

## MODERNIZING THE COLUMBIA RIVER TREATY

### NEXT STEP: THE U.S. STATE DEPARTMENT

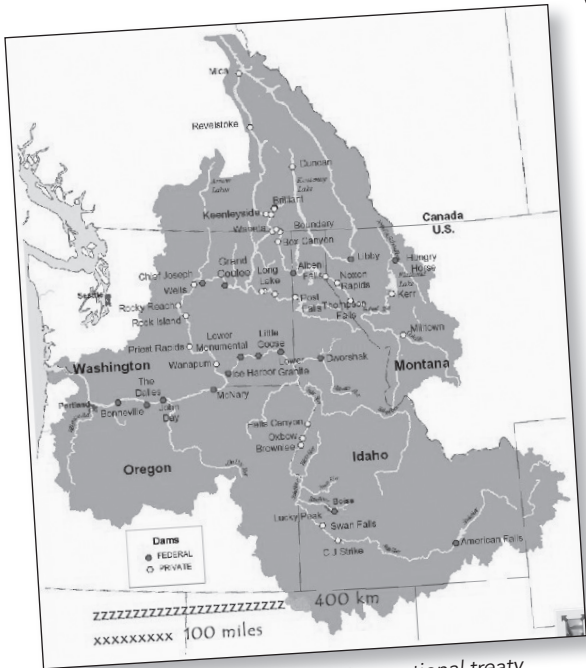
*Returning salmon home to the Spokane River and other Upper Columbia rivers will benefit citizens and businesses, recreation and commercial fishers, and Tribes and First Nations.*

On February 21 the spotlight at Winter Waters will be on modernizing the international treaty that governs the Columbia River. Upper Columbia United Tribes' director, D.R. Michel will give the keynote.

The current 50 year old treaty, ratified in 1964 between Canada and the United States, built four big dams in the Upper Columbia. The treaty's benefits in hydropower and flood control came with wrenching costs for Tribes and First Nations, salmon, and the river's health.

In 2024 flood-risk responsibility (now shared by Canada and the U.S.) shifts to the United States. Canada would provide assistance only when the U.S. requests help and pays for it – and only after all capacity is used in U.S. reservoirs. Such a change will have major impacts in the U.S. on reservoir levels, hydropower

*continued on page 3*



The Columbia River Treaty is an international treaty governing the Columbia River.  
Source: U.S. Army Corps of Engineers

*Please Join Us!*

### WINTER WATERS 2014 CELEBRATION

Friday, February 21st  
6:30 to 9:30 p.m.

#### *Modernizing the Columbia River Treaty*

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



Patsy Clark Mansion  
2208 W. Second Ave. • Spokane  
**TICKETS \$25**

To RSVP or to help, contact John Osborn  
john@waterplanet.ws 509.939.1290

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## SPOKANE RIVER INSTREAM FLOW RULE TO BE LAUNCHED

*By Rachael Paschal Osborn | Naiads.wordpress.com*

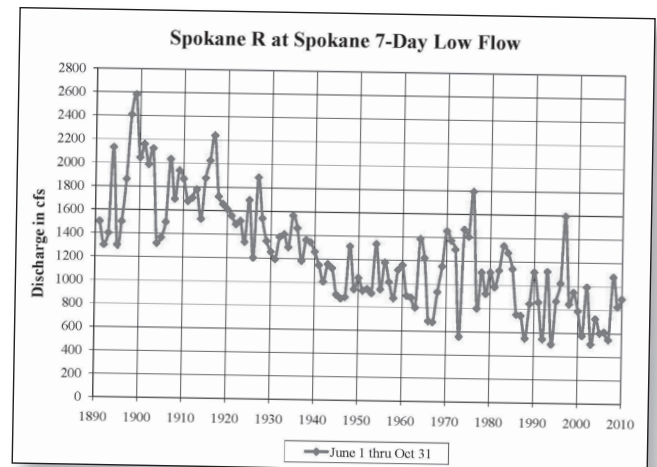
*The Washington Department of Ecology announced in late January that it is launching an effort to protect instream flows in the Spokane River. This is good news for river advocates, but must be taken with a dose of salt.*

The Spokane River needs some help when it comes to instream flows, which have been steadily in decline for decades (see graph). The problem is largely due to groundwater overpumping in both Washington and Idaho. The

Spokane Aquifer feeds the Spokane River, so pumping groundwater has a direct and negative impact on instream flows.

