement (1963) allocated most Treaty rights, benefits and obligations to the Province. Although this agreement retains

Canada's constitutional jurisdiction for international treaties, it requires Canada to obtain the agreement of the Province before terminating the Treaty.

The U.S. prepaid Canada \$64 million for 60 years to provide assured flood control operations that resulted in reduced flood damage and increased safety for U.S. citizens. The U.S. also committed in the Treaty to paying Canada half of the incremental power potential that could be produced because of the new flow regimes made possible by the Treaty co-ordination.

The Treaty reservoirs inundated 110,000 hectares (270,000 acres) of Canadian ecosystems, displaced more than 2,000 residents and First Nations, and impacted transportation, farms, tourism and forestry activities.

Consultation with First Nations and the public at the time the Treaty was developed could be considered inadequate to non-existent by today's standards, and feelings of hurt remain to this day. It is a priority for the Province to ensure communities and First Nations are consulted this time, and see their input reflected in a modernized Treaty.

The Treaty has no end date but either country can unilaterally terminate the Treaty from September 2024 onwards, provided at least 10 years' notice is given. This ability to terminate the Treaty, and the changing flood control provisions that will occur post-2024 whether the Treaty is terminated or not, prompted both countries to undertake a review of the Treaty to determine its future. These reviews occurred between 2011 and 2014.

After completing their respective reviews, both Canada and the U.S. decided to move forward with negotiating a modernized Treaty. Negotiations between the countries began in May 2018.

## 2.2 COLUMBIA RIVER TREATY REVIEW

In 2011, the Province initiated a Treaty review process to evaluate whether it should terminate the Treaty, continue the Treaty as is, or enter into discussions with the U.S. to seek improvements to the Treaty.

The Ministry of Energy, Mines and Petroleum Resources is the lead provincial agency for the Treaty, and established the Columbia River Treaty Review Team (Treaty Team) to undertake analysis and provide recommendations. Canada supported British Columbia's lead role in the Treaty review, and collaborated with the Province throughout the process.

In 2012 and 2013, the Province conducted its extensive review, including in-depth public engagement, First Nations government-to-government consultation, and technical analysis, all of which informed the B.C. Decision and Guiding Principles, released in 2014. The Decision was to continue the Treaty and seek improvements within its existing framework. This position is supported by Canada, and has since informed its mandate for negotiating the Treaty with the U.S.

Since the B.C. Decision was released, B.C. and Canada have been working closely together, in consultation with First Nations and local governments, to prepare for negotiations with the U.S.

Elected officials in the Basin have been engaged through the Columbia River Treaty Local Governments' Committee<sup>1</sup>. The Columbia Basin Regional Advisory Committee<sup>2</sup> (CBRAC) has provided a Basin-wide forum to bring forward community interests, help inform domestic hydroelectric operations in the Columbia Basin, and advise on potential future improvements to the Treaty.

<sup>1</sup> [http://akblg.ca/columbia\\_river\\_treaty.html](http://akblg.ca/columbia_river_treaty.html)

<sup>2</sup> <https://engage.gov.bc.ca/columbiarivertreaty/columbia-basin-regional-advisory-committee/>

CBRAC's membership includes citizens from across the Basin, and representatives from First Nations, local governments, BC Hydro, FortisBC, Columbia Power Corporation, Columbia Basin Trust, the Province of B.C. and Government of Canada.

## 2.3 FIRST NATIONS

The provincial Crown has a legal duty to consult potentially affected First Nations when decisions by the Crown may impact Aboriginal rights and title, which are protected under the Canadian Constitution. Columbia Basin First Nations are the Ktunaxa Nation, Secwepemc Nation, and Okanagan (Syilx) Nation. First Nations were not consulted when the Treaty was established, and Aboriginal rights and title were not considered. In light of this, the Province has been consulting separately with Basin First Nations since 2012 in order to meet constitutional obligations, and to understand and address First Nations interests. This process is conducted on a government-to-government basis and is not public.

In addition to this process, the Province and Canada have been working closely with Basin First Nations since February 2018 to collaborate on defining First Nations' involvement during the negotiation process, and to seek their input into negotiation objectives, options and positions.

Both B.C. and Canada are committed to aiming to secure First Nations' free, prior and informed consent on the outcome of Treaty negotiations, consistent with each government's commitment to reconciliation, and adoption of the United Nations Declaration on the Rights of Indigenous Peoples.

## 2.4 COLUMBIA RIVER BASIN

### 2.4.1 MAP

The maps below show the full Columbia Basin and identify Treaty dams, major non-Treaty dams, Treaty reservoirs and communities.





## 2.4.2 POPULATION

There are approximately 160,000 residents in the Canadian Columbia River Basin area<sup>3</sup>.

<sup>3</sup> This refers to the portion of the Columbia Basin that drains into the main-stem of the Columbia River, North of the Canada-US border.



## 3 | 2018 Community Meetings

In 2018, the Province hosted a series of ten meetings throughout the Basin to continue its engagement with residents as Treaty negotiations between Canada and the U.S. began. Nine of these meetings took place in June, and one meeting took place in December. The meetings were intended to:

- Return to the communities visited during the 2012-2013 Treaty Review Public Consultation;
- Provide an update to the public on the status of Treaty negotiations with the U.S.;
- Review key issues gathered during the 2012-2013 Public Consultation, and discuss how these issues are guiding Canada and B.C.'s negotiating positions;
- Seek further input from the public on refining key issues and priorities;
- Share how to stay connected and up-to-date on Treaty negotiations and related issues; and
- Answer questions from the public.



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**4** The meeting in Invermere was facilitated by the Province's Treaty Team.

### 3.1 FORMAT OF PUBLIC MEETINGS

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These community meetings were held in Meadow Creek, Jaffray, Creston, Castlegar, Nelson, Valemount, Revelstoke, Golden, Nakusp and Invermere. Meetings were facilitated by a Basin-based consultant<sup>4</sup>, and hosted by the Treaty Team. A representative from Global Affairs Canada attended the Revelstoke, Golden and Nakusp meetings to provide an update on negotiations and hear Basin citizens' input first hand. The Treaty Team communicated this same update on behalf of Global Affairs Canada at the other seven meetings.

The meetings began with opening remarks from local government representatives, sharing their perspective on the importance of the Treaty and how they had been engaged in the pre-negotiation period.

The meetings continued with a statement from Canada's lead negotiator, Sylvain Fabi. Mr. Fabi was unable to attend in person; however, he provided a letter addressed to the Basin citizens, which was read by Kathy Eichenberger, the lead B.C. representative on the negotiating team, and primary host of these community meetings.



Each session followed a similar format:

- Introduction and welcome by a region-specific representative of the Columbia River Treaty Local Governments' Committee;
- A Columbia River Treaty update provided by members of the Treaty negotiating team as described above, followed by a question and answer period;
- A review of community feedback captured during the 2012-2013 public consultation;
- Breakout group discussions to gather attendees' views on
  - » key interests that may be missing from the public input received so far; and
  - » priority issues or interests that should be considered during negotiations; and
- Next steps and information on how to stay connected and find information on the negotiation developments.

A summary of feedback received from each meeting is included in this report. Presentations and materials used during the community consultations are posted to the Treaty Review website:  
<https://engage.gov.bc.ca/columbiarivertreaty/2018-community-meetings/>

### 3.2 MEETING ATTENDANCE

The public meetings were advertised in local online and print newspapers, on the Province's Treaty website<sup>5</sup>, Facebook page and Twitter feed, and by email to a range of organizations and stakeholder groups. Members of the Local Governments' Committee and the Columbia Basin Regional Advisory Committee passed invitations along through their networks. Facebook posts were shared by Minister Katrine Conroy, MLA Doug Clovechok and the Columbia Basin Trust.

