

**STATEMENT OF ROBERT “BOBBY” BRUNOE
CONFEDERATED TRIBES OF WARM SPRINGS
BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL
PARKS, FORESTS, AND PUBLIC LANDS
LEGISLATIVE HEARING ON H.R. 7665**

May 11, 2022

Introduction

My name is Bobby Brunoe and I serve as General Manager of Natural Resources and Tribal Historic Preservation Officer for the Confederated Tribes of Warm Springs. In that capacity I work for protection and enhancement of natural and cultural resources, and also the protection of on and off-reservation Treaty Rights.

Since time immemorial, the people of the Confederated Tribes of Warm Springs have lived within and around what is today the Mount Hood National Forest. In our traditional language, Mount Hood is still called “Wy’east.” Our people have been nourished by its fish, game and plants, and enjoyed its sanctuary, protection and beauty. We arose from this land and have long been its stewards.

I am an enrolled tribal member of Warm Springs and come from Wasco descent. My ancestors negotiated and signed an 1855 treaty with the United States. It ceded 10 million acres of land from the tribes that would become confederated as “Warm Springs.” In the treaty negotiations with the Wasco leaders, the government negotiator (Joel Palmer) said:

“The white man has come among you, others are coming. I want you to make a bargain so that we may always live in peace. I want you to sell our great chief your country and we will designate a tract of land where you may reside....[and] you will be permitted to fish and hunt and gather berries on all lands unoccupied by whites.”

The treaty that was signed moments later reserves forever to the Warm Springs people the right to hunt, fish and gather on places like Mount Hood that were “usual and accustomed” places to us for countless generations. These rights are still exercised. Berries and meat are harvested to provide physical and spiritual sustenance to Warm Springs people. My grandmother was a huckleberry picker and told me of the places on Mount Hood that she gathered since she was a girl.

Indian forest management

The 1855 treaty not only protected our off reservation rights, it established the Warm Springs Reservation, which includes over 100,000 acres of forest land that the Tribe has actively managed for watershed health, fish, wildlife, and commercial timber production as set forth in the Warm Springs Integrated Resources Management Plan.

Like hundreds of tribes across the nation, Warm Springs operates modern, innovative and comprehensive natural resource programs premised on connectedness to the land, resources, and

people. Our approach is holistic – sustaining a “triple bottom line” of economic, ecological, and cultural values. We care for the land through active stewardship and do our utmost to aggressively treat problems such as insect or disease infestations, and fuels before they can reach disastrous proportions fueling wildfires that have plagued the west.

Water is of the utmost importance to us – it sustains all life on earth. In our language, water is called “chuush”. In our religious practice, water is consumed to unify all of our First Foods: salmon, deer and elk; root vegetables and berries. They are all interconnected and we manage the land and watershed for their health.

Although there is a property line around the Mount Hood National Forest, it is part of our landscape. It affects our First Foods harvested on the mountain, on our reservation, in the Columbia River and beyond.

Legislative history

Around 2006 there were multiple versions of legislation to designate wilderness and other areas on the Mount Hood National Forest. At the time, Warm Springs testified about the need to respect tribal treaty exercise on the forest. A compromise that was reached was congressional direction for the Forest Service to complete a traditional foods management plan to ensure the health, abundance and access to First Foods such huckleberries.

The bill was enacted in 2009 and more than a decade later, no such management plan has been created. Now, there is greater population pressure on the forest, increasing risk of catastrophic wildfire and climate driven changes to forest composition. All these factors affect Warm Springs’ ability to exercise our treaty rights and also the treaty resources themselves. Intense wildfires devastate forest resources, pollute the air, release CO2 and threaten our own communities.

Congressman Blumenauer listened to Warm Springs’ concerns about the direction of the Mount Hood National Forest. He and his staff patiently worked with us on possible solutions and the result is reflected in this legislation.

“Indian Treaty Resources Emphasis Zones”

This legislation directs the Forest Service to work with Warm Springs on the designation and management of “Indian Treaty Resources Emphasis Zones” (or “ITREZ”). These areas would be managed primarily to protect the Warm Springs Reservation from wildfire and to enhance treaty resources such as huckleberries and deer/elk habitat.

If enacted, Warm Springs would develop a management plan for these ITREZ with the Forest Service. We would use our own traditional and modern scientific knowledge of our own tribal forest to inform forest restoration work on Mount Hood. This could include restoration of overgrown huckleberry patches, adjusting tree stands to better reflect historic conditions and improve their resilience to fire when it occurs. We also know from our own tribal forest that species composition is changing in response to warmer and drier conditions. Therefore we can incorporate climate adaptation into the management of ITREZ.

The bill provides for tribal monitoring and reporting of the work done in the ITREZ. This means there will be real-world accountability for the effectiveness of stewardship work or lack thereof. This will improve the adaptive management of the ITREZ and incentivize communication and cooperation between Warm Springs and the Forest Service. Likewise, the bill requires that future forest management plans be consistent with the management direction of the ITREZ and the principles of co-management.

These tribal stewardship concepts are consistent with what tribes across the country are attempting to do – to bring their expertise to National Forest management through tools such as the Tribal Forest Protection Act, Good Neighbor Authority and Reserved Treaty Rights Lands (“RTRL”) funding through the Department of the Interior. This legislation would build upon these concepts and move closer to a tribal co-management model.

The legislation is also consistent with a 2021 joint Secretarial Order 3403. In it, USDA and the Department of the Interior direct federal agencies to increase opportunities for Tribes to participate in their traditional stewardship of present-day federal lands and integration of traditional ecological knowledge into federal land management.

Other considerations

We believe that Congressman Blumenauer’s legislation strikes a balance between the designation of wilderness and National Recreation areas, and the ITREZ. Warm Springs has concerns about designating additional wilderness areas where critical restoration work must be done, such as historic huckleberry areas. The bill accommodated our concerns, avoided designation of those areas and allows the tribe to pursue restoration work through the ITREZ process.

Most importantly, the bill allows the tribe to use the ITREZ mechanism to reduce forest fuels and wildfire risk in the borderlands of the Warm Springs Reservation. Cross-boundary fires with federal lands are an increasing challenge that impacts tribal resources on the reservation, as well as our treaty resources on multiple national forests. We anticipate using the ITREZ to improve fire resiliency primarily in the common fireshed of the reservation.

Finally, this legislation provides multiple opportunities for the tribe to build its own capacity to be a partner in the stewardship of Mount Hood. Either through a direct funding agreement, “638” contracting agreement or other means, we believe that this legislation would allow Warm Springs to hire technical staff to assist the Forest Service in restoration work.