

## Stakeholder Seminar November 7, 2012

### *Discussion Summary*

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#### **Background**

Under the Columbia River Treaty, Canada and the United States (U.S.) jointly manage the Columbia River for power generation and flood risk management 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 (CRT Review) establishes a framework for interested parties to collaborate with the U.S. Entity as it studies and evaluates alternatives needed to better understand the implications of post-2024 Treaty scenarios. The U.S. Entity is working toward providing a recommendation to the U.S. Department of State by late 2013 as to whether it is in the best interest of the U.S. to continue, terminate, or seek to amend the Treaty.

The CRT Review Sovereign Participation Process establishes a framework for sovereign parties to collaborate and coordinate with the U.S. Entity in the process of conducting technical studies and evaluating alternatives needed to better understand potential Treaty futures. A Sovereign Review Team (SRT) and Sovereign Technical Team (STT) have been established to assist with this review.

A broader group of regional stakeholders (outside of the sovereigns) are also invited to regularly participate at key milestones in the study process.

This report documents the stakeholder seminar held on November 7 in Portland, Oregon. The purpose of this meeting was to share the approaches that will be used in Iteration 2 to address the questions and concerns that were expressed by stakeholder during the summer stakeholder listening sessions around the region.

#### **Listening Session Attendance and Format**

Approximately 15 people signed in at the Portland meeting, and approximately 35 people attended via phone/webinar. The session began with a presentation by Matt Rea and Nancy Stephan, project managers for the U.S. Entity who are responsible for the Treaty Review process. The presentation highlighted questions and issues that were raised by stakeholders over a series of listening sessions that were held during summer 2012 in four locations throughout the region. The presentation can be found at the CRT Review website: [www.crt2014-2024review.gov](http://www.crt2014-2024review.gov)

Did you mean to leave this in? Tom Karier and Jim Heffernan – SRT – available – all SRT members posted on the website...

Following this presentation, participants asked questions and provided their comments on this phase of Treaty Review. Those comments and questions are documented below.

Q: How do you plan to address navigation on the Columbia River during Iteration 2 of the analysis? And, will you involve stakeholders as you are conducting the analysis?

A: Navigation has been an identified area of study from the beginning of the Treaty Review process. We will perform an impact assessment to determine the relative impacts of different levels of flow on the river; e.g. how navigation might be impacted by relative high, vs. relatively low flows. We will evaluate how these flows might affect the abilities of vessels to move through the locks, and our estuary analysis will include a look at sedimentation. We will be performing a very broad, high-level look at navigation; we are not conducting a detailed economic assessment, for example. We are scheduled to meet with the Port of Portland on November 19, and will certainly be including stakeholders at that meeting and beyond as we get deeper into the impact assessment.

Q: As you are looking at water quality and total dissolved gases, are you changing any of the standards that are currently regulated. Relaxing any limits?

A: No, in the model we've developed to address total dissolved gases, we are adhering to current standards.

Q: How are you evaluating the costs and benefits to water supply of the Treaty?

A: The primary metric we are using in Iteration 2 for water supply is pumping costs; that is, the financial impacts of pumping water out of our reservoirs to meet water supply needs. Later in the process we will be looking at potential opportunities to increase water supply through different ways of shaping the water that comes across the border.

Q: At what point will people be fully aware of the factual picture emerging out of the analysis? When will you know enough that we can request that a different model be used, for example?

A: In Iteration 2 we are greatly expanding the metrics and level of analysis beyond what was used for Iteration 1. We are diving deeper into flood risk metrics, for example, and taking a more detailed look at ecosystem elements such as water quality, fish, and wildlife. We are also conducting impact assessment on water supply, navigation, and recreation. We'll be sharing everything we learn with stakeholders, and asking for your input along the way. As pointed out during the presentation, stakeholders have already been very influential in the Treaty Review process, and we expect the high level of participation and involvement to continue.

