

Columbia River Treaty Virtual Town Hall

MEETING SUMMARY

February 24, 2021



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1.0 Introduction

The Province of B.C.'s Columbia River Treaty Team (B.C. CRT Team) hosted a virtual town hall on February 24, 2021. The event aimed to give people from across the Columbia Basin and beyond a chance to hear from, and ask questions of, Canadian negotiators, Indigenous Nations, local government representatives and others involved in efforts to modernize the Treaty.

More than 200 people joined the meeting from both Canada and the United States (U.S.), and what was scheduled as a two hour and 15-minute event lasted nearly three hours. The virtual town hall featured presentations by those leading a range of Treaty-related initiatives.

The event also sought to address questions submitted prior to the session and raised by town hall participants. Key themes that emerged included: Treaty governance, the Canadian negotiating team's June 2020 proposal to the U.S.; reservoir operations and water level fluctuations; salmon restoration and fish passage; impacts of the Treaty on Basin residents; the role of Indigenous Nations and U.S. Tribes in the negotiation process; climate change; and ecosystems.

This report provides a summary of the presentations, questions and answers. Though not everything is captured verbatim, this summary is meant to reflect the spirit of the meeting. A detailed list of questions and answers is available in [Appendix A](#). The full recording of the town hall is posted on the [Province's YouTube channel](#).

2.0 Meeting Format

The virtual town hall was hosted by the B.C. CRT Team and included presentations from Canada's Chief Treaty Negotiator, B.C.'s lead representative on the Canadian negotiating delegation, Ktunaxa, Secwepemc and *Syilx* Okanagan Nation representatives on the Canadian delegation, and the Columbia River Treaty Local Governments Committee.

The meeting began with an acknowledgement of the territories of Indigenous Nations across B.C., especially those in the Columbia Basin.

To set the stage, facilitator Brooke McMurchy provided a summary of the Treaty's history and public engagement activities to date.

The Honourable Katrine Conroy, B.C. Minister Responsible for the Columbia River Treaty, shared opening remarks, as did Nathan Matthew from the Secwepemc Nation, grounding the meeting in how important the Treaty negotiations are for all those living in the Basin.

Canadian, B.C. and Indigenous Nations representatives then provided an update on the Canada-U.S. negotiations, answering questions along the way.

The Ktunaxa, Secwepemc and *Syilx* Okanagan representatives provided an update on the work their Nations are leading, in collaboration with B.C. and Canadian agencies and environmental

organizations, to enhance ecosystems in the Basin and explore reintroducing salmon to the Upper Columbia River. They explained how this work is informing the Canadian negotiating team’s discussions on incorporating ecosystems in the Treaty.

The final presentation was from the Columbia River Treaty Local Governments Committee (LGC), whose Chair spoke about the Committee’s updated Treaty recommendations to the provincial and federal governments, and Basin Indigenous Nations. The LGC’s Executive Director described the work they are undertaking to integrate social and economic interests into discussions on a modernized Treaty.

Panelists answered questions throughout the meeting, including those submitted to the team in advance. The meeting was originally scheduled for two hours and 15 minutes, but panelists stayed on for almost three hours to answer as many questions as possible.

The B.C. CRT Team committed to addressing all questions in this summary report. See [Appendix A](#) for a detailed list of questions and answers.

2.1 Agenda

Item	Agenda Item	Presenter
1.	Welcome and Columbia River Treaty History	Brooke McMurchy <i>B.C. Columbia River Treaty Team</i>
2.	Minister’s Opening Remarks	Minister Katrine Conroy <i>B.C. Minister Responsible for the Columbia River Treaty</i>
3.	Indigenous Welcome	Nathan Matthew <i>Secwepemc Nation</i>
4.	Panelists and Questions	
I.	Canada-U.S. Negotiations Update	Sylvain Fabi <i>Canada’s Chief Negotiator for the Columbia River Treaty</i>
II.	B.C.’s Perspectives on Negotiations and Update on Domestic Activities	Kathy Eichenberger <i>B.C. Lead on the Canadian Columbia River Treaty Negotiation Delegation</i>

<p>III. Indigenous Nations’ Perspectives on Negotiations and Indigenous Participation</p>	<p>Nathan Matthew, Secwepemc Nation Jay Johnson, <i>Syilx</i> Okanagan Nation Bill Green, Ktunaxa Nation <i>Representatives on the Canadian Columbia River Treaty Negotiation Delegation</i></p>
<p>IV. Ecosystem Function and Upper Columbia River Salmon Restoration Update</p>	<p>Bill Green, Ktunaxa Nation Jay Johnson, <i>Syilx</i> Okanagan Nation</p>
<p>V. Columbia River Treaty Local Governments Committee Update</p>	<p>Linda Worley <i>Chair, Columbia River Treaty Local Governments Committee</i></p>
<p>VI. Socio-Economic Values Integration into Columbia River Treaty Operating Scenarios</p>	<p>Cindy Pearce <i>Executive Director, Columbia River Treaty Local Governments Committee</i></p>
<p>5. Final Questions</p>	
<p>6. Adjourn</p>	



3.0 Presentations

This section provides a description of each panelist's presentation, including questions they answered at that time.

3.1 Opening

Welcome Remarks and Columbia River Treaty History Brooke McMurchy, B.C. Columbia River Treaty Team

Meeting facilitator Brooke McMurchy welcomed attendees and acknowledged the territories of Indigenous Nations throughout B.C., especially those in the Columbia Basin.

Brooke described the agenda for the evening and the process for how participants could pose their questions, encouraging everyone to share their thoughts during the town hall, or after by email. She noted that the meeting was being recorded and would be posted on [YouTube](#).

