

Testimony of Chair Corinne Sams
Columbia River Inter-Tribal Fish Commission
House Appropriations Subcommittee on Interior, Environment, and Related Agencies
American Indian and Alaska Native Public Witness Day
April 29, 2024

Summary of Budget Requests

- I. Increase Funding for Rights Protection Implementation
 - a. Columbia River Fisheries Management - \$6.292 million
 - b. Columbia River-In Lieu Sites Law Enforcement - \$1.611 million
 - c. Columbia River-Fishing Access Site Operations - \$1.724 million
 - d. U.S. Canada Pacific Salmon Treaty - \$7.82 million
 - e. Columbia River-In Lieu Sites Law Construction - \$2.5 million
 - f. Youth Program Initiatives - \$500,000
 - g. Columbia River Treaty Modernization

Good afternoon, Chair Simpson, Ranking Member Pingree, and members of the Subcommittee. My name is Corinne Sams and I have the privilege of serving as Chair of the Columbia River Inter-Tribal Fish Commission (CRITFC). I am also an elected member of the Confederated Tribes of the Umatilla Indian Reservation Board of Trustees.

CRITFC was founded in 1977 by the four Columbia River treaty tribes: the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe. CRITFC provides coordination and technical assistance to these tribes in regional, national, and international efforts to protect and restore our shared salmon, steelhead, Pacific lamprey and white sturgeon resources and the habitats upon which these species depend. Our collective ancestral homelands are an area the size of the State of Georgia and cover nearly one-third of the U.S. portion of the Columbia River basin and comprise 88% of the remaining accessible range of salmon above Bonneville Dam. In 1855, the U.S. entered into treaties with each of these four tribes whereupon we ceded millions of acres of our homelands. In return, the U.S. pledged to honor our ancestral rights, including the right to fish in all Usual and Accustomed stations.

Unfortunately, the development of the American West has brought the salmon, steelhead, and Pacific lamprey populations to the edge of extinction. Twelve Columbia Basin salmon and steelhead populations are listed under the Endangered Species Act (ESA), Pacific lamprey have declined 95% from historic numbers, and the white sturgeon population is struggling to maintain itself.

To address this decline and threat to our way of life, the CRITFC member tribes have become internationally recognized leaders in fisheries restoration and management. We are principals in the region's efforts to halt the decline of salmon, lamprey, and sturgeon populations and rebuild them to sustainable levels that support ecosystem function as well as ceremonial, subsistence, and economic needs. To restore these fish populations, our actions emphasize 'gravel-to-gravel' management including supplementation of natural stocks, restoration of healthy watersheds, and collaboration with state, federal, and private entities.

I thank you for the opportunity to testify today regarding CRITFC's funding priorities. With adequate funding and continued support from Congress, CRITFC and our member tribes can continue to do this critical work that benefits the entire region.

My testimony will focus on the appropriations necessary to continue the exercise of our treaty reserved rights to harvest fish on the Columbia River through funding for a number of our Rights Protection Implementation appropriations.

Columbia River Fisheries Management: The tribes are leaders in one of the nation's largest fishery restoration efforts in response to the negative impacts of the Federal Columbia River Power System. Management is increasing in complexity and sophistication, requiring greater data collection, collaboration, and enforcement. Funding shortfalls prohibit the achievement of tribal self-determination goals for fisheries management, ESA recovery efforts, protecting non-listed species, conservation enforcement, and harvest monitoring. The BIA's Columbia River Fisheries Management budget supports the core fishery program efforts of CRITFC and our member tribes and allows us to work across the bulk of current anadromous fish habitat in the Columbia Basin. We request an increase of \$51k to a base level of \$6.292m.

CRITFC and our member tribes are principal implementers of actions laid out in four landmark agreements: 1) the 2008 Columbia Basin Fish Accords with federal action agencies overseeing the federal hydro system in the Columbia Basin¹, 2) continuing engagement in a 10-year Fisheries Management Plan with federal, tribal, and state parties under *U.S. v Oregon*, 3) a new Chinook Chapter of the Pacific Salmon Treaty and 4) the Columbia Basin Restoration Initiative. These agreements establish regional and international commitments to harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While the tribes have committed to substantial on-the-ground projects through these agreements with additional resources from the Bonneville Power Administration, the overall management responsibilities of the tribal programs have grown without commensurate increases in BIA base funding capacity. For example, Congress enacted the Endangered Salmon Predation Control Act, P.L. 115-329, which enables CRITFC and its member tribes to join the regional effort to manage sea lion predation in the Columbia River. The tribes are also addressing unmet mitigation obligations such as fish losses associated with the John Day and The Dalles dams and increasing avian and piscivorous fish predation. Each one of these management efforts either lack funding entirely or are funded at less than the full level of effort. Rights Protection Implementation funding takes on even greater importance as funding for state co-management agencies has become inconsistent or decreased.

