

**Columbia River Treaty 2014-2024 Review
Panel Session with County Commissioners
February 9, 2012
Spokane, Washington**

Panel Session Summary

Overview

Under the Columbia River Treaty, Canada and the United States (U.S.) jointly manage the Columbia River for power generation and flood control as it flows from British Columbia into the United States. The U.S. Entity, designated to implement the Treaty for the U.S., is comprised of the Administrator of the Bonneville Power Administration as Chairman and the Division Engineer of the U.S. Army Corps of Engineers Northwestern Division as Member.

The U.S. Entity is currently conducting a review to evaluate the future of the Columbia River Treaty after 2024. The Columbia River Treaty 2014/2024 Review (Treaty Review) establishes a framework for interested parties to collaborate with the U.S. Entity as it studies and evaluates alternatives to better understand the implications of post-2024 Treaty scenarios. By late 2013, the U.S. Entity will make a recommendation to the U.S. Department of State on whether it is in the best interest of the U.S. to continue, terminate, or seek to amend the Treaty.

The *Sovereign Participation Process* establishes a framework for sovereign parties to collaborate and coordinate with the U.S. Entity in Treaty Review. Part of this process includes a Sovereign Review Team (SRT) and Sovereign Technical Team (STT). The “sovereigns” participating on the team include representatives from the states of Oregon, Washington, Idaho and Montana, 15 Northwest Tribes (5 Representatives on the Sovereign Review Team), National Marine Fisheries Service, U.S. Fish and Wildlife Service, U.S. Bureau of Reclamation, U.S. Army Corps of Engineers, Bonneville Power Administration, Bureau of Land Management, Environmental Protection Agency, U.S. Forest Service, U.S. Geological Survey, Bureau of Indian Affairs, and National Park Service.

The SRT meets monthly to review and discuss policy-related issues, and is ultimately responsible to deliver a recommendation to the U.S. Entity regarding the future of the Treaty. The SRT also sponsors regular opportunities for regional stakeholders to engage in discussions and provide opinions and perspectives on the Treaty Review process.

February 9 Stakeholder Panel Presentation

On February 9, 2012, the Sovereign Review Team met with five individuals representing five counties from within Washington State. Two representatives from the Washington State Association of Counties were also present at the meeting.

Rick Pendergrass, Bonneville Power Administration, opened the meeting by reviewing the Federal Advisory Committee Act (FACA) requirements for the discussion session.

County representatives present at the meeting included:

Paul Jewell, Kittitas County
Rudy Plager, Adams County
Richard Stevens, Grant County
Mike Leita, Yakima County
Laura Merrill, Pend Oreille County
Eric Johnson, Washington State Association of Counties
Neil Aaland, Washington State Association of Counties

The Commissioners began the session with a presentation focused primarily on water supply. The group emphasized the importance of a strong and sustained water supply for the Columbia River Basin. Although Treaty Review has been formulated around power, flood control, and ecosystem-based functions, the group asked the Sovereign Review Team to take broader uses and interests into account, including water supply for irrigation, municipal, industrial, and recreational uses. They fully support the focus on ecosystem-based function in Treaty Review, and believe water supply issues can mesh well with these priorities.

A copy of the presentation from the County commissioners is attached to this report. In addition to general comments about water supply, the group highlighted four specific projects currently underway that demonstrate success in state/county/federal/tribal partnerships. These include the Yakima River Basin Water Enhancement Project, the Sullivan Lake Project in Pend Oreille County, the Odessa Aquifer in Adams County, and the Potholes Supplemental Feed Route Project in Grant County.

The Commissioners stressed that it is critical for the sovereigns to address the need for new water supply as it works toward a Treaty recommendation. As Washington State continues to grow, new sources of supply will be needed to support the agricultural industry, municipal water supply, to protect jobs, and to protect the health of the Columbia River and its tributaries. *Crops are being lost and orchards are already being pulled due to a lack of water. There are high unemployment rates and farmers are not getting loans due to the uncertainties associated with water supply. We are asking you to consider these costs; if we don't secure this resource now, we will all lose in the future.*

Eric Johnson noted that Washington State's Governor, Legislature, and Court system have mandated a strong role for County government in water issues, and further emphasized that County governments will provide the local links and interface with whatever is determined through Treaty Review. He, along with the county representatives present, asked to be engaged in the Treaty Review process, and hope that their opinions and perspectives will be listened to and accounted for.

Mike Leita commented that the Yakima River Basin project has been successful *because we've sat around the table and listened to each other and been respectful of each other's needs. Success will come if you afford the communities that are affected the most to have a direct link into Treaty Review, so that when you make your recommendation, those communities will have a comfort level with that recommendation.*

Discussion with Sovereign Review Team Members

After the presentation, SRT members engaged in a discussion with the panelists:

Q: What is the right balance between water supply and flood risk management? Could a possible scenario be to secure flood storage as a way to also increase water supply? Perhaps add a million acre feet of storage in for water supply? Or do you see water supply as its own driver? (Heffernan)

A: If the flood control provisions go away (i.e. the Treaty is terminated), yes, we would definitely have a concern for water supply. We would be interested in working it into flood control provisions, if that makes sense. We don't know what the right amount of storage would be, but we can get back to you with a more precise figure.