To provide context for the evening's presentations, Brooke gave a brief overview of the Treaty's History:

The Columbia River Treaty is an agreement between Canada-U.S., ratified in 1964, to provide flood-risk management and enhance hydropower generation on both sides of the border. Under the Treaty, Canada built three dams – Duncan, Hugh Keenleyside and Mica – which created the Duncan, Arrow Lakes and Kinbasket Reservoirs. The Treaty also allowed the U.S. to build Libby Dam in Montana, creating the Kootenai Reservoir, which extends into southeast B.C.

The Treaty has no end date; however, in 2024, its flood-risk management provisions change from 'Assured Flood Control' to 'Called Upon', a more ad hoc regime. 2024, is also the first year either country could have terminated the Treaty by issuing a 10-year termination notice in 2014, after the 60-year minimum duration of the Treaty. No such termination notice has been given to date.

In anticipation of this important September 2014 date, Canada and the U.S. conducted separate reviews of the Treaty between 2011 and 2013 to determine if it should be continued, terminated or improved upon. Both countries saw value in continuing the Treaty, while seeking improvements. Negotiations to modernize the Treaty began in 2018.

While the Treaty has brought benefits to both countries, it has also had impacts, in particular to the Canadian portion of the Basin. By today's standards, there was little to no consultation with Indigenous Nations or Basin communities when the Treaty was negotiated and implemented. As such, B.C. has committed to engaging with Columbia Basin Indigenous Nations, local governments, and residents throughout the modernization process to ensure their input is reflected, and to make sure they are kept informed along the way.

More information can be found on the [B.C. CRT website](#).

Minister's Opening Remarks

The Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development and Minister Responsible for the Columbia Basin Trust, Columbia Power Corporation and Columbia River Treaty

Minister Conroy spoke about how, as a long-time resident of the Columbia Basin, she understands what the Treaty means to people in the Basin and how it has affected people's lives, livelihoods and cultures. She recalled seeing impacts from the Treaty dams first-hand as a child.

There is an opportunity, now, to make changes, be more inclusive, and to engage with all those affected by the Treaty, including Indigenous Nations, local governments and community residents across the Basin.

Minister Conroy thanked and acknowledged the contributions of all those involved in the Treaty modernization process, including Canada, B.C. and Columbia Basin Indigenous Nations representatives on the Canadian negotiating team, as well as the Columbia River Treaty Local Governments Committee.

She also noted that, in addition to the current Canada-U.S. negotiations, there is work underway outside of that process to seek improvements in Basin communities, and address residents' concerns related to the Treaty.

She praised the commitment of those attending the meeting and noted that their engagement is vital to the Province's efforts.

Indigenous Welcome

Nathan Matthew, Secwepemc Nation

Nathan welcomed all participants to the meeting and recognized that the Columbia River Basin is situated on the lands of the Ktunaxa, Secwepemc and *Syilx* peoples. He noted the importance humans, the environment, and all the species in the Basin. He emphasized the importance of Indigenous people and Basin communities working collaboratively to inform the Canada-U.S. Treaty negotiations, and how essential it is to receive input from people who are impacted by the Treaty.



3.2 Panelist Presentations

Canada-U.S. Negotiations Update

Sylvain Fabi, Canada's Chief Negotiator for the Columbia River Treaty, Global Affairs Canada

Sylvain greeted everyone, thanked Minister Conroy for her consistent support through the process of seeking a modernized Columbia River Treaty, and thanked Nathan for his opening comments. He introduced the members of the Global Affairs Canada Treaty team who were taking part in the virtual town hall: Stephen Gluck and Lyn Ponniah.

Sylvain explained that he is now in the role of Canada's Consul General in the U.S. Mountain West Region based in Denver, Colorado. His new responsibilities, which cover Colorado, Kansas, Montana, Utah and Wyoming, will complement the work of the Columbia River Treaty negotiation process, and he remains the Columbia River Treaty Chief Negotiator for Canada.

Providing broader context on Canada-U.S. relations, Sylvain mentioned that this is an exciting moment in time, noting that the day before this town hall, President Biden and Prime Minister Trudeau had their first bilateral meeting. He referenced the roadmap for the Canada-U.S. relationship, which sets a new, progressive, and constructive tone. It is too early to tell what effect the roadmap will have on Treaty negotiations; however, it sets the foundation for a good path forward.

Moving next to the Canada-U.S. Treaty negotiations, Sylvain explained that Canada had hosted the last round of negotiations on June 29 and 30, 2020. Canada, working as a team with B.C. and Canadian Columbia Basin Indigenous Nations, had developed a proposal to the U.S. for a

modernized Treaty, which they presented at that round. Since that proposal was tabled, there has not been any formal response from the U.S. on next steps. However, with the transition to a new U.S. administration, the delay is understandable. Sylvain said he hopes they will be able to meet again relatively soon. He shared that, based on his conversations with the U.S. chief negotiator, the U.S. is keen to complete the negotiations. The Canadian team is currently taking a wait-and-see approach but that doesn't mean they are sitting idle.

Sylvain next spoke about the range of issues being discussed in the negotiations and the topics that Canada had included in its proposal. As well as the two main purposes of the existing Treaty (flood-risk management and power generation), Canada has been advocating to address ecosystems in a modernized Treaty. Other themes being discussed include a more substantive role for Canada in Libby Dam co-ordination and increased flexibility for Canadian operations to meet Basin objectives on the Canadian side of the border.

Sylvain mentioned how pleased he is that Basin communities remain actively involved in the modernization of the Treaty and stressed the importance of being patient as we await the next steps in the process.

He closed by thanking everyone for their continued commitment, and for keeping Canada and B.C. on track in terms of getting the best possible agreement for Basin residents.

