



Columbia River Treaty Review

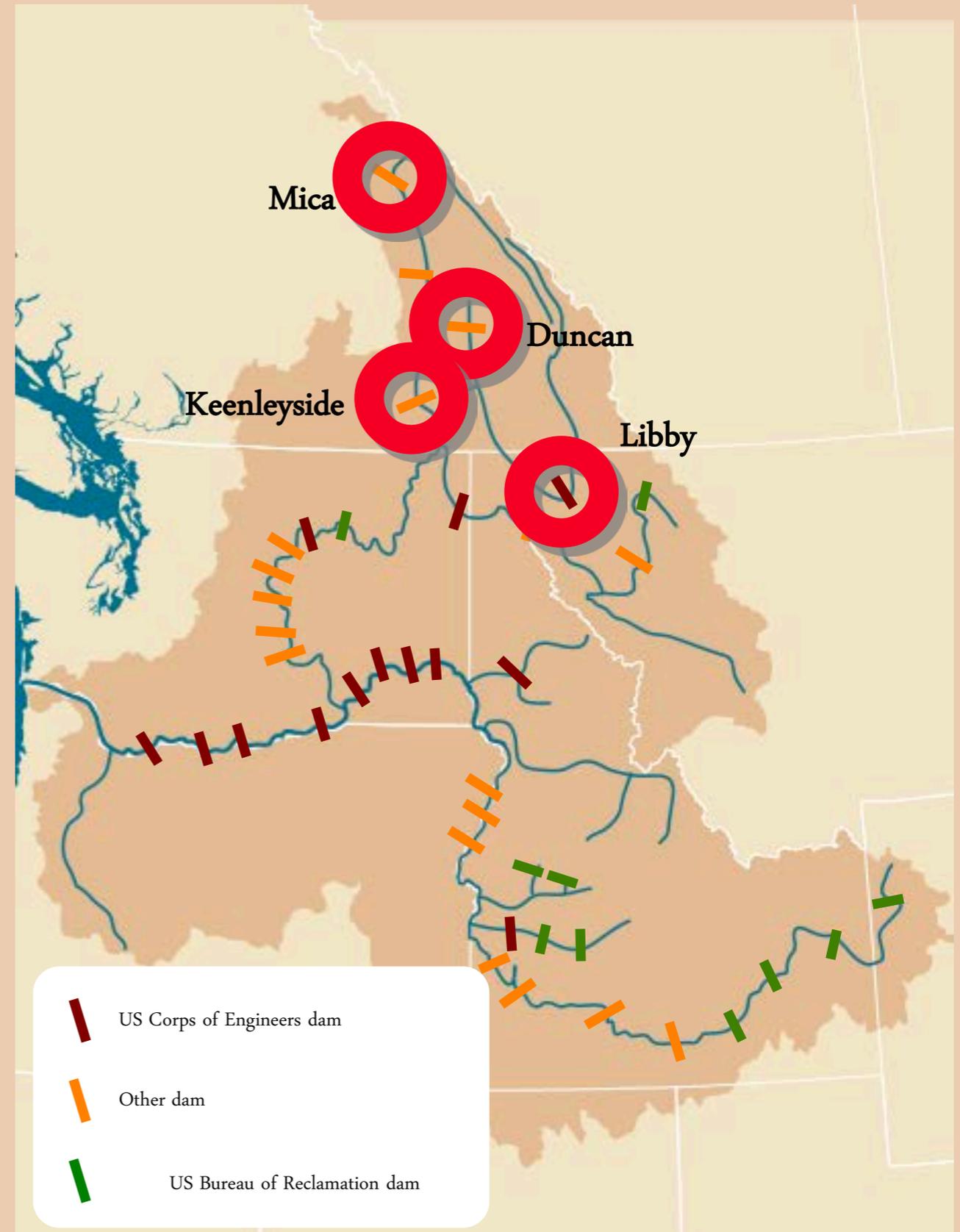
Paul Lumley, CRITFC Executive Director
September 25, 2013



Columbia River Inter-Tribal Fish Commission

Columbia River Treaty

- Treaty came into force in 1964, no end date.
- Canada builds three dams, U.S. gets to build Libby.
- Two goals: optimize hydropower and coordinate flood control.
- With a 10 year notice, Treaty may be terminated starting in 2024 (Sept 2014).
- **No mention of tribes, fish or wildlife**



