



COURT REPORTING

LEGAL VIDEOGRAPHY

VIDEOCONFERENCING

TRIAL PRESENTATION

MOCK JURY SERVICES

LEGAL TRANSCRIPTION

COPYING AND SCANNING

LANGUAGE INTERPRETERS



IN THE MATTER OF:
FEDERAL CONSULTATION WITH TRIBES REGARDING
INFRASTRUCTURE DECISION-MAKING

HELD

TUESDAY, OCTOBER 25, 2016

8:40 A.M.

DAYBREAK STAR INDIAN CULTURAL CENTER

5001 BERNIE WHITEBEAR WAY

SEATTLE, WASHINGTON 98199

NAEGELI
Expect Excellence

DEPOSITION AND TRIAL



(800) 528-3335

NAEGELIUSA.COM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PANEL MEMBERS PRESENT:

LAWRENCE ROBERTS

Principal Deputy Assistant Secretary
Department of the Interior

MICHAEL L. CONNOR

Deputy Secretary
Department of the Interior

DAVID F. CONRAD

Deputy Director
U.S. Department of Energy
Office of Indian Energy Policy and Programs

DAWN STURDEVANT BAUM

Attorney Advisor
Department of Justice
Office of Tribal Justice

JODY A. CUMMINGS

Deputy Solicitor for Indian Affairs
Office of the Solicitor
Department of the Interior

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PANEL MEMBERS PRESENT: (CONTINUED)

BRIGADIER GENERAL SCOTT SPELLMON

U.S. Army Corps of Engineers

LEONARD FORSMAN

Chairman Suquamish Tribe

1 **TRIBAL CONSULTATION**

2 **TUESDAY, OCTOBER 20, 2016**

3 **8:35 A.M.**

4
5 **MR. CONNOR:** Good morning, everybody. I
6 think we are ready to begin. Thank you for your
7 patience. Let me start by introducing
8 Representative Roberts, here in the Pacific
9 Northwest, Chairman Leonard Forsman Suquamish Tribe.

10 **MR. FORSMAN:** Welcome, everybody. Before
11 we get started I've asked the Chairman Goudy of the
12 Yakima Nation, who has accepted, so come on up.

13 **(Whereupon, there was a prayer in Native**
14 **language.)**

15 **MR. GOUDY:** My (Native language spoken)
16 name is Jode Goudy, I serve as the Chairman of the
17 Yakima Nation. This day of the Creator we ask that
18 you center us all, that you focus us all, as this
19 talk, as this time that we've come together. And
20 the advocacy of the song that I bring out was
21 brought back to our people by someone who had died,
22 and they come back to life. All the songs of our
23 people are not man-made, but indeed they have come
24 forth from our Creator.

25 The song is warrior song. We have

1 veterans, we have servicemen that are here today.
2 But each of us as advocates of our natural resources
3 as well are engaged in a battle on behalf of our
4 natural resources, our lands, our waters, and those
5 things that sustain our uniqueness, our way of life,
6 and our walks, such things if we lose this battle we
7 will lose our way of life, we will cease to be.

8 So, I sing the song for all of us
9 collectively, and indeed that this work that we will
10 bring forth will sustain the existence of our
11 collective Native Nations and peoples, our walks,
12 our way of life, for the future generations, and
13 those yet unborn, for indeed this is a special and
14 unique time, and we will see what this will take us,
15 where this will all collectively take us.

16 For these words to bring out (Native
17 language spoken). Thank you.

18 **MR. CONNOR:** Thank you, Chairman Goudy.

19 Chairman Forsman?

20 **MR. FORSMAN:** Yes. We would like to
21 welcome everybody here to Seattle. I'm Leonard
22 Forsman, Chairman of the Suquamish Tribe, honoring
23 Chief Seattle and the only Tribe here in Central
24 Sound, recognized here. This is an important place
25 to me because it's really close to an archeological

1 site I worked on many years ago at the West Point
2 Treatment Plant, a very powerful place.

3 And this place was a great concourse among
4 the specific tribes that came together in the
5 summertime, they'd fish and gather and trade. And
6 evidence of that was that it was at least 4,000
7 years old on the site. There was evidence of -- of
8 our people in that place. So, it's very important
9 to be here.

10 I thank the United Indians for hosting us
11 here today. On behalf of Suquamish we welcome you
12 here. I'd also like to put a word out for the
13 Muckleshoot Tribe. They were unable to send anybody
14 to the event. They've had a tragic shooting down
15 there, one of their members was lost over the
16 weekend, and so they are having a memorial today.
17 They send their regrets. But I just wanted to pass
18 that on on their behalf.

19 So, with that, the Federal
20 representatives, thank you for coming. And I'm
21 going to be one of those, a presidential appointee
22 up here, representative the Advisory Council on
23 Historic Preservation. So, here I go. Thanks
24 everybody.

25 **MR. CONNOR:** Thank you, Chairman Forsman.

1 Thank you, Mr. Chairman. We're -- we're very happy
2 to have you up here with us this morning. Thank you
3 to all of you for taking the time out of your
4 schedules to join us at today's consultation to talk
5 about the very serious issue about how the Federal
6 Government permits infrastructure and ways that we
7 can improve our -- our outreach, our dialogue, our
8 consultation and all that that really means with
9 tribal nations as part of our other federal
10 responsibilities.

11 This is a beautiful facility. If I stand
12 up at any point in time it'll be to capture as much
13 of the view here at I possibly can before I have to
14 catch another plane. But I very much appreciate the
15 -- the opportunity to be here in this beautiful
16 setting for this discussion.

17 Today I -- I just want a few housekeeping
18 items. And a little bit of perspective from the
19 Department of the Interior's perspective, and I'm
20 going to allow the other federal agency
21 representatives to introduce themselves and speak
22 briefly about their own agency's perspectives here.
23 But, of course, it's a consultation. It's a
24 consultation with tribal leaders. And from that
25 standpoint this is not an open meeting to the

1 public, nor a meeting that's open to the press
2 either. It is for us to gain input, to allow you
3 the time to express your views, and to give us input
4 on the questions that we have posed as part of the
5 consultation.

6 Before I get into kind of the -- the
7 framing of the issues that we're here to discuss
8 today, let me just note that the consultation is a
9 result of activity that we've had and issues that
10 we've had with respect to infrastructure permitting.

11 From that standpoint the Department of the
12 Interior, the Department of the Army, Department of
13 Justice have taken the lead in initiating this set
14 of consultations to talk about how we can work
15 better and more closely, and better fulfill our
16 federal trust responsibilities as part of that
17 process. But we are working across the board with
18 other federal agencies, so Environmental Protection
19 Agency, we have the Department of Energy
20 representative here today with us, the Department of
21 Agriculture, in this whole series of consultations
22 that we will have, I believe seven consultations,
23 one listening session. We will have an array of
24 federal representative from the different agencies
25 participating in that.

1 So, before I get into the purpose of the
2 consultation, and set up the outline from -- from
3 our perspective, why don't I give an opportunity for
4 each of the members here to introduce themselves, so
5 that you know who's here listening to you, and the
6 perspective that they have.

7 General?

8 **GENERAL SPELLMON:** Well, good morning,
9 everyone. My name is Brigadier General Scott
10 Spellmon. I'm one of the regional commanders from
11 the Army Corps of Engineers. Mine is a -- ours is a
12 14-state region, essentially, extending from
13 Missouri all the way up to where we sit this
14 morning, including North Dakota.

15 The -- I'm joined this morning by several
16 members of our assistant secretary staff, Ms.
17 Darcy's staff back in Washington, several members
18 from our headquarters back in Washington, DC, and we
19 also have two of our district commanders here this
20 morning from Seattle and Portland, and our deputy
21 district engineer for the Walla Walla district.

22 So, glad to be here this morning and we
23 look forward to listening and getting your input.
24 Thank you.

25 **MR. ROBERTS:** Good morning, everyone.

1 Good morning, tribal leaders. I'm Larry Roberts,
2 citizen of the Oneida Nation. And I just want to
3 say thank you for hosting us in your territory.

4 Also I just want to note the unanimous
5 support that we have seen from Indian country in
6 support of Standing Rock, and the activities at
7 Standing Rock. The Chairman Archambault, under his
8 leadership with peaceful, prayerful protection of
9 the waters there. Can I just get a show of hands of
10 how many tribal leaders in the room have been to
11 Standing Rock? It looks like quite a few have
12 already been at Standing Rock. So, I just want to
13 say thank you for attending this consultation that
14 morning, and looking forward to the dialogue.

15 **MR. CONNOR:** Leonard, would you like to
16 say a word with your other hat?

17 **MR. FORSMAN:** I'm Leonard Forsman. I'm
18 the Native American member, presidential appointee,
19 to the Advisory Council on Historic Preservation.
20 And our council works with a lot of tribes on issues
21 regarding Section 106, preservation of our historic
22 properties, which includes buildings, landscapes,
23 archeological sites, sacred places.

24 And it's great to be here. We've been
25 around the country a little bit since I've been on -

1 - on the council. We actually were at Standing Rock
2 a couple years ago. We had a hearing up there, and
3 we've had hearings before I was on here, and in --
4 in Palm Springs. And so we've been doing summits
5 occasionally out there to hear the voices of the
6 tribes. And we just strongly have heard the
7 importance of meaningful and early consultation, so
8 we can encourage federal agencies to engage in that
9 when they are dealing with historic properties.

10 **MS. BAUM:** Good morning. My name is Dawn
11 Sturdevant Baum. I'm an attorney with the
12 Department of Justice in the Office of Tribal
13 Justice. Good morning, and thank you so much for
14 having us here. It's a really beautiful spot. So,
15 looking to hearing from you all.

16 **MR. CONRAD:** Good morning. My name is
17 David Conrad. I'm the Deputy Director for the
18 Office of Indian Energy Policy and Programs at the
19 Department of Energy. Prior to this position I'm an
20 Osage citizen, and I served as Director of
21 Intergovernmental Affairs for the Osage Nation.

22 Also I worked in the tribal nonprofit
23 arena, the environmental -- National Tribal
24 Environmental Council. I also served four years as
25 the tribal liaison for the City of Seattle, so I

1 have some experience here in this building for a
2 number of years back from '98 to 2002.

3 And then got my professional career going,
4 worked for the Nez Perce Tribe in their nuclear
5 waste cleanup program, essentially, with Hanford.
6 So, now I'm at the Department of Energy, and Office
7 of Indian Energy, which focuses on development of
8 energy projects on tribal lands.

9 So, all supporting tribal decision-makers
10 making the best scientific and technical choices
11 that they face in energy development for their
12 people.

13 **MR. CUMMINGS:** Good morning, tribal
14 leaders. My name is Jody Cummings. I'm from the
15 Lumbee Tribe of North Carolina, and I'm currently
16 the Deputy Solicitor for Indian Affairs at the
17 Department of the Interior. I really appreciate the
18 opportunity to be here with you all today and hear
19 from you all on -- on this really important issue.

20 We have a team of folks at Interior who
21 are -- are -- and the Solicitor's office that are
22 actively engaged with this effort that's ongoing to
23 -- to hear from tribal leaders on infrastructure
24 issues. So, I'm really looking forward to -- to
25 having your input today. Thanks.

1 **MR. CONNOR:** Thank you very much. I
2 forgot to introduce myself. And as I kick this off,
3 I'm Mike Connor. I'm the Deputy Secretary of the
4 Department of the Interior. I would just like to say
5 that we are very lucky here in the jobs that we
6 have, particularly from my perspective, the
7 Department of the Interior, the issues we get to
8 work on.

9 Larry and I were talking about this on the
10 drive up here this morning. The best days we have
11 are those that we spend in the Indian country. And
12 I had the good fortune a week and a half ago to be
13 in Chairman Goudy's Nation, talking about the
14 partnerships that we have to restore salmon fishery.
15 That was a wonderful day, but it's an equally
16 wonderful day to sit here in a meeting room with all
17 of you and gain the benefit of your wisdom, input,
18 and have a tough conversation about where the
19 Federal Government has not done such a good job of
20 fulfilling its trust responsibilities over time, and
21 getting -- or trying to improve on how we do that
22 outreach, and how we make sure consultation is
23 meaningful and it's timely.

24 As Assistant Secretary Roberts pointed
25 out, the need for this dialogue certainly it's been

1 ongoing, but the issues surrounding -- surrounding
2 the Dakota Access Pipeline have brought them to the
3 surface very significantly over the last several
4 months.

5 Having said that, this consultation is to
6 think through prospectively how we might improve the
7 consultation process, how we can enter into a
8 dialogue that ensures we take into account Treaty
9 rights, interests, sensitive to cultural resources
10 and their need to protect them, et cetera.

11 The Dakota Access Pipeline is a matter in
12 litigation. And, so, from that standpoint we're
13 going to try and not speak to that particular issue
14 as much, and focus on the larger picture about how
15 we can better allow for tribal input in our
16 infrastructure permitting procedures.

17 Real quickly, I would just say we've had -
18 - we started off with a listening session at NCAI in
19 Phoenix on October 11th. And we heard a lot of --
20 got a lot of good feedback as part of that listening
21 session. We certainly have heard, and I expect that
22 we will hear more today, about the examples of where
23 we have not done a good job, and the impacts that's
24 had to tribal interests, and that's certainly
25 appropriate.

1 We're also hoping that we get some
2 feedback on positive -- positive examples of where
3 tribal consultation has yielded changes in an
4 approach with respect to permitting decisions, and
5 that better protected tribal Treaty rights, and
6 homeland, environment, cultural properties and
7 sacred sites.

8 We, in our -- in your packet that you
9 received as you checked in this morning -- I hope
10 everybody who hasn't checked in does so at the front
11 desk there. There is a framing paper that sets out
12 the scope of the consultation, the input we're
13 seeking.

14 We've also tried to provide an example or
15 two of, at least from our perspective, where we
16 think the consultation process has worked well. One
17 example is the Desert Renewable Energy Conservation
18 Plan that we undertook, primarily the Interior
19 Department, in Southern California, a landscape of
20 ten million acres, a consultation with over 40
21 tribes as part of that process.

22 Secretary Jewell and myself participated
23 in the consultation session, but it was much more
24 than that. It was not just leadership-to-
25 leadership, government-to-government, it was also at

1 the technical level and it was a whole host and
2 series of meetings, I think, from our technical
3 experts all the way through an ongoing dialogue with
4 leadership who were making decisions.

5 We think that's a good example. We think
6 we've had a minimum of concerns in the aftermath,
7 the releasing the final EIS issuing, or issuing a
8 record decision with respect to DRECP. But it will
9 be interesting to hear from your perspective whether
10 you have examples similar, where you think the
11 consultation process has been constructive.

12 So, once again, the packet includes that
13 framing paper, discusses these issues. If you
14 haven't already got that, please do so.

15 So, with that, it's time for us to stop
16 talking and start listening. Oh, yes. I would --
17 just a couple of housekeeping items. We do have a
18 court reporter here that's recording the -- and
19 transcribing the session. And we are gonna pass
20 around -- I don't know who our staff person is -- is
21 gonna pass around the microphone. But I -- there is
22 a sign-up list.

23 I will start the process by calling on
24 tribal leaders who have signed up to speak. To the
25 extent people have not yet signed up, please do so.

1 There's a sign-up sheet that's being held up there
2 at the desk at the front door. If you haven't
3 signed up, please do so. And that way we can
4 orderly go through the process.

5 I think one of the things we found from
6 the listening session is there may be multiple
7 tribal leaders from a single tribe. We would like
8 to kind of ensure we hear from all tribes. So, if a
9 representative of your tribe has spoken, if you
10 could just allow other tribes to speak, and then if
11 you want to come around, I think we've allowed
12 enough time for those who want to speak to provide
13 their input.

14 We have scheduled to go till 12:30. I
15 think Assistant Secretary Roberts is going to start
16 sweating about 12:00 noon, as we start thinking
17 about flights. And just -- I think there's several
18 of us who can stay beyond that, but I think at 12:30
19 a couple of us are going to be running for the door
20 to try and catch our flights. But we'll see if we
21 can conclude the consultation before that time
22 frame.

23 I think that's all of the logistical items
24 that I had. So, once again, thank you for your
25 attendance. Thank you for taking the time out of

1 your important schedules to participate in this
2 dialogue. And with that I believe that we will
3 start, appropriately so, with Chairman Brian
4 Cladoosby, who is the president of the National
5 Congress of American Indians.

6 **CHAIRMAN CLADOOSBY:** Good morning. First
7 of all, I want to thank the Obama Administration
8 once again for being proactive in trying to make
9 sure that our concerns are heard, and thank you,
10 Deputy Secretary Connor, and Assistant Secretary
11 Roberts, and the rest of the team for being here to
12 hear our concerns.

13 What I want to do, first all, is I want
14 all the tribal leaders to stand that are in the room
15 so our trustees have an opportunity to see the
16 elected tribal leaders that are here today. (Tribal
17 leaders stand.) Great. Thank you very much.

18 And as Deputy Secretary Connor said, we
19 have about 12 people right now signed up to speak.
20 I just got that list. But if you didn't get a
21 chance to put your name down right back here I
22 believe you can sign up and they will -- once that
23 list is complete they will get that to Deputy
24 Secretary Connor. So, right now we have about 12
25 leaders signed up. And, so, if you haven't had a

1 chance to do it, please do so.

2 And before I start my remarks, my prepared
3 remarks, I just want to note the significance of
4 this spot that we're here, and pay homage to Bernie
5 Whitebear and his team who fought the good fight for
6 us. And because of what they did we are able to be
7 here today. And to the staff here at the Cultural
8 Center that helped get us ready for this, thank you.
9 We raise our hands to you and thank you for this.

10 And an interesting note. In 1999, I think
11 I was in my third year as Chairman of Swinomish,
12 Kevin Goldberg brought out President Clinton's
13 consultation policy from the Department of Interior.
14 And he did a signing -- was any tribal leaders here
15 that day with me, when we signed that. John was
16 here, not a tribal leader. But I will introduce
17 John Dossett, who's our staff attorney for NCAI.

18 Right out here -- and -- and it was very
19 ironic that I mentioned that the DOI, the BIA, the
20 Agency we've been working longer with than any other
21 agency in the Federal Government, in 1999 finally
22 figured out how to work with us. And -- and they
23 brought up that consultation policy. We signed it
24 right out here, right outside this door right here,
25 in 1999.

1 And in honor of my dad's great-
2 grandfather, who signed the Treaty just right down
3 the waterway here at Mukilteo in 1855, I put an X on
4 that consultation policy where my name went. So,
5 just a little bit of history of -- of consultation.
6 And we're here again in 2016 still trying to figure
7 out our relationship.

8 So, once again, good morning. My name is
9 Spee-pots, Brian Cladoosby. And I am making these
10 remarks as President of the National Congress of
11 American Indians. And later I will be making my
12 remarks as the Chairman of the Swinomish Tribe. And
13 I appreciate all of you being here today.

14 And let us stop for a moment and remember
15 how we got here. Many of us have had an opportunity
16 -- I've traveled out twice to Standing Rock. I was
17 fortunate to be in the council chambers with some of
18 my brothers and sisters here who traveled out
19 together to meet with the Standing Rock council.
20 And we were able to join the protectors there at the
21 Dakota Access camp. And, you know, I witnessed
22 something awesome. I witnessed tribes coming
23 together like we haven't come together in a long
24 time. And I think the world has taken notice.

25 And, you know, we were there to a call for

1 an end to the destructive economy that is consuming
2 our planet. And I talked to Indian people out there
3 who were pepper sprayed, I met with people who had
4 dogs turned on them, and I heard the voices that
5 would not be silenced in the face of greed that
6 knows no bounds.

7 I saw Indian people coming together. I
8 seen all the flags that were placed and proud that a
9 lot of the Northwest tribes brought their flags out
10 to have them put up. That -- that is -- that is
11 beyond belief to see all those tribal nations, to
12 see all those flags, to let Standing Rock know that
13 we are standing with them, to let them know that
14 Swinomish is standing with them, the tribes of the
15 Pacific Northwest are standing with them. The NCAI
16 is standing with Standing Rock. And these are
17 difficult days.

18 We are -- you know, we have to remember
19 we're not challenging just a pipeline. It doesn't
20 matter what negative impacts are happening in our
21 backyard. We have to stand up as tribal leaders and
22 let our voices be heard to make sure that we oppose
23 more than permits that should not have been issued.

24 We are here today to refute an entire way
25 of life, to call out an economy that cannot exist

1 without sowing the seeds of its destruction. And
2 for more than a hundred years we've been living
3 under a pollution-based economy dominated, not just
4 this country, but the planet. And every one of us
5 in this room has been impacted by that pollution-
6 based economy.

7 And it's a system that treats Mother Earth
8 not as the source of life and everything that
9 sustains life, but is both a treasure trove to be
10 exploited and is a vast waste pit. We have polluted
11 and exhausted our water supplies. We have poisoned
12 our air. We have treated every living thing as
13 consumable and expandable. The pollution-based
14 economy has destroyed our homelands and our
15 families, but it has reached its end.

16 It has now impacted the farthest reaches
17 of our planet. Our oceans are choked with plastics,
18 our glaciers are disappearing, our riverbeds ar dust
19 bowls. Our air is poisoned, our forests are
20 vanishing, and species all around us are dying. And
21 this pollution-based economy is not sustainable,
22 because it was never designed to be sustainable.

23 And if you look at the statistics from
24 deaths around the world, 40 percent of all deaths
25 around the world are a result of water, air and soil

1 pollution. 40 percent of the earth's inhabitants
2 today are dying because of pollution. And you can
3 fact check me on -- I better not hopefully go
4 political. But, you know, as -- we, as leaders --
5 the United States, our trustee, has taken everything
6 we have known to be sacred to us, our lands, our
7 water, our resources and even our children. We have
8 nothing else to give, and no longer will we allow
9 business as usual.

10 Today America sees the unprecedented
11 showing of support with Standing Rock by all Indian
12 Country, resulted from the long history of federally
13 approved development affecting tribal lands, waters,
14 and especially sacred places. Every single Indian
15 Nation has a story of federally approved
16 destruction. All of Indian Country stands with
17 Standing Rock because our trustee has failed to live
18 up to your obligation to protect our people, our
19 places, our sacred places and our resources.

20 And I know that's a hard statement for you
21 to have to sit there and hear. And I don't take it
22 lightly. And I don't make the statement lightly.
23 As our trustee you have accepted an obligation, you
24 have committed to act in utmost good faith for the
25 benefit of Indian people, but we are here today

1 because the system we have today is broken.

2 Here in the Northwest the dams destroyed
3 our Treaty fishing rights. You will hear of tribes
4 who in one year they had the largest supplies of
5 salmon since time in memorial, to the next year
6 having zero because of dams being built on our
7 rivers. You will hear about the Garrison Dam --
8 well, you won't hear about this, but I'm going to
9 share this with you.

10 This is in North Dakota. The Garrison Dam
11 in North Dakota flooded the reservation of the Three
12 Affiliated Tribes, and also destroyed their way of
13 life. And they are still waiting to get their land
14 back.

15 The Kinzua Dam in New York displaced more
16 than 600 Seneca members, and cost the reservation
17 10,000 acres, nearly one third of its territory.
18 And much of it is fertile farmland.

19 And this isn't just project from 50 years
20 ago, it's still happening today. The Department of
21 Transportation is currently pushing a freeway
22 expansion that would destroy South Mountain in
23 Arizona, a sacred place for Gila River. And you'll
24 be hearing about these when you travel around the
25 nation. But I just want to make sure that this is

1 put into the record, and that you hear it over and
2 over and over again.

3 Because it's an important story for you to
4 hear, and it's an important history for you to hear,
5 and all too often people want to whitewash history
6 and they don't want to talk about it. They don't
7 want to talk about the negative impact. But it's
8 important that we talk about it and remind people so
9 they don't repeat those terrible mistakes that have
10 happened to other nations.

11 I bring up the Enbridge Line 5 Pipeline,
12 and many pipelines in the Midwest that predates
13 environmental laws, and it is way past its shelf
14 life. But the Army Corps is looking to continue the
15 easement. A spill could have irreparable harm to
16 the Great Lakes, the fish, wild rice, and other
17 tribal Treaty resources.

18 In 2011 the Omaha Tribe in Nebraska was
19 alerted by a letter from the Corps that they were
20 going to flood their land. Many homes and lands
21 were destroyed, and even the Tribal Casino and
22 businesses had to be closed. And it cost the Tribe
23 \$12,000,000.

24 There have been proposed coal, methanol
25 and LNG terminals all over the Northwest. And

1 you'll hear from the Cowlitz about the one that
2 they're fighting right now. And every single tribe
3 here in this room has stories like these. We're here
4 today to say it's time to change the narrative. Your
5 own rules say that for any project affecting tribal
6 lands, waters or sacred places, the United States
7 must consider, and it's must consider, its trust
8 responsibilities, Treaty rights, all statutory
9 duties, consultation and tribal consent.

10 Executive orders and agency policies have
11 required meaningful consultation for a long time
12 now, but that's not how it happens usually in Indian
13 Country. Far too often there is little or no
14 communication. And what communication there is does
15 not reflect a true government-to-government
16 relationship.

17 Tribal sovereignty must be acknowledged,
18 communication must be improved, and tribes must have
19 the same opportunities as states and local
20 governments to participate, and this is important,
21 to participate at the early planning stages of any
22 project that could potentially negatively impact a
23 tribe in their historical areas.

24 This consultation today, or listening
25 session, whatever we want to coin the term, is an

1 opportunity to move the nation-to-nation
2 relationship toward a true partnership and ensure
3 that tribal concerns are addressed in federally
4 permitting and approval processes. The components
5 of that kind of progress are important.

6 Number one, tribal governments must be
7 fully informed early in the process about proposed
8 activities that might affect their land, resources,
9 Treaty rights, or communities.

10 Number two, tribal concerns must be heard
11 by trustee agencies and the tribal proponents.

12 Number three, tribal concerns must be
13 addressed to the satisfaction of tribal governments.

14 And, four, only then should projects be
15 permitted.

16 We must have a true government-to-
17 government relationship. We must go from
18 consultation to consent. Let me highlight this with
19 one example; the federal fast tracking of
20 infrastructure permits. Since 2009, as part of the
21 efforts to strengthen the economy and create new
22 jobs, the Obama Administration expedited Federal
23 review of infrastructure projects. The process
24 fails, and I cannot underscore that enough, the
25 process fails to include tribal governments, and

1 that is just wrong. The Federal Permitting
2 Improvement Steering Committee, which oversees the
3 fast track process, must include a tribal trust
4 compliance officer.

5 This compliance officer needs to be
6 knowledgeable about Indian tribes and tribal lands
7 to make sure that tribal trust compliance is
8 integrated into all regulations and guidance
9 implementing the FAST Act and any other Federal
10 infrastructure permitting in any agency.

11 Also tribal governments must be provided
12 funding for participation in Federal permitting
13 processes, just like states and local governments
14 are. More than just including tribal governments
15 meaningfully in the proposal review process, you're
16 obligations, as our trustee, require you to go
17 further. The Federal Government must promote tribal
18 control over infrastructure development on Indian
19 land, and lands where Indian tribes hold natural,
20 cultural or spiritual resources. Nothing less will
21 satisfy us and nothing less should satisfy you.

22 Until then we will continue to stand with
23 Standing Rock, with Gila River, with the Omaha Tribe
24 in Nebraska, the Cowlitz, the Lummi, and every other
25 tribe whose voice must be heard.

1 Before I close I want to thank each of you
2 for being here. We know that these are not easy
3 conversations. We hope that there's just not another
4 box to be checked to show that you gave us a chance
5 to have our say. We hope this dialogue can be
6 worthy of the great nations we all represent. We
7 all expect you will live up to your obligations as
8 our trustee and appreciate your willingness to meet
9 with us here.

10 So, just these four things you will hear
11 over and over. We will be repetitious today. And I
12 will repeat it later. The Army Corps sometimes has
13 tunnel vision. Appendix C must be repealed. Army
14 Corps' regulations for compliance with NHPA Section
15 106 in permitting are fundamentally flawed.
16 Appendix C promulgated in 1990 -- was promulgated in
17 1990, and has not been revised to reflect 1992
18 National Historic Preservation Act amendments, which
19 enacted a duty to consult with tribes.

20 This is what Appendix C states: Appendix C
21 states that the Corps "may" consult. That is the
22 wrong choice of word. That needs to be stricken,
23 repealed or changed. And it says the Corps "may"
24 coordinate with tribes and ignores the statutory
25 duty to consult. So, number one, Appendix C must be

1 repealed.

2 Number two, mapping to protect tribal
3 sacred places. There are positive examples through
4 the Federal Communications Commission of mapping to
5 protect sacred sites. Land-managing Federal
6 agencies should use their authority under Section
7 110 of the National Historic Preservation Act in
8 consultation with tribes to manage historic
9 properties on Federal lands that hold religious and
10 cultural importance for tribes.

11 Three, require agencies to enter into
12 programmatic agreements with tribes under NHPA. The
13 ACHP recommends that Federal agencies enter into
14 programmatic agreements with tribes early in the
15 consultation process for major infrastructure
16 projects. These agreements create accountability.

17 And, four, compliance with the Federal
18 trust responsibility. This is an issue with a long
19 history of broken trust. The President and cabinet
20 have an independent duty to fulfill trust
21 obligations and must include Indian tribes in all
22 processes for Federal infrastructure permitting. We
23 look forward to swift action to ensure protection of
24 the sacred trust responsibility. 50 years ago this
25 month, 50 years ago this month, our own U.S. Senator

1 Warren Magnuson, Leonard brought this up at NCAI --

2 **MR. FORSMAN:** I wasn't around then.

3 **MR. CLADOOSBY:** Leonard was just a -- he
4 championed that legislation -- you know what, let me
5 see, I -- I missed a page here, so I want to make
6 sure I get this right.

7 So, in closing I note that Fort Lawton
8 here, where we meet today, is protected by the
9 National Historic Preservation Act as a result of
10 Section 106. 50 years ago this month our own U.S.
11 Senator Warren Magnuson championed that legislation,
12 and stuck up for Section 106 when the Department of
13 Interior of the time tried to get it removed. It is
14 fitting to -- a fitting tribute to Senator
15 Magnuson's foresight and commitment that we meet
16 here today to discuss how to ensure that the Section
17 106 process, like all the others that support
18 protection of tribal and other cultural interests,
19 can live up to its aspiration.

20 So, once again, thank you, God bless you
21 and look forward to hearing from the rest of our
22 tribal leaders on this very important issue. Thank
23 you.

24 **MR. CONNOR:** Thank you very much. I
25 appreciate that, Chairman Cladoosby.

1 Next -- just as a matter of practice I'm
2 going to announce according to the sign-up sheet
3 folks to come up and make a comment, but if you
4 would just start by -- with your name and tribal
5 affiliation that would be great, too, for the
6 record.

7 Chairman Ballew of the Lummi Nation.

8 **MR. BALLEW:** Thank you, Mr. Chairman, for
9 chairing our energy, climate change, environment
10 panel.

11 **(Native language spoken.)**

12 My dear friends and family, my name is Timothy
13 Ballew, currently the Chairman of the Lummi Nation
14 Tribe. And I come to you on behalf of the fishing
15 people of the San Juan Islands, who share the waters
16 with many of the leaders here in attendance today.
17 And very grateful that all of you made the time to
18 come together for something so important.

19 **I do want to start out with and**
20 **acknowledge that our -- our Nation's formal and**
21 **written consultation will be sent to you. I think**
22 **rather I'd like to share with you what's on my heart**
23 **as we proceed with this process, being that this is**
24 **the first of your consultation meetings going across**
25 **the country.**

1 As is mentioned with Lummi and many other
2 tribes in the room, we ceded many lands and many
3 things for a promise to practice a way of life.
4 Many things have been given time and time again from
5 tribal nations to build this great country. The
6 prime example of consultation and consent was at the
7 signing of the Treaty. And, in my opinion, that
8 practice has degraded ever since. And this might be
9 the lowest point of that time. The reason that this
10 consultation meeting and schedule is set by the
11 President I view as an acknowledgment of that, an
12 opportunity for us as a community to right the ship.

13 We've seen it happen before. On May 9th
14 your local district worked very closely with the
15 Tribe, the Lummi Nation, in coming to a
16 determination on a project, infrastructure project,
17 that impacts -- would have impacted our way of life.
18 The ability to go through the consultation and --
19 and hear of consent or not -- or a tribe not to
20 concede with this project has been done and should
21 be done consistently.

22 There is a problem of inconsistent
23 application of these principles throughout
24 permitting process in different tribal nations. We
25 agree that Appendix C should be repealed. It is out

1 of compliance with the National Preservation --
2 NHPA. And that is wrong both legally and morally.

3 Now, in 1999 Lummi Nation and one of our
4 historic village sites just a few miles away from
5 Cherry Point, in Semiahmoo my dad was Chairman and
6 there was a room -- there -- there was a -- a
7 project, a wastewater treatment project for the City
8 of Blaine and there was a hole about half the size
9 of this room unearthed, with human remains and
10 cultural artifacts removed and transported off-site
11 for days and weeks without the Tribe knowing about
12 it.

13 It took the Tribe just over 13 years to
14 repatriate the remains and close the grave. My
15 first year as Chair I got to help our Tribe close
16 the grave and bring our ancestors to rest. For the
17 Cherry Point site, the Gateway Pacific Terminal is
18 the third attempt to build on top of a similar
19 sacred site within our U&A.

20 We need better policy, not just policy but
21 practice amongst the tribes and the trustee to make
22 sure that my children don't have to be faced with
23 putting their ancestors to rest in a similar
24 gravesite. Without the proper protections, policies
25 and good practices of those policies, our nations

1 are distracted from the things that matter. Just as
2 importantly, maybe even more, the health and
3 education and welfare of our tribal members living
4 today, to make sure that they have a better
5 tomorrow, to make sure that they can practice their
6 way of life that was practiced -- that was promised
7 to them.

8 Repealing Appendix C, and coming into
9 compliance with the law, is the right thing to do.
10 And we have faith that the trustee can work with us
11 to do that. I will be providing our written
12 consultation and suggestions for that on behalf of
13 the Tribe, but I want to acknowledge all of the
14 other tribes who are here today who -- who stand up
15 to protect their sacred sites. That's so important,
16 our hands go up to each and every one of you, and we
17 look to our trustee to help us accomplish this.
18 Thank you.

19 MR. CONNER: Thank you, Mr. Chairman.

20 Chairman Goudy with the Yakima Nation.

21 CHAIRMAN GOUDY: (Native language spoken.)

22 My relatives, my name, as I stated this morning, is
23 Chi'Qwax. That name was given to me when I was six
24 years old in a ceremony. My great-grandmother
25 brought that forth. That's one of the many

1 ceremonies that we collectively carry as peoples of
2 this area and territories. My English name is JoDe
3 Goudy.

4 I currently serve at the chairman of the
5 Yakima Nation. And I have an opening statement that
6 I really wish you to hear. Brothers and sisters of
7 the U.S. Government listen, today we are presenting
8 you with an important critique of the history of the
9 present moment. Listen. We are here to notify you
10 we reject U.S. Government's use of ultimate
11 dominion. A claimed right of dominion based --
12 based on so-called discovery by Christian people of
13 lands of Natives who were heathens. We are not
14 heathens. We are nations.

15 Listen. We are here today to discuss with
16 you a proper basis for our relationship. Truly
17 government-to-government, with self-determination,
18 not domination. Listen. The language of domination
19 is found in the U.S. Supreme Court ruling Johnson V
20 M'Ntosh, which has never been overruled and is still
21 considered valid law within the United States.
22 Listen. We reject Johnson V M'Ntosh doctrine as a
23 political/legal framework for treating and dealing
24 with our Nations, the original Nations of this
25 continent.

1 This is not consultation. This is not
2 consultation. This is a listening session. The
3 foundation by which you are listening is grounded in
4 documents of domination. I, as a current leader,
5 have struggled, and as you have received the
6 position papers of some advocacies on behalf of the
7 Yakima Nation. You, as representatives within your
8 trust fiduciary responsibilities, and your various
9 agencies, the collective leaders here amongst the
10 nations who are representative, I struggle and hear
11 the citations of various points in times of history,
12 where there was a strong advocacy on the reality of
13 what is, and what isn't, and why.

14 Why is it that the historical advocacy on
15 behalf of the natural resources has always been at
16 the short hand. Our advocacy as Native Nations is
17 always given the short end of the stick, and
18 resulted in a loss on behalf of many infrastructure
19 projects throughout time. The Yakima Nation is very
20 aware of infrastructural project historically.

21 Probably the most substantial impact that
22 we received with regard to an infrastructure project
23 we were never consulted on, the Hanford Nuclear
24 Reservation. Our representative from Department of
25 Energy is very aware of consultations that we've

1 had. Because the Yakima Nation's definition of true
2 government-to-government consultation only happens
3 in our governmental chambers.

4 And if you wish to have true consultation
5 with the Yakima Nation that is the forum that you
6 must engage us with. That is consultation based
7 upon the Yakima Nation's definition of such. And
8 that definition is grounded upon the foundation of
9 the governing document between the United States and
10 the Yakima Nation. That is the Treaty of 1855,
11 negotiated by General Joe Palmer/Governor Stevens on
12 behalf of the United States and the leaders of the
13 Yakima Nation, Tuck-Quille, Kamaiakun, Skloom, and
14 Owhi.

15 There was 18 days of negotiations during
16 that

17 Treaty. In the beginning our leaders refrained
18 from coming to the forefront because they were very
19 reluctant with regard to what was being asked of
20 them. It was only upon the atrocities of an act of
21 dehumanization and domination that our leaders came
22 forth. That act was this: There was men and women
23 who were gathered at that Treaty grounds in Walla
24 Walla. The U.S. Army had representatives, soldiers
25 that were there. They took it upon themselves to

1 take three of our women. They raped them.

2 As an act of retaliation the warriors who
3 were present at camp, they went and they killed the
4 three cavalrymen who did that act. As an act of
5 retaliation Governor Stevens ordered the three
6 warriors who killed those men to be hung on the tree
7 that sat at the Treaty grounds.

8 Those men, our warriors, sat there hung
9 throughout the entirety of the Treaty negotiations
10 as a sign of domination, as a sign of
11 dehumanization. And the last words that Governor
12 Stevens expressed to Kamaiakun, our head chief, was
13 you will put your X on that Treaty, and if you don't
14 you will walk knee deep in the blood of your own
15 people. And the only thing that will remain is the
16 name Yakima of the Yakima River to semblance the
17 existence that your people once lived here.

18 That is the reality of the present day and
19 time. And I will attempt to express why. Because
20 the Treaty gives us marching orders collectively,
21 the Yakima Nation and U.S. government. The Treaty
22 is very clear when it comes to dispute resolution.
23 Article 8 states indeed that there is a
24 representation. The minutes of our Treaty -- the
25 Yakima Treaty is unique, because the minutes and the

1 negotiations of the 18 days are very clear in giving
2 interpretation to the reserve rights of the various
3 articles, including dispute resolution.

4 And dispute resolution tells the Yakima
5 this. We are to approach the head Indian agent with
6 any dispute that we have. The head Indian Agent has
7 the obligation to approach the Great White Father.
8 The Great White Father, who on an annual basis meet
9 with the head chief the Yakima Nation to discuss and
10 resolve all disputes. It doesn't say anything, all
11 right, about the judiciary branch of the

12 United States Federal Government, except this:
13 Laws will be created to protect you from the bad
14 white man. That's what it states.

15 It doesn't say anything about the legislative
16 branch, except this: That the Great White Father
17 will consult and come together with -- with his
18 Chiefs. And when they make agreement to put that,
19 and finalize that, which you have put your X on this
20 Treaty it will become law, it will be upheld.
21 That's the only semblance and mention of the
22 legislative branch of the U.S. government, and the
23 judicial branch of the U.S. Government.

24 Yet -- so, in our interpretation, and as
25 we have an understanding of Article 6 of the U.S.

1 Constitution, in Clause 2 that states all treaties
2 of the land are to be held as the highest law. And
3 all states are thereby bound, too. We have a very
4 simple interpretation and ask. How is it that our
5 Treaty, as attached to Article 6 of the U.S.
6 Consultation, the highest law of the U.S.
7 government, continuously is stomped on, is
8 continuously torn apart, the various reserve rights,
9 the various promises within the articles of our
10 Treaty, when it comes to State statutes, when it
11 comes to Federal statutes, when it comes to CFR
12 codes.

13 So, how is the hierarchy of law and
14 interpretation of such panned out from the
15 policymakers, from the legislators, from such
16 things? Any form and manner of dispute resolution
17 that we have been pulled into, when it comes to the
18 judicial branch, was a violation of our Treaty. And
19 throughout time things have become so convoluted,
20 and you can sit there and express to me from the
21 Department of Justice that precedence has been set.
22 Precedence has been set through various case law.
23 Precedence has been set through legislation.

24 Yet what is that -- that precedence
25 founded in? I ask you? That the most important

1 listening session that needs to happen for the
2 Native Nations is this. At what point in time is
3 the same representation from the U.S. government
4 gonna come forth and express to all of the Native
5 leaders the justification for Johnson V M'Ntosh.
6 That is a very unique case of the Marshall Trilogy.
7 One of the founding cases of Federal Indian law.
8 And it becomes very, very important with regard to
9 the history of the present day.

10 Why? Because as the failed process that's been
11 instituted throughout time with regard to the
12 advocacy of infrastructural projects comes forth,
13 all right, it leads to dispute resolution. And the
14 manner that we are being dictated to in dispute
15 resolution is the judicial branch of the United
16 States Federal Government. And if there's an ask, I
17 would ask each of you is this: Go to the petition
18 that was filed by Standing Rock in the district, the
19 D.C. district there.

