



Water feud

Tribal leaders take their case on the Willamette River cleanup to Washington D.C., saying plan violates an 1855 treaty

PHOTO BY EMILY GREEN

The Steel Bridge can be seen under the Broadway Bridge, southern end of the Willamette River's Superfund site.

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After 16 years of study funded by polluting industries, the public comment period for the Willamette River cleanup is scheduled to end on Sept. 6, with some officials hoping for a finalized plan by the end of the year.

As previously reported in Street Roots, the Yakama Nation has expressed deep disappointment with the EPA since its preferred plan was released in early June. After eight cleanup options were identified, with price tags ranging from \$350 million to \$9.5 billion, EPA announced its preference for Option I – a \$745 million plan that would remove only 8 percent of the known contaminants in the river.

On Monday, July 25, the Yakama Nation's tribal council flew to Washington, D.C. to meet with EPA Administrator Gina McCarthy. There, the council explained to McCarthy why the plan, as it currently stands, would violate Yakama Nation's 1855 treaty with the federal government, and urged her to implement a more rigorous plan that would keep their traditional foods free of hazardous chemicals.

"The EPA's plan puts people at risk and puts our treaty rights in jeopardy," said Delano Sealskin, Vice-Chairman of Yakama Tribal Council. "Their proposal simply relies too much on natural recovery and as such is not a solution to protect a healthy fishery. It will result in more contaminants traveling

downstream to the Columbia River."

Yakama's EPA visit adds considerable weight to the concerns of community groups who are working closely with urban Native Americans and communities of color. The Portland Harbor Community Coalition (PHCC), which represents several of these groups, has warned the city that ignoring outreach to these groups may constitute racial discrimination under Title VI of the Civil Rights Act. PHCC has asked city officials to fund outreach to these groups, and to use their formal role in the Superfund process to request a longer public comment period that provides time to organize with their membership.

In a July 14 email, the PHCC also requested that the Bureau of Environmental Services work in partnership with the coalition to craft the city's formal comments in alignment with social and environmental justice priorities.

"The City's cooperation in these areas is a Title VI Civil Rights issue," the email states. "And given the weak cleanup plan released by the EPA, it is even more imperative that the city take the lead in doing what is right, legally and ethically. We are counting on the city – especially BES staff and leaders – to hold polluters and other government agencies accountable, on behalf of Tribes, communities of color, immigrant and refugee communities, and low/no-income Portlanders."

Yakama Nation's Superfund Coordinator Rose Longoria has previously told Street

Roots that EPA's weak plan represents a violation of Yakama's civil rights, treaty rights and human rights. That position is also shared by Portland's Native American Youth and Family Center, which serves thousands of urban Native Americans who hold rights to traditional foods.

NAYA's Donita Fry and Roben White described EPA's clean-up plan as an immense disappointment and agreed with Longoria's assessment that it represents a serious human rights violation. Fry is the organizer for the Portland Youth and Elders Council, while White is a veteran political organizer who joined NAYA's Superfund team in June; his aunt, Helen White Peterson, was the first woman to serve as executive director of the National Congress of American Indians.

NAYA's Community Engagement Manager Cary Watters said she also agrees "absolutely" with Longoria, adding "We stand with the Yakama Nation in demanding a full, comprehensive cleanup of this river. Letting big polluters off the hook for 92 percent of their pollution is unacceptable, and is an absolute violation of our treaty rights and human rights."

"We also have other first foods that are crucial to the livelihood of those that have lived here since time immemorial who we support – including Wapato just downstream surrounding Sauvie Island. It's just a very important stretch of river for those that

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