

Columbia River Treaty: Local Governments' Committee Recommendations Update

January 2021

The B.C. Columbia River Treaty Local Governments' Committee (the Committee) provided its original recommendations on the future of the Columbia River Treaty (CRT) to the federal and provincial governments in 2013. The original recommendations have been updated in response to CRT-related interests and issues raised by Columbia River Basin residents in Canada. These recommendations are based on currently-available information and will be updated if new information comes forward that results in changes to the Committee's recommendations.

These recommendations have been submitted to the provincial and federal governments to contribute to the current negotiations to modernize the CRT. The Committee will continue to pursue solutions to domestic issues and to monitor and be involved in the Treaty negotiations when appropriate.

For more information about the Committee or to provide your perspectives on CRT related topics, please contact:

- Committee Chair, Linda Worley - lworley@rdkb.com 250 231-1300
- Committee Vice Chair Stan Doehle - directordoehle@rdek.bc.ca 250 531-3300
- Executive Director, Cindy Pearce - cindypearce@telus.net 250 837-8505

Visit the Committee webpage at: https://akblg.ca/columbia_river_treaty.html

For more information about the CRT negotiations go to the provincial CRT webpage: <http://engage.gov.bc.ca/columbiarivertreaty/> and sign up for the CRT E-Newsletter.

Background

The Columbia River Treaty (Treaty) was ratified by Canada and the United States (the U.S.) in 1964, resulting in the construction of three dams in Canada – Mica Dam north of Revelstoke; Hugh Keenleyside Dam near Castlegar; and Duncan Dam north of Kaslo – and Libby Dam near Libby, Montana, which creates Koocanusa reservoir that floods 68 kilometres into B.C... Since 1964 the Treaty has provided benefits for the Pacific Northwest region in the U.S. and in B.C.. However, here in the Canadian portion of the Columbia River Basin (the Basin) – the area that was most impacted by the Treaty – substantial sacrifices were made by residents during the creation of the dams and reservoirs, and impacts continue as a result of hydro operations.

Beginning in 2024, either the U.S. or Canada can terminate substantial portions of the Treaty, with at least 10 years' prior notice. This prompted the B.C. government – as the level of

government with the responsibility to implement the Treaty – and the U.S. to conduct separate reviews, beginning in 2011, to consider whether to continue, amend or terminate the Treaty. The outcome of both reviews was to negotiate a modernized Treaty, not to terminate. Canada – as the level of government responsible for international treaties, and with the involvement of B.C. – began negotiations with the U.S. in 2018.

Local governments within the Basin have formed the B.C. Columbia River Treaty Local Governments' Committee (the Committee) to actively and meaningfully engage in decisions around the future of the Treaty. Through the Committee, with support from Columbia Basin Trust (CBT), Basin local governments are working together to seek refinements to the Treaty and to address existing domestic issues to improve the quality of life for Basin residents.

Respecting Our History

The signing of the Treaty with the U.S. was a major historical milestone for the Province of B.C.. However, this agreement was signed without consulting Basin residents or Indigenous Nations, and construction of the Treaty-related dams and the associated reservoirs had massive social, economic, cultural and environmental impacts in this region, leaving deep wounds in Basin communities. Communities in the Canadian Basin, including Indigenous Nations continue to make substantial sacrifices for the economic benefits that are enjoyed by the entire Province and much of the U.S. Pacific Northwest and for environmental benefits enjoyed in much of the U.S. Pacific Northwest.

In our communities, approximately 2,300 people were displaced from their homes, often without adequate or fair compensation, and approximately 30 small communities were partially or fully flooded and lost their infrastructure, public spaces and way of life. Indigenous Nations are separately documenting their losses due to the CRT. Many of these losses were a result of creating the Arrow Lakes, Duncan and Kootenusa Reservoirs. The industrial reservoirs created following the construction of the Treaty-related dams, including Revelstoke Dam, inundated approximately 120,000 hectares (300,000 acres/470 square miles), including over 70,000 hectares (173,000 acres/270 square miles) of lakes, rivers, wetlands, ponds, streams and riparian areas, with related habitats for fish, wildlife, waterfowl, birds and other species. Indigenous Nations and our Canadian Basin communities lost access to wilderness areas, with forests, wildlife and fish and related recreation experiences. Economic development in these areas has been constrained by the loss of valuable low-elevation lands and lack of efficient transportation.

