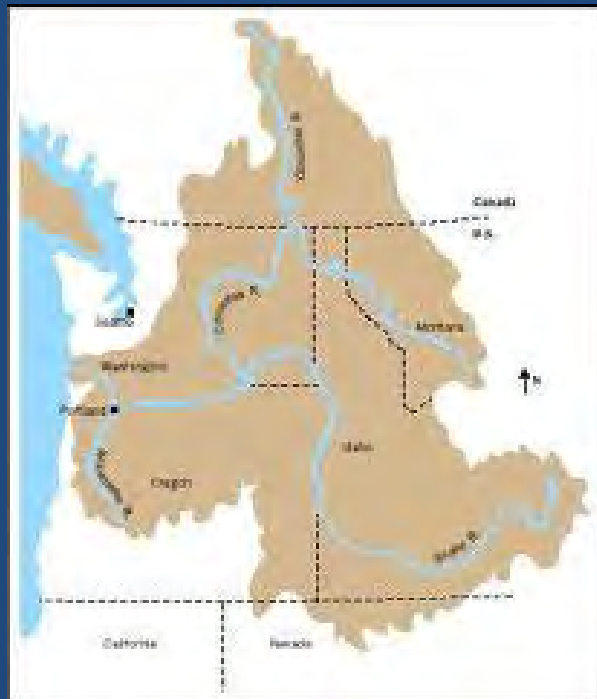


PROFESSOR BARBARA COSENS
UNIVERSITY OF IDAHO COLLEGE OF LAW
Waters of the West

The Columbia River Treaty in Context

American Water Resources Association
Washington Section
September 2012

Columbia River Basin

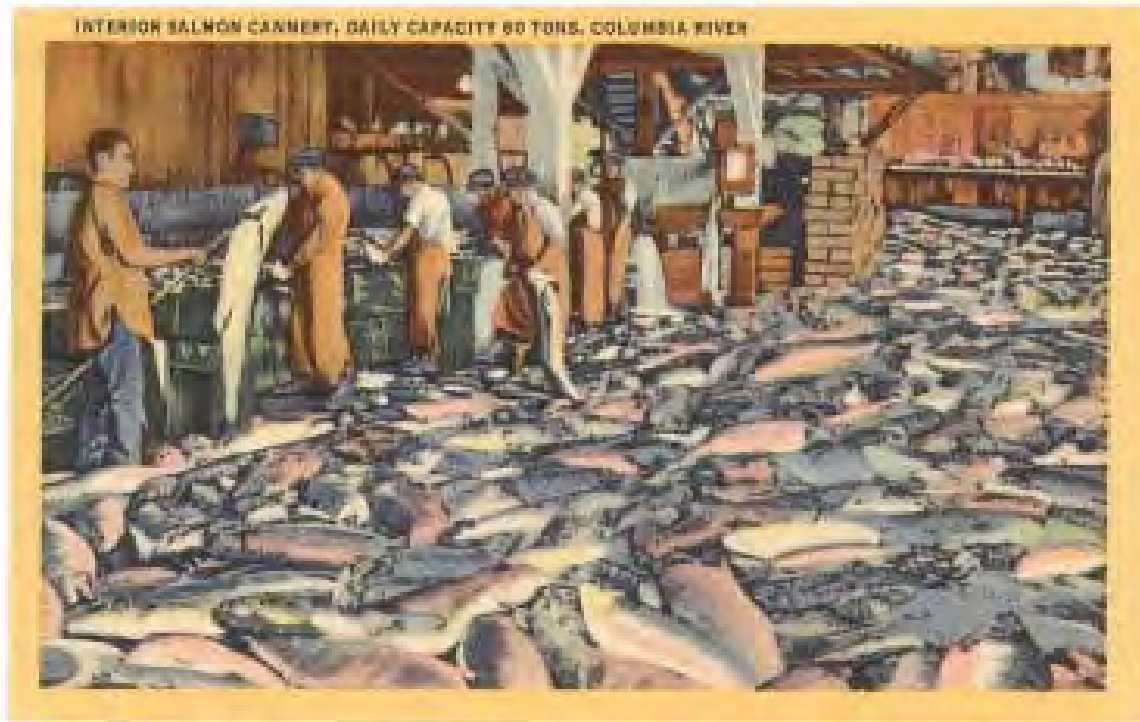


Indigenous Fishery



