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March 30, 2011 (*draft March 21*)

MEMORANDUM

TO: Council Chair and Vice-Chair
Public Affairs Committee
Fish and Wildlife Committee

FROM: John Shurts, General Counsel
John Harrison, Public Information Officer

SUBJECT: Request to the Council for sponsorship and funding assistance for the Universities Consortium on Columbia Basin Governance's proposed "Third Annual Symposium on Transboundary River Governance in The Face of Uncertainty: The Columbia River Treaty, 2014"

Introduction and staff recommendation for sponsorship and funding assistance

The Universities Consortium on Columbia Basin Governance (made up of representatives from the University of Montana, University of Idaho, University of Washington, Oregon State University, and the University of British Columbia) has hosted two symposia on Columbia River Basin governance and the Columbia River Treaty, the last at OSU in Corvallis last November. There seems to be consensus support among the universities and others for the utility of holding another this fall, this time in British Columbia, probably Cranbrook.

The university consortium representatives have now agreed on the basic outlines or details of the symposium. A draft of their symposium abstract is attached, and the relevant parts about the symposium are repeated below. The Council and the Columbia Basin Trust are being asked again by the universities to help sponsor and fund the symposium. The request for funding support is again \$10,000. The universities have also asked the CBT and Council to allow Kindy Gosal, for the CBT, and John Shurts and John Harrison, for the Council, to sit on a Steering Committee with the universities and others to help plan the symposium further. And the Council and CBT are being asked to support a student from the one of the universities to help organize materials for the symposium (essentially a research and logistics support intern).

The CBT, through Kindy Gosal, has already responded to the university consortium that it accepts the request. That is, the CBT will help sponsor the symposium, committed \$10,000 in

funding support, will allow Kindy Gosal to be part of the Steering Committee, and will support a student.

The staff recommends the Council agree to do the same. In accordance with our usual process for considering requests of this nature, the universities request for sponsorship and funding assistance will be considered by the Public Affairs Committee at the April Council meeting. The substance of the symposium proposal will also be discussed in the Fish and Wildlife Committee.

Universities' proposal for the third annual CRT symposium (excerpted from attached):

The Third Annual Symposium [proposal details as of March 2011]

The Third Annual Symposium on Transboundary River Governance in The Face of Uncertainty: The Columbia River Treaty, 2014 will take place in the fall of 2011, probably the week of October 2nd. The symposium will take place in the Columbia basin in British Columbia, presumably in or near Cranbrook, the most convenient major airport. We will schedule the symposium as much as reasonably possible around complementary events, including the Columbia Basin Trust Board of Advisors Water Committee meeting.

The symposium will focus on a transboundary group discussion of alternative scenarios for the Columbia River Treaty and related questions and considerations. Possible scenarios and relevant information, questions, and considerations as source material for the symposium participants will be developed prior to the symposium by the universities, as described below. The objective of symposium will be to produce by its end a set of revised scenarios *and* related ideas, considerations and commentary that the symposium participants would like the Entities and Sovereigns on both sides of the border take into serious consideration in their deliberations and public processes.

Throughout the spring and summer of 2011 students at many of the universities represented in the consortium, under the direction of the faculty representatives, will be reviewing the relevant literature, researching key questions, and interviewing a wide variety of people on both sides of the border. Based on this information, the students will begin developing a set of scenarios for where the region, the Entities and the nation might take the Treaty. The students will also be developing and analyzing a set of associated questions, such as what can be accomplished without requiring a formal Treaty process and what possibilities exist for widening public participation.

A report on the results of the student's work, including interview summaries and scenario development, will be provided in June of 2011 to the universities, the Entities, the Northwest Power and Conservation Council, the Columbia Basin Trust, other key federal, state and provincial agencies, and relevant tribes and first nations. Results of interviews by the University of Idaho class in particular will be presented at the PNWER conference in July 2011, along with breakout sessions to obtain further input on possible scenarios. These reporting and discussion sessions will inform areas of further research and development for the summer of 2011 that will help improve the source materials and plausible scenarios for discussion at the symposium itself in October 2011.

The Columbia Basin Trust and the Northwest Power and Conservation Council will be asked again to sponsor and help fund the symposium. Each will be asked for \$10,000. The

universities will also approach others for funding assistance.

Both the CBT and the Council will also be asked to support at least one student from both Canada and the USA over the late spring and summer of 2011 to help research and organize materials for the symposium as well as assist with additional fund raising and logistics. Both the CBT and the Council may be asked to provide support and financial sponsorship for students to get involved.