As well, there are ongoing impacts from the large annual fluctuations in water levels within these reservoirs, which create extensive unsightly mudflats uncovered during the spring drawdown periods with resulting dust storms, limited recreation access and ecological impacts. Substantial fluctuations in river levels below the Revelstoke, Arrow and Duncan dams also impact ecosystems and recreation uses. The water storage in Kinbasket reservoir that is in excess of the Treaty requirements is managed through a commercial agreement between B.C. Hydro in B.C. and Bonneville Power Authority in the U.S. Operations under this agreement are not well understood by Basin residents and are seen by some to create further negative impacts in some years.



As shown in the table on the next page, impacts differ significantly between reservoirs. [A Review of the Range of Impacts and Benefits of the Columbia River Treaty \(2012\)](#) provides more details of the impacts from each reservoir.

Basin communities state that commitments that were made about the future development of infrastructure and economic opportunities were not delivered by the Province of B.C.. Some residents feel measures to address the social, environmental and economic impacts have not been adequate. These issues remain sources of hurt, anger and mistrust today.

While we remember and recognize this past history, Basin residents and the Committee are looking to the future. The phrase 'Acknowledge the losses and enhance what remains' was coined by Basin residents during the 2018 CRT community meetings and reflect this view. We see the current negotiations to modernize the CRT as an opportunity for local governments to work collectively with the Province, Indigenous Nations, B.C. Hydro, other regional hydro-electric facility operators and U.S. interests to improve our quality of life in the Basin, and retain the benefits of a modernized treaty on the Columbia River.

Columbia River Treaty Related Dams and Reservoirs

Primary source: [A Review of the Range of Impacts and Benefits of the Columbia River Treaty \(2012\)](#)

Characteristic	CRT Related Dams				
	Mica	Revelstoke	Hugh Keenleyside	Libby	Duncan
Owner	B.C. Hydro	B.C. Hydro	B.C. Hydro / Columbia Power Corporation ¹	U.S. Army Corps of Engineers	B.C. Hydro
Date completed	1973	1985	1968	1975	1967
Height (metres/feet)	243 m./797 ft.	175 m./574 ft.	52 m./171 ft.	129 m./423 ft.	40 m./131 ft.
Length (metres/feet)	792 m./2598 ft.	470 m./1542 ft.	853 m./2799 ft.	931 m./3055 ft.	792 m./2598 ft.
Materials	Earth fill	Concrete/Earth fill	Concrete/Earth fill	Concrete	Earth fill
Water storage (Purpose - MAF ²)	Treaty - 7 NTSA ³ - 5 Dead ⁴ - 8	0	7.1 Treaty 0.25 NTSA	5	1.4 Treaty
Power generating capacity ⁵ (MW) ⁶	2746	2480	185	604	0
Jointly managed under the CRT	Yes	No – Not authorized by the CRT	Yes	No – Not authorized by the CRT; not managed under the CRT	Yes
Reservoirs	Kinbasket	Lake Revelstoke	Arrow Lakes	Koocanusa (B.C. portion)	Duncan
Length (kms/miles)	216 kms/134 miles	130 kms/81 miles	250 kms/156 miles	B.C. - 67 kms/42 miles Total: 140 kms/90 m	45 kms/28 miles
Area flooded (hectares/acres)	42,647 ha./105,383 ac.	11,534 ha./28,501 ac.	51,270 ha./126,691 ac.	6,683 ha./16,514 ac.	7,302 ha./18,044 ac.
Ecosystems flooded (hectares/acres)					
- Lakes	2,343 ha./5790 ac.	0	34,992 ha./86467ac	0	2,584 ha./6385ac
- Rivers, streams, ponds and gravel bars	5,879 ha./14527 ac.	2,792 ha./6899ac.	5,438 ha./13438ac.	1,791 ha./4426ac.	637 ha./1574ac.
- Wetlands, floodplains, riparian areas	21,389 ha./52853 ac.	4,461 ha./11023ac.	6,995 ha./17285ac	3,245 ha./8019 ac.	3,221 ha./7959ac.
- Upland areas	13,036 ha./32213 ac.	4,199 ha./10376 ac.	3,844 ha./9499 ac.	1,647 ha./4070 ac.	860 ha./2125 ac.
Communities flooded	0	0	23	6 ⁷	1
People displaced ⁸	4 property owners	Mobile home park, 22 property owners	1,350 property owners; over 2,000 residents	74 property owners ⁹	30 residents
Annual fluctuation - Average - Licensed maximum (metres/feet)	24.4 m. /80 ft 47.2 m./155 ft	1.5 m./5 ft. 18 m./60 ft.	12.2 m /40 ft 20.0 m./66 ft	18.3 m./60 ft. 22 m./72 ft	30 m./98 feet for both
Economic sectors impacted	Forestry, tourism, agriculture	Forestry, tourism	Agriculture, forestry, tourism	Agriculture, tourism	Forestry, agriculture
Adjacent impacted communities ¹⁰	Valemount, Golden, Revelstoke	Revelstoke	Revelstoke, Nakusp, Burton, Fauquier, Edgewood, Deer Park, Robson, Castlegar	Baynes Lake, Wardner, Grasmere, Elko	Meadow Creek, Howser
Water Use Plan	Columbia	Columbia	Columbia	None ¹¹	Duncan