Q: Can you shed light on what the U.S. is hoping to see change in the Treaty's terms and conditions?

A: Sylvain explained that, for the U.S., flood-risk management remains a very important issue, noting that the main reason the Treaty was originally negotiated was in response to the devastating floods of 1948. Today, there is even more to protect in those flood-prone areas than there was 50 years ago. While the power generation aspect is still important to the U.S., there is a view south of the border that Canada receives too large a share of the Treaty power benefits by way of the Canadian Entitlement¹. In addition, the environment and climate change are important elements in the new roadmap for Canada-U.S. relations and, based on that, environmental considerations could become even more important in the Treaty discussions.

¹ The Canadian Entitlement is half of the additional potential hydroelectric power that could be produced in the U.S. as a result of Treaty operations. It is calculated in advance using formulas included in the Treaty. The U.S. returns this power to Canada in the form of electricity delivered to the Canada-U.S. border. Powerex, the marketing and trading subsidiary of BC Hydro, sells the Canadian Entitlement at market value to either BC Hydro or utilities in Alberta or United States. Revenues from the Canadian Entitlement are paid to the Province and go into its general revenue fund.

B.C.'s Perspectives on Negotiations and Updates on Domestic Activities
Kathy Eichenberger, Executive Director, B.C. Columbia River Treaty Team

Kathy thanked everyone for participating and stressed how important it is to hear from people living in the Columbia Basin who are affected by the Treaty. She thanked Minister Conroy for her ongoing commitment and support for all the work happening around the Treaty.

Kathy referenced the proposal that the Canadian negotiating team had presented to the U.S. in June 2020, praising the strong collaborative effort by Canada, B.C. and Basin Indigenous Nations to develop it. She confirmed that there is no deadline for completing the current Treaty negotiation process, but that negotiators are looking forward to making progress. Once the next negotiation session is scheduled, the public will be notified.

In the meantime, the Canadian team continues work to refine the best approach to seeking improvements within the Treaty, and outside of it.

A technical working group reporting to the Negotiation Advisory Team, which includes representatives from Canada, B.C. and the Ktunaxa, Secwepemc and *Syilx* Okanagan Nations and provides advice and information to Canada's negotiating team, is undertaking a project to examine scenarios for how the Canadian Treaty dams could be operated differently to meet Basin interests. They are doing this by modelling a variety of hydro system operations that take into account factors such as ecosystems, Indigenous cultural values, flood-risk management, hydro power, and other social and economic objectives. The results will inform the Canadian negotiating team's discussions on how to address these objectives in a modernized Treaty, and what level of flexibility is needed in B.C. to meet Basin interests.

The model uses performance measures to evaluate how different river management scenarios can affect Basin interests. Indigenous Nations are developing performance measures for ecosystems, along with B.C. and federal government staff and environmental scientists. Performance measures for Indigenous cultural values are also being developed by the Indigenous Nations. BC Hydro is creating modelling inputs for power generation and flood risk management. The development of socio-economic performance measures is being led by the Columbia River Treaty Local Governments Committee.

Q: Will Basin residents will be consulted before a modernized Treaty agreement is finalized? How much detail about the agreement will be shared?

A: Kathy emphasized the B.C. government's commitment that Basin residents will clearly be able to understand what a modernized Treaty consists of before it is agreed to or finalized. There will be no surprises. Canada and the U.S. have shared initial proposals with each other, which can't be made public; however, once the parties move close to reaching an agreement, details will be shared.

Kathy spoke next about another initiative underway to examine different governance options for a modernized Treaty, noting that this collaborative work is still in its early stages. More details are provided in response to the following question:

Q: Will Indigenous Nations and local governments in the Basin have a voice in future decisions regarding Treaty planning and operations? What will the governance structure of a modernized Treaty look like? How does the need to achieve reconciliation with Indigenous peoples influence this, and what mechanisms for public engagement on a modernized Treaty will be used?

A: Kathy expressed that these are timely questions because the Negotiation Advisory Team, which includes representatives of the Indigenous, provincial and federal governments, has directed that a consultant be hired to look at potential Canadian domestic Treaty governance models. In this process, which began the week of this town hall (week of Feb. 22, 2021), one of the fundamental principles is that the proposed governance models should be consistent with the [United Nations Declaration on the Rights of Indigenous Peoples](#). This collaborative process will take time and will include consultation with local governments and communities at large. More information will be provided as this process develops.

The work happening outside the negotiations will not delay the Treaty modernization process itself and, in fact, will better inform the Canada-U.S. discussions.

Kathy gave an overview of several projects initiated by the B.C. CRT Team that are seeking to address Treaty-related interests outside the Treaty:

- A proposed Columbia River Treaty Heritage Project touring route, which would include information stops at key locations in the Basin, designed to acknowledge what was lost as a result of the Treaty dams;
- A collaboration between the Village of Valemount and the Ministry of Environment and Climate Change Strategy to look at Kinbasket Reservoir air-quality issues; and
- Work with diking authorities in Creston Valley to address dike maintenance and construction challenges.

These are just a few of the many projects underway. Updates on these and other initiatives are shared in B.C.'s Columbia River Treaty Newsletter, which can be found on the [B.C. Treaty website](#).

Kathy closed by thanking everyone for participating in the town hall, noting that people's engagement plays a key role in guiding the work of the B.C. CRT Team and negotiators.