#### ATTENDANCE BY LOCATION

DATE	LOCATION	PARTICIPANTS
June 11	Meadow Creek	39
June 12	Jaffray	38
June 13	Creston	21
June 14	Castlegar	64
June 15	Nelson	50
June 18	Valemount	15
June 19	Revelstoke	46
June 20	Golden	44
June 21	Nakusp	46
Dec. 5	Invermere	60
<b>TOTAL</b>		<b>423</b>



<sup>5</sup> <https://engage.gov.bc.ca/columbiarivertreaty/>

## 4 | Community Meeting Summaries



### 4.1 MEADOW CREEK/LARDEAU VALLEY

*June 11, 2018 – 39 people in attendance  
at the Lardeau Valley Community Centre  
in Meadow Creek*

#### **BASIN RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION**

The Treaty Team provided the following summary of Basin resident interests captured during the 2012-2013 Columbia River Treaty Review Public Consultation. These Basin-wide interests were presented instead of Meadow-Creek specific interests, because meetings were not held in Meadow Creek during the 2012-2013 Public Consultation.

#### **BASIN-WIDE INTERESTS IN 2012-2013 INCLUDED:**

- Ecosystems, including salmon restoration;
- Flood risk management;
- Libby Dam co-ordination /Kootenay Reservoir management;
- Power generation and the Canadian Entitlement;
- Socio-economic issues, including community health, water levels for recreation and tourism, economic development, and water supply; and
- Treaty governance.

#### **INTERESTS DISCUSSED AT THE JUNE 2018 MEADOW CREEK MEETING – *Not in order of priority***

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of Basin-wide interests identified in 2012-2013.

The following issues were discussed:

- **Decommissioning Duncan Dam** – Participants felt that this should be a priority if power generation with fish passage cannot be established. There was a request for a feasibility study for providing fish passage, as well as documenting the pros and cons of decommissioning the dam.
- **More stable reservoir levels** – Reducing the significant water level fluctuations in the reservoir was a priority interest. Participants felt that water level options should be researched to better meet local interests, including improved ecosystem viability and recreation uses. A water management plan that includes water retention to counter droughts was also an interest.
- **Treaty flexibility** – Participants expressed the need for flexibility to be built into the Treaty in order to incorporate unknown factors such as climate change. An example for how to do this is the requirement for regular re-negotiation of the Treaty.
- **First Nations' voice** – Ensuring the affected First Nations have a voice in a collaborative Treaty modernization process was raised.
- **Cumulative effects of multiple dams** – There were concerns about, and interest in understanding, the cumulative effects of multiple dams on the river system, such as the effects of the Libby and Duncan dams on the Kootenay River system.

## PRIORITIES

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- **Ecosystems** – A number of issues were raised related to ecosystems, including ecosystem function and protection. Specific priorities included:
  - » Canada having an equal say in Libby Dam operating decisions to restore nutrients to Kootenay Lake for fish and eco-biodiversity;
  - » Creation of a Fish and wildlife restoration program, funded through the Treaty, that focuses on revitalizing areas that were damaged, and to create habitat and protected areas for wildlife;
  - » Encouragement of a forward-thinking view of the value of water as an ecological resource, rather than primarily for the hydroelectricity that it can produce; and
  - » Efforts toward environmental protection and preservation should be made for the sake of the environment itself, rather than considering only the benefits for human use.
- **Water supply** – There was concern about expectations that the growing water needs in the U.S. will be met by the Columbia River when there are limited water conservation practices in the U.S.
- **Decommissioning non-generating dams** – Participants supported decommissioning non-generating dams, specifically Duncan dam, or establishing power production on these dams.
- **Distribution of benefits** – It was a priority for participants that Treaty benefits, including the Canadian Entitlement, be distributed to impacted communities in the form of funding, quality of life

improvements and/or other impact mitigations. There was concern raised that the community and habitat surrounding the dam had sacrificed ecological integrity and recreational values for very little return, and that the benefits of the dam are going to more populated areas when they should be more specifically directed toward the affected community to mitigate social and environmental impacts.

- **Fish passage at Duncan Dam** – Participants supported adding fish passage to the Duncan Dam. A local non-profit organization, Friends of the Lardeau River, has written a discussion paper on this option.
- **Treaty processes and governance** – Attendees encouraged a Treaty process that allows for negotiators at the table who belong to local communities, as well as mechanisms for affected communities to have a significant role in defining Treaty objectives for ecosystem restoration. There was interest in reviewing the modernized Treaty before it is signed.
- **Agriculture** – Participants expressed how important agriculture is to this region, and encouraged the Province to explore ways to support it. A suggestion was made to set up an agriculture land trust.

## OTHER COMMENTS

- Some asked to ensure that issues raised in consultations will be brought to the negotiating table and not be overridden by corporate and political priorities.
- While the Libby Dam is not in this (Meadow Creek) area, its impacts were noted and there was support for compensation or mitigation in some way.
- It was suggested that Dutchy Wageningen be honoured posthumously for single-handedly saving the spawning bull trout.





## 4.2 JAFFRAY

**June 12, 2018 – 38 people in attendance  
at the Jaffray Community Hall**

### JAFFRAY RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured in and around Jaffray during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Stable water levels to improve agriculture, and fish and wildlife habitat;
- More equitable, ongoing funding to enhance fish and wildlife values;
- A water management plan for Koocanusa Reservoir;
- Improved economic development opportunities requiring involvement from local government;
- Greater compensation and support to sustain the agricultural sector; and
- Better compensation for local impacted residents.

### INTERESTS DISCUSSED AT THE JUNE 2018 JAFFRAY MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Acknowledgment of losses** – Attendees shared stories of the losses experienced by families, local communities and the agriculture industry. This past hurt continues to be felt. Concern was raised that history may repeat itself unless what happened in the area is given proper recognition. It was emphasized that what was lost is gone now, but what remains needs to be protected, enhanced and supported. It was noted that the story of the impacts from the Koocanusa Reservoir has not been compiled and written up, as has been done for the other Treaty reservoirs.
- **Agricultural industry** – Attendees voiced concerns that the agricultural sector in the area was sacrificed, and that the community considers it a priority to address this. Suggestions to support the sector included:
  - » Land-use zoning for agriculture around the reservoir and in the drawdown zone;
  - » Irrigation of areas that experience droughts, to support agriculture and wildlife habitat;
  - » Compensation to farmers for wildlife use on irrigated lands;
  - » An agricultural recovery program;
  - » A collaborative approach for tourism/recreation uses and agriculture;
  - » Low interest loans that support agriculture;
  - » An agricultural land bank;
  - » Funding for enforcement of existing regulations (example: preventing mechanized recreation/tourism from damaging Crown lands around the reservoir);

- » Recognition of the ecological goods and services provided by agriculture; and
- » Support for all types of agriculture, not just livestock.

It was suggested that there be funding to research solutions to address challenges in the area's agricultural industry. Views were expressed that, in the past, ecological and wildlife issues have generated more concern, and therefore more funding was allocated to these issues. Participants explained that because of the ailing local agriculture industry, many young people do not want to stay in the community and work on local farms, which take generations to build. Participants agreed to organize a later meeting to provide specific recommendations to the Province to better support the local agriculture sector.<sup>6</sup>

- **Koocanusa Reservoir and Libby Dam** – Many participants believe there needs to be a water management plan for the Koocanusa Reservoir; that there should be shared, or Canadian, control of the Libby Dam; and that the dam must be managed under the Treaty, consistent with the Treaty dams in Canada. Failing this, it was suggested that a weir be constructed on the Canadian side of the Koocanusa Reservoir to facilitate water management to meet local interests. It was proposed that the reservoir be publically called Koocanusa 'Reservoir', rather than 'Lake' Koocanusa, to manage tourist expectations.
- **Negotiations process** – The negotiating team was repeatedly encouraged to be firm and steadfast in their negotiations with the U.S. It was suggested that all negotiation meetings take place in the Basin.

