



SPOKANE TRIBE OF INDIANS
P.O. BOX 100 Wellpinit, WA 99040
(509) 458-6500 FAX (509) 458-6575

July 22, 2013

The Honorable Maria Cantwell
311 Hart Senate Office Building
Washington, D.C. 20510

Re: The Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act and the Need for Consistent Application of Congressional Policy Towards Tribes Impacted by Federal Hydropower Projects.

Dear Senator Cantwell,

I write to request your assistance in passing "The Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act." As set forth herein, this legislation is consistent with established Congressional policies governing fair compensation for tribes who have lost reservation lands to federal water storage and hydropower generation projects. In the case of the Pick-Sloan Program, Congress passed five acts between 1992 and 2000 that acknowledged decades-prior federal compensation as inadequate and established trust funds for the eight affected tribes seeded by Pick-Sloan revenues. In determining fund amounts, Congress endeavored to employ the same methodology to ensure the effected tribes received similar compensation. Notably, there was no pending litigation spurring Congress to act. Consistent with its treatment of tribes affected by Pick-Sloan, in 1994 Congress determined that initial federal compensation to the Confederated Tribes of the Colville Reservation for land lost to Grand Coulee was inadequate and provided substantial additional compensation, including ongoing annual payments seeded from Grand Coulee hydropower revenues.¹ While Grand Coulee also inundated Spokane reservation lands, Congress has yet to provide compensation to Spokane beyond the meager \$4,700 initial compensation provided in 1940. This result cannot be squared with the sound Congressional policy that produced legislation to fairly compensate Colville and the eight tribes affected by Pick-Sloan.

THE PICK-SLOAN EQUITABLE COMPENSATION ACTS

Under the Flood Control Act of 1944 (33 U.S.C. 701 et seq.), Congress authorized construction of five massive dam projects on the Missouri River as part of the Pick-Sloan Program, the primary purpose of which was to provide flood control downstream, as well as improved navigation, hydro-power generation, improved water supplies, and enhanced recreation. The U.S. Army Corps of Engineers, which constructed and operates the dams,

¹ Pub. L. 103-436, 108 Stat. 4577 (Nov. 2, 1994).

estimated in 2000 that the projects' overall annual contribution to the national economy averages \$1.9 billion. However, for several tribes along the Missouri, the human and economic costs of the projects have far outweighed any benefits received, since the lands affected by Pick-Sloan were, by and large, Indian lands, and entire tribal communities and their economies were destroyed.

Affected tribes received initial settlements from Congress that included payment for direct property damages, severance damages (including the cost of relocation and reestablishment of affected tribal members) and rehabilitation for the entire reservation. In providing funds for rehabilitation, Congress recognized that the tribes as a whole, and not just the tribal members within the taking areas, were affected negatively by the loss of the bottomland environment and reservation infrastructure. Accordingly, the settlements provided compensation for severance damages and rehabilitation that averaged four and a half times more than was paid for direct damages.¹

In 1952, the U.S. District Court awarded the Yankton Sioux \$12,120 or about \$42 an acre, for the appraised value of inundated lands in condemnation proceeding in which neither the Tribe nor its affected members were represented by private counsel. In 1954, the Congress appropriated \$106,500 for severance damages for Yankton Sioux tribal members. In January 1958, the U.S. District Court awarded the Santee Sioux \$52,000, or \$87.67 an acre, for the appraised value of inundated lands pursuant to a 1955 agreement between the Tribe and the Corps of Engineers.

In 1984, a joint Federal-Tribal advisory committee concluded that the compensation the U.S. provided to tribes impacted by Pick-Sloan greatly undervalued their losses. Between 1992 and 2000 Congress enacted legislation to provide more just compensation. First, Congress enacted the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act, P.L. 102-575, 106 Stat. 4731 (Oct. 30, 1992), which established a trust fund of \$149,200,000 for the Three Affiliated Tribes of the Fort Berthold Reservation related to the loss of 176,000 acres to the Garrison Dam project, and a trust fund of \$90,600,000 for the Standing Rock Sioux Tribe related to the loss of 56,000 acres to the Oahe Dam Project. The trust funds were seeded with receipts of deposits from the Pick-Sloan program. Compensation amounts were based on Federal-Tribal advisory committee recommendations.

Second, Congress enacted the Crow Creek Sioux Tribe Infrastructure Development Trust Fund Act of 1996, P.L. 104-223, 110 Stat. 3026 (Oct. 1, 1996), which established a \$27.5 million Recovery Fund related to the loss of 15,693 acres to the Fort Randall Dam Project, funded with receipts of deposits from the Pick-Sloan program. As with the Three Affiliated and Standing Rock Sioux tribes, Congress found that the initial compensation payments and mitigation funds that were expended on their behalf were significantly less than the value of the actual damages suffered by the tribes.

¹ See, e.g. Fort Berthold Garrison Act, Pub. L. No. 81-437, 63 Stat. 1026 (1949); Cheyenne River Oahe Act, Pub. L. No. 83-776, 68 Stat. 1191 (1954); Standing Rock Oahe Act, Pub. L. No. 85-915, 72 Stat. 1762 (1958); Fort Randall (Crow Creek) Act, Pub. L. No. 85-916, 72 Stat. 1766 (1958); Big Bend (Lower Brule) Act, Pub. L. No. 87-734, 76 Stat. 698 (1962); and Big Bend (Crow Creek) Act, Pub. L. No. 87-735, 76 Stat. 704 (1962).

Third, Congress enacted the Lower Brule Sioux Tribe Infrastructure Development Trust Fund Act, P.L. 105-132, 111 Stat. 2563 (Dec. 2, 1997), which established a \$39.9 million Recovery Fund related to the loss of 22,296 acres of land to the Big Bend Dam Project. Again, the fund was seeded with receipts of deposits from Pick-Sloan.

Fourth, Congress enacted the Cheyenne River Sioux Tribe Equitable Compensation Act, P.L. 106-511, 114 Stat. 2365 (Nov. 13, 2000), which established a \$290,723,000 trust fund (the Cheyenne River Sioux Tribal Recovery Trust Fund) to compensate for the loss of 104,492 acres to the Oahe Dam Project. Again, the fund was seeded with receipts of deposits from Pick-Sloan.

Finally, Congress enacted the Yankton Sioux and Santee Sioux Tribes Equitable Compensation Act, P.L. 107-331, 116 Stat. 2839 (2002). The Act established the Yankton Sioux Tribe Development Trust Fund in the amount of \$23,023,743 for the loss of 2,851.40 acres. The Act also established the Santee Sioux Tribe Development Trust Fund in the amount of \$4,789,010 for the loss of 593.1 acres. Congress determined that the Federal Government did not give the Yankton Sioux Tribe and the Santee Sioux Tribe an opportunity to receive compensation for direct damages from the Pick-Sloan program consistent with the opportunities provided to other impacted tribes. Congress acknowledged that the Yankton and Santee were previously compensated pursuant to condemnation proceeding judgments, but determined that the tribes did not receive "just compensation for the taking of productive agricultural Indian lands" through those proceedings. Again, the trust funds were seeded with receipts of deposits from Pick-Sloan.

A review of the Pick-Sloan Equitable Compensation Acts reveals that Congress consistently applied important policies. First, Congress determined that original federal compensation, provided decades earlier, was substantially inadequate. Second, litigation between the tribes and the United States did not drive the legislation: at the time of enactment, relevant statutes of limitations would likely have barred any claims arising from the initial inundation, which occurred decades earlier. Instead, Congress took care to characterize the legislation as providing "equitable" compensation. Third, Congress determined that the economic and social development and cultural preservation of the impacted tribes would be enhanced by participation in Pick-Sloan hydropower generation and water storage fees. Consequently, Congress established funds for each tribe seeded by receipts from Pick-Sloan revenues. Annually, the DOI Secretary withdraws interests from the fund to distribute pursuant to a plan submitted by each tribe that allocates the funds to: 1) economic development; 2) infrastructure development; or the educational, health, recreational and social welfare objectives of the Tribe and its members. Finally, Congress strove for consistency by employing the methodology recommended by the Advisory Committee when determining the trust fund amounts, to ensure that similarly impacted tribes were similarly compensated.

