

# Columbia River Treaty *Update*

CBFWA Members Meeting

---

*August 24, 2011*

 *Background*

# Timeline of Columbia River Treaty

**Boundary Waters Treaty**  
1909

**Treaty analyses conducted;  
treaty project site evaluations**  
1948-59

1948  
**Vanport Flood**



1950  
**Flood Control Act of 1950  
(HD 531)**

1961-1964  
**Columbia River Treaty  
signed and ratified**

- Sale of first 30 years of Canadian Entitlement to U.S. utilities
- Southern Intertie planning begun
- Pacific Northwest Coordination Agreement signed
- Initial mid-Columbia party agreements signed

# Timeline of Columbia River Treaty

---

---

Canadian treaty responsibilities  
ceded to British Columbia  
1964

All Treaty Entitlement energy deliveries  
made to Canada (*end of 30-year sale to  
U.S. utilities*)  
2003

1967-1973  
Duncan, Keenleyside (Arrow),  
Mica, and Libby dams completed



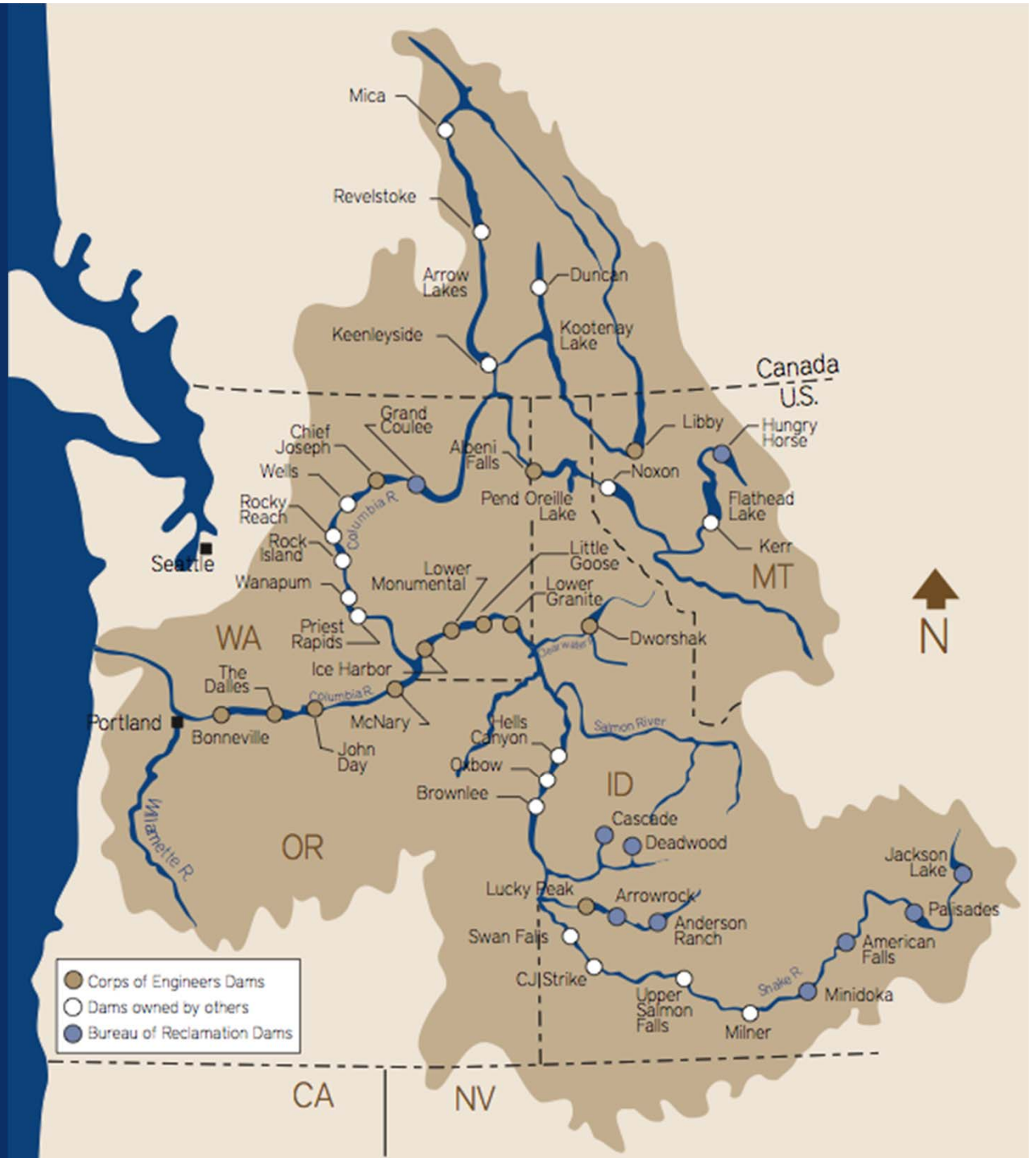
*Duncan Dam*

2014  
Latest either party  
may give 10-year  
notice for  
termination of Treaty  
in 2024

2024  
Earliest possible termination  
date for Columbia River Treaty  
(September 16, 2024)



# Columbia River Basin



# General Treaty Provisions

## *Infrastructure*

---

---

- ❖ Required Canada to build 15.5 maf of storage (Mica, Arrow, Duncan)
  - Non Treaty Storage - Canada built Mica with an extra 5 maf
- ❖ U.S. allowed to build Libby dam (5 maf storage)
- ❖ Facilitated electric intertie to California
- ❖ Facilitated additional generation at most Columbia River dams



