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WHISTLING RIDGE ENERGY LLC
CHIEF JOHNNY JACKSON
PREFILED REBUTTAL TESTIMONY
EXHIBIT NO. 14.00r

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of Application No. 2009-01: WHISTLING RIDGE ENERGY LLC; WHISTLING RIDGE ENERGY PROJECT	EXHIBIT NO. 14.00r
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APPLICANT'S PREFILED REBUTTAL TESTIMONY

WITNESS #15: CHIEF JOHNNY JACKSON

My name is Johnny Jackson. I reside at the Underwood in-lieu fishing village on the White Salmon River in Underwood, Washington. I am the Chief of the Cascades Tribe of the Yakama Nation, and I am testifying for myself as an intervener in these proceedings.

Q What is the purpose of this testimony?

A I am an intervenor in these proceedings. This testimony is offered to rebut the testimony filed by representatives of the Yakama Nation. I am joining Wilbur Slockish in his testimony for this purpose. I have asked the Applicant to file this testimony on my behalf, as I am not equipped to independently complete the filing in accordance with EFSEC's requirements in these proceedings. However, my testimony is my own.

1 Q Are you able to answer questions under cross-examination regarding your testimony?

2

3 A Yes.

4

5 Q Have you read the testimony of Chief Wilbur Slockish regarding the history of the
6 Klickitat and Cascades Tribes of and the Yakama Nation Treaty? Do you concur
7 with his testimony?

8

9 A Yes, I have read the testimony and I agree with it entirely.

10

11 Q How did you come to be Chief of the Cascade tribe of the Yakama Nation?

12

13 A Sla-kish was my great-great grandfather and he was Chief of the Klickitat tribe. My
14 father was Andrew Jackson. He was an enrolled Yakama Indian and was from the
15 Cascades villages. Inez Sla-kish Jackson was my mother. My Indian name is
16 Tawatosh, after the Chief. I am the Chief of the Cascade Tribe of the Yakama
17 Nation. Chief Wilbur Slockish of the Klickitat Tribe is my cousin.
18 My ancestral heritage is as follows:

19

- Chief Sla-kish

20

- Jack Long Sla-kish (son)

21

- Frank Sla-kish (grandson)

22

- Inez Slakish Jackson (great granddaughter)

23

- Johnny Jackson (great great grandson)

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- Arlene Slakish Minnie (great granddaughter)

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- Sally Slakish Buck (great granddaughter)

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- Lillian Slakish (great granddaughter)

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- Wilbur Slakish (great grandson)
 - Wilbur Slakish Jr. (great great grandson)
- Cody James Slakish (great grandson)

I was born on February 2, 1931. I reside in Underwood, Washington. I am considered one of the river people along the Columbia River. My ancestors are on both sides of this river. My people are buried on both sides of this river.

Q Are you a Yakama fisherman?

A I live on the banks of the Columbia River where my family has lived and fished for generations. I am a fisherman of the Columbia River. The Columbia River (Nch' i-wana) was the lifeline of my people in the past, and it still is today. When the federal government flooded the Columbia River and Celilo Falls was submerged, we remained here to fish. My family has always fished the Columbia River and its tributaries. I have long fought for the right of my people to fish in our traditional fishing areas. I have witnessed the decline of fish in the watershed due to industrialization, including hydropower, nuclear, coal and gas power & over-fishing. These activities have contaminated the Columbia River. The watershed of the Nch' i-wana is a vast network of resources that housed, fed and clothed my people.

Q What is the source of your knowledge and expertise in this area of the Columbia River?

A The sources of my knowledge and information are the teachings of my elders who have passed down their knowledge from my ancestors, dating back to Chief Sla-kish, a signatory to the Treaty, and beyond. My culture and history is distinct from those

1 of other tribes within the Yakama Nation. The rules and structure of the Yakama
2 Nation tribal government are different from our traditional rules and structure. I
3 respect the rules and structure of our Yakama Nation government but my traditional
4 culture, history and rules must come first. Similar to Chief Slockish, in the past, the
5 Tribal Council and Cultural Resource Program have recognized my knowledge of
6 traditional and cultural resources in the Columbia River Gorge and asked me to share
7 my knowledge of traditional and cultural resources in this area. I have been offered
8 payment by the Yakama Cultural Resources Program for consultation and
9 information on traditional tribal resources in this area related to Yakama Nation
10 issues.

11
12 Q Are you familiar with the Council of Columbia River Chiefs?