20 Look at the citations that were filed on
21 behalf of the United States Federal Government on
22 behalf of the Corps. Trace those citations back as
23 far as you can, and I will tell you now where you
24 will find yourself at that Johnson V M'Ntosh. And
25 if you don't know what Johnson V M'Ntosh is look it

1 up. There was a justification that had to come
2 forth with regard to a jurisdiction of a land
3 dispute in that Supreme Court case that came out, I
4 believe, in the late 1800s by Justice Marshall.

5 He struggled with the justification to
6 bring forth with regard to how that case was
7 supposed to come out. So, he cited Roman Papables,
8 all right, from the 14th and 15th century with
9 regard to marching orders that were given to Spain,
10 Portugal and England. All right. The right to
11 express dominion over unclaimed lands or lands
12 occupied by heathens and/or savages.

13 That is the foundation, one of the founding
14 principles of Federal Indian law. And my question
15 is this: How is it that the United States Supreme
16 Court is utilizing church documents? And where does
17 that fly in the face of the separation of church and
18 state? And if you trace the origins of that dispute
19 resolution into present day, that is the avenue that
20 we are dictated to.

21 And so the consultation process with regard to
22 the advocacy and the detriment that infrastructure
23 projects are bringing to our Nations, and to our
24 cultural way of life, and to our natural resources,
25 the advocacy is this: I've been to each of your

1 agencies with regard to the pursuit of a corporation
2 on the Coyote Island Terminal in Boardman, Oregon.

3 That project has since been shot down,
4 which is great. Okay. But in the height of that
5 battle, as I approached each governmental agency,
6 every one of your agencies pointed at each other.
7 You said, that's not us. That's not us. And after
8 we pushed, and continuously pushed and pushed and
9 pushed we finally got each agency to admit this.
10 They said, look, at some point in time someone's
11 going to file in Federal court, let's let the
12 Federal judge make the determination. And we said
13 absolutely not. We do not want a Federal judge
14 making an interpretation with reserve rights that
15 are promised within the articles of our Treaty.

16 And that Federal judge is going to utilize
17 citations that will trace themselves back into an
18 area of domination and dehumanization that will not
19 give us the proper dispute resolution mechanism to
20 advocate on behalf of our resources properly. That
21 is reality. That's reality. That is the history of
22 present day.

23 And so I ask you to question yourself.
24 What is the foundation and the will by which you are
25 bringing forth your policy decisions? What is it?

1 And tell me it's something different. Tell me it's
2 something different, and bring forth the
3 documentation that proves otherwise, bring it forth.
4 I look forward to that day.

5 But the reality of that situation is that
6 collectively awareness is coming amongst the Native
7 Nations specific to that history. And I believe
8 that the warriors will call for a different task,
9 and hopefully a collective effort with regard to how
10 consultation plays out, and how decisions are made,
11 and how projects either materialize or do not
12 materialize.

13 And if there is dispute, what is the
14 dispute resolution mechanism that we are going to
15 utilize that indeed justice becomes blind and not
16 favored in the area of corporations or those who
17 have the mightiest dollar? That is what's
18 happening. That is the reality.

19 The proposed super highway and fossil fuel
20 that is coming through the Northwest at this time is
21 a detriment to each and every walk and way of life
22 of every Nation who is represented throughout the
23 Northwest. We are consistently fighting every
24 proposed project. And one of my attorneys coined
25 the term. You know what's that called? It's called

1 lingchi. Do you know what that is? Death by a
2 thousand cuts.

3 Why? Because we are going through every
4 infrastructural project and we are going through the
5 -- the dispute resolution process. We are being
6 subjugated to local jurisdictions, State
7 jurisdiction and sometimes it will hit the Federal
8 level. And then we get pushed all over the place in
9 this convoluted process with regard to proper
10 consultation on behalf of the advocacy of the
11 natural resource.

12 And at the end of the day that process is
13 set up for mitigation. It's not set up to kill
14 projects. It is a mitigation process. And so
15 Hanford Nuclear Reservation, the 13 dams of the
16 Columbia River that inundated and flooded our Tribal
17 halls. I can go on probably all day about the
18 horror stories with regard to infrastructural
19 projects and how they have affected the way of life
20 and the walk or the Yakima people, and how that is a
21 sustained threat to our -- to our existence as
22 people. And the future generations that will come
23 behind me, our children, our grandchildren.

24 Yet collectively the infrastructural
25 projects at this point in time, when the Yakima

1 Nation signed that Treaty we ceded one-third of the
2 State of Washington for the express reserve rights
3 and promises that were laid out within the articles
4 of the Treaty.

5 And so that advocacy flying in the face of
6 all this process that's coming forth has become in
7 many senses a joke for us. But the joke is on us,
8 because it's the sacrifice of our natural resources
9 that go hand-in-hand with the relationship or way of
10 life that reduces the element of our future
11 generations to have a chance at surviving, at
12 existing.

13 And that's not only existing with regard
14 to the foods and the ceremonies, but the ability to
15 drink clean water, the ability to breathe clean air,
16 the ability to walk upon untainted grounds. That
17 goes hand-in-hand with the sustained existence. And
18 the reality of the situation at this point in time
19 is that indeed we have come collectively, not -- not
20 only Native Nations, not only the United States, but
21 as a world come to a point in time where change must
22 happen. Change must happen.

23 And the United States will hopefully come
24 to the realization that your greatest asset with
25 regard to implementing that change and healing those

1 things, those violations of natural law, are those
2 who are associated and closest to natural law and
3 have a relationship with natural law that goes back
4 to time in memorial.

5 These are the Native Nations who have that
6 relationship. We still practice it. We still have
7 that communication through our languages, through
8 our ceremonies, and through our walks and way of
9 life. The greatest threat to national security for
10 the United States must be realized, that if that
11 ceases to exist on behalf of the Native Nations the
12 shortened time span of the United States will cease
13 to exist. That's a reality. And I don't say that
14 as a threat. I say that as an acknowledgment of
15 truth and spiritual law. That's the reality that the
16 Native Nations are bringing forth.

17 So, specific to that there are some things
18 that I think are solution-based that we would like
19 to propose on behalf of Yakima Nation. First and
20 foremost, very aware of the collective
21 infrastructural projects with regard to the coal
22 terminals, the oil refineries, all the different
23 projects that are being proposed within the
24 Northwest. Yakima Nation, the Corps of Engineers are
25 very well aware. We've advocated historically for a

1 regional environmental impact statement.

2 We've advocated for that, yet we've
3 consistently been shot down and said, no, we can't
4 do that. When we had the proposal come through at
5 Coyote Island the determined impact was the dock.
6 And we said no. If you're going to propose to ship
7 out coal to the Columbia River we need a regional
8 environmental impact statement that starts from the
9 Powder River Basin all the way to the Washington
10 Coast, because the natural resources that are
11 impacted from that entire area are going to impact
12 our way of life.

13 That's the only way that you can truly
14 bring forth the advocacy on behalf of the resource,
15 instead of the corporate dollars or associations for
16 a coal terminal to export coal to China, let alone
17 that that coal gets exported to China, and it's
18 already a proven scientific fact that the emissions
19 from that are coming to the Northwest, and raining
20 down upon all of us, and impacting our traditional
21 foods, our waters and everything associated with
22 that.

23 But the reality of it is -- is this: Corps of
24 Engineers, you have some discretion. And if you go
25 to 40 CFR 1502.4(b). Okay. Says the environmental

1 impact statements may be prepared geographically,
2 including actions in the same region. All right.
3 You have discretion. You have discretion to make a
4 regional environmental impact statement from the
5 Columbia River Basin all the way to the Washington
6 Coast.

7 If you mandate that environmental impact
8 statement to come forth, the advocacy on behalf of
9 all the resources will come forth in such a strong
10 way the truth will be realized. And the truth is
11 this: Is that any of these infrastructural projects
12 that are coming forth on the advocacy of corporate
13 interests, all right, at their -- at the detriment
14 of our waters, our lands, our resources, our
15 traditional foods and, therefore, it is an attack on
16 our existence. That's an attack on our sustained
17 existence.

18 There's something else that's called that.
19 All right. And if we're into advocating on behalf
20 of the corporate interests over a peoples' sustained
21 existence, is that truly the time and day and age
22 that we live in today? I question that. And I
23 understand that perhaps the Corps is sitting there
24 saying to themselves, as the told us may times in
25 consultation, well, if we do that we run the risk

1 that we're going to get sued from the other side,
2 and we believe the U.S. Federal Government's dollars
3 are better spent, rather than being in litigation to
4 go through a different process.

5 Well, you have a trust fiduciary
6 responsibility. And on behalf of the Yakima Nation,
7 that trust responsibility is within the reserve
8 rights in the articles of our Treaty, which goes
9 hand-in-hand with Article 6 of the U.S.
10 Constitution, and there should be no other sentiment
11 or regard other than that.

12 If a Treaty impact comes forth with regard
13 to an infrastructural project it should kill that
14 project immediately. It should kill it immediately
15 because the hierarchy of law gives the authority to
16 do so. Your own CFRs give you the discretion to
17 have the tools, and a regional EIS to come forth
18 throughout this Northwest Territory, so that you can
19 shoot down the advocacy of the corporate interests
20 that are coming forth for the proposed super highway
21 of fossil fuels that's going to be impacted here in
22 the Northwest.

23 You have that discretion. And we are
24 asking for that to come forth. We believe that's a
25 real thing that can happen, and it's a step

1 necessary that can bring forth the scientific
2 evidence that will give you the justification to
3 shoot down these projects, which is the right thing
4 to do.

5 Another thing, since this is coming, and
6 it's truly beneficial, we are grateful for the Obama
7 Administration to have this come forward. We
8 believe a very feasible thing that can come forward
9 is an Executive Order from the Obama Administration.
10 We believe he has the authority to do so.

11 We believe that there's an element that
12 can come forth to help shore up, and give the
13 various agencies some tools through the Executive
14 Order to help us collectively advocate on behalf of
15 the natural resources. That Executive Order we
16 think would help supplement the 13007 Executive
17 Order on sacred sites and the 13175 on consultation.
18 And an Executive Order supplementing such should be
19 coming forth with regard to free, prior informed
20 consent.

21 If a free, prior informed consent
22 Executive Order comes forth we believe that will be
23 a mechanism that the agencies can utilize with
24 regard to no longer a check-the-box session, but an
25 absolutely requirement for proper consultation, and

1 only upon free and prior informed consent of Native
2 Nations specific to reserve rights and territories
3 for infrastructural projects that will come forth to
4 attack our way of life, that we get the proper say
5 specific to that discussion.

6 We believe the Obama Administration can
7 act on such; accordingly, we believe it will
8 supplement the Executive Orders that have come forth
9 prior from the Bush Administration, from the Clinton
10 Administration and by Obama's Administration. And
11 we think that that's an advocacy that you can do.

12 Indeed, it's been represented to him that
13 his legacy, all right, with regard to his
14 interaction with the relationship of the Native
15 Nations will hinge upon what happens at Standing
16 Rock, but it will hinge upon a lot of other things
17 as well, including the proposed infrastructural
18 projects throughout the Northwest here. And that's
19 an avenue and a tool that we believe can come
20 forward to help us all advocate indeed on behalf of
21 what is right on the natural resources.

22 There was some reference with regard to
23 the Appendix C. Chairman Forsman has been a great
24 advocate on behalf of the Native Nations, and being
25 that voice specific to that. And Chairman --

1 President Cladoosby, from NCAI, I couldn't have said
2 it better, with regard to the process that Appendix
3 C is utilizing and how it's flying in the face of
4 NHPA, the NEPA aspect specific to that.

5 We believe that that needs to be
6 eliminated, and a mandate to come from the Obama
7 Administration so that the Corps can, essentially,
8 take that away from its process specific to the
9 Section 106. And, so, that's an advocacy that we,
10 too, are joining in unification with regard to
11 Northwest Nations.

12 The fast track permitting process was also
13 referenced with regard to President Cladoosby. That
14 fast track permitting process with regard to the
15 economic pursuits of the nation, the United States,
16 that's a -- that's a lofty goal, and that's
17 righteous thing to go about, but not at the
18 sacrifice of our natural resources. And indeed
19 there needs to be a Native voice specific to that
20 fast track permitting process.

21 So, just in conclusion I wish to express indeed
22 this: That for the life of me, as a current Native
23 leader, I go back to the history of time, I was
24 blessed to be raised by beautiful elders. They have
25 given me many strengths in my -- in my walk, in my

1 well-being. And they've given me many testimonies
2 to history with regard to a time and a day and age
3 that my grandfather, his grandfather was at the
4 Treaty signing, he was able to observe those acts of
5 domination, of dehumanization.

6 And I ask myself currently, because I
7 indeed am a very prayerful man, I try my best, what
8 is the plight that is going on today? Not only do I
9 serve as a current chairman of my nation, but I
10 serve as a traditional leader. I'm often called upon
11 to bring forth service for funerals, for name-
12 givings, for first fish, for first kills, for all
13 kinds of ceremonies that are associated with our
14 walk and way of life.

15 But for me, I could never go out of sight,
16 out of mind. The reality of the materialized
17 decisions that are coming forth, and the barriers
18 that are put in front of us as Native leaders when
19 it comes to trying to identify how we are to truly
20 address the well-being of our people physically,
21 mentally and spiritually.

22 If you look at all of the challenges that
23 are coming forth mentally with regard to how we
24 interact on a mental level, physically of all the
25 elements that we are facing, and spiritually that is

1 being supplemented by the mental and physical
2 ailments collectively. We wish not to exist, just
3 exist, we wish to thrive in the existence and of our
4 wellbeing.

5 And the dispute resolution process, and
6 the various barriers that are put forth with regard
7 to that advocacy in the pursuit of solutions, and
8 our -- the pursuit of putting up blockades and our
9 barriers to infrastructural projects that will
10 threaten our walk, our way of life becomes critical
11 in the very advocacy of our sustained existence as
12 peoples.

13 And so I just express to my heart, to your
14 hearts, that I hope that you will find something
15 within your collective will, something within your
16 individual capacity in the service that you have on
17 behalf of the United States, and indeed is a great
18 country, with very valuable principles. But those
19 principles that are established as land of the free,
20 the home of the brave, the Constitution, the Bill of
21 Rights, and all the elements with regard to those
22 associations are not being expressed to the Native
23 Nations collectively.

24 And so I plead that indeed that you will
25 find a way within your individual capacities to

1 bring forth some type of action, because this indeed
2 is a listening session, but the action is what we
3 will be trying to pay attention to. And we will be
4 trying to advocate and help.

5 So, I thank you very much. And I wish you
6 all safe travels. And I wish you all patience as
7 you listen to the rest of the leaders this day on
8 behalf of the collective expressions that are coming
9 forth on before of a way of life. So, thank you
10 very much.

11 **MR. CONNER:** Thank you, Chairman Goudy.
12 David Brown Eagle, vice-chair, Spokane
13 Tribe.

14 **VICE-CHAIRMAN BROWNEAGLE:** (Native
15 language spoken.)
16 Good morning, friends and relatives. And I'm going
17 to apologize to my relatives back here for having my
18 back to you. No arrows, please. (Laughter) You
19 know, it's going to take a little time to, I guess,
20 warm up. I'm feeling all kinds of emotions right
21 now. There's -- there's a lot of anger, and there's
22 a lot of sadness, and there's a lot of despair, as
23 well as there's a lot of hope.

24 And coming together, and having you in
25 front of us sitting here, listening, you know, I

1 thank you. Whatever that listening will do, I hope
2 it does something other than, oh, that was a good
3 talk. Because it is. It's -- it's -- you -- you
4 have a responsibility. And sometimes having
5 responsibility is hard to achieve because you have
6 to go through all the -- just the red tape, the
7 bureaucratic whatnot.

8 I'm gonna give you a little history of --
9 of myself and I'll kind of tell you where I'm going
10 with this. My grandfather Kwil Kwil Sta is Red
11 Antelope. And I'm named after my grandfather on my
12 mother's side. So, I'm half Spokane and half Ho-
13 Chunk. And my grandfather was Kwil Kwil Sta, Red
14 Antelope. And then he was given the name Moses
15 Lott, biblical. The church forced the name on him.

16 And sometimes we get up and we say, well,
17 my name's Dave Browneagle, that's my English name,
18 and Kwil Kwil Sta is my Indian name. Well, I've
19 never really cared for that. You know my spiritual
20 ancestor name is Kwil Kwil Sta.

21 Because I was asking, and I went to many
22 elders on different reservations, I said why do we
23 say that? Why do we say Indian name and -- and --
24 church name more, or white name more, European name.
25 And they had different ideas and different theories

1 and what have you.

2 Well, for those who believe I had a dream
3 of my grandfather, he came to me one night, and he
4 said, "Grandson", and he was talking in our
5 language, he said, "you've been asking." He said,
6 "I'm going to tell you for me, why I have done this.
7 And he said when I was born, and the people knew me
8 as Kwil Kwil Sta, Red Antelope, and then the church
9 came and gave me the name Moses Lott." He said,
10 "So, the people who knew me as Kwil Kwil Sta, they
11 didn't know Moses Lott. The ones who know me as
12 Moses Lott didn't know me as Kwil Kwil Sta." He
13 said, "So, when I got up in my broken English to the
14 newer people who knew me as Moses Lott," he said,
15 "my name is Moses Lott. That's the name I've been
16 given. And he said Kwil Kwil Sta, (native
17 language), Red Antelope, this is my name."

18 Think about that. We started having a
19 division amongst ourselves. My English name is, my
20 white name is, my Indian name is, my ancestral
21 name is. Then we have confusion. So, when we have
22 these gatherings do I speak as a Tribal member, do I
23 speak as a grandfather, a father, and a great-
24 grandfather. I was just blessed with a great-
25 grandson. And I was born on the Colville

1 Confederated Tribes. I was raised on the Blackfeet
2 Nation. I'm enrolled Spokane, and my father was Ho-
3 Chunk. So, who do I speak from; Blackfeet, Colville
4 Confederated Tribes, Spokane or Ho-Chunk? Here I'm
5 representing the Spokane Tribe.

6 I'm also a veteran, U.S. Army. I was an
7 x-ray tech, my mother was a registered nurse, my
8 father was an x-ray tech. My father was a World War
9 II veteran. My brother was a Vietnam veteran. My
10 son joined the military right after high school.
11 So, do I speak for the veterans? Yes, I do.

12 My grandfather's father, my great-
13 grandfather, was Chief Coyote, and his father-in-law
14 was Father Abraham. And he was supposedly the
15 first, I'm going to say, bible thumper for the
16 Spokane Tribe. So, he was a religious man in that
17 context. But also they both signed -- after the
18 Treaty period was over they both signed the
19 agreement between the United States Government and
20 the Spokane Tribe.

21 And my grandfather on my father's side,
22 the Ho-Chunk Nation, he was the keeper of the eagle
23 war-bundle. So, what does that say? All foreign for
24 all the Native people here. The reason we get up
25 and we introduce ourselves and we say our -- our

1 name, and we give a little history. Oh, and I also
2 had to say my -- my mother was a registered nurse,
3 and my father was an x-ray tech. I might have
4 already said that.

5 But when I stand up here I'm not just
6 standing up here talking about me as a vice-
7 chairman. I represent the Spokane people. I
8 represent our history, collectively and
9 individually. I represent the veterans. I
10 represent the traditional cultural and spiritual
11 ways of our people. I've taken part in the
12 Blackfeet ceremonies, my wife's Blackfeet.

13 So, when we come here to present to you
14 we're not here just as a representative representing
15 our Tribe. We're representing our history, we're
16 representing our values, we're representing our
17 culture, we're representing all these things. So,
18 we have to stand up and allow our people to see
19 this, and to hear this.

20 And when I say stand up, my ancestors can
21 see me. And I hope I'm doing them proud. I stand
22 up, my children, my grandchildren and my great-
23 grandson can see me, and I hope I do them proud. I
24 stand up and my mother and father see me. I stand
25 up and the future generations that I represent that

1 will be here soon, I hope I'm making them proud so
2 when they get here they can say my great-great-
3 grandfather stood up and he spoke well. And that's
4 why we have today.

5 Now, what's that mean? Well, everyone in
6 here, and the non-Native history included, we've
7 gone through some horrific things. Also I have a BA
8 and a master's and I was working on my doctorate and
9 I said I don't need it. I want to get back with my
10 people. And I just retired from education a year
11 and a half ago. I had 40 years in education.

12 So, I'm a well -- if -- if I can say this
13 in front of my people. I'm a well educated Indian.
14 And I don't make fun of education. I'm -- I'm --
15 I'm making light of it, because everyone prior to
16 this day who spoke up for us had traditional
17 knowledge. My grandmother I felt had a Ph.D. A lot
18 of things that she spoke of, the academic science
19 proved her right. The creation stories, not the
20 myth, but the creation stories that have been handed
21 down from generation to generation to generation.
22 You go to the academic institutions, you do the
23 research and you'll find out those creation stories
24 are based in fact.

25 But the professors at Arizona State said

1 but you didn't know that. I said not only did we
2 know that, we practiced it. Look at climate change,
3 that's been predicted. The flood, we have creation
4 stories about the flood. So, I'm saying this for
5 each and every one of us and for all my ancestors
6 and future generation. We're not dumb people; never
7 were, never will be.

8 So, when the speakers get up here to speak
9 they're representing their values, their beliefs,
10 how were they -- they were raised, their customs,
11 their ceremonies, their creation stories. Now, if I
12 got up here and said, well, I've got a master's
13 degree. Well, that might impress some people. But
14 a lot of my people, especially my elders, aren't
15 impressed with that.

16 What they're impressed with how does he
17 carry that? How does he present himself? How does
18 he treat us? Does he get us coffee? Does he get us
19 water? Does he make sure we're okay? Does he look
20 at us when he speaks to us? Does he shake our hand?
21 Does he mention his parents? Does he mention his
22 children?

23 So, what I'm talking about is integrity.
24 Because I had this -- I have this issue with the
25 word "consultation". I always have. But

1 historically when our people first met, and the
2 government said they will consult with us, was on an
3 even plane. We will consult with you because you
4 have some knowledge, you have some understanding,
5 you have some -- and we wish to hear so we make --
6 we will make a decision.

7 And we have some things that we need to
8 do, so we will consult. But over the years it's
9 kind of turned, for me it's turned ugly. Oh, let's
10 have a consultation with the Spokane Tribe. Can you
11 come in here and tell us your stories, your myths.
12 Tell us what you think. We're going to do it
13 anyway, but we just need to check it off, because
14 historically we're supposed to consult with you.
15 See, it's turned around.

16 Just like when I get those little
17 messages, well, we're going to have a consultation,
18 can you be there, can you send a representative?
19 So, we go and we sit. And I'm glad you guys are
20 sitting here instead of up here. Because all the
21 experience and education, I also -- I almost forgot
22 to say this, I have minor psychology.

23 So, I know about communication. It's --
24 and that's why I'm saying to my friends and
25 relatives in the back, I apologize, because one of

1 the things that we did for most Tribes, we sat in a
2 circle. And do you know why? Well, my grandmother
3 explained it to me. My father explained it to me.
4 He said so you can see everyone. When they get up
5 to speak you can see it in their eyes, you can see
6 how they collect themselves. You can see if they're
7 telling truth or not truth.

8 Now in a school setting, which we all got
9 raised in, we have the people sitting behind us, and
10 we have the teacher sit in front. College systems
11 work the same way. Do you know why? Power and
12 control. The person in front is the expert. I
13 don't know what's going on behind me. I'm not going
14 to get support if you say something I disagree with
15 you. But if I can see across the room, and I see
16 somebody else who disagrees with you, that going to
17 give me a little courage to say I disagree with you.
18 And I can go on and on and on.

19 So, in a -- in a nutshell that's how the
20 Government has worked with the tribes, power and
21 control. Document, we want to consult with you, we
22 want to have a consultation. Well, if it was 150
23 years ago, 200 years ago, I'd say great. And that
24 means we sit at the same table, we look across from
25 one another and we talk. You have your ideas, I

1 have my ideas. You have your beliefs, I have my
2 beliefs. You have your values, I have my values.
3 You have a way you want to do it, the way I want to
4 do it. Okay. Now, we've got a nice talk. Now,
5 let's make a decision. Rather than coming in, the
6 decision's already made, check off the box and there
7 we are.

8 Okay. I'm going to get into -- oh, I'm
9 glad your not doing two minutes, three minutes or
10 five minutes. I always -- always do it within that
11 time frame.

12 I was at the State legislature here in
13 Olympia one time about a year ago. And we were
14 talking about the reintroduction for our salmon,
15 getting salmon past Grand Coulee. And one of the
16 State legislators introduced it, and he was up there
17 talking to the gallery, fellow colleagues, and
18 explained the legislation that he was putting forth.

19 And one of these colleagues just got after
20 him. He said how come you didn't ask me. I'm -- I'm
21 offended that you didn't ask my about this, and da,
22 da, da, now you're presenting it. And he read him
23 the riot act.

24 So, Madam Chair from our Tribe and our --
25 our president from the Yokut and myself. We get up

1 at the table, we're all sitting there. And so I
2 asked if I could speak third. So, when everybody
3 got done I looked at that legislator and I said,
4 "You know what", I said, "I'm really glad you were
5 offended. I can relate to that." And he looked at
6 me like, oh. And I said, "The reason I can relate
7 is I said nobody came to my grandfather and my
8 grandmother and asked them can we build a dam and
9 ruin your life. They must have been offended."

10 Now, we talk about dams, we talked about
11 fish, we talk about this, we talk about loss. I'm
12 going to ask each and every one of you if you lost
13 something in your life, a child, a parent, a
14 grandparent, something that you value, something
15 that you had from the day you could remember and all
16 of the sudden it was gone.

17 Last night I -- I said about my
18 grandmother. She used to tell me stories about my
19 grandfather fishing, what is now the Columbia River
20 and the Spokane River, and the people that came
21 together, and the things that took place, and the
22 racks of salmon drying. But for all of you that
23 were there last night when I finished, I went to my
24 room, and I cried.

25 I just realized after all these years she

1 never told me about when the salmon quit running.
2 She never told me about the salmon when they didn't
3 come up the river anymore. I just realized that
4 last night. And I guess I realized it just the way
5 -- the way of -- the reason my grandmother told the
6 story. Here are the happy times. Here's your
7 grandfather. Here's what we did. Here's the
8 ceremony. Here's this. Oh, wow, wow.

9 And I was a little boy. I -- she passed
10 away when I was 15. I believe last night she didn't
11 want to tell me what was lost, rather she was giving
12 me a hope of what can be of based on those stories
13 about my grandfather, about the ceremonies. And I
14 can go on about the gathering the roots, the
15 berries, we're losing that, we're losing Mount
16 Spokane, hopefully we don't, but the way things have
17 been going probably. Right, James? So -- so, she's
18 had that. Think about it.

19 I was looking at some of these notes in
20 existing framework. And that kind of puts it at --
21 at a disadvantage at the get-go, existing framework.
22 Yeah, we could make some changes probably. But why
23 not revisit the framework and see how come it's not
24 working. That will take a lot of work there and
25 effort.

1 To me -- I -- I already touched on
2 consultation. But the thing about consulting is you
3 don't talk face-to-face, equally, sovereign nation,
4 sovereign nation. And part of that consulting, that
5 talking face-to-face going back to how it probably
6 once was -- excuse me, if you're on your phone could
7 you put it away or -- unless you're taking notes.
8 Thank you.

9 Now, if I come to your home, and you want
10 to talk, and I sit down, I'm going to assume you
11 want to listen to what I have. And I will listen to
12 why you asked me there. I'll feel respected. I'll
13 feel that what you're asking me to do, and to share
14 with you, you value what I have. And in our country
15 that happens a lot. We have elders come to us, say
16 we want to talk. We have young people come to us,
17 can I talk with you. We have non-Indian people come
18 and say can I talk with you? Can I talk with you?

19 And I personally, I -- I think I can speak
20 for all of us here. We feel -- we feel valued. So,
21 if we can have that same value when we have this
22 consulting process then I'm all for it. But if
23 you're going to ask me to your house to let me do my
24 little speech, and you already have an idea what
25 you're going to do, just call me up, tell me, and

1 I'll say, well, check the box off, we had our talk.

2 But I -- I know you won't do that. Okay. I hope.

3 All right.

4 Trust responsibility, Trustee. Trust
5 responsibility. I think the key word is trust. I
6 should be able to trust you to do what you're
7 supposed to do. And you should be able to trust me
8 to do what you think and feel I should do. Trust to
9 trust.

10 Okay. I'm almost done. Sacred sites. I
11 found this book one time. I was teaching high
12 school. And it said "Sacred Places", right there on
13 the bookshelf. And I thought wow. I took it down.
14 I was thinking of our sacred places. And I'm going,
15 wow, there's going to be some of the sacred places
16 in the world, other countries, other -- other
17 cultures. I turn open the book, all the sacred
18 places were man-made buildings.

19 So, I got to use that in my class. I said
20 here's sacred places. And I showed the book. And I
21 started naming our sacred places. And I told the
22 students, and I took this one picture of this
23 church, and I said, "What would happen if we, as a
24 class, would go down there and take sledgehammers to
25 it and wreck it?" And their first thought was --

1 their first reaction was, "Oh, we'd get in trouble,
2 we'd get thrown the jail." I said, "Probably".

3 And I explained a couple of things that
4 happened with us. They said, "What happened?" I
5 said, "Nothing". Because the -- I -- for me, and I -
6 - I hope I can speak for a lot of our people here.
7 Our sacred places we have a spiritual connection to.
8 We have a spiritual connection to our children, our
9 grandchildren, our ancestors. When I said hello to
10 my relatives, that includes you, that includes
11 everything that we have in here, that includes
12 everything that's out there.

13 So, when we had that connection, when
14 something gets hurt or destroyed it hurts and
15 destroys us. And that's what we're fighting for.
16 And going to North Dakota, we're hurting with them.
17 I believe you should be hurting with them. Because
18 we're talking about the land, we're talking about
19 the water, we're talking about the air, we're
20 talking about the natural resources. It isn't going
21 to last forever. I keep telling my kids and my
22 grandkids we're so darn arrogant we think we can do
23 all this and nothing's gonna happen.

24 I figured in 75 years my great-grandson's
25 going to be 75 -- yeah, 75 -- whatever the date's

1 going to be. Somebody figure that out. I hope he
2 has some place to go. I hope he has air to breath.
3 I hope he can jump in a lake, or a river or the
4 stream and -- and play in the water, or his
5 grandkids or his great-grandkids.

6 So, I believe North Dakota, the Standing
7 Rock Sioux, what they've done for all of us, I mean
8 all of us just not Natives, is a wake-up call.
9 Wake-up calls happening with the Lummi, wake-up
10 calls happening -- I think maybe the alarm's up, we
11 need to wake up. And you are sitting in a situation
12 and a place where you have a responsibility to the
13 people. And we're part of that, we're part of the
14 people. Okay. Okay.

15 I know everybody in here, you know, the
16 Treaty rights, as long as the grass grows, the river
17 flows. Well, check this out, metaphorically. Back
18 in the day our -- our Indian people in our language
19 didn't have a word for metaphorical. That's a joke.
20 Anyway. Because we did. We had -- we had more
21 words than the English language. But grass grows,
22 our children. As long as the grass grows, that's
23 our children, our children, your children. Our
24 children.

25 Treaty, Executive Order, piece of paper,

1 they can remain forever. We can't. River flow, our
2 bloodline. As long as our blood flows, there is a
3 reason and a purpose. Your blood flows; our blood
4 flows. And there is no -- I hope we get over this.
5 I hope there's no them and us.

6 So, North Dakota it's them. Government
7 it's us. No, it's us. Us. Us. Your children hurt;
8 my children hurt. Your children serve; my children
9 serve. They go to war, they battle, one or both
10 pass away doing what, fighting for our country.
11 Correct? Together.

12 Now, a couple of the -- and I'm going to
13 read this. Some things to do. Number one, amend
14 the EO 13007 you require -- or 007, excuse me, cuz
15 the military, I said 00, 007 to require the United
16 States to obtain the informed consent of affected
17 nations prior to any Federal undertaking that
18 impacts Indian sacred sites as required by Indian
19 Treaties and customary international law.

20 For consent to be formed sovereign tribal
21 nations must be given free access to information.
22 And cause the U.S. Army Corps to withdraw its
23 Appendix C, as lack of legislative and regulatory
24 authority under Section 106 of the National Historic
25 Preservation Act. And cause the Army Corps to

1 prepare a Pacific Northwest region-wide
2 environmental impact statement for all fossil fuel
3 development projects in our region that's presently
4 modeled by NHPA.

5 And the last thing I'm going to say, and
6 I'm going to go back to what I started out with,
7 full circle. When I was making reference to the
8 integrity of each and every one of us, that's why I
9 asked you shut your phone off, please. My time is
10 your time; your time is my time. This is the only
11 time we have together. And when you go and do your
12 job, just like we do our job, and I don't mean job,
13 we do our responsibility, it's to the people.

14 Real easy example is I can say, yeah, I'm
15 going to a meeting. I go shopping. No. I tell my
16 people I'm going to go to the meeting and I'm gonna
17 speak. Well, darn it, I'm going to go to the
18 meeting and I'm going to speak. Nobody knows that,
19 but I know that. What I know, my conscience, that's
20 my integrity. If I say I'm going to, I will. If I
21 sign up for a job as a teacher, as a professor, I
22 will show up and do my job, because that's what I
23 owe myself. So, my history, all the people that I
24 mentioned, gave me my integrity. And I am not going
25 to lose it. So, I'm going to ask you look inside

1 yourself, do what you can, because it's for all of
2 us, and for our people, your people, our people.
3 Thank you.

4 **MR. ROBERTS:** So, I just want to say a
5 couple of things very quickly. One is that, you
6 know, it -- it does feel like a listening session,
7 rather than a consultation. And part of that is,
8 quite frankly, because there is no check the box
9 here, there is no what does the end of this process
10 look like. We want to hear directly -- and I know
11 the tribal leadership across this room, your time is
12 extremely valuable. And I'm really thankful that
13 all of you have made the time to be here, because I
14 know you all have a million things on your plate
15 back home.

16 So, I guess I just want to say that while
17 it feels like a listening session, the reason that
18 we're listening so hard is because so many tribes,
19 particularly in this region, and some Tribal Leaders
20 have already mentioned it, in terms of particular
21 projects where you have been successful in having
22 your reserve rights recognized and those projects
23 being stopped. Or where Tribal Leaders have already
24 mentioned situations where you feel like it's death
25 by a thousand cuts.

1 How do we tangibly change that process so
2 that it doesn't feel that way? And that's one of
3 the reasons why we've highlighted in the framing
4 paper the Desert Renewable Energy Conservation Plan,
5 because that was a landscape level approach of
6 looking at where should renewable energy projects be
7 sited. And tribes were at the table, and it wasn't
8 just a one-time consultation listening session, it
9 was a multi-year effort consulting at various levels
10 with Tribal Leadership and experts to say does the
11 renewable energy project in the future make sense
12 here?

13 It doesn't because -- maybe it doesn't
14 because that area is important to this tribe for
15 whatever particular reason. But it's sort of long-
16 term planning. So, we've heard from tribes in
17 California is that that process worked.

18 And, so, I really just want to underscore,
19 one, this isn't any sort of check the box, all of
20 our time is much too valuable.

21 We are trying to have these sessions
22 quickly during this Administration so that we are
23 able to have a deliverable at the end of this
24 Administration to carry forward. We know that this
25 will be a long-term commitment.

1 But, three, the reason why we are -- I
2 feel like we are primarily in listening mode today
3 is because we are looking to all of you. What has
4 worked? What can we lift up? Because all too often
5 I can say in our jobs there is a million reasons why
6 the Federal Government can't do something.

7 But you all have worked with Federal
8 agencies where things have worked. And we need - we
9 need to raise those up and think about things a
10 little bit differently so that we can, as we're
11 discussing things internally within the Federal
12 family as a pathway forward say, well, this worked
13 over here. We know that this worked. Let's try to
14 replicate those successes.

15 So, I don't want to spend too much time.
16 I do know that we have probably at least 11 Tribal
17 Leaders still scheduled to speak, so I don't want to
18 take too much time. But I just wanted to say that
19 greatly appreciate all of the high level leadership
20 here in this room today and your time, and -- and
21 attending this consultation.

22 So, I think next up is Chairman Sheldon
23 from the Tulalip Tribes.

24 **MR. CONNER:** Chairman Sheldon, followed by
25 Vice-Chair Lyons of the Sauk-Suiattle Tribe.

1 **CHAIRMAN LYONS:** Thank you. So, I didn't
2 want to have my back to you all.

3 **VOICE IN THE BACK:** You have all the
4 arrows, again, right now.

5 **CHAIRMAN LYONS:** Yes. I have a very air
6 conditioned shirt at home. I've gotten a few arrows
7 through the years, but that's part of the terrain.
8 You know, I really appreciated that earlier picture
9 of the sea and the water coming in. And as I was
10 looking at that I says how can I lay my net out? I
11 was just trying to figure out looking at the
12 current, the wind, gee, what a great place to lay a
13 net out and catch some fish. So, really appreciated
14 that.

15 I want to thank the panel, thank you very
16 much for taking time out to listen, to hear what
17 we've got to say. Some amazing speakers this
18 morning. I want to raise my hand to our Leaders,
19 you're true warriors who represent our Indian
20 people. Thank you very, very much for what you've
21 shared with us.

22 And to -- to my elders that have went on
23 before us, who have laid the foundation so that we
24 could continue the journey, we could continue to
25 improve life for our people, we could continue to

1 work with the habitat, all the challenges that gets
2 faced.

3 And my name is Mel Sheldon, Chairman of
4 Tulalip Tribes, and I'm honored to have Councilmen
5 Glen Govin with me this morning, and Councilwoman
6 Theresa Sheldon, also Terry Williams is with us this
7 morning, and Preston and Patti, thank you very much
8 for all that you do for not only Tulalip, but all of
9 Indian Country as our team.

10 I also serve as first vice-president of
11 ATNI, a regional organization that serves close --
12 close to 50 tribes in the multi-state region, and
13 also have the very fortunate honor to be the
14 Northwest vice-president at NCAI level. But more
15 importantly I'm just happy to be representing
16 Tulalip today and -- and carry the message forward.

17 Also, you know, as many of you know,
18 Tulalip Tribes are the successors in interest to the
19 Snohomish, Snoqualmie, Skykomish and other Allied
20 Tribes and Bands that signed the Treaty of Point
21 Elliott in 1855. Our ancestors have occupied our
22 traditional lands since time in memorial. Newcomers
23 have been into our historical areas for less than
24 ten generations. Our rights and ways of life are
25 rooted in the land and the waters.

1 When we ceded vast lands to the United
2 States we reserved sovereign jurisdiction over
3 cultural resources, cultural heritage, burial
4 objects, human remains and other aspects of our
5 culture in our areas of historical occupation. Our
6 ancestors and remains of our culture are still with
7 us, they are alive, infused with spirit, and our
8 ancestors never would have imagined them to be non-
9 living.

10 Material objects, it is our sacred duty to
11 protect the gifts that the Creator has passed to us
12 through our ancestors. We must ensure that future
13 generations of Tulalip will also have access to
14 them, and be able to care for them. These sacred
15 duties cannot be ceded.

16 We remind the United States government
17 that the Tulalip Tribes are sovereigns, and the
18 Treaty of Point Elliott is the supreme law of the
19 land. We have never surrendered our sovereign
20 jurisdiction over our ancestral or cultural
21 remains on or off our reservation. And I expect
22 that our sovereignty is to be respected by the
23 United States.

24 We have submitted a number of comments on
25 the minimum measures that the Army Corps of

1 Engineers need to take. And -- and not only -- and
2 -- and, you know, as mentioned, President Cladoosby
3 mentioned, while we talked about the Army Corps of
4 Engineers, I think there's a little bit to, if you
5 listen, that you can take improvements to all
6 departments. So, please look at it in -- in that
7 respect.

8 The four issues that we want to bring forward:
9 Consultation on a government-to-government basis,
10 based on our informed consent. So, let me say that
11 again. Consultation on a government-to-government
12 basis, based on informed consent.

13 The need to treat our cultural heritage as
14 our sovereign property in assessments. The need to
15 treat our cultural heritage as our sovereign
16 property in assessments. The need to provide
17 flexible guidance and criteria for local
18 assessments. And the need to include cumulative
19 impacts.

20 Consultation: We appreciate the value of these
21 listening sessions, but these are not government-to-
22 government consultation. Consultations must be
23 face-to-face with the Tulalip Board of Directors.
24 The United States must negotiate with us over how
25 these discussions are structured.

1 We look forward to working with the next
2 Administration on ways to improve the consultation
3 process to reflect our sovereign status and to
4 achieve clear recognition that decisions about our
5 cultural resources and heritage cannot occur without
6 our sovereign informed consent. The need to treat
7 our cultural heritage as our sovereign property in
8 assessments. Our sovereignty over our ancestral
9 remains and culture -- cultural heritage outside our
10 territories must be recognized and respected.

11 We must have full and early participation
12 in the assessment process prior to permitting to
13 bring our issues and rights when infrastructure
14 projects are first proposed. We are not only
15 potentially impacted by projects, but also by
16 activities surrounding assessments and preparations.
17 Our sovereign rights must be taken into account long
18 before a pipeline or terminal is at our doorstep.

19 We insist that our rights as a sovereign
20 must be respected. Decisions must be based on
21 direct negotiations and sovereign informed consent.
22 They cannot be based on balancing our sovereign
23 rights against economic concerns or the interests of
24 non-Tribal stakeholders.

25 The need to provide flexible guidance and

1 criteria for local assessments. The Army Corps of
2 Engineers, like many U.S. Government agencies, has
3 many career administrators that appear, may be or
4 are inflexible in the way that they apply the
5 regulations. They set policy at the national level,
6 often developed related to non-tribal citizens and
7 governments.

8 Every tribe has unique circumstances, and
9 assessments must be able to accommodate the
10 differences in local circumstances and the tribal
11 and environmental histories. Administrators and
12 staff must receive training in respect to our
13 reserved Treaty rights and cultural heritage in
14 infrastructure assessment and permitting.