*Mica Dam*



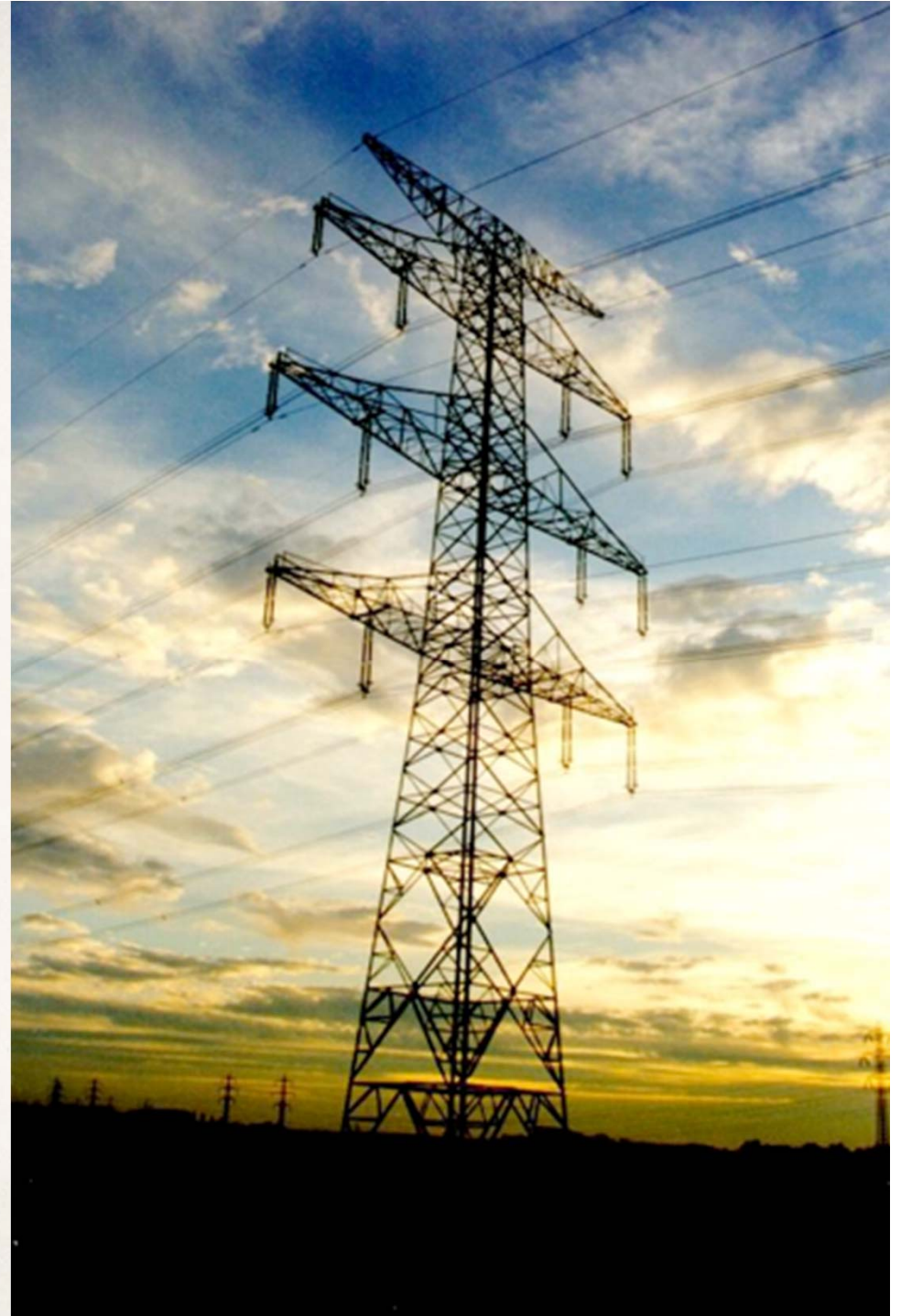
# General Treaty Provisions

## *Power Generation*

---

---

- ❖ Mica, Arrow, and Duncan to be operated for optimum power generation, downstream benefits for both Canada and U.S.
- ❖ Power benefits from Libby Dam downstream in Canada and the U.S.



