

# Spilyay Tymoo

News from the  
Warm Springs Indian Reservation



VOL. 12 NO. 16

WARM SPRINGS, OREGON 97761

JULY 31, 1987

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Received on: 08-04-87  
Spilyay tymoo.



Governor Neil Goldschmidt signed into law July 20 a bill that allows foster care payments for the families of Indian foster children. The bill is linked directly to the Indian Child Welfare Act and the integrity of

Oregon Indian tribes is assured by keeping families together. Most Oregon tribes and children's organizations were represented at the ceremonies.

## Dog control to be enforced on reservation

Dogs, dogs and more dogs, the issue of controlling dogs on the reservation has been a major topic of discussion at housing meetings, general council meetings and generally by the public. The Tribal Council in April of 1982 enacted the "Dog Control Ordinance, Ordinance 36." The code was established to control the licensing of dogs, provide the control and destruction of unwanted dogs and provide penalties for the violation of the ordinance.

Talking about dogs is similar to talking about the weather—people have a lot to say about both subjects but are unable to do much about them. In the case of the "man's best friend" with the lack of cooperative efforts of the public, police, courts and health people the ordinance has been a code without enforcement.

During the past few months the police, health branch and courts have combined their efforts and resources to put "teeth" in the enforcement. In the near future people will be able to have their dogs licensed at the Tribal Court, the police will be enforcing that dogs on the reservation must have a license and a recent rabies vaccination.

All dogs who are kept, harbored or maintained on the reservation will need to have a current license. To obtain a license for an animal the owner will be required to have evidence that a rabies vaccination has been administered by a licensed veterinarian. Each year the license will need to be renewed as well as the vaccination.

All dog owners will have to provide each dog with a substantial collar or harness with the license

and vaccination tags attached permanently.

The ordinance states that any female dog in heat; fierce, dangerous or vicious dogs; or dogs which become a nuisance to others in the streets, public places or premises will not be permitted to run at large regardless of whether they are licensed or unlicensed.

Any dog that has bitten a person or caused a break in the skin, or

appears to be infected with rabies, shall be penned up or restrained by a substantial metal chain by its owners for a period of ten days. If the owner does not confine the dog the police can impound the animal and take it to a veterinary hospital or location designated by the Tribal Court. The animal will be placed under observation as required by

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## Governor signs Deschutes River Bill

Governor Neil Goldschmidt recently signed House Bill 3019, which creates a management advisory committee and recreation area for the lower 100 miles of the Deschutes River.

"This bill creates a forum for all interested parties to debate the future of this important resource," Goldschmidt said. "I believe there won't be any losers in this debate if we can settle on a plan that preserves the scenic beauty and recreational qualities of the river."

The legislation designates the lower Deschutes River Scenic Waterway as a recreation area and creates, for a six-year period, a nine-member citizen advisory committee.

Members will be appointed by the Governor this fall. They will represent river users, owners of the adjacent land, the Confederated Tribes of the Warm Springs Indian Reservation, elected officials and the public at large.

"The membership of the committee is an indication of the many interests focused on the river," said John Lilly, assistant administrator for the Parks Division, which administers the Scenic Waterway program.

In addition, there a number of public agencies owning land or providing services along the river, Lilly said.

"The Deschutes has always been a 'people's river' and anything that has worked for the river has been the result of a popular mandate," Lilly said.

This bill is a continuation of that factor, he said. The citizen committee will advise involved agencies on management issues over the next six years, he said. Lilly expects the

first two years to be spent turning a management plan addressing recreation use and recreation development levels on the river.

A major point of controversy—and the initial reason for the legislation—will be determining if the number of boaters should be regulated by permit, Lilly said.

Currently, boaters purchase a pass or ticket to use the river, but there is no limit on the number of pass holders using the river daily. Revenue collected is used directly for services to river users, Lilly said.

The Deschutes was designated an Oregon Scenic Waterway in 1970.

The Tribe's reaction to the Deschutes study was published in a recent issue of "Deschutes River Scenic Waterway Newsletter." It is as follows:

The Warm Springs Tribes believe that the recently completed Oregon State study provides a good foundation for the development of a rational, long-term management plan for the Deschutes River.

The eastern boundary of the reservation is formed by the middle of the channel of the Deschutes River. This 30-mile scenic stretch is very important to the Tribes and its members for a variety of reasons.

Some of the first Indian settlements on the reservation were located along the Deschutes River, and the Tribes were heavily dependent upon the river for their sustenance. Because the river has important cultural, religious, historical and

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## Canal to remain open

Spring chinook migrating up Mill Creek have been protected for the past two years with closure of the gate at Mill Creek Irrigation Canal on Sidwalter Flat. However, this year, Warm Springs Tribal Council has decided to keep the gate open allowing some water to continue flowing in the canal.

It has been determined that 51 cubic feet per second of water is necessary for fish migration in Mill Creek. The flow in mid-August last year was 34 cfs which included water from the lateral canal which usually runs 9-13 cfs.

Work on Mill Creek in the past has been aimed at increasing the anadromous fish run. Removal of blockages have allowed fish to migrate to rearing grounds but the fish need water to get there.

