

**FLOODING THE BORDER:
DEVELOPMENT, POLITICS, AND ENVIRONMENTAL CONTROVERSY
IN THE CANADIAN-U.S. SKAGIT VALLEY**

by

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Abstract

This dissertation is a case study of the 1926 to 1984 High Ross Dam Controversy, one of the longest cross-border disputes between Canada and the United States. The controversy can be divided into two parts. The first, which lasted until the early 1960s, revolved around Seattle's attempts to build the High Ross Dam and flood nearly twenty kilometres into British Columbia's Skagit River Valley. British Columbia favoured Seattle's plan but competing priorities repeatedly delayed the province's agreement. The city was forced to build a lower, 540-foot version of the Ross Dam instead, to the immense frustration of Seattle officials.

British Columbia eventually agreed to let Seattle raise the Ross Dam by 122.5 feet in 1967. Following the agreement, however, activists from Vancouver and Seattle, joined later by the Upper Skagit, Sauk-Suiattle, and Swinomish Tribal Communities in Washington, organized a massive environmental protest against the plan, causing a second phase of controversy that lasted into the 1980s. Canadian and U.S. diplomats and politicians finally resolved the dispute with the 1984 Skagit River Treaty. British Columbia agreed to sell Seattle power produced in other areas of the province, which, ironically, required raising a different dam on the Pend d'Oreille River in exchange for not raising the Ross Dam.

I make two broad arguments about the controversy that differ from how stories of environmental conflict are usually told. First, the two types of politics that defined each era of the six-decade controversy – the politics of development and the politics of the environment – were not antithetical; rather, both were part of a larger tension between modernization and the politics of place. Politicians had to balance large-scale, universalized ideas about both dams and wilderness with sentiment tied to territorial boundaries, and often delayed or deferred making decisions about the controversy as a result. Second, representatives from various levels of government in Canada and the United States eventually solved this tension with a type of liberal environmentalist compromise that hinged on the belief that residents had a right to both cheap energy and pristine nature.

Preface

All of the figures used in this dissertation and parts of chapters 2 and 4 have been published in “‘Panic Park’: Environmental Protest and the Politics of Parks in British Columbia’s Skagit Valley,” *BC Studies*, 170 (Summer 2011): 67 – 92. All works are reprinted with permission.

The oral history interviews conducted by the author were done with permission from the University of British Columbia Behavioural Research Ethics Board, certificate no. H09-01226.

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List of Abbreviations

Organizations

| | |
|---|---------|
| Consolidated Mining and Smelting Company | Cominco |
| Federal Power Commission | FPC |
| International Joint Commission | IJC |
| New Democratic Party | NDP |
| North Cascades Conservation Council | N3C |
| Run Out Skagit Spoilers | ROSS |
| Seattle City Light | SCL |
| Skagit Environmental Endowment Commission | SEEC |
| Society for Pollution and Environmental Control | SPEC |

Archives

| | |
|---|--------|
| British Columbia Ministry of the Environment Archives | BCMEA |
| British Columbia Archives | BCA |
| CBC Vancouver Media Archives | CBCA |
| City of Vancouver Archives | CVA |
| International Joint Commission Archives, Ottawa | IJCA |
| Library and Archives Canada | LAC |
| Seattle Municipal Archives | SMA |
| Swinomish Tribal Community Archives | STCA |
| University of British Columbia Special Collections and Archives | UBCSCA |
| University of Victoria Archives and Special Collections | UVASC |
| University of Washington Archives | UWA |
| U.S. National Archives and Records Administration | NARA |

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Introduction

“Skagit Valley Forever”

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.

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, USA.

Well the parks are getting fewer, and the trees are getting thin,
And the cities all are reaching 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.

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

Skagit Valley, Skagit Valley,
No grabber will get you for a prize,
Skagit Valley, Skagit Valley,
We’ll let no vandal drown you
We’ll keep you as we found you
British Columbia’s forest paradise.¹

Something unusual happened when Art Finley, a well-known radio talk show host in both California and British Columbia, interviewed the famous folk singer Malvina Reynolds for Vancouver’s CKNW in October 1970.² The septuagenarian was in Vancouver to sing at a local

¹ “Skagit Valley Forever” Words and Music by Malvina Reynolds, Copyright 1970 Schroder Music Company ASCAP, ROSS Committee Fonds, Box 3 File 18, UBCSCA.

² For more on Reynolds’ influence on children’s entertainment and the women’s, anti-war, and environmental movements. See David Ingram, “‘My Dirty Stream’: Pete Seeger, American Folk Music, and Environmental Protest,” *Popular Music and Society*, vol. 31, no. 1 (Feb. 2008), 21 – 36; Sandy Byer and Nancy Schimmel, “Kidsbeat: Not Your Nice Old Grandma – Malvina Reynolds and Children’s Music,” *Sing Out! The Folk Song Magazine* 45. 1 (Spring 2001), 114; Phil Hood, *Artists of American Folk Music: The Legends of Traditional Folk, the Stars of Acoustic Music* (New York: Quill, 1986); Kristin Lems, “Open Notes But No Closing Chord: On

Voice of Women event, but Finley had a different cause on his mind. After talking about writing such songs as “Little Boxes,” “Morning Town Ride,” and “Magic Penny” for the likes of Pete Seeger, Marianne Faithful, the Seekers, and Joan Baez, as well as her influence on the anti-war and environmental movements, Finley turned the conversation to local matters. He told Reynolds about one of the more pressing environmental concerns in both Vancouver and Seattle at the time, Seattle’s plan to raise its Ross Dam on the Skagit River by about 125 feet and flood 2,000 acres of the North Cascades National Park Complex in Washington and 5,500 acres across the border into southwestern British Columbia. He also informed her that a large protest rally against this plan would take place later that week at the border in the Skagit Valley.³

“Wouldn’t it be nice,” Finley asked, “if you could just knock out a song in a hurry and help us to save...”

“You mean in the next ten minutes?” Reynolds interrupted, surprised.

“Yeah,” replied Finley, “to save Skagit Valley.”

Finley explained that the British Columbia government had agreed to the flooding in 1967 for what amounted to only \$5.50 per acre per year. He also described the damage that the Ross reservoir would cause to trees and wildlife, particularly to groves of western redcedar in Washington State and to rainbow trout in British Columbia. The valley was to become “a toilet’s holding tank,” Finley concluded, “with Seattle in control of the flusher.”

Reynolds, who was an old friend of Finley’s, thought about it for a moment and then replied, “How do you spell Skagit?”⁴

The resulting song, “Skagit Valley Forever,” was played at the 3,000-person protest in the Skagit Valley and became a brief hit in Vancouver. It was given regular airtime on CKNW that fall, and was used repeatedly to promote the protest against the High Ross Dam throughout

Malvina Reynolds,” *Heresies: A Feminist Publication on Arts and Politics*, 10 (1980), 86 – 87; Susan Wengraf, *Love it Like a Fool: A Film About Malvina Reynolds* (Red Hen Films, 1974).

³ Despite the fact that the metric system is now the official form of measurement in Canada (since the 1970s), this was not the case during the majority of the High Ross Dam controversy. In fact dams and their reservoirs are still commonly referred to in terms of feet and acres, in British Columbia at least, rather than metres and hectares. To avoid the awkward use of one form of measurement in quotations and another for the rest of the dissertation, I have opted to stay true to the period and use the imperial system throughout. For those who are unfamiliar with the imperial system, the Ross Dam is 162 m high and at full pool it floods approximately 5,000 hectares in Washington State and 220 hectares in British Columbia. Constructing the High Ross Dam would have increased this height by 37 m, which would have flooded about 800 additional hectares in North Cascades National Park Complex in Washington and 2,000 hectares in British Columbia’s Skagit Valley.

⁴ See Malvina Reynolds interview, #42, SP91, Art Finley Fonds, (UBCSCA). Reynolds also recounted the story of the interview in a 25 November, 1970 diary entry, which was later posted on her daughter’s blog. See <http://malvinareynolds.com/642811B0-9C0F-4285-B23B-2AA74A665568.html>, accessed 28 April 2013.

the 1970s. One Vancouver activist has credited it as part of the reason so many people came to care about the otherwise obscure Canadian-U.S. valley that is tucked between the far more famous Columbia and Fraser River basins.⁵

Over the course of the 1970s tens of thousands of people, particularly in Canada but also in the United States, ended up reacting in a manner similar to Reynolds: signing petitions, writing letters, and attending rallies and regulatory hearings to protest Seattle's plan to flood the Upper Skagit Valley, generally after only a short conversation about the area and without ever having visited it. By 1972, Canadian Prime Minister Pierre Trudeau, Canadian Minister of the Environment Jack Davis, British Columbia Premier Dave Barrett, Seattle Mayor Wes Uhlman,

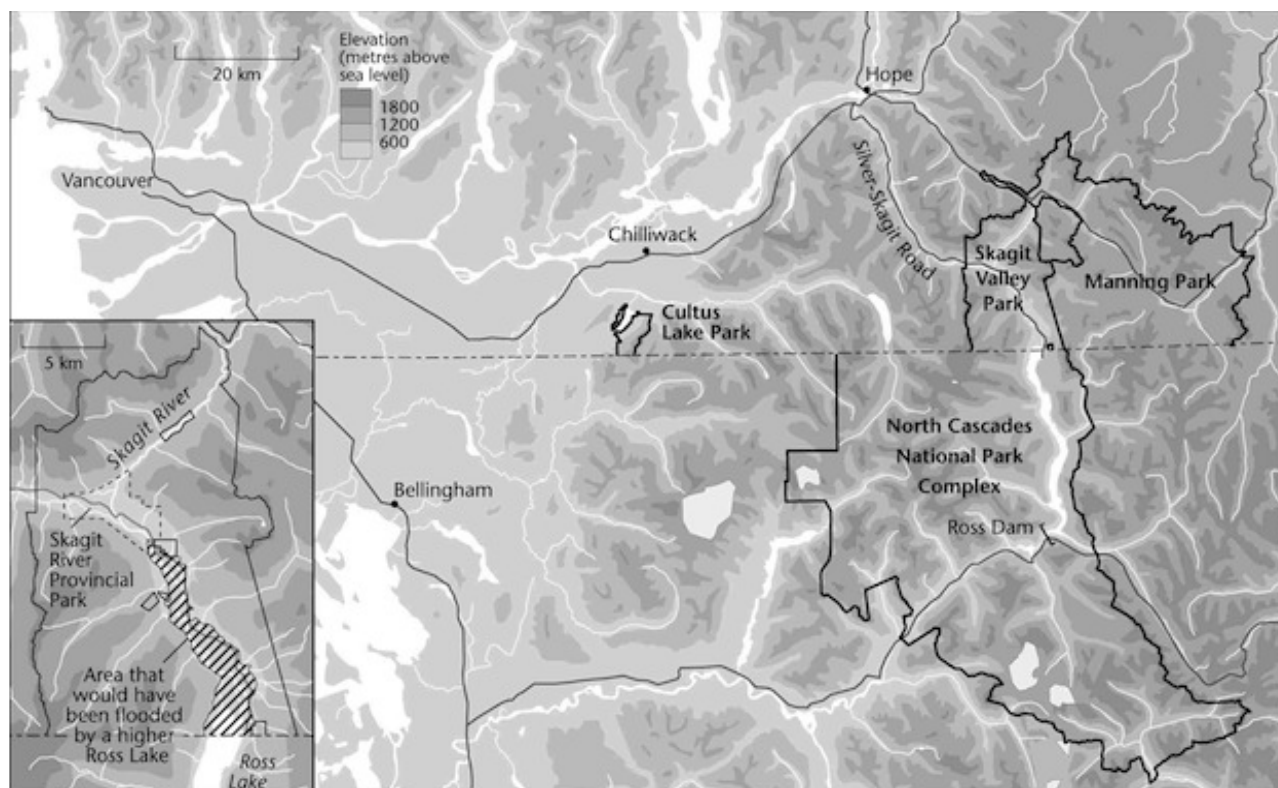


Figure 1: The Skagit Valley and its parks. The inset shows the area that would have been flooded by the High Ross Dam in British Columbia, as well as the original provincial park created to take advantage of the reservoir in 1970 (Chapter 4). Map by Eric Leinberger.⁶

⁵ Thomas L. Perry Jr., *A Citizens Guide to the Skagit Valley* (Vancouver: Run Out Skagit Spoilers Committee, 1981): 79.

⁶ Reprinted from Philip Van Huizen, “‘Panic Park’: Environmental Protest and the Politics of Parks in British Columbia’s Skagit Valley,” *BC Studies*, 170 (Summer 2011): 68. Used with permission.

and Washington Governor Dan Evans had all declared they were opposed to Seattle's plan to flood across the border. In 1978 the Upper Skagit, Sauk-Suiattle, and Swinomish Tribal Communities also joined the fight, protesting the impact that raising the dam would potentially have on their right to half the fish on the U.S. portion of the Skagit River, re-affirmed by the famous 1974 Boldt Decision in Washington State.

In fact, activists built so much support for their protest that eventually the International Joint Commission (IJC), a bi-national government body tasked with managing Canadian-U.S. waterways, compelled British Columbia, Canadian, Seattle, and U.S. politicians to negotiate an alternate agreement. The 1984 Skagit River Treaty was the result, wherein the B.C. government agreed to sell Seattle the equivalent amount of electricity that the High Ross Dam would have produced by raising a different dam on the Pend d'Oreille River and using surplus electricity from its overall power pool. Press releases at the time praised the treaty for ending the High Ross Dam controversy, or, as they described it, "the longest standing major environmental dispute between the United States and Canada."⁷

So why have most people never heard of it?

"There are Skagit Valleys everywhere," writes Rosalie Sorrels, explaining her choice to include "Skagit Valley Forever" in a Smithsonian collection of some of Reynolds' most influential songs. "The spread of outlying settlements surrounding large urban areas, and the demand for energy and water, are gobbling up farmland and finishing off natural refuges throughout the world."⁸ Reynolds herself used the song in a similar fashion. She played it around the world until she died in 1978 and included it on her 1971 album *The Ultimate Pollution* and in two of her songbooks, not just to promote the particular protest that was the High Ross Dam but also as a general comment about the impact that North America's incessant development projects were having on the natural world.⁹ "Well the parks are getting fewer," Reynolds sings, "and the

⁷ International Joint Commission, "News Release: Skagit River Treaty Signed by U.S. and Canada," (April 2, 1984): 1, 46-6-1-1, box 56, Docket 46, IJCA.

⁸ Rosalie Sorrels, "Introduction," Liner Notes for Malvina Reynolds, *Ear to the Ground: Topical Songs 1960 – 1978* (Smithsonian Folkways Recordings, 2000), 19.

⁹ Nancy Schimmel to author, 30 December 2011. See also, Malvina Reynolds, *The Malvina Reynolds Songbook* (Berkeley: Schroder Music Co., 1974); Reynolds, *There's Music in the Air: Songs for the Middle-Young* (Berkeley: Schroder Music Co., 1976); Reynolds, "Skagit Valley Forever," *Sing Out!* 21, 1 (1971): 24 – 25; and Reynolds, *The Ultimate Pollution* (Schroder Music Co., 1971). "Skagit Valley Forever" is also included in two collections of Malvina Reynolds' songs released posthumously, *Mama Lion* (Cassandra Records, 1980) and *Ear to the Ground* (Smithsonian Folkways Recordings, 2000).

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."

When it comes to explaining environmental controversies, the "Skagit Valleys everywhere" approach is a popular one. As many have argued, there was a general shift in the perceived value of wild nature in North America after the Second World War that had to do with such things as increases in wealth, education, and leisure time amongst the middle classes; the explosion of urban and suburban growth; and the increasingly entrenched reality of industrialized consumerism, all of which, paradoxically, separated humans from nature and made them appreciate it that much more.¹⁰

Almost nothing symbolized this change as dramatically as the environmental politics that developed around dams in North America. As William Cronon has argued, "[Dams] were not merely objects. They stood for aspirations and fears, for dreams and nightmares.... Although they by no means constitute the whole story of environmental conflict in the twentieth century, it is no accident that they loom so large in that narrative."¹¹ In contrast to the enthusiastic fervour that the Hoover, Grand Coulee, and Bonneville dams instilled in North Americans in the first part of the twentieth century, the successful postwar protests that stopped dams in Echo Park and the Grand Canyon signaled the start of an era when large dams became increasingly more difficult to build.¹²

¹⁰ Samuel P. Hays, *Beauty, Health, and Permanence: Environmental Politics in the United States, 1955 – 1985* (Cambridge: Cambridge University Press, 1987); Adam Rome, *Bulldozer in the Countryside: Suburban Sprawl and the Rise of American Environmentalism* (New York: Cambridge University Press, 2001); Gregory Summers, *Consuming Nature: Environmentalism in the Fox River Valley, 1850-1950* (Lawrence: University Press of Kansas, 2006); Adam Rome, "Give Earth a Chance: The Environmental Movement and the Sixties," *Journal of American History* (September 2003): 525 – 554. Literature on the rise of environmentalism in Canada is less developed, but what exists largely follows the same trajectory. See, for example, Frank Zelko, "Making Greenpeace: The Development of Direct Action Environmentalism in British Columbia," *BC Studies* 142/143 (2004): 197 – 239; *ibid.*, *Make it a Green Peace! The Rise of Counterculture Environmentalism* (New York: Oxford University Press, 2013); Arn Keeling, "The Effluent Society: Water Pollution and Environmental Politics in British Columbia, 1889 – 1980," (PhD Dissertation, University of British Columbia, 2004); and Ryan O'Connor, "Toronto the Green: Pollution Probe and the Rise of the Canadian Environmental Movement" (PhD Dissertation, The University of Western Ontario, 2010).

¹¹ William Cronon, "Foreward," in Mark Harvey, *A Symbol of Wilderness: Echo Park and the American Conservation Movement* (Seattle: University of Washington Press, 2000), xii.

¹² Roderick Nash, *Wilderness and the American Mind*. New Haven: Yale University Press, 1967); Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water* (New York: Penguin Books, 1986); Mark Harvey, *A Symbol of Wilderness: Echo Park and the American Conservation Movement* (Seattle: University of Washington Press, 2000); and David P. Billington, Jr. and Donald C. Jackson, *Big Dams of the New Deal Era: A Confluence of Engineering and Politics* (Norman: University of Oklahoma Press, 2006).

In the Columbia Basin, for example, dams on both sides of the border were celebrated in the first half of the century for the modern progress they represented, for displaying that “man” is not captive to the forces of nature, and even for winning World War II. Since the rise of the environmental movement, though, they have also been heavily criticized for the massive ecological and social changes they have wrought, especially to “the people in the way” who were displaced and the iconic salmon runs that have been destroyed.¹³ Similarly, dams in Quebec’s James Bay and the British Columbia-Alberta Peace River Basin have been derided for the negative impact they have had on indigenous communities and the environment, and protests against them have played no small part in indigenous rights movements in Canada.¹⁴

Among those few who have written about it, the story of the High Ross Dam has been interpreted in a similar fashion. According to such works, over the first part of the twentieth century Seattle had little trouble building dams in the Skagit Valley. Seattle’s public utilities company, Seattle City Light (SCL), particularly under the leadership of its immensely popular superintendent, J. D. Ross, envisioned harnessing the Skagit River Valley’s vast hydroelectric generating potential as early as the 1910s. The High Ross Dam was at the centre of these plans. Dreamed to be 660 feet high, it would have been the tallest dam in the world at the time, with a reservoir that flooded nearly twenty kilometres into British Columbia. Most of this dam was built by 1953, to a height of about 540 feet, flooding 550 acres in B.C., 12,000 acres in Washington, and eliciting virtually no public protest in either Canada or the United States.¹⁵ When Seattle received permission from the British Columbia government in 1967 to raise the dam by a final 122.5 feet, however, times had changed and residents of both Vancouver and Seattle protested vehemently, citing the environmental damage that the dam would cause to the Big Beaver Valley in the 1968-created North Cascades National Park and to the recreational potential of the Skagit

¹³ Paul Hirt, *The Wired Northwest: The History of Electric Power, 1870s – 1970s* (Lawrence: University Press of Kansas, 2012); Tina Loo, “People in the Way: Modernity, Environment, and Society on the Arrow Lakes,” *BC Studies* 142/143 (2004): 161 – 196; Richard White, *The Organic Machine: The Remaking of the Columbia River* (New York: Hill and Wang, 1995).

¹⁴ Thibault Martin and Steven M. Hoffman, eds., *Power Struggles: Hydro Development and First Nations in Manitoba and Quebec* (Winnipeg: University of Manitoba Press, 2008); Tina Loo, “Disturbing the Peace: Environmental Change and the Scales of Justice on a Northern River,” *Environmental History* 12, 4 (Oct. 2007): 895 – 919; James F. Hornig, ed., *Social and Environmental Impacts of the James Bay Hydroelectric Project* (Montreal-Kingston: McGill-Queen’s University Press, 1998).

¹⁵ For more on this era of Seattle City Light’s history, see Linda Nash, “The Changing Experience of Nature: Historical Encounters with a Northwest River,” *Journal of American History* 86, 4 (2000): 1600 – 29; Wesley Arden Dick, “Visions of Abundance: The Public Power Crusade in the Pacific Northwest in the Era of J.D. Ross and the New Deal” (PhD Diss, University of Washington, 1973); Paul Pitzer, *Building the Skagit: A Century of Upper Skagit Valley History, 1870-1980* (Portland: The Galley Press, 1978), 23 – 78.

Valley in British Columbia. Seen in this light, the conflict that developed over Seattle's plan to raise the Ross Dam was just one amongst many, which partly explains why it has been so quickly forgotten.¹⁶

But thinking about the controversy as yet another example of the power of environmental protest to change a decision about development, although certainly true in a general sense, does not do much to explain why the High Ross Dam in particular became so controversial in the late 1960s and 1970s. There were plenty of other contested development projects in British Columbia and Washington around the same time – strip mining in the Kootenays in British Columbia, oil refineries in Puget Sound, Washington, and massive dams on the Peace, Columbia and Pend d'Oreille Rivers in both regions, to name only a few – all with far worse environmental impacts. These did not receive nearly the same amount of public attention, however, or cause as much political anxiety as did the prospect of raising the Ross Dam on the Skagit River.¹⁷

It also does not explain what happened before the period of mass environmental protest. Plans for the High Ross Dam had been in the works since the 1910s, yet British Columbia did not give Seattle permission to flood across the border until 1967, after which environmental activists, joined by indigenous groups from the Skagit Valley late in the 1970s, prevented the project from happening. But why was it not built before 1967 when dams were far more popular? It was certainly not for lack of will or consensus. British Columbia informally agreed to Seattle's plan beginning in 1927, believing that Seattle's reservoir would open up the otherwise inaccessible Skagit Valley to further development, and from the 1930s to the 1960s Seattle made numerous attempts to finalize a compensation agreement. The province also did not object when Seattle received federal approval for the project in 1942 from the IJC. Despite agreeing that Seattle's plan to flood the Upper Skagit Valley was a good idea, though, the province would

¹⁶ The only historian to have looked at the High Ross Dam dispute has been Bruce Shelvey, "Skagit Scenes: Landscape Formation in the Pacific Northwest" (PhD Diss, Arizona State University, 1999). All other examinations are contemporaneous accounts by social scientists. See Jacqueline Krolopp Kim, "The Skagit River-High Ross Dam Controversy: a case study of a Canadian-US transboundary conflict and negotiation resolution" (MA Thesis, University of Washington, 1987); William M. Ross and Marion E. Marts, "The High Ross Dam Project: Environmental Decisions and Changing Environmental Attitudes" *Canadian Geography* 19, 3 (1975): 221 – 234. Larry Dennis Sturm Wolfe, "The High Ross Dam/Skagit River Controversy: The Use of Public Hearings in the Management of an International River" (MA Thesis, University of British Columbia, 1974); Terry Allan Simmons, "The Damnation of a Dam: The High Ross Dam Controversy" (MA Thesis, Simon Fraser University, BC, 1974).

¹⁷ For more on the environmental movement in the region, see Jeffrey Craig Sanders, *Seattle and the Roots of Urban Sustainability* (Pittsburgh: University of Pittsburgh Press, 2010); Matthew Klinge, *Emerald City: An Environmental History of Seattle* (New Haven: Yale University Press, 2007), 203 – 264; Zelko, *Make it a Green Peace!*, 33 – 77; and Keeling, "The Effluent Society," 273 – 346.

delay signing a formal agreement for decades, mostly due to competing plans for cross-border development on other British Columbia-U.S. rivers, to the immense frustration of Seattle planners and politicians. Seattle even caused a minor international incident by illegally flooding 500 acres across the border in 1953 after British Columbia once again pulled out of negotiations – an important aspect of the controversy that has often been glossed over by environmentalists and academics alike.

Addressing these unexplained aspects of the High Ross Dam Controversy is important, as they shed light on the relationship between the politics of development and environmental politics more broadly and how both have influenced and been influenced by Canadian-U.S. relations. The politics of development and environmental politics are generally depicted in tension with each other; the former has to do with shaping options and making decisions about construction projects like dams and the latter has to do with reactions to such projects. I argue, though, that the relationship between the two types of politics is more interrelated and complicated than this. In fact, as I will discuss below, in North America the two types of politics have far more in common than historians generally depict.

Broadening the scope of analysis also helps explain why some development projects are built with little to no controversy while others become embroiled in disputes that can last for decades. It shows that the reasons for controversy over development projects like dams often hinge on issues that have little to do with the merits or negative impacts of a given development project, and those historians that investigate such controversies need to expand their analytical lenses in order to incorporate multiple explanatory frameworks. This dissertation thus argues for a different methodological approach than the one that is normally taken to the subject of environmental controversy.

When the High Ross Dam dispute is considered in its entirety, from 1927 to 1984, it becomes clear that “the longest standing major environmental dispute between the United States and Canada” was often not about the environment at all. For the period before 1967 it was about the transnational ideology of modernization coming up against the politics of nationalism and regional sovereignty, while also mired in the politics of cross-border development and the economics of compensation agreements. These aspects of the High Ross Dam controversy never went away, even during the period when Seattle’s attempts to flood across the border became embroiled in environmental politics in Canada and the United States. Chief amongst these issues

were the suspect economics of the compensation agreement between British Columbia and Seattle, and the role that anti-American sentiment and Canadian nationalism played in creating a far larger controversy than would have otherwise been the case. Environmental activists were aware of such issues and purposefully made them key aspects of their campaign to save the Skagit Valley for its wilderness amenities. The success of the environmentalist campaign hinged on both the historical contingencies of the late 1960s and early 1970s and on Seattle and Vancouver activists' abilities to forge connections with other issues associated with economics, sovereignty, and internationalism.

Protest against the High Ross Dam was not so much a reaction against dams and the general modernist development ethos that they signified, but a protest against decisions to locate dams in a popular wilderness recreation area. In fact, the British Columbia-Seattle plan to flood the Pend d'Oreille Valley instead of the Skagit Valley, the backbone of the Skagit River Treaty, was not only accepted by most environmentalists as a necessary compromise, it was insisted on by key environmental leaders as a more modern and progressive form of development because it took environmental concerns into account.

The High Ross Dam controversy thus makes an important case study not just because it is a story of a successful cross-border environmental campaign that has largely been forgotten. Filling in the historical record for the environmental movement in North America is of course important, but the history of Seattle's attempts to flood across the border has more to contribute. First, it shows that the line between the politics of development and environmental politics has not been as stark as some studies have portrayed it to be. Environmental preservation and development were completely intertwined throughout the High Ross Dam controversy. Some of this had to do with the fact that environmental preservation efforts advocated for a different kind of development in the Skagit Valley, one that was compatible with wilderness recreation rather than hydroelectric development. The conflict was not so much about stopping cross-border dam development altogether as it was about deciding where to develop for power and where to develop for recreation. Environmental politics, then, at least over the High Ross Dam, were fundamentally modern and liberal, which I will elaborate on more in the next section. Activists believed in the importance of the modern liberal state to regulate the use of nature in both Canada and the United States. In fact, activist leaders advocated for a similar type of top-down planning by trained experts that would allocate the costs and benefits of development and

preservation that had dominated the high modern era before it, just one that did not involve flooding the Skagit Valley.

Second, the High Ross Dam controversy shows that location matters, both temporally and spatially, when talking about environmental conflict. Neither the rise of the environmental movement nor the fact that the High Ross Reservoir would cross an international boundary are sufficient on their own to explain why the High Ross Dam was never built. Rather, it was a combination of the two that created a dispute that lasted for decades, flaring to political scales that were far greater than the impact of raising the Ross Dam seemed to justify. The politics of place, then, were just as important to the High Ross Dam as were the tensions inherent in different theories about how to modernize the Upper Skagit Valley.

The third contribution that this study makes is to the field of Canadian-U.S. relations more generally, which, with a few notable exceptions, has been largely inattentive to the history of both cross-border development and environmental relations between the two countries. Controversies over Canadian-U.S. development projects are a particularly good way to get at the politics of development and the environment because any project that has designs on crossing the border requires a great deal of government involvement. Even more than this, though, they show that the environmental movements in Canada and the United States did not develop separately in each country but were intertwined. Indeed, the fact that so many scholars have been reluctant to follow activists across the Canadian-U.S. border also partially explains why the High Ross Dam controversy has been relatively ignored. Examined in only one country or the other, the dispute seems relatively minor and in fact makes little sense. Taken together, though, the cross-border environmental protest proved to be one of the more effective campaigns against a dam project in either Canada or the United States.

Modernization, Liberalism, and the Politics of Development and the Environment

Historians have largely approached the politics of development and environmental politics separately, arguing that they represent two different eras of decision-making regarding land use in North America. The politics of development, so the argument goes, was dominant in pre-World War II North America, when government functioned primarily to aid the industrial use of natural resources by private corporations and questions of the impact of such development took a distant back seat. H. V. Nelles' pioneering study, *The Politics of Development*, is a prime

example of this type of history. Nelles argues that late nineteenth century Ontario politics revolved around the development of forests, minerals, and water resources primarily to serve business interests from Britain, Canada, and the United States. Even public development projects like dams and public hydroelectric utilities like Ontario Hydro were created by government to aid the private sphere in the overall industrial development of society.¹⁸ Likewise, the creation of parks and the conservation movement in North America more generally, as other classic studies by Samuel Hays, Robert Craig Brown, and Alfred Runte have shown, although ostensibly linked to the history of the modern environmental movement, were really about making “useless” land useful and industrial development more efficient.¹⁹

Closely linked to such studies of the politics of natural resource development are more recent works that have examined the modern and liberal foundations of governments in North America (and beyond) in the late nineteenth and early twentieth centuries. Modernism is a slippery and somewhat problematic term, often with “multiple” manifestations, but it has generally been used by scholars as a shorthand description for an ideology that came to dominate the post-Enlightenment, pre-World War II era when positivist beliefs in rationalism, objectivity, and technological progress based on scientific expertise began to dominate in government and business. The terms “development” and “modern” are often coupled together, the assumption being that one (development) will lead to the other (modernity).²⁰ David Harvey and James C. Scott have argued that this type of ideology reached its peak in the first half of the twentieth century during the “high modern” era, when states around the world began to undertake large-

¹⁸ H. V. Nelles, *The Politics of Development: Forests, Mines, and Hydroelectric Power in Ontario, 1849 – 1941* (Montreal-Kingston: McGill-Queen’s University Press, 2005 [1974]). See also, Thomas Burton, *Natural Resource Policy in Canada: Issues and Perspectives* (Toronto: McClelland and Stewart, 1972); Thomas P. Hughes, *Networks of Power: Electrification in Western Society* (Baltimore: Johns Hopkins University Press, 1983); Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the American West* (Oxford: Oxford University Press, 1985).

¹⁹ Hays, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890-1920* (Cambridge: Harvard University Press, 1959); Robert Craig Brown, “The Doctrine of Usefulness: Natural Resource Policy and National Park Policy in Canada, 1887-1914,” in J. G. Nelson and R. C. Stace, eds., *Canadian Parks in Perspective* (Montreal: Harvest House Ltd., 1969), 46 – 62; Alfred Runte, *National Parks: The American Experience* (Lincoln: University of Nebraska Press, 1979).

²⁰ For a critique of the conflation between “development” and the “religion” of modernity, see Gilbert Rist, *The History of Development: From Western Origins to Global Faith*, Third Edition (New York: Zed Books, 2008 [1997]). For discussions of the complexities of the term “modern,” see Marshall Berman, *All That is Solid Melts into Air: The Experience of Modernity* (New York: Penguin, 1982); Bruno Latour, *We Have Never Been Modern*, trans. Catherine Porter (Cambridge, Mass., 1993); Stuart Hall, David Held, Don Hubert, and Kenneth Thompson, eds., *Modernity: An Introduction to Modern Societies* (Oxford: Oxford University Press, 1996), 3 – 18; and S. N. Eisenstadt, “Multiple Modernities,” *Daedalus* 129 (2000): 1 – 30.

scale, centrally planned development projects. Such projects relied on expert knowledge that abstracted nature into quantifiable, “legible” terms, seeing it as something to be measured, manipulated, and improved upon, as a universalized space rather than a localized place. A high modern, “developed” society is one where nature is conquered and controlled.²¹

As Ian McKay has argued, such a rational and scientific approach to government in North America went hand in hand with the rise of the “liberal order framework” that came to define, in hegemonic fashion, virtually every state structure in both the United States and Canada by the twentieth century. With similar roots in the Enlightenment, particularly the works of John Locke and John Stuart Mill and the French and American Revolutions, liberalism can also have various permutations, from classical liberalism in the nineteenth century, to social welfare liberalism following the New Deal in the United States. Every version, though, centres on the rights of individuals to liberty, equality, and property.²² As Stéphane Castonguay, Darin Kinsey, and James Murton have shown for Quebec and British Columbia, this framework also came to dominate how governments approached natural resource management by the turn of the twentieth century, including promoting industrial development wherever possible in the name of rational and progressive government and private enterprise.²³

In North America, then, a liberal form of modernism lay at the heart of notions about development and also informed the management of nature by the state. Revealingly, after World War II, such ideas became a key aspect of how the United States and Canada approached the “developing” world as well. As historians of U.S. foreign relations have shown, a desire to liberalize international trade and Cold War security concerns about the “domino effect” of communism informed decisions to modernize third world countries through development

²¹ David Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change* (Cambridge, Mass.: Harvard University Press, 1990); James C. Scott’s, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998). For other examples of this era, particularly as it applies to dams, see Paul R. Josephson, *Industrialized Nature: Brute Force Technology and the Transformation of the Natural World* (Washington D.C.: Island Press/Shearwater Books, 2002); Reisner, *Cadillac Desert*; Patrick McCully, *Silenced Rivers: The Ecology and Politics of Large Dams* (London: Zed Books, 1996).

²² Ian McKay, “The Liberal Order Framework: A Prospectus for a Reconnaissance of Canadian History,” *Canadian Historical Review* 81, 4 (2000): 617 – 645. See also, Jean-François Constant and Michel Ducharme, eds., *Liberalism and Hegemony: Debating the Canadian Liberal Revolution* (Toronto: University of Toronto Press, 2009).

²³ Stéphane Castonguay and Darin Kinsey, “The Nature of the Liberal Order: State Formation, Conservation, and the Government of Non-Humans in Canada,” in Constant and Ducharme, eds., *Liberalism and Hegemony*, 221 – 245; and James Murton, *Creating a Modern Countryside: Liberalism, and Land Resettlement in British Columbia* (Vancouver: UBC Press, 2007).

projects like dams, transportation infrastructure, and industrial agriculture.²⁴ Furthermore, Elizabeth Borgwardt, Mary Ann Glendon, and Elizabeth Spalding have argued that the global network of financial and judicial institutions and frameworks set up through the U.N., the International Monetary Fund, and the International Court that would underpin many global development initiatives were based on the liberal agenda of “Western” countries like the United States, Britain, and, to a much lesser extent, Canada, and were wrapped up in Cold War security concerns about the rise of communism.²⁵ The “techno-politics” that resulted were similar to the politics of development that developed in Canada and the United States in the early twentieth century. In fact, many of the same experts that worked for companies and government organizations like Morrison Knudsen, the U.S. Army Corps of Engineers, and B.C. Hydro ended up travelling overseas and applying the experience they learned in the United States and Canada to countries in Africa, the Middle East, and Asia.²⁶

Ironically, at the same time that Canada and the United States promoted liberalism and modern development overseas, concerns with the impacts of such state-promoted development at home were a direct catalyst for the environmental movement, which transformed how development was planned and promoted. As Samuel Hays argues in his seminal account, *Beauty,*

²⁴ Michael Adas, *Dominance by Design: Technological Imperatives and America's Civilizing Mission* (Cambridge, MA: Belknap Press of Harvard University, 2006); Nick Cullather, *The Hungry World: America's Cold War Battle Against Poverty in Asia* (Cambridge: Harvard University Press, 2010); *ibid.*, “Miracles of Modernization: The Green Revolution and the Apotheosis of Technology,” *Diplomatic History* 28, 2 (April 2004): 227-254; Nils Gilman, *Mandarins of the Future: Modernization Theory in Cold War America* (Baltimore: Johns Hopkins University Press, 2003); David C. Engerman, et. al., eds., *Staging Growth: Modernization, Development, and the Global Cold War* (Amherst: University of Massachusetts Press, 2003); Michael E. Latham, *Modernization as Ideology: American Social Science and “Nation-Building” in the Kennedy Era* (Chapel Hill: University of North Carolina Press, 2000); and Frank Ninkovich, *Modernity and Power: A History of the Domino Theory in the Twentieth Century* (Chicago: University of Chicago Press, 1994). Although Canadian historians have not given this topic nearly as much attention, there is evidence that its government approached foreign aid in a similar fashion. See, for example, David R. Morrison, *Aid and Ebb Tide: A History of CIDA & Development Assistance* (Waterloo: Wilfred Laurier University Press, 1998) and Cranford Pratt, ed., *Canadian International Development Assistance Policies: An Appraisal* (Montreal and Kingston: McGill-Queen's University Press, 1994).

²⁵ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001); Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge: Harvard University Press, 2005); Elizabeth Spalding, *The First Cold Warrior: Harry Truman, Containment, and the Remaking of Liberal Internationalism* (Lexington: University Press of Kentucky, 2006). For an opposing argument about Canada's liberal internationalist tradition, see Adam Chapnick, “Peace, Order and Good Government: The ‘Conservative’ Tradition in Canadian Foreign Policy,” *International Journal* 60, 3 (2005): 635 – 50; and *ibid.*, *Middle Power Project: Canada and the Founding of the United Nations* (Vancouver: UBC Press, 2005).

²⁶ Timothy Mitchell, *Rule of Experts: Egypt, Techno-Politics, Modernity* (Berkeley: University of California Press, 2002); Nick Cullather, “Damming Afghanistan: Modernization in a Buffer State,” *Journal of American History* 89, 2 (Sept. 2002): 512-37; and Tina Loo with Meg Stanley, “An Environmental History of Progress: Damming the Peace and the Columbia Rivers,” *Canadian Historical Review* 92, 3 (Sept. 2011): 399 – 427.

Health, and Permanence, environmental politics grew out of an environmental movement that was unique to the postwar world in the United States, the result of rising levels of wealth, education, and leisure time, which led to a demand for environmental regulations based on aesthetic qualities, health concerns, and a desire to preserve certain environments and resources for future generations. “Environmental affairs energized distinctive personal and public values that differed markedly from those of an earlier time,” Hays argues, “even from the years of the New Deal a half century ago. As they work[ed] themselves from society into politics, social changes [became] political changes. New public demands [arose], new scientific knowledge and new technologies, new modes of political involvement and expression.” Although precursors to the environmental movement occurred, Hays concedes, most notably the conservation movement of the Progressive Era in the late nineteenth and early twentieth centuries, such political revolutions were based on a different set of social values. The conservation movement in particular, Hays has argued, was overwhelmingly about industrial “efficiency” rather than the post-industrial values of “beauty, health, and permanence.”²⁷

Some scholars, such as Roderick Nash, Robert Gottlieb, and Richard N. L. Andrews have taken issue with Hays’ assertion that environmental politics were entirely new to the postwar world. As these authors argue, concern for nature and contesting the impact of industrial development go back much further than the postwar world, citing the work of an array of different people like Thomas Jefferson, Henry Thoreau, John Muir, and Alice Hamilton.²⁸ Others, like Philip Shabecoff and Adam Rome have sided with Hays, arguing that the mass movement that coalesced around the vaguely defined term “environmentalism” during the late 1960s is significant in its own right. The environmental movement, they argue, had more in common with other social movements associated with the 1950s and 1960s, such as the civil rights, anti-Vietnam War, anti-nuclear, women’s, and counterculture movements, than previous movements like conservationism, although older conservationist organizations like the Sierra Club benefited greatly from environmentalism and eventually came to dominate the movement.²⁹

²⁷ Hays, *Beauty, Health, and Permanence*, 2, and *ibid.*, *Conservation and the Gospel of Efficiency*.

²⁸ Nash, *Wilderness and the American Mind*; Robert Gottlieb, *Forcing the Spring: The Transformation of the American Environmental Movement* (Washington D. C.: Island Press, 1993); Richard N. L. Andrews, *Managing the Environment, Managing Ourselves: A History of American Environmental Policy* (New Haven: Yale University Press, 1999).

²⁹ Philip Shabecoff, *A Fierce Green Fire: The American Environmental Movement* (Washington: Island Press, 2003 [1993]); and Rome, “‘Give Earth a Chance.’” See also Hal K. Rothman, *Saving the Planet: The American Response to the Environment in the Twentieth Century* (Chicago: Ivan R. Dee Press, 2000).

Such arguments are important. Indeed, the fact that there was continuity between the conservation movement of the first part of the twentieth century and the environmental movement of the second half is an integral part of this dissertation's argument. Ultimately I side with most environmental historians, though, by differentiating between the two movements, if only because the term "environmentalism," as all-encompassing and universal as it been since the 1970s, would not have made much sense to anyone advocating for nature preservation or industrial restraint before World War Two.

Arguments about the origins of environmentalism aside, far more important for this dissertation is the fact that Hays' fundamental assumption that environmental politics are basically opposed to the politics of development has largely stood the test of time. Indeed, if anything, those studies that read environmental politics back into history do so to prove that although the politics of development dominated government action in the nineteenth and early twentieth centuries, it was never uncontested, largely leaving the developmentalism-environmentalism binary intact.³⁰ Indicative of this fact, as Robert Gottlieb and Charles Rubin have most forcefully shown, is that despite the wide-ranging nature of environmentalist thought, historians have tended to focus on the anti-modernist elements, praising the wilderness philosophy of thinkers like Henry Thoreau and John Muir and downplaying or castigating the importance of bureaucrats like Forester Gifford Pinchot and technological theorists like Lewis Mumford.³¹

Within the last decade or so, however, historians and social scientists alike have begun to point out that the line between the two is not so clear-cut. On the development side, Richard White has argued for the importance of understanding nature through labour, even the work associated with modern development projects. Even large-scale engineering projects like those on the Columbia River can be thought of as "organic machines" that operate within the limits set

³⁰ For other significant studies of environmental politics in the United States and Canada, see James Morton Turner, *The Promise of Wilderness: American Environmental Politics Since 1964* (Seattle: U of W Press, 2012); Frank Uekötter, *Age of Smoke: Environmental Policy in Germany and the United States, 1880 – 1970* (Pittsburgh: University of Pittsburgh Press, 2009); Scott Hamilton Dewey, *Don't Breathe the Air: Air Pollution and U.S. Environmental Politics, 1945 – 1970* (College Station: Texas A & M University Press, 2000); Arn M. Keeling, "The Effluent Society"; Jennifer Read, "Addressing 'a Quiet Horror': The Evolution of Ontario Pollution Control Policy in the International Great Lakes," (PhD Dissertation, University of Western Ontario, 1999); Harvey, *A Symbol of Wilderness*.

³¹ For arguments criticizing the tendency to focus too narrowly on wilderness and anti-modernism in environmental history see Gottlieb, *Forcing the Spring* and Charles T. Rubin, ed. *Conservation Reconsidered: Nature, Virtue, and American Liberal Democracy* (Lanham: Rowman & Littlefield Pub., 2000).

by nature rather than simplistically “conquering” it.³² Similarly, Tina Loo and Meg Stanley have shown how engineers and planners associated with dams in British Columbia, rather than showing little regard for local conditions, operated according to a kind of high modern local knowledge that stressed working within the bounds of nature in particular places. Indeed, the success and safety of such dams depended on acquiring such knowledge.³³

Likewise, those who focus on the evolution of the environmental movement since the 1970s have demonstrated the importance that theories about development, modern technology, and liberalism have played within the movement. Paul Charles Milazzo, for example, has examined the actions of “unlikely environmentalists” such as the U.S. Army Corps of Engineers, which applied large-scale technical solutions to water pollution problems with relative success in the United States.³⁴ Adam Rome has outlined the confluence of liberalism and environmental thought in the administrations of John F. Kennedy and Lyndon Johnson.³⁵ Andrew Kirk, on the other hand, has examined the role that the *Whole Earth Catalogue* played in promoting alternative technologies within the environmental movement.³⁶ Michael Bess has focused on how environmentalism has created a “light-green society” in developed countries like France, which have stressed green technologies like wind and solar energy production and the large scale adoption of technologically advanced transportation infrastructure like high speed trains.³⁷

Social scientists who study the rise of sustainable development in the last quarter of the twentieth century have also examined the connections between environmentalism, economics, scientific planning, and development. Such works have largely focused on the evolution and global spread of the idea of sustainable development, particularly through UN initiatives like the 1972 Stockholm Conference on the Human Environment, the 1987 “Brundtland Report” on sustainable development, and the 1992 UN Conference on Environment and Development in Rio de Janeiro.³⁸ Pioneering sustainable development thinkers like Maurice Strong and Felix Dodds,

³² White, *The Organic Machine*.

³³ Loo with Stanley, “An Environmental History of Progress.” See also Billington, Jr. and Jackson, *Big Dams of the New Deal Era*.

³⁴ Paul Charles Milazzo, *Unlikely Environmentalists: Congress and Clean Water, 1945 – 1972* (Lawrence: University of Kansas Press, 2006).

³⁵ Rome, ““Give Earth a Chance.””

³⁶ Andrew Kirk, *Counterculture Green: The Whole Earth Catalogue and American Environmentalism* (Lawrence: University Press of Kansas, 2007).

³⁷ Michael Bess, *The Light-Green Society: Ecology and Technological Modernity in France, 1960 – 2000* (Chicago: University of Chicago Press, 2003).

³⁸ Rist, *The History of Development*.

for example, promoted the same centrally planned, rational, and scientific approach to nature as the most thoroughly high modernist engineer would approach damming any given river valley.³⁹ Some social scientists, like W. D. Adams, have interpreted the sustainable development movement that has resulted in a largely positive light, seeing it as the only way to lift the developing world out of poverty without making the planet uninhabitable at the same time.⁴⁰ Others, like Pratap Chatterjee and Matthias Finger have been largely critical of sustainable development, arguing that it merely “greens” the global capitalistic world system without addressing fundamental issues of inequality and poverty that are inherent to it.⁴¹

Of key importance for this dissertation is the argument that the politics of sustainable development are thoroughly modernist and liberal. Political scientist Maarten Hajer, for example, has argued that sustainable development planning was part of a larger global trend that he labels ecological modernization, whereby governments and environmental activists in the 1980s believed “that environmental problems can be solved in accordance with the workings of the main institutional arrangements of society.” Similarly, Steven Bernstein, borrowing from Karl Polanyi’s and John Gerard Ruggie’s theories of “dis-embedded” and “embedded” liberalism within the world economic system, has used the term environmental liberalism to describe the ways in which the global environmental movement “compromised” with the neo-liberal drive to promote free market capitalism through sustainable development planning.⁴²

The High Ross Dam controversy tells a similar story about the primacy of both modernism and liberalism behind the thinking of dam advocates and environmentalists alike, showing that there was a great deal of continuity between the two eras of politics that defined the dispute. In order to maintain ties with my previous work, I use “environmental modernization”

³⁹ Felix Dodds, Michael Strauss, and Maurice Strong, *Only One Earth: The Long Road to Sustainable Development* (New York: Routledge, 2012).

⁴⁰ W. M. Adams, *Green Development: Environment and Sustainability in a Developing World* (New York: Routledge, 2009 [1990]). See also, Charles Derber, *Greed to Green: Solving Climate Change and Remaking the Economy* (Boulder: Paradigm Pub., 2010); Sverker C. Jagers, *Prospects for Green Liberal Environmentalism* (Lanham: University Press of America, 2007); Philip C. Cooper and Claudia Maria Vargas, *Implementing Sustainable Development: From Global Policy to Local Action* (Lanham: Rowman & Littlefield Pub., Inc., 2004).

⁴¹ Pratap Chatterjee and Matthias Finger, *The Earth Brokers: Power, Politics, and World Development* (New York: Routledge, 1994). For similar criticisms, see Wolfgang Sachs, ed., *Global Ecology: A New Arena of Political Conflicts* (London & New Jersey: Zed Books, 1993) and Rist, *The History of Development*.

⁴² Maarten Hajer, *Politics of Environmental Discourse: Ecological Modernization and the Policy Process* (New York: Oxford University Press, 1997), 3; Steven Bernstein, *The Compromise of Liberal Environmentalism* (New York: Columbia University Press, 2001). See also, Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (Boston: Beacon Press, 2001 [1944]); and John Gerard Ruggie, “International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order,” *International Organization* 36, 2 (1982): 379 – 415.

when discussing environmentalists' and engineers' theories dealing with mitigating the environmental impacts of dams, rather than using Hajer's term "ecological modernization."⁴³

Furthermore, as much as researchers like Bernstein have focused on the pragmatic compromise that sustainable development advocates made with economic neo-liberalism, other political theorists like G. J. Paton have pointed out that liberal environmentalism, like liberalism more broadly, goes beyond economics, encompassing the rights of individuals to freedom, equality, and property.⁴⁴ These values are inherent in the environmental movement as well, as activists often use the language of individual rights to argue that governments must maintain a clean and healthy environment. Deep ecologists go one step further, assigning non-human nature the rights of an individual as well.⁴⁵ This often conflicts with the rights of other individuals, corporations and governments included, to pollute, flood, or otherwise cause environmental harm. One of the fundamental challenges of the liberal order framework since at least the rise of the 1960s environmental movement, then, has been finding the right compromise between these contending individual rights, however the individual is defined.⁴⁶

The High Ross Dam controversy and the Skagit River Treaty that ended it show that both dam advocates and environmentalists alike argued for just this sort of liberal environmentalist compromise, and it had more to do with ensuring individual rights to both cheap energy and preserved wilderness than with free market capitalism. In the end, the treaty was modern in its embrace of the rational use of science and technology and politically liberal in the way that governments in both Canada and the United States compromised over the rights to cross-border land use between the two countries.

The Politics of Place: Environmental Controversy, the Spatial Turn, and History

As a case study of a cross-border environmental controversy, this dissertation also contributes to a growing literature in the humanities and social sciences on the importance of spatial concepts like place, borders, networks, and scale. As critical geographers like Henri

⁴³ Philip Van Huizen, "Building a Green Dam: Environmental Modernism and the Canadian-American Libby Dam Project," *Pacific Historical Review* 79, 3 (2010): 418 – 453.

⁴⁴ G. J. Paton, *Seeking Sustainability: On the Prospect of an Ecological Liberalism* (New York: Routledge, 2011), 8 – 10.

⁴⁵ Robyn Eckersley, "Green Liberal Democracy: The Rights Discourse Revisited," in Brian Doherty and Marius de Geus, *Democracy and Green Political Thought: Sustainability, Rights, and Citizenship* (New York: Routledge, 1996), 212 – 236.

⁴⁶ See also M. L. J. Wissenberg, *Green Liberalism: The Free and Green Society* (London: UCL Press, 1998) and Jagers, *Prospects for Green Liberal Environmentalism*.

Lefebvre, Neil Smith, Edward W. Soja, and David Harvey have argued, such spatial categories, like space more generally, are socially produced.⁴⁷ Space, in other words, is not simply the backdrop upon which human action unfolds. Instead, it is produced through the myriad different ways that we experience, perceive, and interact with nature and by how we “place” ourselves in relation to our surroundings and to other people.⁴⁸ Furthermore, how this process unfolds is both historical and political; those in power, through a variety of different means like military enterprise, mapping, education, and development, “force” their constructions of place on those they have power over, a process that is often contested and marks one of the fundamental aspects of any political controversy.⁴⁹

The contention that space is socially constructed has had a profound effect on how social scientists conceptualize contemporary studies of politics. For example, researchers have had to grapple with increasingly complex contemporary environmental issues like climate change, loss of biodiversity, cross-border pollution, and the impacts of international trade, which are not contained within the borders of any one country. Rather, such issues are cross-border by nature and have varying impacts according to different scales, from the local to the global. Jumping off from the work of critical geographers, social scientists have paid increasing attention to how the spread of global capitalism in particular has globalized the scale of environmental change and hence the scale at which networks of business, scientists, and activists operate, with particular interest on how this impacts more traditional spatial categories, especially the territorial borders associated with nation-states.

Some have argued that politics are no longer contained within the “territorial trap” of national borders; instead, they increasingly operate according to a “scalar hierarchy,” although with the nation-state generally at the top governing between international and sub-national scales.⁵⁰ This has opened the door for activists and governments alike to take advantage of “scale

⁴⁷ Henri Lefebvre, *The Production of Space*, translated by Donald Nicholson-Smith (Oxford: Oxford University Press, 1991 [1974]); Neil Smith, *Uneven Development: Nature, Capital, and the Production of Space* Third Edition (Athens: University of Georgia Press, 2008 [1984]); Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London: Verso, 1989); David Harvey, *Justice, Nature, and the Geography of Difference* (Oxford: Blackwell Pub., 1996).

⁴⁸ Harvey, *Justice, Nature, and the Geography of Difference*, 208.

⁴⁹ This point is made most explicitly by Smith, *Uneven Development*, 132 – 205 and Harvey, *Justice, Nature, and the Geography of Difference*, 329 – 428.

⁵⁰ Shannon O’Lear, *Environmental Politics: Scale and Power* (Cambridge: Cambridge University Press, 2010); Roger Keil and Rianne Mahon, eds. *Leviathan Undone? Towards a Political Economy of Scale* (Vancouver: University of British Columbia Press, 2009); Eric Sheppard and Robert McMaster, eds., *Scale and Geographic*

politics.” For environmental issues, even when they are contained to small areas, such as the pollution impact of a specific development project, this has resulted in attaching to globalized environmental or social networks like the environmental justice movement, thereby scale jumping and attracting more notice. Such scale politics have become an integral part of environmental activist strategies in particular, as they try to navigate and even dictate the different scales at which an issue is perceived.⁵¹

Other researchers, however, have downplayed the relevance of scale as a lens of analysis. Actor-network theorists in particular have argued that environmental activists, scientists, and industrial stakeholders, amongst other global actors, increasingly operate in a transnational fashion that does not adhere to territorial borders at all. Rather, faster travel and media, along with technological advances in things like scientific measurement have created globalized “regimes” and networks, which determine how things like ideas, capital, labour, and resources circulate, in essence destabilizing the production of borders and the importance of scale.⁵²

Most social scientists, however, are unwilling to go quite so far and instead agree that both borders and the multiple political scales that they represent still play a powerful role in politics. In fact, as John Agnew and David Newman argue, globalization has made boundary production and enforcement as relevant (and as problematic) as ever, as most nation-states, from “failed” ones like the Sudan to global hegemons like the United States, vie to impose their will on issues that seem to be increasingly out of their control. As a result, borders and their material and discursive effects, are as popular a field of study now as they have ever been.⁵³ Other

Inquiry: Nature, Society, and Method (Oxford: Blackwell, 2004); Andrew Herod and Melissa Wright, eds. *Geographies of Power: Placing Scale* (Oxford: Blackwell Pub., 2002); James Anderson, Chris Brook, and Allan Cochrane, eds., *A Global World? Reordering Political Space* (Oxford: Oxford University Press, 1995); John Agnew, “The Territorial Trap: The Geographical Assumptions of International Relations Theory,” *Review of International Political Economy* 1, 1 (1994): 53 – 80.

⁵¹ George Towers, “Applying the Political Geography of Scale: Grassroots Strategies and Environmental Justice,” *Professional Geographer* 52, 1 (2000): 23 – 36; Robert W. Williams, “Environmental Injustice in America and its Politics of Scale,” *Political Geography* 18 (1999): 49 – 73.

⁵² Bruno Latour, *Reassembling the Social: An Introduction to Actor-Network Theory* (Oxford: Oxford University Press, 2005); Sallie A. Marston, John Paul Jones III, and Keith Woodward “Human Geography Without Scale,” *Transactions in the Institute of British Geographers* 30 (2005): 416 – 32. For “regime” theory, particularly as it relates to the environment, see Oran R. Young, *International Cooperation: Building Regimes for Natural Resources and the Environment* (Ithaca: Cornell University Press, 1989).

⁵³ John Agnew, “Borders on the Mind: Re-framing Border Thinking,” *Ethics and Global Politics* 1, 4 (2008): 175 – 91; David Newman, “The Lines that Continue to Separate Us: Borders in Our ‘Borderless’ World,” *Progress in Human Geography* 30 (April 2006): 143 – 16. See also E. Brunet-Jailly, “Theorizing Borders and Borderlands: An Interdisciplinary Perspective,” *Geopolitics* 10 (2005): 633 – 49; B. Sletto, “Boundary Making and Regional Identities in a Globalized Environment: Rebordering the Nariva Swamp, Trinidad,” *Environment and Planning D: Society and Space* 20 (2002): 183 – 208.

scholars, such as Doreen Massey, have advocated for a renewed attention to local places, since, as much globalization has transformed spatial relationships, what place means and how it is produced still informs how most people experience these changes.⁵⁴

Taken together, it would appear that many of the disagreements that have brewed between social scientists over the importance of borders and scale within a particular place versus the increasingly globalized and transnational world of activists and corporations are based on a false dichotomy.⁵⁵ As Neil Brenner has argued, all such spatial concepts are really just aspects of the production of space more generally, and thus “any adequate, historically nuanced conceptualization of [scale] must also consider its place-based, territorial, and networked dimensions.”⁵⁶

Such debates rarely find their way into the work of historians, despite the fact that the spatial turn is having an increasingly important impact on the discipline of history. For environmental history in particular, where the material and discursive construction of place is a primary concern, spatial concepts are used with increasing frequency. Indeed, some of the most influential environmental historians, like William Cronon and Tina Loo, have explicitly engaged with spatial theory to great effect.⁵⁷ Others, like Ian Tyrell, Dan Flores, and Richard White, have argued that historians need to expand their spatial scales of analysis beyond the nation-state, and over the past decade more and more have started to do just that.⁵⁸ For the most part, however, as

⁵⁴ Doreen Massey, *Space, Place, and Gender* (University of Minnesota Press, 1994); *ibid.*, ed. *A Place in the World?: Places, Cultures, and Globalization* (Oxford: Oxford University Press, 1995); see also Eric Swyngedouw, “Neither Global nor Local: ‘Glocalization’ and the Politics of Scale,” in Kevin R. Cox, ed. *Spaces of Globalization: Reasserting the Power of the Local* (New York: Guilford, 1997): 137 – 66.