13
14 A In the mid 1980's, the Council of Columbia River Chiefs was formed to work
15 together to advance the common interests of the tribes of the Yakama Nation located
16 along the Columbia River. Some tribes, like the Cascades Tribe, were not well
17 represented and/or had lost some of their identity over time. In an effort to re-
18 establish the identity of the Cascades tribe, Columbia River elders designated me, a
19 true descendent of Sla-kish and lifetime resident of the Cascades area, Chief of
20 Cascades Tribes. I agreed to this responsibility and in 1988 I was designated Chief of
21 the Cascades Tribe. A ceremony was held among the River Chiefs to formalize my
22 designation as Chief.

23
24 Q What is your responsibility as Chief?

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1 A My responsibility as Chief is to represent our tribal members and future generations'
2 interests. We must protect the gifts the creator has given us in land, water, air,
3 animals, plants, and life. We must protect these gifts so that our future generations
4 can enjoy them. My responsibilities as Chief also include protecting our ancestry,
5 our burial and resting sites and our heritage. I am responsible for representing and
6 protecting our historical and traditional ways and culture and passing on our
7 knowledge of these to our future generations. It is my duty to represent our history
8 accurately and correctly and pass it on to the future generations truthfully.
9

10 Q What activities have you undertaken in fulfillment of your responsibilities as Chief of
11 the Cascades tribe of the Yakama Nation?
12

13 A Since being designated Chiefs, Wilbur Slockish and I have worked together to
14 actively represent the Klickitat and Cascades Tribes. A few examples of my efforts
15 on external issues affecting our Tribes include:

- 16 • I am currently active on tribal issues with Columbia River Gorge Commission
- 17 • I am currently active on the Columbia River Inter-tribal Fisheries Commission
- 18 • Chief Wilbur Slockish and I fought to protect a culturally significant vision
19 quest site on Enola Hill (south side of Mount Hood near Rhododendron,
20 Oregon) when it was threatened by a USFS timber sale.
- 21 • Chief Wilbur Slockish and I fought to protect an ancient burial site near
22 Oregon Highway 26 when it was threatened by an Oregon Department of
23 Transportation highway widening effort.

24 We are also actively involved in many internal tribal issues. A few examples of our
25 activities related to our Columbia River Tribes include:

26 /////

- 1 • We were involved on behalf of the Yakama Nation in the protection of a
- 2 significant cultural resources site of the Columbia River tribes at Lyle Point.
- 3 • We have reestablished an annual Salmon Feast to commemorate the return of
- 4 salmon runs each year to the Klickitat River.
- 5 • We have established annual cultural exchange events at Lyle and Wishram,
- 6 WA to improve cultural understanding between local Indians and non-Indians.
- 7 • We have worked to improve the identity and lives of local tribal members.
- 8 • We have communicated with our Yakama Nation and taught our local tribal
- 9 members the importance of maintaining our tribal identity.
- 10 • We have revived the teaching of language, songs, dances, stories and culture
- 11 of our Columbia River tribes for our next generations.
- 12 • We work with the Yakama Nation government and represent our Columbia
- 13 River issues before the Yakama Tribal Council.

14
15 Q Are you familiar with the area proposed by SDS Lumber for the Whistling Ridge
16 wind energy project?

17
18 A Yes. The area where SDS Lumber proposes a wind energy project is within my
19 homeland and I feel uniquely qualified to determine what areas have been
20 traditionally used by our people and what traditional cultural properties are for this
21 area. As knowledgeable individuals with ancestral ties to the Columbia River Gorge
22 in the immediate vicinity of the Whistling Ridge Energy Project, Chief Wilbur
23 Slockish and I have been consulted with in the past on other development projects,
24 and have provided information on traditional properties so that they could be avoided.
25 There are no traditional properties within the Whistling Ridge Energy Project area.
26 The site has Bonneville Power Administration transmission lines crossing through it.