Indigenous Nations' Perspectives on Negotiations and Indigenous Participation

Nathan Matthew (Secwepemc Nation), Jay Johnson (Syilx Okanagan Nation) and Bill Green (Ktunaxa Nation)

Nathan Matthew (Secwepemc Nation)

Nathan began by highlighting that the Secwepemc, Syilx Okanagan and Ktunaxa Nations are working together in the Columbia River Treaty negotiation process to represent Indigenous interests. He explained that the signing and implementation of the Columbia River Treaty in the 1960s was one of the biggest ever infringements on the Indigenous Nations' way of life and rights to exist in the Basin. It caused great impacts on Indigenous peoples related to fishing, hunting, gathering, medicines and spiritual places; those impacts need to be acknowledged by Canada and B.C. Like so many other Basin residents, Indigenous Nations were not consulted when the Treaty was created, and that this time they want to make sure their voices are heard. They do not want to be consulted periodically but, instead, to have a role in the process.

Nathan spoke of the Negotiation Framework Agreement established by Canada, B.C. and the Secwepemc, Syilx Okanagan and Ktunaxa Nations, that sees the Nations collaborate respectfully in a government-to-government relationship with Canada and B.C. The agreement, which includes a confidentiality clause, enables the Indigenous Nations to share and request information about the discussions, and to be fully engaged in all matters related to the negotiations. The Indigenous Nations want this process to be viewed as part of broader reconciliation efforts between Canada, B.C. and Indigenous Nations, which can only be achieved by working in partnership.

The Indigenous Nations now have a voice, and a seat at the table. They participate in information-gathering and strategizing to move the negotiations forward, and have taken a leadership role in ecosystem and Indigenous cultural values research to inform Canadian discussions on a modernized Treaty. Nathan hopes there will be a better relationship coming out of the process, and the future ability for Indigenous Nations to be able to participate in the implementation of the Columbia River Treaty.

Nathan closed by acknowledging that the issues are complex and challenging, but that the Indigenous Nations are pleased to be part of the process.

Jay Johnson (Syilx Okanagan Nation)

To give participants a sense of how far the relationship between the Indigenous Nations, Canada and B.C. has come, as it relates to the Treaty, Jay began by reiterating that, like other Basin residents, Indigenous Nations had no say in the original Treaty yet were forced to live with its impacts.

Over the years, *Syilx* leadership, Chiefs and ancestors have sought to restore aspects of the river that have been damaged by the Treaty and the broader industrialization of the Columbia system. Their approach comes from understanding that the river is an ecosystem and, inherently, one river, regardless of the international border. Jay mentioned that following that principle can be challenging in a transboundary river management regime; however, the *Syilx* Okanagan Nation is always striving for jurisdictions to recognize that the Columbia is a single river comprised of many complex systems and micro systems along the way.

In Indigenous leadership's pursuit of improving on issues affecting the land, water, and all living things, they have taken hold of this unique moment in history, where provincial and federal governments are focused on trying to address concerns and challenges related to governance of Indigenous Nations, and marginalization of Indigenous communities. The *Syilx* Okanagan, Secwepemc and Ktunaxa Nations have successfully been able to ensure that Indigenous voices are included in the Treaty modernization process, and that they are participating in international negotiations.

Furthermore, the Nations are leading an integral part of the Treaty process, by examining ways to enhance Basin ecosystems, which involves understanding the environmental needs of the river and all those along it. This work, described more fully in Bill Green's presentation (page 15), is informing the Canadian negotiating team's discussions on how to include ecosystems in a modernized Treaty. The Nations are also exploring how Indigenous cultural values can be considered in future river management options, seeking guidance from knowledge keepers and drawing on traditional ecological knowledge to ensure a fulsome approach.

Jay spoke next about Treaty governance, stating that Indigenous involvement in decision making is a critical component of reconciliation. He highlighted that Canada and B.C.'s

commitments to and endorsements of the [United Nations Declaration on the Rights of Indigenous Peoples](#) are included in the Negotiations Framework Agreement, developed collaboratively by Canada, B.C. and the three Nations to guide their work together on modernizing the Treaty. These steps ensure the process meets expectations of seeking to obtain free, prior and informed consent of Indigenous Nations before a modernized Treaty is agreed to.

Jay's comments moved to the joint efforts of the *Syilx* Okanagan, Secwepemc and Ktunaxa Nations and the federal and provincial governments to explore the possibility of bringing salmon back to the Upper Columbia River, a critical concern for all three Indigenous Nations, and for Basin residents in general, throughout the river system. Salmon have not been present in the Canadian portion of the mainstem Columbia River for the past 80 years. The Indigenous Nations are leading this collaborative work and aim to ensure a sustainable salmon run in the future. The focus right now is to identify what technical work is needed for that to happen, and to ensure the right information to prove that the feasibility of salmon reintroduction is sound, just, appropriate and sustainable. Jay encouraged participants to visit the Columbia River Salmon Reintroduction Initiative's new website, www.ColumbiaRiverSalmon.ca, to stay informed on progress.

Jay closed by saying all three Indigenous Nations remain hopeful about their involvement in the negotiation process. They are aware their participation has set an international precedent and are grateful to the provincial and federal governments for their leadership in making that happen. He is hopeful this will pave the way for future generations of Indigenous people to have a role in international treaty discussions that affect their territorial lands and livelihoods. He encouraged the U.S. government to do its best to ensure that Tribes are involved in the negotiations on the American side.

Bill Green (Ktunaxa Nation)

Bill began by noting how impressive it was that more than 200 people were participating in the virtual town hall; a testament to their dedication to the future of the Treaty and the Columbia water system we live with.

He emphasized that water is sacred for Indigenous peoples, and that the work on modernizing the Treaty is very important to the Ktunaxa, Secwepemc and *Syilx* Okanagan Nations. Despite his 26 years working for the Ktunaxa Nation, Bill said the learning curve is still steep and exciting, in particular, with regards to gaining a greater understanding of Ktunaxa cultural values, knowledge systems, and world views, all of which are woven into Canadian negotiating team discussions.