Warm Springs fisheries biologist Mark Fritsch expresses concern about the migrating fish and the integrity of the entire system. "There are many habitat considerations" with a reduced flow in the stream. Taking seven (7) cfs from Mill Creek at peak migration time and in a low water year "doesn't look real good," says Fritsch.

Sidwalter residents also have concerns with the reduction of water caused by the closure of the canal. With no water in the canal, watering ponds and fire protection ponds would empty. Last year closure of the canal "affected the last growth of alfalfa," says Irene Wells. She and her husband along with Phil Guerin raise alfalfa hay for their own livestock. "We couldn't irrigate so it affected that last cutting," Wells said.

J.R. Smith lost four roping steers because water was not available for

them. Smith says he was not supposed to use domestic water for stock.

However, many residents did use domestic water. Maxine Clements said she and other area residents had to buy numerous troughs to supply water for their livestock. This put pressure on the domestic water supply and some wells even began pumping mud, she said.

The problem in the past, indicates Clements, was Tribal Council's failure to include Sidwalter residents in their decision. "They haven't discussed this with the people." The lack of water "is an inconvenience to us," she adds, "but others are impacted more."

Resolution #3710 passed in 1972 set minimum and optimum stream flow requirements for fish life and incorporated it in the Official Water Code for Warm Springs. In the last two years the code was enacted with low waterflows late in the summer and called for priority use of water.

Domestic and community use is listed as first in priority followed by: fisheries, wildlife and vegetation; agriculture, range, commercial use; and, industrial including hydroelectric. Domestic water is provided through a separate community water supply system.

Confusion now exists for both Sidwalter residents and Natural Resources personnel. For the past two years the minimum flow standards of the Water Code were enforced. Stream enhancement projects relying on the maintenance of minimum flow have been both completed and planned for the future.

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## Accidental death claims boy

In what police investigators have termed an accidental death, Jonathan Jim, 13, died at his residence in West Hills, Monday, July 28 at about 8 p.m.

The boy had been playing with two ropes that were hanging in a tree in the yard of his home. He was discovered by a member of his family tangled in the ropes. The police and Fire and Safety were called.

Efforts to revive the boy with CPR were made by police officer Spencer Slater and Fire and Safety

volunteer Tom Wright, who were first on the scene. CPR was continued in the ambulance while enroute to Mt. View Hospital in Madras. Despite the efforts to revive the boy was pronounced dead at the hospital emergency room by the attending IHS physician Dr. Manning.

BIA investigator Rob Moran was not available for confirmation on the death but Chief of Police Ray Calica stated that all of the evidence points to the death as accidental.

## Elder Care Center studied

On July 13 the Tribal Council reviewed a preliminary design for the Elder Care Center, which would provide residential and care services to the elderly. The proposed location for the facility is the meadow between the Senior Citizens

housing area and the Greeley Heights subdivision. The current five-year plan shows the Center being developed in 1991, although that schedule is directly affected by the Tribes' changing financial situation and by available outside funding.

## Tribal Council reviews

## Town Center designs

On July 20 the Tribal Council began reviewing design ideas for developing a "Shopping and Town Center" on the east-side of the Agency campus. Additional concepts will be reviewed in August, including the west-side of the campus near the elementary school. The Council expressed concerns about traffic circulation, accessibility, parking and visibility, which are all important factors for developing a successful commercial area. Planners anticipate the various con-

cept ideas should be ready for community review in September.

Plans for the first phase of the Community Learning Center are ready for public meetings, as directed by the Tribal Council on July 20. The proposed project includes day-care and headstart programs, kitchen, maintenance building and related space. Total development cost is estimated to be \$4.1 million, based on a June, 1988 construction start. The public meetings are planned to start in September.

## Business applications extended

Application forms for retail and service businesses are still available in the Tribal Planning office.

Interested tribal members are asked to complete the forms and mail them in by August 21. Individual group meetings will then be held with the business planning specialists.

## Road work to begin

Work is scheduled to begin this fall or the spring of 1988 on 2.44 miles of road in the Sunnyside Subdivision near Dry Creek.

The south slope of Eagle Butte where the road would be located will allow for the development of 200 lots or more, according to a recent environmental analysis on

the area.

The first phase of the project will require widening 0.26 miles of Route 3 for through traffic with a turnout lane at the intersection. The main street through the subdivision, Sunset Drive, is 1.23 miles in length. The north street with turn around, Crestview Drive, is 0.55 miles in length, and the South street with turnaround, Eagleview Drive, is 0.40 miles in length.

These streets will give access to 40 lots which will be served by necessary utilities, water, sewer, power and phones. The road project will include grading, drainage, aggregate base and Bituminous Surface treatment with a Cold Bituminous Pavement to be added at a later date.

Environmental impacts in the proposed project would be minor soil disturbances during construction of roadway and homesites and the removal of some juniper trees.

Deer, cows and horse inhabit the area but there is presently no human use, according to the report.

The Warm Springs Tribe has set this area aside for subdivisions having extended the Deschutes water line through the area to accommodate subdivision development.

## WEATHER

JULY	HIGH	LOW
10	80	55
11	87	50
12	94	54
13	—	59
14	104	60
15	102	57
16	82	57
17	62	50
18	62	48
19	70	42
20	72	47
21	83	49
22	72	56
23	74	48
24	73	56
25	83	52