

Summary of Tribal Council

April 27, 2021

The meeting was called to order at 9:13 a.m. by Brigette McConville, Vice Chair. Roll call: Lincoln Jay Suppah, Raymond (Captain) Moody, Wilson Wewa Jr., Anita Jackson, Vice Chair Brigette McConville, Glendon Smith, Chief Delvis Heath, Chief Joseph Moses, Chairman Raymond Tsumpti (afternoon session). Minnie Yahtin, Recorder.

- Health and Welfare Committee update with Eugene Greene Jr. and Cassie Katchia.
- Land Use Planning Committee update with Jonathan W. Smith.
- Irrigation, Range and Ag Committee update with Terry Squiemphen.
- Timber Committee update with Tony Holliday and Levi VanPelt.
- Water Control Board update with Terry Squiemphen.

Willamette Falls Legacy Project discussion with Louie Pitt:

- Motion by Anita approving the Chairman to sign the letter to the

Willamette Falls Legacy Project Partners, with noted edits. Second by Wilson. Discussion. Glendon/yes, Jay/yes, Anita/yes, Delvis/yes, Wilson/yes, Captain/yes, 6/0/0, Vice Chair not voting; Motion carried.

- Meet and greet the new 509-J Superintendent, Jay Mathisen.

- Portland Harbor update with Robert Bobby Brunoe and Ellen Grover:

- Motion by Brigette adopting Resolution No. 12,800 authorizing the Tribal Council Chair or Vice-Chair to execute settlement agreements and consent decrees with all potentially responsible parties settling their natural resource liability through the Phase II process. Authorizes the authorized representatives, the Secretary-Treasurer or the General Manager of the Branch of Natural Resources or their designee to perform or undertake any further actions or execute further documents reasonably necessary to carry out the inten-

tions of the foregoing resolution as deemed in the best interest of the Tribe. Second by Wilson. Discussion. Glendon/yes, Joe/abstain, Jay/yes, Brigette/yes, Anita/yes, Delvis/yes, Captain/yes, Wilson/yes, 7/0/1, Chairman not voting. Motion carried.

- 509-J Memorandum of Understanding update with Valerie Switzler and Ken Parshall:

- Motion by Glendon to approve the Memorandum of Understanding. Second by Wilson. Discussion. Glendon/yes, Jay/no, Brigette/no, Anita/no, Delvis/yes, Captain/no, Wilson/yes, 3/4/0, Chairman not voting. Motion failed.

- Culture and Heritage Committee update with Myra Johnson-Orange and Lonnie Rosie Tom.

- Covid-19 update with the Responses Team.

- Resolutions with Michele Stacona:

- Fisheries:
 - Motion by Anita adopting Resolution No. 12,801, that Tribal Council approves the attached proposed “2021 Commercial Crayfish

Harvest Regulations”. Second by Jay. Discussion. Glendon/yes, Anita/yes, Delvis/yes, Captain/yes, 5/0/0, Vice Chair not voting. Motion carried.

- Motion by Anita adopting Resolution No. 12,802 approving the 2021 ceded lands subsistence fishing regulations; Second by Jay; Glendon/yes, Jay/yes, Anita/yes, Delvis/yes, Captain/yes, 5/0/0, Vice Chair not voting; Motion carried.

National Indian Gaming Association (NIGA):

- Motion by Anita appointing Joseph Moses as the representative and Raymond Tsumpti Sr. as the alternate. Discussion. Glendon/yes, Jay/yes, Anita/yes, Delvis/yes, Captain/yes, 5/0/0, Vice Chair not voting. Motion carried.

- Motion by Anita adopting Resolution No. 12,803 authorizing the staff to pay the dues for NIGA membership of \$1,500. That Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon hereby appoints Joseph Moses as the Nations Representative to NIGA, and

Raymond Tsumpti, Sr., as the Alternate; That their appointments will be in effect for the year 2021 and beyond until replaced by Tribal Council; That this resolution rescinds Resolution No. 12,671 adopted February 25, 2020. Second by Jay. Discussion. Glendon/yes, Jay/yes, Anita/yes, Delvis/yes, Captain/yes, 5/0/0, Chairman not voting; Motion carried.

Simnasho Ballot Box:

- Motion by Anita approving the Intergovernmental Agreement #21-003 between Wasco County and the Community of Simnasho granting the County to locate a ballot drop box and video security surveillance recording system. Second by Jay. The Secretary-Treasurer, Michele Stacona will poll other Tribal Council members. Glendon/abstain, Jay/yes, Anita/yes, Captain/yes, 3/0/1, Vice Chair not voting.

