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Columbia River Treaty Okanagan Water Stewardship Council

Kelowna, BC
January 10, 2019



Outline

- Columbia River Treaty Basics
- Columbia River Treaty Review
- Provincial 2014 Decision – Principles
- Negotiation objectives - Canada/U.S.
- Negotiations Update
- Q&A



Portland 1894

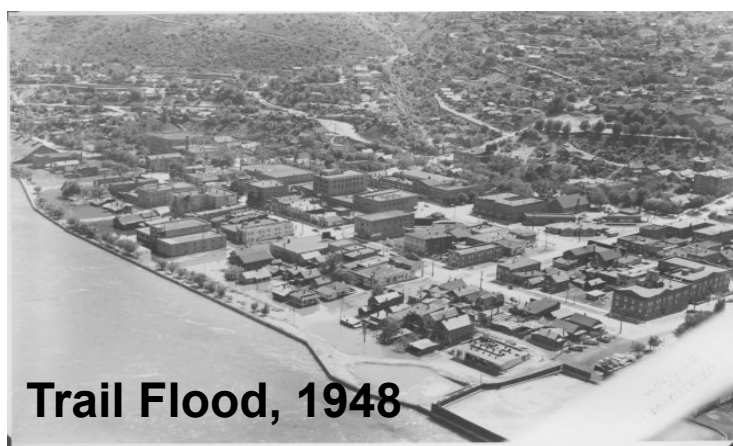


Image: Portland City Archives



Why Columbia River Treaty

- 1948 flood destroyed Vanport, Oregon (pop 35,000)
- About 50 people were killed
- Community of Trail was flooded
- Damaged homes, farms, and levees from BC to Astoria, Oregon





Why Columbia River Treaty

- Growing U.S. power demand after WWII
- Desire for industrialization in BC
- Flood control + power generation = desire for a water management agreement between Canada and the US
- Treaty was signed in 1961 and ratified in 1964



Diefenbaker and
Eisenhower signing the
Treaty in 1961



Treaty and Protocol
ratified and proclaimed by
Pearson and Johnson in
1964

Key Provisions of the Columbia River Treaty

Canada to construct 3 dams to provide 15.5M acre-feet (Maf) of water storage

- Duncan 1967
- Hugh Keenleyside 1968
- Mica 1973

US had the option to construct Libby dam in Montana – Canada made land available (67 km) for the reservoir

Treaty continues **indefinitely** but can be terminated with 10 year notice

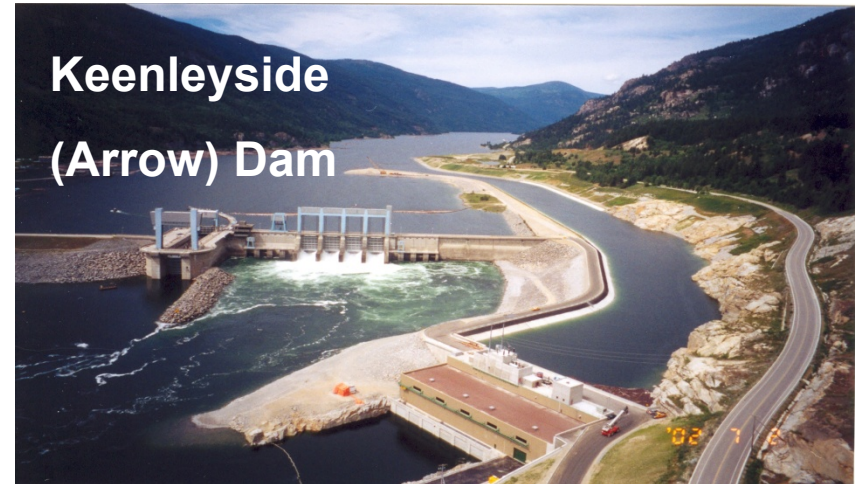




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Duncan Dam



**Keenleyside
(Arrow) Dam**



Mica Dam



Libby Dam (US)



Treaty Power Provisions

- Canada operates 15.5 Maf for optimum power generation downstream in Canada and U.S.
- U.S. delivers to Canada one-half the potential U.S. power benefits (Canadian Entitlement - CE) calculated using formulas set out in the Treaty
- The first 30 years of CE was sold to a consortium of U.S. utilities for an up front price of US\$254.4 million
- Current CE value \$100-150M/yr