Between 2012 and 2014, the Ktunaxa Nation Council engaged with Ktunaxa communities and identified eight interests and principles the Nation wanted to achieve through Treaty

negotiations. They also worked with the Province to identify how the three Indigenous Nations, Canada and B.C. could work together to advance those principles. Bill was happy to report that good progress is being made, for which he credited a strong Ktunaxa Nation Council team and the valuable collaboration among the Indigenous Nations.

Bill remarked that the Treaty modernization process came at the right point in time, with new provincial and federal governments moving to fully endorse the United Nations Declaration on the Rights of Indigenous Peoples. Not only was this shown at highest government levels through actions like [Canada's 10 Principles](#) and [B.C.'s Declaration Act](#), but federal and provincial staff also embraced reconciliation as a foundational principle for moving work on the Treaty forward. This has led to a strong collaborative relationship among the five governments with respect to the Treaty.

Bill closed by referencing the comprehensive proposal for a modernized Columbia River Treaty developed by the Canadian team last year. Developing the proposal was hard work, and saw all parties finding strong common ground, resulting in a remarkable achievement.



Ecosystem Function and Salmon Restoration Update

Bill Green (Ktunaxa Nation) and Jay Johnson (Syilx Okanagan Nation)

Next, Bill and Jay provided an update on in-depth work being led by the Indigenous Nations to enhance Basin ecosystems and restore salmon to the Upper Columbia River.

Ecosystem Function

Bill emphasized that, from a Ktunaxa perspective, efforts to enhance ecosystems began from the foundation of *ʔa-kxaʔnis ʔapi qapsin*, meaning ‘all living things’, which is a profoundly important principle to the Ktunaxa Nation. Humans are included within the concept of all living things; they are not separate from it. This approach was brought forward to the English concept of ecosystem function.

To explore how ecosystems could be considered and, ideally, enhanced in a modernized Treaty, the Negotiation Advisory Team² established an Ecosystem Function Subcommittee, led by the three Indigenous Nations, and including representatives from Environment and Climate Change Canada, Fisheries and Oceans Canada, B.C. Ministry of Forests Lands, Natural Resource Operations and Rural Development, the Upper Columbia Basin Environmental Collaborative and consultants. Bill remarked that it is a strong and knowledgeable team to move this work forward.

The work itself involves developing goals and objectives for what a healthy ecosystem would look like, and ways to measure whether these goals and objectives are met. It focuses on four broad ecological themes: ecosystem productivity; floodplain/riparian/wetlands; river and reservoir ecosystems; and anadromous (ocean-going) fish species, including salmon.

The Subcommittee has been working together for two years. They began by compiling the significant amount of existing information that details how the Basin hydroelectric system affects ecosystems, and identifying knowledge gaps. The group then outlined 13 priority studies to fill those gaps, funded primarily by the B.C. Government. A fourteenth study was recently added pertaining to Kootenay and Duncan River floodplains at the north and south ends of Kootenay Lake.

Bill provided a brief summary of a set of studies underway.

General Ecosystem Function Studies

These provide a foundation for all other studies.

Study	Status
Ecosystem function traditional knowledge collection	Ongoing
Information and data compilation	Completed – Data portal being created at Selkirk College
Climate Change	Information shared with Study Teams

² The Negotiation Advisory Team includes representatives from Canada, B.C. and the Ktunaxa, Secwepemc and Syilx Okanagan Nations and provides advice and information to Canada’s negotiating team.

Specific Studies

Study	Status
Ecosystem productivity: <ul style="list-style-type: none"> - Reservoirs - Rivers - Terrestrial 	Near completion Preliminary report Underway
Reservoir floodplains, riparian and wetland ecosystems	Preliminary report being drafted

Aquatic Studies

Study	Status
Riverine flows	External review of draft report
Riverine habitats	Preliminary report being drafted
Tributary fisheries access	Preliminary report being drafted
Fish stranding	Preliminary report being drafted
Anadromous fish	Underway

Q: Is nutrient cycling being considered?

A: That speaks to the productivity of ecosystems, which is being studied in three areas – reservoirs, rivers and terrestrial productivity.

Q: How are wildlife needs being addressed?

A: There is a strong focus on researching reservoir floodplains, riparian and wetland ecosystems – this is primarily where wildlife needs are being considered.

Q: Does this work look at how water flows function or operate downstream of the dams, in particular, rapid flow changes, sometimes to low water levels.

A: This is being comprehensively addressed in the riverine flows study.

In addition to conducting studies, a key task of the Subcommittee is developing performance measures for a functioning ecosystem that will be incorporated into the scenario modelling Kathy Eichenberger spoke about earlier. The purpose of these performance measures and the modelling is to assess, in a systematic, measurable way, how different ways of operating the Treaty dams and reservoirs will either improve or worsen ecosystems, Indigenous cultural values, flood protection, hydro generation and socio-economic interests.

Bill noted the modelling process has been both fascinating and challenging, and that having all five governments involved, looking at a wide range of interests, has made it very distinct from modelling efforts done previously.

The Subcommittee's work is expected to continue for the next while, after which the team will seek public input so that residents and Indigenous Nations throughout the Basin can be confident in the way operational changes to the Treaty are being evaluated. Their goal is to achieve strong and widespread support for the performance measures and potential operating scenarios.



