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The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) initiated the Umatilla Salmon Recovery Project in 1980 to restore water and salmon to the Umatilla River while also protecting the local economy, which depends on irrigated agriculture. Remarkable both for its success in bringing salmon back to a river where they had been absent for seventy years and in the avoiding endless cycles of litigation frequently associated with natural resource and species restoration conflicts, the Project demonstrates the effectiveness of cooperative problem-solving.

In 1855, a treaty with the federal government brought the Cayuse, Umatilla, and Walla Walla Indian people together to form the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). As a result of this treaty and subsequent federal legislation, the Tribes' original homelands were reduced from 6.4 million acres in what is now northeastern Oregon and southeastern Washington to just over 172,000 acres, which today comprise the Umatilla Indian Reservation. However, through the Treaty of 1855, the Tribes also reserved specific rights to water, fishing and hunting, livestock pasturing, and the gathering of traditional foods and medicines. The Tribes knew that these resources were central to their culture—and to this day, the Tribes believe that without them, they would cease to exist as Indian people. The Treaty of 1855, therefore, is of paramount importance to the CTUIR tribal government, which is deeply committed to defending the rights that their ancestors reserved for them.

Regrettably, in the early part of the twentieth century, the federal government was less committed to honoring its agreement to these tribal rights: the United States Bureau of Reclamation built a large irrigation project in the Umatilla River Basin, creating a flourishing local economy based on irrigated agriculture, but driving the salmon in the river to extinction. By allocating the water of the Umatilla River—water that already was guaranteed to the Tribes through the Treaty of 1855—to non-Indian farmers, the federal government not only compromised CTUIR citizens' access to the river's water and salmon for economic, religious, and cultural purposes, but also pitted the Tribes and the irrigators against one another.

In 1980, the Confederated Tribes of the Umatilla Indian Reservation initiated the Umatilla Basin Salmon Recovery Project in an effort to defend their treaty rights, restore access to Umatilla River water and fish, and overcome water use conflicts between Indians and non-Indians. Implemented by the CTUIR's Department of Natural Resources and made possible through funding from the federal government, the Bonneville Power Administration, and the Tribes themselves, this comprehensive salmon recovery project has simultaneously supported irrigated agriculture while restoring salmon migrations in the Umatilla River. Notably, the Pacific Northwest Power Planning and Conservation Act of 1980 provided particular support to the Tribes in their effort to address the political, environmental, and cultural problems associated with salmon recovery. "Intended to

protect, mitigate, and enhance the fish and wildlife, including related spawning grounds and habitat, of the Columbia River and its tributaries, particularly anadromous fish,” the Act empowers tribal, state, and local entities to address the impact of Columbia River hydroelectric dams on regional fish and wildlife resources. To facilitate this work, it established the Pacific Northwest Power Planning Council to prepare and adopt a regional conservation and electric power plan. Thus, besides creating a more conducive political environment for tribally led salmon recovery, the statute created a valuable partner organization—and the Umatilla Tribes’ Department of Natural Resources has been able to coordinate much of its salmon recovery activity with the Power Planning Council.

A creative water swap is the centerpiece of the Umatilla River Salmon Recovery Project. By piping water to irrigators from the Columbia River rather than from the Umatilla River, the Project ensures the continuation of irrigated agriculture while preserving needed water flows to sustain the habitat and migration paths for salmon in the Umatilla. This piping does not affect Columbia River water flows because every bucket of water removed from the Columbia River is replaced with a bucket of water flowing in from the Umatilla. Authorized and funded by the 1988 Umatilla Basin Project Act and working in collaboration with the US Bureau of Reclamation, engineers and biologists of the CTUIR’s Department of Natural Resources have completed the first two phases of the Salmon Recovery Project, providing water to most of the irrigation districts in the Basin. Currently, the Tribes are seeking Congressional authorization of a third phase that will provide water to the remaining irrigation districts, thus ensuring that the Umatilla River will have year-round, fish-sustaining water flows.

