



Columbia River Treaty  
Learn about our past.  
Think about our future.

COLUMBIA RIVER TREATY  
INFORMATION SESSION SUMMARY  
NELSON

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*This report, compiled by Columbia Basin Trust (CBT), provides background information and summarizes the format and discussion that took place at a 2011 Columbia River Treaty (CRT) information session. The purpose of the information session was to raise Basin residents’ understanding and awareness around the CRT. Consultation on the CRT is a provincial responsibility. CBT is not consulting or gathering views and values on the CRT; therefore, this document is not a consultation summary, nor a summary of views and values. The discussion themes summarized in this document originated with Basin residents attending the information session and do not necessarily reflect the opinions of CBT staff and management and, where applicable, have not been reviewed for accuracy.*

## BACKGROUND

The 1964 Columbia River Treaty (CRT) is an international agreement between Canada and the U.S. to coordinate flood control and optimize hydroelectric energy production on both sides of the border.

The CRT has no official expiry date, but has a minimum length of 60 years, which is met in September 2024. Either Canada or the U.S. can terminate many of the provisions of the agreement effective any time after September 2024, provided written notice is filed at least 10 years in advance (2014).

While no decision has been made by either Canada or the U.S. on the future of the CRT, given the importance of the issues, and the approaching date of 2014, both countries are now conducting studies and exploring future options for the CRT.

In 1995, Columbia Basin Trust (CBT) was created to benefit the areas most adversely affected by the CRT. CBT's primary role in regard to the CRT is to act as an information resource for Basin residents and local governments. CBT is not a decision maker on the future of the CRT, and CBT's role is not to consult with Basin residents on the future of the CRT—consultation is a provincial responsibility.

In anticipation of a potential decision in 2014 regarding the future of the CRT, CBT is engaging Basin residents with the objective of increasing their understanding of the basic framework (content and structure) of the CRT and helping them prepare to effectively engage in any provincial CRT consultation processes. To reach this goal, CBT, in partnership with local governments and the CRT Local Governments' Committee, hosted a series of 11 face-to-face information sessions (an open house and dinner followed by a presentation and discussion), one school-based open house, 12 small-group presentations and three online information sessions between June 2011 and November 2011 to:

- increase the level of understanding and awareness of Basin residents around what the CRT is and how it works;
- update Basin residents on potential changes to the CRT currently being considered by Canada and the U.S.; and
- provide an opportunity for residents to have a conversation and share their perspectives around the future of the CRT.

Local knowledge and community networks were essential to successful planning and delivery of the CRT information sessions. For each session, a Local Organizing Committee (LOC) was formed and included representatives from local governments, chambers of commerce, groups and organizations. The LOCs helped refine local publicity tactics and ensured the session was tailored to meet its community's needs. CBT thanks the LOC volunteers for helping to plan, organize and advertise the CRT information sessions.

## NELSON INFORMATION SESSION

The information session in Nelson took place on November 14, 2011.

Approximately 150 people attended the open house and evening session, chaired by Gary Ockenden, CBT Director, Community Engagement. Ockenden emphasized the purpose of the session was to educate and inform people about the CRT. He noted that this was not a consultation; that is a responsibility of the provincial government.

The session began with a short slide show of CRT dams and reservoirs compiled by Eileen Parkes, a member of the LOC. Deb Kozak, City of Nelson Councillor and Chair of the CRT Local Governments' Committee, welcomed participants and noted that local governments from across the Canadian portion of the Basin have formed a committee to help Basin residents and elected officials build their understanding of the CRT and bring forward regional views, values and interests to provincial and federal agencies.