Q: Have you determined an acceptable level of flooding? If I'm at Bonners Ferry, for example, and the flood levels are being measured at The Dalles, will there be changes that will affect me? And when will I know about those?

A: The Dalles is the control point for all of the flood risk modeling being used in Treaty Review. We manage the system for flood control based on flows at the Dalles. In addition, all reservoirs in the system with flood control operations are used for local flood control. So, yes, when we produce Iteration 2 and 3 results we'll be looking at 87 different flood consequences in the entire system.

Q: What are the demand forecasts you are using for the next round of analysis? For example, evaluation of power and carbon emissions?

A: We are using the BPA White Book for the forecasts of loads and resources. We are also using information generated by the Pacific Northwest Power and Conservation Council, as well as data from the states related to wind generation. We are really using all of the demand forecast information available throughout the region.

Q: And what about the demand for new water? What forecasts are you using for that?

A: It's really important to remember that we are not looking, through Treaty Review, to increase the amount of water in the system. We are not looking at "new water." What we are evaluating is the potential to change the timing and flows of water across the border. We're looking, first, at how these changes might benefit fish. If these changes also allow for improvements in storage for water supply, then that is another benefit to consider. Ultimately, however, the Treaty Review process is not the right forum for determining how water is allocated once it comes across the border. That's up to the States.

Q: There wasn't a lot of detailed information after Iteration 1; how much more detail will we see from Iteration 2? We're interested in a more detailed analysis.

A: Yes, Iteration 2 will be more detailed, and we will certainly share all of the information with our stakeholders. We struggle, sometimes, with striking the right balance between too much detail and not enough. In addition to these general sessions, we are meeting with various interest groups to dive into more detail on specifics – for example, we meet regularly with power utilities to have detailed discussions on the issues of most importance to them, and we are doing this with flood risk management and ecosystem interests as well. We would certainly appreciate any input you'd like to give us on the level of detail we've been presenting.

Comment: The U.S. Entity needs to take advantage of the opportunities available right now to talk with other agencies and organizations that are doing work in this area. For example, right now there is a great deal of research underway regarding transmission issues between Canada and the U.S. There are studies about loads and resources that go out 20 years. It's important for you to get out in front on this and use the information available, so a decision doesn't get made that is at odds with other research findings.

Q: The Army Corps of Engineers and BPA have a legal responsibility for the restoration of ecosystems. What is the range of ecosystem restoration objectives you are using in your modeling?

A: All of the alternatives we modeled in Iteration 1 included the existing ESA BiOp requirements. However, the current BiOp lapses in 2017, and it's very difficult to predict ESA operating requirements in 2024. We're carrying this work forward to Iteration 2, and, in Iteration 2 we are looking at additional scenarios that go beyond the current operating requirements. For example, we are looking at operations that might provide a more normative spring hydrograph. Those alternatives and components are being developed right now.

Q: As you are modeling effective use, my understanding is that you are looking at the 8 mainstem dams?

A: In Iteration 1 we modeled 8 reservoirs that are authorized to provide system flood control benefits. After 2024, those are the 8 reservoirs that the Corps can change operations on for effective use before we have to “call upon” Canada for flood control.

Q: Would it be possible to look more broadly than just those 8 reservoirs? Could you ask for a change in authority to bring more reservoirs into the system?

A: Yes, we will conduct a theoretical (synthetic...) analysis on other reservoirs during the next phase of analysis. We are looking at effective use criteria and the possibility of the Corps asking for a change in authority/operations for those other reservoirs. The White Paper on...provides much more detail about this.

Q: There's a lot of overhead involved in managing an international Treaty. Is there any reason you can't let the treaty expire and just have a direct contract, instead, with B.C. Hydro? Or why not just have an agreement with Canada that provides for non-Treaty storage?

