RIVER NOTES

A Letter from the Executive Director

In 1788, the United States ratified the Constitution. You may have memorized the Preamble in school. Its words are powerful.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

If we wrote a new Preamble for the Columbia River today, what would it say? The “We the People” part is nice. Let’s start with that. The rest feels too abstract for our lucid and action-filled time. Here’s a start:

Insure domestic Tranquility by cutting global greenhouse gas emissions 45 percent below 2010 levels by 2030 and reaching zero carbon by 2050, including the leakage of methane, which is 80 times more potent than carbon dioxide so we better just keep it all in the ground.

Yeah, a bit wordy. Hard to recite that one in front of your 5th grade class. Maybe this:

Promote the general Welfare by reversing Citizens United, enacting real campaign finance reform, and reining in out-of-control capitalism and corporate cronyism.

Too political?

Secure the blessings of salmon runs for Posterity by stopping the merciless hot water that is killing salmon due to our warming climate and stagnant reservoirs behind dozens of hydroelectric dams, pushing runs of steelhead and sockeye to the brink of extinction and shutting down entire fisheries, all of which is going to get worse quickly if we don’t take action.

No poetry.

I think we need to simplify. This is what inspires me about our work together: You are willing to defend what you love and you are part of something bigger than yourself.

We the People of the Columbia River, in order to defend this place that sustains us, prevent extinction, lift up diverse voices, honor treaties, and avert a climate disaster, do ordain and establish ourselves—all of us—as watchdogs to protect the Columbia River and all life connected to it, to prevail over fossil fuel giants, stop pollution, and unite communities along the way.

That’s better!

The theme of this newsletter is “We the People.” Articles include: how your Columbia Riverkeeper membership is promoting life, liberty, and the pursuit of happiness; the 50th anniversary of the seminal case Sohappy v. Smith, which reminds us that “We the People” is not applied fairly to all people; and quotes from you, our partners and members. This newsletter also contains Riverkeeper’s annual financial report. Thank you for powering this work. Please let me know if you have any input or questions.

I want to give a huge thank you to everyone who participated in the youth-led Climate Strikes. We appreciate all the brilliant young people who showed up (you really showed up!), captured the urgency we need, and put the “We the People” back into government. You are an inspiration. Now we must continue the challenging work of creating real changes.

Brett VandenHeuvel, Executive Director
YAKAMA, LUMMI NATIONS’ HISTORIC CALL FOR DAM REMOVAL ON LOWER COLUMBIA

By Brett VandenHeuvel, Executive Director

On October 14, Indigenous Peoples’ Day, Columbia Riverkeeper’s staff stood on the Columbia’s shores at Celilo Park and watched history in the making. Yakama Nation, supported by Lummi Nation, announced a bold vision: a Columbia River teeming with salmon, a restored Celilo Falls, and a United States that honors treaties with tribal nations. The Yakama and Lummi nations called on federal leaders to remove John Day, The Dalles, and Bonneville dams.

Yakama Nation Chairman, JoDe Goudy, stated, “The Columbia River dams were built on this false legal foundation [the doctrine of discovery], and decimated the Yakama Nation’s fisheries, traditional foods, and cultural sites.”

Salmon—and the people and orcas that depend on salmon—are in crisis.

Riverkeeper stands in solidarity with Yakama and Lummi nations. We support the tribes’ defense of their treaty rights, including their vision of a free-flowing lower Columbia River.

For Riverkeeper, it comes down to this: the decades-long effort to recover endangered salmon is not working. The Columbia River is too hot for salmon survival. The stagnant reservoirs behind the dams create dangerously hot water. Climate change is pushing the river over the edge. Year after year, the river gets hotter. The system is broken.

Dam removal is a complex issue that will require intense analysis and must ensure solutions for clean and reliable electricity and transportation. In the decades ahead, society must innovate to replace the dams with truly clean energy, transport cargo to ocean ports, and save salmon runs from extinction. What about flood control? The three lower Columbia dams are “run-of-the-river” dams and do not provide significant flood control, unlike large storage dams in British Columbia.