First Foods





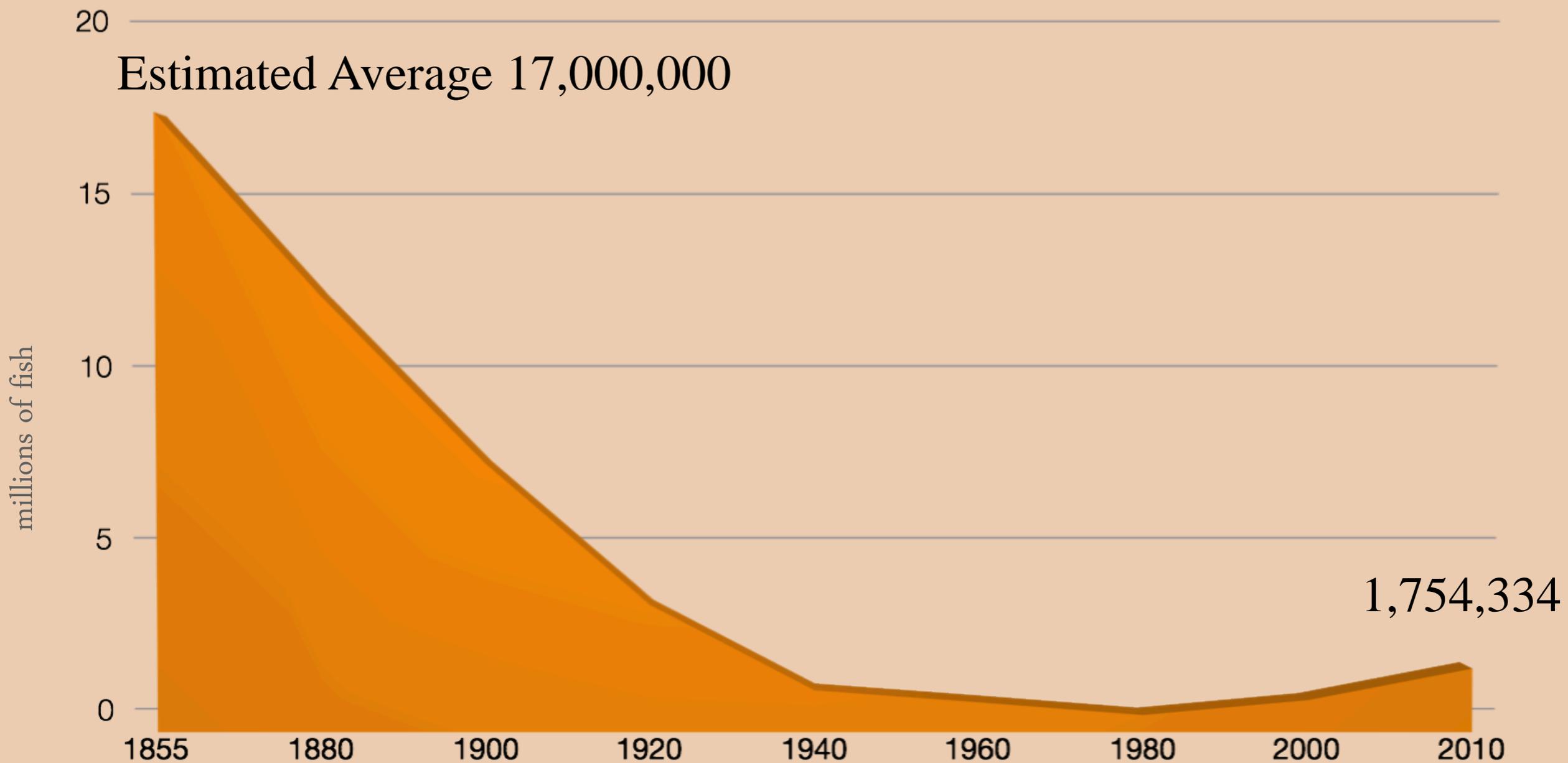
“...the right of taking fish at all usual and accustomed places, in common with the citizens of the Territory, and of erecting temporary buildings for curing them: together with the privilege of hunting, gathering roots and berries....”

