

BRINGING SALMON BACK TO THE COLUMBIA RIVER: HOW NATIVE AMERICAN TRIBES ARE IMPLEMENTING A WATERSHED-WIDE PLAN

The Columbia River Inter-Tribal Fish Commission
Portland, OR

“Culturally we could say, ‘This is where we know salmon used to be. But science would tell us whether or not it was possible to reintroduce [them]...’”

Ted Strong

Former Executive Director, The Columbia River Inter-Tribal Fish Commission

Donald Sampson

Executive Director

Confederated Tribes of the

Umatilla Indian Reservation

P.O. Box 638

Pendleton, OR 97801

Phone: 541-276-3165

Fax: 541-276-3095

Web: <http://www.umatilla.nsn.us/>

SUMMARY: Four Native American tribes on the Columbia River are **bringing back a salmon population** decimated by irrigation, pollution, development and other forces. The Columbia River Inter-Tribal Fish Commission combines the tribes’ **cultural heritage** with **modern science** and **public policy strategies** in the following ways:

- **Build Internal Capacity and Expertise:** Although the tribes had the legal foundation for a seat at the table regarding watershed management, they needed to acquire the legal, policy and scientific expertise to assert themselves.
- **Develop Integrated Plans Based On Clear Principles:** The Commission at first operated by crisis management. Then, through consultation with tribal elders, it developed a guiding principle: “the spirit of the salmon.” According to Rob Lothrop, Manager of the Policy Development and Litigation Support Department, this now enables the tribes to offer proactive plans, policies and programs that “knit together the various stages of the salmon life cycle.” It represents “a statement from tribal culture and tribal government of a vision for salmon restoration.”
- **Remain United and Persistent:** Although powerful forces regularly challenge their implementation plans, the tribes’ unity and persistence is leading to increased salmon runs.
- **Plan Leadership for Seven Generations:** The Native American principle of planning for seven generations also guides the Commission. According to longtime activist Don Sampson, the next generation needs to know that “none of this happened by accident. It was because of culture and history.”

In the following case example, Don Sampson, Ted Strong, Tim Wapato, Roy Sampsel, and their colleagues describe how the Commission developed and how it is meeting its challenge to restore salmon to the Columbia River:

“Putting the Salmon Back”: Power Meets Persistence

The Columbia River Inter-Tribal Fish Commission

Writers: Jennifer Dodge and Jonathan Walters

Co-researchers: Donald Sampson (Award Recipient) and Jennifer Dodge (NYU/LCW)

"Water came from a sacred place. And it came with a song and a prayer."

Ted Strong, Former Executive Director, Columbia River Inter-Tribal Fish Commission

"50 Percent of Nothing is Nothing"

By the 1960s, wild salmon populations in the Pacific Northwest had been decimated. Dams, irrigation, logging, development, recreation, commercial fishing and industrial pollution had conspired to reduce what was estimated to be a thriving population of more than 20 million fish in the 1800s, to a mere one million by the 1970s. Streams that had once been thick with returning salmon had become sterile. Waterfalls that once served as pathways for fish had been tamed by electrical turbines that fueled the booming growth in the region. Water was being siphoned off for agriculture and development.

At the heart of that dying fishery was the Columbia River. Once free-flowing and teeming with fish, the Columbia had emerged as the symbol for everything that was going wrong with the Northwest salmon fisheries. At once battered, abused, neglected and under nobody's direct control, the Columbia River and the huge watershed that it drained seemed to be rolling toward complete collapse.

But while myriad interests claimed some portion of control over the watershed, only one seemed to have the salmon's ultimate interests at heart: the Native American tribes that had ceded so much of the Pacific Northwest to the U.S. government by treaty in 1855. Though the tribes had given up huge portions of their ancestral land, they did retain one important right: the right to harvest fish from the Columbia River and to manage its resources.

But one alarming fact was becoming abundantly clear. If someone didn't take drastic action, those rights had the potential to be rendered meaningless. "We can harvest fish," says Don Sampson, a long-time activist in the fight to rebuild West Coast salmon fisheries. "But if you have none to harvest then your treaty right has no value." Or as another activist put it, "fifty percent of nothing is nothing."

