

'A great day ... A historic day'

By Ron Karten
Smoke Signals staff writer

The Oregon Fish and Wildlife Commission approved a rule change on April 18 that returns big game hunting rights for cultural ceremonies to Confederated Tribes of Grand Ronde members.

The Tribe has worked hard to regain these aboriginal rights since losing them in 1954 at Termination and agreeing to abide by state-sanctioned hunting seasons as part of the Consent Decree in the early 1980s as it sought state support for Restoration.

"A great day ... a historic day," said Tribal Council Vice Chairman Reyn Leno after the almost unanimous vote at the commission's headquarters in Salem. "I wish every Tribal member knew what was going on here today."

The new ceremonial game hunting rights apply in the Trask Wildlife Management Unit where Tribal members have hunted since time immemorial and during state-sanctioned hunting seasons since Restoration.

The agreement gives Grand Ronde Tribal members the right to take 15 deer, nine elk and three bear outside standard state-established hunting seasons. These hunts will provide game to serve at traditional cultural ceremonies, such as powwows.

Trask unit harvests in 2006, the last year for which numbers are available, were 887 deer, 810 elk and 24 bear, according to the commission. The Tribal harvest in the Trask unit that year amounted to 42 deer, 19 elk and no bear.

Following a presentation to commission members by Tribal Cultural Resources Manager David Lewis and Fish and Wildlife Coordinator Kelly Dirksen and an introduction by Fish and Wildlife Regional Manager Chris Wheaton, Tribal Chairwoman Cheryl A. Kennedy, Leno and Secretary Jack Giffen Jr. testified.

During the effort to win back ceremonial hunting rights, the Tribe received support from the Multnomah Anglers & Hunters, which sent a letter to the commission in support of the rule change.

"There are probably more animals lost to poachers than the Tribe will ever get for their ceremonial and cultural harvest," the letter said.

In fact, Dirksen said, the harvest numbers allowed with the rule change will not come close to supplying fresh game for all Tribal members who attend Grand Ronde ceremonial events. Some 60 deer would be required to feed all who attend ceremonial events like powwow, Dirksen said.

The rule change establishes "a new type of permit ... to be issued to recognized Tribal leaders and would allow for hunting of wildlife for ceremonial purposes by authorized Tribal members," according to the commission's fiscal and economic impact statement on the rule change.

Earlier this year, the Tribe selected 17 Tribal members as potential ceremonial game hunters in anticipation of the new rules being adopted.

The commission said that the new rules "are believed to be fully com-



Photo by Michelle Alaimo

Kelly Dirksen, Tribal Fish & Wildlife coordinator, talks about the Tribe's stewardship efforts regarding fish and wildlife on reservation land during the Oregon Department of Fish and Wildlife Commission meeting in Salem on Friday, April 18.

patible with legislative direction on the goals of wildlife management in Oregon."

In addition to ceremonial hunts, the Tribe also regained some management authority on the Reservation. The Consent Decree assumes ultimate authority over all wildlife management on Tribal lands and the Stewardship Agreement allows the Tribe to establish its own management plans for wildlife, Dirksen said.

Tribal stewardship honored

The Stewardship Agreement states that the Tribe adopt on an interim basis the existing state management plans for black-tailed deer (when adopted by the commission), elk, black bear, wild turkey and cougar, along with the Oregon Plan for Salmon and Watersheds, Native Fish Conservation Policy, Oregon Native Fish Status Report and the Oregon Conservation Strategy while the Tribe and state work to develop a Grand Ronde Management Plan.

"They're fairly general," Tribal Natural Resources Division Manager Michael Wilson said. "We'll meet next year to see how we meet those obligations. They're good plans and broad enough that they allow flexibility for the Tribal perspective."

The commission also OK'd a resolution "recognizing Tribal stewardship of lands that they own and manage."

