



2024 Winter Convention

RESOLUTION #2024 – 09

“SUPPORTING AND THANKING ALL THE LEADERS WHO HAVE HEARD THE ATNI TRIBES’ VOICES, AND ESPECIALLY THE BIDEN-HARRIS ADMINISTRATION, SENATORS MURRAY, AND CANTWELL, REPRESENTATIVES SIMPSON AND BLUMENAUER, GOVERNOR INSLEE, AND GOVERNOR KOTEK FOR STEPS THEY ARE TAKING TOWARD SALMON AND RIVER RESTORATION IN THE PACIFIC NORTHWEST, AND TOWARD LONG-IGNORED TRIBAL JUSTICE FOR OUR PEOPLES AND HOMELANDS”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, the modern Northwest with its basin-wide irrigation, hydropower, and storage systems was built on the backs of tribal people from the 1930s on, through the use and destruction of the lands, rivers, and fisheries we have lived with for thousands of years; and

WHEREAS, the United States shares a unique relationship with the Tribes of ATNI, with the United States being bound to honor the obligations to tribes made in Treaties, Executive Orders, and as a result of its trust responsibility to tribal sovereign nations; and

WHEREAS, the fate of our Tribes and the fate of Northwest salmon are intertwined; and

WHEREAS, ATNI, through Resolution #2021-23 adopted at the 2021 ATNI Virtual Mid-Year Convention, emphasized real and imminent salmon and climate crises, and long-ignored tribal justice crises facing the Pacific Northwest, and called on the President of the United States (POTUS) and the 117th Congress to seize this historic opportunity and chart a stronger, better future for the Northwest and bring long-ignored tribal justice to our peoples and homelands, specifically *“to ensure that funding is set aside now at this critical ecological juncture for salmon and orca, to implement the bold actions for salmon and river restoration identified in the framework of Congressman Simpson’s Energy and Salmon legislative proposal, including restoring the lower Snake River by breaching the four lower Snake River dams”* and *“to ensure that the salmon restoration priorities of the Tribes of ATNI are prioritized and funded”*; and

WHEREAS, after ATNI Resolution #2021-23, NCAI adopted resolution AK-21-009 amplifying ATNI Resolution #2021-23; and ATNI timely convened a Northwest Tribal Salmon and Orca Summit on July 7-8, 2021 to ensure the Tribes’ voices were heard by the Biden-Harris Administration and Congress; and

WHEREAS, ATNI through Resolution #2022-23 adopted at the 2022 Mid-Year Convention, expressed its support and thanks to all the leaders who have heard the voices of the ATNI tribes and for these leaders’ public acknowledgement, efforts and current actions in moving the Northwest toward the bold actions that will be needed for salmon and river restoration in the Columbia Basin, and NCAI adopted resolution #ANC-22- 022 amplifying ATNI Resolution #2022-23; and

WHEREAS, ATNI through Resolution #2023-14 adopted at the 2023 Winter Convention further expressed its support and thanks to all the leaders who have heard the voices of the ATNI tribes and for these leaders’ public acknowledgement, efforts and current actions in moving the Northwest toward the bold actions that will be needed for salmon and river restoration in the Columbia Basin, and *“call[ing] for continued support and action from the Biden-Harris and subsequent Administrations and the Congress to ensure that the bold actions needed for salmon and river restoration in the Columbia Basin are taken”*; and

WHEREAS, as referenced in these ATNI Resolutions, the Biden-Harris Administration consulted with Columbia Basin Tribes, and on March 28, 2022 issued a White House Statement – signed by Secretary Deb Haaland (Department of the Interior), Secretary Jennifer Granholm (Department of Energy), Assistant Secretary Michael Connor (Department of the Army), Chair Brenda Mallory (Council on Environmental Quality), and Under Secretary Dr. Richard Spinrad

(Department of Commerce/NOAA) – recognizing that the Columbia Basin is a region where *“For the Tribes, their past, present, and future is inextricably linked to the continued existence of salmon and the health of rivers that support them, which is why the Tribes experience profound consequences from the dwindling salmon runs. As the Affiliated Tribes of Northwest Indians and the National Congress of American Indians explained in resolutions passed last year, the Basin faces not only an environmental crisis, but an environmental justice crisis too”*; and concluding that, *“We cannot continue business as usual. Doing the right thing for salmon, Tribal Nations and communities can bring us together. It is time for effective and creative solutions”*; and