Our understanding of the current Treaty is that Canada provides flood control storage to manage spring runoffs. Currently Canada releases a large amount of water in October. We might suggest that the timing of that release occur over several months, rather than all at once. If the releases could be timed such that some of our tributaries that are currently in real trouble could have more water, it would add a great deal to what we are trying to achieve with our ecosystem and regain what we are working toward -- normal river flows, normal habitat recoveries, recovery of ESA species. (Jewell, Leita, Johnson)

Q: The system is over-allocated as is. If you're proposing to reallocate in your areas, how will the citizens of the Tri-Cities, Vancouver, and Canada react? It seems we're in a very difficult situation. How will those costs be paid for? Montana has shouldered a lot of the burden for providing water but only gets 2% of the benefits. If you reallocate you have to look at potential impacts throughout the four-state region. (Measure)

A: Yes, we are very aware of those issues. We have the same water rights issues in Washington that occur throughout the four states – dewatering agricultural lands in order to water a golf course higher up on the river. We understand those complexities. (Johnson) Commissioner Plager said he does not believe the river is over-allocated.

Q: The Bureau of Reclamation has built a huge network of dams, and the recipients of that water have entered into long-term contracts with the Bureau. Do you have that same contracting arrangement in mind for Canadian storage? (McGrane)

A: That's certainly a consideration. In the Yakima Basin projects, those dams were built by Reclamation and paid back by irrigators. But right now we are concerned about the collective community interests for water supply. We believe the Treaty has room for improvement in consideration of those interests, but we don't know how, exactly, that should be achieved. (Jewell, Leita)

Q: What period within the year are you most apt to experience restrictions and shortages? (Pendergrass)

A: Shortages due to ground water depletion generally occur in mid-to-late summer. Farmers have to plant accordingly, because they know they will be out of water by August. Shortages from a lack of river water generally occur in the summer when farmers are moving water out of storage. In addition to shortages, the depletion of water from the rivers makes the remaining water hotter. Warm water comes out of the Tri-Cities area due to the depletion of flows in the river. Of course this also has ecosystem impacts. (Plager, Leita)

Q: It sounds like you have determined that the current Treaty doesn't adequately meet water supply needs, but even if we make a recommendation about the Treaty in 2013, the Treaty itself won't change until 2024. That seems like a long time to wait to improve water supply – you're taking other, more immediate actions, correct? (Lipscomb)

A: Yes, the Water Supply Program through Ecology that we've described is certainly a step in the right direction, and we've also broadened our outreach to both the Governor and the State Legislature. We have also initiated discussion with the four states, and have a larger association that puts us in touch with all of them. We want to make sure the SRT gets a consistent message on water supply from all four of the affected states. (Johnson)

Q: At the State level we are working closely with the Washington State Department of Ecology, and they are likely to be even more involved in the future. But what about the costs of all of this? Who pays? When the legislature passed legislation to secure new water supplies, did it authorize the funding to pay for it? (Karier)

A: Yes, the state expects to pay for water storage and acquisitions. The state and counties are working together right now to determine the right amount of funding. (Johnson)

Concluding Remarks

Sovereign Review Team members thanked the panelists for attending the meeting, and reiterated that the Treaty Review process has been designed to allow for significant and frequent communication with key stakeholders from throughout the region.

Tom Karier, who represents Washington State interests on the Sovereign Review Team, emphasized the importance of these types of stakeholder discussion sessions, and also said that he recognized the need to incorporate water supply issues into Treaty Review. *When we think about what a new Treaty might look like, this will clearly be a factor.* Water supply is most likely to be addressed in the "Iteration 2" phase of the analysis, and there is also a Sovereign Technical Team work group that has been assigned to water supply. Derek Sandison from the Washington State Department of Ecology is a member of that work group.

The county representatives also thanked the SRT for the session, and reiterated their strong commitment to participate in Treaty Review. *We're the boots on the ground in local communities, and we'll be here as early and often as possible.*

SRT Members in Attendance

Taylor Aalvik, *Cowlitz Indian Tribe*

Scott Aikin, *Bureau of Indian Affairs*

Mark Bagdovitz, *U.S. Fish and Wildlife Service*

Debbie Bird, *National Park Service*

Tom Karier, *State of Washington*

Jim Heffernan (alternate for Paul Lumley), *Columbia River Inter-Tribal Fish Commission*

Keith Kutchins (alternate for DR Michel), *Upper Columbia United Tribes*

Brian Lipscomb, *Conf. Salish and Kootenai Tribes of Flathead Reservation*

Pat McGrane, *U.S. Bureau of Reclamation*

Bruce Measure, *State of Montana*

Rick Pendergrass (alternate for Steve Oliver), *Bonneville Power Administration*

Dave Ponganis, *U.S. Army Corps of Engineer, NWD*

Heather Ray, *Upper Snake River Tribes Foundation*

Mary Lou Soscia, *U.S. Environmental Protection Agency*

Bruce Suzumoto, *National Marine Fisheries Service*

Steve Waste, *U.S. Geological Survey*