Other Business:

- Discussed the action taken by Tribal Council regarding the funding for the hemp program and the process for Financial Strategies LLC.

With no further discussion the meeting adjourned at 5 p.m.

In the Tribal Court of the Confederated Tribes of Warm Springs

All proceedings are held at the CTWS Tribal Court.

Confederated Tribes of Warm Springs, Plaintiff, vs DAVID LECLAIRE JR, Defendant; Case No. CR113-20; CR252-20; CR253-20. TO: DAVID LECLAIRE JR.:

YOU ARE HEREBY NOTIFIED that a CRIMINAL ARRAIGNMENT has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **June 8, 2021 @ 8:00am**

Confederated Tribes of Warm Springs, Plaintiff, vs DAVID LECLAIRE JR, Defendant; Case No. CR217-20. TO: DAVID LECLAIRE JR.:

YOU ARE HEREBY NOTI-

FIED that a SHOW CAUSE HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **June 8, 2021 @ 8:00am**

Confederated Tribes of Warm Springs, Plaintiff, vs JEREEN THOMAS, Defendant; Case No. CR260-20. TO: JEREEN THOMAS:

YOU ARE HEREBY NOTIFIED that a CRIMINAL ARRAIGNMENT has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **June 8, 2021 @ 8:00am**

Confederated Tribes of Warm Springs, Plaintiff, vs KAYLYN WOLFE, Defendant;

Case No. CR235-20. TO: KAYLYN WOLFE:

YOU ARE HEREBY NOTIFIED that an ARRAIGNMENT HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 8, 2021 @ 8:00AM**

Confederated Tribes of Warm Springs, Plaintiff, vs LARRY SWITZLER, Defendant; Case No. CR226-20. TO: LARRY SWITZLER:

YOU ARE HEREBY NOTIFIED that an ARRAIGNMENT HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 8, 2021 @ 8:00AM**

Confederated Tribes of Warm Springs, Plaintiff, vs MAURICE SMITH JR., Defendant; Case No. CR90-19. TO: MAURICE SMITH JR.:

YOU ARE HEREBY NOTIFIED that a SHOW CAUSE HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 8, 2021 @ 8:00AM**

Confederated Tribes of Warm Springs, Plaintiff, vs LARRY SWITZLER, Defendant; Case No. CR486-19; CR489-19. TO: LARRY SWITZLER:

YOU ARE HEREBY NOTIFIED that a PRE-TRIAL HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 9, 2021 @ 3:00PM**

Confederated Tribes of Warm Springs, Plaintiff, vs SOPHIE ESPINOSA, Defendant; Case No. CR609-19. TO: SOPHIE ESPINOSA:

YOU ARE HEREBY NOTIFIED that a SHOW CAUSE HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 8, 2021 @ 8:00AM**

Confederated Tribes of Warm Springs, Plaintiff, vs URSELA RUSSELL, Defendant; Case No. CR170-20. TO: URSELA RUSSELL:

YOU ARE HEREBY NOTIFIED that a SHOW CAUSE HEARING has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for **JUNE 8, 2021 @ 8:00AM**

Around Indian Country

Tribes hoping beavers may improve habitat for First Foods

C’waam and Koptu were once a staple meal for the Klamath Tribes. They’re a rarity now—members are allowed to catch only two of the suckerfish a year. The ray-finned C’waam, with its long snout and the smaller white-bellied Koptu, with a large head and lower notched lip, are only found in the Upper Klamath basin.

Once fished in their thousands as one of the tribes’ important First Foods, the fish populations were decimated when the health of their spawning grounds declined from a spate of dam building in the Upper Klamath Lake during the 1900s.

The lake has been plagued by toxic algae, which starve the fish of oxygen, and the tribes have seen suckerfish populations plummet from the tens of millions down to less than 45,000. They are now endangered. The C’waam, also known as Lost River sucker, can grow up to almost 3 feet long, and weigh 10 pounds. The Koptu, also called the shortnose sucker, can reach 18 inches and live up to 30 years.

The Klamath tribal government has tried various tactics to restore fish populations: Raising young fish to older ages before releasing them in the lakes, monitoring water quality, working with landowners to restore riparian habitat, and bringing a lawsuit, which was eventually dropped, against the U.S. Fish and Wildlife Service to save the C’waam and Koptu.

Now the tribes are turning to an unlikely hopeful savior: The beaver.

