



## **2024 Midyear Convention Canyonville, Oregon**

### **RESOLUTION #2024 – 21**

#### **“CALLING ON THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) TO DENY PRELIMINARY PROJECT APPLICATIONS FOR THE PROPOSED PUMP STORAGE DEVELOPMENT AT PUSHPUM, ADJACENT TO THE COLUMBIA RIVER”**

#### **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 Confederated Tribes and Bands of the Yakama Nation (“Yakama Nation”), an ATNI member Tribe, adopted Resolution T-089-21 (May 24, 2021) to oppose the irreparable damage of its inherent Traditional Cultural Properties and destruction of root gathering rights, reserved under the Treaty with the Yakamas of 1855, threatened by a proposed pumped storage development at Pushpum, adjacent to the Columbia River; and

**WHEREAS**, the ATNI adopted Resolution #2023-15 to support and stand with the Yakama Nation in opposition to the proposed pump storage development at Pushpum and permitting for development that threatens to destroy Traditional Cultural Properties; and

**WHEREAS**, the National Congress of American Indians adopted Resolution #ECWS-23-002, supporting and standing with the Yakama Nation’s opposition to the proposed pump storage development at Pushpum and other Tribal Nations facing the loss of Traditional Cultural Properties for national energy development; and

**WHEREAS**, under the National Park Service Bulletin 38, Traditional Cultural Properties are eligible for listing on the National Register of Historic Places and are associated with cultural practices or beliefs that are rooted in a living community’s history and are important in maintaining the continuing cultural identity of that community; and

**WHEREAS**, on February 15, 2024, the United States Federal Energy Regulatory Commission (FERC) established in a new policy, 186 FERC 61,117, that it “will not issue preliminary permits for projects proposing to use Tribal lands if the Tribe on whose lands the project is to be located opposes the permit.”

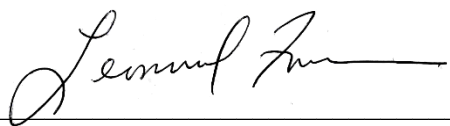
**WHEREAS**, on March 21, 2024, the federal Advisory Council on Historic Preservation issued a Policy Statement on Indigenous Knowledge and Historic Preservation stating that deference can and should be provided to the expertise of designated tribal representatives about Indigenous Knowledge that is provided to inform decision making in the Section 106 government-to-government consultation process; and

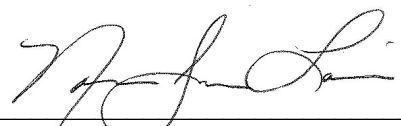
**THEREFORE, BE IT RESOLVED**, that ATNI calls on the United States Federal Energy Regulatory Commission (FERC) to use its discretionary authority asserted under 186 FERC 61-117 to deny preliminary project applications that threaten to destroy inherent or Treaty-reserved Traditional Cultural Properties of the Tribe whose threatened loss of associated inherent or Treaty-reserved rights oppose the permit; and

**BE IT FINALLY RESOLVED**, that ATNI also calls on the Federal Advisory Council on Historic Preservation to consult, before signing any project Programmatic Agreement, with the Yakama Nation and other Tribal governments impacted by potential destruction or loss of Traditional Cultural Properties by the issuance of a Federal Energy Regulatory Commission preliminary project license.

**CERTIFICATION**

The foregoing resolution was adopted at the 2024 Midyear Convention of the Affiliated Tribes of Northwest Indians, held at the Seven Feathers Casino in Canyonville, OR, May 19 – May 23, with a quorum present.

  
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Leonard Forsman, President

  
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Norma Jean Louie, Secretary