⁵⁵ J. Blatter, “Beyond Hierarchies and Networks: Institutional Logics and Change in Trans-boundary Political Spaces During the 20th Century,” *Governance: An International Journal of Policy, Administration and Institution* 16 (2003): 503 – 26.

⁵⁶ Neil Brenner “A Thousand Leaves: Notes on the Geographies of Uneven Spatial Development”, Keil and Mahon, eds, *Leviathan Undone?*, 28 – 29.

⁵⁷ William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W. W. Norton and Co., 1991); Tina Loo, “Disturbing the Peace.” See also Akira Iriye, *Global Community: The Role of International Organizations in the Making of the Contemporary World* (Berkley and Los Angeles: University of California Press, 2002), as a similar example of an influential IR scholar engaging in spatial theory, essentially historicizing actor-network theory. There are examples of migration historians doing the same with transnational networks, although that is beyond the scope of this introduction. For an introduction, see Vic Satzewich and Lloyd Wong, eds., *Transnational Identities and Practices in Canada* (UBC Press, 2006).

⁵⁸ Ian Tyrell, “American Exceptionalism in an Age of International History,” *American Historical Review* 96, 4 (1991): 1031 – 55; Dan Flores, “Place: An Argument for Bioregional History,” *Environmental History Review* 18, 4 (1994): 1-18; Richard White, “The Nationalization of Nature” *The Journal of American History*. 86, 3 (1999): 976 – 86. For a rebuttal to the “bioregional” arguments, see Matthew Evenden and Graeme Wynn, “54, 40 or Fight: Writing Within and Across Borders in North American Environmental History,” in Sverker Sörlin and Paul Warde, *Nature’s End: History and the Environment* (New York: Palgrave Macmillan, 2009), 215 – 46.

Joseph Taylor argues, historians have ignored the far more rigorous work of social scientists when incorporating spatial concepts into historical studies. “Historians should engage spatial concepts, but just as important is the need to use them with care,” Taylor warns. “Other disciplines offer cues on how to proceed. Anthropologists, geographers, legal scholars, and political scientists have been refining these concepts for decades, and it is time we pay attention to how they think about space.”⁵⁹

Engaging with the work of social scientists is important because it will lead to better histories, but also because it will make disciplines such as environmental history relevant to a wider circle of people. Sverker Sörlin, Paul Warde, and Joseph Taylor have argued that government officials have increasingly ignored the insights of historians in favour of the work of social scientists. This is unfortunate because historians have a lot to contribute to discussions about power structures, the environment, and spatial production, most importantly by adding temporal depth and analysis.⁶⁰ As Tina Loo has argued about current investigations into the production of scale, for example: “Because geographers have written many of the most stimulating and important analyses of scale, it is perhaps not surprising that scale is defined largely in spatial terms. But ... different temporal, as well as spatial, framings [have] animated the struggle for environmental justice.”⁶¹

More importantly for this dissertation, engaging with spatial theory helps to better explain the creation, evolution, and resolution of the High Ross Dam controversy, which hinged on the political ramifications of its spatial location, or what I will refer to as its politics of place. The fact that the Canadian-U.S. border runs through the Upper Skagit Valley is the prime reason Seattle was never able to raise the Ross Dam to its fully intended height. As easily as the border has been crossed by the Skagit River, dam advocates, and environmental activists, it has also had a profound, material impact on both nature and development projects alike. The border added layers of regulation and government jurisdiction that delayed the High Ross Dam by a far greater amount than other dam projects in British Columbia and Washington. It also connected the

⁵⁹ Joseph E. Taylor III, “Boundary Terminology,” *Environmental History* 13 (July 2008): 456. Similarly, Sverker Sörlin and Paul Warde criticize environmental historians for focusing too much attention on the biological sciences, particularly ecology, when, in their opinion, environmental history has far more to contribute to the work of social sciences like geography, anthropology, and political science. See “The Problem of the Problem of Environmental History: A Re-Reading of the Field” *Environmental History* 12, 1 (2007): 107 – 30.

⁶⁰ Taylor, “Boundary Terminology,” and Sörlin and Warde, “The Problem of the Problem of Environmental History.”

⁶¹ Loo, “Disturbing the Peace,” 898.

Skagit Valley to other cross-border river basins. These connections led to further delay as the High Ross Dam was put in competition with other cross-border projects for diplomatic negotiation and political approval. But the border also provided a way out of the longstanding High Ross Dam controversy when the cross-border Pend d'Oreille Valley was eventually flooded in exchange for preserving the Skagit. The impact of the border, and the scale politics and transnational networks that it produced, thus proved to be paradoxical for the particular place that is the Skagit Valley, proving no impediment to nature and ideas on the one hand, but having a direct impact on the development, preservation, and management of nature on the other.

Environmental History and Canadian-U.S. Relations

Lastly, this dissertation is also informed by the relatively recent historiographical fusion of the subfields of environmental history and Canadian-U.S. relations. Environmental issues have figured prominently in the Canadian-U.S. relationship over the course of the twentieth century. Numerous disputes over fisheries on both the Atlantic and Pacific coasts, negotiations for the massive cross-border reconfiguration of the St. Lawrence River and Columbia River Basin during the mid-twentieth century, pollution issues on the Great Lakes in the 1960s and 1970s, and conflict over acid rain in the 1980s, to name only a handful, caused significant friction between the two countries.

Despite the prevalence of environmental issues in the history of Canadian-U.S. relations, however, historians have only recently given them any attention. For much of the twentieth century, historians of Canadian-American relations focused almost exclusively on “high diplomacy” between the two countries, particularly security and trade issues. As a result, analyses tended to focus predominantly on high-level diplomats and state actors, mostly centred in Washington D. C. and Ottawa.⁶² Environmental historians, on the other hand, have tended to

⁶² See, for example, Bruce Muirhead, *Dancing Around the Elephant: Creating a Prosperous Canada in an Era of American Dominance, 1957-1973* (Toronto: University of Toronto Press, 2005); Stephane Roussel, *The North American Democratic Peace: Absence of War and Security Institutions Building in Canadian-U.S. Relations 1867-1958* (Montreal: McGill-Queen's University Press 2002); Greg Donaghy, *Tolerant Allies: Canada and the United States, 1963-1968* (Montreal and Kingston: McGill-Queen's University Press, 2002); Lawrence Robert Aronsen, *American National Security and Economic Relations with Canada 1945-1954* (Westport, Conn.: Praeger 1997); J. L. Granatstein, *Yankee Go Home?: Canadians and anti-Americanism* (Toronto: HarperCollins, 1996); *ibid.* and Norman Hillmer, *For Better or For Worse: Canada and the United States to the 1990s* (Toronto: Copp Clark Pittman, 1991); Robert Bothwell, *Canada and the United States: The Politics of Partnership* (New York: Twayne Pub., 1992); Reginald C. Stewart, *Dispersed Relations: Americans and Canadians in Upper North America* (Baltimore: Johns Hopkins University Press, 2007); John Herd Thompson and Steven J. Randall, *Canada and the United States: Ambivalent Allies* Third Edition (Montreal: McGill-Queen's University Press, 2008 [2002, 1994]);

stay within the confines of their respective nation-states, particularly in the United States, where the field originated in the 1970s and flourished long before it became established in Canada. Indeed, the fact that environmental history was slower to catch on in Canada partly explains why Canadian-U.S. environmental relations have remained understudied, since Canadian historians have traditionally shown a far greater interest in Canadian-U.S. history than their American counterparts.⁶³

By the late 1990s, however, things began to change, albeit slowly. The reasons for this mostly had to do with the greater prevalence of cross-border environmental issues in general, as outlined in the previous section. Political scientists in particular responded by investigating the confluence of environmental concerns with international relations, including between the United States and Canada, arguing that a new type of environmental diplomacy emerged with the rise of environmentalism in the 1970s.⁶⁴ By the late 1990s, the weight of such work became difficult to ignore, and a few historians began to look for precedents to contemporary environmental diplomacy and international relations. Kurkpatrick Dorsey's study of U.S.-Canadian wildlife treaties in the late nineteenth and early twentieth centuries, *The Dawn of Conservation Diplomacy*, and John Wirth's comparative study of the Trail Smelter dispute with U.S.-Mexico cross-border pollution complaints, *Smelter Smoke*, were at the forefront of this change, explicitly combining diplomatic and environmental history approaches to Canadian-U.S. history.⁶⁵ Dorsey

and Allan Smith, *Canada: An American Nation?: Essays on Continentalism, Identity and the Canadian Frame of Mind* (Montreal: McGill-Queen's University Press, 1994) are important exceptions to this trend, treating a much wider range of subject matter in their sweeping takes on Canadian-U.S. relations. Thompson and Randall even give the Canadian-U.S. environmental relationship its due.

⁶³ For more on the rarity of U.S. environmental historians who engage in cross-border or international work as well as the relative lateness of Canadians to the field, see J. R. McNeill, "Observations on the Nature and Culture of Environmental History," *History and Theory* 42, 4 (2003): 5 – 43. See also, White, "Nationalization of Nature," and Tyrell, "American Exceptionalism in an Age of International History." For a more informed examination of the development of environmental history in Canada, see Evenden and Wynn, "54, 40 or Fight."

⁶⁴ James Loucky, Donald K. Alper, and J. C. Day, eds., *Transboundary Policy Challenges in the Pacific Border Region of North America* (Calgary: University of Calgary Press, 2008); Pamela Chasek et. al., *Global Environmental Politics* Fourth Edition (Boulder: Westview Press, 2006); Michele M. Betsill, Kathryn Hochstetler and Dimitris Stevis, *International Environmental Politics* (New York: Palgrave Macmillan, 2006); John E. Carroll, *Environmental Diplomacy: An Examination and a Prospective of Canadian-U.S. Transboundary Environmental Relations* (Ann Arbor: University of Michigan Press, 1983); Oran R. Young, *International Cooperation*; Lynton Keith Caldwell, *International Environmental Policy: Emergence and Dimensions* Second Edition (Durham: Duke University Press, 1990); Mostafa K. Tolba, and Iwona Rummel-Bulska, *Global Environmental Diplomacy: Negotiating Environmental Agreements for the World, 1973-1992* (Cambridge: MIT Press, 1998).

⁶⁵ Kurkpatrick Dorsey, *The Dawn of Conservation Diplomacy: U.S.-Canadian Wildlife Protection Treaties in the Progressive Era* (Washington: University of Washington Press, 1998); John Wirth, *Smelter Smoke in North America: The Politics of Transborder Pollution* (Lawrence: University Press of Kansas, 2000). See also Daniel

in particular has worked almost single-handedly to convince U.S. diplomatic historians to incorporate insights from environmental history into their field more generally.⁶⁶ Outside of Dorsey and Wirth, John Herd Thompson and Steven J. Randall's important study of Canadian-U.S. relations, *Ambivalent Allies*, has included more cross-border environmental issues between Canada and the United States with every new edition.⁶⁷ There has also been some recent work on the Canadian arctic that interprets environmental protection, such as the 1970 Arctic Pollution Prevention Act as an assertion of sovereignty.⁶⁸

Apart from these few works that explicitly study Canadian-U.S. relations, there has also been an increasing interest in regional environments that straddle the Canadian-U.S. border, most notably Richard Rajala's *Clearcutting the Pacific Rain Forest*, Theodore Binnema's *Common and Contested Ground*, Matthew Evenden's *Fish versus Power*, William G. Robbins and Katrine Barber's *Nature's Northwest*, Paul Hirt's *Wired Northwest*, and Lissa Wadewitz's *The Nature of Borders*, all of which use natural borders rather than political ones to delimit their studies while also examining the environmental impact that such borders have had.⁶⁹ There have also been important continental approaches to North America that include Canada, the United States, and Mexico, most notably Sterling Evans' focus on the environmental change associated with the "henequen-wheat complex."⁷⁰ Such works have paralleled an increasing interest in borderlands

Macfarlane, "To the Heart of the Continent: Canada and the Negotiation of the St. Lawrence Seaway and Power Project, 1921 – 1954" (PhD Diss., University of Ottawa, 2010).

⁶⁶ Dorsey, "Dealing with the Dinosaur (and its Swamp): Putting the Environment in Diplomatic History," *Diplomatic History* 29, 4, (2005): 573 – 87. Hogan and Patterson's introductory volume to U.S. foreign relations, *Explaining the History of American Foreign Relations*, for example, contains numerous essays on the many new areas of U.S. IR history, but does not have one on environmental history. The Fall 2008 edition of *Diplomatic History* edited by Dorsey and dedicated to environmental history, however, may indicate that this is beginning to change.

⁶⁷ Thompson and Randall, *Canada and the United States*.

⁶⁸ Christopher Kirkey, "The Arctic Waters Pollution Prevention Initiatives: Canada's Response to an American Challenge," *International Journal of Canadian Studies* 13 (March 1996): 41 – 59. See also, Shelagh D. Grant, *Polar Imperative: A History of Arctic Sovereignty in North America* (Vancouver: Douglas & McIntyre, 2010); and Michael Byers, *Who Owns the Arctic? Understanding Sovereignty Disputes in the North* (Vancouver: Douglas & McIntyre, 2009).

⁶⁹ Richard A. Rajala, *Clearcutting the Pacific Rain Forest: Production, Science, and Regulation* (Vancouver: UBC Press, 1998); Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Norman: University of Oklahoma Press, 2001); Matthew D. Evenden, *Fish versus Power: An Environmental History of the Fraser River* (Cambridge: Cambridge University Press, 2004); William G. Robbins and Katrine Barber, *Nature's Northwest: The North Pacific Slope in the Twentieth Century* (Tucson: University of Arizona Press, 2011); Hirt, *Wired Northwest*; Lissa K. Wadewitz, *The Nature of Borders: Salmon, Boundaries, and Bandits on the Salish Sea* (Seattle and Vancouver: University of Washington Press and UBC Press, 2012).

⁷⁰ Sterling Evans, *Bound in Twine: The History and Ecology of the Henequen-Wheat Complex for Mexico and the American and Canadian Plains, 1880 – 1950* (College Station: Texas A&M University Press, 2007).

history between Canada and the United States more generally, particularly in the Canadian-U.S. West. Borderlands scholarship in North America has traditionally dedicated far more attention to the Mexican-U.S. borderlands, rather than the Canadian-U.S. ones, but, as a number of edited collections have recently shown, arguments that Canadian-U.S. border regions deserve greater study are beginning to take hold.⁷¹

The slow trickle of studies that focus on the Canadian-U.S. environmental relationship really only scratches the surface, however; it is still far more common for historians to ignore cross-border environments than to investigate them. Perhaps nothing exemplifies this lack of attention more than the paucity of historical work on the International Joint Commission (IJC). Created by the 1909 Boundary Waters Treaty between the United States and Britain (which oversaw Canadian foreign relations until after the First World War), the IJC was tasked with managing shared Canadian-U.S. waterways, particularly in response to persistent disputes between the two countries over water diversions in the prairies and altered water levels and increasing pollution in the Great Lakes. In many ways, the IJC was a direct response to the conservation movement's theories that the development of natural resources should reduce waste and stress efficient, rational management. Over the course of the twentieth century, though, the function of the IJC slowly evolved, first into a high modern organization that essentially approved cross-border development projects with little regard for their social and environmental impacts, and then into one that increasingly adopted ecological diversity and environmental mitigation as one of its primary concerns. Over the course of the twentieth century it has dealt with hundreds of different disputes and development proposals in nearly a hundred different waterways between the two countries. Despite the important role it has played in Canadian-U.S. history, however, it has been virtually unexplored by historians apart from a few case studies by John Wirth, Jennifer Read, and Daniel Macfarlane.⁷²

⁷¹ See, for example, the many environmental history essays in Michael D. Behiels and Reginald C. Stuart, *Transnationalism: Canada-United States History into the 21st Century* (Montreal and Kingston: McGill-Queen's University Press, 2010); Benjamin Johnson and Andrew Greybill, eds., *Bridging National Borders in North American Transnational and Comparative Histories* (Durham: Duke University Press, 2010); Sterling Evans ed., *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty-Ninth Parallel* (Lincoln and London, 2006); John M. Findley and Ken S. Coates, eds., *Parallel Destinies: Canadian-American Relations West of the Rockies* (Seattle, 2002); Paul W. Hirt (ed.), *Terra Pacifica: People and Place in the Northwest States and Western Canada* (Pullman: Washington State University Press, 1998).

⁷² For examinations of the IJC in the social sciences, see L. M. Bloomfield and Gerald F. Fitzgerald, *Boundary Waters Problems of Canada and the United States: The International Joint Commission, 1912 – 1958* (Toronto: The Carswell Co., Ltd., 1958); Garth O. Makepeace, *The International Joint Commission: Determinants*

Also significant for this dissertation is the fact that environmental politics between the two countries have been virtually unexplored. Much of this has to do with the fact that the environmental movement in Canada in general has been understudied. The few historians that have given it any attention have generally concluded that U.S. environmentalism had a tremendous influence on that which developed in Canada. In particular, there was a tension between the ideas about environmental change that originated in the United States, such as those espoused by Rachel Carson in *Silent Spring*, and the rise of anti-Americanism in Canada in the 1960s and 1970s.⁷³ Such topics have not been given sustained historical analysis, however, nor has the degree to which the environmental movements in each country developed together or how the Canadian environmental movement influenced the United States. Greenpeace, for example, probably the most influential global environmental group over the past three decades as Frank Zelko has shown, was started in Vancouver, B.C. by a collection of American draft dodgers, Canadian counter-culture activists, and Canadian and American “peaceniks” and wilderness preservationists.⁷⁴

This dissertation is thus situated within a slowly expanding group of studies that are venturing across the Canadian-U.S. border to investigate its influence on the politics of both development and the environment. Both the IJC and Greenpeace make their way into the chapters that follow, although the former much more than the latter, in an attempt to continue what I trust is only the beginning of a rising tide of similar studies.

Chapter Outline

This dissertation makes two broad arguments. First, the politics of development and the environment that defined the two eras of the six-decade High Ross Dam controversy were not antithetical; rather, both periods of the controversy were part of a larger tension between

of Success (Vancouver: University of British Columbia Press, 1980); Robert Spencer, John Kirton, and Kim Richard Nossal, *The International Joint Commission Seventy Years On* (Toronto: University of Toronto Press, 1981); John E. Carroll, *Environmental Diplomacy: An Examination and a Prospective of Canadian-U.S. Transboundary Environmental Relations* (Ann Arbor: The University of Michigan Press, 1983), chap. 3. For some IJC-related historical case studies see, Neil A. Swainson, *Conflict Over the Columbia: The Canadian Background to an Historic Treaty* (Montreal: McGill-Queen’s University Press, 1979); Read, “Addressing a ‘Quiet Horror’”; Wirth, *Smelter Smoke in North America*; and Macfarlane, “To the Heart of the Continent.”

⁷³ Marilyn Dubasak, *Wilderness Preservation: A Cross-cultural Comparison of Canada and the United States* (New York: Garland Press, 1990); Keeling, “The Effluent Society”; Zelko, *Make it a Green Peace!*; Thompson and Randall, *Ambivalent Allies*, chapters 8 and 9.

⁷⁴ Zelko, *Make it a Green Peace!*

different notions of modernization and the politics of place. Proponents of Seattle's plan to flood the Upper Skagit Valley were not against plans for preservation in the valley, indeed they often promoted them as a part of modern conservation and multiple use planning. Similarly, most environmentalists who protested the High Ross Dam were not opposed to modern development plans in general, or even dams in particular. Controversy arose over how to compensate for flooding and what sort of modern development, be it dams or wilderness parks, was best suited to the Upper Skagit Valley. This connected the Skagit to other cross-border rivers, such as the Kootenay, the Columbia, and the Pend d'Oreille, as various government and non-government resource management experts, from engineers and economists to ecologists and recreationists, came up with competing plans for how to best utilize such areas in ways that ignored territorial boundaries.

Politicians, though, had to balance such modern, "place-less" planning with sentiment directly tied to territorial boundaries, including regionalism, nationalism, and internationalism. As a result, they often opted to delay or to defer making decisions about such areas that would have otherwise solved the High Ross Dam controversy one way or the other. This explains why the dispute persisted for as long as it did, during both the high modern period when dams were popular and the environmentally modern period when they were less so.

Second, representatives from various levels of government in Canada and the United States solved the tension between the politics of modernization and place that lay behind the two stages of the High Ross Dam controversy with a type of liberal environmentalist compromise. That is, under the direction of the IJC, politicians, environmentalists, and dam planners alike came up with a plan that flooded other areas of the Canadian-U.S. borderland so that the Skagit Valley would remain the way that it was. The Skagit River Treaty that resulted hinged on the assumption that residents of Canada and the United States had a right to both cheap energy and pristine nature. Far from the "win-win" situation that the treaty has been portrayed as, it worked because each side took a pragmatic view to what they wanted and sacrificed their rights to one area in exchange for another. More importantly, although the treaty resulted from the efforts of activists to reverse a decision made by governments in Canada and the United States, it also affirmed the government's role in regulating and promoting the modernization of nature in Canada and the United States as well as the liberal order framework by which each government operates.

To make these arguments I divide my study of the High Ross Dam controversy into three parts: the politics of high modernism from 1926 to 1967 (chapters 1 and 2), the politics of environmental modernism from 1967 to 1982 (chapters 3 and 4), and the politics of constructing a liberal environmentalist compromise from 1982 to 1984 (Chapter 5).

The first chapter tackles the cross-border politics of the High Ross Dam before the era of environmental protest, from 1927 to 1967. This is a particularly curious era in the High Ross Dam dispute because almost no one was opposed to the idea of flooding across the Canadian-U.S. border and yet, despite Seattle's continued efforts, it never happened. I argue that this was essentially because of the proposed project's location in the Canadian-U.S. borderland. The plan to flood the Skagit Valley was regional at best, the result of municipal planning, but Skagit Valley's location across the forty-ninth parallel meant dealing with a diplomatic approval process. This meant that the valley was under multiple, overlapping jurisdictions – provincial, municipal, federal, and bi-national. Its borderland location also meant it was linked to other Canadian-U.S. waterways and the politics of cross-border development as a result, particularly through the IJC, which subjected plans and conflict resolution to further delay.

The second chapter looks at the same temporal period, arguing that while cross-border politics delayed the High Ross Dam from being built, the paradox of multiple use planning, particularly of developing the valley for both industrial and recreational use, virtually ensured that it would become an environmental dispute once development politics were worked out. Seattle and British Columbia both stressed the importance of multiple use planning in the valley, especially as a way to promote SCL dams and reservoirs. Ironically, though, planning for both recreational and industrial use in the same valley led some to promote wilderness preservation over development, ultimately preventing Seattle from further developing the valley for hydroelectric use.

The third chapter tackles the period from 1969 to 1972, when the controversy was at its most intense. I argue that activists in Vancouver and Seattle simultaneously transcended and took advantage of the Canadian-U.S. border in order to both create the High Ross Dam controversy and overcome other divisions within the burgeoning environmentalist communities in both cities. In British Columbia this meant using Canadian nationalist sentiment, particularly anti-Americanism, in order to drum up near universal support at all political levels in Canada. In Seattle, on the other hand, a similar attempt to use nationalist sentiment based on the importance

of wilderness areas and national parks was not as successful, creating divisions rather than solving them. Instead, appeals to the international nature of the impact of the High Ross Dam, particularly its impact on Canadian perceptions of the United States, worked much better to drum up support for protests against the project. The strength of the cross-border environmental movement thus led directly to the second phase of the High Ross Dam controversy, ultimately preventing Seattle from ever raising the dam

The fourth chapter examines the nature of environmental politics and how they further delayed the High Ross Dam controversy. I argue that politicians supported environmental causes like the High Ross Dam when it was easy to do so because of the political capital that such support offered. Actually doing something to stop the project, however, was far more complicated, since Seattle had every legal right to flood across the Canada-United States border. Instead, those with the power to do something elected to use symbolic gestures like holding investigative hearings or creating parks, while also delaying and deferring decisions by taking advantage of the many scales of authority that had a hand in the regulatory process for the project. Federal hearings before the Federal Power Commission in particular were used by both Seattle and British Columbia politicians in order to delay cancelling agreements for the project or negotiating a new settlement.

The fifth and final chapter investigates the resolution of the High Ross Dam controversy, focusing on what it reveals about the continuity of modernism between the politics of development and the environment in the creation of the liberal environmentalist compromise that was the Skagit River Treaty. I argue that the treaty is an example of environmental modernism, evidence of the fact that the environmental movement was not necessarily opposed to dam development, or the top-down, state led planning models that such entailed. Indeed, one of the key environmental activists in the High Ross Dam controversy, Vancouver's Ken Farquharson, was also a civil engineer with direct experience in dam construction. He was an ardent proponent of raising the Seven Mile Dam on the Pend d'Oreille River, which he viewed as a far more suitable area for flooding due to its steep canyon walls, in order to save the widely used and more ecologically valuable Skagit Valley.

Left out of any part of the decision-making process for the Skagit River Treaty, however, were indigenous groups, despite their involvement in the latter stages of the controversy. This exclusion was consistent with how nations like the Stó:lō, Nlaka'pamux, Upper Skagit, Sauk-

Suiattle, and Swinomish were treated throughout the twentieth century by those with the power to make decisions over the Skagit Valley. Indeed, most, environmental activists included, assumed that there was no indigenous presence in the Skagit Valley in the twentieth century, which, as I address briefly in the second chapter, was untrue. Indeed, the politics of the valley since the Skagit River Treaty was negotiated show that indigenous leaders have begun to demand a future presence at any decision-making table for the valley. The conclusion takes up such questions, focusing in particular on how an increasing indigenous presence could further complicate the politics of both development and the environment in the Skagit Valley in the twenty-first century.

Chapter 1

Dam Delay: The IJC, Modernization, and the Politics of Cross-Border Development in the Canadian-U.S. West

On April 10, 1959 the Canadian-U.S. International Joint Commission (IJC) held a closed meeting in its Washington D. C. office to decide what to do about a growing dispute between British Columbia and Seattle. British Columbia had recently backed out of a compensation agreement to allow Seattle to raise its Ross Dam on the Skagit River, and Seattle had reacted by using the lower Ross Dam to flood illegally into the province anyway. Although a temporary agreement had been reached to cover the 550 acres that Seattle had flooded, the city's representatives wanted the IJC to use its jurisdictional power over cross-border waterways to force British Columbia to sign a permanent agreement so the Ross Dam could be raised by its final 122.5 feet. The U.S. Section of the IJC had already ruled in favour of Seattle's request and U.S. commissioners demanded that their Canadian counterparts make a decision on the matter so that Seattle would know whether it could begin construction.

J. H. Cleveland, a lawyer for the Canadian section of the IJC, however, strongly urged the commissioners to exercise caution. "No one likes to see matters coming before the Commission hanging fire for years, nevertheless there may be worse things than delay," Cleveland argued. "The purpose of the Commission is to prevent disputes and to settle questions. The commission could take some hasty action with respect to the Skagit River which might ... create more and greater problems." Forcing British Columbia to sign the compensation agreement it had previously negotiated with Seattle would encroach on the jurisdiction of Canada's domestic courts. If that were to happen, Cleveland warned, "the Governments [of Canada and the United States] might have to take very serious consideration of the future [of] the Boundary Waters Treaty. I am very, very fearful of what might happen. The Skagit River itself may be a small and unimportant issue," Cleveland concluded. "Nevertheless, these things, as we all know, can have and do have a most important effect on the public opinion."¹

¹ "Transcript of Proceeding before the International Joint Commission (United States and Canada), Skagit River Application (1941)," (Washington, D. C., April 10, 1959): 8 – 9, 46-2-5-11, box 54, Skagit River Reference, Docket 46, IJCA.

Although Cleveland's caution that the IJC would make matters worse by forcing British Columbia into an agreement with Seattle was almost certainly true, it was also somewhat ironic. The very reason there was a dispute in the first place over a Seattle-British Columbia compensation agreement for the High Ross Dam had a lot to do with the IJC and the politics of cross-border development. Created by the Boundary Waters Treaty in 1909, the IJC was meant to solve disputes over shared Canadian-U.S. waterways, as Cleveland reminded the commissioners, such as those over irrigation works in Alberta and Montana, the hydroelectric development of Niagara Falls, and Chicago's impact on the Great Lakes. It was also meant to prevent future conflict by taking negotiations for cross-border development projects out of the chauvinistic arena of diplomatic politics and putting it into the hands of trained experts and bureaucrats who, it was assumed, would not be affected by nationalistic sentiment.²

The creation of the IJC also correlated with the rise of state-implemented high modern development in both the United States and Canada.³ As Wesley Arden Dick has argued for the American Pacific Northwest, the first half of the twentieth century was a time "when dams weren't damned." Indeed, massive dams were viewed by most as the ultimate symbol of progress, of "man's" control of nature using science and technology.⁴ Between 1926, when Seattle City Light first applied to flood into British Columbia, and 1967, when an agreement to do so was finally signed, more than fifty large dams were built or were under construction on rivers that passed through Washington and British Columbia. These "Go-Go Years" of dam construction, as Marc Reisner has termed them, included the first stages of the Ross Dam, which eventually flooded just over the forty-ninth parallel.⁵

Yet, despite the creation of the bi-national IJC to facilitate modern cross-border development and a strong belief on both sides of the border in the value of flooding large tracts of valley bottomlands to produce hydroelectricity, the High Ross Dam was never built. British Columbia agreed to negotiate with Seattle as early as 1927, and a tentative agreement for flooding the Skagit Valley was struck by 1931. This deal was held up time and again, though, by other regional and national interests associated with the IJC, first by the British Columbia's giant

² Carroll, *Environmental Diplomacy*, chap. 3.

³ Scott, *Seeing Like a State*.

⁴ Wesley Arden Dick, "When Dams Weren't Damned: The Public Power Crusade and Visions of the Good Life in the Pacific Northwest in the 1930s," *Environmental Review* vol. 13, no. 3/4 (1989): 116 – 117. See also Meg Stanley, *Voices From Two Rivers: Harnessing the Power of the Peace and Columbia* (Vancouver: Douglas & McIntyre, 2010); Loo, "People in the Way,"; White, *The Organic Machine*.

⁵ Reisner, *Cadillac Desert*.

mining corporation Cominco in the 1930s, then by competing national and regional priorities during World War II, and finally by much larger compensation negotiations for reservoirs in British Columbia's portion of the Columbia River Basin. When British Columbia finally signed a settlement agreement over the High Ross Dam in 1967 more than four decades had passed since the province had first agreed to the proposal. In this respect, it joins the few other projects of the high modern era that were also prevented because they became embroiled in different forms of development politics, such as the Hells Canyon High Dam in Idaho and the Moran Dam in British Columbia.⁶ Unlike these examples, though, which were halted due to alternate plans for the same area, the politics of the High Ross Dam centred on its cross-border location, a factor that was exacerbated by the IJC rather than helped by it. High modern ideology thus travelled easily across the Canadian-U.S. border, but high modern plans to inundate it were far more difficult to see through.

This chapter also shows that the early history of the High Ross Dam dispute had very little to do with the environmental impact of Ross Reservoir in British Columbia. Portions of negotiations that had to do with the dam's damage to British Columbia's flora and fauna never took up much time, although they occurred over and over as the process spanned four different decades. Negotiators regarded calculating the value of the area to be flooded as a simple matter of surveying how many trees, acres of soil, fish, and ungulates would be lost to logging, agriculture, and recreation interests in the province, none of whom raised much of a protest against the project. As a result, those scholars who have looked at the High Ross Dam controversy have paid far less attention to this period of its history compared to the environmental politics that followed, a trend that is common in approaches to environmental controversy more generally.⁷

Yet this era of the dispute between British Columbia and Seattle was an important and formative part of the larger environmental conflict over the High Ross Dam that arose after 1967, and not just because the project was delayed long enough until environmental and indigenous activists would protest against it. Studies of environmental conflict that gloss over the high modern politics of development miss important connections that often tie the two eras together.

⁶ Karl Boyd Brooks, *Public Power, Private Dams: The Hells Canyon High Dam Controversy* (Seattle: University of Washington Press, 2006); Matthew Evenden, *Fish Versus Power*.

⁷ See, for example, Shelvey, "Skagit Scenes"; Kirn, "The Skagit River-High Ross Dam Controversy"; Wolfe, "The High Ross Dam/Skagit River Controversy"; Simmons, "The Damnation of a Dam"; Carroll, *Environmental Diplomacy*, 94 – 117

For the High Ross Dam, questions relating to the period from the 1930s to the 1960s – over the rights of a sub-national government to delay and even cancel federally mandated development, over the economics and regulation of cross-border development projects compared to domestic ones, over the influence and interference of the development of natural resources in one cross-border area on another – would continue to be important during the period following 1967.

Holding the Skagit for Ransom

Originating in Southwestern British Columbia, 150 kilometres east of Vancouver, the Skagit River flows south into the United States and then turns west and empties into Puget Sound at Mt. Vernon, Washington (see Figure 1). Although at 240 kilometres it is relatively short in length, it packs a punch, collecting the water of more than 2,500 streams and rivers and dropping more than 2,000 feet from its source to the sea, making it the most powerful stream to empty into Puget Sound. A third of this drop in elevation occurs in just a twenty-kilometre stretch through a steep sided gorge of hard granite in Washington State, from the confluence of the Skagit River and Ruby Creek southwest to present day Newhalem.⁸ In the minds of early twentieth century hydroelectric experts, this section of the Skagit Valley seemed destined for power development.

Although planning for dams on this short section of the Skagit River has its roots in the late nineteenth century, it was not until SCL's famous superintendent, J. D. Ross, applied for federal power licences for the area in 1917 that any plans came to be realized. A monumental figure in the United States' public power movement in the first third of the twentieth century – Roosevelt would refer to Ross as “one of the greatest Americans of our generation” after Ross' death in 1939 – Ross epitomized the newly developing relationship between government bureaucracies in North America and large-scale water development schemes.

Ross believed wholeheartedly in the power of electrification to uplift and modernize every facet of society. He referred to this as “city building,” which at its most basic meant providing cheap electricity in order to attract desirable forms of private enterprise. “Low industrial rates,” wrote Ross, “bring factories to Seattle to realize the benefits of the wonderful water power of the State of Washington. Cheap power is the key to future industrial supremacy and will make the Puget Sound Basin one of the world's busiest workshops.”⁹

⁸ Shelvey, “Skagit Scenes,” 19.

⁹ J. D. Ross to F. L. Earp, July 30, 1927, as cited in William O'Dell Sparks, “J. D. Ross and Seattle City Light” (MA Thesis, University of Washington, 1964), 4.

Industry was not the only object of Ross' vision of cheap electricity. Social engineering also went hand in hand with public power. As many scholars have argued, electrification was part of the social reform efforts of the first half of the twentieth century. Electricity would bring not only industry and prosperity, but would improve the human condition and enable moral reform, literally rescuing the urban poor from the dark and from the drudgery of labour-intensive tasks.¹⁰ Ross epitomized this connection. According to Ross, modern conveniences like electric ranges, irons, vacuums, and furnaces made for more than happy "housewives" and "hubbies," they made them modern, engaged civic citizens.¹¹ As one contemporary observer wrote effusively after Ross' death, "[Ross] mixed humanitarianism and technics and did it successfully. His love of mankind expressed itself in kilowatts, and as his love was great, kilowatts had to be generated and distributed gigantically so that every one could share in the resulting benefits."¹²

Ross' success in the public power movement was based almost completely in the dams he built on the Skagit River, what he referred to as "the river of a million horse-power." Ross oversaw the completion of the 200-foot high Gorge Dam in 1924 and the 350-foot Diablo Dam in 1931. The crown jewel of his Skagit Hydroelectric Project, though, was the Ruby Dam, renamed for Ross after his death in 1939. Ross planned to take advantage of one of the narrowest sections of the Skagit gorge to build a dam that would put Seattle on the global map of construction and engineering. As early as 1917 Ross dreamt the project to be nearly seven hundred feet high, double the height of any dam at the time, with a reservoir more than fifty kilometres long, twenty of which would cross the border into British Columbia.¹³

¹⁰ Ruth Schwartz Cowan, *More Work For Mother: The Ironies of Household Technology From the Open Hearth to the Microwave* (New York: Basic Books, 1983), 151 – 191; David E. Nye, *Electrifying America: Social Meanings of a New Technology, 1880 – 1940* (Cambridge: MIT Press, 1990), 238 – 286; Ronald C. Tobey, *Technology as Freedom: The New Deal and the Electrical Modernization of the American Home* (Berkeley: University of California Press, 1996); Graeme Gooday, *Domesticating Electricity: Technology, Uncertainty and Gender, 1880 – 1914* (London: Pickering and Chatto, 2008). These themes are also addressed indirectly in Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885 – 1925* (Toronto: McClelland and Stewart, 1991); and Joy Parr, *Domestic Goods: The Material, the Moral, and the Economic in the Postwar Years* (Toronto: University of Toronto Press, 1999).

¹¹ Wesley Arden Dick, "The Genesis of Seattle City Light" (MA Thesis, University of Washington, 1965), 113 – 114. "Housewives" and "Hubbies" is from the Seattle *Star*, December 15, 1915, as cited in Dick, "Genesis," 114. For more on Ross' theories about social reform and electrification see Shelvey, "Skagit Scenes," 200 – 245.

¹² Carl Dreher, "J. D. Ross, Public Power Magnate," *Harper's Magazine*, June (1940), 46.

¹³ For in-depth accounts of J. D. Ross and Seattle City Light's early history see Gilbert Brown, *The Romance of City Light* (Seattle: Gateway Printing Co., 1937); Dreher, "J. D. Ross, Public Power Magnate," 46 – 60; Sparks, "J. D. Ross and Seattle City Light"; Dick, "The Genesis of Seattle City Light"; *ibid.*, "Visions of Abundance"; Pitzer, *Building the Skagit*; Bill Barich, "Our Far Flung Correspondents: J. D. Ross' Vision," *The New Yorker*, (Jan. 4, 1982), 57; Myron K. Jordan, "The Kilowatt Wars: James D. Ross, Public Power, and the Public

As successful and influential as Ross and his theories about high modern development were, his goal of flooding across the forty-ninth parallel would ultimately be stymied by cross-border politics. When SCL first began to inquire about incorporating part of Canada into its expanding hydroelectric network of dams and reservoirs, though, there was little indication of any trouble. Ross tried very hard to make the process of flooding across the border as smooth as possible. He was a Canadian expatriate from Chatham, Ontario and was well aware that he needed not only IJC approval to flood into Canada but British Columbia's as well. In fact, Ross viewed an agreement with the British Columbia government as a necessary first step to ultimately acquiring Canadian federal approval through the IJC. He also kept the Canadian government and the IJC well informed of his plans for the Skagit River, and in return received a fairly enthusiastic response from every level of government that would be involved.¹⁴

Indeed, the provincial approval process moved quickly at first. On October 29, 1926, Ross wrote to British Columbia's Minister of Lands, T. D. Pattullo. "In accordance with [our] telephone conversation of this morning we hereby make application for permit to flood [the Skagit Valley] in British Columbia."¹⁵ Two months later, Pattullo's superintendent of lands, Henry Cathcart, replied that "this Department can see no objection to the favourable consideration of your application in so far as vacant Crown lands are concerned within the area to be flooded."¹⁶ By 1931, SCL had paid the Department of Lands to survey and create Lot 1103, the 5,700-acre parcel of crown land that would be flooded by the Ruby Dam.¹⁷ Based on these surveys, Ross and provincial Minister of Lands N. S. Loughheed negotiated that Seattle would pay British Columbia \$90,630 to compensate for the soil and trees that would be flooded out by the High Ross Dam.¹⁸

British Columbia's Department of Lands viewed the Skagit Valley as a remote wilderness that was difficult to access and thus welcomed Seattle's plan as an opportunity to

Relations Contest for the Hearts and Minds of Pacific Northwesterners," (PhD Diss., University of Washington, 1991); Shelvey, "Skagit Scenes," chapters 3 – 4; and Nash, "The Changing Experience of Nature."

¹⁴ See Ross to C. E. Webb, Dominion Hydrographer, Canada Department of the Interior, 23 Oct. 1929, file 14, box 59, 33-1, Seattle Lighting Department Collection, UWA.

¹⁵ Ross to T. D. Pattullo, Oct. 29, 1926, file 3, box 1, 1200-13, Superintendent's Correspondence, Seattle City Light Collection, (hereafter 1200-13), SMA.

¹⁶ H. Cathcart, Superintendent of Lands, to Ross, Dec. 22, 1926, vol. 1, box 23, 072931 (90-898), BCMEA.

¹⁷ British Columbia Surveyor General to R. L. Horie, Esq. 10 July 1930; Cathcart to J. P. Meehan & Co., 28 Sept. 1931, vol. 1, box 23, 072931 (90-898), BCMEA.

¹⁸ Ross to N. S. Loughheed, Minister of Public Lands, 8 Feb. 1932, vol. 1, box 23, 072931 (90-898), BCMEA.

finally kick-start modern development in the area.¹⁹ Numerous potential resource booms in the valley had continually ended almost as soon as they had begun. False gold rushes on the U.S. side of the border in 1879 and the early 1890s had stirred up the possibility of constructing a road through British Columbia for access, but little more.²⁰ Closer to home, a fraudulent gold rush – the infamous Steamboat Mountain fraud – perpetrated in 1910 by American prospectors Dan Greenwald and W. A. Stevens with gold from Denver, Colorado, left three ghost towns in its wake in the northern part of the Skagit Valley, and cost British Columbia, Canadian, and British investors more than seven million dollars.²¹

In 1912 federal geologist Charles Camsell surveyed the area and declared “there is no legitimate reason for any mining boom in this particular locality.”²² The valley’s reputation was further damaged when attempts to mine zinc, copper, and lead ore in various ventures from 1915 to the mid 1920s failed as well. Furthermore, surveys of the Skagit Valley in 1913, 1915, and 1923 by the provincial Forest Branch were not overly enthusiastic about the potential of the valley for logging either, since what had not been cut down by miners had been ravaged by fires. The entire valley was placed under a forest reserve in 1923 so that it might recover to the point that commercial forestry would be possible.²³

Seattle’s plans for the Skagit Valley offered to change failed attempts at industrial development, beginning by making British Columbia’s portion of the valley more accessible, particularly for logging once the area had recovered. Ross told Minister of Lands Pattullo in 1926 that he had spoken with logging outfits in the Lower Mainland about flooding the Skagit Valley and these companies were eager to see it done. He also pointed out that any reservoir-building activity, as well as the reservoir itself, would make a full assessment of the resource potential of the area much easier, “because the creation of Ruby Lake will materially assist them in their

¹⁹ Shelvey, “Skagit Scenes,” chapter 7; Simmons, “The Damnation of a Dam,” 23 – 25. See also Perry, *A Citizens Guide to the Skagit Valley*, 53 – 54.

²⁰ Pitzer, *Building the Skagit*, 1 – 7; there were numerous attempts after this to find gold in the American Skagit Valley as well, including another minor boom in the 1920s after the railroad for the Gorge and Diablo dams was finished. See *ibid.*, 74 – 78.

²¹ Bruce Ramsey, *Ghost Towns of British Columbia* (Vancouver: Mitchell Press, 1963), 196 – 200; R. Walsh et. al. *Forging a New Hope: Struggles and Dreams, 1848 – 1948* (Hope: Hope and District Historical Society, 1984); Paula Wuorinen, “A History of the Skagit Valley Recreation Area,” (Victoria, B.C. Parks Branch, 1975), 16 – 36; Fraser-Cascade Mountain School and Hope Mountain Centre, *Human History of the Upper Skagit Watershed* (Fraser Cascade Mountain School, 2008), 6 – 15.

²² Charles Camsell, “Geology of Skagit Valley, Yale District, B.C.,” *Sessional Paper No. 26: Summary Report for 1911* (Ottawa: Department of Mines, 1912), 115, as cited in Shelvey, “Skagit Scenes,” 327.

²³ Shelvey, “Skagit Scenes,” 327 – 337.

operation.”²⁴ In 1931, after a tour of the British Columbia Skagit Valley, Ross also pointed out that should resource extraction not prove viable in the British Columbia Skagit, the entire area could be turned into a park, citing the attractive scenery in the valley and the popularity of his own Skagit Tours as evidence of this.²⁵ In 1933, Ross stated in a report that “an auto road ... constructed from the end of Ruby Lake 40 miles through Canada to Hope on the C. P. R., will make a through route, opening up this part of the Skagit Valley to travel and transportation.”²⁶

The province’s Department of Lands concurred with Ross’ opinion about the value such transportation links would bring to the Skagit Valley. Initial settlement negotiations between Pattullo and his successor as minister of lands, N. S. Lougheed, and J. D. Ross from the late 1920s to the early 1930s made it clear that logging outfits would have access to the reservoir and that SCL would be responsible for any road building activity that reservoir construction would require.²⁷ Not only would a previously useless area be made more useful, then, but it would also be made accessible for further large-scale development. In the provincial government’s eyes in the 1920s and 1930s, at least, one form of development in the valley would lead to another and converting 6,000 acres of valley-bottom land into a reservoir in exchange for cash and a road was a worthy investment.

As willing as the British Columbia government was to let Ross flood across the Canadian-U.S. border, however, the Department of Lands’ initial letter of approval also foreshadowed what would create the first stumbling block for Seattle. As Cathcart told Ross, “In case any private interests may be affected by this project it will be necessary that you make direct arrangements with them.”²⁸ As innocuous as this statement seemed at the time, it would prove to stall Ross’ attempts to quickly settle with British Columbia, and for reasons that had more to do with the IJC than the provincial government.

At first, Ross had very little trouble dealing with private claims to the Skagit Valley. Two sections of land, Lots 221 and 222 as they were referred to by the Department of Lands, were owned by private holding companies. Both had been purchased in the first decade of the twentieth century when the British Columbia government planned, very briefly, to build a

²⁴ Ross to Pattullo, 29 Oct. 1926, file 3, box 1, 1200-13, SMA.

²⁵ Ross to H. Cathcart, Deputy Minister of Lands, 7 Oct. 1931, vol. 1, box 23, 072931 (90-898), BCMEA.

²⁶ J. D. Ross, “Report to the Honorable Mayor and City Council and Board of Public Works on A Plan for the Immediate Construction of the Ruby Dam,” 17, vol. 1, box 23, 072931 (90-898), BCMEA.

²⁷ Cathcart, “Memorandum re: Skagit River Valley Flooding, 29 Oct. 1926 – 7 Oct. 1931”, vol. 1, box 23, 072931 (90-898), BCMEA.

²⁸ Cathcart to Ross, 22 Dec. 1926, vol. 1, box 23, 072931 (90-898), BCMEA

highway south through the Skagit Valley in order to use a pass over the Cascade Mountains near the Canadian-U.S. border to connect the coast with the interior of the province. One plot was even developed into a ranch by Henry Whitworth and worked for over a decade by him and his family until they had to abandon it for health reasons in the early 1910s.²⁹ Ross had no trouble buying both plots of land in 1929 for \$20,000.³⁰

But Ross' openness about his plans for the Skagit River, in combination with his growing influence within federal government circles in the United States, including as a public power consultant for Franklin Roosevelt from 1930 to 1932, made Ross a tempting target for other British Columbia organizations with their own designs on Canadian-U.S. waterways. One company in particular, the Consolidated Mining and Smelting Company of Canada (Cominco), a subsidiary of the Canadian Pacific Railway and one of the largest corporations in British Columbia, would try to take advantage. In March 1931 the Vancouver Board of Trade, at the behest of Cominco, sent a letter to the provincial Department of Lands and to local media outlets protesting the province's decision to allow Seattle to flood the Skagit Valley on the grounds that the mining potential of the valley floor had not been fully explored. The *Vancouver Province* ran a story based on the letter shortly thereafter, pointing out that Cominco had recently sent a survey crew to the area SCL proposed to flood as proof of other industrial interests in the valley.³¹

At first Ross and SCL executives had no problem with Cominco's interest in the Skagit, since it only bolstered Ross' claim that SCL's development plans would lead to further interest in the valley. Ross even rented out the Whitworth Ranch to Cominco to use as a base of operations and hired Cominco employees to maintain a stream gauge at the Canadian-U.S. border operated jointly by SCL and the Water, Power and Hydrometric Bureau of the Canadian Department of Interior.³² Amicable relations between SCL and Cominco ended in 1932,

²⁹ Wuorinen, "A History of the Skagit Valley Recreation Area," 39 – 40; Fraser-Cascade Mountain School and Hope Mountain Centre, *Human History of the Upper Skagit Watershed*, 16.

³⁰ Ross to Cathcart, 29 Oct. 1930, vol. 1, box 23, 072931 (90-898), BCMEA.

³¹ "Say Seattle Plans To Flood B.C. Skagit Area. Vancouver Board of Trade Protests to Provincial Government," *Vancouver Province*, March 27, 1931.

³² See, G. M. Warren, Cominco to C. E. Webb, Dominion Hydrographer, 24 Oct. 1932, file 14, box 59; Warren to J. D. Ross, 3 July 1934, file 28, box 60; and G. H. Whyte, Dominion Water Power and Hydrometric Bureau, "Report on Skagit River Joint International Gauging Station, Station No. 8NL1", Feb. 26, 1936, file 15, box 59; All three sources from 33-1, UWA.

however, when Cominco filed twenty placer claims on the valley floor just north of the Canadian-U.S. border, directly in the area that SCL proposed to flood.

In May 1932, Ross wrote to Minister of Lands N. S. Lougheed, complaining that Cominco's placer claims had nothing to do with potential mineral wealth. Studies and experience had repeatedly shown there was very little mining potential in the valley floor. Instead, Ross accused Cominco of using its claim in the Skagit Valley as leverage in its subsidiary company West Kootenay Power and Light's bid to raise water levels on British Columbia's Kootenay Lake, which would impact farmers upstream in Idaho. West Kootenay Power and Light's general manager, Lorne Campbell, had already contacted Ross earlier in 1932 asking for his help convincing U.S. IJC commissioner Roger McWhorter (whom Ross knew through mutual dealings with the U.S. Federal Power Commission) to allow the Corra Linn Dam to raise Kootenay Lake, and Ross was convinced that Cominco's presence in the Skagit Valley was related. "I have gone on with the negotiations in the best of good faith," Ross wrote to Cathcart, "and have tried to do everything that the British Columbia government asked us to do. My object in having the matter arranged at the present time was just so that people of this sort could not come in and hamper the work."³³

Cominco's placer claims indeed seemed suspicious. West Kootenay Power and Light had originally applied for IJC permission for the Cora Linn Dam in 1929, but the IJC had deferred making a decision after Idaho farmers and state government representatives protested the utility's plan.³⁴ Cominco filed its claim in the Skagit Valley shortly after West Kootenay Power and Light re-submitted an application to the IJC in 1932. Although Cominco did conduct drilling tests in the Skagit Valley, it stopped such work in 1933 once it became clear that there was nothing of worth to be mined in the valley floor. The company continued to renew its mining permits, however, until the end of the decade. By 1934 the provincial Department of Lands acknowledged that Cominco was holding the Skagit Valley "as ransom" against SCL in an attempt to gain

³³ Ross to Lougheed, 12 May 1932, vol. 1, box 23, 072931 (90-898), BCMEA. For more on West Kootenay Power and Light and Cominco more generally see Jeremy Mouat, *The Business of Power: Hydro-Electricity in Southeastern British Columbia, 1897 – 1997* (Victoria: Sono Nis Press, 1997); Wirth, *Smelter Smoke in North America*, especially chapter 1.

³⁴ R. C. Crowe, "Amended Application of West Kootenay Power and Light Company Limited to the International Joint Commission For Approval of Works in the Kootenay River and for the Right to Store Water in Kootenay Lake" (8 Feb. 1932), http://www.ijc.org/en/_/Dockets?docket=39, accessed February 2013.

permission to raise the level of Kootenay Lake.³⁵ In 1937, Campbell sent another letter to J. D. Ross, this time making it clear that the two issues were related, stating Cominco needed assurances that West Kootenay Light and Power's application would be successful "before agreeing to do for the City of Seattle what we wish the Kootenay ranchers to do for our Company and the Province."³⁶

Despite the fact that provincial authorities were sympathetic to Ross' complaints, Deputy Minister of Lands Cathcart repeatedly informed Ross that SCL had to settle Cominco's mining claims before the province and Seattle could officially sign their agreement to flood the Skagit Valley.³⁷ The two sides remained at a stalemate for the remainder of the decade, however. Ross resisted exerting any influence concerning Cominco's Kootenay plans, even going so far as to snub Campbell in March 1937, leaving him waiting indefinitely in SCL's lobby when Campbell travelled to Seattle in a bid to reach an agreement concerning the two issues.³⁸ Instead, Ross, who was having issues with financing for the High Ross Dam due to the Depression anyway, elected to wait Cominco out, building a much smaller, 275-foot high version of the Ruby Dam that did not require the reservoir to go anywhere near the Canadian-U.S. border.³⁹

The stalemate with Cominco ended rather suddenly in 1938 when an unusually large spring freshet in the Columbia Basin resulted in substantial flood damage on both sides of the border downstream from the Corra Linn Dam. The IJC held emergency hearings in Trail, British Columbia and Bonners Ferry, Idaho shortly following the flood. Ross attended the IJC hearings, finally met with Campbell, and informally agreed to help. Despite continued protests from farmers in Idaho, the IJC gave West Kootenay Power and Light permission to raise the level of Kootenay Lake to provide some measure of flood control downstream in British Columbia, Washington, and Oregon.⁴⁰ With its desired Order of Approval in hand from the IJC, Cominco

³⁵ Deputy Minister of Lands, H. Cathcart, memo to Minister of Lands, A. Wells Gray, 10 Aug. 1934, vol. 1, box 23, 072931 (90-898), BCMEA.

³⁶ Campbell to Ross, 12 March 1937, as cited in Shelvey, "Skagit Scenes," 341.

³⁷ Cathcart to Ross, 1, 13, and 27 April 1937, file 41, box 57, 33-1, UWA.

³⁸ Campbell to Cathcart, 7 April 1937, vol. 1, box 23, 072931 (90-898), BCMEA; Cathcart to Ross, 13 April 1937, file 41, box 57, 33-1, UWA.

³⁹ Glen H. Smith, SCL Chief Engineer, memo to W. J. McKeen, Seattle legal counsel, 28 March 1939, file 2, box 11, 1200-13, SMA.

⁴⁰ International Joint Commission, "In the matter of the application of the West Kootenay Power and Light Company, Limited, for permission to construct and operate certain works in an adjacent channel of the Kootenay River in the province of British Columbia, and for the right to store water in Kootenay Lake in the said province of British Columbia: Order of Approval," (11 November, 1938), http://www.ijc.org/en/_Dockets?docket=39, accessed February 2013.

abandoned its mining claims to the Skagit Valley a few months later. “At Bonners Ferry,” SCL assistant superintendent Glen Smith would later explain to Cathcart, Cominco had won and “the controversy was settled in Mr. Campbell’s favor.”⁴¹

Curiously, in a choice that would come back to haunt the utility, SCL did not immediately pursue signing the agreement that Ross and Lougheed had negotiated in the early 1930s once Cominco’s mining claim was abandoned. In a tragic turn of events, J. D. Ross died suddenly of a heart attack while recovering from minor surgery in the Mayo Brothers’ Clinic in Minnesota on March 14, 1939.⁴² When Cathcart contacted SCL shortly after Ross’ death to inquire whether the utility wanted to go ahead and sign the agreement that Ross had negotiated, SCL’s new superintendent, E. R. Hoffman, declined, explaining that financial difficulties made it unlikely that SCL would pursue raising the Ross Dam for the foreseeable future.⁴³

The High Ross Dam and World War II

By 1941 SCL’s situation had changed dramatically. The impact of war in Europe and the possibility of U.S. participation greatly increased Seattle’s energy requirements. As Seattle’s Mayor Earl Milliken stated in May 1941: “Electricity and national defense are tremendously intertwined. The use of electric energy has become one of the most important factors in the social and economic welfare of the people and is assuming increasing values in Seattle and the Pacific Northwest.”⁴⁴ Ship and aircraft-building industries in Seattle led the way with massive production contracts worth nearly \$1 billion from both the U.S. federal government and European combatants. These rapidly expanding industries led to tertiary growth in aluminum plants, sawmills, and steel factories. By May 1941, 19,000 new jobs had been created, and Seattle’s population had increased by nearly 50,000.⁴⁵

⁴¹ Glen H. Smith memo to W. J. McKeen, 28 March 1939, file 2, box 11, 1200-13, SMA. Cominco also tried to get SCL to reimburse it for the \$56,000 it had spent on filing claims, drilling, and taxes in the Skagit Valley, although SCL refused. Cominco eventually relented to avoid paying a further \$5,000 in taxes. See R. C. Crowe, Cominco legal department, to Glen Smith, Asst. Superintendent of Lighting, 5 April 1939; E. R. Hoffman, SCL Superintendent, to C. E. Webb, District Chief Engineer, Dominion Water and Power, 12 April 1939, both letters in file 9, Box 6, 33-4, UWA.

⁴² *Seattle Post-Intelligencer*, 15 March 1939, 1 – 2.

⁴³ E. R. Hoffman to H. Cathcart, B.C. Deputy Minister of Lands, 2 July 1940, vol. 1, box 23, 072931 (90-898), BCMEA.

⁴⁴ Mayor Earl Milliken, “Address to the City Council and Citizens of Seattle, Annual Message,” 2 June 1941) as cited in “Confidential Memorandum re: High Ross Dam Expenditures and the War Effort, 1940’s” (no date), 3, Ross Dam History Report, box 1, 1732-003, N3C Collection, UWA.

⁴⁵ For the impact of World War II on Seattle industry, see Norbert MacDonald, *Distant Neighbors: A Comparative History of Seattle and Vancouver* (Lincoln: University of Nebraska Press, 1987): 143 – 146 and T. M.

