

Columbia Basin Tribes Coalition

on the
Columbia River Treaty 2014/2024 Review

TRIBES

- Burns Paiute Tribe
- Coeur d'Alene Tribe
- Confederated Salish and Kootenai Tribes of the Flathead Nation
- Confederated Tribes of the Colville Reservation
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes and Bands of the Yakama Nation
- Confederated Tribes of the Warm Springs Reservation of Oregon
- Cowlitz Indian Tribe
- Kalispel Tribe of Indians
- Kootenai Tribe of Idaho
- Nez Perce Tribe
- Fort McDermitt Paiute Shoshone Tribe
- Shoshone-Bannock Tribes of the Fort Hall Reservation
- Shoshone Paiute Tribes of the Duck Valley Indian Reservation
- Spokane Tribe of Indians

INTERTRIBAL ORGANIZATIONS

- **Columbia River Inter-Tribal Fish Commission**
700 NE Multnomah St
Suite 1200
Portland, Oregon 97232
- **Upper Columbia United Tribes**
25 W. Main, Suite 434
Spokane, WA 99201
- **Upper Snake River Tribes**
413 W. Idaho Street
Suite 101
Boise, ID 83702

June 2, 2014

Honorable Jo-Ellen Darcy
Assistant Secretary
Office of the Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, DC 20310-0108

Dear Ms. Darcy:

On behalf of the Columbia Basin Tribes Coalition, we request that the United States Army Corps of Engineers (Corps) promptly initiate a domestic regional flood risk management review for the Columbia Basin as recommended in the U.S. Entity Regional Recommendation on the Future of the Columbia River Treaty after 2024. The need for a flood risk management review was identified during the Sovereign Participation Process as a domestic matter to be undertaken in 2014, wholly separate from the Regional Recommendation. The initiation of this review is not contingent upon action on the Regional Recommendation by the U.S. Department of State.

The purpose of this regional review is to investigate opportunities to manage flood risks in a manner that integrates ecosystem values and incorporates all available flood risk management options in the face of climate change. The tribes seek to manage water and related upland habitats in a complementary manner that minimizes the risk of damaging floods while improving conditions for fish and wildlife resources. The tribes also seek to reduce the adverse effects of flood risk management on their other cultural resources located throughout the Columbia River Basin.

The tribes participated in a multi-year Sovereign Participation Process to Review the Columbia River Treaty (Treaty). This process was ably co-chaired by the Corps' Northwestern Division in its role as a member of the U.S. Entity responsible for implementing the Treaty. Findings of this review call for modernizing the Treaty and reviewing current approaches to flood risk protection in the U.S. This review will help the region integrate and meet Treaty objectives for flood risk and ecosystem function, as well as adapt to the potential effects of climate change.

The tribes seek to assist the Corps, along with other federal agencies, state and local governments, and river users, to promptly assess options for flood risk management so that this important information can be available for both modernizing the Columbia River Treaty and identifying other necessary actions beyond the Treaty to meet regional flood risk challenges. Assuming no action is taken by 2024¹, Treaty operations for flood risk management would require the Corps to draft U.S. reservoirs deeper and more frequently in an effort to provide the current level of flood protection, if in fact such level of protection can be achieved. Such post-2024 operations would further degrade the tribes' natural, cultural, and socioeconomic resources and threaten local recreation- and reservoir-based economies and future water supplies.

The Pacific Northwest needs to understand what potential U.S. and Canadian reservoir operations are necessary to secure adequate flood risk for existing and future uses of the floodplain of the Columbia and its tributaries. In considering this issue, it is important to note that the flood risk management protections afforded by the Treaty would not have prevented the Vanport Flood of 1948, nor diminished the significant damages caused by the even greater flows of the 1894 flood event.

This regional review is necessary to inform some important uncertainties in Columbia Basin flood risk management. First, there is uncertainty whether Canada's post-2024 reservoir operations under the Treaty are sufficient to achieve the desired initial control flow at The Dalles, Oregon. Second, the review should clarify the congressionally authorized level of flood risk for which river operations are altered (actions to prevent moderate and major floods or to achieve zero-damage floods). Finally, it does not appear that current reservoir capacities, operations, and levee systems were intended to achieve the desired level of flood risk management, especially in the event of a late season or 1894 flood type event or the more likely occurrence of more frequent extreme events precipitated by climate change. It appears to the tribes that flood risk management efforts through the years may have inadvertently evolved from less reliance on levee systems to greater reliance on reservoir operations to control downriver flooding.