¹ B.C. Hydro owns the dam facility; Columbia Power Corporation built the Arrow Lakes Generating Station alongside the dam.

² Million acre feet (1 foot of water covering 1 million acres – about a million football fields)

³ Non-Treaty Storage Agreement - a commercial agreement between B.C. Hydro and the Bonneville Power Administration (BPA) relating to the management of reservoir and power plant operations on the Columbia River in Canada and the U.S.

⁴ Dead storage refers to water in a reservoir that cannot be drained by gravity through a dam's outlet works, spillway or power plant intake

⁵ Sources: B.C. Hydro: [Columbia Basin Trust Dams and Reservoirs webpage](#)

⁶ Megawatts

⁷ Columbia River Treaty Heritage Project Plan, 2020 and Stan Doehle, Rural Director, Regional District of East Kootenays

⁸ The measures differ based on the information provided in the primary source report

⁹ Unconfirmed in primary source

¹⁰ Confirmed with CRT Local Governments' Committee members

¹¹ Water Use Plans are linked to B.C. water licenses and Libby dam, which is located in Montana, does not have a water license in B.C.

Recommendations

A. International Treaty

During negotiations the Province of B.C., the Government of Canada and B.C. Hydro as the Canadian Entity for the Treaty, must address the following priorities for Basin communities, listed here with no priority ranking intended.

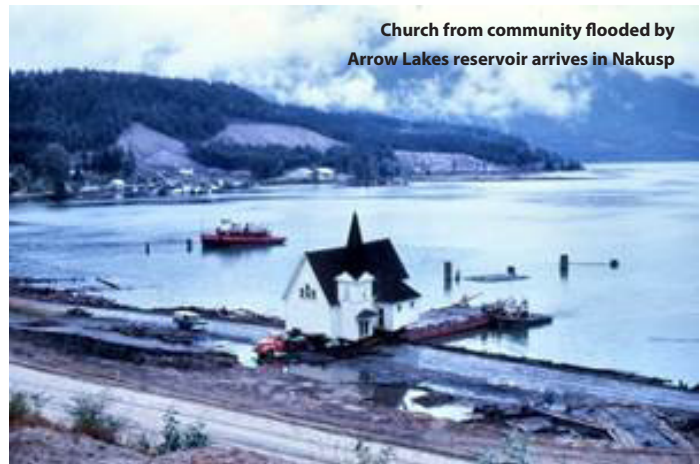
Treaty Process

1. Local government Status in International

Discussions: To avoid repeating the unfortunate legacy of no consultation with Basin residents or Indigenous Nations before the Treaty was signed, the province and the federal governments have been engaging extensively with Indigenous Nations and local governments in the current modernization of the Treaty. The Committee acknowledges and supports the federal decision that the three regional Indigenous Nations have official observer status in the negotiations. This is consistent with the views stated by many Basin residents during the CRT community meetings. As official observers, Indigenous Nation representatives are actively involved in developing negotiation positions on an ongoing basis, they attend all negotiating sessions and recently they made a presentation to the U.S. delegation on ecosystem goals and objectives in the Canadian Columbia Basin, as well as on the collaboration between Indigenous, provincial and federal governments on exploring the reintroduction of salmon in the Upper Columbia.

Our Committee is engaged with the Canadian CRT Negotiating Team through a Communications and Engagement Protocol. This allows the Team to keep the Committee as informed as possible, while recognizing confidentiality limitations. We remain confident that our recommendations and the voices of Basin residents are being reflected during negotiations. However, the Committee is aware that as negotiations evolve, different outcomes that do not align with these recommendations may be considered. We are prepared to respond swiftly and strongly should this develop.