© Bay Alkeson Image Archive
William Joseph Gallery.com

Canneries and Navigation



Storage



Vanport before May 1948

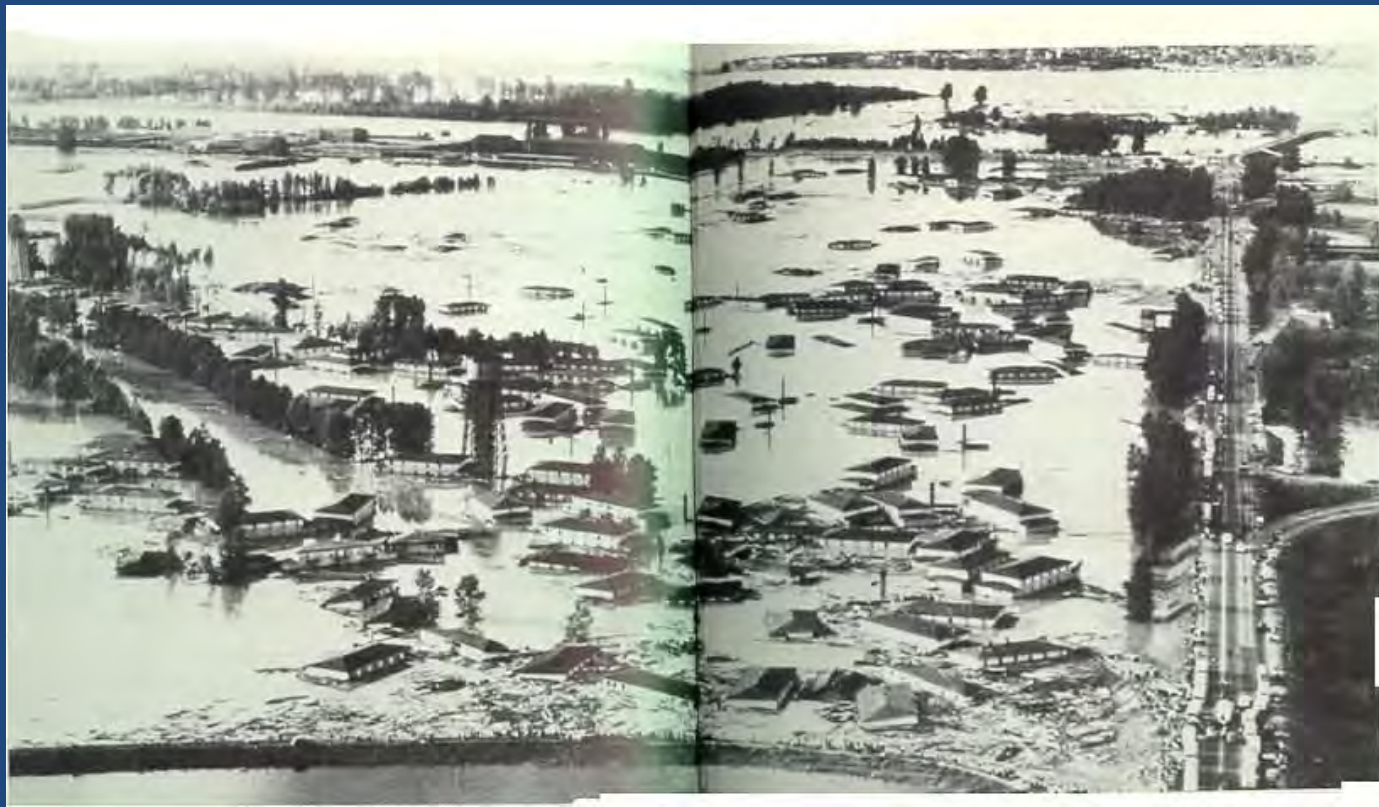
Vanport City was built on a landfill now the site of Delta Park. By the end of World War II, about 19,000 people lived in its 5,300 houses, trailers, and barracks.

