



# COLUMBIA RIVER TREATY REVIEW

## Summary Report: Columbia River Treaty Review *November 2012 Community Consultations*



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## INTRODUCTION

The information contained in this summary report is the direct feedback received by the Columbia River Treaty Review Team from attendees at the November 2012 community sessions.

## OVERVIEW

### Background

The Province of British Columbia has initiated a Columbia River Treaty Review process to evaluate future decision options, including possible continuation, amendment or termination of the Treaty. The outcome of the review will be to provide recommendations to government on the future of the Treaty. The Ministry of Energy, Mines and Natural Gas is the coordinating agency for the Treaty review and has established a Columbia River Treaty Review Team (Treaty Review Team).

The Columbia River Treaty Review provides an opportunity to increase the Province's understanding of Basin residents' interests and values. The Province wants to ensure the implications of Treaty options on those interests are communicated to, and well understood by, Basin residents, and that those residents have full opportunity to provide input to help inform Provincial recommendations on the Treaty.

The Province is conducting a separate consultation process with First Nations.

The Treaty Review Team is being advised by the Columbia River Treaty Local Governments' Committee (Local Governments' Committee) and Columbia Basin Trust on the public consultation process.

Phase One of public consultations was carried out in seven Columbia Basin communities (Jaffray, Creston, Nakusp, Castlegar, Valemount, Revelstoke and Golden) in May and June of 2012<sup>1</sup>. More than 360 residents attended and provided information on local interests and

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<sup>1</sup> The Summary Report of Round One of the public sessions can be viewed at:

[http://blog.gov.bc.ca/columbiarivertreaty/files/2012/07/Community-session-summary\\_final\\_Oct-30.pdf](http://blog.gov.bc.ca/columbiarivertreaty/files/2012/07/Community-session-summary_final_Oct-30.pdf)

feedback on how they wanted to be consulted in the future. A majority of Basin residents wanted further community sessions; a large number wanted to have a conference; and some wanted the Province to get input from a group of knowledgeable and committed Basin residents.

In November 2012, the Treaty Review Team carried out Phase Two of the public consultation.

Phase Two community workshops were held in Jaffray, Creston, Trail, Nelson, Nakusp, Revelstoke, Golden and Valemount. The Trail workshop was live-streamed, providing an additional opportunity for the public across the Basin and beyond to participate. In addition, the Treaty Review Team held two meetings, in Cranbrook and Castlegar, with regional and municipal elected officials.

The objectives of the fall 2012 public sessions were to:

- Present an overview of the key Treaty scenarios (terminate, continue, or amend - “Treaty Plus”) and associated operating alternatives and the impact of these scenarios on Basin interests;
- Gather feedback on the impacts and potential trade-offs;
- Report-out on the Province’s Treaty Review studies;
- Provide a US perspective on the Treaty; and
- Gather input on how a 2013 Technical Conference should be design and delivered.

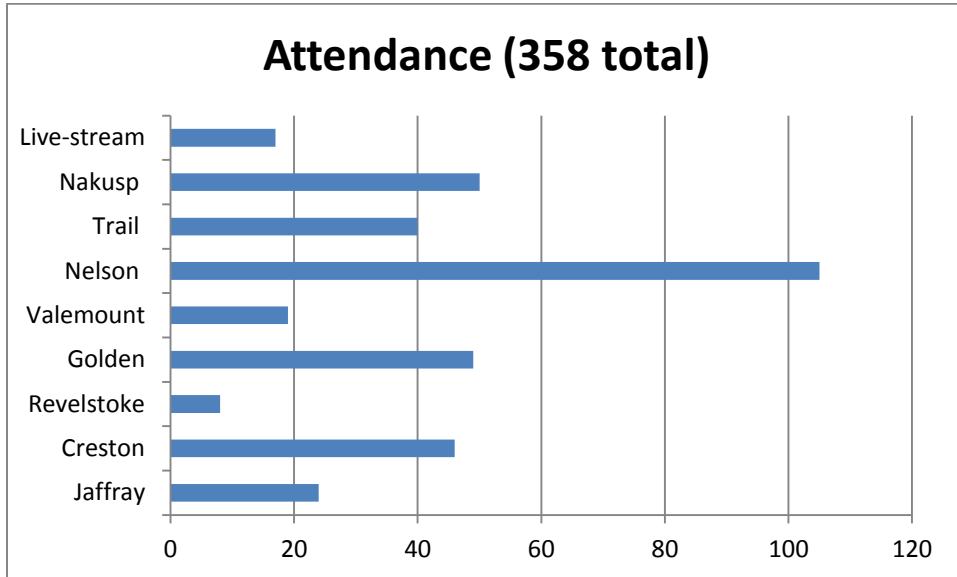
All the public sessions were organized and hosted by the province’s Treaty Review Team, with support from Columbia Basin Trust and the Local Governments’ Committee.