2. **Engagement with Basin Residents:** The interests of Basin residents must continue to be incorporated in the ongoing discussions and decisions related to the Treaty by the Province of B.C. and Canada. New information must be shared promptly with Basin residents and there must be opportunities for residents in affected areas to fully understand any potential benefits and impacts, and to provide meaningful input



Church from community flooded by Arrow Lakes reservoir arrives in Nakusp

to any decisions. Basin residents want to receive regular public updates about the status of the negotiations.

In 2014 the Committee worked with the Province and B.C. Hydro to create the **Columbia Basin Regional Advisory Committee (CBRAC)**. CBRAC is a diverse Basin-wide group representing a broad range of perspectives, interests, and geography, which is informing hydroelectric operations in the Columbia Basin and potential improvements to the CRT. The Committee encourages the Province and Canada to continue to engage with this knowledgeable group of Basin residents.

3. **Assess Benefits and Impacts:** Throughout the negotiations it is essential that the benefits and impacts in both the Canadian and the U.S. portions of the Basin resulting from the current Treaty framework and any future changes are fully assessed as the basis for sound decisions. This must include a thorough assessment of benefits and impacts to Basin residents. This information must be promptly communicated to Basin residents, with adequate opportunities for meaningful input to decisions.

Treaty Content

4. **Reduce Negative Impacts to the Basin:** Basin residents strongly support options that reduce the current negative impacts related to the Treaty. We caution the Province and Canada against considering Treaty options or hydro system operations that result in further negative impacts in the Basin – our communities and residents cannot accept more negative impacts.
5. **Equitable Benefit-Sharing:** We believe the Downstream Power Benefits provision of the Treaty should continue to reflect the full value of potential incremental power generation at U.S. facilities as a result of Canadian storage.

In addition, we know that the U.S. receives additional incremental economic benefits from Canadian water storage in the form of tourism and recreational opportunities; reliable and economical navigation; ecosystem enhancements; and agriculture benefits. Although these additional benefits to the U.S. will be difficult to fully document, they need to be clearly described in information that is easily accessible to all Basin residents.

These additional benefits to the U.S. were not recognized or accounted for in the original negotiation of the Treaty. They must be accounted for and shared equitably with B.C. through the renegotiation of the Treaty.

Clear and easily accessible information about the financial benefits to B.C. created through the Treaty and how these benefits are shared within B.C. is needed now and in the future. The Committee is working with the B.C. CRT Team to update the information on provincial and regional benefits from the CRT.

It is essential that the Canadian Basin receives an equitable share of the benefits that come to B.C. to address the ongoing negative impacts of reservoir operations in this region. At this point, communities that are most impacted by the Treaty feel that they are not adequately compensated. The Committee will continue to explore mechanisms to ensure the Basin receives its fair share of benefits.

The Committee recognizes that there needs to be benefit sharing with local communities and residents as well as sharing that is separately negotiated with Indigenous Nations.

- 6. Expand the Focus of the Treaty to Include Ecosystems and Other Interests:** The Committee urges the Province to seek refinements to the Treaty and/or the supporting documents that provide for operations to benefit a broad range of interests in this region and in the U.S. As an initial priority, Basin residents support incorporation of ecosystem function as a first-order priority within the Treaty, alongside flood control and power production. Many Basin residents view a healthy environment as the foundation for economic and social well-being in the Basin.

The Committee is heartened to hear that, in the ongoing negotiations, both Canada and the U.S. have committed to integrating ecosystem function into the Treaty. The Committee strongly supports the ongoing work, led by regional Indigenous Nations, to guide this work, with

funding and other supports from the province. We expect the Province and Indigenous Nations to continue to engage with Basin residents as they model and explore scenarios that improve ecosystem function and support restoration to offset past, and any future impacts from dam construction and reservoir operations. We encourage continued assessment of the Arrow Lake Reservoir Mid-Elevation Scenarios, with expansion of this assessment to all Basin reservoirs.

The Committee has recently received the updated [Discussion Paper from the Upper Columbia Basin Environmental Collaborative](#). We applaud this group for thoughtfully contributing their expertise to further ecosystem management under the Columbia River Treaty. We do not see anything in this Discussion Paper that the Committee would not support. The Committee strongly supports creating greater flexibility in the Treaty to support the testing and learning required through active adaptive management to integrate ecosystem function into the Treaty.



Duncan reservoir - spring drawdown

- 7. Flood Risk Management:** Under the current Treaty, in 2024 the existing Assured Annual Flood Control Agreement expires and flood risk management requirements shift to a different approach described as “Called Upon.” Canada and the U.S. have not yet reached agreement on how this type of flood management will be implemented. In the Committee’s view, implementing a carefully-coordinated annual flood management approach has the greatest potential to meet Basin interests in flood risk management, as well as the greatest mutual benefit for the U.S. However, there are some potential regional benefits from some aspects of the Called Upon approach because reservoirs in the U.S. will have to be drawn down more than they are now for flood risk management which reduces the need for B.C. reservoirs to be drawn down as low as they are now.

