



2nd Floor, Provincial Building  
200 - 5th Avenue South  
Lethbridge, Alberta  
T1J 4C7

Telephone 403-381-5562  
Fax 403-382-4428  
E-mail Cheryl.Dash@gov.ab.ca

## **MEETING NOTES**

### **OLDMAN RIVER BASIN ADVISORY COMMITTEE**

#### **The South Saskatchewan River Basin Water Management Plan**

**Date:** 07 and 08 November 2001  
**Location:** Provincial Building, Lethbridge

#### **Attending:**

- Sector Representatives and Alternates:

<u>Sector:</u>	<u>Representative, Alternate:</u>
Headwaters Rural Municipalities:	Brian Hammond, Rod Cyr
Downstream Rural Municipalities:	Hank Van Beers (07 only)
Headwaters Towns and Villages:	Ralph Bourque
Industrial:	Greg Nikles (07 only)
Other Agriculture:	Larry Nolan
Ecosystem Protection:	Cheryl Bradley, Cheryl Fujikawa (07 only)
Downstream Towns and Villages:	Duncan Lloyd
City of Lethbridge:	Doug Kaupp
Recreation:	Jim Clarke
Irrigation Agriculture:	Stan Klassen (08 only)

#### **Absent:**

First Nations: Rick Yellowhorn  
Oldman River Dam EAC Liaison: Henry Bosman (at final EAC meeting)

#### **Alberta Government staff:**

Doug Ohrn, Basin Coordinator, Environment  
Cheryl Dash, Community Relations Officer, Environment  
Alan Pentney, Regional Director, Environment (part) (07 only)  
Dave McGee, Water Manager, Environment (part) (07 only)

---

---

#### **Meeting Topics:**

##### **1. Welcome and Introductions**

##### **2. Review Agenda**

##### **3. Administration**

- Members were asked if they had received the mail-out. Both Hank Van Beers and Duncan Lloyd had not received the mail out yet (but it should be in the mail).

- Reminder to all BAC members to submit expense claims to D. Ohrn or C. Dash by the end of the year if you are claiming for mileage, meals or accommodation. Those organizations that are able to cover expenses of members are encouraged to continue to do so.
- Copies of Dave McGee's presentation on Oct. 10 at the Joint BAC meeting have been requested by Cheryl Bradley, Brian Hammond and Greg Nikles.
- The video of the joint BAC meeting is not ready. We will try to get this done by end of next week (November 16, 2001).
- Alberta Environment will be hosting the webpage for the South Saskatchewan River Basin Water Management Plan. Some information will hopefully be posted by Friday November 9, 2001.
- Discussion over the possibility of the Oldman BAC starting a list server took place and general agreement was that it's not necessary at this time. The BAC felt the website could serve as an avenue to get information out to interest groups. Oldman BAC members would like to have the information on how to access the Bow and Red Deer River BAC's list servers.
- DRAFT minutes were approved – no comments received.
- Water Availability Information Package was reviewed and discussed. Extra copies were made available to members.

### **Preliminary Advice from the Oldman River BAC**

The following points have been brought forward and discussed to varying degrees by committee members, but that there was not an attempt to reach general agreement/consensus on all points nor to prioritize the points raised.

#### **1. Matters & Factors that the Director should consider when reviewing applications for water allocation transfers:**

- Transfers should not negatively affect third parties.
- Sustainable development and water conservation efforts should be rewarded and be the responsibility of all water users in the basin.
- The market or economic situation at the time will provide the impetus for a water transfer and the purpose of the transfer.
- A water licence not being used completely can be used for the greater good by providing an additional source of water. For example, an urban area could pay for conservation in an irrigation area in order to receive the water made surplus. These conservation efforts can create a type of credit system in which a transfer or additional transfers of water to occur (remembering that part of a licence can be transferred).
- Possible compensation from a transferee or transferor to third parties who could suffer harm. Ideally those parties involved would be satisfied before the transfer takes place.
- Transfer of a licence to an environmental group to remain 'for' the environment. The process for this to happen could be having the transfer of the licence to the Crown, and then the Crown in turn could not re-allocate it. Water would remain in the system for the environment to maintain the WCO or the IO. Priority would remain.
- Many aspects of the aquatic environment should be considered in evaluating the effects of a transfer. Consideration should be given to instream needs and there should be the flexibility to deal with each situation on a case-by-case basis.
- River reaches that are stressed should not have additional allocations allotted. Protection of the aquatic environment should be a major consideration.
- All water users should have water use plans in place prior to transfers taking place. Existing users should also consider developing water use plans to increase efficiency for the overall conservation of water in the basin. These water plans must be in place prior to the transfer being approved.

- A water conservation element could be included in a new licence as a result of a transfer.
- Upstream transfers should be automatically approved, so upstream areas with no storage or senior licences can obtain water. Would upstream users benefit if there is not enough water in the system?
- Water is a crown resource and all Albertans have an opportunity to share in the resource. Therefore, monetary compensation or markets should not be the only reason for transfers. It is the responsibility of the Director to consider all factors and criteria when reviewing a transfer.
- The sale of transfers or movement of water out of the province (interprovincial or international) should not be allowed. Steps and measure to identify these possibilities need to be developed.
- The level of public interest should determine the public process for public comments (e.g. on concerns for biological life). Who speaks for the environment? This information and public process should occur prior to the appeal process. The time allowed for public review should be re-examined.