In Washington, river flows are protected by formal adoption of a rule that specifies how much water should be in the river during certain dates throughout the year (usually two week

*continued on page 4*



This graph shows the lowest flow of the year, every year between 1891 and 2010, as measured at the Spokane gage (just downstream of Monroe St. Bridge). Source: WA Dept of Ecology

# MOVING SPOKANE BEYOND COAL



Ben Stuckart, Spokane City Council President, speaking at a citizen rally against the coal export terminal proposed at Longview, September 25, 2013. Coal exports to Asia will result in coal trains inundating Spokane and other communities. Jace Bylenga photo

**S**ierra Club's *Beyond Coal Campaign* is a leader in the battle against climate change. Our campaign's main objective: replace dirty coal with clean energy. We aim to win by mobilizing grassroots activists in local communities to advocate for retiring old, outdated coal plants while preventing new coal plants from being built.

In the Pacific Northwest, our work focuses on preventing large export facilities that would send American coal from the Powder River Basin in Wyoming and Montana to Asian markets. If we fail to act, communities like Spokane will be inundated with polluting coal trains threatening our health and safety.

With the help of amazing volunteer activists and partners, these proposals have met historic opposition. However, the fight is far from over. We need to build our movement, and need your help. We need to fight against dirty and outdated fuels like coal and build a future with clean alternatives.

Please consider volunteering with us. Encourage others to act. We have opportunities that range from an hour all the way up to long term leadership roles, and we will train you!

CONTACT: Jace Bylenga  
jace.bylenga@sierraclub.org  
509.209.2395

FOR MORE INFORMATION:  
coalfreewashington.org  
powerpastcoal.org



Citizens speak out against coal exports.  
Power Past Coal photo



CoalFreeSpokane

## UPPER COLUMBIA RIVER GROUP

### Executive Committee

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**OUR ELDERS** continued from back page

taxpayers, and huge subsidies involved. In a WSU oral history he recalled "it became obvious that this was not a good investment, not for the state, not for the federal government, not for the people of the region . . ."

Whittlesey's 1976 unanticipated critical analysis had already raised concern in the Legislature. In 1984 Whittlesey's testimony about the costs prompted the House of Representatives to withdraw state funding for expanding the irrigation project – and without state funding, the much larger federal funding commitment evaporated. "It stopped what was probably a 4 billion dollar project in the 1980s and that would be 3 or 4 times that today . . . [with resulting] huge political turmoil." The backlash was intense, including one state senator working for 2-3 years to have WSU fire Whittlesey. The attacks also extended to Whittlesey's colleagues, including Walt Butcher. The tenure-protected professors survived the attacks.

When in the 2000s BuRec (now teamed





The Columbia is one river that flows through many nations: U.S., Canada, First Nations, and Tribal nations. In decisions about the river, ethics matter.



Poster from a public meeting in Castlegar, B.C., 2012. Dams built pursuant to the Treaty for hydropower generation and flood-risk management devastated wildlife habitats and forced thousands of people from their homes in British Columbia and northwestern Montana. PHOTOS: John Osborn

production, water supply, irrigation, and salmon.

What is the status of changing the treaty? In December the Bonneville Power Administration and the Army Corps of Engineers made recommendations to the U.S. State Department. The so-called “Regional Recommendations” include expanding the two current purposes of the treaty (hydropower and flood-risk management) to add a third purpose: ecosystem function. Whether to restore salmon to ancestral spawning waters – the Spokane River and other tributaries – is part of this third treaty purpose.

As written, the recommendation to State includes a public process to explore innovative ways to manage river flows and flood risk. This is a major reason to start talks with Canada now to improve the Treaty for both nations.

All four Northwest states, 15 Columbia Basin tribes, fishing communities, and environmentalists support the federal agencies’ recommendations to the State Department. Opposing these recommendations is the utility caucus, called the Treaty Power Group, which wants to offload costs relating to the Treaty to decrease electricity rates – already some of the lowest rates in the United States.