We urge the Province and Canada to seek an agreement for a new flood risk management approach through the Treaty that maximizes benefits and minimizes negative impacts to the interests of Canadian Basin residents, including

reducing drawdown of B.C. reservoirs to meet U.S. needs. For the purposes of Called Upon operations, where ‘U.S.’ reservoirs must be drawn down first before calling on B.C. to store additional water, in the Committee’s view, as almost half of Kootanusa Reservoir is in Canada, it should not be considered a ‘U.S.’ reservoir under the Treaty and eligible to be drawn down extensively to meet U.S. needs in Called Upon operations.

Within any agreement, the Committee asks the Province and Canada to ensure the definition of “economic losses and operating costs” in B.C. under “Called Upon” operations recognizes losses and costs beyond those experienced by the province and hydropower operators to include impacts on private property, public infrastructure, communities and regional resources, as examples. The Treaty must also include a fair process for defining the losses and costs, including mediation to resolve differences.

The Committee will continue to urge local governments in the Basin to do what they can to reduce flood risk, including bylaws for floodplain management and floodplain covenants, riparian development permits and flood inundation studies. and we will encourage our local government colleagues in the U.S. to address flood risks in their respective areas. We also urge the B.C. Surveyor General to reconsider their process for approving accretions along Kootenay Lake and the Lower Columbia River to fully account for the changes in lake levels and river flows from dam operations and climate change.

8. **Canadian Input to Libby Dam Operations:** The Province must bring Libby Dam fully into the Treaty so that it can be managed as the Committee recommends for other Treaty dams – for power generation, flood control, ecosystem functions, recreation, tourism and other interests. This management needs to include a formal mechanism to ensure Canadian interests are meaningfully incorporated into operational decisions at Libby Dam, just as U.S. interests are accounted for in the operation of the Canadian Treaty dams. As well, a compensation mechanism, paid for by those who benefit, is needed to address the negative impacts in Canada from Libby Dam operations. These include reductions in fish and wildlife habitat; floating debris; dust storms; damage to dikes in the Creston area; and economic damage to property and infrastructure from fluctuating water levels.
9. **Power Generation:** Basin residents support the supply of reliable hydropower to the province and most of Canadian Basin communities from B.C. Hydro



Chinook salmon

Treaty-related facilities in the Canadian Basin. Any future Treaty-related decisions must seek to ensure that power facilities owned by the Columbia Basin Trust (CBT) are not negatively impacted as these facilities create the funds for CBT programs that enhance Basin well-being. If negative impacts are anticipated from any changes to the Treaty, before final decisions are made Basin residents must be provided information about the benefits and impacts so they can provide informed input on the potential impacts.

10. **Continue Treaty Rights to Water Use in B.C.:**

Existing Treaty rights for Canadian interests to withdraw water from the Columbia River system for “domestic uses,” including irrigation, industrial and municipal use, must be maintained. These rights will continue to be exercised consistent with B.C. legislation and policy.

11. **Integrate Climate Change:** We strongly support the continued incorporation of climate change-related information – particularly projected increases in extreme events and changes in stream flows resulting in more frequent, deeper droughts – into international hydro system scenario planning and operations. Treaty negotiations must include this critical factor, creating a flexible, adaptable Treaty framework that is resilient to changing conditions over the long term (at least 50 years).

12. **Pursue Salmon Restoration:** Indigenous Nations and other Basin residents are passionate about returning salmon to the Columbia River in Canada. We strongly support provincial and federal agencies and Indigenous Nations/ Tribes on both sides of the border continuing to jointly explore the technical and financial feasibility and implementing feasible options to return salmon to their historic ranges in the Canadian portion of the Columbia River where habitats can support salmon species. We congratulate the Ktunaxa, Secwepemc and Sylix-Okanagan Nations, and the federal and provincial governments, on

the signing of the historic Letter of Agreement committing to collaborate on this important initiative.

- 13. Less Fluctuation in Reservoir Levels:** It is a priority for Basin residents that water levels in all Treaty related reservoirs fluctuate less to reduce impacts on ecosystems, tourism, recreation and transportation. The Committee applauds the province for continuing to explore options to reduce fluctuations through the Arrow Lake Reservoir Mid-Elevation Scenarios process and encourages expanding this scoping to other reservoirs. A minimum summer drawdown level is needed for the Arrow Lakes Reservoir to avoid extreme summer drawdowns in dry years as occurred in 2015-16. These dry years are expected to occur more frequently as the climate changes.