## Attendance

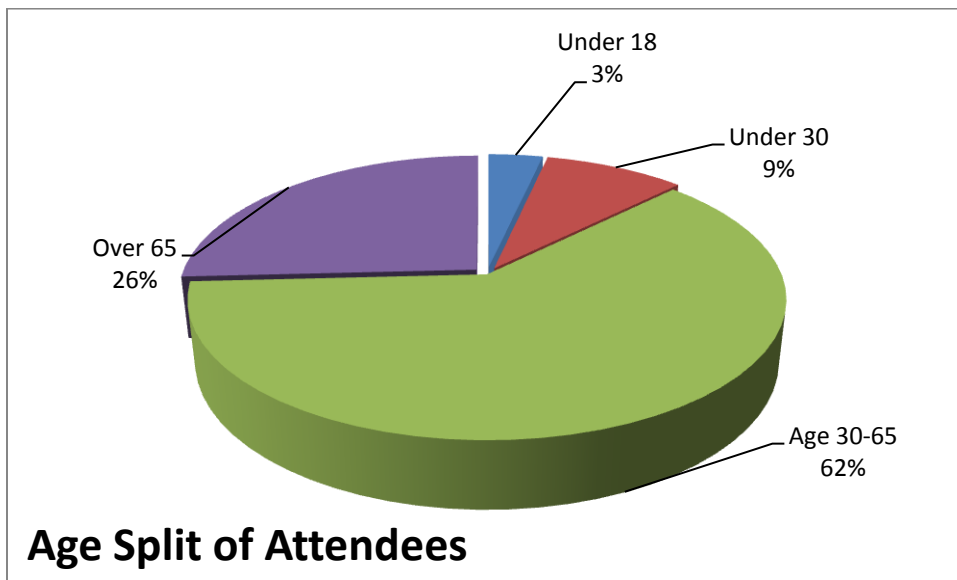
Pre-registration was not required, and the sessions were widely advertised (at least twice in local print media). Participants who attended Phase One consultations received email invitations from Columbia Basin Trust, BC Hydro, and the Local Governments’ Committee. Columbia Basin Trust also mailed post cards to some Basin residents. Other methods of communication included Facebook advertising, posters at Service BC and local government

offices, online event-calendar, and through the Columbia River Treaty Review e-newsletter and website.

The number of participants at each November 2012 session is shown in Figure 1, below:



The approximate age breakdown of those attending the sessions is shown in Figure 2, below:



## Format of Public Sessions

The information provided during the presentations was tailored to some communities but followed a similar format, as follows:

- Pre-presentation open house, with three videos explaining the basics of Columbia River Treaty (produced by the Columbia Basin Trust), display material, and Treaty Review Team members answering questions.
- Introduction and welcome by a representative of the Local Governments' Committee.
- Update by the Province on the Treaty Review process, studies, and timeline.
- Presentation: *A Review of the Range of Impacts and Benefits of the Columbia River Treaty on Basin Communities, the Region, and the Province*<sup>2</sup> summarizing a report authored by George Penfold. In Creston there was also a presentation on *Libby VARQ Flood Control Impacts on Kootenay River Dikes* and in Valemount and Golden a report on *Kinbasket Reservoir Dam: Feasibility Overview*
- BC Hydro presentation on the outcomes of modelling three key Treaty scenarios (Treaty Terminate, Treaty Continue, Treaty Plus), including financial, social, and environmental impacts, benefits and trade-offs.
- Break-out into smaller groups to stimulate feedback on the presentations and to share ideas about the key issues regarding the Treaty Review in each region.

Presentations and handout material used during the November community workshops are available at the Columbia River Treaty Review [website](#).

The following section encompasses the highlights, main discussion points, and feedback, from each community workshop.

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<sup>2</sup> A copy of this report can be viewed at <http://blog.gov.bc.ca/columbiarivertreaty/files/2012/07/CRT-Impact-Benefits-Report-Exec-Summary1.pdf>

## COMMUNITIES

### Jaffray

The session in the Jaffray was attended by 24 people. There were two key themes that emerged from discussions during the main presentations: the lack of a Water Use Plan for the Koocanusa Reservoir; and a perceived lack of compensation for impacts in the local area compared to other reservoirs in the Columbia Basin. Attendees noted that with no Water Use Plan, Koocanusa Reservoir communities on the Canadian side of the border have little ability to plan and prioritise development, recreational opportunities, or environmental restoration activities. In future Treaty decisions it was recommended that parameters be put in place to develop a Water Use Plan.

Residents in Jaffray noted that although the impacts of Libby Dam extend into British Columbia, there is not the same level of compensation of impacts as compared with other dams and reservoirs in the Canadian portion of the Columbia Basin. For example, the Fish and Wildlife Compensation Program funds relatively few restoration projects near Koocanusa Reservoir because its mandate is connected with the impacts arising from the construction of BC Hydro dams.

Although the *Review of the Range of Impacts and Benefits* report was useful, some stated that quoting the number of people displaced, or hectares of farmland flooded, did not reflect the personal hardship that has been felt by many in this valley, nor has there been adequate compensation for the impacts that families experienced. Loss of livelihoods, separations, suicide, and alcoholism were some of the hardships voiced by some attendees.

Residents noted that while there are some social and economic development funds available to compensate for impacts, they are typically invested elsewhere in the Columbia Basin rather than in the Koocanusa Reservoir area where actual Treaty-related impacts occurred. One suggested that compensation as a result of the Columbia River Treaty has been a “goldmine” for some communities outside the immediately impacted areas (e.g. one of the Columbia Basin Trust’s initiatives directs more funding towards Cranbrook because its formula is based on population.)

Residents recommended that those people who were directly impacted by the creation of the reservoir should be appropriately compensated.

There were two break-out sessions after the presentations, where participants provided the following feedback:

- Optimal water levels for recreation are reservoir elevations between 2,445 ft. and 2,455 ft (4-14 ft below full pool), although this is less important now since the construction of the new boat ramp that allows access to 2,407 ft. Easy access to the Kooconusa Reservoir from the river was also noted.
- Agricultural productivity, in particular cattle grazing, would be helped if the water level was at 2,449 ft by May 1.
- Low water levels encourage ATV use and create noise and dust problems, and negatively impact aesthetics. When water levels are drawdown to 2,410 ft, there can be hundreds of ATVs on the flats.
- Need to have a designated motorized use area, better education, and better enforcement, although the latter has improved in recent years.
- Need to maximize vegetative landscape and avoid non-productive or bare land. When water levels are in the “sweet spot” there is vegetation for grazing, wildlife forage and nesting habitat. Nesting birds are adversely affected by early increases in water levels.
- The priorities for water levels should be flood control for downstream communities; ecosystem health (relatively stable levels for vegetation that are consistent over time); recreation; and agriculture.