15 The need to include cumulative impacts.
16 The assessment process often looks only at local
17 impacts in the construction of a proposed
18 infrastructure project. Impact assessments must be
19 taken into account -- must take into account
20 historical impacts. They must also consider the
21 future impacts of the operation, maintenance and use
22 of infrastructure.

23 Infrastructure projects not only disturb
24 the area where they are constructed, but can also
25 increase traffic, promote population growth, lead to

1 further infrastructure expansion, and bring other
2 changes that threaten our cultural heritage. The
3 scale of assessments must be expanded to include
4 these wider impacts.

5 The inclusion of historical impacts is
6 critical. In 2011 the Pacific Northwest tribes
7 brought forward the white paper, "Treaties at Risk".
8 And at this juncture I must put right out there that
9 we were so fortunate to have Billy Frank, Jr. as our
10 warrior. He inspired us. He inspired us to stand
11 up and fight the fight. And for many of us what a
12 mentor he was to us. And he will continue to be
13 through the years for us.

14 And that means documenting the failure to
15 protect our Treaty reserve rights to fish, hunt,
16 gather and harvest. In these circumstances a
17 project-by-project approach to assessing
18 infrastructure projects will not address our large
19 historical losses of our rights and defamation and
20 destruction of our cultural heritage. Without
21 reform it would lead to a death of a thousand cuts.

22 So somewhat in closing, you know, history
23 will judge all of us. Everyone here, history will
24 judge you. What did you do today? What have you
25 done to fight the fight? What can we do together?

1 You know, and I -- I want to commend all of you for
2 stepping up and doing the things that you have for
3 Indian Country. There's many, many more things to
4 do.

5 And the legacy that we leave, I often
6 reflect at Tulalip, what legacy will we leave as my
7 Board of Directors, this current Board of Directors.
8 And there's always challenges with every era. What
9 can we do together? When you think about the
10 political courage, when you think about the
11 challenges, the political currency, all the things
12 that you gathered through your life to be where you
13 are today, it's going to lead you to a legacy. What
14 is that going to be?

15 You know what you can do to make a
16 difference. You know your department. You know the
17 job that you do. You know the pros and cons. And --
18 and so I beg of you, that you can make a difference
19 as it's time to move on.

20 We're so grateful that President Obama was
21 one of the greatest presidents we'll ever have for
22 listening to Indian people. He met with us eight
23 years, eight times. And each of you were probably
24 there, or a member of your department was there with
25 us. And the journey was a good journey.

1 It will continue. How we continue it
2 today, I believe, we set forth that. How we're
3 going to continue this, albeit maybe 44 more days.
4 I understand the door's closing quick. But what can
5 you do in 44 days to leave a legacy to pass onto
6 somebody. You know your train better than we do.
7 So, we raise our hands and say thank you for what
8 you've done, and we also raise our hands in the
9 hope, -- way, to great seed -- I -- to great seed to
10 great seed. Thank you. Thank you. Thank you for
11 the work that you've done, and work that will do.
12 (Native language spoken.)

13 **MR. CONNER:** Thank you, Chairman.

14 Vice-Chair Lyons?

15 And let me just note. To try and ensure
16 that we -- the time that we have in trying to get
17 all the Tribal Leaders I just ask members of the
18 panel to take breaks as they need. We won't take
19 any formal break, we'll keep moving forward. And
20 we'll all be responsible for trying to pick up the
21 transcript on those parts that we need. Thank you.

22 Mr. Vice-Chair.

23 **VICE-CHAIRMAN LYONS:** Yeah. Thank you.

24 We're -- we're a real small Tribe. I'll try to make
25 this real quick.

1 I'd like to say that I'm Vice-Chairman of
2 the Sauk-Suiattle Tribe, my name is Kevin Lyons.
3 And that our Tribe stands with the Cheyenne and
4 Sioux River Tribe. We've sent members there to
5 bring supplies. I myself haven't been there. I
6 missed the memo of Tribal Leaders heading out there.

7 So, with that being said I'd also like to
8 say, I'd like to thank the Obama Administration for
9 coming out to the Oso mudslide. That was something
10 that directly impacted our Tribe. We were cut off
11 with communications and internet and the highway was
12 destroyed as you guys probably know. It was a great
13 honor to have him come out and visit us, and -- and
14 actually see the destruction and -- and, oh, a
15 natural disaster. That our current reservation is
16 under threat from a few natural disasters of similar
17 proportion. That event awakened us to look at these
18 natural disaster threats a little more seriously.
19 Myself personally, I was a firefighter, a first
20 responder on that disaster and it was -- was a mess.

21 But anyway representatives of the
22 Government, today we're presenting with you an
23 important critique of the history of this present
24 moment. We are here to notify you we reject the
25 U.S. Government's use of the ultimate dominion, a

1 claimed right of dominion, based on a so-called
2 discovery by Christian people of lands of Natives
3 who were heathens. We are not savage heathens like
4 I was taught in school growing up. And I was very
5 ashamed of that. It made me feel very beyond low.

6 We are nations. We are here today to
7 discuss with you a proper basis for a relationship
8 truly government-to-government with self-
9 determination, not domination. That language of
10 domination is found in the U.S. Supreme Court ruling
11 Johnson V M'Ntosh, which has never been overruled
12 and is still considered valid law in the United
13 States. We reject the Johnson V M'Ntosh doctrine as
14 a political/legal framework for treating and dealing
15 with our Nations, the original Nations of this
16 continent.

17 This we do not consider to be
18 consultation. I agree it's more like a listening
19 session. Our meaningful consultation with our Tribe
20 we consider to be when you are on our land with our
21 full tribal council. We would consider that
22 consultation government-to-government.

23 On some action items that we need to
24 address with this Administration going out, and
25 you've heard before, and I'll repeat, an immediate

1 order from the President for a regional EIS, and an
2 Executive Order on informed consent and sacred
3 sites. And Appendix C with NHPA and NAGPRA, NEPA
4 problems.

5 And just a brief story on the Sauk-
6 Suiattle Tribe. At contact we were promised the
7 Suiattle River valley from the mouth to the
8 headwaters. And with modern day GIS mapping we now
9 know that that constitutes 731 square miles of land.
10 After the surveyors surveyed it they wrote in their
11 report that this is land too valuable for Indians to
12 own. And, obviously, they had to do something else.

13 In the end of the discovery of the Sauk-
14 Ku-Me-Hu Tribe, which is our Native translation for
15 Sauk-Suiattle, we ended up with a quarter-acre
16 cemetery in which we had to take our dead that were
17 in canoes and trees from the homesteaders that were
18 moving in and cutting the trees down. And we just
19 gathered them all up quickly, and -- and pretty much
20 put them in a mass grave of a quarter-acre. And
21 that's what we ended up with.

22 We -- we bought a property, and now have
23 14.9 acres of reservation. The problem with that is
24 that it's all in a flood plain, it's in a lahar
25 zone, and we're also under a tsunami threat. And

1 that would be from the big shakeout that we talk
2 about in Washington if the dams above us on the
3 Skagit River were to break. Yeah.

4 Seattle City Light stated that it would
5 inundate everything 450 in elevation and under, and
6 our reservation sits at 400 feet. So, we're kind of
7 at the beach. But I don't think nobody wants to
8 stick around and see if we're going to have
9 beachfront property there. Now -- and so we're
10 trying to move.

11 The problem with moving is some of the new
12 lands that we have acquired are just trying to get
13 infrastructure in under County codes. We're having
14 a hard time with it, just simple power, water and --
15 and sewer. And -- and we're not working on no
16 pipelines or nothing. So, that is a problem with
17 us. And a reverse aspect of there's -- there's
18 infrastructure problems in -- in the State with our
19 Nations and lifelines.

20 In the same aspect we're a tiny little
21 tribe trying to establish a foothold, and -- and to
22 be in a safe location. And -- and to have some
23 economic development opportunities. Getting
24 infrastructure in has proven to be quite a problem
25 for us right now.

1 That's all I have to say. I'd like to
2 thank you for your time. And --

3 **MR. CONNER:** Thank you.

4 **VICE-CHAIRMAN LYONS:** -- hopefully I
5 didn't have my back to anybody.

6 **MR. CONNER:** Thank you for the comments.

7 We have Chairman Iyall of the Cowlitz
8 Tribe. Followed by Chief Brainard.

9 **CHAIRMAN IYALL:** Good morning. Yeah. My
10 name is Bill Iyall. I'm the Chairman of Cowlitz
11 tribe. And we are at -- truly at a crossroads here.
12 We have all of these amazing Tribal Leaders coming
13 here today sharing their families, their history,
14 you know, but bringing you tremendous traditional
15 knowledge. And I want to thank you all for
16 delivering that today. It -- it is the opportunity
17 for a success. It's a new respect, let's call it
18 that way, a new respect that would come in this
19 permitting process.

20 You know, I'm -- I'm one of those
21 successes myself. I'm a professional engineer, with
22 nearly 50 years of practice. And a BIA scholarship
23 to go with that. But -- so, I've done this
24 permitting. I understand the checklist, I
25 understand how that works. And worked that for many

1 of my major projects.

2 But, you know, I'm now in a position of
3 leadership for the Cowlitz people to build our
4 Nation. We were 160 years landless. Secretary
5 Roberts was very much a part of building that for
6 us, bringing us to where we are now. We are just
7 2002 with our recognition. And here we are at the
8 table with all of these amazing Leaders. And we --
9 we thank you, again, for being here.

10 But permitting is more than a checklist.
11 And, you know, the -- the Cowlitz were -- we were
12 brought to the Treaty council, and we refused to
13 sign. We refused to cede our land. The Indian
14 Claims Commission, over a hundred years after that,
15 they said, well, we want to settle with you now.
16 And in 1973 they gave us 62 cents acre for 2000
17 square miles of Southwest Washington.

18 So, that's -- and I think they thought
19 that that was also take away all those rights that
20 we had and the inherent rights, our -- our religious
21 rights, our ceremonial rights. And -- but -- but
22 that's not the case. We -- we want you, as our
23 advocates here today, we know that you are here to
24 listen, but we want to you act on all of these
25 ideas. I think that that's the true test of the

1 success.

2 Looking to the future. What is that
3 success and how do we get this handoff to the next
4 Administration that will be -- will forge a pathway
5 to success in working with tribes. And -- and
6 informed consent. That's an amazing idea. But it -
7 - it only came from these Leaders, that's where it
8 came from. And so we need this innovation in our
9 Government as well.

10 We are looking -- looking back at these
11 checklists. I know some of those shortcuts, if you
12 will. The nationwide permit, that's what happened to
13 Dakota Access Pipeline. There's programmatic EIS,
14 that is another shortcut. But they're all pitfalls
15 for some of these major issues. As -- as a -- as a
16 people, as a Cowlitz people, we are standing against
17 these fossil fuel projects that come to our
18 neighborhood, the Millennium Coal, the Tesoro oil
19 export port, and the methanol plant that will be
20 placed at Kalama.

21 These are all in our backyard, but they
22 affect all of the entire Columbia River Basin from
23 the beginning to the end. The number of ships that
24 will be coming for these actions is -- is
25 incredible. You're talking about doubling the

1 shipping traffic. All of -- of these ships will be
2 loaded with a time bomb.

3 When I was in the service in 1970 I was
4 stationed in Alaska. I -- I got to fish in Prince
5 William Sound. And -- and -- and the coho were
6 beautiful. You know, I don't know what it's like,
7 but I've seen films to where the cleanup for the
8 Exxon Valdez was -- was a simple steam cleaning of
9 all of the surfaces and rock. So, they could turn
10 over the rocks and they're coated with oil
11 underneath.

12 So, what do we do if that happens on the
13 Columbia? What do we do? You leave it there for the
14 next 50 years is what you're doing. That's what's
15 happening. We have the Tesoro proponents come to
16 our office, and we talk to them. We're -- we're
17 happy to talk to them. And I address them as oil
18 barons, that's exactly what they are.

19 They come to us with these proposals. And
20 -- and I said are you willing to put up a billion-
21 dollar bond to address the damages if something
22 happens? And, well, their response is that we're
23 not responsible for the transport. That's a whole
24 'nother agency. Federal railroad rules go back, you
25 know, obviously a 100, 150 years. And so they're

1 living and upholding regulations that's that old on
2 these rail -- rail corridors coming down the
3 Columbia River.

4 They always built the rail corridor on the
5 easiest path, and so you're right next to the water
6 all the way down. And they -- and that's what they
7 did with all of the logging railroads, all of the --
8 now all of the coal. 16 trains a day of coal are
9 gonna be coming down the Columbia River with a 100
10 cars, 16 of them a day if this Millennium port is
11 built.

12 That's frightening. But what's more
13 frightening is that if we get to a point where we
14 are with the Dakota Access Pipeline, and you haven't
15 listened, you know. That's what I'm concerned
16 about. Let's -- let's get away from these short
17 forms and -- you know, and I ask you to help us with
18 this, with these -- these NEPA processes as an
19 advocate. So listen and act as a Trustee, an
20 advocate.

21 The Army Corps is a -- is the gatekeeper.
22 You hold the keys to all of these major projects and
23 -- and I -- and I really, you know, again, I think,
24 you know, we're -- we're looking for meaningful
25 consultation. And I thank the Obama Administration

1 for bringing meaningful consultation to a new level.
2 Because it isn't just an email to a technical staff
3 member, it isn't just a phone call. When we have
4 major actions we need to have this face-to-face.
5 And the eye contact is most critical.

6 As a student I sat in front, and I had
7 that eye contact with my professors all the time.
8 So, I think eye contact means -- means -- is the
9 true meaning of consultation, face-to-face.

10 We have a -- at this methanol plant there
11 is a State process that is called EFSC, and it's
12 Energy Facility Siting Committee. The Governor
13 appoints that committee. There is no tribal
14 representation on that committee. If -- if this law
15 was written 25 years ago, and EFSC -- for the
16 methanol plant they have -- they had the option to
17 raise it to a -- a review level that would be a
18 thorough review. And EFSC chose not to do that. We
19 have a final EIS in the process, I guess, that we
20 have to deal with now, and we have no review at that
21 committee level.

22 We ask Governor Inslee now to seriously
23 pursue legislation to bring a tribal presence to
24 EFSC. I think that's critical. But it may be too
25 late in some of these instances. And so, you know,

1 look -- look beyond the treaties, and -- and be that
2 advocate for -- for our -- under NAGPRA, under --
3 you know, look at our Religious Freedom Act, and --
4 and inherent rights, and -- and all of our cultural
5 rights, and protecting those, because we have to do
6 that with one hand tied behind our back, no treaty,
7 and we're fighting for a future for all of the
8 future generations.

9 One success project that hasn't been built
10 yet that I can offer is the Columbia River Crossing
11 is a \$3,000,000,000, maybe \$4,000,000,000 project
12 before it gets built. We went to the State of
13 Washington, and cautioned them as soon as that
14 discussion started, and we've been sitting at the
15 table with them for, I don't know, seven, eight
16 years. Do not build that through what they called
17 the north -- excuse me, it's the east route, which
18 would have taken it through a graveyard at Fort
19 Vancouver.

20 When the diseases hit in 1820s all of the
21 tribal folks came there for trading, but they also
22 came there to die, because that's where the
23 treatment was. The quinine or whatever was
24 available at that time. And, so, there's unmarked
25 graves, countless unmarked graves on that site.

1 So, you know, they -- we -- we can hold up
2 the example of a lot of failures in that process.
3 And many Federal highway projects have suffered
4 because of those failures. But I'm -- I -- we have
5 been able to forge a partnership with WSDOT on this
6 project, and -- and that -- that project has been
7 held up for several years, but we will stay at the
8 table.

9 And -- and I'll be happy to join you in
10 any processes going forward that you see a need for
11 me to be there, I'll been there. Thank you.

12 **MR. CONNER:** Thank you, Mr. Chairman.

13 Chief Brainard.

14 **CHIEF BRAINARD:** Good morning and thank
15 you for this opportunity. I'm Chief Warren Brainard
16 of the Coos, Lower Umpqua, Siuslaw Tribe,
17 headquartered in Coos Bay, Oregon. And in addition
18 to my remarks my Tribe will also submit written
19 comments by the November deadline.

20 Today I'd like to discuss the Jordan Cove
21 LNG project, a multi-billion-dollar export facility
22 and pipeline proposed for Coos Bay, Oregon. FERC
23 and the Army Corps have regulatory jurisdiction over
24 different components of this project, as do the
25 State and local governments.

1 My people have inhabited Coos Bay since
2 the beginning of time, documented 12,000 years. The
3 site proposed for the massive LNG export facility
4 includes locations of our permanent village, ancient
5 burials, a complex system of fishing weirs, and
6 hunting areas used to this day by our members. As
7 Chief of the Tribe I view it as my moral obligation,
8 as well as my obligation under the Tribal
9 Constitution to protect our cultural resources at
10 Jordan Cove.

11 Ten years ago the applicant proposed they
12 construct an LNG import facility only, and promised
13 there would be little ground disturbance. A few
14 years the applicant announced a change in the plans
15 from an import to an export facility and pipeline,
16 but again assured us that there would be little
17 ground disturbance.

18 In 2015 on the eve of FERC's approval of
19 the final EIS, the applicant informed us there would
20 be massive ground disturbance activities on the
21 site, including fiber desiccation and liquification
22 techniques that would basically encase our ancestors
23 in cement. And yet the applicant insists that the
24 archeological studies that were performed when
25 little ground disturbance was contemplated, are

1 sufficient for the extreme ground disturbance
2 measures currently proposed.

3 FERC has, essentially, agreed -- agreed
4 with, despite our protests, despite the protest of
5 other area tribes, and despite the protest of the
6 Oregon SHPO. For several years FERC staff had
7 refused to consult with us. They take the position
8 that since we intervened in the site certification
9 process to protect our rights under the NAGPRA and
10 NHPA, and other statutes, that any meeting with us
11 would be inappropriate ex parte communications.

12 Instead FERC instructs us to address our
13 concerns to the applicant. ACHP agrees with us that
14 FERC's ex parte rules do not trump FERC's
15 obligation, consultation. An applicant should never
16 be allowed to serve as a proxy for the Federal
17 Trustee. FERC dismissed the application this spring
18 on grounds unrelated to resource projections.

19 However, the applicant has sought
20 reconsideration, claiming it has proven up the
21 market demand, and FERC has then -- at that -- FERC
22 has found missing in the application. FERC has
23 issued a towing order, so it may mull over the
24 request. Meanwhile, the applicant, confident that
25 FERC will grant this motion and approve the project,

1 continues to seek other Federal, State and local
2 permits for the project.

3 We are very concerned that FERC will
4 ultimately issue the site certification, and that
5 FERC will green light the applicant to desecrate our
6 ancestors, destroy our ancient village, and dredge
7 through our ancient submerged weirs. We have joined
8 SHPO and other area tribes in requesting that FERC
9 substantially modify the flawed memorandum of
10 agreement that was entered into back when the --
11 when an import facility was contemplated, and before
12 the applicant proposed to fiber densify sensitive
13 areas of the sight. Thus ACHP, Oregon SHPO, other
14 tribes, and other area tribes have significant
15 concern that ancient burials, village sites, and
16 other sensitive resources will be lost through the
17 process, proposed ground disturbance activity.

18 While FERC staff shares the applicant's
19 view that the existing archeologic is significance -
20 - sufficient to approve the project. We are very
21 concerned that FERC is going to withdraw its
22 dismissal and quickly approve the project based on
23 the existing record and the recommendations in the
24 environmental impact statement.

25 If FERC withdraws their dismissal order

1 before making any further decision on my
2 application, FERC must engage in meaningful,
3 substantive consultation with our tribe concerning
4 impacts posed by the massive ground disturbance
5 activities now proposed by the applicant, and must
6 otherwise address the concerns raised by our Tribe,
7 and other area tribes, and Oregon SHPO.

8 In our fight to protect our cultural
9 resources at Jordan Cove we are blessed to have the
10 support of other area tribes, SHPO and ACHP. At the
11 same time we're saddened by FERC's refusal to honor
12 its obligation to consult with us. And we -- and we
13 are among the large group of stakeholders, including
14 ACHP, that fundamentally disagree with FERC's
15 application of its ex parte communications rules to
16 Indian tribes.

17 We thank you for the opportunity to offer
18 these comments today. There is so much at stake for
19 my tribe. And we know there are many other tribes
20 who are similarly situated. We stand in support of
21 those tribes, and we look forward to working
22 together to improve regulatory systems that all too
23 often minimize tribal interests. Thank you.

24 **MR. CONNER:** Thank you. Thank you, Chief
25 Brainard.

1 Let me just note that FERC -- I didn't
2 talk about this at the outset. FERC will be
3 participating in our consultation session in
4 Albuquerque. So, I'll make sure that we highlight
5 your comments for them. They're not here today, but
6 --

7 **CHIEF BRAINARD:** Thank you.

8 **MR. CONNER:** We'll let you know.

9 Steve Vance with the Cheyenne River Sioux
10 Tribe, followed by Arlene Wheeler with the Lower
11 Elwha Klallam Tribe.

12 **MR. VANCE:** (Native language spoken.)

13 I want to first say, introduce myself, as was said
14 earlier, there is a traditional introduction of who
15 we are amongst each other as tribes, the protocol.
16 And I am of that traditional living life of -- of
17 the Lakota as we say it. I know my captain who I
18 worked for said Cheyenne River Sioux Tribe, but
19 we're Lakota. That was the name given us by -- by
20 establishing a boundary around us called the
21 reservation. But we are Lakota. And protocol is to
22 ask permission. And we're here amongst other tribes
23 of the Northwest. And before I continue I'd just
24 ask the permission of the traditional tribal people
25 here to continue.

1 I want to give a little history on the
2 Cheyenne River. Of course, you know, I was looking
3 at the pictures up here, and we see the white
4 buffalo calf, you know, and it looked like a picture
5 of Sitting Bull, and earlier I was outside and I
6 seen the ceremony grounds up here, the swedlocks.
7 And then seeing the trees. And, you know, I felt
8 that relationship between tribes.

9 We have been involved in many of these.
10 Just a little history of what kind of brought, I
11 think brought this forward was the tribe dealing
12 with the Corps of Engineers through the Dakota
13 Access Pipeline project. We have been involved in
14 that for over two-and-a-half years. And we finally
15 feel now somebody's listening.

16 We were involved with the Keystone. We
17 were actually communicating with the Canadian Tribes
18 because that was an international issue of crossing
19 an international boundary. But when a -- when the
20 Native people came down from Canada we spoke the
21 same language, and we spoke of the same issues,
22 cultural, historical. But yet that line didn't
23 allow them to come in and address the concerns, it
24 didn't allow us to go up there and address our
25 concerns.

1 So, we look at a lot of these things as a
2 global issue. You know, we knew this earth was
3 circular. And so just to let you know that, you
4 know, I know it is labeled, you know, a Standing
5 Rock issue, but it's a global issue. And those are
6 our concerns as a people that was instilled with
7 caring for the land, caring for the air, and the
8 water. What we were instilled with as a people.

9 And through time that has been taken away
10 from us. Other people manage the land. And we see
11 where it's at. I tried to imagine this place
12 without all these buildings, and it's hard. And,
13 you know, in '76 I was actually -- after the
14 military I was living down in Anaheim working in
15 Santa Ana. And every morning my windshield would
16 smear up from smog. So, I see -- I -- I know the
17 effects of air today, with aerial spraying, you
18 know, pesticides, herbicides, it's affecting air
19 quality also.

20 And I know they had mentioned Federal
21 Energy Regulatory Commission, you know, there's
22 another here, the Environmental Protection Agency
23 also needs to start getting involved in -- in these
24 things, because everybody's talking about climate
25 change, climate issues. And water, that's where

1 we're at right now. That is a sacred object, along
2 with the air and the land. And through the process
3 of what we're doing it's hard to address water under
4 the sacred sites policy.

5 So, I'm not an archeologist, I'm not a
6 botanist, I'm not an attorney, I'm a -- I was asked
7 by the Tribe to -- to be the Tribal Historic
8 Preservation Officer. I was also asked by the Tribe
9 years ago to protect them as a law enforcement
10 officer. I have 17 years of protecting our people
11 on the reservation as a police officer.

12 In '95 I was asked to go into the schools
13 and to teach our Lakota language, culture, and
14 history. I did that for nine years. So, my service
15 is of the people, their culture, their history,
16 their future. One of the pictures I really like in
17 here is the one around the corner, the little girl
18 standing. That's why I'm here.

19 How I deal with Federal agencies has to do
20 with the past, present and future protection,
21 preservation of cultural historical property. So,
22 from here I'm going to address the panel as to the
23 good, and the bad, and the ugly of consultation.

24 First of all, I'd like to thank the ACHP.
25 They are the Advisory Council on Historic

1 Preservation. When things come to a stall, or
2 issues start to arise, the advisory council comes in
3 with advice to Federal agencies. Although North
4 Dakota State Historic Preservation also didn't agree
5 with ACHP or the Corps of Engineers didn't agree
6 with ACHP. The Tribe thanks you for supporting us
7 in that. This was premature, permitting that was
8 premature. So, thank you.

9 For -- as for our comments. Our Chairman
10 Harold Frazier is actually in Los Angeles right now
11 meeting with the President. And in Albuquerque he
12 will give our position paper. We shared it with
13 some of the tribes. But you're going to see me
14 again. You're going to see me in Albuquerque,
15 you're going to see me in Rapid City.

16 For the past six years as Tribal Historic
17 Preservation I've been bring these same issues up.
18 So, why the Nuclear Regulatory, Bureau of Land
19 Management, any of these other agencies, hasn't
20 pushed our comments up to you previously is
21 confusing to me. Because I've been saying these
22 same things for six years now.

23 So, hopefully, as in the position paper
24 that we have, this isn't just a listening session.
25 That we rebuild -- we rebuild the -- the structure

1 of -- of consultation completely. I have one piece
2 of paper, so I dont have a whole bunch, but we have
3 a lot of issues.

4 And I will -- again, you know, my concern
5 is extractive industries. You know, why this
6 country has talked about going to alternative
7 energy, but yet we can't influence Detroit, or the
8 auto industry, or oil, fossil fuel industries into
9 making that same commitment. If we can just put all
10 electric cars out there, get away from oil, we
11 wouldn't have such an issue. But this has an issue
12 to do with oil that -- that I think brought this to
13 a point.

14 There are a lot of issues and questions
15 that I have because there is Title 16, and Title 54,
16 when we're talking about National Historic
17 Preservation Act. A lot of people talk about
18 Section 106. And the processes inside of Section
19 106 is how you will involve tribes in discussion of
20 -- of proposed projects.

21 And, like I said, my biggest issue is with
22 extractive industries. That has to do with rare
23 element resources, that is all the lasers, night-
24 vision goggles, the cellphones, you know, the touch
25 screens. It's the different things than gold. I

1 mean I've -- I've got issues way back, too, from
2 what happened to the Black Hills. It was ours until
3 there was gold there, then they took it away. You
4 know, the risk issue was the railroad, you know,
5 crossing.

6 Those things is what brought tribes to --
7 to concern of what the future is. So, the -- the
8 very first thing, the very first thing, I think all
9 agencies should look at is consequence. If we have
10 problems with consultation similar to what this is
11 here, going on with -- with all the tribes. And I -
12 - and I thank all the tribes who -- who've come up
13 there and looked at what was happening to the
14 Missouri River, because that river goes all the way
15 down to the Gulf of Mexico. We didn't get involved
16 legally until it -- it -- it was an issue closer to
17 show harm. We wanted to get involved when they were
18 going to cross the Garrison. But the attorney said
19 that's too far away to show harm. It's the same
20 river. I think agencies should have jumped onboard
21 to begin with. But what is the consequence for not
22 complying to Section 106?

23 There is no, I guess the way you say it,
24 monetary or -- or punishment for, let's say, the
25 Corps or Bureau of Land Management, or any agency,

1 when they do not consult or they do not follows the
2 process. It's a Federal law. The Federal law
3 should be coast-to-coast. If there is no type of
4 consequence that way, I recommend suspension of the
5 agency that's dealing with it.

6 FERC will be at Albuquerque, because we're
7 talking about an energy source that's being moved.
8 And when one agency does not consult properly I
9 think -- as -- as multiple agencies, the Bureau of
10 Land Management mostly will -- will take the lead,
11 and -- and multiple agencies, but this has to do
12 with the Corps of Engineers, that also has to do
13 with the fish and wildlife services. And the Corps
14 actually mentioned that the Bureau of Indian Affairs
15 was actually involved. This was last year,
16 February, down in the area of Nebraska when we met.
17 That's three agencies.

18 I said EPA and all these other ones should
19 have been in. So, I think there should have been a
20 lead agency here who would follow what they call
21 meaningful consultation, face-to-face, government-
22 to-government, with the interests of tribes in the
23 mind. None of those things happened in this
24 project.

25 So, I think further on down the line, when

1 you have failure in consultation, you should suspend
2 that agency and put in one who will look at things
3 through the wider area. I know we have regions set
4 up, but we didn't have that.

5 When we're talking about where our
6 ancestors are buried, as -- as Crazy Horse said, "My
7 land is where my people are buried". And that's all
8 over this continent. So, we have issues with human
9 remains, where they are being tore up, destroyed,
10 out in the black market.

11 I agree with all of the people who have
12 come up here and spoke earlier. I heard Appendix C
13 brought up. I have totally disagreed with Appendix
14 C from the get-go. One or the other, consultation
15 under Section 106 or Appendix C. We need to decide
16 how we're going to consult.

17 Another one, as I said the good, the bad,
18 and the ugly. Nuclear Regulatory Commission with
19 their process of using clean water, aquifer water
20 table, for their process of extracting uranium, and
21 then turn around and disposing of that treated -- or
22 that water is actual deep well injection into the
23 aquifers, because EPA deems aquifers as non-
24 drinkable. This isn't just the water on the top of
25 the rivers, the lakes, the oceans, it's also what's

1 underneath.

2 Environmental assessment versus
3 environmental impact statement. A lot of those
4 agencies will utilize findings of no significant
5 impact to not do the -- a full EIS. Or they will
6 use categorical exclusions, know as CATEX to not do
7 a full EIS, which we asked for early on -- on on
8 this project. I'll refer to this one because I
9 think this is kind of what brought me to -- I also
10 agree with the nationwide EA as not being an
11 effective document in addressing concerns. We -- we
12 presently disagree with the Corps' nationwide EA
13 that's supposed to be coming out here in 2017.

14 When -- when we're discussing these
15 things, and there's complications, and we lean to
16 advisory council to intervene and to put corrective
17 measures back on Federal agencies. As I said
18 earlier, North Dakota State Historic Preservation
19 office didn't listen to ACHP, nor did the Corps.
20 They -- they -- they said they're going to move on.
21 How much does ACHP's voice mean in consultation?
22 So, if agencies aren't listening to their own
23 created advice, I think the tribes should sit down
24 and created their own advisory council.

25 One of the concerns is the sacred sites,

1 places and objects needs to, as I said earlier,
2 needs to include land, air and water, especially
3 today. As all of these things, these resources, are
4 starting to deplete and become less and less ways to
5 stay healthy. You know, when we're talking about
6 how far, you know, where -- where -- where did this
7 begin. You know, we could go way, way back. But
8 one of the things that is still utilized by the
9 extractive industry is the 1872 Mining Act. I think
10 that also needs to be updated, along with
11 everything.

12 So, I'm not looking at just one thing that
13 has been a problem, but this has been cumulative
14 things, as you say, cumulative effects. All these
15 little issues brought it to where we're at today, as
16 to what are the concerns. There are a lot of
17 concerns. In Tribal resolution, Nuclear Regulatory
18 Commission back when they were in Nebraska talking
19 about the Crawford mining project, Cheyenne River
20 Sioux Tribe submitted a resolution opposing any
21 renewal, expansions or new permits for uranium
22 mining within Treaty territory. And they moved on.
23 They said okay. They accepted the resolution. And
24 then they moved on. And there are probably nine
25 other proposed uranium projects on the western side

1 of the Black Hills.

2 So, what does "no" mean when a Tribe
3 submits a reservation that says no action
4 alternatives, what does that mean? That needs to be
5 considered. We said no. No crossing the river.
6 And yet here we have people up there in a peaceful
7 mode praying, being confronted by weapons, and dogs,
8 and, you know, military-type, you know, vehicles.

9 The -- the problem with Federal agencies I
10 think is -- is state-by-state also, because you have
11 NITRO is good. I think it needs to be beefed up in
12 -- because we have -- when we go from one state to
13 another state in dealing with native human remains
14 it is different, because the State has a burial
15 code. We're already preparing in Iowa for the
16 site's cultural resources that's going to be
17 affected by this project. And that, again, brings
18 up the issue of Native remains.

19 North Dakota has the centennial burial
20 code. South Dakota has a State burial code. Iowa
21 has a different one. Iowa has a little bit better
22 one. When we're talking about Native remains in --
23 in Federal issues, Federal projects, Federal-led
24 projects, we should be looking at the whole country
25 equal when we're having to ask for our remains back.

1 The first thing we said leave them where
2 they are. Avoidance. But we have to, for some
3 reason, move them. And that's sad. So I think,
4 there again, if we're going to deal with Native
5 human remains it should be across the United States
6 the same way, instead of having to turn them over
7 and/or we have no access because it's on private
8 property.

9 Executive Orders versus a congressional
10 act. Now, you, as agencies, are going to have a
11 different tune to march to here pretty soon. You're
12 going to be changing a President. Now, what if that
13 President comes in with a new Executive Order. It
14 changes everything we're doing here. So, I think
15 they need to be stronger law than just Executive
16 Orders by a President who will be there maybe four
17 years, or maybe pass away and then someone else
18 steps in. These issues are going to continue on for
19 the next generation.

20 The other thing is I know there is a lot
21 of times when we have problems, let's say, on tribal
22 jurisdiction areas where we have asked for co-
23 management or management of those resources. So, I
24 think this needs to go further on. I think there's
25 going to be more requests from tribes to -- to

1 manage those resources that aren't being managed
2 appropriately by agencies.

3 As I said earlier, EPA on aquifers. They
4 deem underground water as non-drinkable. So, EPA
5 allowed uranium mining under aquifer exemption.
6 Now, when this water on top of the ground is
7 polluted, diminished, we have to have another source
8 to go to. We can't to go mars or we can't to go
9 another planet looking for water. It's right here.
10 In 1976, as I said, when I lived down in Anaheim,
11 water was on the menu for ten cents because of the
12 water shortages down there. You know, so if we're
13 going to be building 20, 30-inch pipelines we should
14 be pumping water down to people who don't have it.
15 Or EPA I think needs to be totally involved in all
16 of these extractive industry issues.

17 Funding. It's really hard. Some of you
18 have probably seen me zipping out of the room,
19 coming back in. I mean if they find human remains at
20 home, I'm gone. If I have to thumb it down the
21 road, I'm going to get back there and deal with
22 those issues. But that's me as the Tribal Historic
23 Preservation Officer. I have to deal with many,
24 many, many different issues. And the funds just
25 aren't there.

1 We're out here on our own dime. There's
2 nothing here that says that's going to reimburse my
3 fund, what -- what very little I have to operate
4 under. I'm trying to manage 3,000,000 acres of
5 reservation land, let alone Treaty territory, let
6 alone go to D.C. and meet with people who are
7 decision makers like you, when we have said these
8 things over and over and over to your -- your
9 regional directors, your -- your tribal liaisons,
10 your -- when we go to meetings, we go into meetings
11 like how I am right here. I don't have an attorney
12 with me. I don't have a Tribal liaison with me.
13 I'm in here trying to address the history and the --
14 the future of our existence on this planet. But
15 that's your interest, too, as some of the other
16 tribes. When we're praying, as they say praying,
17 we're saying all our relatives, plants, animals,
18 two-legged, four-legged, winged, the ones in the
19 water, your children, my children, their future, our
20 future.

21 The National Park Service has come out
22 with a climate change response strategy. One of the
23 emails I just got here was, again, you have several
24 Federal agencies who are addressing these issues.
25 Not everybody, only specific ones are saying, hey,

1 there's something wrong here.

2 Regional agencies versus Treaty territory.
3 When we're dealing with Region 8 EPA, which is out
4 of Denver, but then there is a mine that separates
5 that region from another region, but the ancestral
6 territory still cross into other regions, these
7 regional area -- these area managers aren't telling
8 the concerns to the next region, or the next state,
9 or the next area. It's, oh, you got to meet with
10 that another BLM. Both in 38 versus 36,
11 misinterpretations between traditional cultural
12 properties.

13 Landscapes. This is the thing now we're
14 looking at. We're looking at where that sun comes
15 up, and when you have all these winter winds they're
16 blocking that and -- and significant ceremonial,
17 spiritual areas, that's a concern. But people use
18 the two different interpretations to -- to get
19 around traditional cultural properties.

20 So, again, like I said, you know, there's
21 -- there's a lot of things I've been taking note of.
22 I could go on and on and on of -- of how things --
23 but if you have something that's failing, you have a
24 structure that's failing, based on its foundation,
25 you rebuild. You just don't stack more Executive

1 Orders or -- or policies or regulations on top of
2 what's at the bottom of the failures.

3 So, I think for Federal agencies, we need
4 to go back to the very foundation of what historic
5 preservation really means for future protection,
6 preservation of cultural and historical properties,
7 and Tribal involvement.

8 **(Native language spoken.)**

9 Those you have listened to me, I thank you. And I
10 thank you for your time.

11 **MR. CONNER:** Thank you, Mr. Vance.

12 We'll have Arlene Wheeler with the Lower
13 Elwha Klallam Tribe.

14 **MS. WHEELER:** Good morning. My name is
15 Arlene Wheeler, and I'm with the Lower Elwha Klallam
16 Tribe, and I'm here representing my leadership.
17 Frances Charles, our Tribal Chair, could not be here
18 today. So, I'm representing her, my people, my
19 ancestors. And I just want to thank you for
20 clarifying the listening session that you spoke
21 about earlier. To us this is not a government-to-
22 government consultation.

23 And I would just like to share that last
24 week I was at an infrastructure conference through
25 Washington Cities, and they were holding two classes

1 and one was on -- and it was by the DAHP, the
2 Department of Archeology & Historic Preservation.
3 And so they would -- one was on the cultural
4 resources, intercultural resources, and the other
5 one was on Section 106.

6 And so I just wanted to find out, you
7 know, from their point of view how they would
8 present the -- these two issues. And I also wanted
9 to -- to, you know, talk about the polluting of the
10 waters, and the air and how our resources are being
11 killed, and the desecration of sacred sites. And
12 how this impacts our future generations.

13 When they were talking about Section 106
14 it was reported that there are two cases of human
15 remains per week, and there has to be an inadvertent
16 discovery plan that works, that works for all of us.
17 Because I'd like to share a case that happened with
18 us back in 2003 when our tribe was -- our Tse-Whit-
19 Zen village site was heavily impacted by
20 construction of the graving dock through the
21 Washington State Department of Transportation.

22 And this happened in the Port Angeles
23 Harbor. You know, this was a project that was
24 ongoing from August of 2003 to December of 2004 when
25 the project was finally ceased after there were over

1 64,000 artifacts, or what they call artifacts,
2 they're belongings of our ancestors, were found and
3 335 human remains were recovered at the village
4 site.

5 To us this -- this project had -- there
6 was no protection, there was no way to stop this
7 project through Section 106. And we just want to
8 make sure that we can -- that this doesn't happen to
9 anybody. Consultation, I think, was part of the
10 huge problem in the beginning, because phone calls,
11 Dear Tribal Leadership letters, or faxes do not
12 constitute consultation.

13 And in this project that's what happened.
14 There was a fax that went out to another tribe. And
15 it didn't even make it to Elwha. And that's kind of
16 what they were basing their consultation on. They
17 sent out the letter and was hoping that it would
18 work. Well, it -- it didn't. And this was a huge
19 project. And we just don't -- we -- we don't want
20 it to happen to any other -- any other tribe or any
21 other nation, not just in our area but in the whole
22 nation, in the whole United States.

23 Consultation must be early, timely and
24 ongoing. And in order for a change to happen we must
25 strengthen that. And it was a huge project. And it

1 was -- and -- and it was very bittersweet. There
2 were many other issues that happened. For instance,
3 the -- -- the APE, the Area of Potential Effect.
4 That was kind of a big issue, because our APE was
5 way different than WSDOT's APE. And that really
6 took a -- a lot of effect in how the project moved
7 forward was because of -- because of the State
8 wanting to cement over our ancestors, and we didn't
9 want that to happen. We weren't going to allow that
10 to happen. And, so, defining the APE is huge.

11 There were a lot of things that -- that
12 happened out on the site that we just had no help
13 from through Section 106. And I just think that --
14 that being able to strengthen the way that this can
15 protect situations like this -- I don't know what
16 happened.

17 **MR. CONNER:** There's a problem with your
18 mike.

19 **(Whereupon, the Ms. Wheeler's mike was**
20 **changed.)**

21 **MS. WHEELER:** But anyway we just -- we
22 just don't want this to happen to any other nation.
23 And so, we're in agreement with the Appendix C must
24 be repealed. And consultation must be early, timely
25 and ongoing, and that change must happen in order to

1 prevent situations, litigation situations, like what
2 we ended up in with the State of Washington and the
3 Department of Transportation, which then ended up
4 with Federal Highways. And, so, thank you for --
5 for listening.

6 **MR. CONNER:** Thank you, Ms. Wheeler.

7 Chairman Cladoosby in his capacity as the
8 Chair of the Swinomish Tribe.

9 **MR. FORSMAN:** Before he jumps in, I'm
10 going to have to excuse myself. A tribal council
11 retreat. They are the ones that make the payroll.
12 So, I'd just like to thank everybody for your
13 testimony, and I apologize for having to leave
14 early. And no offense, President Cladoosby --
15 Chairman Cladoosby. No -- right. Okay. Well, I'm
16 going to pay for this later. But thank you.