Such intense growth required a concomitant increase in energy. As Matthew Evenden has shown, World War II had a dramatic impact on the development of water resources in North America, as rivers were “mobilized” for the war effort by federal and regional governments alike.⁴⁶ For cross-border projects like the High Ross Dam, however, the war had a more contradictory effect, albeit one that was not immediately apparent. Indeed, as per Evenden’s argument, the cross-border section of the Skagit River seemed like it would be mobilized for the war effort in Seattle relatively easily. An SCL study in early 1941 concluded that “the astonishing increases in the demands for energy” in Seattle required “an immediate increase in [Ross] Lake storage.”⁴⁷ Later that year, the director of the Federal Works Agency, John Carmody, toured the Skagit Hydroelectric project, “for the purpose of inspecting government projects designed to aid national defense,” and promised federal loans in return for immediate increases in generating power from the Skagit dams.⁴⁸

With federal loans at the ready, SCL began to work on raising the recently completed Ross Dam. Its new superintendent, E. R. Hoffman, however, did not take the same view that Ross had of the necessity of securing a signed British Columbia agreement before applying for IJC approval. Rather, he took for granted Cathcart’s 1939 assurances that the \$90,000 agreement Ross had negotiated in the early 1930s still stood, and instead contacted the U.S. State Department to apply for Canadian federal approval to raise the dam and flood into British Columbia. In August 1941 U.S. Secretary of State Cordell Hull forwarded SCL’s request to the IJC.⁴⁹

Hoffman’s choice initially seemed like the right one. Due to wartime pressure, Seattle was able to acquire IJC approval in a manner that was quicker and more cursory than was usual

Sell, *Wings of Power: Boeing and the Politics of Growth in the Northwest* (Seattle: University of Washington Press, 2001), 18 – 21.

⁴⁶ Matthew Evenden, “Mobilizing Rivers: Hydro-electricity, the State, and the Second World War,” *Annals of the Association of American Geographers*, 99 (2009): 845 – 855. See also Hirt, *Wired Northwest*, 166 - 185 and Martin Melosi, *Coping with Abundance: Energy and Environment in Industrial America* (Philadelphia: Temple University Press, 1985), 177 – 96.

⁴⁷ Seattle City Light, “War Effort Report,” 16 April 1941, 1, file 8, box 3, 1206-12, Skagit Hydro Project Records, SMA.

⁴⁸ *Seattle Post-Intelligencer*, 19 Aug. 1941, as cited in as cited in “Confidential Memorandum re: High Ross Dam Expenditures and the War Effort, 1940’s”, 6.

⁴⁹ SCL formally applied to the IJC through the State Department, according to protocol, although it also forwarded its application to the IJC in May, see E. R. Hoffman to the International Joint Commission, “Application to raise the Ross Dam in stages,” 26 May 1941, vol. 1, box 23, 072931 (90-898), BCMEA; and Cordell Hull, U.S. Secretary of State to the International Joint Commission, Washington D.C. and Ottawa, Ontario, 6 August 1941, General Correspondence Vol. 1, Box 54, Docket 46, IJCA.

for the commission. The IJC held a single, two-hour hearing for the High Ross Dam on September 12, 1941, a mere month after receiving SCL's application from Cordell Hull, tacking the meeting onto an already-planned trip out west for hearings for the Grand Coulee Dam on the Columbia River.⁵⁰ Despite the fact that its purpose was to assess the impact of the dam in British Columbia, the hearing for High Ross was held in Seattle. As a result, Canadian government representatives were outnumbered two-to-one. On top of this, the hearing was poorly attended by even the IJC itself; because of the hearing's short notice, three of the IJC's six commissioners could not make the trip to Seattle following the Grand Coulee hearings, including the Canadian Chair, Chas Stewart.⁵¹

Given the energy needs of the region, most participants at the hearing treated the High Ross Dam as a foregone conclusion, including representatives of the British Columbia government. E. R. Hoffman stated matter of factly that "the emergency [of war preparation] has made it necessary for us to submit the matter ... we will wish to proceed with the next step of the dam sooner than we had earlier anticipated." SCL's corporate counsel, Glen Wilson, made it clear that the commission had a duty to approve the project "in view of the present national emergency." Even U.S. IJC commissioner Roger McWhorter, who was supposed to remain neutral during the hearing, spoke out in favour of SCL's application due to energy needs in the Pacific Northwest. "I was talking yesterday with the administrator of the Bonneville project," he explained, "and he was commenting upon the need for greatly increased supply of power in this region. He expressed the hope that the city of Seattle would find means of proceeding with the raising of the Ross dam.... He also expressed the hope that the International Joint Commission would cooperate with the city to that end."⁵²

E. Davis, the province's Water Comptroller, read out a brief on behalf of Minister of Lands A. Wells Gray stating that British Columbia had always approved of Seattle's plans for

⁵⁰ The hearing was added to an already-planned IJC trip out west for hearings in Trail, B.C. and Spokane, Washington, for another Cominco project on the Kootenay River, the Waneta Dam, and the Grand Coulee Dam on the Columbia River. Jesse B. Ellis, U.S. Secretary, IJC, to Lawrence J. Burpee, Canadian Secretary, IJC, 13 August, 1941, 46-2-1-1, Box 53, Docket 46, IJCA.

⁵¹ Twenty-one people attended the Skagit hearing, including three IJC commissioners and two secretaries, five representatives of the U.S. government, one representative for the Seattle government, five representatives from SCL, two Canadian government representatives and three representatives from the B.C. government. International Joint Commission, "Application of the City of Seattle for Approval of Proposal to Raise the Water Level of the Skagit River, State of Washington, At and Above the International Boundary, Hearings," (Seattle, Washington, 12 Sept. 1941), 1, 13 – 14.

⁵² IJC, "Application of the City of Seattle," (1941), 42, 44.

the Skagit Valley, and asked only that the IJC add the caveat that Seattle could not flood across the border until a suitable compensation agreement had been reached with the province. Davis went on to state that “in reference to the negotiations which were carried on about 1931 or 1932 by the late Mr. Ross ... they were conducted very freely and I think generally the conditions were more or less set out. I do not anticipate, as Mr. Hoffman has stated, that there should be very much difficulty in the respective departments coming to an understanding.”⁵³

The only dissenting opinion came from the provincial game commissioner, James G. Cunningham. Cunningham was quick to state that he was not against the project, *per se*. He also noted that he did not know all that much about the Skagit Valley, except that it was “one of the best fly fishing streams in the whole of British Columbia.” He asked that his department be given time to write up an official report about the fish and game resources available in the valley before any Seattle-B.C. agreement was negotiated.⁵⁴

By the time the IJC next met to discuss the project, in New York on December 15, 1941, the U.S. had officially entered the Second World War, which increased the level of urgency attached to Seattle’s application. The U.S. chair, A. O. Stanley, reiterated the importance of the project for Seattle and for the American war effort, arguing that “Seattle is very anxious to get the power to erect this dam to its ultimate height. This power is sure to be needed for war purposes.”⁵⁵ After discussing whether it was possible for the IJC to come to a decision given that there was no compensation agreement between the province and Seattle, Canadian Chair Chas Stewart suggested that the commission issue an Order of Approval contingent on such an agreement, just as the British Columbia government had requested at the hearing. The Order of Approval was drawn up and was officially approved on January 27th, 1942 at the next IJC meeting in Montreal. All told, the IJC examined and approved Seattle’s application in a little over five months.⁵⁶

The context of World War II thus drastically telescoped the amount of time it took for the High Ross Dam to be approved at the federal level, effectively removing any delays that the Canadian-U.S. border would have otherwise placed on the project, particularly over first

⁵³ IJC, “Application of the City of Seattle,” (1941), 58.

⁵⁴ IJC, “Application of the City of Seattle,” (1941), 55.

⁵⁵ “Minutes of the International Joint Commission Executive Session,” (New York, 15 Dec. 1941), 10 – 11, file 46-2-5-1, box 53, IJCA.

⁵⁶ International Joint Commission, “Order of Approval in the Matter of the High Ross Dam on the Skagit River” (Ottawa and Washington D.C., 27 Jan. 1942).

determining what type of compensation British Columbia would be provided. In fact, the IJC had never approved a project before all compensation agreements were worked out, since doing so granted final approval for a project to an entity other than the IJC. Due to wartime energy needs, and the fact that British Columbia's Water Comptroller had testified that his government was willing to sign the 1931 compensation agreement, though, the IJC was willing to forgo its usual protocol.⁵⁷

As much as the war accelerated the IJC's decision-making process, however, it had the opposite impact on Seattle's subsequent attempts to negotiate with British Columbia. Shortly after the September 1941 hearing, British Columbia Premier T. D. Pattullo had informed Chas Stewart that there would be "no trouble in getting an agreement" because of the "potential power development [for Seattle]."⁵⁸ In December 1941, though, Pattullo's Liberal government was replaced by the Liberal-Conservative coalition government of John Hart, who, unlike Pattullo, was not familiar with the High Ross Dam and was not inclined to give any attention to Seattle's plans until after the war was over.

Part of the blame once again lay with Hoffman, who continued to take it for granted that British Columbia would simply sign the compensation agreement it had negotiated with Ross in 1931. After the IJC issued its Order of Approval in 1942 Hoffman chose to focus his attention on planning for the High Ross Dam rather than immediately contacting the provincial government about a settlement. Once such plans were completed, Hoffman finally wrote to Premier Hart in June 1944 explaining that the "High Ross Dam will be constructed in the next few years" and requested that the province and Seattle sign the compensation agreement mandated by the IJC's 1942 Order of Approval. Hart, however, did not reply. A trip to Victoria the next month revealed that Hart was considering the matter. After another lobbying trip in September, Hart approved SCL requests to construct a logging road through the B.C. Skagit Valley and promised that he would soon strike a committee to formally discuss negotiating an agreement for flooding.⁵⁹ By January 1945, Hoffman again wrote to Hart complaining that an agreement needed to be signed because "of the increasing tempo of the war in the Pacific" and the likelihood of "inquiries in the

⁵⁷ Bloomfield and Fitzgerald, *Boundary Waters Problems of Canada and the United States*, 160.

⁵⁸ "Minutes of the International Joint Commission Executive Session," (New York, 15 Dec. 1941), 12, IJCA.

⁵⁹ Hoffman to Premier Hart, 19 June 1944; Glen E. Wilson memo to Hoffman, "Land and Timber Acquisition British Columbia," 19 Sept. 1944, file 2, box 11, 1200-13, SMA.

near future from our Federal Government relative to possible increase in the generation of electric power in this area, involving the construction of the next step of Ross Dam.”⁶⁰

Because there was no power benefit for the province, though, Hart felt no pressure to finalize a deal and continued to ignore Hoffman’s requests, stating in a very curt reply that “it will be some time before a decision will be reached.”⁶¹ In February 1945 Hoffman’s deputy superintendent, Glen Wilson, led a delegation to Victoria to again lobby British Columbia to sign a compensation agreement. Cathcart, who was still deputy minister of lands, explained that, unlike Patullo before him, “Hart was very cautious” and wanted to review the entire matter of flooding the Skagit Valley, but it had been pushed aside by more “pressing business associated with the war.” Realistically, Cathcart reported, SCL would have to wait until after the war was over.⁶²

And Cathcart was right. Although Hoffman tried in vain to pressure the British Columbia government throughout the rest of 1945, Hart did not respond. Hoffman even hired the prestigious Vancouver law firm Farris, McAlpine, Stultz, Bull, and Farris to lobby the provincial and federal governments – one of the founding partners, J. B. Farris, was a Canadian Senator – and enlisted the help of U.S. IJC commissioners Roger McWhorter and A. O. Stanley to write to the Canadian and British Columbia governments, respectively, but to no avail.⁶³ Hart’s government stood by its decision to put off reviewing the High Ross Dam until after the war was over.

In the meantime, SCL officials decided to forgo raising the Ross Dam to its maximum height, instead authorizing the dam to flood just up to the Canadian-U.S. border, with an option to install spillway gates afterwards that would raise the dam a further five feet and flood just over the forty-ninth parallel once an agreement with British Columbia was actually reached. As Hoffman lamented to a member of his staff in June 1945, “I am sorry that when we made our application to the International Joint Commission to flood the lands in Canada that we did not include an application for the settlement of the damages. Now we will have to do the best we can

⁶⁰ Hoffman to Premier Hart, 23 January 1945, Canada 1939 – 1949 file, box 99, 33-2, UWA.

⁶¹ Hart to Hoffman, 29 Jan. 1945, file 2, box 11, 1200-13, SMA.

⁶² Glen E. Wilson memo to Hoffman, 8 Feb. 1945, Canada 1939 – 1949 file, box 99, 33-2, UWA.

⁶³ Hoffman, “Memorandum re. Ross Dam – Lands to be flooded in Canada,” 1 Aug. 1945; Hoffman to McWhorter, 3 Aug. 1945; Hoffman to C. L. McAlpine, c/o Farris, McAlpine, Stultz, Bull, and Farris, 27 Sept. 1945. All correspondence in file 2, box 11, 1200-13, SMA.

to get it before the International Joint Commission or at least to get their help without disturbing our relationship with the officials in British Columbia.”⁶⁴

Finally, in May 1946, Canadian Prime Minister Mackenzie King wrote to Hart reminding him that the province had promised to reach a deal with Seattle. King had received numerous letters from IJC commissioners Stanley and McWhorter, including a threat to re-open the 1942 Order of Approval and force compensation terms on British Columbia.⁶⁵ With the war over, the premier conceded to give the Skagit Valley his government’s attention. In 1947 the provincial Legislature passed the Skagit Valley Lands Act, which granted Hart’s Cabinet the power to negotiate and ratify an agreement with Seattle without presenting it for a vote in the legislature.⁶⁶ By August 1952, after further delay based on attempts to re-assess the value of fish resources (meant to address the concerns raised by Provincial Game Commissioner James Cunningham at the IJC hearing), and timber resources that had increased since the early 1930s, Seattle and Victoria negotiators settled on a new compensation agreement of \$250,000. The agreement was then forwarded to the IJC as part of the requirements of the 1942 Order of Approval.⁶⁷

The Columbia River Treaty and the High Ross Dam

Unfortunately for Seattle, the IJC’s willingness to work on behalf of the city to pressure British Columbia into signing a deal over the Skagit ended in 1952. Prior to this period, the Canadian section of the IJC had shown little interest in the Skagit River, and had allowed U.S. commissioners McWhorter and Stanley to dictate its stance on flooding across the border. Indeed, Canadian Chair Chas Stewart had even written to the British Columbia government in February 1946 to stress that it had a duty to sign a compensation agreement with Seattle.⁶⁸ In 1950, however, General Andrew McNaughton was appointed chair of the Canadian section of

⁶⁴ As late as Hoffman’s January 1945 letter, raising the Ross Dam to its full height was still an option, which explained Hoffman’s urgency in writing to the British Columbia premier, since construction had started on the Ross Dam and a decision about its height had to be made. See Hoffman to Hart, 23 Jan. 1945 and Hoffman to I. Comeaux, 13 June 1945, file 2, box 11, 1200-13, SMA.

⁶⁵ W. L. Mackenzie King to Premier John Hart, 4 May 1946, MG 26 J1, vol. 405, p. 365420 – 21, W. L. M. King Papers, Primary Correspondence Series 1945, LAC.

⁶⁶ British Columbia Legislature, “Skagit Valley Lands Act,” Victoria, British Columbia, 27 March 1947.

⁶⁷ For a summary of this negotiation process, particularly over the contested valuation of fish and timber in the valley, see Geo P. Melrose, “Memorandum for the Hon. R. E. Sommers, Minister of Lands and Forests,” 6 Jan. 1953, file 0072931, box 27, 90-929, BCMEA; and Hoffman memo to Seattle Utilities Council, 11 May 1951, Correspondence with Canada, 1949 – 1951, box 9, 1200-13, SMA.

⁶⁸ Charles Stewart, Chairman, Canadian Section, International Joint Commission, to E. Davis, B.C. Controller of Water Rights, 2 Feb. 1946, file 0072931, box 27, 90-929, BCMEA.

the IJC and he drastically altered how its commissioners approached cross-border development projects like the High Ross Dam.

McNaughton had been a highly respected engineer and general in the Canadian military, serving briefly as Minister of Defence during the Second World War and as Canada's representative on the U.N. Security Council in 1948 and 1949. His appointment to the IJC in 1950 was in honour of these achievements, but McNaughton did not rest on his laurels. Indeed, his tenure from 1950 to 1962 altered the course of policy within the Canadian section of the IJC, championing Canadian interests over transboundary ones, and generally asserting the semi-judicial powers of the IJC to a greater degree than had been done before.⁶⁹ One of his major contributions was to insist on power entitlements for water storage on one side of the border that increased the generation of hydroelectricity on the other.

The impetus for McNaughton's insistence on this very specific policy change regarding cross-border development had to do with negotiations occurring for dams in the Columbia River Basin. Every year, dams built on the U.S. portion of the Columbia River were forced to spill water without producing any power, since even the massive reservoirs of dams like the Grand Coulee and Bonneville were not sufficient to contain the enormous volume of accumulated winter precipitation during the spring run-off. Much of this "wasted" water originated in British Columbia. In 1944 the U.S. Congress and the U.S. Army Corps of Engineers asked the IJC to investigate developing the Columbia Basin as though the border did not exist. By the early 1950s, the IJC had coordinated an exhaustive study that recommended a number of different dams and reservoirs, mostly within British Columbia. It had also begun to explore how to compensate the province for storing water that would produce extra power downstream in the United States. McNaughton became one of the chief proponents of Canadian interests, arguing that the additional electricity should be shared equally between the two nations.⁷⁰

⁶⁹ International Joint Commission, "Semi-Annual Meeting: Tribute to General the Honourable A. G. L. McNaughton, Chairman, Canadian Section International Joint Commission, April 3 and 5, 1962, Washington D. C." box 24, A1 5470, RG 59, General Records of the Department of State, NARA; John Swettenham, *McNaughton* (3 vols., Toronto: Ryerson Press, 1969), 3: 210 - 350.

⁷⁰ The idea of sharing downstream power benefits produced in the United States with water stored in Canada actually came from members of the provincial government in 1951. McNaughton became its most vocal champion, though. For further details of this phase of what eventually became the Columbia River Treaty, see Swettenham, *McNaughton*, 3: 210 - 350; Neil A. Swainson, *Conflict over the Columbia*, 41 - 55; Stanley, *Voices From Two Rivers*, 145 - 158; Van Huizen, "Building a Green Dam," 418 - 453.

The High Ross Dam attracted McNaughton's notice for the precedent that any British Columbia-Seattle compensation agreement would set. In August 1952, when Seattle forwarded the terms of the recently negotiated \$250,000 agreement between the city and British Columbia, McNaughton became immediately concerned. He feared that the one-time cash settlement that only covered damages would provide a precedent for U.S. negotiators involved in the Columbia Basin. In his mind, the Columbia was far more important to Canada than the Skagit, and, unless British Columbia was able to alter the agreement to include downstream benefits, he did not want the province to negotiate any deal with Seattle until after the Columbia River negotiations had finished.

Coincidentally, at virtually the same moment in August 1952, the government changed in British Columbia, as W. A. C. Bennett and the Social Credit Party defeated the Liberal-Conservative coalition that had been in power since the beginning of World War II.⁷¹ Bennett would become the most influential promoter and facilitator of large-scale development projects in the province's history, presiding over twenty years of unprecedented growth and development.⁷² Indeed, his government would be put on the defensive in the late 1960s and early 1970s by environmental activists about its decision to let Seattle flood the Skagit Valley for what seemed like a pittance. In 1952, however, Bennett's government came to power suspicious of most of the development plans of the previous government. The compensation deal for the High Ross Dam was high on this list.

McNaughton thus had little trouble convincing Bennett that he should put off signing the negotiated deal with Seattle. McNaughton wrote to Bennett on August 29, 1952 and was highly critical of the fact that the current deal over the Skagit Valley was a low, one-time cash payment that did not include any mention of the extra power that Seattle would generate from water stored in British Columbia. Bennett agreed to look into the matter and instructed his Minister of Lands, R. E. Sommers and his Attorney General, Robert Bonner, to review the agreement. When it appeared that British Columbia had continued to negotiate with Seattle, however, McNaughton again wrote to Bennett and also to the Canadian Department of Resources and Development to convey his "anxiety as to the preservation of the equities of Canada." Although the decision was

⁷¹ Byron Johnson succeeded John Hart as British Columbia's Premier in December 1947. He was a member of the same Liberal-Conservative coalition, though, and did not alter the government's stance on the Skagit Valley.

⁷² For more on Bennett's influence on British Columbia history see Tina Loo, "People in the Way"; David J. Mitchell, *W. A. C. Bennett and the Rise of British Columbia* (Vancouver: Douglas & McIntyre, 1995); Paddy Sherman, *Bennett* (Toronto: McClelland and Stewart, 1966).

technically British Columbia's, McNaughton was concerned that "the Government of Canada is placed in the position of standing idly by while important Canadian natural resources are passed to another country without due recompense."⁷³

SCL and British Columbia had indeed continued to finalize the terms agreed to in August 1952, disingenuously on the part of the province it turned out. By April 1953, an official agreement had been drawn up, and Seattle, with no idea that British Columbia was considering changing the very foundation of the deal, passed an ordinance on May 12th 1953, ratifying the agreement. Seattle Mayor Allan Pomeroy then signed the compensation agreement and forwarded it to British Columbia's government for its signature and ratification.⁷⁴ Rather than returning a signed agreement, however, Sommers informed Seattle that Bennett had "reconsidered" and wished to alter the terms of compensation to include a share of the downstream power benefits of the High Ross Dam.⁷⁵

SCL representatives responded to British Columbia's decision with "extreme anger," which provoked a rather rash decision. By the spring of 1953 SCL had added spillway gates to the top of the Ross Dam. With the gates closed the Ross Reservoir would flood a little over a kilometre into British Columbia. Unwilling to let the additional height be wasted, Hoffman decided to let the reservoir fill completely and illegally flood across the border. He also wrote to the U.S. State Department informing it of his decision and demanding that it pressure the Canadian government to step in and force British Columbia to sign the 1952 agreement. The State Department forwarded the matter to the U.S. section of the IJC.⁷⁶ McNaughton was furious and insisted that the IJC meet immediately and let Seattle know that "unless and until Canada is presented with a copy of ... a 'binding agreement', the United States has no right to violate our boundary. ... There seems every likelihood that with this precedent Canada's acquiescence will

⁷³ McNaughton to Bennett, 29 Aug. 1952; McNaughton to General H. A. Young, Deputy Minister, Canadian Department of Resources and Development, 28 April 1953; McNaughton to Bennett, 21 May 1953. All three letters in file 46-3-1-1 vol. 1, box 54, Docket 46, IJCA.

⁷⁴ R. S. Stultz, Farris, Stultz, Bull, and Farris, to George P. Melrose, Deputy Minister of Lands, 15 May 1953; Seattle Ordinance no. 81994, 12 May 1953, both documents in file 0072931, box 27, 90-929, BCMEA.

⁷⁵ It is unclear, exactly, when Sommers told Seattle this. According to SCL assistant superintendent Ira Cottom, a letter from Sommers in May 25th 1954 was the first written confirmation that British Columbia was backing out of the deal. According to an IJC memo, however, Sommers had already told SCL of this informally shortly after receiving copies of Seattle's Ordinance and the signed agreement. See Cottom to SCL Superintendent Paul Raver, 2 June 1954, file 05-020, box 8, 1200-13, SMA; and Confidential Memorandum, IJC, Canadian Section, 16 March 1954, p. 4, file 0072931, box 27, 90-929, BCMEA.

⁷⁶ Confidential Memorandum, IJC, Canadian Section, 16 March 1954, p. 4, file 0072931, box 27, 90-929, BCMEA.

be assumed and the flooding continue, thus establishing what I believe to be a most undesirable precedent.”⁷⁷ Although the Bennett and St. Laurent governments’ could have made more out of the fact that Seattle had flooded illegally across the border into the province, both the provincial and federal governments were happy to forward the matter to the IJC.⁷⁸

The IJC convened twice, in April 1954 and again in October 1958, to hear arguments about forcing British Columbia to sign the agreement the province had negotiated with Seattle. In the meantime, Seattle agreed to pay British Columbia \$5,000 per year in return for permission to flood just across the border, which would be subject to change whenever a decision about the 1952 agreement or negotiating a new one could be reached.⁷⁹ Although discussions were nominally about the Skagit River Valley, it is clear that, with the exception of Seattle, the Columbia River Basin dictated how each party formed an opinion about the High Ross Dam.

Seattle and the U.S. government were adamant that the IJC had made no provision for downstream benefits in its 1942 Order of Approval for the High Ross Dam, and thus British Columbia had no right to ask for them. As Seattle’s lawyer, Canadian Senator John de B. Farris, argued, “There is no connection between the two [the Skagit and Columbia Basins], so far as a precedent being created is concerned. The only precedent I ask this Commission to recognize is the precedent that a nation shall always carry out its obligations to another nation. ...It would be a basis of international injustice to refuse to give effect to the application of the city of Seattle in any attempt to tie it in with the Columbia problem.”⁸⁰ The United States Department of State representative, R. W. Kearney, concurred. “Each case before the Commission must be determined on its own merits,” Kearney argued. “Since the Skagit River would not in view of the circumstances be considered as a precedent in connection with any of the negotiations regarding the Columbia River, to inject this problem in the consideration of this Order would obscure the true issue involved, and I suggest that this question is not one which is properly before the Commission in this case.”⁸¹

⁷⁷ A. G. L. McNaughton to H. H. Wrong, Under-secretary of State for External Affairs, 28 Dec. 1953, 46-3-1-1 vol. 1, box 54, Docket 46, IJCA.

⁷⁸ E. A. Côté, American Division, External Affairs, Memorandum, 4 Feb 1954, 46-3-1-1 vol. 1, box 54, Docket 46, IJCA; L. M. Pearson, Secretary of State for External Affairs to W. A. C. Bennett, 15 Jan. 1954; Bennett to Pearson, 27 Jan. 1954, both letters in file 0072931, box 27, 90-929, BCMEA.

⁷⁹ “Agreement Between British Columbia and the City of Seattle, 13 June 1954,” file 0072931, box 27, 90-929, BCMEA.

⁸⁰ International Joint Commission, “Semi-Annual Meeting, Ottawa, Canada, Oct. 14 – 17, 1958: Skagit River, Docket 46, Oct. 15, 1958,” 241 – 242, Box 20, A1 5470, RG 59, NARA.

⁸¹ IJC, “Semi-Annual Meeting, Oct. 15, 1958,” 258, Box 20, A1 5470, RG 59, NARA.

British Columbia government representatives, on the other hand, argued that the value of the Skagit Valley had changed, particularly in terms of how it related to other cross-border waterways like the Columbia, and British Columbia was completely within its rights to change its mind. In 1954, Provincial Deputy Attorney General Eric Pepler argued that “there is an actual connection between the Skagit power project and the Columbia River basin hydroelectric power...it is all tied together [through the Bonneville Power Authority]. We do not want to establish any precedent in this case which might cause difficulty in these other important matters which are coming up, which are imminent at the present time in connection with the Columbia River development.”⁸² In 1958, the new Minister of Lands, Ray Williston, made the matter just as plain: “The fact remains that downstream benefits are involved and it is not considered in the general public interest to adopt any formula in that regard in respect to the Skagit which might possibly be considered as a precedent or pattern for the very large issue involved on the Columbia.”⁸³ Indeed, as the Attorney General of British Columbia, Robert Bonner, made it clear before the IJC in 1958, British Columbia was unwilling to sign an agreement over the Skagit because of how it related to boundary waters more generally: “the Government of British Columbia either today or tomorrow, or 40 years hence, is concerned not only with the Skagit River, and with the Columbia River...but I may say is concerned with the river system affected by the Libby proposal, and affected by the river system involving the Yukon, the Taku and the General Frobisher proposals. ...It is quite impossible to distinguish between two situations of such similar nature.”⁸⁴

Unsurprisingly, the IJC split along national lines. From the beginning, U.S. commissioners fully supported Seattle’s argument that the Skagit and Columbia Rivers were two separate issues with very different histories of development and negotiation. “The two rivers are in different watersheds,” U.S. commissioner Roger McWhorter argued at the 1954 hearing, referring to British Columbia’s contention that the Skagit River was literally connected to the Columbia River through the Bonneville Power Authority. “An electrical connection should not

⁸² IJC, “Semi-Annual Meeting, Oct. 15, 1958,” 246, as quoted in Farris to James Sinclair, Canadian Minister of Fisheries, 13 May 1954, Correspondence with Canada, 1953 – 1954 file, box 9, 1200-13, SMA.

⁸³ Ray Williston to J. W. de B. Farris, 15 July 1958, file 0072931, box 27, 90-929, BCMEA.

⁸⁴ IJC, “Semi-Annual Meeting, Oct. 15, 1958,” 193 – 194; 233 – 234, Box 20, A1 5470, RG 59, NARA.

be considered as bringing the Skagit River within the pending questions pertaining to the Columbia River watershed.”⁸⁵

In April 1959 the U.S. Section released its official opinion. Succeeding U.S. Chair Douglas McKay agreed with McWhorter’s assertion that the Skagit River was a separate matter from the Columbia, and lamented the fact that the 1942 Order of Approval did not include a compensation agreement. McKay argued that British Columbia should be forced to sign the 1952 Agreement it had negotiated with Seattle based on the fact that the province had already agreed to it in spirit if not with the ink of a signed document. Furthermore, McKay wrote, this time addressing the Canadian section of the IJC, “Omission of the downstream benefits from the Skagit River case should not be regarded as a precedent applicable to transboundary waters that may be considered in the future.”⁸⁶

As long as McNaughton was chairman of the Canadian section, however, there was no danger of the IJC doing anything substantial regarding the Skagit. McKay’s promises aside, McNaughton was not about to endanger talks over the Columbia River, which, by 1959 were very close to incorporating downstream benefits as a foundational aspect of any deal. At the same time, McNaughton was also not interested in forcing downstream benefits onto Seattle. As he stated in an internal IJC memo after the United States Section released its opinion in April 1959, “care should be taken to minimize the effect of possible disagreements re: Skagit having too adverse an effect upon progress by the Commission toward solutions to the much more important Columbia matters.”⁸⁷

The official position of the Canadian section of the IJC, released in July 1959, thus followed the advice of Canadian IJC counsel J. H. Cleveland detailed at the beginning of this chapter: to allow British Columbia to delay any decision until after the Columbia River had been dealt with. In the Canadian decision McNaughton disagreed with his U.S. counterpart and argued that the 1942 Order of Approval did not require the British Columbia government to come to any agreement with Seattle, only that Seattle could not flood into the province until such an agreement was signed. McNaughton also stated that British Columbia was perfectly within its rights to change its mind if “new ideas of appropriate values and recompense for resources

⁸⁵ I. L. Cottom memo to Paul J. Raver, 20 April 1954, “Hearing for International Joint Commission on April 8 and 9, 1954,” 2, Correspondence with Canada, 1953 – 1954 file, box 9, 1200-13, SMA.

⁸⁶ Douglas McKay, “Statement by Chairman of the United States Section, International Joint Commission, Regarding the Skagit River Application, Washington, 10 April 1959,” 4, file 46-3-2-1, box 55, Docket 46, IJCA.

⁸⁷ “Notes re: Skagit Matter, re: City of Seattle,” 17 April 1959, 1, file 46-3-2-1, box 55, Docket 46, IJCA.

committed had come to occupy the minds of the new Government.” He also argued, though, that whether Seattle would accept such downstream benefits was of no concern to the IJC, thus “no further action by the International Joint Commission is appropriate.”⁸⁸

Because the IJC was split, Seattle effectively lost its attempt to force the 1952 agreement onto British Columbia. After a failed last-ditch effort to use Seattle Mayor Clinton’s connections to the Eisenhower administration in 1960 to force the issue, Seattle finally gave up. Instead, SCL’s new superintendent, Paul Raver, turned to other rivers in northern Washington for Seattle’s growing electricity needs.⁸⁹ Most prominent amongst its options were spots on the Pend d’Oreille River, and various tributaries of the Skagit, including Copper and Thunder Creeks. The Pend d’Oreille proved to be the more viable project and in 1960 Seattle applied to the Federal Power Commission for a licence to build the Boundary Dam rather than High Ross.⁹⁰

Had British Columbia wished it, the matter would have rested at that. By the spring of 1961, however, B.C., Canada, and the U.S. had finally negotiated the Columbia River Treaty, in which British Columbia agreed to store water in four different reservoirs in the Columbia Basin to produce extra electricity downstream in the United States in exchange for the equivalent of about \$10 million per year.⁹¹ With the treaty in place, Bennett’s government felt it safe to return its attention to an agreement over the High Ross Dam. In the spring of 1961 Williston responded to Seattle’s annual renewal of its \$5,000 permit to flood 550 acres in the province in an unusual way, suggesting that the two governments meet to renegotiate a compensation agreement for the

⁸⁸ General A. McNaughton, “Statement Regarding the Skagit River Application (Docket 46) Presented by Chairman of the Canadian Section, International Joint Commission at Montreal, 29 June 1959,” 2 – 3, file 46-3-2-1, box 55, Docket 46, IJCA.

⁸⁹ Seattle’s Mayor Clinton essentially tried to get the Eisenhower government to either pressure Diefenbaker’s government to force British Columbia to sign the compensation agreement or to apply to the International Court in the Hague to do so. The Department of State eventually stepped in and told Seattle’s government that neither option would work, since Canada supported British Columbia in the matter and it could use the “Connelly Reservation” to object to any International Court decision. The Connelly Reservation was a U.S.-created stipulation when the International Court was established that reserved the right to reject any court decision that fell under domestic jurisdiction. See correspondence between Seattle Mayor Clinton and Assistant to the President, Robert Merriam, November 1960, and Ivan White, Dep. Assistant Secretary for European Affairs, Department of State to Paul Raver, 29 Nov. 1960 in file 2, box 13, 1200-13, SMA.

⁹⁰ Consul General, Canadian Consulate, Seattle, to Under-Secretary of State for External Affairs, “The Boundary Dam Project and the Skagit River Application to IJC re Ross Dam,” 22 Aug. 1961, 11508-40, vol. 5, volume 5461, RG 25 External Affairs, LAC.

⁹¹ The downstream power entitlement was initially sold in a lump sum payment of US \$254 million for thirty years. Since 1998 the entitlement is bought yearly for \$150 – 300 million, depending on electricity rates. See, Columbia Basin Trust, “Columbia Basin Trust and the Columbia River Treaty Fact Sheet,” (Sept. 2011), http://www.cbt.org/crt/assets/pdfs/CRT_fact_sheet.pdf. For more details about the Columbia River Treaty, see Tina Loo, “People in the Way.”; Swainson, *Conflict over the Columbia*; and John V. Krutilla, *The Columbia River Treaty* (Baltimore: Johns Hopkins Press, 1967).

High Ross Dam instead. A surprised Superintendent Raver jumped at the opportunity and scheduled negotiations for the summer of 1961.⁹²

That Bennett's government had always cared more about the Skagit's impact on the Columbia River Treaty negotiations than the Skagit deal itself was born out in the bizarre fashion that an agreement for the High Ross Dam was eventually worked out. Shortly before negotiating with Seattle, Williston met with his deputy minister, E. W. Bassett, the province's attorney general, Robert Bonner, and its water comptroller, Arthur Paget, to determine what type of compensation package the province would try and negotiate. The government was bound by the 1960 Water Act to collect downstream power benefits for any reservoir in the province that produced hydroelectricity, a direct result of the Columbia River Treaty negotiations. Rather than use this as the starting point for any negotiation with Seattle, however, Williston felt obligated to the IJC's 1942 Order of Approval that did not include any mention of power entitlements.

Paget recommended a compromise be suggested to Seattle. The revised 1960 Water Act distinguished between water stored in the province for international projects, which entitled the province to half of the power produced as a result of reservoir storage – power that was worth about \$1.5 million per year for Seattle in the High Ross Dam's case – and water stored for domestic projects. Rather than demanding half of the downstream power, domestic projects were only charged a tariff based on the electricity produced at a rate of 8 cents per 1,000 kilowatt hours (kWh) – or \$32,000 for the High Ross Dam. In order to get around Seattle's resistance to downstream benefits, Paget recommended charging Seattle the domestic rate rather than the international one, despite the fact that using the domestic rate resulted in a difference of more than \$720,000 per year for British Columbia, or \$70 million over the course of the agreement.⁹³ During the first round of negotiations, in August 1961, Paget and Bassett informed SCL representatives that the province would charge \$32,000 per year for the downstream power benefits, based on the assumption that storage in Canada would produce 396,000,000 kWh every year. Although Raver was initially reticent to enter into a yearly lease based on even a minor

⁹² Williston to Paul J. Raver, SCL Superintendent, 9 March 1961; Williston to R.G. McKee, Deputy Minister of Forests, 7 April 1961, file 5, Box 23, 90-898, BCMEA.

⁹³ For a summary of this meeting between Williston, Bassett, Bonner, and Paget, see J. L. McCallum, legal counsel, Canadian section of the IJC, "Confidential Memorandum for Chairman, Canadian Section, I.J.C. re: Skagit River Discussion between Seattle and B.C.," 4 Dec. 1961. See also "Skagit River, Ross Reservoir Flooding," no date. Both documents are in file 5, box 23, 90-898, BCMEA.

share of the power the High Ross Dam would produce, he eventually agreed when the provincial negotiators made it clear that they would not budge on the amount.⁹⁴

The remaining negotiations centred on compensation for flood damages, which the province and Seattle eventually settled by the end of 1965 for an additional \$2,500 per year, or the same \$250,000 sum from the disputed 1952 agreement. In January 1967 Williston signed an agreement with Seattle Mayor James Brahman allowing the Skagit Valley in British Columbia to be flooded in exchange for \$34,500 a year for ninety-nine years.⁹⁵ The agreement was then sent to the IJC for approval, which it barely took note of in a Montreal meeting in July 1967. That the wartime pressures of 1942 were long gone or that the downstream benefits that had divided the IJC in the 1950s had only been applied in a lukewarm fashion were not mentioned.⁹⁶

The quick resolution to four decades of planning, negotiation, and frustration was thus anti-climatic. The 1967 Skagit Agreement elicited barely a mention in either British Columbia or Washington newspapers. Even British Columbia politicians were generally unaware of what had happened, since the 1947 Skagit Valley Lands Act meant that the legislature had already approved the agreement before it was even made. Compared to other development projects in the province, the 5,500 acres that would be further inundated by the High Ross Dam seemed paltry, especially when one considered the fact that part of the valley was already flooded every year and no one seemed to care. Williston's choice to charge Seattle the domestic downstream power entitlement rate rather than the international one, however, would soon come back to haunt him.

Conclusion

The Skagit Valley's location in the Canadian-U.S. borderland delayed plans for the High Ross Dam to such an extent that it was not built during the era when such projects were far more compatible with broader social values. The border does not simply add one more layer to the approval process for cross-border development, but comes with a whole suite of competing

⁹⁴ E. W. Bassett to Ray Williston, 15 August 1961, "Skagit River – Negotiations with City of Seattle," file 5, Box 23, 90-898, BCMEA.

⁹⁵ After initially meeting in 1961, B.C.-Seattle negotiations were again put on hold due to a minor controversy between British Columbia and Canada over ratifying the Columbia River Treaty. This was finally overcome in 1964 in British Columbia's favour, after which the province again resumed negotiations with Seattle. See "Seattle City Light – Province of B.C. Meeting of July 14th, 1964 re Skagit River,"; Williston to John M. Nelson, Superintendent of Lighting, 7 May 1965; and "Agreement made this 10th day of January A. D. 1967 Between Her Majesty the Queen in Right of the Province of British Columbia and The City of Seattle," file 5, Box 23, 90-898, BCMEA. For the controversy between the province and Canada over the CRT see Swainson, *Conflict over the Columbia*, 187 – 273.

⁹⁶ "IJC Meeting Minutes, Montreal, July 25, 1967," 17, 46-3-1-1 vol. II, box 54, Docket 46, IJCA.

projects and jurisdictional boundaries, all of which can lead to unforeseen delay and controversy. The potential for such dispute is further exacerbated if the project in question is only of regional importance on one side of the border. British Columbia could be convinced of the logic of the project but felt no pressing need to move very quickly to negotiate a deal. All other potentially competing plans that had importance on the other side of the border (or both) took precedence over the High Ross Dam, meaning SCL had to play an enormously long waiting game. Such delay also meant that constantly changing perceptions of the value of the Skagit Valley had to be dealt with and every round of negotiation essentially had to start over, dragging out the process even further.

It is telling that the small portion of the British Columbia Skagit Valley that Seattle did flood had to be done illegally. It is also telling that the province did not really do much about the illegal action; indeed, the provincial government fully expected that Seattle would eventually flood much more of the valley. Provincial officials only wanted Seattle to wait, first for Cominco to sort out its bid to raise Kootenay Lake, then for the Second World War to be over, and finally for the Columbia River Treaty to be signed. The Canadian-U.S. border (or, more accurately, the British Columbia-Washington border) connected the Skagit Valley to every other cross-border valley in the province, which government after government deemed more important than the High Ross Dam. As much as high modern ideas about building massive dams and flooding across international borders to produce power in faraway urban places made sense in both Canada and the United States, actually overcoming the borderland politics that would allow such a project to go forward was far more difficult. Even an organization like the IJC, which was created to smooth out such politics, only exacerbated the dispute rather than solving it, showing that plans for cross-border development and the economics of compensation agreements could not so easily transcend considerations of nationalism and regional sovereignty.

Environmental and international relations historians alike need to pay more attention to the politics of high modern development projects between Canada and the United States. Conflict over the High Ross Dam from the 1930s to the 1960s was completely unrelated to the environmental impact of the project, but the details of this period would heavily influence the environmental politics and diplomacy that followed. Natural resources and the bio-geophysical world join Canada and the United States together across many different borders. The management and development of these borderlands has had an important impact on the

relationship between Canada and the United States, resulting in treaties, agreements, development projects, and organizations like the IJC. How this relationship functioned tells us much about the importance of natural resource development on both sides of the border, who made decisions regarding this development, and how the politics of these decisions were affected by the territorial borders between the two countries. As the next chapters will show, the management and development of nature along the Canadian-U.S. border during the high modern era also played a fundamental role in the creation of both the conservation and the environmental movements in both countries.

Chapter 2

The Paradox of Multiple Use in the Skagit Valley

There is no doubt that there will be great pressure for public access to the area for all forms of public forest recreation. The merits of the Upper Skagit for that general purpose have long been foreseen and the details are developing gradually. It is of course considered possible to develop and utilize the recreational assets in complete harmony with the utilization of the public power potentialities. The public approval of the City Light project on National Forest land has been consistent and almost unanimous. This has been due, I believe, to your wise policy to keep the area accessible. That same general public approval is desirable in the future and it largely depends upon continued accessibility.¹

H. Phil Bradner, U.S. Forest Service, to E. R. Hoffman, SCL, 1952

Multiple use planning was one of the foundational tenets of the North American conservation movement. With roots in water resource development and forestry management during the Progressive and New Deal eras, multiple use conserved resources by requiring that a particular area be used in the broadest number of ways possible. Early conservation gurus like U.S. Forest Service Chief Gifford Pinchot and Bureau of Reclamation Director Frederick Newell argued that multiple use was inclusive, efficient, and wise, and by the second half of the twentieth century their views had come to dominate land use planning policies in government bureaucracies across the continent. Dams were built to store water for electricity, irrigation, flood control, navigation, recreation, and even fish and wildlife conservation; forestry departments planned for logging, erosion control, recreation, and preservation; and parks were planned for both use and preservation, often as “complexes” with areas for hunting, fishing, hiking, and camping and even for logging, mining, and grazing.² In a word, multiple use was *modern*, the definition of progress in the rational management of public resources.

¹ H. Phil Brandner, Forest Supervisor, Mount Baker National Forest to E. R. Hoffman, Superintendent, Seattle City Light, 28 May 1952, Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33-2, Seattle Lighting Department Collection, UWA.

² For the conservation movement in general and the fundamental importance of multiple use in the United States, see Samuel P. Hays, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890 – 1920* (Cambridge, Mass.: Harvard University Press, 1959); Karin Denice Ellison, “The Making of a Multiple Purpose Dam: Engineering Culture, the U.S. Bureau of Reclamation, and Grand Coulee Dam, 1917 – 1942” (PhD Dissertation, Massachusetts Institute of Technology, 2000); Donald J. Pisani, “A Conservation Myth: The Troubled Childhood of the Multiple-Use Idea,” *Agricultural History*, 76, 2 (2002): 154 – 171; Brian Balogh, “Scientific Forestry and the Roots of the Modern American State: Gifford Pinchot’s Path to Progressive Reform,”

Multiple use was at the forefront of bureaucratic decision making for the Skagit Valley as well, as shown by the above excerpt from a 1952 letter between U.S. Forest Supervisor Phil Bradner and SCL superintendent E. R. Hoffman. In fact, not only was multiple use deemed an efficient way to manage the Skagit, it also made for good public relations. Seattle's development of the Upper Skagit Valley had proven to be very popular up to the 1950s, a fact that the U.S. Forest Service attributed to SCL's railway, which made the area more accessible. The only requirement that Bradner thus had for the plan to convert the railway to a road, the subject of Bradner's letter, was that it should also be freely open to the public.

Bradner need not have worried. Besides producing hydroelectricity, SCL saw recreational use as one of the primary benefits of its dams in the Skagit Valley, both as a way to promote its use of the valley and to sell the need for further development. From J. D. Ross' creation of the immensely popular Skagit Tour in 1928 to SCL's cooperation with the U.S. Forest Service, the Washington State Department of Fisheries, and the British Columbia Department of Lands and Forests in the 1940s and 1950s, SCL had long touted the hiking, boating, and fishing experiences that its Skagit Hydroelectric Project made possible in the United States and Canada alike.

Unbeknownst to SCL experts, however, and indeed to similar government agencies in North America more generally, multiple use planning was a self-defeating policy. As many scholars have shown, by the final decades of the twentieth century multiple use had come under attack. Multiple use led to "multiple conflicts," and activists on both sides of the preservation and use spectrum, from wilderness advocates to sagebrush rebels, criticized government land use planning for one reason or another.³ Park advocates, for example, argued that multiple use

Environmental History 7, 2 (2002): 198 – 225. For Canada, see Robert Craig Brown, "The Doctrine of Usefulness"; Burton, *Natural Resource Policy in Canada*; Peter Gillis and Thomas Roach, "The Beginnings of a Movement: The Montreal Congress and Its Aftermath, 1880 – 1896," in Chad Gaffield and Pam Gaffield, *Consuming Canada: Readings in Environmental History* (Toronto: Macmillan, 1995), 131 – 151; Alan F. J. Artibise and Gilbert A. Stetler, "Conservation Planning and Urban Planning: The Canadian Commission of Conservation in Historical Perspective," in *Consuming Canada*, 152 – 169; Laurel Sefton MacDowell, *An Environmental History of Canada* (Vancouver: UBC Press, 2012), 96 – 119.

³ For the often conflicted history of wilderness preservation see Nash, *Wilderness and the American Mind* Fourth Edition (New Haven: Yale University Press, 2001 [1967]); William Cronon, "The Trouble with Wilderness; or, Getting Back to the Wrong Nature," in *ibid.*, ed., *Uncommon Ground: Rethinking the Human Place in Nature* (New York: W.W. Norton and Co., 1996): 23 – 90; James Morton Turner, *The Promise of Wilderness: American Environmental Politics since 1964* (Seattle: University of Washington Press, 2012); Michael L. Lewis, ed., *American Wilderness: A New History* (New York: Oxford University Press, 2007). For the sagebrush rebellion and other, seemingly contradictory movements against things like wilderness preservation see Samuel P. Hays, *Beauty, Health and Permanence*, 491 – 526; Terry L. Anderson, ed., *Multiple Conflicts over Multiple Uses* (Bozeman: Political Economy Research Center, 1994); Jacqueline Vaughn Switzer, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder: Lynne Rienner Pub., 1997).

planning was really a way to justify development in supposedly preserved areas.⁴ Forestry critics argued that although multiple use was taught in forestry schools and promoted by government, uses other than logging, such as recreation, wildlife management, and water basin management, “have always taken a back seat.”⁵ More problematic, as environmental justice advocates and scholars have pointed out, multiple use planning rarely allowed for one of the most basic human uses: habitation. Government forests, parks, and dams all resulted in the dislocation of people, often with little recourse to legal appeal, particularly for indigenous groups.⁶ By ignoring these impacts, planners for multiple use ultimately opened themselves up to criticism when such groups gathered enough political momentum to demand that such issues be redressed.

Multiple use planning assumed that expert planners would be able to navigate competing interests in a way that satisfied everyone. Such “a conspiracy of optimism,” as Paul Hirt has labelled it, ignored the seemingly obvious fact that not all land use activities are compatible.⁷ The same parcel of land cannot be a reservoir and a forest, a mine and a hiking trail, a home and a wilderness preserve. Donald Pisani argues that land use experts were aware of this fact all along, and that the “conservation myth” of multiple use was perpetrated by politicians to sell the need for government oversight and control.⁸

There is thus a paradox at the heart of multiple use planning: in an attempt to sell industrial development government planners promoted and planned for other uses as well, but such uses often clashed and controversy ensued. This paradox explains another part of the reason why the High Ross Dam controversy lasted as long as it did, particularly its transformation from a dispute over cross-border development to an international environmental controversy. During

⁴ The use versus preservation argument has dominated literature on parks in North America for a long time. For an overview, see Brown, “The Doctrine of Usefulness”; Runte, *National Parks*; Alan MacEachern, *Natural Selections: National Parks in Atlantic Canada, 1935 – 1970* (Montreal: McGill-Queen’s University Press, 2001)

⁵ I. D. Thompson, “The Myth of Integrated Wildlife/Forestry Management,” Chad Gaffield and Pam Gaffield, *Consuming Canada: Readings in Environmental History* (Toronto: Copp Clark Ltd., 1995), 215. See also Donald W. Floyd, “Whither Multiple Use?” *Journal of Forestry*, 104, 2 (2006), 102; John Fedkiw, “Where Did Multiple Use Go?” *Journal of Forestry* 105, 4 (2007): 213.

⁶ Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York: Oxford University Press, 1999); Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (Berkeley: University of California Press, 2001); Tina Loo, “People in the Way”; *ibid.*, *States of Nature: Conserving Canada’s Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2006), chapters 1 – 2; Theodore Binnema and Melanie Niemi, “‘Let the Line Be Drawn Now’: Wilderness, Conservation, and the Exclusion of Aboriginal People from Banff National Park in Canada,” *Environmental History*, 11, 4 (2006): 724 – 750.

⁷ Paul Hirt, *A Conspiracy of Optimism: Management of the National Forests since World War Two* (Lincoln: University of Nebraska Press, 1994).

⁸ Pisani, “A Conservation Myth,” 171.

the forty years that the High Ross Dam was delayed by the politics of cross-border development, SCL promoted the benefits of its transformation of the Skagit Valley, with recreation at the top of this list. By making the valley more accessible to recreationists, though, the Ross Dam enabled unplanned-for types of recreation in the Upper Skagit Valley that were not compatible with further flooding. The rise of river recreation and wilderness appreciation in the valley in particular signaled a gradual change in how nature came to be valued. This change in values led to environmental conflict, which, ironically, was enabled by the very projects that activists would later protest.

Identifying this paradox shows that the eras of industrial development and wilderness preservation are not antithetical to each other; rather, they are connected, both by the roads and infrastructure that dams brought to places like the Skagit Valley, and by the same desire to manage and develop nature in a way that is rational, wise, and modern.

Making the Skagit Valley Modern

Seattle's dams affected land use in the Upper Skagit Valley like nothing else in the twentieth century. This impacted indigenous communities more than any other, as their territorial rights and continued use of the Upper Skagit Valley were essentially ignored. Indeed, most depictions of indigenous history in the valley go something like this: Prior to the twentieth century the Upper Skagit Valley was regularly used by the ancestors of many indigenous communities, including the Stó:lō, Nlaka'pamux, Upper Similkameen, Stuwí'x, Upper Skagit, Sauk-Suiattle, Swinomish, and Nooksack for hunting, trapping, plant collecting, spirit worship, trading, war, and travel. First Nations were pushed out of the valley in the early twentieth century, though, as part of the larger story of non-Aboriginal colonial settlement of the area on both sides of the border.⁹ This depiction of a fading indigenous presence in the valley leaves a lot out, however. Although their populations indeed decreased dramatically, indigenous groups did not stop using the valley. Rather, groups like the Stó:lō and Nlaka'pamux in B.C. and the

⁹ Shelvey, "Skagit Scenes,"; David Louter, *Contested Terrain: North Cascades National Park Service Complex: An Administrative History* (Seattle: National Park Service, 1998); Perry, *A Citizen's Guide to the Skagit Valley*; Pitzer, *Building the Skagit*; Wuorinen, "A History of the Skagit Valley Recreation Area."

Upper Skagit, Sauk-Siuattle, and Swinomish in Washington participated in the changes that occurred in the upper portions of the valley over the twentieth century.¹⁰

Tracing indigenous involvement in the industrial modernization of the Skagit Valley provides a good way to begin this chapter on the paradox of multiple use in the Skagit Valley for two reasons. First, it shows how SCL transformed the Skagit Valley with its Skagit Hydroelectric Project, in both material and social ways. Labour and leisure practices changed significantly in the valley and indigenous groups experienced these changes probably more than any other. It is significant to note, though, that making the Skagit Valley modern through dam development, with all of the transformations that it entailed, did not destroy previous histories and politics of place in the valley. Second, it provides context for chapter four, which deals with the period when indigenous groups would also join the protest against the High Ross Dam, albeit for different reasons than environmental activists. Showing that indigenous use did not end with the construction of the Ross Dam is an important part of that larger story.

Multiple use was hardly new to the Skagit Valley. Many different indigenous nations inhabited and utilized the Skagit Valley before modern industrial development and recreation came to the area. Although not as heavily inhabited as the lower section of the river basin, the Upper Skagit Valley was not the empty wilderness that both SCL and activists would later claim it to be. Prior to the twentieth century it could be a very busy place at certain times of the year, functioning as an important part of the territory of what are now the Upper Skagit, Stó:lō, and Nlaka'pamux, amongst other groups, for spiritual, agricultural, social, and economic uses. As Sonny McHalsie has pointed out, names of geographical features in the valley reflect the importance of such places to the different groups that included it as part of their territory. Many of these are from the Salishan languages that the Skagit and Stó:lō spoke, including Nepopkum Creek (Always Foaming), Shawatum Mountain (Hunting Place), Masilpanick Creek (Fathered all the Creeks), and Klesilkwa River (Water Came Through).¹¹ Hozomeen, on the other hand, the

¹⁰ For more on the concept of “invisible” indigenous groups during the twentieth century, see Coll Thrush, *Native Seattle: Histories from the Crossing-Over Place* (Seattle: University of Washington Press, 2004) and Bruce Granville Miller, *Invisible Indigenes: The Politics of Nonrecognition* (Lincoln: University of Nebraska Press, 2003).

¹¹ Sonny McHalsie in Bear Image Production, *Sharing What We Know: A Gathering at Hozomeen* (Skagit Environmental Endowment Commission, 2009). On the important links between indigenous place names and territory see Albert (Sonny) McHalsie, “Halq’ méylem Place Names in Stó:lō Territory,” in Keith Thor Carlson and McHalsie, eds., *A Stó:lō-Coast Salish Historical Atlas* (Vancouver: Douglas and McIntyre; Chilliwack, B.C.: Stó:lō Heritage Trust, 2001), 134 – 153, and Coll Thrush and Nile Thompson, “An Atlas of Indigenous Seattle,” in Thrush, *Native Seattle*, 209 – 256.

name of the iconic mountain at the forty-ninth parallel in the Skagit Valley, is a Nlaka'pamux word for "sharp, like a knife," which archeologists believe refers to a hard type of quartz, or "Hozomeen Chert" found in the mountain that was traded widely in pre-contact times for its use in making knife blades and spear and arrow tips.¹²

The Upper Skagit Valley was also the crossroads of important transportation routes. One ran north-south, connecting the Skagit Valley with the Fraser Valley, and became the primary way that non-indigenous people in British Columbia later accessed the area. In fact, as I will discuss later in the chapter, SCL would transform part of it into the Silver-Skagit Road in order to access the northern part of the Ross Reservoir. The other route, the present day Skyline Trail, ran east-west, just north of the forty-ninth parallel, bridging the Cascade Mountains and connecting coastal groups with interior people.¹³

This overlap of territory and transportation routes, in combination with the Upper Skagit's wide valley floor, made the area particularly ideal for different types of gatherings. Up to the mid-nineteenth century, for example, there would be thousands of people in the Skagit Valley in the fall, right at the base of Mount Hozomeen near the present Canadian-American border. Upper Skagit and Stó:lō would host what was essentially a large trading fair, where local goods could be traded for items from across the continent, through various traders from many different nations from across the region.¹⁴ Shoco Jimmy, for example, a nineteenth century Nlaka'pamux trader who used to travel and trade throughout the Thompson, Fraser, Columbia, and Skagit watersheds with a pack train of more than one hundred animals, made the Skagit gathering one of his stops. He would spend around twenty days in the valley, generally trading

¹² Stó:lō Nation, "In the Shadow of Hozomeen," 7; Robert R. Mierendorf, *People of the North Cascades* (Seattle: National Parks Service, Pacific Northwest Region, 1986); C. V. Armstrong, "Skagit River Watershed: Background Report, Prepared for: Ministry of Environment," (TerraPath Consulting, 19 March 2007), 4- 6.

¹³ Bear Image Production, *Sharing What We Know*; Joseph Dunstan interview with author, Lytton, B.C., 31 January 2011; Stó:lō Nation Aboriginal Rights and Title Department, "In the Shadow of Hozomeen: An Archeological Inventory of the Skyline Trail System in Manning and Skagit Valley Provincial Parks, Southwest B.C., Project Year Number One (2002)," (Prepared for Skagit Environmental Endowment Commission, June 2003); and David Schaepe and Stó:lō Nation, "Tracking the Ancestors: A Pilot Inventory of Aboriginal Trails within Stó:lō Traditional Territory and the Chilliwack Forest District," (Prepared for Ministry of Forests, Chilliwack Forest District, no date), especially map C.