Salmon Restoration

Bill explained that salmon restoration is being addressed in two different, yet parallel, processes – within the Columbia River Treaty context and outside of it, through the Columbia River Salmon Reintroduction Initiative (CRSRI). There are some factors related to salmon survival in the Upper Columbia that are directly impacted by the Treaty and so must be part of Treaty modernization discussions. Other factors, such as salmon habitat and donor stocks³, are being addressed through the CRSRI. Bill praised the collaborative work being done by the five governments on the CRSRI, and mentioned good progress is being made. The CRSRI has a three-year time frame, which began in July 2019, and therefore will continue for another year and a half. There is a great deal of work still to be done during that time, including answering

³ Specific fish populations that are suitable to provide candidates for reintroduction based on genetics, life cycles, and fish population health, amongst other factors.

decision makers' questions about the best way forward and the costs involved. The goal is to secure additional funding beyond the first three years to keep the initiative moving forward.

Jay added that the CRSRI team is in the early stages of reaching out to U.S. Tribes to collaborate on this work. The long-term goal is sustainable runs of a variety of salmon species, and team is grateful for the support the initiative has received.

He then announced the Bringing the Salmon Home Festival on May 10-16, 2021, which would feature a series of virtual events and presentations. Details will be available at ColumbiaRiverSalmon.ca.

Q: What efforts are going to be made to keep the water levels consistent along the Arrow Lakes Reservoir?

A: The Ecosystem Function Subcommittee is looking very closely at that question, in particular through the development of performance measures for different dam operating scenarios. A lot of work has previously been done to explore a more stable Arrow Lakes Reservoir. The ecosystem function studies pertaining to restoring floodplain, wetland and riparian ecosystems relate to Arrow, specifically the upper reaches. The Subcommittee is trying to quantify what operational change would be required to achieve some degree of floodplain, wetland and riparian restoration. This includes looking at a more stable operation. The team would then look at the benefits and impacts of that operation associated with a broad range of values (e.g. other ecosystem values, cultural values, hydropower, flood risk management and socio-economic interests).

Q: Will the section of the river below the Keenleyside Dam be able to have less-dramatic flow changes under the new Columbia River Treaty? Presently, the flow changes are set on a weekly basis and can see drops of water levels of up to one metre over a 24-hour period.

A: The riverine flows study is addressing this question, as it explores flows required to sustain productivity and support key life history functions of different fish species and bugs in the river system, also known as functional river flows. The focus is on identifying the elements of flow patterns downstream of the dam that are ecologically important, then generating performance measures that indicate when a particular flow operation would be an improvement or have adverse consequences.



Local Governments Committee Update

Linda Worley, Chair, Local Governments Committee

Linda began by emphasizing how important it is that Basin residents continue to be fully engaged in discussions about the Treaty. She expressed the Local Governments Committee's (LGC) support for the addition of Indigenous Nations representatives to the negotiating team and thanked them for their leadership towards integrating ecosystems into the Treaty, noting that ecosystems are important to many Basin residents.

Linda highlighted that Basin communities continue to be impacted by Treaty operations and emphasized the need to acknowledge what has been lost and enhance what remains.

Since 2011, the LGC, which includes 10 elected officials appointed by local governments across the Basin, has worked with the B.C. CRT Team and the Canadian negotiating team to ensure the voices of Basin residents are included in decisions related to the Treaty. In 2013, the LGC presented their initial recommendations for a modernized Treaty to the provincial and federal governments. In January 2021, the committee sent its [updated recommendations](#) to the five governments represented on the negotiating team – Canada, B.C. and the Ktunaxa, Secwepemc and Syilx Okanagan Nations.

The updates expand on information in the original recommendations and include a new section on modernized governance. The aim is to ensure local governments and Basin residents have mechanisms for meaningful long-term engagement in Treaty planning and operations.

Linda invited feedback on the updated recommendations, adding that input from Basin residents so far has been positive.

The LGC is very aware of the Province’s commitment to bring any elements of the negotiated agreement that impact the region back to residents and local governments for review before negotiations are finalized. Linda encouraged attendees to educate themselves about the Treaty and the ongoing negotiations, so they are ready to provide input when invited to.

In closing, Linda said the LGC looks forward to continuing to work with the B.C. CRT Team and the negotiating team to ensure that Basin residents’ concerns are addressed in the Treaty negotiations and through domestic solutions.

Socio-Economic Values Integration in Columbia River Treaty Scenarios
Cindy Pearce, Executive Director, Local Governments Committee

The LGC is leading an initiative to incorporate socio-economic interests into the dam operation scenario modelling efforts that are informing the Canadian Treaty negotiating discussions.

Before providing an update on the LGC’s socio-economic work, Cindy explained the steps involved in the modelling process, pictured in Figure 1 below.