In summary, the priorities for area residents at the session were:

- Stable water levels that will improve agriculture and fish and wildlife habitat.
- Better compensation for local impacted residents.
- More equitable ongoing funding overall compared to other reservoirs to enhance fish and wildlife values, and economic development.
- Water Use Plan for Kooconusa Reservoir.



- Improved economic development opportunities requiring involvement from local government.
- Greater compensation and support to sustain the agricultural sector; if a similar level of support went to agriculture, as has gone to fish and wildlife, then the local agricultural sector would be far more robust.

## Creston

The Creston session attracted 47 participants and included a presentation on *Libby VARQ Flood Control Impacts on Kootenay River Dikes* by Hamish Weatherly, of BGC Engineering Inc. The presentation was based on a report that can be found on the Columbia River Treaty Review website<sup>3</sup>. The report was commissioned by the Province in response to discussions with area residents during the May/June 2012 community consultations.

During the dike presentation, several audience members spoke of the poor state of the dikes and the significant resources required for upgrades. They felt erosion will continue to weaken the dikes if resources are not allocated, increasing the risk of flooding, loss of land, and crop failures. Someone commented that Creston Valley farmers should get compensated for flood control as do their counterparts in the U.S. Some residents recommended that any future Treaty discussions should include annual funding for dike repairs and restoration and an efficient application process for grants.

It was suggested by some that BC Hydro, FortisBC, Columbia Power Corporation, and Columbia Basin Trust, pay more to local communities (e.g. to regional and/or municipal governments), and that a portion of the Treaty benefits that are returned to the Province be allocated to the diking system. Attendees suggested that Columbia Basin Trust revise its formula for funding to help smaller communities, like Creston.

One participant felt that BC Hydro doesn't pay enough Grant in Lieu of Taxes for Duncan Dam at the north end of Kootenay Lake. It was stated that Revelstoke and Castlegar had expanded municipal boundaries in order to get more Grants in Lieu of Taxes. (The provincial Treaty Review Team committed to bringing this matter up with the Ministry of Finance.) Another participant felt that BC Hydro land rental fees are too low.

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<sup>3</sup> The full report can be found at: <http://blog.gov.bc.ca/columbiarivertreaty/files/2012/07/Libby-VARQ-Flood-Control-Impacts-on-Kootenay-River-Dikes2.pdf>

Kootenay River and Kootenay Lake water levels were extremely high in 2012 as a result of high winter snow pack and record high rainfall during spring and early summer. As a result there was extensive debris on Kootenay Lake causing considerable damage to lakefront properties during high winds and storms. More than one land-owner felt that individual property owners should not bear the expense of having to remove debris from their land, and there should be a better debris removal program to reduce property damage and boating risks.

Agriculture was a major topic of discussion. There were concerns that a Water Use Plan might impact agriculture and consumptive use; that Columbia Basin Trust's role in support of sustainable agriculture be expanded; that there is too much paper work for emergency relief for farmers; there remains an un-staffed agricultural office; and that the loss of the "Buy BC" campaign has impacted local agriculture.

One participant felt Columbia Basin Trust should be part of the formal review process, and that the Province should not be keeping it at arm's length.

Three smaller break-out groups followed the main presentations. The key points recorded were:

- The benefits (in the Creston area) of filling up Kooconusa Reservoir earlier include having more beach later in the season, and higher water levels for boat access.
- The drawbacks to early refill would be reduced flood control (and higher flood levels resulting in more debris); and more water being spilled not being used for power production in Canada or U.S.
- Because of the dams, spawning kokanee numbers have plummeted in some Kootenay Lake tributaries.
- High water levels at the southern end of Kootenay Lake would mean more mosquito infestations and, therefore, increased risk of West Nile virus.
- It was recommended that an Economic Development Plan and an Agricultural Sustainability Plan be developed for the region. Participants suggested that the Trust could help fund the plans.
- Youth were a central theme at one table. It was recommended that the youth conference on the Columbia River Treaty Review be more interactive and break down

the barriers between the East and West Kootenay by renting a bus and transporting youth to a central location to help build relationships.

- Anything that can be done to reduce the occurrence of flooding, and reduce water level fluctuations would be beneficial; seepage from a high water table flows under the dikes into farmers' fields.
- There was a preference to have lower flows in May and June and keep flows at the Dalles at 600 kcfs.
- There was a concern that Kootenay River residents could be used as "pawns" by the U.S. in retaliation if certain decisions are made.
- A desire to get salmon back into the Salmo River.
- Desire to see increase nutrient loading for fisheries in Kootenay River.
- Implement penalties or compensation in the Treaty for dike erosion caused downstream of Libby Dam.
- Better monitoring of the snowpack, and better coordination of water level management between the U.S. and Canada.

The provincial Treaty Review Team committed to organizing an agricultural meeting in February or March of 2013.

## Revelstoke

Discussion at the Revelstoke session, that drew eight participants, focused on water levels and the trade-offs between communities. One participant noted Revelstoke may benefit from lower water levels (from a recreational and environmental perspective) as there is a tendency for Revelstoke residents to prefer to recreate on the land, especially on the flats. Nakusp, on the other hand, is more water-based for recreation, and higher water levels in Arrow Lakes Reservoir are preferred.

The Review Team was informed by participants that water levels in Arrow were too high and were having a "big impact," both from a recreational point of view and also on the environment. Low water in early summer aids vegetation growth but when the wetland becomes inundated, water-fowl cannot use it.

