

Statement of Bobby Brunoe
Secretary-Treasurer/CEO, Confederated Tribes of Warm Springs
Testimony before the House Committee on Natural Resources
Subcommittee on Water, Wildlife & Fisheries
Field Hearing: “It All Depends on Water: Examining Efforts to Improve and Protect
Central Oregon’s Water Supply.”
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Redmond, Oregon

My name is Bobby Brunoe. I am an enrolled member of the Confederated Tribes of Warm Springs, and I currently serve as Secretary-Treasurer/CEO for the Tribes. Previously, for 24 years, I served as the General Manager of the Tribes’ Branch of Natural Resources.

Welcome to our ancestral lands, within the 10 million acres that our ancestors ceded to the U.S. government in the Treaty of June 25, 1855, with the Tribes of Middle Oregon. This area goes from the crest of the Cascade Mountains to our west, to the Columbia River and east to what is now Baker County. Warm Springs tribal members continue to exercise our inherent sovereignty and treaty rights throughout that territory, including the right to fish at our usual and accustomed locations and the right to hunt and gather on unclaimed lands.

Our historic territory is largely defined by watersheds, where our people have been nourished by its fish. 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. Water is the first gift of the creator and we continue to place it at the forefront of our lives, planning and natural resources management.

I mention this because it echoes the title of this hearing: “It All Depends on Water.” We agree. Warm Springs has dedicated significant time and resources to working with our neighbors to improve the use of water in the Deschutes River Basin to meet current and future needs. Striking that balance is a growing challenge and requires real collaboration.

The Deschutes River forms the eastern boundary of the Reservation. We rely on the Deschutes River as the source of our drinking water for the Warm Springs community. Our point of diversion is located in the lower Deschutes River, below rapidly growing communities like Bend and here in Redmond. We are also located below thousands of acres of irrigated agriculture.

Snowmelt high in the Cascade Mountains has traditionally been the principal source of water for the Deschutes River. We, however, receive less snow now and have been suffering through persistent drought, which is affecting the Deschutes River flows and those of its tributaries, such as the Crooked River and the Metolius River. The drought is worsening the water quality issues throughout the Deschutes Basin. According to a recent Indian Health Service report, our drinking water rivals some of the best in the nation; however, the drought poses a very real threat to this positive progress.

Hydroelectric Power

The Warm Springs Tribes are 49.99% owner of the 500-megawatt Pelton Round Butte Hydroelectric Project, which consists of three dams in the Deschutes River canyon north of here. The revenues derived from power sales from this project supplies critical resources to support the well-being of our community.

The fact that we now serve as an equal partner and voice concerning the management of the hydroelectric project is critical, because our traditional knowledge was left out of the decision to construct the dams in the first place so many years ago. Our role now helps to ensure responsible management of our sacred water resources and fish populations through thousands of years of ecological and cultural expertise.

We are working continuously with our partner, Portland General Electric, to improve fish out-migration and passage previously blocked for 50 years by the hydroelectric project. Together with PGE, we built a \$108 million Selective Water Withdrawal system. The 278-foot tall structure allows us to attract migrating fish above the dam for collection, and to move them downstream. It also allows us to control the temperature of water released into the Deschutes River to optimize seasonal conditions for fish. The results have been extremely successful. In 2022, we were able to reintroduce more than 700 Chinook into the upper basin. To this day, they have been observed to spawn naturally and their offspring are now on their way to the ocean. And this program has helped to multiply efforts in the upper and middle Deschutes basin to restore streamflow and watershed functions, which in turn has improved water quality and generated numerous benefits in the region.

Collaboration

We collaborate closely with our neighbors to manage the Deschutes Basin and its bounty of precious resources, yielding benefits to fish and to water quality and quantity. In 2018, the Warm Springs Tribes and the State of Oregon convened a water summit, which resulted in the Deschutes Basin Water Collaborative. This group includes state and federal agencies, cities, counties, irrigation districts, conservation organizations, and even the League of Women Voters.

As co-chair of the Collaborative, we are identifying real-world solutions to reduce needless water consumption and loss, improve efficiency and keep more water – and better quality water – in the river for fish. A key part of the Collaborative’s mission is the development of a comprehensive Deschutes Basin Water Plan that is aligned with the State’s integrated water resources planning model. Our initial focus is on implementing activities on the Upper and Middle Deschutes River.

Warm Springs is also a founding member of the Deschutes River Conservancy (“DRC”), which was established in the early 1990s, and I am currently chairman of the organization. The DRC is a textbook example of placed-based decision-making infrastructure. One area where the DRC has been successful is restoring summer streamflow in the Deschutes River downstream of Bend. DRC’s cooperative efforts with local irrigators have restored almost 135 cubic feet per second (“cfs”) of streamflow during the peak summer months, with a hope of meeting a 250 cfs streamflow target through additional water purchases, water conservation, and water leasing.

