

Independent Power Projects Community Workshop

By Sally Paddock

****The time allotted for each session may vary depending on the total amount of time reserved for the workshop**

****Location of the workshop will vary and will be chosen in consultation with community members. Accessibility of the location and scheduled timing for the workshop will be considered and every effort will be made to ensure that the workshop is conveniently located and timed for as many community members as possible.**

Introduction (Read Aloud)

Critics of British Columbia's Run-of-River Independent Power Projects (RoR IPPs) have referred to the recent sell-off of the province's rivers as the “new gold rush;” they believe that the hundreds of water licenses that are being sold around the province will only lead to increases in the cost of power for residents of British Columbia, will strip the province from any future control over the rivers, are already undermining the processes of democracy, and will not fulfill the promise of renewable energy that the Liberal Party of British Columbia purports to be committed to. Proponents of the RoR IPP's, however, believe that the projects are the environmentally cleanest form of energy available and that they provide good business for the province. Political incumbents, media personnel, scientists and environmental activists are all currently involved in the decisions that are bringing rapid and irreversible changes to the citizens of British Columbia.

Communities and community members, however, have also played a vital role in decision-making regarding IPPs and need to continue to make their voices heard and to be involved with decision-making now and in the future. It is the communities and individuals of the province who will suffer or benefit from IPP decisions in the years to come. This workshop, then, is designed to bring community members of every age, gender, political persuasion and ethnic background together in an attempt to share ideas about IPPs and to work together towards common community goals.

The purpose of this workshop is threefold: 1) To understand how the proliferation of the Run-of-River (RoR) Independent Power Projects are affecting and will affect individuals, groups and various organizations within the community, including First Nations community members; 2) To learn how to better communicate our various interests, concerns, ideas, resources and skill-sets with each other; and 3) To generate ideas and plans of action regarding the RoR's in order to establish common sustainable goals which we can work towards as a community.

Session One – Brief Introductions (15 minutes)

Everyone will be given a chance to introduce themselves and to briefly explain what prompted them to come to the workshop. Depending on the number of participants, this may be done in smaller groups or with the larger group.

Session Two – Overview of RoR IPP's in British Columbia (30 minutes)

Presented by Sally Paddock (and other organizers TBA)

Presentation Outline: “Who Are the RoR Players?”

Government: Specifically the provincial government (Liberals); federal government tangentially involved

- BC Hydro has traditionally a publicly owned and operated its energy industry. Since 1994, it has provided \$8.8 billion in revenue to the province for infrastructure, social programs, etc.
- In the 1980's, the gas division was sold but foreign ownership of any divisions of BC Hydro was prohibited. This changed when the BC Liberals came to power in 2001; Kinder-Morgan (U.S. Based) bought the gas division.
- Also in 2001, 1/3 BC Hydro sold to Bermuda based Accenture
- In 2002, power generation was the last segment of the publicly owned and operated company which was publicly owned and operated; this, despite 75% of BC residents opposing privatization of power (www.citizensforpublicpower.ca/issues/bc_hydro)
- Personal Conclusion: The BC Liberal party supports the proliferation of the IPPs so vehemently, and against the public will, because there is a direct increase in party support from the corporate sector and the Liberals receive immediate funds from the water licenses (\$5000 - \$10,000). IPP's must sell energy back to the province at fixed rate for a fixed term (10-40 yrs) but after this period is up, what happens to the rivers, the energy and the IPPs is no longer under public control or subject to public scrutiny
- Currently, the electricity rate for residential customers in British Columbia is the 2nd lowest rate when compared with all major cities in North America

Scientists: Presumably engineers, fish and wildlife biologists, those conducting environmental assessments, and others.

- Very little information provided on scientific involvement or comment, that I have read about as a non-specialist. 49 Megawatt and less IPPs do not require an environmental assessment. (See the Ashlu “49-Megawatt” outcry)
- Each IPP is required to environmentally monitor their own project, but it is up to each owner/developer how they do that and who they contract to do it. There have been complaints.