*From Oregon
Historical Society*



Vanport residents—lucky to escape with their lives—were put up in barracks and condemned trailers on Swan Island and other sites all over town.

From Oregon Historical Society/Oregonian



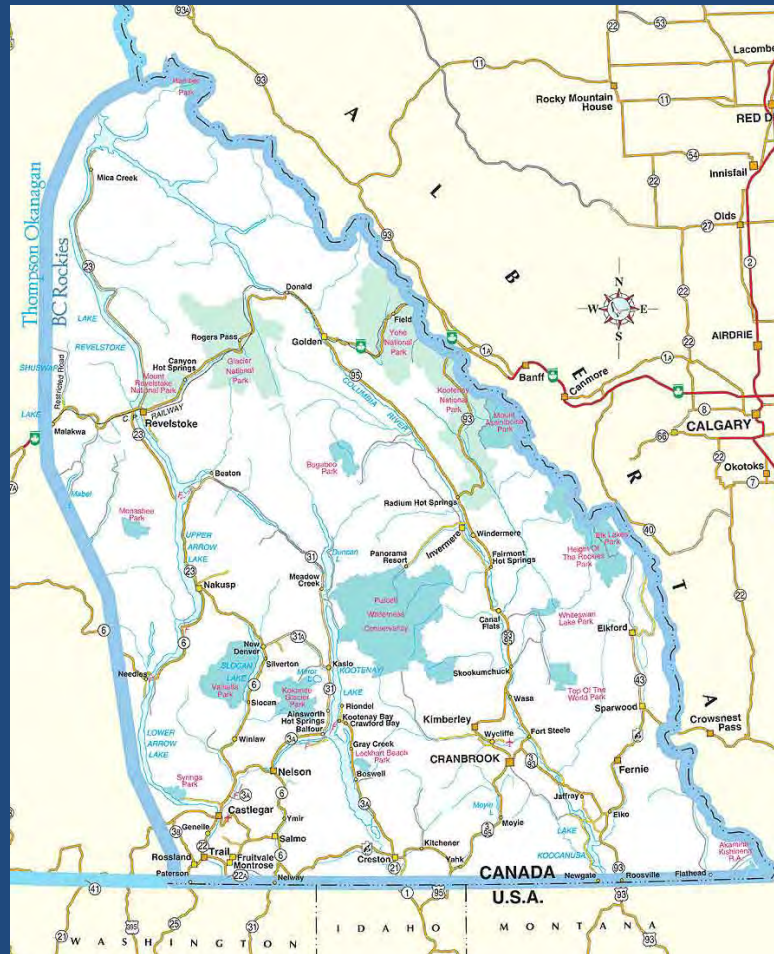
Because of extraordinarily heavy spring runoffs, Vanport was fifteen feet below Columbia River water level by the end of May 1948. On Memorial Day the dike broke. A wall of water wiped out the town, leaving almost 20,000 without homes and an estimated fifteen people dead.