# General Treaty Provisions

## *Water Storage/ Flood Control*

---

---

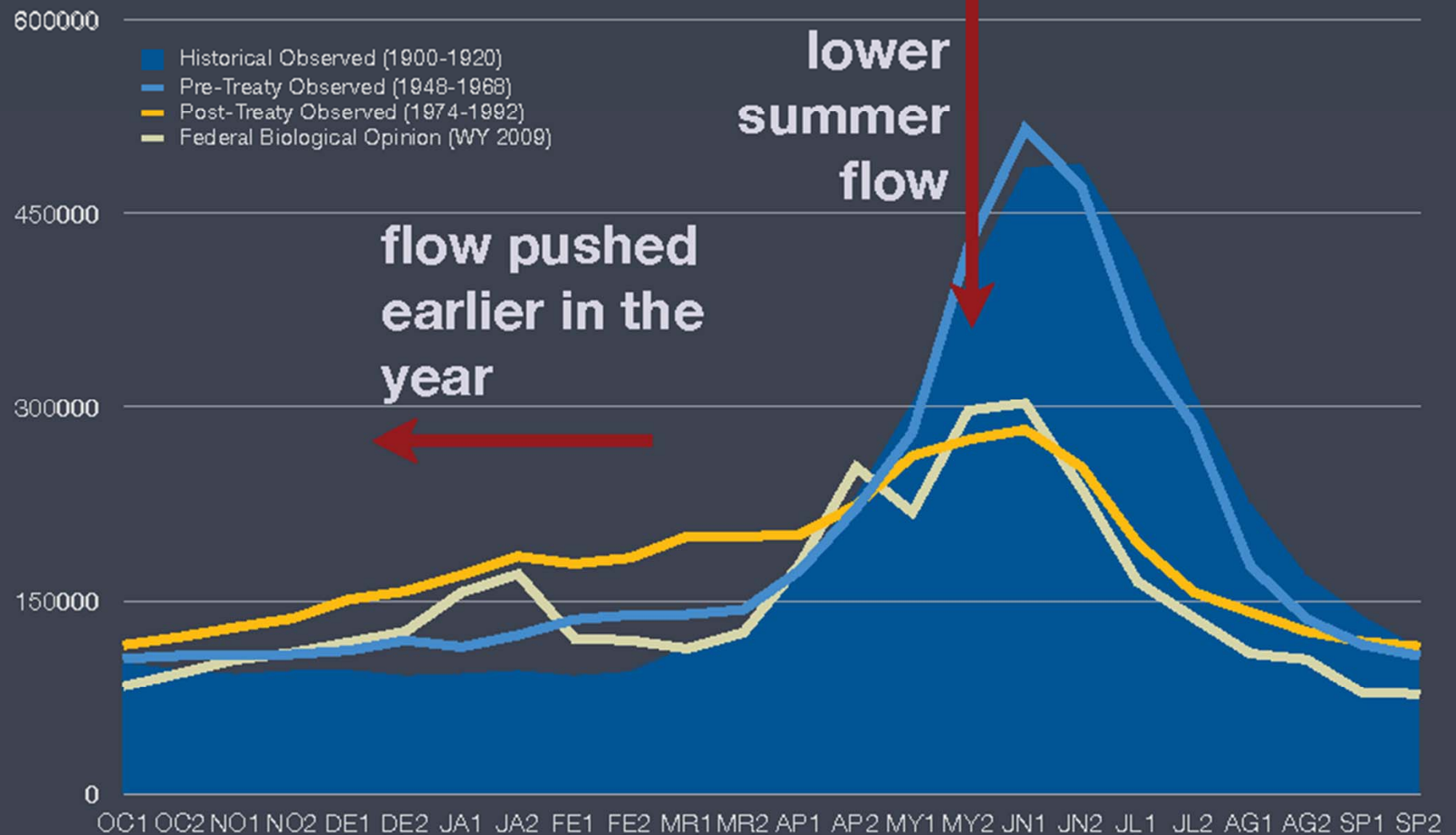
- ❖ Mica, Arrow, and Duncan to be operated for flood control
- ❖ 8.95 maf of flood control storage guaranteed through 2024
- ❖ **After 2024, goes to “called upon”**
- ❖ Libby creates flood control benefits downstream in Canada and the U.S.

*Vanport Flood*





# River level at The Dalles



# General Treaty Provisions

## *Economics*

---

---

- ❖ Shifts energy generation to higher value time periods.
- ❖ Canada and U.S. share downstream power benefits
  - Canada sold first 30 years to U.S. utilities for \$254 million
  - U.S. returns power with an average value of \$300 million to Canada
- ❖ Reduces flood risks, direct payment to Canada for flood storage through 2024
  - U.S. paid \$64.4 million over period of 1968-73
  - After 2024: U.S. payment required for “called upon” flood storage



# The Columbia Basin Tribes

---



# The 15 U.S. Columbia Basin tribes

with management authorities and responsibilities affected by the Columbia River Treaty

- ❖ Burns Paiute Tribe
- ❖ Coeur d' Alene Tribe
- ❖ Confederated Salish & Kootenai Tribes of the Flathead Nation
- ❖ Confederated Tribes of the Colville Reservation
- ❖ Confederated Tribes of the Umatilla Indian Reservation
- ❖ Confederated Tribes & Bands of the Yakama Nation
- ❖ Confederated Tribes of the Warm Springs Reservation of Oregon
- ❖ Cowlitz Indian Tribe
- ❖ Kalispel Tribe of Indians
- ❖ Kootenai Tribe of Idaho
- ❖ Nez Perce Tribe
- ❖ Fort McDermott Paiute-Shoshone Tribe
- ❖ Shoshone-Bannock Tribes of the Fort Hall Reservation
- ❖ Shoshone Paiute Tribe of the Duck Valley Indian Reservation
- ❖ Spokane Tribe of Indians