The regional flood risk management review must take a comprehensive approach and address all available opportunities to minimize the probability of high, damaging flows and reduce the consequences of any flooding. The tribes are also particularly interested in exploring risk management adaptation alternatives that will address vulnerabilities from climate change impacts.

In conclusion, the tribes will continue to seek regional and Congressional support for the Corps to immediately initiate a planning process of its existing flood risk management program for the Columbia Basin. We will work collaboratively with the Corps, other federal agencies, and state and local governments to identify and seek resources necessary to continue and conclude the

¹ Planning for the 2024 flood risk management plan will actually begin in 2018 with the development of the 2024 Assured Operating Plan by the U.S. and Canadian Entities.

process. We will be contacting you in the near future to set up a meeting to discuss how we can work together to ensure that the tribes' concerns and objectives expressed in this letter are addressed in a timely manner.


Sincerely,



Paul Lumley, Executive Director
Columbia River Inter-Tribal
Fish Commission



D.R. Michel, Executive Director
Upper Columbia United Tribes



Heather Ray, Executive Director
Upper Snake River Tribes



Taylor Aalvik, Natural Resources Director
Cowlitz Indian Tribe



Richard Janssen, Natural Resources Department Director
Confederated Salish and Kootenai Tribes

Cc Sally Jewell, Secretary of the Interior, U.S. Department of the Interior
Dr. Ernest Moniz, Secretary of Energy, U.S. Department of Energy
John McHugh, Secretary of the Army, U.S. Department of the U.S. Army
Penny Pritzker, Secretary of Commerce, U.S. Department of Commerce
Tom Vilsack, Secretary of Agriculture, U.S. Department of Agriculture
Anthony Foxx, Secretary of Transportation, U.S. Department of Transportation
Caroline Tess, Deputy Assistant Secretary, U.S. Department of State
Lori Faeth, Deputy Assistant Secretary, U.S. Department of the Interior
Dr. Phyllis Yoshida, Deputy Assistant Secretary, U.S. Department of Energy
Gina McCarthy, Administrator, Environmental Protection Agency
Dr. Kathryn Sullivan, Administrator, NOAA, U.S. Department of Commerce
Michael Boots, Acting Chairman, White House Council on Environmental
Quality
Jodi Gillette, Senior Policy Advisor, White House Domestic Policy Council
Honorable Governor Jay Inslee, State of Washington
Honorable Senator Patty Murray, State of Washington
Honorable Senator Maria Cantwell, State of Washington
Representative Suzan DelBene, State of Washington
Representative Rick Larsen, State of Washington
Representative Jamie Herrera Beutler, State of Washington
Representative Doc Hastings, State of Washington
Representative Cathy McMorris Rodgers, State of Washington
Representative Derek Kilmer, State of Washington
Representative Jim McDermott, State of Washington
Representative Dave Reichert, State of Washington
Representative Adam Smith, State of Washington
Representative Denny Heck, State of Washington
Honorable Governor John Kitzhaber, State of Oregon
Honorable Senator Ron Wyden, State of Oregon
Honorable Senator Jeff Merkley, State of Oregon
Representative Suzanne Bonamici, State of Oregon
Representative Greg Walden, State of Oregon
Representative Earl Blumenauer, State of Oregon
Representative Peter A. DeFazio, State of Oregon
Representative Kurt Schrader, State of Oregon
Honorable Governor Butch Otter, State of Idaho
Honorable Senator Michael D. Crapo, State of Idaho
Honorable Senator Jim Risch, State of Idaho
Representative Raul R. Labrador, State of Idaho
Representative Mike Simpson, State of Idaho
Honorable Governor Steve Bullock, State of Montana
Honorable Senator John Walsh, State of Montana
Honorable Senator Jon Tester, State of Montana
Representative Steve Daines, State of Montana