



Heath update

Health officials are reporting a recent increase in covid cases in the community. The officials are reminding people to stay up to date with the vaccine, lowering the risk of getting very sick. They recommend hand-washing, and sanitizing around the workplace.

If you do test positive, you do not need to report this to Community Health, and there is not set number of days for isolation. However, people who are positive with covid should stay home until they do not have a fever for 24 hours without using fever reducing medication. Meanwhile, try to avoid coming in contact high-risk individuals, and wear a mask when around other people, for 10 days after you test positive.

Lawuit claims trespass on reservation

The Confederated Tribes have filed a lawsuit claiming that a telecommunications company, based on Louisiana, has been operating an underground fiber optic cable, located partly on the reservation, without an easement from the tribes.

This would constitute trespass on the reservation, without compensation to the tribe, and also allowing the company, Lumen Technologies, to unjustly enrich itself at tribal expense, the lawsuit complaint says. For background:

The Confederated Tribes and U.S. West came to the original easement for right-of-way

agreement in 1993. The easement was six feet wide and 18.5 miles in length on the reservation. By agreement the easement was set to expire in 2013. By that year, CenturyLink had assumed responsibility of the fiber optic cable.

The tribes and CenturyLink entered into negotiations regarding the easement. By 2017 with no renewal in place, the BIA issued a 'Notice of Trespass' letter to CenturyLink, stating the BIA could take legal action to correct the situation. This could be avoided if the parties continued to work toward an agreement.

CenturyLink, working with the BIA, engaged a surveying firm to obtain necessary consents to survey the area of the fiber line. This work

was delayed, including by Covid-19; and finally concluded in 2021.

The next successor to responsibility for the line, Lumen, then initiated an appraisal for the easement, involving the U.S. Department of the Interior. By late last year, the Tribal Council sent a letter to Lumen "expressing concern about the fact that Lumen, and its predecessors, had been occupying the lands within the Warm Springs Reservation for more than ten years without a valid easement or compensation to the tribe," the tribes' complaint says.

"As of the date of the letter, the tribe had been unsuccessful in engaging Lumen in substantive negotiations regarding, among other

things, the appropriate compensation to the tribe for a renewed right-of-way."

At the time of the filing of the lawsuit last week, the tribe and Lumen had still not reached an agreement. Rather than rely on the BIA to initiate a trespass action, the tribes then decided to sue "to protect its sovereign interest in the lands of the Warm Springs Reservation," the lawsuit says.

The tribes are asking the court to declare that Lumen's actions are a continuing trespass under federal law. The tribes are also asking for an award for "compensatory damages for trespass, and restitution for unjust enrichment..."

Trespass lawsuit continues on 6

Historic Celilo Falls photos gifted to CRITFC, tribes

In 1951, Raymond Matheny, working for the U.S. Fish and Wildlife Department, was given the assignment of documenting the Indian fishery at Celilo Falls.

Over the following two years, Matheny took hundreds of photos of the tribal fishers, carefully documenting names, locations, and activities of the day-to-day reality of life at the falls.

"We first found out about this collection in 2007, shortly after the Celilo Legacy Fiftieth Anniversary commemoration of the inundation of Celilo Falls," said Jeremy FiveCrows, Columbia River Inter-Tribal Fish Commission Communications director.

"Raymond Matheny saw the news stories about the large tribal gathering to remember the falls and contacted CRITFC offering to share digital scans of his collection."

Raymond Matheny's photos of Celilo Falls in the early 50's were treasured by his children and family. It was his wish, his children said, that the collection be gifted to those tribes the photos depicted.

The inundation of the falls in 1957 is mourned to this day by those who still live in those ances-



Indian fishing at Celilo Falls in the early 1950s by Raymond Matheny.

tral and treaty-protected fishing grounds, and to the others who also remember the falls.

Earlier this summer, more than 70 years after the images were taken, Raymond Matheny's family traveled to Portland to present

the treasured collection of original slides and a three-part bound book series of the images to CRITFC for safekeeping.

Leading the effort was Raymond's son Theo, who over the course of several years, had

carefully scanned each slide in a high-resolution scanner to get the most detail from the slides as possible, and captured the notes and captions his father had written on each slide.

He was driven by the impor-

' Raymond saw the fishers as people, not just as part of the scenery. He interacted with them, got their names, and took detailed notes, making these photos incredibly special. >

Jerrey FiveCrows, CRITFC

tance of honoring what he believed were his parents' wishes to ensure these images found their way to the tribes they depicted.

Joining Theo was his wife Ellen and his sister Dawn Matheny, who had traveled from southern California to be a part of the transfer.

Dawn was born in The Dalles during the time her father was stationed there for the photography assignment.

Precious memories

Raymond, according to his daughter Dawn, was an outspoken critic of the dams that eventually inundated Celilo Village, displacing the Indigenous communities and altering the landscape irrevocably.

Celilo Falls continues on 3

Lamprey harvest changes for Sherars Falls

This year the Tribal Council-approved eel resolution for Sherars Falls has different days for general eel gathering versus research sampling. Natural Resources has had trouble with people showing up on the sampling days.

Her is a summary of provisions of the resolution, as provided tribal Fisheries:

Tribal members wishing to take eels for ceremonial and subsistence purposes must carry tribal enrollment cards in order to fish under claim of treaty rights. Enrollment cards must be in possession while fishing.

Harvest is allowed from when eels arrive through the end of the run in August.

Harvest is allowed at Sherars Falls by hand or with hand-powered tools.

Harvest is open 24 hours per day Friday, Saturday and Sunday for general subsistence harvest.

Monday, Tuesday and Wednesdays of each week are for research tagging operations; and Thursday is for gathering eels for the tribal freezer.

Fishers must share the falls with fellow tribal members.

Harvest for the freezer will cease

after 750 eels are obtained, and Thursday will then become a general subsistence fishing day.

Fishers will be chosen by the Branch of Natural Resources.

This is a subsistence fishery as defined by Tribal Code 340.100, there are no sales allowed.

Branch of Natural Resources personnel will monitor and enforce the fishery with regard to Warm Springs members participating in the 2024 fishing season at Sherars Falls.

Harvesters will allow Natural Resources personnel to examine their eel harvest.

\$6.8 million for fisheries

The Columbia River Inter-Tribal Fish Commission will administer recent federal funding for high-priority salmon recovery needs.

The \$6.8 million comes from the Department of Commerce and the National Oceanic and Atmospheric Administration, part of an overall \$105 million in funding for West Coast and Alaska salmon recovery work.

The Columbia River Inter-Tribal Fish Commission is a support organization to the four Columbia River Treaty Tribes.

CRITFC will administer its award for its member tribes

based on high-priority needs for salmon, to include all aspects of salmon recovery including planning and design, implementation, monitoring and research.

Also in Oregon, the Coquille Indian Tribe received \$3.6 million to restore the riparian buffer along the mainstem of the South Fork Coquille River and to improve water quality for threatened Oregon Coast coho salmon. The Oregon Watershed Enhancement Board received \$22.25 million to support the Oregon Plan for Salmon and Watersheds; and for Klamath River work.



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\$65,000*

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MANIA!

*Total cash & prizes in August.
See Players' Club for details.