GRAND COULEE

As with Pick-Sloan, Grand Coulee brought enormous benefits to the Northwest and the United States, including: hydropower; off-system power sales revenues; flood control; irrigation; transportation; and water supply for endangered and protected species. As with Pick-Sloan, resident tribes were severely impacted. The Confederated Tribes of the Colville Reservation lost

approximately 7,500 acres to inundation, while the Spokane Tribe lost approximately 3,000 acres. As with tribal lands inundated by Pick Sloan, these were valuable "low lying" lands used primarily for agriculture.

When the Grand Coulee project was federalized in 1933, federal officials contemplated that "a reasonable annual rental" would be provided to Colville and Spokane "for the Indians' land and water rights involved."² The project received express Congressional authorization under the Rivers and Harbors Act of 1935 (49 Stat. 1028, 1039). In spite of the fact that the Act authorized the project for the purpose, among others, of "reclamation of public lands and Indian reservations ..." no hydroelectric or reclamation benefits flowed to the tribes. Over the next several years the Federal Government moved ahead with the construction of the Grand Coulee Dam, "but somehow the promise that the [Spokane] Tribe would share in the benefits produced by it was not fulfilled."³

In the Act of June 29, 1940 (16 U.S.C. 835d et seq.), Congress granted to the United States "in aid of the construction, operation, and maintenance of the Columbia Basin Project, all the right, title, and interest of the Spokane Tribe and Colville Tribes in and to the tribal and allotted land within the Spokane and Colville Reservations, as designated by the Secretary of Interior from time to time." Pursuant to the Act, the Secretary paid \$4,700 to the Spokane Tribe and \$63,000 to the Colville Confederated Tribes. The tribes received no further benefits or compensation: nothing was provided for relocation of tribal members living on the condemned lands; and tribal lands on the bed of the original Columbia River were not condemned at all.

Grand Coulee Dam destroyed all but one salmon run for Colville, while the Spokane salmon fishery was lost entirely. As explained in 1980 by a Senate-directed task force:

Worst of all, Grand Coulee Dam destroyed the salmon fishery from which the Tribes had sustained themselves for centuries. The salmon run played a central role in the social, religious and cultural lives of the Tribes. The great majority of the population of the Tribes lived near the Columbia and its tributaries, and many were driven from their homes when the area was flooded. While Interior Department officials were aware that the fishery would be destroyed, the technology of the time did not permit construction of a fish ladder of sufficient height to allow the salmon to bypass towering Grand Coulee Dam.⁴

In 1994, Congress enacted the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act. Pub. L. 103-436, 108 Stat. 4577 (Nov. 2, 1994). Congress determined that the Act and the settlement agreement which it approved "will provide mutually agreeable compensation for the past use of reservation land in connection with the generation of electric power and Grand Coulee Dam, and will establish a method to ensure that the Tribe will be

² December 5, 1933 letter from BOR Assistant Commissioner William Zimmerman to BOR Commissioner Dr. Elwood Mead.

³ Testimony of Assistant Secretary for Indian Affairs in support of the 1994 Colville Settlement legislation, approved in P.L. 103-436, 108 Stat. 4577 (Nov. 2, 1994).

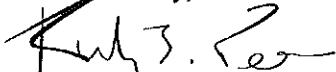
⁴ Final Report, Colville/Spokane Task Force, Directed by the Senate Committee on Appropriations, S. Rep. 94-505 (September, 1980).

compensated for the future use of reservation land in the generation of electric power at Grand Coulee Dam ...". The Act provides a one-time payment of \$53,000,000 as back pay and an initial annual payment of approximately \$15,000,000 with ongoing annual payments adjusted for power generation and price. As with the Pick-Sloan legislation, the Grand Coulee Settlement Act reflects Congress' determination that the decades old, initial, federal compensation to Colville was substantially inadequate.

CONCLUSION

Spokane has failed to secure legislation comparable to the Colville Reservation Grand Coulee Dam Settlement Act. Some argue that this disparity is warranted because the Colville legislation settled Colville's pending litigation against the United States, whereas Spokane has lost its ability to bring similar claims. The argument is that, unlike Colville, Spokane does not have a *legal* claim to settle. However, compensation to Colville and Spokane for tribal lands lost to Grand Coulee should be placed within the broader context of Pick-Sloan, in which pending litigation against the United States was not a precondition for Congress to provide fair compensation to affected tribes. We appreciate your assistance in passing the Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act, which will maintain consistency with the policies that guided Congress' treatment of tribes affected by Pick-Sloan by compensating Spokane based on the methodology employed in the Colville Act without regard to the lack of litigation between the Tribe and the United States.

Respectfully,

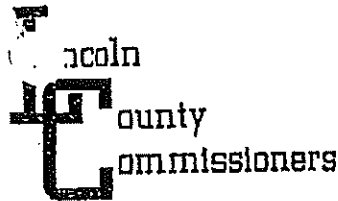


Rudy J. Peone

Chairman

Spokane Tribal Business Council

BOARD OF



LINCOLN COUNTY, WASHINGTON
P.O. Box 28 · DAVENPORT, WASHINGTON 99122
OFFICE PHONE: (509) 725-3031 · FAX: (509) 725-2034

Regular Meetings First & Third Monday of Each Month

June 4, 2007

Richard L. Sherwood, Chairman
Spokane Tribe of Indians
P.O. Box 100
Wellpinit, WA 99040

RE: Settlement Bill

Dear Chairman Sherwood,

Thank you for providing Lincoln County an advance copy of the proposed federal legislation for the Spokane Tribe of Indians. As you are aware, last year we took exception to the proposed legislation because it included a provision which would transfer the south shore of the Spokane River, up to the 1290 elevation, to the tribe. We greatly appreciate that in the current legislation you have eliminated that provision and that the South shore of the Spokane River will remain as it has since the inception of the Coulee Dam Project.

The Board of Commissioners has a very minor concern with the agreement that was entered into with the Washington State Department of Fish and Wildlife. However, the concern is of such a minor nature that we would not wish to hold up your settlement bill over an issue that we feel certain can be worked out between ourselves.

Based on our understanding that the legislation proposed by the Spokane Tribe of Indians would officially transfer administrative jurisdiction of that portion of land that includes the south bank of the Spokane River as it existed before Grand Coulee Dam was constructed; and understanding that the exact location of the original south bank cannot be accurately determined; but further understanding that it does not reach to the south bank of the current body of water, the Board of Lincoln County Commissioners fully and strongly supports the legislation being proposed to settle the tribe's long standing claim against the federal government. Our support is based on the proposed legislation that has been provided by the tribe and if that legislation changes during the legislative process, we would reserve the right to re-evaluate the impact on our citizens and our support for the bill.

DENNIS D. BLY
Commissioner District No. 1

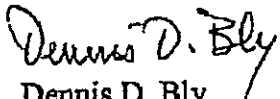
DERAL D. BOLENEUS
Commissioner District No. 2

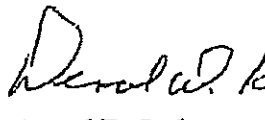
TED HOPKINS
Commissioner District No. 3

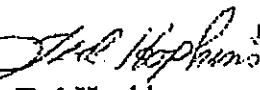
SHELLY JOHNSTON
Clark of the Board

We want to thank the Council of the Spokane Tribe of Indians for their efforts to reach out to Lincoln County in a positive manner to resolve an issue that was potentially divisive to the region.