From Oregon Historical Society

Major Dams of the Columbia River Basin



Treaty Dams



Columbia River Treaty

- 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 is September 16, 2024 with a minimum of 10 years notice required
- Changes have occurred since 1964

2014/2024 Review

Joint modeling by U.S. and Canadian Entities

U.S. Entity Modeling of Impacts on Fish

U.S. Process

Sovereign Review Team

<http://www.crt2014-2024review.gov/Default.aspx>

British Columbia Process

Provincial Review Committee

www.gov.bc.ca/columbiarivertreaty

Role of the Universities: Outreach, Engagement and Research

- Outreach
- Engagement
- Research

Universities Consortium on Columbia River Governance



UNIVERSITY OF
CALGARY

University
of Idaho

OSU

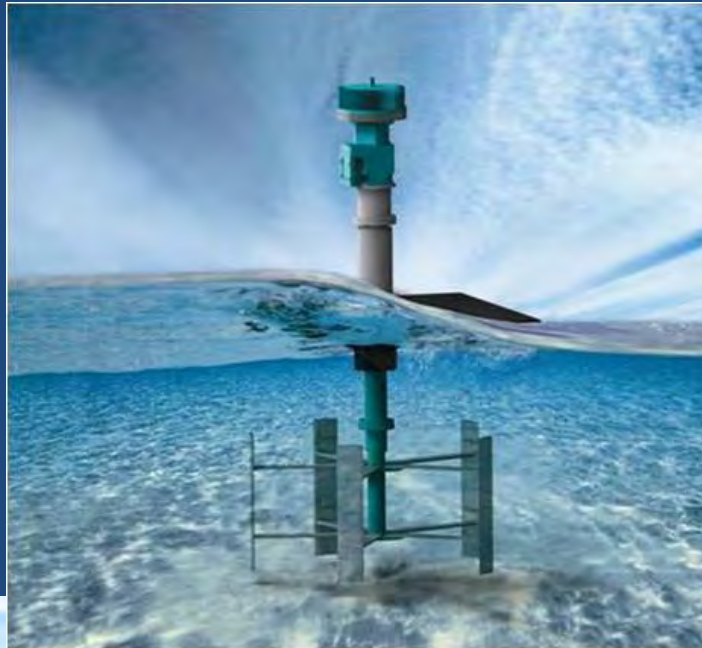
The University of
Montana

UNIVERSITY *of*
WASHINGTON

Outreach

- Symposia 1:
 - The Treaty and changes since 1964
 - Energy markets
 - Climate
 - Ecosystem health
 - Values, public expectations, community capacity
 - Models for Water Governance
- Symposia 2, 3, 4: A cross-border dialog