Higher water levels, a participant noted, even had a negative impact on the ski hill. While in the summer the water is generally too cold to swim in, in winter the large body of relatively warm water creates a warmer microclimate that shifts precipitation at low elevations from snowfall to rainfall which negatively impacts snow packs.

Whether high or low water levels, participants suggested that more consistent levels, with fewer and smaller fluctuations, is key to improving recreation opportunities and environmental values.

A participant shared that there are local records available of the impacts caused by the building of the dam and reservoir, and that this was not reflected in the *Review of the Range of Impacts and Benefits* report.

One participant wanted to know how much money the Province was willing to forsake to improve recreation or boat access for a handful of weeks.

Another topic of discussion concerned fish in the reservoir. While there may be more fish in the reservoir now than when it was a river, it was noted that it may not be the same type or quality of fish as before. One participant noted that if ocean-going salmon (prior to dam construction) were included in the metrics, then there may have been more fish in the rivers then, than fish in the reservoir now.

The session concluded with several observations about BC Hydro's water management consultation process; that people attend and contribute thoughts, but then it stops, and there is no formal or informal process to continue providing input. One participant suggested that a committee could be created to fill in the gap, and also that a team of experts, possibly within BC Hydro, could be made available for the public to bounce ideas off, ask questions, and provide field observations. One participant cautioned that the Water Use Planning process did not really reflect the views of the general public as there was "too much process and data." This had the effect of giving more weight to the voices that stayed to the end of the process.

## Golden

Forty-nine participants attended the session held in the Golden Civic Centre. The session was similar to the format followed in other community sessions, with the addition of a short

presentation on a BC Hydro report of the potential cost of installing a dam at the top end of Canoe Reach in order to maintain stable water levels for recreation. The estimated cost was extrapolated to help inform discussions in Golden around a water retention structure in the southeast end of Kinbasket Reservoir. The dam at the southeast end would likely need to be bigger than the one considered for Canoe Reach and the costs were estimated to be substantially higher. Therefore, the presentation concluded, such construction would not be considered in the foreseeable future

One comment was repeated numerous times: Golden and the surrounding areas has been impacted by the reservoir but have not been adequately compensated. Promises had been made by the Province that Kinbasket Reservoir would be a “mountain lake,” but that has not been the case; instead a widely fluctuating reservoir has been created since there is no minimum drawdown zone for Kinbasket Reservoir unlike Revelstoke Reservoir. Water levels vary far more here than other reservoirs in the Basin.

During the discussions regarding compensation, some felt that Golden should receive some form of water rental revenue, stating that Revelstoke receives approximately \$1.4 million annually because of Revelstoke Dam, but Golden receives just one-fifth of that. BC Hydro’s Grant in Lieu of Taxes was also thought to be inadequate, and should be expanded, and that for taxation/grant purposes the definition of “industrial land” should include reservoirs.

Participants felt that there was a lack of local input to decision-making on BC Hydro systems operations that negatively impacted local communities; one person asking how many BC Hydro board directors come from the interior of B.C.

Lack of project funding from the Fish and Wildlife Compensation Program in the region was also a point of criticism, although a participant highlighted that Golden did get a “good deal” with a Columbia Basin Trust office being located in the community - although this is still far from adequate compensation.

The issue of unfair allocation of funds was raised, whether it was the money (from Treaty benefits) going to Provincial General Revenues (and not coming back to the Basin), or compensation funds within the Basin not being directed towards those communities most impacted. In general, it was thought that compensation has not been adequate for what has been lost. One person commented that while Kinbasket Reservoir is drawn down extensively each year, Golden does not receive the revenue generated by that draw-down, adding “it’s

immoral that we see so few benefits in return.” Another stated that while they thought it unlikely that the Province would give up some of the revenue, something had to be done to sustain the community. One person requested that the Treaty Review Team “push government to respond” on this matter.

Following the presentations, the participant’s split up into four break-out sessions.

During the break-out sessions, the following issues were raised:

- Poor road access to the Reservoir on poorly maintained gravel roads.
- No camping and recreational sites.
- Widely fluctuating water levels.
- Large amounts of debris on Kinbasket Reservoir; BC Hydro has spent significant resources in recent years but more needs to be done.
- A boat ramp at Bush Harbour that does not provide low-water access and is in need of upgrading or replacement.
- Archeological sites are not getting the same attention at Kinbasket Reservoir as they would in other reservoirs, with many sites eroding away due to fluctuating water levels.

The consensus at one of these break-out tables was that the Province should either continue with the Treaty, or recommend Treaty Plus. There was a belief that there would be a financial loss if the Treaty were terminated and that Treaty Plus would provide more flexibility for local compensation. A desire was expressed that benefits be tied back to the region that is impacted, and that Kinbasket Reservoir be kept at a higher levels. One participant believed that there would be more ability to compensate for the local impacts if the Treaty were terminated.

One person observed that Albertans drive by this town, preferring to recreate elsewhere, and that Kinbasket Reservoir is a lost economic opportunity for the community. One person commented that there is no road access to Kinbasket Reservoir for five months of the year, contrary to the information stated by BC Hydro. A participant noted that Golden is dependent on the highway, and infrastructure improvements are required to help support recreation and tourism development. They suggested funds could come in the form of grants or funding, or even tax off-sets for local municipalities. A secure revenue stream to local government was recommended.

Another breakout table focused on impacted ecosystems and the return of salmon to the Columbia River. It was felt that water is managed in B.C. to meet power needs first, and the environmental needs in the U.S. It was suggested that, instead, we should be looking at the needs of the B.C ecosystem first, in particular the needs of salmon, and then see what opportunities there are for power after that. Future modelling should prioritize the essentials – the ecosystem and the return of salmon to the Columbia River - and then see how other interests fit in.