## **2. Water Conservation Holdbacks:**

- Should there be holdbacks on temporary transfers?
- Should there be holdbacks on permanent transfers?
- Holdbacks may have a different formula when the transfer goes downstream (which is likely to benefit the aquatic environment).
- Impediment to transfers – especially if 10% withheld each time – particularly in the case of temporary transfers?
- Hold back only when WCO (to be established in Phase 2) is not being met
- Holdback only if aquatic life benefits (no need to holdback in river reaches where instream needs are being met).
- If licence is a gift to the Crown for aquatic environment – no holdback
- For the first year – 1-10% holdbacks (once transfers are authorized) should be withheld for the aquatic environment in stressed reaches; but for tourism, recreational, transportation, waste assimilation uses, water should be withheld only if a WCO is established (WCO's to be established in Phase 2).
- Government withholds up to 10% right away, but returns later if not required for aquatic environment or WCO (Phase 2)
- For long-term temporary and permanent transfers no holdbacks if diversion point moves downstream, unless a stressed reach downstream of the new diversion point could benefit.
- Holdback highest when stream need is highest.
- Need to have specific parameters (members can add to ideas for parameters) for Director to guide amount of holdback (1-10%). This may belong in Phase 2

## **3. Future Evaluation of Transfers System:**

- Is the aquatic environment improving? There are many parameters to consider.
- The volume of the holdbacks per year.
- The number of transfers per year, per section of river.
- Average length (time) of a temporary transfer.
- Number of permanent and temporary transfers.
- Utilization of new licences.
- Trends in uses.
- Track if licence/transfer is being used for the licensed purpose.
- Deterioration of water quality at return flows.

- Track actual number of licences held by one person or company (monopoly concerns).
- Track the number of holders associated with volume. Again ensuring that there is not an individual or company holding the majority of transfers. This should be determined by volume not by number of licences.
- How many transfers are upstream as well as downstream?
- The number of appeals. Wins and losses.

#### **4. Topics for future phases of the SSRB Water Management Plan:**

(none identified at this time)

#### **5. Points to be addressed outside the SSRB Water Management Plan**

##### **Points concerning the Water Act:**

- Change Water Act to allow holdbacks for use of domestic use, industry, etc.
- What are the international or interprovincial implications of water allocations transfers?
- According to the Act...what is a directly affected party?
- Re-examine the public process for transfer applications.
- There should be more than one person involved in the decision making process of the transfer application. A council or committee should be developed.
- Temporary diversion – less than 10 years and then holdback returned.
- What does temporary mean? Are there minimum and/or maximum periods of time?

##### **Points concerning provincial water management policy:**

- There could be a grant system to get low risk water for municipalities.
- Municipalities should be provided with information and assistance in developing a type of incentive program for off stream storage.
- The ‘Fundamental Life of the Community’ should not be placed in jeopardy because of water shortages. A reasonable quality of life ensuring emergency services, enough potable water, and requirements for basic household needs should be guaranteed. In this process a minimum amount of water identified for all traditional water users and all municipalities should be developed. If these levels are not met, steps to rectify the situation should be a priority of the Government. In addition all urban centers (regardless of size) should be considered equal in the ‘allocation’ of minimums of water.
- The Government is responsible for providing these basic needs and in turn responsible for buying transfers to meet these needs. Decisions on who has first right to purchase transfers in order to achieve these basic needs or quality of life need to be held (Should the government have first right?).
- Minimum water supplies to allow for the fundamentals of life and allowing for population increases should be reserved.
- There should be a process in place to ensure that growth and sustainable development is not hampered in municipalities.
- Government could buy licences back to leave water in stream.
- High risk licences (should AENV continue to issue high risk licences?)
  - Depends on location
  - Some businesses may need water only infrequently
  - Especially if have storage
  - Not on stressed rivers -
  - Director may consider risk and make it clear to applicant

- If there are more new junior licenses, in times of water shortage, the senior licences may be less inclined to engage in water sharing.
- Climate change must be taken into account.
- 10% withholding total – for aquatic environment as well as for future consumptive use.
- Upstream of Oldman River Dam storage is needed for the benefit of upstream users. Other tributaries may need storage options as well.
- Conservation efforts/use should be included in a review of existing licences.
- Enforcement and monitoring – ensure there is enough staff to monitor users specific to their licences.
- Water transfer exchange / water pool: There may be a role for government in this.
- Is there a place to post the availability of transfers...governments or municipalities?
- Review public involvement – allowing public enough time to access information about applications for transfers – increase the level of profile.
- More consultation in the planning process needs to be provided to ensure that all users and basin residents are informed.

---

---

These minutes were prepared by Cheryl Dash (403-381-5562). Please advise if there are any errors or omissions.

Copies to:     BAC Coordinators  
                  All attendees