17 **MR. ROBERTS:** Thank you, Chairman.

18 **MR. CONNER:** Thank you, Chairman Forsman.

19 **CHAIRMAN CLADOOSBY:** I just want to thank
20 our Trustee for being here with us today.

21 I'm going to be real quick. I'm going to
22 do some bookends here in our relationship with the
23 Corps of Engineers. Electronically -- and -- and,
24 once again, thank you. My name is Brian Cladoosby,
25 I'm the Chairman of the Swinomish Tribe, for the

1 record. And many of us Tribal Leaders here wear
2 multiple hats. In my case it just happens to be
3 cedar. Okay. I'll keep my day job.

4 But I want to -- in 1894 we started our
5 relationship with the Corps of Engineers. And I'll
6 be happy to share these letters with you. In 1894
7 the Corps was dredging the Swinomish Channel, which
8 the Swinomish Tribal members had used since time in
9 memorial to harvest salmon from. They had salmon in
10 that slough 365 days out of the year. In January
11 the steelhead were there. In March the spring kings
12 would come, then the summer kings would come, then
13 the fall kings would come. In August the pinks
14 would come every two years. In September the coho
15 would come. In October, November, December the chum
16 would come, then the steelhead would come back.

17 And they had -- they didn't have to go
18 anyplace, but in their front yard. And the story
19 was the kids would ask mom what's for dinner
20 tonight? Salmon. They'd say, yeah, hooray. The
21 next day they'd say, mom, what's for dinner tonight?
22 Salmon. Yeah, hooray. That was our life since time
23 in memorial.

24 In 1894 the Corps seen it fit to dredge
25 that channel to make it navigable. But they had to

1 do some of those dredge spoils, so they put them on
2 our reservation without our approval, without us
3 saying okay. No consultation. In fact, the person
4 that was in charge for the Corps of Engineers on
5 this project, his name was actually Mr. Savage. Mr.
6 Savage, he worked for the Corps. And as he was
7 destroying fish weirs and fish traps that had been
8 there since time in memorial, the tribal members
9 were objecting.

10 And one of the Tribal members, Mr. Knight,
11 Tandy Knight referenced in this letter that I will
12 share with you in my submittals, Mr. Knight says
13 I've got a Treaty right. You cannot destroy what
14 I've had and what my ancestors have had since time
15 in memorial. And Mr. Savage wrote to the Portland
16 Corps, the lieutenant was in charge, and his name
17 was Lieutenant Shunk. I thought that H was a K, so
18 I thought I was going to be here to say that
19 Lieutenant Skunk and Mr. Savage were our Trustees at
20 the time. But my staff says, no, that's an H, it's
21 Shunk.

22 And so Mr. Savage writes a letter, I have
23 it right here electronically, 1894 he says there is
24 a half-breed here at Swinomish, his name is Tandy
25 Knight, he says he has a Treaty right to hunt and

1 fish whenever he wants to. And in that letter he
2 says to his commander, he says you need to do
3 whatever you can to get rid of this Treaty right.
4 It's right there in black and white. And that's how
5 we started our relationship with the Corps of
6 Engineers.

7 Sadly enough, his fish traps and fish
8 weirs were destroyed. Mr. Savage goes on to say
9 that these dredged spoils will make great farmland
10 for when we turn these Indians into farmers, or if
11 they cannot become farmers we can lease it to the
12 whites. That's how we started our relationship with
13 the Corps in 1894.

14 Now, I want to fast forward to what's
15 happening at Swinomish today, current, real-time.
16 The Skagit River is the only river in the lower 48
17 that still has every species of wild salmon still
18 spawning in its tributaries. Sad commentary for the
19 lower 48. One of our local landowners decided that
20 he wanted to cut a channel off the Skagit in order
21 to store his boats without any permits; no State
22 permits, no Federal permits, no permission from the
23 Corps, nobody. He just wanted to take a dike and
24 just cut right through it so he could have a place
25 to park his boat.

1 So, he cut down trees illegally, he
2 excavated a channel. And this is one of our most
3 productive areas. And just recently my family had
4 four generations, my great -- my -- my grandson's
5 great-grandfather was on the river, my dad, I was
6 there, my grandson, we had four generations there.
7 And we took a picture to memorialize that. And I
8 said to my dad we have four generations on this
9 river. And my four-year-old grandson looks at us
10 and says I'm a generation. It was priceless. It
11 was priceless.

12 So, we were just there a few weeks ago.
13 And when we heard about the expansive repair
14 proposed by the local dike district we funded an
15 analysis that showed the proposed fix was not a
16 return to the prior condition, but in fact a
17 dramatic expansion of the impacts of our fisheries
18 from what existed prior to the damage. So, our
19 Corps, our Trustee, despite all the evidence that we
20 provided, and despite our request for real
21 consultation, concluded with the local dike
22 district, and not the Tribe, that the proposed work
23 was only a repair to the prior condition and that,
24 therefore, no permit was required.

25 We objected, but we were ignored. That's

1 not real consultation. That's not our Trustee
2 looking out for our best interest. That's not a
3 government engaging another government in mutual
4 respect with a sincere desire to understand and
5 resolve our issues. And it's just one of the
6 thousands of examples that every tribe could tell
7 you and, hopefully, that you'll hear across the
8 nation, that is playing out today in real-time.

9 Now, here's how it should have played out.
10 The Corps should have reached out to us once a
11 project with a potential to impact our fisheries was
12 identified. We should have worked together
13 collaboratively to understand the problem and to
14 identify potential solutions. Only after we had
15 reached agreement on a course of action moving
16 forward should the Corps have engaged non-
17 governmental actors, including the private dike
18 district that was involved. Now, that's what real
19 consultation looks like.

20 Now, here's one thing that frustrates me.
21 When we engage in this conversation we frequently
22 hear that Federal agencies say that they have to
23 defer to Federal law or are required to act
24 according to Federal law, even to the detriment of
25 our Treaties. The last time any of us in here read

1 the Constitution it says our Treaties are the
2 supreme law of the land. That's not ambiguous.

3 As our Trustees there is no law that is
4 higher for you than our Treaties; no Federal
5 statutes, no Executive Order, no rule or regulation.
6 Your obligations to tribal governments to protect
7 our Treaty rights, our resources, our sacred place,
8 and our interests must come first. That's a tall
9 order, but I'm confident that you are all up to the
10 task.

11 And in closing I just learned this morning
12 that a coalition of mayors from Los Angeles, our
13 very own Seattle where we're here, Madison, Salt
14 Lake City, there was six mayors that sent your boss,
15 the President, a letter asking him to stop DAPL.
16 Loud statement. And we thank these mayors for doing
17 that on behalf of Indian Country, and I'm very glad
18 that our very own mayor here in Seattle made that
19 step.

20 So, once again, I will be sharing these
21 letters so it's -- you guys have this history, the
22 same history that we have, that I'm just not making
23 this up. And that it's a bookend from 1894 to 2016,
24 where we're still seeing the same thing happening in
25 our homelands. Thank you.

1 **MR. CONNER:** That you, Mr. Chairman.

2 Our next speaker -- so, let me just do a
3 little time analysis here. Our next speaker is Jason
4 Camp with the United Auburn Indian Community. I
5 will just note, remind folks, Assistant Secretary
6 Roberts and myself have to leave close to 12:30.
7 So, I will turn it over to the General when we do
8 have to leave. After Mr. Camp speaks I will try and
9 just do a couple wrap-up comments from my
10 perspective and then we'll leave when we need to.
11 But we've got overall four more speakers on our
12 agenda.

13 **MR. CAMP:** I wasn't going to take long
14 anyways. Well, just enough time to read this.

15 **MR. CONNER:** Well, thank you, Mr. Camp.

16 **MR. CAMP:** Well, thank you guys in the
17 Administration and the local Tribe for hosting us,
18 and the rest of you, brothers and sisters, thank
19 you.

20 My name is Jason Camp. I'm the Tribe
21 treasurer for the United Auburn Indian Community in
22 Auburn, California. I'm here with Danny Rey and
23 Matt Moore. Danny and myself and Matt -- Matt is the
24 current TIPO. I used to be a TIPO before I became
25 Tribal council and Danny was setting for -- for me.

1 So, I'm an Nisenan Indian, as well as
2 these guys. Sorry, I got a little lost here. Got
3 ahead of myself. Our social lands are in Northern
4 California, on our historic reservation in Auburn,
5 California. We've had some bad experience through
6 the consultation process with Federal agencies.
7 Some agencies don't really consult with us at all,
8 and others do the minimum legally required,
9 routinely ignoring issues that are important to us.
10 As a result of these experiences we believe it's
11 important for the Tribe to have signatory authority
12 on all Section 106 agreements where historic
13 properties and Tribal cultural -- Tribal cultural
14 properties may be adversely affected, communication
15 is required.

16 We need this authority to protect our
17 heritage, our history, and our burial sites. We've
18 had trouble with the Federal Energy and Regulatory
19 Commission during the hydroelectric re-licensing
20 process, and the Bureau of Reclamation on the
21 Section 110 responsibilities. But one particular
22 source of frustration has been working -- working
23 with us is the U.S. Army Corps of Engineers, under
24 Section 408 permitting process, which applies to
25 levee improvements.

1 Many of our historic habitation sites were
2 along waterways in this area, levees routinely go
3 through these, near our historic sites. For
4 example, the United -- or the Army Corps of
5 Engineers was the lead review agency for the Feather
6 River West Levee Project in Sutter County. The
7 project went through a comprehensive environmental
8 review under NEPA and CEQA, the CEQA is our
9 California Environmental Quality Act, with no
10 significant finding of adverse effects. That's what
11 they stated.

12 We tried to share with them the knowledge
13 of the area, which suggested a number of important
14 sites would be impacted, but neither Army Corps nor
15 the local agency would listen to us. The Army Corps
16 approved four-way permits that totally allowed the
17 Sutter Butte Flood Control Agency to bulldoze
18 numerous burial sites that we had identified,
19 impacting hundreds of our ancestors who were buried
20 in the path of construction.

21 We believe that if we had been allowed to
22 be a signatory on the programmatic agreement we
23 would have been better able to participate in the
24 process, and protect the sites that were so
25 important to us. Somebody could see the opposed

1 signatory authority, because Tribe -- they figured
2 the Tribe's terminated that, the agreement to stop
3 the project. But we support, you know, any kind of
4 writing that would, you know, prevent unilateral
5 termination of that agreement.

6 So, we also believe the scope of the
7 Section 106 consultation needs to be expanded to
8 include the topic of long-term project operations,
9 maintenance, using levees as an example, where
10 there's a lot of ground disturbance work, and it
11 occurs after the project's completed, the impacts of
12 human remains and cultural items that are considered
13 an O&M work.

14 We have attempted to negotiate with the
15 lead Federal agencies over the right to access
16 reburial areas, and to monitor ground-disturbing O&M
17 work, but have been told that such conversations are
18 not appropriate for the Section 106 consultation.
19 This allows the sites to be damaged repeatedly over
20 the time, without our ability to protect them or
21 liability for those responsible for destroying those
22 sites.

23 We have -- we believe that permitting
24 agencies should be able to impose obligations on
25 project proponents during subsequent O&M work. And

1 that this topic should be a part of Section 106
2 consultation process.

3 Next, we continue to be frustrated by the
4 process for identifying and acknowledging sites that
5 are significant to tribes. The process continues to
6 be driven by archeologists and their values, rather
7 than the tribes and their concerns. We are
8 constantly being told by archeologists that places,
9 objects that are sacred or important to us are not
10 within the 106 process. They figure identifying,
11 acknowledging these places, and digging these items
12 allows them to be damaged and destroyed without even
13 a need for identification.

14 For -- for the consultation process to
15 really work it must be respect -- it must respect
16 Tribal -- Tribal views on identification, and
17 significance of areas that are needed for protection
18 of these sites that are identified.

19 Finally, there needs to be clear guidance
20 for the lead Federal agencies regarding the
21 confidentiality of information provided by the
22 tribes, and off Tribal lands. And confidential
23 reports that are generated by private -- projects
24 prior to our sacred sites being listed on, and
25 determined eligible for the National Register of

1 Historic Places.

2 While section 304 of the National Historic
3 Preservation Act provides a framework for protecting
4 confidentiality, in practice many agencies seem
5 reluctant to follow the framework. And from --
6 sorry. Information we provide is released to other
7 agencies and sometimes other tribes, who have no
8 right to the information. When the topographies and
9 other forms of mitigation reports are prepared we
10 are told that our information cannot be included in
11 the reports, unless it can be distributed to those
12 same entities. We are forced to either forego
13 receiving the benefit of mitigation measure, or
14 allow our confidential information to be shared with
15 those who should have no access to it, mostly
16 reservation shopping people.

17 Clarifying the ability to consult with
18 agencies for protection of sensitive Tribal
19 information it would help the consultation process
20 be more effective and useful for us and other tribes
21 throughout the country. Tribes are -- are mostly
22 the same, but we're not all the same. We have our
23 unique ways of -- you know, one might be -- might be
24 -- you know, tribe might be different than another;
25 their regalia, their -- their traditions that, you

1 know, their families are different sometimes.

2 So, I -- I just also want to make -- just
3 before I go, consult early with tribes, involve
4 tribes in the planning process, listen and act on
5 tribal concerns, offer up solutions that -- that
6 includes those tribal concerns. Know your -- know
7 your projects better, and know the effects those
8 projects are going to have, and respect tribes with
9 the ability to represent themselves with you,
10 together. So, thank you.

11 **MR. CONNER:** Thank you, Mr. Camp.

12 Our next speaker is Lisa Anderson with the
13 Puyallup Tribe.

14 **MS. ANDERSON:** Good morning. My name is
15 Lisa Anderson. I'm the environmental attorney for
16 the Puyallup and I'm honored and, frankly, humbled
17 to be asked to speak on behalf of Tribal leadership
18 today on issues regarding consultation, in our
19 particular project, and some specific examples,
20 which is just a piece of today's story for the
21 Puyallup Tribe. And we'll be submitting additional
22 comments with the rest of the story and more
23 historical information.

24 The particular project that we're dealing
25 with today down in the Tacoma area is an LNG plant

1 that is being sited within the Port of Tacoma, and
2 it sits on the reservation boundary for the Puyallup
3 Tribe. It is being proposed by Puget Sound Energy
4 and the Port of Tacoma themselves.

5 The project was actually initiated in
6 2012. It is primarily to serve TOTE Marine ships
7 that travel from the Port of Tacoma to Alaska; two
8 ships per week requiring 2,000,000 gallons of LNG.
9 The approval for this pilot project came from EPA in
10 2012. The Tribe didn't learn about this project
11 until the applicants sent a very superficial letter
12 in 2014. Two years EPA did not consult with the
13 Tribe.

14 It was reasonably foreseeable that this
15 facility would be sited within the Port of Tacoma;
16 however, even if it wasn't it would have been sited
17 in the Northwest. TOTE goes from the Northwest to
18 Alaska. They were seeking to supply their ships
19 from here. If it wasn't the Puyallup Tribe it would
20 have been another Northwest tribe.

21 When the LNG plant was originally sited
22 within the Port of Tacoma it's been sited on Port
23 land which, again, sits on the reservation boundary,
24 it's within a mile of schools, it's within a mile of
25 Tribal member residences, it's also within just a

1 couple miles of tens of thousands of City of Tacoma
2 residences.

3 The EIS process was started by the
4 applicant, and applications went into Federal, local
5 and State agencies. The Tribe was notified merely
6 through public notice mailings from either local
7 agencies, the Corps of Engineers and all the State
8 agencies. When the Corps of Engineers began its
9 permitting process there were two permits being
10 considered at the time. It was Section 404 of the
11 Clean Water Act and Section 10 of the Rivers and
12 Harbors Act.

13 The project has changed significantly
14 since the first applications; however, at the
15 beginning they were looking at doing just a letter
16 of permission, and also a nationwide permit for this
17 project. This project will require work in
18 contaminated waterways that are impacting fish, and
19 the Tribe's cultural heritage and cultural
20 fisheries.

21 After the public notice came out the Tribe
22 did consult on a technical basis -- again difference
23 between consultation. Consultation with Tribal
24 leadership is not consultation between scientists at
25 the agency level. On a technical basis the Tribe

1 started to work with the technical staff of the Army
2 Corps of Engineers, and requested information for
3 the application.

4 The applicant had given a limited amount
5 of information to the Tribe, but we wanted to see
6 what the Army Corps of Engineers was looking at in
7 its permitting decision. Technical people between
8 the Agency and the Tribe agreed that they would
9 exchange information before a meeting, yet that
10 exchange never happened.

11 We waited six weeks for a meeting, and met
12 with technical people from the Army Corps of
13 Engineers, and were told that the file would be
14 brought to the meeting so that we could see what we
15 wanted to look at and copy it. We arrived at the
16 meeting six weeks later and were told make a FOIA
17 request. They did not bring a file with them.

18 So, we had waited six weeks into the
19 permitting process to get no information, to be told
20 to make a FOIA request. We made that FOIA request
21 that day. When we made -- finished the FOIA request
22 we waited the maximum amount of time for a response.
23 When we received our response out of 107 pages we
24 received roughly 10, everything else was withheld on
25 deliberative process.

1 We have discussed this with the Corps of
2 Engineers multiple times, and been told that that's
3 their only option is to make tribes go through the
4 FOIA process to protect themselves; however, they
5 are skipping the important process of meaningful and
6 knowledgeable consultation. There is no way our
7 technical staff can inform our Tribal leadership so
8 that there can be reached informed consent.

9 Consent is up to leadership; information
10 is our job. Information is our job to get it to our
11 Tribal council so they can make some sort of
12 decision. Without that information we can't do our
13 jobs, and they can't give you informed consent and,
14 therefore, you are also not doing your jobs.

15 We can't come to that agreement. If we
16 don't have that information and it's consistently
17 withheld we are never going to reach informed
18 consents and meet that obligation for consultation.
19 This is just a simple example. There are, of
20 course, many examples across the country for this
21 Tribe, for tribes in the Northwest and across the
22 nation.

23 When the permit was eventually issued we
24 had requested a copy of the permit, the actual
25 permit, that has been issued by the Army Corps of

1 Engineers. It was issued on September 27th. It
2 wasn't until the week later that we were told make a
3 FOIA request to get the permit. We couldn't even
4 see exactly what the full decision, what the
5 memorandum of decision was from the Army Corps of
6 Engineers in order to assess what had been done and
7 what our next steps were if we didn't agree with
8 that permit decision.

9 So, we made the FOIA request. On my way
10 where here driving, and I shouldn't admit this, I
11 opened up my email at a stop light, and the FOIA
12 request was answered today. I do not know how many
13 documents or how many pages we have received, but
14 they did answer the FOIA request today. So, the
15 Tribe will -- will evaluate that at some point.

16 So, looking at our experience on the LNG
17 plant, meaningful consultation is not occurring.
18 This has been a consistent message, not just from
19 the people here today, I mean it's -- it's been
20 going back decades. The EPA, obviously, also
21 dropped the ball, no consultation whatsoever.

22 The Tribe is forced into a position at
23 this point of consulting with the Federal Government
24 without information, trying to make some sort of
25 decisions as to how to proceed, protect its members,

1 both their health, the environment, cultural
2 resources, as well as protect their Treaty rights.

3 And then at the same time we are chasing
4 every other permit for every other jurisdiction.
5 And this is what somebody was saying about death by
6 a thousand cuts. So, while the Army Corps is
7 proceeding, at the same time they've gotten an EIS
8 from the local Government, they've gotten a
9 shorelines permit, they've gotten a 401
10 certification from the State and, they've gotten a
11 Coastal Zone Management Act certification from the
12 State.

13 So, you're asking tribes, rather than sit
14 as a partner with expertise, frankly, on the system
15 that no Federal agency has to give you the
16 information for Federal Government to make their
17 decisions, to sit there instead and run through the
18 legal process, which isn't even getting to the
19 substance of the issues. And the applicant in the
20 meantime has bulldozers at the ready and is
21 demolishing buildings within the Port of Tacoma.

22 It's unacceptable. There is just no
23 informed consultation, meaningful dialogue at this
24 point. And it goes, again, across major agencies.
25 There's other Federal agencies that'll be looking at

1 pipelines for this project, not one of them, FNSA
2 has not even contracted the Tribe. Never. We have
3 to reach out to FNSA to find out what's going on.
4 We have safety concerns, but no one has contacted
5 the Tribe from the Federal Government to determine
6 or even discuss those concerns.

7 Those types of issues need to be
8 addressed, they need to be addressed early because,
9 frankly, we're all the Federal Government, the State
10 Government, the local Government, Tribal Government,
11 as well as applicants wasting a whole lot of
12 resources, when we could be doing a whole lot better
13 good for other Port resources by chasing these
14 processes and arguing with each other about
15 exchanging information. We're not reaching the true
16 issues. And it's a waste of time and resources for
17 everyone.

18 When I wrote my notes this morning, I was
19 really first trying to be very cognizant of the fact
20 that I'm dealing with this small issue, and our
21 Tribal leadership deals with these issues across the
22 board all day long on multiple fronts, and I -- I do
23 environmental work.

24 But I wanted to -- to argue or -- or
25 advocate to you that the time is now to stop,

1 because we are all wasting resources, we're making
2 irretrievable commitments, both natural resources
3 and cultural resources that are historically treaty-
4 protected rights of these tribes. And, frankly, the
5 time is not now, the time was a thousand yesterdays
6 ago.

7 So, at this point what do we do to fix it?
8 And you've heard from multiple tribes that at this
9 point we need to be looking at making sure that
10 tribes are being brought into the picture early,
11 often and with adequate information. Our Tribal
12 biologists and our fishermen, quite frankly, in the
13 Northwest have been on these systems for time in
14 memorial. They have the information that you need
15 to protect natural resources on this system.

16 They have also done water quality
17 monitoring, they have done restoration projects.
18 They live on these systems. In the LNG case we had
19 National Marine Fisheries issuing letters like not
20 likely to adversely affect, without ever talking to
21 a Tribal biologist about this. Our Tribal
22 biologists, who have been, even if they're not
23 Tribal fisherman, have been on this system for 20
24 plus years, are on the ground every day.

25 They can tell you that the people that

1 actually looked at the data, and didn't use Tribal
2 data, have never even set foot on the river system,
3 yet they're saying there's no fish present, that
4 we're not using the right resources. So the time
5 has passed to make the right decisions.

6 At this point how do we move forward?
7 Using Tribal resources to actually have the correct
8 data is one, one point. Second, do it early, do it
9 often, and do it before you reach a permit decision.
10 And stop making tribes go through a FOIA process.
11 They can't meaningfully consult with you, and then
12 the process gets dragged out even further. They
13 need that information early and, quite frankly,
14 could actually supplement it with their own.

15 And secondarily, too, again, incorporate
16 the fact that having Tribal informed consent at the
17 end of the consultation process is key, not just
18 checking the box. It was never intended that this
19 was just a check-the-box procedure. It was supposed
20 to be a communication that exchanged information,
21 and used the best science and best information
22 available to protect Treaty rights, and protect the
23 -- protect what you've obligated yourselves to do
24 for tribes since time in memorial.

25 Thank you.

1 **MR. CONNER:** Thank you, Ms. Anderson.

2 Our next speaker is Ricky Gabriel from the
3 Colville Confederated tribes. And then Taylor
4 Aalvik, councilman with the Cowlitz Tribe.

5 I particularly want to acknowledge
6 Taylor's graciousness in allowing representatives
7 from each Tribe to speak before we go back to a
8 member of the Cowlitz Tribe. I very much appreciate
9 your patience in -- in doing that.

10 Let's see. With respect to time. I think
11 we might -- Mr. Gabriel, why don't you just proceed
12 and then I was going to do a very quick, very
13 succinct summary from my perspective before we walk
14 out the door.

15 Thank you.

16 **MR. GABRIEL:** (Native language spoken.)
17 Just wanted to ask you guys as you're here listening
18 to all these people, you know, all our -- all our
19 Tribal Leaders here, to remember that all these
20 Tribal Leaders have -- are descendents from, I
21 guess, the Chiefs that were making the deals and the
22 Treaties and, you know, that were -- they were --
23 they were the first ones here.

24 And I -- I was always -- I was always told
25 to, you know, wear your -- whenever I come to these

1 meetings to wear your -- something that signifies
2 that. So this right here, I just wanted to share
3 with you, is -- it's Moses' insignia, and it
4 actually predates, you know, the -- the American
5 flag that was -- that's on your -- your uniforms.
6 And that's something that we're -- we're here to try
7 to help, I guess, continue these discussions with
8 each other as time goes forward.

9 You have the authority, you know, you have
10 -- you have, you know, the ability to listen to us,
11 and take these arrows that we were -- you know,
12 somebody made a mention to bring -- that we have
13 arrows, you know, in our backs all the time. But
14 we're bringing them to you, and maybe they're trying
15 to help you form arguments for us. And that's, from
16 what I understand, is -- is your guys' job.

17 So, when it comes to infrastructure,
18 infrastructure and tribes have not had a good
19 history on -- and I can relate to, I can share the
20 Colville experience, you know, right now on the
21 Colville Reservation, we lost several reservations
22 and we ceded approximately half the State,
23 Washington State, in our discussions like we're
24 having now.

25 And we ended up on this, like, an island.

1 Okay. It's surrounded by water on three sides, the
2 Columbia River. Okay. So, when it was surrounded in
3 -- you know, what it was also surrounded is it's
4 polluted water today. The water comes from Canada
5 and, you know, they don't have the regulations. I
6 don't know if any of you have actually served
7 overseas, or in other countries, to understand
8 without the regulations that are there today, the
9 quality of the water will just disappear, and you'll
10 -- I don't know have any of you served overseas?

11 Do you -- do you -- do you understand what
12 the water is like overseas? We don't want that
13 here. And that's something that I think will help
14 all of our -- all of cities, including yours.

15 One thing that I also wanted to point out
16 is, in similarities, is that we also have bodies
17 overseas in the ground. We have bodies in the
18 United States in the ground. And, you know, if there
19 was a pipeline gonna go through the Arlington
20 Cemetery I don't think anybody would appreciate
21 that, you know, or if there was a -- I guess a -- if
22 there was gonna be a -- a spill in any one of the
23 remaining tributaries that are clean, you know,
24 that's -- that's something that affects us all
25 today, especially with -- on reservations.

1 The Colville itself has actually put a lot
2 of resources into protecting our natural resources.
3 And we have to spend money that could be doing other
4 things, like providing schools, education, and all
5 these other different things that are needed, or
6 even infrastructure.

7 But today that infrastructure actually has
8 become, I guess, our moat. We're surrounded by
9 water without any bridges. You know, to get across
10 today our employees have to drive, you know, a
11 hundred miles, you know, one way in order to get to
12 work every day from a city, because we don't have
13 the infrastructure to support us.

14 We also don't have -- we also don't have
15 adequate water supplies. A lot of our water
16 supplies are under moratorium for any new
17 development, so most of our Tribal members have to
18 move away, you know, from -- you know, from the
19 reservation, from their families.

20 I was over here, actually had to move over
21 here from the time I was 18 years old, and work over
22 here in Seattle. And I built probably half of
23 Seattle while I was over here, other people's
24 infrastructure. But now my job is to go home and
25 build our own infrastructure.

1 You know, if you look at the Colville
2 Reservation there are three dams on it; the Grand
3 Coulee Dam, the Chief Joseph Dam, you guys are
4 familiar with the dams on there. But none of the
5 infrastructure goes to the Reservation. And if it
6 does go through it it's through our waterways.

7 And the problem with that is if a -- a
8 truck were to spill in there, we wouldn't have
9 anywhere to move. I don't know if you guys know it,
10 but Indians can't own land. You know, like we
11 wouldn't have anywhere to go. You know, that land
12 is in trust, you know, for us to live there.

13 So, we're looking at trying to find
14 alternatives, I guess alternate routes, you know, or
15 -- or other ways to mitigate some of these issues,
16 whether it's, you know, LNG or, you know, liquid --
17 or whether it's oil, whether, you know, whether it's
18 trucks on the roadways. And I think one of the
19 reasons that -- one of the reasons that they're in
20 issue today is because there isn't any regulation
21 protecting us, you know, from -- from the
22 corporations or -- or these other, you know,
23 interests on reservations. So, that's something
24 that needs to be fixed. You know, there -- there is
25 -- it's supposed to be you guys protecting us, and

1 we need your protection today.

2 So, those are -- those some of the things
3 that I would like to share with you. Today I also,
4 you know, because we -- every day without
5 infrastructure, you know, many tribes don't have it,
6 we have people that die because they can't get to --
7 they have to be helicoptered out, and they can't get
8 to emergency services fast enough, and it's -- it's
9 very expensive for the Tribe to pay for those types
10 of things. And, you know, it comes down to money,
11 and a -- and a lot of different things.

12 So -- but natural resources is something
13 that tribes have always tried to protect, not only
14 for tribes, you know, but for your children, our
15 children. And this is something that we need to
16 keep doing if we're -- as we move forward; in other
17 words, we're going to be like some of these third-
18 world countries that don't have any water.

19 The Northwest is the -- probably the --
20 the -- they say the water rich place of the world
21 right now. And if you look east, you look back
22 east, all the waters, rivers are all polluted. I
23 went back to Washington, D.C. and I didn't know you
24 can't -- you can't go in the -- the river there in
25 Washington, D.C. you'll get some kind of sickness or

1 disease. You see these people shaking their heads,
2 yes, it's true. I didn't know that, you know.

3 I would like to be able to protect what we
4 have as -- as long as we can anyway. And, you know,
5 as a Tribal Leader we need to, you know, I guess
6 keep standing here, you know, I was told, I never --
7 and I never drank in my life. I'm 40 years old, I
8 never did drugs, never drank in my life. And I tried
9 to -- I tried to break -- my whole life trying to
10 break that stereotype that America has for Native
11 Americans.

12 You know, I think right now we're kind of
13 being painted out as, like, you know, crybabies or -
14 - or whatever, you know. Them -- them, you know,
15 pesky Indians are at again, trying to stop -- trying
16 to stop us from doing something, you know, great for
17 America, but -- but in reality it's not -- that's
18 not how we are.

19 You know, we're -- I've always worked hard
20 my whole life to try to break that stereotype of
21 what Native American is. You know, I think all of
22 our Leaders that are here today -- you know, you've
23 got to remember that they have an institutional
24 memory that's, you know, I guess, that's not even
25 institutional, it's just a family memory.

1 I know where all of my family are buried.
2 You know, I know where all the battles happened,
3 where all the farmers are at today, we were told to
4 farm. Okay. But today we can't afford the
5 electricity to farm, and we were never given one
6 garden hose to come from the Columbia River on to
7 our land here, you know, for infrastructure,
8 irrigation and -- and in Brian's case, Brian
9 Cladoosby, the same.

10 You know, I think that if you look across
11 all tribes you'll see that similarity. The
12 resources go around the Reservation. And the ones
13 that go through our Reservation aren't there to help
14 us. You know, they're -- they're a shortcut for
15 some -- somebody else to be able to get past all the
16 regulations that they would otherwise have to --
17 have to go by, and the rest of America, I guess, or
18 other, you know, private property owners.

19 So -- so, like I said, I'm just trying to,
20 you know, give you some -- just listen to our
21 Leaders, you know, they're -- all of them, they're -
22 - they're here to help you come up with our
23 arguments to do your job, you know, to protect us
24 and protect what we have left.

25 We're at the last probably clean water

1 from -- from what I know in the world, other than
2 the -- than the polar icecaps. So -- and those are
3 melting. So, there's -- there's a lot of issues
4 here, and I think that's pretty much -- I just
5 wanted to keep it short, and just kind of share with
6 you some of -- some of our history.

7 And, you know, one big concern is right
8 now is that all the decisions you make it -- it
9 costs lives, and there's only in my Tribe 9400 left.
10 And we used to range all -- from Washington State
11 we'd hunt as far over as Missouri, coming together
12 with these other tribes, you know, and -- and
13 working together to -- to trade, and to -- to travel
14 and all these things.

15 But we're -- we're also by policy the only
16 group in the United States that's going to disappear
17 one day because of the -- the, I guess,
18 fractionation, you know, the -- the legal -- the
19 legal limits of being a Native American today.

20 So, I just wanted to ask you guys to look
21 -- look out for us. And, you know, I -- I don't
22 know if I'm the last person on today, or -- you got
23 one more? Okay. I'll just -- I'll be -- keep it
24 there. And I want to thank you guys for your help.
25 And I also want to thank all our Tribal Leaders who

1 are here, and my -- I -- I saw something about our
2 uniforms. You know, that mine's made in America. I
3 heard these ones are made in China now. But --
4 yeah, it's the truth.

5 So, I want to say thank you, guys, for
6 listening to us today. I appreciate it.

7 Thank You Mr. Gabriel. I'll ask the
8 Councilman Aalvik of the Cowlitz Tribe to step
9 forward.

10 I just want to say a couple things before
11 Assistant Secretary Roberts and I have to leave.
12 And I'll turn it over to General Spellmon to carry
13 out the -- the balance of the consultation here
14 today.

15 I just want to say thank you very much for
16 your input. I think it's been incredibly valuable,
17 and I don't say that lightly. I think each of us
18 here are looking for opportunities to take the
19 thoughts and the recommendations that you have, and
20 translate those into meaningful changes to our
21 consultation process.

22 Those of us who are representatives of the
23 Obama Administration, I think somebody referred to
24 40 days, it feels like one long day, but it's
25 actually, I think, 87 days that we have left. We

1 want to go through this consultation process, and it
2 is a process, not one of these meetings is a
3 consultation, and all seven are not a consultation.

4 It is a process of meaningful dialogue to
5 get to the second recommendations that we need to
6 have. But despite our goal to try and move the
7 process forward, and have some feedback from these
8 consultation sessions, there is a host of career
9 folks who will continue, based on the dialogue, to
10 try and improve to consultation process. We will
11 leave -- those of who are political appointees will
12 merely try and lay a strong foundation to continue
13 to try and improve the process.

14 A couple quick thoughts on the substance
15 of your comments. A lot of them are grounded in the
16 trust responsibility. And I just want to -- that is
17 the most, I think, unclear term with respect to our
18 responsibilities to Indian tribes. And I think it
19 greatly matters with respect to the trust
20 responsibilities what decision makers, leaders of
21 each Administration, views as that trust
22 responsibility. I feel particularly lucky to -- to
23 work for a President who has, I think, taken that to
24 another level, with respect to our responsibilities
25 to make decisions, to make changes to our processes

1 that are meaningful, and they're responsive to
2 Indian Country. But I think it's something that you
3 have to continue to be strong advocates for with
4 each and every change of Administrations.

5 Informed consent, I've heard it time and
6 again. I understand that is the real goal here.
7 Ultimately informed consent in our consultation
8 process. I understand why that is the goal. I want
9 to assure you that our goal -- check the box is
10 something we still need to prove that we are not
11 doing. I think there are numerous examples where we
12 no longer check the box, we are making meaningful
13 changes, but based on the discussion I've heard
14 today, we have a ways to go to ensure you understand
15 it's not check the box, through a process which is a
16 sincere, tangible approach to resolving the issues
17 that you raise in each one of these permitting
18 processes.

19 We need to avoid a lack of accountability
20 where we are saying that's not my Agency. That is a
21 constant issue amongst -- that we hear from tribes.
22 And that we need to ensure that there is a defined
23 process, so that there is accountability as part of
24 the consultation process as to how we're going to
25 take that dialogue and integrate it into our

1 decision-making.

2 Finally, I would just note also several
3 times folks raised the Federal steering --
4 Permitting Improvement Steering Committee. I think
5 it's very good that that -- that entity has been
6 identified as somebody who should also be part of
7 these consultation processes.

8 Richard Kidd is the executive director
9 within the White House for the steering committee.
10 I met with Richard a few weeks back. I know he's
11 going to be participating, and he's going to have
12 some of his staff, so we are trying to integrate
13 them into this process overall.

14 Finally, I would just say we want to make
15 a -- a difference institutionally. I think there
16 are many examples. We raised the Desert Renewable
17 Energy Conservation Plan. I think we have other
18 examples where the Section 106 process between
19 Blackfeet, Badger-Two Medicine was a powerful
20 process of consultation to ultimately revisit our
21 decision-making on oil and gas leases.

22 So, we have an examples of success through
23 a consultation process, leading to a resolution of
24 issues from a Tribal perspective, but we, obviously,
25 have examples where it's not. And we need to, from

1 my perspective, try and strength this process
2 institutionally, so that it -- people can more rely
3 on the process as a whole.

4 And from that standpoint I think it's
5 appropriate just to reiterate we do want to
6 understand how we can do that within the existing
7 framework that we have. But I think as we tried to
8 point out in the framing document, we are also open
9 to revisiting that existing framework because it,
10 obviously, doesn't work from a lot of your
11 perspectives.

12 Changing the law is a longer term process.
13 And it's not as -- as quick as Executive Action.
14 But that is a legitimate part of this discussion,
15 how to recast and reframe the process for
16 consultation and decision-making.

17 And with that, I will just say thank you
18 very much again. November 30th is the deadline for
19 written comments. Consultation@bia.gov is the
20 website. This is in all your information.

21 Once again, Councilman Aalvik, you've been
22 very gracious and patient in allowing other
23 representatives to go forward. You're it.

24 **COUNCILMAN AALVIK:** Great. Thank you.
25 You know, a lot of times back home in our Tribal

1 Council I get fairly frustrated over some long-
2 winded people that are on our Council and, you know,
3 then when I get up to speak, you know I catch myself
4 many times being long-winded. So, it's kind of a
5 damned if you do, damned if you don't kind of a
6 situation when you get into those sort of
7 situations. But --

8 So -- so, I'm a -- I'm a Councilman for
9 the Cowlitz Tribe, I have been since 2005. I'm also
10 director for the Tribe's Natural Resources
11 Department, and I have been that -- in that capacity
12 since 2007. I'm on a lot of regional fish recovery
13 boards and forest health boards, and -- and
14 committees in our region. So, I'm -- I'm pretty
15 active personally.

16 We have -- our Natural Resource Department
17 is pretty much geared towards restoration efforts.
18 We're trying to restore an already collapsed natural
19 environment in our homelands in the lower Columbia
20 River. So, when I talk about -- what I'm bringing
21 forward here to you today is, you know, our Tribe is
22 -- is currently dealing with three new major
23 proposed fossil fuel developments within our
24 homeland of Lower Columbia River Estuary.

25 This environment is critical to life,

1 history and survival of numerous salmon, steelhead
2 and smelt populations that are currently listed
3 under the Endangered Species Act. These resources
4 are highly important to our Tribe, as far as
5 cultural continuity, and our ability to practice
6 traditional ways in -- in a -- in the furtherance of
7 our -- our culture.

8 The potential deleterious impacts of these
9 proposed developments would significantly impact
10 trust or Treaty -- trust resources to many tribes,
11 and also impact the general public, and -- and a lot
12 of their interests in the resources in the region,
13 and the outlook of environmental recovery in the
14 region.

15 The Columbia Basin is already
16 significantly deleteriously impacted by already
17 existing industry, agricultural activities, and
18 municipalities, and hydro development. If these
19 proposed developments are permitted -- and what I'm
20 talking about is the fossil fuel movement in the
21 lower Columbia, and three of them are, the proposed
22 Tesoro Savage Oil Terminal in Vancouver, Washington,
23 the proposed Northwest Innovations Methanol Plant in
24 Kalama, Washington, and the proposed Millennium Bulk
25 Terminals, Incorporated, coal terminal in Longview,

1 Washington. If these developments are permitted it
2 would continue to undermine current restoration
3 efforts, and court orders associated with other
4 deleterious impacts to trust resources within the
5 entire Columbia River Basin.

6 This also includes resources that Canada
7 has an interest in. These proposed developments
8 also carry impacts, potential impacts that would
9 limit flexibility with pending negotiations with the
10 U.S./Canada regarding the movement to modernize the
11 Columbia River Treaty, in an effort to include
12 ecosystem function as a key purpose under the
13 Treaty.

14 Now, as far as consultation in some of the
15 permitting, and some of the NEPA processes
16 associated with, you know, these proposed
17 developments, this is some of the concerns that our
18 Tribe has regarding consultation or the NEPA
19 documents. You know, these large, complex projects
20 are being proposed along the Columbia River and
21 nearby communities. It is difficult to effectively
22 consult on or review these projects, due to the
23 rapid succession of new projects being proposed,
24 scoped and reviewed.

25 Our capacities are being strained in

1 regards to dealing with these projects all closely
2 timed with one another. There are cases where
3 notifications are intermixed with other less
4 relevant notifications, which adds to the dilemma of
5 receiving proper notifications within a timely
6 manner.

7 The Cowlitz Tribe is troubled in regards
8 to the position that action agencies take in regard
9 to non-responses. Their take is that no response
10 means that we have no concerns associated with what
11 is going on or what is being proposed. The fact is
12 that we, in many cases, have concerns and interests,
13 but that the draft permits or other proposed action
14 documents aren't being reviewed due to the capacity
15 concerns, and exacerbated by the sheer volume of
16 ground permits that we have to review.

17 The prepared documents, basically the
18 draft permits, and the draft EISEs or draft DIEAs
19 that we have to review presented to us are highly
20 limited in scope. They do not fully evaluate
21 interdependent activities associated with the
22 proposed actions, or do not fully evaluate all
23 potential effects of a proposed action, leading to
24 inaccurate and incomplete project evaluation.

25 The larger picture beyond the immediate

1 project area should always be part of any evaluation
2 associated with major proposed developments. The
3 limited scope inappropriately biases project review
4 towards project proponents.

5 Project proposals or draft NEPA documents
6 often lack specific assessments that are necessary
7 to review project impacts. The reports may not have
8 important impact assessments, and in many cases make
9 statements that assessments will be completed in the
10 future. However, it does not note when or with what
11 other permitting process this will be completed.

