



Yurok Today

The Voice of the Yurok People

Yuroks excelling through education

Graduates want to come back and apply their skills to benefit the Tribe
see story, page 3





Chairperson

Maria Tripp

This year is shaping up to be one of the worst fire years on record.

As you know, there are many fires burning inside of and around the boundaries of Yurok aboriginal territory.

There have been a number of days that smoke levels in the area have been deemed by health officials to be unhealthy or hazardous. When the Tribe, in three short days, received over 40 calls from Tribal members up river who said they would like to relocate, the Tribe

responded promptly.

We officially declared an emergency on July 12, which is the first step to initiating our emergency response plan. The plan has been orchestrated by tribal employees who have completed or are in the process of completing the FEMA's National Incident Management System training. The training prepares tribal employees to deal with large-scale emergency situations ranging from fires to disease outbreaks.

In addition to declaring an emergency, the Tribe opened up a shelter in Klamath, a clean-air facility in Weitchpec and made available dozens of in-home air filters to those who have the most need. We also set up a hotline to assess Tribal member needs. The number is (707) 954-8650. The Tribe is also working with FEMA to secure emergency funds. In recent weeks, several of the surrounding counties have also declared emergencies because of issues related to wild fire smoke.

Yurok Social Services also called tribal members, and knocked on the doors of folks who we know are susceptible to problems related to bad air quality.

The hardest hit areas have been in the Weitchpec and Wautec areas and on up the river. Other areas where Tribal members live, such as Blue Lake, Redding and Sacramento, have also seen hazardous air quality.

The Tribe has deployed, through an MOU with the U.S. Forest Service, cultural monitors who are working with the fire crews to identify and protect sacred sites.

Adding to the problem is the fact that more than a half dozen arson fires have been set in the middle of the night on the upper Reservation. Yurok volunteer fire fighters were instrumental in getting the fires out quickly, saving many homes and possibly lives. The Tribal Council voted to offer a \$5,000 reward for any information leading to the arrest of the arsonist(s).

Right now, fire officials are saying that they plan to simply control these fires rather than put them out. This means that those living in the smoke-affected areas will see more smoke into late August. The Tribe will continue working to respond to the needs of the membership until the smoke threat concludes. Please stay safe and out of the smoke.

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Yurok tribal member Koiya Tuttle recently graduated from Evergreen University in Olympia, Washington.

Grads want to work for Tribe

Rosie Clayburn knows her culture.

She recently graduated from the University of Oregon with a bachelor's degree in anthropology with an emphasis in archeology and cultural resource management. This fall she will begin a Masters program at the University of Washington studying Museum Studies.

Clayburn is one of several Yurok college graduates who have eyes on using their degrees to benefit the Tribe.

"I am really interested in repatriation and bringing our sacred items home," Clayburn said. "Growing up I was taught that our dance regalia have a spirit. When they don't dance and are not sung to, they are crying."

Interning at the National Museum of the American Indian in

*"She is already a great asset to the Tribe
When she completes her Master's, she will
be invaluable."*

Education Director Jim McQuillen

Washington D.C. and having visited many other museums she has seen many cultural objects poisoned for preservation purposes, locked up and displayed in ways that do not accurately portray their traditional use. She is interested in learning leading edge techniques to store items and working on ways contaminated items can be used.

Clayburn, who grew up in Klamath, hopes the planned Yurok Cultural Center will be complete by the time she finishes

her masters. She wants an opportunity to work there and use her newfound skills to make certain Yurok cultural items are safely stored, and displayed in a way that is consistent with Yurok standards and values.

"I think it's important for Yurok people to be in control of our own history," Clayburn said.

This summer, Clayburn is participating in the Yurok Tribe Education Department's paid internship program. She is working with the Tribe's Environmental Program's Cultural Resource Division.

"She is already a great asset to the Tribe," said Education Director Jim McQuillen. "When she completes her Master's she will be invaluable."

Ruthie Maloney is another Yurok who plans to use her education to benefit the Tribe. Currently, Maloney is in the last year of her master's program, which focuses on environmental justice and policy analysis at Humboldt State.

Her interest is in preserving the Tribe's natural resources. She envisions herself being a liaison between the state and federal governments and the Tribe.

"Tribal governments need to be part of the policy making process at the state and federal level," Maloney said.

Maloney, who was born in Hoopa and is a basket weaver, is also part of the Yurok Tribe's Education Department's internship program.

While many college graduates have sculpted their education to work for the Tribe, others have taken a different route to making the

tribe stronger and healthier.

For example, Allyson McCovey who just graduated from Fresno State University, is pursuing a Masters in Speech Language Pathology. As a recipient of childhood speech therapy, McCovey saw a need for those types of therapists in Klamath-Trinity School District.

"I saw a lack of treatment at Jack Norton Elementary and Hoopa Elementary, specifically. That is why I want to work for the school district," McCovey said.

Some graduates, like Koiya Tuttle, want to grow their abilities before working for the Tribe.

"I want to come back when I'm like 30 or 35, when I have a little better skill-set and little bit more to offer," said Tuttle, who recently received a bachelor's of science from the Evergreen University in Olympia, Wa.

Until then, Tuttle said he plans to work in the private sector at a biotechnology firm.

"I'm pumped on the sciences and on getting a job in the industry," Tuttle said.

Tuttle wants to work with phages, which are viruses that kill bacteria. This summer he will be making a presentation at the Edinburgh International Phage Conference in Scotland.