The Committee is aware of the interests in the U.S. for additional water flows during the spring for salmon flows and in the summer for irrigation uses. These flows would have impact on reservoir levels in B.C. If these interests are considered during the negotiations, the Committee requests that the province assess the benefits and impacts of these U.S. interests on B.C. Basin interests, share this information with Basin residents, secure their input and incorporate this input into any decisions regarding the future of the Treaty.

- 14. Governance:** Treaty implementation is currently governed by the hydro system operators and related provincial and federal government agencies. The Committee acknowledges and supports the growing nation to nation roles for regional Indigenous Nations in Treaty negotiations and strongly encourages expansion of these roles to include domestic hydro system operations over time. Local governments seek a more substantial, ongoing advisory role in Treaty related implementation decisions. Local government advice would be informed by input from residents impacted by each reservoir and likely provided through provincial agencies. The Committee will consider options for roles for local governments and Basin residents, seek input from residents and local governments and advocate for the best options.

The addition of ecosystem function as a first order value in Treaty operations, as recommended above will require that governance structures be expanded to ensure equal and effective ecosystem function expertise is involved to represent these objectives in all Treaty decisions. Governance should seek increased operational flexibility to allow for experimentation under an 'active adaptive

management' approach to explore changes that will restore and/or enhance ecosystem function and habitats within reservoir footprints and affected river reaches.

While perhaps beyond the governance of the Treaty, the Committee will continue to explore and stay informed about options to establish an international river basin organization, with local government and resident representation, for a future Basin-scale river management system.



Kinbasket reservoir - mudflats during spring drawdown south of Valemount

B. Domestic Issues

Many of the concerns we continue to hear from Basin residents relate to the ongoing operations of dams and reservoirs in the region. We invite the Province and B.C. Hydro to work collaboratively with local governments, CBT and others to identify and implement practical, effective solutions to the issues below in a timely manner.

- 1. Support Communities to Address Negative Impacts in the B.C. Basin:** The Treaty is clear that each country is responsible for addressing impacts in their own jurisdiction. The Committee appreciates the Province continuing work with CBT, local governments, and Canadian Basin residents to identify and implement initiatives, in ways that are acceptable to Canadian Basin residents, to reduce current negative impacts from Treaty-related dam construction and operation. However, small communities most impacted by the Treaty feel they are not yet adequately supported. The Committee urges the Province and CBT to work together diligently with the impacted small communities to identify and implement feasible and innovative actions, including responding to suggestions that were raised during the CRT community meetings. The Committee embraces the community statement from these meetings – 'Acknowledge what was lost and enhance what remains' – to guide its advocacy for improved support for impacted communities.

If changes to the Treaty result in additional negative impacts in the Canadian Basin, beyond current operations, a clear compensation model must be implemented to address these impacts.

- 2. Community Economic Development:** The creation of the Treaty related reservoirs impacted local economies extensively through loss of settlement lands, fertile agriculture lands, and productive forests as well as recreation, tourism, hunting, trapping and fishing opportunities, along with related loss of local tax revenues. Economic development is further hampered on an ongoing basis by dust storms, navigation safety hazards, erosion, expensive roads along the edges of reservoirs, ferries rather than fixed links, and unsightly mudflats. Kinbasket Reservoir has an especially high economic impact on adjacent communities, in the tens of millions of dollars annually, because of the large area of fertile forest lands and valuable road systems that were inundated and the absence of tourism and recreation development opportunities along the reservoir to offset these losses. Extensive productive forest lands and forestry opportunities were also lost under the Arrow and Duncan reservoirs. The loss of fertile agriculture lands flooded by Arrow Reservoir and range lands inundated by Koocanusa Reservoir significantly reduces the food production self-sufficiency of the region.

Unfortunately these economic losses have not been consistently documented or evaluated for each reservoir. Interested readers are directed to the compilation of available information for each reservoir in [A Review of the Range of Impacts and Benefits of the Columbia River Treaty \(2012\)](#).

The Treaty was to create power generation and flood risk management for B.C. and the Pacific Northwest in the U.S., but it has failed to facilitate reliable hydroelectric power for all basin communities, particularly for several small, remote communities that are significantly impacted by Treaty operations. Frequent power outages, sometimes of long duration, in impacted areas with lower populations, such as Nakusp and the Lardeau Valley, further limit local economic development options. The Committee recognizes the efforts B.C. Hydro is making to reduce power outages and encourages them to continue to make improvements, including through collaborating with Fortis B.C..