—1855 Treaty with the Yakima



Salmon Decline

Returning Columbia River salmon (chinook, steelhead, sockeye, coho)



Four Tribes' Ceded Lands

Combined, the land comprising this ceded area:

- 66,591 square miles
- More than 25% of the entire Columbia Basin
- 55% of the rivers and streams that are still accessible to salmon
- Includes almost all of the salmon habitat above Bonneville Dam





Columbia Basin Tribes

15 tribes with management authorities and responsibilities affected by the Columbia River Treaty





Celilo Falls Tribal Fishery

On the Columbia River near The Dalles, Oregon
(inundated by The Dalles Dam in 1957)

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Kettle Falls Tribal Fishery

On the Columbia River in Washington State
(inundated by Grand Coulee Dam in 1940)

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Impacts from Dramatic Reservoir Level Changes

Spokane River in Washington State, impacts from Grand Coulee Reservoir
Drawdown (*cultural resources, dust*)





Fish and Wildlife Impacts

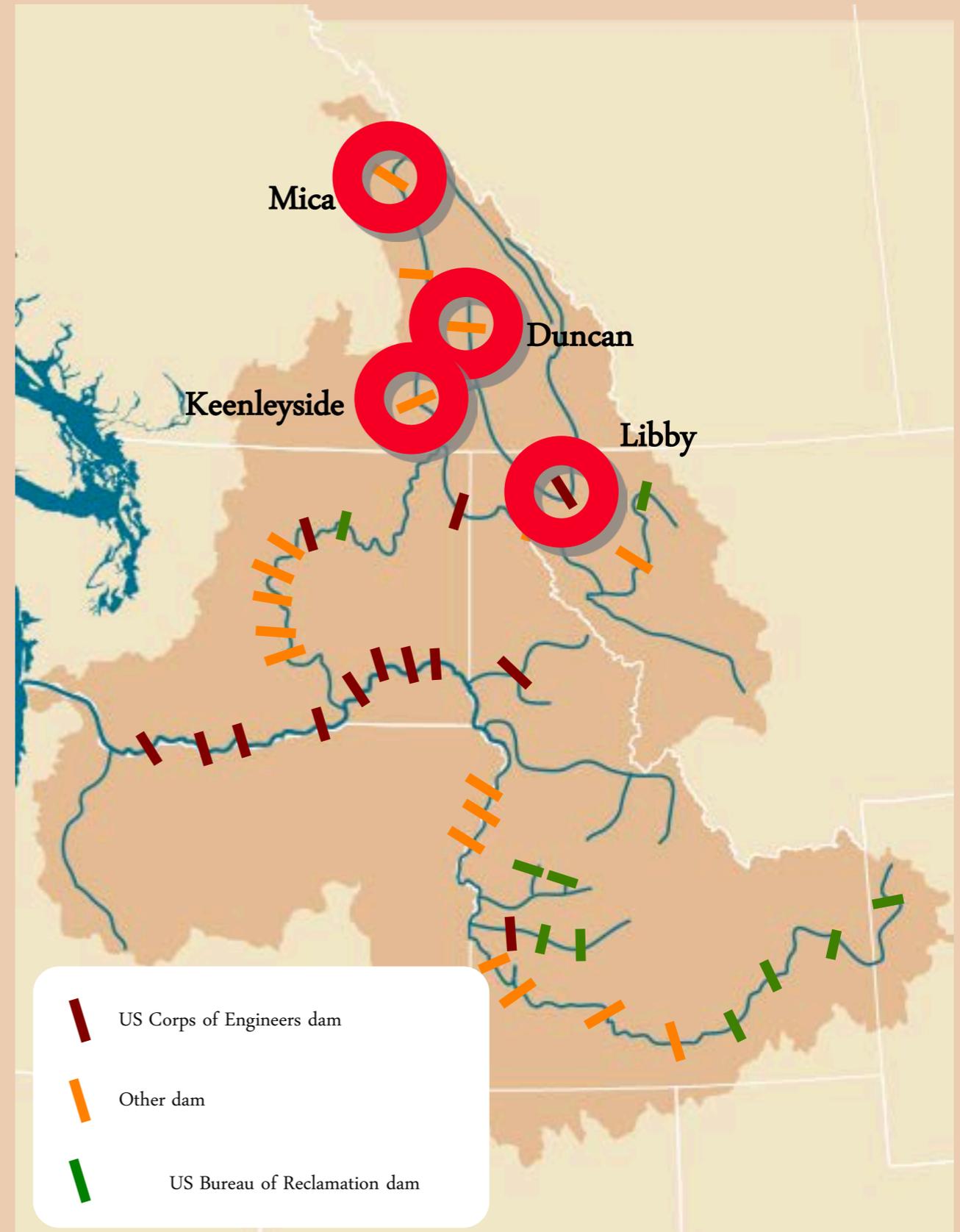
On the Upper Snake River in Idaho (*salmon blockage in 1901*)
Loss of salmon impacted wildlife and other ecosystem functions