Re-powering the Pacific Northwest with wind, solar, and battery storage will create local jobs for decades. This transition will take time, and it’s smart to start planning today. The dams are destroying salmon runs, orcas, and cultures that depend on salmon. And hydropower is not cheap anymore; wind and solar are becoming more affordable than electricity from dams. In this age of extinction and climate change, we must take bold action.

When was the last time you were asked to imagine the unimaginable? Imagine a free-flowing Columbia coursing through the Gorge. Imagine record salmon runs returning year after year. Imagine the roar of Celilo Falls, which some still remember.

Just imagine.
“At some point, those of us in power have to listen to those who put us there.”

—Former Portland Mayor Charlie Hales upon withdrawing his support for the proposed Pembina fossil fuel export terminal in response to grassroots pressure.
LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS

By Miles Johnson, Senior Attorney

Columbia Riverkeeper believes that everyone—everyone—deserves life, liberty, and the ability to pursue happiness. The mythic American figure who brought forth these ideas proved deeply flawed. But the words themselves endure: transcendent, hopeful, and brave. Truly self-evident, they require no defense, only more defenders. As a Riverkeeper member, here’s where you come in.

LIFE

At Riverkeeper, we wholeheartedly agree that “Water is life.” That’s why our mission is to protect and restore the water quality of the Columbia and all life connected to it. The Columbia River basin’s water, fish, plants, and wildlife nourish our bodies and our minds. The river’s beauty and power defy our meager descriptions. Its course and tributaries connect us across political divisions, great distances, and generations. This river, and its water, sustains life as we know it in the Northwest.

Making fish safe to eat.

Everyone deserves to eat fish from the Columbia without fearing toxic contamination. That’s why Riverkeeper is partnering with Yakama Nation to demand the cleanup of toxic pollution at Bradford Island, near Bonneville dam. Years ago, the Army Corps of Engineers dumped toxic waste, including cancer-causing polychlorinated biphenyls (PCBs), into the river at Bradford Island. We’ll keep pushing for cleanup until sturgeon and smallmouth caught near Bradford Island are safe to eat.

Saving orcas and salmon.

Human lives aren’t the only ones at stake. The Columbia once produced the world’s greatest runs of salmon and steelhead. Today, many of those runs are dwindling toward extinction. And the beloved Southern Resident killer whales that prey on those fish could soon fade into legend as well. Only bold action can restore life to our waterways; that’s why Riverkeeper advocates removing dams on the lower Columbia and Snake rivers.

Saving orcas and salmon “is a battle for the soul of this region.” —King County Executive Dow Constantine.

LIBERTY

Safeguarding liberty means that we, the people, retain control over the government officials and institutions that serve us. This requires two things: public participation and government transparency. Time and again, Riverkeeper members show the strength, perseverance, and determination necessary to shape government policy. You speak truth to power. You demand to know what your government—from local ports to federal bureaucracies—is doing. You make your voice heard, even where your opinion isn’t popular. You hold your representatives accountable. Government officials respond to this kind of grassroots strength. That’s how we, the people, keep control of our democracy and our liberty.

Keeping government open to the public.

“The people do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.” So said the Washington Supreme Court in ruling for Riverkeeper over the Port of Vancouver. The Port violated the Open Public Meetings Act, by holding secret meetings about the nation’s largest oil-by-rail proposal. Riverkeeper fought back. Our precedent-setting legal victory helps prevent backroom deals between government officials and corporate interests.

Delivering knowledge and civic engagement to your doorstep.

Riverkeeper’s Grassroots Canvass Team goes door to door engaging new members and showing people how to protect their river. Our hardworking canvassers are the bone marrow of Riverkeeper’s grassroots strength. Rain or shine, they bring critical information about river protection to people and communities up and down the Columbia. Canvassing isn’t about changing someone’s mind in a three-minute conversation. It’s about connecting with people from all walks of life who already care about clean water and helping make their voices heard.