# Tribal Coordination

---

---

- ❖ Affiliated Tribes of Northwest Indians resolution
- ❖ Establish small work group
- ❖ Regional meetings and workshops
- ❖ Tribes develop:
  - ❖ Common Views on Future of Columbia River Treaty
  - ❖ Draft Statement of Goals and Objectives





# Columbia Basin tribes' Common Views

- ❖ Foundational document outlines broad concerns, issues, and requests associated with historical impacts, present conditions, and future needs with regard to tribal resources
- ❖ Adopted by upriver and downriver tribes



- ❖ The present Columbia River power and flood control system operations are negatively affecting tribal rights and cultural interests throughout the Columbia Basin.
- ❖ The Columbia River Treaty is foundational to these operations.

# Columbia Basin Tribes Common Views on the Future of the Columbia River Treaty

*Feb 25, 2010*

---

- ❖ The Columbia River Treaty:
  - ❖ Was negotiated and continues to be implemented without regard to the tribes' unique legal and political relationship with the federal government.
  - ❖ Is narrowly designed for the benefit of power and flood control.
  - ❖ Does not include ecological considerations for critical tribal natural resources.
  - ❖ Does not include considerations of critical tribal cultural resources.
  - ❖ Created a power and flood control system that degraded rivers, First Foods, natural resources, and tribal customs and identities.
  - ❖ Significantly affects tribal economies.
  - ❖ Excludes tribal participation in its governance and implementation.
  - ❖ Limits what can be accomplished with non-Treaty agreements to meet tribal resource priorities.



## *(Common Views Document Continued)*

---

The Columbia River Treaty is under review by the U.S. and Canadian governments for reconsideration in 2014. Reconsideration of the Treaty provides an opportunity for the tribes to seek benefits not realized in 50 years of Treaty implementation.

## **The Columbia Basin tribes' interests must be represented in the implementation and reconsideration of the Columbia River Treaty.**

The Columbia River must be managed for multiple purposes, including:

- ❖ Respect for the sovereignty of each tribal government - each tribe has a voice in governance and implementation of the Columbia River Treaty.
- ❖ Tribal cultural and natural resources must be included in river management to protect and promote ecological processes – healthy and useable fish, wildlife, and plant communities.
- ❖ Integrate the tribes' expertise of cultural and natural resources in river management.
- ❖ Equitable benefits to each tribe in priority to other sovereign parties in Columbia River management.
- ❖ Respecting and preserving the benefits of settlement agreements with tribes.
- ❖ Recognize tribal flood control benefits.
- ❖ Protecting tribal reserved rights to current and future beneficial uses, in a manner consistent with ecosystem-based management.

Columbia Basin  
tribes' goals

# Governance

---

---

- ❖ **Co-equal members of Treaty Review Group**

- ❖ Participate now on Treaty Review Team
- ❖ Participate on any future negotiating team
- ❖ Represent tribes' treaties, sovereign rights, trust resources and reservations
- ❖ Represent an Ecosystem Function purpose under Treaty