¹⁴ I recognize that using the Canadian-American border as a geographical locator for indigenous groups in the nineteenth century is problematic, as is implying that Upper Skagit, Stó:lō, and Nlaka'pamux tribes have always existed as such. See arguments about the reality of change, movement, and shifting identities and alliances made by Alexandra Harmon, *Indians in the Making: Ethnic Relations and Indian Identities around Puget Sound* (Berkeley and Los Angeles: University of California Press, 1998); and Keith Thor Carlson, "Precedent and the Aboriginal Response to Global Incursions: Smallpox and Identity Reformation among the Coast Salish," *Journal of the Canadian Historical Association* 18.2 (2007), 165 – 201.

Fraser Canyon bitterroot, which was not readily available in the lower Fraser and Skagit watersheds, for other items, including wool and hemp.¹⁵

This trade gathering slowly ended in importance when Hudson's Bay Company forts were set up at Hope and Yale, British Columbia for the Fraser Canyon gold rush, and the towns of La Conner and Mount Vernon were established downstream in Washington. Traders like Shoco Jimmy began trading at such forts and towns, since they were open for business year-round.¹⁶ The valley remained the site of gatherings for things other than trade, including potlatches, competitions like horse racing, and as a place to renew kinship ties, although by the twentieth century the size of these gatherings and the presence of indigenous people in the Upper Skagit Valley had shrunk dramatically as well. This reduction in numbers was due to the disastrous impacts of Canadian and American colonialism on indigenous populations, including those of disease, forced attendance in residential schools, and paltry reserve allocations along Puget Sound, the Fraser Canyon, and in the Okanagan, which were far from the Upper Skagit Valley.¹⁷

Despite such happenings, the Skagit Valley remained an agricultural and hunting site for Stó:lō, Nlaka'pamux, Sauk-Suiattle, and Upper Skagit kinship groups into the twentieth century. Elk, deer, and mountain goats were hunted in the valley as high as the lower alpine sections of the Skagit Mountain Range, and mountain goats also provided an important source of wool. Paul Youla, for example, a famous Nlaka'pamux hunter from Spuzzum hunted in the Skagit Valley every year with other Nlaka'pamux members until his death in the 1940s.¹⁸ Berries, mushrooms,

¹⁵ Joseph Dunstan interview.

¹⁶ Joseph Dunstan interview. According to Dunstan, Shoco Jimmy was infamous amongst non-Native pack train operators during the Fraser River Gold Rush. His familiarity with the region's trade routes meant he was able to move much quicker than most, even after they used the threat of force to ban him from using the Cariboo Trail.

¹⁷ Joseph Dunstan interview; Ralph George interview with author, Shxw'ow'hamel, 13 July 2010. Shelvey, "Skagit Scenes," 32 – 102. The Sauk-Suiattle and Upper Skagit in particular were affected by reserve allocations, since they were not granted federally recognized tribal status or reserves until 1973 near Darrington, Washington and 1974 near Sedro Woolley, Washington, respectively. Instead they were left to their own devices or forced onto reserves elsewhere, such as the Swinomish, Tulalip, and Lummi Reserves located on the coast or the Coleville Reserve in the Okanagan. See Bruce Miller, "A Sociocultural Explanation of the Election of Women to Formal Political Office: The Upper Skagit Case," (PhD Dissertation, Arizona State University, 1989), esp. Chapter Two; and Robert H. Ruby et. al., *A Guide to the Indian Tribes of the Pacific Northwest* (Norman: University of Oklahoma Press, 2010 [1992]). For more general treatments of the impacts of colonialism in the Pacific West, see Cole R. Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: UBC Press, 2002); Harmon, *Indians in the Making*; Carlson and McHalsie, *A Stó:lō-Coast Salish Historical Atlas*; Andrea Laforet and Annie York, *Spuzzum: Fraser Canyon Histories, 1808-1939* (Vancouver: UBC Press, 1998); and Crisca Bierwert, *Brushed by Cedar: Coast Salish Figures of Power* (Tucson: University of Arizona Press, 1999).

¹⁸ John Haugen interview with author, 17 Nov. 2010; Laforet and York, *Spuzzum*, 66.

and medicinal plants also thrived in the Skagit Valley, which families cultivated through controlled burnings, pruning, and planting in the spring and early summer. June Harris, a Stó:lō member from Seabird Island, recalls regular trips into the valley when she was a child in the 1950s, picking berries with her Nlaka'pamux grandmother while her brothers hunted with her grandfather. Such trips ended, however, by the 1960s, when her grandparents could no longer make the trip.¹⁹

Even while certain types of land use continued, the same colonizers that diminished the indigenous presence in the Skagit Valley also brought industrial use that transformed it in profound ways. As detailed in the previous chapter, this began with attempts at mining and forestry, although virtually every attempt to profitably mine the valley failed, as exemplified by the 1910 Steamboat Mountain fraud in British Columbia. But mining did introduce one type of resource use into the Upper Skagit that would have a lasting impact. In 1906, a group of enterprising miners packed a water wheel and a generator to Ruby Creek, a major tributary of the Skagit, diverted water from the creek through a 2,000 foot flume, and sold the electricity it generated to the Hyde, Mazama, Azurite, and Chancellor mining companies that had set up camps in the area. The power plant shut down within a few years, after all of the mining companies went broke and abandoned their claims, but the “real wealth” of the Skagit Basin, as Paul Pitzer has termed it, had been found.²⁰ In short order, permits to build dams were filed for virtually every viable spot throughout the Upper Skagit Basin, first by Stone and Webster, a private corporation based out of Boston, and, when these expired, they were taken over by J. D. Ross and SCL in 1917. By 1924 SCL had built the Gorge Dam, by 1931, the Diablo, and in 1939, 1946, and 1953 it had finished the first, second, and third stages of the Ross Dam.²¹

Seattle's dams signalled a monumental change in land use in the valley, flooding out many of the abandoned mines in the Washington portion of the basin and, more disastrously, robbing the Upper Skagit Tribe of much of its territory and permanently ending the already dwindling number of gatherings at Hozomeen between groups in British Columbia and Washington. The dams also effectively remade the geography and the availability of certain resources in the valley. As was the case on other rivers in the Pacific Northwest, dams cut off

¹⁹ June Harris and Guy McNeil interview with author, 24 August 2010.

²⁰ Pitzer, *Building the Skagit*, 5.

²¹ The complex and long construction process of these projects is well documented by Sparks, “J. D. Ross and Seattle City Light”; Pitzer, *Building the Skagit*; and Shelvey, “Skagit Scenes.”

salmon from spawning sites upstream, effectively ending the availability of salmon in the Upper Skagit Basin.²²

Despite losing access to territory and the impact of the dam on fishing and hunting, indigenous groups were not compensated for any part of the Skagit Hydroelectric Project's flooding. No lands had been allocated to any groups within the Upper Skagit Valley during the treaty and reserve creation process in the late nineteenth century in either Washington or British Columbia. Upper Skagit, Sauk-Suiattle, and Swinomish groups were assigned to reserves in Western and Eastern Washington, including the Swinomish, Lummi, Tulalip, and Colville reservations, which were far away from the Upper Skagit Basin.²³ What little private holdings did exist in the Upper Skagit Basin were dealt with in the usual way, with appraisals and purchase, and forced sales in district courts if required. Some "superstitious Indians," as SCL employees sometimes referred to them, were included in this process, but only if they owned private property. Other non-indigenous homesteaders were forced out as well, and only a few, such as the Davis family, took Seattle to court. Those indigenous families or non-indigenous homesteaders deemed "squatting" on land to be flooded were not offered anything.²⁴

Although the Skagit Hydroelectric Project destroyed some uses of the Upper Skagit Valley, it also introduced new ones. Transportation routes to build the dam included a railway connecting Mount Vernon and the Lower Skagit Valley to the dams in the upper portion of the valley. SCL built a railway for the first dam, the Gorge, in 1921, from Rockport, Washington, just outside of Mount Vernon, to Newhalem, and extended it to the Diablo Dam in the late 1920s. Material was brought along the railway and then shipped by barge on the Diablo Reservoir, which pools right to the foot of the Ross Dam. The railway and reservoir link provided a much easier and quicker way into the Upper Valley from the south. What had once been a three-day trek along "the Goat Trail," a narrow, often dangerous path that wound its way among the cliffs that rose above the Skagit River, could now be travelled in only a few hours.²⁵

²² Dunstan interview; Nathan and Rhoda Spinks interview with author, Lytton, 31 January 2011.

²³ See note 14.

²⁴ For the Davis Ranch condemnation hearings see files 11 – 14, box 4, 4403-02, Skagit Condemnations, Law Department Files, Seattle Municipal Archives. Brief descriptions of the Davis Ranch condemnation, as well as others, are in Simmons, "The Damnation of a Dam," 21 – 23; See also, Pitzer, *Building the Skagit*, 14; and Shelvey, "Skagit Scenes," 263 – 64. For evidence of "Indian" private property that was affected by the dams, particularly by power line rights of way, see file 1, box 1, 4403-02, Skagit Condemnations, Law Department Files, Seattle Municipal Archives. For SCL's references to Indians as "ignorant" and "superstitious," see Nash, "The Changing Experience of Nature," 1620.

²⁵ Pitzer, *Building the Skagit*, 1 – 22.

In 1946 Seattle City Light also converted the indigenous path that ran south along Silver Creek and the Skagit River from Hope, British Columbia into northern Washington into a logging road to clear the northern part of Ross Reservoir during the dam's second phase of construction. SCL built the access road in British Columbia because no truck-friendly roads went anywhere near the area in northern Washington. Seattle also anticipated having to do additional reservoir clearing in British Columbia once it raised the Ross Dam to its full height. To forestall protest about trees from Washington being processed in British Columbia, Seattle arranged to transport the logs down the Fraser River from Hope to mills in Puget Sound, Washington.²⁶ John Hart's provincial government allowed Seattle to build the logging road and to ship the logs through the province back into the United States because Seattle's proposal offered a free way for British Columbia logging outfits to access other parts of the valley.²⁷

These transportation routes provided new labour opportunities, both those associated with building the dams and through the logging that the project's reservoirs required. Much of this labour force came from outside the valley, mostly from Seattle, but it also included those who were most directly affected by the dam. Glee Davis, one of the co-owners of the Davis Ranch, for example, who was flooded out by the Diablo Dam after a long, drawn-out court battle, worked as a labourer for SCL on the Gorge, Diablo, and Ross projects.²⁸

Indigenous workers from Stó:lō, Nlaka'pamux, Upper Skagit, Sauk-Suiattle, and Swinomish communities, as well as many more, were also prominent on the Skagit Hydroelectric Project. As many scholars have recently argued for mining, canning, fishing, and hop picking in other areas of northwestern North America, indigenous communities adapted to change and were part of the labour force that went to work transforming the Skagit Valley, rather than being swept aside by industrial modernization.²⁹ According to Upper Skagit member Shubert Hunter Sr., plenty of Upper Skagit worked for Seattle City Light:

²⁶ E. R. Hoffman, SCL Superintendent, to Seattle City Council, 19 Jan. 1945, file 2, box 11, Superintendent's Correspondence, 1200-13, Seattle City Light Collection, SMA.

²⁷ Geo. P. Melrose, Asst. Chief Forester, Forest Branch, B.C. Department of Lands, to E. H. Hoffman, 9 Jan. 1945; E. R. Hoffman, Memorandum Re: Lands to be flooded in Canada, 5 Oct. 1945, both in file 2, box 11, 1200-13, SMA.

²⁸ John Suiter, *Poets on the Peaks: Gary Snyder, Philip Whalen, and Jack Kerouac in the North Cascades* (Washington D. C.: Counterpoint, 2002), 62 – 65.

²⁹ Paige Raibmon, *Authentic Indians: Episodes of Encounters from the Late Nineteenth Century Northwest Coast* (Durham: Duke University Press, 2005); Bierwert, *Brushed by Cedar*; Keith Thor Carlson and John Lutz, "Stó:lō People and the Development of the B.C. Wage Labour Economy," in Carlson ed., *You Are Asked to Witness: The Stó:lō in Canada's Pacific Coast History* (Chilliwack: Stó:lō Heritage Trust, 1997); Dianne Newell, *Tangled*

[My relatives] were doing some cutting and power line work ... the clearing part and some of them did work on the [Ross] dam itself. ... Yeah Upper Skagit, the Skagit Indians were natural, they became natural loggers 'cause we always constructed ... our long-homes, houses were logged. And they had to move them by whatever means they could ... they knew leverage and they knew ropes and the netting you know they had that technology of rigging and moving big timbers. So ... they became a part of the logging industry.³⁰

Similarly, Stó:lō and Nlaka'pamux members made up a significant portion of the logging crews that worked on the northern sections of the Ross Reservoir. Ralph George, a Stó:lō chief of the Shxw'ow'hamel Band, recalls that:

When [Seattle City Light] wanted to log it off [First Nations] were one of the first ones to get hired to go log back there. ... First Nations people was hard workers and we weren't, you know, scared of any kind of winter, or rainy weather, or anything. They just got out there and worked. Where lots of the people would sooner quit and go and sit in camp and wait for the rain to stop. But most of the time our people would just work right through the rainy weather and everything.³¹

In fact, according to Nathan Spinks, a former Nlaka'pamux Chief in Lytton, most of the loggers who worked on clearing the northern section of the Ross Reservoir were indigenous, since, as Spinks points out, "You gotta be an Indian to work on both sides of the border." Non-indigenous loggers needed a work visa and most did not bother going through the hassle to get one because there were plenty of other logging jobs that did not require regularly crossing the border.³²

Other indigenous entrepreneurs started logging outfits of their own. Former chief of Seabird Island, Archie Charles and his brother-in-law, Albert Douglas, logged all over the Lower Mainland, including the cut that makes up the Canadian-American border in the Skagit Valley. As Charles recalls, "and then they drew that forty-nine, so we had to log off half the line.... There was some big timber up in [the Skagit]."³³

Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries (Toronto: University of Toronto Press, 1993).

³⁰ Shubert Hunter Sr. Interview Transcript, Ed Liebow, interviewer, Skagit Oral History Project, 22 Aug. 2002, 18 – 19. See also Jim Campbell Interview Transcript, Sara Breslow interviewer, Skagit Oral History Project, 21 Aug. 2002.

³¹ Ralph George interview.

³² Nathan and Rhoda Spinks interview.

³³ Archie Charles interview with author, Seabird Island, 24 August 2010.

By the late 1950s, however, with the final stage of the Ross Dam stalled, the amount of logging in the Skagit Valley began to wane. Many logging outfits, both indigenous and non-indigenous, moved on to log other areas in British Columbia and Washington.³⁴ It would prove to be the last time that major industry was active in the Upper Skagit Basin, as development and the politics of place would once again transform the history of land use in the valley. Another type of modern use, recreation, which would develop in tandem with SCL plans at first, would push all other forms of use out.

SCL and Recreation in the Skagit

Although not originally included in plans for the Skagit Hydroelectric Project, recreation ultimately became a heavily publicized benefit of SCL's dams in the Skagit Valley and one of the foundations of its claim to responsible land use management. This began in 1928 when the Women's City Club in Seattle contacted Ross about arranging a group tour of the Gorge Dam for its annual retreat. Ross accommodated their request and, inspired by their interest, began to promote the dams as a vacation destination. Within a decade "the Skagit Tour" sold out every summer, attracting more than 25,000 annual visitors. Once the Diablo Dam was completed, Ross had its construction camp converted into cabins to accommodate up to 600 visitors at one time, stocked the reservoir with a quarter of a million speckled trout, and had a tropical garden and small zoo built, complete with banana trees, peacocks, and macaws. The highlight of the tour was an evening hike around the Diablo Reservoir to Ladder Falls, illuminated by multi-coloured lights and accompanied by classical music played through loudspeakers placed along the hiking trail and around the falls.³⁵ SCL later incorporated the Ross Dam into the tour as well, using barges to transport tourists to the base of the dam, at first to watch its construction and then later building a lift on the dam's face so visitors could scale it and hike around Ross Reservoir.³⁶

Linda Nash has argued that the Skagit Tour shows that Ross and engineers like him kept one foot in the placeless, objective, and modern realm of expert planning that accompanied the rise of large-scale dam projects in the twentieth century and another in the anti-modern and subjective realm of nature appreciation, albeit a nature that had been "civilized" with gardens,

³⁴ George interview; Spinks interview; Charles interview; Ron John interview with author, Chawathil, 13 July 2011.

³⁵ Nash, "The Changing Experience of Nature," 1624 – 29; Pitzer, 60 – 67. For SCL's extensive collection on the Skagit Tours, see boxes 1 – 2, Skagit Tour Records, 1208-01, SMA.

³⁶ Seattle City Light, "History of Skagit Tours," 1, file 10, box 3, City Light History Files, 1200-11, SMA.

landscaping, and lighting techniques. In this way, according to Nash, Ross bridged an important transformation in how nature came to be known by technical experts and planners.³⁷ But this places outdoor recreation in opposition to modernity, when in fact its popularity was a part of the same modernizing process and was itself incorporated into multiple use planning.

The success of the Skagit Tour made Ross and his successors at SCL realize that opening the Skagit Valley up for mass recreation was an effective way to advertise the multiple benefits of the Skagit Hydroelectric Project. In 1935, during the height of the Great Depression, Ross wrote to Seattle's mayor, Charles L. Smith, to justify keeping the Skagit Tour open: "By far the greatest returns on any advertising system that we have ever seen comes from the visit of the people to the Skagit. We have gotten a great volume of business through these tours. ... There is no way to show the people what Seattle City Light is, like having them see it themselves." As SCL's staff historian put it in 1965, "The reason" for promoting recreation "was obvious. The power plants are located in one of the most rugged areas in the country, making the project an outstanding scenic attraction. ... In addition, the Lighting Department, realizing the public relations value of the trip, charged only enough to cover the expense directly attributable to the trips."³⁸

The popularity of the Skagit Tour coincided with the rise in outdoor recreation on public lands more generally in the United States over the first half of the twentieth century. The growing affordability of automobiles in combination with increased leisure time and disposable income had an enormous impact on areas that the majority of urban dwellers had previously considered wild and inaccessible.³⁹ From the 1930s to the 1950s, federal agencies in the United States began incorporating recreation into their multiple use management plans. The 1935 U.S. Water Power Act, for example, mandated that recreation be included as part of any comprehensive plan for water development on federal lands before a licence could be granted by the Federal Power Commission. Similarly, the Department of Agriculture's Forest Service began a program called "Operation Outdoors" in the late 1940s to expand recreational facilities in

³⁷ Nash, "The Changing Experience of Nature."

³⁸ J. D. Ross to Seattle Mayor Charles L. Smith, 30 March 1935, 6 – 7; Seattle City Light, "History of Skagit Tours," 1, file 10, box 3, 1200-11, SMA.

³⁹ Marguerite S. Shaffer, *See America First: Tourism and National Identity* (Washington, D.C.: Smithsonian Institution Press, 2001), chapters 3 – 4; Paul Sutter, *Driven Wild: How the Fight Against Automobiles Launched the Modern Wilderness Movement* (Seattle: University of Washington Press, 2002); David Louter, *Windshield Wilderness: Cars, Roads, and Nature in Washington's National Parks* (Seattle: University of Washington Press, 2006).

National Forests. This process culminated in the 1960 Multiple Use Sustained Yield Act that officially mandated recreation be accorded equal footing with logging, grazing, and watershed management activities by the Forest Service, although, as Paul Hirt and Samuel Hays have shown, this had informally been the Service's practice for decades.⁴⁰

SCL's timber settlement contracts with the U.S. Forest Service and subsequent amendments to it show how recreation grew in importance in the Upper Skagit Valley from the 1930s to the 1950s. The Forest Service had incorporated the Skagit Valley as part of Mount Baker National Forest in 1906. Ross had acquired permits from the Department of Agriculture for its dams on the Skagit River in 1917, and negotiated a timber settlement contract with the Forest Service in 1937 to set a price and policy for clearing the Ross Reservoir. The original agreement did not include any mention of recreational use of the Skagit Valley, covering only compensation for timber values and providing guidelines for logging practices, forest fire prevention, and relocating guard stations and trails between them.⁴¹

In the late 1940s, however, with Seattle constructing the second and third stages of the Ross Dam and clearing the Upper Skagit Valley for a reservoir that would flood just over the Canadian-U.S. border, the Forest Service contacted SCL to amend the Timber Settlement Agreement. The primary reason for this was to cover the massive increase in recreational activity in Mount Baker National Forest, which had resulted in an expansion of trails and campgrounds in the area that an expanded Ross Reservoir threatened to inundate. By 1951, more than 350,000 people were using Mount Baker National Forest for recreation and, as Forest Supervisor Brundage explained, the Forest Service was dedicated to "a program of putting every acre to its highest use – or its several uses. We call that multiple use management. Among the outstanding uses are ... forest recreation."⁴²

The amended agreement included a section that mandated constructing six campgrounds around the Ross Reservoir at the mouths of Big Beaver Creek, Ruby Creek, Devil's Creek, Lightning Creek, and Roland Point in order to accommodate "the heavy use of the lake shores by

⁴⁰ Hirt, *A Conspiracy of Optimism*, 63 – 68, 151 – 157; Samuel P. Hays, *The American People and the National Forests* (Pittsburgh: University of Pittsburgh Press, 2009), 69 – 74, 92 – 96.

⁴¹ United States Department of Agriculture Forest Service, "Timber Settlement Agreement: Mt. Baker, City of Seattle," (12 Nov. 1936), Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33-2, UWA.

⁴² H. Phil Brundage, "Mt. Baker National Forest Accomplishment Report (Informal) for a typical calendar year – 1951," 1, Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33-2, Seattle Lighting Department Collection, UWA.

fishermen and other recreation users.”⁴³ A year later, Brundage contacted E. R. Hoffman to further amend the agreement to construct or relocate six different trails at different points around the new Ross Reservoir, for both fire suppression purposes and for “public access.” This included constructing new “boat transportation facilities for the Forest Service and the public” connecting “Ruby Guard Station and Lightning Creek,” as well as a permanent route “connecting the Little Beaver Trail with the road at or near the United States-Canada Border.”⁴⁴

Brundage hoped to better coordinate the explosion of recreational use in Mount Baker National Forest with that occurring north of the border in the Yale District Forest in British Columbia. Before Seattle built the Silver-Skagit Road through British Columbia to log the northern section of the Ross Reservoir, access was possible only on foot or horseback along indigenous trails and those made by miners. As such, recreational use was limited, although it did occur. As early as the 1920s, Vancouver’s Natural History Society began to bring members to the area on horseback for educational field trips, fostering an appreciation of the valley among a small number of Vancouver-area residents. Led by UBC botanist John Davidson, the Natural History Society’s annual two-week camping trip was held in the Skagit Valley in 1940, and by the early 1950s nature appreciation had joined fishing and hunting as one of the main recreational pursuits in the Skagit Valley.⁴⁵

As explained in the previous chapter, provincial Game Commissioner James Cunningham testified at the IJC hearing for the High Ross Dam in 1941 that the valley had earned a solid reputation as “one of the best fly fishing streams in the whole of British Columbia.”⁴⁶ There is also evidence that the valley was briefly a popular destination for upper class hunting expeditions. From the 1930s until the late-1940s, for example, Stó:lō Chief Willie George of the Shxw’ow’hamel Band, located just outside of the Skagit Valley on the Fraser River near Hope, took advantage of the valley’s growing reputation and established a lucrative

⁴³ United States Department of Agriculture Forest Service, “Timber Settlement Agreement Amendment May, 1951: Mt. Baker, City of Seattle,” (12 Nov. 1936), 9, Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33-2, UWA.

⁴⁴ H. Phil Brundage to E. R. Hoffman, 20 Feb. 1952, 2, Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33-2, UWA.

⁴⁵ Bert Brink oral history interview, 14 May 2003, in Edward Liebow, Dorinda S. Bixler, and Sara J. Breslow, *Skagit Oral History Project Phase I: Final Report* (Seattle, Environmental Health and Social Policy Center, 2003), 8 – 11; V. C. Brink, “Camping with the Vancouver Natural History Society,” unpublished manuscript, 1986, 6, File 5, Box 3, Vernon C. Brink Fonds, UBCSCA; Perry, *A Citizens’ Guide to the Skagit Valley*, 9.

⁴⁶ IJC, “Application of the City of Seattle,” (1941), 55.

guiding business for wealthy elites. According to George's son, Ralph, parties of upper class hunting enthusiasts from the United States and Mexico and even as far away as Britain and Australia paid George, his family, and his employees up to \$1000 a day to pack their gear and show them where to hunt moose, elk, deer, and mountain goats in the Skagit Valley.⁴⁷

Such recreational use expanded immensely after SCL built its logging road into the valley in British Columbia in 1946. The relationship between the automobile and recreation affected British Columbia as much as anywhere else.⁴⁸ Vehicle ownership doubled nearly every decade in the province from the early 1940s to the 1970s, while population grew at a slower rate.⁴⁹ There was also a corresponding flurry of new road construction after the Second World War, especially by Bennett's "blacktop" government, which, from 1952 to 1972, more than doubled the kilometres of paved roads in the province.⁵⁰ These new roadways made motor tourism an accessible form of recreation for a large majority of British Columbia residents, and the number of people who visited places like the Skagit Valley vastly expanded. By the late 1950s, according to a provincial Parks Branch study, hundreds of cars were parked at various spots along the road and at the tip of Ross Reservoir on any given weekend from late spring to early fall.⁵¹

As with SCL's Skagit tour, industry and recreation were initially compatible in British Columbia's Skagit Valley; indeed, recreation usually followed forestry. As one of the leading Vancouver activists against the High Ross Dam, Ken Farquharson, explains: "Until that time the logging industry, the forest industry, hadn't really gone to its full potential, and the population in Vancouver, sort of through the '50s and the early '60s were actually almost supportive of the forest industry because it gave them access to new areas as the logging roads went in."⁵²

⁴⁷ Ralph George Interview, 13 July 2010.

⁴⁸ Ben Bradley, "A Questionable Basis For Establishing a Major Park': Politics, Roads, and the Failure of a National Park in British Columbia's Big Bend Country," in Claire Campbell, ed., *A Century of Parks Canada, 1911 – 2011* (Calgary: University of Calgary Press, 2011), 79 – 102.

⁴⁹ Vehicle ownership in British Columbia for this period breaks down as follows: 1941: 77,182, 1951: 153,325, 1961: 329,739, and 1971: 544,310. See, Veronica Strong-Boag, "Society in the Twentieth Century," in Hugh J.M. Johnston, ed., *The Pacific Province: A History of British Columbia* (Vancouver: Douglas and McIntyre, 1996), 288. Population in the province grew at a slower (although still impressive) rate: 1941: 817,800, 1951: 1.1 million, 1961: 1.6 million, and 1971: 2.2 million. See, <http://www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationEstimates.aspx>, accessed 28 April 2013.

⁵⁰ Martin Robin, *Pillars of Profit: The Company Province, 1934 – 1972* (Toronto: McClelland and Stewart Ltd, 1973), 89 – 220; Mitchell, *W. A. C. Bennett and the Rise of British Columbia*, 260.

⁵¹ W. M. Spriggs, Parks Officer, memorandum to R. H. Ahrens, Planning Division, 23 March 1962, Skagit Valley Park file, Reel B1816, Records Relating to Parks, GR 1991, BCA (hereafter Skagit Valley Park file).

⁵² Ken Farquharson interview with author, 3 March 2010.

The popularity of SCL's reservoir south of the border was also noted by British Columbia officials who had begun to plan for the Ross Reservoir in British Columbia. As detailed last chapter, as early as 1931 J. D. Ross, citing his own efforts at "beautifying the place" created by Diablo Dam, had suggested that the area around the reservoir in British Columbia "would make a beautiful park at certain points" particularly the "great rhododendron bed at the north end," although he also cautioned against promoting the area as such "until we see the effect of the raising and lowering of the water."⁵³ In the summer of 1952 Forest Service researcher George Wood conducted a survey of the recreational potential of the Skagit Valley, given the "first-class road already in existence" and "the future creation of a lake with recreational possibilities as a result of an American water power project." Although Wood was ambivalent about the possibilities of a park at the north end of the lake, where the reservoir's drawdown would be most dramatic, he did predict that "a lake of some scenic appeal will undoubtedly result. The artificially created Diablo Lake farther down the Skagit Valley has beauty in its superb mountain setting which is similar to that of the Ross Reservoir."⁵⁴ Later that year, when it seemed like British Columbia and Seattle were about to sign an agreement to flood into the province, R. H. Ahrens, a surveyor for the Parks and Recreation Division in the British Columbia Forest Service, contacted SCL's E. R. Hoffman asking for recreation statistics for the Ross Reservoir. His department, Ahrens explained, was "interested in the recreational potentiality of the Ross Reservoir," intending to create a park at some point around the reservoir's perimeter in British Columbia.⁵⁵

When Seattle-British Columbia negotiations fell through, however, so too did early plans for a park around Ross Reservoir in British Columbia. In the meantime, after another survey of the area in 1953, Forester E. G. Oldham recommended that two popular river spots, one in between the Silver-Skagit Road and the Klesilkwa River and the other just south of the confluence of the Klesilkwa and the Skagit, be reserved as recreation areas, free from logging that occurred up and down the Silver-Skagit Logging Road.⁵⁶ The Department of Lands and

⁵³ Ross to H. Cathcart, Deputy Minister of Lands, 7 Oct. 1931, vol. 1, box 23, 072931 (90-898), BCMEA.

⁵⁴ George A. Wood, British Columbia Forest Service, "Report on Recreational Reconnaissance of Skagit and Klesilkwa Valleys, Skagit Forest," (1952), 8.

⁵⁵ R. H. Ahrens to E. R. Hoffman, 19 Dec. 1952, Forest Service – U.S. Dept of Agriculture File, 1937 – 1952, box 20, 33 – 2, UWA.

⁵⁶ E. G. Oldham, forester, Parks and Recreation Division, to the Superintendent of Lands, Department of Lands and Forests, November 25, 1953, Skagit Valley Park file.

Forests concurred and set aside two small recreational reserves of about 100 acres each in 1953 and 1955 “for the use, recreation, and enjoyment of the public.”⁵⁷

By the 1960s recreational use had clearly become a part of official plans for the valley. As SCL’s information officer, Joseph de Leon, put it in promotional pamphlets for the Skagit Project in 1965, the Ross Dam was “developed under the multiple-use management ideals” and “provides an excellent example of utilizing a nation’s natural resources for the greatest benefit to its citizens.” Foremost amongst these benefits, according to SCL, was “a 24-mile lake stretching 1.5 miles into Canada. It was created principally to produce more electric power, but very important are its recreational, sports fishing and flood control values.”⁵⁸

Signs of Change: Rivers versus Reservoirs

While SCL made the Skagit Valley accessible and tried to shape experiences of nature with the Skagit Tour, it could not control how such users came to value the area. Indeed, as much as mass recreation was made possible by industrial development in the valley, many types of recreation were not compatible with SCL’s plans to further develop the area. Instead, the valley came to be appreciated for its wild qualities as much as the SCL-created lakes.

Much of this transformation in values occurred slowly and alongside other industrial uses. A succession of beat writers, for example, including Gary Snyder, Philip Whalen, and Jack Kerouac, all worked as fire lookouts in the Skagit Basin and their experiences provide an example of how wilderness came to be appreciated in its own right in the Skagit Valley. The U.S. Forest Service established the first fire lookouts in the Skagit Basin shortly after it incorporated the area as part of the Mount Baker National Forest Reserve in 1906. The program was accelerated after 1926 when the last great conflagration swept through the valley.⁵⁹ Lookouts used SCL’s railway to make their way up the valley and stayed in SCL’s bunkhouses at the Gorge, Diablo, and Ross Dams before ascending the mountains on which their posts were located.⁶⁰

⁵⁷ R .E. Burns, Superintendent of Lands, to Parks and Recreation Division, December 14, 1953; *ibid.* June 2, 1955, Skagit Valley Park file.

⁵⁸ SCL, “Clearing of Ross Basin,” (1965), 1, file 10, box 3, 1200-11, SMA.

⁵⁹ Pitzer, *Building the Skagit*, 8. The first fire lookout was built on Sourdough Mountain by Glee Davis who, along with his mother Lucinda, would later be embroiled in a battle with SCL over having their homestead flooded out by the Gorge Dam. See, Suiter, *Poets on the Peaks*, 62 – 65.

⁶⁰ See Jack Kerouac, *The Dharma Bums* (New York: Penguin Books, 1976 [1958]), 225 – 231 for a description of the use of SCL infrastructure by the Forest Service.

For Forest Service employees, nature was known through work as well as recreation, and SCL played a formative role in both activities in the Upper Skagit Valley. Snyder, who also worked as a logger up and down the Pacific coast and was as likely to write about logging as he was about wilderness, valued being “a hobo and a worker” and wanted to understand “how to belong to the land” through “the common work of the tribe.”⁶¹ Similarly, Kerouac wrote about “The Skagit River ... rushing clear snowmelt of pure green. It was the work of the quiet mountains, this torrent of purity at my feet.” This meditative power of wild nature fit seamlessly with the view from “Ross Dam where you could see immense dazzling openings of vistas that showed the Mount Baker National Forest mountains in wide panorama around Ross Lake that extended shiningly all the way back to Canada.”⁶²

As John Suiter has shown, though, ultimately it was the transformative power of wild nature, particularly as it related to Buddhist teaching, that most affected these writers, rather than SCL’s feats of engineering. Snyder would later consider his time spent in the Skagit Basin, on Crater Mountain in 1952 and Sourdough Mountain in 1953, as part of his training for spiritual enlightenment, a precursor to his education in Zen Buddhism in Japan during the 1960s. Snyder came to believe in the purifying powers of wild nature, valuing his time on the mountains as a spiritual antidote to urban modernity, although one that could be harsh in its impact: “Here man is sterile & hostile to nature” he wrote, “nature is fertile, but hostile to men.”⁶³ He read Thoreau’s *Walden* while on Sourdough Mountain, and identified with the book’s ascetic approach to wild nature. He later reflected on the importance of his time on the Skagit Mountains this way: “That’s the way you learn, by sitting still and being quiet in nature. Then things start happening to you. ... Aldo Leopold uses the phrase *Think like a mountain*. I didn’t hear that until later, but mountain watching is like mountain being or mountain sitting. ... The changing light on the mountain was like the changing thoughts in my mind, just these little shifting shadows, that’s all that it is.”⁶⁴

Kerouac’s time in the Skagit, on the other hand, reflected a more ambivalent appreciation of wild nature. When Kerouac first saw Mount Hozomeen in the Skagit Valley from his lookout on Desolation Peak in 1957 he penned the simple rhyme “Hozomeen, Hozomeen, the most

⁶¹ Gary Snyder, “Introduction,” *Myths and Texts* (New York: New Directions, 1978 [1960]), 1 – 2.

⁶² Kerouac, *The Dharma Bums*, 225, 221.

⁶³ Gary Snyder, *Myths and Texts* as quoted in Suiter, *Poets on the Peaks*, 73.

⁶⁴ Suiter, *Poets on the Peaks*, 43, 45.

beautiful mountain I ever seen,” which became a mantra that he used while writing what would become *Desolation Angels*.⁶⁵ Over the course of the summer, as he struggled with the loneliness of being a fire lookout, he grew both fearful of the sublime power of Mount Hozomeen and bored with the impersonal wilderness that it represented. By the end of his time on the mountain, Kerouac dreamt that Hozomeen would “morph into the Abominable Snowman and swoop across Lightning Gorge to devour him,” concluding that “Desolation Adventure has power, but it is not suitable for my potentialities.”⁶⁶

In British Columbia, a similar appreciation of the wild qualities of the Skagit Valley developed amongst those who were tasked with working for the forest industry. This change in values was most evident in Wilfrid “Curly” Chittenden. An experienced logger in the southern part of the province, SCL hired Chittenden to supervise the clearing of Ross reservoir in British Columbia in 1953.⁶⁷ During the first part of the decade that he worked for SCL, Chittenden was a strong advocate of the utility’s right to flood the Skagit Valley in the province. He kept SCL updated on provincial politics, periodically sending newspaper clippings to Assistant Superintendent Cottom. In 1954, Chittenden even led a delegation of loggers to Victoria to lobby the provincial government to sign its compensation agreement with Seattle. As Chittenden reported to Cottom: “I was told to ‘keep up the good work’ as the main reason you got a permit to flood this year was the fuss we both stired [sic] up at Victoria and in the district here. As I have a vote here it makes quite a difference at a meeting, sort of puts the B.C. boys on the spot. City Light got good value out of your trips and my salary for last year.”⁶⁸

Over the course of his employment with SCL, however, Chittenden’s views on the matter changed. He became enamored with the Skagit Valley, particularly the groves of ponderosa pine, which are rare in the Cascade Range and would have been flooded out by the High Ross Dam. In 1959 he wrote to General McNaughton, the Canadian chair of the IJC, complaining that Canadians did not have a great enough interest or knowledge of the area and that he was “not in favour of the way Victoria or Seattle City Light are handling this settlement,” directly

⁶⁵ Kerouac *Desolation Angels* (New York: Deutsch, 1966), 4.

⁶⁶ Suiter, *Poets on the Peaks*, 205, 207, 225.

⁶⁷ Hoffman to Chittenden, 20 March 1953, Skagit Basin Clearing – 1953 file, box 19, 33-2, SMA. For more on Chittenden’s time logging in British Columbia, see A. McCombs and Wilfrid Chittenden, *The Fraser Valley Challenge: An Illustrated Account of Logging and Sawmilling in the Fraser Valley* (Harrison Hot Springs: Treeline Pub., 1990).

⁶⁸ Chittenden to Cottom, 29 Dec. 1954, Skagit Basin Clearin – Canada – 1954 file, box 19, 33-2, SMA.

contradicting his lobbying efforts in Victoria five years previous.⁶⁹ He eventually ended his ties with SCL in the 1960s and later worked with activists for the valley's preservation.⁷⁰ At the Federal Power Commission hearing for the dam in 1974 Chittenden reflected on the irony of his role in the valley: "Although I worked to clear Ross Reservoir, over the years I have thought about the future and the purpose of this work. I feel now that the value of the Skagit for recreation must be recognized, and that others be allowed the chance to enjoy the Skagit as I did."⁷¹

Outdoors enthusiasts, mountaineers, hunters, natural history buffs, and many more had similar experiences with wild nature in the Upper Skagit over the ensuing decades. Indeed, with the popularity that Snyder's and Kerouac's writing would attain, many came to the Skagit Valley just to follow in their footsteps and experience the wild Skagit the way that these writers had.⁷² But such experiences are difficult to measure, and the Seattle and British Columbia governments can perhaps be forgiven for neglecting to consider the writings of beatnik poets or individual loggers in British Columbia when they negotiated their final deal in 1967. There were other signs of changing popular opinion that were more obvious, however, particularly the increasing demand for parks in the Skagit Valley meant to preserve it strictly for wilderness recreation.

As early as the 1930s, Bob Marshall, a forester and co-founder of the Wilderness Society, had surveyed the North Cascades Range in Washington from the international border in the Skagit Valley south to Stevens Pass, recommending to the federal government that the entire area, nearly two million acres, should be turned into a wilderness preserve.⁷³ Various park advocates picked up his recommendations in the 1940s and 1950s, but nothing much came of it. In 1957, however, after the U.S. Forest Service revealed that it planned to convert only the area around Glacier Peak into a wilderness preserve and to otherwise expand logging operations in

⁶⁹ Chittenden to McNaughton, 25 April 1960, 46-3-1-1 vol. 2, box 54, Docket 46, IJCA.

⁷⁰ G. F. Macnab, Park Officer, Provincial Parks Branch to R. H. Ahrens, Planning Division, Parks Branch, date unknown, Skagit Valley Recreation Area file, Reel B1816, Records Relating to Parks, GR 1991, BCA (hereafter Skagit Valley Recreation Area file); Tony Eberts oral history interview, 15 May 2003, in Edward Liebow, Dorinda S. Bixler, and Sara J. Breslow, *Skagit Oral History Project Phase I: Final Report* (Seattle: Environmental Health and Social Policy Center, 2003), 23 – 24.

⁷¹ "Submission of W. W. Chittenden to Federal Power Commission of Application by Seattle City Light to Raise Ross Dam, Bellingham, Wash., 23 April 1974," 3, file 1, box 2, ROSS Committee Fonds, UBCSCA.

⁷² Sutter, *Poets on the Peaks*.

⁷³ Louter, *Windshield Wilderness*, 110. Marshall was actually against the idea of a national park in the North Cascades, particularly the National Park Service's 1937 proposal for "Ice Peaks National Park," because he felt such plans called for too much tourism development. See Louter, 112. For more on Bob Marshall and the formation of the Wilderness Society as a reaction to such tourist development, particularly roads, see Sutter, *Driven Wild*, 194 – 238.

Northwestern Washington, Seattle-area conservationists mounted a far more spirited campaign for a park that included the Skagit Valley.

Key amongst these activists was Patrick Goldsworthy, a young biochemist at the University of Washington. Goldsworthy had begun working with the Sierra Club as a teenager in the 1940s and quickly became a fixture in Seattle's outdoor recreation clubs after moving there from California in 1955, particularly with the Pacific Northwest Chapter of the Sierra Club and the Seattle Mountaineers.⁷⁴ In 1957, in response to the Forest Service's plan, Goldsworthy and other Seattle-area wilderness advocates, including Phil and Laura Zaleski, Polly Dyer, Emily Haig, Harvey Manning, and preservationist luminaries like Sierra Club leaders David Brower and Mike McClosky, formed the North Cascades Conservation Council (N3C) to lobby for a park based on Marshall's recommendations.⁷⁵ By the early 1960s N3C was in a pitched battle against the Forest Service, as well as local hunting interests and SCL, to create a national park out of the entire North Cascades Range.

As David Louter argues, the campaign for North Cascades National Park is an important indicator of how U.S. conceptions of wilderness had changed by the 1960s, particularly activists' insistence that the park should remain as free of roads as possible. Plans for the park drew widespread support, both in Seattle and around the United States, and congressional hearings in Seattle attracted thousands of people. The 90th Congress that created the park in 1968 also passed the National Wild and Scenic Rivers Act, and it has been regarded as one of the landmark moments in the history of wilderness creation in the United States.⁷⁶ It is important to note, however, that in addition to this larger national context, there was a regional aspect to the park's creation that would have profound implications for the High Ross Dam controversy that followed.

The main opponents to creating a national park in the North Cascades were hunters, loggers, and Seattle City Light, all of which had significant political support from the

⁷⁴ Patrick Goldsworthy interview with author, 16 March 2010.

⁷⁵ North Cascades Conservation Council Board Members, 1957 – 2007. Patrick Goldsworthy personal files.

⁷⁶ Louter, *Contested Terrain*, 9 – 57; *ibid.*, *Windshield Wilderness*, 105 – 133. See also Harvey Manning, *Wilderness Alps: Conservation and Conflict in Washington's North Cascades* (Bellingham: Northwest Wilds Pub., 2007). Creating North Cascades National Park was a key component of the conservationist agendas of both the Kennedy and the Johnson administrations, and, along with the 1964 Wilderness Act and the fight over damming the Grand Canyon, became one of the major preservationist battles in the United States before the environmental movement of the 1970s. For more on environmentalism during this period see Rome, "Give Earth a Chance," 525 – 554; Thomas G. Smith, "John Kennedy, Stewart Udall, and New Frontier Conservation," *Pacific Historical Review* vol. 64, no. 3 (August 1995), 329 – 362.

Washington Department of Fish and Game and the federal Forest Service. None of these entities wanted to cede control over Washington land to the Department of the Interior's Park Service. In 1967 Washington's influential senator, Henry "Scoop" Jackson, who chaired the Senate Committee on Interior and Insular Affairs and was in favour of the national park, told Goldsworthy that the only way the park would be approved was through a compromise with SCL. As Goldsworthy has explained:

At [one of] the public hearings Senator Jackson came to me and said, 'I want to talk to you.' And we went off in the corner of the meeting room and he said, 'Patrick, I want this park and you want this park, but there are compromises we're going to have to accept or we're not going to get it.' And there were other conservationists who had the attitude, 'You don't ever accept compromise. You take a hundred percent and try to get it.' ... Senator Jackson said, 'If we create a recreation area [there won't be any] opposition from Seattle City Light. So I said, 'Well, let's do that.' And I convinced the conservationists who worked with me that a compromise was necessary.⁷⁷

With one of the more significant points of local opposition, SCL, removed, Congress was able to create the North Cascades National Park Complex shortly afterwards, which converted 117,000 acres around the Skagit Hydroelectric Project into Ross Lake National Recreation Area.⁷⁸

SCL took the compromise over the creation of Ross Lake Recreation Area as an indication that activists would not object to future SCL plans to raise its Ross Dam or to construct other dams in the Skagit drainage. Indeed, having just signed the 1967 High Ross Dam Agreement with British Columbia, plans were already in the works for raising the dam. As the next chapter will show, however, they were either fooled into thinking there would be no opposition or otherwise did not take the momentum for wilderness preservation behind the creation of N3C and North Cascades National Park seriously enough.

Similarly, there were early indicators in British Columbia that plans for increasing the size of Ross Reservoir would not mix with the recreational use that had developed in the Skagit Valley. Indeed, such signs existed within the Social Credit government's own bureaucracy. In 1957, in response to increasing recreation activities in the province, W. A. C. Bennett created the Department of Recreation and Conservation, transferring the Parks and Recreation Division from

⁷⁷ Patrick Goldsworthy interview with author, 16 March 2010.

⁷⁸ Louter, *Contested Terrain*, 1.

the Department of Lands and Forests and renaming it the Parks Branch (the Department of Lands and Forests was also reorganized at this time into the Department of Lands, Forests, and Water Resources).⁷⁹ In 1961, with negotiations back on for the High Ross Dam, Bennett's government directed the newly created Parks Branch to once again assess the feasibility of creating a park around Ross Reservoir.

The Parks Branch conducted a more thorough recreational survey of the Skagit Valley than anything the Forest Service had done to that point, but its recommendations were not exactly the type that the Social Credit government was looking for. W. M. Spriggs concluded in a 1962 report that a river-based park, rather than one centred on the Ross Dam's reservoir, would best take advantage of the area's natural configuration and would better suit the needs of those who used the valley for river fishing and canoeing. According to Spriggs, given Seattle's plan for the valley, the future reservoir would make an unsightly spot for a park due to the extreme drawdown that would occur every year, leaving mud flats and tree stumps exposed in British Columbia's section of Ross Lake. This condition already occurred in the area that the reservoir flooded and would only worsen, he argued, once the dam was raised. The river, on the other hand, was much more popular. Existing Forest Service recreational reserves did not address this problem, nor did they contain camping facilities that could reduce the impact of overnight visits to the Skagit River.⁸⁰

Robert Ahrens, the director of the Parks Branch Planning Division, and the Parks Branch director, H. G. McWilliams, used Spriggs' report to push the Forest Service to relinquish control over the Skagit Valley. Ahrens also stressed that more than just Forest Reserves were needed along the Skagit River. As an "ecotone" transition zone between the coast and the interior, the valley contained rare natural attributes such as the ponderosa pines that Chittenden valued as well as California rhododendrons that were rare in the province. Such flora needed to be preserved as much from recreationists as from loggers, Ahrens argued, protection that only a park could provide.⁸¹

⁷⁹ Jeremy Wilson, *Talk and Log: Wilderness Politics in British Columbia, 1965 – 1996* (Vancouver: UBC Press, 1998), 93 – 95.

⁸⁰ W. M. Spriggs, Parks Officer, memorandum to R. H. Ahrens, Planning Division, 23 March 1962, Skagit Valley Park file.

⁸¹ H. G. McWilliams to the Chief Forester, Forest Service, 6 July 1967, Skagit Valley Park file; R. H. Ahrens to W. G. Hughes, Forest Service, 3 December 1967, in *ibid*.

Studies of recreation in the Skagit Valley conducted outside the offices of the provincial government reached similar conclusions. In 1965, the Regional Parks Committee of the Lower Mainland Municipal Association commissioned a regional parks plan for the Lower Mainland region, in anticipation of creating a Vancouver-Fraser Valley regional parks board. Norman Pearson, who worked for the Municipal Planning Service of the Lower Mainland Regional Planning Board, coordinated the study, and in 1966 released “A Regional Parks Plan for the Lower Mainland Region.” Pearson heavily criticized the status of available recreation areas for Lower Mainland residents, and went beyond the mandate of suggesting areas for regional park creation, instead assessing provincial and national park possibilities in the Lower Mainland as well. “We have inherited a ‘garden spot’ in the Lower Mainland,” Pearson reported, “but ironically, within the extensive open land in the Region today, there is little land set aside as parkland for public recreational use.” Furthermore, Pearson argued, “prospects are that our population will increase from one million today to over two million by the turn of the century. With rapid urbanization and increased leisure time, there will be even greater pressures on our outdoor recreation areas in the future.” Pearson recommended creating a regional parks board to oversee expanding park acreage “at all levels of government” including adding “44,000 acres of regional parks, and 145,000 acres of provincial parks.” Prominent amongst his recommendations for expanding provincial parkland was to convert nearly 100,000 acres in the Skagit Valley into a provincial park, the exact plan that Ahrens and McWilliams in the Parks Branch were advocating for, particularly to take advantage of the river system that had already proven so popular but was constantly threatened by increased reservoir creation and logging activities.⁸²

Pearson’s study had an immediate impact, although not on the Skagit Valley. Thirteen municipalities, in combination with financial assistance from the provincial Department of Recreation and Conservation created the Vancouver-Fraser Park District in 1967, and, by 1969, had purchased more than 1,000 acres throughout the Fraser Valley, converting them into four regional parks, including Campbell River, Tynehead, Aldergrove Lake, and Belcarta.⁸³

The provincial Forest Service, however, refused to relinquish control of any part of the Skagit Forest Reserve. As W. G. Hughes from the Forest Service Management Division

⁸² The Municipal Planning Service of the Lower Mainland Regional Planning Board, “A Regional Parks Plan for the Lower Mainland Region,” (New Westminster, May 1966), 5 – 6, 42 – 46.

⁸³ G. H. F. McLean, Chairman Vancouver-Fraser Park District, 28 July 1969, 1, foreword to second printing of Municipal Planning Service, “A Regional Parks Plan for the Lower Mainland Region.”

explained to Ahrens and McWilliams, the Skagit was “an area with a good potential for forest production” and “further examination” was required to determine what could be logged profitably and what could be dedicated to park use. The ministers of Recreation and Conservation and of Lands, Forests, and Water Resources, Ken Kiernan and Ray Williston, concurred with the Forest Service’s assessment, explaining that the recently signed 1967 Agreement to flood even further into British Columbia’s Skagit Valley limited land-use options in the area. The only space that the provincial government was willing to consider for park protection was around the reservoir.⁸⁴ Since it was unclear when Seattle would begin constructing the High Ross Dam, plans for such a park were shelved, at least temporarily.

Conclusion

During one of the many hearings for a national park in Washington’s North Cascades, after SCL had agreed to support the park in exchange for permission to build dams on the Skagit River, Senator Henry Jackson commented that “I think the Seattle Light people...deserve great tribute for recognizing the conservation possibilities in the Skagit area.... I think what [they] have done over the years is a good example for others to follow.”⁸⁵ Although park activists might not have agreed with such a statement, Jackson had hit on one of the fundamental truths about SCL’s presence in the Skagit Valley. By promoting recreation on its reservoirs SCL had also inadvertently contributed to conservationist efforts, first by keeping the rest of the valley free of further industrial development, and then by providing a way into the valley, in both Washington and British Columbia, for preservationists. Ironically, the second effect of SCL’s multiple use planning for the Skagit Valley would prevent it from constructing any more projects in the area after 1953.

The transition from developing the Skagit Valley to preserving it occurred in Washington State before British Columbia. Efforts to incorporate the Washington Skagit into North Cascades National Park were ultimately successful, albeit as part of a National Recreation Area, whereas attempts at park creation in the British Columbia Skagit failed throughout the 1960s. Such failures were only temporary, however. As we shall see, once environmental activists focused

⁸⁴ W. G. Hughes to H. G. McWilliams, 29 November 1967, Skagit Valley Park file.

⁸⁵ U.S. Congress, Senate, Committee on Interior and Insular Affairs, Subcommittee on Parks and Recreation, *Hearings on S. 1321, A Bill to Establish North Cascades National Park*, 90th Congress, 1st Session, 1967, 59. As quoted in Louter, *Contested Terrain*, note 106.

their full attention on stopping the High Ross Dam, the British Columbia Skagit Valley would quickly be transformed into a park as well. In fact, land use values would seem to change so quickly in the British Columbia Skagit with the coming of the environmental movement in the late 1960s that most forgot the role that industry had played in creating a wilderness for urban environmentalists to save in the first place.

Activists in the late 1960s and early 1970s, particularly in the United States, would present their protest against the High Ross Dam as a campaign to keep the Skagit wild, but this reflected the priorities of predominantly urban, non-indigenous residents and ignored the fact that previous uses provided a way in for environmental protestors. In this respect, activists had a lot in common with those who had planned and built the original Ross Dam. SCL dammed the Skagit River to bring power to Seattle, environmentalists fought to keep it wild primarily for Vancouver and Seattle residents.

Damming the Skagit Valley and fighting to save it for wilderness recreation were thus part of the same modernizing process, connected by U.S. and Canadian government policies of multiple use. Environmental historians have long argued that the conservation era was an important precursor to the environmental movement, but have paid less attention to the fact that conservationism was primarily a theory about how to promote industrial development. By largely ignoring this fact, they have also ignored that the same types of ideas about approaching development in a more modern and progressive way also lie at the heart of a lot of environmental thought. Just as theories about how to build a dam involve allocating the costs to certain people and places and the benefits to others, so too do theories about where to preserve nature. Rather than seeing hydro and park development as two separate processes, it is important to remember that both have their roots in the conservation era and theories about multiple use.

At the same time, it is also important to recognize that although both processes derived from a similar desire to modernize land use policies, conflict still resulted because the notion of what counted as the most efficient and rational use of space differed. Thus, as others have argued for other development projects, there were multiple, or alternative visions for modernizing the Skagit Valley, both amongst government and non-government individuals and organizations, as well as amongst indigenous and non-indigenous alike.⁸⁶ When this was coupled with larger cultural concerns about sovereignty and environmental degradation more broadly, disputes over

⁸⁶ Loo, ““People in the Way””; Eisenstadt, “Multiple Modernities.”

the Skagit Valley that had been kept relatively contained to government circles exploded into the public sphere.

Chapter 3

“We’ll Let No Vandal Drown You”: Cross-border Networks, Nationalism, and the Creation of an International Environmental Controversy

In November 1969 Patrick Goldsworthy, president of Seattle’s North Cascades Conservation Council (N3C), and Ken Farquharson, secretary of Vancouver’s Run Out Skagit Spoilers (ROSS) Committee, had a brief but very important telephone conversation. Both of the organizations they chaired were protesting the fact that Seattle was going to raise its Ross Dam in Washington State. Until Goldsworthy and Farquharson spoke on the telephone, though, neither organization had really known that protest against Seattle’s plan was being organized on both sides of the border.

As Goldsworthy remembers: “Ken Farquharson had said over the phone, the first time I’d talked to him ... ‘We thought you Yankees wanted that dam.’ And I said, ‘No way. We’re going to fight it tooth and nail.’”¹ Goldsworthy remarked that he had believed British Columbians thought stopping the dam “was a lost cause.” But Farquharson stated, “We don’t want it up here.” After a few more minutes of conversation the two environmentalists decided to merge the interests of their organizations, forming a partnership that would last for the next fifteen years. “That one phone call,” Goldsworthy reflects, “cemented a relationship of conservationists across the border.”²

From 1970 to 1984 the two organizations would engage in the politics of scale by transforming what had previously been a regional concern that competed with many other environmental issues amongst often-fractured activist communities in Vancouver and Seattle into an international controversy that rallied tens of thousands of supporters on both sides of the border. By doing so, activists completely transformed the nature of the High Ross Dam controversy, from a dispute centred on how much compensation Seattle should pay British Columbia for a project most agreed was necessary into an environmental one that questioned the logic of flooding the Upper Skagit Valley at all.

¹ Patrick Goldsworthy Interview, Liebow, Bixler, and Breslow, *Skagit Oral History Project Phase I*, 46. The date of this phones conversation is unclear, beyond that it happened sometime in the latter half of November 1969. See Goldsworthy, “Notes of Meeting with Terry Simmons,” 23 Nov. 1969, file 2, box 1, 1732-2, N3C Collection.

² Goldsworthy interview with author, 16 March 2010.

This chapter focuses on the first three years of the Vancouver-Seattle partnership, when the controversy surrounding the High Ross dam was at its most intense. I examine how environmental activists manipulated the international aspect of the High Ross Dam controversy in order to overcome various disagreements within activist communities in Vancouver and Seattle over such things as urban versus rural environmental issues, radical versus traditional tactics, and whether the High Ross Dam was as environmentally destructive as some activists claimed it to be.

Of key importance to the successful creation of the environmental campaign against the High Ross Dam was the fact that the reservoir would cross the Canadian-U.S. border. Despite calls for more cross-border work in environmental history, most histories of the environmental movement are confined largely within the borders of each country, which partly explains why controversies like the one over the High Ross Dam have received very little attention.³ Historians thus have not had much to say about connections between environmental activism, cross-border networks, and the politics of scale. Environmental issues, however, are often cross-border by nature and activists have had no problem crossing international or regional boundaries when the situation has called for it. Furthermore, forming cross-border alliances and engaging in scale politics has often had a transformative impact on both the organization and the effectiveness of environmental campaigns.

As geographers and political scientists have shown, scale politics have been critical to the success of environmental campaigns since the rise of the environmental movement. Environmental justice advocates in particular have found great success tying relatively local issues, such the location of dumps, factories, and toxic waste sites, to larger issues of discrimination based on race, gender, and class, often gaining national or even global attention as a result.⁴ Some social scientists, such as actor-network theorists, have gone so far as to argue that transnational social movements like environmentalism have rendered the national scale increasingly irrelevant – “glocalization” as critical geographer Eric Swyngedouw has referred to

³ Flores, “Place: An Argument for Bioregional History”; White, “The Nationalization of Nature,” Evans ed., *The Borderlands of the American and Canadian Wests*; Findley and Coates, eds., *Parallel Destinies*. For the few examples that have examined the Canadian and American conservation and environmental movements together, see Dubasak, *Wilderness Preservation*; Dorsey, *The Dawn of Conservation Diplomacy*; and Zelko, *Make it a Greenpeace!*.

⁴ George Towers, “Applying the Political Geography of Scale: Grassroots Strategies and Environmental Justice,” *Professional Geographer* 52, 1 (2000): 23 – 36; Robert W. Williams, “Environmental Injustice in America and its Politics of Scale,” *Political Geography* 18 (1999): 49 – 73.

it.⁵ Other political geographers and political ecologists have argued that the nation-state has hardly disappeared amidst the many connections that environmentalists have made across borders. If anything, such scholars have argued, the power of borders and nationalist sentiment has actually increased with globalization, rather than the reverse.⁶

The second stage of the High Ross Dam controversy exemplifies this paradoxical relationship between transnational environmental networks and borders broadly defined. The Ross Reservoir would cross an international border so Vancouver and Seattle activists did too, creating a cross-border environmental network that was highly effective. But how these same activists framed the issues surrounding the High Ross Dam differed significantly according to national boundaries. In British Columbia, activists used nationalist arguments to promote their cause, taking advantage of the popularization of anti-American sentiment to unite activists and non-activists alike, first in Vancouver and then across Canada. In Seattle, on the other hand, using nationalist sentiment, particularly connections between wilderness and American values, did not work. Instead, activists promoted the High Ross Dam protest for its international implications, citing the need to maintain good relations with Canada and British Columbia as much as the importance of preserving nature in a national park.

Activists were thus keenly aware of the contradictions inherent in international borders and played on them in order to “scale jump,” so to speak, and create an international controversy out of a relatively minor development project between Seattle and British Columbia. By making the forty-ninth parallel such a prevalent factor, environmental activists made the High Ross Dam about more than just a development project that threatened an obscure recreational area. Indeed, they transformed perceptions of the Skagit Valley altogether, from what had previously been regarded as part of Seattle’s industrial hinterland to an endangered international wilderness area that symbolized both environmental declension and American imperialism.

⁵ Sallie A. Marston, John Paul Jones III, and Keith Woodward, “Human Geography Without Scale,” *Transactions of the Institute of British Geographers* 30 (2005): 416 – 32; Eric Swyngedouw, “Neither Global nor Local: ‘Glocalization’ and the Politics of Scale,” in Kevin R. Cox, ed. *Spaces of Globalization: Reasserting the Power of the Local* (New York: Guilford, 1997): 137 – 66.

⁶ J. Anderson, “The Exaggerated Death of the Nation-State,” in J. Anderson et. al. eds, *A Global World? Re-Ordering Global Space* (Oxford: Open University Press, 1995); David Newman, “The Lines that Continue to Separate Us: Borders in Our ‘Borderless’ World,” *Progress in Human Geography* 30 (April 2006): 143 – 161; Roger Keil and Rianne Mahon, eds. *Leviathan Undone? Towards a Political Economy of Scale* (Vancouver: University of British Columbia, 2009); Sarah S. Stroup, *Borders among Activists: International NGOs in the United States, Britain, and France* (Ithaca: Cornell University Press, 2012).

Bridging Divisions in the Vancouver Environmental Movement

Just weeks before Goldsworthy and Farquharson had their fateful phone conversation in November 1969, a who's who of Vancouver-area environmentalists gathered in the West Vancouver home of Liberal MLA David Brousson, including leaders of venerable conservation organizations like the BC Wildlife Federation, the Alpine Club of Canada, and the Federation of British Columbia Naturalists, as well as the chairs of newcomer groups like the Society for Pollution and Environmental Control (SPEC), the Sierra Club of B.C., and the Don't Make a Wave Committee (which eventually became Greenpeace). Brousson, one of the few politicians who sat in opposition to the province's Social Credit government, had been told by a constituent about Seattle's plan to flood British Columbia's Skagit Valley. An avid outdoorsman and fiercely opposed to practically everything the Social Credit government did, Brousson had turned to his activist friend Ken Farquharson for help. As Farquharson remembers, "In 1969 [Brousson] phoned me up and said, 'Look there's an interesting thing happening: ... the Skagit Valley... is going to be flooded. I don't know very much about this, what do you know.' I said, 'I don't know very much, but I like the Skagit Valley – I'd been there several times – let's investigate a bit.'" After finding out that British Columbia had signed an agreement with Seattle in 1967 to let the valley be flooded for only \$35,000 per year, Farquharson decided to gather other activists from the city together to convince them to stop the project. Presenting the case was not difficult. As Farquharson remembers, everyone assembled at the meeting seemed to agree: "'This is a place we like. This deal is crazy. We're going to fight it.'" ⁷

The ROSS Committee's rather banal origin story disguises the fact that its creation was unique in the history of environmental activism in Vancouver up to that point. As one of its founding members, BC Wildlife Federation director Geoff Warden, would point out at a Seattle hearing for the High Ross Dam in 1970, "[the ROSS Committee] is the first time that a diversity of conservation groups in British Columbia have joined together in one concerted effort to tackle a specific problem. Even conservationists and outdoor recreationists – grand people as they all are – have their petty jealousies, and their mutual dislikes. ... But such is the strength of feeling

⁷ Farquharson interview with author, 3 March 2010. See also B.C. Wildlife Federation, "General Bulletin to Club Presidents and Secretaries," January 1970; Ross Committee meeting notes, 8 January 1970, file 6, box 3, both documents in ROSS Committee Fonds, UBCSCA.

in British Columbia against further flooding of the Skagit Valley that all of these groups have joined together in opposition to the project.”⁸

As a number of researchers have shown, environmental activism exploded in Vancouver in 1969 as a result of a complex set of circumstances, including the rise of urban water and air pollution concerns, the popularization of ecology, the influx of young, counter culture radicals from across Canada, and the presence of a fairly large contingent of U.S. immigrants, from university students to conscientious objectors to the Vietnam War.⁹ So many activists suddenly jostling for attention caused a number of points of friction. Disagreements among environmental activists centred around three related issues: the generational divide between established conservationists in the province and groups associated with the seemingly new environmental movement of the late 1960s; the influential presence of U.S. expatriate activists in Vancouver; and differences in radical versus more conservative agendas. All three points of contention surfaced around the creation of two of the more influential environmental groups in British Columbia in 1969: the Sierra Club of B.C. and SPEC.

The Sierra Club of B.C. was the first chapter of the famous wilderness preservation group formed outside of the United States and would become integral to British Columbia’s environmentalist community. It played a central role in the formation of The Don’t Make a Wave Committee, which morphed into Greenpeace in 1971, and in wilderness preservation campaigns in Coastal British Columbia in the 1970s and 1980s.¹⁰ But the Sierra Club was not especially welcome at first in Vancouver. Although created by both Canadian citizens and U.S. immigrants, it had a difficult time shedding its “American” image. This was not helped by the fact that a number of its U.S. founders vocally lamented the seemingly backward attitude towards the environment in British Columbia, particularly compared to the United States. Terry Simmons, for example, a Simon Fraser University (SFU) graduate student from California, the first

⁸ Geoff Warden, B.C. Wildlife Federation before the Seattle Public Utilities Committee, 16 April 1970, 4, file 15, box 2, ROSS Committee Fonds.

⁹ Wilson, *Talk and Log*, 79 – 111; Zelko, *Make it a Greenpeace!*, 33 – 77; Keeling, “The Effluent Society”; Rex Weyler, *Greenpeace: How a Group of Ecologists, Journalists, and Visionaries Changed the World* (Vancouver: Raincoast Books, 2004), 9 – 90. For the influence of U.S. radicals in Canada see Myrna Kostash, *Long Way From Home: The Story of the Sixties Generation in Canada* (Toronto: J. Lorimer, 1980), 55 – 68; and Lawrence Aronsen, *City of Love and Revolution: Vancouver in the Sixties* (Vancouver: New Star Books, 2010): 135 – 65.

¹⁰ The Don’t Make a Wave Committee separated from the Sierra Club of B.C. when the Sierra Club Board in San Francisco made it clear it was not willing to be associated with such a potentially volatile campaign after its radical leader David Brower was ousted by a more conservative group within the organization. See Zelko, “Making Greenpeace,” 233 – 234; Weyler, *Greenpeace*, 55 – 59, 66 – 69. Jeremy Wilson, *Talk and Log*.

president of the Sierra Club of B.C., and a founding member of both the Don't Make a Wave and the ROSS committees, explained the problem in an article that was printed in both the Sierra Club's *Conifer* and Vancouver's radical newspaper, *The Georgia Straight*. "Vancouver is often compared admirably with San Francisco," Simmons wrote. "Both cities are important commercial and cultural centers on the Pacific Coast. ... But British Columbia is not California. ... [it] is a conservationist's nightmare. ... Being a conservationist in British Columbia is a little like being a civil rights worker in Alabama."¹¹ Bob Keziere, another Sierra Club of B.C. founder from Rhode Island was even more blunt, remarking to a reporter, "Funny how most of the people who are active in ecology in Canada are Americans."¹²

Unsurprisingly, established conservationists in the province did not react well to such comments. Groups like the B.C. Wildlife Federation and the Federation of B.C. Naturalists had formed in the 1950s and represented rod and gun clubs and natural history societies that had been active in lobbying for parks in the province since the turn of the century.¹³ These organizations utilized fairly non-combative protest techniques, believing, as Farquharson has explained, "if you were gentlemanly enough you would get what you wanted. ... They felt that it was wrong to bring in a branch of an outside group, such as the Sierra Club, into Canada. [They thought] 'we could resolve our own arguments.'"¹⁴ In fact, Vernon (Bert) Brink, who was president of the B.C. Naturalists at the time, has admitted that such feelings interfered with environmental campaigns in the late 1960s. "We didn't cooperate initially and early as well as we should have. There was a certain amount of resentment, if I might put it that way. 'Darn Americans coming up here into British Columbia.'"¹⁵

But it was not only American environmental organizations that challenged the position of established conservation groups in British Columbia. In January 1969 ecologists Derek and Gwen Mallard and SFU engineering professor John Stigant, critical of the fact that groups like the B.C. Wildlife Federation were only concerned about recreational pursuits in non-urban

¹¹ Terry Simmons, "Poverty of Plenty: Conservation in British Columbia," *Conifer*, 16 (Spring, 1970), 9, 11, 16. Simmons' article was reprinted in the Vancouver newspaper, *The Georgia Straight* on May 6, 1970.

¹² Ohm, "Greenpeace," 52.

¹³ Wilson, *Talk and Log*, 95-97; Keeling and McDonald, "The Profligate Province: Roderick Haig-Brown and the Modernization of British Columbia," *Journal of Canadian Studies* 36,3 (2001 Fall): 12 – 13; Eric Owen Davies, "The Wilderness Myth: Wilderness in British Columbia" (MA Thesis, University of British Columbia, 1972), 82 – 90; David Brownstein, "Sunday Walks and Seed Traps: The Many Natural Histories of British Columbia Forest Conservation (PhD Dissertation, UBC, 2006).

¹⁴ Ken Farquharson interview with author, 3 March 2010.

¹⁵ Vernon C. Brink interview in Liebow, Bixler, and Breslow, *Skagit Oral History Project*, 12 – 13.

nature, had formed the Society for Pollution and Environmental Control (SPEC), arguing that environmental activism should stress science-based knowledge and expertise and focus as much attention on urban pollution issues as on wilderness areas. As their founding press release stated: “The Society aims at the preservation and development of a quality environment through stimulation of public interest and consultation and cooperation with industry, government, labor and academic communities.”¹⁶ By 1972 SPEC had ballooned to 35,000 members with chapters throughout British Columbia, Alberta, Saskatchewan, and the Yukon, rivaling Pollution Probe in Toronto as the largest environmental organization in Canada, and spearheading hundreds of campaigns against pesticide use, nuclear power, oil exploration and shipment, and forestry and mining practices.¹⁷

SPEC leaders were particularly proud of the fact that their organization was composed of “Hippies in shoulder length hair and bell-bottom pants” as well as “silver haired retirees,” but such diversity inevitably led to disagreements over how the organization should function.¹⁸ Some SPEC founders like Stigant and the Mallards believed that environmental activism should focus on education and political lobbying grounded in technical expertise and the life sciences, citing popular U.S. ecology books like Rachel Carson’s 1962 bestseller *Silent Spring* and Barry Commoner’s 1966 *Science and Survival* as foundational texts for the organization.¹⁹ Other members, however, argued that more than working within the system was necessary. SPEC member Bob Hunter, for example, a columnist for the *Vancouver Sun* who later became a prominent member of Greenpeace, argued that effective change required a more radical approach to activism, including guerrilla theatre, non-violent protest, vandalism, and other creative “mind

¹⁶ John Stigant press release, 19 Feb. 1969, “History of SPEC” (no date): 2, File 1: 1970 – 1989, SPEC History Files, SPEC Fonds.

¹⁷ Gary Gallon, “SPEC’s Roots,” *Spectrum* (Winter 1989), 5 – 11, 729-A-3 file 1, SPEC History Files, SPEC Fonds, CVA. In 1981 SPEC kept its acronym but changed what the letters stood for to The Society Promoting Environmental Conservation. For more on SPEC’s early history, see Keeling, “The Effluent Society.” For Pollution Probe’s history see Ryan Ernest O’Connor, “Toronto the Green: Pollution Probe and the Rise of the Canadian Environmental Movement” (PhD Dissertation, University of Western Ontario, 2010).

¹⁸ Gallon, “SPEC’s Roots,” 5.

¹⁹ Gallon, “SPEC’s Roots,” 1. Barry Commoner, *Science and Survival* (New York: Viking Press, 1966); *ibid.* *The Closing Circle: Nature, Man, and Technology* (New York: Knopf, 1971). See also Michael Egan, *Barry Commoner and the Science of Survival: The Remaking of American Environmentalism* (Cambridge, Mass: MIT Press, 2007). For the fundamental importance of Rachel Carson’s *Silent Spring* (Boston: Houghton Mifflin, 1962) to the rise of popular environmentalism see, Mark Hamilton Lytle, *The Gentle Subversive: Rachel Carson, Silent Spring, and the Rise of the Environmental Movement* (New York: Oxford University Press, 2007); Priscilla Coit Murphy, *What a Book Can Do: The Publication and Reception of Silent Spring* (Amherst: University of Massachusetts Press, 2005); and Adam Rome, “Give Earth a Chance.”

bombs” that would attract media attention and spur larger cultural change.²⁰ The divide between these two factions grew to such a pitch that early SPEC president Robin Harger, a professor of ecology at UBC, resigned from the organization twice, first in 1970 and then for good a year later, arguing for the use of more radical tactics as a way to “move forward ideologically through action.”²¹

There was also an uneasy relationship between SPEC and the Sierra Club of B.C. In October 1969 Simmons wrote to Brock Evans, the director of the Sierra Club’s Pacific Northwest chapter in Seattle, explaining that “Some fear the invasion of their own ‘territory’; especially, Society for Pollution and Environmental Control (SPEC).”²² In addition, SPEC leaders Derrick and Gwen Mallard were openly hostile to Sierra Club of B.C. co-founders Irving and Dorothy Stowe, mostly in reaction to Irving Stowe’s penchant for paternalistic rants about the United States. At one point Derek Mallard prohibited Stowe from speaking at a SPEC-organized anti-nuclear weapons rally in front of the U.S. embassy in October 1969, which further aggravated feelings between members of the two organizations.²³

Environmental activism in 1969 Vancouver was thus both vibrant and volatile. The ROSS Committee, however, managed to take advantage of the former without being particularly affected by the latter. The first reason for this had to do with the leadership skills of Ken Farquharson, a unique member of Vancouver’s environmentalist community who managed to bridge the differences between seemingly conflicting worlds. Even his professional and activist lives seemed to contradict each other. Raised in Kenya by Scottish parents who worked for the British Colonial Service, Farquharson earned a civil and structural engineering degree from Cambridge and then immigrated to British Columbia in 1959 for “the sense of space” that its mountainous terrain provided. In the 1960s he worked on the design of the Mica Dam on the Columbia River, one of the tallest dams in the world, and in the 1970s continued to take up contract work with the province’s power utility, B.C. Hydro.²⁴ At the same time, he also helped

²⁰ Robert Hunter, *Storming of the Mind* (Toronto: McClelland and Stewart, 1971) and *ibid.*, *Greenpeace* (Toronto: McClelland and Stewart, 1972). See also Weyler, *Greenpeace*, 31 – 51. Many SPEC organizers thought that Hunter was far too radical for their organization, see Zelko, “Making Greenpeace,” 219 – 220.

²¹ Robin Harger, “Notice of Resignation from Office,” to Members of SPEC Central Executive, August 1970; Harger to Bill Terry, 19 April 1971; 729-A-3 file 1, SPEC History Files, SPEC Fonds.

²² Terry Simmons to Brock Evans, President, Pacific Northwest Chapter, Sierra Club, 17 Oct 1969, file 2, box 1, 1732-002, N3C Collection.

²³ Weyler, *Greenpeace*, 55 – 75.

²⁴ For more on BC Hydro and its dams see Meg Stanley, *Voices from Two Rivers: Harnessing the Power of the Peace and Columbia* (Vancouver: Douglas & McIntyre, 2010).

found some of the more successful environmental groups in Vancouver in the late 1960s, including the Save Cypress Bowl Committee, which fought for wilderness preservation on Cypress Mountain in Vancouver, the Sierra Club of B.C., and, of course, the ROSS Committee.²⁵ As odd as it might seem that a civil engineer would also be an environmentalist, Farquharson's engineering experience was invaluable to the environmental movement in Vancouver, as I will explore at greater length in chapter five.

But Farquharson had his foot in more than just the often-conflicting worlds of engineering and environmentalism. He was also part of the older and newer environmental groups in the province. His efforts with the Save Cypress Bowl Committee in 1968 put him in contact with many of the well-established conservationists in the province, such as Howard Paish and Geoff Warden of the B.C. Wildlife Federation, Bert Brink of the Federation of B.C. Naturalists, and Bryce Williams of the Alpine Club of Canada. In addition, through these contacts, Farquharson also met other outdoor recreationists who regularly used the Skagit Valley and were determined to save it, such as Jim Culp of the Lower Mainland Wildlife Association and John Massey, the president of the Totem Fly Fishing Club. His work with the Sierra Club of B.C., on the other hand, introduced him to many of the "new" environmentalists in Vancouver, including Irving Stowe, Terry Simmons, and Bill Darnell from the Sierra Club and John Stigant and Robin Harger from SPEC. All of the above mentioned people attended the formative meeting for the ROSS Committee organized by Farquharson and Brousson and were integral to its early functioning.²⁶

The second reason the ROSS Committee managed to rise above conflict amongst environmental activists had to do with the same reason the Sierra Club of B.C. was not universally accepted: the potency of anti-American sentiment in the late 1960s and early 1970s. A lot has been written about the rise of nationalism in Canada during this period and the increase of anti-Americanism that went with it, particularly regarding fears of U.S. encroachment into Canadian culture, media, manufacturing, education, and politics.²⁷ Less written about is the fact

²⁵ Farquharson interview, 3 March 2010.

²⁶ B.C. Wildlife Federation, "General Bulletin to Club Presidents and Secretaries," January 1970; Ross Committee meeting notes, 8 January 1970, both documents in file 6, box 3, ROSS Committee Collection.

²⁷ George Grant, *Lament for a Nation: The Defeat of Canadian Nationalism* (Toronto: McClelland and Stewart, 1965); Stephen Clarkson (ed.), *An Independent Foreign Policy for Canada?* (Toronto: McClelland and Stewart, 1968); Ian Lumsden, ed., *Close the 49th Parallel, etc.: The Americanization of Canada* (Toronto: University of Toronto Press, 1970); Robin Matthews and James Steele, eds., *The Struggle for Canadian Universities: A Dossier* (Toronto: New Press, 1969); Kari Levitt, *Silent Surrender: The Multinational Corporation in Canada* (Toronto:

that environmental concerns were no small part of increased Canadian rhetoric against the United States. As one vehement Canadian nationalist, Robin Matthews, put it, “[regarding natural resources] Canadian-U.S. relations work on the principle of give and take. Canada gives – the U.S. takes.”²⁸ Nationalists blamed the United States for the degradation of the Canadian environment, blaming pollution issues on cross-border emissions from the United States or on U.S. multi-national companies in Canada. Others lamented that Canada was merely a “storehouse” of natural resources for the United States, making Canada complicit in the unpopular Vietnam War.

Vancouver in particular proved to be a hotbed for this combination of anti-American sentiment and environmentalism, where it dictated many of the issues that environmental organizations latched onto as well as the popularity of such protests. The cover of the first issue of SPEC’s newsletter *PerSPECTive*, for example, featured the words “British Columbia” overcome by the American stars and stripes, with a boat, the *SS Sellout*, sailing underneath.²⁹ A sit-in organized at the Peace Arch border crossing on October 2, 1969, to protest an underground nuclear weapons test in Amchitka, Alaska attracted more than 6,000 people, some of whom burned American flags and chanted anti-American slogans, which made headlines across Canada. Two years later 10,000 people would protest another nuclear test blast in Amchitka, this time in front of the U.S. Embassy in downtown Vancouver, while the *Greenpeace* and *Greenpeace Too*, with Terry Simmons, Bob Hunter, Jim Bohlen, and many other prominent activists on board, sailed in the northern Pacific in protest.³⁰ Also in 1971, more than 4,000 showed up to a SPEC and Sierra Club of B.C.-organized border protest, again at the Peace Arch crossing, over the construction of an oil refinery just across the border in Cherry Point, Washington.³¹ Other SPEC and B.C. Wildlife Federation campaigns against strip mining in the province united urban-based environmentalists, labour leaders, and local residents against U.S.

MacMillan, 1970); J. L. Granatstein, *Yankee Go Home? Canadians and Anti-Americanism* (Toronto: HarperCollins, 1996); Lawrence Aronsen, *City of Love and Revolution*, 135 – 165; Jennifer MacLennan, “Dancing with Our Neighbours: English Canadians and the Discourse of ‘Anti-Americanism,’” Michael D. Behiels and Reginald C. Stuart, eds., *Transnationalism: Canada-United States History into the 21st Century* (Montreal-Kingston: McGill-Queen’s University Press, 2010), 67 – 85.

²⁸ “‘Man who holds the purse strings wears the crown’ – Mathews,” *Ubyssy* 27 Feb. 1970. See also Robin Matthews and James Steele, eds., *The Struggle for Canadian Universities*.

²⁹ Keeling, “The Effluent Society,” 279.

³⁰ Zelko, *Make it a Greenpeace!*, 78 – 109; Weyler, *Greenpeace*, 55 – 90, ; and Aronsen, *City of Love and Revolution*, 161.

³¹ Telegram, Sierra Club of B.C. to Prime Minister Pierre Trudeau, 21 Feb. 1971, vol. 1, file 13, Greenpeace Fonds. *Ubyssy*, Nov. 25, 1971. See also, Carroll, *Environmental Diplomacy*, 61 – 93.

companies like Kaiser Coal and Island Copper Mine, which, campaign leaders argued, were taking over the British Columbia mining industry and bringing environmentally destructive practices with them.³²

The fact that the Ross Dam originated in the United States and would flood into British Columbia was thus reason enough for many environmentalists to get involved. In October 1969, after Farquharson presented the issue to the Sierra Club of B.C., Simmons wrote to Goldsworthy, who was then the President of the Pacific Northwest Chapter of the Sierra Club as well as the president of N3C, that “The Ross Lake issue could develop into a real hot one on the Canadian side of the border. ‘The Americans are once again exploiting Canadian land for their gain.’”³³

Nationalist resentment against the High Ross Dam was particularly strong amongst environmentalists because the 1967 deal the Social Credit government signed with Seattle followed so closely on the heels of the 1964 Columbia River Treaty. As B.C. Wildlife Federation President Geoff Warden, again in front of Seattle’s Public Utilities Commission, put it: “we are also acutely aware that in other parts of the province, under the Columbia River Treaty, we are permitting the inundation of over 120,000 acres of our bottom land, mainly to serve the United States. ...British Columbians today have become sensitive to the piecemeal dismemberment of their natural environment. ...They are understandably disturbed by the thought that they are party to a bad bargain giving them yet another reservoir area that will provide limited recreational opportunity for a portion of the year while wiping out wildlife, natural fisheries, pleasant meadows, camping space, scenic values, and a high potential for a diversity of nearly year round recreational activity.”³⁴

The Limits of Environmental Nationalism in Seattle

In many ways organizing to stop the High Ross Dam was simpler in Seattle. The Ross Dam was situated in the midst of North Cascades National Park, and Seattle activists elicited the support of most major national environmental organizations based on the argument that the dam threatened a nationally protected wilderness area.³⁵ As detailed in the previous chapter, Seattle

³² Keeling, “The Effluent Society,” 280.

³³ Simmons to Goldsworthy, 22 Oct 1969, file 2, box 1, 1732-2, N3C Collection, UWA.

³⁴ Geoff Warden, B.C. Wildlife Federation before the Seattle Public Utilities Committee, 16 April 1970, 3 and 7-8, file 15, box 2, ROSS Committee Fonds.

³⁵ For the power of wilderness rhetoric in the American environmental movement see Roderick Nash, *Wilderness and the American Mind*; William Cronon, “The Trouble with Wilderness,” and James Morton Turner, *The Promise of Wilderness*.

City Light had agreed not to oppose the park's creation as long as a recreation area was set up around the Skagit Basin so that the utility could exercise its option to raise the Ross Dam in the future. The compromise between N3C and SCL did not last long, however. In August 1968 Patrick Goldsworthy, nature writer Harvey Manning, Boeing engineer Ted Beck, and chemical engineer Richard Brooks – the Elderly Birdwatchers Hiking and Gripping Society – hiked into the Big Beaver Valley for the first time, the largest area in Washington to be flooded by the High Ross Dam. In the valley they saw stands of four hundred year-old western redcedar, what they dubbed “the cathedral of cedars,” that the High Ross Dam would flood. As Manning would later write, “We all had the same feeling that never before had we come down from the high country through such magnificence.” It was an easy decision to go back on their promise. Shortly after the trip, the N3C board endorsed fighting SCL should it go ahead and try to raise the dam.³⁶

In May 1969, Brock Evans, director of the Pacific Northwest Chapter of the Sierra Club, contacted Goldsworthy to tell him about a lengthy telephone conversation he had had with SCL's superintendent, John Nelson. “He felt that he had no alternative,” Evans explained. “He could not repudiate all of the work and the thinking of his predecessors, and had to go ahead [with raising Ross Dam].”³⁷ In July, Evans sent out a general memo to conservation organizations in the Pacific Northwest, from national groups like the Audubon Society, Wilderness Society, and the newly-formed Friends of the Earth, to local groups like the Seattle Mountaineers and Seattle's urban reform league Citizens Choose an Effective City Council. “Conservation Alert! URGENT URGENT URGENT URGENT!” Evans wrote, “Your Prompt Action Required! What we have feared has come to pass. City Light has developed its plans for ... the raising of Ross Dam. ... Every one of you who is in a position to do so should immediately cause a notice similar to this one to be published in the very next issue of the official publication of your organization. It should convey the urgency conveyed here.”³⁸

Almost every national environmental organization released such statements, and initially it looked as though the High Ross Dam would become a national issue on par with other Sierra Club campaigns in Yosemite, Dinosaur Monument, and the Grand Canyon. The Sierra Club and the Federation of Western Outdoors Clubs published press releases simultaneously on August

³⁶ Ira Spring and Harvey Manning, *100 Classic Hikes in Washington* (Seattle: The Mountaineers, 1998), 50. See also Ted Beck and Patrick Goldsworthy, “The Elderly Birdwatchers Hiking and Gripping Society,” *The Wild Cascades* (Winter 2006 – 2007), 9; Goldsworthy interview with author, 16 March 2010.

³⁷ Evans to Goldsworthy, 14 May 1969, file 1, box 1, 1732-2, N3C Collection.

³⁸ Brock Evans “Conservation Alert,” 11 July 1969, file 1, box 1, 1732-2, N3C Collection.

31, 1969. Hazel Wolf, the highly respected secretary of Seattle's chapter of the Audubon Society, sent a stern letter to Seattle's Mayor, Floyd Miller, informing him that all 1,500 members had passed a resolution deploring "the drowning of Big Beaver Valley: and the "irreparable damage to the old growth cedar in the area." The Wilderness Society and Friends of the Earth released similar statements and each organization sent representatives in support of an unsuccessful N3C protest against the High Ross Dam at a Seattle budget debate on October 3, 1969.³⁹

Statements made at the budget debate show why environmentalists in the United States were initially against the High Ross Dam. Each one stressed the fact that a publicly funded project was once again going to result in the loss of a public trust that was of far greater national importance: pristine wilderness. On behalf of N3C and the Sierra Club, Goldsworthy vowed that if Seattle approved going forward environmentalists were prepared "to go all out across the nation with publicity. This is a big fight."⁴⁰ Harvey Manning, speaking for the recently created Friends of the Earth, stated "I think it is of great significance that one of the first public actions of this new group is to announce its opposition to the plans of Seattle City Light.... It is important for the City Council to understand that what it does in the North Cascades matters not only in Seattle but in San Francisco, Denver, New York. ... This is not a local affair." Audubon Society chair Emily Haig asked "Why do we oppose the inevitable destruction of this particular piece of land? It is because we are among the thousands, even millions throughout the country rapidly forming a tidal wave of environmental public opinion, when ever and wherever land use is being considered. ... This is vitally important to the ... retaining of the wilderness aspect of the whole environment."⁴¹ Brock Evans argued that an "impressive forest of giant old cedar" that was "very rarely seen anymore in the state of Washington" would be destroyed. Power should instead come from "additional nuclear facilities at the existing Hanford site in eastern

³⁹ Sierra Club and Federation of Western Outdoors Clubs Press Releases, 31 Aug. 1969; Hazel Wolf to Floyd Miller, 13 Sept. 1969; all three in file 1, box 1, 1732-2, N3C Collection. For an in-depth description of the Seattle City Council Budget Debate see, The Kerosene Kid, "North Cascades Under Attack: Battle Lines Drawn," *Wild Cascades* (Winter 1969 – 1970), 2 – 16.

⁴⁰ "National Fight Against Dam Vowed," *Seattle Times*, 31 Oct. 1969.

⁴¹ Harvey Manning, "Seattle City Light's Proposal to raise Ross Dam," 3 Oct. 1969, 1; Emily Haig, "Ross Dam Hearing," 3 Oct. 1969, file 2, box 1, 1732-2, N3C Collection.

Washington” or from “fossil fuel plants...located in remote places next to the coal fields they use, in areas which are not of great conservation importance.”⁴²

Other activists compared the campaign against the High Ross Dam to the fight over a dam in the Hetch Hetchy Valley of Yosemite National Park in the early part of the twentieth century. In August 1969, Grant McConnell, a N3C member who lived in the North Cascades town of Stehekin, had made this connection explicit in a letter to the *New York Times*. “It is a terrible irony,” he wrote, “that not much more than a generation after San Francisco forced through the invasion of one of the great scenes of another park, Yosemite, by the building of the Hetch Hetchy Dam and the destruction of its once superb valley, the publicly owned utility of Seattle is driving ahead with a similar plan for destruction in our newest national park.”⁴³

Despite the support of numerous national organizations, the High Ross Dam protest did not achieve the prominence that activists hoped it would. Part of the reason for this was the financial constraint that many national wilderness organizations experienced in the late 1960s. This lack of funding was most pronounced in the dissent created within the Sierra Club in 1969 by the departure of its executive director, David Brower. Brower had been integral to the creation of North Cascades National Park, producing a film, *Wilderness Alps of the Stehekin* and a coffee table book, *The Wild Cascades*, about the area, and attracting the attention of publications like *National Geographic* to help create a groundswell of national support for the park.⁴⁴ Brower also vowed to support N3C’s decision to fight the High Ross Dam, promising Goldsworthy that the Sierra Club would help pay for a national campaign as it had done for Dinosaur Monument in the 1950s and the Grand Canyon in the 1960s. After the Sierra Club’s board forced Brower to resign due to his problems balancing the budget and his more radical agenda, however, such financial support disappeared. The Sierra Club’s new director, Mike McCloskey, who had previously lived in Seattle and was sympathetic to N3C’s desire to fight the

⁴² Brock Evans – Federation of Western Outdoor Clubs, as cited in “North Cascades Under Attack: Battle Lines Drawn,” *The Wild Cascades*, Dec. 1969 – Jan. 1970, 7.

⁴³ “Threat to the Cascades,” *New York Times*, 10 Aug 1969. For more on the battle over Hetch Hetchy see Robert Righter, *The Battle over Hetch Hetchy: America’s Most Controversial Dam and the Birth of Modern Environmentalism* (London and New York: Oxford University Press, 2005). There were also similarities to the fight over a dam in Echo Park in Dinosaur National Monument, which the Sierra Club was also heavily involved in. See Harvey, *A Symbol of Wilderness*.

⁴⁴ *The Wilderness Alps of Stehekin* (San Francisco: Sierra Club Films, 1957); Harvey Manning, Ansel Adams, and David Brower, *The Wild Cascades: Forgotten Parkland* (San Francisco: Sierra Club Books, 1965); Edward Park, “Washington Wilderness, the North Cascades,” *National Geographic* (March 1961), 335 – 367.

High Ross Dam, reined in financial support for the protest, citing budget issues.⁴⁵ Brower, who started Friends of the Earth immediately after resigning, pledged his new group's support and enlisted Harvey Manning to be Seattle's representative, but he did not have nearly the same financial clout at his disposal.⁴⁶

More influential was that unlike in Vancouver, where the High Ross Dam brought bickering factions of the environmental movement together, environmentalists in Seattle did not universally approve of the campaign against SCL. Seattle's public utility had been enormously popular in the city during the first half of the twentieth century, especially because it provided some of the cheapest electricity in the country, and many conservationists still considered the organization a good example of how to manage natural resources in the public interest. This was certainly the view of those within SCL, and N3C sparked a number of public debates over whether trying to save the Skagit Valley was taking wilderness preservation too far.

Jean Pranty, for example, a longtime N3C member, wrote to Goldsworthy in March 1969 that she was ashamed of the council's stance on the Ross Dam. "If only more private, city, county, state, and nationally financed groups," she argued, "could follow Seattle City Light's efforts and education aimed at conservation and appreciation of our beautiful Northwest. Seattle City Light deserves a conservation medal. Let's not overdo a good thing."⁴⁷ Other N3C members did not think what was left of the Skagit Valley was much of a wilderness. Ray Coulter, another N3C member who had also worked as a logger for SCL in the 1930s, wrote that "the dirty deed is done ... if you have a sincere heart for the loss of truly great recreational wilderness inundated by a reservoir, let us consider the beautiful Skagit Valley that now lies under Ross Lake. Alas I knew it well! The fortune is gone; another 125 feet of dam will only take pennies when compared."⁴⁸

At the 1969 budget hearing for the dam, Marian Arlin, a seventeen-year member of the Seattle Mountaineers, proclaimed that she was ashamed of her fellow conservationists. The

⁴⁵ Goldsworthy to Cole Wilbur, Sierra Club Financial Director, 19 Aug. 1971; Michael McCloskey to Goldsworthy, 29 Dec. 1971, both letters in Outgoing Correspondence 1971 file, box 1, 1732-1, N3C Collection.

⁴⁶ Harvey Manning, Friends of the Earth, before the Seattle City Council Budget Debate, 1969, in *Wild Cascades* (Dec. 1969), 5 – 6. For more on the Brower-Sierra Club split, see David Brower, *For Earth's Sake: The Life and Times of David Brower* (Salt Lake City: Peregrine Smith Books, 1990); Mike McCloskey, *In the Thick of It: My Life in the Sierra Club* (Washington, D.C.: Island Press, 2005), 87 – 94; and Stephen Fox, *The American Conservation Movement: John Muir and His Legacy* (Madison: The University of Wisconsin Press, 1981), 316 – 322.

⁴⁷ Pranty to Goldsworthy, March 1969, Meeting Notes/Ross Dam file, box 1, 1732-3, N3C Collection.

⁴⁸ Coulter to Goldsworthy, 22 Jan. 1970, file 3, box 1, 1732-2, N3C Collection.

decision, she argued, was made by an “elite group” that did not represent all conservationists in the city, and made N3C look “sneaky” for initially agreeing to the project when it was trying to get North Cascades National Park created.⁴⁹ In June 1970 Archie Graham, secretary of the West Seattle Sportsmen Club, wrote to Seattle’s City Council stating that his organization unanimously supported SCL. “For some time now we have been confused by the many statements being made by anti-High Ross Dam addition people. Is it not better to raise an existing dam than to build ... in another drainage where none exists? We also believe that any true conservationist will support this proposal.”⁵⁰

Perhaps the most adamant supporter of SCL’s conservationist record, however, was the *Seattle Times*. In September 1969 editor Jim Cunningham published an editorial in which he accused those who were against SCL of being “ultra” or “zealot” conservationists who were unreasonably attacking a plan that made a good deal of environmental sense, since it would mean not having to build new dams elsewhere.⁵¹ Similarly, in January and February 1970, it published a three-part series of editorials by Larry Penberthy, an electric engineer and member of the Seattle Mountaineers, that rebutted Goldsworthy’s stance against the dam. “If you oppose everything they plan how is the teaching hospital where you earn your living going to operate? Living, as you know, depends on a steady supply of electric power. High Ross Dam is part of that supply. Please remember that falling water is a natural wealth, too. Conservation means to avoid waste.”⁵² In another editorial published the following week Penberthy went after Goldsworthy’s insistence that wilderness was worth protecting, even at the risk of polluting somewhere else. “You suggest to have thermal electric plants based on liquefied natural gas [as an alternative]. First, LNG is expensive. Second, such plants cause air pollution (nitrogen oxides). ... You’d better check out this alternative more thoroughly.”⁵³

Another conservationist in Seattle, University of Washington forest ecologist Grant Sharpe, wrote just as sharp an attack on what he referred to as the “environmental hysteria” of Goldsworthy and N3C. “I object to dams in national parks,” he explained, “but in this case NOT in a national recreation area when a study shows it to be an intelligent use of the land – and is it

⁴⁹ As cited in The Kerosene Kid, “North Cascades Under Attack: Battle Lines Drawn,” *Wild Cascades* (Winter 1969 – 1970), 4.

⁵⁰ Archie Graham to Seattle City Council, 22 June 1970, file 2, box 1, 1732-2, N3C Collection.

⁵¹ Jim Cunningham, “The Political Attacks on City Light,” *Seattle Times*, 7 Sept. 1969.

⁵² Larry Penberthy, “Part One: Dear Pat: re High Ross Dam,” *Seattle Times*, 26 Jan. 1970.

⁵³ Larry Penberthy, “Part Three: Dear Pat: re High Ross Dam,” *Seattle Times* 10 Feb. 1970.

not better to raise an existing dam than to go into a new drainage and build a dam where none exists?”⁵⁴

The vocally negative response against the High Ross Dam protest from certain members of Seattle’s conservationist community, although a minority, perturbed leaders of N3C. After Cunningham’s editorial, Harvey Manning wrote to Goldsworthy that he was worried about how Seattle environmentalists were being presented, arguing it would be dangerous to be lumped in with other radicals in the city. “I think we may blow the whole game if we aren’t careful,” he cautioned.⁵⁵ Goldsworthy, for his part, met with Penberthy to hash out their differences, rather than continuing the debate in print, which, as Penberthy warned, risked “discrediting of the whole conservation/preservation movement that comes with such conflicts.”⁵⁶

The controversy over the High Ross Dam was thus similar to the early twentieth century one over the Hetch Hetchy Valley in more ways than one. Hetch Hetchy was also famous for the battle over the wise use conservationism of federal forester Gifford Pinchot versus the wilderness preservationism of nature writer John Muir. A similar debate, albeit on a smaller scale, erupted in Seattle over the High Ross Dam. By contesting what words like conservationist, preservationist, and environmentalist meant, and arguing over which dams were worth protesting and which were not Seattle activists were in a sense reenacting the contest over Hetch Hetchy.⁵⁷

Less noticed by those activists involved in the debate over the High Ross Dam in Seattle was the fact that both sides were thoroughly modernist in their approach to the development of parks and dams in Seattle’s hinterland. Each side assumed that urban priorities should determine land use outside of Seattle, and both approached where to develop for power and where to develop for parks as a series of tradeoffs that could be determined through rational analysis. Such an approach to nature was exactly the type of planning that Seattle City Light practiced when abstracting Washington’s natural resources into a cost/benefit ratio for the city of Seattle. The Skagit Valley was part of a larger tableau of potential sites for wilderness or power, one that was not focused on local priorities or justifications for using land in a particular way but was fixated on large-scale change for outside use. This scale of abstraction would only be heightened after 1970, as N3C tactics against the High Ross Dam changed slightly, stressing the international

⁵⁴ Grant Sharpe, “Rebuttal to Foes of High Ross Dam: Too Much ‘Environmental Hysteria,’” *Seattle Times*, 22 Feb. 1970.

⁵⁵ Manning to Goldsworthy, 8 Sept. 1969, file 1, box 1, 1732-2, N3C Collection.

⁵⁶ Penberthy to Goldsworthy, 6 Feb. 1970, file 3, box 1, 1732-2, N3C Collection.

⁵⁷ “Threat to the Cascades,” *New York Times*, 10 Aug 1969. Righter, *The Battle over Hetch Hetchy*.

impact of the dam alongside its impact on a national wilderness area in a successful bid to overcome debate within the Seattle environmentalist community.

Creating an International Environmental Controversy

The ROSS Committee and N3C began working together almost immediately after the November 1969 telephone conversation described at the beginning of this chapter. Their cross-border collaboration introduced a new politics of place to the High Ross Dam controversy by changing general conceptions of the Skagit Valley. Whereas previously the area, if it had been thought about at all, had been perceived predominantly as part of Seattle's energy hinterland, environmentalists introduced an image of it as a threatened international wilderness. On January 6, 1970 N3C held a press conference at the Roosevelt Hotel in Seattle to introduce ROSS Committee members David Brousson, John Massey, and Terry Simmons to Seattle's media, explaining that Vancouver activists would now be part of the campaign against the High Ross Dam in Seattle. "Think about it very carefully," Brousson stated. "Your neighbors are going to be very upset at losing this valley. We want to be good neighbors."⁵⁸

On February 6, Farquharson wrote to Goldsworthy "To keep the pressure we need the latest information from Seattle, I propose we agree to send off press clippings day by day as they appear. That way we will both be up to date. ... All we need now is publicity and any help from you will be wonderful."⁵⁹ Farquharson and Goldsworthy also became board members for N3C and the ROSS Committee, respectively, regularly travelling to attend meetings of their adopted, across-the-border organizations. Perhaps most significantly, though, working together allowed each camp to decide on a strategy that would have the most success in creating an international controversy out of a regional issue.⁶⁰

For Vancouver activists this meant continuing to take advantage of the popularity of anti-American sentiment in Canada. As Farquharson explains, "so few people actually knew where the Skagit was ... it was hard to say, 'you've been there, you've got to do something about it.' It was much easier to say 'this is a lousy deal, and our province has set it up, and we're losing.'

⁵⁸ "Press Conference: High Ross Dam Flooding into British Columbia, Canada," 6 Jan 1970, file 3, box 1, 1732-2, N3C Collection. "Ross Lake Dam 'Bad Deal' B.C. MLA Tells Seattle," *Vancouver Sun*, 7 Jan. 1970, file 3, box 13, ROSS Committee Fonds.

⁵⁹ Farquharson to Goldsworthy, 6 Feb. 1970, file 1, box 1, 1732-2, N3C Collection.

⁶⁰ N3C, for example, reimbursed the ROSS Committee for the two chartered buses used to bring British Columbia activists to the Dec. 1970 hearing. Farquharson to Goldsworthy, 2 Jan. 1971, Correspondence 1971 file, box 1, 1732-1, N3C Collection.

That got people's attention."⁶¹ Painting the British Columbia government as "selling out" the Canadian environment to the United States was a key part of this strategy. Besides Farquharson and Stigant, many other prominent engineers in the province also declared they were against flooding the Skagit Valley, such as F. J. Bartholomew, who had made a name for himself criticizing dams on the Columbia River. Such engineers were highly critical of the B.C.-Seattle deal, both for its impact on the environment and the fact that British Columbia had sacrificed the valley for so little money, particularly in comparison to the more famous Columbia River Treaty. As Farquharson explained to Goldsworthy: "estimating what BC should be paid, one estimate is ½ of downstream benefits generated in US – based on Columbia Treaty precedent – value of alternative source is \$3,000,000 per anum (SCL figures) therefore BC share would be \$1.5 million per anum. That would kill it!"⁶²

The Canadian media seized on this interpretation. By December 1969, newspapers throughout Canada, had begun to run stories about the Skagit Agreement as a "sell-out," "lousy deal," and "giveaway to the U.S."⁶³ *The Vancouver Sun* and the *Georgia Straight* in particular took up the ROSS Committee's cause, providing ample room for activists to write editorials against the High Ross Dam. Irving Stowe, in his typically anti-American style, took particular advantage. "Having greedily and wantonly exploited its own resources to the point of exhaustion," Stowe wrote in December 1969, "the U.S. is now seeking to rape Canada's. Right now, here in B.C., there is a prime example and an object lesson for all Canadians. The Seattle City Light Co., seeking more electricity for Seattle, would flood under 100 feet of water crown-owned land in the Skagit Valley. ... A growing number of Canadians are deeply resentful of public officials who sacrifice the quality of Canadian life to the U.S. gods of greed."⁶⁴

The Vancouver Sun published another editorial a month later that conflated the Skagit deal with American interests in drilling for oil in Georgia Strait and strip mining on Vancouver Island and in the Rocky Mountains, arguing "the grandeur of British Columbia now has its

⁶¹ Farquharson interview, 26 Jan. 2012.

⁶² Farquharson to Goldsworthy, 10 Jan. 1970, file 3. Box 1, 1732-2, N3C Fonds; See also, F. J. Bartholomew testimony to Seattle City Council Utilities Committee, 25 March 1970 and 2 April 1970, file 1, box 3; and "News Release: The Honourable Jack Davis – Minister of the Environment on the Skagit Valley, Ottawa, March 23, 1972," file 4, box 3, both in ROSS Committee Fonds.

⁶³ See *Vancouver Province*, 4 Dec. 1969, no page; and *Vancouver Sun*, 4 Dec. 1969, 14; 6 Dec. 1969, 42; 13 Dec. 1969, no page, file 2, box 22, ROSS Committee Fonds.

⁶⁴ Irving Stowe, "U.S. Greed," *Vancouver Sun*, 30 December 1969.

price.”⁶⁵ The following September, *Sun* editors told its readers that it was “time to scream and act” imploring them to lobby the federal government to use its “international authority against resource sell-outs by its own provincial governments.”⁶⁶

Vancouver CBC talk radio host Ben Metcalf, who would go on to become a prominent activist for Greenpeace, also took on the protest against the Skagit Valley. Metcalf was an avid fly fisher and the Skagit River was his favourite stream. He used his popular radio show to drum up support for the ROSS Committee, criticizing the subservient relationship that the Canadian government had with the United States. As he put it, “The Skagit is our river, and we don’t have any more reason to flood it than we have to flood Stanley Park. We don’t have to explain anything to the Seattle City Light company. We don’t have to tell them why we don’t want it destroyed. We don’t have to come up with alternatives for them. All we have to do is tell them not to touch our river, that’s all.”⁶⁷ By 1972, as one article in *Affairs, The Business of British Columbia* put it, “the flames of Canadian nationalism burn even more brightly on the issue. After all, why should we Canadians lose part of our priceless heritage merely so that Seattle residents might enjoy electricity at a little more than half the going price in Vancouver?”⁶⁸

The story also caught on nationally. Many felt that Pierre Trudeau’s federal government had a duty to reign in British Columbia. “Will Canada Let the Yanks Flood this B.C. Forest?” asked Paul Grescoe in the title of a 1970 article in *The Canadian Magazine*. “The British Columbia government,” he explained, “is trying to sell the U.S. the right to flood a rich green B.C. valley to provide power for the city of Seattle. Ottawa can stop this sellout.”⁶⁹ Mike Halleran, a television journalist for the CBC, made a documentary about the Skagit Valley for Adrienne Clarkson’s popular news program *Take 30* in the fall of 1970. In it he blamed American greed and Canadian complicity. As Halleran saw it, the High Ross Dam continued Canada’s “hewer of wood and drawer of water” relationship with the United States, and, if built, “the Skagit will be a symbol of inept government.”⁷⁰

⁶⁵ *Vancouver Sun*, 30 Jan. 1970, 4, file 15, box 5, ROSS Committee Fonds.

⁶⁶ *Vancouver Sun*, 19 Sept. 1970, 4, file 3, box 13, ROSS Committee Fonds.

⁶⁷ Metcalf quote and information is from Phyllis Webb, “Greenpeace” *Maclean’s* (June 1973), 38 – 77.

⁶⁸ John Massey, “We versus US,” *Affairs, The Business of British Columbia* (July/August, 1972), 39, file 9, box 4, ROSS Committee Fonds.

⁶⁹ Paul Grescoe, “Will Canada Let the Yanks Flood this B.C. Forest?” *The Canadian Magazine*, 16 May 1970, file 9, box 4, ROSS Committee Fonds.

⁷⁰ Halleran, “The Skagit Valley,” *Take Thirty* (Canadian Broadcasting Corporation, 26 Nov 1970), CBCA.

Even British Columbia's Skagit Valley seemed to provide evidence of the one-sided environmental impact of Canadian-U.S. relations. Every fall the existing Ross Reservoir was drawn down to produce power in Seattle, exposing an ugly landscape of tree stumps and mudflats on the British Columbia side of the Canadian-U.S. border. The area made for convincing, visual evidence of what the impact of an even higher Ross Dam would be. Much like protests against nuclear weapons testing and oil production in the Pacific, activists staged numerous rallies at the border site in the fall of 1970 to take advantage of the symbolism the desolate landscape provided for the Canadian-U.S. environmental relationship.

At one rally a *Vancouver Sun* photographer snapped a picture of David Roop, the four-year-old son of a SPEC protester, standing, as the newspaper described it, in a "valley of desolation," surrounded by fog and hundreds of tree stumps (Figure 2). The boy's back is to the camera, wearing a placard that reads, "This Land Was Our Land." The photograph would be reprinted in newspapers, books, and magazines across Canada and served as one of the lasting symbols of the High Ross Dam controversy.⁷¹ Three thousand people made their way into the Skagit Valley for another rally (Figure 3) on October 24, 1970, along with plenty of media, to hear speeches and sing protest songs, including Malvina Reynolds' "Skagit Valley Forever" described at the beginning of this dissertation. Canadian and British Columbian flags were raised at the forty-ninth parallel and many protesters carried signs with such messages as "Keep Yankee oppression out of B.C.," or "Our Future Before Dollars." SPEC leader Gwen Mallard told reporters that "for every one here, who braved the cold, there are 10 more who support us."⁷²

Such activist efforts and the tremendous amount of media attention that they garnered translated into an impressive amount of public support. In December 1969 the ROSS Committee created a petition and letter-writing campaign, and by the spring of 1970 had collected more than 35,000 signatures and thousands of letters, including from labour unions that vowed they would not allow anyone to work on clearing the Ross Reservoir in Canada if the project was allowed to go ahead. Such letters were also sent to Seattle's newly elected mayor, Wes Uhlman, B.C.

⁷¹ *Vancouver Sun*, 6 Oct., 1970, 1, file 8, box 2, ROSS Committee Fonds. For example, the photo was reprinted in James Robertson and John Llewallen, *Grass Roots Primer* (San Francisco: Sierra Club Books, 1975), 154, and Perry, *A Citizen's Guide to the Skagit Valley*.

⁷² *Vancouver Sun*, 26 Oct. 1970, file 3, box 13, ROSS Committee Fonds.



Figure 2: David Roop at a 1970 High Ross Dam protest in the Skagit Valley stumps at the Canadian-U.S. Border. *Vancouver Sun*, 6 Oct. 1970. Used with permission.



Figure 3: Vera Johnson singing “Skagit Valley Forever” at the 3,000-person protest in the Skagit Valley on Oct. 24, 1970. *Vancouver Sun*, 26 Oct. 1970. Used with permission.

Minister of Lands and Forests Ray Williston, and Canadian Prime Minister Pierre Trudeau.⁷³

Letters of support repeated much of the anti-American sentiment that had become so tied into the High Ross Dam controversy. One Kelowna resident, L. Bloomfield Sr., wrote to the ROSS Committee that “If the Canadians were flooding even one acre of the U.S.A. hell would pop ... can you blame them if [they] think the Canadians are stupid?” Mrs. G. E. Ball of Burnaby put it more simply, “It is time we stopped the exploitation of our beautiful land for the benefit of the United States.” Vancouver resident Chris Hoper wrote “If the people of Seattle have a power shortage then they can turn off their neon lights and electric toothbrushes or bugger up their own country some more. Lord knows they’ve done a good job so far.”⁷⁴ Letters that were written directly to Seattle politicians were also fairly blunt in their use of anti-Americanism. One founder of the ROSS Committee, John Massey, wrote to Seattle Mayor Wes Uhlman “I think you should know that the present actions of Seattle City Light are causing a rising tide of bitterness among Canadians. ... the flooding [of the Skagit Valley] is seen as nothing less than high-handed Yankee arrogance and an affront to Canadian sovereignty.”⁷⁵

On the Canadian side of the border anti-Americanism thus served as an effective, albeit blunt, instrument that garnered an immense amount of support, much of which had little to do with the specific qualities of the Skagit Valley or the environmental impact of the High Ross Dam. For some, the bigger issue was the fact that the province seemed to be receiving very little payment from Seattle, which played on fears of being constantly taken advantage of by the more powerful United States. For others, anger was directed at the United States more generally for the appearance of disregarding the rights and sovereignty of another nation. Even for those who supported the High Ross Dam protest on environmental grounds, the sentiment was more generalized. Many blamed the United States for a sort of imperialist environmental destruction, for ruining their own country first and then turning to other pristine places like British Columbia. Regardless of the way in which such environmental nationalism manifested, ROSS Committee

⁷³ A copy of the ROSS Committee petition is in file 6, box 3, ROSS Committee Fonds. The number of petition signatures signed comes from “Testimony of ROSS Committee to the Federal Power Commission RE Project No. 553 Ross Dam, 1974, 8 – 12, file 8, box 2, ROSS Committee Fonds. For copies of the signed petitions and hundreds of letters sent opposing the High Ross Dam, see files 5-8, box 140, and files 1 and 2, box 141, Wesley C. Uhlman Mayoral Records, SMA; and all of box 24, 90-898, BCMEA.

⁷⁴ L. Bloomfield Sr. to ROSS Committee, 3 Nov. 1970; Mrs. G. E. Ball to ROSS Committee, 16 Feb. 1970; Chris Hoper to ROSS Committee, 14 Nov. 1970. All letters from file 22, box 3, ROSS Committee Fonds.

⁷⁵ John Massey to Mayor Wes Uhlman, 6 Oct. 1970, file 6, box 140, Wesley C. Uhlman Mayoral Records.

activists welcomed all of it as evidence of the fact that the Skagit Valley was too politicized to flood. As Farquharson explained to Seattle Mayor Uhlman in November 1970, “Please be assured that opposition to the flooding of the Skagit in B.C. is growing daily and is already at such a level that no politician can ignore it.”⁷⁶

British Columbia anger over the High Ross Dam also infused new energy into the N3C campaign in Seattle. “We are waging a real battle over this High Ross Dam threat.” Goldsworthy wrote to forest ecologist Jerry Franklin, who had tried to help N3C stop Seattle’s City Council from approving the High Ross Dam in 1969. “The Canadians are taking the lead right now and are simply furious!” In a letter to David Brousson in October 1970, Goldsworthy congratulated the ROSS Committee, stating that they had added “fuel to the fire which has died down some in Seattle,” and that this “might result in some serious pause for consideration as to Seattle City Light’s wisdom in its approach to the Canadians.”⁷⁷

Goldsworthy used the British Columbia portion of the Skagit as a warning for what was in store for the “cathedral of cedars” in the Big Beaver Valley. In November 1969 N3C hired the San Francisco marketing firm Freeman, Mander, and Gossage – the same advertising agency that David Brower hired for the Sierra Club in 1965 that had famously compared damming the Grand Canyon to flooding the Sistine Chapel – to create an ad campaign against the High Ross Dam.⁷⁸ The firm designed a petition form that used a “big ugly picture” of the dismal collection of stumps in the B.C. Skagit Valley, with a headline that read “Do You Want THIS In Your Brand-New National Park And Recreation Area?” It was run as a full-page ad in the weekend editions of both the *Seattle Times* and the *Seattle Post-Intelligencer* in January 1970 and was also used in numerous N3C flyers and publications thereafter.⁷⁹ A month later Goldsworthy wrote to Richard Sterns, who had created the ad, thanking the company and stating “the Ross Dam ad has been a huge success with 1000 copies being returned to the City Council and the Mayor within two days.”⁸⁰

Besides using images of a destroyed Skagit Valley in British Columbia to re-ignite interest in their campaign, Seattle activists sympathized with anti-American attitudes in Canada,

⁷⁶ Farquharson to Uhlman, 5 Nov. 1970, file 15, box 2, ROSS Committee Fonds.

⁷⁷ Goldsworthy to Jerry Franklin, 7 Oct. 1970; Goldsworthy to Brousson, 6 Oct. 1970, both letters in Outgoing Correspondence 1970 file, box 1, 1732-1, N3C Collection.

⁷⁸ McCloskey, *In the Thick of It*, 59 – 60.

⁷⁹ Ross Dam ad Materials, box 1, 1732-3, N3C Collection.