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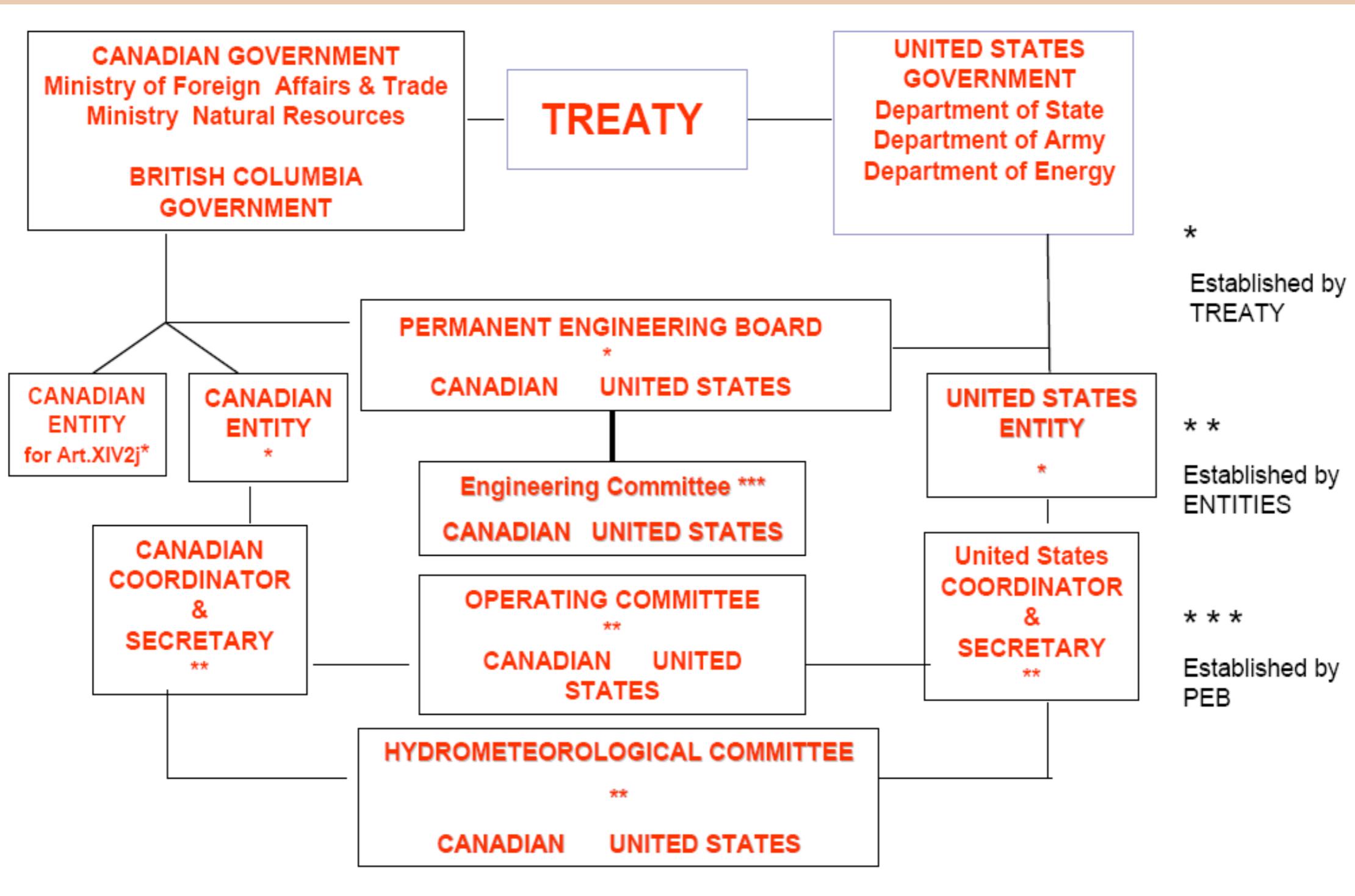