Respectfully,


Dennis D. Bly
Chairman


Deral D. Boleneus
District #2


Ted Hopkins
District #3

cc: Senator Patty Murray
Senator Maria Cantwell
Representative Cathy McMorris Rodgers
Senator Bob Morton
Prosecuting Attorney

BOARD OF:

Lincoln
County
Commissioners

LINCOLN COUNTY, WASHINGTON
PO. Box 28 - DAVENPORT, WASHINGTON 99122
OFFICE PHONE: (509) 725-3031 - FAX: (509) 725-2034
Regular Meetings First & Third Monday of Each Month

December 18, 2017

Spokane Tribe of Indians
P.O. Box 100
Wellpinit, WA 99040

Dear Sirs,

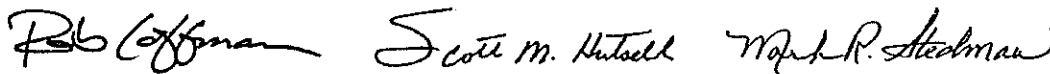
The Lincoln County Commissioners continue to fully support efforts by the Spokane Tribe of Indians to gain reparation payments for the Columbia River's inundation of their lands when the Grand Coulee Dam was constructed many years ago.

As you recall, in previous legislation provisions to change the tribal boundary to include the south shore of the Spokane River was hit by strong opposition by our Board and the Lincoln County citizens. We greatly appreciate that provision is again eliminated and the south shore of the Spokane River will remain as it has since the inception of the Coulee Dam project.

Our support is based on the proposed legislation that has been provided to us by the tribe in S.B. 995. If the legislation changes during the legislative process, we would like to reserve the right to reevaluate the impact on our citizens and our support for the bill.

We urge Congress to enact the said legislation so that this matter can be resolved and the Spokane Tribe can receive their due settlement.

Sincerely,



Rob Coffman
Chairman

Scott M. Hutsell
Vice- Chair

Mark R. Stedman
Member

MARK R. STEDMAN
Commissioner District No. 1
Harrington, Washington 99122

SCOTT M. HUTSELL
Commissioner District No. 2
Davenport, Washington 99122

ROB COFFMAN
Commissioner District No. 3
Wilbur, Washington 99185

SHELLY JOHNSTON
Clerk of the Board
Davenport, Washington 99122

Eastern Washington
Council of Governments

215 S. Oak St, Colville, WA 99114
509-684-3751

Chairman Ken Oliver, Pend Oreille County
Vice Chairman Rudy Plager, Adams County
Secretary Merrill Ott, Stevens County
Treasurer Ted Hopkins, Lincoln County

Jan 23, 2008

Representative Cathy McMorris-Rodgers
1708 Longworth House Office Building
Washington, D.C., 20515

Dear Representative McMorris-Rodgers,

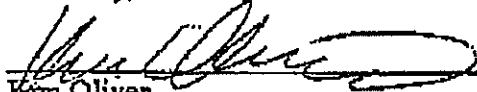
The Eastern Washington Council of Governments (EWCOG) continues to fully support efforts by the Spokane Tribe of Indians to gain reparation payments for the Columbia River's inundation of their lands when the Grand Coulee Dam was constructed many decades ago. To this date, the United States has yet to fulfill their promise of reparation payments, and though legislation was introduced last year, the authorization has yet to materialize.

The county commissioners of the EWCOG continue to meet on various issues of concern here in the northeast portion of this great state. Our concerns for developing a healthy economy, protecting our resources, and engaging our state and federal representatives remain strong. Your visits to our region have been encouraging to us all.

We urge your strongest support and consideration for this issue. As we move ahead in our regional issues, our friends and neighbors in the Spokane Tribe have and continue to be an integral force helping us all.

Thank you for your service to our great state of Washington.

Sincerely,



Ken Oliver
Pend Oreille County Commissioners
Chairman, Eastern Washington Council of Governments
commissioners@pendoreille.org
commissioners@co.stevens.wa.us

Eastern Washington
Council of Governments

215 S. Oak St, Colville, WA 99114
509-684-3751

Chairman Ken Oliver, Pend Oreille County
Vice Chairman Rudy Plager, Adams County
Secretary Merrill Ott, Stevens County
Treasurer Ted Hopkins, Lincoln County

Jan 23, 2008

Senator Maria Cantwell,
511 Dirksen Senate Office Building
Washington, D.C., 20510

Dear Senator Cantwell,

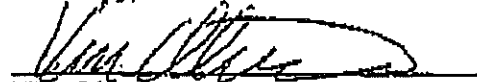
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Thank you for your service to our great state of Washington.

Sincerely,



Ken Oliver
Pend Oreille County Commissioners
Chairman, Eastern Washington Council of Governments
commissioners@pendoreille.org
commissioners@co.stevens.wa.us

Eastern Washington
Council of Governments

215 S. Oak St, Colville, WA 99114
509-684-3751

Chairman Ken Oliver, Pend Oreille County
Vice Chairman Rudy Plager, Adams County
Secretary Merrill Ott, Stevens County
Treasurer Ted Hopkins, Lincoln County

Jan 23, 2008

Senator Patty Murray
173 Russell Senate Office Building
Washington, D.C., 20510

Dear Senator Murray,


The Eastern Washington Council of Governments (EWCOG) continues to fully support efforts by the Spokane Tribe of Indians to gain reparation payments for the Columbia River's inundation of their lands when the Grand Coulee Dam was constructed many decades ago. To this date, the United States has yet to fulfill their promise of reparation payments, and though legislation was introduced last year, the authorization has yet to materialize.

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Thank you for your service to our great state of Washington.

Sincerely,



Ken Oliver

Pend Oreille County Commissioners
Chairman, Eastern Washington Council of Governments
commissioners@pendoreille.org
commissioners@co.stevens.wa.us



City of Spokane

August 25, 2009

The Honorable Maria Cantwell
United States Senate
SD-511 Dirksen Senate Office Building
Washington, DC 20510-4705

Dear Senator Cantwell:

I write to voice strong support for the Spokane Tribe of Indians' Grand Coulee Dam Equitable Compensation Settlement Act – S. 1388 and H.R. 3097. The legislation has the endorsement of Governor Gregoire, all of the neighboring County Commissioners and the National Congress of American Indians. I am familiar with the relevant history of the Tribe and the proposed legislation and I endorse this bill and this long overdue settlement.

The Grand Coulee Dam has brought tremendous benefits to our region, to the West, indeed to the entire country. Regrettably, those rewards come at the expense of the Spokane Tribe and the Colville Confederated Tribes. Both Tribes have suffered devastating impacts to their culture, economy and way of life. Yet the Colvilles secured a settlement with the United States in 1994, while the annual impacts to the Spokane continue unmitigated, and their historic claims are still unresolved. When the Colville bill was considered in 1994, the Spokanes were promised a similar settlement by Congress. The Spokane legislation is based on the 1994 Colville settlement. The proposed legislation represents a final settlement of the Spokane Tribe's claims.

Similar Spokane settlement bills were approved by the United States Senate during the 108th Congress in 2004 and the House of Representatives in the 109th Congress in 2005. I applaud the Tribe in their successful and generous efforts to address in this bill the previously stated concerns of affected State and local governments, Indian Tribes and individual landowners as well as federal agencies. I also note that the annual compensation payments provided for in the bill are not to be recovered from the region's ratepayers, but from cost reductions in expenditures by Bonneville Power Administration.