1 The site has been in commercial timber production for many years. Prior to the first
2 timber harvests on the site, it was heavily forested. The area of the project is
3 surrounded by steep terrain and there are no streams or significant east-facing views.
4 The land is rocky and rigid with a lot of natural brush. Our people have never used
5 this area as a vision quest site, burial area, resource gathering area, travel route, or
6 used it as a reference in any of our legends or for any other culturally significant
7 purposes.
8

9 Q Did SDS Lumber ask for your input and consultation on the Whistling Ridge project?

10
11 A Yes. As Chiefs of the Klickitat and Cascades Tribes of the Yakama Nation, we were
12 asked and have worked closely with Jason Spadaro, President of SDS Lumber
13 Company, on the Whistling Ridge Energy Project for several years. SDS Lumber
14 Company approached us cooperatively and very early in their process, asking us to
15 review their property and identify any concerns we may have with a wind energy
16 project in the area. Several times, we have reviewed the property where SDS
17 proposes to develop wind energy.
18

19 Q Did SDS Lumber also ask for the input and consultation of the Yakama Nation on the
20 Whistling Ridge project?

21
22 A Yes, my understanding is that they also invited the participation of the Yakama
23 Nation Cultural Resources Program at the same time we were asked but the Yakama
24 Nation Cultural Resources Program did not reply until much later when they claimed
25 the site was a vision quest site without having visited it.

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1 Q Are there any cultural resource concerns that you have with the Whistling Ridge
2 project?

3
4 A No. Again, we have never found any evidence of use or any cultural resources or
5 traditional cultural properties of concern to us. We have never used that area for any
6 of our traditional or cultural activities. We have never been told by our elders of this
7 area having any cultural significance, either as a vision quest site or any other use.
8 We provided this information directly to the applicant's specialists who wrote the
9 cultural resources report and information submitted to EFSEC.

10
11 Q How important is it to you as Chiefs that you pass on your knowledge as accurately
12 and truthfully as possible?

13
14 A The only way that we can pass on our knowledge and history of important cultural
15 resources is from generation to generation, either orally or in writing. Either way, it
16 is critical to the Klickitat and Cascades Tribes and the Yakama Nation that we pass
17 on to our future generations, as accurately as possible, our traditions, customs, culture
18 and the knowledge and location of our burial sites and other sensitive cultural
19 resources. Our history must be told truthfully. If our history is not maintained
20 truthfully we lose the integrity of our historic cultural resources for future
21 generations. We must protect against tribal members, archaeologists and outside
22 interests who may claim cultural resources exist where they do not truthfully exist or
23 portray our culture and our legacy inaccurately.

24
25 Q Have you reviewed the Yakama Nation Cultural Resources Program's report and pre-
26 filed testimony? Do you find it is truthful and accurate?

1 A Yes, I have reviewed the Yakama Nation CRP’s report and testimony. No, I do not
2 find it truthful or accurate. For example, the Cultural Resource Report states, “the
3 word “*Che-ma-wa*” is known by Yakama Nation elders as a highly respected
4 spiritual or vision quest site.” First, this is not true. The word Chemawa is not in our
5 language. The report also states, “The hill is a sacred monumental site, once used as
6 a vision quest site, a navigation point, and an offering site (Johnson Meninick,
7 personal communication, December 17, 2009).” This is also not true. This site is
8 not one of the sites used by our people for vision quests. We know where our
9 culturally significant vision quest sites are in the Columbia River area and this site
10 has never been used as or identified in our cultural history or teachings as a vision
11 quest site, a navigation point or an offering site. It does not have the characteristics or
12 features of such sites.

13 In the pre-filed testimony of Joanna Meninick, she identifies Chemawa Hill
14 not as a vision quest site but as a “monumental site” by stating, “Chemawa hill is a
15 monumental site with important views in all directions, with the river to the west, Mt.
16 Adams to the north, and Mt. Hood to the south. It is a counterpart with Enola Hill
17 across the river in Oregon. Both hills are witnesses to Nchi-Wana (the Columbia
18 River), Chemawa for Mt. Adams and Enola hill is witness for Mt. Hood.” This
19 cannot be the truth because Enola hill is on the opposite side of Mt. Hood, not near
20 the Columbia River, and it is not a witness to Nchi-Wana.

21
22 Q Do you agree with Chief Wilbur Slockish’s description of a vision quest site?
23

24 A Yes. The purpose of a vision quest and the characteristics of a vision quest site can
25 be different between tribes. Generally, however, a vision quest was a rite of passage
26 for younger tribal members. In our culture, a vision quest site was a place where

1 young tribal members would be sent by elders to discover something about
2 themselves and what they were to accomplish in their life. The young person would
3 be sent, at night, to a vision quest site and asked to leave something as sign of their
4 presence. This offering also helped tribal elders to verify that the young tribal
5 member did indeed spend time at the vision quest site. Vision quest sites are typically
6 in an open area on a high point of ground, distinctive from its surroundings. It would
7 have a trail leading to it and would be used traditionally for generations. There would
8 be distinctive rocks, features or markings that identified it. The Chemawa Hill and
9 Whistling Ridge project site was in a forest. There are no markings or distinctive
10 features on the site and it was never identified to us by our elders as one of our vision
11 quest sites. We know where our traditional vision quest sites are in the area of the
12 Columbia River and this site is not one.