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Treaty Operations



Tribal Caucus Products

- Common Views Document: Feb 2010
- Tribal Leaders meet with US Entity: July 2010

At this meeting, the Sovereign Participation Process was established to develop a Regional Consensus



Transboundary Coordination

Columbia Basin Tribes and First Nations

➤ Tribal and First Nations leaders toured upper and middle basin to see issues first hand.

➤ Tribes and First Nations agree that:

Ecosystem based functions need to be part of river management under the Treaty

Salmon should be reintroduced throughout the basin over time

Alternative management frameworks should be explored in future meetings



Tribal Issues with Treaty

No **tribal consultation** during negotiation nor **tribal representation** during implementation

Adopted hydropower and flood control as management goals, **disregarding fisheries** and other ecosystem elements

Flood control plan moved a permanent flood upriver and **eliminated annual flooding** and freshets

Grand Coulee and Treaty projects built without **passage** and eliminated salmon **spawning habitat**

Benefits of Treaty system **not shared** with tribes

Col. Basin Tribes' Goals

Governance – a seat at the table during Treaty Review, negotiations for a new Treaty followed by implementation

Incorporate **ecosystem-based function** into Treaty Review and modernized Treaty

Restore spring freshet while balancing tribal needs in upper basin reservoirs

Restore salmon runs and protect **salmon passage** at all historic locations

Share in benefits of coordinated systems



Ecosystem-based management approach

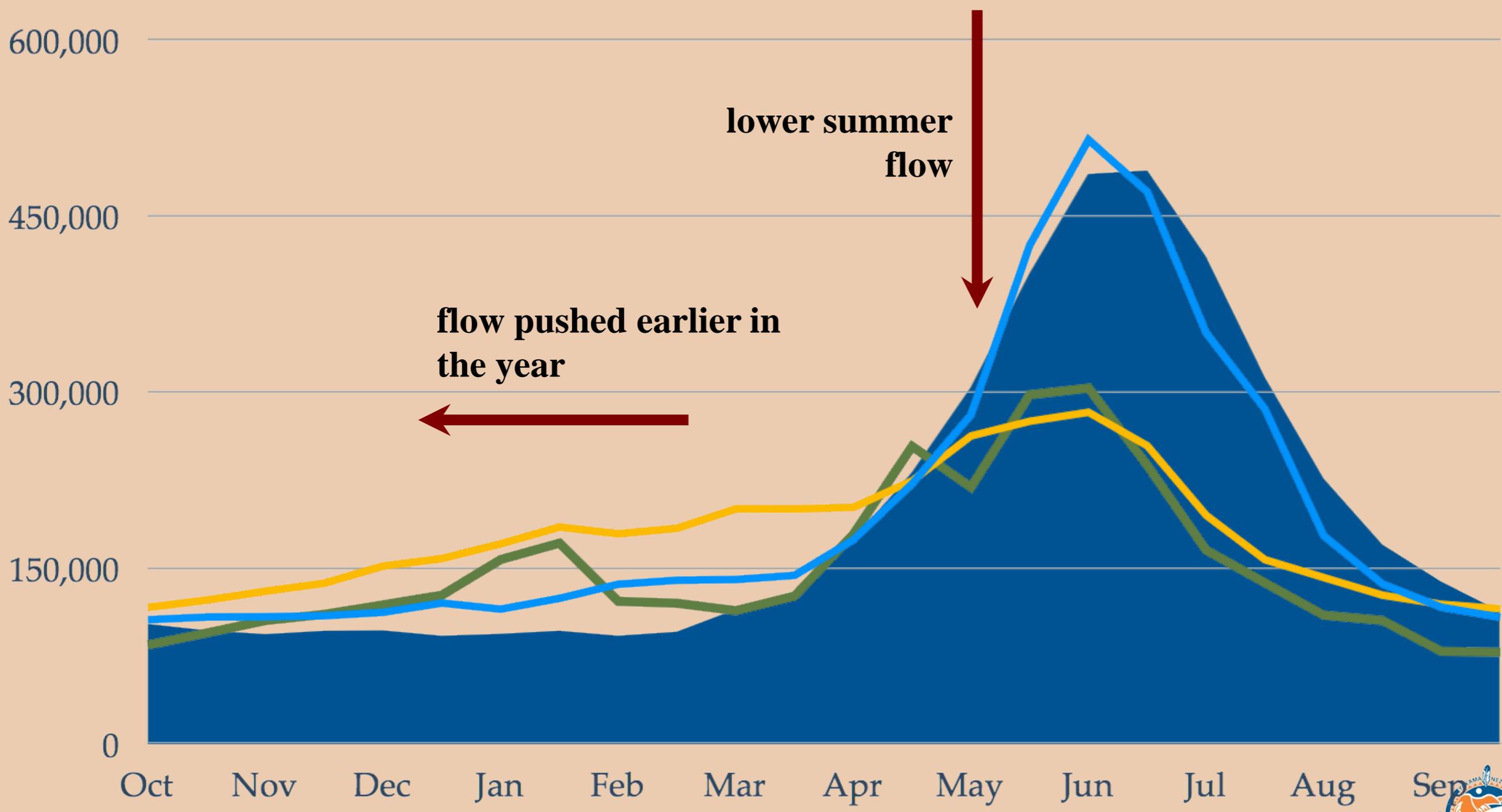
- Restore and preserve tribal natural and cultural resources
- Restore spring freshets:
 - Helps to restore estuary
 - Helps move fish
- Restore anadromous fish passage to all historic locations.
- Minimize draw downs at upper reservoirs