12 This is another problem that our Tribe
13 has. You know, we -- we're asked, you know, do you
14 want to consult with us over some particular
15 project, but you're -- you're throwing this, these
16 documents are highly inaccurate and inadequate, and
17 basically, you know, my first reaction is this is
18 garbage that I'm looking at. Why do we want to
19 consult over something that's garbage?

20 Meaningful biological opinions are being
21 undermined by the limited Area of Potential Effect,
22 or scopes, the APE scopes they call them. Narrow
23 scopes insinuating fewer individual fish or animals
24 are impacted by a proposed by project.
25 Additionally, viewing individual species separately

1 from one another undermines the ecosystem approach.

2 Functional, healthy ecosystems are crucial
3 to functional, healthy rivers and reducing parts in
4 two pieces, rather than parts to whole, does not
5 adequately represent the approach that must be
6 adopted in order to slow or stop habitat
7 degradation.

8 The Army Corps solicited comment in July
9 2015 in regards to ascertaining to what degree its
10 scoping and analyses would do in regards to the
11 proposed Tesoro Savage oil terminal. Nothing has
12 been heard by the Army Corps since regarding the
13 next steps in the public process. So, it's been
14 quite some time. And the State's gone through their
15 SEPA review, and now we're waiting on a -- this
16 energy facility site evaluation council, that
17 doesn't even have Tribal representation on the State
18 side of things, you know, for -- for their
19 recommendation to the Governor. But I suppose the
20 Army's just sitting on their hands and letting the
21 State handle it.

22 The Cowlitz Indian Tribe has been told
23 that Kalama methanol plant EA is being completely
24 completed solely for the U.S. to aid in their
25 decision-making process and will not be made

1 publicly available. When it is done, which it is
2 not, with no estimated time, it will be complete.
3 Now, one disturbing thing, and I'd like to know a
4 little more about this, how the Army Corps can go
5 through an EA process, or develop some sort of
6 internal NEPA documentation without some public
7 input.

8 And I will read an email, and I won't name
9 names, that I got from, I believe, the Portland
10 District. Now, that's another conundrum, because
11 our Tribe has to deal with both the Seattle and the
12 Portland Districts, so we're getting double-whammied
13 from two districts. I think maybe in the future we
14 should think about redistricting, so I don't have
15 two districts to deal with. But that -- we'll save
16 that for another day.

17 But it says, "Taylor, the Corps recognizes
18 its obligation for predecisional communications with
19 the Tribal governments and welcomes comments from
20 the Cowlitz Tribe regarding the Port of Portland
21 methanol production marine terminal and the Kalama
22 lateral project permit applications; however, there
23 is no public comment period for regulatory branch's
24 statement of findings/EA since this document serves
25 as the Corps internal record of decision. I

1 recommend that the Tribe directly submit their
2 comments to the Corps to initiate discussions of any
3 issues or concerns."

4 Now, this is response to how can I comment
5 on anything if you don't have nothing to provide or
6 nothing for me to review. So, I have an issue in
7 regard to what is going on here. And then it's
8 absurd when I hear other tribes have to go through
9 FOIA process associated with trying to deal with
10 what is going on here. That's absurd that a Tribe
11 has to do FOIA. That's absolutely absurd.

12 There is some question from the Cowlitz
13 Tribe if consultation with the local U.S.A.'s branch
14 is actually government-to-government. We are
15 suspect that the scoping and subsequent analysis
16 underneath it is being directed to districts from
17 headquarters. There's considerable concern that
18 consultation with district commanders or even, you
19 know, division commanders, such as yourself, is
20 highly diminished due to influences and directions
21 from headquarters.

22 I think it's important that maybe Jo-Ellen
23 Darcy herself should be out here listening to us.
24 The Cowlitz Tribe concern that district commanders
25 may not be fully committed, engaged with the issue

1 of government-to-government consultation with
2 tribes.

3 We recently had a date set for
4 consultation regarding the proposed methanol plant
5 Section 106 permitting. It was difficult to
6 schedule a meeting to begin with. And now it has
7 been proposed for another near two months from the
8 original date set. Our request for consultation was
9 made in early September 2016, and now it's scheduled
10 for December of 2016. We believe that this wait is
11 way too long, and that if consultation was a
12 priority item, our meeting would likely have already
13 taken place.

14 So, I think there's a lot to fix in regard
15 to some of these permitting activities on -- but I
16 think there's a lot of politics that's going on
17 here, too. And I think a lot of it's coming out of
18 D.C. I think a lot of it is pressure that's being
19 applied by these big baron oil companies, if you
20 want to call it, and all these coal companies are
21 probably going back, trying to push the right
22 buttons in D.C. so they can try to fast track their
23 proposal through and diminish the issues that the
24 tribes have in the region.

25 So, I think there needs to be major

1 reform. And I think what it needs is probably
2 similar to how tribes -- 15 tribes, the State and
3 Federal agencies got together to develop a regional
4 recommendation regarding the future disposition of
5 the Columbia River Treaty. That might be one idea.

6 I think we all need to sit at the table
7 together and come up with an understanding that
8 includes the State, includes the Port Authority,
9 includes the County, includes the tribes within the
10 affected areas, includes pertinent Federal agencies,
11 because there was success in regards to -- you know,
12 although be it, and I know there's an individual out
13 there I had to debate quite a number of times. We
14 did eventually come up with -- with an agreement
15 that all of us stand by. It's called the Regional
16 Recommendation on the Columbia River Treaty.

17 And I can't look forward, hey, we got a
18 Columbia River Treaty that we could be -- that we
19 plan to help the State Department renegotiate with
20 Canada here in the near future. And I think that
21 it's very important maybe to look at some of those
22 examples, watch what's going on in the Columbia
23 River Treaty, and move forward cautiously on these
24 major proposed developments. I -- I think you
25 should hold up these developments until the Treaty

1 negotiations have concluded, because I think this
2 impacts it. These proposed developments, these
3 fossil fuels impact it.

4 I also want to say that, you know, the
5 Cowlitz Tribe is on the side with what the Yakima
6 are proposing on the idea of repealing Appendix C,
7 taking another look at this Executive Order, and
8 also, I think, you know, the region-wide EIS. Let's
9 back up here, region-wide EIS on some of these major
10 proposed developments or even future developments
11 that plan to try to -- to basically politically
12 ramrod their ways into our homeland.

13 So, I think there is opportunity out
14 there, but still there's a lot of problems that need
15 to be addressed. So, I want to thank you for the
16 time. I want to thank everybody that -- that came
17 here today. And hopefully as we move forward there
18 will be solutions and not further detriment to the
19 cultures and life ways of people that first were on
20 this landscape. All right. Thank you.

21 **GENERAL SPELLMON:** I'm sorry, I don't have
22 a name, but we have another speaker from the Cowlitz
23 Tribe? Is that correct? Not another? All right.
24 Is there anyone we missed? I guess we've -- we've
25 down the agenda. Is there anyone else that has

1 something to present? Yes, sir.

2 **MR. PURSER:** Hello. I'm Rob Purser, I'm
3 from Suquamish Tribe. Leonard and Councilmember
4 Sigo had to leave for a budget retreat that's been
5 scheduled for several months now.

6 I'm the fisheries director for Suquamish,
7 I'm also a Suquamish Tribal Elder, been a fisherman
8 for probably better than 40 years now.

9 The Suquamish Tribe's comments are based
10 on years of interacting with Federal agencies for
11 many different projects, infrastructures included.
12 We have years of experience dealing with the Navy,
13 Army, Army Corps, EPA, National Marine Fishery
14 Service, Federal Highways, Federal Energy Regulatory
15 Commission, BIA, IHS, DOI, DOJ and others. These
16 projects require compliance with a wide array of
17 Federal laws that -- and how they interact are --
18 utterly fail to address impacts to Treaty rights.
19 The Rivers and Harbors Act, the National
20 Environmental Policy Act, The National Historic
21 Preservation Act, Endangered Species Act, Clean
22 Water Act, other Federal environmental and marine
23 mammal statutes, Federal Powers Act, Energy Powers
24 Act of 2005, and Freedom of Information Act and
25 others.

1 Despite Obama Administration's effort to
2 require all Federal agencies to update tribal
3 consultation policies, it is clear that across all
4 Federal agencies, including DOD, there is a lack of
5 meaningful tribal input into infrastructure-related
6 reviews and discussions, and across the board
7 consultation that's treated very inconsistently.

8 Overall, Federal agencies rely on a check-
9 the-box approach in order to achieve the outcome and
10 the schedule that is desired for the particular
11 project, and for purposes of demonstrating that they
12 are engaged in tribal consultation. It is a rare
13 event when meaningful consultation occurs. Except
14 for the National Historic Preservation Act, none of
15 the above statutes comply with meaningful Tribal
16 consultation, and compel agencies to consider
17 impacts to Treaty reserve rights and resources.

18 Only Federal case law arising from the
19 Rivers and Harbors Act has compelled with the Army
20 Corps to meaningful consult with tribes and consider
21 impacts to Treaty reserve rights when evaluating
22 permit applications. Over the years the Corps has -
23 - the Corps has been backsliding on meaningful
24 consultation to notify the tribes of the site visits
25 when the applications are filled and throughout the

1 permit application process.

2 More recently DOD lead agencies have begun
3 to address impacts to Treaty rights and NEPA, but
4 those impacts are based on DOD's input, not based on
5 consultation with the Tribe. Tribal consultation is
6 broken. My Tribe's experience shows that attempting
7 to address these issues at the top does not trickle
8 down to change the ingrained institutional practices
9 of the agency's management and staff at all levels
10 across local, Federal agencies by district or by
11 region.

12 Pressure from Federal agencies'
13 headquarters has little effect to change these
14 institutional practices. Further legislative action
15 is needed to compel Federal agencies to address
16 tribal concerns on a timely manner, rather than when
17 the Federal agency wishes to disclose information
18 impacting Treaty resources.

19 On a different topic, Puget Sound Federal
20 Task Force MOU among Federal agencies. Even though
21 the MOU is not binding, several statements provide
22 self-serving statements for Federal agencies'
23 positions that are -- that have not been clarified
24 and/or are untested in our judicial system.

25 My Tribe disagrees with the statement that

1 Treaties have the same legal force as Federal
2 statutes, when Article 6 of the U.S. Constitution
3 clearly states that the Treaties are the supreme law
4 of the land. The Federal plan attempts to carve out
5 military installations in the Puget Sound where
6 national security interests exist.

7 That carve-out is contrary to Federal law
8 and/or judicial interpretation. Thank you.

9 **GENERAL SPELLMON:** Anyone else? Okay.
10 Just a few -- before I wrap up I just want to ask my
11 other Federal agencies, any concluding comments from
12 anyone at the table? Okay.

13 **MS. BAUM:** From DOJ, just thank you
14 everyone that came and shared. I know some people
15 left already, but hopefully you can take heart in
16 the number of Federal agencies that you had here.
17 We are really here to have a good discussion and
18 come up with some -- some good solutions. So, thank
19 you for -- everyone for your thoughtful comments.

20 **GENERAL SPELLMON:** I also want to thank
21 United Indians for hosting all of us today. I know
22 with your comments, the time that you, obviously,
23 prepared in -- in getting -- seeming to getting
24 ready for -- for today. We appreciate your
25 feedback, certainly your comments, submittals as

1 well, we will -- we will read them all. But most
2 importantly for me I take away just the examples
3 that you provided, both good and bad, where we've
4 got it right, and where we've got it wrong, as we
5 work to set the foundation for how we can do this
6 better in the future.

7 This is the second in a number of
8 listening sessions that -- that we will -- we will
9 be involved in. This was one was very, very valuable
10 to me personally. And, as you've heard, the intent
11 is to give this a national-level look for how we can
12 do -- we can do that better. There certainly will
13 be some national level things that will be required
14 to get after some of the proposals that you put on -
15 - put on the table today.

16 I would also argue that much of what I
17 learned we can fix right here within the Region
18 without waiting on a national level solution. So,
19 we look forward to -- to tackling those issues with
20 you, and certainly keeping the communication lines
21 open as we go through this listening session
22 process.

23 Thank you all again for coming out today.

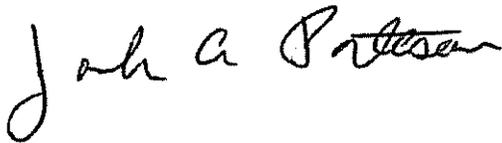
24 **(Whereupon, the meeting was concluded at**
25 **1:00 p.m.)**

1 CERTIFICATE

2
3 I, John A. Portesan, do hereby certify that
4 I reported all proceedings adduced in the foregoing matter
5 and that the foregoing transcript pages constitutes a
6 full, true and accurate record of said proceedings to the
7 best of my ability.

8
9 I further certify that I am neither related
10 to counsel or any party to the proceedings nor have any
11 interest in the outcome of the proceedings.

12
13 IN WITNESS HEREOF, I have hereunto set my
14 hand this 4th day of November, 2016.

15
16 

17
18
19 _____
20 John A. Portesan
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DECLARATION

Transcript of: Meeting Date: 10/25/16

Regarding: Consult With Tribes

Transcriber: Portesan

I declare under penalty of perjury the following to
be true:

I have read the transcript and the same is true and
accurate save and except for any corrections as made
by me on the Correction Page herein.

Signed at _____,

on the _____ day of _____, 2016.

Print Name _____

Signature _____

<u> </u> \$	11 77:16	1872 113:9	2012 137:6
\$12,000,000	110 30:7	1894 124:4	137:10
25:23	131:21	124:6	2014 137:12
\$3,000,000,00	11th 14:19	124:24	2015 99:18
0 97:11	12 18:19	125:23	165:9
\$4,000,000,00	18:24	126:13	2016 4:2 20:6
0 97:11	12,000 99:2	129:23	129:23
<u> </u>	12:00 17:16	1970 94:3	168:9
<u> </u> 0	12:30 17:14	1973 92:16	168:10
007 73:14	17:18 130:6	1976 116:10	2017 112:13
73:15	13 34:13	1990 29:16	25 96:15
<u> </u>	46:15	29:17	27th 141:1
<u> </u> 1	13007 52:16	1992 29:17	<u> </u>
1:00 175:25	73:14	1999 19:10	<u> </u> 3
10 138:11	13175 52:17	19:21 19:25	3,000,000
139:24	14.9 89:23	34:3	117:4
10,000 24:17	14-state 9:12	<u> </u> 2	304 135:2
100 94:25	14th 43:8	2 41:1	30-inch
95:9	15 68:10	2,000,000	116:13
106 10:21	169:2	137:8	30th 159:18
29:15 31:10	150 65:22	20 4:2 116:13	335 121:3
31:12 31:17	94:25	144:23	36 118:10
54:9	1502.4 (b)	200 65:23	365 124:10
73:24	49:25	2000 92:16	38 118:10
108:18	15th 43:8	2002 12:2	<u> </u>
108:19	16 95:8 95:10	92:7	<u> </u> 4
109:22	108:15	2003 120:18	4,000 6:6
111:15	160 92:4	120:24	40 15:20
120:5	17 106:10	2004 120:24	22:24
120:13	18 38:15 40:1	2005 160:9	23:1
121:7	149:21	171:24	49:25 62:11
122:13	1800s 43:4	2007 160:12	152:7
131:12	1820s 97:20	2009 27:20	155:24
133:7	1855 20:3	2011 25:18	171:8
133:18	38:10 79:21	84:6	400 90:6
134:1			401 142:9
134:10			404 138:10
158:18			
168:5			
107 139:23			

408 131:24	9th 33:13	access 14:2	acknowledged
44 86:3 86:5	<hr/>	14:11 20:21	26:17
450 90:5	<hr/> A <hr/>	73:21 80:13	acknowledging
48 126:16	A.M 4:3	93:13 95:14	134:4
126:19	Aalvik	104:13	134:11
<hr/>	146:4 155:8	115:7	acknowledgmen
5	159:21	133:15	t 33:11
<hr/>	159:24	135:15	48:14
5 25:11	ability 33:18	accommodate	acquired
50 24:19	47:14 47:15	83:9	90:12
30:24 30:25	47:16	accomplish	acre 92:16
31:10 79:12	133:20	35:17	acres 15:20
91:22 94:14	135:17	according	24:17 89:23
54 108:15	136:9	32:2 128:24	117:4
<hr/>	147:10	accordingly	across 8:17
6	161:5	53:7	32:24 65:15
<hr/>	able 19:6	account	65:24 75:11
6 40:25	20:20	14:8	115:5 128:7
41:5 51:9	55:4 70:6	82:17 83:19	140:20
174:2	70:7	83:19	140:21
600 24:16	76:23 80:14	accountabilit	142:24
62 92:16	83:9 98:5	y 30:16	143:21
64,000 121:1	122:14	157:19	149:9
<hr/>	132:23	157:23	153:10
7	133:24	achieve	172:3 172:6
<hr/>	152:3	58:5 82:4	173:10
731 89:9	153:15	172:9	act 23:24
75 71:24	Abraham 60:14	ACHP 30:13	28:9
71:25 71:25	absolutely	100:13	29:18
76 105:13	44:13 52:25	101:13	30:7 31:9
<hr/>	167:11	102:10	38:20 38:22
8	absurd	102:14	39:2 39:4
8 39:23 118:3	167:8	106:24	39:4 53:7
8:35 4:3	167:10	107:5 107:6	66:23 73:25
87 155:25	167:11	112:19	92:24 95:19
<hr/>	academic	ACHP's 112:21	97:3 108:17
9	62:18 62:22	acknowledge	113:9
9400 154:9	accepted 4:12	32:20 35:13	115:10
95 106:12	23:23	146:5	128:23
98 12:2	113:23		132:9 135:3
			136:4

138:11	acts 55:4	170:15	144:20
138:12	actual 111:22	addressing	advice
142:11	140:24	112:11	107:3
161:3	actually 11:1	117:24	112:23
171:19	87:14	adds 163:4	advisory 6:22
171:20	104:17	adequate	10:19
171:21	105:13	144:11	106:25
171:21	107:10	149:15	107:2
171:22	110:14	adequately	112:16
171:23	110:15	165:5	112:24
171:24	125:5 137:5	Administratio	advocacies
171:24	145:1 145:7	n 18:7	37:6
172:14	145:14	27:22	advocacy 4:20
172:19	147:4 148:6	52:7 52:9	37:12 37:14
action	149:1 149:7	53:6 53:9	37:16 42:12
30:23	149:20	53:10 53:10	43:22 43:25
57:1 57:2	155:25	54:7	46:10
88:23 114:3	167:14	76:22 76:24	47:5
128:15	addition	82:2 87:8	49:14
159:13	98:17	88:24	50:8
163:8	additional	93:4	50:12 51:19
163:13	136:21	95:25	53:11
163:23	Additionally	130:17	54:9 56:7
173:14	164:25	155:23	56:11
actions	address 55:20	156:21	advocate
50:2	84:18 88:24	Administratio	44:20 52:14
93:24	94:17 94:21	ns 157:4	53:20 53:24
96:4 163:22	100:12	Administratio	57:4
active 160:15	102:6	n's 172:1	95:19 95:20
actively	104:23	administrator	97:2 143:25
12:22	104:24	s 83:3	advocated
activities	106:3	83:11	48:25 49:2
10:6 27:8	106:22	admit 44:9	advocates 5:2
82:16 99:20	117:13	141:10	92:23 157:3
102:5	171:18	adopted 165:6	advocating
161:17	173:3 173:7	adverse	50:19
163:21	173:15	132:10	aerial 105:17
168:15	addressed	adversely	Affairs 11:21
activity	27:3	131:14	12:16
8:9 101:17	27:13 143:8		110:14
actors 128:17	143:8		

affect 27:8	110:17	110:20	agricultural
93:22	112:4	111:2 132:5	161:17
144:20	112:17	132:15	Agriculture
affected	112:22	132:17	8:21
46:19 73:16	114:9	138:25	ahead 131:3
114:17	115:10	139:8	aid 165:24
131:14	116:2	142:15	ailments 56:2
169:10	117:24	157:20	air 22:12
affecting	118:2 119:3	173:17	22:19 22:25
23:13	128:22	agency's 7:22	47:15 71:19
26:5 105:18	131:6 131:7	173:9	72:2 78:5
affects	133:15	agenda 130:12	105:7
148:24	133:24	170:25	105:17
Affiliated	134:20	agent 40:5	105:18
24:12	135:4 135:7	40:6	106:2 113:2
affiliation	135:18	ago 6:1	120:10
32:5	138:5 138:7	11:2	alarm's 72:10
afford 153:4	138:8	13:12 24:20	Alaska 94:4
aftermath	142:24	30:24 30:25	137:7
16:6	142:25	31:10 62:11	137:18
against 82:23	163:8 169:3	65:23 65:23	albeit 86:3
93:16	169:10	66:13 96:15	Albuquerque
age 50:21	171:10	99:11 106:9	103:4
55:2	172:2 172:4	127:12	107:11
agencies 8:18	172:8	144:6	107:14
8:24 11:8	172:16	agreed	110:6
27:11	173:2	100:3 100:3	alerted 25:19
30:6	173:10	139:8	alive 80:7
30:11 30:13	173:12	agreement	Allied 79:19
37:9 44:1	173:15	40:18 60:19	allow 7:20
44:6	173:20	101:10	8:2 14:15
52:13 52:23	173:22	122:23	17:10
77:8 83:2	174:11	128:15	23:8
106:19	174:16	132:22	61:18
107:3	agency 7:20	133:2 133:5	104:23
107:19	8:19	140:15	104:24
109:9	19:20 19:21	169:14	122:9
109:20	26:10 28:10	agreements	135:14
110:9	44:5 44:9	30:12 30:14	
110:11	94:24	30:16	
	105:22	131:12	
	109:25		
	110:5 110:8		

allowed 17:11 100:16 116:5 132:16 132:21	129:2 amend 73:13 amendments 29:18 America 23:10 152:10 152:17 153:17 155:2	ancestor 58:20 ancestral 59:20 80:20 82:8 118:5 ancestors 34:16 34:23 61:20 63:5 71:9 79:21 80:6 80:8 80:12 99:22 101:6 111:6 119:19 121:2 122:8 125:14 132:19	99:14 annual 40:8 answer 141:14 answered 141:12 Antelope 58:11 58:14 59:8 59:17 anybody 6:13 91:5 121:9 148:20 anymore 68:3 anyone 170:24 170:25 174:9 174:12 anyplace 124:18 anything 40:10 40:15 167:5 anyway 64:13 72:20 87:21 122:21 152:4 anyways 130:14 anywhere 150:9 150:11 apart 41:8 APE 122:3 122:4 122:5 122:10 164:22 apologize
allows 133:19 134:12	American 10:18 18:5 20:11 147:4 152:21 154:19	79:21 80:6 80:8 80:12 99:22 101:6 111:6 119:19 121:2 122:8 125:14 132:19	
alone 49:16 117:5 117:6	Americans 152:11	ancient 99:4 101:6 101:7 101:15	
already 10:12 16:14 49:18 61:4 66:6 69:1 69:24 75:20 75:23 114:15 160:18 161:15 161:16 168:12 174:15	among 6:3 102:13 173:20 amongst 34:21 37:9 45:6 59:19 103:15 103:22 157:21	and/or 43:12 115:7 173:24 174:8	
alternate 150:14	amount 139:4 139:22	Anderson 136:12 136:14 136:15 146:1	
alternative 108:6	Ana 105:15	Angeles 107:10 120:22 129:12	
alternatives 114:4 150:14	Anaheim 105:14 116:10	anger 57:21	
am 20:9 55:7 74:24 103:16 117:11	analyses 165:10	animals 117:17 164:23	
amazing 78:17 91:12 92:8 93:6	analysis 127:15 130:3 167:15	announce 32:2 announced	
ambiguous			

57:17 64:25	138:4	159:5	49:11 76:14
123:13	138:14	appropriately	83:24 100:5
appear 83:3	166:22	18:3 116:2	101:8
Appendix	172:22	approval 27:4	101:14
29:13 29:16	172:25	99:18 125:2	102:7
29:20 29:20	applied	137:9	102:10
29:25 33:25	168:19	approve	110:16
35:8	applies	100:25	111:3 118:7
53:23	131:24	101:20	118:7 118:9
54:2	apply 83:4	101:22	121:21
73:23	appointee	approved	122:3 132:2
89:3 111:12	6:21 10:18	23:13 23:15	132:13
111:13	appointees	132:16	136:25
111:15	156:11	approximately	164:1
122:23	appoints	147:22	164:21
170:6	96:13	aquifer	areas 26:23
applicant	appreciate	111:19	79:23
99:11 99:14	7:14	116:5	80:5 99:6
99:19 99:23	12:17 20:13	aquifers	101:13
100:13	29:8	111:23	115:22
100:15	31:25 77:19	111:23	118:17
100:19	81:20 146:8	116:3	127:3
100:24	148:20	ar 22:18	133:16
101:5	155:6	Archambault	134:17
101:12	174:24	10:7	169:10
102:5 138:4	appreciated	archeologic	arena 11:23
139:4	78:8 78:13	101:19	aren't
142:19	approach 15:4	archeological	63:14
applicants	40:5 40:7	5:25	112:22
137:11	76:5	10:23 99:24	116:1
143:11	84:17	archeologist	116:25
applicant's	157:16	106:5	118:7
101:18	165:1 165:5	archeologists	153:13
application	172:9	134:6 134:8	163:14
33:23	approached	Archeology	argue
100:17	44:5	120:2	143:24
100:22	appropriate	area 36:2	175:16
102:2	14:25	44:18 45:16	arguing
102:15	133:18		143:14
139:3 173:1			arguments
applications			147:15

153:23	71:22	164:6 164:8	17:25 32:16
arise 107:2	arrows	164:9	attending
arising	57:18	asset 47:24	10:13 77:21
172:18	78:4 78:6	assistant	attention
Arizona 24:23	147:11	9:16	57:3
62:25	147:13	13:24 17:15	attorney
Arlene 103:10	Article 39:23	18:10 130:5	11:11 19:17
119:12	40:25	155:11	106:6
119:15	41:5 51:9	associated	109:18
Arlington	174:2	48:2	117:11
148:19	articles 40:3	49:21 55:13	136:15
Army 8:12	41:9	162:3	attorneys
9:11	44:15	162:16	45:24
25:14 29:12	47:3 51:8	163:10	Auburn
29:13 38:24	artifacts	163:21	130:4
60:6	34:10 121:1	164:2 167:9	130:21
73:22 73:25	121:1	associations	130:22
80:25	ascertaining	49:15 56:22	131:4
81:3 83:1	165:9	assume 69:10	August 120:24
95:21 98:23	ashamed 88:5	assure 157:9	124:13
131:23	aspect 54:4	assured 99:16	authority
132:4	90:17 90:20	ATNI 79:11	30:6
132:14	aspects 80:4	atrocities	51:15 52:10
132:15	aspiration	38:20	73:24
139:1 139:6	31:19	attached 41:5	131:11
139:12	assess 141:6	attack	131:16
140:25	assessing	50:15 50:16	133:1 147:9
141:5 142:6	84:17	53:4	169:8
165:8	assessment	attempt 34:18	auto 108:8
165:12	82:12 83:14	39:19	available
166:4	83:16 112:2	attempted	97:24
171:13	assessments	133:14	145:22
171:13	81:14 81:16	attempting	166:1
172:19	81:18	173:6	avenue
Army's 165:20	82:8	attempts	43:19 53:19
array 8:23	82:16	174:4	avoid 157:19
171:16	83:1 83:9	attendance	Avoidance
arrived	83:18 84:3		115:2
139:15			awakened
arrogant			

brief 89:5	104:11	109:25	130:16
briefly 7:22	108:12	110:9	130:20
Brigadier 9:9	109:6	110:14	136:11
bring 4:20	111:13	131:20	Canada 104:20
5:10 5:16	112:9	bureaucratic	148:4 162:6
25:11 34:16	113:15	58:7	169:20
43:6 45:2	139:14	burial 80:3	Canadian
45:3	144:10	114:14	104:17
49:14	Brown 57:12	114:19	canoes 89:17
52:1	Browneagle	114:20	capacities
55:11	57:14 58:17	131:17	56:25
57:1 81:8	budget 171:4	132:18	162:25
82:13	buffalo 104:4	burials	capacity
84:1 87:5	build 33:5	99:5 101:15	56:16 123:7
96:23	34:18	buried	160:11
107:17	67:8 92:3	111:6 111:7	163:14
139:17	97:16	132:19	captain
147:12	149:25	153:1	103:17
bringing	building 12:1	Bush 53:9	capture 7:12
43:23 44:25	92:5 116:13	business 23:9	care 80:14
48:16 91:14	buildings	businesses	cared 58:19
92:6 96:1	10:22 70:18	25:22	career 12:3
147:14	105:12	Butte 132:17	83:3 156:8
160:20	142:21	buttons	caring
brings 114:17	built 24:6	168:22	105:7 105:7
broken 24:1	95:4	<hr/>	Carolina
30:19 59:13	95:11	C	12:15
173:6	97:9	cabinet 30:19	carry 36:1
brother 60:9	97:12	calf 104:4	63:17 76:24
brothers	149:22	California	79:16
20:18	Bulk 161:24	15:19 76:17	155:12
36:6 130:18	Bull 104:5	130:22	162:8
brought	bulldoze	131:4 131:5	cars 95:10
4:21 14:2	132:17	132:9	108:10
19:12 19:23	bulldozers	camp 20:21	carve 174:4
21:9 31:1	142:20	39:3	carve-out
35:25	bunch 108:2	130:4 130:8	174:7
84:7	Bureau 107:18	130:13	
92:12		130:15	
104:10			

case 41:22 42:6 43:3 43:6 92:22 120:17 124:2 144:18 153:8 172:18	147:22 cellphones 108:24 cement 99:23 122:8 cemetery 89:16 148:20 centennial 114:19 center 4:18 19:8 Central 5:23 cents 92:16 116:11 century 43:8 CEQA 132:8 132:8 ceremonial 92:21 118:16 ceremonies 36:1 47:14 48:8 55:13 61:12 63:11 68:13 ceremony 35:24 68:8 104:6 certainly 13:25 14:21 14:24 174:25 175:12 175:20 certification 100:8 101:4	142:10 142:11 cetera 14:10 CFR 41:11 49:25 CFRs 51:16 Chair 34:15 66:24 119:17 123:8 chairing 32:9 chairman 4:9 4:11 4:16 5:18 5:19 5:22 6:25 7:1 10:7 13:13 18:3 18:6 19:11 20:12 31:25 32:7 32:8 32:13 34:5 35:19 35:20 35:21 36:4 53:23 53:25 55:9 57:11 61:7 77:22 77:24 78:1 78:5 79:3 86:13 91:7 91:9 91:10 98:12 107:9 123:7 123:15 123:17 123:18	123:19 123:25 130:1 challenges 55:22 79:1 85:8 85:11 challenging 21:19 chambers 20:17 38:3 championed 31:4 31:11 chance 18:21 19:1 29:4 47:11 change 26:4 32:9 47:21 47:22 47:25 63:2 76:1 99:14 105:25 117:22 121:24 122:25 157:4 173:8 173:13 changed 29:23 122:20 138:13 changes 15:3 68:22 84:2 115:14 155:20 156:25 157:13 changing
cases 42:7 120:14 163:2 163:12 164:8 Casino 25:21 catch 7:14 17:20 78:13 160:3 categorical 112:6 CATEX 112:6 cause 73:22 73:25 cautioned 97:13 cautiously 169:23 cavalrymen 39:4 cease 5:7 48:12 ceased 120:25 ceases 48:11 cedar 124:3 cede 92:13 ceded 33:2 47:1 80:1 80:15			

115:12	104:2	Chunk 58:13	123:24
159:12	113:19	60:3	153:9
channel 124:7	chief 5:23	church	claimed 36:11
124:25	39:12	43:16 43:17	88:1
126:20	40:9	58:15 58:24	claiming
127:2	60:13	59:8 70:23	100:20
charge	91:8	circle 65:2	Claims 92:14
125:4	98:13 98:14	74:7	clarified
125:16	98:15	circular	173:23
Charles	99:7 102:24	105:3	clarifying
119:17	103:7 150:3	circumstances	119:20
chasing 142:3	Chiefs	83:8	135:17
143:13	40:18	83:10 84:16	class 70:19
check 23:3	146:21	citations	70:24
64:13	child 67:13	37:11 42:20	classes
66:6 70:1	children 23:7	42:22 44:17	119:25
72:17	34:22 46:23	cited 43:7	Clause 41:1
75:8	61:22 63:22	cities 119:25	clean 47:15
76:19 157:9	71:8	148:14	47:15
157:12	72:22 72:23	citizen	111:19
157:15	72:23 72:23	10:2 11:20	138:11
172:8	72:24	citizens 83:6	148:23
checked	73:7 73:8	city 11:25	153:25
15:9	73:8 73:8	34:7 90:4	171:21
15:10 29:4	117:19	107:15	cleaning 94:8
checking	117:19	129:14	cleanup
145:18	151:14	138:1	12:5 94:7
checklist	151:15	149:12	clear 39:22
91:24 92:10	China 49:16	Cladoosby	40:1 82:4
checklists	49:17 155:3	18:4 18:6	134:19
93:11	Chi'Qwax	20:9 31:3	172:3
check-the-box	35:23	31:25	clearly 174:3
52:24	choice 29:22	54:1	climate
145:19	choices 12:10	54:13	32:9 63:2
Cherry 34:5	choked 22:17	81:2	105:24
34:17	chose 96:18	123:7	105:25
Cheyenne 87:3	Christian	123:14	117:22
103:9	36:12 88:2	123:15	Clinton 53:9
103:18	chum 124:15	123:19	

Clinton's 19:12	codes 41:12 90:13	160:19 160:24	55:23 57:8
close 5:25 29:1 34:14 34:15 79:11 79:12 130:6	coffee 63:18 cognizant 143:19	161:15 161:21 162:5 162:11 162:20 169:5 169:16 169:18 169:22	57:24 66:5 78:9 87:9 91:12 93:24 95:2 95:9 112:13 116:19 154:11 168:17 175:23
closed 25:22	coho 94:5 124:14	Colville 59:25 60:3 146:3 147:20 147:21 149:1 150:1	commander 126:2
closely 8:15 33:14 163:1	coin 26:25 coined 45:24 collaborative ly 128:13	comes 39:22 41:10 41:11 41:11 41:17 42:12 51:12 52:22 55:19 107:2 115:13 118:14 147:17 148:4 151:10	commanders 9:10 9:19 167:18 167:19 167:24
closer 109:16	collapsed 160:18	collect 65:6	commend 85:1
closest 48:2	colleagues 66:17 66:19	collective 5:11 37:9 45:9 48:20 56:15 57:8	comment 32:3 165:8 166:23 167:4
closing 31:7 84:22 86:4 129:11	collectively 5:9 5:15 36:1 39:20 45:6 46:24 47:19 52:14 56:2 56:23 61:8	coming 6:20 20:22 21:7 33:15 35:8 38:18 45:6 45:20 47:6 49:19 50:12 51:20 52:5 52:19 55:17	commentary 126:18
co 115:22	coal 25:24 48:21 49:7 49:16 49:16 49:17 93:18 95:8 95:8 161:25 168:20		comments 80:24 91:6 98:19 102:18 103:5 107:9 107:20 130:9 136:22 156:15 159:19 166:19 167:2 171:9 174:11
coalition 129:12	coast 110:3		
Coast 49:10 50:6	coated 94:10		
Coastal 142:11	code 114:15 114:20 114:20		
coast-to- coast 110:3	College 65:10 Columbia 46:16 49:7 50:5 67:19 93:22 94:13 95:3 95:9 97:10 148:2 153:6		

174:19	102:15	27:4 98:24	17:21
174:22	166:18	comprehensive	concluded
174:25	communities	132:7	127:21
Commission	27:9 162:21	concede 33:20	170:1
30:4	community	concern	175:24
92:14	33:12 130:4	101:15	concluding
105:21	130:21	108:4 109:7	174:11
111:18	companies	118:17	conclusion
113:18	168:19	154:7	54:21
131:19	168:20	167:17	concourse 6:3
171:15	compel 172:16	167:24	condition
commitment	173:15	concerned	127:16
31:15 76:25	complete	95:15 101:3	127:23
108:9	18:23 166:2	101:21	conditioned
commitments	completed	concerning	78:6
144:2	133:11	102:3	Confederated
committed	164:9	concerns 16:6	60:1 60:4
23:24	164:11	18:9	146:3
167:25	165:24	18:12	conference
committee	completely	27:3	119:24
28:2	108:1	27:10 27:12	confident
96:12 96:13	165:23	82:23	100:24
96:14 96:21	complex	100:13	129:9
158:4 158:9	99:5 162:19	102:6	confidential
committees	compliance	104:23	134:22
160:14	28:4 28:5	104:25	135:14
communicating	28:7	105:6	confidentiali
104:17	29:14 30:17	112:11	ty 134:21
communication	34:1 35:9	112:25	135:4
26:14 26:14	171:16	113:16	confronted
26:18	complications	113:17	114:7
48:7	112:15	118:8 134:7	confusing
64:23	complied	136:5 136:6	107:21
131:14	172:19	143:4 143:6	confusion
145:20	comply 172:15	162:17	59:21
175:20	complying	163:10	Congress 18:5
communication	109:22	163:12	20:10
s 30:4	components	163:15	congressional
87:11		167:3	
100:11		173:16	
		conclude	

115:9	89:2 93:6	89:9	11:7
connection	140:8 140:9	Constitution	13:22
71:7 71:8	140:13	41:1	14:5 14:7
71:13	145:16	51:10 56:20	15:3
CONNER	157:5 157:7	99:9	15:12 15:16
35:19 57:11	consents	129:1 174:2	15:20 15:23
77:24 86:13	140:18	construct	16:11 17:21
91:3 91:6	consequence	99:12	19:13 19:23
98:12	109:9	constructed	20:4 20:5
102:24	109:21	83:24	26:9
103:8	110:4	construction	26:11 26:24
119:11	Conservation	83:17	27:18
122:17	15:17	120:20	30:8
123:6	76:4 158:17	132:20	30:15 32:21
123:18	consider 26:7	constructive	32:24
130:1	26:7	16:11	33:6
130:15	83:20 88:17	consult 29:19	33:10 33:18
136:11	88:20 88:21	29:21 29:25	35:12
146:1	172:16	40:17	37:1 37:2
Connor 4:5	172:20	64:2 64:3	38:2 38:4
5:18 6:25	considerable	64:8	38:6 41:6
10:15	167:17	64:14 65:21	43:21 45:10
13:1 13:3	considered	100:7	46:10 50:25
18:10 18:18	36:21 88:12	102:12	52:17 52:25
18:24 31:24	114:5	110:1 110:8	63:25 64:10
Conrad	133:12	111:16	64:17 65:22
11:16 11:17	138:10	131:7	69:2 75:7
cons 85:17	consistent	135:17	76:8
conscience	141:18	136:3	77:21
74:19	consistently	137:12	81:9
consent	33:21 45:23	138:22	81:11 81:20
26:9	49:3 140:16	145:11	81:22
27:18	constant	162:22	82:2
33:6	157:21	164:14	88:18 88:19
33:19 52:20	constantly	164:19	88:22 95:25
52:21	134:8	172:20	96:1 96:9
53:1	constitute	consultation	100:15
73:16 73:20	121:12	4:1 7:4 7:8	102:3 103:3
81:10 81:12	constitutes	7:23 7:24	106:23
82:6 82:21		8:5 8:8 9:2	108:1
		10:13	109:10
			110:21
			111:1

111:14	168:8	continue	99:1
112:21	168:11	25:14 28:22	copy 139:15
119:22	172:3 172:7	78:24 78:24	140:24
121:9	172:12	78:25 84:12	corner 106:17
121:12	172:13	86:1 86:1	corporate
121:16	172:16	86:3 103:23	49:15 50:12
121:23	172:24	103:25	50:20 51:19
122:24	173:5 173:5	115:18	corporation
125:3	Consultation@	134:3 147:7	44:1
127:21	bia.gov	156:9	corporations
128:1	159:19	156:12	45:16
128:19	consultations	157:3 162:2	150:22
131:6 133:7	8:14 8:21	continues	Corps 9:11
133:18	8:22	101:1 134:5	25:14 25:19
134:2	37:25 81:22	continuity	29:12 29:14
134:14	consulted	161:5	29:21 29:23
135:19	37:23	continuously	42:22 48:24
136:18	consulting	41:7 41:8	49:23 50:23
138:23	69:2 69:4	44:8	54:7
138:23	69:22	contracted	73:22 73:25
138:24	76:9 141:23	143:2	80:25
140:6	consumable	contrary	81:3 83:1
140:18	22:13	174:7	95:21 98:23
141:17	consuming	control 28:18	104:12
141:21	21:1	65:12 65:21	107:5
142:23	contact	132:17	109:25
145:17	89:6 96:5	conundrum	110:12
155:13	96:7 96:8	166:10	110:13
155:21	contacted	conversation	112:12
156:1 156:3	143:4	13:18	112:19
156:3 156:8	contaminated	128:21	123:23
156:10	138:18	conversations	124:5 124:7
157:7	contemplated	29:3 133:17	124:24
157:24	99:25	convoluted	125:4 125:6
158:7	101:11	41:19 46:9	125:16
158:20	context 60:17	coordinate	126:5
158:23	continent	29:24	126:13
159:16	36:25 88:16	Coos 98:16	126:23
162:14	111:8	98:17 98:22	127:19
162:18			128:10
167:13			128:16
167:18			
168:1 168:4			