Example: Miller Creek Oil spill, disappearing of Harlequin ducks and tailed frogs, an alarm malfunction which caused water depletion, stranding fish, etc.

- You will see on one of the documentaries in the resource section at the bottom that a proposed project developer reported that there was a barrier which migrating fish could not trespass, and the documentary-maker found some fish that had indeed passed over the barrier.
- The Navigable Waters Protection Act (NWPA), a required environmental assessment at a federal level, will be talked about later.
- Major Complaint/Concern: there has been no comprehensive, large-scale study on the environmental impact of these projects. Studies have only been done on a case-by-case basis (if at all). No such study is planned, either.
- Personal Conclusion: Cashing in on the “green” and “renewable” labels.

Industry: Any IPP developer, owner, administrator, etc.

- Some IPPs are very large: Plutonic, now 50% owned by GE; a major contributor to Liberal party
- Some IPPs are very small: Different First Nations have received grants from EcoTrust and Local granting agencies and municipalities; some IPP's are locally-based developers. These IPPs are generally proposing projects in the 5-10 Megawatt range; there is one IPP in a First Nation community that had previously been relying on a diesel generator.
- Personal conclusion: It is not a case of “public good, private bad”. But it is poorly planned and incapable of being monitored.

First Nations: As titled land owners, distinctly governed; as IPP developers themselves

- This is outlined in detail in the Jack Woodward Video, found in the resource section
- Major Points: No treaties have been signed in British Columbia, this is unique for Canada and the United States; it means that land and resources in the province have always been in dispute, and never legally appropriated by the province. Before 1951, it was illegal for First Nations members to approach courts. Now, more than 100% of land in British Columbia is involved in land-claims
- A 2007 case was the first to set a benchmark in the courts for how land-claim disputes would be settled. 45% of claimed territory was given in title which means full ownership and full rights

to economic potential were granted to the First Nation. 100% of the claimed land was granted for First Nation rights which include a requirement on the part of federal government to do wildlife assessments BEFORE projects.

- The Province of British Columbia, then, is knowingly selling land and water rights under penalty by the court. Taxpayers of the province will have to compensate in the future for the illegal acts of the Liberal government. The Supreme Court has said that the Liberals are “skating on constitutionally-thin ice”
- There is further confusion regarding which First Nations government body is responsible for negotiating leases or deals for land/water. Elected band councils usually just have rights, under the Indian Act, to make decisions that involve reserve land; Hereditary Chiefs usually have decision-making authority over off-reserve territories. For outside investors: Both the land and the party making the deal are in dispute and court decisions are only a matter of time.
- Personal Conclusion: This affects all British Columbia residents. IPP's are potentially a good thing for First Nations communities. But how the province is conducting many of the decisions is also illegal. Some First Nations have been intimately involved with other community activists in trying to halt projects. Others are participating in projects. There are over 200 different First Nations in BC.

Communities: Taxpayers, utility customers, voters, community infrastructure, whole municipalities, possible IPP owners, recreationalists, etc.

- All British Columbia residents are affected by this: taxpayers could potentially lose provincial income generated from BC Hydro and previously designated for infrastructure and social services; taxpayers could potentially have to compensate for the selling of illegal water licenses. Taxpayers could also become IPP owners themselves.
- Utility costs will likely rise, especially in the long-term; a certain percentage of “renewable energy” may be required in the future, but there is no reason why that can't be a public energy.
- Regional districts have lost their re-zoning authorities for IPPs since 2006. The Squamish-Lilloet Regional District (SLRD) rejected a proposal for the Ashlu project based on community and environmental concerns. In response, the Liberal government passed Bill-30 which took re-zoning authority out of municipalities rights. Community involvement and the democratic process was ignored and usurped. These decisions are also affecting recreationalists, roads are being destroyed, etc.

Activist Groups: Wilderness committees, kayakers (NWPA), concerned citizens, lawyers, first nations groups, journalists, etc.

