



Sacrificing the Salmon: A Legal and Policy History of the Decline of Columbia Basin Salmon

Michael C. Blumm

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Pacific salmon are the paramount cultural and spiritual symbol of the Pacific Northwest. Since the beginning of human habitation, salmon have been central to subsistence, trade, and even religion. The natives of the region considered salmon so crucial to their way of life that they bargained in 1850s treaties to continue to harvest a share of the salmon runs in return for ceding to the United States the lands that now forms the states of Idaho, Oregon, and Washington. A century and a half later, because of their environmental sensitivity, Pacific salmon runs from California to Alaska function as barometers of the health of the watersheds they inhabit. Their decline throughout the twentieth century is a reflection of the deterioration of Pacific Northwest watersheds. In this book, Professor Michael Blumm explains the role of the law in the decline of what were once the largest of the Pacific salmon runs, those of the Columbia Basin. The Columbia Basin is home to the largest interconnected hydroelectric power system in the world, considerable irrigation withdrawals, and extensive timber harvesting, grazing, and mining. All of these activities, along with substantial harvests in the ocean and the river, have adversely affected Columbia Basin salmon runs. As a result, the salmon runs, especially wild salmon, are now only a fraction of what they once were. Professor Blumm examines several unsuccessful promises to protect or restore the salmon runs, beginning with the Indian treaties of the 1850s and including a century of hatchery operations which aimed to compensate for habitat loss due to hydroelectric and other developments. These promises, as well as those made by the Northwest Power Act, the Pacific Salmon Treaty, the Endangered Species Act, the Clean Water Act, and the Federal Power Act proved unable to reverse the decline of Columbia Basin salmon. *Sacrificing the Salmon* explains why these efforts failed and examines the prospects for the future. Professor Blumm is pessimistic about the capability of ongoing restoration programs under the Endangered Species Act and the Northwest Power Act to achieve their goals because those programs are committed to a status quo of river operations that is the cause of roughly 80 percent of human caused salmon mortalities. He believes that more therapeutic courses of action lie in litigation concerning the tribes' treaty rights and in efforts to breach several dams on the Lower Snake River, and he explains why. *Sacrificing the Salmon* examines all of these issues in the complicated relationship of the law and the decline of Columbia Basin salmon, the first book to do so. There are several lessons in this case study which may be applicable to other resources in other regions, and a concluding chapter of the book draws them. About the author: Michael C. Blumm is Professor of Law at Northwestern School of Law of Lewis and Clark Law School in Portland, Oregon. (this book was previously published by BookWorld Publications in The Netherlands with ISBN: 978-90-75228-25-0)

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