“Their activity is a driver for the productivity and diversity for the

whole ecosystem,” says Alex Gonyaw, senior fisheries biologist for the Klamath Tribes in Southern Oregon and Northern California.

Last fall Gonyaw oversaw the construction of a beaver dam analog, a manmade structure that mimics a natural beaver dam and is used to attract beaver families.

As the Koptu, or shortnose sucker, populations have declined sharply due to habitat loss, the Klamath Tribes are hoping beaver reintroduction will improve waterways and help with recovery.

Oregon is The Beaver State. And yet state law classifies beavers as predators, meaning they can be hunted and trapped on private land across Oregon with few restrictions.

Once an endemic species across the U.S. before the semi aquatic rodents were trapped into near-extinction during the 1800s fur trade, beavers are a vital component to the ecosystem, improving water quality and fish habitat. The animals are known to improve salmon habitat, but Gonyaw’s venture is the first attempt to use beavers to stabilize the suckerfish populations.

Two bills currently moving through the Oregon state legislature would respectively prohibit the taking of beavers on federally managed public land and exclude beavers from being classified as predatory animals.

“Our aim is to work with nature not against it,” Gonyaw explains. The tribal government, which hopes to establish a stable fish population as a food source, wanted to reshape the land to provide healthy fish habitats. But they



A gnawed tree on the shore of the Umatilla River is the work of a beaver. Bushes and trees provide food and shelter for these nocturnal rodents.

didn’t want to use bulldozers to reshape the Williamson River. “We needed to hold the water back, and beavers do that naturally.”

Beavers, a keystone species, have been found to help mitigate the spread of wildfires, thanks to their water-damming habits.

Gonyaw hopes the tribes’ efforts at attracting beavers—by using natural posts and woven willows to give the animals a foothold to make dams—will start to hold back water and that the historic vegetation, of local lily pads and bulrushes, will return.

“And we’ll eventually have a shallow lake wetland system again,” Gonyaw says. “If there is continuous standing water here, we hope fish biodiversity would increase and we would have an opportunity for tribal fishing rights to return.”

No beavers have arrived—yet.

“It’s a long way from the nearest beaver dam, but if we don’t see activity in the next year, we’ll work with the Oregon Department of Fish and Wildlife to move nuisance beavers,” he adds.

Relocating beavers on private land is allowed, but it’s an onerous process to gain a permit, which is issued through the state. Individuals must obtain signatures from every landowner within four miles of the proposed site testifying that the landowners have no objection to the beavers being moved in.

On public land, beavers are considered furbearers, so they can be hunted in season, and there are no limits on how many beavers hunters can trap. On private land, “you can kill as many as you want, whenever you want, however you want, and you don’t have to tell anyone about it,” explains Jakob Shockey, executive director of The Beaver Coalition, a nonprofit working to increase public and private landowner support for beavers.

“They’re so important for the environment that we can’t afford to have them trapped out,” Shockey says, particularly when it comes to wildfires, which in 2020 were the most destructive in the state’s history, burning more than 1 million acres. Beaver dams create pockets of lush, saturated landscape that resists fires.

“If we could boost the health of (Oregon’s) creeks, we could have a shot at our cities not burning down again. And the answer is relocating animals—beavers, to be precise.”

The two proposed laws moving through the state legislature—HB 2843, which protect beavers on

public lands, and HB 2844, which would take them off the predator list, would mean stricter policies around how, when, and where they can be killed—could make an “enormous” difference in improving the health of Oregon’s landscape and biodiversity, says Suzanne Fouty, a hydrologist who helped legislators craft the bills.

“It is really serious what we are faced with, and we have very little time left to create conditions that help our wild and human communities be somewhat buffered against the impacts of climate change,” Fouty said.

It is illegal to relocate a beaver without a permit, but one tribal program has been carrying out relocations in partnership with the state’s wildlife department discreetly for years. Tod Lum, wildlife biologist for the Oregon Department of Fish and Wildlife, has been working with the Cow Creek Band of Umpqua Tribe of Indians to move nuisance beavers onto federal land for the past decade.

“We’re considered the Beaver State, for good reason,” he said. “They’re little engineers and they’re good at what they do but there’s conflict. A lot of people don’t want them on their land.”

Lum says most landowners are happy to have the beavers relocated rather than to have the animals undergo a lethal removal alternative, describing the trapping program, which is funded by the tribe, as an “intervention.”

Story by Lucy Sherriff. She is a freelance multimedia journalist based in California.