The Spokane Tribe is our good neighbor. The Tribe has fought long and hard in numerous regional forums to protect and enhance the values and interests associated with the Spokane River and Columbia River as well as Lake Roosevelt. Congressional approval of this proposed settlement legislation will right a longstanding wrong imposed on the Spokane Tribe, foster positive intergovernmental relations, as well as provide numerous other benefits both to the Tribe and our region.

“Spokane – Near Nature, Near Perfect”

808 W. Spokane Falls Blvd. • Spokane, Washington 99201-3335
Phone: (509) 625-6250 • Fax (509) 625-6217

Spokane Tribe of Indians' Grand Coulee Dam Equitable Compensation Settlement Act
August 25, 2009
Page 2

A fair and honorable settlement with the Spokane Tribe, for the past and continued use of their lands for the production of hydropower, is long overdue. I urge Congress to enact this important legislation.

Sincerely,



Mary B. Verner
Mayor

cc: Senator Patty Murray
Congressman Jay Inslee
Congressman Norman Dicks



OFFICE OF THE RESERVATION ATTORNEY

Confederated Tribes of the Colville Reservation

P. O. Box 150

Nespelem, WA 99155

Telephone: (509) 634-2381

Fax: (509) 634-2387

RECEIVED

JUN 19 2007

Via Telecopier to 208-667-4695,
Followed by First-Class U.S. Mail

June 17, 2007

Howard Funke, Attorney At Law
Howard Funke & Associates, P.C.
424 Sherman Ave., Suite 308
P.O. Box 969
Coeur d'Alene, ID 83816-0969

Re: Disclaimer language for Colville-Spokane Reservation boundary in
Spokane Tribe Coulee Dam Settlement Bill

Dear Mr. Funke:

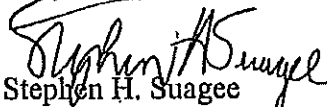
In a letter dated March 21, 2007, I proposed draft disclaimer language for Section 9 of the Spokane Tribe Grand Coulee Dam Settlement bill, re the boundary between the Colville and Spokane Reservations. We subsequently discussed this and on April 25, 2007, at a meeting in Spokane, you provided me with modifications to my proposed language. This letter is to advise that your modifications are acceptable to the Colville Tribes. The language in question, including your modifications, is as follows:

Nothing in this section shall be construed as establishing or affecting the precise location of the boundary between the Spokane Indian Reservation and the Colville Reservation along the Columbia River.

This language is found at Section 9 (c) of the full draft bill as you provided it to me an email on May 10, 2007. You have indicated that the bill may be introduced soon. Please advise me in the event Section 9 is modified in any way. Please note, too, that the Colville Tribes' acceptance of this boundary disclaimer language is not intended to indicate any position on the merits of the bill or whether it should be enacted.

I have appreciated your courtesy and professionalism in working with me to produce language that is acceptable to both the Spokane and Colville Tribes. Please do not hesitate to contact me if you have any further questions or concerns.

Sincerely,


Stephen H. Suagee
Reservation Attorney

cc: Colville Business Council

SEC. 8. TRANSFER OF ADMINISTRATIVE JURISDICTION AND RESTORATION OF OWNERSHIP OF LAND.

(a) Transfer of Jurisdiction - The Secretary shall transfer administrative jurisdiction from the Bureau of Reclamation to the Bureau of Indian Affairs over all land acquired by the United States under the Act of June 29, 1940 (16 U.S.C. 835d), that is located within the exterior boundaries of the Spokane Indian Reservation established pursuant to the Executive Order of January 18, 1881. Such transfer shall be subject to the provisions of subsection c.

(b) Restoration of Ownership in Trust -

(1) IN GENERAL - All land transferred under this section -

(A) shall be held in trust for the benefit and use of the Spokane Tribe; and

(B) shall remain part of the Spokane Indian Reservation.

(2) FEDERAL TRUST RESPONSIBILITY- The Federal trust responsibility for all land transferred under this section shall be the same as the responsibility for other tribal land held in trust within the Spokane Indian Reservation.

(c) Colville-Spokane Reservation Boundary - Nothing in this section establishes or affects the precise location of the boundary between the Spokane Indian Reservation and the Colville Reservation along the Columbia River or the agreement between the Colville and Spokane Tribes that the common boundary of the Spokane and Colville Indian zones established under the Act of June 29, 1940 (16 U.S.C. 835d) shall follow the center line of Lake Roosevelt without reference to the course of the submerged Columbia River. Further, nothing in this section affects either Tribe's rights to the use of that Tribe's respective portion of the Indian zone as provided by the Act of June 29, 1940 (16 U.S.C. 835d).

Proposed Report Language

Section 8(c) provides that nothing in this section establishes or affects the precise location of the actual boundary between the Spokane Indian Reservation and the Colville Reservation along the Columbia River, the respective use rights of each Tribe in Lake Roosevelt as reserved by the 1940 Act, or the common boundary of the Indian zones established pursuant to the 1940 Act in a Joint Resolution adopted by the two Tribes on September 17, 1973. That agreement provides:

1. That the common boundary of the enlarged Indian zones between the Spokane and Colville Reservations follow the center line of Roosevelt Lake without reference to the course of the submerged Columbia River so that the Spokane Indian zone will be to the east of said center line and the Colville Indian zone to the west.
2. That the Tribes establish a policy of reciprocity within both Indian zones where they are adjacent to each other with the cross deputization of game wardens, patrols, and other officers and uniformity in the administration of tribal rights and jurisdiction in that area.
3. That there be reserved for later negotiations and accord the question of where the actual common boundary between the two reservations exists on the bottom of the Roosevelt Lake, that is, whether it is at the center line or the west bank of the submerged Columbia River.

Nothing in this section affects these rights and agreement inter se. The Committee recognizes that the actual boundary between the two Reservations on the Columbia River and Lake Roosevelt is a matter to be resolved by further negotiation and accord between the Spokane and Colville Tribes. Accordingly, the Committee recommends that any unresolved issues regarding the common Reservation boundary should be a matter to be resolved through further negotiations between the two Tribes and are not affected in any way by the proposed legislation.

LAKE ROOSEVELT
COOPERATIVE MANAGEMENT AGREEMENT

I. RECITALS

- A. Whereas, the Bureau of Reclamation (hereinafter Reclamation) in connection with its responsibility for the construction, operation, and maintenance of the Columbia Basin Project has withdrawn or acquired lands or the right to use lands and may acquire additional land under the federal reclamation laws, Act of June 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto, including the Act of March 10, 1973, 57 Stat. 14, and the Act of August 30, 1935, 49 Stat. 1028, 1039; and
- B. Whereas the parties recognize (1) that some of the land acquired, withdrawn or used by Reclamation is located within the boundaries of the Colville Indian Reservation and the Spokane Indian Reservation; (2) that those reservation boundaries were not changed as a result of the acquisition or use of land within either reservation for the Columbia Basin Project; and, (3) that the Confederated Tribes of the Colville Reservation and the Spokane Tribe retain certain governmental authority and responsibility within the exterior boundaries of their respective reservations; and
- C. Whereas, Congress and the President have each recognized certain sovereign and governmental powers of Indian tribes within their respective reservations, and support the tribal sovereignty of Indian tribes to exercise their full measure of governmental authority within their respective reservations; and
- D. Whereas, on Lake Roosevelt, consistent with the express policies of the United States, the Colville and Spokane tribes have an interest in and certain regulatory authority within their reservations over fish and wildlife harvest and habitat protection, recreation, environmental protection, protection and management of cultural, historical and archaeological resources, and the development and utilization of resources on reservation, including economic development and management thereof; and

