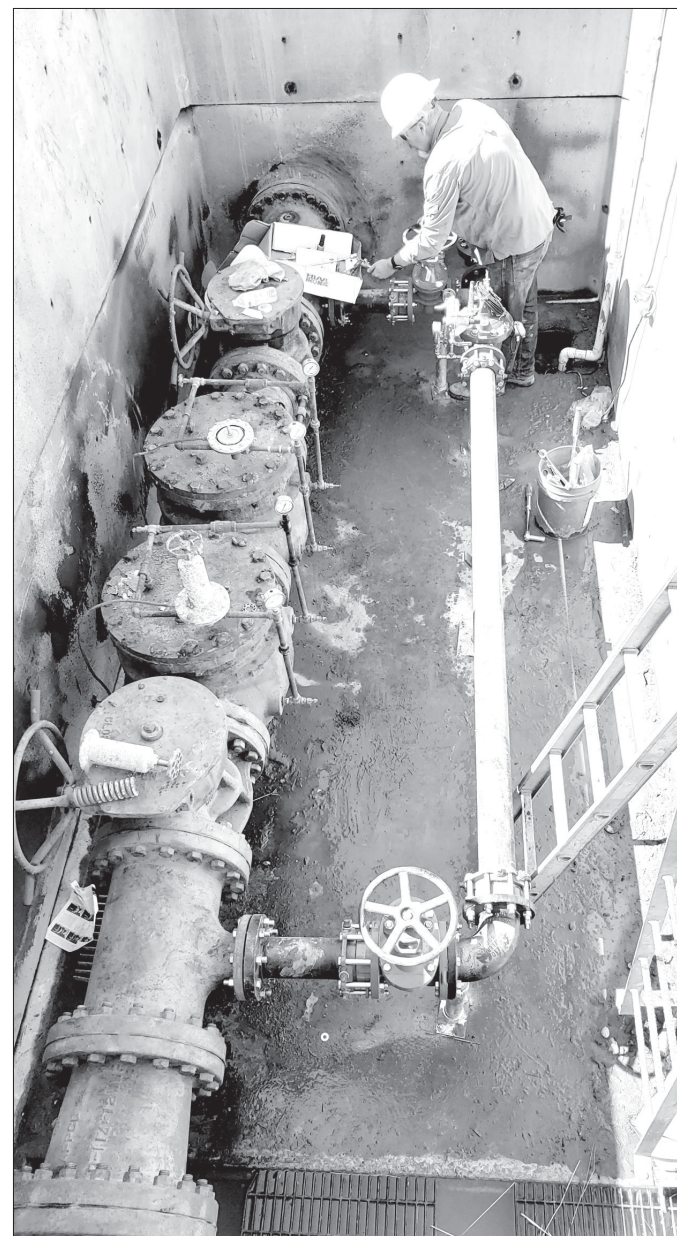
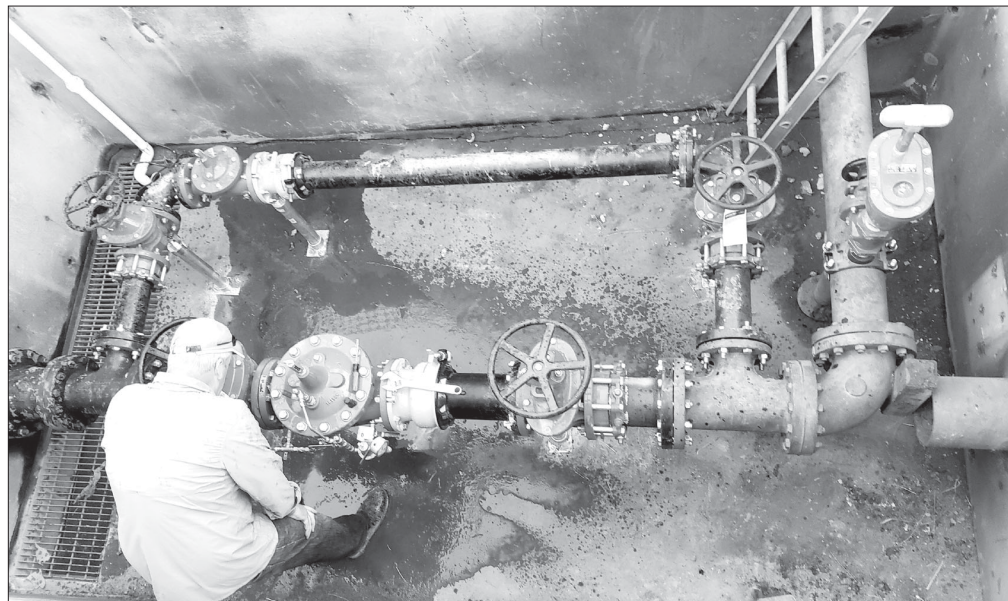


Tribal Utilities and Gelco Construction were working last week on replacing the pressure reducing valves (right and far right) for the Agency water system. The old valves were not functioning properly, causing leaks in the water lines. The work so far has been a great improvement for the water delivery system; more work will continue as parts become available.

Chico Holliday photos/  
Tribal Utilities



## Tribes seek \$12.5 million for 2017 wildfire damages

At direction of Tribal Council, the Confederated Tribes are pursuing a lawsuit to recover damages from the 2017 Nena Springs fire.

The fire burned for about two weeks across 68,000 acres, including a northeastern area of the reservation.

The tribes say a farmer, two of the farmer's employees and the farm equipment company bear a responsibility to compensate the tribes.

The damages include the loss of reservation timber, and the use of the tribal fire fighting resources. The lawsuit seeks more than \$12 million.

