

Tribes prevail in river permit dispute

By Brian Mortensen
Spilyay Tymoo

The Deschutes is one of the state's most popular rivers. Its great popularity with boaters has led to over-use, the Confederated Tribes have said for years.

Protection of the river requires a boater permit system, the tribes have argued, while commercial river guides, nearby municipalities and others took an opposing view.

A federal judge recently sided with the tribes, and created a precedent that could have ramifications for all permitted rivers in the U.S.

The judge's ruling provides the Lower Deschutes with the first boater permit system using a "common pool" system to obtain permits. This could not have been accomplished without the participation and influence of the tribes.

"The non-guided boating public is thrilled," said Brian Cunningham, a representative of the tribes who has worked on the Lower Deschutes project. "It's kind of a level playing field. This is the first river in the nation that has gone with a fair and equal access system."

The court settlement involves the Confederated Tribes, rafting enthusiast Mark Shuholm of Tualatin, the Northwest Rafters Association, and the National Organization for Rivers, as

plaintiffs; and a group of defendants that include the Bureau of Land Management (BLM), the Oregon Parks and Recreation Department, Jefferson, Sherman and Wasco counties, and the cities of Madras, Maupin and The Dalles.

The settlement means that the general public and whitewater rafting guide businesses – including at least 20 that float the Lower Deschutes River – have an equal chance to apply for and receive permits to float the river under the conditions of the Lower Deschutes River Management Plan.

The plan, adopted in 1993 and supplemented in 1997, was written in conjunction with the Congressional designation of the Lower Deschutes as a National Wild and Scenic River in 1988. The managers of the Lower Deschutes – two federal agencies, four state agencies, three local counties, the Deschutes River Management Team and the City of Maupin, as well as the Confederated Tribes – used boater numbers from 1990. That was the first year boater numbers were deemed accurate enough to use.

The numbers served as target numbers to maintain the river at the same level of use as in 1988, the year of its national designation.

Cunningham said the resolution of the Lower Deschutes matter sets a precedent for managing similar rivers with high recreational use.



At the Agency Longhouse on Sunday, Louise Jackson helps prepare servings for the Root Feast.

The Treaty of 1855

(The following is an article in a series regarding the Treaty of 1855. This June the Treaty will be 150 years old.)

By Dave McMechan
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In 1854 the superintendent of Indian Affairs for the Oregon Territory proposed to the Commissioner of Indian Affairs in Washington, D.C. that the middle area of the territory – "the country east of the Cascade range" – be divided into two Indian agencies. One of the agency regions would be to the south, at Klamath Lake, and the other in the north.

The northern agency would include the area known as the Ceded Lands of the Confederated Tribes of Warm Springs, and also areas occupied by "Cayuses, Nez Perce, and Walla-Walla

tribes."

In describing the condition of this large region, superintendent Joel Palmer writes to the commissioner:

"The soils yields abundantly with very little labor, and on this account many Indians have commenced farming, producing wheat, corn, and potatoes, with many of the culinary vegetables, and are no mean cultivators. The Nez Perce, Cayuses, Wascos, and Tyich (Tygh) tribes, particularly, are very good husbandmen."

He continues: "The streams, owing to the character of the country, are not navigable, with the exception of the Columbia from the Cascade falls up to the Dalles, which is navigated by a steamboat and several schooners of hundred tons burden."

"But the streams are of great im-

portance as they furnish, during the running season of salmon, an inexhaustible supply of this delicious fish. The Indians in the western portion of this district rely principally upon this food, on account of the great abundance in which it is found, and the ease with which they are taken..."

Palmer makes the following observations:

"I would here observe that there appears to be a marked distinction in the habits, manners, and pursuits of the Indians with this agency. They may properly be divided into three classes: the northeastern, the northwestern, and the southern... Those on the northwest are the John Day, Deschutes, Tyich, Wasco and Dog River or Cascade Indians."

He says there are 80 of the Dog

River tribe; 300 of the Wasco; 500 of the Tyich, 300 of the Deschutes, and 150 of the John Day.

In another report, Palmer comments on the Catholic mission at the Dalles. Founded in 1848 "at the request of the Indians," the mission "has since its commencement advanced very slowly. I see that the progress of the religion has been much retarded by the wandering life of the Indians, and by the too great intercourse with the whites."

Among the diseases brought the region by the settlers, alcoholism had become a major problem, according to Palmer.

If nothing is done to somehow curb the abuse of alcohol among the Indians, "the greater part of them will disappear..."

Within nine months of the writing

of this report, the federal government and the tribes will have signed the Treaty of 1855.

In some other recent news regarding the treaty:

The Museum at Warm Springs has started work on a new, "Yesterday, Today and Tomorrow," that will open in conjunction with the 150th anniversary of the signing of the Treaty of 1855.

The museum is inviting tribal enterprises and organizations that would like to be included in the exhibit to call Natalie Kirk, curator/exhibit coordinator, at 553-3331. The exhibit will be in the Changing Exhibit Gallery. Meetings are planned to discuss the special treaty exhibition, and assistance can be provided to enterprises and organizations that would like to be included.

On Saturday, March 26, Paiute Chief Joe Moses (right) named Gordon Scott as his sub-chief. The ceremony took place at the longhouse of the Seekseequa District. About 50 people were in attendance. There was Washut service and a giveaway. Scott, 21, is a graduate of Central Oregon Community College, and will soon be attending Haskell Indian College.

The position of chief is for life, and always is a point of keen interest among tribal members.

There can be disagreement regarding who serves as chief, and the naming of a sub-chief. At the March 26 ceremony, Wilson Wewa, Myra Johnson and two others in attendance voiced opposition. They said that Scott clearly is an excellent young man. Wewa said, though, that the Pauites never appointed sub-chiefs. There was also a suggestion that people of the Seekseequa District should vote on who will be the next chief.



Dave McMechan/Spilyay

Youth center grand opening is this Friday

This Friday, April 1, is the grand opening of the Spectrum Youth Center. A live concert will mark the occasion, and free food is served.

The doors of the new center open at 4 p.m. Friday. The concert, featuring hip hop artist Brutha War Bebe, begins at 8:30 p.m.

On Saturday, April 2, the center is showing the games of the NCAA Final Four on a big screen projector TV. On Monday, April 4, the NCAA tournament championship game is on the Spectrum's TV.

Regular hours of operation of the Spectrum Youth Center, located in the VFW-Ladies Auxiliary building on Hollywood Boulevard, are Tuesday through Thursday 4 p.m. till 10 p.m.; and Friday and Saturday 4 p.m. till midnight.

The building has been remodeled by the group Extraordinary Young People, based in Portland. The model for the youth center, which is working in cooperation with the Recreation Department and others on the reservation, is one that the group developed on the Crow Reservation in Montana.

With the remodeling project, the VFW building is going to include a retail shop, called the Rez Hip Hop and Hoop Shop. As part of the Spectrum program, young people can earn Nike bucks to buy basketball shoes, sweatshirts, hats and other Nike apparel. In time, the center will include some kind of restaurant, Burton said. The center will have games for young people such as pool and foosball.