

**American Rivers Center for Environmental Law and Policy
Earth Ministry League of Women Voters of the United States
Pacific Rivers Save Our *wild* Salmon Coalition Sierra Club
WaterWatch of Oregon**

June 30, 2021

Secretary Antony Blinken
U.S. Department of State
Washington D.C. 20522-0099

Dear Secretary Blinken,

We write with urgency about the threat of climate change to the Columbia River watershed, and the opportunity that modernizing the U.S.-Canada Columbia River Treaty presents for addressing this threat while helping communities and important fish and wildlife species on both sides of the border. We are grateful that the Biden Administration now leads the United States' negotiations with Canadian governments. You can secure the expanded, modern Treaty that the Northwest urgently needs.

Our organizations span conservation, clean energy, civic, faith, fishing, business, and national interests in the Northwest states. Our members know the Columbia Basin through hundreds of local lenses, and as one vast net of rivers containing us all. The Biden Administration's priorities for climate stability and resilience, justice, and democracy match our Northwest need for a modern Columbia River Treaty. We echo President Biden's spot-on national prescription in our regional context: the Northwest needs new infrastructure for justice, river health, and democracy added to the 57-year-old Treaty's infrastructure focused only on hydroelectricity and flood control.

You may have underway a review of U.S. aims and operations for a modernized Treaty, by the light of your quite different priorities from your predecessor. If so, we thank you; if not we urge you to take this hard look. Since your priorities are broadly shared in Canada, your review could also spur agreement on a collaborative, modernized Treaty by 2024. There is need in both countries, and momentum, to make ecosystem function -the health of the Columbia River and watershed - a third Treaty purpose. Your leadership can secure that.

To that end, we make three specific requests for your consideration now.¹

1. Please consider adding an expert federal voice for ecosystem function – Treaty parlance for the health of the river and watershed – to the U.S. Treaty Entity by 2024. This requires no negotiation; the Biden Administration has sole authority to make this change.

¹ A fuller list of our Treaty recommendations can be found in an August 31, 2018 letter to Chief U.S. Negotiator Jill Smail from many of our organizations:
<https://www.pacificrivers.org/columbia-river-treaty-letter1.html>

Currently, the U.S. Entity consists of the Bonneville Power Administration and U.S. Army Corps of Engineers. Neither of these agencies is qualified to lead implementation of ecosystem function purposes in a new treaty; inevitably their original statutory missions dominate and override, to the detriment of the Columbia Basin's ecosystem health. Their 30-year failure to restore endangered salmon in the Columbia River and its tributaries – despite \$20 billion spent so far – is, we suggest, sufficient evidence. The failure to restore salmon is wracking our region, where salmon and river health are inseparable. This track record demonstrates that the U.S. Entity, as currently constituted, is no model for sustaining the health of the Columbia River.

Planning how to empower and integrate a third federal voice, joining Bonneville and the Corps, into Treaty implementation by the U.S. will take good strategy, analysis, and consultation with the region. But, on the ground and in the water, this addition to the U.S. Entity responsible for Treaty implementation is needed urgently. The President's priorities encourage us to hope you will agree, and thus undertake this major service for Northwest states.

2. Please renew and improve federal engagement about the Treaty with the people and communities of Idaho, Montana, Oregon and Washington.

Since formal negotiations with Canada began in 2018, public engagement by the State Department and the U.S. negotiating team has been perfunctory to non-existent.² In contrast, the federal, provincial and indigenous governments on Canada's Treaty team extensively engage their people, communities, and local governments about the Treaty. Their program has stayed strong through the pandemic. Indeed, Canada's public outreach has become our best source for insight into the negotiations, and for informed discussion of Treaty issues. The attached letter to Canadian, BC, and Indigenous Nations' governments, expressing appreciation for their public engagement, includes links to its main features.

This is not a matter of mere "process." Canada is gaining negotiating strength and judgment from its serious work at democratic engagement. The Northwest and U.S. would gain from the same. The federal and provincial dam agencies that have implemented the Treaty since 1964 can help, but they will not keep the Columbia's waters healthy through the next half-century. People and communities in both countries will do most of that work. The modernized Treaty that emerges from negotiations should equip us in common for that responsibility. We hope you direct your Treaty negotiating team, and the U.S. Entity, to systematically inform and involve Northwest people and communities from here forward. We understand Treaty negotiations are sensitive and confidential. Canada's program proves it is possible to respect negotiation confidentiality without keeping citizens on the sidelines or in the dark.

