

News around the West...

Yakama Indians celebrate grand opening of sawmill

WHITE SWAN, Wash. (AP) — The Yakama Indian Nation has opened its first sawmill.

The \$12 million Yakama Forest Products Sawmill is the latest attempt by the tribe to improve its economic outlook.

The tribe has made money off timber sales for half a century. Instead of selling its logs to other mills, the tribe will now be able to convert small logs into boards and keep more timber money at home.

"In the past, I witnessed the trucks going forth loaded with logs, and the thing that was sad to me was that they weren't coming here, they were going to Yakima," said Clifford Moses, a tribal council member.

"It has always been my dream that the Yakama Nation should make its own finished materials, and that dream has come true," he said.

Proposals to start a sawmill failed in the Yakama Nation General Council several times before finally winning approval in 1994.

Although individual Yakamas have run small mills in the past, this is the first tribally-owned mill and the first to open on the reservation

since the White Swan Lumber Mill closed nearly 10 years ago. Ninety people lost their jobs as a result of that closure. Tim Vigil was one of the loggers left hanging when the mill closed. Now he is one of 65 people, most of them Yakamas, who works for Yakama Forest Products.

"It was good to get out of the woods," Vigil said. "It's fewer hours and that means more time I can spend with my kids. And I can count on it the way I couldn't always with logging."

The mill is expected to have an annual payroll of \$2 million. It is running just one shift a day, but could expand to two shifts, adding another 35 workers. The jobs pay between \$9 and \$15 an hour.

The 9,100-member tribe typically earns between \$25 million and \$35 million a year from timber sales, said Tribal Director Delano Saluskin.

Mill officials estimate the facility will generate \$20 million in sales annually, bringing in about \$2 million in profits.

The mill has been in production since October.

Circuit court rejects tribal appeal

■ *A pact from 1965 limits tribal jurisdiction and authority on the reservation.*

LEWISTON, Idaho (AP) — The Nez Perce Tribe is considering pulling out of a law enforcement agreement that limits its jurisdiction over non-members on the reservation. The 1965 pact was the focus of a 9th U.S. Circuit Court of Appeals decision that the tribe had no jurisdiction in a case involving Lewis County sheriff's deputies on the reservation.

Because the Nez Perce had agreed to the state's authority, it could not claim control over minor crimes on the reservation, the court ruled.

If the agreement is the "reason why tribal jurisdiction has been limited, it seems from the tribe's standpoint that isn't a desirable result," said Douglas Nash, tribal chief counsel.

Nash also said the agreement, which covers a half-dozen misdemeanors, is outdated. Some of the crimes listed are not in force anymore, such as vagrancy.

The case began in 1986 when tribal member John Allen was arrested at his home on the reservation for disturbing the peace.

The charge was later dismissed in state court. Allen then sued the

county for false arrest and false imprisonment.

A tribal court jury assessed damages against the county and its officers. But Lewis County convinced a federal judge to void that order on grounds the tribe lacked jurisdiction. The Nez Perce appeal failed.

When the tribe agreed to the state's involvement, Nash said, there was one Bureau of Indian Affairs agent charged with keeping the peace. Now the Nez Perce have their own police force.

Still, Nash said, there could be a gap in law enforcement.

"One possibility that has been discussed is deputization of state, county and local law enforcement officers, who would then be in a position to apply tribal law," he said.

Indian officials did find one aspect of the latest decision pleasing — the opinion included references to the Nez Perce Reservation.

The North Central Idaho Jurisdictional Alliance, a federation of 22 governmental entities, is trying to break down tribal jurisdiction on the reservation.

Alliance officials had praised the latest court ruling. But tribal Chairman Samuel Penney points out the circuit court ruling is a major statement of the reservation's existence.

Nez Perce will expand gaming

LEWISTON, Idaho (AP) — The Nez Perce Indian Tribe is planning to expand its gaming operations to include a new casino building and off-track betting, despite a drop in revenues.

The tribe has hired a new gaming manager with expansion experience to help.

Bob Lee recently arrived in Lewiston from Iowa, where he helped add a casino to a racetrack. Before that, he helped open a racetrack in Houston, Texas, and the Coeur d'Alene Greyhound Park in Post Falls.

By the first of the year, racetrack enthusiasts will be able to take part in off-track betting at the Clearwater River Casino just east of Lewiston. And in six months, bidding will begin for construction of a new building for the It'se Ye Ye Tribal Bingo and Casino in Kamiah.

Plans will also be finalized this spring for the construction of a permanent building for the Clearwater River Casino, which will likely be built in the year 2000.

"We struck quickly in gaming, and now it's time to elevate our services," Nez Perce Tribal Executive Committee Treasurer Jaime Pinkham said. "We've been successful and we're ready to take it to the next step."

In fiscal year 1998, the two casinos made \$2.7 million after operating expenses. About 90 percent of that came from the Clearwater River Casino.

This year's net revenue marked a drop from 1997, the first year of operation for the Clearwater casino, when gaming pulled in \$4 million.

"When you open, you have a phase where you are new and exciting, the new kid on the block," said Lee, "and typically you'll soon get to a point where business levels off." Lee and Pinkham said operating expenses went up this year mainly due to a rise in employee salaries and benefits.

"We think that creating employee benefits will help lift morale and we'll be able to recapture some of those revenues down the road," Lee said.

Idaho leaders mull NW Salmon Plan

PORTLAND, Ore. (AP) — The governor of Montana apparently will not join Oregon and Washington in the so-called "three sovereigns" process for salmon recovery, *The Oregonian* reported recently.

And six of 13 Indian tribes — all considered critical to any successful salmon recovery strategy also are uncertain about participating. But both retiring Gov. Phil Batt and Gov-elect Dirk Kempthorne of Idaho are easing back on their original opposition, leaving open the possibility that Idaho could still agree to the proposition.

Kempthorne said he has discussed the issue with Batt, who reiterated his belief that changes have been made to the proposal that address at least some of his initial concerns about ceding state's rights and other matters.

"I concurred with Governor Batt then, and some changes have been made," Kempthorne said.

"I'm being brought up to speed now," he said. "That's a project that's still in working order. I don't know what the outcome will be yet."

The opposition of Montana Gov. Marc Racicot and second thoughts by some of the tribes were seen as a setback for Oregon Gov. John Kitzhaber's efforts to break a deadlock over salmon recovery with a regional problem-solving approach.

That means no quick end to disputes among the states, tribes and federal agencies over salmon recovery that has cost over \$3 billion dur-

ing the past 15 years without producing any marked results.

The governors, federal officials and tribal leaders — representing three sovereigns — are scheduled to meet in Portland to commit to signing a memorandum of agreement outlining a new form of regional governance called the Columbia Basin Forum.

But several problems have developed: The Montana governor has called the forum an expensive duplication of other salmon recovery panels, like the Northwest Power Planning Council. The council has two governor-appointed representatives from the four Northwest states, but lacks federal or tribal representation. Batt, Kempthorne and Racicot have made public in the past their concerns about losing control over reservoirs used for agricultural irrigation and recreational boating. Industrial users of the river say they fear a new system that might disrupt their interests.

Some tribal leaders say recent actions by the Oregon Attorney General's office have raised their suspicions.

Advocates of the new forum, including Kitzhaber aides and top federal officials, contend it is still alive and that skepticism on the part of the states and tribes could moderate. "My attitude is, let's leave the door open," said Danny Consenstein, Columbia River Coordinator for the National Marine Fisheries Service. "I haven't given up on them."