

IV. History of the High Ross Controversy

(Excerpt from “A Citizens guide to the Skagit Valley” pub. 1981)

Seattle City Lights interest in the Canadian Skagit Valley began as early as 1906, when Superintendent J.D. Ross conceived a grand design for the integrated development of the Skagit River's hydroelectric potential. Starting with Gorge and Diablo Dams, it was to be culminated by the staged construction of Ross Dam to a final elevation of 1,735 feet above sea level. In 1926 the City applied to the U.S. Federal power Commission (now re-named FERC, or Federal Energy Regulation Commission) for initial authorization for the dam.

In 1929, Seattle acquired the former Whitworth Ranch, the only privately owned land in the Skagit. British Columbia co-operated in 1930 by placing a Crown Reserve on all lands within the proposed flood basin, and informal negotiations began on the purchase of these lands by Seattle for a total of \$88, 352. In 1939 the discussions were suspended.

Seattle began construction of Ross Dam in 1937, reaching an elevation of 1,380 feet in 1940. In May 1941 it applied to the International Joint Commission for authority for the High Dam. The IJC is a Canada-U.S quasi-judicial regulatory agency established by the Boundary Waters Treaty of 1909. Its three Canadian and three American members must approve by a majority vote any project affecting trans-boundary waters. They are delegated by the Treaty the responsibility to determine “fair and adequate compensation” for all affected interests in both countries.

The Commission held a single two hour hearing in Seattle on September 12, 1941. Forty-three American government agencies from federal to county level were notified of the hearing. In contrast, only twelve Canadian agencies were notified, and there was no notice to the local MP or MLA, local government, nor several BC Government Departments with material interests (Mines, Agriculture, Forest, Game)¹

In 1941 the Canadian Skagit was still little known and very inaccessible, as the Silver-Skagit road was not built until 1946. At the hearing, Seattle City Light described its project to IJC Commissioners and Canadian officials who had never before heard details of the proposal. Agriculture and forestry values of the Canadian valley were dismissed as trivial by a City Light hydrographic engineer who knew nothing about them. There was substantial confusion whether the lands to be flooded in BC were Crown owned or private. The Governments of

¹ International Joint Commission, *Transcript* of hearing on High Ross Dam held at Seattle, Washington September 12, 1941; pp.9-13

Canada and BC were unaware exactly what lands were in question, as they had not even seen the survey map of the lands to be flooded.

The only opposition came from BC Game Commissioner J.G. Cunningham. After apologizing that *"I am not familiar with the subject discussed here today...our Commission was not on the list of those advised"*, he continued *"I am here merely to present a brief on behalf of the sportsmen of the Skagit River. It is one of the best fly fishing streams in the whole of British Columbia...the more of that stream you flood, the less fishing we are going to have."*²

Canada's contribution to the Commission's deliberations was a fifty word statement from Victor Meek, Controller of the Dominion Water and Power Bureau, who said *"I am representing the Canadian Government, Department of External Affairs, and I have no statement to make at this time. I assume that we will have an opportunity of presenting a brief later, after we have had a chance to study the details of this project as presented this morning."* He never did.³

Seattle Light told the IJC the project was urgently needed to meet the power demands of the World War II emergency. Its engineers stated that 500-1000 million kwh/year could be provided from improved flow regulation, even without any new generating or transmission facilities. The U.S War Department also made an urgent request for improved storage capacity to prevent flooding in the lower Skagit Valley in Washington State. Both of these immediate goals could have been met without requiring any flooding in Canada. This was never made clear to the IJC.⁴

In closing the hearing, A.O. Stanley, chairman of the IJC's United States Section, made clear that the Commission had been under the guiding influence of Seattle Light throughout its stay in Seattle prior to the hearing: *"I will say to Mr. Hoffman and his associates (Seattle City Light) and expression of our deep appreciation of the continuous, vigilant and delightful courtesies extended from the time we arrived in your wonderful city until we regretfully depart. I cannot express it adequately."* In deference to the absent Chairman of the Canadian Section, the Commission deferred approval of High Ross until its next meeting.⁵

What was the historical context of the 1941 IJC hearing? In September 1941, Canada was in the midst of one of the darkest periods of World War II. Germany had occupied all of Europe and laid siege to England, while the United States still had not entered the war. Public notice of the Seattle hearing appeared only as