The lawsuit claims the farm equipment was giving off sparks, caused by a rock lodged in the intake chute. Despite the fire hazard, a worker continued to operate the machinery.

The tribes' lawsuit says the fire caused significant damage including burnt forest and



Courtesy Incident Command

August 2017: Fire fighters of the Confederated Tribes of Warm Springs work to contain an area of the Nena Springs fire through control burn, off S-200.

land, damaged fencing, deterioration of the soil and watershed, range and vegetation damage, damage to cultural resources and damage to fish and wildlife and their habitat.

The Tribal Council resolution, no. 12,597, is summarized in part:

On August 8, 2017 a wildfire ignited on a private

ranch located just north of the Warm Springs Reservation in Wasco County, which became known as the Nena Springs fire, and then spread south and entered the reservation.

Based on the investigation to date, the Confederated Tribes of the Warm Springs Reservation understands that the origin and

cause of the Nena Springs fire resulted from human activity in connection with the operation of farm equipment.

The tribes committed tribal resources to combatting and containing the Nena Springs fire. The Nena Springs fire caused damage to forest land and rangeland of the northeastern part of the reservation; and

Pursuant to Warm Springs Tribal Code Section 200.025, the Warm Springs Tribal Court has jurisdiction over the tribes' claims against any persons responsible for causing the Nena Springs fire; and

Oregon's state courts and/or the United States District Court, District of Oregon may also have jurisdiction over the tribes' claims against any persons responsible for causing the Nena Springs fire.

For these and other reasons the Council approved the filing of the lawsuit.

## Community notes...

The **Native American Program Legal Aid** Services of Oregon is offering free civil legal services in specialized areas to eligible tribal members. The next intake clinic is this Thursday, August 15 from 10 a.m. to noon at the Community Action Team office on campus. Walk-ins are welcome. For information call 541-553-3148.

The Jefferson County **School District 509-J board** meeting is coming up on Monday, August 19 at the school district support services building, 445 SE Buff St., Madras.

The board members are Jamie Hurd, chair, Laurie Danzuka, vice-chair, Courtney Snead, Tom Norton Jr. and Kevin Richards.

The **Summer Meal Program** is available at the Warm Springs Academy. All youth ages 1-18 can eat for free weekdays. Breakfast will be served 9 to 9:30 a.m. and lunch from 11:30 until noon.

The last day for kids to turn in book slips for the Warm Springs Library **summer reading** program is Friday, August 30. Remember: For every book you read, fill out a book slip from the library and put it in the drop box, for a chance to win prizes.

The **Warm Springs Outdoor Market** is this Friday, August 16 from 10 a.m. to 7 p.m. on campus next to the Community Action Team office, the corner of Paiute Avenue and Warm Springs Street. Interested vendors should contact Emily Courtney at 541-553-3148. KWSO will be there with gear for sale, and serving food. This summer's Outdoor Markets are on Fridays, tribal paydays.

## Coming up on the Tribal Council August agenda

The following are some of items coming up on the Tribal Council agenda during the rest of August:

### Monday, August 19

9 a.m.: Secretary-Treasurer and Chief Operations Officer updates.

10: September agenda and review minutes.

11: Museum at Warm Springs funding with Liz Woody.

1:30: Legislative update calls.

2:30: Enrollments with Lucille Suppach-Samson of Vital Stats.

3:30: Indian Head Casino loan documents with Jeffrey Carstensen and

casino board.

4: Draft resolutions.

### Wednesday, August 21

Water Settlement Agreement/Deschutes Basin issues.

### Monday, August 26

9 a.m.: July Financial update with Alfred Estimo and

Dennis Johnson.

10: Donation guidelines with Michele Stacona.

### Items for further consideration:

Bannock Gathering in Idaho.

Clean Water Act/Governor 100-Year Plan.

## Summary of Tribal Council

### August 5, 2019

The meeting was called to order at 9 a.m. by Chairman Tsumpti. Present: Chief Joseph Moses, Chief Alfred Smith Jr., Brigitte McConville, Anita Jackson, Lincoln Jay Suppah, and Raymond Moody. Minnie Yahtin, Recorder.

Office of Special Trust Update.

Warm Springs Housing update on a tenants work order.

### Chuush Fund Establishment:

Motion by Anita adopting Resolution No. 12,614 approving Exhibit 'A' and Tribal Council Chair, Vice-Chair or Secretary-Treasurer to make such modifications as necessary to finalize Exhibit A and execute, deliver and perform the finalized Exhibit A, and authorizes the Tribal Council Chair, Vice-Chair, and Secretary-Treasurer to take such further and additional action as any such officer deems necessary or

appropriate to implement and complete the transactions contemplated by the Chuush Fund Agreement, including the execution and delivery of certificates and other related documents, with the taking of any such foregoing actions being conclusive evidence that the Tribal Council Chair, Vice-Chair or Secretary-Treasurer has determined it to be necessary and appropriate to complete the transactions contemplated by the Chuush Fund agreement. And Tribal Council agrees to waive the Tribe's sovereign immunity for the limited purposes of the Chuush Fund Agreement under the terms contained in the Chuush Fund Agreement as authorized by the WSTC Chapter 30; Second by Brigitte; 5/0/1, Joe/Abstain, Chairman not voting; Motion carried.

With no further discussion the meeting adjourned at 10:20 a.m.

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In advance of College events, persons needing accommodation or transportation because of a physical or mobility disability, contact Joe Viola at 541.383.7775. For accommodation because of other disability such as hearing impairment, contact Disability Services at 541.383.7583.