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<sup>6</sup> This group met in July 2018 and presented a summary of prioritized recommendations to the Province. The Treaty Team has reviewed the recommendations and is exploring next steps.

- **Ecosystems and habitat** – Many break-out groups listed ecosystem function and habitat restoration and enhancement as priorities to benefit wildlife, humans, infrastructure and agriculture. Many thought ecosystems should be an equal priority in the Treaty, with a board of ecologists to implement adaptive management. A group brought up the issue of reservoirs causing habitat fragmentation with losses for caribou, grizzly bears, and wolverine. The inclusion of salmon reintroduction in Treaty negotiations was also an important issue.
- **Benefit sharing** – There was a strong feeling that the area did not receive its proper share of the benefits from the Treaty, compared to how much was sacrificed. The negotiating team was encouraged to ensure that the value of water flows from Canada, especially for flood control, as well as all other benefits in the U.S., is fully recognized in the negotiations. In addition to the agriculture supports listed above, direct compensation to the area from the Province, and regional or Koocanusa-specific funding for tourism/recreational management, including enforcement, were suggested ways to better share benefits from the Treaty. One discussion group requested local representation on the board of the Columbia Basin Trust for the Jaffray, Wardner and Grasmere area.
- **Tourism and recreation** – It was voiced that tourism impacts are not all negative, and that tourism brings new income to the Kootenay/Koocanusa region. Participants said that there needs to be a collaborative approach toward tourism, environmental interests, and agricultural support, as well as programs to control recreation so that it does not negatively affect agricultural lands.

## **PRIORITIES**

The conversation on interests, summarized above, filled the majority of the evening. A number of participants left after this initial conversation, feeling they had said what they needed to. Remaining attendees were asked to consider all the interests that have been identified by their community and pick their top priorities.

The following priorities were identified by participants who remained for this final exercise, in general order of importance:

- Enhance agriculture in the region;
- Obtain more input/control over Libby Dam operations;
- Create a water management plan for Koocanusa Reservoir; and
- Restore impacted ecosystems.

## **OTHER COMMENTS**

There were questions raised around First Nations involvement in the Treaty negotiation process. Some stated that the First Nations in the Basin need to be present at the negotiation table.







### 4.3 CRESTON

**June 13, 2018 – 21 participants in attendance at the Creston and District Community Complex**

#### CRESTON RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Creston meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Reduce flooding and water level fluctuations;
- Provide compensation for water fluctuations eroding dykes, which causes risk to agriculture;
- Assess Koocanusa early refill benefits – beach and boat recreation earlier in the season;
- Assess Koocanusa early refill impacts – reduced flood control, more debris, more water spilled without generating power;
- Increase nutrient loading to enhance spawning kokanee numbers, which have decreased significantly in some Kootenay Lake tributaries;
- Reduce high-water levels at southern end of Kootenay Lake, which cause more mosquito infestations and, therefore, increased risk of West Nile virus;
- Develop a proposed Economic Development Plan and Agricultural Sustainability Plan for the region; and
- Better monitor snowpack, and improve co-ordination of water-level management between the U.S. and Canada.

#### INTERESTS DISCUSSED AT THE JUNE 2018 CRESTON MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Data** – Attendees said there is a need for more accurate, detailed quantitative data, as well as qualitative data on impacts, to inform negotiations and ongoing operations. It was felt that the Canadian database is lacking, compared with the U.S., and to plan properly, there must be more funding put towards data collection. Suggestions include:
  - » Funding for university graduate students to gather data and conduct climate studies in the area; and
  - » The creation of a provincial government fund to provide resources to local governments for local studies, such as inundation risks and values.

It was noted that this work should begin as soon as possible to produce adequate information for the negotiations.

- **Regional thinking** – Participants identified the need for residents and the negotiating team to think regionally about the system and its impacts. All were encouraged to look beyond 'backyards' and who was 'most entitled'.
- **Dyke management** – There were concerns about the erosion of area dykes, especially at corners or bends in the river. Participants felt that nothing will be done about dyke management until something happens that causes damage to private property, economic development, and/or the highway, and by then it will be too late. While recognizing that this won't be dealt with in the Treaty, the development of a remediation plan, and funding to properly maintain and manage local dykes, was proposed.

- **Management of Libby Dam** – The co-ordination of Libby Dam operations was raised as a priority, with participants asking for benefits upstream as well as downstream. Better information on management practices for the dam and impacts in the Kootenay Valley is needed. People at this meeting said that management of Libby should focus on ecosystem sustainability, rather than only power production. Participants would like local interests to take precedence over benefits in the lower (U.S.) Basin.
- **Environment** – The environment was a topic raised throughout the evening in a variety of ways. Some include:
  - » Acknowledge the harm already done to ecosystems and the environment;
  - » Establish effective management and planning to mitigate environmental damage in the future;
  - » Pay more attention to the compromises made around the Duncan Reservoir, with a focus on managing and mitigating damage there, specifically regarding fish populations; and
  - » Address concern about Lake Roosevelt contamination from the Canadian smelting industry.
- **Climate change** – Participants said negotiators should pay attention to the impacts of climate change, now and in the future, and emphasized the importance of adapting accordingly.
- **First Nations' views** – Participants expressed that Indigenous views on governance and the environment should be included in Treaty negotiations. There was discussion of First Nations involvement in the negotiation process, and a request that work be done to bring First Nations representation to negotiations, and to include First Nations' views at future community meetings.

- **Agriculture** – The agriculture sector was recognized as a priority, somewhat based on the belief that the growth of the Washington agriculture sector has been due in part to water flows under the Treaty to meet irrigation needs, creating unfair competition and declines in the B.C. agriculture sector.<sup>7</sup>
- **Community engagement** – Low meeting attendance was a concern for some attendees. They would like to see a better turnout and more representation from farmers, First Nations and young people. Because this is an important issue that impacts everyone in the area, the group discussed how to advertise and plan to have more people participating in future community meetings.

### **PRIORITIES**

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities. They identified the following list of priorities, in general order of importance:

- Better data on the impacts and benefits of the Treaty;
- Dyke management;
- Management of Libby Dam; and
- Acknowledgement of environmental damage and effectively managing what we have left.

### **OTHER COMMENTS**

- The negotiating team was encouraged to host Treaty negotiations in the Basin.
- There were questions about how and when residents would be informed about the outcomes of negotiating sessions.
- Participants wondered about the challenges of negotiating with the U.S. during the current political regime.

<sup>7</sup> The Treaty manages water flows for flood control and power generation, and under supplementary agreements, for fish population enhancement. It does not regulate flows for agriculture purposes. Withdrawals for consumptive use (irrigation, municipal water supply) are explicitly allowed in both countries.



## 4.4 CASTLEGAR

June 14, 2018 – 64 people in attendance at the Castlegar and District Community Complex. The Honourable Katrine Conroy, Minister Responsible for the Columbia River Treaty, shared opening remarks and her support for public input in this process. Minister Conroy participated in the full meeting.

### CASTLEGAR RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Castlegar meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Support maintaining a constant elevation of Arrow Lakes Reservoir;
- Optimize ecosystem health of the whole Basin;
- Reintroduce salmon to the Columbia River and also focus on other viable fish species;
- Avoid pitting one reservoir against another;
- Evaluate agricultural impacts;
- Restrict development on flood plains;
- Include Libby Dam operations in negotiations;
- Target benefits to address environmental restoration and impacted communities;
- Engage Basin citizens, including youth, throughout negotiating process; and
- Seek improvements to the Treaty in the spirit of co-operation that has succeeded in the past.