² International Joint Commission, *Transcript of hearing on High Ross Dam held at Seattle, Washington September 12, 1941*; pp.55-56

³ *ibid*; pp.56-57

⁴ *ibid*; pp.27-28, 42-54

⁵ International Joint Commission, *Transcript of hearing on High Ross Dam held at Seattle, Washington September 12, 1941*; pg. 61

a small legal advertisement of page 22 of the Vancouver Sun of September 2, 1941. The same day's front page clearly indicates that Canadians were preoccupied with more immediate concerns than the fate of an inaccessible wilderness valley. Under the headline, "After Two Years of War – What Next?" the British United Press Foreign News Editor writes in part:

*"But most important in the coming year is the question of American production. Nazis still content that the resources of America cannot arrive in time to alter the course of European history, but they are preparing for a long war if necessary. London and Moscow emphasize the need for speed and more speed. The next six months, they say, may be the turning point...the course of the conflict may turn on whether the Allies can seize the initiative from Germany by spring. They can do it only with American materials, they admit"*⁶

Three months after the hearing, the December 7th attack on Pearl Harbour added further urgency to an already grave situation. Bringing the United States into the war, it increased the importance of Seattle as a crucial defence industry centre, particularly for airplane manufacture at the Boeing plant. The readily available power from High Ross seemed even more important than before.

On January 27, 1942, the IJC issued an Order of Approval authorizing the proposed flooding in Canada on condition that Seattle and British Columbia arrive at a binding agreement for compensation of the Province and affected private interests in BC. This Order, issued after minimal consideration during an urgent wartime crisis, is still the basis for Seattle City Lights contention that it has the right to flood the Canadian Skagit.⁷

Despite the emergency it emphasized at the 1941 hearing, city Light did not immediately proceed with High Ross. When the end of the war relieved any urgent need for the dam, a long period of capricious negotiations began over the issue of compensation for BC. Although final agreement was not reached for twenty-five years, the interval was not without incident.

Seattle proceeded with the second and third stages of Ross Dam, and by 1949 its present elevation of 1,615 feet was attained. In 1947, the BC Legislature passed the Skagit Valley Lands Act, authorizing the Cabinet to negotiate an agreement without further reference to the Legislature and reserving the flood basin for Seattle Light's exclusive use. By 1952, a tentative agreement had been reached allowing Seattle to flood the Skagit Valley for 99 years in exchange for a single cash payment of US\$255,508.00 and clearing of the reservoir basin. Just as the accord was to be signed however, a provincial election toppled the Coalition government and began the twenty year reign of Premier W.A.C. Bennett.

⁶ Vancouver Sun, September 1, 1941; pg 1,22

⁷ International Joint Commission, *Order of Approval* in the matter of High Ross Dam on the Skagit River, Ottawa, Washington and BC; January 27, 1942

The events of the next two years constitute one of the strangest chapters in the Skagit story. The new Premier delayed signing the agreement while he reviewed general provincial power policies. In August 1952, General A.G.L. McNaughton, Chairman of the IJC's Canadian Section, wrote to Bennett suggesting he reconsider the proposed accord in light of the different provisions of an IJC Order concerning Waneta Dam on the Pend d'Oreille river. Bennett's response is not clear. While negotiations with Seattle City Light had proceeded by May 1953 to the point that the City Council ratified the \$255,508 agreement, British Columbia for some reason continued to stall the signing. In June, Seattle lost patience. It closed the floodgates at Ross Dam, raising the reservoir to 1,600 feet and illegally flooded 2km² of Canadian territory. BC ignored the violation.



Seattle Light's Canadian logging crew preparing to leave as the flood waters rise into British Columbia in 1953 (photo courtesy C.Chittenden)

Interestingly, by filling Ross Reservoir to its present elevation of 1,600 feet in 1953, Seattle Light accomplished all of the goals cited as reasons for High Ross Dam at the IJC hearing of 1941! Extra storage with the U.S. and the small flooded area in Canada provided both the necessary flood control capacity and at least the 500-1000 million kilowatt-hours per year mentioned in 1941. Thus in terms of the justification for the original IJC order, Seattle Light has no valid reason now to construct High Ross.