A modernized treaty must help the United States and Canada jointly prepare the Columbia and Snake watersheds with resilience and health for the climate change that is upon us.

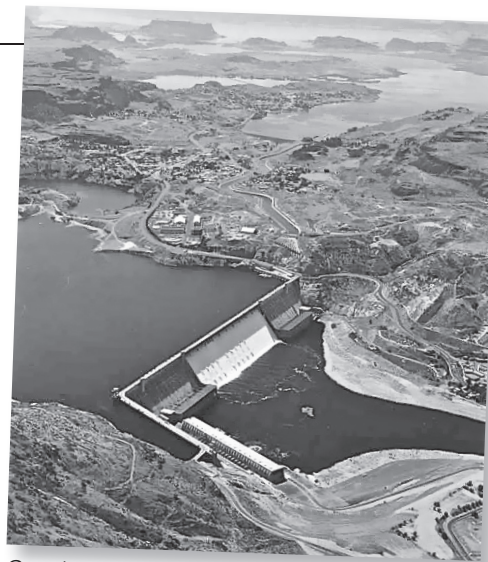
We have a once-in-a-lifetime opportunity to turn the Columbia River Treaty into a powerful tool for promoting salmon recovery and river health in the face of climate change. Help us bring the salmon home.

CONTACT: John Osborn john@waterplanet.ws 509.939.1290

with Ecology) moved again to expand irrigation, the agencies were once again supported by well-organized and politically powerful irrigation interests. Despite the additional economic reviews from Whittlesey and Butcher, the agencies have squandered millions of state and federal dollars on expanding part of the Columbia Basin Irrigation Project – all to benefit a few. As Whittlesey notes, “the politicians don’t tell [the public] . . . its going to cost about 10 times what the benefits are and that’s why projects like that happen unless there’s somebody that sheds light on them.”

**(2) Building more Yakima Basin irrigation dams: high costs to taxpayers, better solutions.**

In the Yakima Basin during some years, water demand exceeds water supply, requiring that “junior” water right holders be regulated to protect “senior” water rights and river flows. Although lower cost alternatives exist, BuRec and Ecology are seeking to build new water projects, including two new irrigation



Grand Coulee Dam diverts water from the Columbia River. Here, water is pumped uphill to the federal Columbia Basin Irrigation Project. U.S. Bureau of Reclamation photo

dams at Bumping Lake and Lmuma Creek (Wymer Dam). To provide the patina of public interest, packaged with the costly water projects are multiple proposals including fish passage projects and land protections. However, most of the \$5 billion cost is for water projects.

During the 2013 Legislative session,

Whittlesey and Butcher provided an economic review of the Yakima Project, triggering a public discussion of who will pay these costs and for what benefits. As a result, the Legislature funded an economic review of the individual elements of the Yakima Plan. The Yakima Plan analysis is being handled by another WSU economics team led by Jon Yoder, slated for public review in November. Given past experience, conservationists are concerned about the absence of peer review that could reduce the risk of political pressure and retribution.

In the face of climate change, diminishing water availability, and the unrealistic demands for water, economics can be an incisive and politically sobering tool. Honoring the team of Whittlesey and Butcher with Sierra Club’s Watershed Hero award is richly deserved.

FOR MORE: visit [www.wsm.wsu.edu/ourstory](http://www.wsm.wsu.edu/ourstory) and click on “Oral histories of WSU emeritus faculty”



Low flow fishing in the Spokane River, West Central neighborhood. John Osborn photo

intervals). These rule-based flows are basically a water right for the river. Pre-existing water rights that were issued before adoption of the flow rule are not affected, and water rights issued after the flow rule are subject to curtailment when the flows are not met.

The system is not perfect, but it does provide a measure of protection against further degradation of rivers that lack sufficient water (such as the Spokane).

Ecology announced that it will begin the formal rulemaking process, which should take about 18 months to complete, and will involve a fair amount of public process.

The purpose of instream flows is to protect public values in rivers. For the Spokane, that means protecting water quality, fisheries, recreation, and scenic values. An important question for Spokane River advocates to ask as this process unfolds: Will the flows that Ecology proposes be sufficient to protect these values?

