



## SUSTAINING WATER FOR NATURE

### EXAMPLES OF WHERE IT IS HAPPENING



**NECHAKO RIVER:** Alcan constructed the controversial Kenney Dam on the Nechako River in the 1950s to power its aluminum smelter in Kitimat. This dam has permanently altered flows and ecosystems downstream on the Nechako River.<sup>41</sup> In 2011 the company was charged with one count each of harmful alteration of fish habitat and destruction of fish under the federal *Fisheries Act*.<sup>42</sup> First Nations have also launched legal challenges against Alcan for impacts stemming from disrupted environmental flows.<sup>v</sup>

**THOMPSON RIVER\*:** The Thompson River steelhead run has been steadily declining, and the 2016 return is estimated to be an all-time low. There are many threats to the steelhead, including low water conditions in the Thompson River caused in part by diversions for agriculture, and pollution from agricultural run-off and industrial development.<sup>43</sup>

**BEAVER LAKE RESERVOIR SYSTEM:** Although some of the water bodies that make up the Beaver Lake (Swalwell Lake) reservoir system were deemed fully allocated in 1931, the Province issued 500 additional licences on the reservoirs since then, including 14 in 2012 for domestic purposes.<sup>49</sup>

**COWICHAN\* & PUNTLEDGE RIVERS:** Due to extreme low flows in the Cowichan River in 2012, spawning salmon had to be trucked up river when sections of the river became too shallow for fish passage.<sup>44</sup> The same thing is happening again in 2016 and is eroding the long-term health of the river.<sup>45</sup> A similar scenario unfolded on the Puntledge River in 2012: B.C. Hydro set a conservation flow lower than the minimum requirement for salmon spawning and migration, and fish were trucked up river.<sup>46</sup>

**FRASER VALLEY\*:** A 2016 study found that the hundreds of small floodgate structures in the lower Fraser River are destroying habitat and habitat connectivity for salmon and native fish species, and creating conditions favourable for non-native fish species.<sup>47</sup> The Nooksack dace, an endangered species found in only four streams in Canada in the Fraser Valley, also faces dwindling habitat due to water quality degradation from intensive agricultural land use, and streamflow disruption from diking on the Fraser River.<sup>48</sup>

<sup>v</sup> In September 2011, the Saik'uz and Stellat'en First Nations filed an action in the B.C. Supreme Court claiming that Alcan's operation of the Kenney Dam harmed the Nechako river and fisheries, and that these actions constituted private nuisance, public nuisance, and a breach of the First Nations' riparian rights. While the Supreme Court agreed with Alcan to dismiss the case, the First Nations appealed this decision and won—they will now advance their claims again in the B.C. Supreme Court. See Mandell Pinder. (2015, April 17). Saik'uz First Nation and Stellat'en First Nation v. Rio Tinto Alcan Inc, 2015, BCCA 154 – Case Summary. Retrieved from <http://www.mandellpinder.com/2015-bcca-154-case-summary>

\* These rivers are also on the Outdoor Recreation Council of British Columbia's 2016 endangered rivers list.

This map is taken from the report: Simms, R. & Brandes, O.M. (2016, September). *Top 5 Water Challenges that will Define British Columbia's Future*. Victoria, Canada: POLIS Project on Ecological Governance, Centre for Global Studies, University of Victoria. Available at <http://poliswaterproject.org/topfivechallenges>. See full report for citations for each of the issues noted on the map.