In the fall of 1953, after a new election returned Social Credit with a parliamentary majority, BC suddenly informed Seattle that the proposed \$255,508 compensation agreement was no longer acceptable. Premier Bennett had by this time realized the *"immense value of the stored water to all the downstream users"* and was concerned that the proposed agreement with

Seattle could set an awkward precedent for impending negotiations on hydroelectric development of the Columbia River and its tributaries.⁸

The issue came to a head in April 1954, when Seattle and the U.S. Sections of the IJC proposed that BC be compelled to accept \$255,508 as full and final compensation for the flooding. British Columbia countered that no agreement had been signed and General McNaughton termed Seattle Light's flooding into Canada a violation of Canadian sovereignty and the IJC's own 1942 Order. The upshot was that the IJC refused to enforce a compensation agreement, while BC agreed to accept \$5,000 per annum as interim settlement for the flooded 2km² pending definitive resolution of the compensation issue.

Seattle Light made a final attempt in 1958 to have the IJC impose a settlement, but this was again rebuffed. By now British Columbia was determined to postpone negotiations until conclusion of the Columbia River Treaty, and to assure itself of a fair share of the downstream benefits in any compensation accord.

Ratification of the Columbia River Treaty in 1964 established the principle of shared downstream benefits and finally opened the way to a settlement in the Skagit case. Considering how long the BC Government had stalled Seattle's plans, the terms of the final agreement signed by BC Resources Minister Ray Williston on January 10, 1967 are truly astonishing. For an annual rental of US\$34,566.21 (or its equivalent in power at a price of 3.75 mill/kwh) and taxes of about \$10,000 per year, Seattle Light gained the right to flood 21km² of prime Canadian land and to save itself \$12-15 million per year on the cost of alternative electrical power.

The agreement permits flooding to Elevation 1,725 feet, plus an additional fifteen foot zone allocated for shore erosion due to operation of the reservoir. It requires Seattle to clear the reservoir basin before flooding, replace any inundated segments of the existing road and to pay stumpage and royalties for timber removed during the clearing. All work must be done by residents of BC. No provision was made for compensation mitigation of environmental damage.⁹

Regular meeting of the IJC in April 1967 "noted" the agreement without formally considering or approving it and for Seattle City Light fifty years of planning finally seemed to have been rewarded with an outright steal.

A small article about the agreement on a back page of the Vancouver Sun in 1967 might have been considered the Skagit's obituary, as the valley was promptly forgotten. Two years later, when Liberal MLA David Brousson raised a question about High Ross in the legislative Assembly, a storm of protest erupted. The immediate stimulus was a public hearing of the Seattle City Council, where public objections coalesced around the North Cascades Conservation Council (NCCC), the group largely responsible for creation of the North Cascades National Park.

⁸ Hon. W.A.C. Bennett, letter to Hon. L.B. Pearson, January 27, 1954, cited in internal IJC memorandum dated March 16, 1954, Ottawa

⁹ Lieutenant-Governor in Council, Order No. 103; Agreement between British Columbia and the City of Seattle; Victoria, BC January 10, 1967

In November 1969, twelve BC outdoor and environmental groups formed the Run Out Skagit Spoilers (ROSS) Committee to co-ordinate the protest in BC. Over the next five years, ROSS and the NCCC along with hundreds of ordinary citizens from both countries appeared at public hearings of the Seattle City Council Utilities Committee, the Washington State Ecological Commission, the International Joint Commission, and the US Federal Power Commission (now FERC).

Seattle Light countered by hiring F.F. Slaney & Co. Ltd., a Vancouver consulting firm, for “management, engineering, forestry and public relations services”, later expanded into detailed environmental impact assessments of the Skagit Valley and areas affected south of the border. In 1970, City Light formally applied to the FPC for the final authorization required for High Ross.

Federal Environment Minister Jack Davis announced Canada’s opposition to the flooding in 1970, and in 1971 the IJC was asked to re-examine the case in a joint reference from the Governments of Canada and the United States. The restrictive terms of reference asked the Commission to *“make recommendations for the protection and enhancement of the environment and the ecology of the Skagit River Valley not inconsistent with the Commission’s Order of Approval dated January 27, 1941.”* In other words, it was not to be allowed to alter a decision reached after a single two hour hearing thirty years before!