However, irrigation piping is only a part of the Umatilla Basin Salmon Recovery Project’s comprehensive salmon restoration and ecosystem management effort. Other activities include administering salmon hatcheries, establishing viable fish passages, enhancing river and stream flows, protecting surrounding habitat, and monitoring and evaluating results. Indeed, the CTUIR Department of Natural Resources manages five Project-related programs that work to restore and protect the resources guaranteed to the Tribes through the Treaty of 1855. The Fisheries Program oversees fisheries resources on the Columbia River, the Snake River, and ten tributaries. The Water Resources Program develops policies and regulations for ground and surface water use on the reservation and issues permits for water withdrawals and to protect water quality. The Environmental Planning and Rights Protection Program assumes responsibility for protecting and restoring resources guaranteed to the Umatilla Tribal members through the treaty. The Cultural Resources Protection Program monitors construction activities to assure protection of the Tribes’ archeological and cultural resources. And, the Wildlife Management Program conducts wildlife and habitat research and protection.

The most dramatic success of the Umatilla Basin Salmon Recovery Project is twofold: it has restored salmon to a river from which they had been absent for nearly seventy years while sustaining the non-Indian agricultural economy. Indeed, the Salmon Recovery Project has had a dramatic impact on all of the salmon species found in the Umatilla River Basin. No spring chinook, fall chinook, or coho salmon were returning to the Umatilla River prior to the Salmon Recovery Project; now, each species returns in significant numbers. For nine of the last twelve years, enough adult spring chinook have returned to the Umatilla River to open a fishing season for Indian and non-Indian fishers. For example, there was a record coho salmon run in 2001 (22,000 fish), and in 2002, some 5,200 spring chinook, 4,000 fall chinook, and 5,500 steelhead returned to the Umatilla River.

The Salmon Recovery Project is dedicated to sustaining this success. One effort to do so has involved the creation of five reservation-based “satellite” fish release facilities rather than a single, centralized site. Although expensive, these “satellite” release facilities help ensure that salmon establish home waters throughout the reservation and, ultimately, establish more spawning grounds. CTUIR fisheries experts are optimistic that this process will decrease reliance on

hatchery supplementation as a means of restoration and increase reliance on natural reproduction. In testimony of this shift, salmon are beginning to reproduce naturally in the Umatilla River: in 2002, salmon spawned in several sites along the tributaries of the Umatilla River where none had spawned only several years ago. This change allows the CTUIR Department of Natural Resources to focus even greater attention on habitat restoration and sustaining the conditions for natural reproduction. Remarkably, such efforts already have contributed to the return of several other wildlife species to the area including the river otter, lamprey eel (which has its own separate restoration program within the CTUIR), and osprey. These species had not been seen in the river for more than fifty years, and their return is heralded throughout the community.

This dedication to excellence points to one of the factors supporting the success and longevity of the Salmon Recovery Project—the Confederated Tribes of the Umatilla Indian Reservation possess one of the most sophisticated and comprehensive natural resource management departments in the entire world. The Department’s accomplishments are due, in part, to its commitment to capacity development—especially homegrown capacity. The CTUIR have a history of encouraging tribal youth to attain the necessary technical and scientific skills to enhance tribal restoration efforts, and the Tribes’ Department of Natural Resources has consistently sought to recruit tribal-member biologists and support staff from this pool. Of the one hundred full-time staff members in the CTUIR’s Department of Natural Resources, forty-nine are tribal members.

At least three other factors have contributed to the Salmon Recovery Project’s remarkable success and continued progress. One is the CTUIR’s strategy for protecting treaty rights. While many tribes have fought for the protection of treaty rights through litigation, the Tribes’ guiding philosophy has been “cooperation before litigation.” Although both the CTUIR and their non-Indian neighbors understood that the Tribes could turn the Treaty of 1855 to their advantage, the CTUIR wanted to work cooperatively with their non-Indian neighbors to hold the federal government accountable. As a tribal negotiator in the Umatilla Basin Salmon Recovery Project said, “If we have to, we will litigate to protect our treaty-reserved rights, but we have seen that we can create solutions which meet everyone’s needs by sitting down with our neighbors, listening to each other, and developing our own solutions.”