WHEREAS, the Biden-Harris Administration’s March 28, 2022 White House Statement acknowledged it had heard the longstanding requests from Columbia Basin Tribes:

“The Tribal leaders welcomed this dialogue, and they made clear they want more than words. They brought ideas to the table and they want action”; and

“We heard calls to support breaching the four dams on the lower Snake River to restore a more natural flow, also about the needs to replace the services provided by those dams”; and

“We heard a request to fully fund fish and wildlife restoration and to vest in Tribes and states a stronger role in managing those funds. Relatedly, we heard a consistent theme that the current fish mitigation funding is mismatched with the burdens experienced by Tribes: it is too little in light of the scale of the harms and the extent of restoration needed, and the locations and species benefitted are not in proportion to the impacts”; and

“We heard a request to support reintroduction of salmon in areas that historically yielded abundant populations, but are fully blocked by dams lacking fish passage: the Upper Columbia and Upper Snake”; and

“We were asked to consider the Basin holistically because of its inherent interconnectedness”; and

“We heard that the expertise and sovereignty of the Tribes should be recognized in federal agency processes and actions that might affect the Basin. We agree. Respecting the sovereignty of Tribal Nations and their knowledge and expertise is a priority for this Administration.”; and

WHEREAS, , the Administration on August 4, 2022, filed “United States Commitments” in the Oregon Federal District Court hydrosystem litigation, starting with Guiding Principles that:

“The Biden Administration is committed to supporting development of a durable long-term strategy to restore salmon and other native fish populations to healthy and abundant levels, honoring Federal commitments to Tribal Nations, delivering affordable and reliable clean power, and meeting the many resilience needs of stakeholders across the region. The Administration recognizes that business as usual will not achieve the

goals of restoring salmon populations and ecosystem functions and that, despite hard work, ingenuity, great expense, and commitment across all levels of Federal, State, Tribal, and local governments and a wide range of stakeholders, many fish populations in the Columbia River Basin—salmon, steelhead, and others—have not recovered, some continue to decline, and many areas remain inaccessible to them. In the face of climate change, urgent action is needed to restore salmon and other native fish populations to healthy and abundant levels. The Administration is committed to rapidly engaging on comprehensive, durable solutions in the Columbia River Basin.” and

WHEREAS, the August 4, 2022 United States Commitments emphasized engagement in substantive discussions “*with a whole of government commitment from the Administration*” involving “*continued and deliberate engagement of senior Administration officials*”; and that “*to demonstrate the breadth and seriousness of the Administration’s commitment to completing and implementing the durable long term strategy,*” the Administration was making additional commitments that include:

“exploring lower Snake River habitation restoration opportunities, including but not limited to migration corridor restoration through breaching the four lower Snake River dams”;

“exploring appropriated or otherwise available short- and long-term funding opportunities and actions ... including addressing unmitigated Tribal needs, avoiding future issues with respect to creating inequities, and actions supporting salmon and other fisheries and fish and wildlife programs and infrastructure that can be implemented in 2023 and subsequent years”;

“developing and implementing a plan to explore providing full support for and funding of Phase II reintroduction actions as well as other reintroduction efforts in the Upper Columbia River”; and,

“exploring ... post-2023 operations as part of a long-term comprehensive solution.”

WHEREAS, , the August 4, 2022 United States Commitments and the March 28, 2022 White House Statement served as the basis for a further stay of the longstanding litigation over the impacts of the federal dams on the mainstem Columbia and lower Snake River through August 31, 2023 granted by the Oregon District Court; and

WHEREAS, on September 30, 2022, NOAA Fisheries – together with the U.S. Fish and Wildlife Service and after providing an opportunity for input from the Basin’s sovereign Tribal and state fishery managers – finalized its science report “Rebuilding Interior Basin Salmon and Steelhead”, which expressly confirmed that a “*comprehensive suite [of] actions are needed to provide the highest likelihood of reversing near-term productivity declines and rebuilding towards healthy and harvestable runs in the face of climate change.*” “[C]enterpiece actions are paramount for specific stocks.....*For Snake River stocks, the centerpiece action is restoring the lower Snake River via dam breaching.....For upper Columbia River stocks, the centerpiece action is reintroducing fish into blocked areas..... For mid-Columbia stocks, in addition to*

improved passage through lower mainstem dams, it is important to improve water quality and quantity and passage survival in focused areas of low- to mid-elevation tributary habitats.”; and