131:23	107:2	90:13 132:6	Crawford
132:4	112:16	169:9	113:19
132:14	112:24	couple 11:2	Crazy 111:6
132:15	123:10	16:17 17:19	create
138:7 138:8	130:25	71:3	27:21 30:16
139:2 139:6	140:11	73:12	created 40:13
139:12	160:1 160:2	75:5	112:23
140:1	165:16	130:9 138:1	112:24
140:25	councilman	155:10	creation
141:5 142:6	146:4 155:8	156:14	62:19 62:20
165:8	159:21	courage 65:17	62:23
165:12	159:24	85:10	63:3 63:11
166:4	160:8	course 7:23	Creator
166:17	Councilmember	104:2	4:17 4:24
166:25	171:3	128:15	80:11
167:2	Councilmen	140:20	cried 67:24
171:13	79:4	court 16:18	criteria
172:20	Councilwoman	36:19	81:17 83:1
172:22	79:5	43:3	critical
172:23	countless	43:16 44:11	56:10
correct 73:11	97:25	88:10 162:3	84:6 96:5
145:7	countries	Cove 98:20	96:24
170:23	70:16 148:7	99:10 102:9	160:25
corrective	151:18	Cowlitz	critique 36:8
112:16	country	26:1	87:23
corridor 95:4	10:5	28:24	cross
corridors	10:25 13:11	91:7	109:18
95:2	22:4	91:10	118:6
cost 24:16	23:12 23:16	92:3	crossing
25:22	26:13 32:25	92:11 93:16	97:10
costs 154:9	33:5	146:4 146:8	104:18
Coulee	56:18 69:14	155:8 160:9	109:5 114:5
66:15 150:3	73:10	163:7	crossroads
council	79:9 85:3	165:22	91:11
6:22	108:6	166:20	crucial 165:2
10:19 10:20	114:24	167:12	crybabies
11:1	129:17	167:24	152:13
11:24 20:17	135:21	170:5	cultural 14:9
20:19 88:21	140:20	170:22	
92:12	157:2	Coyote 44:2	
106:25	County	49:5 60:13	

15:6 19:7	85:11	dad 34:5	Darcy's 9:17
28:20 30:10	current	127:5 127:8	darn 71:22
31:18 34:10	37:4	dad's 20:1	74:17
43:24 61:10	54:22	DAHP 120:1	data 145:1
80:3 80:3	55:9	Dakota 9:14	145:2 145:8
80:20 81:13	78:12	14:2	date 168:3
81:15	85:7	14:11 20:21	168:8
82:5 82:7	87:15	24:10 24:11	date's 71:25
82:9	126:15	71:16	Dave 58:17
83:13	130:24	72:6 73:6	David 11:17
84:2	162:2	93:13 95:14	57:12
84:20	currently	104:12	Dawn 11:10
97:4 99:9	12:15 24:21	107:4	day 4:17
102:8	32:13	112:18	13:15 13:16
104:22	36:4 55:6	114:19	19:15 39:18
106:21	100:2	114:20	42:9
114:16	160:22	dam 24:7	43:19 44:22
118:11	161:2	24:10 24:15	45:4
118:19	customary	67:8	46:12 46:17
119:6 120:3	73:19	150:3 150:3	50:21
131:13	customs 63:10	damage 127:18	55:2 57:7
131:13	cut 87:10	damaged	62:16 67:15
133:12	126:20	133:19	72:18
138:19	126:24	134:12	89:8 95:8
138:19	127:1	damages 94:21	95:10
142:1 144:3	cuts 46:2	damned	99:6
161:5	75:25 84:21	160:5 160:5	124:3
culture 61:17	142:6	dams 24:2	124:21
80:5 80:6	cutting 89:18	24:6	139:21
82:9 106:13	cuz 73:14	46:15 67:10	143:22
106:15	<hr/>	90:2	144:24
161:7	D	150:2 150:4	149:12
cultures	D.C 42:19	Danny	151:4
70:17	117:6	130:22	154:17
170:19	151:23	130:23	155:24
Cummings	151:25	130:25	166:16
12:13 12:14	168:18	DAPL 129:15	days 13:10
cumulative	168:22	Darcy 167:23	21:17 34:11
81:18 83:15	da 66:21		38:15
113:13	66:22 66:22		40:1 86:3
113:14			
currency			

86:5 124:10	decades	deems 111:23	densify
155:24	141:20	deep 39:14	101:12
155:25	December	111:22	Denver 118:4
DC 9:18	120:24	defamation	department
dead 89:16	124:15	84:19	7:19 8:11
deadline	168:10	defer 128:23	8:12 8:12
98:19	decide 111:15	defined	8:19 8:20
159:18	decided	157:22	11:12 11:19
deal 96:20	126:19	defining	12:6
106:19	decision 16:8	122:10	12:17
115:4	64:6 66:5	definition	13:4 13:7
116:21	102:1 117:7	38:1 38:7	15:19 19:13
116:23	139:7	38:8	24:20 31:12
166:11	140:12	degradation	37:24 41:21
166:15	141:4 141:5	165:7	85:16 85:24
167:9	141:8 145:9	degraded 33:8	120:2
dealing	156:20	degree	120:21
11:9	166:25	63:13 165:9	123:3
36:23 88:14	decision-	dehumanizatio	160:11
104:11	makers 12:9	n 38:21	160:16
110:5	decision-	39:11 44:18	169:19
114:13	making	55:5	departments
118:3	158:1	deleterious	81:6
136:24	158:21	161:8 162:4	deplete 113:4
143:20	159:16	deleteriously	deputy 9:20
160:22	165:25	161:16	11:17 12:16
163:1	decisions	deliberative	13:3
171:12	15:4 16:4	139:25	18:10 18:18
deals	44:25 45:10	deliverable	18:23
143:21	55:17	76:23	descendents
146:21	82:4 141:25	delivering	146:20
dear 32:12	142:17	91:16	desecrate
121:11	145:5 154:8	demand 100:21	101:5
death 46:1	156:25	demolishing	desecration
75:24 84:21	decision's	142:21	120:11
142:5	66:6	demonstrating	Desert
deaths	Decisions	172:11	15:17
22:24 22:24	82:20	desiccation	76:4 158:16
debate 169:13	deem 116:4		

99:21	determine	156:4 156:9	168:5
designed	143:5	157:25	digging
22:22	determined	dictated	134:11
desire 128:4	49:5 134:25	42:14 43:20	dike 126:23
desired	detriment	die 97:22	127:14
172:10	43:22 45:21	151:6	127:21
desk 15:11	50:13	DIEAs 163:18	128:17
17:2	128:24	died 4:21	dilemma 163:4
despair 57:22	170:18	difference	dime 117:1
despite 100:4	Detroit 108:7	85:16 85:18	diminish
100:4 100:5	develop 166:5	138:22	168:23
127:19	169:3	158:15	diminished
127:20	developed	differences	116:7
156:6 172:1	83:6	83:10	167:20
destroy 24:22	development	different	dinner 124:19
101:6	12:7	8:24	124:21
125:13	12:11 23:13	33:24	direct 82:21
destroyed	28:18	45:1 45:2	directed
22:14	74:3	45:8	167:16
24:2	90:23	48:22	directions
24:12 25:21	149:17	51:4	167:20
71:14 87:12	161:18	58:22 58:25	directly
111:9 126:8	developments	58:25 98:24	75:10 87:10
134:12	160:23	108:25	167:1
destroying	161:9	114:14	director
125:7	161:19	114:21	11:17 11:20
133:21	162:1 162:7	115:11	158:8
destroys	162:17	116:24	160:10
71:15	164:2	118:18	171:6
destruction	169:24	122:5	directors
22:1	169:25	135:24	81:23
23:16 84:20	170:2	136:1 149:5	85:7 85:7
87:14	170:10	151:11	117:9
destructive	170:10	171:11	disadvantage
21:1	dialogue	173:19	68:21
determination	7:7 10:14	differently	disagree
33:16 44:12	13:25	77:10	65:14 65:17
88:9	14:8 16:3	difficult	102:14
	18:2 29:5	21:17	
	142:23	162:21	

112:12	discussion	135:11	166:24
disagreed	7:16 53:5	district 9:19	documentation
111:13	97:14	9:21 9:21	45:3 166:6
disagrees	108:19	33:14 42:18	documented
65:16	157:13	42:19	99:2
173:25	159:14	127:14	documenting
disappear	174:17	127:22	84:14
148:9	discussions	128:18	documents
154:16	81:25 147:7	166:10	37:4
disappearing	147:23	167:18	43:16
22:18	167:2 172:6	167:24	141:13
disaster	disease 152:1	173:10	162:19
87:15 87:18	diseases	districts	163:14
87:20	97:20	166:12	163:17
disasters	dismissal	166:13	164:5
87:16	101:22	166:15	164:16
disclose	101:25	167:16	DOD 172:4
173:17	dismissed	disturb 83:23	173:2
discovery	100:17	disturbance	DOD's 173:4
36:12	displaced	99:13 99:17	dogs 21:4
88:2	24:15	99:20 99:25	114:7
89:13	disposing	100:1	DOI 19:19
120:16	111:21	101:17	171:15
discretion	disposition	102:4	DOJ 171:15
49:24	169:4	133:10	174:13
50:3 50:3	dispute 39:22	disturbing	dollar
51:16 51:23	40:3 40:4	166:3	45:17 94:21
discuss 8:7	40:6	division	dollars 49:15
31:16 36:15	41:16 42:13	59:19	51:2
40:9 88:7	42:14	167:19	dominated
98:20 143:6	43:3	dock 49:5	22:3
discussed	43:18 44:19	120:20	domination
140:1	45:13 45:14	doctorate	36:18 36:18
discusses	46:5 56:5	62:8	37:4
16:13	disputes	doctrine	38:21 39:10
discussing	40:10	36:22 88:13	44:18
77:11	distracted	document 38:9	55:5 88:9
112:14	35:1	65:21	88:10
	distributed	112:11	
		159:8	

dominion	127:17	29:25 30:20	151:22
36:11 36:11	drank 152:7	80:10	easy 29:2
43:11 87:25	152:8	dying 22:20	74:14
88:1	dream 59:2	23:2	economic
done 13:19	DRECP 16:8	<hr/>	54:15 82:23
14:23 33:20	dredge	E	90:23
33:21	101:6	EA 112:10	economy
59:6 67:3	124:24	112:12	21:1
70:10	125:1	165:23	21:25
72:7	dredged 126:9	166:5	22:3 22:6
84:25	dredging	eagle 57:12	22:14 22:21
86:8	124:7	60:22	27:21
86:11 91:23	drink 47:15	earlier	ecosystem
141:6	drinkable	78:8 103:14	162:12
144:16	111:24	104:5	165:1
144:17	drive 13:10	111:12	ecosystems
166:1	149:10	112:18	165:2
dont 108:2	driven 134:6	113:1 116:3	educated
door 17:2	driving	119:21	62:13
17:19 19:24	141:10	early 11:7	education
146:14	dropped	26:21	35:3
door's 86:4	141:21	27:7	62:10 62:11
doorstep	drugs 152:8	30:14 82:11	62:14 64:21
82:18	drying 67:22	112:7	149:4
Dossett 19:17	due 162:22	121:23	effect
double-	163:14	122:24	122:3 122:6
whammied	167:20	123:14	164:21
166:12	dumb 63:6	136:3 143:8	173:13
doubling	during	144:10	effective
93:25	38:15 76:22	145:8	112:11
draft	131:19	145:13	135:20
163:13	133:25	168:9	effectively
163:18	dust 22:18	earth 22:7	162:21
163:18	duties 26:9	105:2	effects
163:18	80:15	earth's 23:1	105:17
164:5	duty 29:19	easement	113:14
dragged		25:15	132:10
145:12		easiest 95:5	136:7
dramatic		east 97:17	163:23
		151:21	

effort 12:22 45:9 68:25 76:9 162:11 172:1	125:23	149:10	engineer 9:21 91:21
efforts 27:21 160:17 162:3	element 47:10 52:11 108:23	enacted 29:19	Engineers 9:11 48:24 49:24 81:1 81:4 83:2 104:12 107:5 110:12 123:23 124:5 125:4 126:6 131:23 132:5 138:7 138:8 139:2 139:6 139:13 140:2 141:1 141:6
EFSC 96:11 96:15 96:18 96:24	elements 55:25 56:21	Enbridge 25:11	England 43:10
eight 85:22 85:23 97:15	elevation 90:5	encase 99:22	English 36:2 58:17 59:13 59:19 72:21
EIS 16:7 51:17 89:1 93:13 96:19 99:19 112:5 112:7 138:3 142:7 170:8 170:9	eligible 134:25	encourage 11:8	enrolled 60:2
EISes 163:18	eliminated 54:6	Endangered 161:3 171:21	ensure 17:8 27:2 30:23 31:16 80:12 86:15 157:14 157:22
either 8:2 45:11 135:12 138:6	Elliott 79:21 80:18	energy 8:19 11:18 11:19 12:6 12:7 12:8 12:11 15:17 32:9 37:25 76:4 76:6 76:11 96:12 105:21 108:7 110:7 131:18 137:3 158:17 165:16 171:14 171:23	ensures 14:8
Elders 171:7	else 23:8 50:18 65:16 89:12 115:17 139:24 153:15 170:25 174:9	enforcement 106:9	enter 14:7 30:11 30:13
elders 54:24 58:22 63:14 69:15 78:22	Elwha 103:11 119:13 119:15 121:15	engage 11:8 38:6 102:2 128:21	entered 101:10
elected 18:16	email 96:2 141:11 166:8	engaged 5:3 12:22 128:16 167:25 172:12	entire 21:24 49:11 93:22 162:5
electric 108:10	emergency 151:8	engaging 128:3	
electricity 153:5	emissions 49:18		
electronically 123:23	emotions 57:20		
	employees		

entirety 39:9	especially 23:14 63:14	4:10 5:21	74:14
entities 135:12	113:2 148:25	6:24 15:10	98:2 132:4 133:9
entity 158:5	essentially 9:12 12:5	67:2 72:15	140:19
environment 15:6 32:9 142:1 160:19 160:25	54:7 100:3 establish 90:21	117:25 123:12 170:16	examples 14:22 15:2 16:10 30:3 128:6
environmental 8:18 11:23 11:24 25:13 49:1 49:8 49:25 50:4 50:7 74:2 83:11 101:24 105:22 112:2 112:3 132:7 132:9 136:15 143:23 161:13 171:20 171:22	established 56:19 establishing 103:20 estimated 166:2 Estuary 160:24 et 14:10 European 58:24 evaluate 141:15 163:20 163:22 evaluating 172:21 evaluation 163:24 164:1 165:16 eve 99:18 event 6:14 87:17 172:13 eventually 140:23 169:14 everybody 4:5	everybody's 105:24 everyone 9:9 9:25 62:5 62:15 65:4 84:23 143:17 174:14 174:19 everything 22:8 23:5 49:21 71:11 71:12 90:5 113:11 115:14 139:24 evidence 6:6 6:7 52:2 127:19 ex 100:11 100:14 102:15 exacerbated 163:15 exactly 94:18 141:4 example 15:14 15:17 16:5 27:19 33:6	16:10 175:2 excavated 127:2 except 40:12 40:16 172:13 exchange 139:9 139:10 exchanged 145:20 exchanging 143:15 exclusions 112:6 excuse 69:6 73:14 97:17 123:10 executive 26:10 52:9 52:13 52:15
EO 73:14			
EPA 110:18 111:23 116:3 116:4 116:15 118:3 137:9 137:12 141:20 171:13			
equal 114:25			
equally 13:15 69:3			
era 85:8			

52:16 52:18	133:7	exported	face 69:3
52:22	expansion	49:17	69:5
53:8	24:22	express 8:3	81:23
72:25	84:1 127:17	39:19 41:20	96:4 96:9
89:2	expansions	42:4	110:21
115:9	113:21	43:11	facility 7:11
115:13	expansive	47:2	96:12 98:21
115:15	127:13	54:21 56:13	99:3
118:25	expect	expressed	99:12 99:15
129:5 158:8	14:21	39:12 56:22	101:11
159:13	29:7 80:21	expressions	137:15
170:7	expedited	57:8	165:16
exemption	27:22	extending	facing 55:25
116:5	expensive	9:12	fact 23:3
exhausted	151:9	extent 16:25	49:18 62:24
22:11	experience	extracting	125:3
exist 21:25	12:1	111:20	127:16
48:11 48:13	64:21 131:5	extractive	143:19
56:2 56:3	141:16	108:5	145:16
174:6	147:20	108:22	163:11
existed	171:12	113:9	fail 171:18
127:18	173:6	116:16	failed
existence	experiences	extreme 100:1	23:17 42:10
5:10	131:10	extremely	failing
39:17 46:21	expert 65:12	75:12	118:23
47:17 50:16	expertise	Exxon 94:8	118:24
50:17 50:21	142:14	eye 96:5 96:7	fails 27:24
56:3	experts	96:8	27:25
56:11	16:3 76:10	eyes 65:5	failure 84:14
117:14	explained	<hr/>	111:1
existing	65:3 65:3	face 12:11	failures 98:2
47:12 47:13	66:18 71:3	21:5	98:4 119:2
68:20 68:21	exploited	43:17	fairly 160:1
101:19	22:10	47:5 54:3	faith 23:24
101:23	export	faced 34:22	35:10
159:6 159:9	49:16 93:19	79:2	fall 124:13
161:17	98:21	face-to-	familiar
expandable	99:3 99:15		150:4
22:13			
expanded 84:3			

families 22:15 91:13 136:1 149:19	fax 121:14	128:22	15:2
family 32:12 77:12 127:3 152:25 153:1	faxes 121:11	128:23	156:7
farm 153:4 153:5	feasible 52:8	128:24	174:25
farmers 126:10 126:11 153:3	Feather 132:5	129:4 131:6	feel 69:12
farmland 24:18 126:9	February 110:16	131:18	69:13 69:20
farthest 22:16	federal 6:19 7:5	133:15	69:20
fast 27:19 28:3 28:9 54:12 54:14 54:20 126:14 151:8 168:22	7:9 7:20	134:20	70:8 75:6
father 40:7 40:8 40:16 59:23 60:2 60:8 60:8 60:12 60:14 61:3 61:24 65:3	8:16 8:18	138:4	75:24
father-in-law 60:13	8:24 11:8	141:23	76:2 77:2
father's 60:21	13:19 19:21	142:15	88:5 104:15
favored 45:16	27:19 27:22	142:16	156:22
	28:1 28:9	142:25	feeling 57:20
	28:12 28:17	143:5 143:9	feels 75:17
	30:4 30:5	158:3 169:3	155:24
	30:9	169:10	feet 90:6
	30:13 30:17	171:10	fellow 66:17
	30:22 40:12	171:14	felt 62:17
	41:11	171:14	104:7
	42:7	171:17	FERC 98:22
	42:16 42:21	171:22	100:3 100:6
	43:14 44:11	171:23	100:12
	44:12 44:13	172:2 172:4	100:17
	44:16	172:8	100:21
	46:7 51:2	172:18	100:21
	73:17	173:10	100:22
	77:6 77:7	173:12	100:25
	77:11 94:24	173:15	101:3 101:5
	98:3 100:16	173:17	101:8
	101:1	173:19	101:18
	105:20	173:20	101:21
	106:19	173:22	101:25
	107:3 110:2	174:1 174:4	102:2 103:1
	110:2	174:7	103:2 110:6
	112:17	174:11	FERC's
	114:9	174:16	99:18
	114:23	Federal-led	100:14
	114:23	114:23	100:14
	117:24	federally	102:11
	119:3 123:4	23:12 23:15	102:14
	126:22	27:3	fertile 24:18
		feedback	
		14:20	

fewer 164:23	112:4	128:11	132:17
fiber 99:21 101:12	findings/EA 166:24	138:20 144:19 171:6	flooded 24:11 46:16
fiduciary 37:8 51:5	finished 67:23 139:21	fisherman 144:23 171:7	flow 73:1
fight 19:5 84:11 84:11 84:25 84:25 102:8	firefighter 87:19	fishermen 144:12	flows 72:17 73:2 73:3 73:4
fighting 26:2 45:23 71:15 73:10 97:7	first 18:6 18:13 32:24 34:15 48:19 55:12 55:12 60:15 64:1 70:25 71:1 79:10 82:14 87:19 103:13 106:24 109:8 109:8 115:1 129:8 138:14 143:19 146:23 164:17 170:19	fishery 13:14 171:13	fly 43:17
figure 20:6 72:1 78:11 134:10		fishing 24:3 32:14 67:19 99:5	flying 47:5 54:3
figured 19:22 71:24 133:1		fit 124:24	FNSA 143:1 143:3
file 44:11 139:13 139:17		fitting 31:14 31:14	focus 4:18 14:14
filed 42:18 42:20		five 66:10	focuses 12:7
filled 172:25		fix 127:15 144:7 168:14 175:17	FOIA 139:16 139:20 139:20 139:21 140:4 141:3 141:9 141:11 141:14 145:10 167:9 167:11
films 94:7		fixed 150:24	
final 16:7 96:19 99:19	fish 6:5 25:16 55:12 67:11 78:13 84:15 94:4 110:13 125:7 125:7 126:1 126:7 126:7 138:18 145:3 160:12 164:23	flag 147:5	folks 12:20 32:3 97:21 130:5 156:9 158:3
finalize 40:19		flags 21:8 21:9 21:12	
finally 19:21 44:9 104:14 120:25 134:19 158:2 158:14		flawed 29:15 101:9	
finding 132:10		flexibility 162:9	foods 47:14 49:21 50:15
findings	fisheries 127:17	flexible 81:17 82:25	foot 145:2
		flights 17:17 17:20	foothold 90:21
		flood 25:20 63:3 63:4 89:24	force 173:20 174:1

forced 58:15 135:12 141:22	Fort 31:7 97:18	104:11 122:7 126:14 128:16 145:6 147:8 151:16 155:9 156:7 159:23 160:21 169:17 169:23 170:17 175:19	frame 17:22 66:11
forefront 38:18	forth 4:24 5:10 35:25 38:22 42:4 42:12 43:2 43:6 44:25 45:2 45:3 47:6 48:16 49:14 50:8 50:9 50:12 51:12 51:17 51:20 51:24 52:1 52:12 52:19 52:22 53:3 53:8 55:11 55:17 55:23 56:6 57:1 57:9 66:18 86:2		framework 36:23 68:20 68:21 68:23 88:14 135:3 135:5 159:7 159:9
forego 135:12			framing 8:7 15:11 16:13 76:3 159:8
foreign 60:23			Frances 119:17
foremost 48:20		fossil 45:19 51:21 74:2 93:17 108:8 160:23 161:20 170:3	Frank 84:9
foreseeable 137:14			frankly 75:8 136:16 142:14 143:9 144:4 144:12 145:13
foresight 31:15		fought 19:5	Frazier 107:10
forest 160:13		foundation 37:3 38:8 43:13 44:24 78:23 118:24 119:4 156:12 175:5	free 52:19 52:21 53:1 56:19 73:21
forests 22:19	fortunate 20:17 79:13 84:9		Freedom 97:3 171:24
forever 71:21 73:1	fortune 13:12	founded 41:25	freeway 24:21
forge 93:4 98:5	forum 38:5	founding 42:7 43:13	frequently 128:21
forgot 13:2 64:21	forward 9:23 10:14 12:24 30:23 31:21 45:4 52:7 52:8 53:20 76:24 77:12 79:16 81:8 82:1 84:7 86:19 98:10 102:21	four-legged 117:18	friends 32:12 57:16 64:24
form 41:16 147:15		four-way 132:16	frightening 95:12 95:13
formal 32:20 86:19		four-year-old 127:9	front 15:10 17:2 55:18 57:25 62:13 65:10
formed 73:20		fractionation 154:18	
forms 95:17 135:9			
Forsman 4:9 4:10 5:19 5:20 5:22 6:25 10:17 10:17 31:2 53:23 123:9 123:18			

65:12	funded 127:14	164:18	46:22 47:11
96:6 124:18	funding 28:12	164:19	61:25 79:24
fronts 143:22	116:17	garden 153:6	80:13
frustrated	funds 116:24	Garrison 24:7	97:8 120:12
134:3 160:1	funerals	24:10	127:4 127:6
frustrates	55:11	109:18	127:8
128:20	furtherance	gas 158:21	geographical
frustration	161:6	gatekeeper	y 50:1
131:22	future 5:12	95:21	get-go
fuel 45:19	46:22 47:10	Gateway 34:17	68:21
74:2	61:25	gather 6:5	111:14
93:17 108:8	63:6	84:16	gets 49:17
160:23	76:11 80:12	gathered	71:14
161:20	83:21	38:23 85:12	79:1
fuels 51:21	93:2 97:7	89:19	97:12
170:3	97:8 106:16	gathering	145:12
fulfill	106:20	68:14	getting
8:15 30:20	109:7	gatherings	9:23
fulfilling	117:14	59:22	13:21 66:15
13:20	117:19	geared 160:17	90:23
full 74:7	117:20	gee 78:12	105:23
82:11 88:21	119:5	general 9:7	142:18
112:5 112:7	120:12	9:8 9:9	166:12
141:4	164:10	38:11 130:7	174:23
fully 27:7	166:13	155:12	174:23
163:20	169:4	161:11	gifts 80:11
163:22	169:20	170:21	Gila 24:23
167:25	170:10	174:9	28:23
fun 62:14	175:6	174:20	girl 106:17
function	<hr/>	generated	GIS 89:8
162:12	G	134:23	given 33:4
functional	Gabriel 146:2	generation	35:23 37:17
165:2 165:3	146:11	62:21 62:21	43:9
fund 117:3	146:16	62:21	54:25
fundamentally	155:7	63:6 115:19	55:1
29:15	gain 8:2	127:10	58:14 59:16
102:14	13:17	generations	73:21
	gallery 66:17	5:12	103:19
	gallons 137:8		139:4 153:5
	garbage		gives 39:20

51:15	4:15 4:16	83:7	59:23 59:24
giving 40:1	5:18	98:25 129:6	60:13 60:21
68:11	35:20 35:21	166:19	62:3 67:7
givings 55:12	36:3 57:11	Government's	67:19
glaciers	Goudy's 13:13	36:10	68:7 68:13
22:18	governing	51:2 87:25	grandfather's
glad 9:22	38:9	government-to	60:12
64:19	government	27:16 81:21	grandkids
66:9 67:4	7:6 13:19	119:21	71:22 72:5
129:17	19:21 27:17	government-	grandmother
Glen 79:5	28:17	to-	62:17
global	36:7	government	65:2 67:8
105:2 105:5	39:21 40:12	15:25 26:15	67:18 68:5
goal 54:16	40:22 40:23	36:17	grandparent
156:6 157:6	41:7 42:3	38:2 81:9	67:14
157:8 157:9	42:16 42:21	81:11	grandson 59:4
God 31:20	60:19	88:8	59:25 61:23
goggles	64:2	88:22	127:6 127:9
108:24	65:20	167:14	grandson's
gold 108:25	73:6 77:6	168:1	127:4
109:3	80:16 81:22	Governor 39:5	grant 100:25
Goldberg	83:2	39:11 96:12	grass 72:16
19:12	87:22	96:22	72:21 72:22
gone 62:7	93:9 110:21	165:19	grateful
67:16	119:22	Govin 79:5	32:17
116:20	128:3 128:3	gracious	52:6 85:20
165:14	141:23	159:22	grave 34:14
gonna 16:19	142:8	graciousness	34:16 89:20
16:21	142:16	146:6	graves
42:4 58:8	143:5 143:9	Grand 66:15	97:25 97:25
71:23 74:16	143:10	150:2	gravesite
95:9 148:19	143:10	grandchildren	34:24
148:22	143:10	46:23 61:22	graveyard
gotten 78:6	governmental	71:9	97:18
142:7 142:8	38:3 44:5	grandfather	graving
142:9	128:17	20:2 55:3	120:20
142:10	governments	55:3	great 6:3
Goudy 4:11	26:20	58:10 58:11	10:24 18:17
	27:6	58:13 59:3	
	27:13 27:25		
	28:11 28:13		
	28:14		

20:1	100:1	81:17 82:25	hands 10:9
25:16	101:17	134:19	19:9
29:6 32:5	102:4 116:6	Gulf 109:15	35:16
33:5 40:7	133:10	guys 64:19	86:7 86:8
40:8	144:24	87:12	165:20
40:16	148:17	129:21	Hanford
44:4	148:18	130:16	12:5
53:23 56:17	163:16	131:2	37:23 46:15
59:23 59:24	ground-	146:17	happen
60:12 61:22	disturbing	147:16	33:13
65:23 78:12	133:16	150:3 150:9	42:1
86:9 86:9	grounded 37:3	150:25	47:22 47:22
86:10 87:12	38:8 156:15	154:20	51:25 70:23
126:9 127:4	grounds 38:23	154:24	71:23 121:8
152:16	39:7	155:5	121:20
159:24	47:16		121:24
greatest	100:18		122:9
47:24	104:6	<hr/> H <hr/>	122:10
48:9 85:21	group	habitat	122:22
great-	102:13	79:1 165:6	122:25
grandfather	154:16	habitation	happened
127:5	growing 88:4	132:1	25:10
great-	grows 72:16	half 13:12	71:4 71:4
grandkids	72:21 72:22	34:8	93:12 109:2
72:5	growth 83:25	58:12 58:12	110:23
great-	guess 57:19	62:11	120:17
grandmother	68:4	147:22	120:22
35:24	75:16 96:19	149:22	121:13
great-	109:23	half-breed	122:2
grandson's	146:21	125:24	122:12
71:24	147:7	halls 46:17	122:16
great-great	148:21	hand 37:16	139:10
62:2	149:8	63:20 78:18	153:2
greatly 77:19	150:14	97:6	happens 26:12
156:19	152:5	handed 62:20	38:2
greed 21:5	152:24	hand-in-	53:15 69:15
green 101:5	153:17	hand 47:9	94:12 94:22
ground	154:17	47:17 51:9	124:2
99:13 99:17	170:24	handle 165:21	happy 7:1
99:20 99:25	guidance 28:8	handoff 93:3	68:6
			79:15 94:17

98:9 124:6	40:9	88:25	147:15
Harbor 120:23	heading 87:6	111:12	148:13
Harbors	headquartered	127:13	153:13
138:12	98:17	144:8 155:3	153:22
171:19	headquarters	157:5	154:24
172:19	9:18 167:17	157:13	169:19
hard 23:20	167:21	165:12	helped 19:8
58:5	173:13	175:10	herbicides
75:18 90:14	heads 152:1	hearing	105:18
105:12	headwaters	11:2	here's 68:6
106:3	89:8	11:15 24:24	68:7 68:7
116:17	healing 47:25	31:21	68:8
152:19	health 35:2	hearings 11:3	70:20 128:9
harm 25:15	142:1	heart 32:22	128:20
109:17	160:13	56:13	heritage 80:3
109:19	healthy 113:5	174:15	81:13 81:15
Harold 107:10	165:2 165:3	hearts 56:14	82:5 82:7
harvest 84:16	hear 11:5	heathens	82:9
124:9	12:18 12:23	36:13 36:14	83:13
hat 10:16	14:22	43:12	84:2
hats 124:2	16:9 17:8	88:3 88:3	84:20
haven't 16:14	18:12 23:21	heavily	131:17
17:2	24:3 24:7	120:19	138:19
18:25 20:23	24:8 25:1	height 44:4	herself
87:5 95:14	25:4 25:4	held 17:1	167:23
having 6:16	26:1	41:2 98:7	he's 158:10
11:14 12:25	29:10 33:19	helicoptered	158:11
14:5 24:6	36:6	151:7	hey 117:25
57:17 57:24	37:10 61:19	hello 71:9	169:17
58:4	64:5	171:2	hierarchy
59:18 75:21	75:10 78:16	help 34:15	41:13 51:15
90:13	128:7	35:17 52:12	high 60:10
114:25	128:22	52:14 52:16	70:11 77:19
115:6	157:21	53:20	higher 129:4
123:13	167:8	57:4	highest
145:16	heard 11:6	95:17	41:2 41:6
147:24	14:19 14:21	122:12	highlight
head 39:12	18:9 21:4	135:19	27:18 103:4
40:5 40:6	21:22 27:10	147:7	highlighted
	28:25 76:16		

76:3	84:5	Ho 58:12 60:2	58:1
highly	84:19	Ho-Chunk 60:4	61:21 61:23
161:4	104:22	60:22	62:1
163:19	106:21	hold 28:19	68:12
164:16	119:6	30:9	70:2 71:6
167:20	136:23	95:22	72:1 72:2
highway 45:19	historically	98:1 169:25	72:3 73:4
51:20 87:11	37:20 48:25	holding	73:5 86:9
98:3	64:1	119:25	hopefully
Highways	64:14 144:3	hole 34:8	23:3 45:9
123:4	histories	homage 19:4	47:23 68:16
171:14	83:11	home 56:20	91:4 107:23
Hills 109:2	history	69:9	128:7
114:1	20:5	75:15	170:17
hinge 53:15	23:12	78:6 116:20	174:15
53:16	25:4 25:5	149:24	hoping 15:1
historic 6:23	30:19	159:25	121:17
10:19 10:21	36:8	homeland 15:6	horrific 62:7
11:9	37:11	160:24	horror 46:18
29:18	42:9	170:12	Horse 111:6
30:7 30:8	44:21	homelands	hose 153:6
31:9 34:4	45:7	22:14	host 16:1
73:24 106:7	54:23	129:25	156:8
106:25	55:2 58:8	160:19	hosting
107:4	61:1 61:8	homes 25:20	6:10 10:3
107:16	61:15	homesteaders	130:17
108:16	62:6	89:17	174:21
112:18	74:23 84:22	honor 20:1	house 69:23
116:22	84:23 87:23	79:13 87:13	158:9
119:4 120:2	91:13 104:1	102:11	housekeeping
131:4	104:10	honored	7:17 16:17
131:12	106:14	79:4 136:16	huge 121:10
132:1 132:3	106:15	honoring 5:22	121:18
135:1 135:2	117:13	hooray 124:20	121:25
171:20	129:21	124:22	122:10
172:14	129:22	hope 15:9	human 34:9
historical	131:17	29:3 29:5	80:4
26:23 37:14	147:19	56:14 57:23	111:8
79:23	154:6 161:1		114:13
80:5 83:20	hit 46:7		
	97:20		

115:5	166:3	155:12	87:1
116:19	idea 69:24	illegally	91:10 91:20
120:14	93:6	127:1	91:20 91:21
121:3	169:5 170:6	I'm 5:21 6:20	92:2
133:12	ideas 58:25	7:19 9:10	95:15
humbled	65:25	9:15 10:1	98:4
136:16	66:1 92:25	10:17 10:17	98:15 106:5
hundred	identificatio	11:11 11:17	106:5 106:6
22:2	n 134:13	11:19	106:6
92:14	134:16	12:6	106:18
149:11	identified	12:14 12:15	106:22
hundreds	128:12	12:24	113:12
132:19	132:18	13:3 13:3	116:20
hung 39:6	134:18	24:8 32:1	116:21
39:8	158:6	55:10 57:16	117:4
hunt 84:15	identify	57:20	117:13
125:25	55:19	58:8 58:9	119:15
154:11	128:14	58:11 58:12	119:16
hunting 99:6	identifying	59:6 60:2	119:18
hurt 71:14	134:4	60:4 60:6	123:9
73:7 73:8	134:10	60:15	123:15
hurting 71:16	ignored	61:5	123:21
71:17	127:25	61:21	123:25
hurts 71:14	ignores 29:24	62:1	127:10
hydro 161:18	ignoring	62:12 62:13	129:9
hydroelectric	131:9	62:14 62:14	129:17
131:19	IHS 171:15	62:15	129:22
<hr/>	II 60:9	63:4	130:20
I	I'll 58:9	63:23 64:19	130:22
icecaps 154:2	69:12 69:12	64:24 65:13	131:1
I'd 6:12	70:1	66:8 66:8	136:15
32:22 65:23	86:24 88:25	66:20 66:20	136:16
87:1 87:7	98:9	67:4	143:20
87:8 91:1	98:11 103:4	67:11 69:10	152:7
98:20	112:8 124:3	69:22 70:10	153:19
103:23	124:5	70:14 73:12	154:22
106:24	154:23	74:5 74:6	160:8 160:8
120:17	154:23	74:14 74:16	160:9
123:12	155:7	74:16 74:17	160:12
		74:18 74:20	160:14
		74:25 75:12	160:14
		79:4 79:15	160:20

161:19	173:18	134:9 140:5	83:15
164:18	impacts 14:23	161:4 164:8	84:3
170:21	21:20 33:17	167:22	113:2 133:8
171:2 171:2	73:18 81:19	169:21	162:11
171:6 171:7	83:15 83:17	importantly	included 62:6
imagine	83:20 83:21	35:2	135:10
105:11	84:4 84:5	79:15 175:2	171:11
imagined 80:8	102:4	impose 133:24	includes
immediate	120:12	impress 63:13	10:22 16:12
88:25	127:17	impressed	71:10 71:10
163:25	133:11	63:15 63:16	71:11
immediately	161:8 162:4	improve 7:7	99:4
51:14 51:14	162:8 162:8	13:21	136:6 162:6
impact 25:7	164:7 170:2	14:6	169:8 169:8
26:22 37:21	171:18	78:25	169:9 169:9
49:1 49:5	172:17	82:2 102:22	169:10
49:8	172:21	156:10	including
49:11	173:3 173:4	156:13	9:14
50:1 50:4	implementing	improved	28:14
50:7	28:9 47:25	26:18	40:3 50:2
51:12	import	Improvement	53:17 99:21
74:2	99:12 99:15	28:2 158:4	102:13
83:18	101:11	improvements	128:17
101:24	importance	81:5 131:25	148:14
112:3 112:5	11:7 30:10	inaccurate	172:4
128:11	important	163:24	inclusion
161:9	5:24 6:8	164:16	84:5
161:11	12:19	inadequate	incomplete
164:8 170:3	18:1 25:3	164:16	163:24
impacted 22:5	25:4 25:8	inadvertent	inconsistent
22:16 33:17	26:20	120:15	33:22
49:11 51:21	27:5	inappropriate	inconsistentl
82:15 87:10	31:22 32:18	100:11	y 172:7
120:19	35:15	inappropriate	incorporate
132:14	36:8	inappropriate	145:15
161:16	41:25	ly 164:3	Incorporated
164:24	42:8	include 27:25	161:25
impacting	76:14 87:23	28:3	increase
49:20	131:9	30:21 81:18	83:25
132:19	131:11		
138:18	132:13		
	132:25		

incredible	157:2	139:19	12:23 14:16
93:25	165:22	140:9	27:20 27:23
incredibly	Indians	140:10	28:10 28:18
155:16	6:10 18:5	140:12	30:15 30:22
indeed 4:23	20:11 89:11	140:16	33:16 37:18
5:9 5:13	126:10	141:24	37:22 43:22
39:23 45:15	150:10	142:16	82:13 83:14
47:19 53:12	152:15	143:15	83:18 83:22
53:20 54:18	174:21	144:11	83:23
54:21	individual	144:14	84:1
55:7	56:16 56:25	145:13	84:18 90:13
56:17 56:24	164:23	145:20	90:18 90:24
57:1	164:25	145:21	119:24
independent	169:12	159:20	147:17
30:20	individually	171:24	147:18
Indian 10:5	61:9	173:17	149:6 149:7
11:18	industries	informed 27:7	149:13
12:7	108:5 108:8	52:19 52:21	149:24
12:16 13:11	108:22	53:1	149:25
21:2 21:7	industry	73:16 81:10	150:5 151:5
23:11 23:14	108:8 113:9	81:12	153:7
23:16 23:25	116:16	82:6	infrastructur
26:12	161:17	82:21	e-related
28:6	inflexible	89:2 93:6	172:5
28:18 28:19	83:4	99:19 140:8	infrastructur
30:21	influence	140:13	es 171:11
40:5 40:6	108:7	140:17	infused 80:7
42:7	influences	142:23	ingrained
43:14 58:18	167:20	145:16	173:8
58:23 59:20	inform 140:7	157:5 157:7	inhabitants
62:13 72:18	information	infrastructur	23:1
73:18 73:18	73:21	al 37:20	inhabited
78:19	134:21	42:12	99:1
79:9 85:3	135:6 135:8	46:4	inherent
85:22 92:13	135:10	46:18 46:24	92:20 97:4
102:16	135:14	48:21 50:11	initiate
110:14	135:19	51:13	167:2
129:17	136:23	53:3	initiated
130:4	139:2 139:5	53:17 56:9	137:5
130:21	139:9	infrastructur	initiating
131:1		e 7:6 8:10	
156:18			

8:13	instilled	t 163:21	internet
injection	105:6 105:8	interest	87:11
111:22	instituted	79:18	interpretatio
innovation	42:11	117:15	n 40:2
93:8	institutional	128:2 162:7	40:24
Innovations	152:23	interesting	41:4
161:23	152:25	16:9 19:10	41:14 44:14
input 8:2 8:3	173:8	interests	174:8
9:23	173:14	14:9	interpretatio
12:25 13:17	institutional	14:24 31:18	ns 118:18
14:15 15:12	ly 158:15	50:13 50:20	intervene
17:13	159:2	51:19 82:23	112:16
155:16	institutions	102:23	intervened
166:7 172:5	62:22	110:22	100:8
173:4	instructs	129:8	introduce
inside	100:12	150:23	7:21 9:4
74:25	integrate	161:12	13:2
108:18	157:25	163:12	19:16 60:25
insignia	158:12	174:6	103:13
147:3	integrated	Intergovernme	introduced
insinuating	28:8	ntal 11:21	66:16
164:23	integrity	Interior 8:12	introducing
insist 82:19	63:23	12:17 12:20	4:7
insists 99:23	74:8	13:4 13:7	introduction
Inslee 96:22	74:20 74:24	15:18 19:13	103:14
inspired	intended	31:13	inundate 90:5
84:10 84:10	145:18	Interior's	inundated
installations	intent 175:10	7:19	46:16
174:5	interact	intermixed	involve
instance	55:24	163:3	108:19
122:2	171:17	internal	136:3
instances	interacting	166:6	involved
96:25	171:10	166:25	104:9
instead 49:15	interaction	internally	104:13
64:20	53:14	77:11	104:16
100:12	intercultural	international	105:23
115:6	120:4	73:19	109:15
142:17	interdependen	104:18	109:17
		104:19	110:15