For his part, BC Resources Minister Williston insisted that a valid contract had been signed with Seattle, and refused to oppose the project. Indeed, he invited bids for clearing the flood basin postponing the advertised log sales only under heavy pressure in the Legislature and the press.

In contrast to its peremptory hearing in 1941, the IJC spent three whole days hearing public testimony in Vancouver and Bellingham in June 1971. Presentations by the ROSS Committee, NCCC and their member organizations covered every aspect of the High Ross issue from environmental effects to energy ethics. Lawyer John A. Fraser presented a legal argument on behalf of ROSS challenging the validity of the 1942 IJC Order and the subsequent 1967 Agreement.

After the public hearings, an international study team spent three months assessing the environmental impact of High Ross. The final IJC report of December 17, 1971 found that *“seen in a broad social context, the Skagit Valley is an uncommon and non-restorable area and has important social values...few valleys, if any, are equivalent to the complete Skagit Valley”*¹⁰

In effect, the Commission seemed to bend over backwards to condemn High Ross without violating the terms of reference of its inquiry. Soon after, the Washington State Department of Ecology announced its official opposition to High Ross.

The projects whole status changed suddenly on August 30, 1972 when a new provincial government was elected. In November the new Resources minister, Robert Williams, officially announced the governments’ intention to prevent the flooding of the Skagit Valley. In October 1973, Recreation and conservation Minister Jack Radford

¹⁰ International Joint Commission, op cit., 1971

announced creation of the Skagit Valley Recreation Area, including the High Ross flood basin, as a further earnest of BC's intentions.¹¹ Seattle's cheques for annual rental under the 1967 Agreement were returned uncashed.

On November 2, 1973, the House of Commons passed a unanimous resolution stating its *"unalterable and unanimous opposition to the flooding of the Canadian Skagit Valley"*. This was relayed to the United States Government by an aide-memoire from External Affairs. Prime Minister Trudeau raised the issue with President Ford in 1974, and in 1977 the House reaffirmed unanimously its earlier resolution.

Unperturbed, City Light proceeded with its application to the U>S Federal power Commission. By the time hearings opened in April 1974, the utility had spent some \$4 million on preparatory engineering and environmental studies, compared with perhaps \$75,000 by its opponents.

Federal Power Commission Administrative Judge Allan Lande opened public hearings in Bellingham, Washington on April 23, 1974. Forty-four Canadians representing environmental, sports, labour and business groups testified, all but one against High Ross.

Frances Thomas, a secretary from Hope, BC eloquently summarized the feelings of many:

*"It is power which is at issue, say Seattle City Light. I believe we know it as appetite, the insatiable appetite of power, of profit, and of the ever increasing indulgences of you and me, really far beyond any normal or natural need into a multiplicity of excesses...Even we do not own this precious resource; but we are all stockholders, not for dollars and cents, but for common sense. And wasn't it you Will Rogers who said the earth is mighty valuable real estate, they just aren't making any more of it – and they aren't making any more Skagit Valleys"*¹²

An interesting possibility was raised by Curley Chittenden, the Canadian who supervised clearing operations for Seattle Light when the first 2km² of the Skagit were flooded in 1953. Citing the 1967 compensation agreement's specification that all labour within Canada must be performed by BC residents, Chittenden snorted that a boycott of the required reservoir clearing operation would prevent Ross Reservoir from being raised even if the high Dam were built. When the hearings shifted to Seattle, 110 Americans filled another three days with testimony, again nearly unanimously opposed to high Ross. Joan Reed of Renton, Washington, sang her philosophical protest song *"Farewell to the Wilderness"* into the record (see appendix)

In the evidentiary phase of hearings which followed, Seattle Light's lawyers and hired experts attempted to convince the FPC that high Ross was essential and would not violate the National Environmental Policy Act. Scientists from Simon Fraser University and the University of BC gave voluntary testimony on behalf of the ROSS Committee, presenting a strong case in favour of the unique physiographic, ecological, recreational, and educational values of the Skagit which would be destroyed by the dam. In a surprise

¹¹ Lieutenant-Governor in Council, Order No. 4037, Skagit Valley Recreation Area (under BC Park Act) Victoria, BC October 15, 1973

¹² Frances Thomas, oral testimony, US Federal Power commission, Transcript of public hearing on High Ross Dam, Washington DC, 1974, pg 47-49

move, the US Department of the Interior, responsible for the North Cascades National Park, announced its official opposition to high Ross.