And so in the mid-1970s, leaders from the four affected tribes—the Nez Perce, Umatilla, Warm Springs and Yakama—joined forces to form the Columbia River Inter-Tribal Fish Commission in an effort to focus Native American activism and expertise on rebuilding the once great salmon fishery, a fishery that for centuries had sustained their tribes and their tribal cultures.

The task before the new Commission was immense: The fledgling organization would have to find a steady source of funding even as it was building its own internal capacity—legal, scientific and political—and even as it squared off against some of the most powerful interests in the region, including power, timber, and shipping companies, as well as commercial fisherman, developers and state and federal government agencies.

The stakes in the face-off, meanwhile, were unimaginably high. As Sampson, the Commission's executive director from 1999 to 2003, describes it, "I would always hear the elder people say, 'You know, we're one with the salmon. What has happened to the salmon has happened to us.'"

Winning A Seat at the Table

Although the commission derived its power from the separate tribes—the commission itself was made up of all those who served on each of the four tribes' fish and wildlife committees—initially it appeared to have little power and not much respect among outsiders. "People just kind of patted us on the head and said, 'Oh, isn't that cute, they have their own commission,'" says Tim Wapato, a member of the Colville tribe and the commission's fourth executive director. With its skeletal staff and a small budget, the Commission didn't exactly present a formidable front.

But condescension quickly turned to respect when a series of decisions began cascading down in federal courts, all affirming the Native Americans' right to manage the Northwest Pacific salmon fishery. It more than got officials' attention; it had some of them in a panic. All of a sudden the new interest group on the block emerged as a leading voice in the management of the Columbia River and the salmon fishery. The Commission had become a voice to be reckoned with.

In keeping with that reinforced role, the Commission began seriously beefing up its budget and its staff—going from nine people and an annual budget of \$300,000 in the early 80s, to 40 people and \$5.5 million in 1989.

And the Commission clearly needed to build its internal capacity. While the favorable court decisions were a powerful foundation from which to work, the Commission still had long, challenging fights ahead in defining its role in managing salmon. Since the early 1930s, various government entities had made commitments to the tribes to mitigate damage and to rebuild salmon stocks. In the eyes of activists, those commitments amounted to "fewer and fewer salmon and more and more empty promises from the federal government, and more and more empty, bureaucratic planning processes offered up by the states," says Ted Strong, the Commission's executive director from 1990 to 1999.

And so the Commission knew all too well that taking advantage of its newfound leverage would mean having to quickly develop the legal, policy and scientific expertise it would need to assert itself. If it was going to fulfill the promise of the court decisions and the power invested in it, the Commission would have to present solid plans—real policies and projects—aimed at rebuilding salmon stocks. The Commission had to do all of this, even as it continued to fight for its position. Opposing interests considered salmon to be a secondary issue, at best, when it came to using the water from the Columbia River watershed, and they surely considered the Commission to be an unwanted and nettlesome new force to be dealt with as fierce debates continued over how best to manage the Columbia River watershed.

Despite the ongoing challenges, when the U.S. and Canada sat down to work out a bi-lateral salmon fisheries management plan in 1985, the Commission was at the table. "We were negotiating the U.S.-Canada treaty, which basically set up a harvest scheme between Canada, Alaska and the lower 48 states," says Doug Dompier, a fish biologist who has worked at the commission since 1979. "And [then-executive director] Tim Wapato was instrumental in that and

we were getting four calls a day from [high-level policy people], and I was thinking, 'five years ago we couldn't talk to any of these people unless it was in front of a judge.'

"There's now a greater acceptance that the tribes are at the table," agrees Roy Sampsel, Commission executive director during the 1970s. "But it's only because of the growth, persistence and insistence of the Commission, and the fact that they have this legal foundation that's been challenged many times and never overthrown."

"Throwing Chickens in the Air"

Actually having a seat at the table was a new, interesting and engaging proposition, says Wapato. As the Commission began to test the boundaries of its authority and influence, it would often show up at a meeting of other river interests and stir things up.