### INTERESTS DISCUSSED AT THE JUNE 2018

#### CASTLEGAR MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Improved access infrastructure in Lower Arrow Lake area** – Some residents are upset that areas isolated due to the flooding of the valley still have not been provided the public access that they were promised. There was a call to build infrastructure (roads and bridges) to connect communities and properties in the Lower Arrow Lake area.
- **Attention to impacts** – There was recognition that Treaty dams provide important water storage for power production benefits including back-up for alternative energy sources, but there also needs to be adequate attention to addressing negative impacts. Arrow Lakes Reservoir debris removal and salmon restoration were specific additional interests identified to address impacts.
- **Minimum reservoir water levels** – The increasing probability of a drier future and receding glaciers must be taken into account when negotiating minimum reservoir water levels.
- **First Nations involvement** – There was much discussion about First Nations involvement in Treaty negotiations, making clear that participants would like to see First Nations included in the negotiations, and involved in forums such as this one.
- **Retain public ownership** – All Treaty infrastructure and fresh water must continue to be publicly owned, not privatized.
- **Increasing youth participation** – The lack of youth participation led to discussion on how to involve younger generations in the Treaty, as they will be living with the impacts of decisions made now. Suggestions to address this include:



- » Promote the public consultation/community meetings on the issues themselves, rather than the Treaty (e.g. fluctuating water levels, access to Arrow Lakes Reservoir, endangered species, etc.);
  - » Keep groups like the Columbia Basin Trust Youth Links going;
  - » Integrate the Treaty into school curricula from a young age, particularly the history of impacts, and how it was before/after the Treaty; and
  - » Have a more experienced focus on social media - using Facebook events pages, Instagram, Twitter, and a more engaging website.
- **Equitable benefit sharing** – Attendees feel that it is a priority to ensure all Treaty benefits are accounted for in the negotiations, and that Canada not compromise on fair compensation for the benefits provided to the U.S. Specific mention was made of:
- » Recognizing the inherent value of water within Treaty negotiations, and the likelihood of it increasing in value over time. Water values are seen to be related to ecosystems, including restoration, as well as to community social and economic development;
  - » Accounting for the benefits of water flows for U.S. fisheries and salmon recovery generally, recognizing that it is hard to value these benefits;
  - » Including the value of developments on the bottomland that has and could be developed in the U.S. because of the flood management services through the Treaty; and
  - » Sharing benefits equitably in B.C. between communities, based on sacrifices made.

- **Ecosystem function** – Many shared concerns about the impact that current changing water levels have on local ecosystems. Ecosystem function was identified as a priority, including the following:
- » Consideration of climate change impacts;
  - » Consideration of rare and endangered species;
  - » Management of invasive species; and
  - » Salmon reintroduction; though some questioned its feasibility, some participants thought salmon restoration would provide missing nutrients to the river and reservoir systems, and the recovery of riparian and associated ecosystem components would likely not succeed without salmon.
- **Stable Water levels** – Complaints were voiced about extreme water fluctuations, and the impact that these fluctuations cause. Stabilization of reservoir water levels was identified as a priority for ecosystem benefits such as supporting fish enhancement, including the return of salmon, as well as for optimum recreation use. It was also recognized that stable levels could conflict with flood control storage.
- **Flexibility** – It was repeated several times that because of the uncertain future with climate change, the Treaty needs to be flexible and forward-looking so it can be adapted accordingly. Participants encouraged simulating a range of future water regimes before reaching decisions about the Treaty, and avoiding getting tied into reservoir operations that might be to our disadvantage in the long term.
- **Flood risk management** – Meeting participants reinforced that continuing flood risk management (i.e. flood control) in B.C. is a long-term priority.

## **PRIORITIES**

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- Include the environment and ecosystems, including salmon restoration, in Treaty negotiations;
- Consider climate change impacts;
- Stabilize Arrow Lakes Reservoir water levels;
- Secure equitable distribution of benefits, between Canada and the U.S., and within impacted Canadian Columbia Basin communities;
- Maintain flood risk management in Canada;
- Recognize the value of water and seek to protect it;
- Include First Nations involvement in negotiations; and
- Seek greater youth engagement.

## **OTHER COMMENTS**

Participants posed questions and raised concerns about how the U.S. is using the flows provided through the Treaty and how they are managing flood risks, specifically:

- The amount of water from Treaty flows that is currently used for U.S. irrigation, and possible expectations for B.C. to provide more storage to increase U.S. water supply; and
- Concerns that the U.S. may continue to allow development in floodplains, which increases their need for B.C. to store water to manage floods. This could potentially increase impacts in B.C., and is a frustration, especially while construction in floodplains is not supported locally.

Some participants mentioned the benefit of dams being used to backup wind and solar energy generation.



## 4.5 NELSON

**June 15, 2018 – 50 people in attendance  
at the Nelson and District Rod and Gun Club**

### NELSON RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Nelson meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Enhance ecosystems;
- Reintroduce salmon;
- Fund research on climate change and ecosystem improvements;
- Mitigate Treaty impacts and address socio-economic issues faster;
- Enhance food security with sustainable agriculture system improvements;
- Increase Koocanusa flood control to decrease impacts on Kootenay Lake;
- Examine Grohman Narrows for future dredging or excavation;
- Consider installing hydro-electric generating station at Duncan Dam;
- Engage youth; and
- Involve First Nations in Treaty negotiation process.

### INTERESTS DISCUSSED AT THE JUNE 2018 NELSON MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Negotiating perspectives** – Canadian negotiators were encouraged to recognize the power imbalance in negotiating with the “America First” mentality.
- **Decommission Duncan Dam** – Some attendees suggested that the Duncan Dam should be removed to restore fish passage, and return the reservoir area to wildlife habitat, perhaps as a wildlife reserve.
- **Alternative energy sources** – There was interest in using technology to establish alternative energy sources to reduce dependence on the river and dams for hydropower.
- **Agriculture sector** – There was support for expanded agriculture in the area, including protecting agriculture lands from flooding. People said that the impact of increasing farming in floodplains and the potential damage to water quality in case of flooding should be considered.
- **Libby Dam** – Participants said that changes should be made in the operation of Libby Dam to better account for B.C. community interests.

### PRIORITIES

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:



- **Negotiations process** – Participants voiced a number of priorities related to the negotiation process:
  - » **Involvement of First Nations** – Participants supported the direct involvement of First Nations in Treaty negotiations. Some participants requested that the Sinixt people of the area, including family interests and traditional leadership, also be included in the negotiation process. There was a request for a presentation on First Nations interests at future community meetings;
  - » **Substantiating demands** – Attendees supported more data collection, ideally jointly with the U.S., to substantiate negotiating positions;
  - » **Transparent process** – Participants called for a transparent process going forward. There was a request for summaries from all community meetings to be shared at these meetings; and
  - » **Formal reference/advisory groups** – Many felt that there needs to be formalized input coming from groups representing the interests of ecosystems, local communities, social issues and more. Some suggested the creation of transparent reference groups to provide advice and input to the negotiation team.
- **Ecosystem protection and restoration** – Addressing the many impacts of the Treaty on ecosystems and habitats was a priority, with a focus on:
  - » **Salmon** – Many participants requested that salmon reintroduction be brought into the Treaty as a top priority. Specific mention was made of bringing salmon back to the Slocan River;
  - » **Water management** – Holding water as a paramount value, including the protection of watersheds and the conservation of water, was a priority. Fluctuating reservoir water levels was a concern for some, who noted that the levels should be based on what is better for the ecosystems, not only for power generation and flooding;

- » **Duncan Dam habitats** – Attendees reinforced the views of other communities that restoring wildlife habitats in the Duncan Dam area was a priority, as well as creating fish passage at the dam;
- » **Ecosystem valuation** – Negotiators were encouraged to act on First Nations research on ecosystem function and natural capital; and
- » **Education** – Initiatives including active education on the value of water and watershed protection were supported for all ages, with a specific emphasis on youth.
- **Recognizing and addressing impacts** – Participants placed a priority on recognizing the historical and ongoing losses and impacts from the Treaty dams, with suggestions about how these could be addressed:
  - » **Adequate funding** – Participants stated that the Basin should receive adequate funding to address the damage to the area, including some of the Canadian Entitlement coming directly to the region; and
  - » **Cross-border civilian connections** – It was suggested to hold meetings with neighbours across the Canada-U.S. border. Meetings could include discussions about the upstream and downstream impacts to strengthen understanding and cross-border relationships. Transboundary community forums were supported.
- **Flood risk management** – There was support for continuing flood risk management as a priority within the Treaty. Local governments were encouraged to keep development out of floodplains, and there was a call to provide support for small communities to strengthen their flood protection.
- **Alternative local energy sources** – All levels of government were encouraged to pursue alternative, local energy sources.