- E. Whereas, the parties agree that the recreational and other natural resources of Lake Roosevelt and adjacent lands which through sound coordinated planning, development, and management of the Lake Roosevelt Management Area (LRMA), offer unusual opportunities for recreation and other activities for the people of the nation, and the members of the Confederated Tribes of the Colville Reservation and Spokane Indian Tribe; and
- F. Whereas, lands acquired by Reclamation for Lake Roosevelt within the Colville and Spokane reservations are available for public recreation and other development; however, the management and development of those lands may pose unique and difficult problems because of the cultural, religious, and competing social uses to which the tribes have committed their reservations; and
- G. Whereas, the parties recognize that development in areas of Lake Roosevelt located off the Colville and Spokane Reservations will affect and impact reservation lands and resources, and because the lake area was the ancestral home of the Colville and Spokane Indians, such development could impact off-reservation archaeological, historical or religious sites; likewise, reservation activity will affect similar sites off the reservation within the LRMA; and
- H. Whereas, there is an inter-relationship between the development of recreational and other natural resources of the LRMA; and
- I. Whereas, the Coulee Dam National Recreation Area is an existing unit of the National Park system and subject to all NPS laws, regulations, policies and guidelines; and,
- J. Whereas, the National Park Service has special skills and experience in planning, developing, maintaining and managing areas devoted to recreational uses, and is authorized to coordinate with other federal agencies in developing recreational programs (16 U.S.C. §§ 17j-2(b), 4601-1); and
- K. Whereas, the Confederated Tribes of the Colville Reservation and the Spokane Indian Tribe have significant interests in the use and development of those lands within the LRMA, particularly within their respective reservations, and have demonstrated the willingness, capability and experience to

manage those lands and resources within their reservations for beneficial purposes including public recreational uses, and the conservation of the resources; and

- L. Whereas, the respective parties to this Agreement are in a position to provide the services herein identified and, it has been determined to be in the interest of the United States Government to use such services, and the participation of the Confederated Tribes of the Colville Reservation, and the Spokane Tribe as set out herein is consistent with the Indian Self Determination Act of 1975, P.L. 93-638, as amended; and
- M. Whereas, it is recognized and understood among the parties hereto, that nothing contained herein shall affect the authority of any party to commit federal funds as provided by law; and
- N. Whereas, the protection, curation and ultimate disposition of archeological and historical resources (hereafter collectively resources) located within the LRMA is an important responsibility under this Agreement; and in several areas, investigation or preservation activities have occurred in the past but conditions have since changed; and the parties recognize it is important to learn more about these resources; and
- O. Whereas, there exists a dispute on the extent of the Spokane Indian Reservation on the Spokane River Arm of Lake Roosevelt; and whereas, nothing in this Agreement shall be interpreted to affect that issue; and
- P. Whereas, the Secretary of the Interior has a trust duty to tribes and has an obligation to exercise his/her authority consistent with statutory responsibilities and that trust duty, and to interact with tribes on a government-to-government basis.

NOW THEREFORE, the parties hereto, hereby mutually agree as follows:

II. AUTHORITY

- 1. This Agreement is entered into by the Department of the Interior pursuant to the authority of the Act of August 30,

1935, 49 Stat. 1028, 1039, the Act of March 10, 1943, 57 Stat. 14, 43 U.S.C. §§ 373, 485i (1982). Nothing in this Agreement shall be construed to modify or annul the Secretary's authority under these Acts.

2. The Confederated Tribes of the Colville Reservation has authority to enter into this Agreement pursuant to Article V, Section 1, Part (a) of the Colville Constitution, adopted February 26, 1938, and approved by the Secretary on April 19, 1938.
3. The Spokane Tribe has authority to enter into this Agreement pursuant to Article VIII of the Spokane Tribal Constitution, adopted June 27, 1951, as amended.

III. PURPOSE

The purpose of this Agreement is to allow the parties to coordinate the management of the Lake Roosevelt Management Area (hereinafter referred to as LRMA), and to plan and develop facilities and activities on Lake Roosevelt and its freeboard lands. The parties acknowledge and recognize management of the LRMA is subject to the right of the Bureau of Reclamation to accomplish the purposes of the Columbia Basin Project.

IV. GENERAL PROVISIONS

A. Parties:

The parties to this Agreement shall include as governmental parties the National Park Service (NPS), the Bureau of Reclamation (Reclamation), the Bureau of Indian Affairs (BIA), the Confederated Tribes of the Colville Reservation (Colville Tribes), and the Spokane Indian Tribe (Spokane Tribe). Unless the context of the Agreement requires otherwise, the Colville and Spokane tribes shall be referred to collectively as "tribes."

B. Area Subject to Agreement:

This Agreement shall cover the management of the LRMA as depicted in Exhibit 1 attached hereto. The LRMA includes Grand Coulee Dam and its appurtenances on Lake Roosevelt, the surface area of Lake Roosevelt up to elevation 1290 msl

(hereinafter Lake area) and all freeboard lands surrounding Lake Roosevelt above elevation 1290 msl owned by or used by the United States pursuant to any agreement for purposes of the Columbia Basin Project.

C. Management Zones:

For the purpose of coordinating the management of the LRMA, and for allocating the appropriate use of resources available in and around Lake Roosevelt, three management zones shall be established.

1. Reclamation Zone: That part of the LRMA surrounding Grand Coulee Dam as set out in Exhibit 1 and marked in blue.
2. Recreation Zone: That part of the LRMA lying outside of the Reclamation and Reservation Zones as set out in Exhibit 1 and marked in green.
3. Reservation Zone: That part of the LRMA lying within the boundaries of the Colville Indian Reservation or Spokane Indian Reservation all as set out in Exhibit 1 and marked in orange. Provided, that for purposes of management only, in those areas where the Colville Indian Reservation and Spokane Indian Reservation lie across from each other and on the Spokane River arm, there shall be a right of navigational passage. This right shall be defined as the right to pass through that portion of the Reservation Zone defined in this Part to a destination point outside that portion of the Reservation Zone.

D. Management and Regulation of the LRMA:

The parties to this Agreement agree that the management and regulation of the LRMA set out below are not intended to nor shall they interfere with or be inconsistent with the purposes for which the Columbia Basin Project was established, is operated and maintained; those purposes being primarily flood control, improved navigation, streamflow regulation, providing for storage and for the delivery of stored waters thereof for the reclamation of public and private lands and Indian reservations, for the generation of electrical power and for other beneficial uses, nor is it intended to modify or alter any obligations

or authority of the parties. Consistent with the above statement, the management and regulation of the LRMA shall be as follows:

1. Reclamation shall have exclusive operational control of the flow and utilization of water at the Grand Coulee Dam and Project facilities operated by Reclamation, and of all access to the Grand Coulee Dam and Project facilities operated by Reclamation; and complete and exclusive jurisdiction within the Reclamation Zone, including authority over and responsibility for the Grand Coulee Dam and Project facilities operated by Reclamation, and such project lands adjacent thereto as the Commissioner of Reclamation with the approval of the Secretary determines to be necessary for Project purposes. Provided, that the parties shall retain the right to take any action otherwise available to challenge any action undertaken by Reclamation under the authority recognized under this Part, including but not limited to action dealing with irrigation, lake level, flows, and storage.
2. NPS shall manage, plan and regulate all activities, development, and uses that take place in the Recreation Zone in accordance with applicable provisions of federal law and subject to the statutory authorities of Reclamation, and consistent with the provisions of this Agreement subject to Reclamation's right to make use of the Recreation Zone as required to carry out the purposes of the Columbia Basin Project.
3. The tribes shall manage as follows:
 - a. The Colville Tribes shall manage, plan and regulate all activities, development and uses that take place within that portion of the Reservation Zone within the Colville Reservation in accordance with applicable provisions of federal and tribal law, and subject to the statutory authorities of Reclamation, and consistent with the provisions of this Agreement subject to Reclamation's right to make use of such areas of the Reservation Zone as required to carry out the purposes of the Columbia Basin Project.