"One of the tribal elders would make a suggestion and I'd say, 'Well, let's go try it,'" says Wapato. "And they'd say, 'Oh they'll never accept that.' And I'd say, 'How do we know? We've never asked them. And there's a meeting and let's go to that meeting and get all the chickens in the air.' And they'd say, 'Get the chickens in the air. What do you mean by that?' And I'd say, 'We're going to throw a proposal on the table and then watch them. They're going to jump up and down and squawk.' And sure enough, they would."

But as the Commission evolved, activists recognized that the commission needed to do more than stir things up. They needed some overall plan and guiding principle to center the organization and focus it. Early on, according to CRITFC staffers, the Commission was signing on to one project or another—an attempt to establish a Native American fishing reserve in a particular body of water, for example—with no fundamental strategic direction or over-arching mission in mind. "What you'd see early on was a feeding frenzy on money that was thrown out to tribes," says Rob Lothrop, director of the Commission's Policy Development and Litigation Support Department. "And everything was project oriented rather than ecosystem-based. And projects would get funded that weren't really an integrated part of larger picture."

Meanwhile, the plans that were being developed never seemed to get anywhere, even when supported by landmark court cases like *U.S. v. Oregon*, the longest ongoing case involving Indian fishing rights, and the case that actually led to establishing the commission. "We developed all these sub-basin plans in the Columbia River that everyone was going to implement under *U.S. v. Oregon*," says Doug Dompier. "And no sooner had they got those done than they were put right on the shelf and everyone just forgot about them."

In other words, say activists, the Commission seemed to be lurching from crisis to crisis, arguing about salmon's endangered species status or fighting state bureaucracies over various policy decisions, or trying to work out plans in response to various legal decisions.

"The tendency was for everybody to run wherever the next fire was lit or wherever we saw smoke rising," adds Ted Strong. "The tribal elders wanted a more stable organization. And they wanted an organization that had a sense of cultural pride and spiritualism."

"The Spirit of the Salmon"

In close consultation with elders from the four tribes that the Commission represented, staff began to work out what form such a guiding principle might take. It would, on the one hand, have to capture the essence of what salmon meant to the tribes and their respective heritages. But on the other hand, it would also have to provide real direction for restoring salmon stocks. "Culturally we could say, 'This is where we know salmon used to be,'" says Ted Strong. "But science would tell us whether or not it was possible to reintroduce or supplement with additional brood stock to create healthy, viable populations out there. And science would tell us whether or not federal policy was even close to being acceptable."

The two key concepts were eventually captured in a single and graceful phrase: "Wy-Kan-Ush-Mi Wa-Kish-Wit," or "the spirit if the salmon," which has been officially adopted by the commission as its Tribal Restoration Plan for Columbia River Salmon.

"It took a long while to develop," says Rob Lothrop. "There were certainly plenty of other distractions. But we got it done. It doesn't have the same kind of legal authority as the Endangered Species Act or some of the other mandated plans, but its influence is in the fact that it really knitted together the various stages of the salmon life cycle and represented a statement from tribal culture and tribal government of a vision for salmon restoration." Adds Ted Strong, "Wy-Kan-Ush-Mi Wa-Kish-Wit brought about a simplification because we couldn't write a mission statement or an objective that encompassed the entire world. In order for the salmon to survive, the whole ecosystem had to change. Dams had to be altered. River flows had to be altered. Water quality had to be improved. The rate of development had to slow down. People's lifestyles had to change. And we couldn't put all of that in a single statement. So we decided to just state the obvious, that we were going to put the fish back in the rivers."

The power of this concept, and the resulting over-arching recovery plans turned heads, adds Strong. "This was truly the first watershed-based plan anyone had seen. I think even the National Marine Fisheries Service began to read this Wy-Kan-Ush-Mi Wa-Kish-Wit. And they didn't want to give credit to a tribal organization because we were supposedly not learned and we didn't have our people placed on blue-ribbon scientific panels. But the plan had such an element of common sense for how these resources were going to be managed."