One of the goals of the Yurok Tribe is to hire and retain tribal members. The Tribe currently has a number of open positions. The jobs can be viewed on the Tribe's website yuroktribe.org under Human Resources.



Yurok Tony Alameda runs a bulldozer through a practice course.

Tribe trains future staff

"Are the stumps on there? Is the Humboldt Crossing? Where is the stream on the map?"

These questions were hurled around in a huddle of aspiring Yurok Watershed Restoration heavy equipment operators and technicians, deep in the headwaters of the Terwer Creek. The mini-crew was surveying an area that they will be restoring in the coming months.

The team of four Yuroks is part of a bigger crew of ten who are participating in an intensive, four month paid training offered through the Tribe's Watershed Restoration Program. The ten will receive four months of first-hand experience working with heavy machinery, learn how to survey damaged lands and how to stay safe accomplishing these tasks in remote and challenging terrain.

"The crew is getting specific training that goes above and beyond what any traditional heavy equipment school has to offer," said Watershed Program Manager Walt Lara III. "This training will have a long-term benefit for the Watershed Restoration Program, the Klamath River Basin and the Tribe."

Lara III said it is very difficult to find trained watershed restoration workers. This program was formed to start a pool of native, field-



Yurok Watershed Program Manager Walt Lara III goes over maps with the trainees at the outdoor classroom.

tested heavy equipment operators and surveyors.

"It's unfortunate that we don't have the funding to hire every single member of the crew. However, the individuals who we don't have the budget to take on will have the skill set needed to land jobs in the high-paying field of heavy equipment operation, whether it be in the forest, on a construction site, on roads etc.," Lara III said.

During the training, the crew will actually be doing watershed restoration work in Turwer Creek — a major tributary to the Klamath and an anadromous fish spawning area. The crew will be decommissioning old logging roads, removing juvenile salmon-killing silt from the drainage and removing Humboldt Crossings, which are makeshift creek bridges composed of dirt and decaying logs. In other words, they are recreating what nature had intended using the best techniques in the field.

The training program was very popular

from the start. Sixty-eight people completed the rigorous application, which included a first-person narrative about why each candidate is interested in the training.

Yurok Tribal member Jack George, who has already completed a heavy equipment operator school, said after the first week that he could tell the program will drastically improve his chances of landing a heavy equipment operator job, whether it is with the Tribe or elsewhere. However, he would prefer to work for the Tribe.

"At the school they just showed us operation. Here, they show what you'll be doing — the hard stuff."

All of the ten people who are participating in the training said they want the job to help restore the salmon runs on the Klamath River, as well as make a good wage. Chinook and coho salmon spawn in the watershed where the crew is working. To survive, the fishes' offspring need the cool, clean water that the restoration work will provide.

"This program ensures that my children will have a chance to fish," said Yurok Tony Alameda, who left a high-paying job to come back and work for the Tribe. "The main focus is giving back."

"It feels good to be restoring fish habitat," said Yurok Frankie Myers. "It feels good to do something beneficial and get paid for it."

The crew works ten hours a day four days a week, split between time in the field and in the outdoor classroom. Lara III, Project Coordinator Richard Nelson and Wendell Larkin, a 20-year veteran of watershed restoration are the instructors.

Larkin said in his long history of working with watershed restoration crews he has only seen one other group as eager and as competent as this one. Coincidentally, that crew had two standouts — Lara III and Nelson, who, although they would never say it, are some of the best in the business.

"I am really honestly impressed, totally impressed," Larkin said.



Executive Director

Ralph Simon

New hires for the Yurok Tribe

I am pleased to announce two significant hirings for the tribe in the last few days. First, Shaunna McCovey has accepted the position of Deputy Executive Director and Self Governance Officer.

Second, Kate Sloan has accepted the position of Director for the Yurok Environmental Program.

Tribal member Shaunna is the daughter of Barry McCovey Sr. and Sharon McCovey.

She earned a Master's in Social Work (MSW) with an emphasis in Planning, Administration and Community Organizing from Arizona State University.

Shaunna graduated from Vermont Law School where she earned a Master of Studies in Environmental Law (MSEL) and a Juris Doctorate (JD).

After graduating in 2003, she returned home to teach as an assistant professor for two years in the social work department at Humboldt State.

She joined the Office of the Tribal Attorney (Legal) at the tribal office in 2006.

In her new position, Shaunna will assist the Executive Director with leadership and coordination of the twenty plus departments and major programs of the tribe.

As Self Governance Officer, Shaunna will be the lead person to negotiate the tribe's annual funding agreement with the Department of Interior and will devote time to obtaining funding from other sources to address the tribe's needs.

Shaunna's background and education also make her a perfect fit to work on the Tribal Park and potential Marine Sanctuary projects, as well as working on a regular basis with the Tribe's Tribal Park Committee.

Kate Sloan has been employed for several years as the Tribe's Assistant Director over the Cultural Resources Division in the Environmental Department.

During that time, Kate has developed a good reputation for the tribe in responding to cultural resource issues.

Kate received Masters Degree in Anthropology and a doctorate in Environmental Science from Oregon State University.

Kate has shared her wealth of knowledge with staff on a daily basis and with the community by teaching evening classes at local colleges.

In accepting her appointment, Kate expressed excitement about the tribe's future and its efforts on protecting and restoring the air, land, water and resources that comprise the Yurok Indian Reservation for the benefit of current and future generations of Yurok People.

She is especially proud of the hard work and accomplishments of the award winning environmental program staff in the Water, Cross-Media and Cultural Resources Divisions.