THE PURSUIT OF HAPPINESS

Perhaps we’re biased, but where better to pursue happiness than the Columbia River watershed? From the boardwalk of Astoria to the rugged walls of Hells Canyon and the waterfalls of the Gorge, a lifetime of amazing experiences awaits. Does your perfect day start with a mid-morning kiteboarding session at Rufus, near the John Day Dam? Maybe you are already on the water at dawn’s early light, searching for an ocean-bright Chinook. Even high above the Columbia, hunting huckleberries, chanterelles, or blacktail on the slopes of Mt. Adams, you are connected to this mighty watershed. The chance to end the day with some of the world’s best beer and local seafood doesn’t hurt, either. So keep sending, sipping, casting, paddling, and questing. But don’t forget: Your dedication to this river, its landscape, and our climate makes these pursuits possible. Together, we’ll protect the waters, places, and people that bring us joy.

“Rushing Water” oil painting by Cathleen Rehfeld (crehfeld.blogspot.com).
On a sweltering August afternoon, I find myself along the river at Columbia Hills State Park. A backdrop of rock rises upward, forming steps, giving the illusion that you could walk up into the clouds. As my sight adjusts to the brightness, pictures begin to leap out from amongst the rocks: eyes, mouths, and wings come together forming owls and mountain goats. I find familiarity in the images, similar to the spirals and figures that my own people used to adorn the red walls in the Southwest.

The wind carries the sounds of footsteps and voices. A large group begins to gather along a walkway in front of the petroglyphs. An archaeologist and ethnographer from Yakama Nation’s Cultural Resources Program leads us in step and story, along a winding path through rocks, grass, history, and tradition.

We are here to join in Yakama Nation’s River Walk, commemorating the 50th anniversary of *Sohappy v. Smith*, the seminal fishing-rights case. In *Sohappy*, the court held that citizens of the Yakama Nation, Warm Springs, Umatilla, and Nez Perce tribes had a legal right to fish waters where their ancestors fished since time immemorial and limited state efforts to regulate that right. The lawsuit was filed after relentless, targeted state regulation of traditional tribal fishing practices. Tired of being arrested and having their gill nets and catch confiscated, 14 Yakama Nation and Wanapum plaintiffs filed suit against the Oregon Fish Commission alleging that the state’s regulations violated their rights as reserved in the Treaty of 1855. “The old people said, if you want to keep something you have to argue for it,” asserted David Sohappy Jr., the son of one of these plaintiffs.
Sohappy represented a pinnacle, though by no means the end, of the Fish Wars: an organized series of civil disobedience actions during the 1960s and 1970s by Indian people and tribes to exercise their rights to fish throughout the country. However, the Fish Wars were more than just civil disobedience; they were a direct reaction to the criminalization, racism, and violence that met Indian people as they practiced their cultural and spiritual lifeways in their homelands.

After the River Walk, Yakama Nation remembers and celebrates this past by honoring the relatives of the plaintiffs who fought to preserve treaty rights. Young and old listen and observe, shouldering these stories, moments of triumph that seemed out of reach, reminding us to keep going. I met one of these young people, a student with a resume far too impressive to recount, with plans to attend law school. In good Indian fashion, not just her accomplishments and aspirations made a statement, but so did her T-shirt, which read “Merciless Indian Savages.” Quoted from the Declaration of Independence, these words are the description attributed to us Indian people by the founding fathers, this country’s architects of democracy, in the document that outlined the ideas and principles for a fair and just government.

Clearly, democracy never meant to include us all.

Entrenched in the American political agenda by a room of white, land-owning men, the Constitution explicitly excluded Indians, slaves, and women from “We the People.” Since then, everyone aside from those privileged white men has fought to participate in democracy, and some have fought harder than others.