## OTHER COMMENTS

- **Trust in the process** – Some shared concern about the process itself. The community consultation process was questioned, expressing uncertainty as to whether what individuals say in these meetings will matter moving forward in the negotiations, and whether the commitment to come back to communities as the negotiations proceed will be honored.
- **Community engagement** – Some people expressed concern about a low turnout at the meeting and the lack of community engagement on this topic. It was suggested that the Treaty Team connect with local groups, such as the EcoSociety, beforehand to spread the word, and to use available local formats, such as the City Facebook page, to advertise future meetings. The engagement of youth could be increased by incorporating the Treaty into school curricula, and providing sessions directed at young people.
- **Climate change** – It was noted that the Treaty must be flexible and include consideration of the impacts of climate change.
- **More detailed information** – People at the meeting wanted more comprehensive information being made available, particularly about ecosystems.





## 4.6 VALEMOUNT

June 18, 2018 – 15 People in attendance at the Valemount Community Hall

### VALEMOUNT RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Valemount meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Compensate communities on Kinbasket Reservoir for negative impacts such as:
  - » diminished wildlife populations;
  - » lack of transport corridors between Golden and Revelstoke;
  - » timber cut loss;
  - » dust storms at low water;
  - » discontinued access to local hot springs; and
  - » poor recreational and boating opportunities.
- Better manage debris that negatively impacts recreation on the water; and
- Enhance ecosystems –though there is a general understanding that if Kinbasket operated at full pool for ecosystems, other reservoirs would be impacted by increased power operation and ATV recreation.

<sup>8</sup> <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/crystalline-silica>

### INTERESTS DISCUSSED AT THE JUNE 2018 VALEMOUNT MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation.

The following interests were discussed:

- Distribution of benefits – Participants believe there should be more distribution of Treaty benefits to the Basin, with particular emphasis on affected areas. More compensation in the area would help mitigate the damage suffered. Some project examples include:
  - » Compensation for Valemount for the loss of tourism and recreation;
  - » A road connecting Valemount to Revelstoke, with a long-term goal of a road circling the Kinbasket Reservoir; and
  - » Lower electricity prices for the area, or provide an alternative form of heat. Valemount does not have access to natural gas, and many people choose wood burning stoves as a cost-effective way to heat their homes. Offering lower electricity rates for the area would help reduce wood-burning and its negative health impacts.

### PRIORITIES

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- **Distribution of benefits** – As identified above.
- **Dust storm health risk** – A strong priority for participants was reducing the dust storms that blow silica sand through the community when Kinbasket Reservoir is drawn down each year, leaving miles of mudflats south of the community. Silica sand is carcinogenic<sup>8</sup>, and residents asked that this issue be taken very seriously. There was a request for health data collection and research to look at the impacts of silica dust in the area.

- **Weir** – Many participants suggested that building a weir in the reservoir to greatly reduce the dust storms was the preferred way to reduce this impact. Some people at the meeting were not confident in the previous feasibility study done by BC Hydro, and wanted a further review of this option. They suggested specifically looking at costs related to securing materials, which are available nearby, and conducting a comparison with the cost of the causeway on Williston Lake. Some participants believe that a weir and more stable reservoir water levels would encourage summer homes and tourism in the area as was promised before the reservoir was flooded. If a weir isn't feasible, participants felt that other ways to cover the silica sand must be found.

## OTHER COMMENTS

- The low attendance at the meeting was raised as an issue – mostly the lack of younger people and families.
- It was suggested to engage youth by collaborating with local events and incorporating information about the Treaty into school curricula.
- People commented on the success of the BC Hydro debris management program<sup>9</sup>, through the face-to-face committee meeting in Golden and Valemount and the additional funding approved by the BC Water Comptroller. This program has apparently cut debris in half in 11 years.

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<sup>9</sup> [https://www.bchydro.com/content/dam/hydro/medialib/internet/documents/environment/pdf/wup\\_clbworks\\_23\\_kinbasket\\_and\\_arrow\\_lakes\\_reservoirs.pdf](https://www.bchydro.com/content/dam/hydro/medialib/internet/documents/environment/pdf/wup_clbworks_23_kinbasket_and_arrow_lakes_reservoirs.pdf)





## 4.7 REVELSTOKE

**June 19, 2018 – 46 people in attendance  
at the Revelstoke Community Centre**

### REVELSTOKE RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Revelstoke meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Maintain constant water levels;
- Keep lower water levels lower to benefit recreation and environment values;
- Address impacts of residents recreating in the reservoir drawdown zone;
- Assess how high reservoir levels affect ski conditions by creating a warmer microclimate that shifts precipitation at low elevations from snowfall to rainfall;
- Enhance type and quality of fish in the reservoir compared to when it was a river; and
- Increase public connection with BC Hydro's Water Use Planning process.

<sup>10</sup> <https://ucut.org/habitat/value-natural-capital-columbia-river-basin/>

### INTERESTS DISCUSSED AT THE JUNE 2018 REVELSTOKE MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Ecosystem function and information** – Groups identified the following additional ecosystem interests:
  - » **Habitat impacts** – Attendees discussed the impacts on aquatic habitats in the Revelstoke Reach and the potential for fluctuating reservoir levels to affect mountain caribou and migrating birds;
  - » **Nutrient flows** – There was concern about water sterility below the dams due to the blockage of nutrient flows;
  - » **Natural capital evaluation** – Participants raised the U.S. report<sup>10</sup> that produced data on the natural capital in the U.S. Basin from ecosystems. For some, this financial valuation is not how Basin residents see ecosystems – it is their heritage and is very important to them beyond financial values. For others, this or some other method is needed to quantify the value of ecosystems for the purpose of negotiations; and
  - » **Reintroduce Salmon** – it was suggested that the loss of salmon to the ecosystem be evaluated.
- **Treaty infrastructure** – Several interests were raised related to the Treaty dam infrastructure:
  - » **Lifespan and replacement plans** – As the Treaty dams are aging – most of the infrastructure has been in place for about 50 years – participants are interested to know more about the lifespan and replacement timelines for the existing infrastructure; and

- » **U.S. compensation** – There is an interest in ensuring the U.S. not only compensates B.C. for the construction of the dams, but also for their maintenance.
- **U.S. benefits, Canadian damage and fair compensation** – Participants felt it is important to understand the benefits that the Treaty has brought to the U.S., especially in the agricultural sector. They felt it necessary to understand the financial value of the benefits to the U.S. compared to the negative impacts in B.C., in order to adequately assess fair compensation for B.C. areas that suffer the consequences of flooding. Multiple people suggested increasing Crown land in B.C. for agricultural use.
- **Climate change** – Attendees highlighted the increasing importance of food security and hydro power production as the climate changes.
- **Impacts of reservoir management practices** – People at the meeting were interested in the impacts of different reservoir management practices on recreation opportunities, private property values, and access to remaining heritage sites, including indigenous archeological sites.

