



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

March 18, 2024

EMAILED TO: Kaitlyn.Peterson@mail.house.gov

Honorable Jeff Duncan, Chair
Subcommittee on Energy, Climate, and Grid Security
2125 Rayburn House Office Building
Washington, DC 20515-6115

RE: YAKAMA NATION RESPONSE TO FOLLOW UP QUESTIONS FROM THE HONORABLE FRANK
PALLONE, JR. FOR THE HEARING RECORD, DATED JANUARY 30, 2024

**“How have the diminished salmon and steelhead populations impacted the Yakama
and other Treaty Tribes in the Columbia River basin?”**

The Yakama People are salmon people and the right to taking fish at their usual and accustomed places was once eloquently described by the Supreme Court of the United States as “not much less necessary to the existence of the Indians *than the atmosphere they breathed.*”¹ That same decision also held that “Treaty between the United States and the Indians... is not a grant of rights to the Indians, but a grant of rights from them—a reservation of those granted.” This established for the first time the so-called “reserved rights” doctrine in American Indian law. The Yakama People have lived in accordance with natural laws, known as *Tamanwit*, since time immemorial wherein the First Foods were provided by the Creator for the people’s sustenance.² According to these unwritten laws, the Creator spread out the land like a big blanket with salmon in the rivers and game in the mountains to provide for the Yakama way of life, and “in return for the gift – we are to care for the waters that sustain the salmon.”³

The diminished salmon and steelhead runs negatively impact members of the Yakama Nation on a scale of injury ranging from an individual’s reduced physical and emotional wellbeing to undermining the cultural, religious, and traditional structures that create the identity passed from generation to generation of the Yakama People. Historically, the Columbia River fishery supplied “approximately 40 percent of total food consumption” for an annual harvest from the “usual and accustomed lands and waters equivalent to 36 million

¹ *United States v. Winans*, 198 U.S. 371, 381 (1905) (Establishing that the Treaty with the Yakamas of 1855 was not a grant of rights to Yakama People, but a grant of rights from them) (emphasis added).

² Tribal Perspectives Report (2019) at 26 (Attached as Exhibit A).

³ Tribal Circumstances and Impacts [Report], Meyer Resources, Inc. (1999) at 136 (Attached as Exhibit B).

pounds of food.”⁴ Salmon constituted single largest source of sustenance and provided a good standard of living as the basis that informed personal choices about housing, sources of income, health, and sense of belonging; but today, many Yakama People do not have access to salmon on a daily or regular basis.⁵

There is a significant “connection between salmon and tribal health. Restoring of salmon restores a way of life.”⁶ The loss of salmon and steelhead have contributed to all manner of social and economic concerns. Heart disease and diabetes occur in Yakama populations at rates much higher than other non-Indigenous populations. Unemployment and poverty are also found on the Yakama Reservation at rates significantly higher than neighboring regions. At the time of Treaty-signing, it was understood that taking fish in the Columbia River basin “secure[d] a means of supporting [our]selves once the Treaties took effect[,]” and by decimating that fishery population the Yakama Nation faces enormous challenges in caring for the vitality, health, and wellbeing of its members.⁷

“What would the economic impact be to the Columbia River basin if salmon and steelhead populations were returned to healthy and abundant levels?”

The Yakama Nation are the Salmon People and have lived alongside *Nch'i-Wàna*, the Columbia River, and relied upon its bountiful salmon runs since time immemorial. Salmon are central to the Yakama Nation’s way of life through its creation story, religion, and culture. It is impossible for the Yakama Nation to contemplate the monetary value of salmon just like many would find it impossible to appraise the Vatican City. However, while the Yakama Nation does not view salmon in terms of dollars and cents, our neighbors do. If salmon are restored to healthy and abundant levels, the Yakama Nation’s neighbors will economically benefit from increased recreation, fishing revenue, and ecosystem services.

The Columbia River Basin provides ample economic benefits to local communities, including recreation carrying a regional net value of \$4.7 billion.⁸ Recreational activity and value will likely increase in a ‘healthy and abundant’ Columbia River Basin with a free-flowing Lower Snake River.⁹ In 2020, the U.S. Army Corp of Engineers stated the recreation industry may grow and add jobs if the Lower Snake River returned to a free-flowing state.¹⁰ A 2002 study supports this idea as it concluded local and regional demand for recreation will

⁴ Meyer Ex. B at 138.

