

TESTIMONY OF TERRY COURTNEY, JR.  
PFMC, MARCH 9, 2004, TACOMA, WA

Good morning Mr. Chairman and members of the Council. I am called Little Brother, my Christian name is Terry Courtney, Jr. I am a traditional platform fisherman from Warm Springs. My ancestors lived on the Columbia River for centuries at Wa-Shuks, Lone Pine Tree by The Dalles Dam.

I have here in my hands a copy of our Treaty of 1855 that states that our people RESERVED our rights to fish at all our usual and accustomed stations in common with the citizens of the United States.

Our forefathers signed this Treaty with honor and visions that our fish and our ways of life would be carried on into the unforeseen future. The Treaty is documented in the Constitution of the United States under Article 6 and states it is part of the supreme law of the land and the states must recognize the Treaty as such.

With me is Stuart Ellis, one of our many specialized staff persons that helps our Tribes. The Boldt Decision reminded the Treaty Tribes that they needed their own scientists and biologist so when they came to the table on fishing issues they should be equal.

On March 10, 1957, The Dalles Dam flooded out Celilo Falls, the last of the giant Indian fishing areas on the Columbia River. Celilo was also the last of our giant trading posts.

In 1938, many Tribal people and non-tribal people, with special dignitaries from the Northwest United States were gathered on the banks of the Columbia River (NiChwana)

to witness Bonneville Dam close their headgates. As the mighty river calmed behind the huge concrete walls and the lake formed and fanned out over the old Indian fishing grounds and their village sites, one of the tribal elders voiced his concerns for the salmon and what the Columbia River would be like. The elder had tears in his eyes and his voice quavered as he saw his heritage and culture devastated. One of the dignitaries came over to the tribal elder and told him not to work. He said "Don't worry, old man. We will build fish hatcheries. You will have more fish than you've ever seen in your life."

END!!!

As long as the dams are on the Columbia River and don't go away, there are obligations by other entities that have to cover Treat trust responsibilities to the Columbia River Tribes.

===== Mitchell Act of 1938, revised in 1946 by Congress =====

And cheap electricity in the Northwest is detrimental to all the Fishing Tribes in the Northwest. "Rates and conservation"

Testimony of Terry Courtney, Jr. at PFMC  
March 11, 2004, Tacoma, WA

Good morning Mr. Chairman, members. My name is Terry Courtney, Jr., Fish and Wildlife Committee, a traditional platform fisherman of the Columbia River Tribes.

From a former BPA director now a consultant for a power user group "fifteen" fish are saved during this period of summer spill flow in the Columbia River Basin. CoE has no new plans yet for pool refilling. BPA is claiming that there is economic decline in the Northwest's economy. BPA has finally persuaded NWPCC to be on their side as to eliminating summer spill flows and also to cut the Fish and Wildlife budget from \$186M to about \$156M and wants the option to be able to make smaller cuts within the F&W budget in future years.

The NW Power Act of 1980, equitable treatment between fish and the hydro power systems, is being ignored. The big push is to involve the average rate-payer and the savings BPA is going to pass back to the rate payers.

BPA made about \$500 million last year after all pay outs of their budget obligations.

There has been no tribal consultation from BPA or NPWCC.

McNary Dam: stranding during power peaking there is 2.2 million smolts. This number is acceptable by the Federal government.

The Deschutes River fall salmon have just now rebounded to their 1960 and early 1970 numbers. The average size is now 24-30 pounds as against about 15 pounds. This last fall was the first time that I've seen salmon in the 30-50 pound range since 1981.

The Sherars Falls traditional fisherman from the Deschutes River are against any kind of unmonitored spill flows. No more empty nets. This is a bad and unjust proposal. The Tribes object to this proposal.