- In the resource section, you will find many activist groups. There are many groups with titles like “Save Our Rivers,” “River Alliances”, etc. You will notice that many kayakers are involved as well. Yes, kayakers are concerned about their own recreational rights. But recreationalists in BC are also some of the most environmentally-aware and active groups of people in the province. Many become involved in their sports because they are low environmental-impact (climbing, skiing, etc) sports. Kayakers also play a politically important role
- Canadian NWPA: since late 19th century, the NWPA ensured that any proposed obstruction to navigable waters went through an approval process of the Ministry of Transport. The Ministry of Transport then was required to conduct an environmental assessment. Public consultation was required. Many projects over the last years and decades have been approved, but what is important was that proving that a waterway was navigable (hence, the kayakers) ensured that an environmental assessment and public announcement for any proposed project took place. Under new budget proposals (for purposes of economic stimulus plan), a proposal for changing the NWPA is included. The proposal says that it is at the discretion of the Minister of Transport to classify any waterway as worth protecting or not. Any bridges or dams or “bombs” do not necessarily need approval and therefore they do not need an EA. Public consultation would no longer be required for purposes of speeding up projects and cutting through red-tape.

Session Three – Group Discussions (60 minutes)

Before we split into groups, each workshop participant will first be given an opportunity to write down or gather their own thoughts about why they came to the workshop, why they are interested and/or concerned about the RoRs and how they feel the RoRs will affect them directly as individuals, and how RoRs will affect their communities, their province and future generations of the province.

Groups of 2-5 people will then get together and share their perspectives and discuss how their various perspectives are related (how they are similar and different). After about 20 minutes, participants will again gather and each group will be given time to share their various perspectives with the larger group.

Break (10 minutes)

Session Four – Abbreviated Research (75 minutes)

The purpose of this session is to allow participants time to research their personal and group interests and concerns by exploring ways that other communities around the province have responded to similar concerns. Based on the interests and concerns that were voiced in session three, workshop organizers will direct participants to various websites including those of political parties, non-profits, community groups, news agencies, databases, researchers and correlative international sites. Hard-copies of various articles will also be available. Participants will be encouraged, ahead of time, to bring laptops; extra laptops and materials, however, will also be available.

After a 45 minute research period, the larger group will then gather and each group will be given time to discuss any relevant material or ideas they came across. By exploring information, events and projects outside of the community, the hope is that ideas for local action can be sparked.

Session Five – Brainstorming Action Plans (60 minutes)

Based on the previous session, each group will again split up to discuss particular actions or goals for the local community regarding possible RoR projects in the area or in neighboring areas of the province. After about 15 minutes, the larger group will come together again to share ideas for action.

Depending on the size of the larger group, total ideas should be limited to approximately ten ideas. Again, depending on the size of each group and number of participants, each group must choose their top 2-3 ideas to submit to the entire group. There will be a brief discussion period devoted to outlining what would need to happen for each idea to be pursued or accomplished, including materials, financial resources, time commitment, number of people involved, etc.

Each workshop participant will then be asked to rate which ideas they feel they would personally like to pursue. Each participant will get three votes. They can apply their three votes to three different projects, all to one project, etc. There will then be a larger discussion about the resources, finances, commitment-level, skill-sets, etc. which will be needed to pursue the action that was rated highest. The aim of such a discussion will be to encourage workshop participants to pursue that particular action. Of course, as each participant becomes more familiar with each other and the various interests of the group, participants would also be encouraged to explore other actions apart from the chosen action of

the workshop.

It is likely in a community of diverse interests and individuals that opinions will vary and that the highest rated action plan will not necessarily be popular with everyone. A trained workshop facilitator will be on-hand to help with this process but there will also be discussion on how the interests of each community member can, potentially, be met with the agreed upon project.

Evolving Resources for Research and Information

1.

<http://www.ippbc.com/> The Independent Power Producers Association of BC

This is the website of IPP industry members. Personally, I would check out "Quick Facts" and "Members in the News" (contains articles of minor and major players, including local businesses and corporations like GE) in the Industry News tab. I would also look into seeing what it takes to join the association in order to get privileges to all of the site. Other points of interest, for me at least, are all the articles and attention on the site devoted to trying to subdue fears of the public. For me, that means that the public is doing a pretty good job of being heard.

