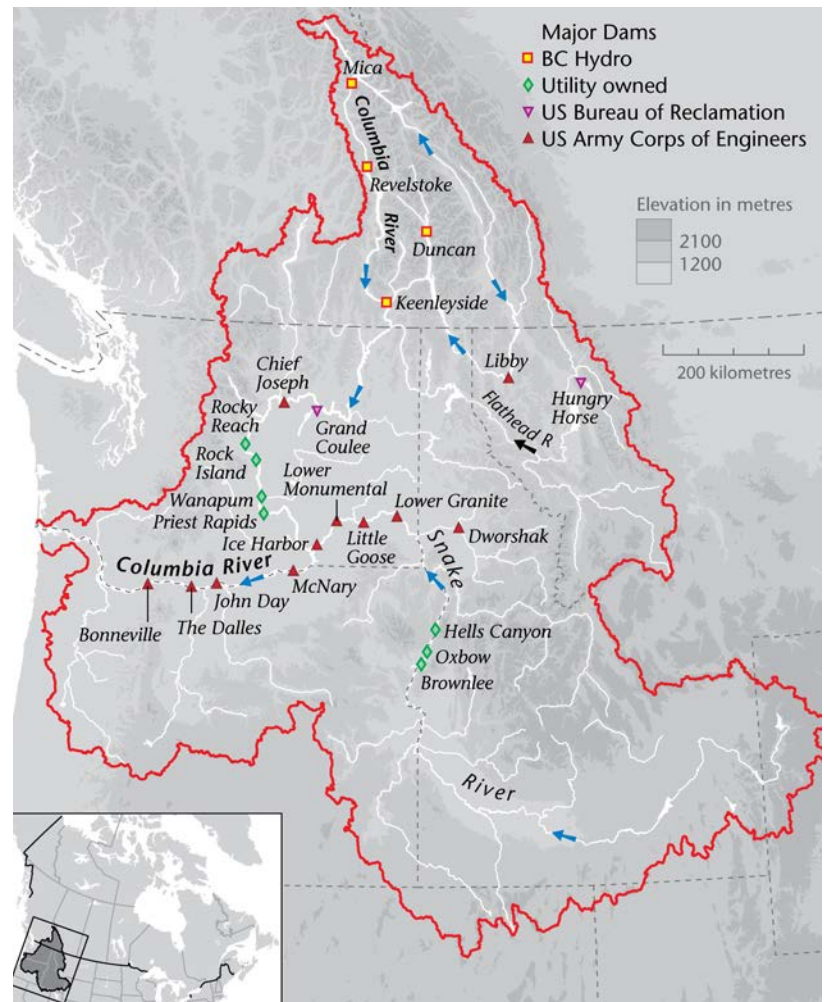




Background and Context

The Columbia is one of the great rivers of North America – and the continent's fourth largest, behind only the Mississippi, St. Lawrence, and Mackenzie rivers. Beginning at Columbia Lake in British Columbia (BC), the main branch of the river travels nearly 2,000 kilometres (1,200 miles) and through fourteen dams before reaching the Pacific Ocean. The Columbia River drains a basin approximately the size of France and includes portions of seven US states and the Canadian province of British Columbia. The United States and Canada are parties to the Columbia River Treaty (CRT), first signed in 1961 and ratified in 1964. In accordance with the treaty, Canada constructed three storage dams in the Canadian portion of the Columbia River Basin. It also called for the ongoing, coordinated operation of storage and hydroelectric projects in BC and the United States for the dual purposes of flood control and power generation.



Source: Original map. Cartographer: Eric Leinberger, Department of Geography, UBC.

Both countries understood that most of the power and flood control benefits of these projects would be realized downstream (within the United States), and that these downstream benefits would be shared with Canada via power delivery and financial compensation (both to Canada). The treaty's reputation as a successful initiative is, in large part, a function of the relative simplicity of its aims: balancing benefits from flood control and winter peak power optimization in a hydro-dominated system. In this sense, the CRT serves as an exemplary case of benefits sharing along an international river.

The CRT is in the spotlight as it comes up for renegotiation. The treaty's provisions stipulate that (1) the flood control operation of the treaty is automatically terminated in 2024 unless both nations take action to maintain it, and (2) unilateral termination of the power provisions can occur beginning in 2024 if either nation wants to discontinue cooperative management - but only if ten years' notice is given (by 2014 at the earliest).

Challenges and Opportunities

Much has changed since the first negotiation of the CRT. The following are factors not included in the original CRT that will need to be considered in upcoming negotiations;

The Columbia River Treaty

they are both challenges (in the sense that they are complex issues on both sides of the border) and opportunities (in the sense that the renegotiation provides a platform to explicitly address them):

- Questions of Aboriginal rights and title were ignored in the 1960s will be central to any renegotiation;
- Fish and wildlife are not included in the CRT whatsoever but will likely need to be considered in future negotiations;
- Power generation and operation is outdated in the treaty; its power system optimization protocols no longer correspond with current or likely future power system operations;
- Public participation is also neglected in the original treaty, but has become a central feature of management in the basin through initiatives such as the Columbia Basin Trust.

Although renegotiation will require treaty representatives to confront the challenging issues discussed above, the 2014/2024 Review will give them the opportunity to re-examine the cooperation on Columbia River management while taking into account contemporary developments in values and needs.

Recommendations

The following are recommendations for the upcoming negotiation:

- Actively engage First Nations and Native American communities in the renegotiation process.
- Build in an opportunity to revisit the valuation of ecosystem health (including costs to fish and wildlife) in the revised operation.
- Analyze the current method for calculating downstream power benefits and determine if this is the best available mechanism; provide alternatives to counter inefficiency. (This includes the possibility of applying a new storage project operating protocol to all of the US and Canadian Columbia River storage projects as a system).
- Create inclusive transboundary advisory panels with citizen-membership that would be active throughout the negotiation process and serve as ongoing governance mechanisms.

Note: This Policy Brief draws on the research presented in *Water Without Borders? Canada, the United States and Shared Waters* (University of Toronto Press), edited by Dr. E. Norman, Dr. A. Cohen, and Dr. K. Bakker. It forms part of a set of Policy Briefs funded by the Walter & Duncan Gordon Foundation on 'flashpoints' in Canada-US Transboundary Water Governance. The full set of Policy Briefs can be found at www.watergovernance.ca.