Columbia River Treaty Modernization: RPI also supports CRITFC's participation in the Columbia River Treaty re-negotiation. The treaty-reserved rights of CRITFC's member tribes, as well as management authorities and responsibilities, are substantially affected by the Columbia River Treaty. While the Columbia River Treaty is evergreen and continues to provide benefits to both the U.S. and Canada through coordinated flood risk management and hydropower

¹ The Nez Perce Tribe is not a Columbia Basin Fish Accord signatory

production, the Regional Recommendation urges modernization by incorporating ecosystem function as a third primary purpose of the treaty. This necessary amendment would enhance the Columbia River Treaty to provide built-in principles in a pro-active, comprehensive manner rather than reacting in a piecemeal approach to individual salmon listings under the Endangered Species Act. Increased RPI funds will allow the four lower Columbia River treaty tribes to continue collaborating with the states, federal agencies, and regional stakeholders to provide technical analyses in support of the negotiations with Canada being led by the State Department.

U.S./Canada Pacific Salmon Treaty under Rights Protection Implementation: In response to declining salmon populations and pending treaty fishing rights litigation, the U.S. and Canada forged the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions.

The Pacific Salmon Treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. Section of the PSC develops an annual coordinated budget for tribal, state, and federal programs to ensure cost and program efficiencies. A 10-year agreement signed in 2008 represented a step forward in ensuring the conservation and rebuilding of the shared salmon resource, however it expired at the end of 2018. The Parties recently completed revisions to the 2008 agreement that calls for among other items, the implementation of additional data requirements.

For tribal participation in the Pacific Salmon Treaty, the U.S. Section has identified a continuing program need of \$7.82 million for the 25 participating tribes to implement the revised agreement. These funds provide for direct tribal participation with the Commission, panels, and technical committees. This funding maintains tribal resource assessment and research programs structured to fulfill required treaty implementation activities that protect trust resources and ensures that our tribal fishers receive an equitable portion of the harvestable fish numbers. Our FY 2025 recommended level for this program is consistent with the U.S. PSC recommendation.

Workforce Development under Rights Protection Implementation: CRITFC strives to build a tribal workforce pool of respected and skilled Native American scientists, policy analysts, technicians, and managers that serve the tribes' fisheries and natural resource management program needs. CRITFC's Workforce Development Program helps prepare tribal members of all ages for jobs and careers in natural resources management by providing hands-on, culturally relevant experiences that expand their exposure to science, technology, engineering, and math (STEM). Since 2010, CRITFC has conducted Salmon Camp, a week-long camp for Native middle school students is held in collaboration with our member tribes using limited funding resources. The tribes would like to continue this annual event and additional funding would help ensure the program's long-term viability. From 2014-2017, CRITFC was able to offer paid internships and research experiences for college students interested in fisheries and natural resources, but due to a lack of funding, those opportunities are not currently available. In 2020, CRITFC acquired an estuary and near coastal observation program which we hope can provide tribal workforce opportunities in the estuary and marine environments.

Implementation of P.L. 116-99 (Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act) under Rights Protection Implementation – The Act recognized the

deteriorating condition of the sites due to age and significant use and Congress authorized \$11m to refurbish the sites to meet federal? human health and safety standards. We are requesting \$2.5m in FY 2025, to continue implementation of the Act. The assessment of the sites was completed in 2022. We are currently conducting architecture and design work and beginning construction based on the assessment findings.

Public Safety, Criminal Investigations and Police Services under Rights Protection

Implementation - Public safety is a high priority for CRITFC and our member tribes. Our conservation and law enforcement officers are the cornerstone of public safety in the heavily used Columbia River Gorge area, patrolling 150 miles of the river and its shorelines in Oregon and Washington. We are the primary provider of enforcement services at 31 fishing access sites developed pursuant to P.L. 87-14 and P.L. 100-581 for use by treaty fisheries. CRITFC's officers possess BIA Special Law Enforcement Commissions to enhance protection and service to tribal members and federal trust properties along the river. CRITFC entered a P.L. 93-638 contract with BIA in 2011 for enforcement services along the Columbia River. That contract provides funding for two positions. Additional appropriations were provided in FY2021 (\$1.5m), FY2022 (\$1.5m), and FY 2023 (\$1.575m) to enhance public safety and law enforcement services. Funding has become recurring, which leads to the long-term stability of this public safety effort.

Columbia River Treaty Fishing Sites Operation and Maintenance under Rights Protection

Implementation –A federal commitment to provide O&M funding for fishing sites was established under a 1997 MOU between the U.S. Army Corps of Engineers and BIA. In 2003, this work was assigned to CRITFC. This O&M need was funded in FY 2022, FY 2023 and FY 2024 at \$1.7 million. This base O&M funding is very important to the health and safety of our treaty fishers as they access the Columbia River in exercise of their treaty-reserved fishing rights.

Tribal Climate Resilience under Trust Natural Resource Management: The Columbia River treaty fishing tribes are a place-based people. We have lived thousands of years on our homelands. We walk in the footsteps of our ancestors. Our place is on the specific landscape of the Columbia River.

Climate-related stress was evident in 2020 in the form of historic forest fires and in 2015 with the loss of an estimated 400,000 adult sockeye salmon, including 99% of the sockeye returning to Idaho, due to elevated water temperatures. There must be continued funding to help the tribes collaborate with public, private, and non-profit sectors to develop and implement adaptation strategies to protect species at risk.

We request \$5m for CRITFC and our four member tribes for planning and coordination development needed to continue the work of addressing the myriad of issues climate change is creating for our natural resources.

Thank you for your time and attention.