

# CRITFC proposes bills

Representatives of Columbia River treaty tribes April asked Congress citizen of the Pacific Northwest to oppose two bills that would take away certain treaty fishing rights of tribes in Washington, Oregon, and Idaho. Washington state congressman Slade Gorton and Don Bonker introduced S. 874 and H.R. 2978, the Steelhead Trout Protection Act, on April 2.

"Congress has a bill that takes our steelhead fishing rights and gives them to the white man for recreation," said Levi George, Yakima member of the Columbia River Inter-Tribal Fish Commission (CRITFC). "For their vacations, we would lose our livelihood and way of life."

The bill proposed to use federal money to compensate tribes for loss of treaty rights. "I don't think using federal dollars to take away rights of Indian tribes makes economic sense," Nathan Jim, Warm Springs member of CRITFC, said. "If money is going to be spent it should go for hatcheries, habitat restoration, improvement of passage facilities at dams, and limitations on ocean salmon fishing. That way we could have enough salmon and steelhead for everyone."

The Steelhead Trout Protection Act would abridge the treaty fishing rights of Columbia River tribes and tribes in Washington state by making state steelhead laws apply to Indian tribes. State laws in Washington, Oregon, and Idaho classify steelhead a game fish—a classification that bars commercial harvest and sale. These state laws do not govern Indian tribes because treaty fishing rights, as interpreted by the United States Supreme Court in *Puyallup Tribe v. Department of Game* (1973), include the right to catch steelhead for commercial purposes.

CRITFC, composed of the fish and wildlife committees of the Nez Perce tribe in Idaho, the Umatilla and Warm Springs tribes in Oregon, and the Yakima tribe in Washington, is sending a statement on

the proposed act to all members of congress. In it CRITFC challenges bill proponents who claim that steelhead decemmercialization is necessary to protect steelhead. "Steelhead are the strongest runs of salmonids on the Columbia River... maintaining essentially steady numbers over the past 20 years," the statement reads. "Biologically they are a hardy fish that can better survive the tortuous passage over Columbia and Snake River dams than can chinook and coho salmon. Also, they are not subject to ocean harvent..."

"Steelhead are doing fine; what really needs protection are upriver chinook and coho," explained Kathryn Brigham, CRITFC commissioner from the Umatilla tribes.

According to the inter-tribal statement, the bill directs the taking of a treaty-secured property right and gives it over to the private interest of sport fishermen. "To allow this taking would be tantamount to allowing the federal government to condemn your house for the purpose of enlarging your neighbor's lawn..." the statement reads. If this interpretation is correct, it would have serious constitutional implications under the constitution's fifth amendment, which bars the taking of private property for other than a public use.

As for the economic justifications, the CRITFC statement refutes the contention of bill supporters that license fees and punchcards purchased by steelheaders pay for a large part of steelhead hatchery propagation. "To our knowledge, not one of some 30 hatcheries and rearing ponds that raise Columbia River steelhead in Washington, Oregon and Idaho is paid for by the sale of fishing licenses or punchcards. These hatcheries and ponds are almost entirely funded by public and private power companies and the federal government to compensate for destruction of fisheries...." states CRITFC.

# Horses found dead at corral

Three horses owned by Sterling and Lucinda Green were found dead in a corral at the Warm Springs rodeo arena on the morning of April 27. The horses died of undetermined causes.

The horses were rounded up and brought to the rodeo grounds by ride boss Perry Greene for EIA testing after being confined for two days in a trap corral. 17 of the 26 horses belonged to the Greens. The horses were brought to the arena instead of being taken to the Green's own place as requested as a result of horses being released before results of testing being received, according to Perry Greene.

At 9:30 p.m. on Thursday a padlock was put on the corral in which the Green's horses were confined. All 17 horses were contained in the small sized pen despite other pens being available. Sterling and Lucinda Green checked on the horses Friday and brought them feed and water. They checked on them again on Saturday finding them to be alright. Being gone all day Sunday they returned at 4:30 p.m. Monday to discover two yearlings and a mare dead.

The horses being tested for EIA are not normally padlocked in according to Natural Resources director Gene Greene. When asked about the Green's 17 horses being locked in the corral at the arena police chief Jeff Sanders said, "The Warm Springs Police Department, Game and Range division, padlocked the gate because of an investigation of alleged misbranding of horses, illegal use of branding irons and problems with horses being turned loose by kids in the community."

The Greens are very upset at the treatment of their horses. Lucinda says, "Somebody is responsible for the mess out there." She claims besides being confined to too small of



Trampled?—Three horses were found dead Monday morning April 27 at the Warm Springs arena. The horses were owned by Sterling and Lucinda Green.

Spilyay Tymoo photo by Shewczyk

an area the horses were not fed and watered properly. "That is the responsibility of the horse owners. The ride bosses have been coming in and doing it," Gene Greene commented.

As far as containing that number of horses in a small pen Lucinda feels it is inhumane treatment. Veterinarian Mark McFarland of Madras was asked to come to the arena to determine cause of death. He felt "It wouldn't have been worth their money to do a post-mortem on the horses. I don't think I could have told" the cause of death. The horses had been dead too long before he was notified and before the Greens found out, although others were aware of it on Monday morning.

McFarland commented about the horses death giving a

general comment about horses confined in small areas. He said, "In a small area it was possible that there was some fighting. There's no possibility for the horses to get away. It's possible the dead horses were kicked by the dominant horse. They have their pecking order." Pointing out that he doesn't know exactly what the horses had been through he said, "If the horses were tired they would want to lie down. It's pretty hard to rest in that type of situation."

Confused and in an uproar about only their horses being impounded and locked up in a small pen Lucinda says, "I'm going to fight for my rights. I've had trouble all these years. We're trying to get along with everyone but if I have to press charges I will. It's inhumane and it's discrimination."

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## TOE NESS

There was this guy who was taking out a \$20,000 fire insurance policy to cover some recently acquired item of furniture. "Tell me," he said to the broker, "What would I get if all the new furniture was suddenly destroyed by fire?" "Twenty years," the broker coolly replied. YIKES!!!

SS SS SS

The first grade teacher had her class color a picture of a duck carrying an umbrella. The kids were supposed to color the duck yellow, and the umbrella green. But every class has its rebels. Little Tommy colored his duck bright fire engine red. "Tommy," asked the teacher patiently, "how many red ducks have you seen?" "The same as the number of yellow ducks I've seen carrying green umbrellas," he said. YIKES!!!

SS SS SS

Confucius say; "Woman who show off skin to catch man's eye usually catch cold!" YIKES!!!

SS SS SS

This guy asked his friend, "Do you have any idea how many really great people there are in this country?" "No, I don't. But I'm sure it's one less than you think." YIKES!!!

SS SS SS

It's too bad people can't invest in taxes. They are the only things that go up each year. YIKES!!!

SS SS SS

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