Kate and the other YTEP staff look forward to creating opportunities for the Yurok Tribe to remain a leader in Tribal Environmental Management by launching an initiative on Climate Change, working to enhance Tribal sovereignty and environmental regulatory authority, and continuing to advocate for the sustainable management of the River and resources that sustain Yurok People and Culture.

I look forward to working closely with these new hires as members of my management team.

Tribe puts two in the academy

A typical police officer might not readily know the difference between a Yurok traditional tobacco pipe and one used for illegal substances.

The Yurok Public Safety Department's newest cadets, Ronald Nulph Jr. and Michelle Hawkins, do.

It is that type of cultural knowledge that inspired the Yurok Tribal Council and the Public Safety Department to create two opportunities for Yurok tribal members to join its ranks. The Public Safety Department is paying a wage and tuition for the two Yurok tribal members to attend the College of the Redwoods Police Academy in Eureka, Ca.

"This is an example of Public Safety's

dedication to serving Yurok people according to Yurok values," said Yurok Public Safety Chief Dave Parris. "Public Safety should always be an extension of the Tribe's sovereignty."

Nulph Jr, who recently completed four years in the Marines, where he finished as a Sergeant and served three 7-month tours in Iraq, said he is happy to be coming back to work on the Klamath River.

Both of the cadets have been scoring high on their written tests at the academy, according to Parris.

At the academy the cadets will learn 26 different California Judicial System codes; community oriented policing skills, laws

of arrest and search and seizure, defensive tactics, firearms skills, dealing with domestic violence and child abuse, arson investigation and other law enforcement skills. The two officers-in-training will be working for the Yurok Public Safety Department after finishing the academy. The Tribe requires that all new officers go through a rigorous field training program before going out into the community independently.

"The field training portion is another way that we give our officers training specialized to Yurok culture and it also allows us to make sure they will be safe," Chief Parris said.

Do you own interest in an allotment?

Melva Hurn

Yurok Realty Coordinator

If the answer is yes or even maybe, then you need to act immediately to prepare a will or update your existing will. If you do not have a will, your shares in an allotment may not go to the person(s) you wish. If you own less than 5% of an allotment, and you do not have a current will, your share of the allotment could go to a tribe with jurisdiction over the allotment land or sold by the Secretary of Interior if there is no tribe.

What has changed? The American Indian Probate Reform Act (AIPRA) of 2004 (Public Law 108-374) was enacted on October 27, 2004. One of AIPRA's goals is to reverse the severe consequences of "fractionation." Fractionation is where individual trust allotments have so many owners of small interests that no one can effectively use the land.

This new Act creates a new nation-wide probate code that changes how trust property will be distributed between heirs if you die without a will after June 20, 2004. Other changes include amended definition of "Indian" and "eligible heirs" for purposes of inheriting in trust. This increases the importance and benefits of writing a will or doing an estate plan. IPRA also improves your ability to consolidate your interests in trust land.

If you do not have a will and your ownership in an allotment is

LESS THAN 5% of the total, your Indian or non-Indian spouse may continue to live in the family home on the parcel, but the new probate law will limit inheritance to the oldest "eligible" child, and then oldest "eligible" grandchild or oldest "eligible" great-grandchild. If you do not have children, grandchildren or great-grandchildren, then the tribe will receive your share in the allotment. If the allotment is an off reservation public domain allotment and there are no lineal descendants or tribe with jurisdiction over the lands, then the allotted lands can be sold by the Secretary of Interior.

If you do not have a will and your ownership in an allotment is 5% or GREATER the rules are different. In this case, your Indian or non-Indian spouse will receive a "life estate", but when your spouse passes on each "eligible" child will receive an equal share in your trust lands. If a child has passed, then their "eligible" children will inherit their parent's share. If you have no spouse and no surviving children, grandchildren or great-grandchildren, then the lands will go to the Tribe with jurisdiction over the land.

Who is "eligible" to inherit under these rules? Any one of the following:

Member of an Indian Tribe, or eligible to become a member of a Tribe, or a person who owns an interest in trust land on or before October 27, 2004, or a person who meets the definition of Indian under the Indian Reorganization Act, or in California, any person who owns an interest in trust or restricted land in California, or Decedent's

lineal descendants within 2 degrees of relationship to any Indian, or A trust co-owner in same parcel.

How can a Yurok tribal member find out if they own an interest in trust lands? You need to request a *Individual Trust Inventory* from the Bureau of Indian Affairs, Sacramento Realty Office. When you receive your Individual Trust Inventory it will show the share(s) of the total trust acres that a person owns. For example, if you own 1/1008th undivided interest in an 80 acre allotment, then this means 1007 other people own an undivided share of the same allotment. It is not uncommon to see an undivided interest in an allotment owned by over 1,000 owners because allottees have died without a valid will. If you are trying to determine if you own at least 5% of an allotment, then the following are examples of 5% of undivided interest: .05 or 1/20, 2/40, 4/80, 8/160, 16/360, 32/720, 64/1440, 128/2880, etc.

If you do not currently have a will, or your will was written without considering the impacts of AIPRA of 2004, it is best to have a lawyer who understands the Act help you prepare your will. If you meet CILS low-income eligibility requirements, there is no cost for their services. If you are over the income, they have a sliding scale fee for their services.

California Indian Legal Services (CILS), 324 F Street, Eureka, California, (707) 443-8397 can assist you. CILS also has offices in Bishop, Escondido, Oakland, Santa Rosa and Washington, D.C.