## PRIORITIES

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- **Ecosystems** – Ecosystem values, impacts and related restoration/enhancement were frequent priorities, including:
  - » **Salmon restoration** – Several break-out groups chose the reintroduction of salmon as a top priority. There were questions about a long-term plan to bring salmon back to the headwaters, and a request to assess the implication of the loss of salmon to regional ecosystems;

- » **Minimizing fluctuating reservoir levels** – Minimizing the fluctuating reservoir water levels was a priority to reduce the ecological impacts;
- » **Value of water** – Attendees advised the negotiating team to keep in mind the value of water itself as a resource. The Canadian negotiating platform should be forward-thinking in this regard, and not negotiate away Canadian water rights; and
- » **Riparian habitats** – People at the meeting felt it was important to recognize and protect the fragments of riparian habitat that remain in the local valley bottoms. The importance of this valley as a major bird flyway was noted.
- **Agriculture losses and opportunities** – Local food security, ideally through local agriculture production, was a frequently identified priority, especially with the changing climate. Recognition of the challenges created by the loss of fertile agriculture lands within the reservoir drawdown zone was emphasized, as well as the U.S. irrigation benefits from Treaty flows. Several ways to support local food security were suggested:
  - » Ensuring water rights for agriculture production;
  - » Promoting innovative farming practices;
  - » Adequately funding local/regional agriculture production facilitation groups;
  - » Increasing access to Crown land for agriculture uses; and
  - » Creating an agricultural trust fund.
- **Hydropower production** – Attendees recognized the importance of the continuing value of hydropower generation. Several priorities were related to ongoing hydropower operations:
  - » **Increased compatibility with regional needs** – There was a call for operations to be changed to be more compatible with broad regional needs;

» **Penalties for infractions** – The Treaty should include penalties for infractions by either BC Hydro or the U.S. agencies, and the provincial government should invoke penalties for infractions against provincial legislation; and

» **Water Use Plan (WUP) review** – The upcoming WUP review should not be constrained by the Treaty, as the original process was.

➤ **Recognition of impacts on local communities**

– Attendees recognized the need to evaluate the benefits to B.C. in a scenario where flows were optimized for B.C. interests as a means of documenting ongoing impacts.

➤ **Flexibility** – Changing economies, and the potential for changes in local water needs, which must be met first, were suggested reasons to prioritize flexible, adaptable Treaty requirements.

➤ **Involvement of First Nations** – The desire that First Nations be engaged directly in Treaty negotiations was a stated priority, with questions about how First Nations will be involved if they are not on the negotiating team.

## **OTHER COMMENTS**

➤ People were curious about how well the negotiations with the U.S. were proceeding, and what the process was, with a comment on the importance of ‘standing fast’.

➤ Attendees wanted to know how the negotiating team would respond to the U.S. if they are unwilling to continue paying the Canadian Entitlement at the level it has been in the past.

➤ Participants questioned how ecological/ecosystem expertise will be included in the Canadian negotiating team with a comment that reliance on professionals in local water management processes has disenfranchised regular citizens at times.

➤ People requested frequent updates on the negotiations and the Canadian negotiating platform.



## 4.8 GOLDEN

*June 20, 2018 – 44 people in attendance at the Golden Civic Centre*

### GOLDEN RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Golden meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- Poor road access to the reservoir on poorly maintained gravel roads;
- No camping and recreational sites as promised;
- Widely fluctuating water levels – more than at other reservoirs;
- Large amounts of debris on Kinbasket Reservoir;
- Boat ramp at Bush Harbour in need of upgrading or replacement – not providing low-water access;
- Erosion of archeological sites due to fluctuating water levels; and
- Inadequate compensation to Golden for Treaty impacts – tie benefits and compensation to impacted communities.

### INTERESTS DISCUSSED AT THE JUNE 2018 GOLDEN MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- ***Kinbasket water levels*** – Residents are interested in finding ways to control reservoir water levels to reduce impacts on community values.
- ***Benefit sharing*** – Several interests related to benefit sharing were raised:
  - » ***Full cost accounting for local losses and U.S. benefits*** – The need for the negotiating team to consider the economic and other losses locally as well as the benefits in the U.S. was emphasized. This would be achieved ideally through full cost accounting, which provides assessments beyond financially valued factors;
  - » ***Adequate “payment in lieu of taxes”*** – Participants called for fair distribution of payment in lieu of taxes for communities that have been impacted;
  - » ***Distribution of the Canadian Entitlement*** – Attendees pointed out the lack of public input on the distribution of the Canadian Entitlement, which currently goes to provincial general revenue, and the perception that the Province should be contributing to offset community impacts, in addition to what BC Hydro does;
  - » ***Power production benefits to local communities*** – Participants sought clarification of what portion of the economic benefits from the Treaty-related dams in the Basin go to local communities; and
  - » ***Offsetting local impacts*** – Residents called for support for new economic drivers, such as fish guiding, to offset the social and economic impacts.



- **Ecosystems** – Ecosystem interests include:
  - » **Management and restoration** – Attendees wanted a better understanding of what is possible to achieve by enhancing ecosystem values, and how funds are being/can be spent for these activities;
  - » **Increased transparency about BC Hydro operations decisions** – Residents requested more information about how BC Hydro factors environmental objectives into its operating decisions, with a view that since it is a Crown corporation, it is self-policing and these decisions are not adequately transparent; and
  - » **Water use plans (WUPs)** – Residents asked for more empowerment of WUPs to address environmental impacts, and creation of WUPs for all reservoirs – including Koocanusa where there is currently not a water management process.
- **Recreation** – Participants expressed the desire for increased access to Kinbasket Reservoir, and expanded recreational property ownership, which is currently limited due to lack of access and fluctuating water levels.
- **Health risk from wood burning stoves** – Golden does not have access to natural gas, so relies on hydroelectricity for power, with many households using wood-burning stoves to reduce costs. This causes air quality levels that become health risks. The community is interested in finding solutions to reduce this risk.

## PRIORITIES

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- **Equitable benefit sharing/fair compensation** – Equitable benefit sharing between Canada/B.C. and the U.S., between B.C. and Basin communities, and amongst Basin communities was a frequently raised priority. Specifically:
  - » Providing social and economic benefits; and
  - » BC Hydro funding to be devoted to fish and wildlife rehabilitation and compensation for losses.

- **First Nations involvement** – Attendees strongly supported including First Nations on the negotiating team. Some questioned the credibility of the process without First Nations at the table. It was expressed that this as a lost opportunity to work towards reconciliation.
- **Stabilized reservoir water levels** – Controlling fluctuations or maintaining stable water levels in Kinbasket Reservoir was important to many participants.
- **Recreation opportunities** – Enhanced recreation on Kinbasket Reservoir, particularly through improved road access, was another priority.
- **Climate change and water supply management** – Attendees felt that water supply management going forward is critical, especially considering climate change, with expected acceleration of snow and glacier melt rates. A guaranteed water supply in times of scarcity was proposed, with a commitment that local demands will be met.

## OTHER COMMENTS

- Some participants were concerned that stakeholders in the U.S. have the perception that no further compensation to Canada is needed, and that Canada has been sufficiently paid for the construction of the dams. This view does not consider true cost accounting for the loss of environmental values such as old-growth forests, or the ongoing damage from operations.
- Participants hope there will be strong alignment between the Province of B.C., the Government of Canada, and the Columbia River Treaty Local Governments' Committee.
- Outreach was recommended on the U.S. side of the border to explain the socio-environmental impacts of the dams in Canada.
- Questions were posed about how salmon recovery will be achieved through the Treaty when Grand Coulee Dam is not a Treaty dam and it is one of the barriers to fish passage that must be overcome before salmon can return to Canada.