WHEREAS, as set forth in ATNI Resolution #2023-14, Basin Tribes and states have expressed serious concerns, and elevated these concerns to the Administration, that the Bonneville Power Administration (BPA) has continued “business as usual” – contrary to the August 4, 2022 United States Commitments and the March 28, 2022 White House statement – in its allocation of surplus revenues and setting of rates, that is not responsive to the salmon extinction crisis and does not treat fish and wildlife equitably with energy; and

WHEREAS, on October 4-5, 2022, Secretary Granholm conducted a Nation-to-Nation roundtable with Tribes as part of a Tribal Energy Summit consultation with Tribes, where the Secretary emphasized that “*Tribal communities are at the heart of President Biden’s vision of a more equitable, resilient, and inclusive America, and at DOE, Native communities will always have a seat and voice at the table*” and where Basin tribal leaders expressed support for the United States’ consultation with the Basin Tribes on salmon, emphasized the urgency of avoiding extinction and restoring salmon, and expressed concerns with BPA’s “business as usual” despite the Administration’s vision and commitment; and

WHEREAS, as set forth in ATNI Resolution #2023-14, Basin Tribes have met with the Office of Management and Budget to emphasize the need for a “whole of government approach” and the need for additional federal funding associated with replacing the services of the lower Snake River dams (and the opportunities presented in the Inflation Reduction Act and Climate Bill); making a significant new investment in the fish and wildlife program (and identifying tools and mechanisms available to the Administration); and addressing the backlog of fish and wildlife infrastructure; and

WHEREAS, on August 25, 2022, U.S. Senator Patty Murray and Governor Jay Inslee released the final “Lower Snake River Dams: Benefit Replacement Report” following engagement with Basin Tribes which builds on Congressman Mike Simpson’s Columbia Basin Initiative, which concludes that “*the services provided by the LSRD could be replaced, or even improved upon, and where they cannot be replaced or improved, mitigation and compensation could be provided*”; and

WHEREAS, in conjunction with the release of this Report, Senator Murray and Governor Inslee emphasized that “*status quo is not a responsible option*”; that “*[e]xtinction of salmon, orca, and other iconic species in the Pacific Northwest is categorically unacceptable*”; that “*[t]he science is clear that – specific to the Lower Snake River – breach of dams would provide the greatest benefit to the salmon*”; that “*the construction of the Lower Snake River Dams resulted in harms to Tribal sovereigns and violations of Tribal treaties...Not only did the original construction of the Federal Columbia River Power System inflict real and lasting harm on sovereign Tribes, but these Tribes have not benefitted equally from the establishment of the dams. Tribes continue to grapple with declining salmon runs that have long been foundational to their cultural identity and economic well-being*”; and that the Report “*makes clear that – with adequate investment and coordination – it is possible to replace most of*

the services and benefits provided by the Dams...and to mitigate the loss of others”; that “today, there are clean energy generating resources moving their way through regional processes that if built, will replace the generating capacity of these dams – severalfold, by some estimates” and the energy provided by the Lower Snake River dams “constitutes only a small fraction of the new generating and transmission that our region must build”; and that Senator Murray and Governor Inslee are determined to seize the “unprecedented opportunity to reach solutions that serve everyone that relies on the dams, the river, and the salmon” associated with “the year-long stay agreed to on August 4th by litigants in NWF et al. v. NMFS et al.; the commitment by the Biden administration to negotiate toward a regionwide solution to salmon recovery; and the passage of landmark federal investments in clean energy, climate, and infrastructure”; and

WHEREAS, Senator Murray and Governor Inslee committed to “leverage[ing] the historic investments made in the Infrastructure Investment and Jobs Act and the Inflation Reduction Act to support energy replacement, infrastructure enhancement, and salmon recovery and habitat restoration” and also committed to:

Complete and/or authorize projects that will substantially expand salmon habitat and passage throughout the Columbia River Basin and the Puget Sound. Examples of these efforts include ... design and engineering work for new fish passage at the Chief Joseph and Grand Coulee dams, and the backlog of smaller-scale restoration, hatchery and remediation work throughout the Basin. Roughly one billion dollars in backlogged projects have been identified in the pipeline for action.

Work with Tribes, co-managers, and impacted stakeholders to determine a plan to more efficiently and effectively distribute salmon funding. Specifically, this will include an effort to transition implementation of NWPPC’s Fish and Wildlife Program from BPA to state and tribal fisheries co-managers; and

WHEREAS, in conjunction with the Murray-Inslee Report and Recommendations, Governor Inslee issued a statement emphasizing that “The state and federal governments should implement a plan to replace the benefits of the Lower Snake River Dams to enable breaching to move forward”; and highlighting that:

“We must recognize that breaching the dams [on the Lower Snake River] does in fact offer us the best chance at protecting endangered salmon and other iconic species that run through these waters....

“Many of the actions required to mitigate and replace those benefits [of the dams] will require federal and congressional action. For our part, I’m committed to ensuring we find a way to replace the energy benefits and invite the community and Tribal leaders of the area to help us navigate the siting and planning challenges associated with building that infrastructure.... I will also continue working with state leaders on salmon recovery investments and policies so we can continue the urgent work of protecting our salmon today.

“In addition, I’ve been tremendously heartened in recent months by the Biden administration’s commitment to negotiate a regional salmon recovery strategy, the year-

long stay that litigants have agreed to in the current lawsuit, and the historic investment opportunities presented by passage of the Inflation Reduction Act. These developments should give us all reason to be hopeful about planning our path forward.

“ . . . I hope that people continue to come together in good faith so we can achieve the mutually important goals of a thriving economy, adequate clean electricity supplies for the region, and healthy salmon runs that honor the Tribal treaties agreed to by the federal government decades ago ”; and

WHEREAS, in conjunction with the release of the Murray-Inslee Report, Senator Murray emphasized that “[w]e cannot under any circumstances allow the extinction of salmon to come to pass” and that “[j]ustice for the Tribes of the Pacific Northwest must be at the forefront of the environmental and economic agenda as we work toward salmon recovery—this will require an ongoing commitment and consistent consultation as regional investments are made”; and

WHEREAS, since ATNI Resolution #2023-14, ATNI hosted a 2023 Pacific Northwest Tribal Energy Summit; and

WHEREAS, on March 21, 2023, with many Northwest tribal leaders in attendance, President Biden announced the Administration’s commitment to “*work with Tribal leaders, Senator Murray, Senator Cantwell and Representative Simpson to bring healthy and abundant salmon runs back to the Columbia River system*” as part of the Conservation in Action Summit; and

WHEREAS, with Governor Inslee’s support, the Washington legislature adopted budget provisions in 2023 directing additional planning on replacing the energy, irrigation and transportation services of the lower Snake River dams; and

WHEREAS, in 2023, the states of Washington and Oregon, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Warm Springs Reservation, the Confederated Tribes and Bands of the Umatilla Indian Reservation, and the Nez Perce Tribe united in developing and advancing the Columbia Basin Restoration Initiative (“CBRI”), a comprehensive, Basin-wide blueprint to address the salmon extinction crisis and advance a “*durable long-term strategy that restores salmon and other native fish populations to healthy and abundant levels, ensures a clean energy future, supports local and regional economic resilience, restores ecosystem function and honors longstanding unmet commitments to Tribal Nations*”; and

WHEREAS, on September 21, 2023, the United States entered into an agreement with the Confederated Tribes of the Colville Reservation, the Coeur d’Alene Tribe, and the Spokane Tribe of Indians to support and advance Tribally-led salmon reintroduction efforts in the Upper Columbia River Basin; and

WHEREAS, on September 27, 2023, President Biden issued a Presidential Memorandum on Restoring Healthy and Abundant Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin that identified a priority for the Administration “*to honor Federal trust and treaty responsibilities to Tribal Nations — including to those Tribal Nations harmed by the construction and operation of Federal dams that are part of the Columbia River System;*” and