Midway through the hearings, Judge Lande remarked: *“I am right where I started, in dead centre. I don’t know who is right and who is wrong....we have a very difficult problem here. Usually in a license project case some people want a project performed and others are against it. We have a third dimension here and its called ‘Canada’, and every time you look at it you wonder ‘What am I going to do about it?’”*

Seattle Light did not hesitate to present distorted or misleading testimony. For example, a report by its recreational consultant compared 33 valleys within 160 km of Vancouver with the Skagit. Implying that they could be considered alternatives for recreational use, it neglected to mention that almost all are physiographically dissimilar, totally inaccessible, privately owned, or already ravaged by logging.¹³ UBC Geography professor Olav Slaymaker demonstrated the fallacy in rebuttal testimony by using a satellite photograph of the Lower Mainland.

Ten days after the ROSS Committee staged an International Canoe-In on the Skagit, Seattle’s recreational expert testified on oath that it was impossible to canoe the river at that season.



Canoeists at the International Canoe-In July 28, 1974. Forty six canoes and twenty kayaks successfully negotiated the river, despite Seattle Light’s testimony that it is unavigable (Vancouver Sun photo)

Meanwhile, British Columbia filed a Request with the International Joint commission on June 25, 1974 asking it to rescind its 1942 Order and restore the Skagit River to its natural level at boundary. Simultaneously, it offered to negotiate a compromise with Seattle involving purchase of City Light’s private land provision of some alternative electrical power.

¹³ City of Seattle Department of Lighting, *Environmental Investigations Proposed High Ross Reservoir*, Report 11–Recreation; FF Slaney & Co. Ltd., Vancouver, 1973

Despite the Canadian “third dimension”, Judge Lande ultimately ruled in favour of Seattle’s application, and his ruling was confirmed by the full Federal Power Commission on July 5, 1977. The North Cascades Conservation Council and ROSS launched a joint appeal of this ruling in the Washington, DC Circuit Court of Appeals in September 1978, joined this time by a coalition of native Indian tribes from the lower Skagit Valley. After another two years of study, the Court ruled 2:1 in favour of Seattle Light in July 1980.

Negotiations for a compromise solution based on no further flooding of the Skagit had continued between British Columbia and Seattle since 1974. BC had offered to provide electrical capacity and energy equivalent to the output of High Ross. This would have come from two sources. The Seven Mile Dam on the Pend D’oreille River in BC, which now floods up to the International Boundary, could be raised 15 feet to utilize a small canyon stretch of the river between the reservoir and another dam upstream in Washington belonging to Seattle City Light. This would furnish about 43MW of capacity and 19.8 MW average energy available to Seattle at the bare capital cost of about \$11,300.00 needed to raise the dam plus operating costs of about \$0.1M per year. The remainder of the capacity and energy would be supplied from the BC Hydro pool at the bulk rate available to large industrial customers in BC. In addition, BC would reimburse Seattle for all rental and tax payments since 1967, with accrued interest. The IJC would be asked to provide a binding assessment of the compensation payable to BC for current flooding up to elevation 1,602.5 feet a.s.l on the Canadian Skagit.¹⁴

In other words, British Columbia offered Seattle Light a package of peaking capacity and electrical energy cheaper than that available to anyone in the province itself. Seattle rejected the proposal, countering with a complicated trust account offer and insisting that it enjoy all the financial advantages inherent in the 1967 compensation agreement.¹⁴

In frustration with Seattle Light’s belligerent insistence on maintaining the gross inequity of the original deal, BC returned to the offensive. On August 14, 1980 the Province filed a “*Request in the Application*” to the International Joint Commission, asking it to annul or rescind its 1942 Order of Approval for High Ross. BC gave the following justifications for its Request:¹⁵

1. The 1941 Seattle hearing was conducted by less than a majority (three members) of the IJC. Charles Stewart, the Canadian Co-Chairman, voted in favour of the 1942 Order of Approval without having heard the evidence.
2. Seattle solicited the IJC’s approval for High Ross in 1941, and BC acquiesced at that time because a “*state of national emergency involving the security of the United States than existed and ... (High Ross) ... would add substantial energy to the supply available in the Northwest United States for the national defence of that country*”. Since the dam was not constructed during the said

¹⁴ Province of British Columbia, *Statement in Reply of the Province of British Columbia to Statements in Response to the Request in the Application Made by the Province of British Columbia*, International Joint Commission, Ottawa and Washington, DC., February 6, 1981

¹⁵ Province of British Columbia, *Request in the Application*, International Joint commission, Ottawa and Washington DC., August 14, 1980

period of national emergency, it was not justified on the grounds used to solicit the IJC.

3. The IJC in 1941 failed to consider other factors such as environmental damage from the dam in Canada, and thus failed to fulfil its Treaty obligation.
4. Seattle violated the 1909 Boundary Waters Treaty by flooding into Canada in 1953 prior to reaching an agreement, and *“has provided no adequate protection or indemnification therefore”*.
5. The 1967 compensation agreement signed by BC and Seattle is legally invalid *“in that it purports to delegate to the City and the Province matters within the exclusive jurisdiction of the Commission, namely, the determination of the protection and indemnity of all interests in Canada affected.”*

The IJC, faced with an unusual if not unique challenge to its original decision, responded by inviting Statements in Response from *“interested persons”* to be received by December 17, 1981. Seattle Light and the United States Department of State filed legal arguments contesting the British Columbia position, and urging the IJC to uphold its original ruling.

The Canadian Government statement notes the repeated objections to High Ross expressed by unanimous resolution of the House of Commons, and in discussions between the Prime Minister and the President of the United States. It contrasts the observation in the IJC’s 1971 report that *“under normal conditions a study of environmental and ecological conditions should encompass three full years”* with the two hours allotted to consideration of High Ross Dam in 1941. The statement argues that were Seattle to have applied for permission to build High Ross in 1980, it could scarcely have expected IJC approval due to the revolution in environmental ethics since the 1970’s. After stressing the unique environmental and social values of the Skagit Valley, the Canadian statement makes an unprecedented appeal to the Commission:

“The Canadian Government fully recognizes that reopening an Order is a serious matter which should only be undertaken in very unusual cases...(Orders) should not be revoked or amended lightly, even if they may be found to be operating in a manner which may be regarded as less than ideal. If the 1942 Order had been executed in a timely fashion, and were the Skagit Valley now a reservoir, the merits of its flooding would be an academic question. However, the valley has not been flooded, its true value is now more fully known, and the overwhelming majority of the people most affected have, through their elected representatives at the local and national level, repeatedly expressed their strong desire that not be flooded, The Canadian Government therefore believes that in this case the advantages of reopening an Order clearly outweigh the disadvantages.”¹⁶

The Commission also received six hundred submissions from organizations and members of the public. Five hundred and eighty of these opposed the High Dam,

¹⁶ Government of Canada, *Canadian Government Statement in Response*, International Joint Commission, Ottawa and Washington, DC., December 17, 1980

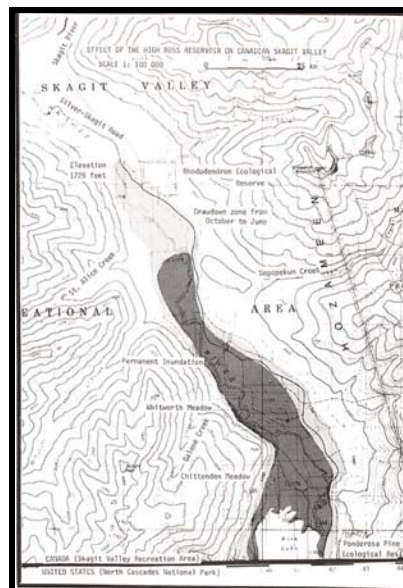
including the ROSS Committee, North Cascades Conservation Council, BC Federation of Labour, many individual environmental groups and unions, approximately thirty Municipal Councils in the Lower Mainland, and hundreds of individuals. Significantly, the International Woodworkers local in Haney, BC which would be involved in any union logging the Skagit wrote:

“The individual members of Local 1-367 have this year by resolution at their Annual General meeting re-affirmed their firm decision not to log the valley to prepare it for flooding. We emphasize to the Commission that this is a decision of ordinary working people to effuse to undertake, for very special and important reasons, the work that sustains them and their families.”¹⁷

Some twenty submissions favoured the dam, including those of former BC Resources Minister Ray Williston, Bethlehem Steel Corporation and the Boeing Company in Seattle, and the Whatcom County building and Construction Council (AFL-C10) of Bellingham.