It is not uncommon to see original wills “disappear” before a probate can be held. Remember, if you prepare a will, make sure that the will is recorded in the county where you live. Also, make sure you name a trustworthy executor and the executor has access to your will. If no one knows you have a will or cannot find the original will, or the will is lost, then your property cannot be divided according to your wishes.

Also, the AIPRA Act applies only to trust property and not to property you own in fee. Assets owned outside of trust must be probated according to state law (or if there are tribal probate codes tribal law) so be prepared for two probate hearings, one conducted by the Department of the Interior Office of Hearings and Appeals for trust assets and another by state court for non-trust property (for example, a house, a car, personal items and regalia). For more information on probates read *What Do I Need To Know About Probate When My Indian Loved One Passes Away?* on the web at: www.calindian.org/legalcenter_probate.htm#3

You can find a copy of the American Indian Probate Reform Act of 2004 (Public Law 108-374) on the web at: <http://www.doi.gov/issues/PubLaw108374.pdf>

The information in this article is not legal advice. It was published for informative purposes only.

Tribe puts pole peeler up for auction

The Yurok Tribe is auctioning off a Morbark PS-8 Pole Peeler.

The peeler is powered by a 120hp Ford 6-cylinder engine.

It comes with the following additions: 40hp electric motor that can run the equipment, in-feed rollers, an out-feed conveyer belt, an extra pair of peeling knives, an operator safety screen and a conduit for removing peeled material.

It is unknown what year the Pole Peeler was made.

It was in working condition the last time the Tribe used it in 2006.

The bid starts at \$7,500.

For more information or to see the equipment contact John Melvin at (707) 482-1350 ext. 379. To view the equipment go to the PUBLIC NOTICES section of the Tribe's website, yuroktribe.org.

The bidding began July 1 and ends on August 8.

Submit bids to the attention of John Melvin. PO Box 1027, Klamath, CA 95548.

Salmon Festival

The 46th Annual Klamath Salmon Festival is just around the corner. Event coordinator Cindee McKernan has been working tirelessly to make this year's celebration of Klamath salmon better than ever.

“At this year's festival attendees will find a taste of Yurok culture, a family-friendly atmosphere and lots of hand-made jewelry and other one-of-a-kind gifts,” McKernan said.

This year's Klamath Salmon Festival will happen Sunday, August 17, 2008 and attendance is free to all.

The theme of the event is: Un-dam the Klamath. Bring the Salmon Home. The message was born out of the Tribe's ongoing struggle to remove four antiquated dams on the Klamath River. The dams block 300 miles of anadromous fish habitat and pollute the river with toxic algae. The Klamath River and Chinook salmon have been central to Yurok culture since time immemorial. Since the first dam was installed in the early 1900s, Yuroks have fought to remove the dams. The dams have also had a horrendous effect on the region's tourism and fishing based economy.

“Please joins us in celebrating this beautiful river, our fish and our culture,” McKernan concluded.

NOTICE OF PUBLIC HEARING ON REVISION AND AMENDMENT OF THE YUROK TRIBE LAND ASSIGNMENT ORDINANCE

Proposed changes to the Yurok Tribe Land Assignment Ordinance.

Copies are available at the Weitchpec and Klamath, Weitchpec and Eureka offices, on the Tribe's website, or upon request. You can call Melva Hurn, at (707) 482-1350 ext. 361 if you have any questions or concerns.

DATE: August 8, 2008

WHERE: Weitchpec Tribal Office

TIME: 12:00 p.m. 1:00 p.m.

If you are unable to attend the public hearings, please send written comments to:

Council Support

P.O. Box 1027

Klamath, CA 95548

Comments can also be emailed to tara@yuroktribe.org

Written comments must be received by 5:00 p.m. on August 15, 2008.

Tribal Transit Concept



Austin Nova

New bus up river

Kathleen Fischer

Yurok Planning Dept.

If you live up river and gas prices have your wallet groaning, relief is on the way. The Yurok Tribe is going to launch a new bus service that will eventually offer service to the Weitchpec and Pecwan districts in cooperation with KT-NeT of Willow Creek. The bus routes will connect communities up river with Hoopa and Willow Creek twice daily, once in the morning and then again in the evening. The schedule will be designed to allow riders to catch the Redwood Transit System bus from Willow Creek to Arcata.

"If all goes well, we anticipate that bus service will start in October", said Peggy O'Neill, director of the Yurok Tribe Planning Department. The bus service is funded by transportation grants awarded to the Yurok Tribe.

"Providing bus service up river was identified as a high priority by the membership in meetings and interviews we conducted when developing the Yurok Tribe Transportation Plan", O'Neill said. "We have worked closely with the Federal Transit Administration and CalTrans to secure grant funding for this program. Future grant funding will depend on how much people use the bus. "We need to show strong ridership to continue the service beyond the current funding, so we encourage everyone to ride the bus as much as possible," O'Neill said.

The Planning Department is also working with the Karuk Tribe to find funding for an additional bus run between Weitchpec and Orleans/Somes Bar area. The Tribe's bus service will be run by Klamath-Trinity Non-emergency Transportation (KT-NeT), a non-profit dedicated to providing mass transit for communities along the Klamath and Trinity Rivers. KT-NeT is looking for qualified drivers to help staff the new route. If you have a class B license and a clean driving record, please call Terri Castner at KT-NeT. Castner can be reached at (530) 629-1192. KT-NeT is open between the hours of 8 AM and noon, Monday through Friday.





Abby Abinanti is the Chief Judge of Yurok Tribal Court.

Yurok Tribal Court

The Yurok Tribe has named Abby Abinanti, a tribal member, as the Chief Judge of the Yurok Tribal Court.