High speed fibre digital connectivity is a high priority for all Basin communities. An opportunity currently exists for telecom (e.g. Telus) and hydro-power companies in the basin to support community



development by removing barriers to the placement of fibre infrastructure on their existing poles. This would include expediting permits and significantly reducing or waiving the charges levied for the use of their existing poles, including 'make ready' costs to place the infrastructure on existing poles and annual pole rental costs. The provincial government could also support this essential infrastructure through a property tax exemption for this critical infrastructure. This would significantly reduce the time delays and costs of expanding high speed connectivity to smaller communities and rural areas especially.

The communities most impacted by these conditions will continue to work with the province and CBT to identify and implement feasible economic opportunities, including the suggestions from the CRT community meetings. However, the Committee expects the provincial and federal governments to enforce relevant legislation to avoid further degradation of the environment, and expedite assistance and necessary approvals for feasible community economic development initiatives, recognizing the sacrifices our communities have made for the benefits that are enjoyed by the Province and the U.S.

- 3. Meaningful Ongoing Engagement of Basin Residents:** Decisions about the operation of hydro facilities in the Basin impact many Basin residents on a day-to-day basis. Many residents have told us they want to know more about the system and these decisions, and to be involved in these decisions on an ongoing basis.

The Columbia Basin Regional Advisory Committee (CBRAC) was implemented by the Province in 2014 with ongoing guidance from the Committee and B.C. Hydro to begin to fill the need for long-term,



Kootanusa reservoir - spring drawdown

meaningful engagement with Basin residents. CBRAC is a diverse Basin-wide group representing a broad range of perspectives, interests and geography. It is helping inform hydroelectric operations in the Columbia Basin and potential future improvements to the Treaty.

4. **Kootanusa Reservoir:** Kootanusa Reservoir was created by the construction of Libby Dam in the U.S. under the Treaty. B.C. water licenses for the other Treaty dams create requirements for Water Use Plans and other mechanisms to address local impacts. As there isn't a B.C. water license for Libby dam, these mechanisms don't exist for Kootanusa Reservoir. B.C. Hydro benefits from this reservoir through power generation at the Kootenay Canal and does undertake some activities to reduce impacts including annual debris removal. However community members and local governments have identified several impacts that require further attention including recreation access management and enforcement in the drawdown zone; agriculture supports to mitigate impacts; ecosystem and fish/wildlife baseline studies and habitat enhancement; and ongoing debris removal. The Committee strongly encourages B.C. Hydro, the Province, Indigenous Nations and CBT to work together to address the identified impacts.
5. **A Water Management Process for the Kootenay River:** Residents with interests in the Kootenay River system in the Canadian Columbia Basin have told us they have no clear way of understanding if and how their interests are taken into account in operational decisions about water management in this system. They have concerns about flooding, impacts on fish habitat, spring drawdown for fisheries in the U.S., dyke infrastructure damage and other topics that require a system-wide perspective to understand and consider potential solutions. For several years the Committee has advocated for the Province and all

Canadian operators on the Kootenay River system to work together to collectively initiate a process for the Kootenay River system to better understand how hydro operations benefit or impact the full range of interests, and to address the impacts. The Committee will seek funds to undertake a scoping study to better understand the local interests and concerns; to research options to engage these interests in management of the system; and encourage implementation of feasible options.

6. **Columbia and Duncan Water Use Plan Implementation Order Reviews:** In B.C., the purpose of Water Use Plans (WUPs) is to understand public values and to develop a preferred operating strategy through a multi-stakeholder consultative process. At the completion of the consultative processes for both the Columbia and Duncan WUPs, although all members signed the final reports, some members of the Consultative Committees remained concerned that, in their view, the WUP results did not fully address the issues and concerns they had raised. WUPs were approved in 2007 for the dams along the Columbia River, and Duncan Dam.

These WUPs have resulted in minimum flow requirements for ecosystem functions from Revelstoke dam, sophisticated boat ramps for ongoing water access as reservoir levels fluctuate and \$128 million spent on research, monitoring, debris removal and some on-site enhancement of ecosystems and fish/ wildlife habitats. Basin residents and local governments have concerns about the limited opportunities for involvement in plan implementation and decisions and the validity of the research studies. Although information about the upcoming important review processes is available on [B.C. Hydro's website](#), it is not included in B.C. Hydro's seasonal summaries, which are broadly distributed, or the annual operations updates attended by many Basin residents, leaving Basin residents unclear about the next steps.

