

# Alberta's Perspective on the PPWB

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# Outline

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- **Overview of Schedule A between Alberta and Saskatchewan**
- **Roles and responsibilities of the provinces**

# Schedule A between Alberta and Saskatchewan – surface water apportionment

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- Equitable apportionment of shared waters between Alberta and Saskatchewan
- Saskatchewan then shares with Manitoba  $\frac{1}{2}$  of what they receive from Alberta and  $\frac{1}{2}$  of what arises in Saskatchewan
- <http://www.ppwb.ca/information/110/index.html>

# **Schedule A, section 2**

**At the border / below confluence of S. Sask R/Red Deer R**

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**2.**

**(a) The parties hereto shall mutually establish a method by which to determine the natural flow of each watercourse flowing across their said common boundary.**

**(b) For the purpose of this agreement, the said natural flow shall be determined at a point as near as reasonably may be to their said common boundary.**

**(c) Notwithstanding sub-paragraph (b) the point of which the natural flow of the watercourses known as the South Saskatchewan and Red Deer Rivers is to be determined may be, at the option of Alberta, a point at or as near as reasonably may be below the confluence of the said two rivers.**

# Schedule A, section 3

## Alberta can divert water to meet apportionment

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**3. Alberta shall permit a quantity of water equal to one-half the natural flow of each watercourse to flow into the Province of Saskatchewan, and the actual flow shall be adjusted from time to time on an equitable basis during each calendar year, but this shall not restrict or prohibit Alberta from diverting or consuming any quantity of water from any watercourse provided that Alberta diverts water to which it is entitled of comparable quality from other streams or rivers into such watercourse to meet its commitments to Saskatchewan with respect to each watercourse.**

# Schedule A, section 4

## Prior appropriation on the South Sask River

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4. Notwithstanding paragraph 3 hereof, the following special provisions shall apply as between the parties hereto with respect to the watercourse known as the South Saskatchewan River.

(a) Alberta shall be entitled in each year to consume, or to divert or store for its consumptive use a minimum of 2,100,000 acre-feet net depletion out of the flow of the watercourse known as the South Saskatchewan River even though its share for the said year, as calculated under paragraph 3 hereof, would be less than 2,100,000 acre-feet net depletion, provided however Alberta shall not be entitled to so consume or divert, or store for its consumptive use, more than one-half the natural flow of the said South Saskatchewan watercourse if the effect thereof at any time would be to reduce the actual flow of the said watercourse at the common boundary of the said Provinces of Saskatchewan and Alberta to less than 1,500 cubic feet per second.

(b) The consumption or diversion by Alberta provided for under the preceding subparagraph shall be made equitably during each year, depending on the actual flow of water in the said watercourse and the requirements of each Province, from time to time.

# Schedule A, section 5

## Cost-sharing of projects of mutual advantage

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5. The parties hereto shall work together and co-operate to the fullest extent, each with the other, for the most effective, economical and beneficial use of waters flowing from the Province of Alberta into the Province of Saskatchewan, including the construction and operation of approved projects of mutual advantage to our Provinces on a cost-share basis proportionate to the benefits derived therefrom by each Province, (the approval of which projects shall not be unreasonably withheld by either of the parties hereto) and shall enter into such other arrangements, agreements or accords with each other, and with the Governments of Canada and other Provinces to best achieve the principles herein agreed upon.

# **Schedule A, section 6**

## **Battle, Lodge, Middle Creeks**

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**6. Notwithstanding paragraph 3 hereof, with respect to each of the three watercourses known as Battle Creek, Lodge Creek, and Middle Creek, the annual flow shall be apportioned such that, in each of the said watercourses, Alberta permits a quantity of water equal to 75 percent of the natural flow to pass the interprovincial boundary from Alberta to Saskatchewan.**



# Schedule A, section 7

## Dispute resolution

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7. If at any time any dispute, difference or question shall arise between the parties or their representatives touching this agreement or the construction, meaning and effect thereof, or anything therein, or the rights or liabilities, of the parties or their representatives thereunder or otherwise in respect thereto then every such dispute, difference or question shall be referred for determination to the Federal Court of Canada under the provisions of the Federal Court Act of Canada, and each of the parties hereto agrees to enact the necessary legislation to provide the Federal Court of Canada with jurisdiction to determine any such dispute, difference or question in the manner provided under the Federal Court Act of Canada.

# What are the roles and responsibilities of provincial jurisdiction?

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- Ensure Alberta meets its **obligations**
- Ensure Alberta receives its **entitlements**
  - From upstream jurisdictions
- Ensure Alberta's interests are **represented and protected**

# What are the roles and responsibilities of provincial jurisdiction (cont'd)?

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- **Cooperate** with other jurisdictions to address issues of mutual concern (e.g. droughts, floods, nutrients, invasive species)
- **Share** data, science, expertise, and knowledge including approaches to policy development and implementation that may be helpful to our neighbours

# What are the roles and responsibilities of provincial jurisdiction (cont'd)?

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- **Coordinate** with Alberta internal interests to ensure Alberta's policies and water management frameworks give consideration to interjurisdictional water management agreements.
  - Regional plans (water management frameworks)
  - Water management decisions
  - Water quality objectives
- **Represent Alberta on the Board and its Committees**
  - Prairie Provinces Water Board
  - Committee on Hydrology
  - Committee on Water Quality
  - Committee on Groundwater
  - Committee on Flow Forecasting

# What are the roles and responsibilities of provincial jurisdiction (cont'd)?

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- **Provide notification** - working to ensure effective processes are in place to inform downstream jurisdictions of developments and activities and spills that may affect their aquatic ecosystem
  - **AEP Alberta Support and Emergency Response Team (ASERT) and AER Field Incident Response Support Team (FIRST) protocols**
- If a spill occurs that has a potential to affect a water body in Alberta that in your judgment, due to size and/or proximity to the border, may affect a neighbouring jurisdiction then **ASERT / FIRST** or the initial responder will notify the appropriate emergency contact in the neighbouring jurisdiction.
- **Investigate** excursions of transboundary objectives

# What are the roles and responsibilities of provincial jurisdiction (cont'd)?

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- **Protect Alberta's interests**
- **Ensure interjurisdictional decisions consider Alberta's interests**
  - **Negotiation of Schedule E (transboundary water quality objectives)**
  - **Negotiation of Schedule F (transboundary aquifers)**
- **Keep an eye on downstream jurisdictions**
  - **invasive species,**
  - **groundwater,**
  - **water quality – nutrient influx**
  - **changes in policy and regulations**

Questions?

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