3. Please freshly seek, and consider, the Columbia River Treaty-related requests and proposals of the 15 tribes in the U.S. portion of the Columbia Basin.

² In over three years, the State Department has held just five Northwest public events totaling 7.5 hours, of which only half was available for public questions and comments. These events were not designed to allow meaningful two-way dialogue. There has been very little written communication from the State Department beyond occasional barebones press releases. And, in our experience, the Department does not reliably or substantially respond to messages to its public email account.

The tribes themselves will state their proposals. From our viewpoint, the tribes' expertise in the Columbia Basin's natural and cultural resources, and their focus on the Columbia River's ecological health, is much deeper than that in the State Department and the current U.S. Entity. The more the tribes' ecological competence and wisdom is integrated in Treaty negotiations and implementation, the better for the Northwest.

The Administration's appointments and early actions indicate a determination to achieve more just and honorable relations with tribal nations. We agree and thank you. Please apply your determination to the Columbia River Treaty. The Treaty has been harming Columbia Basin tribes for 57 years – yet tribes were excluded from its development, and still have no voice for their priorities in its governance structure.

Thank you, Mr. Secretary, for considering our requests. We look forward to working with your staff, the U.S. Entity, Columbia Basin tribes, and our Canadian, BC, and Indigenous Nation partners to achieve a modernized Columbia River Treaty that expands its purposes to include ensuring ecosystem health, promoting the closest possible collaboration cross-border, and honoring United States' treaty and federal trust obligations to the tribes of the Columbia Basin.

Sincerely,

Joseph Bogaard
Executive Director, Save Our *wild* Salmon Coalition
Seattle, WA

Greg Haller
Executive Director, Pacific Rivers
Portland, OR

Bill Arthur
Snake/Columbia River Salmon Campaign Chair, Sierra Club
Seattle, WA

John DeVoe
Executive Director, Waterwatch of Oregon
Portland, OR

John Osborn
Columbia River Team Co-Lead, Sierra Club
Ethics & Treaty Project Co-Lead
Vashon Island, WA

LeeAnne Beres
Executive Director, Earth Ministry
Seattle, WA

Pat Ford
Boise, ID

Raelene Gold
Forests, Rivers, and Water Issue Chair, League of Women Voters of Washington
Seattle, WA

Tom Soeldner
Ethics & Treaty Project Co-Lead
Rivers Team, Upper Columbia River Group, Sierra Club
Spokane, WA

Trish Rolfe
Executive Director, Center for Environmental Law and Policy
Seattle, WA

Wendy McDermott
Director, Rivers of Puget Sound and the Columbia Basin, American Rivers
Bellingham, WA

CC:

John Hairston, Administrator, Bonneville Power Administration
Brigadier General Peter D. Helmlinger, Northwest Division Commander, U.S. Army Corps of Engineers
Members of the Northwest Congressional Delegation
Kate Brown, Governor, State of Oregon
Jay Inslee, Governor, State of Washington
Brad Little, Governor, State of Idaho
Greg Gianforte, Governor, State of Montana
David Barnett, Chair, Cowlitz Tribe of Indians
Delano Saluskin, Chair, Confederated Tribes and Bands of the Yakama Nation
Lindsay X. Watchman, Chair, Confederated Tribes of the Umatilla Indian Reservation
Raymond Tsumpti, Confederated Tribes of the Warm Springs Reservation of Oregon
Samuel N. Penney, Nez Perce Tribe
Chief Allan, Chair, Coeur d'Alene Tribe of Indians
Rodney Cawston, Chair, Confederated Tribes of the Colville Reservation
Glen D. Nenema, Chair, Kalispel Tribe of Indians
Gary Aitken Jr., Chair, Kootenai Tribe of Idaho
Carol Evans, Chair, Spokane Tribe of Indians
Shelly Fyant, Chair, Confederated Salish & Kootenai Tribes of the Flathead Reservation
Brian Thomas, Chair, Shoshone-Paiute Tribes of the Duck Valley Reservation
Devon Boyer, Chair, Shoshone-Bannock Tribes of the Fort Hall Reservation
Tildon Smart, Chair, Fort McDermitt Paiute Shoshone Tribe
Jody Richards, Chair, Burns Paiute Tribe