⁸⁰ Goldsworthy to Richard Sterns, Freeman, Mander, and Gossage, Inc., 4 Feb., 1970, Outgoing Correspondence 1970 file, box 1, 1732-1, N3C Collection.

blaming their city for what they saw as an unfair deal. Many, in fact, shared such sentiments. Like the Stowes and the Bohlens, a number of U.S. residents felt disaffected by their country in the late 1960s and early 1970s, particularly regarding the Vietnam War. Such activists were angered by the perceived imperial attitude that the United States took to the rest of the world and to the environment. Many even contacted the ROSS Committee in British Columbia to show their support. Seattle resident Martha Graham, for example, wrote: “I resent my countrymen attempting to impose us upon your country, especially against your will or what seems like a majority of your peoples’ will.”⁸¹

Others sought to educate their fellow Americans about why raising the Ross Dam was such a contentious issue in Canada. N3C board member Joe Miller, who gave regular speeches in Seattle-area schools about environmental protection, made it a point to tell his audiences that anti-American attitudes in B.C. over the High Ross Dam were not surprising, since “in many respects we have treated Canada as a colony.”⁸² Similarly, Joel Connelly, a reporter for the *Seattle Post-Intelligencer*, regularly reported on goings on in British Columbia, and eventually began presenting a case against the High Ross Dam in ethical as well as preservationist rhetoric. As he saw it, Seattle had a “moral duty” to both wilderness and to Canada not to raise the Ross Dam.⁸³

N3C members also tried to use Canadian discontent to convince U.S. politicians and residents to rally against the High Ross Dam in the interest of maintaining a friendly relationship between Canada and the United States. Richard Aramburu, one of N3C’s lawyers, for example, wrote to a friend on the U.S. Senate Committee on Commerce, Loyal Snyder, in 1971 to put pressure on the U.S. State Department. “Perhaps the most serious consequence of this project” Aramburu argued, “is the effect on relations with Canada. ... This results not only from an environmental awareness but also from the belief that there has been a ‘sellout’ because of the pitifully small compensation paid for this land.”⁸⁴

Lastly, Seattle activists also ensured that their Vancouver counterparts attended municipal, state, and federal regulatory hearings for the High Ross Dam throughout the 1970s. In

⁸¹ Martha Miller Graham to the ROSS Committee, 9 March 1971, file 22, box 3, ROSS Committee Fonds.

⁸² “Ross Dam, aerospace concern ‘convention’ delegates,” *Everett Herald*, 8 April 1976, 1, file 3, box 5, ROSS Committee Fonds.

⁸³ Joel Connelly interview, Liebow, Bixler, and Breslow, *Skagit Oral History Project Phase II*, 1 – 3.

⁸⁴ Richard Aramburu to Loyal Snyder, Staff Counsel, Senate Committee on Commerce, 2 April 1971, file 14, box 1, 1732-2, N3C Collection.

an issue of N3C's publication, *The Wild Cascades*, one member described Canadian participation in Seattle City Council hearings as "expressing regret and sadness that their southern neighbors appeared so determined to devastate one of their irreplaceable national treasures. We doubt that Americans would show similar restraint if a governmental branch of a foreign power were planning to inundate, for example, the Hoh Valley."⁸⁵ On December 10, 1970 N3C chartered two buses to bring more than 100 Vancouverites to an impromptu City Council meeting to vote on immediately applying for a licence from the Federal Power Commission to raise the Ross Dam. Farquharson, among others, gave an impassioned speech at the hearing that met with "sustained applause" when he warned that the plan was "merely engaging in an exercise in futility," since "the dam was regarded in Canada as a complete giveaway of national resources" and would not be allowed to go ahead.⁸⁶ In a press release for Washington State Ecology Commission hearings in 1971, Goldsworthy explained that "We know that these Canadians are furious over the prospect of having those arrogant Yankees flood ten miles of Canada's Skagit Valley. We are sure to hear both Canadian opinions and hard facts as to why Ross Dam must never be raised."⁸⁷

Such tactics had tangible results. By 1971 most Seattle activists were on board with the campaign against the High Ross Dam. Even those few who were against it admitted that they were in the minority. In November 1970, Marian Arlin, who had defended SCL in the 1969 Seattle budget hearings, wrote to Harvey Manning that "I gave up on Ross Dam when you managed (very cleverly, I thought) to transform the whole thing into an international incident. It will be interesting to see how history treats a crew of geniuses who spend their energies (and a large chunk of public good will??) in railing against a dam that is already there."⁸⁸

In December 1970 Seattle's recently elected mayor, Wes Uhlman, who had been mulling over his stance on the dam released a statement to City Council, which had the ultimate authority in Seattle in the matter, imploring them to reverse their decision on the dam, citing the low amount of increased power and the "negative environmental impacts" of flooding "an additional 8,600 acres of land, of which 5,100 acres are in Canada."⁸⁹ Two years later, several Seattle City Council members returned the favour, writing to Uhlman to use his veto power to pull the High

⁸⁵ "The Great City Light Hearings," *Wild Cascades* (October 1970), 12.

⁸⁶ "The Ross Dam Railroad Job," *The Wild Cascades* (October – November, 1970), 3 – 4.

⁸⁷ N3C Press Release, 15 March 1971, file 11, box 1, 1732-2, N3C Collection.

⁸⁸ Marian Arlin to Harvey Manning, 25 Nov. 1970, file 6, box 1, 1732-2, N3C Collection.

⁸⁹ Wes Uhlman to George Cooley, Chairman, Seattle Public Utilities Commission, 3 Dec. 1970, 3, file 8, box 140, 5287-2, Wesley C. Uhlman Mayoral Records.

Ross Dam application before it went to the Federal Power Commission for an extensive and costly licence hearing. “The value of the small amount of additional power to City Light,” they argued, “is far outweighed by the need to maintain friendly and cordial relations between the United States and Canada. ... Many people, both those who favor and oppose the project, quietly agree that the project will never be completed.”⁹⁰

Canadian politicians eventually adopted a similar stance. In November 1970, B.C. Liberal opposition leader Pat McGeer, for example, declared that Social Credit premier W. A. C. Bennett should be “impeached,” arguing “I’m sick and tired of sellouts of Canada by Canadians.”⁹¹ In 1972, Bennett’s government was defeated by Dave Barrett’s NDP, which had also declared it was against the High Ross Dam, a position Barrett’s government maintained once elected.⁹² In 1972, Jack Davis, who had become Canada’s first federal Minister of the Environment, in response to activist pressure also declared that Trudeau and the federal government was against the High Ross Dam, a position the entire House of Commons adopted in 1974 when the High Ross Dam application went before the U.S. Federal Power Commission.⁹³

Conclusion

Urban environmental activists in Seattle and Vancouver both transcended the border, cooperating across the forty-ninth parallel to protest raising the dam, and took advantage of it to exploit anti-American sentiment in Canada and the desire to maintain “neighborly” relations between Canada in the United States. The Canadian-U.S. nature of the controversy was a central reason why the issue became so popularized and activists on both sides of the border were not averse to exploiting this fact. As Malvina Reynolds, the California folk singer who penned the song “Skagit Valley Forever” described in the introduction, put it, during the highly charged late 1960s and early 1970s the United States became a “grabber” and a “vandal,” one “who would ravage our sweet country [Canada] for a shameful pocketful of pay,” a sentiment that received sympathetic ears on both sides of the border.

⁹⁰ Phyllis Lamphere and Tim Hill to Wes Uhlman, 4 Dec. 1972, file 2, box 2, 1732-2, N3C Collection.

⁹¹ *Vancouver Sun*, 26 Nov. 1970, 19.

⁹² “Skagit Valley dam plan killed: Barrett” *Vancouver Province*, 18 Nov. 1972.

⁹³ “Message to Seattle: Skagit flooding dead for sure, says Davis,” *Vancouver Province*, 6 Dec. 1972; Department of External Affairs, Government of Canada, “Submission by Canada Regarding the Skagit Valley to the Federal Power Commission,” 15 March 1974, file 10, box 7, 1732-5, N3C Collection.

Environmental historians in Canada and the United States need to follow the lead of social scientists and pay better attention to cross-border environmental issues and the cross-border networks and scale politics that have resulted from such disputes. The nature of protest against the High Ross Dam was intertwined with the Canadian-U.S. border: anti-American sentiment determined how tens of thousands of people reacted to the protest in Canada and, conversely, internationalist sentiment dictated the response of many U.S. activists and citizens, in many ways inverting stereotypes about typical Canadian and U.S. responses to international controversy. More importantly, the controversy over the High Ross Dam shows that the environmental movements in both Canada and the United States, at least to a degree, developed in a cross-border fashion, an aspect of environmentalism that has not received enough attention in either country.

For organizers in Vancouver and Seattle, the fight against the High Ross Dam involved bridging some borders and exploiting others. The environmental movements in Seattle and Vancouver were multi-faceted, competitive, and even combative at times, and activists had to navigate the cracks and fissures of who counted as an environmentalist and what issues deserved to be focused on. In fact, the international boundary proved to be less of an impediment than did differences between environmentalists themselves. Only by engaging in scale politics and stressing the cross-border nature of the project were such differences overcome, which, significantly, had little to do with the ecological impact of the High Ross Dam.

Similar to how flooding the Skagit Valley was delayed by larger concerns about negotiating downstream power entitlements for the Columbia River Treaty, the scale-politics of nationalism created a new controversy over the High Ross Dam that would further delay prospects for the project. Unlike the first period of dispute, however, this time the controversy was about stopping the High Ross Dam rather than putting it off. Indeed, environmental activists introduced an entirely new element to the politics of place in the Skagit Valley, fighting to preserve the upper reaches of the valley for wilderness recreation rather than power development, and transforming perceptions of the Skagit Valley from Seattle's energy place to an internationally threatened, "environmental" place. Activists also purposefully manipulated such concerns in order to create a public controversy, whereas in the 1950s those involved in the dispute tried their hardest to keep it out of the media, even when Seattle flooded illegally across the border.

As successful as environmental activists in Seattle and Vancouver were at forming a cross-border network and at manipulating nationalist and internationalist sentiment in order to transform how the Skagit Valley was perceived, the same politics of place that extended the first period of the dispute would also impact the life of the environmental phase of the High Ross Dam controversy. Politicians proved easily swayed by environmentalist campaign tactics but not so easily moved to do anything substantive about it. Instead, as the next chapter will show, the many different territorial borders and jurisdictional lines that crossed the Skagit Valley would make it easy for politicians to deflect responsibility for changing land use practices onto other government organizations, which delayed resolving the new High Ross Dam controversy for another decade.

Chapter 4

A “Trail of Red Herrings”: Environmental Politics and the High Ross Dam

“We’re going to win!” Ken Farquharson wrote to Patrick Goldsworthy in March 1970, excited about the amount of media attention that ROSS Committee and N3C protest had attracted and the growing list of politicians in British Columbia and Washington who had declared they were opposed to the High Ross Dam. As the controversy dragged on over the next decade, however, his optimism faded. Despite the fact that Canadian and British Columbia politicians continually vowed they would not allow Seattle to flood any more land in the province’s Skagit Valley, not much was done to stop it and the approval process for the High Ross Dam continued throughout the decade. “In 1969, if you’d told me it would take fourteen years and an international treaty to resolve this,” Farquharson has since reflected, “I’d have been stunned. I thought that this was something that could be solved between the province and Seattle fairly quickly. I never thought that it would go as long as it did, or as far as it would.”¹

The cross-border environmental politics of the High Ross Dam controversy made it a difficult issue to resolve. It was politically advantageous to speak out against the dam, especially in Canada, given the campaign’s association with both environmentalism and Canadian nationalism. But SCL had legal authority to flood across the border and breaking international agreements for it could have cost the Canadian and British Columbia governments millions of dollars in penalties, while cancelling the project in Seattle would have meant turning to more expensive power alternatives, none of which were perceived as politically viable options.

Instead, elected officials and government bureaucrats ended up treading the line between displaying their commitment to the environment and not putting their government on the hook for stopping the High Ross Dam. Such political displays of benign action occurred in a number of different ways on both sides of the border. In Canada, federal politicians used an environmental hearing before the IJC to show that their government was concerned with the environmental impact of the High Ross Dam, but insisted that any meaningful action had to come from the province. British Columbia, on the other hand, created parks to assuage

¹ Farquharson to Goldsworthy, 6 March 1970, file 3, box 1, 1732-2, N3C Collection. Farquharson interview, 3 March 2010.

environmental criticism of the High Ross Dam project while insisting that the federal government or the IJC was responsible for cancelling the deal with Seattle. In the United States, the response to environmental activism was to hold a series of hearings for the High Ross Dam at the municipal, state, and federal levels. These hearings made a convenient way for Canadian and U.S. politicians to put off negotiating a compromise to the controversy, particularly in British Columbia and Seattle, and instead to defer such decisions to other levels of government and legal jurisdictions.

The environmental politics surrounding the High Ross Dam were further complicated when indigenous communities in the United States joined the legal challenge against the High Ross Dam at the end of the 1970s. The Swinomish, Sauk-Suiattle, and Upper Skagit Tribal Communities had different reasons for challenging Seattle's plan to raise the Ross Dam, being more concerned with the dam's impact on their recently re-affirmed right to fifty percent of the fish in Washington's rivers, including the Skagit. Indigenous communities thus raised concerns about the release of water for downstream fisheries rather than upstream flooding impacts, but the results were the same. The FPC and the U.S. Court of Appeals decided against indigenous claims as well, deeming them an issue to be settled after the dam had been raised. Although indigenous rights to the Skagit River were finally considered, how the High Ross Dam affected them was once again ignored, or at least delayed until after the project was completed.

Such symbolic actions and delay and defer tactics were not unique to the High Ross Dam controversy but were a fundamental component of the new environmental politics of the 1960s and 1970s. As many scholars have pointed out, the landscape of government expanded at every political scale in North America in response to the environmental movement, as politicians created entirely new environmental departments, commissions, legislation, and statutes.² So much extra bureaucracy and legislation was a double-edged sword for activists. On the one hand, environmentalists used the expansion of government and regulation in their favour, moving from one government body, legislative statute, and court to another in an attempt to thwart development projects. On the other hand, politicians could use things like parks, hearings,

² Samuel P. Hays, *Beauty, Health, and Permanence*; Kathryn Harrison, *Passing the Buck: Federalism and Canadian Environmental Policy* (Vancouver: UBC Press, 1996); Walter Rosenbaum, *Environmental Politics and Policy*, Fifth edition (Washington, D. C.: CQ Press, 2002); Robert Paehlke and Douglas Torgerson, eds., *Managing Leviathan: Environmental Politics and the Administrative State*, Second Edition (Peterborough: Broadview Press, 2005); Neil Carter, *The Politics of the Environment: Ideas, Activism, Policy* Second Edition (Cambridge: Cambridge University Press, 2007); Zachary Smith and John Freemuth, *Environmental Politics and Policy in the West* (Boulder: University Press of Colorado, 2007).

commissions, and new departments to show a concern for the environment without necessarily committing the required actions to back up such appearances. The result, for controversies like the High Ross Dam, was expensive and time consuming. The fact that so many lines of jurisdiction crossed through the Skagit Valley meant that environmental politics could be carried out on many levels, ensuring that the half-century dispute over raising the Ross Dam would carry on for at least another decade.

This chapter thus continues the story told in the first chapter. Just like the first phase of the dispute, politicians were beholden to the complications of context and place. Despite the transnational nature of environmental ideas, their influence on modern liberal institutions like the IJC, and the resultant creation of environmental departments and environmental law, the politics of place made implementing change a difficult and time consuming process. The cross-border nature of the Skagit Valley, and the many different territorial and jurisdictional complications that this entailed, prolonged the dispute over the High Ross Dam throughout the 1970s.

“What in the name of sanity is going on?” Environmental Politics in Canada

There were two options available to the Canadian federal government to challenge British Columbia’s agreement with Seattle. The first was to make Seattle apply for an additional federal licence for the High Ross Dam under the International River Improvements Act. Interestingly, the act had been created by St. Laurent’s federal government in 1955 to stop W. A. C. Bennett’s British Columbia government from allowing the U.S.-owned Kaiser Aluminum and Chemical Corporation to construct a dam on the Columbia River just north of the Canadian-U.S. border, which would have interfered with the federal government’s plans for the Columbia River Treaty.³ In 1956, shortly after the Improvements Act was created, the federal Department of Northern Affairs and National Resources informed Seattle that it would have to apply for a licence for the Ross Reservoir, but Seattle had refused to comply, arguing that the IJC’s 1942 Order of Approval predated the act. The department had dropped the matter once it became clear that British Columbia and Seattle were far away from negotiating an agreement.⁴ In February 1970, however, the re-organized Department of Energy, Mines, and Resources again informed

³ Swainson, *Conflict over the Columbia*, 57 – 65.

⁴ T.M. Patterson, Director, Water Resources Branch, Dept Northern Affairs and Natural Resources, to Paul Raver, SCL, 22 June 1956; A. T. Prince, Director, Inland Waters Branch, Ministry of Energy, Mines, and Resources, to A. T. Davidson, Asst Deputy Minister, 14 Jan 1970, file 5900/2-5 Intl Streams – Skagit River – 1960-71, box 64, V-1996-97/023, RG 108, LAC, Pacific Region.

Seattle City Light that it would have to apply for Canadian federal permission under the International River Improvements Act to flood across the border.⁵

Activists certainly supported the opportunity that the Improvements Act appeared to represent. In March 1970 Brousson received assurances from Minister of Energy J. J. Greene that his department would hold a hearing before deciding whether to grant Seattle a licence. Brousson was encouraged, since he believed the impact of the dam in Canada would not be taken seriously by the numerous hearings scheduled to occur in the United States.⁶ Some activists even wrote to Seattle Mayor Wes Uhlman arguing that all other hearings should cease until after Seattle had applied for a licence from the Canadian government. As John Massey explained, “Our feeling is that if Ottawa is unwilling to approve an application from Seattle City Light all other steps including the holding of public hearings etc., may merely be putting your City to unnecessary expense and that perhaps the step which should now precede all others, is an application from Seattle City Light to the Canadian Government requesting a license under this Act.”⁷

Seattle, however, stuck with the same argument it had used in 1956: it did not need to apply for a Canadian licence “because of previous actions by the International Joint Commission and the legislative history of that act.”⁸ This was a sound strategy. Although Brousson and other British Columbia activists continued to lobby the Canadian government, and Seattle activists pushed Seattle to apply for approval under the International River Improvements Act, nothing came of it. Upon advice from the Canadian Department of Justice, Greene decided it was not worth trying to force Seattle to comply. Ultimately, the Department of Justice concluded, “that Act does not apply to the City of Seattle,” since the dam was not in Canada and Seattle already had international approval for the reservoir. The matter was quietly dropped.⁹

The second way the federal government could have stopped the High Ross Dam was to ask the IJC to reconsider its 1942 Order of Approval. Environmental activists lobbied for this

⁵ Davis to J. J. Greene, Minister of Energy, Mines, and Resources, 13 Jan. 1970; A.T. Davidson, Asst Deputy Minister, Dept of Energy, Mines, and Resources, to John Nelson, SCL, 26 Feb 1970 file 5900/2-5 Intl Streams – Skagit River – 1960-71, box 64, V-1996-97/023, RG 108, LAC, Pacific Region

⁶ J. J. Greene to David Brousson, 17 March 1970, file 3, box 1, 1732-2, N3C Collection; David Brousson, “Notes on International Improvements Act,” 10 Sept 1970, file 6, box 1, 1732-2, N3C Collection.

⁷ John Massey to Wes Uhlman, 3 March 1970, file 3, box 1, 1732-2, N3C Collection.

⁸ “Seattle Wants No Dam Licence,” *Vancouver Sun*, 16 Sept 1970, 2.

⁹ D. S. Maxwell, Deputy Minister, Department of Justice to Jacob Austin, Deputy Minister, Department of Energy, Mines, and Resources, 14 Oct. 1970; Jacob Austin memorandum to J. J. Greene, 4 Nov. 1970, file 91-3-1, Box 87, Acc. 2006-00961-3, RG 51-3, IJC Fonds, LAC.

move as well. As Brousson argued in a letter to the IJC in January 1970 “the time lapse of 25 years between the original public hearing [in 1941] and the signing of the Agreement [in 1967] has created an unusual situation. Public opinion is very different today than it was 29 years ago, and of course there is a much larger population now than in earlier years.” As much as the IJC may have been open to Brousson’s argument, though, it did not have the power to re-consider one of its orders. It could only respond to applications by either the Canadian or U.S. government or parties whose property was impacted by IJC decisions.

The Canadian Department of External Affairs was not willing to ask the IJC to reconsider the 1942 Order. The IJC provided Canada a unique platform of equal footing with the United States. The department did not want to set the dangerous precedent of questioning an IJC decision and having the U.S. respond in kind to orders that favoured Canadian interests, such as Cominco’s smelter in Trail, British Columbia that polluted the air across the border in Washington. In November 1970 Canadian Prime Minister Pierre Trudeau concluded in a closed interdepartmental meeting that the whole government would adopt the Department of External Affairs’ position. The only solution, as he saw it, was to convince the British Columbia government to negotiate a new deal with Seattle.¹⁰

Although the federal government had concluded by the end of 1970 that it would not pursue either of its legal options to end the High Ross Dam controversy, this was not the image that government representatives presented to the media. In October 1970 Minister of Fisheries and Vancouver MP Jack Davis, who was a vocal supporter of the ROSS Committee and had pushed the federal government into its attempt to get Seattle to adhere to the International River Improvements Act, held a press conference in Vancouver declaring that the federal government had decided the High Ross Dam “must be stopped” and hinted that all options were being explored.¹¹ In January 1971, shortly after being appointed as Canada’s first minister of the environment, Davis announced that he would head a Canadian delegation to the U.S. State Department, requesting that the U.S. government support an application to the IJC to reconsider the 1942 Order of Approval, despite the fact that Trudeau had already decided that no such

¹⁰ “Skagit River: Record of Conclusions – Interdepartmental Meeting, External Affairs, Nov. 3, 1970,” file 25-5-2-Skagit River, part 3, vol. 15731, RG 25, Department of External Affairs, LAC. For details of the Trail Smelter case and other IJC-issued agreements and orders see, John E. Carroll, *Environmental Diplomacy: An Examination and a Prospective of Canadian-U.S. Transboundary Environmental Relations* (Ann Arbor: The University of Michigan Press, 1983); and John Wirth, *Smelter Smoke*.

¹¹ “Davis says Skagit ‘must be stopped,’” *Vancouver Sun*, 10 Oct. 1970.

action would take place. When asked point blank how much liberty he had been given to deal with the High Ross Dam issue, Davis responded that “We’re prepared to take whatever action is possible.”¹²

Behind closed doors in Washington D.C., however, Davis made it clear to U.S. officials that the Canadian government did not actually intend to ask the IJC to reverse its decision. Instead, the Canadian government intended to ask the IJC to hold an “environmental hearing” in order to assess the impact of the High Ross Dam, but in a way that would not affect the 1942 Order of Approval. According to State Department representatives who attended the meeting, “the Canadian government...did not believe there was much of an environmental problem, but it wanted to give the appearance of thoroughly considering the issue.”¹³

On April 7, 1971 External Affairs Minister Mitchell Sharp sent an official request for such a round of hearings and two weeks later the IJC announced that it would hold them in only one month’s time, in Bellingham, Washington and Vancouver, B.C. The IJC’s public notice explained that it had been instructed to “investigate the environmental consequences in Canada [of the High Ross Dam] ..., to report on the nature, scope and impact of these consequences; and, to make such recommendations, not inconsistent with the Commission’s Order of Approval dated January 27, 1942 and the related Agreement dated January 10, 1967.”¹⁴

After a year’s worth of lobbying for the federal government’s help and Jack Davis’ seemingly strong stance, the limited nature of the IJC hearings was a let down to activists, to say the least. John Massey wrote a highly critical letter that he addressed to every Member of Parliament from British Columbia. “What in the name of sanity is going on?” he asked.

It is clear that while the commission is authorized to investigate the consequences of the flooding it is expressly forbidden to recommend against it. The Governments of Canada and the U.S. referred this matter back to the IJC because of enormous public pressure, on both sides of the border, to prevent the flooding of the valley not because of concern that a reservoir should be properly landscaped. ...the whole exercise is a travesty of the democratic process. We find it absolutely incredible that a decision made in 1942 under

¹² “U.S. Goodwill necessary to Skagit re-examination,” *Vancouver Sun*, 16 Jan. 1971.

¹³ U.S. Department of State “Memorandum of Conversation: Canadian Request for Environmental Investigation of Skagit River,” 15 Jan. 1971, 3. File 1-1-71, box 2167, Subject Numeric Files 1970-73, RG 59 General Records of the Department of State, NARA.

¹⁴ Mitchell Sharp to the Canadian Section of the International Joint Commission, 7 April 1971, file 91-1-1-1; International Joint Commission, “Public Hearings: Ross Lake on Skagit River,” 26 April 1971, file 91-2-1-2, both files in box 84, 2006-00961-3, RG 51-3, LAC.

conditions very different from those pertaining today, cannot be reviewed in 1971 and, if found unsound, be reversed. ... We feel we have no alternative but to appear before the Commission and present our case but we bitterly resent the dice being loaded against any chance of our success.¹⁵

The plan was roundly attacked in the House of Commons as well, particularly by opposition representatives from British Columbia. Conservative party leader Richard Stanfield wryly observed that “it was snowing when I went into the Skagit Valley but still I was able to see it and, Mr. Speaker, I have the distinct impression it is snowing in the House of Commons today.” Mark Rose, a British Columbia representative for the federal New Democratic Party (NDP), was even blunter, arguing “Some of us could be excused for being a little cynical and for believing that this proposed investigation might be little more than a whitewash, an appearance of action or pseudo-action. ... it does not really matter how many hearings or studies are conducted because the vast majority of the people of British Columbia want the proposed plan to flood the Skagit Valley stopped and stopped completely.”¹⁶

The IJC hearings proved the criticisms true. When the hearings opened in Bellingham on June 3, 1971, U.S. Chair Christian Herter tried to address concerns by making it clear that “this report will be read by the Federal Power Commission...and I can assure you [it] will be read with great care by the two governments.” He admitted, though, that the hearings were “powerless to prevent the Skagit flooding.”¹⁷ One reporter who attended lamented the missed opportunity that this lack of power represented: “It is hard not to regard [the Skagit hearings] as a pilot of sorts. If the United States and Canada truly have been pushed by the increasing environmental crisis to waive national jurisdictions and reconcile conflicting interest to the point where they will delegate real power to a select international policeman, where better to begin?” He asked. “Alas, the profile presented by the commission in the early stages, anyway, of the cross-border hearing has been one of a captive of fate, yoked to the mistakes of history. ...If this hearing is not ‘completely irrelevant,’ as some have charged, whatever promise it initially offered is speedily diminishing.”¹⁸

¹⁵ John Massey to British Columbia MPs, 30 April 1971, file 14, box 1, 1732-2, N3C Collection.

¹⁶ House of Commons Debates, 7 April 1971, p. 4987, file 91-1-1-1, Box 84, RG 51-3, LAC.

¹⁷ International Joint Commission, “Public Hearing: Ecological and Environmental Consequences in Canada of Raising Ross Lake,” (Queen Elizabeth Playhouse, Vancouver, June 4, 1971), 10.

¹⁸ *Vancouver Sun*, 5 June 1971.

Activists, for their part, ignored the restrictive parameters of the IJC hearing and organized expert testimony on all aspects of the project, including what were by then familiar briefs from virtually every environmental organization active in western North America, as well as expert testimony on alternative energy sources for Seattle, potentially faulty engineering and design aspects, the dam's economic feasibility, and its environmental impact, particularly on upstream trout populations, ponderosa pine groves, and rare rhododendron species in British Columbia and on giant western redcedar groves in Washington.¹⁹ Such testimony had been given at hearings that had already occurred before Seattle's City Council and Washington State's Ecology Department, and would be used again during the much anticipated Federal Power Commission hearings. But activists also took one final stab at trying to convince the IJC to reconsider its 1942 Order of Approval and the 1967 B.C.-Seattle Agreement.

To do so, they enlisted the help of John Fraser, a Vancouver lawyer who would become a Conservative MP in 1972, and, briefly, the Minister of the Environment in 1979. Fraser submitted a brief that officially stated the ROSS Committee's opinion on the legality of the international agreements that approved the High Ross Dam. "There has been a profound sense of disillusionment expressed by the Press and private individuals, and shared by the public generally," Fraser argued, "...to be asked to appear before the Commission ... when the result is, apparently, by the terms of the reference, that the flooding will proceed." He went on to state, though, that "our submission for your consideration is that the 1942 Order and the 1967 Agreement are invalid and that your present terms of reference do not preclude you from taking cognizance of such invalidity and reporting accordingly to your respective Governments." According to Fraser, the 1942 Order was a "legal nullity" because it delegated the responsibility of determining a settlement agreement to British Columbia and Seattle, something that, according to Article VIII of the Boundary Waters Treaty, the IJC was not allowed to do. As a result, the 1967 Agreement, which came out of the Order, was also invalid, meaning "there is no valid legal basis for the flooding of the Canadian section of the Skagit River."²⁰

Despite these efforts, the IJC's 1971 report on the hearings was exactly what the Canadian federal government wanted it to be: ambiguous and ultimately unhelpful to either side. Refraining from rendering any opinion about the legal arguments that had been raised, the IJC

¹⁹ For a complete collection of the submissions and testimony, see boxes 85 and 86, RG 51-3, LAC.

²⁰ John Fraser, "To: The International Joint Commission. ROSS Committee Legal Brief," 4 June 1971, 1, 2, and 8, file 15, box 1, 1732-2, N3C Collection.

focused instead on the environmental impact of the dam in British Columbia. “The present characteristics of the environment would be changed, but the new environment would retain many of the former characteristics,” the IJC report stated, vaguely. “Those who appreciate and use the valley in its present state would inevitably suffer somewhat, although other people would find the new environment at least as pleasant.” It then came to two conclusions that both sides would trumpet as proof that the IJC favoured their perspective. On the one hand, “measured either by the amount of use, or weighted by dollar values, the overall impact of changes in the total environment is not significantly large.” On the other, “the Commission is of the opinion that the social preservation values are significant and should be taken into account in the decision-making process,” which would require “at least three more years of study.”²¹

Joe Miller, a biologist with the North Cascades Conservation Council, would later describe the report as a great example of “doublespeak,” in that both sides tried to use it to their advantage.²² Seattle City Light would use the IJC’s findings to argue during the Federal Power Commission hearings that the impacts of the High Ross Dam would not be all that great in British Columbia, an interpretation that the FPC and the Appeals Court that upheld its decision would agree with. Jack Davis, on the other hand, when he presented the IJC’s report before Parliament, insisted that the recommendation for more study was a win for Canadians and that he would push that “these environmental and ecological conditions ...be fully understood and carefully assessed before any additional flooding is contemplated in the Upper Skagit Valley.”²³

Perhaps the most accurate criticism came from the *Vancouver Province*, though, which lambasted the entire hearing process for accomplishing little and leaving the dispute unresolved. “After all this, the IJC itself really ducks the issue – although to be fair, it wasn’t asked to recommend on whether or not the dam be built. It is conceivable that the flooding project may be delayed to death – but also that with the IJC’s proposed safeguards it may go ahead, with little to choose between the alternative results.”²⁴

Despite the support of such influential federal government ministers as Jack Davis, asking the IJC to hold a powerless hearing regarding the environmental impact of the High Ross

²¹ International Joint Commission, “Environmental and Ecological Consequences in Canada of Raising Ross Lake in the Skagit Valley to Elevation 1725,” (Washington D. C. and Ottawa, 1971), 60 – 61.

²² Joseph W. Miller, “Stranglehold on the Skagit,” *National Parks & Conservation Magazine* (April 1980), no page, file 14, box 4, ROSS Committee Fonds.

²³ “House of Commons,” 17 Dec. 1971, p. 10561.

²⁴ “Headaches of the Skagit Valley...,” *Vancouver Province*, 22 Dec. 1971.

Dam was the extent to which the Canadian government was willing to act. In March 1972, Davis said as much in a press release, finally admitting that, as much as he was personally against the High Ross Dam, the ultimate decision to prevent the project had to come from British Columbia.²⁵ Trudeau reiterated these points, stating that he supported protests against the dam but there was nothing his government could do about it because water resources were a provincial responsibility. When asked about the best course of action British Columbians could take, Trudeau responded bluntly: “do it yourself – get rid of [W. A. C.] Bennett.”²⁶

“Panic” Parks: British Columbia Governments and Environmental Protest

In the provincial election of August 1972 British Columbia did just what Trudeau recommended. The provincial NDP, led by former social worker Dave Barrett, unseated W. A. C. Bennett and the Social Credit Party after twenty years in office. Like the federal Liberal government, the provincial NDP was anxious to show that it took environmental concerns about the Skagit Valley seriously.²⁷ It had been a vocal opponent of the 1967 Agreement with Seattle since 1970, and Barrett reiterated his promise that his government would “kill” the agreement to flood the Skagit Valley shortly after the election, much to the delight of environmentalists on both sides of the border.²⁸

A year-and-a-half later the NDP government had done nothing to stop the High Ross Dam and optimism had again started to sour. By mid-1973, with the prospect of Federal Power Commission hearings in the United States looming, activists began bombarding Barrett and Williams with letters demanding that the NDP follow through on its promise to cancel the agreement with Seattle. W. J. Otway, the new director of the B.C. Wildlife Federation, wrote to Barrett: “your initial strong stand in opposition to the expansion of the Ross Dam was much appreciated by all who were and are involved in this issue, but we feel that stand must be

²⁵ “News Release: The Honourable Jack Davis – Minister of the Environment on the Skagit Valley, Ottawa, March 23, 1972,” file 4, box 3, ROSS Committee Fonds.

²⁶ “Skagit Solution? Fire Bennett says Trudeau,” *Vancouver Province*, 25 Nov. 1971.

²⁷ For the NDP’s short time in office see, Lorne J. Kavic and Garry Brian Nixon, *The 1200 Days: A Shattered Dream: Dave Barrett and the NDP in BC 1972 – 75* (Coquitlam: Kaen Pub., 1978); Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1991), 297 – 321; Dave Barrett and William Miller, *Barrett: A Passionate Political Life* (Vancouver: Douglas and McIntyre, 1995); and Richard Rajala, “Forests and Fish: The 1972 Coast Logging Guidelines and British Columbia’s First NDP Government,” *BC Studies* 159 (August 2009): 81 – 120.

²⁸ “Skagit Valley dam plan killed,” *Vancouver Province*, Nov. 18, 1972; Telegram to Dave Barrett from David Brousson, 1 Sept. 1972, file 15, box 3, ROSS Committee Fonds; Minutes: North Cascades Conservation Council Board of Directors’ Meeting, 4 Nov. 1972, 1 – 2, Outgoing Correspondence 1972 – 1973 file, box 1, 1732-001, N3C Collection.

followed up by some positive action. So far we are unaware of any such action.”²⁹ Brousson, who was an MLA for the Liberal Party, wrote to Williams making it plain that environmentalists were losing patience. “I have endeavoured to keep the whole matter out of the area of partisan politics on the assumption that government action was proceeding,” he pointed out. “Considering the lack of action taking place or intended ... I question if we can for very long maintain this attitude.”³⁰ Farquharson was more diplomatic, writing that “the lack of activity ... is being interpreted by Seattle as an indication of insincerity by the Province in its position on the Skagit. ... it is imperative that the Province not only continue with its position of opposition to flooding but initiate positive plans for use of the valley and appropriate management, immediately.”³¹

The NDP government responded to this pressure by creating a park in the Skagit Valley. In August 1973, Williams, the chair of the Province’s de facto department of the environment, the Environment and Land Use Committee, instructed the Forest Service, Lands Branch, and Department of Recreation and Conservation to work together to create a park, noting that it should be given “immediate action.”³² The NDP Minister of Recreation and Conservation, Jack Radford, further emphasized the need to act quickly to prevent environmentalists from taking the matter public, instructing Parks Branch Director Ahrens to create a park that would display “the sincerity of the Province of British Columbia in its position relative to the Skagit.”³³

In December 1973, the NDP Cabinet approved the creation of Skagit Valley Recreation Area, an 82,000-acre park encompassing the entire Skagit Valley from the forty-ninth parallel to the entrance of the Silver-Skagit Road (Figure 1).³⁴ With this new park, explained a government spokesperson, “the northern portion of the valley will [now] be retained in its natural state, accessible only by trails with no roads or campground construction.” Further south, day use facilities and a campground would be built in the area that SCL proposed to flood in order to send the message, proclaimed Williams, that “we are going to keep the Skagit for recreation, not for power development.”³⁵

²⁹ W. J. Otway to David Barrett, 18 Sept. 1973, file 6, box 3, ROSS Committee Fonds.

³⁰ David Brousson to Robert Williams, 31 May 1973, file 15, box 3, ROSS Committee Fonds.

³¹ Farquharson to Robert Williams, Minister of Lands, Forests, and Water Resources, 10 May 1973, file 10, box 5, ROSS Committee Fonds.

³² Environment and Land Use Committee memorandum to J. S. Stokes, Forest Service, L. Brooks, Recreation and Conservation, and W. Redal, Lands Branch, 6 Aug. 1973, Skagit Valley Recreation Area File, B1816, Records Relating to Parks, GR 1991, BCA.

³³ Jack Radford memorandum to R. H. Ahrens, 8 Aug. 1973, Skagit Valley Recreation Area File.

³⁴ Executive-Order-in-Council 4037, 6 Dec. 1973, Skagit Valley Recreation Area File.

³⁵ Press Release: Skagit Valley Recreation Area, 15 Oct. 1973, Skagit Valley Recreation Area File.

Using a park to deflect environmental pressure regarding the High Ross Dam in British Columbia was not unprecedented. Activists had been calling for British Columbia's entire Skagit Valley to be turned into a park since 1969, and had even managed to draw the support of federal Minister of Indian and Northern Affairs Jean Chrétien. Activists on both sides of the border had written to the minister for the creation of "Salish Park," which, they argued, could be combined with North Cascades National Park in Washington to form an international wilderness preserve.³⁶ Chrétien had even gone so far as to ask British Columbia Minister of Recreation Ken Kiernan if the province would transfer responsibility for the Skagit Valley to the federal government. Kiernan, however, had replied "I do not think it is desirable to concentrate great blocks of park land in any single region. ... nor do I believe that any action of this nature at this time would in any way contribute to the solution of the Skagit political problem."³⁷

Contrary to Kiernan's stated belief about the political utility of parks, however, the Social Credit government had already tried to use a park in the Skagit Valley in just such a political way, to stress the benefits of Ross Reservoir (and thus the 1967 Agreement it signed with Seattle) to the province. As detailed in chapter two, the Social Credit government had begun investigating the possibility of such a park as early as 1961, after it had initiated serious negotiations with Seattle, but had dropped the matter after the Parks Branch had instead recommended a park that took advantage of river recreation in the area rather than the proposed reservoir. Once environmental protest exploded over the High Ross Dam issue in 1969, however, the Social Credit government resurrected its plans.

Early in 1970 Kiernan instructed the Parks Branch to create the 3,700-acre Skagit River Provincial Park along the projected shoreline of the reservoir, extending north to the confluence of the Skagit and Klesilkwa rivers (Figure 1). Kiernan predicted that the park "may well become as popular as Cultus Lake," and that it would "improve fish and wildlife habitat generally in adjacent areas" and "[ensure] the future protection of the area from encroachment."³⁸ Ray

³⁶ John Milne, Sierra Club of B.C. to Jean Chrétien, 21 Dec. 1970, file B1816 – Skagit Valley Recreation Area, GR 1991 Records Relating to Parks, BCA.

³⁷ Chrétien to Kiernan, 21 Jan. 1971; Kiernan to Chretien, 2 Feb. 1971, both in file B1816 – Skagit Valley Recreation Area, GR 1991 Records Relating to Parks, BCA.

³⁸ A Press Release: A New Provincial Park in the Skagit River Valley, Feb. 5, 1970, 1 – 2, Skagit Valley Park File.

Williston went even further, arguing that the park and Ross Reservoir would be “one of the most accessible, scenic, and delightfully usable spots to be found in the Lower Mainland.”³⁹

Unsurprisingly, B.C. environmentalists had been highly critical of the park created by the Social Credit government in 1970. The B.C. Wildlife Federation scoffed that it would have been better named “Panic Park,” since “the government’s hurried decision to create an instant park is merely a smoke screen to obscure what is painfully obvious – the Americans not only got the best of the horse trading, they got the ranch to boot.”⁴⁰ Brousson expressed similar criticism in the provincial Legislature. Referring to Williston’s defence of the 1967 Agreement and the creation of a park in the Skagit Valley as “a trail of red herrings,” he argued that the park was a reaction to “the pressure of the publicity we have brought to bear in this matter. Thank goodness for this tiny sop thrown to the people of British Columbia by their government.”⁴¹

By contrast, activists were not nearly so critical of the NDP-created park that replaced the Social Credit one four years later, regarding it as much closer to the type of park they had been calling for for years. Tom Perry, the ROSS Committee’s Coordinator at the time, wrote to Ahrens, congratulating the Department of Recreation and Conservation for creating the park. The only concern he had was that there appeared to be “certain potential areas of conflict” and advised that “areas with high ecological interest and educational potential should...be protected from excessive recreational pressure.”⁴²

In fact, to further get activists on board with their symbolic park in the Skagit Valley, the NDP government fully participated in a ROSS Committee-organized media event in the Skagit Valley. In July 1974, Perry and Farquharson organized a “canoe in” for the Skagit Valley as part of an effort to refute SCL testimony before the Federal Power Commission that the Skagit River in British Columbia was too shallow for any type of watercraft recreation. Perry invited federal

³⁹ “Excerpts from an address during the budget debate by the honourable Ray Williston, Minister of Lands, Forests, and Water Resources,” First Session of the 29th Legislative Assembly, 1970, 4, file 17, box 2, ROSS Committee Fonds.

⁴⁰ “What’s New Outdoors?” *B.C. Wildlife Federation* (1970), 6, file 6, box 3, ROSS Committee Fonds.

⁴¹ David M. Brousson, “Reply to the Budget Debate,” 18 Feb 1970, 5, file 15, box 3, ROSS Committee Fonds.

⁴² Tom Perry to R. H. Ahrens, 30 May 1974, Skagit Valley Recreation Area File.

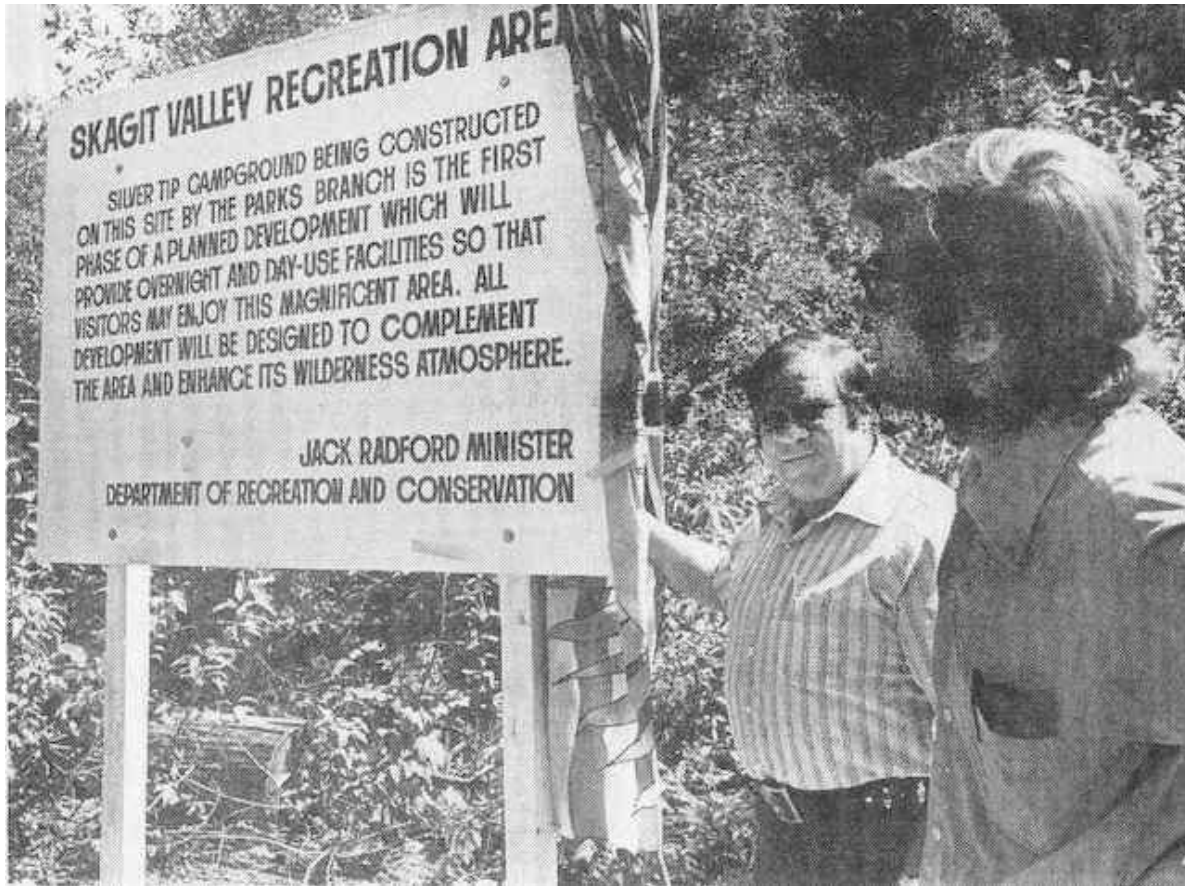


Figure 4: NDP ministers of recreation and conservation, Jack Radford (left), and of public works, Bill Hartley, unveiling a sign for Skagit Valley Recreation Area during the ROSS Committee's July 1974 "canoe-in." 29 July 1974. Used with permission.

and provincial politicians to the event, along with hundreds of activists and media. The NDP government took advantage of the high-profile protest, sending ministers of lands, forests, and water resources, Bob Williams, conservation and recreation, Jack Radford, and public works, Bill Hartley to participate, and used the assembled media attention to unveil a sign for the Skagit Valley Recreation Area (Figure 4).⁴³

Despite appearances, however, the NDP-created park was hardly any different in its impact on the High Ross Dam controversy than the one created by the Social Credit government.⁴⁴ Indeed, Seattle City Light did not take Skagit Valley Recreation Area as anything more than a rhetorical gesture, concluding in an internal memo that "the new 'Special Recreation

⁴³ Tom Perry, "Battle of the Skagit: The End is in Sight," *Nature Canada* October/December (1974), 38 – 39.

⁴⁴ For greater elaboration of this point see Philip Van Huizen, "'Panic Park': Environmental Protest and the Politics of Parks in British Columbia's Skagit Valley," *BC Studies* 170 (Summer 2011): 67 – 92.

Area' ... [does] not really appear to be inconsistent with...the existing Seattle-Provincial Agreement."⁴⁵ Still, given the NDP government's proclaimed stance against the High Ross Dam, Seattle began to make overtures to Barrett's government to find a solution to the controversy. In 1973 and 1974 Mayor Wes Uhlman used diplomatic channels between the U.S. State Department and the Canadian Department of External Affairs to indicate that his government was willing to try and negotiate a compromise.⁴⁶ SCL's superintendent, Gordon Vickery, also made it plain publicly that he would negotiate a settlement, stating in a newspaper editorial: "The point is simply this: Seattle City Light opened the door to negotiations with Canada at Canada's request. This door has been open for over a year, yet Canada has said nothing. We believe the ball is in their court and the next play is up to them."⁴⁷

Despite Prime Minister Trudeau's continued pressure for the province to enter into negotiations with Seattle, though, the NDP resisted. As late as August 16, 1974, John Wood, Barrett's Executive Assistant, wrote to Williams: "Dave [Barrett] does not want us to negotiate with Seattle."⁴⁸ Barrett's government was afraid that any action that altered or cancelled the 1967 Agreement would require the province to pay anywhere from \$10 million to \$156 million in compensation, and Trudeau made it clear that his government would not share these costs.⁴⁹ Stuck between being forced to pay compensation on the one hand and a renewed activist campaign on the other, the NDP hoped that symbolic actions alone would convince Seattle or the U.S. government to stop the dam from being raised.

Besides creating a park, the NDP government also submitted an application to the IJC in mid-1974 to cancel the original 1942 Order of Approval, against the federal government's advice.⁵⁰ In a meeting about the High Ross Dam in 1973, Bob Williams and Jack Davis had agreed that applying to the IJC was a waste of time, since the commission would not rescind one

⁴⁵ Art Lane, Assistant Corporation Counsel, Memorandum to Gordon Vickery, Seattle City Light Superintendent, 16 Oct. 1973, file 12, box 31, Superintendents' Correspondence 1200-13, Seattle City Light Collection, SMA.

⁴⁶ U.S. Department of State Aide Memoire to Canadian Department of External Affairs, 19 April 1973, file 17, box 4, ROSS Fonds; U.S. Department of State to Canadian Department of External Affairs, June 10, 1974, file 8, box 18, Dave Barrett Fonds, UBCSCA.

⁴⁷ Gordon Vickery to the Editor, *The Seattle Post-Intelligencer*, 30 April 1974, file 1, box 136, 5287-01, Wesley C. Uhlman Mayoral Records, SMA.

⁴⁸ John Wood, Confidential Memorandum to Robert Williams, 16 Aug. 1974, file 8, box 18, Dave Barrett Fonds.

⁴⁹ Confidential Memorandum: Renegotiation of Skagit Agreement, B. E. Marr, Deputy Minister, Water Resources to Norman Pearson, Executive Assistant to Robert Williams, 29 Jan. 1974; Dave Barrett to Prime Minister Pierre Trudeau, Jan. 29, 1974; Trudeau to Barrett, 20 Feb 1974, file 8, box 18, Dave Barrett Fonds.

⁵⁰ Press Release: B.C. Application to I.J.C. on Skagit, 27 June 1974, Docket 46, IJCA.

of its own orders due to the unwanted precedent it would set for other boundary water agreements. By 1974, though, Barrett's position had changed regarding the utility of such an application. As he explained to Trudeau, he hoped a public announcement that the province considered the IJC Order invalid would convince the U.S. Federal Power Commission to deny Seattle's request for a domestic licence to raise the Ross Dam.⁵¹

Barrett's government eventually agreed to explore the possibility of a negotiated settlement with Seattle in September 1974, but, by refusing to commit to a timetable for negotiations, made it obvious his government was not all that serious about providing Seattle with an alternative to raising the Ross Dam.⁵² Two exploratory meetings between provincial and Seattle representatives finally occurred in the summer of 1975 but did not accomplish much, since the NDP still hoped that it would not have to compensate Seattle. Vickery wryly described the meetings as a way to "talk about things we might want to talk about should negotiations materialize."⁵³

Two months later the NDP lost the next provincial election to W. A. C. Bennett's son, Bill Bennett, and a re-vamped Social Credit Party that abandoned both the senior Bennett's policy of supporting the High Ross Dam and the NDP's application to the IJC. It also maintained lines of communication with Seattle. As we shall see, however, the next provincial government also preferred to wait and see what would come of the regulatory process in the United States rather than negotiate a solution.

Environmental Politics and "the Grind of the U.S. Regulatory Process"

Since the Ross Dam was located in the United States, there were more options available there for both activists and politicians to try and stop the project. At the centre of such efforts was Seattle's required application to the Federal Power Commission (FPC). Created by the Water Act in 1920, the FPC licenced and regulated all private and sub-national hydroelectric projects, as well as interstate energy transmission and transportation.⁵⁴ SCL first received an FPC

⁵¹ Confidential notes of meeting b/w Robert Williams and Jack Davis, June 8, 1973; Barrett to Trudeau, 25 June 1974, both in file 8, Box 18, Dave Barrett Fonds.

⁵² Robert Williams to Seattle Mayor Wes Uhlman, 11 Sept. 1974, file 8, box 18, Dave Barrett Fonds.

⁵³ "City Light and B.C. Talk on Raising Ross Dam," *Seattle Post-Intelligencer*, 1 July 1975, file 8, box 3, ROSS Committee Fonds.

⁵⁴ Considering its substantial role in energy regulation in the U.S., there is surprisingly little written about the Federal Power Commission, perhaps because, as of 2010, at least, its archival material had yet to be catalogued by the U.S. National Archives. Environmental histories that deal substantially with the FPC are Karl Boyd Brooks'

licence for the Ross Dam in 1927 and every subsequent addition or improvement to the project had required a corresponding application to amend this licence, which had occurred numerous times from the 1930s to the early 1960s. None of these previous applications to the FPC had required hearings since no one had ever substantially objected to the project. The controversial nature of the High Ross Dam, however, ensured that hearings would take place for what was otherwise a fairly routine application.⁵⁵

Moreover, applying to amend the Ross Dam's licence involved not only extensive hearings before the FPC from 1974 to 1977, but also a series of hearings before Seattle's City Council from 1969 to 1972 to decide whether or not to apply to the FPC; hearings before Washington State's Ecology Commission in 1971 to determine which side Washington's government would support; and an appeal to the U. S. Court of Appeals to rescind the FPC's approval of the High Ross Dam from 1978 to 1980, all of which, with the exception of the Washington State hearings, ended in favour of SCL.

The fact that so many hearings occurred for the High Ross Dam seems to support the popular argument that the creation of an environmental regulatory system, and environmental law more generally, became an important tool for environmental activists in the United States over the course of the 1970s.⁵⁶ Activist arguments and presentations at the various hearings for the High Ross Dam became more sophisticated and professionalized from hearing to hearing, following the evolution of environmental activism more generally. By the end of the 1970s N3C and ROSS committee activism had moved from staging rallies and protests and collecting signatures to writing legal briefs and prepping expert witnesses. Indeed, in some respects, as others have demonstrated for similar cases, the High Ross Dam hearings show how the production of expert knowledge about the environment came to be on trial, as experts for both sides argued over the relative value of wilderness, lake versus river recreation, and

Public Power, Private Dams and Robert Lifset's "Storm King Mountain and the Emergence of Modern American Environmentalism, 1962 – 1980" (PhD Dissertation, Columbia University, 2005). See also Gerald Garvey, *Facing the Bureaucracy: Living and Dying in a Public Agency* (San Francisco: Jossey-Bass, 1993); John D. Echeverria, *Rivers at Risk: The Concerned Citizen's Guide to Hydropower* (Washington D.C.: Island Press, 1989); and Stephen G. Breyer and Paul W. MacAvoy, *Energy Regulation by the Federal Power Commission* (Washington: Brookings Institution, 1974).

⁵⁵ For the numerous applications to the FPC for the Ross Dam's original 1927 licence and every subsequent application to amend it see files 2 – 8, 18, box 8, 1732-005, N3C Collection.

⁵⁶ Karl Boyd Brooks, *Before Earth Day: The Origins of Environmental Law, 1945 – 1970* (Lawrence: University of Kansas Press, 2009); Richard J. Lazarus, *Making of Environmental Law* (Chicago: University of Chicago Press, 2004); Hays, *Beauty, Health, and Permanence*; Jamie Benidickson, *Environmental Law* (Toronto: Irwin Law, 2009).

environmental impact. In this way, the environmental hearings for the High Ross Dam could be interpreted as part of the larger, positive influence of the environmental movement on the U.S. regulatory process more generally.⁵⁷

Yet, for the High Ross Dam at least, the U.S. regulatory process and the many hearings that went with it worked in the favour of politicians more than environmental activists. In fact, activists did not particularly want to participate in the FPC approval process for the High Ross Dam. In December 1970, N3C's principal lawyer, Tom Brucker, who had experience before the FPC with the Hell's Canyon controversy in Idaho, had written to Seattle's city council to make this exact point. The Hell's Canyon case, Brucker argued, had proven to be a tremendous waste of time and money for all involved: "That battle has been before the FPC for 15 years and has cost the utilities about \$9 million in their unsuccessful bid. Depending upon the scope of its case, the Ross hearing could cost City Light anywhere from \$100,000 to a million or more."⁵⁸ Other activists argued that since so many Canadians were opposed to the High Ross Dam, Seattle would only be wasting money by going through the regulatory process in the United States.⁵⁹

Many Washington and Seattle politicians made it seem as though they agreed with such arguments. Municipal elections in November 1969 transformed Seattle's government, largely as a result of civil rights and anti-Vietnam War protests and rising environmental concern, and Mayor Wes Uhlman and a host of new city councilors replaced James Braman and the longstanding Seattle government.⁶⁰ At least five of the new councilors, including George Cooley, Jeanette Williams, Sam Smith, Phyllis Lamphere, and Tim Hill, ran on platforms that included cancelling the High Ross Dam. Wes Uhlman, after meeting with environmental activists in November 1970, also declared that he was against the project. In December 1970 he even wrote a public letter to the city's Public Utilities Commission, stating he did not want to commit the city to "an extensive hearing process including an FPC hearing in this country and perhaps a

⁵⁷ Stephen Bocking, *Nature's Experts: Science, Politics, and the Environment* (New Brunswick, NJ: Rutgers University Press, 2004); Thomas Dunlap, *DDT: Scientists, Citizens, and Public Policy* (Princeton, N.J.: Princeton University Press, 1981); Frank T. Manheim, *Conflict over Environmental Regulation in the United States: Origins, Outcomes, and Comparisons with the EU and other Regions* (New York: Springer, 2009); Brooks, *Public Power, Private Dams*; Harvey, *A Symbol of Wilderness*.

⁵⁸ Brucker to Seattle City Council, 10 Dec. 1970, file 10, box 1, 1732-2, N3C Collection.

⁵⁹ Massey to Uhlman, 3 March 1970, file 3, box 1, 1732-2, N3C Collection.

⁶⁰ Norbert MacDonald, *Distant Neighbors: A Comparative History of Seattle and Vancouver* (Lincoln: University of Nebraska Press, 1987), 170 – 174.

hearing in Canada” when it looked like the Canadian government would not allow the project to go ahead.⁶¹

Similarly, Washington Governor Dan Evans stated in December 1970 that he believed Seattle should focus on conservation rather than on raising the Ross Dam, and instructed John Biggs, director of the state’s newly created ecology department, to hold hearings to decide whether the State would officially oppose the High Ross Dam before the FPC.⁶² These hearings coincided with the IJC’s environmental impact hearings in the spring of 1971, and environmental activists presented basically the same package of testimony at each one. Unlike the IJC hearings, however, the Ecology Department determined unequivocally that it was against the High Ross Dam. John Biggs explained that SCL needed to be served notice that the public would not tolerate its stance of continually seeking new power sites. “[The High Ross Dam] and other energy projects which Seattle City Light is considering indicate that City Light has no planned environmental program, but instead continues to pursue a program of opportunely selecting and proposing for development new sources of power, with the pursuit of energy being the first objective and environmental concern decidedly a second one.”⁶³

As in Canada, however, no Washington politician would actually cancel SCL’s plans for the High Ross Dam. Even Biggs, who spoke so boldly about curtailing SCL energy development policy, was not willing to go the more meaningful step and cancel the state-issued hydraulic permit for the Ross Dam that SCL held. Indeed, as N3C lawyer Richard Aramburu interpreted the situation, this was because Biggs was actually using the State’s opposition to the High Ross Dam in an attempt to get SCL to cancel a plan for a nuclear power plant on Kiket Island in Puget Sound and that “the Department of Ecology’s opposition is not based so much on the environmental problems with Ross but with City Light’s management policies.”⁶⁴

Biggs admitted as much in his position statement to the FPC for the State of Washington, explaining that “City Light proposes as its next project, following the completion of High Ross

⁶¹ Wes Uhlman to George Cooley, Chairman, Seattle Public Utilities Commission, 3 Dec. 1970, 3, file 8, box 140, 5287-2, Wesley C. Uhlman Mayoral Records.