Energy Demand

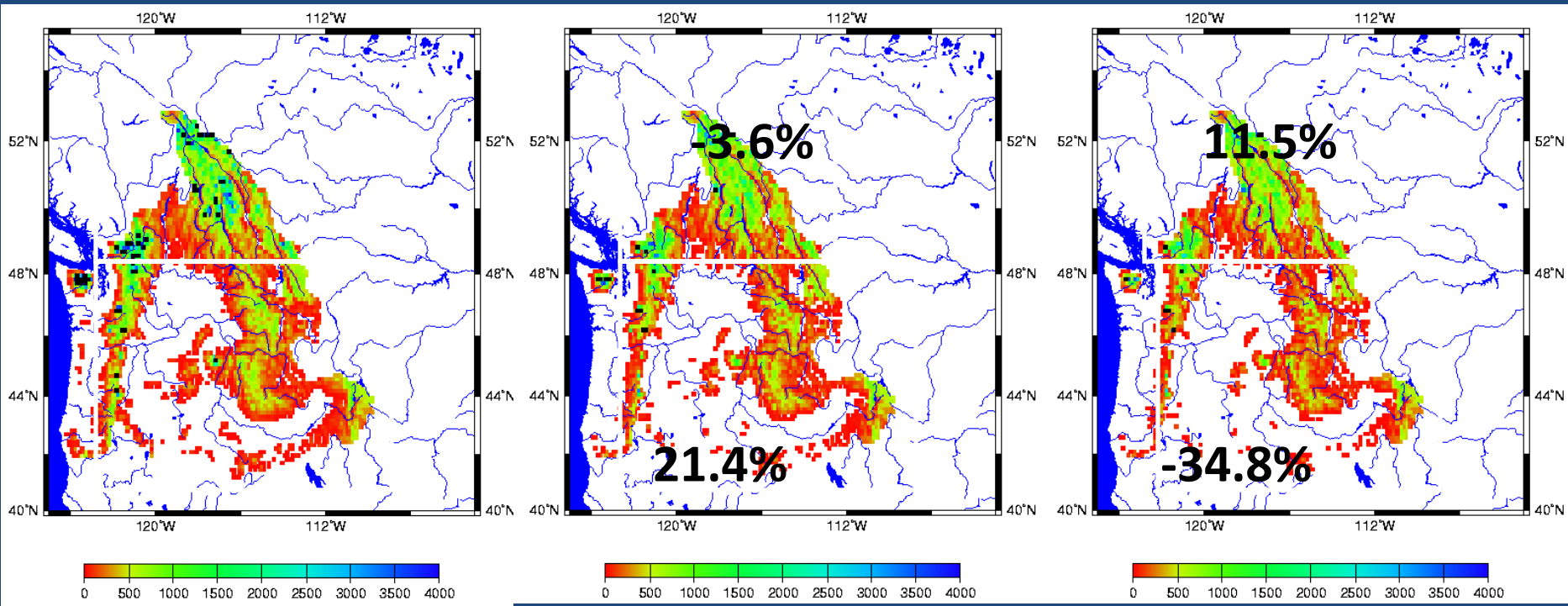


Changes in Simulated April 1 Snowpack for the Canadian and U.S. portions of the Columbia River basin [Alan Hamlet, UW] (% change relative to current climate)

20th Century Climate

“2040s” (+1.7 C)

“2060s” (+ 2.25 C)