A: The Treaty doesn't have an expiration date. If the U.S. determines that it wants to terminate the Treaty with Canada, we are required to give Canada ten-years' lead time before that termination would take effect. If we terminate the Treaty, there's no reason to believe that we could get a commercial operating agreement in place. And it might not be any cheaper to run. Treaty Review is very much focused on the benefits of the Treaty: are we better off with or without the Treaty? A separate, non-Treaty storage agreement with Canada might certainly be possible, but it would not address ecosystem or hydropower issues, which are key elements that need to be addressed. That being said, we are looking at storage that may reshape the flows coming across the border; is that 2 Million-Acre Feet? 3? We need to figure out what we might be looking for and then present that to the U.S. State Department. It's really then up to the State Department to determine how that might be achieved; through termination or a continuation of the Treaty.

Q: I'm confused about the term “Treaty Termination.” Are you talking about the termination of the Treaty or about termination of certain operating provisions? And is there a provision included to amend the Treaty? What process would we go through to modify the Treaty?

A: There are really three levels to look at on this question. First, within the existing Treaty there is a certain level of flexibility for the U.S. and Canada to implement operational changes if they are mutually agreeable. Second, the original Treaty included provisions for how the Treaty would be implemented, and identified potential changes that can be made without full Senate authorization. And finally, there are changes identified that will require full Senate authorization. Bottom line: there are a lot of options within those three levels before the Treaty would need to be terminated. But, again, that's up to the State Department and not up to our region. On a regional level, we are trying to determine what we might want to see in a revised or modified Treaty – that's the *what* we are looking for. The *how* for achieving that rests at the national level. We introduced a table early on in the process that identified all of the possible options in this regard, and we'll make that available again to everyone via the website.

Comment: A number of universities in our region have formed a consortium on Columbia River governance, and held their symposium just a few weeks ago. A paper entitled *Future of the Columbia River Treaty*, written by Nigel Banks and Barbara Cousins provides a great deal of detail on the legal issues associated with Treaty termination. It's available online at [columbiarivergovernance.org](http://columbiarivergovernance.org).

### Next Steps

This report will be posted on the CRT Review website: [www.crt2014-2024review.gov](http://www.crt2014-2024review.gov)  
As information on Iteration 2 becomes available, stakeholders will be alerted to new website postings, and listening sessions will also be held after Iteration 2 results have been generated.

## Stakeholder Forum Attendees

### Those Attending in Person

Bill Beck, BPA  
Ann Beier, City of Portland  
Cliff Bentz, Oregon House  
Stuart Clanke, BPA  
Rick Finn, Port of Portland  
Tom Iverson, Columbia Basin Fish & Wildlife Authority  
Keith Knitter, Grant PUD  
Gilly Lyons, Save Our Wild Salmon  
Dena Marshall, Solid Ground Consulting  
Kristin Meira, PNWA  
Tom Myrum, WA State Water Reservoir Association  
Kimberley Priestley, Water Watch of Oregon  
Paul Robillard, World Water Watch  
Molly Stenovec, Universities Consortium  
Glen Traeger, Iberdrola Renewables

### Those Attending via Phone/Webinar

Ruth Burris  
Mark Cecchini Beaver  
Alice Chesworth  
Robert Cromwell  
Kresta Davis-Butts  
Bonnie Douglas  
Amy Echols  
Steve Eckles  
Jim Fodrea  
Sen. Karen Fraser  
Jim Heffernan  
Fred Heutte  
Shari Hildreth  
Tom Kaiserski  
Tom Karier  
Sen Jim Honeyford  
Sheron Jones  
Troy Lindquist  
Patrick Maher  
Carmen Merlo  
Scott Merriman  
Marie Morrison  
Gerald Mueller  
Lisa Rennie  
Zach Ringsak  
John Savin  
Celeste Schwendiman

Suzanne Skinner  
Ingrid Strauss  
R Blair Strong  
Philip Thor  
Nils Tillstrom  
Byron Woltersdorf  
Cindy Wright

Keith - TPWR  
STT Facilitation Team