Ms. Abinanti is a Commissioner with the Superior Court of San Francisco, she is assigned to the Unified Family Court, Delinquency Division and assumes her duties as Chief Judge with the permission of the San Francisco Superior Court.

Currently the Yurok Court hears cases one day a month.

The Tribal Council has established an Interim Supreme Court naming Christine Williams, a tribal member, as the Presiding Judge of the Supreme Court.

Ms. Williams most recently served for over 2 years as the lead attorney for the Indian Child Welfare Act Initiative at the Judicial Council of California's Administrative Office of the Courts.

Presently she has returned to private practice focusing on Indian Law and is also a Visiting Assistant Professor in the Ethnic Studies Department at Mills College teaching Indian Law courses.

Nell Jessup Newton has accepted an appointment to serve as an Associate Justice of the Yurok Supreme Court. She is currently the Chancellor & Dean and William B. Lockhart Professor of Law at Hastings Law School.

Dean Newton is the co-author of the third edition of one of the leading text books on Indian Law, *Cases & Materials on American Indian Law*, and is the editor-in-chief of *Cohen's Handbook of Federal Indian Law*, the only treatise on the subject of Indian Law.

Leo Canez, Jr., a tribal member, has accepted an appointment to serve as an Associate Justice of the Yurok Supreme Court.

He has recently been named the Academic Coordinator for Upward Bound at Humboldt State University in Arcata California.

He has taught Beginner's Yurok Language and serves as a Board Member on the Yurok Elder Wisdom Preservation Project and with the Advocates for Indigenous California Language Survival.

The Clerk of the Court is Jeanne Riecke.

Jeanne has been the Clerk of the Court of the Yurok Tribal Court for approximately 13 years during the transition from a CFR Court to the Yurok Tribal Court.

She has numerous years of experience working in both the Oregon and California state court systems.

Jeanne is also the Interim Executive Director of the Yurok Tribe CASA Program.

The Yurok Tribal CASA Program assists the Yurok Tribal Court in making recommendations for placement of Yurok foster children and to assist in the successful reunification of Yurok families.

The Tribal Council recently ratified a Children's Code and Judicial Code. The Council will be scheduling public hearings for Tribal Court rules. The Court is currently exercising jurisdiction over fishing and environmental matters; and limited jurisdiction over certain civil matters.

Martin's Ferry to reopen

The Martin's Ferry Bridge will reopen to vehicle use on August 14, 2008, according to Humboldt County officials.

The bridge, which crosses the Klamath River, was closed on December 4, 2007 following a California Department of Transportation inspection that found a couple of the piers were shifting due to geological activity on the east side of the structure.

The Tribe helped Humboldt County secure nearly \$7 million to retrofit the bridge.

Humboldt County contracted with Mercer Fraser Company to do the emergency repair work. The retrofit was originally supposed to be finished in June, however, Mercer Fraser ran into problems drilling through the hard bedrock under the bridge.

While the bridge will be reopened in late summer, the work to secure the structure from failing in the future is not complete.

The rest of the retrofit work will be completed next summer.

Martin's Ferry Bridge is located at the east end of Bald Hills Rd. It connects the western and eastern portions of the Yurok Reservation. The closure has had a significant financial impact on the Tribe.

The only paved detour adds a costly 100 miles to the trip from one side of the Reservation to the other.

The other option to get from the one side of the bridge requires driving on either Pine Creek or Dowd Roads. In the winter months only four-wheel-drive vehicles can safely make the detour.



Yurok Environmental Program technician Micah Gibson uses a backhoe to remove an illegal dumpsite near the Klamath River.

Tribe fights illegal dumping

In the summer, one can see all types of amphibians, snakes, birds and large mammals on the Klamath River bar near Macbeth Airport.

In the winter that same river bar provides space for the Klamath River to expand and contract with each big storm.

Recently, the Yurok Tribe's Environmental and Fisheries Programs removed the contents of an abandoned trailer, filled to the brim with household trash, hypodermic needles, and hazardous materials such as batteries and propane tanks from that same river bar. As Yurok Tribal member Micah Gibson used a backhoe to dismantle trailer, while a crew loaded all of the debris into disposal bin.

"A winter flood would have easily washed all of that illegally dumped waste into the river," said Laura Mayo, an Assistant Director for YTEP.

This illegal dump was one of several on the Reservation that Tribe is working to remove. This particular site filled a 20 cubic yard bin. The dump also contained evidence of who was doing the dumping, all of which was passed on to the Yurok Department of Public Safety, who is conducting an investigation. Some of the evidence collected indicates that individuals living far from the Reservation are disposing of their trash here.

There is very little grant money to remove illegal dump sites such as this one.

"The money is hard to come by and it is becoming increasingly hard to get," Mayo said.

These dumps are dangerous to humans and all living things. Please call Yurok Public Safety to report tips of illegal dumping. (707) 482-8185.

Yuroks endure unhealthy smoke

(left to right) Smoke fills Klamath Glenn as a pelican flies through the Klamath estuary. A fire fighter checks a "sandwich board" put out by the Tribe to inform tribal members living on the eastern portion of the Reservation. Smoke from the Blue 2 Fire fills the Blue Creek basin. Smoke shrouds the Tribe's Weitchpec office. Dense smoke nearly blocks the view of the Klamath-Trinity Confluence.



