SLIDES: The Columbia River Treaty

Barbara Cosens

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Waters of the West
Universities Consortium on Columbia River Governance

The Columbia River Treaty
Columbia River Basin
1948 Flood
Storage: Run-of-the-River

Vancouver residents—likely to escape with their lives—were put up in barracks and commandeered trailers on Saanich Island and other sites all over town.

From Oregon Historical Society/Oregonian
Columbia River Treaty: Flood Control and Hydropower

- 3 Dams in Canada
- 60 years of flood control: $65 million
- Canadian Entitlement
  - 30 year contracts: $254 million
  - Northwest-California Intertie
- Entities
  - U.S.:
    • The Bonneville Power Administration (BPA) Administrator
    • U.S. Army Corps of Engineers (Corps) Division Engineer, Northwestern Division
  - Canada:
    • British Columbia Hydro and Power Authority (BC Hydro)
Why is the CRT Under Review?

• Assured flood control expires September 16, 2024

• The earliest date of unilateral termination was September 16, 2024 with a minimum of 10 years notice required
Universities Consortium on Columbia River Governance

- Changes since 1964
- Cross-border dialogue
- Research
- Website: http://www.columbiarivergovernance.org/
Energy Demand
50th Percentile Flow Timing

Predicted Water Deficit with Climate Change

Source of figures:
Dr. John Abatzoglou
Impacts of Dams

- **Hydrograph**

- **Fig. 9** Comparison of observed, adjusted and virgin flows of the Columbia River at The Dalles for 1945-2004 with virgin flow for 1879-1899

- **Source:** Pradeep K. Naik, David A. Jay, Journal of Hydrology Volume 404, Issues 3/4 2011 259 – 277,

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Connectivity

Source: CRITFC
Values/Empowerment/Capacity

Columbia Basin Tribes in the U.S.

CONSTITUTION ACT, 1982
PART II
RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA
Common Views on the Future of the Columbia River Treaty, February 25, 2010

• The Columbia Basin tribes’ interests must be represented in the implementation and reconsideration of the Columbia River Treaty.
  – Sovereign voice in river management
  – Equitable benefits to each Tribe in priority to other sovereign parties
  – Integrate traditional ecological knowledge in river management

• The Columbia River must be managed for multiple purposes, including -
  – Tribal cultural and natural resources
  – Recognize tribal flood control benefits
  – Protecting tribal [treaty and settlement] rights . . . consistent with ecosystem-based management.
U.S. Regional Review

- **Flood Control**
  - Storage use?
  - 450,000 cfs risk

- **Ecosystem Function**
  - 3d Purpose
  - Augment spring and summer flows

- **Hydropower:**
  - Reduce CE

- **Implementation**
  - Revisit composition of the U.S. Entity

- **Process**
  Sovereign Review Team
  December, 2013:
  Recommendation to Department of State
British Columbia Recommendation

- Flood Control
  - Storage use?
  - 600,000 cfs risk
- Ecosystem Function
  - balance
  - Salmon return: domestic concern
- Hydropower
  - Increase CE
- Implementation
  - Increase transparency and public input

Process

Provincial Review Committee

www.gov.bc.ca/columbiarivertreaty

December 2013: Recommendation to the Cabinet
U.S. Position?

Regional Congressional Delegation

- Request the commencement of treaty negotiations
  - 2014
  - 2015

Department of State

- Silence
Reconnecting the Columbia

• In October 2014, the Northwest Power and Conservation Council amended its Columbia River Basin Fish and Wildlife Program to investigate reintroducing anadromous fish back into the main stem Columbia River reaches and tributaries in the U.S.

  Available at: https://www.nwcouncil.org/fw/program/2014-12/program/partthree_vision.foundation_goals.objectives_strategies/iv_strategies/c_other_strategies/3_anadromous_fish.mitigation_blocked_areas/
Reconnecting the Columbia

• The U.S. Columbia Basin Tribes, which includes the Upper Columbia United Tribes (UCUT), and Canadian First Nations of the Columbia River Basin have produced a paper that provides a much-needed proposal for restoring fish passage and reintroducing anadromous fish as an essential element in modernizing the Columbia River Treaty.

• January 9, 2015,
  – available at http://www.ucut.org/Fish_Passage_and_Reintroduction_into_the_US_And_Canadian_Upper_Columbia_River3.pdf
UCCRG Research

• U.S. and Canada international law in domestic law
• Models for adaptive mechanisms in international treaties
  – Bankes and Cosens
  – Funding: Water Program at the Munk School of Global Affairs
• Models for Indigenous participation in negotiation and implementation of international treaties
  – McKinney, Paisley, and Stenovec
  – In collaboration with the Tribes and First Nations of the Columbia River Basin
ONE RIVER ETHICS MATTER

PLEASE JOIN US FOR AN EVENING OF RIM, MUSIC AND TRANS-BOUNDARY CONVERSATION ABOUT A FUNCTIONING COLUMBIA RIVER Ecosystem

TREATY TALKS: A DOCUMENTARY ABOUT THE MOVEMENT TO RESTORE FISH PASSAGE ABOVE THE GRAND Coulee DAM. THE FILM FOLLOWS A CAUSE EXPEDITION UP THE COLUMBIA RIVER FROM SEA TO SOURCIDE IN HONOR OF THE COLUMBIA RIVER.

AGENDA:
7:00pm DRUM SONG & OPENING PRAYER
7:15 COLUMBIA RIVER TREATY UPDATE
7:30 SALMON REINTRODUCTION
7:45 FILM SCREENING
8:30 Q & A CONVERSATION

LOCATIONS & DATES:
22/6/15 GEM THEATER - GRAND FORKS, BC
23/6/15 Rod & Gun Club - Nelson, BC
24/6/15 Bonnington Arts Centre - Nakusp, BC
25/6/15 United Church - Revelstoke, BC
Brought To You By:

TREATY Talks: PADDLING UP THE COLUMBIA RIVER FOR SALMON AND PEOPLE

MIGHTY CURRENTS
HONORING THE COLUMBIA RIVER
AN EVENING OF FILM, MUSIC & CONVERSATION ON THE ROOFTOP
SUNDAY, JUNE 28

GATHER IN CELEBRATION OF OUR WATERS,
LIVE MUSIC, STORYTELLERS, SPEAKERS, A CRACKLING FIRE, SMOKED SALMON & WINE
FOLLOWED BY FOUR COLUMBIA WATERSHED SHORT FILMS, WITH FILM MAKERS IN ATTENDANCE.

MUSIC 7-8PM
PEPPER PROUD, SONGS FOR THE WATER

DOCUMENTARIES 8-9PM
THE LOST FISH - SIGRID LANGDEY
MOMENTA - BIG COAL AND OUR RIVERS
CAVIAR SCHEMES - STUagON POACHERS ON THE COLUMBIA
FEATURING:
TREATY TalkS: PADDLING UP THE COLUMBIA RIVER FOR SALMON AND PEOPLE

SUNDAY JUNE 28 - AT ECO TRUST
721 NW 9TH AVENUE, PORTLAND, OR 97209
ADVANCE 25
LINK TO TICKETS