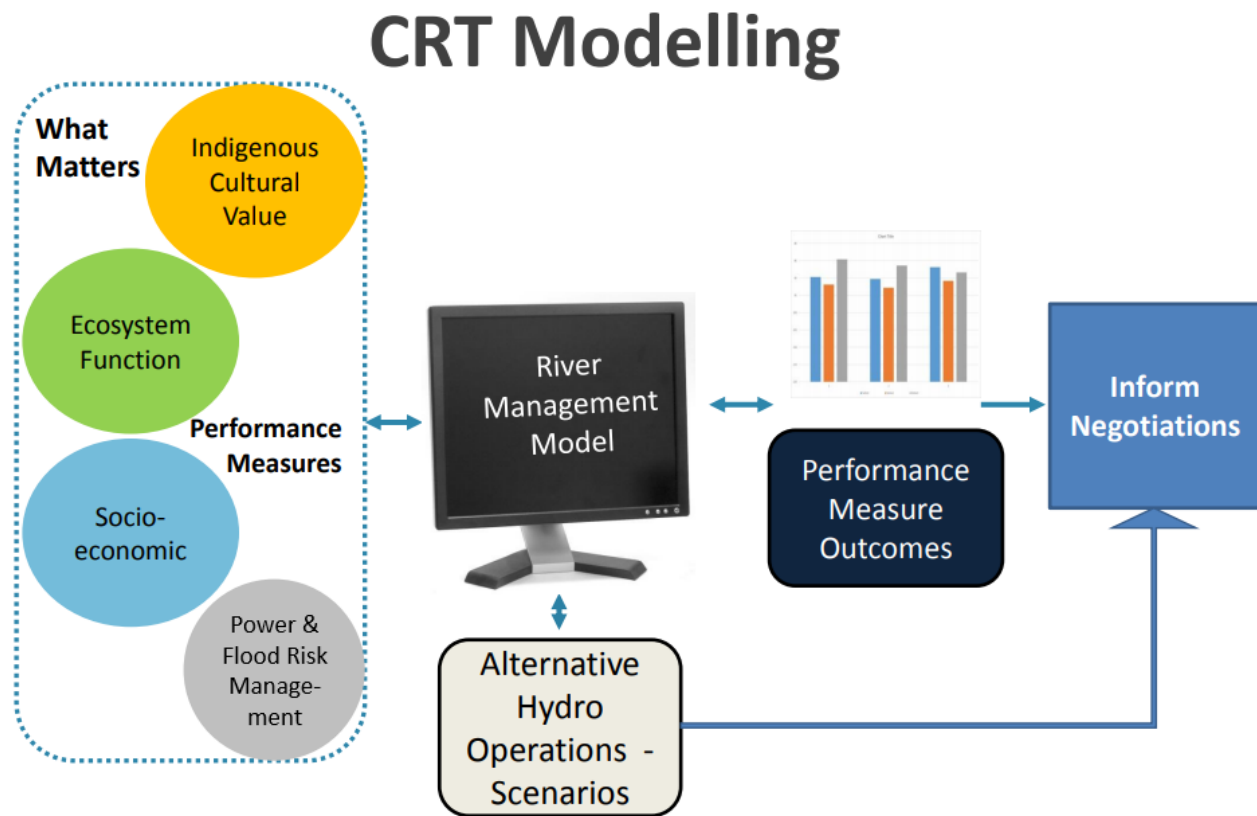


Figure 1: Columbia River Treaty river management modelling process for Canadian operations

The Negotiating Advisory Team identified interests that matter to the Province, Indigenous Nations and Basin residents that could be impacted by dam operations. Four main themes emerged:

- Indigenous cultural values;
- Ecosystem function;
- Socio-economic values; and,
- Hydropower and flood risk management.

Those interests are now being translated into metrics called performance measures, which can be entered into the computerized river management model. The model generates outcomes that show how well different dam operating scenarios meet the performance measures and ultimately, addresses what matters to the Province, Indigenous Nations and Basin residents. The model includes both the Columbia and the Kootenay Rivers and the major structures on both rivers.

When ready, the modelling outcomes will be provided to the Treaty negotiators to help inform their discussions on what level of flexibility is needed for Canadian operations in a modernized Treaty.

Indigenous Nations are leading the development of performance measures for ecosystems, in collaboration with B.C., the federal government and environmental scientists. Performance measures for Indigenous cultural values are being developed by the Indigenous Nations. BC Hydro is creating modelling inputs for power generation and flood risk management, and the LGC has agreed to provide recommendations for socio-economic performance measures.

The LGC started their process in November 2020 by reviewing existing documents that articulate Basin community interests related to the Treaty. The team then identified a number of socio-economic interests to focus on, including flooding and erosion, navigation, recreation and tourism, health/dust generation and agriculture. These interests are preliminary and the LGC expects to identify more throughout the process. Past evaluations of dam operations scenarios were then reviewed to identify potential performance measures for these interests, especially those that had been supported during public engagement. This information has been compiled and is the basis for developing draft performance measures for all interests to measure how the different operating scenarios being modelled would benefit or impact those interests.

To illustrate the concept of a socio-economic performance measure, Cindy provided two examples:

1. For navigation on Arrow Lakes Reservoir, the narrows between the two Arrow lakes need to be at a certain elevation to transport log booms. Therefore, a performance

measure for navigation might be the number of days that the reservoir is above the minimum level needed for tugboats and log booms to travel through the narrows.

2. For recreation on any reservoir, a performance measure may be the minimum water level that allows access for boating.

Consultation and engagement are important parts of this initiative. The LGC will seek input on its work from a range of people and perspectives, including the Basin public, before making its recommendations to the negotiating team.

Cindy invited attendees to visit the [LGC website](#) to stay up to date and learn when and how to provide feedback.

This concluded the evening's presentations.

4.0 Summary of Questions Raised

A broad range of questions were asked both before and during the meeting. Key themes are described below. See [Appendix A](#) for a detailed list of questions and answers.

Canada-U.S. Negotiations: Many people asked for more information on Canada's June 2020 proposal for a modernized Treaty to the U.S.; what Canadian and American key interests are; how different priorities (such as flood control, power generation, ecosystems, climate change, recreation and regional economic development) are being considered; what the timeline for negotiations is; and whether Columbia Basin residents will have a say if and when an agreement for a modernized Treaty is reached.

Reconciliation with Indigenous Nations: Participants asked how the [United Nations Declaration on the Rights of Indigenous Peoples](#) and B.C.'s [Declaration on the Rights of Indigenous Peoples Act](#), are being considered in the Columbia River Treaty modernization process; what the roles of Indigenous Nations and U.S. Tribes are; and how the Sinixt Nation is involved.

Governance: There was interest in whether future decisions about the Treaty will include the voices of Indigenous Nations, local governments, and Basin citizens; and whether there are considerations for transboundary governance that involves parties outside of the Entities⁴.