For those of us deliberately excluded from the lofty ideals that formed the foundation of the United States, what does democratic participation look like on the Columbia River? Sohappy is one example. The case echoed throughout Indian Country, strengthening tribal treaty rights and setting foundational legal precedent. Importantly, the case impacted spiritual, cultural, and ecological rights, all of which are inextricably intertwined with fishing, salmon, and the People of the river. However, the struggles and injustices endured by the 14 plaintiffs, as well as countless other Indian people whose names are lost to history, did not end in 1969.

The 1980s added yet another chapter to the Fish Wars—the Salmonscam trials—resulting in trumped-up federal charges and the incarceration of one of the Sohappy plaintiffs. David Sohappy was unjustly prosecuted by federal and state officials who viewed him and his tribe’s wins in the court with animosity. “I don’t think there’s any question of racism behind what happened to David Sohappy and his son and the other defendants,” explained Phil Stanford, a journalist who covered the sting operation. “[I]t happened to Sohappy because he’s inconvenient and because he’s an Indian.”

While Sohappy affirmed a treaty-guaranteed right to fish, David Sohappy’s legacy proved that applying the ruling in practice would still have Indians paying the price. Chapters will continue to be added as Indian people fight to assert our rights, yet I take solace in celebrating and remembering those who have gotten us where we are today and inspire us to keep going. Thank you Richard Sohappy, Aleck Sohappy, David Sohappy, Myra Sohappy, Clara Sohappy, James Alexander, James Alexander Jr., Leo Alexander, Clifford Alexander, Henry Alexander, Andrew Jackson, Roy Watlamer, Shirley McConville, and Clarence Tahkeal.
WE THE PEOPLE TAKE A STAND FOR CLEAN WATER, OUR CLIMATE

What does fighting for clean water and our climate mean to you? Our members and partners had this to say:

“I fight for clean water and our climate because environmental justice affects all of us. Educating ourselves and our younger generations, and figuring out how we can make a difference—even in small ways—is crucial.”
— Dez Ramirez, content manager, Columbia Land Trust (Portland, OR)

“I was raised as my ancestors were: to cherish Mother Earth and all she provides our people and all other creatures living on and with her. I truly believe Columbia Riverkeeper is one of the most powerful allies we have to fight the good fight and protect all that is sacred.”
— Cathy Sampson-Kruse, Waluulapum~Confederated Tribes of the Umatilla Indian Reservation, nurse, and Riverkeeper board member (West Linn, OR)

“I want to be able to look my three boys in their eyes and say I did everything I could on my watch. Clean water is not an option; it is a fundamental right, and obligation to all beings.”
— David Roth, financial planner, Gorge Sustainable Investing (Hood River, OR)

“I am proud to be a part of the activist community safeguarding our clean air, water, and soil.”
— Cambria Keely, student (Kalama, WA)

“I used to think that someone else would take care of the climate. But then I realized that there is no one else—we are all going to have to do it together.”
— Melanie Plaut, retired OB-GYN (Portland, OR)

“I fight for clean water and our climate because I believe it is my personal responsibility to care about a future world I will never see. An important part of that responsibility is my fight to stop the Kalama methanol refinery, the antithesis of a clean, safe, and healthy future.”
— Linda Horst, lifetime activist (Kelso, WA)
In 2013, Big Oil unveiled plans for the nation’s largest oil-by-rail terminal at the Port of Vancouver. The proposal was decked out with all the trappings of patriotism: American energy independence. Home-grown crude oil. American jobs. According to Tesoro, the project backer, 70 percent of people in Vancouver supported the terminal. The Port’s three-member elected board enthusiastically approved a 30-year lease kickstarting the project.

Fast forward to May 2019. The same Port adopted a policy banning new bulk fossil fuel terminals. What happened? Tribal nations and hundreds of thousands of people convinced Governor Inslee to reject Tesoro’s oil terminal. People across the Northwest exercised constitutional rights to protect their health, safety, and what they love. Freedom of Speech: You spoke your truth. The Right to Assembly: You changed minds by showing up in force, convincing the City of Vancouver to oppose the oil terminal. Freedom of the Press: You talked to reporters, wrote letters to the editors, and posted on social media. You voted.

Tesoro’s proposal ignited a fire of activism in Vancouver and beyond. People called for new leadership at the Port. The community recruited candidates. Big Oil broke the Washington state record for cash contributions in a local election. Big Oil’s candidate lost anyway, and the Port of Vancouver has more progressive leadership.

Instead of handling dirty oil, local Longshore workers recently unloaded wind turbine blades. Cager Clabaugh, president of the local Longshore union, noted the impact of the fossil fuels ban: “As our members are in the process of discharging the largest shipment of windmills we have had before, I want to thank the Commissioners for putting in place a policy to protect port property by not pursuing any future bulk fossil fuel terminals.”

Is the Port’s ban on fossil fuel export necessary and making a difference today? Absolutely. This summer, Columbia Riverkeeper sent the Port a public records request. Turns out, several fossil fuel companies recently inquired about leasing Port land for exporting liquefied petroleum gas and natural gas liquids. The Port’s response: No thanks.

Here’s what patriotism looks like to us: independence from dirty fossil fuel companies that pollute our environment and our democracy; investing in clean-energy jobs; and exercising the right to vote to protect our climate.
As a Columbia Riverkeeper member, you defend clean water and our climate. Here are five ways you take on the Trump administration:

1. **Sue to Protect Salmon on the Brink of Extinction.**
Salmon are dying because the Columbia River is too hot. You took the Trump administration to court to demand an action plan to deal with the hot water crisis. A lawsuit brought by Advocates of the West, on behalf of Riverkeeper and allies, challenges the U.S. Environmental Protection Agency’s (EPA) failure to make a plan to address hot water and protect salmon on the Columbia and Snake rivers. The federal district court ruled in our favor, but EPA appealed. Stay tuned for the latest developments in this precedent-setting case.

2. **Challenge an Over-the-Top Proposal to “Relabel” Radioactive Waste at Hanford.**
The Trump administration plows ahead with plans to “relabel” toxic and radioactive waste to cut cleanup costs. Earlier this year, the U.S. Department of Energy (Energy) issued new rules giving itself the authority to abandon storage tanks with more than 100 million gallons of high-level radioactive waste at sites including Hanford. If Energy won’t reconsider its short-sighted plans, we are prepared to challenge the agency in court.

3. **Stop Plans to Legalize Dangerous Levels of Toxic Water Pollution.**
People who consume the most locally caught fish—Native Americans, sport and commercial fishers, and members of some immigrant communities such as Asian and Pacific Islanders—face greater risk of cancer under President Trump’s latest proposal. EPA wants to roll back rules that protect people who eat locally caught fish in Washington state. Riverkeeper is working in solidarity with tribal nations that oppose EPA’s proposal. You guessed it: We’ll see the Trump administration in court.

4. **Pivot When Columbia River Cleanup Funds are Slashed.**
The Trump administration zeroed out funding for one of the most toxic areas in the Columbia River: the Bradford Island cleanup site. Although the government polluted the Columbia over decades of building and operating Bonneville Dam, the administration cut all funding for the Army Corps’ cleanup investigations. Fortunately, there’s another pot of money: the so-called “Superfund.” Riverkeeper is working in solidarity with Yakama Nation to restore cleanup funding.

5. **Uncover Secret Fossil Fuel Funding Decisions.**
Northwest Innovation Works applied to the federal government for a roughly $2-billion loan guarantee to finance the construction of a fracked gas-to-methanal refinery and export terminal at Kalama, WA. The Trump administration has resisted multiple Freedom of Information Act requests by Riverkeeper and refuses to provide timely information about the loan. You went to court to challenge government secrecy and get to the truth.
Our Mission

To protect and restore the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean.

History

Columbia Riverkeeper formed in 2000 when Robert F. Kennedy, Jr. convinced activists to merge two local groups into one organization dedicated to protecting the Columbia River. Our team includes scientists, environmental lawyers, community organizers, and you.

“Pound for pound, there is no more effective advocacy group in America right now. They are smart and tenacious, and use science, law and communications together to get results.”

—Jan Hasselman, Earthjustice

Photo by Paloma Ayala
YOU ARE MAKING A DIFFERENCE

Columbia Riverkeeper is powered by more than 8,000 members who invest in clean water and a healthy climate because the fight is urgent and the time is now. You accomplished great things.

### Stopping Pollution
- Lawsuits to stop illegal pollution in the last three years: 14
- Pounds of toxic pollution lawsuits prevented from entering the Columbia: 150,000
- Dollars polluters paid to other nonprofit organizations as a result of lawsuits: $2,190,000

### Fighting Fossil Fuels
- New fossil fuel terminals you defeated in last decade: 12
- New fossil fuel terminals built in that time: 0
- Tons of greenhouse gas prevented annually from coal, oil, and fracked gas projects: 200 million
- Gov. Inslee’s new position on Kalama methanol refinery: OPPOSED
- Acres of land protected from fossil fuel development at Port Westward: 800
- Dollars for clean energy generated each year by the Portland Clean Energy Fund: $40 million

### Saving Salmon
- Degrees F at which the river becomes too hot for salmon: 68
- Number of days the Columbia River exceeded 68 degrees last summer: 70
- Years that EPA’s plan to save salmon from hot water sat on a shelf before we sued: 18

### Engaging Communities
- E. coli samples collected annually for Columbia River beaches: 220
- People who viewed these data on our Swim Guide app: 62,000
- Students who learned about clean water and ecosystems at Nichols Natural Area in 2019: 820
- Conoce Tu Columbia bilingual radio shows and podcasts aired: 27

### Cleaning Up Hanford
- People who attended the Hanford Journey, a partnership with Yakama Nation: 150
- Number of comments by Yakama Nation students to Dept. of Energy urging Hanford cleanup: 800
$1.5 Million raised in last year

Revenue

$707 K
Grants

$100 K
Program Services

$651 K
Individuals

$8 K
Events

$29 K
Legal Reimbursements

Expense

$814 K
Fighting Fossil Fuels

$239 K
Engaging Communities

$136 K
Stopping Pollution

$156 K
Cleaning Up Hanford

$134 K
Saving Salmon

Donor Spotlight

Caroline and Brad Roberts care deeply about protecting the Columbia River. Their passion for clean water and healthy communities leads them to support Columbia Riverkeeper year after year. Their contributions helped defeat coal and oil trains that would travel near their home. “Supporting Riverkeeper serves not only my deep appreciation for their work in fighting for and winning protection for the Columbia River but also the land, every person, flora and fauna it encompasses,” said Caroline. “I can’t ask for a more effective use of our donation dollars.”
PEOPLE-POWERED WATER QUALITY MONITORING

By Lorri Epstein, Water Quality Director

One of the most common questions we get asked at Riverkeeper: “Is it safe to swim in the Columbia?”

We collect water-quality data at popular recreation beaches and share results on Swim Guide, a free mobile app and website. You can check current *E. coli* levels during the summer, find new beaches, and get directions to swim spots.

With support from our members, the East Multnomah County Soil and Water Conservation District, and the Bullitt Foundation, Riverkeeper monitors 20 sites on the Columbia River for harmful *E. coli* bacteria. This summer alone 31,000 users viewed Riverkeeper’s data on Swim Guide. In fact, the Columbia River is one of the most popular regions on Swim Guide, which includes swimming beaches in eight countries.
You Can Help the Columbia River Through Your IRA

If you are 70½ years or older, you may be able to transfer up to $100,000 from your IRA directly to Columbia Riverkeeper or another charity without having to pay federal income tax. Simply notify your IRA plan custodian of your intent to make a current transfer. It’s a smart way to give!

For more information, contact Sandy Wright, development director, at sandy@columbiariverkeeper.org or 971-645-5535.