- b. The Spokane Tribe shall manage, plan and regulate all activities, development, and uses that take place within that portion of the Reservation Zone within the Spokane Reservation in accordance with applicable provisions of federal and tribal law, and subject to the statutory authorities of Reclamation, and consistent with the provisions of this Agreement subject to Reclamation's right to make use of such areas of the Reservation Zone as required to carry out the purposes of the Columbia Basin Project.
 - c. In those portions of the Reservation Zone where the Colville Indian Reservation and Spokane Reservation abut, the tribes shall determine as between themselves the allocation of management responsibility.
4. The BIA shall assist the tribes in carrying out the tribes' management of the Reservation Zone, and undertake such other activities as are authorized by law in support of the tribes.

E. Coordination of LRMA.

1. Each party to this Agreement shall designate a representative who will meet periodically with representatives of the other parties to coordinate the independent management of each within the LRMA, consistent with this Agreement.
2. The Parties shall:
 - a. Review, coordinate, communicate and standardize the management plans, regulations and policies developed by the tribes and NPS for their respective management areas to manage and regulate (1) recreation activities, (2) commercial and private development, including major new or significantly expanded development, and (3) the protection of the environment of the LRMA, all consistent with the special interests identified by the parties for their respective management areas, to the extent possible.

- b. Develop a method to incorporate the plans developed by the tribes and NPS to provide to the extent practicable uniform management in the LRMA. Implementation of such plans shall be carried out consistent with the purposes of the Columbia Basin Project.
 - c. Review, coordinate, communicate and standardize use permits within the LRMA to the extent practicable, taking into account the cultural and religious interests of the tribes and other parties, and the need to have the standards uniformly applicable in the LRMA.
 - d. Monitor, once per year, compliance with this Agreement.
 - e. Involve and receive the comments from other interested state, local, county or regional governmental entities and private individuals, or citizen groups or entities with respect to activities related to the management of the LRMA.
 - f. Coordinate the development of annual operating budgets and proposals for funding.
 - g. Undertake such other Lake Roosevelt activities that the Parties agree to undertake consistent with applicable law.
3. Dispute Resolution Process:
- a. Any party to this Agreement that is aggrieved by any action of another party related to this Agreement, or the failure of a party to act consistent with this Agreement, may request that the issue be resolved under this part.
 - b. Any party shall prior to initiating any procedure under Part c of this Part, request: (1) a meeting of all Area/Regional Directors and tribal council representatives, to see if the problem can be resolved, and (2) if the process under Part (1) of this subpart is not successful any party may request that officials of the next higher level of BIA, NPS and Reclamation and area/regional

Directors meet with tribal council representatives to consider the issue and attempt to resolve it.

- c. The aggrieved party or parties may request that a mediator be appointed to help resolve the issue. The parties shall agree on a mediator, or in the absence of agreement, the presiding Judge of the United States District Court for the Eastern District of Washington shall be requested to appoint a mediator. The parties shall develop procedures to insure that mediation is expeditious.
- d. The dispute resolution process set out in this part shall be in addition to any other rights of a party to seek enforcement or interpretation of this Agreement.

F. Funding:

1. All parties shall cooperate in the development of all budget components and cost data and in the sharing of the necessary technical information so that each party can make realistic budget estimates necessary for that party to adequately manage the LRMA.
2. Each party to the Agreement shall seek funding for its share of this Agreement. The Superintendent of the Coulee Dam National Recreation Area, the Project Manager of Grand Coulee Dam and the Colville and Spokane Agency Superintendents of the Bureau of Indian Affairs will make a good faith effort to request funds needed by them to manage the LRMA. The BIA agency superintendents shall request funds needed by the tribes to adequately carry out their management responsibilities as identified under this Agreement. These requests shall only be developed and proposed consistent with and subject to budgetary practices and procedures of the United States, including, but not limited to the direction and policies of the President, OMB, and the Secretary of the Interior. Except as required under this paragraph or applicable law, parties to this Agreement shall support the need to provide adequate funding to the tribes to allow the tribes to carry out their responsibilities under this Agreement.

3. Upon approval of the requests for submission to the Congress as part of the President's budget, each party shall to the extent practicable, identify these funds in their respective congressional justifications and continue to support their own and each other's funding requests when testifying before Congress to the extent that such requirements are identified in the President's budget.
4. This Agreement shall not create an obligation on the part of any party hereto to expend funds that have not been lawfully appropriated by Congress or the Colville or Spokane tribes. The failure to take action otherwise required because funds were not appropriated shall not constitute a breach of this Agreement.
5. Nothing in this part shall prohibit or limit the right of the tribes to independently seek funding from whatever source is available to carry out their management and regulation within the Reservation Zone.
6. To the extent allowed by law, and consistent with the activity being undertaken and the terms of the Agreement, if additional funds from sources other than congressional appropriation become available to Reclamation, NPS or the BIA for purposes of undertaking any activity addressed by this Agreement, the agencies shall attempt to assure an equitable portion of those funds will be available to the tribes for compliance with this Agreement.
7. When the BIA submits its proposed budget it shall specifically identify for the Colville and Spokane tribes funds to cover the Lake Roosevelt Management Agreement.
8. Funding for the curation of any Indian resources transferred to the Colville and Spokane tribes will be included in the tribes' budget for management of LRMA unless other means become available for curation.

G. Coordination of Recreation:

1. The NPS and tribes shall coordinate their respective activities to the end that in the implementation of

their independent management and regulation of the LRMA they achieve to the extent practicable, a uniform system of recreation management including law enforcement throughout the LRMA taking into account the special needs or circumstances identified by the tribes or the NPS within the Reservation or Recreation Zones, respectively.

2. The NPS and tribes shall develop and implement a procedure that informs the recreating public of all facilities, resources, and concessions located within the LRMA, and the limitations on their use, and further informs the recreating public of the rules applicable in the various Management Areas of the LRMA, including anti-pollution rules.
3. The NPS and tribes shall work with Reclamation in the development of any recreation management or resource plans for the LRMA consistent with Federal law.

H. Development and Utilization of Resources:

1. The tribes shall retain within those parts of the Reservation Zone within their respective reservations the right to beneficially develop and utilize the natural resources and to develop economic enterprises that are compatible within the character of the LRMA, subject to federal statutory requirements. Use of the freeboard lands as allowed under this subpart H.1. shall be with the permission of the United States, which shall not be unreasonably withheld.
2. Should operations of the Columbia Basin Project cause damage to the natural resources on the freeboard lands within the Reservation Zone for which mitigation is required by law, the mitigation shall take place on the Reservation within which the damage took place to the extent practicable. Nothing in this part shall relieve any party from liability for past impacts to the natural resources of any party on either the Colville or Spokane Reservations.

I. Reservation of Rights:

This Agreement shall not be construed as waiving any rights the parties have under any applicable Act of Congress,

Executive Order, treaty, regulation, court decision or other authority.

J. Protection and Retention of Historical, Cultural and Archaeological Resources:

1. The parties to this Agreement shall prepare a Cultural Resources Management Plan that provides for the identification, and protection of Indian archaeological and historical resources (as identified in 16 U.S.C. 470bb(1), and 16 U.S.C. § 470w(5) (hereafter Indian Resources) located within the LRMA, and a procedure for the most expeditious transfer of title and return to the tribes of Indian Resources removed from the LRMA by the United States or with the United States' authority and which are within the United States' possession or under its control, consistent with the tribes' ability to properly curate or provide for the curation of the Indian Resources as required by law.
2. The Cultural Resources Plan shall contain provisions requiring the Federal parties to notify and consult with the tribes during the planning process and prior to authorizing or undertaking any survey, monitoring, or removal of Indian Resources from the LRMA, and shall provide an opportunity for the tribes to participate in, or if consistent with the activity to undertake any such activity.