Treaty Flood Control Provisions prior to 2024

- The US bought 8.45 Maf of “primary” flood control up to 2024 for \$64.4 million
- Regardless of Treaty continuation or termination, assured flood control ends in 2024 and flood control changes to “Called Upon”
- Called Upon not well defined in the Treaty





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Impacts in BC

- 600 km² fertile land submerged
- 2,300 people relocated
- Entire communities displaced
- FN cultural sites lost
- Ecosystems, fish and wildlife impacts
- Air quality issues
- Forestry, agriculture, transportation, tourism impacts





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Columbia River Treaty Review 2011-2014

- Technical, environmental, social, economic and legal and analyses
- Coordination of provincial ministries
- Collaboration with Canada
- Consultation with First Nations
- Collaboration with Local Governments
- Engagement of Basin residents



CRT Review: Public Consultation

- 3 rounds of community workshops over 18 months
- Conference in March 2013
- Social media: website, blog, Facebook, Twitter, e-newsletter
- Active engagement at local political level (CRT Local Governments' Committee)
- Draft Public Consultation Report for comment
- Draft Provincial Decision for comment



Key Issues - First Nations Consultation

Ktunaxa, Secwepemc, Syilx/Okanagan Nations

- Redress for historical and ongoing impacts to rights and title
- Disruption of ecosystem function – fish, wildlife
- Submersion and erosion of archeological/cultural sites
- Request for revenue sharing
- Role in CRT governance
- Return of salmon



Key Issues - Public Consultation

- Maintain and enhance agricultural opportunities
- Consider ecosystems as a Treaty priority
- Mitigate impacts from Treaty operations
- Maintain current level of flood protection
- Integrate climate change
- Continue engagement with communities and citizens



Provincial Decision

- Released March 13, 2014
- Generally reflects input from First Nations, local governments and public
- **Decision to continue the Treaty and seek improvements within its existing framework**
- 14 principles to guide BC in discussion of any potential Treaty changes





Provincial Decision - Principles

High level themes guiding negotiation positions :

- Goal is to create benefits and share them equitably
- There is a lot of value from upstream regulation provided by Canada to a broad range of U.S. interests
- Treaty operations continue to impact Canadian basin residents and regional interests





Provincial Decision – Principles (cont'd)

- Treaty should be adaptable to changing conditions
- Treaty has flexibility to incorporate ecosystems and further improvements can be explored
- The feasibility of reintroduction of salmon in the Upper Columbia is not a Treaty issue, though Treaty negotiations are including discussions on salmon



Provincial Decision – Principles (cont'd)

- Changing flood control in 2024 from assured to ad hoc
Called Upon Flood Control – BC open to alternatives
- Climate change will make collaboration even more important
- BC is committed to continued engagement with Indigenous Nations and the public through any potential negotiations





Key Negotiation Issues – Canada/BC

- Clear gains over status quo regarding economic, social, environmental and indigenous interests
- Economic return of equitable share of all U.S. benefits
- No net new environmental impacts
- A governance role for Indigenous Nations
- Adaptive management approach to enhance ecosystems in the Canadian Columbia basin and to respond to future uncertainties



- **Key Negotiation Issues – U.S.**
- Based on Dec 2013 U.S. Entity Regional Recommendation:
 - continued careful management of flood risk,
 - reliable, economic power supply,
 - better ecosystem function
- What does that mean:
 - Maintain similar level of flood risk at reasonable cost
 - Rebalancing power benefits to reflect actual value
 - Develop long term fish flow strategy
 - Other?



Negotiations

- Canada has been working closely with BC team since 2011
- Canada recognizes that most CRT interests and responsibilities are provincial and supports BC's objectives
- Canada has maintained that there will be no daylight between BC's and Canada's positions
- Canada and BC are meeting regularly with First Nations to explore and address indigenous interests
- Canada, B.C. and First Nations collaborate on developing and refining negotiation positions and responses.



Negotiation schedule

- 1st negotiation session took place May 29-30 2018 in D.C.
- 2nd round was August 15-16 in Nelson
- 3rd session Oct 15-16 in Portland
- 4th round in Vancouver December 12-13
- 5th round in D.C. February 27-28



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Questions & Comments

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