



NATIONAL CONGRESS OF AMERICAN INDIANS

**The National Congress of American Indians
Resolution #ABQ-19-082**

TITLE: Support for Inclusion of Fish Passage Considerations in the Columbia River System Operations Environmental Impact Statement Analysis

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WHEREAS, we, the members of the National Congress of American 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 the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the United States District Court for the District of Oregon held that the Biological Opinion (BiOp) prepared by the National Oceanic and Atmospheric Administration for the operation of the Federal Columbia River Power System (FCRPS) was legally inadequate in 2016; and

WHEREAS, the Court ordered the Federal Action agencies (Bonneville Power Administration, U.S. Army Corps of Engineers, and the Bureau of Reclamation) to prepare a new BiOp and to prepare for the first time an Environmental Impact Statement (EIS); and

WHEREAS, the Confederated Tribes of the Colville Reservation is a confederation of twelve tribes with approximately 9500 members, and two of its reservation boundaries are the Columbia River; and

WHEREAS, salmon and other anadromous fish are an important part of the religion, culture and subsistence of the Confederated Tribes of the Colville Reservation, as well as many other tribal nations of the Northwest and Alaska, which have been working with other entities to study the feasibility of passage for chinook and sockeye salmon over the Chief Joseph and Grand Coulee Dams, both of which are located on the Colville Reservation; and

WHEREAS, the Federal Action agencies are not considering fish passage as an alternative in the EIS process, although this has been requested by the Confederated Tribes of the Colville Reservation, other tribes and entities and would address the greatest single impact to Columbia Basin salmon from the FCRPS; and

WHEREAS, there is an emergent need to submit any comments, since the EIS NEPA Overview Process published by the Columbia River System Operations targets issuance of the Draft EIS in Fall 2019 – Spring 2020.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) hereby supports the request of the Confederated Tribes of the Colville Reservation – and the request of other affected tribal nations with their consent – that the Federal Action agencies include fish passage over Chief Joseph and Grand Coulee Dams within the selected alternative in the Columbia River System Operations EIS process; and

BE IT FURTHER RESOLVED, NCAI fully supports the protection of all federally recognized treaty and indigenous resource rights and that the federal government take appropriate actions with respect to all hydroelectric facilities in the nation; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary