



January 8, 2018

Senator Michael Dembrow
900 Court St. NE, S-407
Salem, Oregon 97301

Representative Ken Helm
900 Court St. NE, H-490
Salem, Oregon 97301

Re: Cap and Invest Initiative

Dear Senator Dembrow and Representative Helm:

The Confederated Tribes of the Warm Springs Reservation of Oregon (“CTWS” or “Tribe”) is concerned about the impacts of climate change on the wellbeing of the Tribe and its members. As a tribal nation located in rural Oregon with deep reliance on natural resources such as clean water, fisheries, game, timber/forest ecosystem, and cultural foods and fibers, among others, the Tribe is one of the most deeply impacted communities in Oregon from the changes and variations brought about by global climate change. For example, our fisheries, including reintroduced anadromous fisheries in the Deschutes River, are particularly sensitive to the timing and temperature of water flows which are directly impacted by changing precipitation patterns. In addition, CTWS forest managers have observed vegetative shifts in our forests and rangeland due to persistent changes in temperature and precipitation. These changes impact the health of these ecosystems and have resulted in increased vulnerability to catastrophic wildfire risks. These risks play out yearly in direct health impacts to our community from smoke and heat hazards, among others.

CTWS appreciates your efforts to provide leadership to take climate action that is intended to help reduce and mitigate the impacts from climate change on communities such as CTWS. We offer several observations and comments on the proposed bill for the 2018 legislative session.

Tribes are critical partners in addressing climate change reduction and mitigation.

We cannot underscore enough that tribes are some of the most vulnerable populations in the state of Oregon. Tribal communities are ones with concentrations of people with low income, high unemployment, low levels of homeownership, sensitive populations, and low levels of educational attainment. They are also disproportionately affected by the environmental hazards of climate change due to a high level of reliance on traditional fisheries, traditional hunting, and traditional gathering which all depend on healthy natural resource systems and which are under attack by global climate change impacts. For tribal populations, these issues are managed by



sovereign tribal governments that navigate the unique nature of treaty rights, federal laws, and tribal laws.

In addition, tribes are disproportionately involved in natural resource management including fisheries management, hunting regulation and game management, promulgating water quality standards, timberland management, agricultural and range management, as well as sensitive species management. This is due to the rural location and land base of many tribes as well as the need to manage and protect tribally reserved rights of fishing, hunting, pasturing, and gathering.

In light of the foregoing, CTWS offers the following comments and requests.

- Tribal communities can be explicitly recognized as “impacted communities”. The legislation should more explicitly recognize not only that tribal communities have impacted populations but that tribal governments are uniquely situated to address these populations and impacts.
- Tribes should be expressly identified as entities eligible for administration of Climate Investment Fund grants. Unless an express authorization is included, it is often the case that legislation will be interpreted as not including tribes as authorized entities. Given the unique attributes of tribal communities and to respect the sovereign status of tribes, it is unacceptable for tribes to have to rely on cities and counties to administer these funds.
- Tribes should have greater representation on the Program Advisory Committee. The proposal currently identifies two (2) tribe members on the Program Advisory Committee. This is under-representative of the actual involvement of tribal nations and tribal communities with climate change impacts and issues. As noted above, tribes are indeed governmental entities that should be recognized, but their disproportionate role in rural Oregon and agriculture, fisheries and forestry issues as well as their disproportionate representation as populations at risk from environmental justice issues should also be recognized. We recommend that four (4) tribe representatives be included on the Program Advisory Committee including two (2) from the west side of the Cascades and two (2) from the east side of the Cascades.
- The Tribe is concerned about the potential for significant impact to availability of funds within the Climate Investment Fund through the allocation of free allowances to Emission-Intensive, Trade-Exposed Industries (EITEs). Because the Climate Investment Fund is funded, in part, through covered industries that would otherwise purchase allowances, it is rural and tribal communities that will disproportionately bear the cost of these free allowances to EITEs. We urge you to find a different funding mechanism for



any incentive program related to EITEs and/or reevaluate the value of such incentive program.

Forest health is a key benefit that can be an outcome of the initiative that directly benefits rural Oregon.

As you know, CTWS is the only tribe in Oregon to have completed an Improved Forest Management project on a portion of its 650,000 acre reservation under the California Cap and Trade Program protocols. The Tribe expects to receive meaningful revenue from the sale of carbon offsets into the California market that will assist the Tribe in direct tribal member services, economic development, and improved forest management, among other benefits. CTWS supports the inclusion of carbon offsets, including improved forest management projects, for inclusion in the Initiative.

In addition, CTWS strongly supports the investment of carbon revenues in forest health projects. These projects employ individuals in rural communities and have the potential to meaningfully improve the quality of life in rural communities, including the communities on the Warm Springs Reservation. Every year, natural caused and human caused wildland range and forest fires create hazardous air quality conditions and damage resources important to the economies of rural communities such as grazing units, fish, flora and game habitat, commercial forest units, and recreational resources. Forest health and fire fuels reduction projects have the potential to reduce the frequency, size, and intensity of these events and are cost effective as compared to wildland fire response efforts. Improved forest health should also result in the overall reduction in carbon emissions from wildland fire events. We encourage your continued support of these measures in the bill as an effective way to provide concrete benefits to the welfare of rural communities.

Regards,



E. Austin Greene, Jr.
Chairman, Tribal Council
The Confederated Tribes of the Warm Springs Reservation of Oregon