⁴ The Columbia River Treaty is implemented by the Entities. They work cooperatively and are responsible for the daily operations of the reservoirs and hydroelectric facilities. The Canadian Entity is composed of BC Hydro, which is responsible for hydroelectric operations, and the Province of B.C., which is responsible for the disposal of the Canadian Entitlement, Canada's half share of the downstream power benefits. The U.S. Entity is composed of the Bonneville Power Administration (BPA), primarily responsible for management of the Columbia River system for hydroelectric power purposes, and the U.S. Army Corps of Engineers (USACE), primarily responsible for flood risk management.

Salmon Reintroduction: Participants were curious to know how efforts on reintroducing salmon to the Upper Columbia River are progressing, both within and outside the Treaty modernization process and what fish passage options have been considered.

Ecosystems and Climate Change: Attendees asked how ecosystems and climate change are being considered in discussions on modernizing the Treaty; how the Treaty can support healthy ecosystems along the Kootenay and Columbia Rivers; and what is included in the Indigenous-led ecosystem function work.

Active Adaptive Management: People inquired whether active adaptive management would be incorporated into a modernized Columbia River Treaty, as a way to proactively and continually evaluate management of the dams, to respond to changing environmental, economic and societal interests and conditions.

Reservoir Level Fluctuations: Attendees wondered whether water level fluctuations that occur on all Treaty reservoirs will be minimized or changed in a modernized Treaty; and whether there was consideration for decommissioning dams, in particular Duncan and Hugh Keenleyside Dams, to return the river to its natural state.

Libby Dam Operations and Koochanusa Reservoir Levels: People were keen to know how a recent proposal to build a weir/dam on Koochanusa Reservoir is being addressed, and/or whether more stable Koochanusa Reservoir levels were being explored, to increase regional economic and recreational benefits. Participants asked how there could be greater Canadian participation in the coordination of Libby Dam operations.

Benefits and Impacts of the Treaty: Participants expressed interest knowing where to find detailed information on the benefits and impacts the Treaty has brought to the Basin.

Modelling Dam Operating Scenarios: Attendees asked about the work underway to model alternative operating scenarios for the Canadian Treaty dams; and whether or not the expanded modeling initiative examines scenarios for reservoir operations on both sides of the border.

Agriculture: Participants wanted to know how the Treaty's impacts to agriculture in the B.C. Columbia Basin are being considered.

Canadian Entitlement: People were curious to know how much funding B.C. receives through the Canadian Entitlement⁵; and whether or not a modernized Treaty might provide more funds to the region most affected by the Treaty.

⁵ The Canadian Entitlement is half of the additional potential hydroelectric power that could be produced in the U.S. as a result of Treaty operations. It is calculated in advance using formulas included in the Treaty. The U.S. returns this power to Canada in the form of electricity at the Canada-U.S. border. Powerex, the marketing and trading subsidiary of BC Hydro, sells the Canadian Entitlement at market value to either BC Hydro or utilities in Alberta or United States. Revenues from the Canadian Entitlement are paid to the Province and go into its general revenue fund.

Maintenance of Treaty Dams: Participants asked how the planned obsolescence of the Treaty dams is being accounted for, how the dams are being maintained and what organization(s) are responsible for funding that maintenance?



5.0 Closing

The meeting closed with comments from each of the panelists.

Brooke thanked everyone for participating and highlighted that seeing 90 people stay until the end of the town hall, more than half an hour past the scheduled time, was indicative of the level of passion and interest people have for the Treaty.

Kathy expressed her thanks to everyone as well, saying how impressed she was by the level of participation and the breadth of questions. She wished there was more time to answer all questions and said the B.C. CRT Team would consider holding another town hall in the future.

Sylvain thanked everyone for attending and was grateful for the opportunity for the panellists to share their thoughts and also to hear directly from people impacted by the Treaty.

Nathan said he was very impressed with the level of attendance, and he thought the town hall had achieved its goal in terms of sharing and exchanging information and developing a better understanding of Indigenous perspectives on Columbia River Treaty issues. He said conversations like this will allow us to move ahead together, towards the goal of reconciliation.

Jay thanked everybody as well and recognized that this session offered a more technical update from Indigenous Nations representatives, specifically on the ecosystem function work. He would welcome another higher-level session where Indigenous Nations' leadership could speak more broadly about bigger issues.

Linda thanked everyone and encouraged them to stay informed about the Treaty.

Cindy also thanked everyone and added that it would be valuable to have another session to dig deeper into certain topics. She encouraged people to keep an eye out for the socio-economic work that would be forthcoming.

Bill echoed the other presenters' thanks, also supporting a follow-up session; one that is more focused on answering questions. He acknowledged that there were many questions that weren't answered during the evening, which would provide a good basis for discussion.

6.0 Feedback and Next Steps

An online survey was issued to attendees after the town hall and 30 responses were received. Most of those who responded found the event valuable, the comments were generally positive, and all respondents said they would like to see more sessions in the future.

Respondents also suggested topics they would like to learn more about, including:

- The Canadian proposal for a modernized Treaty;
- Domestic issues that the B.C. CRT Team is working on addressing outside the Treaty;
- The United Nations Declaration on the Rights of Indigenous Peoples;
- Climate change considerations in the Treaty;
- Revelstoke shore erosion;
- American perspectives on the Treaty;
- Salmon restoration;
- Water levels;
- Aspects of the Treaty that can be changed after 2024 without terminating the current agreement;
- Ecosystem restoration;
- Socio-economic impacts;
- Cultural aspects being considered in the negotiations;
- Flood control; and
- Sinixt Nation involvement in the Treaty process.

The B.C. CRT Team plans to hold another virtual town hall in the fall/winter. Details will be available on the [B.C. Columbia River Treaty website](#) as well as through [Facebook](#) and [Twitter](#).

