



Spilyay Tymoo

Coyote News, est. 1976

June 13, 2012 Vol. 37, No. 12
June - Atixan - Spring - Wawaxam

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Challenging time for Power & Water

By Dave McMechan
Spilyay Tymoo

Warm Springs Power and Water Enterprises released its 2011 annual report last week, and met with Tribal Council to review last year's performance and next year's projections.

Power and Water Enterprises (WSPWE) is forecasting that 2013 will be a very challenging year.

Enterprise revenues are influenced by what happens in the Northwest energy supply market, coupled with large capital requirements due to resource restoration projects that are a requirement in the federal license.

For 2013, WSPWE is projecting

to have no dividend to contribute to the tribal general fund.

This is a major change from previous years. For instance, in 2011 and in 2012, the dividend from the enterprise was \$2 million each year.

In 2010 the dividend was close to \$8 million. The highest dividend in recent years was in 2005, when WSPWE contributed \$16 million to the tribal general fund.

"Market conditions have changed and license requirements have forced us to focus on managing cash flow very carefully" said Ralph Minnick, Power and Water board chairman.

One of the biggest impacts has been in the natural gas supply, said Jim Manion, Power and Water gen-

eral manager.

A new extraction process has allowed natural gas companies to extract natural gas in areas never before thought feasible. This has created a huge supply, driving the price of natural gas down. Because natural gas is used to generate energy, this impacts energy rates overall, which directly affects WSPWE revenue potential, Manion said.

And meanwhile, the Northwest is developing alternative energy sources, such as wind power, further weakening the energy sales market, he said. And the previous two years have seen snowpack levels well above average, which decreases the price of hydro power.

At the same time, the tribes are

helping to fund a large-scale fish restoration project on the Deschutes River. Some good news, Manion said, is that the fish restoration project is beginning to see results (see story below).

Over the past ten years, he said, "We have invested over \$42 million in restoration work as a result of owning a portion of the Pelton Project."

This commitment to restoration will benefit future generations as we see a harvest yields increase in the lower Deschutes.

The Pelton-Round Butte facilities also employ five tribal members, he said.

See WSPWE on 7

Sovereignty and taxes

By Duran Bobb
Spilyay Tymoo

According to tribal attorney Howie Arnett, the IRS office in Portland is continuing to pursue a radical interpretation of the federal code. At the same time, Gov. Kitzhaber is pressuring Oregon's tribes to comply with the clean air act.

About two months ago, the IRS asked tribal officials to surrender enrollment information in order to pursue individual audits of tribal members receiving trust per capita payments. Instead, Arnett and secretary-treasurer Jody Calica formally requested a consultation.

"Under the consultation executive order that has been in place for twenty years," Arnett said, "federal agencies are required to consult with affected tribes."

The request was denied, on the grounds that the issue was the subject in an IRS examination. The Yakama Nation also received a similar request almost six months ago.

NCAI is now preparing its own consultation request with the IRS on behalf of its 250 member tribes.

Arnett has helped draft a statement which will be presented to the Senate Committee on Indian Affairs on June 14.

For more than half a century, the statement says, "Warm Springs has made very modest payments to its membership... Legislation established in 1983 prohibits federal and state taxation of trust fund distribution.

"Moreover, the courts made clear that the U.S. cannot benefit from the trust under its fiduciary administration. Five years later, Congress passed the Indian Gaming Regulatory Act. Both the House and the Senate reports per capita payments are not taxable."

Warm Springs has rejected the request for information by the IRS and will continue to fight any change.

Arnett also informed Tribal Council earlier this week of a plan by Gov. Kitzhaber to make all tribally owned casinos smoke-free by the end of 2013.

The governor is proposing a "glide in" period, during which tribal casinos will have the opportunity to comply with the Clean Air Act of 2007. Vice-Chair Ron Suppah urged the governor to use restraint when seeking to infringe on tribal sovereignty, and invited Kitzhaber to visit Warm Springs.

"The main issue is intrusion on the rez with state law," JP Patt said. "It has to be our decision, not the state's."

Adult salmon return to Upper Deschutes

It was a great day for the future salmon and steelhead of the upper Deschutes River. "It's been 45 years since these fish have been above the project," said Bobby Brunoe, general manager of tribal Natural Resources.

The salmon, he said, "are who we are, our spirituality."

The six adult spring chinook salmon entered the river just above the Pelton-Round Butte project last Friday, the first time adult migrating fish have been above the dams in 45 years.

The fish had been collected below the dams, and then taken by truck to a spot on Lake Billy Chinook just above Round Butte. Officials from the tribes, PGE and state agencies were on hand for the event.

"This is truly a blessing, an important day for our people," said Leslie Bill, vice chair of the tribal Fish and Wildlife Committee.

"We believe life goes in full circle," he said, "and we have always believed the fish would be back one day."

The tribes and their partner PGE have invested over \$100 million into the fish restoration effort. This was a requirement of the federal hydro relicensing of a decade ago, when the tribes acquired a third ownership of the facilities.