Fall fishing regulations

The Yurok Tribe will harvest up to 24,952 of adult fall-run Chinook salmon on the Yurok Indian Reservation (YIR) in the year 2008. The harvest will be managed under the terms of this Harvest Management Plan (HMP) and the authority of the Yurok Tribal Fishing Rights Ordinance. This plan may be supplemented by pre-season and in-season adjustments as necessary.

An important premise of this HMP is that the fishery is based upon a predetermined quota for adult fall Chinook. This allocation is intended to provide adequate natural spawning escapement (35,000 adults) in the Klamath River. The Yurok Tribe therefore assumes that all requirements for escapement have been met and are reflected in the Yurok Tribal quota. Accordingly, no mention of escapement requirements will be made in this plan except to address the run timing of Blue Creek fall Chinook and of coho salmon.

I. MANAGEMENT SEASON FOR THIS HMP: July 27 through Nov. 30, 2008.

II. MANAGEMENT AREAS AND SUB-QUOTAS: The following management area sub-quotas may be altered by In-Season Adjustment as necessary.

Area 1: Mainstem Klamath River from the river mouth to the Highway 101 Bridge (Estuary). Subsistence Quota - 8,900; Commercial Quota - 10,952.

Area 2: Mainstem Klamath River from the Hwy 101 Bridge upstream to Surpur Creek (Middle Klamath). Subsistence Quota - 1,400. These fish may be used for subsistence or smoked for commercial sale.

Area 3: Mainstem Klamath River from Surpur Creek to the upstream boundary of the YIR (Upper Klamath). Subsistence Quota - 3,400. These fish may be used for

subsistence or smoked for commercial sale.

The "Reserve Quota" (see below) for the entire reservation is 300 fish.

Should any area's subsistence subquota run out before the commercial subquota, an inseason adjustment will be made to transfer fish into the subsistence fishery.

III. SUBSISTENCE AND COMMERCIAL FISHING/ALL MANAGEMENT AREAS

Fishing Hours:

Estuary

The fishery will be open from 8:00 a.m. through 10:00 p.m. on Friday through Tuesday of each week. These hours will be superseded by the coho protection closure and the stock protection closure mentioned below.

Middle and Upper Klamath

The fishery will be open from 9:00 a.m. on Friday through 9:00 a.m. on Wednesday.

These hours will be superseded by the coho protection closure and the stock protection closure mentioned below.

Dorsal Fin Clips of Subsistence fish:

All subsistence fish harvested in all management areas must have the dorsal fin removed beginning July 25, 2008 through the end of the commercial fishery to ensure that only commercial quality fish are sold. This requirement includes Chinook and steelhead. Failure to clip the dorsal fin on a Chinook or steelhead defined as subsistence will be penalized as outlined in Section V paragraph A of this HMP.

Coho protection: (2-day closures) From September 25 to November 30, fishing will only be allowed from Wednesday at 9:00 a.m. to Monday at 9:00 a.m. of each week. The purpose of this restriction is to protect coho stocks, which have been listed as "threatened" under the Endangered Species

Act.

Angling and dip net fishing: Angling and dip net fishing will not be permitted during closures. After attainment of a management area's fall Chinook quota, hook-and-line angling and dip net fishing will be governed pursuant to the Reserve Quota provisions below. Yurok Tribal guides will be permitted to provide guide service to clients during closures; however the guides and their clients may not harvest fish from the Yurok allocation during Yurok Fishery closures.

Fishing at the confluence of the river

with the ocean: Special regulations will apply to fishing near and within the "chute" of the river, which is the narrow portion of the estuary where the river meets the ocean. Buoys and/or other markers will be located upstream of upper end of the "chute", however due to unforeseen circumstances, these markers may not be in place at all times.

At such times, this location will be at the discretion of the enforcement officers. In the area below the chute boundary mentioned above (marked as indicated above), no Tribal fishing will be permitted at any time. The penalty for fishing in this area during the commercial season will be as described under Section V paragraph B of this HMP.

Reserve Quota to allow fishing with dip nets and angling: After the quota or sub-quota for a management area has been harvested, dip net fishing and angling will be permitted at all times in that management area until the "reserve quota" has been harvested, except as prohibited by the "coho protection" closures mentioned above. After attainment of the reserve quota, all angling and dip net fishing will be prohibited.

Eel fishing: Lamprey (eel) fishing with eel hooks will be permitted at all times.

Blue Creek: From September 21 to

November 30, fishing will be prohibited within and around the mouth of Blue Creek (500 feet upstream to 1/2 mile downstream).

Stock Protection: The purpose of this closure is to spread harvest impacts between Klamath and Trinity Basin stocks, while still ensuring that fishing will be allowed over Labor Day Weekend.

After 70% of an area's suballocation (in the estuary this includes commercial and subsistence fish) has been harvested prior to August 29, that area will be closed to all fishing, except tribal guides, until 8:00 a.m. on August 29.

Selling of Roe: As stated in the Yurok Tribal Fishing Rights Ordinance, eligible Tribal Fishers will be allowed to sell roe from fall Chinook. The selling of roe from any other species is prohibited.

Attendance of Nets in the Estuary: Nets in the estuary must be attended at all times from July 27 – November 30. If an unattended net has a commercial buoy attached, the penalty will be as listed under Section V paragraph A of this HMP, otherwise the penalty will be as specified in Section 7, paragraph m of the Yurok Tribal Fishing Rights Ordinance (FRO). Fishers must be 12 years old to fish alone in the estuary. Assistance with Attendance of Nets: Yurok Tribal members may assist other Tribal members with tending their net(s) as long as the owner of the net is within 500 feet of the fishing location. The intent of this regulation is to expedite proper handling of fish during times of abundant harvest.