13
14 Q Can you explain further your comment regarding the pre-filed testimony of Ms.
15 Joanna Meninick and the map showing the location of Chemewa Hill and Enola Hill
16 attached to your testimony as Exhibit No. 14.01r?

17
18 A Yes. In her testimony she states, “Chemawa hill is a monumental site with important
19 views in all directions, with the river to the west, Mt. Adams to the north, and Mt.
20 Hood to the south. It is a counterpart with Enola Hill across the river in Oregon. Both
21 hills are the witnesses to Nchi-Wana (the Columbia River), Chemawa Hill for Mt.
22 Adams and Enola hill is witness for Mt. Hood.” First, and as described in Chief
23 Wilbur Slockish’s testimony, Chemawa Hill is a non-distinct, forested site. Anybody
24 standing on the ridge would be standing in the middle of a forest, without a view.
25 Second, as the map shows, Enola Hill is a great distance from Chemewa Hill, where
26 the Whistling Ridge Project is proposed. Ms. Meninick may be aware of the efforts

1 by Chief Wilbur Slockish and me to protect a vision quest site on Enola Hill but that
2 bears no relationship to Chemewa Hill. Enola Hill is a great distance from the
3 Columbia River. It is on the opposite side of Mount Hood and the Columbia River is
4 not visible from Enola Hill. There is absolutely no historic, cultural or other
5 relationship between these two locations.

6
7 Q Can you explain further your response regarding the claim by the Yakama Cultural
8 Resources Program that the word Chemawa is indicative of a site of cultural
9 significance to the Yakama people?

10
11 A The project is in an area labeled on modern maps as Whistling Ridge. The southern
12 end of this ridge is labeled on modern maps as Chemawa Hill. Neither of these areas
13 have names in our native language. The name Chemawa is not a word from our
14 language. I know of the name Chemawa as that of an Indian boarding school in the
15 Willamette Valley.

16
17 Q Do you have an opinion as to how the Cultural Resources Program could arrive at the
18 conclusion that this area is a significant cultural resource of the Yakama Nation when
19 it is a matter that you disagree with?

20
21 A Yes. First, neither I nor Chief Wilbur Slockish were ever asked, interviewed or
22 consulted on the report issued by Jessica Lally of the Cultural Resources Program so
23 they did not have the benefit of our knowledge of cultural resources in this area.
24 Second, Friends of the Columbia Gorge are opposing the Whistling Ridge project
25 proposed by SDS Lumber. Friends of the Gorge and the Yakama Cultural

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1 Resources Program are known to work together on many issues and that, in my
2 opinion, plays a role in this.

3
4 Q Have you, and Chief Wilbur Slockish, publically taken a position on the Whistling
5 Ridge Energy Project and wind power development in general?

6
7 A Yes. As the Chief of the Cascades Tribe, I publically support the development of the
8 Whistling Ridge wind project because it is on a site that does not damage or interfere
9 with any of our traditional cultural resources and wind power is a better alternative to
10 hydropower, nuclear, coal or gas generated electricity. I agree with Chief Slockish
11 that all of these generation sources require massive amounts of water withdrawals.
12 The withdrawals of water harm our fish. Our first interest is protecting water and
13 salmon for future generations. Our other reasons for supporting wind energy include
14 the damage that mining and wastes produced by other energy sources cause to our
15 land, air and water. We do not support wind energy in all locations. We feel the
16 Whistling Ridge site is a good site for a wind project because it is already disturbed
17 and it has never been a culturally significant area to our people.

18
19 Q Why have you taken an interest in this project, taken a public position regarding it
20 and why are you testifying in this matter?

21
22 A Aside from my statement regarding the benefits of wind energy compared to other
23 energy alternatives, as Chief of the Cascades Tribe of the Yakama Nation, I am
24 obligated to my ancestors and our future generation to uphold our traditions, to
25 represent our heritage and oral histories accurately and truthfully and to pass all of my
26 knowledge on to future generations truthfully. I strongly disagree with any inaccurate

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portrayals of the location of our traditional cultural resources. Contrary to report of the Yakama Cultural Resources Program and testimony, no part of the Whistling Ridge project site is a traditional cultural property. I have no financial incentive in the outcome of this project. My only motivation in providing this testimony is to represent the truth.