It was also noted that there is a general lack of baseline data available for Kinbasket Reservoir (although the Water Use Plan implementation did help fill some gaps), and that managing various values for this Reservoir is more difficult than others. Some felt that the knowledge and skills developed during the Water Use Plan process should continue with the Treaty process.

One area of discussion during the break-out sessions focused on economic opportunity, especially regarding tourism development. It was reported that BC Hydro had identified risk of landslides around Bush Harbour. As a result, leases in certain areas suitable for recreational sites could not be obtained. It was thought if the land and access issues could be resolved, there are excellent opportunities for tourism and recreational development on Kinbasket Reservoir.

Finally, it was acknowledged that, given the significant revenue generation derived from water storage in Kinbasket Reservoir that there is little chance that water levels will change from their current wide fluctuations. It was thought that improving road access to the Reservoir would be a far more realistic goal to achieve, rather than to trying to achieve higher, and more stable, water levels. One break-out group recommended that an advisory group be formed to fix road access and crown land usage and to not spend time trying to effect change in water levels.

The Review Team committed to returning to the community of Golden for more dialogue if it was invited to do so. There was also a commitment for the Treaty Review Team and a representative from the Local Governments' Committee to meet with the Ministry of Forests, Lands and Natural Resource Operations district manager to discuss road access to Kinbasket Reservoir.

## Valemount

There were 19 participants at the session held at the Valemount Visitor Centre. In addition to the format followed in sessions in other communities, participants listened to a presentation on a BC Hydro report of the potential cost of installing a dam at the top end of Canoe Reach in order to maintain stable water levels for recreation. While the presentation concluded the cost of the dam (the structure required was bigger than a weir) was too high for such construction to be considered in the foreseeable future, most participants appreciated the work that had been done to answer the community's query.

Participants elected to continue discussions as a whole rather than divide into smaller groups. Central to the feedback from the participants was the belief that while Kinbasket Reservoir is a huge revenue generator for the province, relatively few resources flow back to the community and compensation has not been adequate for the impacts experienced. There were many questions concerning how much revenue, and Canadian Entitlement, is generated by the Treaty dams. One participant wanted to know how much Canadian Entitlement came back to the Basin hypothesizing that it was less than five percent.

One person asked what the royalties are on water usage, with another stating Golden and Valemount are heavily affected by hydro generation (supplying 42 per cent of the Province's needs), with basically no royalties in return.

While Valemount does receive some benefits from the dams (e.g. a BC Hydro grant helped pave the streets in Valemount, and Columbia Basin Trust has funded community projects), it was thought to be relatively insignificant by most attending. Some said that the social and economic trade-offs are not worth it, that the area is subsidising power for others, that losses for Valemount are very valuable to BC Hydro, and that more money should be invested here. Although there was a study on the impacts done in 1994 for Columbia Basin Trust, there were no socio-economic multipliers included. It was suggested that the subject be revisited now that the Treaty is up for discussion, then make sure none of the impacts have been overlooked, and to also calculate the socio-economic multipliers for 50 years into the future. A participant suggested this could be done in a relatively short time frame, by March 2013.

Negative impacts noted by participants included diminished wildlife populations, lack of transport corridors between Golden and Revelstoke (some would like to see a ferry link



between Valemount and Mica and Revelstoke), timber cut loss, dust storms at low water, discontinued access to local hot springs, and poor recreational and boating opportunities.

Recreation was a key concern. One described Kinbasket Reservoir as providing “two months of okay boating.” Echoing Golden participants, Valemount participants stated debris build-up, and clean-up, was an important issue and that debris negatively impacted recreation on the water. One person observed: “the lake is not a recreational experience; it’s an adrenalin ride just to go fishing!” With respect to lake levels and boating access, one angler noted that typically boat owners cannot access the lake until June.

Another commented that BC Hydro has done a good job in cleaning up debris during the summer but after 30 years of mostly neglect there has been extensive build-up, and now with extremely high waters again in 2012, there is the concern that it will be in a poor state once again.

Participants also discussed the state of the ecosystem. One participant wanted to make sure that there was a holistic view when considering the costs associated with the Treaty dams: impacts on temperature and air pressure changes; increased wind; precipitation and erosion. Both sides of the argument were mentioned: if storage levels were changed and produced less hydro power, then the power would need to be generated elsewhere and there would likely be an environmental cost of doing that.

Even at full-pool, participants noted concerns with ecosystems surrounding the lake. Many residents and tourists use their ATVs to recreate on the mudflats but if there was a prolonged period of full-pool there were concerns that these machines go elsewhere and impact sensitive habitat.

The Valemount session initiated an immediate response among some of those attending. The Mayor organized an ad-hoc committee of interested community members to discuss next steps and priorities.

## Nelson

The Nelson session, held at the Rod and Gun Club, was notable for several reasons: it drew the largest crowd (105), it was the stage for a protest, and it attracted the highest percentage of younger participants – more than one quarter were under the age of 30.

The protest was in support of the Sinixt who, it was felt, should be officially consulted during the Treaty Review process.

During the small break-out discussions, one break-out group focused on the topic of First Nations consultation. Aside from the repeated request that the Sinixt should be formally consulted, a participant suggested that the First Nations consultation should be more open, transparent and overlap with the public process, although others noted that First Nations in general prefer to be consulted government to government.

At the same break-out session, one person commented that, while it was reassuring to hear that the discussion of archeological sites will be included at the March conference, it is important to name the sites to give them some identity as they are a very sensitive issue. The person noted a large part of aboriginal claims are based on these sites.