In a 2012 memo, and a 2013 presentation, Ecology stated that it intends to adopt a summertime flow of 850 cubic feet per second. The Washington Department of Fish & Wildlife provided technical analysis. But

nowhere in the studies is there discussion of adequate flows for recreation and scenic values. Alternative views about the amount of water that the Spokane River needs and other issues, submitted by the Center for Environmental Law & Policy, are set forth here. (The back story is that the City of Spokane has proposed flows as low as 460 cfs, and Ecology believes it can split the baby.)

Washington's instream flow program got a big boost last October, when the state Supreme Court ruled that the Skagit River instream flow rule is designed to protect the river, and cannot be subordinated to water for future development. (See [Naiads.wordpress.com](http://Naiads.wordpress.com/post/Skagit_River_Wins_Big_in_Court) post "Skagit River Wins Big in Court" [10-3-13].)

Despite the Skagit court decision, Ecology continues to issue new water rights that impinge on instream flows. Litigation challenging Ecology is underway involving the Nisqually and Deschutes Rivers (issuance of new water right to City of Yelm, near Olympia), the Similkameen River (issuance of new water right for Enloe Dam, near Oroville), and the Columbia River (issuance of new water right to Kennewick Hospital, see [Naiads.wordpress.com](http://Naiads.wordpress.com/post/Washington_Rivers_For_Sale) post Washington Rivers: For Sale).

As the Spokane flow rule develops, those who care should closely question how this "water right for the river" will truly protect the river.

- Will the flow rule really protect Spokane River water quality, fisheries, recreation, and scenic values?
- Will the flow rule protect higher flows that occur some years, and provide important diversity in habitat and river channel maintenance?
- Will the flow rule prevent issuance of future water rights to the detriment of the river? (Of particular concern is the Department of Ecology's obsession with obtaining new water for Columbia basin irrigation – the Spokane River is a potential source.)
- How will the Spokane River instream flow rule connect with new pumping on the Rathdrum Prairie in Idaho?

The coming year will present an important opportunity to advocate for the Spokane River. Stay tuned.

Reprinted with permission from Rachael's water blog: [Naiads.wordpress.com](http://Naiads.wordpress.com).

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FOR MORE ON HOW YOU CAN HELP RESTORE THE SPOKANE RIVER, CONTACT: John Osborn [john@waterplanet.ws](mailto:john@waterplanet.ws) 509.939.1290

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Upper Columbia River Group



Don't miss this year's

# WINTER WATERS CELEBRATION

## Modernizing the Columbia River Treaty – Confluence of Tribal and Conservation Advocacy

KEYNOTE: D.R. Michel, Upper Columbia United Tribes, *Executive Director*

In the face of climate change, the United States and Canada are positioning to modernize the Columbia River Treaty – opening the door for treaty reforms. The current 1964 treaty governs management of the Columbia River for only two purposes: hydropower and flood-risk management. 15 Tribes of the Columbia Basin, the fishing community, and environmental organizations advocate adding a third treaty purpose: ecosystem function, including restoring salmon to the Spokane River and other ancestral spawning waters now blocked by dams. (see article: **MODERNIZING THE COLUMBIA RIVER TREATY**, page 1)

### Honoring our Watershed Heroes

Norman Whittlesey and Walter Butcher

(see article: **HONORING OUR ELDERS**, page 6)

To RSVP or to help, contact John Osborn john@waterplanet.ws 509.939.1290

WINTER WATERS IS A BENEFIT TO SUPPORT THE RIVER ADVOCACY OF SIERRA CLUB'S UPPER COLUMBIA RIVER GROUP AND THE CENTER FOR ENVIRONMENTAL LAW & POLICY.

Friday, February 21st

6:30 - 9:30 p.m.

Patsy Clark Mansion  
2208 West 2nd Avenue

**TICKETS: \$25**

*awards • appetizers  
music • wine*

#### BUY YOUR TICKETS ONLINE:

<http://winterwaters2014.brownpapertickets.com/>

or Make your check payable to "CELP" and use the enclosed envelope.

If you are unable to attend, then please consider making a tax-deductible donation to help protect the future of rivers of the Upper Columbia.