The single most notable aspect

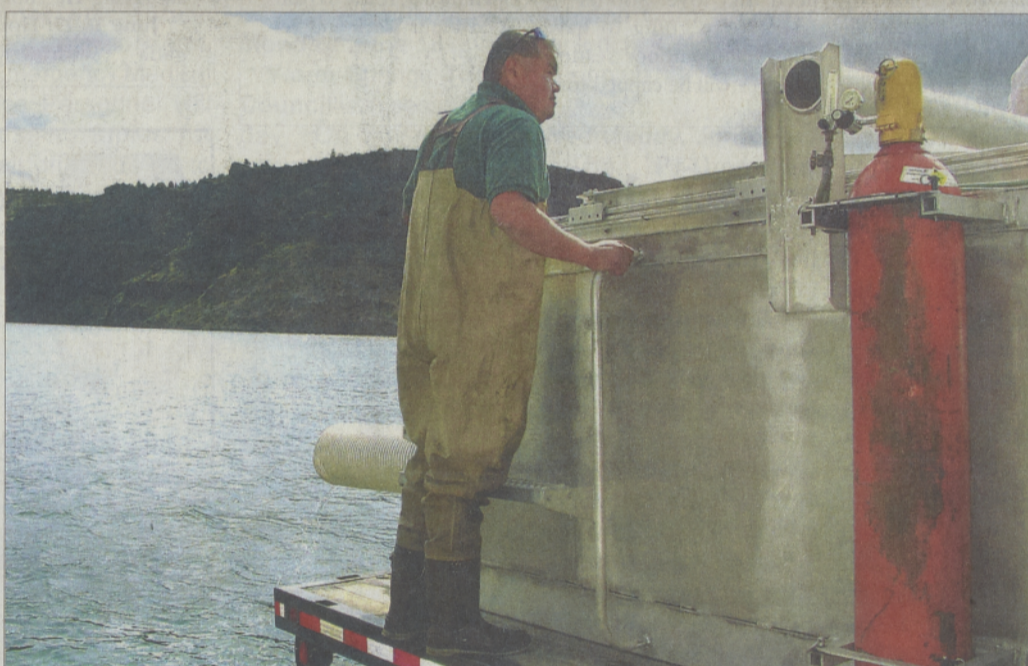
of the recovery project is the collection tower at the Round Butte dam, designed to draw the juvenile fish downstream through the lake.

The salmon and steelhead fish runs of the upper Deschutes ended in the 1960s, with construction of Pelton-Round Butte. An effort at including fish passage in the original dam project never worked.

There is hope now that the salmon and steelhead will return and one day establish a sustainable population in upper Deschutes, Crooked and Metolius rivers.



Among the first fish to return above the dams.



Larry Holliday, fisheries harvest management technician, prepares to release the six chinook fish.

Pi-Ume-Sha to mark 157 years of Treaty

The Confederated Tribes of Warm Springs, during the weekend of June 22-24, will celebrate the Forty-Third Annual Pi-Ume-Sha Treaty Days.

This year Gov. John Kitzhaber may attend the powwow on Saturday, June 23, though his schedule was not yet confirmed as of earlier this week. Some guests from Europe, currently visiting Oregon, are also planning to attend, according to the Governor's Office.

Traditional Parade

The theme of the 2012 Pi-Ume-Sha Traditional Dress Parade is *Continuing on with Traditional Teaching*. Over the past year, "We have lost important and great elder teachers," said Ramona Greene Baez, parade coordinator.

"But we must continue with tra-

ditional teaching," she said, "as our elders have taught us."

There are cash prizes for best parade entries. Categories are: Walkers, Traditional Floats, and Horseback. Powwow dancers are given participation points for joining in the parade.

Parade organizers are always looking for any person with a convertible car who wants to participate: Some guests, such as former Gov. Vic Atiyeh, may need a ride for the parade, Baez said. You can reach her at 541-553-2406(w); 460-0088(c).

The Traditional Dress Parade is Saturday of powwow weekend, with judging of parade entries at 10 a.m. in front of the elementary school. Parade line-up is at 10:30 and the parade starts at 11.

The first Grand Entry will be the

Friday of powwow weekend, at 7 p.m. Grand Entries will then be at 1 and 7 p.m. on Saturday, and at 2 p.m. on Sunday. The dance contests are through the weekend.

Boxing, rodeo, softball, golf, stick games

The Warm Springs Boxing Club will host Pi-Ume-Sha Boxing 2012 on the Saturday of powwow weekend, starting at 3:30 p.m. in the community center gymnasium.

The rodeo is Saturday and Sunday, hosted by the Warm Springs Rodeo Association. Riders will also compete in an Endurance Horse Race.

Stick games are throughout the weekend at the powwow grounds, with men's and women's softball at the ball fields.

For general powwow informa-

tion, contact Cassie Katchia at 541-553-0203(h); or 553-2128(w); or contact Louise Katchia, 541-460-0224(c). For more contact information see page 12

157 years ago

Pi-Ume-Sha commemorates the signing of the Treaty of 1855, signed 157 years ago this month.

The signing date of the Treaty was June 25, 1855. One-hundred and fifty-one tribal leaders signed the document, after a three-day Council at The Dalles.

Pi-Ume-Sha Treaty Days began in the late 1960s. While commemorating the signing of the treaty, Pi-Ume-Sha also traditionally honors the veterans and service men and women of the Armed Forces.

Banquet for 2012 graduates

The 2012 Graduation Banquet is set for Tuesday evening, June 19 at the Agency Longhouse.

The dinner is for students, their parents and family, recognizing 2012 graduates.

This includes high school and GED, college, graduate school, vocation or technical school.

To RSVP bring your diploma or certificate to Becky Picard at the Tribal Council office. Deadline is June 15, in order to get an idea of the number of people who will be attending. Congratulations, graduates!