Another break-out group suggested that climate change needs more attention, and a concern was voiced that historical data may be already out of date. The participants were reassured when informed that the modelling done for the Columbia River Treaty Review is based on relatively recent data, with the time frame going through until 2050.

There were questions with regards to getting ocean-going salmon back to the Columbia Basin and whether removing the dams might be an option. The discussion that followed included comments that the power would have to come from elsewhere, and that the flood control for communities is also a critical role for the dams.

Attendees questioned whether the original residents impacted had been appropriately compensated for the impacts of the Treaty dams.

Those attending the workshop were keen to know how the U.S. was likely to act with respect to the Treaty and to understand what values were being considered in the U.S. analysis. On being

told that different lobby groups have different agendas, from minimizing electricity production costs or flood incidents to managing flows for fish values or irrigation, participants commented on how managing water flows in meet U.S. needs in some areas - for instance flood incidents and fish values - resulted in negative consequences to Basin residents. In general, participants felt the Treaty was currently working well.

When one break-out group was asked the question: “Do you think the Treaty should continue or terminate, and why?” the answers were overwhelmingly in the ‘continue’ category, but not without careful consideration. There were comments such as “continue as the damage has already been done and we have learnt many ways to mitigate it,” and “continue but look at taking the dams out in the long term.”

Amongst the same group, some suggested the Treaty be terminated but most wanted it to continue, or continue with amendments. The group reinforced comments made earlier in the evening - bringing the salmon back, getting youth more involved, and more First Nations involvement.

There were a number of recommendations around process, Treaty options, compensation, water levels and future presentations, from Nelson’s four small group discussions.

It was suggested that the scope of the Treaty Review consultation is too narrow and should be broader than just about water levels.

Members of one break-out group recommended that the provincial government either continues with the Treaty, or opts for Treaty Plus, and that it should be for a shorter period of time (e.g. less than 60 years) because values and priorities change over time. One person commented that Canada should wait and see what the U.S. does before deciding to terminate or continue the Treaty.

With respect to water levels, it was suggested that Kooconusa Reservoir should be used more for flood control and that allowing Kooconusa water levels to rise during high flow periods would decrease impacts on Kootenay Lake (where more people are impacted.) Kooconusa residents should be appropriately compensated for any impacts resulting from higher water levels. Linked to water levels was the suggestion that the Grohman Narrows site be examined for future dredging or excavation

In Nelson there were many ‘big picture’ comments, such as the requirement of a holistic view of managing salmon in the whole of the system, and not to manage just for only single interests. Also more money from Canadian Entitlement should go toward research on climate change, and ecosystem improvements.

Other comments included food security being critical, so there is a need for sustainable agriculture; that socio-economic mitigation issues be addressed much faster; and that BC Hydro or the Province consider installing a hydro-electric generating station at Duncan Dam.

It was suggested that for future presentations or communications about the Treaty Review, the Team should consider:

- Having less lingo and technical information (especially from BC Hydro)
- Have a film to visually illustrate Treaty options (that could also be used in schools)
- Visuals in newspapers to explain the options
- BC Hydro and the Province should show how different communities are going to compromise
- Get more youth involved by going to the schools

The Provincial Treaty Review Team committed to holding an additional Nelson meeting in 2013 if invited.

## Trail

A total of 40 people attended the session held in Trail, with an additional 17 joining the discussion via the Internet as the session was live-streamed. After the presentations the audience elected to continue to discuss topics as a single group rather than break into smaller groups.

There were questions about how the Columbia River Treaty works, and how the various players “fit in.” While the questions were answered, where possible, it was suggested by the Treaty Review Team that the community might benefit from having an additional workshop or meeting on BC Hydro operations and reservoir levels.

The audience asked a number of questions or commented on the inequity of benefits and lack of compensation for the Basin as a whole rather than the community itself. Participants questioned why citizens living closer to power production pay more for electricity than others who live further away.

Participants asked how much of the Canadian Entitlement came directly to the Basin. They also asked if Canada could make up the funds in other ways if the Treaty was terminated and the Province no longer received the Canadian Entitlement.

One participant commented that the Columbia River Water Use Plan<sup>4</sup> has been a disappointment. In the Lower Arrow Lakes Reservoir, for example, the July and August drawdown makes it difficult for kokanee to access their spawning grounds up some of the creeks.

Reflecting on residents' participation in the Water Use Plan and other similar processes, participants noted the challenge of avoiding volunteer burn-out. Participants deemed it critical that local knowledge be used and retained as the Treaty Review moves forward but cautioned the Province to be aware of the demands on the individuals involved.

A participant asked whether North American Free Trade Agreement (NAFTA) impacts dam operations; for example, if the U.S. needs more water for power production but B.C. wants to operate the dams for the benefit of fish, does the power production requirement take precedence over the ecosystem? Another attendee noted the Trust had a similar question and answer on its website. The response from the Treaty Review Team was that the NAFTA does not affect the Treaty<sup>5</sup>. Also, it was asked if there are, or would be, any obligations for our Basin generated hydro-electric power to be sold or made available to the United States.

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<sup>4</sup>The Columbia River WUP covers Kinbasket, Lower Columbia River, Mica and Revelstoke Generating Stations, Hugh L. Keenleyside Dam, and associated reservoirs. It was completed in 2008 with a 12-year implementation time period. More details can be found at: [http://www.bchydro.com/about/sustainability/conservation/water\\_use\\_planning/southern\\_interior/columbia\\_river.html](http://www.bchydro.com/about/sustainability/conservation/water_use_planning/southern_interior/columbia_river.html)

<sup>5</sup> Visit the Trust's Frequently Asked Questions about the Treaty Review at: <http://www.ColumbiaBasinTrust.org/ColumbiaRiverTreaty/FAQ.html>

While in Valemount and Golden there were opinions made that a disproportionate amount of funds go towards other reservoirs (for recreation and restoration), in Trail the point was made that many more people access Arrow Lakes Reservoir than Kinbasket Reservoir.