K. Duty to Comply:

It shall be a violation of this Agreement for any party to take any action or authorize any other person or entity to take any action that is inconsistent with or in violation of the terms and conditions of this Agreement, or to fail to take any action otherwise required by this Agreement.

V. MISCELLANEOUS PROVISIONS

A. Effective Date:

This Agreement shall become effective on the date it is approved by the Secretary of the Interior.

B. Modification of Agreement:

This Agreement may be modified only in writing, signed by all the parties and approved by the Secretary.

C. Termination:

This Agreement shall remain in effect until terminated by the Secretary of the Interior. Any party may request that the Secretary terminate this Agreement. Within 30 days of the receipt of a request to terminate, the Secretary shall establish a mechanism to assist the parties to the Agreement in reconciling differences under this Agreement or to negotiate a new Agreement. The Secretary shall terminate this Agreement 180 days after the mechanism required under this part is established if no agreement between the parties is reached.

D. Judicial Enforcement:

Without regard to any other dispute resolution process set out in this Agreement, any party may seek review of any provision of this Agreement to determine the rights or obligations of the parties under this Agreement or to seek judicial enforcement of any provision of this Agreement or of a party's failure to carry out any duty provided for under this Agreement. Nothing in this Agreement shall be interpreted or construed as a limitation upon any party's right to seek judicial or administrative enforcement or review of any matter based upon treaty, Federal or state law or Executive Order, or to take any other action allowed by law.

E. Implementation of Agreement:

1. The tribes and the NPS shall independently exercise their individual and separate management and regulation of the Reservation and Recreation Zones respectively, consistent with the consultation and coordination responsibilities set out in this Agreement, and consistent with the legislated purposes of the Columbia Basin Project and applicable Reclamation Law.
2. Reclamation, in exercising its statutory oversight authority in the LRMA, shall not interfere with the management and regulation of the tribes or NPS as set

out in Part IV.D of this Agreement except where the actions of either the tribes, the NPS, or both are inconsistent with the legislated purposes of the Columbia Basin Project or interfere with the ability of Reclamation to carry out its legislated responsibility for the Columbia Basin Project.

F. Visitor Center:

Reclamation shall work with the tribes and NPS to incorporate their suggestions into the development of an interpretive program to the extent of available resources, for changes to the visitor's presentations. The resulting program should depict the purpose and operation of the Columbia Basin Project, the Indian history, government, and culture of the area, the impact of the Columbia Basin Project on the tribes, and the available recreational resources and benefits. This may include the display and distribution of literature/information applicable to the LRMA.

G. Contracting:

There are or may be activities carried out by contract by the Federal parties that take place within the LRMA under this Agreement that could be contracted by the tribes. The Federal parties will provide notice to the tribes of all contracting opportunities within the LRMA and will coordinate on contracting options, which may be available to tribes, either directly or through another Federal agency, within the LRMA, prior to the obligation of appropriated funds consistent with their statutory authorities. The parties to this Agreement shall use their best efforts to contract with the tribes consistent with the continued execution of their agency directed duties, to the extent allowed by statutory authority. Likewise, there may be opportunities for the tribes to contract for services or


facilities with the other parties. Nothing in this Part shall limit a party from utilizing bidding procedures.

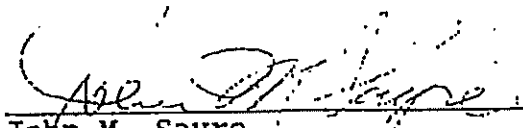
APPROVED:

APR 20 1990

DATED: APR 20 1990


DATED: _____



Jude C. Stensgar
Chairperson
Colville Business Council


John M. Sayre
Assistant Secretary for
Water and Science

DATED: APR 20 1990

DATED: APR 11 1990



Joe V. Flett
Chairperson
Spokane Indian Tribe


Constance B. Harriman
Assistant Secretary for
Fish, Wildlife and Parks

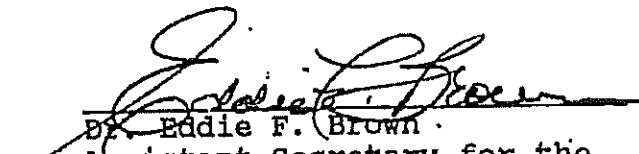
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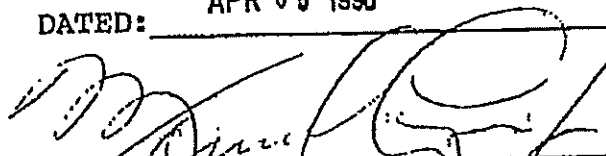

James M. Ridenour
Director
National Park Service


Dennis Underwood
Commissioner
Bureau of Reclamation

DATED: APR 20 1990


Eddie F. Brown
Assistant Secretary for the
Bureau of Indian Affairs

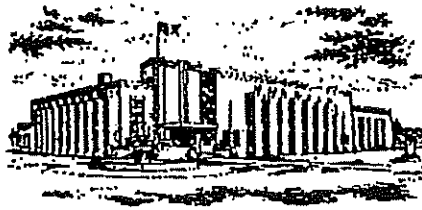
DATED: APR 05 1990


Manuel Lujan, Jr., Secretary
Department of Interior

Tony Delgado
District No. 1

Merrill J. Ott
District No. 2

Malcolm Friedman
District No. 3



Polly Coleman
Clerk of the Board

Nettie Winders
Assistant Clerk

Stevens County Commissioners

215 South Oak St, Room #214, Colville, WA 99114-2861
Phone: 509-684-3751 Fax: 509-684-8310 TTY: 800-833-6388
Email: Commissioners@co.stevens.wa.us

December 18, 2007

Senator Maria Cantwell
U.S. Senate Rm 717
Hart Building
Washington, D.C., 20510

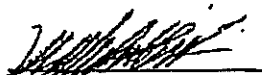
Dear Senator Cantwell,


We are writing to request renewed support for authorizing reparation payments to the Spokane Tribe of Indians. The Grand Coulee Dam's reservoir, Lake Roosevelt inundated their traditional lands many decades ago, and through a series of false starts and circumstances, the Spokane Tribe has yet to receive reparation payments.

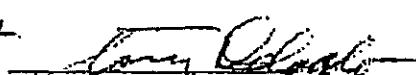
Ironically, the Eastern Washington Council of Governments, of which Stevens County is a member, met recently. It was on December 7 -- the 66th anniversary of Pearl Harbor -- and it was then, in 1941, in Washington, D.C. that a bill was being considered to grant the reparation payments to the tribe. In a most gracious and patriotic fashion, the Spokane Tribe did not pursue the passage of the bill granting reparations, but instead, stood aside to stand side by side with all the Americans to engage in the WWII conflict.

They continue to lead by example, and we are honored to call them our neighbors and friends. Please continue in your efforts to get legislation passed which finally settles this debt owed to the Spokane Tribe.

