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Spilyay Tymoo

Coyote News

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Spilyay Tymoo photo by Behrend

Circle the wagons

Hot and dusty after a long trip, 4-Hers on the Washington County Wagon Train took a breather near Charley Canyon last Friday. The week-long trip started from McIver State Park near Damascus and ended with an overnight camp at Kah-Nee-Ta Village. The train, on Thursday, camped at Log Springs and were treated to salmon and fried bread. Local 4-Hers performed Indian dances, as well. Each participant in Breakaway '85 was required to pay \$80 for the trip and \$20 per horse if they brought one. The experience, according to some, helped all involved to grow personally, develop an understanding of themselves and their limitations.

Planned spray to rid trees of budworm

by Marsha Shewczyk

Douglas fir on the Warm Springs reservation and other parts of Oregon and Washington are being damaged by a caterpillar known as the spruce budworm. The bug has infested approximately two million acres in both states.

Favoring dry climates, the adult moth flies in July, depositing eggs which develop early in June the following year. The larvae eats the growth and builds webs where it resides until it, too, becomes a moth. The budworm population has been negligible until two years ago, says Warm Springs supervisory forester Bill Donaghu. It's necessary, now, to control the infestation to minimize damage on true firs.

In an effort to control the infestation the U.S. Forest Service is planning an extensive spraying program using two chemicals, a biological spray Bacillus Thuringiensis (B.T.) and a man-made chemical, Sevin.

B.T. is found to have little damage on resources, according to Donaghu. It is a natural parasite which feeds on the host budworm itself. Conducted studies show that bacterial spores of B.T. may persist in the soil for several months. In water, visible spores generally do not persist for more than one month. Inactivation of the spores takes place by exposure to sunlight.

No adverse effects have been found on mammals, birds, fish, aquatic insects or predaceous or parasitic insects.

Contrary, Sevin having a shorter but more effective life is more harmful affecting a wide range of insects including aquatic insects.

Insects, comprising one step in the food cycle, being eaten by fish resulted in killing of a number of fish during reservation spray program in 1978 of 34,000 acres using Sevin.

It is planned that B.T. will be sprayed in the more sensitive areas infected by the insect such

as Shitike Canyon where fish in streams might be affected. Sevin will be utilized in other areas.

Sevin "is very lethal," emphasizes Warm Springs watermaster Deepak Sehgal. "We have recommended that in spraying, the Forest Service does not spray stream corridors, high lake areas, meadows and unique environments that wildlife inhabit."

An environmental Impact Study is being conducted by the U.S. Forest Service and will be presented to the public in March of 1986. The public may, at that time, make comments on the proposed spraying.

ATTENTION!
S-130 and S-190
Firefighting Classes
will be offered at:
Fire Management Trailer
4205 Holliday Lane
July 25 and 26, 1985
from 8 a.m. to 5 p.m.

No lunch provided

These classes are needed before you can be hired for firefighting on the Warm Springs Reservation. You need these classes every three years. Must be 18 years of age or older. Other information will be given at the class.

WEATHER

by Leno-Baker

JULY	HI	LOW
1	90	50
2	95	60
3	98	58
4	95	59
5	88	54
6	95	53
7	97	61
8	100	61
9	100	62
10	95	63
11	94	58
12	91	55
13	90	53
14	94	56
15	92	60
16	86	55

Court denies Klamath's rights

The Supreme Court ruled July 2 that the Klamath Indians must submit to state hunting and fishing regulations on nearly 100 square miles of ceded land.

"The exclusive right to hunt, fish and gather roots, berries and seeds on the lands reserved to the Klamath Tribe... was not intended to survive as a special right to be free of state regulations," wrote Justice John Paul

Stevens in the 6-2 decision.

The ruling will end the tribe's practice of self-regulation on the land which reaches to the eastern edge of Crater Lake. The Ninth U.S. Circuit Court of Appeals, which the Supreme Court overturned, had held that the tribe was entitled to exclusive use of the land. Both the tribe and the state have been operating for decades under the

presumption that the tribe held certain rights precluding state regulation of state licensing.

The Native American Rights Fund (NARF) represented the tribe before the Supreme Court. In a dissent on the ruling, Justice William Brennan and Justice Thurgood Marshall wrote the ruling "represents another erroneous deprivation of the Klamath's tribal rights."

Craig in which he decided the Plan for Managing Fisheries on Stocks Originating in the Columbia River and its tributaries above Bonneville Dam. This allowed tribal fishermen to alter their net mesh size.