There were questions regarding the process, such as why the Review Team's recommendations to cabinet have to be confidential; and how climate change over the last 70 years (since the dams were built) might be impacting the management of the dams.

There were also questions regarding fisheries. The Review Team was reminded that the Fish and Wildlife Compensation Program had done a study on micro-climates around reservoirs and also recommended the Team to look into the possibility of fish ladders for the dams in an effort to restore salmon to the Basin. The Treaty Review team was also asked if it was planned, or indeed the case, for the scenarios to demonstrate more benefits going to fisheries earlier in the year, rather than later.

Additional recommendations made at the Trail session included:

- Develop the pros and cons of developing a new deal.
- Inform residents how much the consultation process is costing.
- At the end of the consultation process, let residents see how many recommendations have been made and implemented.
- Look at the opportunity of installing more fish ladders to help salmon.
- That the Review Team offer more suggestions and solutions between the 'black and white' scenario options, and how both nations might be better served by such suggestions.

## Nakusp

The Nakusp public consultation session, held at the Community Recreation Centre, attracted 50 participants.

Many participants voiced concern that the local area was the hardest hit with relatively little in return. Special mention was made of the original inhabitants most directly affected, many of whom might not be alive for too much longer. Residents were frustrated because they felt Columbia Basin Trust's community funds are typically dispersed based on community size, and not on the level of impacts experienced.

Participants asked a number of questions about the Columbia Treaty Review process. Participants wanted to know who makes the final decision whether to terminate or not, and how the information collected at the sessions will be used. Some expressed cynicism noting that the social and economic situation for Nakusp has not changed, despite many promises made over the years, and that following decades of inequity, there is little hope that improvements will be made.

Participants voiced their concerns that people on and around the reservoir continue to be sacrificed as operations, in their mind, tend to benefit those downstream. One person queried whether Arrow Reservoir was discharged low-enough in 2012 because of a power deal involving Columbia Power Corporation and the Bonneville Power Administration, resulting in a Reservoir surcharge with high water causing property damage.

A number of participants were concerned about the impact on private property caused by the 2012 high water levels. They felt private property owners should not have to bear the expense of property damaged because of reservoir operations to minimize high water impacts elsewhere in the system. Some people felt there should be direct compensation to the community, and affected properties, in the event of extremely high or low water levels (although it was acknowledged that this was a unique year with very high flows). There were requests to BC Hydro to provide better communications (to the community) in the event of extreme high water levels.

Following the main presentations, there were four break-out group discussions. In the group discussions there were five key areas of conversation: water levels; Treaty options; transportation links; economic development; and compensation.

There were calls to keep water levels higher (e.g. 1,440 ft), for longer (from June 1 to- Sept 30), and reduced fluctuations between high and low water, and fewer of them especially during the boating season. For agriculture, it was stated, the best water levels should be between 1,428ft and 1,430ft.

It was noted that Canada has rights under the Treaty to use water for irrigation and industry; Some people noted that water levels can be so low that it is difficult to access, and water intake pipes get damaged from changing levels and debris.

Some stated that a fixed link crossing at the north end of Upper Arrow Lake Reservoir is a priority and has always remained an unfulfilled promise (although others are content with the lack of easy access and relatively slow pace of development). They noted the ferry service now provided is inadequate and that a new ferry will not provide a sufficient improvement. As a result of the absence of a fixed link, the town cannot attract people or industry resulting in the community losing its young people, and creating hardships for seniors who need to access services.

It was stated that in order to develop economic opportunities businesses need assurances with transportation given that the ferries are unreliable. Those ferries can be quickly filled by chip trucks that also damage the road and provide little benefit to the community.

Since some felt the community is “in crisis”, with a declining population, it was suggested that Economic Development, and Opportunity, Plans be drafted.

For those attendees who expressed an opinion on the future of the Treaty, the majority favoured continuing the Treaty or Treaty Plus. Some favoured Treaty terminates because they felt more benefits would stay in BC rather than go to the U.S. Attendees also recommended that the Treaty Review Team consider Treaty Plus and strongly seek to decrease negative impacts in the area and to ensure protection of the Basin’s water resources.

It was stated that with Treaty continuing or Treaty Plus, greater consistency of water levels might be more easily achieved.

There was the recommendation to have a board of governors, not BC Hydro, making agreements with the States, as it will be less motivated by power production.

As in many other sessions, the topic of fair and equitable compensation was raised, with participants stating that it is critical that people in the areas most affected are looked after, and that their views are listened to.

Nakusp, it was said, is last on the Province’s priority list with respect to economic development, with the example of the fixed link being promised in 1964.



Some participants suggested that BC Hydro's Grants in Lieu of Taxes should be overhauled and increased.

There were a number of other topics that were raised, including:

- Fishing has deteriorated in the last decade, with smaller fish, and few kokanee. One opinion was that Nutrient Restoration Program (jointly delivered by the Province and the Compensation Program) is not successful in Arrow Lakes Reservoir.
- Better clean-up and debris removal from the lake must be a priority for BC Hydro.
- Hydro energy is not green because of the impacts on the environment.
- The reservoir needs to be as close to a natural system as possible, and include accommodation of white sturgeon.
- Why does the Province continue to look at IPPs instead of looking at existing reservoirs for power generation?
- The Trust and BC Hydro are building a wharf but no breakwater. A breakwater is needed.
- The return of the salmon should be a priority even if it means further community sacrifices.
- Enhance the re-vegetation program.
- Wetlands are not needed here; there were no wetlands here like there were in Revelstoke.

