



## ***U.S. Entity Recommendations on the Columbia River Treaty***

*CBRAC  
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## US Process

- Sovereign Review Team Process
- Regional Listening Sessions
- Stakeholder Outreach
- Public comment on draft recommendations
- Submission to Department of State December 2013
- Federal Interest Review - Circular 175 Process

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- SRT: BPA, USACE, 5 Tribal representatives representing 15 Tribes, federal agencies (NMFS, USFWS, BOR, BLM, EPA, USFS, USGS, BIA, NPS), state representatives from ORE, WA, MT, ID
- Listening sessions directed at the public, held in several towns and cities in the relevant states.
- Stakeholder outreach included navigation sector, irrigation/agriculture sector, power sector, ENGOs.
- Circ 175 – standard process closed to relevant federal departments, leading to recommendations to State Department for a negotiating mandate – signed off October 7<sup>th</sup> by the Undersecretary of State.

## General Principles

- ❖ Greatest possible shared benefits from the coordination as compared to no longer coordinating Treaty storage operations
- ❖ 2. The health of the Columbia River ecosystem should be a shared benefit and cost
- ❖ 3. Treaty duration post-2024 should be long enough for operation planning, but adaptable to new information and changing conditions

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- Shared benefits include : ecosystem, hydropower, and flood risk management, as well as water supply, recreation, navigation, and other pertinent benefits and uses
- Comparison to no Treaty as opposed to no dams and reservoirs – an important distinction
- The third principle is confusing as the Treaty has no end date therefore the duration is evergreen as long as the 10 year termination notice is not served: however the intention is sound.



## General Principles – cont'd

- ❖ 4. All operations of the Treaty should be based on the best available science and measurable outcomes
- ❖ 5. U.S. federal reservoirs/projects will continue to meet authorized uses consistent with applicable legislation
- ❖ 6. The United States and Canada should pursue a more coordinated use of Treaty and Canadian non-Treaty storage under the Treaty

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- Measurable outcome to the extent practicable.
- US desire is to incorporate NTSA into the Treaty

### **General Principles – cont'd**

- ❖ 7. A strategy for adapting the Treaty to future changes in climate is needed
  
- ❖ 8. U.S. interests should ensure that costs associated with any Treaty operation are aligned with the appropriate party
  
- ❖ 9. Implementation of ecosystem-based functions in the Treaty should be compatible with rebalancing the entitlement and reducing U.S. power costs

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- Climate change strategy should be “resilient, adaptable, flexible, and timely as conditions warrant”. Challenge is to define such a strategy.
- There is discussion in the US between costs borne by ratepayers versus taxpayers

## Recommendations - Hydropower

1. Rebalancing the power benefits to reflect the actual value of coordinated operations
2. "Aspects of Delivery Agreement" should be renegotiated
3. Maintain an economical and reliable power – minimise reduction in generation capability
4. Avoid substantial changes during peak load periods that result in lower system reliability or flexibility

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- US maintains that incremental power from the Treaty is not fully realised. BC maintains that the Canadian Entitlement (CE) is tied to planned Treaty operations that are designed to maximum power production; if US chooses to re-regulate for other purposes BC should not be penalized and CE should not be reduced.
- "Aspects of Delivery Agreement" means a) when the CE is returned to BC/scheduling and b) requirement to return CE via transmission line to Oliver
- 3. describes key power industry concerns: lost revenue, system reliability, loss-of-load probability, carbon emissions, renewable resource integration, shifts in streamflow quantity and timing due to climate change.
- 4. is about capacity to meet peak load.

## Recommendations - Flood Control

1. Maintain acceptable level of flood risk similar to the level of risk existing prior to 2024
2. Assess potential alternatives post-2024, including using planned or assured Canadian Storage
3. Establish a common understanding of the methods and procedures for post-2024 Called Upon

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- 1. indicates no increase in flood risk compared to current.
- 2. suggests maintaining the current flood risk in US through coordinated and planned operations with BC.
- 3. reflects disagreement between Canadian and US Entities on interpretation of called Upon Treaty provisions. BC disagrees with US assumptions that: CU would apply only when all available Canadian power storage is used; that US reservoirs would use current SRD – that is not effective use; that effective use would apply to only 8 authorized reservoirs.

## Recommendations - Flood Control – cont'd

4. Identify reasonable compensation to Canada for CU economic losses and operating costs based on US policy
5. Enable flexibility to adapt to climate change (such as the potential for more frequent and intense winter flood events)

- 4. Compensation will be negotiated, not determined by US.
- 5. New provision to deal with extreme events (e.g 1997 Willamette flooding, 2013 extreme rain on snow event).



## Recommendations - Ecosystems

1. Provide timing, quantity and quality stream flows from Canada for anadromous and resident fish
  - Formalise long term current and future flow augmentation
  - Incorporate a dry-year strategy
  - Develop long term ecosystem strategy (as opposed to annual supplementary agreements)
  
2. Minimize effects to cultural resources

### **Recommendations - Ecosystems cont'd**

3. Adapt ecosystem-based function based on new information or change of circumstances, and based on the management priorities of both countries.
  
4. Pursue a joint program on reintroduction of anadromous fish on the main stem Columbia River to Canadian spawning grounds
  
5. Continue to coordinate Libby Dam operations with Canada to achieve mutually desirable ecosystem benefits.

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- 3. Place holder for climate change effects on fish populations.
- 4. Incremental program starting with reconnaissance; measures at federal installations such as Chief Joseph and Grand Coulee Dams would require congressional approval and funding.
- 5. There are still unresolved issues for BC regarding Libby Dam operations.

## Recommendations - Water Supply

- Storage and release of water from Canada in the spring and summer for irrigation and municipal/industrial uses
- Need for irrigation will only increase to meet growing regional food supply and security
- Increased water supply should not affect upstream US reservoirs, ecosystem-based function and water rights

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- Water supply in US will also be negatively impacted by climate change – reduced snow pack, earlier snow melt and lower flows in summer/early fall.



### **Recommendations - Navigation**

- Provide river flows that ensure safe navigation, efficient cargo movement, maintenance of navigation infrastructure

### **Recommendations - Recreation**

- Protect recreational and cultural opportunities

### **Recommendations - Climate Change**

- Allow for adaptive management of Treaty operations to better mitigate any impacts of climate change on all elements of the Treaty

## Recommendations - Timing

- U.S. government make a decision by mid-2014
- Complete negotiations by no later than 2015
- If unable to achieve agreement on key aspects by 2015, other options to create a modernized post-2024 Treaty should be evaluated

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- US government has now made a decision to negotiate changes to the Treaty; negotiating mandate “informed” by the regional recommendations.
- Not certain what “other options” may entail.

## Recommendations - Domestic Issues

- Flood risk policy review
- Water supply allocation
- Assessment of Canadian Entitlement
- Plan for Post-2024 Treaty Implementation
- US floodplain reconnection
- US advisory mechanism
- Composition of US Entity

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- Process and timing to undertake domestic issues undefined.
- A number of Tribes and stakeholders believe USACE should accept greater flood risk and allow low level flooding to benefit floodplain ecosystems.
- Process to develop a plan to implement modern treaty post-2024 including any new ecosystem-based function, flood risk management, hydropower provisions.
- To advance selective flood plain reconnection for the purpose of achieving additional benefits from a modernized Treaty, in conjunction with Tribes, feds, states, NWPCC and NOAA.
- To establish a domestic advisory mechanism to assist, inform, and advise the Department of State in the negotiations.
- Entity composition to be reviewed to be best suited to implement Treaty post-2024.