2.

<http://www.bc-creeks.org/index.php/category/third-party-articles/> Scroll to video "Jack Woodward on Tsilhqot'in Nation" (June 12, 2008); other resources are also on this page.

I have found this video to be the best and most condensed introduction to many First Nations issues in British Columbia, including history, politics, law and civil rights. The speaker (a lawyer) is primarily reflecting on one recent case and how it will play a large role in the future of IPPs in the province. I found the video strangely riveting and informative. As a warning, though: it is a video of one guy speaking to a camera for about 45 minutes.

3.

<http://www.ippwatch.info/w/>

Contains a VERY brief history of the hydro industry in British Columbia, but it has good maps, statistics of active and licensed IPPs and other resources.

What I found most informative was, under Resources, the "Integrated Land Management Bureau" (Resource List); "Political Contributors Search List" (Political Resources); "Private Power Producers".

4.

<http://www.citizensforpublicpower.ca/issues/water> Another citizens group site containing valuable resources. The article on this page is a good summary of the issue. Specific attention should be made of the Ashlu Project in the Squamish-Lilloet Regional District. A quick online search of the controversial Bill 30 for British Columbia will elaborate on this issue.

The documentary at the end of this article "49 Megawatts" is an impassioned plea by a local guy at a citizens' meeting for the public to take a stand. The resources site on this website is also useful, especially the "Fact Sheet".

5.

<http://www.bc-creeks.org/index.php/tla-o-qui-aht-plan-green-power-project/#more-159>

An example of a First Nations community initiating a small IPP in their territory.
Many other articles on this site as well.

6.

<http://www.youtube.com/watch?v=WPtdgUqr4o&feature=related>

<http://www.youtube.com/watch?v=brHBeFb3qw0>

If you want more aesthetic, personal, and shorter videos to watch, here's two of the many youtube videos made by local kayakers, regarding the Ashlu dam / Bill 30 issue. Approximately 5 minutes each. I recommend the first one.

<http://www.youtube.com/watch?v=PTAghi3wcsM&feature=related>

You can compare the above videos with this Youtube video of Plutonic power which has entered into a 50/50 profit sharing agreement with GE for RoR IPPs.

7.

<http://water.usgs.gov/waterwatch/>

Website of the US Geological Survey, including information on real-time monitoring of water flow data in US rivers

8.

<http://www.lwbc.bc.ca/03water/licencing/>

This site outlines the required process for obtaining a British Columbia water license.

9.

www.raincoastresearch.org and www.adopt-a-fry.org

Websites describing the work of Alexandra Morton, a biologist who has been researching the wild pacific salmon populations off the the coast of British Columbia for years and who has been raising money to obtain a moratorium on coastal Atlantic salmon fish farms.

10.

www.bcliberals.com and www.bcndp.ca

Websites of the BC Liberal party and BC NDP party, respectively.

11.

www.icacan.ca

A website for positive social action, including information for youth leadership workshops.

12.

<http://www.grmw.org/projects/monitoring.shtml#grmw>

Website for the Grande Ronde Model Watershed which describes its water-monitoring procedures

Action-Plan Suggestions from previous workshops:

Acquire US Geological Survey flow monitors as a tool to publicly monitor water-levels of streams and rivers where RoR's are located.

Research what is required to acquire an IPP water license

Find out how local universities are participating in research, especially regarding a province-wide environmental assessment.

Research the process of obtaining a province-wide moratorium on new RoR projects. A comparison with the recent moratorium on salmon farms is a good starting point.

Discuss opponents: Who is going to "hate" the actions.

Research results of the privatization of other public resources or services, like health, education, etc.

Action Plan Draft Example: Public Flow Monitoring of RoR IPPs

Needs: Flow Monitors (Money); GIS Software and Technical Expertise (Money and Community Commitment); a website; educational workshops on how to read/understand the data (Money and Personal Commitment); access to IPP projects across the province to install flow monitors; legislation permitting the use of the the monitors; continuous financial support; networking with community and activist groups across the province to for the sharing of information and information interpretation.