## **CROSS BASIN KEY ISSUES**

There were several key topics of discussion or concern that were heard in the majority, if not all, of the fall 2012 consultation sessions. These included water levels, environment and ecosystems, compensation, economic development, First Nations involvement, and Treaty options. Many concerns brought forward were not directly related to continuing, amending, or terminating the Treaty, but were, rather, issues that could be addressed domestically (e.g. economic development).

### **1. WATER LEVELS**

Whether high or low water levels, participants at all the sessions suggested that greater consistency with water levels, with fewer and smaller fluctuations, is key to improving recreation opportunities, reducing property (and dike) damage, and increasing environmental

values. This was most commonly heard during the Golden, Valemount, Nakusp, Creston and Jaffray sessions, but was present at all.

Related to water levels was the problem of debris accumulation, especially with respect to boating safety in Kinbasket Reservoir, and property damage in Kootenay Lake. In Nakusp it was noted that Canada has rights under the Treaty to use water for irrigation and industry, but the problem is that water levels can be so far away that it is difficult to access, added to which pipes get damaged from changing levels and debris

## **2. ENVIRONMENT AND ECOSYSTEMS**

All the communities visited during the November 2012 consultations had questions about the impact of future Treaty scenarios on ecosystems. Many people were of the opinion that more could be done for ecosystems in future Treaty options. People wanted to ensure reservoir operations supported vegetation growth for wildlife forage and nesting habitat. People also wanted to know if operations could change to bring more benefits to fish. Some people stated they were noticing a reduction in quality and quantity of fish in the reservoirs and were concerned that water levels in the reservoirs were preventing spawning in tributaries. Many people supported the return of salmon to the Columbia River although others noted that salmon passage upstream to the Canadian portion of the Columbia River was blocked by dams in the United States, in particular Grand Coulee Dam. There were questions about the adequacy of Fish and Wildlife Compensation Program funding for Kooconusa and Kinbasket reservoirs.

A few people were concerned about the impact of ATVs on the environment around reservoirs. Reservoir mud flats are popular locations for ATV use but they have a negative impact on vegetation, are noisy, and raise dust that impacts surrounding inhabitants. There is a fear that if ATV use is prohibited on the flats, they will go and damage surrounding sensitive areas.

## **3. COMPENSATION**

The issue of unfair allocation of resources was raised at every session, both from a provincial perspective, and within the Basin itself. It was thought that more money from the Canadian Entitlement should be directed back to the Basin rather than to Provincial General Revenues.

It was also stated that compensation funds within the Basin (e.g. from the Trust, BC Hydro, Fish & Wildlife Compensation Program, or government grants) should be more directed towards those communities most impacted. Communities hardest hit tended to be more remote, with lower populations and, as a result, any meaningful and sustainable economic development has been challenging.

In Valemount and Golden there were opinions made that a disproportionate amount of funds go towards other reservoirs (for recreation and restoration), while in Trail the point was made that many more people access Arrow Lakes Reservoir than Kinbasket.

#### **4. ECONOMIC DEVELOPMENT**

Inadequate compensation and scarce economic development opportunities went ‘hand-in-hand’ in areas most impacted by the Treaty dams. The absence of a fix link, and the concomitant lack of economic development, was a frequent message in Nakusp, and transportation was an issue in Valemount and Golden with respect to economic development. The struggling agricultural sector around Creston and Jaffray was an issue, in particular the lack of both marketing and financial support. Adequately managing, rather than eliminating, the recreational use of mud flats by ATVs was a challenge around Jaffray and Valemount.

#### **5. TREATY OPTIONS**

Of the handful of break-out small group sessions where the question was posed about which scenario should be supported, the majority of respondents either said continue with the Treaty as is, or go with Treaty Plus and try and get a better deal for Canada. Not all supported these two options, but certainly the majority.

### **CONCLUSION/NEXT STEPS**

For the most part, session participants across the region seemed most interested in talking about impacts of the dams and reservoirs, equitable compensation for those impacts, access, recreation, economic development opportunities, and First Nations involvement. While many of these issues are largely outside the decision to terminate, continue or negotiate an enhanced Columbia River Treaty, the Treaty Review Team welcomed the comments, listened, and pledged to make sure that the Province is aware of the issues.

There were a number of commitments made by the Treaty Review Team during the consultation process. These included organizing an agricultural meeting in spring 2013 in Creston; returning to Golden and Nelson (if invited) to engage in further dialogue about the Treaty Review; in Golden, for the Treaty Review Team and Local Governments' Committee representatives to meet with the district manager to discuss road access to Kinbasket Reservoir.

The Province wants to hear from Columbia Basin residents. Send feedback on this summary report to the Columbia River Treaty email address: [columbiarivertreaty@gov.bc.ca](mailto:columbiarivertreaty@gov.bc.ca), or post a comment or question on the Columbia River Treaty Review website's Discussion Forum: [www.gov.bc.ca/columbiarivertreaty/category/blog/](http://www.gov.bc.ca/columbiarivertreaty/category/blog/)

To keep up to date on the Treaty Review, subscribe to the Columbia River Treaty Review newsletter and receive updates on the community consultation underway, including details of the March 2013 conferences in Golden and Castlegar or future community meetings. You can also follow the Columbia River Treaty Review on Twitter and Facebook.

Visit [www.gov.bc.ca/columbiarivertreaty](http://www.gov.bc.ca/columbiarivertreaty) for more information about the Columbia River Treaty and the Province's Columbia River Treaty 2014 Review.