<p>Afternoon</p>	<p>Open house staffed by CBT.</p> <p>Displays: CRT overview, downstream power benefits, flood control, key CRT dates, future of the CRT, changes in water management, pre- and post-dam images, historical photos depicting lifestyles, landmarks and landscapes prior to the CRT.</p> <p>Documents: fact sheets and brochures.</p> <p>Multimedia: video on CRT basics, Google Earth flyover of local dam/reservoir, DVDs of CBT-produced CRT videos.</p> <p>Maps: local community map and 3-D map of entire Basin in Canada.</p> <p>Speakers' Corner: residents were encouraged to record their CRT thoughts on video to share across the Basin.</p>
<p>Dinner</p>	<p>Free dinner and ongoing open house.</p>
<p>Evening</p>	<p>Presentation and discussion with residents, CBT and resource people.</p>



CBT acknowledged the important role played by members of the Nelson District Rod and Gun Club, who expressed concern decades ago about salmon in the Columbia River. *From left:* Richard Green, Club President, and Kindy Gosal, CBT Director, Water and Environment.

Kindy Gosal, CBT Director, Water and Environment, led the presentation, acknowledging the past and encouraging people to think about building a better future. During the presentation, Gosal emphasized the following:

1. The purpose of the CRT is to coordinate flood control and optimize hydroelectric energy production in the Basin on both sides of the border.
2. The CRT has no official expiry date, but 2024 is the earliest some provisions can be terminated by either Canada or the U.S. (provided either country gives a minimum of 10 years' written notice).
3. In 2024 the Assured Annual Flood Control provision expires and the current On Call Flood Control provision changes to a Called Upon operation, if and when requested by the U.S.
4. The Canadian Entitlement—\$150 – 300 million US/year—stays in place as long as the CRT is in place. However, if the CRT is terminated, the Canadian Entitlement ends.
5. At this time no decision has been made by either country to terminate, renegotiate or modify the terms of the current CRT. Given the importance of CRT issues, both the Canadian and U.S. entities are completing ongoing studies.
6. CBT's primary role in regard to the CRT is to act as an information resource for Basin residents and local governments.

The following three resources, which can be found at [www.cbt.org/crt/resources.html](http://www.cbt.org/crt/resources.html), summarize much of the information presented:

- Video: [Columbia River Treaty: Learn About Our Past and Think About Our Future](#)
- Video: [Columbia River Treaty: The Basics](#)
- PowerPoint: [Columbia River Treaty Overview Presentation](#)

It was also noted that the completion of the Grand Coulee Dam in 1941 eliminated salmon in the upper Columbia River, long before construction of the CRT dams. The loss of salmon was both a cultural and spiritual loss to local First Nations, which remain committed to returning salmon into the river.

### Nelson Discussion and Top-of-mind Themes

Following the presentation, Gosal and two members of CBT’s Water Advisory Panel answered questions from Basin residents.

#### CBT’s Water Advisory Panel Members:

- Ken Hall, University of British Columbia; and
- Josh Smienk, CBT Founding Director.

The discussion, along with top-of-mind comments provided by participants on sticky notes before leaving the information session, focused on the themes summarized on the following page. The themes are organized alphabetically. No ranking is intended and themes do not necessarily reflect consensus. For a list of all the themes that emerged, visit this document’s Appendix.



*From left:* Kindy Gosal, Ken Hall and Josh Smienk answered questions at the Nelson information session.

**Benefits and Negative Impacts:**

How does the CRT positively benefit or negatively impact the Basin, the province and the U.S.? Agriculture in the Basin was impacted by the CRT.

**Climate Change:** The CRT needs to consider climate change and any potential change to water flows. In light of climate change, the future CRT should protect domestic water needs.

**Downstream Power**

**Benefits:** How are these calculated and do calculations include fish and wildlife impacts? Will Canada continue to receive the Canadian Entitlement after 2024? Do these benefits come to the Columbia Basin?

**Community Engagement:**

How will public input be incorporated into the process and decision making? How will decisions be made and who will make them? Basin residents need to have a voice and be heard.