⁶² Washington Governor Dan Evans to Patrick Goldsworthy, 3 Dec. 1970, file 6; John Biggs, Director, Washington State Ecology Department, to C. L. Bradeen, Director, Power Management, SCL, 11 Jan. 1971, file 11, both files in box 1, 1732-2, N3C Collection, UWA.

⁶³ John Biggs, “State of Washington Position Statement on High Ross Dam, FPC Project No. 553,” (8 Dec. 1971): 1, file 18, box 1, 1732-2, N3C Collection.

⁶⁴ Richard Aramburu, “Memo to High Ross Dam File re: Department of Ecology statement and proposed City Council action on Ross Dam,” (12 Dec, 1971): 1, file 18, box, 1, 1732-2, N3C Collection.

Dam, a nuclear power plant located on Kiket Island in Puget Sound. This project is replete with serious material and environmental questions substantially exceeding those of High Ross Dam. ... City Light's concern for the environment appears to involve a policy of proceeding from one environmental controversy to another, even more serious one." Furthermore, Biggs wrote, "We feel that if City Light were to present for the consideration of the general public and the Department of Ecology a program of new energy site location, which in a positive way indicated a preference for environmentally compatible areas accompanied by minimal environmental dislocations, that we could support High Ross Dam."⁶⁵

Other Washington politicians changed their stated positions against the dam altogether. Seattle city council members George Cooley and Jeanette Williams, for example, completely altered their stances soon after being elected. After a pivotal hearing in December 1970 to approve SCL's application to the FPC, both councilors not only voted in favour of SCL's plan to apply for FPC approval but ardently promoted raising the Ross Dam, despite activist exhortations of playing both sides. "When you ran for your present office in 1969, you stated that you were opposed to a High Ross Dam," wrote the Pacific Northwest Chapter of the Sierra Club to George Cooley. "Your present attitude is disappointing in the extreme to those conservationists in the Seattle area who supported you in the campaign."⁶⁶ Goldsworthy wrote to both, arguing that they were "making the worst mistake" listening to SCL rather than environmentalists, warning that they were now labelled as "against the environment" and that activists "shall not forget."⁶⁷

Another city councilor, Sam Smith, voted both ways on the High Ross Dam. Smith had voted against the project at municipal hearings in 1969 and 1970, and as late as December 1971 assured N3C's Patrick Goldsworthy that he was still against the High Ross Dam.⁶⁸ After the final round of city council hearings to approve SCL's application to the FPC in April 1972, however,

⁶⁵ Biggs, "State of Washington Position Statement on High Ross Dam," 3 – 5. Kiket Island nuclear power plant was later cancelled by Seattle's city council following the influential study Energy 1990 in 1976, which may explain why the Department of Ecology never pursued a more aggressive stance against the High Ross Dam. Bob Royer interview, "Skagit Oral History Project," 89 – 90.

⁶⁶ Sierra Club, Pacific Northwest Chapter, to George Cooley, 8 Dec. 1970, file 5, box 1, 1732-2, N3C Collection.

⁶⁷ Goldsworthy Jeannette Williams and George Cooley, 7 December 1970 file 5, box 1, 1732-2, N3C Collection.

⁶⁸ Goldsworthy to Sam Smith, 7 April 1972, file 1, box 2, 1732-2, N3C Collection.

Smith changed his position and cast the deciding vote in favour of the project. After being confronted by Seattle activists, Smith responded:

This has been a most disconcerting, confusing and strange situation. As you know, I voted against the raising of the Dam originally, but, in the face of contradicting evidence, I felt that an unbiased, impartial review [by the FPC] would be in the best interest of all concerned. I am convinced that by the time the matter comes before the City again, everyone concerned will have the truth which will be undisputable.⁶⁹

One Seattle activist, R. J. Brooks, dissatisfied with Smith's explanation, wrote to Smith that "Do you really believe the FPC will give an impartial decision? They have only turned down two applications in their history. The Council forces us to raise upwards of \$100K to fight against our own money collected by City Light from the rate payers. I am confident that Ross Dam will never be raised, but what a struggle to accomplish something the Council should have done."⁷⁰

Most disheartening for activists, however, was the about-face made by Seattle's mayor, Wes Uhlman, who had the final opportunity to veto SCL's application to the FPC in December 1972. Seattle and British Columbia activists used the recent election of the NDP government in British Columbia and the fact that it had declared it would not let the High Ross Dam be raised to once again lean on Seattle politicians to stop the city's application to the FPC.⁷¹ In another public letter, this time to Uhlman, City Council members Phyllis Lamphere and Tim Hill, who still supported the environmentalists' protest, demanded that Uhlman live up to his stated position and place a moratorium on Seattle's application to the FPC. "It seems unreasonable," they argued, "to continue the expenditure of funds during a time when negotiations between City Light and British Columbia should have the highest priority."⁷²

Uhlman, like so many other politicians, was reluctant to stop the dam himself, however. After consulting with SCL's superintendent, Gordon Vickery, and R. W. Wilkinson, the city's budget director, Uhlman quietly backed down from his initial stance. Seattle bureaucrats were convinced that British Columbia and Canadian government promises to stop the dam were bluffs meant to get Seattle to cancel the project for them. According to Vickery:

⁶⁹ Sam Smith to Richard Brooks, 13 April 1972, file 29, box 4, R. J. Brooks Collection, UWA.

⁷⁰ Brooks to Smith, 11 April 1972, file 28, box 4, R. J. Brooks Collection.

⁷¹ Minutes: North Cascades Conservation Council Board of Directors' Meeting, 4 Nov. 1972, 1 – 2, Outgoing Correspondence 1972 – 1973 file, box 1, 1732-001, N3C Collection; David Brousson to Wes Uhlman, 6 Dec. 1972, file 2, box 2, 1732-2, N3C Collection.

⁷² Phyllis Lamphere and Tim Hill to Wes Uhlman, 4 Dec. 1972, file 2, box 2, 1732-2, N3C Collection.

The Canadians apparently deem it sound strategy to make strident but unofficial press statements, and studiously refrain from any legislative action affecting Ross on either Federal or Provincial level. The “trick”, as [one] official conceded, is to have Seattle abandon its own project. In this way the Canadians could never be blamed, legally or politically, for breaking a perfectly valid international agreement. Seattle, moreover, would be in no position to claim compensation for a project it voluntarily shelved.⁷³

Wilkinson agreed with Vickery’s appraisal of the situation, and pointed out that Seattle had already spent nearly \$10 million in preparation for the High Ross Dam, \$3.5 million in surveys, legal fees, and expert testimony since 1967 alone. Proceeding with the FPC proceedings would probably only cost another \$500,000 and would keep Seattle’s negotiating position strong.⁷⁴ For these reasons, Uhlman decided to let the FPC application stand.

Despite activist disappointment with the flip-flopping of Seattle politicians, there was truth to SCL accusations about the motives behind Canadian and British Columbia government actions. As Vickery pointed out, Canadian politicians had, perhaps ill-advisedly, let their strategy be known to the media. A package that SCL put together for Uhlman concerning Canadian attitudes included quotes from Jack Davis who had told reporters in Vancouver that “the trick is to get Seattle to voluntarily withdraw its application to the U.S. Federal Power Commission,” since Canada and British Columbia would otherwise be on the hook for compensation if they broke the agreement themselves.⁷⁵

Canadian participation in the U.S. regulatory process only increased over the course of the controversy. Initially, Canadian activists would show up to public hearings in Seattle, mostly at the request of American activists, and often had some of their expenses reimbursed by N3C.⁷⁶ All government employee participation at Seattle and Washington State hearings was purely voluntary and without the official support of the Canadian government. W. A. C. Bennett’s Social Credit government in British Columbia had even forbidden government experts from

⁷³ Gordon Vickery to Wes Uhlman, 18 December 1972, 1 – 2, file 9, box 135, 5287-01, Wesley C. Uhlman Mayoral Records.

⁷⁴ R. W. Wilkenson, Seattle Budget Director, to Liem Tuai, Seattle City Council President, and Wes Uhlman, 11 Jan. 1973, file 10, box 135, 5287-01, Wesley C. Uhlman Mayoral Records.

⁷⁵ *Vancouver Province*, 7 Dec. 1972, file 9, box 135, 5287-01, Wesley C. Uhlman Mayoral Records.

⁷⁶ N3C, for example, reimbursed the ROSS Committee for the two chartered buses used to bring British Columbia activists to the Dec. 1970 hearing. Farquharson to Goldsworthy, 2 Jan. 1971, Correspondence 1971 file, box 1, 1732-1, N3C Collection.

testifying at American hearings to avoid being accused of interfering with a domestic U.S. legal matter.⁷⁷

This government stance changed dramatically, however, with the FPC hearings. The ROSS Committee participated as a full intervenor, coordinating testimony from a full slate of experts on the impact of the High Ross Dam. At the recommendation of Tom Brucker, the ROSS Committee hired Seattle environmental lawyer Roger Leed, who worked closely with Brucker and Aramburu organizing testimony, compiling legal briefs, and cross-examining witnesses. In 1973, the NDP government in British Columbia reversed its predecessor's policy and Minister of Lands, Forests, and Water Resources Williams allowed government scientists from his department, such as wildlife biologist Bryan R. Gates and fish biologist Edwin H. Vernon, to testify as experts in the FPC hearings.⁷⁸ The Canadian government, after a resolution to do so passed unanimously in the House of Commons in November 1973, even submitted an official statement to the FPC in March 1974 in opposition to the High Ross Dam.⁷⁹

Canadian government involvement in the FPC hearing process went even further than allowing government experts to testify and submitting position papers. In fact, by the mid-1970s the ROSS Committee received most of its funding from the federal and British Columbia governments. Such funding had begun in 1970, when Jack Davis arranged for the ROSS Committee to receive a Federal Opportunities for Youth Grant to fund a student-conducted study of the British Columbia Skagit Valley under the guidance of UBC ecologist Ian Efford. Tom Perry, who would go on to become a prominent member of the ROSS Committee, was one of the students hired to conduct the study. The study was entered as evidence in both the IJC and the FPC hearings concerning the damage that the High Ross Dam would cause to the British Columbia portion of the valley.⁸⁰ By the FPC hearings, government funding of the ROSS Committee had intensified, and was explicitly meant to help activists participate in the U.S. regulatory process. In 1973 Williams agreed to match federal funds to help pay for the ROSS

⁷⁷ Brousson to Goldsworthy, 1 March 1971, file 11, box 1, 1732-2, N3C Collection.

⁷⁸ Norman Pearson, Executive Assistant to Robert Williams, to Richard Aramburu, 24 Sept. 1974; Robert Williams to Terry Simmons, 2 Oct. 1974, both letters in file 3, box 2, 1732-2, N3C Collection.

⁷⁹ Department of External Affairs, Government of Canada, "Submission by Canada Regarding the Skagit Valley to the Federal Power Commission," 15 March 1974, file 10, box 7, 1732-5, N3C Collection.

⁸⁰ Paul T. B. Adams, Tony Byrne, Allan G. Duguid, Francis G. Howie, Barry Landeen, David G. LeMarquand, Thomas L. Perry Jr., and Mel Turner, "The Future of the Skagit Valley: Respectfully submitted to the International Joint Commission, 31 July 1971," file 6, box 12, ROSS Committee Fonds; Tom Perry interview with author, 23 March 2010; and Ian Efford interview with author, 16 Aug. 2010.

Committee's legal fees and to hire expert witnesses, after "pressure in the legislature" from Brousson and other MLAs.⁸¹ By 1975 the provincial and federal governments had given the ROSS Committee \$55,000.⁸²

In 1976, after Dave Barrett's NDP lost the provincial election to the Social Credit Party's Bill Bennett, the province's new deputy minister of the Environment, Ben Marr, informed Farquharson that Bennett was willing to negotiate a settlement but he wanted to wait and see what would come of the federal hearing process first.⁸³ As Marr explained: "Our basic position is that there are three prongs to the British Columbia attack on the flooding of the Skagit Valley behind Ross Dam: through support of the intervention of the ROSS Committee to the FPC, through the International Joint Commission, [and] by direct negotiation with the City of Seattle."⁸⁴ As Farquharson remembers it:

Ben [Marr] called me and said, 'Look, the premier has made a decision: we're going to try find a solution.' He said, 'we need time. We'll continue to fund the ROSS Committee through the hearing process. There's one condition, that as long as you think we're going in the right direction you keep off the premier's back.' ... So, then we kept through the [FPC] process, and they'd pump money into the ROSS Committee, and we'd pay the people. ... Overall, I suspect between the federal and provincial governments they put something in the order of a hundred thousand dollars through the ROSS Committee to allow us to participate in these hearings. Now that doesn't sound like a lot of money today, but in the seventies that was a lot of money.⁸⁵

⁸¹ Farquharson to Norman Pearson, 21 Oct. 1974, file 1, box 1, ROSS Committee Fonds.

⁸² "Ross Committee Breakdown of Expenses," 28 Feb. 1975, file 3, box 5, ROSS Committee Fonds.

⁸³ Notes from 16 Aug. 1976 meeting between Farquharson, Brousson, and Ben Marr, file 3, box 5, ROSS Committee Fonds.

⁸⁴ Ben Marr, Deputy Minister, B.C. Department of Environment, to Roger Leed, 22 April 1977, file 17, box 4, ROSS Committee Fonds.

⁸⁵ Farquharson interview with Author, 3 March 2010. Funding from the federal and provincial governments did not go unnoticed in the United States and almost created an international incident in 1977. Roger Leed was contacted by the U.S. Department of State and informed that he and the ROSS Committee were under investigation by the U.S. Justice Department for violating the Foreign Agents Registration Act, which requires any non-American citizen working on behalf of their government in the United States to register such action. Leed wrote to Farquharson, admitting that the charges were fairly serious, but also counseling that in all likelihood nothing would come of it. FARA had been enacted as a way to prevent espionage and foreign government interference in the United States. Although government funding of ROSS Committee efforts hardly counted as espionage, the fact that the ROSS Committee had not registered such funding meant it was technically guilty. Leed also admitted that there was a good chance that SCL was actually behind the push to prosecute the ROSS Committee, but that it really only boiled down to a scare tactic. He was right. The Justice Department allowed Leed and the ROSS Committee to register late under FARA and dropped the investigation later that year. See the extensive correspondence over the

The FPC hearings thus marked a moment of change in terms of general strategy against the High Ross Dam, at least for activists. Unlike previous regulatory hearings and government actions, activists were under no illusions that the FPC hearings would cancel the High Ross Dam. Instead, they resigned themselves to the fact that they had to wait out the delay tactics of governments in Canada and the United States until there was no option left but to negotiate. As Farquharson wrote to B.C. Minister of Lands, Forests, and Water Resources in 1973, “The ROSS Committee is prepared to go this route [before the FPC], though we feel it is a fruitless exercise, a jumping over unnecessary hurdles.”⁸⁶ Indeed, N3C lawyer Brucker had cautioned Vancouver activists in 1974 that the only way to stop the dam was to get the IJC to re-open the application or for B.C. to renegotiate with Seattle. All that could be done in the legal arena was to delay the dam. “The project probably will be licensed. I apologize for being so gloomy,” Brucker wrote. “It has simply been my experience that the Federal Power Commission is not the place to resolve proceedings of this type; the political arena is much the more favorable.”⁸⁷ But the politics of the High Ross Dam meant that no elected official would stick their neck out and cancel the project when there was a chance the FPC would do so for them. Politicians across the board thus chose to pay for the FPC hearings to continue and activists had no choice but to participate in the process.

True to the predictions of Seattle activists, the FPC found in favour of SCL’s arguments about the need for the High Ross Dam. An initial decision was handed down by the presiding judge, Allen C. Lande, in 1976, and was confirmed by the full panel of FPC commissioners in 1977. The FPC acknowledged that there would be a substantial environmental and recreational impact of flooding the Skagit Valley on both sides of the border, but that Seattle’s power needs outstripped this impact, particularly since any alternative to High Ross would have involved more environmental damage.⁸⁸ Furthermore, the fact that Canada and British Columbia had since changed their stances about the project was “not applicable,” since these were not domestic matters that fell within the purview of the FPC. According to the FPC, “full compliance with [the

issue between Leed, Farquharson, External Affairs, the BC Department of the Environment, the U.S. Department of State, and the U.S. Justice Department, file 1, box 1, ROSS Committee Fonds.

⁸⁶ Farquharson to Williams, 10 May 1973, file 10, box 5, ROSS Committee Fonds.

⁸⁷ Brucker to John Fraser, 6 Nov. 1974, file 3, box 2, 1732-2, N3C Collection.

⁸⁸ Judge Allan C. Lande, “Initial Decision Amending Licence for Skagit River Ross Development” (Washington D. C.: Federal Power Commission, 4 Feb. 1976), 64 – 66, file 18, box 6, 1732-5, N3C Collection.

National Environmental Policy Act] NEPA” was the only legislation that mattered in the case of raising the Ross Dam, and SCL had satisfied all of its requirements.⁸⁹

Final Appeals: Indigenous Rights and Environmental Politics

Activists immediately appealed the decision and were joined in their opposition by the Swinomish, Sauk-Suiattle, and Upper Skagit Tribes, which were concerned with the impact the High Ross Dam would have on their downstream fishing rights. In an about-face, the Washington State government, after the election of Governor Dixie Lee Ray, switched sides in 1977 and favoured raising the dam.⁹⁰ The FPC was changed to the Federal Energy Regulatory Commission (FERC) in late 1978, as part of the creation of the federal Department of the Environment, and FERC upheld the FPC’s decision without any additional hearings. Activists appealed this decision to the 9th Circuit of the U.S. Federal Court of Appeals. The Court of Appeals held additional hearings in 1979 and also upheld the FPC/FERC decision to approve the High Ross Dam in 1980.

The involvement of the Swinomish, Sauk-Suiattle, and Upper Skagit Tribes in the last stages of the regulatory process in the United States did little to alter the fact that legal options would only delay the Ross Dam from being raised rather than stop it. Much of this was due to the fact that indigenous groups joined very late in the process, worked separately from environmental activists, and ultimately had a different political goal in mind than strictly stopping the High Ross Dam. Indeed, activists do not remember ever meeting or coordinating with anyone from the tribes, although Farquharson remembers trying.

I wrote to every Indian band from I think Lytton down to [Chilliwack], pointing out the issue in the Skagit. ...I didn’t get a single response to any letter that I wrote to an Indian group. I’ve come to understand a little bit more, that they saw this as, you know, an argument kind of above their level, they weren’t into an activist thing... At that point these bands were run by older people and they didn’t react well to letters. If I had gone there and made the pitch personally, they might have done something about it. But, hell, I

⁸⁹ Lande, “Initial Decision Amending Licence for Skagit River Ross Development,” 16.

⁹⁰ Washington Governor Dixie Lee Ray to Kenneth Plumb, FPC Secretary, 27 May 1977, file 17, box 4, ROSS Committee Fonds.

was trying to earn a living at the same time, and raise a family at the same time. I didn't have time to go out. So we got zero response from Native people.⁹¹

Stó:lō and Nlaka'pamux communities with ties to the Skagit Valley had more pressing issues in the late 1960s and early 1970s, from dealing with inadequate housing and education, which resulted in out-migration from reserves, to fighting against federal policies like Trudeau's infamous White Paper.⁹² Furthermore, those who thought about the High Ross Dam at all were of various opinions. Shxw'ow'hamel chief Ralph George, for example, remembers activists coming around in the early 1970s looking for support against the High Ross Dam. In his mind, though, the dam had already done its damage: "we can't fight over anything in the Skagit Valley now because everything is gone. What is left there is not even worthwhile making a ruckus over.... [Environmentalists] did come around, you know, and approached us and tried to get us involved in it. Like we said before, it was too late, they arrived too late and couldn't do nothing to get the government to change their minds, cause it was already put down on paper."⁹³ Chawathil Chief Ron John, who worked on clearing the Ross Reservoir, recalls that, "I thought they [environmentalists] probably had a good reason. But personally, myself, I didn't see what [raising the dam] was a threat to. I didn't understand the threat, other than just taking up a little more ground. ...But after I thought about it, I thought it was pretty unusual, doing the job up there then to be flooding part of B.C., and then all the power going to Seattle. I thought maybe there should have been some kind of arrangement maybe for, give us a little of that power too."⁹⁴

A similar situation explained indigenous non-involvement in the initial stages of the High Ross Dam controversy in Washington. In the late 1960s and early 1970s, the Swinomish, Sauk Suiattle, and Upper Skagit were fighting for lost territory and unrecognized treaty rights, and the Upper Skagit and Sauk Suiattle were also fighting for federal recognition. This was on top of general concerns about health, employment, housing, and education for tribal members and the out-migration from reservations that a lack of such caused.⁹⁵ Just as environmental activists

⁹¹ Farquharson interview with author, 3 March 2010.

⁹² John Haugen interview with author, 17 Nov. 2010; Tye McNeil interview with author, 24 August 2010.

⁹³ Ralph George interview with author, 13 July 2010.

⁹⁴ Ron John interview with author, Chawathil, 13 July 2011.

⁹⁵ Larry Campbell, personal communication with Author, 10 June 2010. See also, Attorneys for Swinomish Tribal Community, Upper Skagit Tribe and Sauk-Suiattle Tribe, "Before the Federal Power Commission, City of Seattle, Washington Project No. 553: Petition to Intervene, or, in the alternative, Motion to File a Brief Amica Curiae, and Brief on Excelsions of the Initial Decision Amending License for Skagit River Ross Development," (September 1976), 5 – 7, STCA.

chose which battles to engage in and government departments chose which sites to develop, so too did indigenous leaders sort through an array of competing priorities and projects. What became an issue of conflict or not was a result of such choices, and for most of the 1970s protesting the High Ross Dam was not a high priority for indigenous leaders in British Columbia or Washington.

Some Skagit Basin indigenous groups did organize a protest against the High Ross Dam independent of N3C in the early 1970s. About fifty members of Coast Salish bands, mostly from the Upper Skagit, Sauk-Suiattle, and Swinomish tribes, picketed the road in Newhalem that led to both the Gorge and Diablo Dams. Joseph Dunstan, a Nlaka'pamux member who was working as a forestry engineer in Washington at the time, remembers the protest as one amongst many others in the early 1970s. According to him, though, most protest efforts at this time focused on establishing fishing rights downstream from the Skagit dams rather than against raising the Ross Dam upstream.⁹⁶

The mid-1970s proved to be a turning point, as Skagit Basin groups in Washington began a much more systematic campaign to reestablish fishing rights to the Skagit River. Under the direction of such activist-leaders as Knuckle Boome, the Sauk-Suiattle and Upper Skagit finally won their battles for federal recognition in 1973 and 1974, respectively.⁹⁷ Just as momentous, in 1974 Judge George Boldt rendered the famous “Boldt Decision” in *United States v. Washington*, which, according to Robert Ficken and Charles LeWarne, “rocked Indian-white relations more severely than any single event of the century past.”⁹⁸ Judge Boldt upheld indigenous rights to fish as promised in the Isaac Stevens treaties negotiated in the 1850s, even quantifying the amount, arguing that indigenous groups in Washington State were entitled to at least half of the fish in Washington rivers and that this was beyond the regulatory reach of Washington State. The decision was immediately appealed by Washington State, but was upheld, although slightly modified, by the Ninth Circuit Court of Appeals in 1979.⁹⁹

⁹⁶ Dunstan interview.

⁹⁷ Bruce G. Miller, “A Sociocultural Explanation of the Election of Women to Formal Political Office: The Upper Skagit Case” (PhD Dissertation, Arizona State University, 1989), 70 – 76; Robert H. Ruby and John Arthur Brown, *A Guide to the Indian Tribes of the Pacific Northwest*. (Norman: University of Oklahoma Press, 1992), 185 – 187, 230 – 233, and 252 – 253.

⁹⁸ Robert E. Ficken and Charles P. LeWarne, *Washington: A Centennial History* (Seattle: University of Washington Press, 1988), 174.

⁹⁹ The Boldt Decision has been well studied. For the most incisive, particularly regarding what it has meant for indigenous identities and for legal history see Alexandra Harmon, *Indians in the Making*, 230 – 248; Douglas C. Harris, “The Boldt Decision in Canada: Aboriginal Treaty Rights to Fish on the Pacific,” in Harmon, ed., *The Power*

With the Boldt Decision in place, Skagit Basin tribes set about claiming their right to manage fisheries in the Skagit River. In 1976, through the work of key “technocratic” elites like Upper Skagit Doreen Maloney, the Swinomish, Sauk-Suiattle, and Upper Skagit formed the Skagit System Cooperative to manage these rights to the river as a collective, particularly establishing working relationships with other entities in the Basin, such as the Washington State Department of Fish and Game, the federal Departments of the Interior and Agriculture, and Seattle City Light.¹⁰⁰ Although the Skagit System Cooperative could not change the fact that SCL’s three Skagit dams existed, it began to work towards regulating water discharges from the dams that affected downstream fisheries and to fight for compensation for the fish that the dams had taken away.¹⁰¹

The Swinomish contacted the Native American Rights Fund in Boulder Colorado for assistance, which they had used in land claim suits against the federal government in the late 1960s and early 1970s. Lawyers Sharon K. Eads and David Pelcyger were assigned to their case. The Upper Skagit and Sauk-Suiattle qualified for legal services with the Small Tribes Organization of Western Washington and were assigned Seattle environmental lawyer Russell Busch. Busch would go on to represent the two tribes, and the Skagit System Cooperative more generally, for a number of different cases after the High Ross Dam, including against the Copper Creek Dam, Skagit Nuclear Power Plant, the Northern Tier Pipeline, and the Ross Dam relicensing negotiations. As Busch remembers, along with establishing population rolls for their new tribes, fisheries on the Skagit River were of immediate importance, particularly downstream flow regulation: “[The Skagit System Cooperative] were having a lot of trouble with salmon stranding, especially Chinook on Marblemount Bar. And [SCL] hadn’t ever really done good stranding studies.” The SSC wanted to use the threat of cancelling the High Ross Dam to force SCL to take downstream flow regulation more seriously.¹⁰²

In September 1976, the three tribal communities applied to the FPC to appear as intervenors. Although Judge Lande had already rendered his initial decision, the Tribes justified applying late because they had only just finished having their treaty fishing rights reaffirmed and

of Promises: Rethinking Indian Treaties in the Pacific Northwest (Seattle: University of Washington Press, 2008), 128 – 153; Bruce G. Miller, “The Press, the Boldt Decision, and Indian-White Relations,” *American Indian Culture and Research Journal* 17:2 (1993), 75 – 97.

¹⁰⁰ Miller, “A Sociocultural Explanation,” 73.

¹⁰¹ Russell Busch interview with author, 19 Oct. 2011.

¹⁰² Busch interview.

were never made aware of the license hearing for the High Ross Dam, as was legally required of the FPC. They also filed a brief to have Judge Lande's decision reversed, arguing that the present Ross Dam was "producing documented 'devastating' effects on the downstream Skagit fishery," and "the questions relating to the new license for [the High Ross Dam], the Skagit River fishery, the Indian Tribes' treaty fishing rights on the Skagit River system, and the extent to which power operations can be conducted in a manner that is compatible with the requirements of the Skagit River fishery, should be litigated and resolved before the license for [the Ross Dam] is amended."¹⁰³ The FPC allowed the Tribes to intervene in the case, accepting their argument that they should have been informed about the original FPC hearings in 1973, although it did not deem this sufficient reason to re-open the hearings for the application.

The Skagit River tribes had no illusions that they would be able to stop the High Ross Dam. As Busch explains, "We were three and a half years late on the Skagit. We had to take the record as we found it. ...It was a complicated case. When you look at it, on a holistic or any point of view, it was a law case, because [FERC] hadn't complied with NEPA right, they hadn't complied with anything right. They were getting away with it. They used to get away with things a lot. FERC ... was an enormous advocate of hydropower. ...The way you dealt with FERC was [to make] a deal."¹⁰⁴ Instead, the tribes wanted to establish their right to be involved in downstream flow management. The tribes' lawyers made the argument that at the very least, approval of the High Ross Dam needed to be suspended until after the licence for the original Ross Dam was renewed, which expired in 1977. They also argued that the application for the High Ross Dam was in violation of the National Environmental Policy Act, because the environmental impact statement for the dam, which the FPC conducted in 1973, did not properly consider the downstream impact of an altered flow regime.¹⁰⁵

FERC denied the validity of such an argument and ultimately denied the Tribes' requests to dismiss or re-open its approval of the High Ross Dam. "In our opinion this project is needed and should be built. To delay issuing an amendment of license now, in our opinion, would be contrary to the public interest. That is not to say that ... the Tribes do not raise substantial points

¹⁰³ Attorneys for Swinomish Tribal Community, Upper Skagit Tribe and Sauk-Suiattle Tribe, "Before the Federal Power Commission," (September 1976), 9, STCA.

¹⁰⁴ Busch interview.

¹⁰⁵ Swinomish Tribal Community et al. "Motion to Dismiss Application to Amend License for Skagit River Ross Development," 9 March 1978, file 23, box 6, 1732-5, N3C Collection.

with respect to a higher rate of flow below the Gorge Dam, but it is clear that increasing the height of the Ross Dam will not affect the flow regime.”¹⁰⁶

A similar result occurred with the Ninth Circuit Court of Appeals. The Tribes again argued that the High Ross Dam approval should be dismissed, adding the argument that, at the request of the SSC, the Secretary of the Interior had established a flow regime for the High Ross Dam, but that this had not been added to the amended licence approving the project. The Tribes also argued that their fishing rights should have been added as a “reservation” on the High Ross Dam, as per the Boldt Decision.¹⁰⁷

The Court of Appeals, though, in a two-to-one decision, denied the Tribes’ and environmental activists’ appeal of the FPC decision. In the written decision, Judge Pratt dismissed out of hand the arguments of Vancouver activists, that the FPC/FERC decision to approve the High Ross Dam contravened NEPA because it did not conduct a sufficient environmental impact assessment in Canada, and of their Seattle counterparts, that the FPC/FERC had not adequately considered alternate power sources and had violated the Wild and Scenic Rivers Act by not considering the dam’s downstream impact. He found the Tribes’ arguments more compelling, and agreed that Seattle had failed to consult the Swinomish, Sauk-Suiattle, and Upper Skagit Tribes regarding the downstream impact of the dam. Ultimately, though, the majority of the three justices decided that concerns with downstream flows were something that could be dealt with later, “in the interests of judicial economy,” and did not constitute enough of a reason to halt the project altogether.¹⁰⁸

Thus, as they had been since the project was first proposed by J.D. Ross in 1927, the rights of indigenous groups were largely passed over. Although both FERC and the Court of Appeals acknowledged that indigenous communities had a right to a healthy downstream fishery and admonished Seattle for not consulting with the Swinomish, Sauk-Suiattle, and Upper Skagit, both ultimately upheld decisions to delay addressing such concerns until later.

Similar to the Canadian and American intervenors, the Tribes did not really believe they would stop the High Ross Dam. Rather, their actions were meant to put Seattle on notice that it

¹⁰⁶ Federal Energy Regulatory Commission, “Opinion and Order Denying Rehearing and Denying Reopening,” 2 Aug. 1978, 14, file 23, box 6, 1732-5, N3C.

¹⁰⁷ “Brief for the Swinomish Tribal Community et. al.” *Swinomish Tribal Community, et. al., North Cascades Conservation Council, et al., R.O.S.S. Committee et al., Petitioners v. Federal Energy Regulatory Commission, Respondent, City of Seattle et al., Intervenor* (21 Feb. 1979), file 2, box 7, 1732-5, N3C Collection.

¹⁰⁸ “Pratt, District Judge,” United States Court of Appeals for the District of Columbia Circuit, *Swinomish Tribal Community, et. al., v. FERC et. al.* 20 June 1980, 20, file 6, box 7, 1732-5, N3C Collection.

would have to consult with indigenous groups in the future. Seattle did not miss this cue. The dissenting judge in the Court of Appeals decision, Judge Patricia Wald, had written that she did not agree with separating the downstream impact of the High Ross Dam from its approval, and hinted that such “piecemeal decision-making” might not hold up if the case were brought before the United States Supreme Court.¹⁰⁹ Russell Busch has argued that the possibility of an appeal to the Supreme Court was part of the reason Seattle was later willing to negotiate with British Columbia. When Seattle applied to renew its licence for the Skagit Hydroelectric Project in the late 1980s, it was proactive and invited the Swinomish, Sauk-Suiattle, and Upper Skagit in Washington and the Nlaka’pamux and Stó:lō in British Columbia to the table. This relicencing process, though, is a topic for another study.¹¹⁰

Conclusion

The volatile politics of the High Ross Dam meant that it behooved politicians to be both against the project and to do nothing about stopping it, at least not while there was a chance that the regulatory process in the United States would cancel the dam. In fact, the spatial configuration of the Skagit Valley made such decisions easy, since politicians could commit to saving the valley and then hide behind the many different lines of jurisdiction and regulatory processes that the presence of so many territorial borders made possible. Those in a position to do something about the dam elected to commit symbolic actions instead, such as creating a park in the valley, holding environmental hearings, or even funding environmental groups to participate in the U.S. regulatory process. The creation of environmental politics in the 1970s, then, rather than always working in the favour of environmental activists, could also frustrate them, as politicians elected to delay and defer action while also cashing in on the credit that supporting environmental causes often entailed. The reason the High Ross Dam became one of the longest-running environmental controversies between Canada and the United States was because, in many respects, politicians involved in the dispute wanted it this way.

As long as there was a chance British Columbia would not have to settle with Seattle its politicians refused to negotiate. Conversely, no American politician, commissioner, or judge would find against the dam either, since none of them wanted to play into British Columbia’s

¹⁰⁹ “Wald, *Circuit Judge*, dissenting,” United States Court of Appeals for the District of Columbia Circuit, *Swinomish Tribal Community, et. al., v. FERC et. al.* 20 June 1980, 1, file 6, box 7, 1732-5, N3C Collection.

¹¹⁰ Busch interview.

tactics. All that could be done was to continue with the regulatory process until there was finally no other option but to negotiate or raise the dam. As Farquharson has reflected: “Seattle’s technique was just to role on through the grind of the U.S. regulatory process. So we played a part, together with the North Cascades Conservation Council [and indigenous groups], in dragging out that process, through bringing in witnesses, through appeals and so forth. And, looking back on it again, that delaying was important, because it finally spun out to the point where the province and the IJC were ultimately at the point where a solution had to be found.”¹¹¹

Such political choices meant a great deal of time and money had to be spent by everyone involved in the controversy in order to get to the point where government officials in Seattle and British Columbia would finally negotiate with each other. The many scales of authority and lines of jurisdiction that intersected the Skagit Valley and that allowed environmental activists to create an international controversy out of raising the Ross Dam also meant there was more room for delay and deferment tactics by those in a position to make a decision about the dam.

Another layer of jurisdiction was added very late in the 1970s when indigenous groups joined the campaign against the dam, adding their own legal appeal in an effort to put Seattle on notice that the city could no longer ignore indigenous treaty rights to downstream fisheries. This complicated the regulatory process still further, although it ultimately did not result in a legal victory for activists. So many lines of jurisdiction allowed the judicial system in the United States to divide the impact of the dam up, finding none sufficient on its own merit to cancel the project.

In the end, environmental politics from the late 1960s to the early 1980s over the High Ross Dam operated in a similar fashion to the politics of cross-border development that had played out in the four decades before. Both environmental activists and SCL officials wanted a quick resolution to the controversy over the High Ross Dam, but those politicians with the power to do something about the project preferred to delay. In fact, the very government institutions set up in response to such political disputes – the IJC in the era of development and the many departments of environment and legal statutes created by environmental pressure – could also stymie efforts to make decisions about land use, both for development and for preservation. There is thus an irony to the fact that such modern liberal government institutions, which were set up to facilitate land use decisions, actually prevented any action from being taken at all.

¹¹¹ Farquharson interview, 3 March 2010.

Indeed, an entirely new liberal compact would have to be made, and another institution invented, before High Ross Dam controversy would officially end.

Chapter 5

“A Paper Dam”: Environmental Modernism, Liberal Compromise, and the Skagit River Treaty

In 1983 Seattle’s deputy mayor, Bob Royer, and the secretary of the U.S. section of the IJC, David Laroche, paid a visit to U.S. Secretary of Energy Donald Hodel. They meant to convince Hodel, and by extension Ronald Reagan’s administration, to support a deal Seattle had made with British Columbia to cancel raising the Ross Dam in exchange for cross-border power sales from B.C. There was reason to be worried that Hodel would not approve. As Laroche explains, Royer was “as liberal a Democrat as you’d ever come across” and Hodel was “a right wing Republican ... who had been the former CEO of the BPA [Bonneville Power Authority], whose lines we had to use to wheel the power from B.C. to Seattle.” Even worse, Hodel had been a vocal proponent of the High Ross Dam when he headed the BPA, arguing that too much had been invested in the project to cancel it.

As Royer and Laroche explained to Hodel, however, the power that Seattle would receive from British Columbia was the same amount that raising the Ross Dam would produce, and for a similar cost – far less than could be purchased from the BPA. Since the politics of Canadian-U.S. relations would not allow Seattle to flood across the border in the Skagit Valley, this was the best possible alternative. After a few moments of “stony silence,” Hodel nodded. “I get it,” he said. “It’s a paper dam. I can sign off on that.”¹

The metaphor stuck and the 1984 Skagit River Treaty that the British Columbia-Seattle agreement turned into has been referred to as “a paper dam” ever since.² And for good reason, since it basically entailed building the High Ross Dam on paper rather than in reality. Seattle

¹ David Laroche interview with author, 19 July 2010.

² Donald K. Alper, “Transboundary Environmental Relations in British Columbia and the Pacific Northwest,” *The American Review of Canadian Studies*, 27 (Fall 1997): 359 – 383; Jacqueline Krolopp Kirn and Marion Marts, “The Skagit-High Ross Controversy: Negotiation and Settlement” *Natural Resources Journal* 26 (Spring 1986), 261-289; A.M. Swartz, “The Paper Dam: The Role of the USA Canada International Joint Commission in the Resolution of the Skagit River – High Ross Dam Controversy” *Environmental Professional* 8 (1986): 237-243; Donald K. Alper and Robert Monahan, “Regional Tranboundary Negotiations Leading to the Skagit River Treaty: Analysis and Future Application,” *Canadian Public Policy*, 12 (March 1986): 163 – 74; John A. Gibson, “The Evolution of the High Ross Dam Settlement,” *Northwest Environmental Journal*, 1, 2 (1985): 2 – 18.

receives its power and the Upper Skagit Valley remains unflooded – an apparent “win-win” situation.

The problem with the metaphor, though, is that it obscures what the solution to the High Ross Dam controversy actually entailed. Implying that the treaty operates as a paper dam that substitutes for a real one makes it seem like the dispute was resolved, miraculously, without any compromise and without any environmental impact. There was a cost to saving the Upper Skagit Valley, and it was more than the paper used to negotiate the Skagit River Treaty. The power that British Columbia supplied came from raising the Seven Mile Dam on the cross-border Pend d'Oreille River instead, which, ironically, required flooding into Washington State. It also required committing surplus power from the Revelstoke and Mica dams on the Columbia River to Seattle until 2066. The Skagit Valley was saved because other valleys in the province were not – a choice that was made enthusiastically by both environmentalists and industry advocates alike.

The paper dam solution to the High Ross Dam controversy did not stop or even slow down development in the Canadian or U.S. Pacific west, nor was it meant to. Rather, it incorporated environmental factors into the development process, a type of planning that I have labelled elsewhere as environmental modernism.³ The environmental movement of the late 1960s and 1970s had a profound impact on how subsequent development has been planned, implemented, and perceived, not only amongst its detractors but its promoters as well. Planners, politicians, and environmentalists alike sought ways to develop in a more environmentally acceptable fashion, a movement that culminated, globally, with the UN's World Commission on Development and the Environment in 1984 and its ensuing Brundtland Report on sustainable development in 1987.⁴

This change in development practice was one of degree rather than of kind. Similar to the high modernism behind the development mentality of hydro promoters like J. D. Ross, the ideology behind the Skagit River Treaty was still fundamentally modern: those involved in the treaty-making process believed very much in top-down, rational decision-making informed by the opinions of trained experts. The environmental impact of the dam was factored into the process, but the question of whether to develop new sources of power at all was not part of the

³ Philip Van Huizen, “Building a Green Dam: Environmental Modernism and the Canadian-American Libby Dam Project,” *Pacific Historical Review* 79, 3 (2010): 418 – 453.

⁴ Hajer, *Politics of Environmental Discourse*; Bernstein, *The Compromise of Liberal Environmentalism*; Adams, *Green Development*; Chatterjee and Finger, *The Earth Brokers*; Dodds, Strauss, and Strong, *Only One Earth*.

equation. Calculating the value of this power and finding a politically acceptable source as a replacement was at the heart of negotiations.

Under the direction of the IJC, politicians, environmentalists, and dam planners alike came up with a type of liberal environmentalist compromise, to borrow Steven Bernstein's term, that solved the tension between the politics of place and different notions of modernity that had created and prolonged the High Ross Dam controversy. Unlike Bernstein's argument that the global environmental movement formed a compromise with free market capitalism in its drive to institute sustainable development policies, the Skagit River Treaty was a compromise over individual rights to public lands in Canada and the United States. The rights of individuals, however the concept is defined, to liberty, equality, and property lie at the heart of the so-called liberal order framework that forms the very core of government in North America and many other parts of the world.⁵ The Skagit River Treaty, and the environmental movement of which it was a part, added to the hegemony of this framework, rather than challenging it. The treaty functioned on the assumption that Seattle would receive its power and the Upper Skagit would remain dam-free, which meant that somewhere else would have to be flooded instead. How government officials, diplomats, and politicians negotiated this compromise over regulating individual rights to nature along the Canadian-U.S. border was unique in its use of certain institutions like the IJC, but was otherwise still liberal and modern in its workings and thus did not signify any great transformation within the politics of modernity and place.

Stressing the key role that such liberal compromises over development plans played in resolving environmental controversy is not how such stories are usually told. Scholars tend to privilege the perspective of environmentalists, who in turn tend to judge the success of environmental campaigns in a rather black and white fashion. Development is either stopped or it is not, wilderness is preserved or it is not. Compromise, when it is acknowledged, is often interpreted as "selling out" or it is simply ignored. The battle over the Hetch Hetchy Valley, for example, has long been interpreted as a loss for environmentalists (rather than a win for public power advocates) because, not only was the dam built, conservationists like Gifford Pinchot advocated for it. Stopping plans for the Echo Park Dam in Dinosaur National Monument, on the other hand, has been hailed as one of the wilderness movement's biggest success stories. Generally ignored, however, is the fact that the Wilderness Society's Howard Zahniser and the

⁵ McKay, "The Liberal Order Framework"; Constant and Ducharme, eds., *Liberalism and Hegemony*.

Sierra Club's David Brower compromised with congressional leaders, agreeing not to protest the much larger Glen Canyon Dam in exchange.⁶

The Skagit River Treaty functions as a similar example of liberal environmental compromise in three ways. First, the role of top-down decision making was essential in crafting a solution to the dilemma between the politics of place and notions of modernity. The IJC was integral to this aspect of the treaty's creation, exercising its bi-national authority to force Seattle and British Columbia back into negotiations and also providing non-biased technical expertise and data. The second way is of course the content of the treaty itself, wherein the IJC-assembled negotiating team found a way to produce the power that Seattle needed by displacing the environmental impact to other valleys in British Columbia that were not nearly as controversial and required less land to be flooded. Third, liberal arguments about the necessity of compromise were used to navigate the politics of both development and the environment, where certain aspects of the treaty were emphasized over others in order to placate the different stakeholders involved in the controversy.

Asserting Authority: The IJC and the Power of a Bluff

When representatives from the U.S., Canadian, Seattle, and British Columbia governments met in the Washington D.C. offices of the IJC on March 10, 1982 most expected another round of pseudo-negotiations that circled around intractable issues between Seattle and British Columbia over raising or not raising the Ross Dam. This was how every attempt at negotiations between the two parties had gone since 1975 and no one really thought things would change any time soon. "It was always thought of as a kind of a tar baby issue," Seattle's deputy Mayor Bob Royer has explained. "You know, this is one of those insolvable problems that's sixty years old.... And it's just not gonna get solved, you're gonna get dirty trying to solve it."⁷

IJC commissioner Keith Bulen's opening speech, however, seemed to indicate a different outcome this time around. "The Commission," Bulen pointed out,

⁶ Roderick Nash's *Wilderness and the American Mind* is probably the most famous example of this interpretation of these two dam controversies. For the influence of his opinion, see also Mark Reisner, *Cadillac Desert*; Phillip Shabecoff, *Fierce Green Fire*; Stephen Fox, *John Muir and His Legacy: The American Conservation Movement* (Boston: Little Brown, 1981). For more nuanced approaches see Harvey, *A Symbol of Wilderness* and, especially, Righter, *The Battle Over Hetch Hetchy*. The question of scale and compromise, however, does not come up in either of these works.

⁷ Interview with Bob Royer, 8 May 2003, in Liebow, Bixler and Bresow, "Skagit Oral History Project Phase I: Final Report," 94.

has in effect served to insulate the parties from the predictable and adverse consequences of flooding one's neighbor against his will or, correspondingly, the spectacle of a popularly elected government willfully abrogating its most precious moral commodity – its word. ...If either of you decide there is no possible resolution of your differences you can devise and accept, we will rule...not as Americans, not as Canadians, but in the best interest of both our countries, and no one in this room can predict that outcome.⁸

The IJC commissioners then left so that British Columbia and Seattle representatives could mull things over. “Stunned silence” ensued, until someone exclaimed: “These people are crazy!”⁹

The IJC's threat to force a solution on British Columbia and Seattle was effective. Within two years both sides had finally agreed on a compensation package in return for not raising the Ross Dam, and Canada and the United States had committed to backing up the Seattle-British Columbia agreement by signing the Skagit River Treaty. When considered in relation to how long the issue had dragged on, the speed and manner in which the High Ross Dam controversy came to an end is remarkable. Prior to treaty negotiations, Seattle and British Columbia representatives had often waited years before meeting and had always rejected each other's proposals, preferring to wait the regulatory process out instead. Provincial and federal governments in Canada continually claimed it was the other's responsibility to prevent the Ross Reservoir from flooding into British Columbia. The U.S. federal government did not seem to care what happened as long as British Columbia did not illegally cancel its agreement with Seattle. Even the IJC, which had been created in 1909 to avoid just the sort of dispute the High Ross Dam had created, had done more to exacerbate problems over the Skagit Valley than to solve them.

By 1982, however, the IJC was suddenly willing to take a more aggressive role in resolving the High Ross Dam controversy. Its threat to settle the issue in a way that neither side would be happy with forced Seattle and British Columbia back into negotiations. On top of this, it laid out a one-year timeline within which a deal had to be reached, conducted a study that served as a baseline for the technical issues that Seattle and British Columbia could not agree on, and oversaw each round of negotiations between the two sides from 1982 to 1983 in order to maintain momentum. In the end, the IJC functioned in exactly the way it was intended: It took

⁸ L. Keith Bulen, “Statement of the International Joint Commission,” March 10, 1982. General Memoranda, Volume Two, box 56, Docket 46, IJCA.

⁹ Laroche interview.

the politics that had stalemated the High Ross Dam controversy out of the equation, enabling a plan for development to be put together that was acceptable to politicians, power managers, and environmentalists alike. It took on the role of a neutral power figure that it had been unwilling or unable to take on previously, operating according to the liberal and modernist ideals on which the Boundary Waters Treaty had been fashioned in the first place.

IJC commissioners chose to be so aggressive in resolving the High Ross Dam controversy after so many years of inactivity for two reasons. First, activists successfully pressured the commission to help solve the seemingly intractable issue. The impetus behind such pressure was provided by British Columbia's 1980 application to the IJC to have it cancel its 1942 approval of the High Ross Dam. As mentioned last chapter, the NDP government had made such an application in 1974, but the IJC had dismissed it without prejudice in 1977 after the subsequent Social Credit government declined to pursue the issue.¹⁰ In August 1980, after the U.S. Court of Appeals upheld Seattle's right to raise the dam, British Columbia's minister of the environment, Stephen Rogers, informed Seattle Mayor Charles Royer that the province would again take "the only course of action remaining," and resubmit its application to the IJC to annul the 1942 Order of Approval. Echoing the arguments made by John Fraser before the IJC during the 1971 ecology hearings, the province argued that it should not be beholden to an order that had been issued during wartime four decades previously, particularly since no consideration had been made for the dam's environmental impact. On October 25, 1980 the IJC ruled that it would officially consider British Columbia's application and asked for government and public input.¹¹

Activists in Vancouver and Seattle jumped at the final opportunity that the IJC's request for input seemed to represent. In a repeat of the intense attention that N3C and the ROSS Committee had been able to direct on the High Ross Dam issue in the early 1970s, Farquharson and Goldsworthy enlisted the help of member organizations as well as others who had supported them in the past. By the fall of 1981, the IJC had received more than 500 protest letters from municipalities, labour organizations, churches, environmental groups, residents, and politicians

¹⁰ Province of British Columbia, "Request in the Application: International Joint Commission In the Matter of the Application of the City of Seattle," 25 June 1974, Correspondence vol. 1, box 52; Robert Williams, British Columbia Minister of Lands, Forests, and Water Resources to Professor Maxwell Cohen, Chairman, Canadian Section, International Joint Commission, 3 April 1974, General Correspondence vol. 3, box 54; D. G. Chance, secretary, Canadian section, IJC to B. E. Marr, B.C. Deputy Minister of the Environment, 24 March 1977, vol. 1, box 52. All material in Docket 46.

¹¹ Stephen Rogers to Charles Royer, 13 August 1980; D. G. Chance to Mark MacGuigan, Secretary of State for External Affairs, 31 Oct. 1980. Both letters in Correspondence vol. 5 part 1, box 54, Docket 46.

from British Columbia and Washington State.¹² Vancouver, Victoria, and Seattle newspapers began to run regular stories on the Skagit again, joined on occasion by national media outlets like the *Globe and Mail* and the *New York Times*, although mostly in mock surprise that the issue still existed and that Seattle and Vancouver could not figure a way out of it.¹³ In December 1981, Canada's national news documentary program *The Fifth Estate* produced an episode on the Skagit issue and even arranged a private showing for the IJC.¹⁴

Once again, activists and their tens of thousands of supporters in Canada and the U.S. were difficult to ignore. There is evidence that a number of people within the IJC, particularly on the Canadian side, even sided with British Columbia's application. M. W. Thompson, a legal advisor to the Canadian section, wrote in a memo in 1981 that it was unfortunate that previous IJC commissioners had allowed the High Ross Dam project to go ahead. "The above problem goes back to the conduct of the IJC Commissioners forty years ago in disposing of the Application of the City of Seattle," he argued.

In dealing with water, particularly water flowing from one country to another or shared by two countries, the short-term expedient solution may prove to be disastrous. It has been said that the Skagit Order was written primarily by the then Chief Engineer of the FPC [U.S. IJC Commissioner Roger McWhorter]. Nevertheless, it was approved by his colleagues, all lawyers. The 1967 British Columbia-Seattle Agreement was unfortunate. Hindsight minimizes errors in judgment but the reputation of this body is based on sound judgment and valued advice recognizing the value of water and using foresight, a gift not possessed by all."¹⁵

Despite such negative views about the nature of past IJC decisions and as much as certain members of the commission may have sympathized with activist and provincial arguments, no one within the IJC actually thought that the order should be rescinded. At most the IJC would reopen the matter and hearings would once again take place. Even this, though, would be a stretch. As both the Canadian and American legal advisors to the IJC, J. L. MacCallum and J. G.

¹² IJC, "Ross Dam-Skagit River," no date, 4-6-1-1, box 56, Docket 46. For a sample of these letters, see file 2, box 1, ROSS Committee Collection, UBCA; and files 1 – 3, box 52, Docket 46.

¹³ For the overwhelming amount of media stories on the High Ross Dam in the 1980s, see the Newspaper Clipping files, parts one and two, in box 56, Docket 46.

¹⁴ Walter A. Sargent, IJC information officer, to Louise Maheux, parliamentary liaison officer, CBC, 14 January 1982. Correspondence vol. 5 part 1, box 54, Docket 46.

¹⁵ M. W. Thompson, "Memo: Electrical Energy Alternatives in Lieu of High Ross Dam," 27 Nov 1981, 3. File 46-5-1-1 vol. 1, box 56, Docket 46.

Chandler, had counseled as early as 1974, “a subnational government should not be allowed to challenge an IJC ruling, only a national government should have the power to do so,” and IJC legal advisors reiterated this in 1981. As they argued, because the province had accepted the Order for over thirty years, passed the Skagit Valley Lands Act in 1947, and signed a series of agreements, “British Columbia should now be precluded from claiming that the Order of Approval is not valid and proper.”¹⁶

And so things might have stayed if not for the second reason the IJC decided to become so much more aggressive in solving the High Ross Dam issue. By the fall of 1981 the commission had undergone a complete makeover; the American section had replaced all three of its commissioners and the Canadian section had replaced two. As a result, in the early 1980s the IJC found itself with five new commissioners and in search of an identity. This new commission decided it wanted to be more creative with the jurisdictional powers of the IJC and chose the High Ross Dam controversy to experiment with.¹⁷

Ronald Reagan’s administration is infamous for its “anti-environmental revolution,” part of a “green backlash” against environmentalism that defined much of the early 1980s, so it is rather surprising that one of the principal forces behind solving the High Ross Dam controversy, IJC commissioner Keith Bulen, came from Reagan’s inner circle.¹⁸ As the coordinator for the northeast states, Bulen had been a key part of Reagan’s 1980 election campaign. After the election he became the deputy director of Reagan’s transition team, responsible for recommending the many political appointees that the new administration made over the course of 1981 after it dismissed virtually every government appointee of the previous administration. Every U.S. IJC commissioner, for example, had been dismissed, and Bulen chose one of the

¹⁶ J. L. McCallum and J. G. Chandler, “IJC Jurisdiction re Docket 46,” Nov 7, 1974, 5. See also, S. Wex, “Memo to File: Meeting with Jim Chandler, Sept. 16/81 to Discuss Skagit Procedures,” 18 Sept 1981. Both files in General Memoranda, Volume Two, box 56, Docket 46.

¹⁷ Laroche interview; Geoffrey Thornburn interview with author, 2 June 2010.

¹⁸ Byron W. Daynes and Glen Sussman, *White House Politics and the Environment: Franklin D. Roosevelt to George W. Bush* (College Station: Texas A&M University Press, 2010): 174 – 188; Jacqueline Vaughn, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder: Lynne Rienner Pub., 1997), 186 – 187; Hays, *Beauty, Health, and Permanence*, 491 – 526; Michael E. Kraft and Norman J. Vig, “Environmental Policy in the Reagan Presidency,” *Political Science Quarterly* 99, 3 (1984): 415 – 439; Jonathan Lash, Katherine Gilman, and David Sheridan, *A Season of Spoils: The Reagan Administration’s Attack on the Environment* (New York: Pantheon Books, 1984).

empty commissioner slots for himself, even though he could have “named his position in the administration.”¹⁹ As the American secretary of the IJC at the time, David Laroche, explains it:

He really wanted to make a difference in people’s lives and always looked to be able to work on an issue or issues that were bigger than life. He had a very high opinion of his skills and himself, in a good way, and really had an ability to draw out the best in other people.... Very unusual for a Republican political appointee. [He] brought to the commission something that I have now...come to believe is an essential ingredient for a really effective IJC commissioner: he had a combination of access to the most senior people in the administration, but he himself no longer had any political aspirations.²⁰

By coincidence, two of the IJC commissioners in the Canadian section had retired in January 1981 as well, including its chair, Stuart Hodgson. The remaining commissioner, Richmond Olson, a lawyer and Queen’s Counsel, was named interim Canadian chair, and was thus in a similar position as Bulen to shape the direction of the Canadian section of the IJC. According to IJC economic advisor Geoffrey Thornburn, Olson matched Bulen’s force of character with a similarly strong one of his own. He was “a very intellectual, social activist type,” but also “a tyrant, and whimsical, capricious,” and “certainly the dominant commissioner on the Canadian side.” Leaning to the political left, Olsen should have had problems dealing with the vocally conservative Bulen. By all accounts, however, the two commissioners made a very effective team and marked a particularly active period in the history of the IJC.²¹ For the High Ross Dam controversy it was enough that they were willing to stretch the bounds of the commission’s authority to force British Columbia and Seattle back into negotiations.

Although the IJC did not really intend to overturn the 1942 Order, its commissioners resolved to find a way to finally try and end the dispute between British Columbia and Seattle. Bulen and Olson liked the challenge that the High Ross Dam represented, the attention that it was garnering in the press, and the prospect of using the IJC’s authority in a manner that had not been done before. Bulen’s interest in the Skagit issue, for example, came from a conversation with David Laroche, shortly after Bulen joined the commission in the fall of 1981. “You know,” Bulen said to Laroche, “all this stuff with the St. Lawrence and the Great Lakes, it’s all fine and

¹⁹ Laroche interview.

²⁰ Laroche interview. For more on Bulen’s time in the IJC see Stanley A. Huseland, *Political Warrior: The Life and Times of L. Keith Bulen* (Carmel, Ind.: Hawthorne Pub., 2006), 305 – 317.

²¹ Thornburn interview; Laroche interview.

good, is there anything that we could do that would be really special? That has been hanging around for a while, that would be a real tough nut to crack? That we could really engage and we could really feel that we had done something at the end of the day?” Laroche, who had been dealing with submissions concerning the Skagit Valley from activists and governments alike for the past year, replied, “Well, as a matter of fact, there is this issue of the High Ross Dam that has been hanging around the commission since 1942.”²²

Olson and Bulen decided that the best way to move forward with the British Columbia request was to provide definitive timelines for Seattle and British Columbia to work within, a neutral-party technical study to solve issues the two sides were stuck on, and to back these up with threats of action by the IJC. On October 10, 1981, the IJC sent out a procedural “minute” informing British Columbia and Seattle that it would settle British Columbia’s request by April 2, 1982.²³ The commissioners then travelled to British Columbia and Washington, ostensibly to tour the Skagit area, but in reality to speak informally with both governments about the IJC’s upcoming plans. In Victoria, Olson told Minister of the Environment Stephen Rogers that they hoped Seattle and British Columbia would be able to return to the negotiating table and that the IJC would help by providing expertise. Olson then stated point blank that, if forced to rule on the matter, the IJC would side with Seattle.

In Seattle, U.S. IJC commissioners made the opposite threat, informing Seattle officials that if the city did not negotiate a new deal with the province the IJC would cancel the Order of Approval.²⁴ Mayor Charles Royer was particularly surprised by Bulen’s threat. He had assumed, given Bulen’s connection with the Reagan administration, that the U.S. section of the IJC would back Seattle’s right to build the High Ross Dam. “The new administration,” however, noted Royer after the meeting, was “caught up in U.S./Canada politics,” particularly “acid rain problems.” There was thus a “strong signal from U.S. membership [of the IJC] for a no-build policy and negotiated settlement.”²⁵

By February 1982 the IJC had arranged for the former presidents of Ontario Hydro and the Power Authority of the State of New York (PASNY), Douglas Gordon and George Berry, to

²² Laroche interview.

²³ International Joint Commission, “Minute,” 10 Oct. 1981, 46-5-1-1, box 56, Docket 46.

²⁴ A summary of this informal meeting can be found in International Joint Commission to Seattle and B.C. Governments, 29 Dec. 1981, 46-5-1-1, box 56, Docket 46, IJCA; See also Jackie Krolopp Kirn and Marion E. Marts, “The Skagit-High Ross Controversy: Negotiation and Settlement,” *Natural Resources Journal* 26 (Spring, 1986), 270.

²⁵ Robert Royer notes, no date, file 16, box 5, 5274-10, Charles Royer Collection, SMA.

conduct an independent study of the dispute and come up with the technical parameters for a possible settlement.²⁶ The IJC then arranged to have Seattle, British Columbia, Canadian, and U.S. representatives meet in Washington D. C. on March 10, 1982, where the IJC reiterated its threat to solve the High Ross Dam controversy, as described at the beginning of this section. It then laid out a plan for an aggressive negotiating schedule for the next year, during which a small group of appointed representatives were to hammer out a deal over the Skagit in order to avoid an imposed one by the IJC. The IJC also assigned Thornburn and Laroche to monitor discussions. As Olson explained, the commission would take into consideration the “behaviour of the province and the City of Seattle if it had to force a solution on the issue.”²⁷

A “Forward Looking” Agreement

On July 7, 1982, the IJC’s Joint Consultative Group on the Skagit, consisting of members from every level of government involved as well as engineers and economists from SCL and B.C. Hydro, held its first official meeting. As Olson outlined to the group, the next year would be a critical one for Seattle and British Columbia: “A genuine, forward-looking commitment is in order. One recognizing that neither party will likely achieve their individual wishes, but, in the binational context and over the long-term, all parties will benefit. While this may not be immediately clear in the narrow context – it is certainly true in the broader context.”²⁸

Creating a “forward-looking” agreement meant finding a solution to the High Ross Dam controversy that did not create a new set of problems between Canada and the United States. In British Columbia, as Rogers explained at the first meeting, “about the only thing politicians could agree on is that the [Skagit] Valley should not be flooded.” Seattle, though, as Mayor Charles Royer made clear, insisted on being “made whole” and receiving the power to which it had a legal right.²⁹ A new agreement thus hinged on both development and preservation: it required an alternative power source that would provide Seattle with the long-term power that

²⁶ Laroche to George Berry, 22 Feb. 1982; Chance to Douglas Gordon, 19 Feb. 1982, both letters in File 46-3-1-1 vol. 5 part 2, box 54, Docket 46, IJCA. See also Douglas J. Gordon and George T. Berry, “Report to the International Joint Commission re: Ross Dam,” (Ottawa and Washington D.C.: International Joint Commission, 2 April 1982).

²⁷ Richmond Olson, “Opening Statement of Commissioners Bulen and Olson,” IJC Joint Consultative Group on the Skagit, First Meeting, July 7, 1982, 2. File 46-4-9-1 vol. 1, box 55, Docket 46.

²⁸ Olson, “Opening Statement of Commissioners Bulen and Olson,” 2.

²⁹ IJC, “Notes of Executive Meeting, Washington, D. C., March 10 – 11, 1982 to Consider the Skagit/Ross Dam Question,” 5, 46-5-1-1 vol. II, box 56, Docket 46.

raising the Ross Dam would have produced but with an environmental impact that activists based mostly in Vancouver and Seattle would not object to.

Finding such a power source might have been impossible if not for the fact that the British Columbia government was in charge of producing electricity for the province. W. A. C. Bennett's Social Credit government had nationalized the bulk of the province's power utilities in 1961, creating the British Columbia Hydro and Power Authority (BC Hydro) in order to overcome the reluctance of private utilities to simultaneously develop the Peace and Columbia River Basins.³⁰ With the government responsible for power production in British Columbia, those experts involved in assessing available power options could take the entire province into account, greatly expanding the scale at which a solution for the High Ross Dam could be found.

Approaching the problem from a regional scale provided more leeway in terms of controlling how the impact of any solution over the High Ross Dam would be assessed. As Tina Loo has shown, determining the costs and benefits of large dams has depended very much on who is doing the measuring and the spatial and temporal scales at which this is framed.³¹ Using British Columbia's much larger power pool as an alternative source for Seattle meant the impact of a new agreement could be displaced to multiple places rather than just the Skagit Valley. It also meant that sources for power that required new construction could be sited further away from Vancouver and Seattle than the Skagit Valley, which would lessen the potential for criticism from environmentalist circles. Using British Columbia's power pool to substitute for the High Ross Dam had been suggested on and off by various engineers, provincial negotiators, and environmental activists throughout the 1970s. In fact, Vancouver environmentalists had been some of the most vocal advocates of selling Seattle power from other sources in British Columbia in exchange for leaving the Skagit Valley the way it was.

By far the most influential environmental activist in this regard was ROSS Committee chair and civil engineer Ken Farquharson. Beginning in 1972, when the NDP came to power, Farquharson managed to establish a regular line of communication with government officials responsible for provincial policy regarding the High Ross Dam. As Norm Pearson, secretary of the province's Environment and Land Use Committee under the NDP, explains: "Ken [Farquharson] had this absolutely fascinating ability to bring people from all persuasions,

³⁰ For more on the creation of BC Hydro see Meg Stanley, *Voices From Two Rivers: Harnessing the Power of the Peace and Columbia*

³¹ Loo, "Disturbing the Peace."

political or otherwise, into the fold and let them understand the circumstances involved. ...there were people that I couldn't talk to but Ken could, and then we would compare notes around the back door, so to speak.”³² As explained last chapter, Farquharson's influential role on government policy regarding the High Ross Dam controversy continued with Bill Bennett's Social Credit government after 1975. Farquharson and deputy minister Ben Marr kept in regular communication and developed a certain amount of trust as a result. As Marr puts it: “Ken Farquharson was a conscience of the Skagit and in a very positive way, not a negative way, trying to find a way out of this particular dilemma. ...I think one of the things that was very good about the ROSS group was they trusted negotiations. They really trusted in negotiations. Because when they made suggestions, they could see these suggestions being built into the system. And we kept them informed as to what we were doing.”³³

The fact that Farquharson was an environmentalist and a civil engineer who had worked on dams meant that he was in a unique position to talk to both sides in a way that most would listen to. “A lot of the people in the environmental field thought that I sort of totally sold out because I was still assisting people like Hydro,” Farquharson has admitted. “But my perspective on that is that I knew the questions to ask better than the biologists and could actually get closer to the truth of where we were trying to go on the technical side of things from dealing with the Hydro people than they could ever do. ...The environmentalists thought that everybody should be a biologist or an agrologist or a forester or some such.”³⁴

Farquharson's unique position in Canadian environmentalist circles had a direct influence on the negotiated settlement for the High Ross Dam controversy. The very idea of raising the Seven Mile Dam to compensate Seattle – the backbone of the Skagit River Treaty – was first brought to the British Columbia government's attention by Farquharson. As he explains:

Hydro had decided it was going to built this dam at Seven Mile, on the Pend d'Oreille River, and this was a sort of reverse situation from the Skagit in the sense that you are going to build a dam in Canada with the potential to flood across the border, and low and behold what prevents you from raising it further is Seattle [City Light]'s Boundary Dam. There was about, [a fifteen-foot] increment of height, of head you could achieve by flooding back, right to the toe of that dam. Well, Hydro was sort of playing around in

³² Norm Pearson interview, “Skagit Oral History Project Phase II,” 29.

³³ Marr interview, “Skagit Oral History Project Phase I,” 54 – 55, 58.

³⁴ Farquharson Interview, 26 Jan. 2012.

their minds as to whether they should build a dam that would ... flood across into the U.S., or whether they should build a dam that only floods to the U.S. boundary. So a friend of mine in Hydro called me and said, 'Look, Ken, you know, it looks like the decision is going to be made for the lower dam and this doesn't make sense [for] power generation, and it's all because they're afraid of Seattle and the whole Skagit issue. You know, what do you think we can do?'³⁵

Farquharson contacted the federal minister of the environment, Jack Davis, and Bob Williams, the B.C. minister of Lands and Forests, and argued that environmentalists would not object to raising the Seven Mile Dam if the extra power could be sold to Seattle in exchange for not raising the Ross Dam. As Farquharson explained to Williams, "It does not make sense to build the lower dam. Build a high dam, even if you haven't got an agreement just now with Seattle because that will give you some of the energy that you can trade off to make the deal with Seattle."³⁶

Flooding the Pend d'Oreille Valley was simply more rational than flooding the Skagit. "The environmental costs of [the Seven Mile Dam] are minimal," Farquharson argued. Not only was the amount of height increase far less for the High Seven Mile Dam than for the High Ross Dam, the Pend d'Oreille Valley is steep-sided the entire length of the reservoir and thus only required flooding a few hundred acres of land. The Upper Skagit Valley, on the other hand, is nearly two miles wide at the Canadian-U.S. border and thus involved flooding a far greater amount of valley-bottom land.³⁷ The Pend d'Oreille Valley was also not extensively used for recreation, due mostly to its remote location, whereas the Skagit Valley was within a two hours' drive for more than half the population of British Columbia.³⁸

Dams, then, according to Farquharson, were not fundamentally flawed. They provided pollution-free power and under the right circumstances made a lot of sense. Rather, their environmental and social costs needed to be more accurately weighed against their economic and social benefits – a measurement of scale that required the right kind of expertise.³⁹ This was at the very crux of environmentally modern thinking, of which Farquharson has been a leading

³⁵ Farquharson interview, 3 March 2010.

³⁶ Pearson interview, "Skagit Oral History Project Phase II," 34. Farquharson to Robert Williams, Jack Davis, 4 April 1974, file 10, box 5, ROSS Committee Fonds.

³⁷ Farquharson to Jack Davis, 4 April 1974, file 10, box 5, ROSS Committee Fonds.

³⁸ Farquharson interview, 3 March 2010.

³⁹ "Park Builder, Ken Farquharson," <http://www.elderscouncilforparks.org/wp-content/uploads/2012/08/Ken-Farquharson-Poster.pdf>, accessed 28 April 2013.

advocate. Some valleys are appropriate for flooding and others are not, and both his engineering and his environmentalist experiences determined how Farquharson saw the difference between the two and made it easier to convince others of this as well. In this way, Farquharson represented a different type of environmentalism than is usually written about, that of the environmentally conscious engineer rather than the ecologist, a pragmatist that was closer to the conservationist ideals of Gifford Pinchot than the romantic preservationism of John Muir.⁴⁰

With Farquharson's assurances that environmentalists in the province would back raising the Seven Mile Dam in exchange for leaving the Skagit Valley as it was, the British Columbia government changed its stance on the project after 1974. In subsequent meetings with Seattle, raising the Seven Mile Dam in exchange for not raising their Ross Dam formed the accepted starting point for all negotiations.⁴¹ But flooding the Pend d'Oreille Valley instead of the Skagit was not enough. The 61 megawatts (MW) of peaking power that an extra 15 feet of stored water would produce through the Seven Mile Dam did not come close to meeting the 241 MW of peaking power that Seattle claimed raising the Ross Dam by 122.5 feet would ideally supply. Indeed, this discrepancy had been one of the major stumbling blocks between British Columbia and Seattle whenever the two had attempted to negotiate during the 1970s.

To make up for the shortfall in energy, British Columbia negotiators had proposed other ideas to supplement raising the Seven Mile Dam. These included diverting the Kootenay River into the Columbia to produce more power downstream, which could then be wheeled to Seattle through the BPA, or installing an extra turbine at the Mica Dam earlier than planned in order to sell the power to Seattle. None of these ideas had involved supplying such power to Seattle for longer than thirty years, however, and, according to Seattle, were much costlier than the High Ross Dam.⁴² Throughout the late 1970s, B.C. Hydro had refused to budge on supplying Seattle with power beyond 2015, insisting that it would need the extra energy after that point. Provincial negotiators had also argued that Seattle was devaluing how much High Ross Dam power would

⁴⁰ Engineers in general do not receive much attention in environmental history literature. For some exceptions, see Loo with Stanley, "An Environmental History of Progress"; Philip Van Huizen, "Building a Green Dam"; Jackson, *Building the Ultimate Dam*; White *The Organic Machine*. For more on the comparison between Gifford Pinchot and John Muir, see Char Miller, *Gifford Pinchot and the Making of Modern Environmentalism* (Washington D. C.: Island Press, 2001).

⁴¹ Farquharson interview, 26 January 2012.

⁴² For a good summary of Seattle-B.C. negotiations over the course of the 1970s, including the fact that the two sides were very far apart on a new settlement, see Charles Royer, Mayor of Seattle, to Bill Bennett, Premier of British Columbia, 6 Dec. 1978, file 13, box 7, 5724-01, Charles Royer Collection, SMA and Ben Marr, Deputy Minister of the Environment to Edmund J. Wood, SCL counsel, 21 April 1980, file 46-3-1-1, box 54, Docket 46.

cost the city in order to get a better deal, which had not helped the stalemate between the two sides.⁴³

It was for this reason that the IJC contracted Gordon and Berry to study the matter “of the cost and value of the High Ross project, the alternatives proposed by B.C. and the validity of the assumptions made by the City of Seattle and the Province of British Columbia in developing their economic analyses.”⁴⁴ On April 2, 1982, Gordon and Berry submitted their report to the IJC, providing a neutral accounting from which to re-start negotiations between both sides. Gordon and Berry concluded that British Columbia’s previous offers of selling Seattle surplus power by raising the Seven Mile Dam was a good start. But supplementing this power by either adding a generator at the Mica Dam or diverting the Kootenay River would indeed cost Seattle more money than simply raising the Ross Dam. Neither was a viable replacement option.⁴⁵ Gordon and Berry’s report essentially settled a disagreement between British Columbia and Seattle that had kept negotiations at a stalemate since 1974, confirming that the cost of the solution had to be commensurate with the cost of the High Ross Dam and that British Columbia’s previous offers were both too expensive and did not provide the power for a long enough period of time.

More importantly, Gordon and Berry’s report provided basic figures that previous negotiators had always disagreed on, particularly how much power the High Ross Dam would produce and what the total cost of construction, loan interest, and operations until 2066 would be for Seattle. This benefited British Columbia lead negotiator Ben Marr in particular. He was able to go back to his own government and let them know exactly how much power the province had to make available to Seattle and approximately how much they had to sell it for. Since the IJC had already made it clear to British Columbia politicians that they had no choice but to negotiate or have an agreement forced on them, they chose to accept Gordon and Berry’s conclusions.⁴⁶

⁴³ In fact, B.C. Hydro’s chair, Robert Bonner, was not in favour of negotiating a settlement with Seattle at all, preferring instead to see the Ross Dam raised, which may partly explain the utility’s intransigence. See Robert Bonner to Stephen Rogers, B.C. Minister of the Environment, 8 July 1980, file F, Box 25, 90-898, B.C. Ministry of the Environment, Water Management Branch Archives. For the impact of B.C. Hydro’s policies on British Columbia negotiating position, see Stephen Rogers to Charles Royer, Mayor of Seattle, 13 Aug. 1980, file 46-3-1-1, box 54, Docket 46.

⁴⁴ Gordon and Berry, “Report to the International Joint Commission,” 2.

⁴⁵ Gordon and Berry, “Report to the International Joint Commission,” 5.

⁴⁶ Marr interview, “Skagit Oral History Project,” 60.

Key to this acceptance was the fact that in 1982 B.C. Hydro suddenly found itself with an unexpected power surplus for the foreseeable future. Internal studies throughout the 1960s and 1970s had taken for granted that there would be an insatiable demand for electricity in the province, projecting annual growth rates of up to five percent until the turn of the century. As a result, the provincial governments of both the Social Credit Party and the NDP continually approved B.C. Hydro's aggressive construction schedule for a series of massive dams, including the Bennett and Peace Canyon dams in the Peace River Basin and the Mica, Duncan, Keenleyside, Kootenay Canal, Seven Mile, and Revelstoke dams in the Columbia Basin, with plans for more in the Laird and Stikine basins in the northern part of the province as well.⁴⁷ By the early 1980s, however, it became clear that energy forecasts had been far too aggressive. Plans for new dams in the Peace, Stikine, and Liard were scrapped and B.C. Hydro executives found themselves with virtually no market for the power that its nearly completed, 570-foot high Revelstoke Dam on the Columbia River would produce. Bennett's cabinet was suddenly very willing to enter a long-term power agreement with Seattle.⁴⁸

With all of these factors in place, the Group of the Skagit, as the IJC-organized team came to be called, negotiated the long-awaited deal relatively quickly. BC Hydro's power surplus meant that the problem of finding a source of power in British Columbia beyond the High Seven Mile Dam was no longer an issue. The Revelstoke Dam was scheduled to start producing power in 1984, which would provide more than enough surplus electricity to make up for the shortfall after raising the Seven Mile Dam. Final settlement details centred on economic factors and abstract arguments about "the shape of power" that British Columbia would sell to Seattle, rather than over more concrete details about where the power would come from and what the impact of such power sources would be relative to the High Ross Dam, which had previously stumped negotiators. Particular sticking points included structuring a payment schedule that would mimic how Seattle would have financed the construction project but would also meet B.C. Hydro's minimum domestic industrial rate for power sales throughout the life of the agreement.⁴⁹

⁴⁷ Loo, "'People in the Way'"; *ibid.*, "Disturbing the Peace"; Stanley, *Voices from Two Rivers*.

⁴⁸ Marr interview, "Skagit Oral History Project," 60. See also BC Hydro, "Costs and Benefits of Skagit Settlement to B. C. Hydro," (22 Dec. 1982). B.C. Hydro's chair, Robert Bonner was still against any settlement with Seattle, even as late as 1983. Provincial cabinet ministers like Stephen Rogers, however, ignored his opinions. See Bonner to Rogers, 26 Jan. 1983. Both documents in file F, Box 25, 90-898, BCMEA.

⁴⁹ Laroche interview; Thornburn interview; Marr interview, "Skagit Oral History Project,"; Royer interview, "Skagit Oral History Project."

At one point towards the end of 1982, when British Columbia and Seattle had almost finished negotiating a new agreement, each side was stuck at a final monetary figure. As Geoffrey Thornburn remembers it: “Ben Marr was sitting there [hits the table], Bob Royer was sitting there [hits another part of the table], all the engineers behind them, lawyers and so on, and they were two million dollars apart, I think it was. Seattle was still concerned that they were having to overpay for the power. And Ben Marr stood up and reached across the table and said, ‘Let’s split the difference.’ And Royer said, ‘Sure.’ So that was the end, that was the last moment of negotiation.”⁵⁰

Seattle and British Columbia came to a new agreement by February 1983, the “paper dam” that would last until 2066, the termination date for the original Skagit Agreement.⁵¹ British Columbia agreed to provide 37.3 MW of firm energy, year round, 150 MW of peaking energy from November to March, and 532 MW (the maximum amount of peaking power the High Ross Dam would have produced) minus the actual peaking power available at the Ross Dam for the rest of the year. In exchange, Seattle agreed to pay British Columbia \$21.8 million per year for thirty-five years, or what it would have had to pay to finance construction if it had borrowed \$230 million in the early 1980s at an interest rate of just under eleven percent. For the remainder of the forty years of the agreement Seattle would receive the power for what it would have cost to operate the High Ross Dam, or about \$100,000 per year. In an odd twist, Seattle also gave British Columbia permission to flood across the Canadian-U.S. border, backing water from the raised Seven Mile Dam up to the foot of the Seattle-owned Boundary Dam on the Pend d’Oreille River (Seattle owned all the fifty acres or so that would be flooded across the border).⁵²

In addition, at Seattle’s insistence the new agreement set up the Skagit Environmental Endowment Commission (SEEC) to coordinate the continued preservation of the Upper Skagit Basin. British Columbia would endow SEEC with \$1 million and Seattle would endow it with \$4 million, the extra money meant to compensate for the 550 acres the Ross Dam had been flooding in British Columbia since 1953. British Columbia and Seattle also agreed to divert a small percentage of the money earned each year from power sales to supplement the endowment fund. SEEC would also oversee the clean up the British Columbia side of the Ross Reservoir,

⁵⁰ Thornburn interview.

⁵¹ Royer interview, “Skagit Oral History Project,” 92; Laroche interview with author.

⁵² “Skagit Negotiations Framework Agreement Between British Columbia and Seattle,” (4 Feb. 1983). File 17, box 46, 5274-01, Charles Royer Collection. See also, “City will get free power from B.C.,” *Globe and Mail*, 15 April 1983.

removing the offending stumps and grooming the shoreline, and was otherwise directed to “conserve and protect wilderness and wildlife habitat” and “enhance recreational opportunities in the Skagit Valley.”⁵³

The Politics of Liberal Environmental Compromise

There was a purpose behind Seattle’s insistence that the new British Columbia-Seattle Agreement should include an environmental endowment fund and a commission to oversee its use. It was an important part of what Seattle Mayor Charles Royer and his deputy mayor – and brother – Bob Royer, viewed as the politics involved in selling the negotiated agreement to the various groups that had a direct interest in it.

One of the principal points of worry for Seattle politicians involved in crafting the Seattle-British Columbia deal was whether environmentalists would be happy with it. Charles Royer was particularly worried. Shortly before the IJC-initiated negotiations began, N3C lawyers Thomas Brucker and Richard Aramburu had written to Mayor Royer to say they were “saddened and disappointed” with a recent statement the mayor had made arguing against the need to negotiate an alternative to the High Ross Dam. “The IJC has essentially decided that the Skagit Valley is too valuable to be flooded,” the environmental lawyers wrote, “This is not any affirmation of the City’s position which was that the construction of the dam is valuable enough to destroy precious American and Canadian resources.”⁵⁴ Although Brucker and Aramburu had misunderstood the reasoning behind Royer’s statement regarding the IJC-mandated negotiations, which was meant to reiterate Seattle’s right to full compensation for the dam rather than a strident statement against compromise, Royer wanted to make it clear to Seattle’s environmentalists that he had their interests at heart with the Seattle-British Columbia negotiation as well.

The Royers thus insisted on the creation of SEEC.⁵⁵ Doing so, they argued, would underline the fact that the new agreement was as much about preserving the Skagit Valley as it was about power. “With respect to the Skagit this is a net environmental gain,” Charles Royer argued shortly after the Seattle-B.C. agreement was finalized. “Instead of attempting to make

⁵³ “Skagit Negotiations Framework Agreement Between British Columbia and Seattle,” Appendix D, 2 (4 Feb. 1983). File 17, box 46, 5274-01, Charles Royer Collection.

⁵⁴ Thomas H. S. Brucker and J. Richard Aramburu to Hon. Charles Royer, 30 April 1982, file 22, box 40, 5274-01, Charles Royer Collection.

⁵⁵ Thornburn interview; Bob Royer interview, “Skagit Oral History Project.”

environmental compensation [if the Ross Dam had been raised], we will be enhancing the Magic Skagit that caused all of these negotiations.”⁵⁶ Moreover, the Royers used the endowment commission as a way to involve Seattle environmentalists in the negotiating process, who were otherwise not included. “On this side,” Bob Royer remembers, “[Seattle] ‘enviros’ were with us in the development of the deal. In the start of the Endowment I think we developed some real interest.”⁵⁷ During negotiations, Bob Royer wrote to Seattle activists like Elliot Marks, president of Seattle’s Nature Conservancy, informing them of his idea for the commission and asking for their support. “I think you might be helpful in a couple of ways,” Royer wrote. “Any ideas you may have about how [an endowment] fund could be managed for the best public benefit would be helpful. Also, at some point we might ask you to join the IJC to discuss the Nature Conservancy program.”⁵⁸

Despite working with environmental groups to create SEEC, however, the Royer brothers were still prepared for other environmental activists to disapprove of the Seattle-B.C. agreement. As late as its public announcement, in April 1983, the Royers worried that more radical environmentalists could blow up the entire process. According to his notes for the press conference announcing the new settlement, Charles Royer anticipated questions like “Doesn’t this Agreement just transfer the environmental impacts to another valley or coal town?” and “How does this agreement preserve the environment since the flooding option is not foreclosed?” Royer’s prepared answers were steeped in environmentally modern justifications: “All energy generation sources involve some environmental impacts. In our opinion, the Skagit is most worth saving if a choice has to be made. ... The value of environmental resources such as the Upper Skagit is almost certain to increase dramatically in the future... the Province has surplus power sufficient to fulfill its obligations under the Agreement with no additional development.”⁵⁹

But the Royer brothers had worked hard to ensure that such questions would not be raised, at least not in public, and environmental activists, by most accounts, were satisfied with the new agreement. “We were concerned about meddling,” Bob Royer remembers, “but we had some good friends who helped us talk to the ... environmental groups.”⁶⁰ Such contact gave environmentalists in Seattle a hand in the negotiating process and ensured that they would

⁵⁶ “Vancouver Press Conference Notes,” no date, file 16, box 5, 5274-10, Charles Royer Collection.

⁵⁷ Royer interview, “Skagit Oral History Project,” 94.

⁵⁸ Bob Royer to Elliott Marks, 20 Oct. 1982, file 16, box 5, 5274-10, Charles Royer Collection.

⁵⁹ “Vancouver Press Conference Notes,” no date, file 16, box 5, 5274-10, Charles Royer Collection.

⁶⁰ Royer interview, “Skagit Oral History Project,” 94.

support the negotiated deal. Patrick Goldsworthy, who was appointed the first chair of the U.S. section of SEEC, has argued that although Seattle activists “were not allowed to be involved in any meetings” for the Seattle-British Columbia deal, what resulted had their seal of approval because “they knew what we wanted.”⁶¹ Thomas Brucker, who had previously lambasted Mayor Royer for his stance on the Skagit, ended up effusively praising the deal. It was “a complete positive in every aspect,” Brucker has since reflected. “City got its power. The Skagit, damaged as it is, remains as it is. ... it’s a legacy of the environmental movement which now everybody can be proud of, because it worked out maybe even better than if Seattle had just said ‘well we’ll get our power elsewhere.’ Because of SEEC.”⁶²

On the Canadian side of the border, Farquharson’s involvement in the Seattle-B.C. negotiations similarly ensured that Canadian environmentalists raised little public fuss over the agreement. The fact that the very idea of flooding the Pend d’Oreille Valley rather than the Skagit had originated with Farquharson smoothed the way for environmental activist acceptance of trading one valley in British Columbia for another. As he explains: “[Raising the Seven Mile Dam] arose some comment. ... the fact that they rose the reservoir [fifteen] feet higher than Hydro had originally intended to accommodate what you might call the Skagit component, some people did say, ‘Well, you know, what’s the point in this?’”⁶³

Such concerns, however, were not raised in public in British Columbia, and in fact were not widespread.⁶⁴ Since Farquharson headed the principle organization in Vancouver that had led the fight against the High Ross, his acceptance of the Seattle-B.C. agreement carried a lot of weight. “The fact is that the environmental impacts of the two were several orders of magnitude different,” Farquharson has argued pragmatically, and he was not alone in either Seattle or Vancouver in thinking this way.⁶⁵ As Bob Hunter has argued for Greenpeace, environmental groups that formed in Vancouver in the 1970s were composed of both “mystics and mechanics,” although it is the former that have received the most attention.⁶⁶ As detailed in chapter three, SPEC founders were primarily engaged in highly professionalized work, including engineering professor John Stigant and ecologists Derek and Gwen Mallard. In Seattle, two of the four-

⁶¹ Goldsworthy interview with author, 16 March 2010. See also Bruce Hilyer, SCL Legal Counsel, to Patrick Goldsworthy, 6 Feb. 1984, file 31, box 52, 5274-01, Charles Royer Collection.

⁶² Brucker interview.

⁶³ Farquharson interview, 3 March 2010.

⁶⁴ Perry interview; Farquharson interview, 3 March 2010.

⁶⁵ Farquharson interview, 3 March 2010.

⁶⁶ Weyler, *Greenpeace*, 261.

person “Elderly Birdwatchers Hiking and Gripping Society” that had initially convinced the N3C board to protest raising the Ross Dam, Ted Beck and Richard Brooks, were engineers by trade as well. Moreover, Patrick Goldsworthy, N3C’s president, was a biochemist who was inclined towards practicality more than idealism. The fact that so many conservation-minded activists were prominent in the High Ross Dam protest explains why activist communities in both cities were ultimately willing to accept the compromise that Seattle and British Columbia reached over the High Ross Dam.

More than just the opinion of environmentalists had to be taken into account, however. Seattle had been planning for the High Ross Dam since the 1910s, and any deal that cancelled the project had to meet the approval of those who had always insisted the project should be built. The politics behind the Skagit agreement, then, were just as much about convincing those in favour of the dam to compromise as those who were opposed to it. Of foremost importance was getting Seattle’s City Council to approve the agreement with British Columbia. “There was some opposition on Council,” Bob Royer has explained. “There were some people who felt that we should not give up the raising of Ross Dam because it was such an icon for a lot of people.”⁶⁷

In order to counter such opposition, Charles Royer organized a reception for the IJC in February 1983 so Bulen and Olson could present the newly negotiated Seattle-B.C. agreement to city council members and convince them of the merits of relinquishing the city’s right to flood the Upper Skagit Valley. As Bob Royer wrote to David Laroche beforehand, the IJC had to make it clear to Seattle council members that there was no way that Canada-United States relations would ever allow for the Ross Dam to be raised. Furthermore, Royer argued, “They are not interested in any bullshit about international comity and children of a common mother. This is a good fences make good neighbors crowd. They have seen deals fall apart before.... They are suspicious of any deals!”⁶⁸ The Royer brothers also worked behind the scenes, writing to city council members for their support, and arguing that the agreement was the only possible solution to the High Ross Dam controversy. As Mayor Royer wrote to consistent SCL supporter Councilor Jeannette Williams, “Things have broken down before on this issue and could once

⁶⁷ Royer interview, “Skagit Oral History Project,” 92.

⁶⁸ Bob Royer to Laroche, 17 Feb. 1983, 46-3-1-1 vol. 6, box 55, Docket 46.

more. However, in my judgment, the merits of this agreement are such that they transcend the politics of our time and place.”⁶⁹

As much as Mayor Royer had faith in the deal that his brother had negotiated with British Columbia representatives, Seattle’s city council was not as confident. After meeting with IJC representatives in February 1983 they agreed to ratify the agreement, but on the condition that it was guaranteed by a treaty between Canada and the United States. As Marr explained to provincial and Canadian government representatives later in 1983, “A federal guarantee of British Columbia’s obligation is fundamental to the agreement from Seattle’s point of view.This reflects misgivings ... respecting a possible change of policy which could leave Seattle exposed, just as the changed provincial policy from a pro to anti-flooding stance had done.”⁷⁰ Bob Royer explains it even more plainly:

We began to insist on a treaty.... Provincial politics are significantly more violent in British Columbia than they are in Washington State. They do things much more dramatically. ... So the Socialists [NDP] come in at one time and all hell breaks loose. The Conservatives [Social Credit Party] come in at another time and services are cut and parks are abandoned.... We were concerned about the sort of fluctuating nature of the political system in British Columbia.⁷¹

The Canadian federal government was initially reluctant to sign a treaty over the High Ross Dam. Indeed, the Canadian government had been reticent to help out at all, particularly after British Columbia involved the IJC in the High Ross Dam controversy. Trudeau’s government had repeatedly requested the province not to make any application to the IJC out of concern for the impact that such a request could have on other cross-border agreements. In October 1980, for example, shortly after British Columbia sent in its application, External Affairs Minister Mark MacGuigan had announced in the House of Commons that negotiating a deal to the High Ross Dam controversy was British Columbia’s responsibility, not the Canadian government’s or the IJC’s, since the province had agreed to the low rate of compensation in 1967.⁷²

⁶⁹ Charles Royer to Jeannette Williams, 20 April 1983, file 18, box 46, 5274-01, Charles Royer Collection.

⁷⁰ Marr to Seaborn, 26 July 1983, File 46-3-1-1 vol. 8, box 55, Docket 46.

⁷¹ Royer interview, “Skagit Oral History Project,” 92.

⁷² Thomas L. Perry Jr., “Podium: Hey, this is your land, too,” *Maclean’s* 93, 49 (8 Dec. 1980): 6.

Shortly after this, ROSS Committee activist Tom Perry travelled to Ottawa in order to lobby for federal support that did not appear to be forthcoming. After attending a couple of ineffective meetings with the Department of Environment, External affairs, and the Privy Council, Perry vented his frustration about the federal government in one of Canada's national magazines, *Maclean's*. "I'm furious at Ottawa," Perry wrote,

As of this writing, Canada will not be participating [in the application to the IJC to overturn the Skagit Order]. Whether from ignorance, gutlessness, paranoia of the provinces, or simple inertia, I really don't know. But what disturbs me most is that officials and politicians in Ottawa don't seem to care! My concept of Canada seems vastly different from Ottawa's. I too believe that western and Atlantic resources belong to all Canadians, that we share a common interest. But by the same token, we're entitled to support when we're in trouble. ...For Ottawa to leave the defence of Canadian sovereignty to a handful of citizens is just not good enough.⁷³

Although Mark McGuigan eventually relented and directed External Affairs to submit a position paper to the IJC, department representatives maintained a similarly uncooperative attitude throughout the initial phases of the IJC-mandated Seattle-British Columbia negotiations.⁷⁴ At the initial Group on the Skagit meetings, for example, External Affairs representative Ken Merklinger reiterated the department's stance that the federal government was not responsible for ending the Skagit River dispute. His department would provide whatever logistical support might be required, but would not commit any resources to solving the controversy.⁷⁵

When Seattle representatives made it clear that they would walk from the deal if the Canadian government did not agree to backing up British Columbia's eighty-year commitment to export power to Seattle, the Canadian federal government finally relented to signing a treaty with the United States.⁷⁶ This also required passing special legislation to bypass the National Energy Board's restriction of energy export contracts to the United States for longer than 25 years, which the federal cabinet also relented to in the summer of 1983. In exchange, the Canadian

⁷³ Perry, "Podium: Hey, this is your land, too," 6; Thomas Perry interview with author, 23 March 2010.

⁷⁴ Department of External Affairs, "Canadian Government Statement in Response," 17 Dec. 1980. File 46-1-2-1 part 1, box 52, Docket 46.

⁷⁵ "Remarks of K. J. Merklinger, Department of External Affairs at the Joint Consultative Meeting of the Group on the Skagit, Dec. 14, 1982," 1 – 2, 46-3-1-1 vol. 6, box 54, Docket 46.

⁷⁶ D. G. Chance, "Memo: Meeting with External Affairs," 23 March 1983, File 46-3-1-1 vol. 7, box 55, Docket 46.

federal government insisted that British Columbia sign an agreement with Canada as well, which carried additional penalties for the province if the federal government was forced to back up the agreement.⁷⁷ The British Columbia Cabinet relented to such an agreement with Ottawa once Marr and Olson made it clear to them that locking into such long-term deals with both Seattle and Canadian federal government was the only way that the dam would not be raised.⁷⁸

It was easier to convince U.S. federal government officials to sign a treaty over the High Ross Dam, since Seattle was far less likely to break its agreement with British Columbia. As Washington senators Slade Gorton and Daniel Evans (Washington's former governor) told the President's Office of Management and Budget:

This Agreement is critical to Seattle's future energy supply and it settles a longstanding, often acrimonious, dispute between the City and the Province. ...whereas the actual risk to the U.S. with regard to a Seattle default is virtually non-existent, the obligation of the Government of Canada, should the Province default...is very real and could amount to several hundred million dollars. Our Department of State felt that, in order for the Treaty to be symmetrical, the inclusion into the Treaty of a United States contingent liability clause was a diplomatic necessity.⁷⁹

Still, relations between Canada and the United States, particularly over issues related to energy and the environment, were on shaky ground in the early 1980s. The Reagan administration showed little interest in dealing with cross-border pollution concerns, for example, stalling on acid rain reduction in particular, to the great annoyance of Canadian politicians. The Trudeau government's National Energy Program, on the other hand, which included preferential policies, pricing, and regulations for Canadian energy companies over U.S. ones, caused a great deal of consternation amongst U.S. government officials. On top of differences in ideology and personality traits, many believed Canadian-U.S. relations were at an all time low.⁸⁰ This caused concern, particularly amongst Seattle politicians, that a treaty such as

⁷⁷ S. E. Gooch, director U.S. Transboundary Relations Division, External Affairs, to Marr, 17 August 1983, File 46-3-1-1 vol. 9, box 55, Docket 46, IJCA. "Canada-British Columbia Agreement," 29 Oct, 1984, file O, box 26, File #072931 (90-898), BCMEA.

⁷⁸ "Minutes of the Joint Consultative Group Meeting, Ottawa," 3 – 4 Feb., 1983, File 46-3-1-1 vol. 7, box 55, Docket 46.

⁷⁹ Senators Slade Gorton and Daniel J. Evans to David A. Stockman, Office of Management and Budget, 16 Feb. 1984, File 46-3-1-1 vol. 8, box 55, Docket 46.

⁸⁰ Thompson and Randall, *Ambivalent Allies*, 254 – 270.

the one over the Skagit, which purported to cooperate over energy and environmental issues, would have some problems receiving the Reagan administration's approval.⁸¹

Such concerns, though, ultimately did not affect the Skagit River Treaty, mostly because of the work of IJC commissioner Keith Bulen. As mentioned at the beginning of this chapter, Bulen had been instrumental in Reagan's election, and he smoothed the way for the treaty with high-level U.S. government officials that he counted amongst his friends, including Secretary of State George Shultz, Secretary of Energy Donald Hodel, and Environmental Protection Agency head William Ruckelshaus. Hodel in particular had been a vocal proponent of Seattle's right to raise the Ross Dam when he had chaired the Bonneville Power Authority before becoming the Secretary of Energy in 1982. Bulen, though, ensured that all such opinions were silenced after the treaty was announced and, as the anecdote at the beginning of this chapter attests, Hodel in particular quickly acquiesced to the deal. As he wrote to U.S. Secretary of State, George Shultz, in March 1984, just before the treaty was signed: "it offers an excellent opportunity to resolve a long-standing issue of contention and to receive an assured supply of power over the long term."⁸²

Conclusion

Canadian Minister of External Affairs Allan MacEachen and U.S. Secretary of State George Shultz signed the Skagit River Treaty on April 2, 1984, and it was ratified with very little ceremony by both the Canadian House of Commons and the U.S. House of Representatives shortly thereafter. After signing it, Schultz presented his pen to Bulen, stating "In all likelihood there would not have been a Treaty, but for your efforts and those of your Canadian colleague, Commissioner Olson. With the pen go my thanks for...the "Bulen-Olson" Treaty."⁸³

Bulen and Olson and the entire IJC had indeed been integral to getting negotiations back on track between British Columbia and Seattle. As David Laroche has argued, "Not only was [the IJC's type of involvement] unprecedented up to that time, nothing like it has occurred since."⁸⁴ In his signing ceremony speech Shultz commented that "the driving force in reaching

⁸¹ Laroche interview; Royer interview, "Skagit Oral History Project," 93 – 94.

⁸² Laroche interview with author; Bob Royer interview, "Skagit Oral History Project," 94. See also Donald Hodel to George Schultz, U.S. Secretary of State, 26 March 1984, file 31 box 52, 5274-01, Charles Royer Collection.

⁸³ Schultz to Bulen, 3 May 1984, File 46-3-1-1 vol. 8, box 55, Docket 46.

⁸⁴ Laroche interview with author.

this settlement has been the International Joint Commission – the unique bi-national body that continues to serve our two countries well. It is my firm view that the foresight shown by our two countries in setting up the IJC in 1909 will continue to pay dividends in the future and I hope that the IJC will be called upon shortly to facilitate resolution of other problems in the environmental field.”⁸⁵ The United Nations promoted the Skagit River Treaty in a similar fashion. In a special report on international rivers, The Department of Technical Cooperation for Development explained that the IJC’s work on the Skagit River Treaty was responsible for solving “the longest standing major environmental dispute between the United States of American and Canada” and advocated for similar bi-national commissions to solve boundary water disputes in other areas of the world.⁸⁶

But as important as the IJC was to the resolution of the High Ross Dam controversy, it was not the sole factor. Indeed, the willingness of IJC commissioners to help Seattle and British Columbia negotiate a solution to the controversy was part of a much larger trend within North American politics where environmental values were adopted into an already existing modernist and liberal governing framework. The solution to the environmental controversy over the High Ross Dam worked because it did not fundamentally challenge modern dam development in British Columbia or Washington or the liberal underpinnings of state organization in the United States and Canada. Indeed, it signified the continuity between the politics of development and the environment, between the eras of high modernism and environmental modernism, rather than a break with the past.

Broadly speaking, then, the Skagit River Treaty is an example of how environmental politics did not check the modern liberal ethos in North America that the state should be used to facilitate rationally conceived and technologically advanced development, at least not in the way that the environmental movement has so often been credited for in relation to large development projects like dams. The environmental movement altered modernist approaches to development and liberal approaches to politics by adding the environmental impact of projects to cost/benefit calculations, which impacted where projects could or could not be built – and the length of time

⁸⁵ Press: Department of State, “Remarks by the Honorable George P. Schultz, U.S. Secretary of State, and the Honorable Allan MacEachen, Foreign Secretary of Canada at the U.S./Canadian Treaty Signing Ceremony, Washington, D. C., April 2, 1984,” 3, File 46-6-1-1, box 56, Docket 46.

⁸⁶ “Skagit River Treaty Signed by the United States and Canada,” *International Rivers and Lakes: A Newsletter by the Department of Technical Cooperation for Development, United Nations* (New York: United Nations, 7 May 1986), 7, 46-3-1-1 vol. 9, box 55, Docket 46.

it would take to go through the regulatory approval process – but not whether they should be built at all. Ultimately, this was not very different from how high modern planners had approached development in the first part of the century. In fact, the continuity between the two eras was an essential part of the treaty, since it required massive dams to be built somewhere else so that the Skagit River Valley could be preserved for wilderness recreation.

At the same time, though, such a place-less approach to the Skagit Valley, of applying seemingly universal ideas about the importance of environmentally modern development projects, be they dams or parks, to the Canadian-U.S. borderland, only worked because the politics of place were finally overcome. And here lies the key to the successful resolution of the High Ross Dam controversy: the Skagit River Treaty was premised on compromise, it formed a liberal compact over cross-border development that took advantage of cross-border connections rather than being delayed by them.

Flooding across the border into the Pend d'Oreille Valley instead of the Skagit was accepted at every political level and by every stakeholder involved in the controversy. For the IJC and the Canadian and U.S. governments, the Pend d'Oreille Valley did not offer any potential liability since it could not be connected in any meaningful way to other cross-border areas or plans like the High Ross Dam had been since the 1930s. SCL owned all of the land on the U.S. side of the border and, since it would be receiving the power from flooding it, did not insist on any other compensation. Flooding the Pend d'Oreille was deemed so acceptable, in fact, that no regulatory hearing was held for it at any political level, despite requirements for such in the 1909 Boundary Waters Treaty.⁸⁷

From a regional point of view, on the other hand, the issue was all about political acceptability. Seattle had permission to raise the Ross Dam, and thus anything less than being “made whole” by receiving the equivalent amount of power for a similar investment would have been politically untenable in the city. The option of simply cancelling the High Ross Dam project, which so many activists had advocated for in the early 1970s, was really no option at all. British Columbia and Seattle also had to contend with environmental activists who could have potentially derailed any agreement. The inclusion of the Skagit Environmental Endowment Fund, however, and the fact that flooding the Pend d'Oreille Valley instead of the Skagit Valley

⁸⁷ Special legislation to avoid participating in the regulatory process was filed in both Canada and the United States. See D. G. Chance, “Memo: Meeting with External Affairs,” 23 March 1983, File 46-3-1-1 vol. 7, box 55, Docket 46.

was an idea championed by the ROSS Committee in Vancouver made the deal politically acceptable in both places.

The Skagit Valley was thus saved only because the solution allowed for both dams and parks to be built along the Canadian-U.S. border – in fact it required it – and the centrality of such compromises to agreements like the Skagit River Treaty needs to be given more attention. For the High Ross Dam that compromise was environmentally liberal and modern, allowing for the development of hydroelectricity in the Pend d'Oreille Valley and wilderness recreation in the Upper Skagit.

Conclusion

The High Ross Dam controversy can be divided into two periods. The first, from 1926 to 1967, largely centred on Seattle's attempts to get British Columbia to officially sign off on the High Ross Dam. The second, from 1967 to 1982, was over attempts to cancel the Seattle-British Columbia cross-border agreement, mostly due to environmental protest against flooding the Upper Skagit and, very briefly, the assertion of indigenous rights in Washington State.

It is tempting to view the two parts of the controversy in opposition to each other, to see the second period of environmental politics as a reaction to the first period of the politics of development. Far from being antithetical to each other, though, this dissertation has argued that there was a great deal of continuity between the two eras. First, both dam advocates and environmentalists alike were fundamentally modernist in their approaches to land use and the management of nature in the Skagit Valley, albeit in ways that were not compatible with each other. Dam advocates believed the best use of nature in the valley revolved around producing power, which included conserving the area for reservoir recreation. Environmental advocates, on the other hand, believed valleys like the Pend d'Oreille were better suited to power development and instead advocated for park development in the Upper Skagit Valley. Both sides believed their plan represented the most modern and progressive form of land use in the Skagit Valley. Rather than pitting development against the environment, then, it is more accurate to refer to the politics of the first period of controversy as the politics of high modernism and the politics of the second period as those of environmental modernism.

Second, the delay that was characteristic of both eras and which caused the controversy to become one of the longest running cross-border disputes between Canada and the United States hinged on the politics of place, specifically the Ross Reservoir's location in the Canadian-U.S. borderland. This location magnified the difficulties of trying to apply universalized theories of modernization to particular places. Nationalism, regionalism, political jurisdiction, and perceptions of the economic value of flooding into another country became completely entangled with the High Ross Dam, which made it more logical for certain politicians to delay doing anything definitive that would have either let the project go forward or cancelled it altogether.

Nothing showed the continuity between the two ways of approaching nature in the valley and between the two eras of dispute over the High Ross Dam more than the Skagit River Treaty. The treaty represented a liberal environmentalist compact that reconciled high modern approaches to development with environmentally modern ones, and that took advantage of the Skagit's cross-border location. That is, each party involved sacrificed a degree of freedom of use and of property along the Canadian-U.S. border in order to achieve the broader goal of maintaining "the liberal order" between Seattle and British Columbia in particular and Canada and the United States more generally. This framework allowed for the individual enjoyment of wilderness and recreation as well as the production of electricity in order to maintain industrialized, free-market economic growth within and across the borders of each region and country. Seattle allowed British Columbia to flood its property in the Pend d'Oreille Valley, while also giving up its negotiated right to flood the Skagit Valley in British Columbia. British Columbia, on the other hand, entered into a fixed, eighty-year economic agreement with Seattle to export energy in a way that would mimic the High Ross Dam. Canada and the United States agreed to back up the financial commitments behind the agreement, while also agreeing to allow the border to be flooded in the Pend d'Oreille Valley.

In the end, the creation and resolution of cross-border controversies like the one over the High Ross Dam are never solely about modern development or environmental preservation. They also revolve around conceptions of place and modernity, the tensions of regionalism, nationalism, and internationalism, and the politics of compromise. Moreover, rather than representing a break from the past, the environmental politics that grew out of such controversies expanded both the role and the size of government at all levels in Canada and the United States, adding nuance and compromise to modernist approaches to nature and the liberal order of government in both countries, but without fundamentally challenging either one.

The Skagit River Treaty has been largely successful. Vancouver and Seattle activists Ken Farquharson, Patrick Goldsworthy, and Tom Brucker have all served as commissioners for SEEC, and SCL has provided administrative support for the U.S. section of the commission. As Goldsworthy has argued, the organization began mostly as a funding body that financed scientific and archeological studies of the Upper Skagit Valley with the aim of improving preservation efforts. Over its twenty-five-year history it has evolved into one that aggressively pursues its own agenda within the Skagit Valley, particularly around education, eco-system

management, recreation, and land management efforts. Key programs have included funding trail construction, habitat restoration, grizzly bear recovery plans, and water quality management.¹

Such activities received a big boost when the Skagit Valley Recreation Area in British Columbia was upgraded to a Class A provincial park in 1996, mostly thanks to the work of then-NDP MLA Tom Perry, who had been heavily involved in ROSS Committee activities throughout the 1970s. As Minister of Advanced Education in Mike Harcourt's NDP government, Perry worked "discreetly" to convince Minister of the Environment, Lands, and Parks Moe Sihota to convert the recreation area into a class A park, which bars any type of use other than recreation. As Perry remembers it, his argument to Sihota was simple: "Why not let the NDP get credit for having made it a park. After all, we blew the chance in '72 to '75 – to the extent there was a chance – to save it ... the Socreds ended up saving it, why don't we at least get the credit for the park. And he ended up liking that argument."²

Converting the Skagit Valley Recreation Area into Skagit Valley Provincial Park, however, meant that any industrial activities would be prohibited, so all lands that were dedicated to industrial use but still contained within the Recreation Area were removed from the park during the conversion process. This resulted in the creation of a "donut hole" in the upper northeast portion of the park that borders Manning Provincial Park. Imperial Metals Corp. owns nearly all of the 3,500 hectare donut hole, where it operates the Giant Copper Mine in the Silverdaisy Creek drainage. Logging operations also still occur in the area.³ The "donut hole" is a sore point for environmental groups like the Vancouver-based Wilderness Committee and for SEEC, and both have actively lobbied to have the area incorporated into Skagit Valley or Manning Park.⁴ As with Cominco's placer claims in the Skagit Valley in the 1930s, however, the British Columbia government has refused to interfere with the mineral lease rights of private industry in British Columbia and the "donut hole" continues to exist. SEEC is saving a significant amount of money in an attempt to someday purchase lease rights in the area and

¹ Farquharson interview, January 2010; Goldsworthy interview; Brucker interview. See also, Skagit Environmental Endowment Commission, "Five Year Plan: 2009 – 2013," (SEEC, 26 Jan. 2009).

² Perry interview.

³ C. V. Armstrong, "Skagit River Watershed: Background Report, Prepared for: Ministry of Environment," (TerraPath Consulting, 19 March 2007), 20.

⁴ Farquharson interview, January 2010; Brucker interview. See also "Expand Manning and Skagit Provincial Parks Campaign," http://wildernesscommittee.org/campaign_photos/227, accessed 28 April 2013.

donate them back to the crown, but if the mine continues to produce it is doubtful that the area will ever be completely converted.⁵

Besides continuing conflict surrounding recreational versus industrial development in the Skagit Valley, there have been other types of politics brewing over the course of the past 40 years that will no doubt only grow in influence. Most important are the politics of indigenous rights. As detailed in chapters two and four, although indigenous use in the valley continued throughout the twentieth century, both by contributing to the valley's industrial and recreational modernization and by maintaining ties to more traditional land use practices, indigenous rights to the area have to be continually re-asserted. This included negotiations for the Skagit River Treaty. Despite the fact that the environmental endowment commission that the treaty created would manage lands that indigenous groups had territorial rights to – rights that the Swinomish, Sauk-Suiattle, and Upper Skagit Tribal Communities fought to reestablish by joining the legal challenge against the High Ross Dam in the 1970s – indigenous leaders were never consulted about the treaty.

Although indigenous leaders did not press for inclusion during the Skagit River Treaty negotiations, they did successfully lobby to be part of Seattle's negotiations for relicensing its Skagit River Hydroelectric project during the late 1980s. As a direct result of their experiences with the High Ross Dam, Seattle officials made negotiations for the relicensing process as inclusive as possible.⁶ Patrick Goldsworthy, for example, was invited to represent environmental activists. Stó:lō, Nlaka'pamux, Upper Skagit, Sauk-Suiattle, and Swinomish representatives were eventually included in the process as well, although their participation was a result of their own lobbying efforts rather than by invitation. Ralph George, Stó:lō Chief of the Shxw'ow'hamel Band, remembers that "Our First Nations group had to approach them, to talk to them ... that came about when one of our people from down in the States read it in the Seattle newspaper, before it got up here."⁷

As a result, Seattle City Light was able to relicence its dams with the FPC in 1991 with relatively little trouble, particularly when compared to the controversy over the High Ross Dam. The resulting mitigation agreement ensured that water releases from the Skagit dams would not

⁵ SEEC, "Five Year Plan," 7.

⁶ Stephen Ralph interview with author, 9 Feb. 2012; Bill Barich, "Our Far-Flung Correspondents: J. D. Ross's Vision," *The New Yorker* (4 Jan. 1982), 57 – 71.

⁷ Ralph George interview; Nathan and Rhoda Spinks interview.

harm salmon downstream, committed money to environmental mitigation measures, particularly regarding reservoir shore management, and included settlements with all five nations for lands and resources that the Skagit Hydroelectric Project had inundated or wiped out.⁸

Two decades later, indigenous communities again lobbied for a seat at the decision-making table for the Skagit Valley. In 2009 SEEC marked the twenty-fifth anniversary of the Skagit River Treaty by hosting a unique event. On a weekend in September members of the Swinomish, Upper Skagit, Sauk-Suiattle, Stó:lō, and Nlaka'pamux communities, officials from B.C. Parks and the U.S. National Park Service, and politicians, academics, and interested locals from both British Columbia and Washington came together for the Hozomeen Gathering, a two-day camping trip at the forty-ninth parallel in the Skagit Valley. Organized by SEEC, B.C. Parks, and Stó:lō members to resemble Coast Salish gatherings that had occurred in the valley prior to the twentieth century, the Hozomeen Gathering was, generally speaking, a success. Members of these different agencies and communities got to know each other in workshops, around camp fires, and over a massive salmon bake, and most came away feeling good about how the Canadian-American Upper Skagit Basin has been protected by SEEC, B.C. Parks, and the U.S. National Park Service.

But, at times, underlying tensions surfaced. As one of the participants, Chief Tyrone McNeil, Vice President of the Stó:lō Tribal Council, stated curtly during the opening ceremonies, “When you say this is our history going back thousands of years, that isn’t dead. It’s not stagnant. It’s here today. We may look a little bit different, we may sound a little bit different, but we do a lot of things the same way that we’ve done for those thousands and thousands of years that we hear speakers talk of. So there’s a contemporary aspect of this land that I hope you learn.”⁹

McNeil’s impassioned speech at the Hozomeen Gathering followed a magnanimous welcoming statement from Hope-Chilliwack MLA Barry Penner, in which he promised that indigenous history would be better recognized in future land use management decisions within the park. McNeil, though, was frustrated by the fact that such statements basically ignored that

⁸ Skagit Relicensing Agreement, N3C Collection, University of Washington.

⁹ Bear Image Production, *Sharing What We Know: A Gathering at Hozomeen* (Skagit Environmental Endowment Commission, 2009); McNeil reiterated this point in Tyrone McNeil interview with author, Seabird Island, 24 August 2010.

indigenous groups like the Stó:lō had never stopped using the Upper Skagit Valley. As he has reflected since:

It's allowed me to take a stance on my right to go up there and harvest and access whatever it is I'm doing, whenever it is I'm doing it. I think you'd have seen a little bit of that [frustration] last year at the Hozomeen [Gathering]. ... If it weren't for that residential school era and other colonizing practices by the provincial and federal governments that learning would have been unbroken from previous generations. You walk certain areas up there and, you know, you get a feeling that others of your kind have been there and they've been there for a really long time. It goes beyond ... what the legal definition of Aboriginal right may be.

According to McNeil, indigenous leaders not only have a right to be consulted concerning the management of public lands like the Upper Skagit Valley, but have rights of ownership to such areas and he speaks about someday organizing a "Stó:lō protected zone" within Skagit Valley Provincial Park.¹⁰

In the meantime, things are already changing in terms of consultation. Larry Campbell, Historic Preservation Officer and Cultural Resource Planner for the Swinomish Tribal Community, was appointed a U.S. commissioner for SEEC in November 2009, a direct result of SEEC commissioner promises made during the Hozomeen Gathering. Whether another type of liberal compromise over land use rights and decision-making in the Skagit Valley is on the horizon remains to be seen. Indigenous rights have been notoriously ignored during most of the creation of the liberal order framework in North America. Indeed, whether or not the framework is even useful for such histories is debatable, something that the history of the both the High Ross Dam controversy and the Skagit River Treaty attests to.¹¹ Greater consultation with commissions like SEEC is an important first step to regain some level of communication and trust, but it is a far cry from the sort of territorial rights that most leaders like Tye McNeil argue indigenous communities hold within places like the Skagit Valley.

The politics of different types of land use thus continue in the Skagit Valley. Over the course of the twentieth century these politics, be they over dams or environmental preservation,

¹⁰ McNeil interview.

¹¹ Adele Perry, "Women, Racialized People, and the Making of the Liberal Order in Northern North America," 274 – 297, and Robin Jarvis Brownlee, "A Persistent Antagonism: First Nations and the Liberal Order," 298 – 321, both in Constant and Ducharme, *Liberalism and Hegemony*.

were fundamentally modernist and liberal, prolonging the High Ross Dam controversy for a good part of the century and informing the Skagit River Treaty that brought it to a close. The treaty remains in effect until 2066, assuming neither Seattle nor British Columbia annul it. A similar mix of notions about modernization and the politics of place will no doubt inform what happens after that.

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