An ecosystem-based assessment was incorporated into the Treaty Review, similar to hydropower and flood control assessments



River Level at The Dalles

- Pre-Treaty Observed (1948-1968)
- Post-Treaty Observed (1974-1992)
- Federal Biological Opinion (WY 2009)
- Historical Observed (1900-1920)



Tribal Concerns on Flood Risk Management

- USACE is reluctant to change or increase flows that may result in increased flood risks.
- What is Flood Risk Management?

Risk = Cost × Probability

Risk ≠ Probability

- Why is this important?

Salmon survival improves with better spring freshet. Current flood control approach creates havoc in upriver reservoirs, perhaps for little flood risk benefit. Updated flood risk management approaches can increase salmon survival, reduce havoc in upriver reservoirs, and improve estuary health.



Sovereign Participation Process

U.S. (Entity & Federal Agencies), Tribes, States

- **Government-to-government level:**
Decision makers
- **Sovereign Review Team:**
Guides technical analysis, resolves process issues
- **Sovereign Technical Team:**
Modeling and technical analysis
- **Stakeholder Involvement Throughout**



Sovereign Participation Process

(Progress to Date)

- Iteration #1: June 2012, base line information
- Iteration #2: June 2013, broad range of scenarios
- Iteration #3: Aug 2013, narrower range of options
- Working draft regional recommendation was developed based upon modeling analysis and stakeholder input



Columbia River Treaty - 2014/2024 Review

- 1st draft recommendation June 27
- 2nd draft recommendation expected Sep 20
(deadline for comments is Oct 25)
- Final recommendation to the U.S. Department of State by December 2013



Regional Consensus is Forming

- Sovereigns and Stakeholders agree:

Treaty should be modified

Potential Recommendation:

- Add ecosystem-based functions
- Reduce Canadian Entitlement
- Address flood control management post-2024



Regional Consensus is Needed

- The U.S. Department of State will decide on whether to request negotiations with Canada
- Broad regional consensus is needed (details are important)
- Power group objects to adding ecosystem
- Without broad regional consensus, US Dept of State may not pursue modernized Treaty



Why Modernize the Treaty?

- The NW depends on healthy Columbia River
- Hydropower contributes to energy independence
- Public safety
- Economic well-being

*A Modernize Treaty is in the Best Interest
of the Region and the United States*



Steps Forward

- Sovereign Participation Process, or some variant, will likely continue beyond 2013
- Treaty options: continue, terminate or modify (enhance/modernize)
- Senate ratification needed for a new Treaty and potentially for major changes to the Treaty

Regional Consensus is Key to Success

