

April 13, 2015

From: The Friends of Celilo Falls

To:

State Representative Brian Clem, Committee Chair
House Committee on Rural Communities, Land Use and Water
Oregon State Capitol
By email

RE: HJM 15 Celilo Falls feasibility study

Dear Chair Clem and Members of the Committee:

The Friends of Cellilo Falls is a new public benefit nonprofit organization registered in Oregon.

We are tribal and nontribal people with a shared vision: to see the ancient tribal fishery centered at Celilo Falls—along with the vast archaeological/cultural area that surrounds it—restored and protected forever under the permanent stewardship of the Columbia River tribes.

We do not speak for any of the tribes or for the people at Celilo Village—the oldest continuously-inhabited settlement in North America—but only for our own membership, and for future generations of human beings, for our own great grandchildren.

We support HJM 15, the call for a feasibility study of a temporary lowering of Lake Celilo to reveal Celilo Falls, but will likely oppose any actual temporary lowering.

We also would respectfully ask for an amendment at line 16, inserting “in consultation with and with the permission of the Columbia River tribes with treaty rights to the areas affected” after “U.S. Army Corps of Engineers.”

We are aware that the 2014-2024 Columbia River Treaty Review is under way, a process that will determine the long-term future of how the River is managed, and encourage the Committee to examine the issue of Celilo Falls in the context of the Treaty Review.

The Final Recommendation of the Northwest Entity to the U.S. State Department is to add “ecosystem function” as a third fundamental purpose of the treaty between the United States and Canada. The Friends of Celilo Falls supports this

recommendation, as well as those elements that improve fish passage, fish habitat and water quality, that speed the flow of the River, and that respect the treaty rights of the Columbia River tribes.

We are aware that the U.S. Army Corps of Engineers, Bonneville Power Administration and other participants in the Treaty Review have been modeling future projections taking into account a warming climate and reduced snow pack, and we respectfully request that the Committee ask for that information as part of the feasibility study.

We are aware that the modeling compares the rate at which the River flows currently (450,000 cfs as measured at The Dalles) and at a projected 600,000 cfs, and we respectfully ask the Committee to consider that information in the feasibility study.

We hope that the Committee's work on this issue will lead to the 2015 Legislative Assembly taking a formal position on the **2014 – 2024 Columbia River Treaty Review**, and sending that statement to Oregon's Congressional delegation and others, as the legislature deems appropriate.

We ask the Committee to consider this line from Senate Concurrent Resolution 10 (2007), a statement mourning the loss of Celilo Falls, co-sponsored by Senator Avel Gordly and then-Speaker of the House Jeff Merkley:

"Whereas on March 10, 1957, the waters held back by The Dalles Dam flooded and silenced the awesome and sacred roar of Celilo Falls, severing a great spiritual connection between the Creator, Mother Earth and the Native Peoples of Oregon;"

We ask the Committee to consider the issue and opportunities of restoring and protecting Celilo Falls and the Columbia Gorge as similar to Oregon's Beach Bill of the 1960s, and this line by former Governor Oswald West and cited by former Governor Tom McCall (updated, as the present and future threats to the Columbia Gorge are not local, but distant):

"No... selfish interest should be permitted, through politics or otherwise, to destroy or even impair this great birthright of our people."

We ask the Committee to consider the testimony in Senate Judiciary Committee and the statements on the Senate floor regarding SJM 7 and SCR 10 as the 2007 Legislative Assembly collectively mourned the loss of Celilo Falls:

Oregon Senate Mourns the Flooding of Celilo Falls

<https://www.youtube.com/watch?v=DQBU0tzqcWQ>

Mourning the loss of Celilo Falls: tribal members speak to Oregon Senate Judiciary

<https://www.youtube.com/watch?v=O5TK5Ydcmdc>

We ask the Committee to consider also the role of **Oregon's Environmental Justice Task Force** in these discussions, created by Senator Avel Gordly's SB 420 (2007), sections 3-5:

SECTION 3. The Environmental Justice Task Force shall:

- (1) Advise the Governor on environmental justice issues;**
- (2) Advise natural resource agencies on environmental justice issues, including community concerns and public participation processes;**
- (3) Identify, in cooperation with natural resource agencies, minority and low-income communities that may be affected by environmental decisions made by the agencies;**
- (4) Meet with environmental justice communities and make recommendations to the Governor regarding concerns raised by these communities; and**
- (5) Define environmental justice issues in the state.**

SECTION 4. In order to provide greater public participation and to ensure that all persons affected by decisions of the natural resource agencies have a voice in those decisions, each natural resource agency shall:

- (1) In making a determination whether and how to act, consider the effects of the action on environmental justice issues.**
- (2) Hold hearings at times and in locations that are convenient for people in the communities that will be affected by the decisions stemming from the hearings.**
- (3) Engage in public outreach activities in the communities that will be affected by decisions of the agency.**
- (4) Create a citizen advocate position that is responsible for:**
 - (a) Encouraging public participation;**
 - (b) Ensuring that the agency considers environmental justice issues; and**
 - (c) Informing the agency of the effect of its decisions on communities traditionally underrepresented in public processes.**

SECTION 5. All directors of natural resource agencies, and other agency directors as the Governor may designate, shall report annually to the Environmental Justice Task Force and to the Governor on the results of the agencies' efforts to:

- (1) Address environmental justice issues;**
- (2) Increase public participation of individuals and communities affected by agencies' decisions;**
- (3) Determine the effect of the agencies' decisions on traditionally underrepresented communities; and**
- (4) Improve plans to further the progress of environmental justice in Oregon.**

Lastly, we ask the Committee to consider through the feasibility study the economics of maintaining barging (navigation) above The Dalles dam, including the public subsidies and public risk associated with navigation, versus the economic and job creation benefits of investing in the infrastructure and services that would lead to a permanently restored and protected Celilo Falls and environs, perhaps as a UNESCO World Heritage site.

We look forward to participating in all relevant discussions pertaining to the future management of the Columbia River.

Best wishes,

Sean Aaron Cruz

Sean Aaron Cruz
Executive Director, The Friends of Celilo Falls

cc: State Representative Ken Helm
Governor Kate Brown
Legislative Commission on Indian Services
The Confederated Tribes of the Warm Springs Indian Reservation
The Confederated Tribes of the Umatilla Indian Reservation
The Nez Perce Tribe
The Confederated Tribes and Bands of the Yakama Nation
The Columbia River Intertribal Fish Commission
The Oregon Environmental Justice Task Force
The Friends of Celilo Falls board of directors
Other interested parties

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