FRED CHRIST returns to the ExCom after service in the 1990s. He has a special interest in community outreach (an intrepid volunteer for our annual Winter Waters event) and helping to build our Outings program.

KATIE EVANS serves as our Group's newsletter editor, and brings considerable Sierra Club volunteer experience from her service with our Utah chapter, including community outreach and Outings.

CAROLYN LEON co-chairs the Group's ExCom, chairs the Outings Program, and represents us to our state chapter's governing board. Carolyn's love of outings comes from her father, Rich Leon, a much beloved leader of outings, author, and editor of our Sierra Club Trail Guides.

JOHN OSBORN co-chairs the Group's ExCom, and serves on the state chapter's Water & Salmon and Legislative Committees. John helps with restoring the Spokane River and protecting the Aquifer, and is helping develop an international alliance to modernize the Columbia River Treaty.

TOM SOELDNER has a special interest in the relationship between humans and the natural world. He is active with the faith community, is working on modernizing the Columbia River Treaty, and volunteers with our Group's Political Committee.

## ANNUAL ELECTION: UPPER COLUMBIA RIVER GROUP

All Sierra Club members in our group are eligible to vote in this election. Vote for 5 positions on the Group Executive Committee (ExCom). Ballots must be received by March 1, 2014 at 5 p.m.

NOTE: Each member of a joint membership may vote, each using one of the two columns. Please tear off and mail this entire page to: Sierra Club, P.O. Box 413, Spokane, WA 99210 (you may use the enclosed envelope).

FOR EXCOM (vote for 5)	VOTER 1	VOTER 2
Fred Christ	/_/_	/_/_
Katie Evans	/_/_	/_/_
Carolyn Leon	/_/_	/_/_
John Osborn	/_/_	/_/_
Tom Soeldner	/_/_	/_/_
_____ (write in)	/_/_	/_/_
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_____ (write in)	/_/_	/_/_

# LET YOUR FIRST HIKE IN 2014 BE A SIERRA CLUB OUTING

*Sierra Club Outdoors reaches across economic lines, cultures, and communities, to engage all Americans – including military and youth – to explore and enjoy the natural world.*

Here in the Upper Columbia River region, come join us for another fun year of Sierra Club outings! We are starting to plan the outings we will run this year. Last hiking season just a few highlights were seeing beavers, deer, and porcupines at Riverside State Park and eating huckleberries at Mt. Spokane State Park.

Are you thinking about spring and summer? How about joining us for an outing, becoming a volunteer outings leader, or suggesting a favorite place for an outing? If you answer “yes”, then please contact Carolyn Leon at LoneStar4@aol.com.

This year: *Explore, Enjoy, and Protect the Planet.*



Dishman Hills: Explore, enjoy, and protect with Jeff Lambert.



## UPPER COLUMBIA RIVER GROUP

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## HONORING OUR ELDERS: NORM WHITTLESEY & WALT BUTCHER

*Seldom do we consider economists as revolutionaries. Two WSU economists acting alone, armed only with scholarship and integrity, compelled the U.S. Bureau of Reclamation and Dept of Ecology to account for massive costs of irrigation projects. Their incisive analysis yields enduring benefits to ratepayers, taxpayers, wildlife habitat, and rivers.*

In the West where “water flows uphill to money and power,” economic scrutiny can have profound impacts. The public policy impacts of the work of Professor Whittlesey and Professor Butcher span

decades. Their invaluable community service prompts Sierra Club to honor this duo with our Watershed Hero Award for 2014.

Here are two examples of their public service in water economics:

**(1) Expanding the federal Columbia Basin Irrigation Project: cost prohibitive.** The U.S. Bureau of Reclamation (BuRec), working with the Washington Department of Ecology (Ecology) has proposed pumping more water uphill at Grand Coulee Dam, building more canals, and expanding

surface-water irrigation between Ritzville and Moses Lake in a place called the Odessa Subarea.

During the 1980s the Legislature’s House Agriculture Committee asked Prof. Whittlesey (at WSU 1964–1996) to study the benefits of adding more irrigated lands to the state. Whittlesey looked at the costs for ratepayers and



Norman Whittlesey left and Walter Butcher at right