British Columbia was given the opportunity to reply to these statements, and filed its official “Statement in Reply” on February 6, 1981. This document rebuts the arguments of Seattle and the US State Department that the IJC must not alter an established decision. It also publishes the full correspondence between Seattle and BC pertaining to negotiations from 1977-1980 over a compromise solution.¹⁶

Just as the IJC was recovering from the unexpected flood of statements, two of its Canadian members resigned and all three American members were fired. This put the whole High Ross question into abeyance.



Effect of the High Ross Reservoir on Canadian Skagit Valley

¹⁷ International Woodworkers of America, Local 10367, *Statement in Response*, International Joint Commission, Ottawa and Washington, DC., December 17, 1981

¹⁶ Government of Canada, *Canadian Government Statement in Response*, International Joint Commission, Ottawa and Washington, DC., December 17, 1980

Appendix 1

Skagit Valley Protest Songs

Skagit Valley Forever

Malvina Reynolds wrote this song in October 1970. Passing through Vancouver, she heard about a demonstration against High Ross Dam which was being organized in the Skagit by the ROSS Committee and SPEC. A Vancouver radio station put the song on the air, and to the astonishment of the organizers, thousands of people showed up on a grey October day. Malvina sang the Skagit song all over the world, bringing a conservation message to thousands of people who would never otherwise have heard of it.

Skagit Valley Forever is the lead song on the album *Mama Lion*, released two years after Malvina Reynolds' death in 1978. Words and music by Malvina Reynolds, Copyright Schroder Music Co., 1970. (Used by permission, all rights reserved)

There's a fine green valley not far from Vancouver
The home of the black bear, the marten and the cougar
It's the tree rich valley where the Skagit River flows,
A home for God's creatures since heaven only knows.

(chorus)

Skagit Valley, Skagit Valley,
Ray Williston is selling you away
Skagit Valley, Skagit Valley
They would turn you to a mud pond
to run the Coca Cola coolers in Seattle U.S.A

Well the parks are getting fewer, and the trees are getting thin
And the cities are spreading out to take the wildwood in
And the world is getting poorer with every mile they clear
And they'd sell our Skagit acres for five dollars fifty cents a year

(chorus)

O my sisters and my brothers in this shining northern land
Its time to get together, to take each others hand
And ring around our wilderness to keep the gangs away
Who would ravage our sweet county for a shameful pocketful of pay

Skagit Valley, Skagit Valley
No grabber will have you for a prize
Skagit Valley, Skagit Valley
We'll let no vandal down you
We'll keep you as we found you
British Columbia's forest paradise

Farewell to the Wilderness

Joan Reed sang this song into the official record of the US Federal Power Commission hearings on High Ross Dam in April 1974. She made Seattle headlines and may have been the first person to sing for the record in the history of the FPC. She later performed it in the Skagit Valley for the CTV Television show "W5"

Words and music by Joan Reed. (Used by permission, all rights reserved)

A deer lives once in a lofty green valley
Where the woods give him shelter and the meadows make him free
A deer lives once like the trees that protect him
They are blessings in this troubled world and beautiful to see

But its farewell to the wilderness, the meadows and the forests
Blooming in the sun, shining in the rain
If we raise Ross Dam, we will flood the lofty valley
If we wash away the wilderness it never blooms again!

We will make our plans and we'll meet in convention
We'll discuss the need for power and the contracts and the cost
We'll make our plans with the best of intentions
But we'll miss the lovely valley, when the wilderness is gone

So farewell to the wilderness, the meadows and the forests
Shining in the rain, blooming in the sun
If we raise Ross Dam, we'll electrify a city
But we'll miss the lovely valley when the wilderness is gone

A time comes once in the space of a lifetime
When we must consider progress at the price that must be paid
A time comes once for the deer and his valley
Let your mind be clear and open, and your conscience be obeyed!

Or its farewell to the wilderness, the meadows and the forests
Time is growing short, we cannot ignore
If we raise Ross Dam, it's a monument to progress
If we wash away the wilderness, its gone forever more!