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## **MEETING NOTES**

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

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

**Date:** 29 November 2001  
**Location:** Provincial Building, Lethbridge

#### **Attending:**

- Sector Representatives and Alternates:

<u>Sector:</u>	<u>Representative, Alternate:</u>
Headwaters Rural Municipalities:	Rod Cyr
Downstream Rural Municipalities:	Garth Bekkering
Headwaters Towns and Villages:	Ralph Bourque
Industrial:	Greg Nikles
Other Agriculture:	Larry Nolan
Ecosystem Protection:	Cheryl Bradley
City of Lethbridge:	Doug Kaupp
Recreation:	Jim Clarke

#### **Absent:**

First Nations:	Rick Yellowhorn
Oldman River Dam EAC Liaison:	Henry Bosman
Downstream Towns and Villages:	Duncan Lloyd
Irrigation Agriculture:	Stan Klassen

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

Doug Ohrn, Basin Coordinator, Environment  
Cheryl Dash, Community Relations Officer, Environment

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#### **Meeting Topics:**

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

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

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

- There was some discussion about holding another joint BAC meeting in January to review the plan and to brainstorm ideas for phase 2. BAC members are in favour of another joint meeting.
- Public involvement for phase 1 was reviewed and it was identified that there would be one open house in Lethbridge for the Oldman River Basin. There was some discussion about possibly

holding a session in Pincher Creek if there are a large number of questions or concerns from the headwater groups. Ralph Bourque will distribute information and let Cheryl and Doug know if a meeting is required.

- 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.

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

The points listed below are not in order of priority.

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

- Effects on third parties. 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.
- Effects on the aquatic environment. No harm should occur to the aquatic environment as a result of the 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.
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- The transfer application should be accompanied by a water management plan which includes a conservation/efficiency component. These plans must be in place prior to the transfer being approved.
- 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.
- A high level of public interest within the basin should be considered in reviewing a licence transfer.
- The Director MUST consider all of the matters and factors currently identified in the Act 82(5).

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

- There should be no holdbacks on a temporary transfer less than or equal to five years.
- There should be holdbacks on permanent transfers, up to 10%, where it is needed to meet INs or WCOs.
- If licence is a gift to the Crown for aquatic environment – no holdback.
- In the absence of WCOs, 1-10% holdbacks (once transfers are authorized) should be withheld if it will benefit the downstream aquatic environment; 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).
- Holdback variances, if there are any, should relate to water yield trends, not necessarily related to individual years.
- There should a list of publicly available criteria to be used in decisions about the amount of water to be withheld in a transfer.

#### **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 – separate commercial/industrial from domestic in municipal uses.
- Track if licence/transfer is being used for the licensed purpose.
- Monitoring water quality at all return flows (including in urban areas).
- Track actual number of licences held by one person or company (monopoly concerns).
- Track the number of holders associated with volume. This should be determined by volume not by number of licences.
- How many transfers are upstream as well as downstream.
- The number of appeals. . Outcomes.
- Track conservation practices in water use plans.
- Track the progress of achieving or meeting INs (by km of river).

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

- Off stream storage – other storage options.
- On stream storage.
- Identify barriers and opportunities to the highest and best use – for example Government subsidies.
- Water as a limiting factor for the basin (patterns of growth, etc.). What are the implications.

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

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

- Change Water Act to allow up to 10% holdbacks for municipal use not just for the aquatic environment.
- Ensure that there are no international or interprovincial water allocation transfers.
- According to the Act...what/who is a directly affected party in an appeal? Who speaks for the environment or other matters of public interest with respect to transfers?
- Should there be more than one person involved in the decision making process of the transfer application? An advisory council or committee should be developed.
- Does the definition of temporary transfer need to be added to the Act?

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

- There could be a grant system to get low risk water for municipalities.
- Consider the need to provide municipalities with information and assistance to maintain or develop water 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. 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.
- (add to point before)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?).
- (add)Minimum water supplies to allow for the fundamentals of life and allowing for population increases should be reserved.
- Government may need to buy licences back to leave water in stream.
- Should AENV continue to issue new allocations, even if they have a higher degree of risk?
  - 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
- Existing licence applications should be processed (not necessarily granted).
- Moratorium for 5 years or until water management plan is completed.
- Climate trends must be taken into account when modeling scenarios – driest and wettest (precautionary approach).
- Upstream of major storage facilities some new storage may be needed.
- Conservation efforts should be encouraged through a variety of means (i.e. education, awareness, incentives, etc.).
- Public awareness of the water situation in the basin should be increased.
- Enforcement and monitoring – ensure there is enough staff to monitor users specific to their licences.
- Consider a mechanism for public posting of available water as a condition of an intent for a water allocation transfer. Allow public enough time to access information about applications for transfers – increase the level of profile. There could be a legal requirement that allocations being offered for transfer be advertised for a period of time before an application for a transfer will be accepted.
- The market or economic situation will generally provide the impetus for a water transfer and the purpose of the transfer. Water is a Crown resource and all Albertans have an opportunity to share in the resource. Therefore, monetary compensation or markets may not be the only reason for transfers. It is the responsibility of the Director to consider all factors and criteria when reviewing a transfer.
- Transfers should be conducted on a volume basis – not acreage. The Director needs to consider rate and timing.
- Transfers of a licence ‘for’ the aquatic environment. A licence would be transferred to the Crown, and 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.
- River reaches that are stressed should not have additional allocations allotted. Protection of the aquatic environment should be a major consideration.
- Existing users should consider developing water use plans to increase efficiency for the overall conservation of water in the basin.

### **In Good Standing**

- The variability of weather (wet and dry years), related to use, needs to be considered in determining ‘good standing’.

### **Other**

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

Copies to: BAC Coordinators and members.