Cleaning Fish at Requa: Gutting and filleting of fish is not permitted in the Requa Resort, Dock, or Boat Launching areas except at designated cleaning stations. Fish parts may not be placed in dumpster. Violation is punishable pursuant to Section 9k of the Yurok Tribal Fishing Rights Ordinance.

Collection of Coded Wire Tags: The snouts of Chinook with an adipose fin clip must be given to Yurok Tribal Fisheries Program staff upon request. The information obtained from the coded wire tags recovered from such fish is critical to the successful management of Klamath River fall Chinook. Sampling must be allowed even if the fish have been packed in ice.

Cooperation with Public Safety: Fishers are required to cooperate with Yurok Public Safety personnel. The penalty for failure to cooperate will be as outlined in Section V paragraph F of this HMP.

IV. COMMERCIAL FISHING

Definition of Commercial Fishing – during a commercial season, fishing while displaying the commercial buoy or possessing Chinook salmon or ad-clipped steelhead with intact dorsal fin.

The commercial fishing will begin August 1. All dorsal fins must be removed from Chinook salmon and ad-clipped steelhead for one week prior to August 1. Possession of Chinook or ad-clipped steelhead with intact dorsal fins during this period will be penalized as outlined in Section V paragraph A of this HMP.

Any Yurok Fisher found in violation of any portion of Tribal regulations while commercial fishing shall be subject to penalties double those specified for violation of that regulation, in addition to any penalties listed in this HMP.

The Yurok Tribal Council (Council) will allow commercial fishing during the 2008 fall Chinook season. Concerns, issues or problems associated with commercial fishery operations will be addressed by the Council as needed.

Two separate commercial fisheries are planned for 2008, fresh/value added sales and the Tribal Guide fishery.

The "Find Own Market" fishery allows Tribal members who have acquired a permit from the Tribe to sell fish to markets they find themselves.

This includes those who wish to add value to the fish, such as by smoking it. Fishers may also sell to buyers authorized to purchase at Requa Resort.

The Tribal Guide fishery allows non-tribal anglers to obtain a permit to fish with a Tribally certified fishing guide, and to harvest Tribal fish.

Duration of Commercial Season:

Commercial fishing will begin August 1. Commercial fishing will not be allowed after September 25, 2008, to protect coho stocks that have been listed under the Endangered Species

Act.

Species Eligible for Sale:

Chinook salmon and steelhead with a healed adipose fin clip may be sold during this commercial fishery. Wild steelhead (with intact adipose fin) and any other species may not be sold.

Location of Commercial Fishing:

Commercial fishing for sale of fresh fish will be allowed only in the Estuary below Paul's Cannery. Commercial fishing for fish to be smoked and sold will be allowed throughout the Yurok Reservation.

Marking of non-Commercial Fish: Fish that have not been handled according to the Commercial Fish Quality Control Regulations (CFQCR) must be marked by removal of the dorsal fin. All subsistence fish, reservation wide, must also have the dorsal fin removed.

This includes all fish caught above Paul's Cannery, as well as all fish harvested below Paul's Cannery that (1) have not been handled according to the CFQCR, or (2) have been harvested in a net not marked by a commercial buoy, or (3) have not had a permit issued for selling prior to leaving the river. Failure to follow the CFQCR while leaving the dorsal fin intact or leaving the dorsal fin intact on a Chinook or ad-clipped steelhead defined as subsistence above will be penalized as outlined in Section V paragraph A of this HMP. Selling a subsistence fish, with or without an intact dorsal fin will be penalized as outlined in Section V paragraph E of this HMP.

Certification Requirements:

Fishers who want to sell commercially, whether to a passing tourist, a major fish buyer, or a Tribal member who will be selling the fish, will be required to undergo training in how to maintain the quality of harvested fish, and to sign an agreement to use the required handling procedures.

All sellers must be recertified to sell in 2008. Fishers must be 12 years old to certify and to fish alone in the estuary. Certified fishers will be required to sign for a copy of the CFQCR, this HMP, and a summary of offenses and penalties. Certified fishers are required to be familiar with all relevant regulations.

Sellers who will be selling fish harvested by other Tribal members will also be required to undergo the training and may purchase fish for sale only from certified commercial fishers. Selling fish harvested by non-certified fishers or fishers whose certification has been suspended will be penalized as outlined in Section V paragraph C of this HMP.

Fishers intending to sell their fish commercially must mark their nets by clipping or tying a 'commercial fishing buoy' to

the net. The commercial fishing buoy must be a bright yellow in color and must have the fisher's Tribal ID number and their Commercial Fisher's Number marked on it in such a way that they can be read at a distance of 10 feet. Fish caught in a net with no commercial fishing buoy attached are subsistence fish and must have the dorsal fin clipped. Failure to clip the dorsal fin will be penalized as outlined in Section V paragraph A of this HMP.

Fishers may only use their own commercial buoy. Using a buoy with another fisher's numbers on it will be penalized as outlined in Section V paragraph A of this HMP.

Find Own Market

Marketing Aspects:

Fresh fish may be sold in any market, on or off the Reservation. The seller is responsible for finding his/her own market and for all expenses related to the marketing of the fish. Except for those selling to tribally authorized buyers at Requa, sellers must have a permit issued by the Yurok Tribal Fisheries Department. Fresh fish sales of fish harvested above the commercial fishing zone (the upper extent of which is Paul's Cannery) are not permitted.