**Compensation:** Is compensation adequate given the scale of impacts to the Basin in Canada? Financial compensation should come to the region, not to Victoria. Recent cuts to the Fish and Wildlife Compensation Program diminish the effectiveness of compensation in the region. Compensation should consider fish and wildlife impacts as well as agricultural losses. Have the Sinixt been compensated for the loss of submerged cultural sites?

**Flood Control:** What happens to Canada's flood control obligations after 2024 and what new flood control provisions are likely after 2024? Will the current Assured Annual Flood Control provision likely be renegotiated?

**Environment and Fish:** The future CRT needs to consider environmental issues and options to improve the environment. Restore salmon in the upper Columbia. Address fish barriers and install fish ladders.

**First Nations:** First Nations, including the Sinixt, need to be involved in the CRT process.

**Policy and Agreements:**

Will free trade (e.g., NAFTA) and security agreements with Asia and the U.S. impact the CRT and Canada's ability to manage water resources? Canada needs to meet domestic water needs.

**Negotiations:** What are the pros and cons of terminating and continuing the CRT for both countries? What would the U.S. want to change in the CRT? Who will be making decisions on the future of the CRT? Canada must be an equal player in negotiations. Find solutions for everyone.

**Operations and Dams:**

What is the lifespan of CRT dams? What are the maximum and minimum water levels? What will happen to Kootenay Lake levels after 2024?

**Power Rates:** Would consumer rates for hydroelectricity in the Basin change if the CRT terminates or continues?

Based on post-session participant surveys, 69 per cent learned a lot about the CRT and another 31 per cent learned a few things. This is in light of the fact that 69 per cent of participants considered themselves somewhat knowledgeable about the CRT prior to attending the session.

## FOR MORE INFORMATION

Further discussion of themes is available in CBT's *Columbia River Treaty 2011 Engagement and Education Summary Report*, located at [www.cbt.org/2011CRTSummaryReport](http://www.cbt.org/2011CRTSummaryReport). Answers to frequently asked questions are posted at [www.cbt.org/crt](http://www.cbt.org/crt), along with the Speakers' Corner video "[Voices from Kootenay Lake and Duncan Reservoir](#)," which captures CRT ideas and comments from Basin residents.

To learn more about the CRT, visit [www.cbt.org/crt](http://www.cbt.org/crt). Also visit the site to subscribe to CRT email updates.

## APPENDIX: NELSON THEMES

Each information session had written and oral opportunities for residents to share opinions and ideas and ask questions. In all, CBT was able to collect over 1,000 pieces of input. The Nelson themes are summarized below, while the themes from all communities are summarized in the separate document “CRT Information Sessions Summary Appendix: Residents Share Ideas,” located online at [www.cbt.org/2011CRTSummaryReportAppendix](http://www.cbt.org/2011CRTSummaryReportAppendix).

**CBT:** What is the future of CBT if the CRT is terminated? Is there anything more CBT can do to protect its local people, animals and habitat from further “colonizing”? Is CBT in conflict as a power producer by holding these dialogues?

**Climate Change:** May lead to water storage/quantity issues. Canada needs to have enough water for domestic purposes. Contribution to the overall water volume from the Basin in Canada will increase as the U.S. gets drier.

**Compensation:** What portion of downstream benefits return to the Basin? Regional compensation via downstream benefits should recognize/be based on the level of impact in the region. In the 1964 CRT, three of the four dams are in Canada, so that means that  $\frac{3}{4}$  of the cost to build and maintain those three dams falls to BC, but BC gets 50 per cent of those benefits. The U.S. contribution has been  $\frac{1}{4}$  or 25 per cent. Is it fair that the U.S. gets 50 per cent of benefits? More \$ to the Basin. Will waterfront owners be compensated for higher water levels?

**Downstream Power Benefits:** How are downstream power benefits calculated and why the variance between \$150 and \$300 million US? What is the relationship between flood control and downstream generation benefits? What effect will downstream generating benefits have on the renegotiation of flood control? Does Canada get downstream benefits if the U.S. opts out of the CRT? The downstream power benefits calculation needs to include fish, agriculture and habitat losses in Canada. What portion of downstream benefits return to Basin?