116:15	143:20	167:3	Jewell 15:22
128:18	150:20	168:23	job 13:19
175:9	157:21	173:7	14:23 74:12
involvement	167:6	175:19	74:12 74:12
119:7	167:25	issuing	74:21 74:22
Iowa 114:15	issued	16:7 16:7	85:17 124:3
114:20	21:23	144:19	140:10
114:21	100:23	item 168:12	140:10
ironic 19:19	140:23	items 7:18	147:16
irreparable	140:25	16:17 17:23	149:24
25:15	141:1	88:23	153:23
irretrievable	issues 8:7	133:12	jobs 13:5
144:2	8:9 10:20	134:11	27:22
irrigation	12:24	it'll 7:12	77:5 140:13
153:8	13:7 14:1	I've 4:11	140:14
island 44:2	16:13	10:25 20:16	jode 36:2
49:5 147:25	81:8	43:25 58:18	Jode 4:16
Islands 32:15	82:13 93:15	59:15 61:11	Jody 12:14
isn't 24:19	104:21	63:12	Joe 38:11
37:13 71:20	105:25	78:6	Jo-Ellen
76:19	107:2	91:23	167:22
96:2 96:3	107:17	94:7 107:17	John 19:15
107:24	108:3	107:21	19:17
111:24	108:14	109:1 109:1	Johnson 36:19
142:18	109:1 111:8	118:21	36:22
150:20	113:15	125:13	42:5
issue 7:5	114:23	125:14	42:24 42:25
12:19 14:13	115:18	152:19	88:11 88:13
30:18 31:22	116:16	157:5	join 7:4
63:24 101:4	116:22	157:13	20:20 98:9
104:18	116:24	Iyall 91:7	joined 9:15
105:2 105:5	117:24	91:9 91:10	60:10 101:7
105:5	120:8 122:2	<hr/>	joining 54:10
108:11	128:5 131:9	J	joke 47:7
108:11	136:18	<hr/>	47:7 72:19
108:21	142:19	jail 71:2	Jordan
109:4	143:7	James 68:17	98:20 99:10
109:16	143:16	January	102:9
114:18	143:21	124:10	
122:4	150:15	Jason 130:3	
	154:3	130:20	
	157:16		
	158:24		

Joseph 150:3	Kalama	knew 59:7	Lakota 103:17
journey 78:24	93:20	59:10 59:14	103:19
85:25 85:25	161:24	105:2	103:21
Jr 84:9	165:23	Knight 125:10	106:13
	166:21	125:11	land 24:13
Juan 32:15	Kamaiakun	125:12	25:20
judge 44:12	38:13 39:12	125:25	27:8
44:13 44:16	keeper 60:22	knowledge	28:19
84:23 84:24	Kevin 19:12	62:17	41:2 43:2
judicial	87:2	64:4	56:19 71:18
40:23 41:18	key 70:5	91:15	79:25 80:19
42:15	145:17	132:12	88:20
173:24	162:12	knowledgeable	89:9
174:8	keys 95:22	28:6 140:6	89:11 92:13
judiciary	Keystone	known 23:6	105:7
40:11	104:16	Ku-Me-Hu	105:10
July 165:8	kick 13:2	89:14	106:2
jump 72:3	Kidd 158:8	Kwil 58:10	107:18
jumped 109:20	kids 71:21	58:10 58:13	109:25
jumps 123:9	124:19	58:13 58:18	110:10
junction 84:8	kill 46:13	58:18 58:20	111:7 113:2
jurisdiction	51:13 51:14	58:20	117:5 129:2
43:2 46:7	killed 39:3	59:8 59:8	137:23
80:2	39:6 120:11	59:10 59:10	150:10
80:20 98:23	kills 55:12	59:12 59:12	150:11
115:22	kinds 55:13	59:16 59:16	153:7 174:4
142:4	57:20	<hr/>	landless 92:4
jurisdictions	kings	L	Land-managing
46:6	124:11	labeled 105:4	30:5
justice	124:12	lack 73:23	landowners
8:13	124:13	157:19	126:19
11:12 11:13	Kinzua 24:15	164:6 172:4	lands 5:4
41:21	Klallam	lahar 89:24	12:8 23:6
43:4 45:15	103:11	laid 47:3	23:13 25:20
justification	119:13	78:23	26:6 28:6
42:5 43:1	119:15	lake 72:3	28:19
43:5 52:2	knee 39:14	129:14	30:9 33:2
<hr/>		lakes 25:16	36:13 43:11
K		111:25	43:11 50:14
			79:22
			80:1 88:2
			90:12 131:3

134:22	154:22	83:25 84:21	leadership
landscape	late 43:4	85:13	10:8
15:19	96:25	110:10	15:25
76:5 170:20	later 20:11	110:20	16:4
landscapes	29:12	132:5	75:11 76:10
10:22	123:16	133:15	77:19
118:13	139:16	134:20	92:3 119:16
language 4:14	141:2	173:2	121:11
4:15 5:17	lateral	leader	136:17
32:11 35:21	166:22	19:16	138:24
36:18 57:15	Laughter	37:4	140:7 140:9
59:5	57:18	54:23 55:10	143:21
59:17 72:18	law 35:9	152:5	leadership-to
72:21 86:12	36:21 40:20	leaders	15:24
88:9 103:12	41:2 41:6	7:24 10:1	leading
104:21	41:13 41:22	10:10 12:14	158:23
106:13	42:7	12:23 16:24	163:23
119:8	43:14	17:7	leads 42:13
146:16	48:1 48:2	18:14 18:16	lean 112:15
languages	48:3	18:17 18:25	learn 137:10
48:7	48:15 51:15	19:14 21:21	learned
large 84:18	73:19 80:18	23:4	129:11
102:13	88:12 96:14	31:22 32:16	175:17
162:19	106:9 110:2	37:9	lease 126:11
larger	110:2	38:12 38:17	leases 158:21
14:14	115:15	38:21	least 6:6
163:25	128:23	42:5	15:15 77:16
largest 24:4	128:24	55:18	leave 85:5
Larry 10:1	129:2 129:3	57:7	85:6 86:5
13:9	159:12	75:19 75:23	94:13 115:1
lasers 108:23	172:18	77:17 78:18	123:13
last 14:3	174:3 174:7	86:17	130:6 130:8
39:11 67:17	laws 25:13	87:6	130:10
67:23	40:13	91:12	155:11
68:4	171:17	92:8 93:7	156:11
68:10 71:21	Lawton 31:7	124:1	171:4
74:5 110:15	lay 78:10	146:19	legacy
119:23	78:12	146:20	53:13
128:25	156:12	152:22	85:5 85:6
153:25	lead 8:13	153:21	
		154:25	
		156:20	

85:13 86:5	115:21	117:12	155:17
legal	146:10	liaisons	likely 144:20
142:18	170:8	117:9	168:12
154:18	letter	lieutenant	limit 162:9
154:19	25:19	125:16	limited 139:4
174:1	121:17	125:17	163:20
legally	125:11	125:19	164:3
34:2 109:16	125:22	life 4:22 5:5	164:21
131:8	126:1	5:7 5:12	limits 154:19
legislation	129:15	21:25	line 25:11
31:4	137:11	22:8 22:9	104:22
31:11 41:23	138:15	24:13 25:14	110:25
66:18 96:23	letters	33:3	lines 175:20
legislative	121:11	33:17	lingchi 46:1
40:15 40:22	124:6	35:6	liquid 150:16
73:23	129:21	43:24 45:21	liquification
173:14	144:19	46:19 47:10	99:21
legislator	letting	48:9	Lisa 136:12
67:3	165:20	49:12	136:15
legislators	levee	53:4	list 16:22
41:15 66:16	131:25	54:22 55:14	18:20 18:23
legislature	132:6	56:10	listed 134:24
66:12	levees	57:9 67:9	161:2
legitimate	132:2 133:9	67:13 78:25	listen 36:7
159:14	level 16:1	79:24 85:12	36:9
Leonard 4:9	46:8	103:16	36:15 36:18
5:21	55:24	124:22	36:22
10:15 10:17	76:5	152:7 152:8	57:7
31:1 31:3	77:19 79:14	152:9	69:11 69:11
171:3	83:5 96:1	152:20	78:16
less 28:20	96:17 96:21	160:25	81:5
28:21 79:23	138:25	170:19	92:24 95:19
113:4 113:4	156:24	lifelines	112:19
163:3	175:13	90:19	132:15
let's 44:11	175:18	lift 77:4	136:4
64:9 66:5	levels 76:9	light 62:15	147:10
77:13 91:17	173:9	90:4	153:20
95:16 95:16	liability	101:5	listened
109:24	133:21	141:11	
	liaison 11:25	lightly 23:22	
		23:22	

95:15 119:9	106:17	132:15	129:12
listening	113:15	138:4 138:6	lose 5:6
8:23 9:5	114:21	142:8	5:7 74:25
9:23	117:3 130:3	143:10	losing
14:18 14:20	131:2 166:4	167:13	68:15 68:15
16:16	173:13	173:10	loss 37:18
17:6	live 23:17	location	67:11
26:24	29:7	90:22	losses 84:19
37:2 37:3	31:19 50:22	locations	lost 6:15
42:1 57:2	144:18	99:4	67:12 68:11
57:25	150:12	lofty 54:16	101:16
58:1 75:6	lived 39:17	logging 95:7	131:2
75:17 75:18	116:10	logistical	147:21
76:8 77:2	lives 154:9	17:23	lot 10:20
81:21 85:22	living 22:2	long 20:23	14:19 14:20
88:18	22:12	23:12 26:11	21:9
104:15	35:3 80:9	30:18 72:16	53:16 57:21
107:24	95:1 103:16	72:22	57:22 57:22
112:22	105:14	73:2	57:23 62:17
119:20	LNG 25:25	76:15 82:17	63:14 68:24
123:5	98:21	130:13	69:15
146:17	99:3	143:22	71:6 98:2
155:6	99:12	152:4	105:1 108:3
167:23	136:25	155:24	108:14
175:8	137:8	160:1	108:17
175:21	137:21	168:11	112:3
litigation	141:16	longer	113:16
14:12	144:18	19:20	115:20
51:3 123:1	150:16	23:8	118:21
little 7:18	loaded 94:2	52:24	122:6
10:25	local 26:19	157:12	122:11
20:5	28:13 33:14	159:12	133:10
26:13 57:19	46:6	long-term	143:11
58:8 61:1	81:17	76:25 133:8	143:12
64:16 65:17	83:1	Longview	149:1
68:9	83:10 83:16	161:25	149:15
69:24 77:10	98:25 101:1	long-winded	151:11
81:4	126:19	160:4	154:3
87:18 90:20	127:14	Los 107:10	156:15
99:13 99:16	127:21		159:10
99:25 104:1	130:17		159:25
104:10			

114:2 114:4	mechanism	24:16	mentor 84:12
116:19	44:19 45:14	35:3	menu 116:11
141:19	52:23	86:17	merely
meaning 96:9	Medicine	87:4 99:6	138:5
meaningful	158:19	124:8 125:8	156:12
11:7	meet 20:19	125:10	mess 87:20
13:23 26:11	29:8 31:8	141:25	message 79:16
88:19 95:24	31:15	149:17	141:18
96:1	40:8	memo 87:6	messages
102:2	117:6 118:9	memorandum	64:17
110:21	140:18	101:9 141:5	met 21:3 64:1
140:5	meeting	memorial 6:16	85:22
141:17	7:25 8:1	24:5 48:4	110:16
142:23	13:16 33:10	79:22 124:9	139:11
155:20	74:15 74:16	124:23	158:10
156:4 157:1	74:18	125:8	metaphorical
157:12	100:10	125:15	72:19
164:20	107:11	144:14	metaphoricall
172:5	139:9	145:24	y 72:17
172:13	139:11	memorialize	methanol
172:15	139:14	127:7	25:24 93:19
172:20	139:16	memory 152:24	96:10 96:16
172:23	168:6	152:25	161:23
meaningfully	168:12	men 38:22	165:23
28:15	175:24	39:6 39:8	166:21
145:11	meetings 16:2	mental	168:4
means 7:8	32:24	55:24 56:1	Mexico 109:15
65:24 84:14	117:10	mentally	microphone
96:8 96:8	117:10	55:21 55:23	16:21
119:5	147:1 156:2	mention 40:21	Midwest 25:12
163:10	Mel 79:3	63:21 63:21	mightiest
meantime	melting 154:3	147:12	45:17
142:20	member	mentioned	mike 13:3
Meanwhile	10:18 59:22	19:19	122:18
100:24	85:24	33:1	122:19
measure	96:3 137:25	74:24 75:20	mile 137:24
135:13	146:8	75:24	137:24
measures	members	81:2 81:3	miles 34:4
80:25 100:2	6:15 9:4	105:20	
112:17	9:16 9:17	110:14	

89:9	87:6 170:24	monitoring	60:7 61:2
92:17 138:1	missing	144:17	61:24
149:11	100:22	month 30:25	mother's
military	Missouri 9:13	30:25 31:10	58:12
60:10 73:15	109:14	months 14:4	motion 100:25
105:14	154:11	168:7 171:5	MOU 173:20
174:5	mistakes 25:9	Moore 130:23	173:21
military-type	mitigate	moral 99:7	Mount 68:15
114:8	150:15	morally 34:2	Mountain
Millennium	mitigation	moratorium	24:22
93:18 95:10	46:13 46:14	149:16	mouth 89:7
161:24	135:9	morning 4:5	move 27:1
million 15:20	135:13	7:2 9:8	85:19 90:10
75:14 77:5	M'Ntosh 36:20	9:14 9:15	112:20
mind 55:16	36:22	9:20 9:22	115:3 145:6
110:23	42:5	9:25 10:1	149:18
mine 9:11	42:24 42:25	10:14 11:10	149:20
118:4	88:11 88:13	11:13 11:16	150:9
mine's 155:2	moat 149:8	12:13 13:10	151:16
minimize	mode 77:2	15:9 18:6	156:6
102:23	114:7	20:8	169:23
minimum	modeled 74:4	35:22 57:16	170:17
16:6	modern 89:8	78:18	moved 110:7
80:25 131:8	modernize	79:5 79:7	113:22
mining	162:10	91:9	113:24
113:9	modify 101:9	98:14	122:6
113:19	mom 124:19	105:15	movement
113:22	124:21	119:14	161:20
116:5	moment	129:11	162:10
minor 64:22	20:14	136:14	moving
minutes 39:24	36:9 87:24	143:18	86:19 89:18
39:25	monetary	Moses 58:14	90:11
66:9 66:9	109:24	59:9	128:15
66:10	money 149:3	59:11 59:12	Muckleshoot
misinterpreta	151:10	59:14 59:15	6:13
tions	monitor	147:3	mudslide 87:9
118:11	133:16	mostly 110:10	Mukilteo 20:3
missed 31:5		135:15	mull 100:23
		135:21	
		mother 22:7	

multi-	4:17 10:2	175:13	42:2 42:4
billion-	11:21 13:13	175:18	45:6
dollar	23:15 24:25	national-	47:20
98:21	32:7	level	48:5
multiple 17:6	32:13 33:15	175:11	48:11 48:16
110:9	34:3	nations	53:1
110:11	35:20	5:11 7:9	53:14 53:24
124:2 140:2	36:5 37:7	21:11 25:10	54:19 54:22
143:22	37:19	29:6 33:5	55:18 56:22
144:8	38:5	33:24 34:25	57:14 59:16
multi-state	38:10 38:13	36:14 36:24	60:24 86:12
79:12	39:21	36:24 37:10	89:14
multi-year	40:9	37:16	103:12
76:9	45:22	42:2	104:20
municipalitie	47:1	43:23	114:13
s 161:18	48:19 48:24	45:7	114:18
mutual 128:3	51:6	47:20	114:22
myself 13:2	54:15	48:5	115:4 119:8
15:22	55:9 60:2	48:11 48:16	146:16
55:6 58:9	60:22	53:2	152:10
66:25 74:23	69:3 69:4	53:15 53:24	152:21
87:5	92:4 121:21	54:11 56:23	154:19
87:19 91:21	121:22	73:17 73:21	Natives 36:13
103:13	122:22	88:6	72:8 88:2
123:10	128:8	88:15 88:15	natural 5:2
130:6	140:22	90:19	5:4 28:19
130:23	national	Nation's	37:15 43:24
131:3 160:3	11:23	32:20	46:11
myth 62:20	18:4	38:1 38:7	47:8 48:1
myths 64:11	20:10 29:18	nation-to-	48:2 48:3
	30:7 31:9	nation 27:1	49:10 52:15
	34:1 48:9	nationwide	53:21 54:18
	73:24	93:12	71:20 87:15
	83:5 108:16	112:10	87:16 87:18
	117:21	112:12	144:2
	134:25	138:16	144:15
	135:2	native 4:13	149:2
	144:19	4:15 5:11	151:12
	171:13	5:16	160:10
	171:19	10:18 32:11	160:16
	171:20	35:21 37:16	160:18
	172:14	navigable	
	174:6		
<hr/>			
N			
<hr/>			
NAGPRA 89:3			
97:2 100:9			
name's 58:17			
narrative			
26:4			
Narrow 164:22			
nation 4:12			

124:25	164:5 166:6	62:6	19:3
Navy 171:12	173:3	nonprofit	19:10
NCAI 14:18	net 78:10	11:22	31:7
19:17 21:15	78:13	non-responses	86:15 103:1
31:1 54:1	Newcomers	163:9	118:21
79:14	79:22	non-tribal	130:5 158:2
nearby 162:21	newer 59:14	82:24 83:6	164:10
nearly	Nez 12:4	noon 17:16	notes 68:19
24:17 91:22	NHPA 29:14	nor 8:1	69:7 143:18
Nebraska	30:12	112:19	nother 94:24
25:18 28:24	34:2 54:4	132:14	nothing
110:16	74:4 89:3	north 9:14	23:8
113:18	100:10	12:15 24:10	28:20 28:21
necessary	nice 66:4	24:11 71:16	71:5
52:1 164:6	night 59:3	72:6 73:6	90:16 117:2
negative	67:17 67:23	97:17 107:3	165:11
21:20 25:7	68:4	112:18	167:5 167:6
negatively	68:10	114:19	nothing's
26:22	108:23	Northern	71:23
negotiate	nine 106:14	131:3	notice
81:24	113:24	Northwest 4:9	20:24 138:6
133:14	Nisenan 131:1	21:9	138:21
negotiated	NITRO 114:11	21:15	notifications
38:11	nobody 67:7	24:2	163:3 163:4
negotiations	74:18	25:25 45:20	163:5
38:15	90:7 126:23	45:23 48:24	notified
39:9 40:1	non 80:8	49:19 51:18	138:5
82:21 162:9	111:23	51:22 53:18	notify 36:9
170:1	128:16	54:11	87:24
neighborhood	non-drinkable	74:1	172:24
93:18	116:4	79:14	November
neither	none 110:23	84:6 103:23	98:19
132:14	150:4	137:17	124:15
NEPA 54:4	172:14	137:20	159:18
89:3	non-Indian	140:21	nuclear
95:18 132:8	69:17	144:13	12:4
162:15	non-Native	151:19	37:23 46:15
162:18		161:23	107:18
		note 8:8 10:4	111:18
			113:17

numerous	166:18	office	174:12
132:18	obligations	11:12 11:18	old 6:7 35:24
157:11	28:16	12:6	95:1 149:21
161:1	29:7	12:21 94:16	152:7
nurse 60:7	30:21 129:6	112:19	Olympia 66:13
61:2	133:24	officer	Omaha 25:18
nutshell	obtain 73:16	28:4 28:5	28:23
65:19	obviously	106:8	onboard
<hr/>	89:12 94:25	106:10	109:20
O	141:20	106:11	Oneida 10:2
<hr/>	158:24	116:23	ones 59:11
O&M 133:13	159:10	off-site	110:18
133:16	174:22	34:10	117:18
133:25	occasionally	oh 16:16 58:2	117:25
Obama 18:7	11:5	61:1 64:9	123:11
27:22	occupation	66:8 67:6	146:23
52:6 52:9	80:5	68:8 71:1	153:12
53:6 54:6	occupied	87:14 118:9	155:3
85:20	43:12 79:21	oil 48:22	one-third
87:8	occur 82:5	93:18 94:10	47:1
95:25	occurring	94:17 108:8	one-time 76:8
155:23	141:17	108:10	ongoing 12:22
172:1	occurs 133:11	108:12	14:1 16:3
Obama's 53:10	172:13	150:17	120:24
object 106:1	oceans	158:21	121:24
objected	22:17	161:22	122:25
127:25	111:25	165:11	onto 86:5
objecting	October 4:2	168:19	OO 73:15
125:9	14:19	okay 44:4	open 7:25 8:1
objects	124:15	49:25 63:19	70:17 159:8
80:4	offended	66:4 66:8	175:21
80:10 113:1	66:21	70:2	opened 141:11
134:9	67:5 67:9	70:10 72:14	opening 36:5
obligated	offense	72:14	operate 117:3
145:23	123:14	113:23	operation
obligation	offer 97:10	123:15	83:21
23:18 23:23	102:17	124:3 125:3	operations
40:7 99:7	136:5	148:1 148:2	
99:8 100:15		153:4	
102:12		154:23	
140:18		174:9	

133:8	orderly 17:4	161:13	Governor
opinion 33:7	orders	outreach	38:11
opinions	26:10 39:20	7:7 13:22	panel 32:10
164:20	43:9 53:8	outset 103:2	78:15 86:18
opportunities	115:9	outside 19:24	106:22
26:19 90:23	115:16	82:9 104:5	panned 41:14
155:18	119:1 162:3	overall	Papables 43:7
opportunity	Oregon 44:2	130:11	paper 15:11
7:15 9:3	98:17 98:22	158:13	16:13 72:25
12:18 18:15	100:6	172:8	76:4 84:7
20:15	101:13	overruled	107:12
27:1	102:7	36:20 88:11	107:23
33:12 91:16	organization	overseas	108:2
98:15	79:11	148:7	papers 37:6
102:17	original	148:10	parent 67:13
170:13	36:24 88:15	148:12	parents 63:21
oppose 21:22	168:8	148:17	park 117:21
opposed	originally	oversees 28:2	126:25
132:25	137:21	owe 74:23	parte
opposing	origins 43:18	Owhi 38:14	100:11
113:20	Osage 11:20	owners 153:18	100:14
option	11:21		102:15
96:16 140:3	Oso 87:9	P	participate
order 52:9	others	p.m 175:25	18:1
52:14 52:15	31:17 131:8	Pacific 4:8	26:20 26:21
52:17 52:18	171:15	21:15 34:17	132:23
52:22 72:25	171:25	74:1 84:6	participated
89:1 89:2	otherwise	packet 15:8	15:22
100:23	45:3	16:12	participating
101:25	102:6	page 31:5	8:25
115:13	153:16	pages	103:3
121:24	ours 9:11	139:23	158:11
122:25	109:2	141:13	participation
126:20	ourselves	painted	28:12 82:11
129:5 129:9	59:19 60:25	152:13	particular
141:6	outcome 172:9	Palm 11:4	14:13 75:20
149:11	outline 9:2	Palmer/	76:15
165:6 170:7	outlook		131:21
172:9			
ordered 39:5			

136:19	payroll	106:10	permission
136:24	123:11	106:15	103:22
164:14	peaceful 10:8	108:17	103:24
172:10	114:6	111:7	126:22
particularly	pending 162:9	111:11	138:16
13:6	people 4:21	114:6	permit
75:19 146:5	4:23 6:8	116:14	93:12
156:22	12:12 16:25	117:6	127:24
partner	18:19	118:17	138:16
142:14	21:2 21:3	119:18	140:23
partnership	21:7	135:16	140:24
27:2 98:5	23:18 23:25	139:7	140:25
partnerships	25:5 25:8	139:12	141:3 141:8
13:14	32:15 36:12	141:19	142:4 142:9
pass 6:17	39:15 39:17	144:25	145:9
16:19 16:21	46:20 46:22	146:18	166:22
73:10	55:20	151:6 152:1	172:22
86:5 115:17	59:7	159:2 160:2	173:1
passed 68:9	59:10 59:14	170:19	permits 7:6
80:11 145:5	60:24	174:14	21:23 27:20
past 25:13	61:7	peoples	101:2
66:15	61:11 61:18	5:11 36:1	113:21
106:20	62:10 62:13	50:20 56:12	126:21
107:16	63:6	people's	126:22
153:15	63:13 63:14	149:23	126:22
path 95:5	64:1 65:9	pepper 21:3	132:16
132:20	67:20 69:16	per 120:15	138:9
pathway 77:12	69:17	137:8	163:13
93:4	71:6	Perce 12:4	163:16
patience	72:13 72:14	percent 22:24	163:18
4:7 57:6	72:18 74:13	23:1	permitted
146:9	74:16 74:23	performed	27:15
patient	75:2 75:2	99:24	161:19
159:22	75:2	perhaps 50:23	162:1
Patti 79:7	78:20 78:25	period	permitting
pay 19:4 57:3	85:22	60:18	8:10
123:16	88:2 92:3	166:23	14:16
151:9	93:16 93:16	permanent	15:4 27:4
	99:1 103:24	99:4	28:1
	104:20		28:10 28:12
	105:6 105:8		29:15 30:22
	105:10		33:24 54:12

54:14 54:20	Ph.D 62:17	placed 21:8	plastics
82:12 83:14	Phoenix 14:19	93:20	22:17
91:19 91:24	phone 69:6	places	plate 75:14
92:10 107:7	74:9 96:3	10:23 23:14	play 72:4
131:24	121:10	23:19 23:19	played 128:9
133:23	physical 56:1	26:6 30:3	playing 128:8
138:9 139:7	physically	70:12 70:14	plays 45:10
139:19	55:20 55:24	70:15 70:18	plead 56:24
157:17	pick 86:20	70:20 70:21	please
158:4	picture 14:14	71:7	16:14 16:25
162:15	70:22	113:1 134:8	17:3 19:1
164:11	78:8	134:11	57:18
168:5	104:4 127:7	135:1	74:9 81:6
168:15	144:10	plain 89:24	plight 55:8
person	163:25	plan 15:18	plus 144:24
16:20 65:12	pictures	76:4 120:16	point 6:1
125:3	104:3	158:17	7:12 33:9
154:22	106:16	169:19	34:5
personally	piece 72:25	170:11	34:17
69:19 87:19	108:1	174:4	42:2
160:15	136:20	plane 7:14	44:10 46:25
175:10	pieces 165:4	64:3	47:18 47:21
perspective	pilot 137:9	planet 21:2	79:20 80:18
7:18 7:19	pinks 124:13	22:4	95:13
9:3 9:6	pipeline 14:2	22:17 116:9	108:13
13:6	14:11 21:19	117:14	120:7
15:15	25:11 82:18	planning	141:15
16:9 130:10	93:13 95:14	26:21 76:16	141:23
146:13	98:22 99:15	136:4	142:24
158:24	104:13	plans 99:14	144:7 144:9
159:1	148:19	plant 6:2	145:6 145:8
perspectives	pipelines	93:19 96:10	148:15
7:22 159:11	25:12 90:16	96:16	159:8
pertinent	116:13	136:25	pointed 13:24
169:10	143:1	137:21	44:6
pesky 152:15	pit 22:10	141:17	points 37:11
pesticides	pitfalls	161:23	poisoned
105:18	93:14	165:23	22:11 22:19
petition		168:4	
42:17		plants 117:17	

polar 154:2	based 22:3 22:13 22:21	possibly 7:13	predicted 63:3
police 106:11		potential 122:3	premature 107:7 107:8
policies 26:10 34:24 34:25 119:1 172:3	population 83:25	128:11 128:14	preparations 82:16
policy 11:18 19:13 19:23 20:4 34:20 34:20 44:25 83:5 106:4 154:15 171:20	populations 161:2	161:8 162:8 163:23 164:21	prepare 74:1
policymakers 41:15	port 93:19 95:10 120:22 137:1 137:4 137:7 137:15 137:22 137:22 142:21 143:13 166:20 169:8	potentially 26:22 82:15	prepared 19:2 50:1 135:9 163:17 174:23
political 23:4 85:10 85:11 156:11	Portland 9:20 125:15 166:9 166:12 166:20	Powder 49:9	preparing 114:15
political/ legal 36:23 88:14	Portugal 43:10	power 65:11 65:20 90:14	presence 96:23
politically 170:11	posed 8:4 102:4	powerful 6:2 158:19	present 36:9 39:3 39:18 42:9 43:19 44:22 61:13 63:17 87:23 106:20 120:8 145:3 171:1
politics 168:16	position 11:19 37:6 92:2 100:7 107:12 107:23 141:22 163:8	Powers 171:23 171:23	presented 163:19
polluted 22:10 116:7 148:4 151:22	positions 173:23	practice 32:1 33:3 33:8 34:21 35:5 48:6 91:22 135:4 161:5	presenting 36:7 66:22 87:22
polluting 120:9	positive 15:2 15:2 30:3	practiced 35:6 63:2	presently 74:3 112:12
pollution 22:5 23:1 23:2		practices 34:25 173:8 173:14	preservation 6:23 10:19 10:21 29:18 30:7 31:9 34:1
pollution-		prayer 4:13	
		prayerful 10:8 55:7	
		praying 114:7 117:16 117:16	
		predates 25:12 147:4	
		predecisional 166:18	

73:25 106:8	154:4	77:16 85:23	31:17 32:23
106:21	160:14	87:12	33:24 42:10
107:1 107:4	160:17	113:24	43:21
107:17	prevent 123:1	116:18	46:5 46:9
108:17	133:4	149:22	46:12 46:14
112:18	previously	151:19	47:6 51:4
116:23	107:20	153:25	54:2 54:8
119:5 119:6	priceless	168:21	54:12 54:14
120:2 135:3	127:10	169:1 171:8	54:20
171:21	127:11	problem 33:22	56:5
172:14	primarily	89:23 90:11	69:22
presidence	15:18	90:16 90:24	75:9 76:1
41:21 41:22	77:2 137:6	113:13	76:17
41:23 41:24	prime 33:6	114:9	82:3
president	Prince 94:4	121:10	82:12 83:16
18:4	principles	122:17	91:19 96:11
19:12 20:10	33:23 43:14	128:13	96:19
30:19 33:11	56:18 56:19	150:7	98:2
54:1	prior 11:19	164:12	100:9
54:13 66:25	52:19 52:21	problems 89:4	101:17
81:2	53:1 53:9	90:18	106:2 110:2
85:20	62:15 73:17	109:10	111:19
89:1 107:11	82:12	115:21	111:20
115:12	127:16	170:14	131:6
115:13	127:18	procedure	131:20
115:16	127:23	145:19	131:24
123:14	134:24	procedures	132:24
129:15	priority	14:16	134:2 134:4
156:23	168:12	proceed 32:23	134:5
presidential	private 115:7	141:25	134:10
6:21 10:18	128:17	146:11	134:14
presidents	134:23	proceeding	135:19
85:21	153:18	142:7	136:4 138:3
press 8:1	proactive	process	138:9
pressure	18:8	8:17 14:7	139:19
168:18	probably	15:16 15:21	139:25
173:12	37:21 46:17	16:11 16:23	140:4 140:5
Preston 79:7	68:17 68:22	17:4 27:7	142:18
pretty	69:5 71:2	27:23 27:25	145:10
89:19		28:3	145:12
115:11		28:15 30:15	145:17
			155:21
			156:1 156:2

156:4 156:7	programmatic	136:19	134:23
156:10	30:12 30:14	136:24	136:7 136:8
156:13	93:13	137:5 137:9	144:17
157:8	132:22	137:10	162:19
157:15	Programs	138:13	162:22
157:23	11:18	138:17	162:23
157:24	progress 27:5	138:17	163:1
158:13	project 24:19	143:1	171:11
158:18	26:5	163:24	171:16
158:20	26:22 33:16	164:1 164:3	project's
158:23	33:16 33:20	164:4 164:5	133:11
159:1 159:3	34:7 34:7	164:7	promise 33:3
159:12	37:20 37:22	164:15	promised 35:6
159:15	44:3	164:24	44:15
164:11	45:24	166:22	89:6 99:12
165:13	46:4	172:11	promises 41:9
165:25	51:13 51:14	project-by-	47:3
166:5 167:9	76:11 83:18	project	promote 28:17
173:1	97:9	84:17	83:25
175:22	97:11	projections	promulgated
processes	98:6 98:6	100:18	29:16 29:16
27:4	98:21 98:24	projects 12:8	proper
28:13 30:22	100:25	27:14 27:23	34:24 36:16
95:18 98:10	101:2	30:16 37:19	44:19
108:18	101:20	42:12 43:23	46:9
143:14	101:22	45:11 46:14	52:25
156:25	104:13	46:19 46:25	53:4 88:7
157:18	110:24	48:21 48:23	163:5
158:7	112:8	50:11	properly
162:15	113:19	52:3 53:3	44:20 110:8
production	114:17	53:18	properties
166:21	120:23	56:9 74:3	10:22
productive	120:25	75:21 75:22	11:9 15:6
127:3	121:5 121:7	76:6	30:9 118:12
professional	121:13	82:14 82:15	118:19
12:3 91:21	121:19	83:23 84:18	119:6
professor	121:25	92:1	131:13
74:21	122:6 125:5	93:17 95:22	131:14
professors	128:11	98:3 108:20	property
62:25 96:7	132:6 132:7	113:25	81:14 81:16
program 12:5	133:3 133:8	114:23	
	133:25	114:24	

82:7	161:23	151:13	100:20
89:22	161:24	152:3	proves 45:3
90:9 106:21	162:7	153:23	provide 15:14
115:8	162:16	153:24	17:12 81:16
153:18	162:20	protected	82:25 135:6
proponents	162:23	15:5 31:8	167:5
27:11 94:15	163:11	144:4	173:21
133:25	163:13	protecting	provided
164:4	163:22	97:5 106:10	28:11
proportion	163:23	135:3 149:2	127:20
87:17	164:2	150:21	134:21
proposal	164:24	150:25	175:3
28:15	165:11	protection	provides
49:4 168:23	168:4 168:7	8:18 10:8	135:3
proposals	169:24	30:23 31:18	providing
94:19 164:5	170:2	105:22	35:11 149:4
175:14	170:10	106:20	proxy 100:16
propose 48:19	proposing	119:5 121:6	psychology
49:6	170:6	134:17	64:22
proposed	pros 85:17	135:18	public 8:1
25:24	prospectively	151:1	138:6
27:7	14:6	protections	138:21
45:19 45:24	protect 14:10	34:24	161:11
48:23 51:20	23:18	protectors	165:13
53:17 82:14	30:2 30:5	20:20	166:6
83:17 98:22	35:15 40:13	protest 100:4	166:23
99:3	80:11 84:15	100:5	publicly
99:11 100:2	99:9	protests	166:1
101:12	100:9 102:8	100:4	Puget 137:3
101:17	106:9	protocol	173:19
102:5	122:15	103:15	174:5
108:20	129:6	103:21	pulled 41:17
113:25	131:16	proud 21:8	pumping
127:14	132:24	61:21 61:23	116:14
127:15	133:20	62:1	punishment
127:22	140:4	prove 157:10	109:24
137:3	141:25	proved 62:19	purpose 9:1
160:23	142:2	proven	73:3 162:12
161:9	144:15	49:18 90:24	
161:19	145:22		
161:21	145:22		
	145:23		

purposes 172:11	questions 8:4 108:14	60:1 63:10	86:24 86:25 123:21
Purser 171:2 171:2	quick 86:4 86:25	65:9 102:6 158:3	127:20 128:1
pursue 96:23	123:21 146:12	158:16	128:18 157:6
pursuit 44:1 56:7 56:8	156:14 159:13	ramrod 170:12	reality 37:12 39:18 44:21
pursuits 54:15	quickly 14:17 75:5	range 154:10	44:21 45:5
push 168:21	76:22 89:19	raped 39:1	45:18 47:18
pushed 44:8 44:8 44:8 44:9 46:8 107:20	101:22	rapid 107:15 162:23	48:13 48:15 49:23 55:16 152:17
pushing 24:21	quinine 97:23	rare 108:22 172:12	realization 47:24
puts 68:20	quit 68:1	rather 32:22 51:3 66:5	realized 48:10 50:10 67:25 68:3 68:4
putting 34:23 56:8 66:18	quite 10:11 75:8	68:11 75:7	really 5:25 7:8 11:14 12:17 12:19
Puyallup 136:13 136:16 136:21 137:2 137:19	<hr/> R <hr/>	134:6 142:13 165:4 173:16	12:24 36:6 58:19 67:4 75:12 76:18 78:8 78:13 95:23 106:16 116:17 119:5 122:5 131:7 134:15 143:19 174:17
<hr/> Q <hr/>	racks 67:22	reach 140:17 143:3 145:9	reached 22:15 128:10 128:15 140:8
quality 105:19 132:9 144:16 148:9	rail 95:2 95:2 95:4	reaches 22:16	reaching 143:15
quarter- acre 89:15 89:20	railroad 94:24 109:4	reaction 71:1 164:17	ready 4:6 19:8 142:20 174:24
question 43:14 44:23 50:22 167:12	railroads 95:7	real 14:17 51:25 74:14	real-time 126:15 128:8
	raining 49:19		reason 33:9
	raise 19:9 77:9 78:18 86:7 86:8 96:17 157:17		
	raised 54:24		

60:24	166:17	referenced	54:14
67:6 68:5	recommend	54:13	55:2
73:3	110:4 167:1	125:11	55:23
75:17 76:15	recommendatio	referred	56:6
77:1 115:3	n 165:19	155:23	56:21 163:8
reasonably	169:4	refineries	167:7
137:14	169:16	48:22	168:14
reasons	recommendatio	reflect 26:15	regarding
76:3 77:5	ns 101:23	29:17	10:21
150:19	155:19	82:3 85:6	134:20
150:19	156:5	reform	136:18
rebuild	recommends	84:21 169:1	162:10
107:25	30:13	refrained	162:18
107:25	reconsiderati	38:17	165:12
118:25	on 100:20	reframe	166:20
reburial	record 16:8	159:15	168:4 169:4
133:16	25:1 32:6	refusal	regards 163:1
recast 159:15	101:23	102:11	163:7 165:9
receive 83:12	124:1	refused 92:12	165:10
received 15:9	166:25	92:13 100:7	169:11
37:5	recording	refute 21:24	region 9:12
37:22	16:18	regalia	50:2 74:3
139:23	recovered	135:25	75:19 79:12
139:24	121:3	regard	118:3 118:5
141:13	recovery	37:22 38:19	118:5 118:8
receiving	160:12	42:8	160:14
135:13	161:13	42:11	161:12
163:5	red 58:6	43:2 43:6	161:14
recently	58:10 58:13	43:9	168:24
127:3 168:3	59:8 59:17	43:21	173:11
173:2	redistricting	44:1 45:9	175:17
Reclamation	166:14	46:9	regional 9:10
131:20	reduces 47:10	46:18 47:13	49:1 49:7
recognition	reducing	47:25 48:21	50:4
82:4 92:7	165:3	51:11 51:12	51:17 79:11
recognized	refer 112:8	52:19 52:24	89:1
5:24	reference	53:13 53:22	117:9 118:2
75:22 82:10	53:22 74:7	54:2	118:7
recognizes		54:10 54:13	160:12
			169:3
			169:15
			regions 111:3

118:6	67:6 147:19	remaining	repair 127:13
region-wide	related 83:6	148:23	127:23
74:1	relationship	remains	repatriate
170:8 170:9	20:7	34:9	34:14
Register	26:16	34:14	repealed
134:25	27:2	80:4 80:6	29:13 29:23
registered	27:17 36:16	80:21	30:1
60:7 61:2	47:9 48:3	82:9	33:25
regrets 6:17	48:6	111:9	122:24
regulation	53:14	114:13	repealing
129:5	88:7	114:18	35:8 170:6
150:20	104:8	114:22	repeat 25:9
regulations	123:22	114:25	29:12 88:25
28:8	124:5 126:5	115:5	repeatedly
29:14	126:12	116:19	133:19
83:5 95:1	relatives	120:15	repetitious
119:1 148:5	35:22 57:16	121:3	29:11
148:8	57:17 64:25	133:12	replicate
153:16	71:10	remarks	77:14
regulatory	117:17	19:2 19:3	report 89:11
73:23 98:23	released	20:10 20:12	reported
102:22	135:6	98:18	120:14
105:21	releasing	remember	reporter
107:18	16:7	20:14 21:18	16:18
111:18	relevant	67:15	reports
113:17	163:4	146:19	134:23
131:18	re-	152:23	135:9
166:23	licensing	remind 25:8	135:11
171:14	131:19	80:16 130:5	164:7
reimburse	religious	removed 31:13	represent
117:2	30:9	34:10	29:6 61:7
reintroductio	60:16 92:20	renegotiate	61:8 61:9
n 66:14	97:3	169:19	61:10 61:25
reiterate	reluctant	renewable	78:19 136:9
159:5	38:19 135:5	15:17	165:5
reject	rely 159:2	76:4 76:6	representatio
36:10 36:22	172:8	76:11	n 39:24
87:24 88:13	remain	158:16	42:3 96:14
relate 67:5	39:15 73:1	renewal	
		113:21	

