The St. Mary and Milk Rivers Study 2021-2025: Overview

Two interconnected river systems

The **St. Mary River** begins in the high elevations of Glacier National Park, on the eastern slopes of the Rocky Mountains in the state of Montana. As the river descends to the plains below it flows northeast through Amskapi Piikani (Blackfeet Nation) territory, crossing into the province of Alberta just east of the Piegan-Carway border station. It then flows northward, forming the eastern boundary of the Kainai Nation's (Blood Tribe) lands until it joins the Oldman River near Lethbridge, Alberta. Because of its source in the mountains, the St. Mary River usually has a regular and dependable flow during the summer irrigation period.

Saint Mary Lake, Glacier National Park, Montana (Ken Thomas, September 2006)

The headwaters of the **Milk River** originate in the foothills of the Rocky Mountains in northwestern Montana. The waters of the North Fork of the Milk River are also fed by water from the St. Mary River, delivered through a 47-kilometre (29 mile) canal system. Both the North Fork and the main stem of the Milk River then flow northeast across Amskapi Piikani territory before crossing into Canada, where they join west of the town of Milk River, Alberta. The Milk River then flows easterly through the province before crossing back into Montana about 40 kilometres (25 miles) west of the Alberta-Saskatchewan provincial border. The river passes through the Fresno Reservoir near Havre, Montana and turns eastbound, forming the northern border of the Fort Belknap Indian Community lands, and eventually joining the Missouri River at Fort Peck.

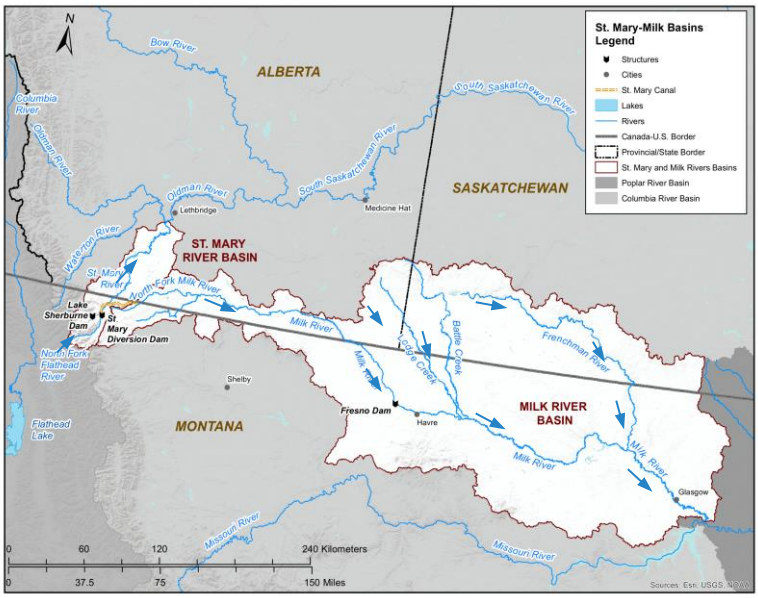
Milk River, Áísínai'pi National Historic Site, Alberta, Canada (Wheateater, August 2008)

The natural flow of the Milk River is greatly impacted by seasonal changes in temperature and precipitation, and without the input of water from the St. Mary River certain stretches would become dry during the hot summer months. The lands drained by the two rivers are known collectively as the St. Mary and Milk Rivers (SMMR) watershed, or 'basin'.

Sharing the waters: The *Boundary Waters Treaty* and the International Joint Commission

The St. Mary and Milk Rivers and the lands they drain have sustained people, animals, and the environment for millennia. In the late 1800s, as pressure was increasing from governments and settlers to develop farms and industry in the border region between Canada and the United States, disputes over the waters shared by the two nations were becoming more frequent. The desire by both countries to share a reliable supply of water for agricultural and ranch lands in southern Alberta and northern Montana led in part to the signing of the Canada - United States *Boundary Waters Treaty* in 1909, and the creation of the International Joint Commission (IJC) to help governments manage it.

In the St. Mary and Milk Rivers basin, an IJC Order was signed in 1921 with more detailed instructions on how the measurement and apportionment (sharing) of water from these two rivers will be managed by the accredited Irrigation and Reclamation Officers – now known as the 'Accredited Officers' (AOs) -- appointed by each Country. While the water rights of Indigenous Nations were acknowledged by those negotiating the Order, they were not reflected in it.



Overview of the St. Mary and Milk River flows in the basin

The International St. Mary and Milk Rivers Study: 2021-2025

There have been many initiatives over the years to review the way in which water is shared along the boundary, particularly in the face of present and expected future impacts from a changing climate and aging infrastructure used to store, regulate, and/or transport water. On June 28, 2021, the governments of Canada and the United States supported the IJC's decision, based on the recommendation of the AOs to launch a new Study of options for improving access to these shared waters, which would include administrative and structural options.

The Study is focussing on two key areas:

- The water measurement data and calculations currently used to determine the amount of water that each country receives; and
- Possible options to improve how water is conveyed within the basin. This could include a review of infrastructure such as canals and reservoirs that could improve both countries' access to waters shared under the Treaty and the 1921 Order.

It is recognized that changing how water is stored and flowed in these rivers may impact, positively or negatively, various ecological, economic, cultural, and recreational resources. These aspects will be considered in formulation of recommendations and will be informed through the participation of knowledgeable people in the basin.

This IJC Study is being led by an independent Board of six (6) people appointed by the IJC in November of 2021: three members from the Canadian side of the border, and three from the United States. The Board is co-chaired by the current Accredited Officers for the SMMR basin, Dr. Al Pietroniro and Mr. John Kilpatrick, who have expert knowledge of water measurement and apportionment in the watershed.

The Study report with its recommendations will be sent to the IJC in June 2025. The IJC will review the report and may make recommendations to the governments of Canada and the United States in late 2025.

While the SMMR Study Board is the focal point of this important binational initiative, the Study will have a number of key committees and advisory groups that will be critical to its success:

- Government Forum – A working group proposed for federal, Indigenous, state, and provincial governments having a direct role in water apportionment and/or SMMR infrastructure;
- Technical Working Groups – Experts in hydrology; climate change and adaptation; socio-economics; infrastructure; water apportionment; aquatic ecosystems; and the formulation and evaluation of options;
- Advisory Groups – Including Indigenous, non-governmental organizations, resource agencies, the public; and, an
- Independent Review Group.

The number and composition of these groups, and invitations to join will be managed by the Study Board. Webinars and information sessions will be offered starting in early 2022.

Reconstructed Drop Structure #5 on the St. Mary Canal, just before it joins the North Fork Milk River, Amskapi Piikani territory, October 2020 (from Montana DNRC Factsheet)

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