⁵ Meyer Ex. B at 162.

⁶ Meyer Ex. B at 227.

⁷ Tribal Perspectives Ex. A at 3 (quoting *United States v. Washington*, 827 F.3d 836, 851 (9th Cir. 2016), opinion amended and superseded, 853 F.3d 946 (9th Cir. 2017)).

⁸ Brian Murphy ET AL., *Columbia Basin Fund Initial Economic Assessment*, 28-29 (2021); United States Army Corps of Engineers, Columbia River System Operations Environmental Impact Statement, Appendix M-6-12; M-6-15 (2020) (Attached as Exhibit C)

⁹ Lola Flores ET AL., *The Value of Natural Capital in the Columbia River Basin: A Comprehensive Analysis*, 67, 82-84 (2017) (Attached as Exhibit E); Army Corps Ex. C at M-16-12.

¹⁰ Army Corps Ex. C at M-16-12.

increase.¹¹ In total, the study estimated demand for recreation in the Lower Snake River will generate 2.72 million visitor days of which will produce an estimated \$310 million dollars annually which is substantially higher than the \$31.6 million value of Lower Snake River Dam reservoir recreation in 2002.¹²

Recreational fishing is a cornerstone in the Columbia River Basin and generates approximately \$134.5 million dollars annually.¹³ Recreational fishing revenue is critical for many counties like Nez Perce and Clearwater County, ID which generate approximately \$8.6 million dollars a month from fishing.¹⁴ Studies show that increases in the fish population correspond to significant gains in fishing revenue.¹⁵ In a study on a modified Columbia River Treaty which does not account for a 'healthy and abundant' populations, a conservative estimate projects an additional \$46.5 million dollars will be generated by recreational fishing from a catch increase of 101,310 salmon.¹⁶ In a 'healthy and abundant' scenario the current salmon run will grow by several million and recreational fishing revenue is likely to be exponentially higher across the Columbia River Basin.¹⁷

In all, the Columbia River Basin is estimated to provide \$189.9 billion in ecosystem services and a study shows that, with improved conditions, the Basin's ecosystem services will generate an additional \$389 million dollars in value annually.¹⁸ In a 'healthy and abundant' scenario, the Columbia River Basin's ecosystem services will be enhanced to a greater degree and will benefit fish, native plants, pollinators, and natural water reservoirs. These ecosystem services will in turn benefit recreation, agriculture, riparian lands, and overall environmental quality.¹⁹

Two further points should be considered. Much of my response above focuses on the benefits to the Yakama people and members of other Columbia River treaty tribes as well as to the tens of thousands of people who recreate throughout the Columbia River Basin, particularly those who participate in the recreational fishery. Perhaps you will get further information from NOAA on this matter but staff at the Oregon Department of Fish and Wildlife have estimated that if we had a healthy and abundant fishery in the Columbia the economic value from just the recreational side would be two and one half times that amount identified in the Phase 2 Report of the 2022 Columbia Basin Partnership Task Force of the Marine Fisheries Advisory Committee, which includes a broad swatch of representatives with

¹¹ John Loomis, Quantifying Recreation Use Values from Removing Dams and Restoring Free-Flowing Rivers: A Contingent Behavior Travel Cost Demand Model for the Lower Snake River (2002) (Attached as Exhibit F).

¹² Loomis Ex. F at 2-5 – 2-6.

¹³ Flores Ex. E at 83-84.

¹⁴ Murphy Ex. D at 28-29.

¹⁵ Flores Ex. E at 83-84.

¹⁶ Flores Ex. E at 83-84.

¹⁷ Flores Ex. E at 68, 83-84.

¹⁸ Flores Ex. E at 42-43, 106.

¹⁹ Flores Ex. E at 42-43, 106.

interest in the fishery. That report estimated economic value at over \$124 million in economic value. Two and a half times that would equate to over \$300 million just from the recreational fishery itself and that does not consider durables like boats, motors, trailers, rather the costs involved in a day's fishing. And none of this really takes into account what the value would be to Columbia Basin Region if we had a fully restored salmon and steelhead fishery. If our fishery runs were even one half of their historical levels (10 to 16 million returning adults), there might well be canneries again in the lower Columbia and a thriving commercial salmon industry employing hundreds if not thousands of residents. The value of that would also be in the hundreds of millions of dollars. Members of the Committee who seemed critical of the Columbia Basin Restoration Initiative (CBRI) appeared focused only on what the economic impact would be of selected aspects of implementation, but not the larger picture. We urge committee members and staff to read the attached letter from the Pacific Coast Federation of Fishermen's Associations addressing the value of Columbia Basin Salmon.

