

## Modernizing the Columbia River Treaty: An update on negotiations from the State Department's Treaty Town Hall in Richland, WA on December 16<sup>th</sup>, 2019



Photo retrieved from <https://www.state.gov/columbia-river-treaty/>

The U.S. negotiating team (led by the State Department) held [its fifth “Treaty Town Hall”](#) on December 16, 2019, in Richland to update the public on the status of ongoing negotiations with Canada to modernize the [Columbia River Treaty](#). As in previous Town Halls, the event was 90 minutes long with time split equally between remarks from Chief Negotiator Jill Smail and questions/comments from attendees. Quarterly Town Halls are an important opportunity to ask questions and voice concerns about the negotiating team’s progress and priorities. They are the only substantive way the State Department has engaged with the region’s public since negotiations began. Unlike in previous Town Halls, the State Department did not require that questions be submitted in advance this time, which is an improvement. A remote call-in option was also made available.

However, the State Department’s public engagement is still a shadow of what its Canadian counterparts have done. Since negotiations began, the Canadian team has held

22 public sessions, [which are each 3 hours long and include significant open-ending dialog and facilitated brainstorming with multiple expert presenters](#). In contrast, the five U.S. Town Halls to date have allowed for little two-way communication, as negotiators only provide minimal responses to questions/comments from attendees. This disparity is even more significant because only about 155,000 people live in the Canadian side of the Basin compared with over 5 million on the U.S. side. While details from the negotiating sessions are confidential, the Northwest deserves more open dialog with the officials that are shaping its future.

### **Some key takeaways from the Richland Town Hall:**

- Since May 2018, there have been eight rounds of negotiations, with each country taking turns to host. The U.S. chose to postpone the ninth round of negotiations to allow for more preparation time. [Other sources](#) suggest that, so far, negotiating teams have been working to understand the system and each other's perspectives and have not yet started developing specific details of the new agreement.
- The negotiating team repeatedly emphasized how much it values public input and enjoys engaging with the region. However, as noted above, they have only spent a total of 7.5 hours meeting with the public in 18 months (with only half of that time allotted for questions/comments).
- The negotiating team emphasized that their work is still guided by the Northwest's [Regional Recommendation](#), which prioritizes [ecosystem-based function](#) alongside hydropower and flood control. They also noted that the modernized Treaty may not require formal approval from the Senate, depending on what changes negotiators agree to. They could not comment on the potential impact of a change of Administration following the 2020 election, but reiterated their commitment to the Regional Recommendation as their guiding document.
- In line with Trump Administration policy, the negotiating team never used the terms "climate change" or "global warming", instead opting to reference "shifting snow and rainfall patterns."
- The negotiating team, which includes five federal agencies, continues to ignore suggestions that it should include tribes, which are sovereign nations with unique expertise in matters relating to the watershed, [as full members of the team like Canada has done with First Nations](#). Falling short of this, the team has requested that tribes present on specific topics and has consulted with them before and after

negotiating sessions.

- Attendees asked questions and made comments about power supply and cost (with overwhelming focus from utilities on the amount Canada receives under the Treaty), ecosystem concerns (including fish, river flows, water quality, land management near river), climate change, shipping industry concerns, concerns about water supply for agriculture, the transparency of the negotiation process, the lack of tribal representation on the U.S. negotiating team, Canadian interests in the negotiation and the impact of Canadian domestic politics, and the impact of US domestic politics (including the 2020 presidential election and potential approval by Congress following negotiations). Numerous attendees expressed frustration with the slow pace of the process and the limited degree of transparency and interaction with the negotiating team.

### **Top questions moving forward:**

- In principle, the [Regional Recommendation](#) elevates [ecosystem-based function](#) alongside hydropower and flood control (the only two purposes of the existing Treaty) and highlights the importance of climate change. But when specific details of the new agreement emerge, will new environmental provisions be meaningful?
- When negotiations conclude and the modernized Treaty moves into the implementation phase, will the government reform the “U.S. Entity” to include a representative(s) for ecosystems? Will tribes and First Nations have a role in implementing the Treaty commensurate with their sovereign status? Currently, the Entity includes just the Bonneville Power Administration (i.e. hydropower) and the U.S. Army Corps of Engineers (i.e. flood risk management).
- Can we reform watershed governance to improve public knowledge and involvement and increase collaboration across the U.S.-Canada border? Recently, the idea of [creating an “International River Basin Organization”](#) has surfaced as a potential forum through which to pursue these objectives and address issues that are beyond the scope of the Columbia River Treaty. [More than one hundred such transboundary organizations](#) already exist in similar situations where two or more nations share a watershed.

### **For more information contact:**

- Graeme Lee Rowlands, [graeme@wildsalmon.org](mailto:graeme@wildsalmon.org) [U.S. Conservation Caucus Coordinator for the Columbia River Treaty, Save Our wild Salmon Coalition]