Sincerely,


Malcolm Friedman
Chairman of the Board
Commissioner


Merrill J. Ott
Commissioner

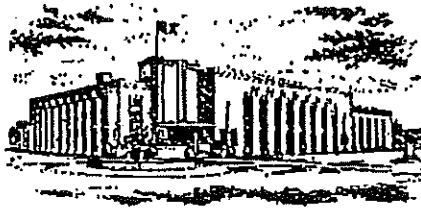

Tony Delgado
Commissioner

Cc: Chairman Rick Sherwood, Spokane Tribe of Indians
Representative Cathy McMorris-Rodgers

Tony Delgado
District No. 1

Merrill J. Ott
District No. 2

Malcolm Friedman
District No. 3



Polly Coleman
Clerk of the Board

Nettie Winders
Assistant Clerk

Stevens County Commissioners

215 South Oak St, Room #214, Colville, WA 99114-2861
Phone: 509-684-3751 Fax: 509-684-8310 TTY: 800-833-6388
Email: Commissioners@co.stevens.wa.us

December 18, 2007

Senator Patty Murray
B-34 Dirksen Senate Building
Washington, D.C. 20510

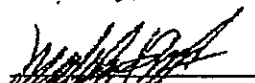
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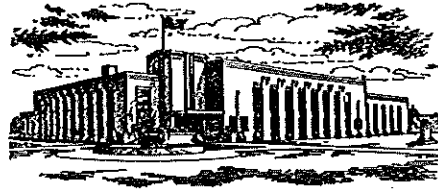

Tony Delgado
Commissioner

Cc: Chairman Rick Sherwood, Spokane Tribe of Indians
Senator Maria Cantwell
Representative Cathy McMorris-Rodgers

Wes McCart
District No. 1

Don Dashiell
District No. 2

Steve Parker
District No. 3



Polly Coleman
Clerk of the Board

Nettie LaDoux
Assistant Clerk

Lois Haag
Assistant Clerk

Stevens County Commissioners

Mailing Address: 215 South Oak Street; Colville, WA 99114-2861
Location Address: 230 East Birch, Colville
Phone: 509-684-3751 Fax 509-684-8310 TTY: 800-833-6388
E-mail: commissioners@co.stevens.wa.us

December 26, 2017

The Honorable Maria Cantwell
511 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

The Honorable Senator Patty Murray
154 Russell Senate Office Building
United States Senate
Washington, D.C. 20510

The Honorable Cathy McMorris Rodgers
1314 Longworth House Office Building
United States House of Representatives
Washington, D.C. 20515

RE: Spokane Tribe Equitable Compensation

Dear Senator Cantwell, Senator Murray and Congresswoman McMorris Rodgers:

The Stevens County Board of County Commissioners write to you today to support the long struggle by the Spokane Indian Tribe for Equitable Compensation legislation for damage done to their land and lives with the construction of Grand Coulee Dam.


The Colville Tribe was successful in their quest for just treatment and the Spokane Tribe has no lesser claim to justice from our government. The difference between the two tribes is merely the points on a compass. One tribe lost their eastern lands to flooding and the other tribe lost its western lands to flooding.


We thank you for sponsoring S.995 this year. You know the situation as completely as we do, except we also live along the banks of Lake Roosevelt and experience much of the same frustration of living with the benefits and consequences of Grand Coulee Dam and the fluctuations of water levels in Lake Roosevelt. It is shameful that our nation has neglected to do the right thing for the Spokane Tribe for more than 70 years.


We urge you to work together to bring proper compensation to the Spokane Tribe. Their land and their people will benefit for generations to come. Thank you!

Respectfully,

BOARD OF COUNTY COMMISSIONERS OF STEVENS COUNTY, WASHINGTON


Chairman Steve Parker


Commissioner Wes McCart


Commissioner Don Dashiell

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 753-6780 • www.governor.wa.gov

December 14, 2007

The Honorable Maria Cantwell
United States Senate
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Norm Dicks
U.S. House of Representatives
2467 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Senator Cantwell and Congressman Dicks:

Today I write in support of the Spokane Tribe of Indians Grand Coulee Dam Equitable Compensation Settlement Act, a bill to provide monetary compensation and return of the lands to the people of the Spokane Tribe that were taken, damaged, or used for the construction and operation of the Grand Coulee Dam. I also offer the full assistance of my office in your efforts to pass this legislation as it is clearly appropriate that this settlement be approved and compensation paid.

For many years, the people of the Spokane Tribe were joined with the Columbia and Spokane Rivers in a relationship that defined the Tribe's culture, economy, and way of life. The rivers were their primary source of food, trade and spirituality, and played a central role in shaping tribal identity. To be a Spokane tribal member was to believe in and rely upon the abundance and permanence of the river's bounty. The Spokane People referred to the Spokane River as the "Path of Life." It is difficult for most people living in Washington to comprehend the profound and devastating impacts and effects forced upon tribal members during construction and subsequent operation of the dam.

As a result of your efforts in Congress, the people of the United States now have an opportunity to redress, in part, the damage inflicted on the Tribe. I am committed to work with you to secure some measure of fair and equitable compensation for the past and continued use of Spokane Tribal land for the production of hydropower at Grand Coulee Dam.

The state of Washington, the Pacific Northwest, and the United States receive enormous benefits from the low-cost power, flood protection, water supply, and other value provided by the Grand Coulee Dam. Indeed, the very competitiveness of the regional economy is founded in large measure upon these benefits. The Spokane Tribe has long waited to receive fair and honorable compensation for the use of their lands by Grand Coulee. It should be obvious to all that fulfillment of that obligation is long overdue.

I look forward to working with you to enact this important legislation.

Sincerely,

A handwritten signature in black ink that reads "Christine O. Gregoire".

Christine O. Gregoire
Governor

The Honorable Maria Cantwell
The Honorable Norm Dicks
December 14, 2007
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cc: The Honorable Rick Sherwood, Chairman, Spokane Tribal Business Council
The Honorable Patty Murray, United States Senate
The Honorable Cathy McMorris Rodgers, U.S. House of Representatives
The Honorable Jay Inslee, U.S. House of Representatives
Mark Rupp, Director, Governor Gregoire's Washington, D.C., Office

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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June 29, 2009

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

RE: Spokane Tribe of Indians' Grand Coulee Dam Equitable Compensation Settlement Act

Dear Mr. President:

I write to you on behalf of the Spokane Tribe of Indians to request your support for the Tribes' Grand Coulee Settlement legislation soon to be introduced in Congress. This legislation will help correct a longstanding wrong against this Washington State tribe. The legislation is expected to be introduced soon, and will be sponsored in the Senate by Senators Patty Murray and Maria Cantwell of Washington and by Senator Inouye. In the House of Representatives the bill will be sponsored by Congressman Jay Inslee and others.

The Spokane Indian Reservation is located at the confluence of the Columbia and Spokane Rivers in the eastern part of the state of Washington. The construction of the Grand Coulee Dam in the 1930's created a reservoir which had significant adverse affects on the Tribe. It cut off critical salmon runs, inundated boundary rivers and flooded thousands of acres of the Reservation. The Tribe received one payment of \$4,700 for this damage.

Since that time the Tribe has been trying to secure a settlement with the United States. Negotiations with the Departments of Interior and Justice failed and legislation has been introduced in Congress over the past several years, passing one house or the other but never both. Most recently the Tribe has worked to resolve concerns about the legislation raised by state and local governments. The annual settlement payments under the bill would be paid to the Tribe from the Bonneville Power Administration and derived from agency cost savings rather than ratepayers. The bill does not require any direct federal spending.




The Honorable Barack Obama

June 29, 2009

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I respectfully request the support of your administration in righting this injustice and securing enactment of the legislation to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydro power by the Grand Coulee Dam. Thank you for your consideration.

Sincerely,


Christine O. Gregoire
Governor

cc: Gregory J. Abrahamson, Chairman, Spokane Tribe of Indians
Washington State Congressional Delegation
Craig Bill, Executive Director, Governor's Office of Indian Affairs