**Engagement:** Why don't all the people living along the Columbia River make the decisions, from Canal Flats, to Mica Dam to Astoria, Portland? How will the provincial government in BC and various agencies/jurisdictions in the U.S. incorporate public opinion and ideas? Everyone has a voice and there is hope all of the voices are heard, not the ones that are the loudest. What decision-making process will the Province use to reach its decision? What is the process? Do local residents have a say?

**Environment:** Make options for environmental improvement part of the renegotiation. Protect the environment and domestic water needs.

**External Agreements:** Will a new security perimeter treaty with the U.S. (Harper's agenda) affect this treaty, e.g., reduce sovereignty? Asian free trade agreements and other policies may make future meetings on the CRT more desperate as resources become scarce.

**External Context:** What is going on in the U.S.? Will Canadians identify issues? Do U.S. residents/stakeholders understand the impacts of the CRT in Canada?

**First Nations:** What is their involvement in CRT process? Will there be formal recognition of the Sinixt in the future? What is CBT doing to compensate the Sinixt for displacement and submersion of their lands and burial lands?

**Fish:** Restore salmon. Address fish barriers by installing ladders. Will the U.S. Endangered Species Act/policies enable Canada to install fish ladders?

**Flood control:** What does the U.S. get/pay for flood control if the CRT is terminated? Why not cancel now and save flood control costs? What happens to flood control post-2024? If the U.S. terminates the CRT, can Assured Annual Flood Control be renegotiated?

**Future of the CRT:** What are pros and cons of terminating the CRT? Can we change it again in 60 years or change it any time so long as we give 10 years' notice? What will the future look like?

**Impacts:** What is the CRT cost (or benefit) to BC/the Basin? Need to review environmental, agricultural and cultural impacts on both sides of the border.

**Kootenay Diversion:** Can the U.S. divert water out of Kootenay River south of the border at Libby (impacting Kootenay Lake flows)?

**Limerick:** There once was a river that flowed into a lake. Man built the dam, they made a big mistake. The fish, they died. People, had to hide. The States are eating our hydro cake.

**Negotiating Issue:** Can the U.S. ask for water? Power and money from power sales will mute the voices of Basin residents. The Great Lakes has been declared a commons and is developing a trust across the U.S. and Canada. Why not a Columbia River Commons Trust? Why would the U.S. continue or terminate? Canada needs enough water for domestic purposes.

**Negotiating Position:** Find solutions for everyone. What would the U.S. want to change in the CRT? What can we do to avoid signing away our water rights, to be an equal player, with equal right to agricultural prosperity, ecological health, energy, and flood control? How can we avoid being an enabler of U.S. prosperity at the expense of our own? Water and shortages, drought and lack of clean portable water should be more important than power and flood control. Where are the levers of power?

**North American Free Trade Agreement and the CRT:** Is the North American Free Trade Agreement relevant?

**Operations and Dams:** What is the power production at Libby and what is the percentage of total storage in Kooconusa? Why does Canada need Duncan Dam when it represents such a small part of total storage? How safe is 61-year-old Duncan Dam? Generate power at Duncan Dam? What is the lifespan of the dams? What would operations look like if managed for ecological values? Would Canada be better off if the dams were higher up?

**Power Pates:** Would rates change if the CRT were terminated vs. continued?

**Roles:** Who has a voice? How will the provincial government in BC and various agencies/ jurisdictions in the U.S. incorporate public opinion and ideas? Who makes the final decision?

**Sinixt:** Involvement in CRT process? Formal recognition of the Sinixt in the future? What is CBT doing to compensate the Sinixt for displacement and submersion of their lands and burial lands? Role in process?

**Water Levels:** What are the maximums and minimums? What will happen to Kootenay Lake levels after 2024?



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