A third example of positive collaboration is Warm Springs’ involvement with the Crooked River Water Quality Partnership. Earlier this year, the Partnership received a \$300,000 federal grant to design projects to reduce nutrient pollution in the Lower Crooked River. This is particularly important to Warm Springs because poor water quality conditions in the Crooked River are affecting

our ability to successfully reintroduce salmon and trout species that are socially, economically and culturally significant above the Pelton Round Butte hydro project.

Confederated Tribes Is Co-Manager of the Water Resources of the Deschutes Basin

It is our sovereign duty to support a healthy watershed from the headwaters to the mouth of the Deschutes River. We hold this responsibility also in partnership with the United States and the State as co-managers of the water resources of the Deschutes Basin. As an example, this co-management is recognized in the Confederated Tribes of Warm Springs Reservation Water Rights Settlement Agreement, which was entered into in 1997.

Land use matters, including on the National Forest lands. Wildfire has significantly impacted the watershed by affecting the timing of snowmelt and impairing the function of forest meadows and wetlands. There is much work to be done in connection with both pre-fire hazardous fuel reduction and post-fire restoration of the landscape.

Forest Health and Water

The forests on our ancestral lands help to sustain both the well-being and the prosperity of our people. The western half of the Warm Springs Reservation is forested and managed to meet multiple purposes, from traditional foods and medicines to carbon storage, timber and forest products. We are proud of our forest management plan and the balance it achieves, including helping to provide clean air and water.

However, our forests border three National Forests: the Mt. Hood, Deschutes and Willamette. The federal side of those borderlands are largely wilderness and other reserves that limit management actions.

Over the last two decades, this combined landscape has seen increasingly large, catastrophic fires. The result is a growing presence of dead snags that create a future fire hazard. Loss of forest canopy, particularly in riparian areas, affects stream temperature and aquatic health. Recent scientific studies also show that snow melts faster on fire-affected slopes, meaning less water available when needed the most in warm months.

We cannot have clean and cold water, flowing at the right times, without better addressing the threat of wildfire. The Warm Springs Tribes have pursued projects aimed at reducing and utilizing hazardous fuels on federal lands. But federal managers were threatened with litigation. This not only impacted the ability to address dangerous conditions but also reduced the ability of the federal government to demonstrate a viable biomass supply for beneficial use. We have tried to pursue Tribal Forest Protection Act projects on federal lands, but were also threatened with litigation and delays that we simply cannot afford.

We appreciate efforts by Congress to encourage federal forest management agencies to work more closely with Indian tribes. Improving Good Neighbor Authority to give tribes equal footing with states is an important step. However, funding for tribal forest management is drastically below that of the Forest Service or BLM. A recent report to Congress¹ documented that forests managed by

¹ Fourth Indian Forest Management Assessment Report (2023)

the BIA for tribes receive four times less than the Forest Service and 14 times less than BLM forests.

While tribes have a great desire and interest to do work on federal lands — and much to offer with our scientific and cultural knowledge — we are extremely limited in capacity. We encourage Congress to create new authorities and funding mechanisms for tribal co-management of federal forests. One localized example is legislation introduced by Senator Wyden and Congressman Blumenauer that would direct the Forest Service to enter into a stewardship agreement with Warm Springs for improved management of our sacred resources and habitat — including water — on the Mount Hood National Forest. More broadly, Warm Springs supports legislative efforts by the Intertribal Timber Council to broaden TFPA and codify co-stewardship and co-management authorities for tribes.

Challenges

Having healthy dialogue and collaboration is like having a strong family. It doesn't prevent bad things from happening, but it helps everyone get through them. We face serious challenges in the Deschutes Basin — from prolonged drought, poor water quality conditions, increased demand and other factors.

Conclusion

I want to thank Congressman Bentz, Members of the Subcommittee and Representative Chavez-DeRemer for coming here to talk about water. I began by speaking of how Warm Springs people view water. It is the very first gift the Creator gave to humans. You don't have to believe our religion to see what a gift water is here in the high desert. It can grow crops, sustain robust populations in our communities, generate power for hundreds of thousands of homes, and more.

But it's not easy. In fact, it's quite difficult — especially as we honor and protect the fish who move through these river systems on their journey back and forth to the Pacific Ocean.

I think we're doing a better job here in the Deschutes Basin than anywhere else. Why? The Warm Springs people have been here since time immemorial. We're not going anywhere. Our neighbors are going to be here forever. We've all decided to be working together to come up with solutions and ways to take care of the water. We get a lot more work done working together than alone.