"This agreement is the outcome of government-to-government negotiations between the Tribe and state," said Tribal Attorney Rob Greene. "The rule and resolution are signs of the strong working partnership the Tribe and state have established to address natural resources and wildlife management issues."

"As a consequence of the Oregon Fish and Wildlife Commission resolution and the resolution passed by Tribal Council, the Tribe's Natural Resources Division will have greater day-to-day authority to manage Tribal lands."

The Grand Ronde Reservation encompasses more than 10,000 acres within the Trask Wildlife Management Unit, which runs approximately from McMinnville southwest on Highway 18 to Salmon

River and west to the Pacific Ocean, north to Tillamook Bay, east along Highway 6 to Gales Creek and then southeast on highways 8 and 47 through Forest Grove back down to McMinnville.

Dirksen presented the commission with an overview of the Tribe's stewardship efforts regarding fish and wildlife, and Fish and Wildlife's Wheaton said: "The Grand Ronde Tribe is really an expert manager. They are good stewards of the land."

None of this was news to the commission. Last summer on Aug. 2 (See Smoke Signals, Aug. 15, 2007, issue), Gov. Ted Kulongoski and commission members toured Grand Ronde forests to see the Tribe's stewardship firsthand and signed a proclamation supporting ceremonial hunting rights for the Tribe.

Since the August tour and right up to the April 18 vote, Tribal Council members and the Tribe's Legal Department and Natural Resources Division staff worked diligently to see that the proclamation became reality.

Siletz objection

Removed from the ceremonial hunting rights proposal were two parcels amounting to 327 acres that the Tribe purchased and placed into trust. Because they are located south of Highway 18 in the Stott Mountain Wildlife Management Unit, where the Siletz have hunting rights, the state wanted approval from the Siletz before including the land.

The Tribe could not obtain Siletz support and, in fact, the Siletz ultimately opposed the entire commission action based on their claim to the historic Coast Reservation.

Cathern E. Tufts, a Tribal attorney for the Confederated Tribes of Siletz, said that the Siletz had "primary treaty hunting rights" in parts of the Trask unit, and said that the Siletz and Grand Ronde Tribes have to "get together and work things out" before any ceremonial rights are returned to the Grand Ronde.

Tufts' testimony elicited a lone abstention from Commissioner Carter Kerns of Pendleton.

Commission Chair Marla Rae said that the rule change should not be

delayed.

"When we addressed this last summer," Rae said, "we were not reopening the Consent Decrees."

"We're extremely disappointed at Siletz coming in at the last minute and testifying against our proposal," Leno said. "We approached them early in February about this issue and then for them to come in at the last minute, we felt was very inappropriate. You'd think as a neighboring Tribe, they'd try to have better communication with us and more respect for us."

Lewis noted after the hearing that the Grand Ronde Tribe can claim traditional homelands of the Nehalem Tillamook people who had been relocated to the Salmon River Agency about 1856, and who were subsequently removed to the Grand Ronde Reservation after 1875 when the Salmon River Agency closed. The Nehalem aboriginal claim to lands in the Trask unit precedes the Coast Reservation claim, Lewis said.

For Giffen, the return of Grand Ronde stewardship over the land represented the day's most significant development.

"(The Consent Decree) was a process that couldn't be re-opened, but the governor and the Fish and Wildlife Commission worked together to develop a workable process for the Tribe to secure these cultural tags," Giffen said.

"I think the stewardship is the biggest gain. Any time you get stewardship over your own land, in my mind, that's huge."

After the commission action, Chairwoman Kennedy's face was awash in smiles, and her eyes teared up as she gave and accepted congratulations, but she was speechless when asked for a comment.

"It was overwhelming to witness the approval of our request because I was on the first Tribal Council when the (Consent) decree was signed," she said a few days later. "And now that an important piece of our culture is respected by (the state) agreeing to our ceremonial hunts, that is fantastic."

Dirksen said on April 29 that the Tribal hunting tags had been printed and should be in the Tribe's possession by May 2. ■