An important benefit of the cooperative process is that the CTUIR have developed productive partnerships that have led to positive intergovernmental relationships with local, state, and federal agencies. For example, the CTUIR have partnered with, among others, the Oregon Department of Fish and Wildlife, the Oregon Water Resources Department, the Bonneville Power Administration, the Pacific Northwest Power Planning Council, and the US Bureau of Reclamation in implementing and funding this massive, multiyear salmon-recovery effort. Today, staff members of the CTUIR’s Department of Natural Resources hold prominent positions on regional committees that address wildlife and environmental issues, and the tribal government generally has a seat at the table whenever such issues are addressed in the Northwest.

Another factor that underwrites the Salmon Recovery Project’s success is its commitment to communication and outreach. The Confederated Tribes regularly invite non-Indian politicians, community members, and students to visit restoration sites on and near the reservation in order to educate them regarding recovery activities. They also hold events throughout the year to help educate the general public about salmon restoration and other natural resource issues. For example, the CTUIR organize Salmon Expedition, a year-round educational program for local school children, which helps them learn about salmon, other wildlife, the Umatilla River ecosystem, and the Tribes’ cultural values. To date, four thousand children have participated in this innovative program. Practices like these reinforce a broad understanding of tribal goals and values regarding the Salmon Recovery Project, help build the positive relationships necessary for Project progress, and thus, bolster the Project’s effectiveness.

An additional aspect of the Tribes' outreach is their effort to bring a cooperative, problem-solving approach to river management and salmon recovery outside the Umatilla Basin. "We want to apply what we've learned locally to help revive threatened salmon populations in the region," said a Salmon Recovery Project negotiator. "We believe the cooperative process between neighbors can be used as a model for success in the region and beyond." Even now, this philosophy is being implemented in the adjacent Walla Walla River Basin, where the CTUIR have begun working with Indian and non-Indian citizens to restore salmon while sustaining the irrigation needs of local farmers.

The Project's capacity to incorporate and promote both Western science and Native culture is a final noteworthy factor in its success. The return of the salmon to the Umatilla River Basin is largely the result of scientific expertise, which tribal citizens both recognize and appreciate—especially because salmon restoration has spurred a revitalization of cultural practices and traditions within the CTUIR. Salmon restoration means that tribal citizens are better able to preserve, practice, and teach ancient traditions. Tribal youth have developed a renewed sense of interest in their cultural practices and Native languages. Indian fishers along the Umatilla River are using traditional gaffing and dip netting to catch salmon the way their ancestors did. As the Umatilla Basin Salmon Recovery Project demonstrates, a tribal initiative can be both scientifically sophisticated and culturally appropriate – programmatic characteristics that are proving to be mutually reinforcing.

The Confederated Tribes of the Umatilla Indian Reservation are river people. As a tribal leader once said, "Without the rivers and the salmon and the land, we are not Cayuse or Umatilla or Walla Walla people. Without the rivers and salmon, we become different people." The Umatilla Basin Salmon Recovery Project provides compelling evidence that through progressive, effective self-governance, Indian nations may maintain their cultural and political identity as a people while peacefully resolving natural resource rights and species restoration conflicts.

Lessons:

- Indian nations that seek alternatives to litigation in the defense of treaty rights can often reach "win-win" outcomes. When Indian and non-Indian governments or organizations come together to identify shared interests, listen to stakeholders' concerns, and seek innovative solutions, they can often solve contentious problems, and in the process, forge productive, long-term alliances.
- Investments in communication are especially important for tribal governments whose programs and policies impact off-reservation constituents. Providing regular updates on tribal government activities, encouraging non-tribal citizens to visit the reservation, and educating outsiders about tribal history and culture can dispel misunderstandings and broaden support for tribal self-governance.
- Indian nations that pursue comprehensive natural resource management projects should possess or develop adequate institutional capacities. Clear objectives, a highly skilled staff, the ability to attract and mobilize financial resources, and sophisticated monitoring systems are all critical ingredients.