

Congress of the United States
Washington, DC 20515

November 2nd, 2015

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army (Civil Works)
U.S. Department of the Army
108 Army Pentagon
Washington, D.C. 20310-0108

Dear Assistant Secretary Darcy:

We write with concern about conditions at many of the Columbia River Treaty Fishing Access Sites in the Columbia River Gorge, and to urge swift completion of the U.S. Army Corps of Engineers' (Corps) legal analysis regarding its authority to help remedy these conditions.

The Corps developed the Columbia River Treaty Fishing Access Sites to provide the four Columbia River Treaty tribes—the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes and Bands of the Yakama Nation—access to the river to fish at their “usual and accustomed fishing places.” Some of this work occurred in accordance with agreements between these tribes and the United States government following construction of the Bonneville Dam and the Corps completed additional work pursuant to Public Law 100-581 (1988), which directed them to acquire and improve sites on the river for tribal fishing use.

We understand that this work has been completed for all 31 sites, that ownership of the sites has been or is being transferred from the Corps to the Bureau of Indian Affairs (BIA), and that operation and maintenance of the sites has been contracted by BIA to the Columbia River Intertribal Fish Commission.

In completing its work, the Corps designed the sites to be used primarily for day-use fishing and some temporary camping. Out of both need for housing and a desire to be closer to the Columbia River where their cultural heritage lies, however, many tribal members now use these sites as permanent residences. These sites were not designed for and cannot sustainably accommodate this type and volume of use. In fact, many communities in these sites are living in extremely distressed, unsafe, and unsanitary conditions. For example, entire communities are reliant on a single water source and tribal members have constructed makeshift housing, posing fire, structural, and human health risks. There is an urgent need for adequate housing and infrastructure for these residents.

In 2013, a report commissioned by the Corps and using government sources found that between 44 and 85 families who lived on the Bonneville and Dalles Pools prior to dam construction did not receive relocation assistance. We understand that the Corps is now conducting a legal analysis to further clarify its obligation and authority to help address the current situation, to consider how many original tribal villages and dwellings were displaced by the construction of the Bonneville, John Day, and The Dalles dams, and to determine the agency's unmet obligation, if any, to replace that housing.

We thank you for examining these issues. The results of this legal analysis are essential to inform our next steps to improve the situation, either through action by the Corps or by Congress.

Some of us, and many of our staff, have toured one or more of these sites and seen these conditions first-hand. As a result, we have concluded that this situation requires immediate attention. We therefore urge you to complete the legal analysis as quickly as possible in order to inform the Army Corps' Fiscal Year 2016 Work Plan and the President's Fiscal Year 2017 budget process.

We look forward to working with the Corps, BIA, and the Tribes to find a fair, sustainable and timely solution.

Thank you for your attention.

Sincerely,



Earl Blumenauer
Member of Congress



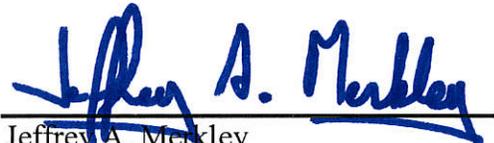
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Patty Murray
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Maria Cantwell
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