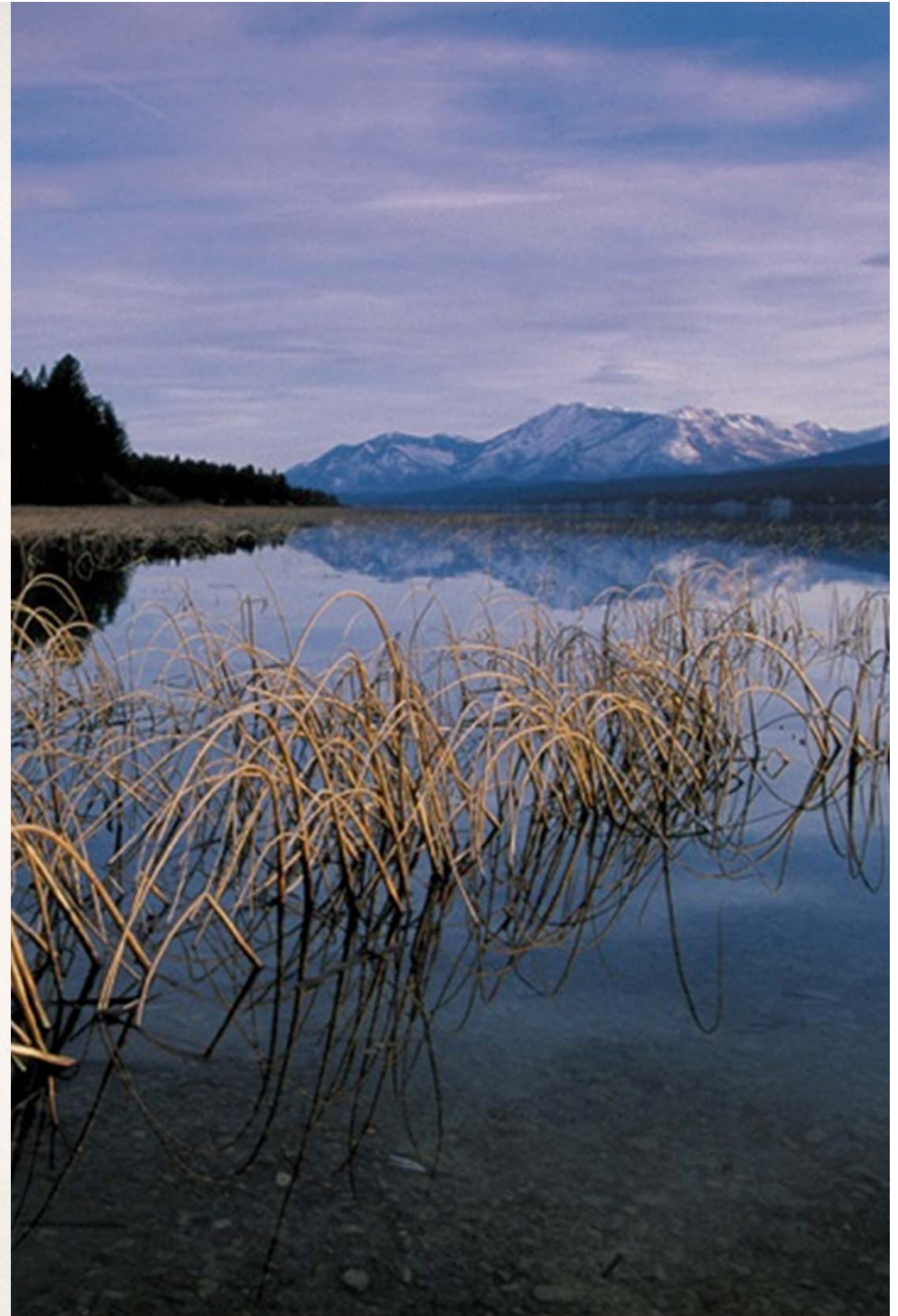


Columbia Basin  
tribes' goals

# River Ecosystem

- ❖ **Ecosystem Function as co-equal with flood control and power production**

- ❖ Power Generation and Flood Control operations and purposes need to be expanded to reflect current laws and court decisions
- ❖ River management for fish and wildlife should not be viewed as a cost to system operations for power or flood risk management



Columbia Basin  
tribes' goals

# Fish Passage

---

---

- ❖ **Restore and protect salmon and other fish passage to historical habitats**

- ❖ Investigate and develop juvenile and adult passage above Chief Joseph and Grand Coulee Dams
- ❖ Investigate and develop juvenile and adult passage above Hells Canyon Complex

*Grand Coulee Dam*





# Columbia Basin Tribes' Efforts

---

- ❖ Review Phase 1 and Supplemental Reports
- ❖ Develop relationship with U.S. Entity
- ❖ Develop Sovereign Participation Process with U.S. Entity
  - ❖ Three levels: Policy, Coordination, Technical
  - ❖ Develop comprehensive basin-wide ecosystem based approach with other sovereigns
- ❖ Develop relationship with U.S. State Department
- ❖ Complete Ecological Assessment of Phase 1 and Supplemental Reports
- ❖ Complete Tribal Resources Assessments



