

New policy waives bridge tolls for Yakama Nation

Waiver will not apply to Bridge of the Gods tolls

By Emily Fitzgerald
Columbia Gorge News

Enrolled members of the Confederated Bands and Tribes of the Yakama Nation and the Yakama Nation's tribal government employees will no longer be charged toll payments when crossing the Hood River-White Salmon Interstate Bridge, the Yakama Nation announced July 10. Anyone driving a Yakama

Nation governmental vehicle or a motor vehicle with a Yakama Nation tribal license plate is allowed to cross the Hood River-White Salmon Interstate Bridge without stopping, according to a Yakama Nation press release.

Bridge toll can also be waived by showing the toll booth attendant either a Yakama Nation enrollment card, a Yakama Nation employee identification badge, or a Yakama Nation driving permit card.

The Port of Hood River explained that the new policy was adopted in recognition of the Yakama Nation Treaty

of 1855 (12 Stat., 951), which includes an article that grants the Yakama Nation free, unrestricted travel on public highways.

While state law authorizes bridge tolls and other road use fees, the Supremacy Clause of the U.S. Constitution dictates that treaties made between the U.S. government and the Sovereign Nations override state law whenever the two come into conflict.

Then-chairman for the Yakama Nation Tribal Council, JoDe Goudy, sent a letter on behalf of the Yakama Nation to the Port of Hood

River and the Port of Cascade Locks in September 2019 informing both organizations of the tolling issue and requesting that each port "immediately cease" charging tolls to members of the Yakama Nation and tribal government employees, and establish an exemption process "to ensure there is no further interference with the federally protected travel rights served right to travel."

Port Commissioner and President John Everitt officially replied on behalf of the Port of Hood River March 19, 2020, with a letter to newly-elected Yakama

Tribal Council Chairman Delano Saluskin stating that the Port of Hood River "does now recognize the treaty right of Enrolled Members ... and Tribal Government Employees ... of the Confederated Bands and Tribes of the Yakama Nation to cross the Bridge without paying vehicle toll."

The letter also includes a draft version of the waiver policy and states that, unless the Yakama Nation recommends any changes to the draft policy, the port would implement the policy starting June 1.

While the Port of Hood

River provides administrative support for the BreezeBy system on the Bridge of the Gods, Everitt clarified that the Port of Hood River's waiver policy would not apply to the Bridge of the Gods, as the bridge's toll policy is under the Port of Cascade Locks' jurisdiction.

Said Olga Kaganova, general manager for the Port of Cascade Locks, "We're working with our counsel on trying to understand the request and our obligations under the treaty."

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