



# THE POLICY OF THE UPPER SNAKE RIVER TRIBES FOUNDATION FOR MANAGEMENT OF COLUMBIA AND SNAKE RIVER BASIN RESOURCES

Upper Snake River Tribes Authorizing Document

May 2015

***Disclaimer: The Upper Snake River Tribes Foundation does not have the authority to conduct government-to-government consultation on behalf of our four member tribes. Upper Snake River Tribes Foundation policy goals are met through coordination, information gathering and dissemination, facilitation of technical and policy meetings, and drafting of technical and policy statements for tribal approval.***

## ISSUE DEFINITION

Many non-federal hydroelectric projects (Projects) within the Columbia and Snake River Basins (Basins) are under review through the Federal Energy Regulatory Commission (FERC) licensing process. These areas have either lost or have seen the diminishment of anadromous and resident fish resources, as well as ecosystem-based function, which is defined as:

The ability of a watershed, its rivers and streams, to provide, protect, and nurture cultural resources, traditions, values, and landscapes throughout its length and breadth. Ecosystem-based function provides for clean and abundant water sufficient to sustain healthy populations of fish, wildlife, and plants. A resilient and healthy watershed also includes restoring and maintaining fish passage to historical habitats, increased spring and summer flows, lower summer water temperatures, and an ability to help buffer the impacts of a great variety of environmental conditions, such as climate change.

In addition, subsequent to the listing of various salmon, steelhead, bull trout, and snail species under the Endangered Species Act, as well as the initiation of other conservation efforts, the Basins are being viewed, as never before, as a valuable resource contributing to the overall Pacific Northwest regional conservation framework. The Upper Snake River Tribes (USRT) Foundation, including the Burns Paiute Tribe, Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Bannock of the Fort Hall Reservation, and Shoshone-Paiute of the Duck Valley Reservation, support efforts to conserve, protect, and enhance natural and cultural resources within the Basins and therefore establish this policy to re-emphasize existing policy statements and to provide direction to staff with regards to actions in the Basins.

## BACKGROUND AND INTRODUCTION

Since time immemorial, the Basins have provided substantial resources that sustain the diverse uses of the USRT. While the members of USRT currently reside within the Upper Snake River region, their aboriginal areas of use extend far beyond the region in all geographic directions. The USRT are living cultures who still practice their traditions and still visit their sites on our aboriginal homelands, and we still use the resources that our forefathers used (e.g. food plants and medicinal plants other

resources). Various land management practices, such as the construction and operation of hydroelectric Projects have contributed extensively to the loss of these crucial resources and reduced the productive capabilities of many resource systems. These losses have never been comprehensively identified or addressed.

Each member tribe is a federally-recognized tribe/sovereign government that has pledged their support by passing resolutions to create this Compact and approve its Charter. The primary goal of the USRT is to apply Tribal unity to protect and nurture all Compacting Tribes' rights and traditions. The USRT will work to ensure the protection, enhancement, and restoration of rights reserved by treaties, executive orders, agreements, and any inherent and aboriginal rights.

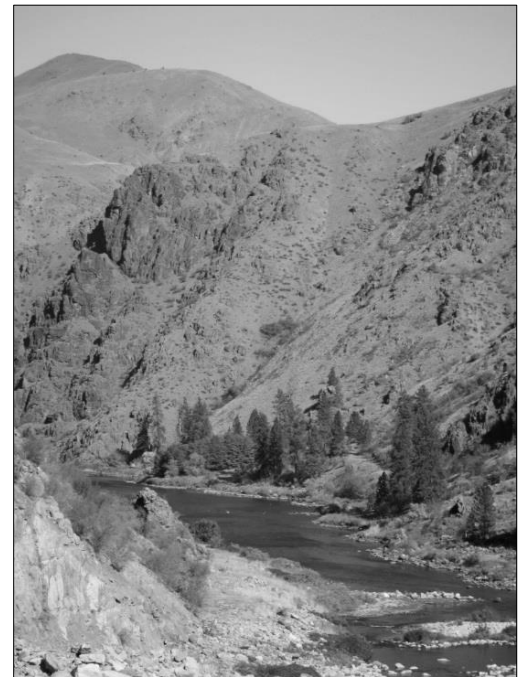
**In addressing issues, the USRT will rely on the following guiding principles from the USRT Motherhood document:**

- Use the best information over a broad scope and coordinate with all actions in order to provide definitive and proactive policies, planning, and principles for management;
- Sustain a stronger, unified Tribal voice for clear policy and technical direction;
- Assert management authorities of the Tribes through the Compact to pursue agreements with tribal, federal, and state resource co-managers, and private land owners;
- Share and coordinate management resources, through the Compact of the USRT, to increase the permanency and scope of tribal actions.

It has always been the intent and action of the USRT to promote the conservation, protection, restoration, and enhancement of natural and cultural resources, and the right to practice traditions during the processes that consider the development, operation, and management of federal Projects and during the land management activities of other entities.

This policy re-emphasizes member Tribes' existing policies and USRT's goals and guidance with regards to these processes and activities. However, the formal licensing process for Projects, as well as other recent undertakings that will consider the overall management of the Basins, represents previously unavailable opportunities to comprehensively identify and address impacts to ecosystem-based function and losses of resources affected by these Projects.

The importance of considering Tribal goals and objectives for affected resources is specifically recognized in the regulations outlining the federal licensing process and other federal laws and executive orders. The USRT has established the following policy for the Basins in order to provide guidance in determining these common goals and objectives. This direction is intended to be consistent with existing member Tribes' and USRT policy for participating in processes dealing with other land and water management activities.



**Snake River at Hells Canyon**

## STATEMENT OF POLICY

The USRT will pursue, promote, and where necessary, initiate efforts to restore the Columbia River and Snake River systems and affected unoccupied lands to a functioning ecosystem. This includes the restoration of component resources to conditions which most closely represents the ecological features associated with ecosystem-based function. In addition, the USRT will work to ensure the protection, preservation, and the enhancement of rights and interests reserved by treaty, federal laws, mandates, and executive orders, and any inherent aboriginal rights.

## CONCLUSION

In addition to the ongoing efforts of the USRT, its member Tribes, and federal/state agencies/entities, the licensing process, as well as recently initiated recovery efforts in the Basins, provides a firm basis to meet Tribal needs regarding resource conservation, protection, and enhancement. This policy will provide direction to USRT and Tribal staff for participating in regional processes as well as for the future development of resource- and process-specific USRT plans and guidelines.



**Columbia River Gorge**

USRT participation in the licensing efforts of Projects will be used to identify the direct, indirect, and cumulative effects attributable to the construction, operation, and any proposed modifications of Project facilities. The USRT and its member Tribes expect the license applicant(s), tribes, federal agencies/entities, and states in consultation with the Tribes and

agencies during the licensing process, to identify alternative management strategies and develop mitigation measures to reduce or facilitate no net loss or positive ecosystem responses consistent with this Policy.

In combination with existing policy and direction, other natural and cultural resource management activities (typically those undertaken by the federal agencies/entities) will be utilized to identify additional land management impacts within the Basins and will similarly identify alternative management strategies to develop and implement mitigation measures consistent with this Policy.

All federal agencies/entities will be expected to utilize all available means, consistent with their respective trust responsibility mandates, to protect Tribal rights and interests consistent with this Policy.