165:17	101:8	147:21	43:24 44:20
representative	requests	148:25	47:8
e 4:8	115:25	150:23	49:10
6:22 8:20	require 28:16	reserve	50:9
8:24 17:9	30:11 73:14	40:2 41:8	50:14 52:15
37:10 37:24	73:15	44:14	53:21 54:18
61:14 64:18	138:17	47:2 51:7	71:20
representatives	171:16	53:2	80:3 82:5
es 6:20	172:2	75:22 84:15	99:9 101:16
7:21 37:7	required	172:17	102:9
38:24 87:21	26:11 73:18	172:21	108:23
146:6	127:24	reserved 80:2	113:3
155:22	128:23	83:13	114:16
159:23	131:8	residences	115:23
represented	131:15	137:25	116:1 120:4
45:22 53:12	175:13	138:2	120:4
representing	requirement	resolution	120:10
60:5	52:25	39:22	129:7 142:2
61:14 61:15	requiring	40:3 40:4	143:12
61:16 61:16	137:8	41:16 42:13	143:13
61:17	research	42:15 43:19	143:16
63:9	62:23	44:19 45:14	144:1 144:2
79:15	reservation	46:5 56:5	144:3
119:16	24:11 24:16	113:17	144:15
119:18	37:24 46:15	113:20	145:4 145:7
request	80:21 87:15	113:23	149:2 149:2
100:24	89:23	158:23	151:12
127:20	90:6 103:21	resolve 40:10	153:12
139:17	106:11	128:5	160:10
139:20	114:3 117:5	resolving	161:3
139:20	125:2 131:4	157:16	161:10
139:21	135:16	resource	161:12
141:3 141:9	137:2	46:11 49:14	162:4 162:6
141:12	137:23	100:18	172:17
141:14	147:21	160:16	173:18
168:8	149:19	resources 5:2	respect
requested	150:2 150:5	5:4 14:9	8:10 15:4
139:2	153:12	23:7	16:8 81:7
140:24	153:13	23:19 25:17	83:12 91:17
requesting	reservations	27:8	91:18 128:4
	58:22	28:20 37:15	134:15
			134:15
			136:8

146:10	34:23	revised 29:17	84:7 109:4
156:17	57:7 130:18	revisit 68:23	river 24:23
156:19	136:22	158:20	28:23 39:16
156:24	153:17	revisiting	46:16
respected	restoration	159:9	49:7 49:9
69:12 80:22	144:17	Rey 130:22	50:5
82:10 82:20	160:17	rice 25:16	67:19 67:20
responder	162:2	rich 151:20	68:3 72:3
87:20	restore 13:14	Richard 158:8	72:16
response	160:18	158:10	73:1 87:4
94:22	result 8:9	Ricky 146:2	89:7 90:3
117:22	22:25	rid 126:3	93:22
139:22	31:9 131:10	righteous	95:3 95:9
139:23	resulted	54:17	97:10 103:9
163:9 167:4	23:12 37:18	rights 14:9	103:18
responsibilit	retaliation	15:5 24:3	104:2
ies 7:10	39:2 39:5	26:8 27:9	109:14
8:16	retired 62:10	40:2 41:8	109:14
13:20	retreat	44:14	109:20
26:8 37:8	123:11	47:2 51:8	113:19
131:21	171:4	53:2	114:5
156:18	return 127:16	56:21 72:16	126:16
156:20	reverse 90:17	75:22 79:24	126:16
156:24	review	82:13 82:17	127:5 127:9
responsibilit	27:23 28:15	82:19 82:23	132:6 145:2
y 30:18	96:17 96:18	83:13 84:15	148:2
30:24	96:20 132:5	84:19 92:19	151:24
51:6 51:7	132:8	92:20 92:21	153:6
58:4 58:5	162:22	92:21	160:20
70:4 70:5	163:16	97:4 97:5	160:24
72:12 74:13	163:19	100:9 129:7	162:5
156:16	164:3 164:7	142:2 144:4	162:11
156:22	165:15	145:22	162:20
responsible	167:6	171:18	169:5
86:20 94:23	reviewed	172:17	169:16
133:21	162:24	172:21	169:18
responsive	163:14	173:3	169:23
157:1	reviews 172:6	riot 66:23	riverbeds
rest 18:11		risk 50:25	22:18
31:21 34:16			rivers 24:7
			111:25
			138:11

151:22	roughly	129:7 134:9	87:2 89:15
165:3	139:24	134:24	savage 88:3
171:19	route 97:17	sacrifice	125:5 125:6
172:19	routes 150:14	47:8 54:18	125:15
road 116:21	routinely	sad 115:3	125:19
roadways	131:9 132:2	126:18	125:22
150:18	ruin 67:9	saddened	126:8
Rob 171:2	rule 129:5	102:11	161:22
Roberts 4:8	rules 26:5	Sadly 126:7	165:11
9:25 10:1	94:24	sadness 57:22	savages 43:12
13:24 17:15	100:14	safe 57:6	save 166:15
18:11	102:15	90:22	saw 21:7
75:4 92:5	ruling	safety 143:4	155:1
123:17	36:19 88:10	salmon	scale 84:3
130:6	run 50:25	13:14	schedule
155:11	142:17	24:5	33:10 168:6
rock 10:6	running 17:19	66:14 66:15	172:10
10:7	68:1	67:22	scheduled
10:11 10:12	_____	68:1 68:2	17:14 77:17
11:1	S	124:9 124:9	168:9 171:5
20:16 20:19	sacred	124:20	schedules 7:4
21:12 21:16	10:23	124:22	18:1
23:11 23:17	15:7 23:6	126:17	scholarship
28:23 42:18	23:14 23:19	161:1	91:22
53:16	24:23	Salt 129:13	school
72:7 94:9	26:6 30:3	San 32:15	60:10
105:5	30:5	Santa 105:15	65:8
rocks 94:10	30:24 34:19	sat 39:7 39:8	70:12 88:4
Roman 43:7	35:15 52:17	65:1 96:6	schools
room 10:10	70:10 70:12	satisfaction	106:12
13:16 18:14	70:14 70:15	27:13	137:24
22:5 26:3	70:17 70:20	satisfy 28:21	149:4
33:2 34:6	70:21	28:21	science 62:18
34:9	71:7	Sauk 89:5	145:21
65:15 67:24	73:18 80:10	89:13	scientific
75:11 77:20	80:14	Sauk-Suiattle	12:10 49:18
116:18	89:2	77:25	52:1
rooted 79:25	106:1 106:4	scientists	
roots 68:14	112:25		
	120:11		

138:24	section 10:21	21:8	164:25
scope 15:12	29:14	33:13	separates
133:6	30:6	94:7	118:4
163:20	31:10 31:12	104:6	separation
164:3	31:16	116:18	43:17
scoped 162:24	54:9	124:24	September
scopes 164:22	73:24	sees 23:10	124:14
164:22	108:18	self 88:8	141:1 168:9
164:23	108:18	self-	series 8:21
scoping	109:22	determinati	16:2
165:10	111:15	on 36:17	serious 7:5
167:15	120:5	self-	seriously
Scott 9:9	120:13	servicing	87:18 96:22
screens	121:7	173:22	serve 4:16
108:25	122:13	semblance	36:4 55:9
sea 78:9	131:12	39:16 40:21	55:10
Seattle	131:21	Semiahmoo	73:8 73:9
5:21 5:23	131:24	34:5	79:10
9:20	133:7	Senator 30:25	100:16
11:25	133:18	31:11 31:14	137:6
90:4 129:13	134:1 135:2	send 6:13	served
129:18	138:10	6:17 64:18	11:20 11:24
149:22	138:11	Seneca 24:16	148:6
149:23	158:18	sense 76:11	148:10
166:11	168:5	senses 47:7	serves
second	security 48:9	sensitive	79:11
145:8 156:5	174:6	14:9 101:12	166:24
175:7	seed 86:9	sent 32:21	service 55:11
secondarily	86:9 86:10	87:4 121:17	56:16
145:15	seeds 22:1	129:14	94:3 106:14
secretary	seeing	137:11	117:21
9:16 13:3	104:7	sentiment	171:14
13:24 15:22	129:24	51:10	servicemen
17:15 18:10	seek 101:1	SEPA 165:15	5:1
18:10 18:18	seeking 15:13	separately	services
18:24	137:18		110:13
92:4	seem 135:4		151:8
130:5	seeming		session 8:23
155:11	174:23		
	seen 10:5		

14:18 14:21	69:13	135:16	sign 18:22
15:23 16:19	119:23	shore 52:12	39:10 39:10
17:6	120:17	shorelines	74:21 92:13
26:25	124:6	142:9	signatory
37:2 42:1	125:12	short 37:16	131:11
52:24	132:12	37:17 95:16	132:22
57:2 75:6	147:2	154:5	133:1
75:17	147:19	shortages	signed
76:8	151:3 154:5	116:12	16:24 16:25
88:19 103:3	shared	shortcut	17:3
107:24	78:21	93:14	18:19 18:25
119:20	107:12	153:14	19:15 19:23
175:21	135:14	shortcuts	20:2 47:1
sessions	174:14	93:11	60:17 60:18
76:21 81:21	shares 101:18	shortened	79:20
156:8 175:8	sharing 91:13	48:12	significance
sets 15:11	129:20	shot 44:3	19:3 101:19
setting	sheer 163:15	49:3	134:17
7:16 65:8	sheet 17:1	showed	significant
130:25	32:2	70:20	101:14
settle 92:15	Sheldon 77:22	127:15	112:4
seven 8:22	77:24	showing 23:11	118:16
97:15 156:3	79:3 79:6	shows 173:6	132:10
several	shelf 25:13	SHPO 100:6	134:5
9:15 9:17	she's 68:17	101:8	significantly
14:3	ship 33:12	101:13	14:3 138:13
17:17	49:6	102:7	161:9
98:7	shipping 94:1	102:10	161:16
100:6	ships 93:23	Shunk	signifies
117:23	94:1	125:17	147:1
147:21	137:6 137:8	125:21	signing 19:14
158:2 171:5	137:18	shut 74:9	33:7 55:4
173:21	shirt 78:6	sickness	sign-up 16:22
sewer 90:15	shoot 51:19	151:25	17:1 32:2
shake 63:20	52:3	sides 148:1	Sigo 171:4
shakeout 90:1	shooting 6:14	sight 55:15	silenced 21:5
shaking 152:1	shopping	101:13	similar 16:10
share 24:9	74:15		34:18 34:23
32:15 32:22			87:16

109:10	120:19	situated	smog 105:16
169:2	121:4	102:20	Snohomish
similarities	122:12	situation	79:19
148:16	165:16	45:5	Snoqualmie
similarity	172:24	47:18 72:11	79:19
153:11	sited 76:7	160:6	so-called
similarly	137:1	situations	36:12 88:1
102:20	137:15	75:24	social 131:3
simple 41:4	137:16	122:15	soil 22:25
90:14	137:21	123:1 123:1	soldiers
94:8 140:19	137:22	160:7	38:24
sincere 128:4	sites 10:23	Siuslaw 98:16	solely 165:24
157:16	15:7 30:5	six 35:23	solicited
sing 5:8	34:4	107:16	165:8
single 17:7	35:15 52:17	107:22	Solicitor
23:14 26:2	70:10 73:18	129:14	12:16
Sioux 72:7	89:3 101:15	139:11	Solicitor's
87:4	106:4	139:16	12:21
103:9	112:25	139:18	solution
103:18	120:11	size 34:8	175:18
113:20	131:17	Skagit 90:3	solution-
sir 171:1	132:1 132:3	126:16	based 48:18
sisters 20:18	132:14	126:20	solutions
36:6 130:18	132:18	skipping	56:7 128:14
sit 9:13	132:24	140:5	136:5
13:16 23:21	133:19	Skloom 38:13	170:18
41:20 64:19	133:22	Skunk 125:19	174:18
65:10 65:24	134:4	Skykomish	somebody
69:10	134:18	79:19	65:16
112:23	134:24	sledgehammers	72:1 86:6
142:13	site's 114:16	70:24	132:25
142:17	Siting 96:12	slough 124:10	142:5
169:6	sits 90:6	slow 165:6	147:12
site 6:1	137:2	small 86:24	153:15
6:7 34:17	137:23	143:20	155:23
34:19 97:25	sitting 50:23	smear 105:16	158:6
99:3	57:25 64:20	smelt 161:2	somebody's
99:21 100:8	65:9 67:1		104:15
101:4	72:11 97:14		
	104:5		
	165:20		

someone 4:21 115:17	80:19 81:14 81:15	63:20 130:8	55:21 55:25
someone's 44:10	82:3 82:6 82:7	special 5:13	spoils 125:1 126:9
somewhat 84:22	82:17 82:19 82:21 82:22	species 22:20 126:17	Spokane 57:12 58:12
son 60:10	sovereigns 80:17	161:3 164:25	60:2 60:4 60:5
song 4:20 4:25 4:25 5:8	sovereignty 26:17 80:22 82:8	171:21 specific 6:4 45:7	60:16 60:20 61:7 64:10 67:20 68:16
songs 4:22	sowing 22:1	48:17 53:2 53:5	spoke 62:3 62:16 62:18
sorry 131:2 135:6 170:21	Spain 43:9	53:25 54:4 54:8	104:20 104:21 111:12 119:20
sort 76:15 76:19 140:11 141:24 160:6 166:5	span 48:12	54:19 117:25 136:19 164:6	
sought 100:19	spawning 126:18	speech 69:24	spoken 4:15 5:17 17:9 32:11 35:21 57:15 86:12 103:12 119:8 146:16
Sound 5:24 94:5 137:3 173:19 174:5	speak 7:21 14:13 16:24 17:10 17:12 18:19 59:22 59:23 60:3 60:11 63:8 65:5 67:2 69:19 71:6 74:17 74:18 77:17 136:17 146:7 160:3	Spee-pots 20:9	
source 22:8 110:7 116:7 131:22	spellmon 9:8 9:10 155:12 170:21 174:9 174:20	spend 13:11 77:15 149:3	spot 11:14 19:4
South 24:22 114:20	speaker 130:2 130:3 136:12 146:2 170:22	spent 51:3	sprayed 21:3 spraying 105:17
Southern 15:19	spill 25:15 148:22 150:8	spirit 80:7	spring 100:17 124:11
Southwest 92:17	spiritual 28:20 48:15 58:19 61:10 71:7 71:8 118:17	springs 11:4	square 89:9 92:17
sovereign 69:3 69:4 73:20 80:2	speakers 63:8 78:17 130:11	spiritually	Sta 58:10 58:13 58:18 58:20 59:8 59:10 59:12
	speaks		

59:16	61:6 72:6	114:20	38:9
stack 118:25	93:16 105:4	118:8	38:12 39:23
staff 9:16	106:18	120:21	40:12 40:14
9:17	152:6	122:7 123:2	41:1 41:3
16:20	standpoint	126:21	42:16 42:21
19:7	7:25 8:11	138:5 138:7	43:15 47:20
19:17 83:12	14:12 159:4	142:10	47:23 48:10
96:2	stands	142:12	48:12 54:15
100:6	23:16 87:3	143:9	56:17 60:19
101:18	start 4:7	147:22	73:16
125:20	16:16 16:23	147:23	80:2
139:1 140:7	17:15 17:16	154:10	80:16 80:23
158:12	18:3 19:2	165:17	81:24 88:13
173:9	32:4	165:21	115:5
stages 26:21	32:19	169:2 169:8	121:22
stake 102:18	105:23	169:19	148:18
stakeholders	107:2	state-by-	154:16
82:24	started	state	174:3
102:13	4:11	114:10	State's
stall 107:1	14:18 59:18	stated	165:14
stand 7:11	70:21	35:22	stationed
18:14 18:17	74:6	90:4 132:11	94:4
21:21 28:22	97:14 124:4	statement	statistics
35:14	126:5	23:20 23:22	22:23
61:5	126:12	36:5 49:1	status 82:3
61:18 61:20	138:3 139:1	49:8 50:4	statutes
61:21 61:24	starting	50:8 74:2	41:10 41:11
61:24 84:10	113:4	101:24	100:10
102:20	starts 49:8	112:3	129:5
169:15	state 41:10	129:16	171:23
standing 10:6	43:18	166:24	172:15
10:7	46:6 47:2	173:25	174:2
10:11 10:12	62:25 66:12	statements	statutory
11:1	66:16 90:18	50:1	26:8 29:24
20:16 20:19	96:11 97:12	164:9	stay 17:18
21:12 21:13	98:25 101:1	173:21	98:7 113:5
21:14 21:15	107:4	173:22	steam 94:8
21:16 21:16	112:18	states 23:5	steelhead
23:11 23:17	114:12	26:6	124:11
28:23 42:18	114:13	26:19 28:13	124:16
53:15	114:14	29:20 29:21	
		36:21	

161:1	63:4	37:5 43:5	93:5 97:9
steering 28:2	63:11 64:11	stuck 31:12	158:22
158:3 158:4	67:18 68:12	student 96:6	169:11
158:9	story 23:15	students	successes
step 51:25	25:3 68:6	70:22	77:14 91:21
129:19	89:5 124:18	studies 99:24	successful
155:8	136:20	Sturdevant	75:21
stepping 85:2	136:22	11:11	succession
steps	strained	subjugated	162:23
115:18	162:25	46:6	successors
141:7	strategy	submerged	79:18
165:13	117:22	101:7	succinct
stereotype	stream 72:4	submit	146:13
152:10	strength	98:18 167:1	sudden 67:16
152:20	159:1	submits 114:3	sued 51:1
Steve 103:9	strengthen	submittals	suffered 98:3
Stevens 38:11	27:21	125:12	sufficient
39:5 39:12	121:25	174:25	100:1
stick 37:17	122:14	submitted	101:20
90:8	strengths	80:24	suggested
stomped 41:7	54:25	113:20	132:13
stood 62:3	stricken	submitting	suggestions
stop 16:15	29:22	136:21	35:12
20:14 121:6	strong	subsequent	Suiattle 89:6
129:15	37:12	133:25	89:7
133:2	50:9 156:12	167:15	summary
141:11	157:3	substance	146:13
143:25	stronger	142:19	summer 124:12
145:10	115:15	156:14	summertime
152:15	strongly 11:6	substantial	6:5
152:16	structure	37:21	summits 11:4
165:6	107:25	substantially	sun 118:14
stopped 75:23	118:24	101:9	super 45:19
store 126:21	structured	substantive	51:20
stories	81:25	success 91:17	superficial
26:3	struggle	93:1 93:3	137:11
46:18 62:19	37:10		
62:20 62:23	struggled		

supplement	171:3 171:6	46:21 47:17	tackling
52:16	171:7 171:9	50:16 50:20	175:19
53:8 145:14	sure 13:22	56:11	Tacoma 136:25
supplemented	18:9	sustains 22:9	137:1 137:4
56:1	21:22 24:25	Sutter	137:7
supplementing	28:7 31:6	132:6	137:15
52:18	34:22	132:17	137:22
supplies	35:4 35:5	sweating	138:1
22:11	63:19 103:4	17:16	142:21
24:4 87:5	121:8 144:9	swedlocks	taking 7:3
149:15	surface 14:3	104:6	17:25
149:16	surfaces 94:9	swift 30:23	69:7
supply 137:18	surrendered	Swinomish	78:16
support	80:19	19:11 20:12	118:21
10:5 10:6	surrounded	21:14 123:8	170:7
23:11 31:17	148:1 148:2	123:25	talk 4:19 7:4
65:14	148:3 149:8	124:7 124:8	8:14 25:6
102:10	surrounding	125:24	25:7 25:8
102:20	14:1 14:1	126:15	58:3
133:3	82:16	system 22:7	65:25
149:13	surveyed	24:1 99:5	66:4
supporting	89:10	142:14	67:10 67:11
12:9 107:6	surveyors	144:15	67:11
suppose	89:10	144:23	69:3
165:19	survival	145:2	69:10 69:16
supposed 43:7	161:1	173:24	69:17 69:18
64:14	surviving	systems 65:10	69:18
70:7 112:13	47:11	102:22	70:1 90:1
145:19	suspect	144:13	94:16 94:17
150:25	167:15	144:18	103:2
supposedly	suspend 111:1	<hr/>	108:17
60:14	suspension	T	120:9
supreme 36:19	110:4	table 65:24	160:20
43:3	sustain 5:5	67:1 76:7	talked 21:2
43:15 80:18	5:10	92:8	67:10
88:10 129:2	sustainable	97:15	81:3 108:6
174:3	22:21 22:22	98:8 111:20	talking
Suquamish 4:9	sustained	169:6	13:9
5:22 6:11		174:12	13:13 16:16
		175:15	59:4 61:6
			63:23 66:14
			66:17

69:5	tech 60:7	36:2 53:2	79:7 86:7
71:18 71:18	60:8 61:3	82:10	86:10 86:10
71:19 71:20	technical	territory	86:10 86:13
93:25	12:10	10:3	86:21 86:23
105:24	16:1 16:2	24:17 51:18	87:8 91:2
108:16	96:2 138:22	113:22	91:3 91:6
110:7 111:5	138:25	117:5 118:2	91:15
113:5	139:1 139:7	118:6	92:9
113:18	139:12	Terry 79:6	95:25 98:11
114:22	140:7	Tesoro	98:12 98:14
120:13	techniques	93:18 94:15	102:17
144:20	99:22	161:22	102:23
161:20	ten 15:20	165:11	102:24
tall 129:8	79:24 99:11	test 92:25	102:24
Tandy	116:11	testimonies	103:7
125:11	tens 138:1	55:1	106:24
125:24	term 26:25	testimony	107:8
tangible	45:25 76:16	123:13	109:12
157:16	156:17	thank 4:6	119:9
tangibly 76:1	159:12	5:17 5:18	119:10
tape 58:6	terminal	6:10 6:20	119:11
task 45:8	34:17	6:25 7:1	119:19
129:10	44:2	7:2 9:24	123:4 123:6
173:20	49:16 82:18	10:3	123:12
taught 88:4	161:22	10:13 11:13	123:16
Taylor	161:25	13:1	123:17
146:3	165:11	17:24 17:25	123:18
166:17	166:21	18:7 18:9	123:19
Taylor's	terminals	18:17	123:24
146:6	25:25 48:22	19:8 19:9	129:16
teach 106:13	161:25	29:1	129:25
teacher 65:10	terminated	31:20 31:22	130:15
74:21	133:2	31:24	130:16
teaching	termination	32:8	130:18
70:11	133:5	35:18 35:19	136:10
team 12:20	terms 75:20	57:5 57:9	136:11
18:11	terrain 78:7	57:11	145:25
19:5 79:9	terrible 25:9	58:1 69:8	146:1
territories	territories	75:3 78:1	146:15
		78:15 78:15	154:24
		78:20	154:25
			155:5 155:7
			155:15

159:17	73:5 81:4	157:1	throwing
159:24	85:3 85:8	they've	164:15
170:15	90:17 90:17	6:14 55:1	thrown 71:2
170:16	93:13 97:24	72:7	thumb 116:20
170:20	105:21	142:7 142:8	thumper 60:15
174:8	112:15	142:9	Thus 101:13
174:13	115:24	142:10	tied 97:6
174:18	117:1 118:1	third 19:11	till 17:14
174:20	118:20	24:17 34:18	timely
175:23	118:21	67:2 151:17	13:23
thankful	122:17	thorough	121:23
75:12	133:10	96:18	122:24
thanks 6:23	142:25	thoughtful	163:5
12:25 107:6	145:3 154:3	174:19	173:16
that'll	154:3 154:9	thoughts	Timothy 32:12
142:25	167:17	155:19	tiny 90:20
the-box 172:9	168:14	156:14	TIPO 130:24
themselves	168:16	thousand 46:2	130:24
7:21 9:4	169:12	75:25 84:21	Title
38:25 44:17	170:14	142:6 144:5	108:15
50:24	Theresa 79:6	thousands	108:15
65:6	they'd 6:5	128:6 138:1	today 5:1
136:9 137:4	124:20	threat	6:11 6:16
140:4	124:21	46:21	7:17 8:8
theories	they're	48:9	8:20
58:25	26:2 63:9	48:14 87:16	12:18 12:25
thereby 41:3	63:16	89:25	14:22 18:16
therefore	65:6	threaten	19:7
50:15	93:14 94:10	56:10 84:2	20:13 21:24
127:24	94:25 103:5	threats 87:18	23:2
140:14	112:20	thrive 56:3	23:10 23:25
there's	118:15	throughout	24:1
17:1	121:2	33:23 37:19	24:20
17:17	144:22	39:9	26:4
29:3	145:3	41:19 42:11	26:24 29:11
42:16 50:18	147:14	45:22 51:18	31:8
52:11 57:21	150:19	53:18	31:16 32:16
57:21 57:21	153:14	135:21	35:4 35:14
57:22 57:23	153:14	172:25	
70:15	153:21		
	153:22		

36:7	175:23	towing 100:23	translation
36:15 50:22	today's 7:4	trace 42:22	89:14
55:8 62:4	136:20	43:18 44:17	transport
77:2	to-government	track 28:3	94:23
77:20 79:16	110:22	54:12 54:14	Transportatio
84:24 85:13	tomorrow 35:5	54:20	n 24:21
86:2	tonight	168:22	120:21
87:22	124:20	tracking	123:3
88:6	124:21	27:19	transported
91:13 91:16	tool 53:19	trade 6:5	34:10
92:23 98:20	tools 51:17	154:13	traps 125:7
102:18	52:13	trading 97:21	126:7
103:5	top 34:18	traditional	travel
105:17	111:24	49:20 50:15	24:24 137:7
113:3	116:6 119:1	55:10 61:10	154:13
113:15	173:7	62:16 79:22	traveled
119:18	topic 133:8	91:14	20:16 20:18
123:20	134:1	103:14	travels 57:6
126:15	173:19	103:16	treasure 22:9
128:8	topographies	103:24	treasurer
136:18	135:8	118:11	130:21
136:25	tore 111:9	118:19	treat 63:18
141:12	torn 41:8	161:6	81:13 81:15
141:14	totally	traditions	82:6
141:19	111:13	135:25	treated 22:12
148:4 148:8	116:15	traffic 83:25	111:21
148:25	132:16	94:1	172:7
149:7	TOTE 137:6	tragic 6:14	treaties 41:1
149:10	137:17	train 86:6	73:19
150:20	touch 108:24	training	84:7 97:1
151:1 151:3	touched 69:1	83:12	128:25
152:22	tough 13:18	trains 95:8	129:1 129:4
153:3 153:4	toward 27:2	transcribing	146:22
154:19	towards	16:19	174:1 174:3
154:22	160:17	transcript	treating
155:6	164:4	86:21	36:23 88:14
155:14		translate	treatment 6:2
157:14		155:20	34:7 97:23
160:21			
170:17			
174:21			
174:24			
175:15			

treats 22:7	173:18	76:10 77:16	145:16
treaty 14:8	tree 39:6	83:10 86:17	146:19
15:5 20:2	trees 89:17	87:6	146:20
24:3	89:18 104:7	88:21 91:12	149:17
25:17	127:1	96:13 96:23	152:5
26:8 27:9	tremendous	97:21	154:25
33:7	91:14	99:8 102:23	158:24
38:10 38:17	tribal 4:1	103:24	159:25
38:23	7:9 7:24	106:7	165:17
39:7 39:9	10:1	107:16	166:19
39:13 39:20	10:10 11:12	113:17	171:7 172:2
39:21 39:24	11:22 11:23	115:21	172:5
39:25 40:20	11:25	116:22	172:12
41:5	12:8 12:9	117:9	172:15
41:10 41:18	12:13 12:23	117:12	173:5
44:15	14:15 14:24	119:7	173:16
47:1 47:4	15:3 15:5	119:17	tribe 4:9
51:8	16:24	121:11	5:22 5:23
51:12	17:7	123:10	6:13 12:4
55:4	18:14 18:16	124:1 124:8	12:15
60:18 72:16	18:16 19:14	125:8	17:7 17:9
72:25 79:20	19:16 21:11	125:10	20:12 25:18
80:18 83:13	21:21 23:13	129:6	25:22
84:15 92:12	25:17 25:21	130:25	26:2
97:6 113:22	26:5 26:9	131:13	26:23 28:23
117:5 118:2	26:17	131:13	28:25 32:14
125:13	27:3 27:6	134:16	33:15 33:19
125:25	27:10 27:11	134:16	34:11 34:13
126:3 129:7	27:12 27:13	134:22	34:15 35:13
142:2 144:3	27:25	135:18	57:13
145:22	28:3 28:6	136:5 136:6	60:5
161:10	28:7	136:17	60:16 60:20
162:11	28:11 28:14	137:25	61:15 64:10
162:13	28:17	138:23	66:24 76:14
169:5	30:2	140:7	77:25
169:16	31:18 31:22	140:11	83:8
169:18	32:4 33:5	143:10	86:24
169:23	33:24	143:21	87:2 87:3
169:25	35:3	144:11	87:4
171:18	46:16 59:22	144:21	87:10 88:19
172:17	73:20 75:11	144:21	89:6
172:21	75:19 75:23	144:23	89:14 90:21
173:3		145:1 145:7	91:8

91:11 98:16	146:8 151:9	79:12 79:18	154:12
98:18	154:9 155:8	79:20 80:17	156:18
99:7	160:9	84:6 93:5	157:21
102:3 102:6	160:21	100:5 101:8	161:10
102:19	161:4	101:14	167:8 168:2
103:10	162:18	101:14	168:24
103:11	163:7	102:7	169:2 169:2
103:18	164:12	102:10	169:9
104:11	165:22	102:16	172:20
106:7 106:8	166:11	102:19	172:24
107:6	166:20	102:21	Tribe's 133:2
113:20	167:1	103:15	138:19
114:2	167:10	103:22	160:10
119:13	167:13	104:8	171:9 173:6
119:16	167:24	104:17	tributaries
120:18	170:5	107:13	126:18
121:14	170:23	108:19	148:23
121:20	171:3 173:5	109:6	tribute 31:14
123:8	173:25	109:11	trickle 173:7
123:25	tribes 6:4	109:12	tried 15:14
127:22	10:20	110:22	31:13
128:6	11:6	112:23	105:11
130:17	15:21	115:25	132:12
130:20	17:8	117:16	151:13
131:11	17:10 20:22	134:5 134:7	152:8 152:9
133:1	21:9	134:22	159:7
135:24	21:14	135:7	Trilogy 42:6
136:13	24:3	135:20	trouble
136:21	24:12 26:18	135:21	71:1 131:18
137:3	28:6	136:3 136:4	troubled
137:10	28:19 29:19	136:8 140:3	163:7
137:13	29:24	140:21	trove 22:9
137:19	30:8	142:13	truck 150:8
137:20	30:10 30:12	144:4 144:8	trucks 150:18
138:5	30:14 30:21	144:10	true 26:15
138:21	33:2	145:10	27:2
138:25	34:21 35:14	145:24	27:16
139:5 139:8	60:1 60:4	146:3	38:1 38:4
140:21	65:1	147:18	78:19 92:25
141:15	65:20 75:18	151:5	
141:22	76:7	151:13	
143:2 143:5	76:16 77:23	151:14	
146:4 146:7	79:4	153:11	

96:9 143:15 152:2 truly 36:16 49:13 50:21 52:6 55:19 88:8 91:11 trump 100:14 trust 8:16 13:20 26:7 28:3 28:7 30:18 30:19 30:20 30:24 37:8 51:5 51:7 70:4 70:4 70:5 70:6 70:7 70:8 70:9 150:12 156:16 156:19 156:21 161:10 161:10 162:4 trustee 23:5 23:17 23:23 27:11 28:16 29:8 34:21 35:10 35:17 70:4 95:19 100:17 123:20 127:19 128:1 trustees 18:15 125:19	129:3 truth 48:15 50:10 50:10 65:7 65:7 155:4 try 14:13 17:20 55:7 77:13 86:15 86:24 130:8 147:6 152:20 156:6 156:10 156:12 156:13 159:1 168:22 170:11 trying 13:21 18:8 20:6 55:19 57:3 57:4 76:21 78:11 86:16 86:20 90:10 90:12 90:21 117:4 117:13 141:24 143:19 147:14 150:13 152:9 152:15 152:15 153:19 158:12 160:18 167:9 168:21 Tse-Whit	120:18 tsunami 89:25 Tuck-Quille 38:13 TUESDAY 4:2 Tulalip 77:23 79:4 79:8 79:16 79:18 80:13 80:17 81:23 85:6 tune 115:11 tunnel 29:13 turn 70:17 94:9 111:21 115:6 126:10 130:7 155:12 turned 21:4 64:9 64:9 64:15 twice 20:16 two-and-a-half 104:14 two-legged 117:18 type 57:1 110:3 types 143:7 151:9 <hr/> U <hr/> U&A 34:19 U.S 30:25 31:10 36:7 36:10 36:19 38:24 39:21	40:22 40:23 40:25 41:5 41:6 42:3 51:2 51:9 60:6 73:22 83:2 87:25 88:10 131:23 165:24 174:2 U.S./Canada 162:10 U.S.A.'s 167:13 ugly 64:9 106:23 111:18 ultimate 36:10 87:25 ultimately 101:4 157:7 158:20 Umpqua 98:16 unable 6:13 unacceptable 142:22 unanimous 10:4 unborn 5:13 unclaimed 43:11 unclear 156:17 underground 116:4 undermine 162:2
--	--	--	--

undermined 164:21	135:23	upheld 40:20	175:9
undermines 165:1	uniqueness 5:5	upholding 95:1	value 67:14 69:14 69:21 81:20
underneath 94:11 112:1 167:16	United 6:10 23:5 26:6 36:21 38:9	upon 38:7 38:8 38:20 38:25 47:16 49:20 53:1 53:15 53:16 55:10	valued 69:20 values 61:16 63:9 66:2 66:2 134:6
underscore 27:24 76:18	38:12 40:12 42:15 42:21 43:15 47:20 47:23 48:10 48:12 54:15 56:17 60:19 73:15 80:1 80:16 80:23 81:24 88:12 115:5 121:22 130:4 130:21 132:4 148:18 154:16 174:21	uranium 111:20 113:21 113:25 116:5	Vance 103:9 103:12 119:11
understand 50:23 86:4 91:24 91:25 128:4 128:13 147:16 148:7 148:11 157:6 157:8 157:14 159:6		useful 135:20 usual 23:9 usually 26:12 utilize 44:16 45:15 52:23 112:4	Vancouver 97:19 161:22 vanishing 22:20 various 37:8 37:11 40:2 41:8 41:9 41:22 52:13 56:6 76:9
understanding 40:25 64:4 169:7		utilized 113:8 utilizing 43:16 54:3 utmost 23:24 utterly 171:18	vast 22:10 80:1 vehicles 114:8 versus 112:2 115:9 118:2 118:10
undertaking 73:17	unless 69:7 135:11	Valdez 94:8 valid 36:21 88:12 valley 89:7 valuable 56:18 75:12 76:20 89:11 155:16	
undertook 15:18	unmarked 97:24 97:25		
unearthed 34:9	unprecedented 23:10		
unification 54:10	unrelated 100:18		
uniforms 147:5 155:2	untainted 47:16		
unilateral 133:4	untested 173:24		
unique 5:14 39:25 42:6 83:8	update 172:2 updated 113:10		

vice 61:6	voices 11:5	9:17 9:18	111:22
vice-chair	21:4 21:22	47:2 49:9	111:24
57:12 77:25	volume 163:15	50:5 90:2	113:2 116:4
86:14 86:22		92:17 97:13	116:6 116:9
Vice-Chairman		119:25	116:11
57:14 86:23	W	120:21	116:12
87:1 91:4	wait 168:10	123:2	116:14
vice-	waited 139:11	147:23	117:19
president	139:18	151:23	138:11
79:10 79:14	139:22	151:25	144:16
Vietnam 60:9	waiting 24:13	154:10	148:1 148:4
view 7:13	165:15	161:22	148:4 148:9
33:11	175:18	161:24	148:12
99:7 101:19	wake 72:11	162:1	149:9
120:7	wake-up	wasn't 31:2	149:15
viewing	72:8 72:9	76:7 130:13	149:15
164:25	72:9	137:16	151:18
views 8:3	walk 39:14	137:19	151:20
134:16	45:21 46:20	141:2	153:25
156:21	47:16 54:25	waste 12:5	171:22
village	55:14 56:10	22:10	waters 5:4
34:4 99:4	146:13	143:16	10:9
101:6	walks 5:6	wastewater	23:13
101:15	5:11 48:8	34:7	26:6
120:19	Walla 9:21	wasting	32:15 49:21
121:3	9:21	143:11	50:14 79:25
violation	38:23 38:24	144:1	120:10
41:18	war 60:8 73:9	watch 169:22	151:22
violations	war-bundle	water 22:11	waterway 20:3
48:1	60:23	22:25	waterways
vision	warm 57:20	23:7	132:2
29:13	Warren 31:1	47:15 63:19	138:18
108:24	31:11 98:15	71:19	150:6
visit 87:13	warrior	72:4 78:9	ways 7:6
visits 172:24	4:25 84:10	90:14	61:11 79:24
voice 28:25	warriors 39:2	95:5	82:2
53:25 54:19	39:6 39:8	105:8	113:4
78:3 112:21	45:8 78:19	105:25	135:23
	Washington	106:3	150:15
		111:19	157:14
		111:19	161:6
			170:12

170:19	well-being	113:15	we've 4:19
weapons 114:7	55:1 55:20	114:15	8:9 8:10
wear 124:1	we're 7:1 7:1	114:22	10:24
146:25	8:7 14:12	114:25	11:3 11:4
147:1	15:1	115:4	14:17 15:14
website	15:12	115:14	16:6
159:20	19:4 20:6	116:12	17:11 19:20
we'd 71:1	21:19	117:1	22:2
71:2 154:11	26:3	117:16	33:13 37:25
week 13:12	50:19	117:17	48:25
119:24	51:1	118:3	49:2 49:2
120:15	61:14 61:15	118:13	62:6 66:4
137:8 141:2	61:15 61:16	118:14	76:3
weekend 6:16	61:17	122:23	76:16 78:17
weeks 34:11	63:6	129:13	87:4
127:12	63:19 64:12	129:24	97:14
139:11	64:14 64:17	135:22	130:11
139:16	67:1	136:24	131:5
139:18	68:15 68:15	143:9	131:17
158:10	71:15 71:16	143:15	170:24
weirs 99:5	71:18 71:18	144:1 145:4	170:24
101:7 125:7	71:19 71:19	147:6 147:6	175:3 175:4
126:8	71:22 72:13	147:14	whatever
welcome	72:13 75:18	147:23	26:25
4:10 5:21	77:10 85:20	149:8	58:1
6:11	86:2	150:13	71:25 76:15
welcomes	86:24 86:24	151:16	97:23 126:3
166:19	87:22 89:25	151:17	152:14
welfare 35:3	90:6 90:8	152:12	whatnot 58:7
we'll 17:20	90:9	152:19	whatsoever
85:21 86:19	90:13 90:15	153:25	141:21
86:20 103:8	90:20 94:16	154:15	Wheeler
119:12	94:16 94:22	154:15	103:10
130:10	95:24 95:24	157:24	119:12
136:21	97:7 102:11	160:18	119:14
166:15	103:19	164:13	119:15
wellbeing	103:22	165:15	122:21
56:4	106:1 106:3	166:12	123:6
	108:16	West 6:1	Wheeler's
	110:6 111:5	132:6	122:19
	111:16	western	whenever
	112:14	113:25	
	113:5		

126:1	111:3	women 38:22	68:24
146:25	wife's 61:12	39:1	82:1
Whereupon	wild 25:16	wonderful	90:15
4:13 122:19	126:17	13:15 13:16	93:5 102:21
175:24	wildlife	work 5:9 8:14	105:14
whether	110:13	13:8	131:22
16:9 150:16	William 94:5	19:22 35:10	131:22
150:17	Williams 79:6	65:11 68:24	154:13
150:17	willing 94:20	79:1	works 10:20
150:17	willingness	86:11 86:11	91:25
white 40:7	29:8	121:18	120:16
40:8	wind 78:12	127:22	120:16
40:14 40:16	winded 160:2	133:10	world 20:24
58:24 59:20	winds 118:15	133:13	22:24 22:25
84:7	windshield	133:17	47:21
104:3 126:4	105:15	133:25	60:8
158:9	winged 117:18	134:15	70:16
Whitebear	winter 118:15	138:17	151:18
19:5	wisdom 13:17	139:1	151:20
whites 126:12	wish 36:6	143:23	154:1
whitewash	38:4	149:12	worthy 29:6
25:5	54:21	149:21	wow 68:8 68:8
whole 8:21	56:2 56:3	156:23	70:13 70:15
16:1	57:5 57:6	159:10	wrap 174:10
94:23 108:2	64:5	175:5	wrap-up 130:9
114:24	wishes 173:17	worked 6:1	wreck 70:25
121:21	withdraw	11:22	writes 125:22
121:22	73:22	12:4	writing 133:4
143:11	101:21	15:16 33:14	written 32:21
143:12	withdraws	65:20 76:17	35:11 96:15
152:9	101:25	77:4 77:7	98:18
152:20	withheld	77:8	159:19
159:3 165:4	139:24	77:12 77:13	wrong 28:1
who's 9:5	140:17	91:25	29:22
19:17	witnessed	103:18	34:2
whose 28:25	20:21 20:22	125:6	118:1 175:4
who've 109:12		128:12	wrote 89:10
wide 171:16		152:19	125:15
wider 84:4		working	143:18
		8:17	
		19:20 62:8	

WSDOT 98:5	148:9		
WSDOT's 122:5	151:25		
	153:11		
<hr/>			
X	young 69:16		
<hr/>	yours 148:14		
x-ray 60:7	yourself		
60:8 61:3	42:24 44:23		
<hr/>	75:1 167:19		
Y	yourselves		
<hr/>	145:23		
Yakima 4:12	you've 59:5		
4:17	78:20		
35:20	86:8		
36:5 37:7	86:11 88:25		
37:19	144:8		
38:1 38:5	145:23		
38:7	152:22		
38:10 38:13	159:21		
39:16 39:16	175:10		
39:21 39:25			
40:4 40:9			
46:20 46:25			
48:19 48:24			
51:6 170:5			
yard 124:18	<hr/>		
yesterdays	Z		
144:5	Zen 120:19		
yet 5:13	zero 24:6		
16:25 40:24	zipping		
41:24 46:24	116:18		
49:2	zone 89:25		
97:10 99:23	142:11		
104:22			
108:7 114:6			
139:9 145:3			
yielded 15:3			
Yokut 66:25			
York 24:15			
you'll			
24:23			
26:1			
62:23 128:7			