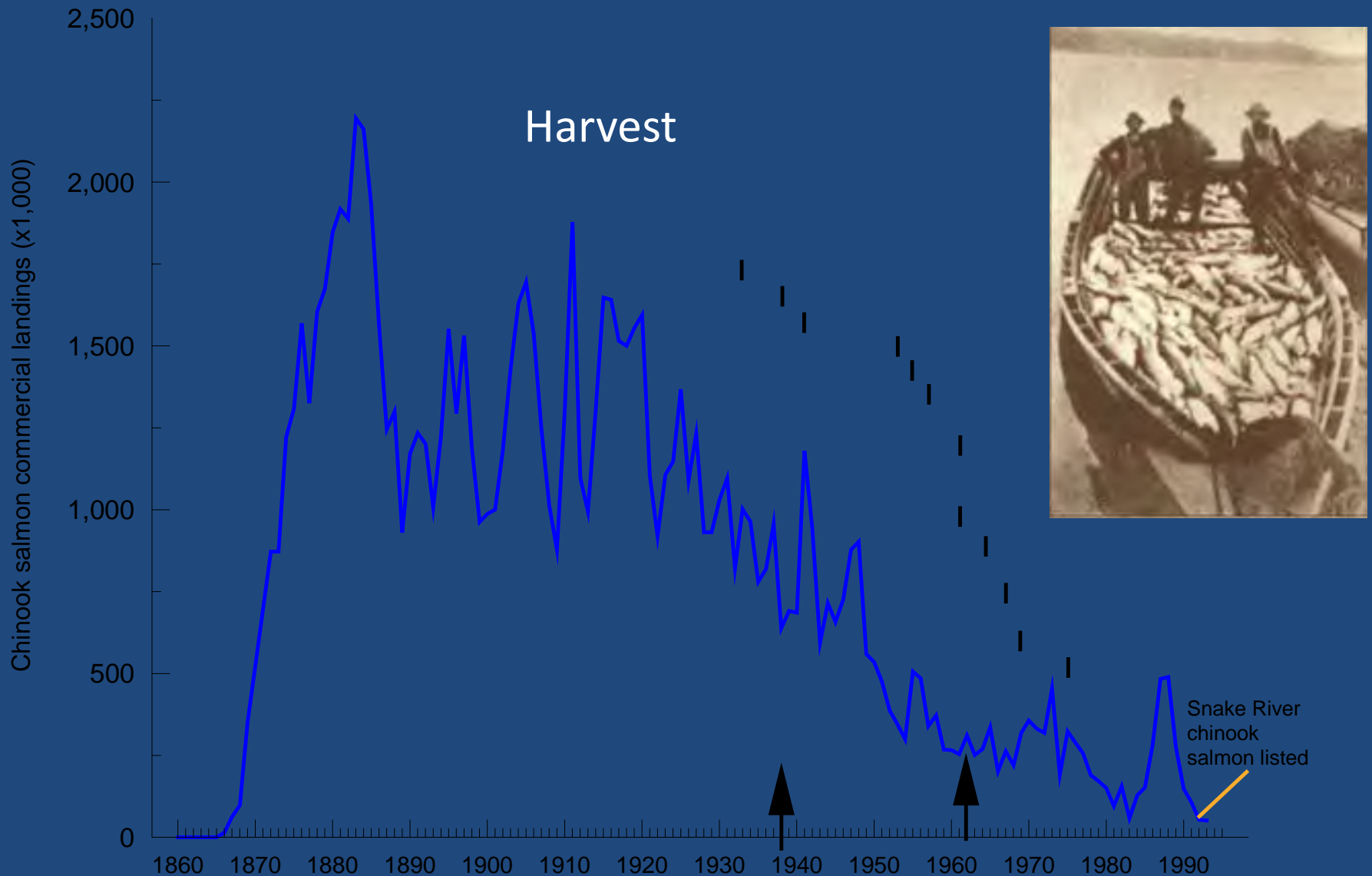


April 1 SWE (mm)

Hydropower and Storage



Ecosystem Health



Columbia River Chinook Salmon Harvest Records [C.Peery]



**Chum
Salmon**

Columbia River (threatened)



**Chinook
Salmon**

Snake River Fall (threatened)
Snake River Spring/Summer (threatened)
Lower Columbia River (threatened)
Upper Columbia River Spring (endangered)
Upper Willamette River (threatened)



Steelhead

Snake River Basin (threatened)
Lower Columbia River (threatened)
Middle Columbia River (threatened)
Upper Columbia River (endangered)
Upper Willamette River (threatened)



**Sockeye
Salmon**

Snake River (endangered)



Coho

Lower Columbia River (threatened)







**White
Sturgeon**

Kootenai River (endangered)



**Bull
Trout**

Clark Fork (threatened)

-  Canadian Dams
-  Federal Dams
-  Non-Federal Dams
-  Blocked Passage

Columbia River Basin



Hill and Kolmes

Values



Public Participation

Empowerment



CRITFC

CONSTITUTION ACT, 1982 PART II RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA



Symposia 2, 3, 4

- Recognition of common interests led to a call for a forum for a cross-border dialogue
 - Symposium 2: Corvallis OR, 2010
 - Symposium 3: Kimberly BC, 2011
 - Symposium 4: Polson MT, Oct. 2012

Engagement



Qualitative Interview Data

- Three Treaty Purposes:
 - Hydropower
 - Flood Risk Management
 - Ecosystem Function
 - Operate to mimic the natural hydrograph
 - Maintain high lake levels in the headwaters
 - Reintroduce salmon to Canada
- Greater Public Involvement in Implementation

Research

- Climate change
- Negotiation and public involvement processes
- Legal mechanisms for change,
- Governance in the face of uncertainty



To come to terms with the Columbia, we need to come to terms with it as a whole, as an organic machine, not only as a reflection of our own social divisions but as the site in which these divisions play out. If the conversation is not about fish and justice, about electricity and ways of life, about production and nature, about beauty as well as efficiency, and about how these things are inseparable in our own tangled lives, then we have not come to terms with our history on this river.

Richard White