B.C. Hydro has outlined their developing plans for the upcoming WUP Order Reviews for the Committee. These plans include some opportunities for Basin residents and local governments to understand the extensive information that has been collected during these WUPs and an opportunity to review the final report.

Effective implementation of WUPs, including full engagement of Basin residents and local governments during the upcoming reviews continues to be one of the primary opportunities for the Province and B.C. Hydro to build a foundation of trust and goodwill with Basin communities following the legacy of negative impacts from the Treaty. The Committee urges B.C. Hydro to communicate with Basin residents about the planned review processes, with regular updates. The Committee will provide suggestions to B.C. Hydro to expand its current plans for engagement with Basin residents and local governments in the reviews, including considering CBRAC as representing key stakeholders, and will advocate to the Province for expanded roles if needed. In addition, the Committee encourages the B.C. Comptroller of Water Rights, the provincial agency directing the WUP Implementation Order Reviews and B.C. Hydro to establish a credible oversight process for the reviews to address the questions about the validity of the research studies.

- 7. Columbia Fish and Wildlife Compensation Program (FWCP):** The Committee will continue to work with the FWCP to strengthen relationships and communications between FWCP, the Committee and Basin communities, recognizing that it is the role of the Columbia FWCP Board to guide the Program's regional communications and engagement. The Committee is available to provide advice to further align FWCP's community communications and engagement practices to meet the interests of Basin residents and local governments and, where appropriate, will share FWCP information and engagement opportunities with other elected officials and Basin residents.

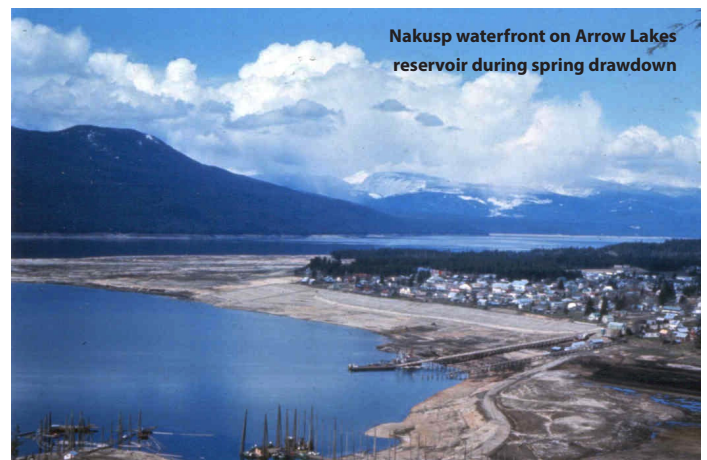
The Committee notes that the 2019 Evaluation and Audit of the FWCP states 'Current funding capacity of the FWCP is likely insufficient to achieve its intended outcome of compensating for footprint impacts of B.C. Hydro generation facilities'. The Committee agrees with this finding and will advocate for adequate, secure, long-term funding for FWCP and other programs to expand ecosystem restoration and environmental impact mitigation across the Basin, consistent with placing ecosystem function as an equal priority within the Treaty.

Continued Role in Treaty-Related Decisions

Local governments across the Basin are committed to continuing to advise the Province and Canada on Treaty-related decisions, and to work with the Province and others to pursue solutions to domestic issues identified by Basin residents. Proactive and thoughtful response to the Committee's recommendations is one of the primary opportunities for the Province, Canada, B.C. Hydro and other hydroelectric facility operators to continue to build trust and goodwill with Basin communities as we move forward together to refine the Treaty and address outstanding domestic issues.

Basin residents are concerned about whether the Province will act on the commitments it has made during the Treaty Review and the 2018 CRT community meetings and address any impacts arising from changes to the Treaty in the future. The Committee will continue to monitor and provide input to the ongoing Treaty negotiations to ensure Basin voices are heard and reflected in Treaty decisions. We will also continue to work with the B.C. CRT Team and others to seek solutions to the identified domestic issues.

By working together, within the Basin, with the Province, and internationally, with all governments, hydroelectric facility operators, interest groups and residents, we believe it is possible to refine the Columbia River Treaty and related documents to enhance this agreement, and to address the existing domestic issues to improve the quality of life for Basin residents. We believe this can be done while expanding the benefits to others. As local governments, we will continue to work together to achieve this vision.



Nakusp waterfront on Arrow Lakes reservoir during spring drawdown