What has flowed from Wy-Kan-Ush-Mi Wa-Kish-Wit has been a remarkable and integrated set of plans, policies and projects aimed at bringing back the salmon on a watershed-wide basis, while allowing the Nez Perce, Umatilla, Warm Springs and Yakama the opportunity to reaffirm their connection with salmon. At the same time, the fledgling recovery effort has even allowed the tribes to take advantage of slowly recovering salmon stocks to use them for their own commercial fishing purposes.

The Commission has successfully opened fish hatcheries, and returned brood stock to key Columbia River feeder streams and rivers. They have sponsored river cleanups even as they continue to fight to keep government officials' feet to the fire on past agreements around dam management and even breaching efforts. Meanwhile, the Commission also continues to push for policies aimed at mitigating the impact of everything from drought to overdevelopment. And they continue to challenge their most persistent and powerful nemesis, the Bonneville Power Administration, which operates all the hydroelectric dams in the Columbia River basin and which continually works to sidestep fisheries management agreements with tribes dating back to the 1930s.

The result of the tribes' remarkable unity and persistence in the face of continued powerful forces that would gladly undercut the salmon recovery effort if allowed, can be seen in the numbers. Salmon runs have inched back up to the point where last year the Commission allowed the first net fishing effort in nearly 40 years, thanks to the second largest salmon run in during the same time period. But the price of restoration, commission activists well know, is persistence worthy of migrating salmon.

"The issues that we started dealing with when the Commission was formed are the ones we still have today," says Roy Sampsel. "We are perhaps dealing with them differently, with more sophistication. But the battle to be involved in management decisions, forcing your way into the science and scientific community; the continuing battle to make sure there are enough resources to get the job done; the issue of river operations; the influence of other economic and power interests in the region. None of that has changed, which is why you have to remain true to your principles and you have to be persistent, persistent, persistent."

Across Seven Generations

The Native Americans have another guiding principle when it comes to the work they do around the Columbia River watershed, and that is "planning for seven generations."

Given the ongoing nature of their struggle, it is vitally important, say tribal activists that "the spirit of the salmon" passes from generation to generation. Everyone who has ever worked for the Commission has multiple stories about learning about the intertwined history of the salmon and the four tribes from tribal elders. "I learned about fishing as I was growing up," says Don Sampson. "I would travel with my uncles and my father and we would fish. And also, and probably more importantly, my grandmother would talk about fishing. And they talked about the places that they fished and the importance of salmon. And we were participating all the time in cultural activities like going to the longhouse for the salmon feast." As Sampson grew up and the situation around the salmon grew more precarious, those same elders had a very simple question for him, says Sampson. "They asked me, 'Well, what are you going to do?'"

Indeed, tribal elders have always been the primary influence since the Commission's inception, perennially informing its day-to-day operations. "I remember that my marching orders came from the older gentleman and ladies [among the four tribes] who were kind enough to impart to us their stories," says Tim Wapato. "And they were very graceful about it. Because rather than sit us down and say, 'Listen you dumb kids, you don't know anything,' they would tell us a story in the old Indian way and we learned what the fisheries meant to those tribes from those commissioners, and those became our guiding principles."

It is those same principles that the Commission is also working through the Nez Perce, Umatilla, Warm Springs and Yakama to impart to upcoming generations. "We're working with the next generation," says Sampsel, "because they're the next generation of leadership and they need to know that none of this happened by accident - it was because of culture and history."

"And what binds us is our spiritual connection, our familiness, our oneness among the tribes," adds Don Sampson. "We all share the salmon. We share our cultures. We share the table. We share our families. And that's what always brings us back together."

Given the battles still to come, sustaining the values of inter-generational and inter-tribal sharing, teaching, learning and activism, is going to be absolutely critical, say tribal leaders. If Native Americans do not fight for the salmon, the fight for salmon just might be lost.

"It is in the trueness of those values that we are trying to uphold and implement good public policy," says Sampsel. "When those tribes and this government signed those treaties, the Indians took those very, very seriously and have continued to do so. And I find that the handshake 150 years later, and those signatures on that document, those were commitments that were made. And I sometimes wonder and wish that other people who had made commitments were as steadfast as we have been in the belief that they had to be honored."

October 2004