The CBT will also assist in the organization of this event by acting as a "local" host organization and will facilitate the inclusion of Selkirk College and College of the Rockies as local post-secondary academic institutions who should participate in some way;

A Steering Committee to help further plan the symposium will consist of representatives from the universities, the CBT, the Council, the Entities, and the First Nations/Tribes on both sides of the border. Both CBT (Kindy Gosal) and the Council (John Shurts/John Harrison) will be asked to sit on the Steering Committee for this event. The Steering Committee will be named in late March and meet as soon as reasonably possible to set the exact date and develop the agenda for the symposium.

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The Universities Consortium on Columbia Basin Governance

The Third Annual Symposium on Transboundary River Governance in The Face of Uncertainty: The Columbia River Treaty, 2014

Background

The Columbia River Basin is the fourth largest river basin in North America, covering 259,000 square miles. It includes parts of Oregon, Montana, Idaho, Nevada, Wyoming, Utah, Washington, and British Columbia. The Columbia River is one of the most hydroelectrically developed river systems in the world, with a generating capacity of more than 21 million kilowatts. There are 11 dams on the mainstem in the United States and three in Canada, in addition to over 400 other dams in the Basin for irrigation and hydropower on tributaries. While this infrastructure has generated many benefits in the form of power generation, flood control, navigation, irrigation, and recreation, it has negatively impacted fish populations and portions of the ecosystem, and displaced communities and indigenous cultures.

Our use and reliance on the water resources of the Columbia Basin has increased greatly. Since 1950, both population and income per capita have tripled in the Pacific Northwest, and the use of and reliance on irrigation, flood protection, and hydropower has increased significantly. Communities are becoming more reliant on the Columbia River water resources to meet domestic needs and to protect fish and ecosystems, while recreational opportunities are becoming major economic drivers for society. Other major perturbations, including the impacts of climate change, demographic shifts, and degrading infrastructure, will exacerbate the situation in coming years.

All of these perturbations are impacted by potential changes in the Columbia River Treaty (Treaty) in 2024. The Treaty went into effect in 1964, and has been effective in flood control and power according to the priorities set during initial negotiations. Many concerns of the day remain, and new issues have emerged, brought on by changing needs, growing populations, and increasing environmental awareness.

Because two provisions in the Treaty take effect on September 16, 2024 with 10 years written notice required by the Treaty for its termination, 2014 has become a focus of efforts to evaluate the treaty. One provision needs an action to occur, Treaty termination; and the other provision occurs regardless, the transition from a prescribed flood control operation for Canadian projects to a Called Upon flood control procedure. As a result these provisions offer the opportunity to examine how resilient the existing Treaty is in light of current and future water resource management challenges in the Columbia Basin.

The Universities Consortium on Columbia Basin Governance

A comprehensive approach to bring research informed by stakeholder input to bear on the issues of importance to both the US and Canada in the PNW is critical. Moreover, the potential for change in status of the Treaty in 2024 could provide a unique opportunity to consider the effectiveness of the existing treaty under current and anticipated conditions and whether it is desirable and appropriate for the two countries to open discussion on modification of the treaty to comprehensively address the aforementioned concerns of the basin and PNW. One of the goals of any comprehensive research effort by academic interests must be to assist this dialogue.

Recognizing the need for a regional dialogue involving tribes, stakeholders, government, and researchers throughout the PNW, one public university in each state and province in the basin crafted a consortium in 2008 to offer a neutral, academic framework to help support just such a conversation. *The Universities Consortium on Columbia Basin Governance* includes the University of British Columbia, the University of Idaho, the University of Montana, Oregon State University, and the University of Washington.

The Consortium has initiated a series of annual symposia, to help inform the process and determine some of the scenarios and outcomes that might influence Columbia River Basin decisions. The first such forum was held in April 2-4, 2009, entitled, “Natural Resource & Environment Symposium - Transboundary River Governance in the Face of Uncertainty: The Columbia River Treaty, 2014.” It explored the question: How do we design and implement governance of international watercourses in face of uncertainty? Invitees to the symposium included universities, non-government organizations, government agencies, companies and tribes from all parts of the basin. Subsequent symposia will build on that model, but target more specifically issues of concern to stakeholders in the region.

The second symposium was held on November 7-9, 2010, on the campus of Oregon State University In Corvallis. Sparked by a set of provocative presentations, hundreds of participants from many perspectives on both sides of the border discussed three key themes: needs and benefits, participatory processes, and transboundary governance mechanisms. That symposium concluded with a clear sense that a third symposium sooner rather than later would be useful to sharpen the discussion around a set of reasonable alternative scenarios that represent the needs, interests and values of key participants.

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