WHEREAS, this Presidential Memorandum further directs that all relevant Federal agencies “*work with the Congress and with Tribal Nations, States, local governments, and stakeholders: to pursue effective, creative, and durable solutions, informed by Indigenous Knowledge; to restore healthy and abundant salmon, steelhead, and other native fish populations in the Basin; to secure a clean and resilient energy future for the region; to support local agriculture and its role in food security domestically and globally; and to invest in the communities that depend on the services provided by the Basin’s Federal dams to enhance resilience to changes to the operation of the CRS, including those necessary to address changing hydrological conditions due to climate change;*” and

WHEREAS, on December 14, 2023 the United States Government announced its “*U.S. Government Commitments in Support of the ‘Columbia Basin Restoration Initiative’ and in Partnership with the Six Sovereigns;*” (United States Commitments) and

WHEREAS, the United States Commitments recognize that the Commitments are an initial step, acknowledging that “*these commitments do not represent the exhaustive suite of actions that will be developed and carried out under the Presidential Memorandum*” and emphasizing “*the expectation that these efforts will grow, expand, and include other sovereigns and stakeholders*”; and

WHEREAS, in conjunction with the United States Commitments, the United States announced a 10-year partnership Memorandum of Understanding with the Six Sovereigns and the NWF *et al.* Plaintiffs, wherein the Federal agencies agree to implement the USG Commitments, consistent with the Presidential Memorandum and in partnership with the Six Sovereigns and other stakeholders in the region, to make headway on the objectives in the CBRI, and

WHEREAS, the CBRI, the USG Commitments, and the Partnership Memorandum of Understanding are the foundation for the United States, the Six Sovereigns, and the National Wildlife Federation *et al.* Plaintiffs to support a five year stay of decades-long litigation; and

WHEREAS, the United States has initiated work to implement the USG Commitments; and

WHEREAS, since ATNI Resolution #2023-14, Columbia Basin Tribal leaders have continued to emphasize the critical necessity of preventing salmon extinction and restoring salmon throughout the Columbia Basin in meetings with President Biden and the Administration; in meetings with Governors; in meetings with Congress; and in meetings with the public and stakeholders, and

THEREFORE BE IT RESOLVED, that ATNI supports and thanks all the leaders who have heard the voices of the ATNI tribes, and especially thanks the Biden-Harris Administration, Senators Patty Murray and Maria Cantwell, Governor Jay Inslee, Congressman Mike Simpson, Governor Tina Kotek and former Oregon Governor Kate Brown, and Congressman Blumenauer, for their public acknowledgements, efforts and current actions in moving the Northwest towards the bold actions that will be needed for salmon and river restoration in the Columbia Basin: to support salmon, steelhead, lamprey, and native fish, within their complete ecosystems – from the orca in the ocean and Puget Sound to the nutrients salmon supply to the furthest inland streams –

and to support the Northwest Indian people who have lived with these species in mutual dependence since time immemorial; and

BE IT FURTHER RESOLVED, that ATNI Tribes call for continued support and action from the Biden-Harris and subsequent Administrations and Congress to ensure that the bold actions needed for salmon and river restoration in the Columbia Basin are taken; and

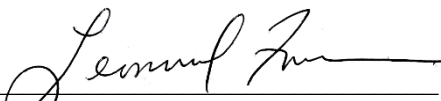
BE IT FURTHER RESOLVED, that ATNI calls for a timely convening of a 2024 Tribal Salmon and Orca Summit, with invitations to Presidential Administration Officials and to Congressional Delegation Members, to meet and take timely action with respect to the salmon and orca restoration priorities of the Tribes of ATNI; and

BE IT FURTHER RESOLVED, that ATNI requests the Biden-Harris Administration to further and timely consult in 2024 on a Nation-to-Nation basis with the Columbia Basin Tribes on preventing extinction and rebuilding salmon throughout the Basin; and

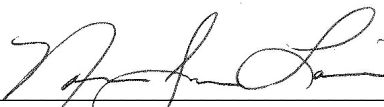
BE IT FINALLY RESOLVED, that this resolution be forwarded to the National Congress of American Indians.

CERTIFICATION

The foregoing resolution was adopted at the 2024 Winter Convention of the Affiliated Tribes of Northwest Indians, held at the Hyatt Regency, Portland, Oregon, January 28- February 1, 2024, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary