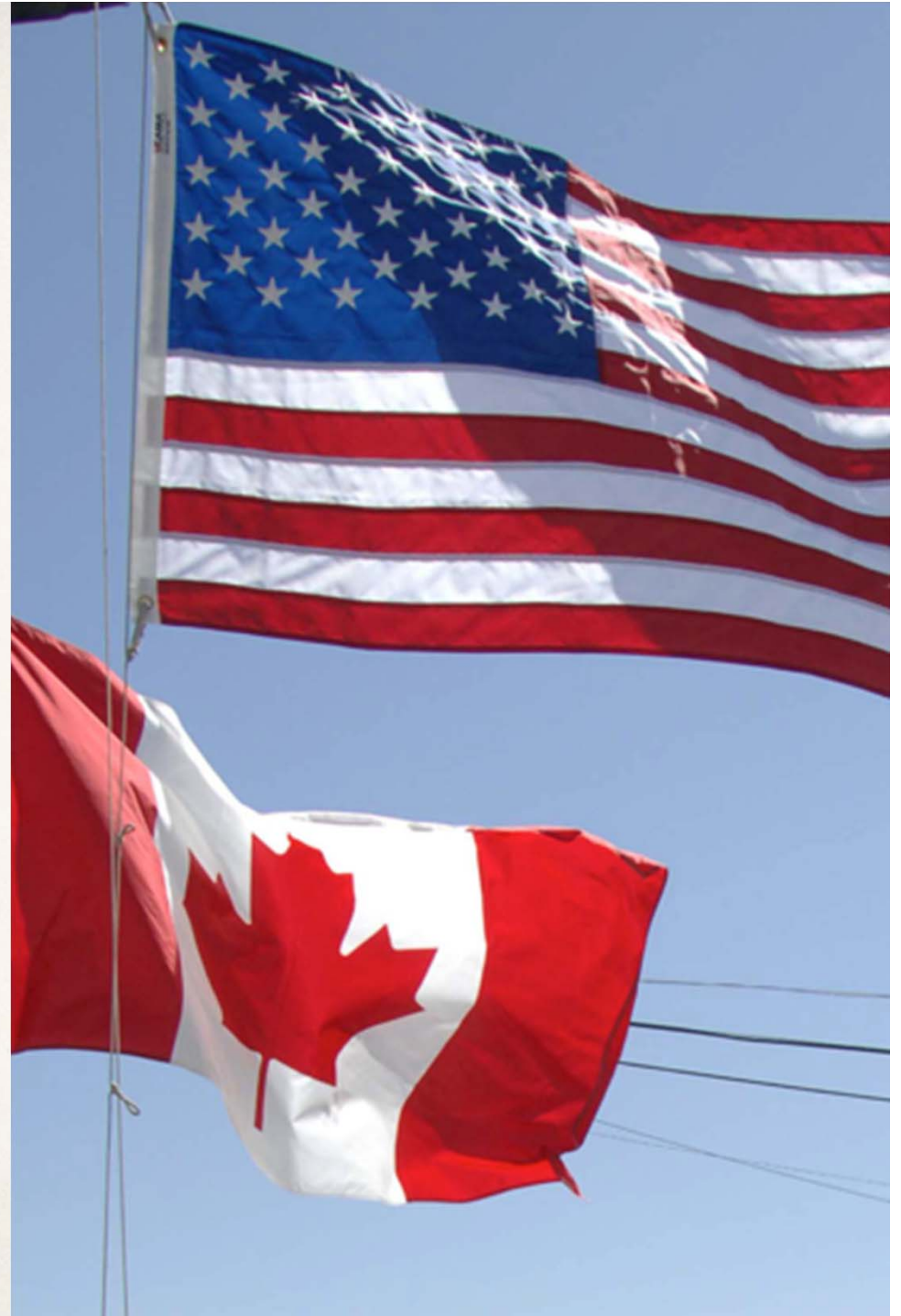
❖ *Columbia Treaty Review*

# Schedule and process for Columbia River Treaty 2014/2024

## Review

### *US and Canadian Entities*

- ❖ Joint Technical Review
- ❖ Phase 1: Completed July 2010,  
developed base line information on  
hydropower and flood risk management
- ❖ Additional joint technical work possible



# Schedule and process for Columbia River Treaty 2014/2024 Review

---

## *US Treaty Review*

- ❖ Supplemental Report: Completed September 2010
- ❖ U.S. Entity and regional sovereigns now scoping and developing alternatives for analysis
- ❖ Goal: Regional consensus based recommendation to U.S. State Department - September 2013





# Sovereign Participation Process

---

- ❖ **In July 2010, Columbia basin tribes met with U.S. Entity:**
  - ❖ Outlined issues and concerns with current Treaty
  - ❖ Proposed developing a collaborative framework to complete the Treaty Review
  - ❖ Insisted that ecosystem function be a co-equal with hydropower generation and flood risk management during the Treaty Review and under “new” Treaty



# Process Framework

---

## ❖ **Government – to – Government level**

- ❖ Elected representatives and U.S. Entity
- ❖ Meet as needed but at least biannually