## 4.9 NAKUSP

*June 21, 2018 – 46 people in attendance at the Nakusp Community Complex and Arena*

### NAKUSP RESIDENTS' INTERESTS FROM 2012-2013 PUBLIC CONSULTATION

The Treaty Team provided the following summary of interests captured from Nakusp meetings during the 2012-2013 Columbia River Treaty Review Public Consultation:

- This area was impacted the most by dam construction with relatively little in return;
- Communities need fair and equitable compensation for impacts;
- There needs to be better clean-up and debris removal from the reservoir;
- The reservoir needs to be as close to a natural system as possible, and include recovery of white sturgeon;
- Return of the salmon should be a priority;
- The re-vegetation program should be enhanced;
- More stable reservoir elevation levels are needed to enhance ecosystems and recreation;
- Low water levels make it hard to access water for irrigation and industry;
- There is a need for better communications to the community in the event of extreme high water levels;

- A fixed link crossing at the North end of Upper Arrow Lake Reservoir would provide better transportation access, and attract people and industry; and
- An Economic Development and Opportunity Plan is needed.

### INTERESTS DISCUSSED AT THE JUNE 2018 NAKUSP MEETING – *Not in order of priority*

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation. Conversations included new issues, as well as confirming the importance of interests identified in 2012-2013.

The following issues were discussed:

- **Negotiation process** – Residents were concerned about the negotiations, and were curious to know about the makeup of the U.S. negotiating team, and about the process that the Treaty will follow in the U.S. once an agreement is reached. They asked for confirmation that the Treaty will be presented to the communities of the Canadian Basin before a final agreement is made. The imbalance in size (and power) of the two countries was noted.
- **Stable reservoir levels** – Many break-out groups promoted the stabilization of Arrow Lakes Reservoir levels, saying that reduced fluctuations would benefit the economy, recreation, and ecosystems.
- **Ecosystems** – Attendees talked about improving flow management with ecosystems in mind, re-establishing small wetlands, reintroduction of salmon, and adaptive management. Some added that ecosystems for their own sake need to be a top priority, not just for economic development or recreational purposes.
- **First Nations involvement** – Participants expressed their support of First Nations being at the negotiating table, not just consulted beforehand, stating that First Nations' perspectives and needs are very important.

- **Fixed link** – Participants raised the issue of the fixed link at Fauquier, and a connecting road to Passmore. Access to these communities was promised to the people of the Arrow Lakes Valley, but nothing has been built, and some participants asked that those promises be kept.
- **Development in floodplains** – Some participants raised concern that development on the floodplains in the U.S. puts pressure on Canada to reduce high water levels south of the border, which has a negative impact in the Canadian Basin. It was requested that this be part of the discussions with the U.S., and that there be regulation put in place on both sides to discourage development on floodplains.
- **Distribution of benefits** – Many felt that Canada, and specifically the Basin, has not received adequate benefits equivalent to the sacrifices made for the Treaty. They would like to see compensation specifically in the affected areas.
- **Water Supply** – Participants emphasized that Canadians' access to Basin water should be guaranteed, and that the U.S. should use their water wisely before Canadian water. They encouraged the Canadian negotiating team not to sell Canadian water.

## **PRIORITIES**

Attendees were asked to consider all the interests that have been identified by their community and identify their top priorities.

Participants identified the following list of priorities, in general order of importance:

- Stable water levels in Arrow Lakes Reservoir;
- Fair compensation for communities on Arrow Lakes Reservoir;
- Continued input into the Treaty process from local people;
- First Nations involvement in negotiations;
- Guaranteed access to Canadian water for Canadians; and
- Ecosystem protection and wetland restoration.

## **OTHER COMMENTS**

- Opportunities should be explored to enhance agriculture in the Basin (e.g. use water for dry land fish farming); and
- Participants were concerned that their communities have minimal political impact because of their small populations.



## 4.10 INVERMERE

**December 5, 2018**

During the June 2018 meetings, there were requests to hold a session for those living near the Columbia River headwaters. 60 people attended this meeting at the Columbia Valley Chamber of Commerce. Opening remarks were provided by MLA Doug Clovechok, Chief Barb Cote of the Shuswap Band, Chief Alfred Joseph of the Akisqnuq First Nation, and Stan Doehle, Area Director for the Regional District of East Kootenay. They remained to participate in the meeting.

### **Basin Residents' Interests from 2012-2013 Public Consultation and June 2018 Community Meetings**

The Treaty Team provided the following summary of Basin resident interests captured during the 2012-2013 Columbia River Treaty Review Public Consultation, and from the June 2018 Community Meetings.

Basin-wide interests in 2012-2013 included:

- Ecosystems, including salmon restoration;
- Flood risk management;
- Libby Dam co-ordination /Koocanusa Reservoir management;
- Power generation and the Canadian Entitlement;

- Socio-economic issues, including community health, water levels for recreation and tourism, economic development, and water supply; and
- Treaty governance.

Priorities from June 2018 meetings

- Ecosystem protection and enhancement;
- First Nations participation in negotiations;
- Salmon reintroduction;
- More stable reservoir levels;
- Agriculture sector enhancement;
- Water supply protection for Canadian Basin;
- Flood risk management;
- Equitable benefits to Canada;
- Fair compensation for impacted communities; and
- Libby Dam/Koocanusa Reservoir operations coordinated between Canada and the U.S.

### **Interests Discussed at the December 2018 Invermere Meeting – Not in order of priority**

Attendees were asked to identify any additional interests that were not captured during the 2012-2013 public consultation or June 2018 Community Meetings. Conversations included new issues, as well as confirming the importance of interests previously identified.

The following issues were discussed:

- **Importance of the Columbia River headwaters** – Participants expressed how important the Columbia River headwaters are, and how crucial it is to maintain the health of this portion of the river. They asked that the communities in this area continue to be included in Treaty public engagement.
- **First Nations involvement** – Participants, which included members of the Shuswap Band and Akisqnuq First Nation, emphasized the importance of First Nations being part of the Canadian negotiating team. They also expressed the need to acknowledge the impacts the Treaty has had on indigenous communities, including



displacement of people, damage to ancestral grounds, and loss of culture. The United Nations Declaration on the Rights of Indigenous Peoples was referenced<sup>11</sup>. It was suggested that there should be more information shared on how the Ktunaxa, Secwepemc, Syilx (Okanagan) Nations, Canada and B.C. are working together to develop and refine Canada's negotiating positions and options.

- **Agriculture industry** – Many participants expressed the need to acknowledge past and present impacts the Treaty has had on the agriculture sector, and to enhance this sector moving forward. A number of participants shared stories of how their families' land was flooded by the Koocanusa Reservoir, forcing them to relocate. These people spoke of how farming opportunities have diminished significantly with the loss of land, and it is difficult for Basin farmers to sustain their livelihood. They expressed the importance of understanding and recognizing how the Treaty has affected those who live(d) in the Basin, as well as seeking ways to compensate for those impacts. They felt agriculture losses have not been compensated for in the same manner as fish and wildlife impacts were. Some suggested that Canada should be compensated for water used by the U.S. for irrigation. Suggestions for how to support the agriculture sector included:
  - » Creating an agriculture trust fund;
  - » Giving fair payment to landowners for expropriated land (some landowners feel that they were not paid fairly for their land when Koocanusa Reservoir was created);
  - » Enforcing regulations regarding damaged property from trespass;
  - » Providing assistance for land purchases;
  - » Introducing young people to agriculture; and
  - » Increasing availability of low interest mortgages.

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<sup>11</sup> [https://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

#### ➤ **Impacts from development and recreation**

– Participants expressed frustration with the damage to farm and crown land caused by recreation and development. They also expressed frustration with trespassers, and lack of enforcement to prevent damage to their properties.