The second matter is that some committee members were only focused on the potential removal of the lower Snake River dams. There are thousands of miles of river and tributaries in the Columbia River Basin outside of the Snake River that will benefit by implementing the CBRI and millions of fish that could be restored. There is ample study and agreement by well-regarded biologists throughout the region that the runs in the basin cannot be fully restored if the four Snake River dams are not removed but as was repeatedly stated at the hearing, that is a decision for the Congress to make. The myriad benefits of the CBRI should not be dismissed by focusing only on the controversy surrounding dam removal. Throwing the baby out with the bathwater has never been a good idea.

Thank you for allowing the Yakama Nation to present testimony at the hearing and for the courtesy of the follow up question and the incorporation of our reply to those questions. We have cited a number of very large reports in our reply and referenced those as Exhibits below. We realize that the referenced reports are likely too lengthy to be included in the official committee report of the hearing once it is printed but wanted committee members and staff to have access to those reports should you wish to review them. They are therefore appended as a compressed .pdf link attached to this letter.

Sincerely,

~S~

Jeremy Takala
Yakama Tribal Council

Cc: Honorable Frank Pallone
Honorable Diana DeGette
Kris Pittard
Tuley Wright
Brandon Mooney

EXHIBIT A
TRIBAL PERSPECTIVES REPORT
PREPARED BY THE COLUMBIA RIVER TREATY TRIBES
JUNE 10, 2019

Exhibit Coversheet Only. [Paginated separately.]

The attached document, Tribal Perspectives Report, is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.

**EXHIBIT B
TRIBAL CIRCUMSTANCES AND IMPACTS
OF THE LOWER SNAKE RIVER PROJECT ON THE NEZ PERCE,
YAKAMA, UMATILLA, WARM SPRINGS AND SHOSHONE
BANNOCK TRIBES
MEYER RESOURCES, INC.
APRIL 1999**

Exhibit Coversheet Only. [Paginated separately.]

The attached document, Tribal Circumstances and Impacts [Report], is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.

EXHIBIT C
COLUMBIA RIVER SYSTEM OPERATIONS FINAL
ENVIRONMENTAL IMPACT STATEMENT, APPENDIX F
U.S. ARMY CORPS OF ENGINEERS
(2020)

Exhibit Coversheet Only. [Paginated separately.]

The attached document, Columbia River System Operations Final Environmental Impact Statement, is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.

EXHIBIT D
INITIAL ECONOMIC ASSESSMENT
COLUMBIA BASIN FUND
BRIAN MURPHY ET AL. (APRIL 2021)

Exhibit Coversheet Only. [Paginated separately.]

The attached document, Initial Economic Assessment, is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.

EXHIBIT E
THE VALUE OF NATURAL CAPITAL IN THE COLUMBIA RIVER
BASIN: A COMPREHENSIVE ANALYSIS
EARTH ECONOMICS
LOLA FLORES ET AL. (2017)

Exhibit Coversheet Only. [Paginated separately.]

The attached document, The Value of Natural Capital in the Columbia River Basin: A Comprehensive Analysis, is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.

EXHIBIT F
QUANTIFYING RECREATION USE VALUES FROM REMOVING
DAMS AND RESTORING FREE-FLOWING RIVERS: A
CONTINGENT BEHAVIOR TRAVEL COST DEMAND MODEL FOR
THE LOWER SNAKE RIVER
JOHN LOOMIS
WATER RESOURCES RESEARCH 38:6 (JUNE 2002)

Exhibit Coversheet Only. [Paginated separately.]

The attached document, Quantifying Recreation Use Values From Removing Dams and Restoring Free-Flowing Rivers: a Contingent Behavior Travel Cost Demand Model for the Lower Snake River, is provided to the U.S. House of Representatives Committee on Energy and Commerce, Subcommittee on Energy, Climate, and Grid Security for the Hearing Record, dated January 30, 2024 in response to a question from the Honorable Frank Pallone, Jr.