## ❖ **Coordination level**

- ❖ Governmental designees
- ❖ Meets monthly

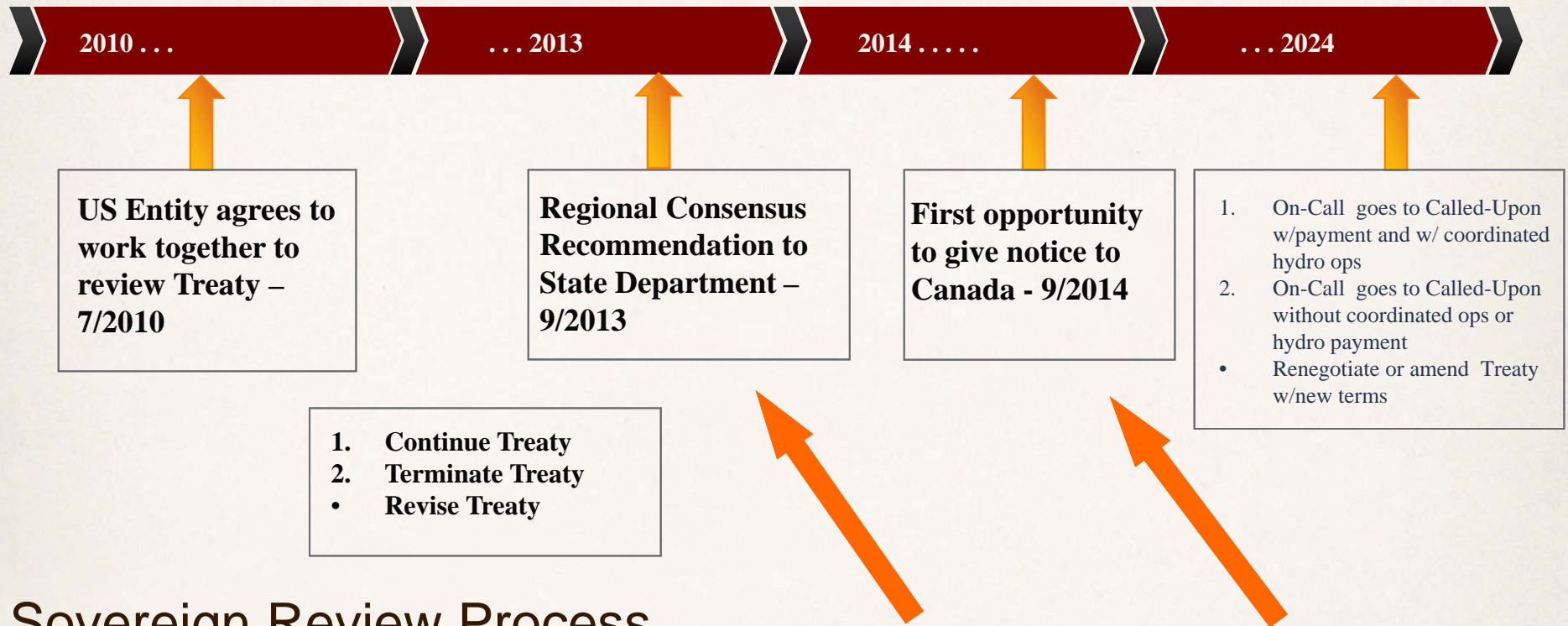
## ❖ **Technical level**

- ❖ Tribal, state and federal technical staff
- ❖ Meets several times a month

## ❖ **Regional Stakeholders**

- ❖ PUDs, IOUs, NGOs, irrigators, shipping etc.
- ❖ Invited to provide input on specific issue areas, provide information as needed

# Columbia River Treaty 2014/2024 Review Timeline



## Sovereign Review Process

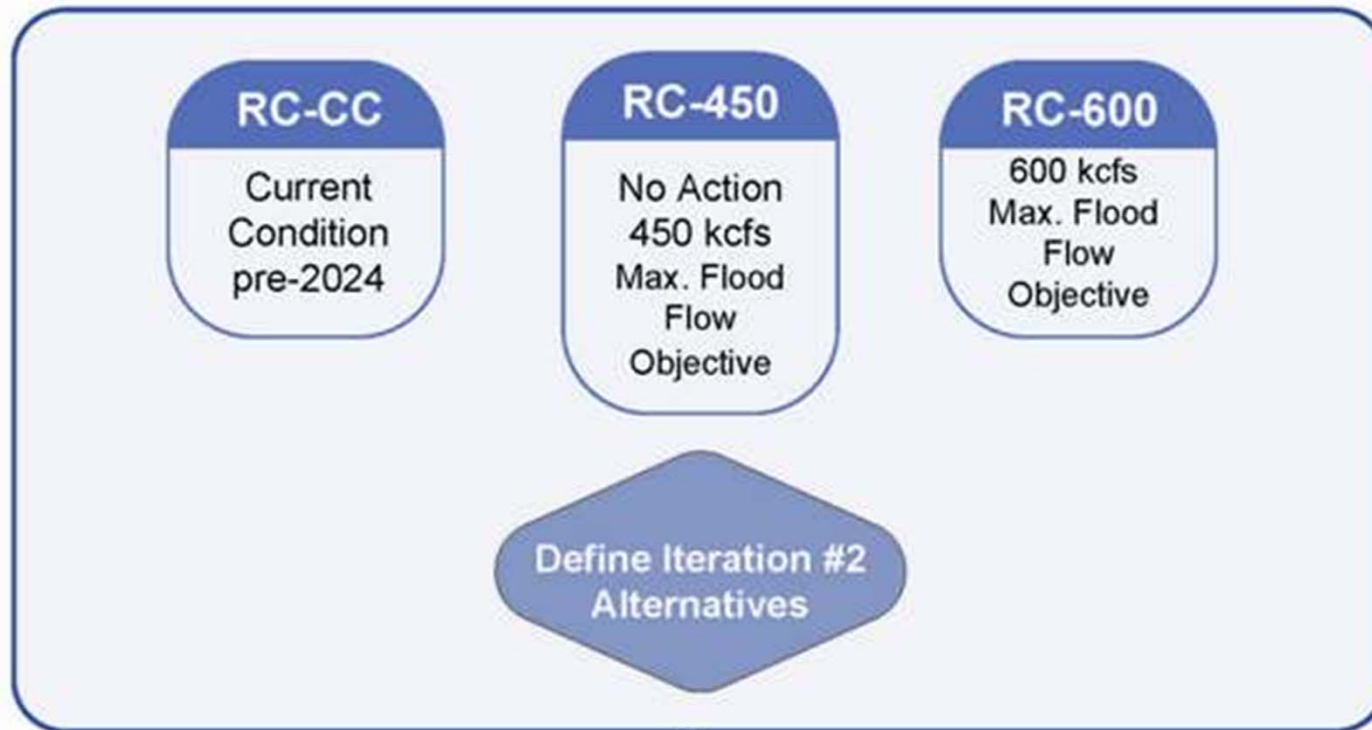


- 1. Sovereign Participation Process
- 2. Prologue and Sideboards
  - Framework Questions
  - Purpose and Objectives