The State of Washington joined by Idaho presented the argument that the five year plan should have remained in effect because no replacement plan had been drafted. Craig, at the time of his decision, ordered negotiations of a new plan.

Because tribal fishermen had netted only a portion of an anticipated 120,000 annual catch they wished to use a smaller mesh size than the designated eight inch or larger size. Craig

ruled the Five Year Plan to be obsolete and the smaller mesh size allowable.

The final decision on this case has not yet been made. Tribal fishermen, however, no longer apply the plan to their catches made and according to Warm Springs tribal attorney Howard Arnett, "This thing is moot. We are operating as if the plan is not in effect."

Short term plans are being utilized while negotiations for a new long term plan take place. A decision on this case could affect future negotiations in two ways, says Arnett. The involved tribes could be reluctant to enter

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Apportionment ideas presented

by Marsha Shewczyk

"The right to vote includes the right to political equality. Equal protection of the laws requires that once a person has met the basic voter qualifications he has a right to have his vote weighed equally with those of every other voter. . . No person's vote should count more heavily than another's."

The Indian Civil Rights Act passed by Congress in 1968 guarantees reservation residents the same civil rights and liberties in relation to tribal authorities that the Federal Constitution guarantees to all persons in relation to Federal and State authorities. Among these rights is political equality. One man's vote must weigh equally with another man's vote.

The present system utilized for the election of tribal council members on the Warm Springs reservation fails to allow political equality, says tribal member Rudy Clements. As one of many citizens who are aware of the imbalance, Clements feels that "rather than keeping it festering, we must clarify and resolve it."

"I think our present system is unacceptable," Clements emphasizes. It denies "one man, one vote" and allows one man's vote

to weigh more than another's.

In the April 1, 1983 election for tribal council district representatives, a varying number of votes elected members to each position. The Agency district elected three representatives with 770 votes. Simnasho district elected three representatives with 422 votes. Seekseequa elected two representatives with 99 votes.

In a letter written to Tribal Council, Clements appealed to the Council to schedule public meetings for discussion of this apportionment question. "I feel that the people must have an opportunity to express their feelings and concerns about our present system of placing leadership on the Tribal Council." He goes on to say, ". . . I mean no harm to anyone or our tribe but am concerned about our individual voting rights. I feel they are being violated."

Clements pointed out that several cases have been brought before federal court where members of different tribes challenged the apportionment system. One such case was Brown vs. United States. The District Court of South Dakota declared that the redistricting scheme for tribal elections under the Cheyenne Sioux Constitution and By-Laws violated the "one-man, one-vote" rule laid down by the U.S.

Supreme Court for federal and state elections, and made binding against the Tribe under the equal protection clause of the Indian Bill of Rights.

After the tribal council failed to prepare a redistricting plan meeting the one-man, one-vote standard, the Court, on January 15, 1973 vacated all existing council positions and ordered a special election on February 16, 1973, in accordance with a reapportionment scheme prepared by the Court at a general reservation meeting.

"If we do not correct it now it could have negative consequences for us," Clements added.

An apportionment change may be accomplished in a variety of ways. "If our people get together with open and objective minds we can come up with good solutions," says Clements. The results may be a combination of many people's suggestions.

Clements listed some reapportionment suggestions including: Retaining districts, allowing registered district voters to nominate a candidate who is elected by the general electorate; Counting the number of registered voters in a district to

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Community celebrates Fourth

A parade, games, barbeque, fireworks, bingo and a dance were held to celebrate the Fourth of July at Warm Springs. Warm Springs is noted for its "old fashion" celebration.

The parade held on the campus area hosted horseback riders, decorated cars and trucks, children on bikes, a plastic snake, crepe paper decorated floats and two grand marshals, Lilly Heath and Ellen Squiemphen.

Following the parade, people gathered at the Community Center to enjoy the barbeque. Games were held for the younger set while people waited for the evening fireworks display.

The fireworks display began after the sun went down. Shortly before the fireworks display started a number of small fires were reported at various locations within the community.

The annual bingo game was held at the Community Center.

So again, Warm Springs celebrated another old fashion Fourth.



Grand Marshals Ellen and Lilly

Court hears appeals on Five Year Plan

Arguments were heard July 15 by Judges Browning, Alarcome and Wilkins of the Ninth Court of Appeals regarding a 1983 decision by Judge Walter

Craig in which he decided the Plan for Managing Fisheries on Stocks Originating in the Columbia River and its tributaries above Bonneville Dam. This allowed tribal fishermen to alter their net mesh size.

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