

# PGE seeks federal OK for Tribal fishing

By Danielle Harrison

*Smoke Signals staff writer*

WEST LINN – Portland General Electric has submitted a cultural practice easement application to the Federal Energy Regulatory Commission, asking it to allow Oregon's Tribes access through company property for ceremonial fishing at Willamette Falls.

The company asserts that it needs federal approval because Tribes must cross its property located at the Willamette Falls Hydroelectric Project site in West Linn to access the fishing site, which is unrelated to the operation of the facility.

FERC is an independent agency that regulates the interstate transmission of natural gas, oil and electricity. It also regulates natural gas and hydropower projects, such as Willamette Falls.

"This regulatory process won't necessarily resolve specific issues in contention at the falls," PGE spokesperson Andrea Platt said.

"In particular, the dispute between PGE and the state of Oregon over who owns one parcel of the land in question is ongoing – the location where the Confederated Tribes of Grand Ronde built their platform a couple of years ago. There's an administrative appeal of the registration granted by the Department of State Lands to the Grand Ronde to install the platform under way.

"However, there is no doubt that the entire area is within our FERC-established hydro project boundary, so FERC approval to grant these easements will be necessary for us no matter how other property issues are resolved."

The application was submitted in April and could take six to 12 months to review, and will include additional cultural consultation and opportunities for public comment.

"If FERC approves, we'll offer the easements to any federally recognized Tribe that wants to fish or

conduct other ceremonial practices at the falls – including the Grand Ronde, Siletz, Yakama, Umatilla and Warm Springs," Platt said. "PGE recognizes the immense cultural importance of the falls to Native people. It is with this respect for the Tribes' connection to the falls that we plan to offer the easement and hope this will be an important, constructive step in ensuring perpetual access to the falls consistent with PGE's obligation to follow requirements of state and federal law."

Grand Ronde Tribal Council Chief of Staff Stacia Hernandez said that the Tribe already conducts lawful ceremonial fishing at Willamette Falls.

"We plan to submit comments to FERC on PGE's application," she said. "PGE will not permit the Tribe access across PGE property and has made no commitment to do so in the future."

Currently, the Tribe accesses its removable fishing platform by taking a motorized boat up the falls, a process that has been challenging this season due to lower water levels.

In August 2018, the Tribe applied for and received approval of a waterway structure registration application from the Department of State Lands. PGE filed an appeal to the Land Use Board of Appeals, objecting to the city of West Linn's decision not to regulate the structure. LUBA ultimately dismissed that case due to PGE not filing its appeal within the 21-day designated time period.

In November 2020, the Umatilla Tribe sent Gov. Kate Brown and other officials a document titled "Traditional Use Study of Willamette Falls and the Lower Columbia River by the Confederated Tribes of the Umatilla Reservation" in that Tribe's efforts to get Grand Ronde to dismantle its ceremonial fishing platform and prevent it from exercising its cultural practices at the falls.

In a March 11 letter, Tribal Council Chairwoman Cheryle A. Kennedy said that since the Grand Ronde Tribe's Restoration in 1983, it has not only had to confront a legacy of colonialism and racism, but "regrettably, we have also had to resist the efforts of some Tribes to move beyond their lands and deprive Grand Ronde of its rights and history."

Kennedy met with Oregon Gov. Kate Brown in a Tribal Government Willamette Falls executive session meeting later that month. The dispute over the falls has not yet been resolved and also includes Warm Springs, Yakama and Nez Perce Tribes making claims to the falls.

An April 2016 Oregon Department of Fish & Wildlife decision allows the Grand Ronde Tribe ceremonial salmon and steelhead harvesting rights at Willamette Falls. The ruling also states fishing can occur from the shore or a single platform erected within the designated fishing areas to be constructed in a location "mutually agreed upon between the director and the Tribe." ■

## The Confederated Tribes of Grand Ronde HOME OWNERSHIP DEVELOPMENT – PHASE 1 Proposal due 2 p.m. Thursday, June 10, 2021 INVITATION TO BIDS

THE CONFEDERATED TRIBES OF GRAND RONDE, HOME OWNERSHIP DEVELOPMENT – PHASE 1 PROJECT. Sealed bids must be received by Ryan Webb, Project Manager, Confederated Tribes of Grand Ronde, 9615 Grand Ronde Road, Grand Ronde, OR 97347, by or before 2 p.m. local time Thursday, June 10, 2021. The project includes constructing new storm and sewer systems, water main system, curbs, sidewalks, pavement, illumination and utilities for the successful completion of the project. A pre-bid meeting will be held at 1 p.m. prevailing local time, Thursday, June 3, 2021, at project site on McPherson Road, Grand Ronde, OR 97347. Questions or requests for clarification shall be directed in writing to the Project Manager, Ryan Webb, via e-mail at [Ryan.Webb@grandronde.org](mailto:Ryan.Webb@grandronde.org) by 2 p.m. prevailing local time, Monday, June 7, 2021.

Electronic copies of the Plans and Bid Booklet are available by e-mailing Ryan Webb at [Ryan.Webb@grandronde.org](mailto:Ryan.Webb@grandronde.org) or calling 503-879-2404.

Respondents shall provide a written proposal by 2 p.m. Thursday, June 10, 2021, to Ryan Webb, Project Manager, at 9615 Grand Ronde Road, Grand Ronde, Oregon 97347. Specific information regarding document submittal procedures and due dates will be found in the Bid Booklet. ■



**GRAND RONDE HOUSING DEPARTMENT**  
28450 Tyee Road – Grand Ronde, Oregon 97347 – 503-879-2401 – Fax 503-879-5973

**ATTENTION ALL HOUSING TENANTS AND GUEST**  
**PLEASE SLOW DOWN IN ELDER HOUSING**  
Also, please make sure and maintain low levels of music in the Elder community.

## RECYCLE



### Bottles and Tubs 4oz or Larger



### Metals



### Mixed Paper and Cardboard



### Items Not Allowed



[RECOLOY.COM/RECOLOGY-WESTERN-OREGON](http://RECOLOY.COM/RECOLOGY-WESTERN-OREGON)

[RWOINFO@RECOLOGY.COM](mailto:RWOINFO@RECOLOGY.COM)

(866) 908-1183



\*ITEMS MUST BE EMPTY, CLEAN & DRY

\*PLACE ITEMS LOOSE IN THE CONTAINER,  
NOT IN PLASTIC BAGS