#### ➤ **Compensation for affected communities** –

Many participants felt that affected communities have not been adequately compensated for Treaty impacts. It was suggested that Basin residents should receive compensation for providing approximately half of B.C.'s electricity from the Columbia Basin. Some suggested indigenous Elders should have access to free electricity. Participants strongly encouraged the negotiating team to seek fair compensation from the U.S. for downstream benefits such as flood risk management, irrigation, recreation, navigation, environmental habitat and power generation.

#### ➤ **Youth and broader public engagement** –

Attendees acknowledged the need for broader education and awareness on the Treaty throughout the Basin, specifically with youth. Some suggestions for how to do this included engaging with the school districts and developing an education centre at the headwaters of the Columbia River. One participant pondered whether improving the social economics of affected communities could encourage a younger generation to take on the 'challenge' of living in affected communities.

#### ➤ **Koocanusa Reservoir and Libby Dam** –

Participants believe there needs to be a water management plan for the Koocanusa Reservoir, and that control of the Libby Dam should be shared between Canada and the U.S.

- **Water supply** – Participants want to ensure Canada has a protected and secure water supply in the future, for agriculture, food security, fisheries, and drinking water.

- **Flood risk management** – Participants acknowledged that flood risk management is an important aspect of the Treaty. They also discouraged development in floodplains.
- **Ecosystems** – A number of issues were raised related to ecosystems:
  - » Participants emphasized the importance of ensuring that water level and flow needs are met for aquatic life, including fish, specifically sturgeon, trout, and salmon, if successfully reintroduced;
  - » Attendees noted that flooding blocks wildlife corridors, and wondered whether alternate passage or connectivity can be created;
  - » Participants emphasized the importance of Columbia River wetlands as a bird migration area, and expressed that it must be protected; and
  - » Attendees expressed that invasive species must be considered.
- **Salmon reintroduction** – Many participants supported efforts to bring salmon back to the Canadian portion of the Columbia River. Some questioned how this is being studied and what the feasibility of reintroducing salmon is – salmon have been gone for so long, would they survive if reintroduced? What would the impacts on other species be? Participants expressed how salmon is a key part of the ecosystem, and are important for bears, birds, forests and the land. It was suggested that the U.S. should fund salmon reintroduction since the Grand Coulee Dam has blocked them.
- **Climate Change** – Participants wondered how climate change will affect the headwater region, and encouraged Canada and the U.S. to jointly monitor for climate change.

- **Diversion of Kootenay River** – A number of people asked whether the ability to divert the Kootenay River to the Columbia is being considered as part of Treaty negotiations. They wondered if Canada would choose to divert the Kootenay River to the Columbia River.
- **Cultural heritage** – Some participants expressed that, in addition to acknowledging Indigenous culture and heritage in the Basin, non-indigenous culture and heritage should also be acknowledged, such as David Thompson, explorations, and other area settlements.
- **Data** – Participants raised many questions about the reliability of data being used and/or collected to make decisions on future Treaty operations. They emphasized the need to consider cumulative effects. Participants encouraged rigorous studying and monitoring of impacts through the Basin, including impacts of pollution, fluctuating water levels, damages from unregulated development and recreation, water quality and flood risk management scenarios.

## **PRIORITIES**

The conversation on interests, summarized above, filled the majority of the evening. Participants captured their priorities in writing on the discussion guides at each table. The following priorities were identified on those discussion guides, in general order of importance:

- Fair compensation to impacted communities;
- First Nations involvement in negotiations;
- Ecosystem protection and enhancement;
- Salmon reintroduction;
- Agriculture enhancement;
- Equitable sharing of benefits to Canada;
- Public education and community involvement;
- Water level management; and
- Flood mitigation.

## OTHER COMMENTS

- **Balancing ecology and economy** – One participant acknowledged that tourists, nature and residents interface, and are all affected by the Treaty. They asked the question, how do we honour all who/that are affected by the Treaty?
- **Coordination of interests around Koocanusa** – Participants acknowledged that there are many diverse interests around the Koocanusa Reservoir. It was encouraged to increase communication between stakeholders so that different interests may be understood and addressed.
- **Greenhouse gas reduction** – One attendee asked whether the Treaty can be used to encourage greenhouse gas reduction, perhaps by encouraging the use of hydroelectric power over more carbon intensive energy sources.
- **Canadian Entitlement** – Some people mentioned that there are more hydroelectric facilities operating in the U.S. than are accounted for in the Canadian Entitlement, and that Canada should receive higher compensation.



## 5 | Conclusion

These meetings were of great value to the Province, and Canada's negotiating team. They confirmed that the issues captured during the 2012-2013 public consultation are still important to Basin citizens today. They also shed light on new interests and issues, and provided concrete suggestions for how to potentially reduce impacts and increase benefits to the Canadian Columbia Basin. The Province will consider the recommendations, explore ways to address them, within or outside the Treaty, and report back to Basin communities.

The Province acknowledges that the perspectives of Basin residents who shared their views with the Treaty Team during these meetings do not necessarily reflect the perspectives of the entire Columbia River Basin population. That being said, the people who took the time and made the commitment to share their views, must be listened to.

Though each community has its own specific interests and concerns regarding the Treaty, there were common themes that emerged.

- **Ecosystems** – Communities emphasized the importance of including ecosystems as the third component of a modernized Treaty.
- **First Nations participation** – Communities voiced support for First Nations to be part of Treaty negotiations process.
- **Stable reservoir levels** – Communities voiced a desire for reducing fluctuation of reservoir levels to benefit ecosystems, local economies, recreation and tourism.

- **Water supply** – Communities expressed the importance of Canada ensuring that water is available for its own domestic use.
- **Fair compensation for impacted communities** – Communities most impacted by the Treaty felt that they are not adequately compensated.
- **Salmon reintroduction** – Many community members supported efforts to bring salmon back to the Canadian Columbia River Basin.
- **Flood risk management** – It was recognized that the Treaty's original intent to prevent flooding in Canada and the U.S. was essential to maintain, though participants felt the U.S. should be required to utilize their reservoirs for flood risk management more than they do now.
- **Equitable benefits to Canada** – Communities felt that the U.S. receives more benefits from the Treaty than Canada does, and that a renewed Treaty needs to reflect the original intent of sharing benefits equitably.
- **Libby Dam** – Many participants felt Canada should have more input into Libby Dam operations, to minimize impacts of the Koocanusa Reservoir.

The results of these meetings have been shared with Global Affairs Canada, and Canadian Basin interests continue to inform negotiating positions developed by Canada and the Province, which will be raised at the negotiating table with the U.S.



## 6 | Next Steps

The Province will return to the Basin for another round of public meetings in 2019 when there is substantive progress or new developments from negotiations to share. Until then, the Province will continue to provide Treaty updates through the Columbia River Treaty website<sup>12</sup>, Facebook, Twitter, and through its quarterly newsletter.

To sign up for the newsletter, visit  
<https://engage.gov.bc.ca/columbiarivertreaty/sign-up/>



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<sup>12</sup> <https://engage.gov.bc.ca/columbiarivertreaty>

## 7 | Feedback

The Province wants to make sure this report reflects what was said at these meetings. If you have questions, notice something missing, or would like to share further comments on Treaty issues that are not captured in this report, please send them to the Treaty Team via

- Email: [columbiarivertreaty@gov.bc.ca](mailto:columbiarivertreaty@gov.bc.ca)
- Phone: 778 698-7277
- Mail: Columbia River Treaty Team  
Ministry of Energy, Mines  
and Petroleum Resources,  
PO Box 9314 Stn Prov Govt, Victoria  
BC V8W 9N1; or
- Message the Treaty Team through the Columbia River Treaty Facebook page.





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