## Products – To – Date



Columbia River Treaty 2014/2024 Review  
Alternative Formulation and Evaluation - Modeling Iterations  
**Iteration #1: Reference Cases**

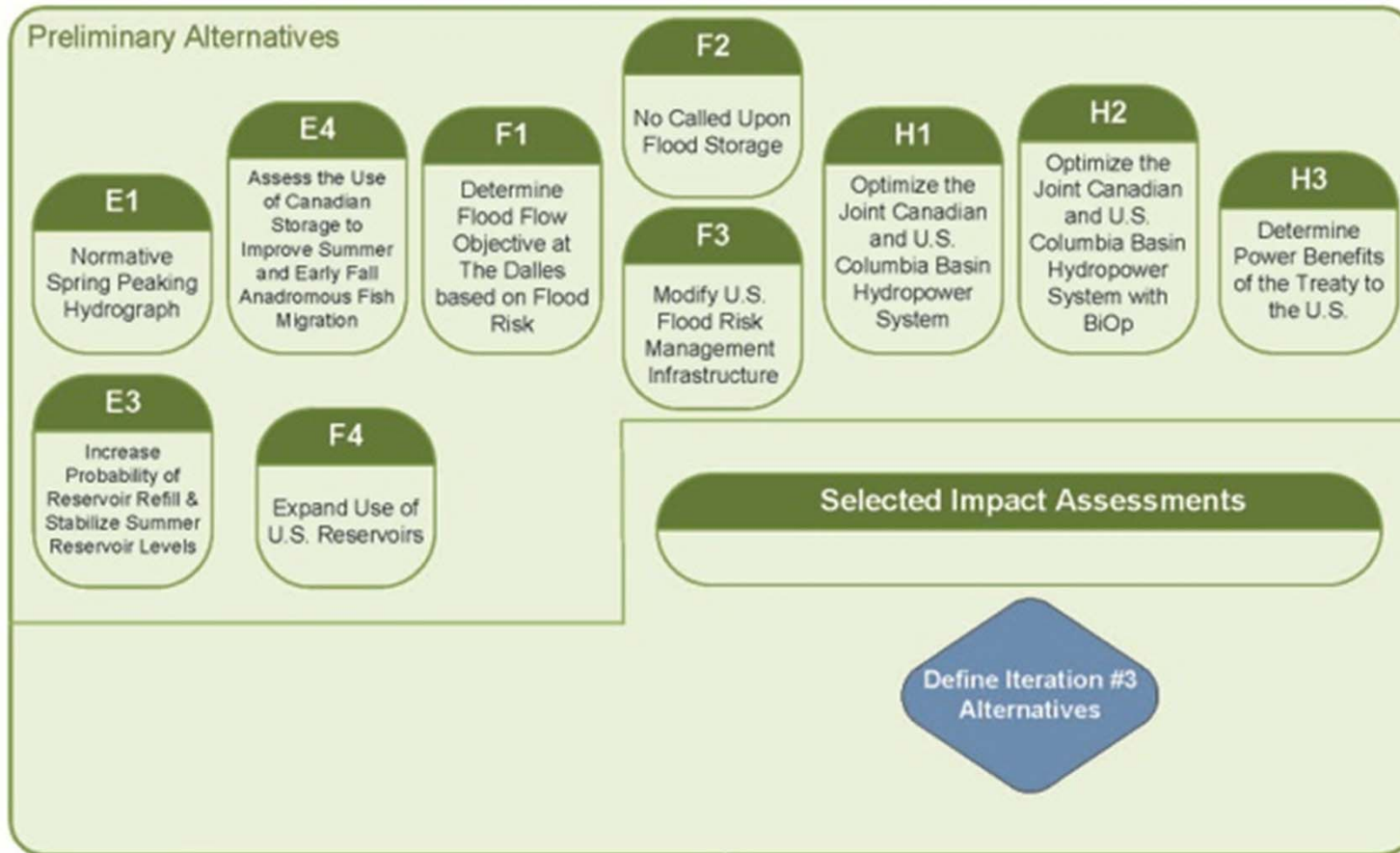


Iteration 2: Preliminary Alternatives

**Legend**

Objective(s) Met	
RC	Reference Case
E	Ecosystem-Based Function
F	Flood Risk
H	Hydropower
C	Comprehensive
US	U.S. Operations only

Columbia River Treaty 2014/2024 Review  
 Alternative Formulation and Evaluation - Modeling Iterations  
**Iteration #2: Preliminary Alternatives**



**Legend**

Objective(s) Met	
RC	Reference Case
E	Ecosystem-Based Function
F	Flood Risk
H	Hydropower
C	Comprehensive
US	U.S. Operations only

↓  
**Iteration 3: Refined Alternatives**

Columbia River Treaty 2014/2024 Review  
Alternative Formulation and Evaluation - Modeling Iterations  
**Iteration #3: Refined Alternatives (including climate change)**