Separate permits for sales of smoked fish or holding frozen fish for later sale are available as described below. Sales receipts for smoked fish harvested in Areas 2 or 3 must state that the fish were harvested above the Estuary.

Commercial Permits:

Tribal fishers may always sell fish to Yurok Tribal members. Obtaining a "Temporary Commercial Permit" will authorize selling of fresh fish to non-Tribal members. A Tribal member is not required to harvest fish to be eligible to obtain a Temporary Commercial Permit; however, the Tribal member must have taken the commercial fisher training. These permits may be obtained at "Yurok Tribal Commercial Fishing Checkpoint", which will be located at Requa, hours to be posted. Temporary Commercial Permits will be valid for five days following the date they are issued.

A use fee of \$2.00 per fish will be charged at the time the Temporary Commercial Permit is issued. Council will determine how the fees are to be used at a later date. The number of fish paid for will be noted on the Temporary Commercial Permit, and the permit holder will be authorized to sell only that number of fish.

Information to be contained on the Temporary Commercial Permit includes the following:

Expiration date
Number of fish to be sold

Location of harvest

Tribal identification number of the permit holder

Permit holder's name

Product to be sold:

The Temporary Commercial Permit is valid for the sale of fresh fish only. Fishers wishing to freeze and hold fish for later sale must take the fish through the Commercial Check Point Station before leaving the reservation. No Commercial Permit or sales tickets will be issued at this time, however the \$2.00 per fish use fee will be collected and a receipt for the use fee issued. A holding permit will be issued for the number of fish to be frozen for later sale. Before sale of the fish, a seller's permit and sales receipts must be obtained from the Yurok Tribal Fisheries Department. Fish must be stored at a commercially approved facility and sold by March 31, 2009.

Fish Sales Receipts:

Fish sales receipt books, consisting of three copies for each receipt, will be issued along with the Temporary Commercial Permits. Whenever a transaction of fish is made, a receipt must be filled out and a copy given to the buyer, one retained by the seller, and one returned or mailed within three days of sale to the Yurok Tribal Fisheries Program. The receipts (used and unused) must also be returned within three days after expiration of the Temporary Commercial Permit and prior to the issuance of another Temporary Commercial Permit or more receipts. Failure to turn in tickets will be penalized as outlined in Section V paragraph D of this HMP. The receipt books and sales receipts should be returned to the Commercial Check Point where they were obtained or to the Yurok Tribal Fisheries Office at the following address:

Yurok Tribal Fisheries Program

Attn: Commercial Fishery

15900 Hwy 101 N.

Klamath, CA 95548.

The Fish Sales Receipts will contain the following information:

Date fish were sold.

Total number of fish sold.

Price of fish sold (per pound or per fish)

Tribal I.D. number of seller

Name of seller

Authorized Requa Buyers:

A Temporary Commercial Permit is not required for selling to tribally authorized buyers at Requa. A use fee of \$2.00 per fish will be charged for each fish sold to an authorized buyer. The buyers will issue receipts for fish purchased and will pay the use fee to the Tribe. Receipts from an authorized buyer do not need to be returned to fisheries by the seller.

Tribal Guide Fishery

Permitting Requirements:

Tribal members wishing to act as fishing guides under the authority of this HMP will be required to obtain certification. Criteria and certifying agency are identified in the Yurok Tribal Guide Regulations.

Marketing Aspects:

Pursuant to the Yurok Tribal Guide Regulations, the Tribe may issue to non-tribal fishers a license allowing them to harvest Yurok fall Chinook. The fish must be harvested while fishing with a Tribal guide. Other than harvest of permitted fall Chinook, non-tribal clients of Tribal guides will be required to follow all California Department of Fish and Game regulations regarding gear type and bag limits.

Duration of Guiding Season:

Tribal Guides are permitted to operate throughout the year; however harvest of Yurok fall Chinook will only be permitted during the fall season (July 27 through November 30). No coho may be retained by any person participating in the Tribal guide fishery. This restriction is to protect coho stocks that have been listed under the Endangered Species Act.

Location of Guiding Fishing:

The Tribal guide services will be allowed

throughout the Yurok Reservation.

Product to be sold

The product for sale under the Tribal guide option is the opportunity to fish with a Tribal guide for fall Chinook from the Tribal allocation.

Fish Sales Receipts

The ticket issued to the non-tribal client by the Tribal guide will be similar to the sales receipt for the "find own market" fishery and will be used in the same manner.

The Tribal guide tickets will contain the following information:

Date fish were harvested.

Total number of fish harvested.

Tribal I.D. number of guide.

Name of guide.

Fish sales receipts must be turned into fisheries with one week of use. Failure to turn in tickets will be penalized as outlined in Section V paragraph D of this HMP.

In addition to turning in the fish sales receipts, the Tribal Guides will be required to maintain records as specified in the Tribal

Guide Regulations.

Tribal Liability:

All expenses incurred by commercial fishers or certified Tribal guides operating under the authority of this HMP are the responsibility of the individuals. The Yurok Tribe, its representatives, and/or Tribal Departments are not liable for any expenses incurred by Tribal members participating in any commercial fishery.

V. Penalty Section

A. Quality Control: First offense penalty - loss of fish and gear. Second offense - loss of gear, fish, and fishing rights for a minimum of two weeks during the commercial season. Third offense - loss of gear, fish, and fishing rights for a minimum of two months during a commercial season. This penalty will be continued into subsequent commercial seasons if insufficient time remains in the current season.

B. Fishing in the Chute: First offense

- loss of vessel, gear, fish, and fishing rights for a minimum of two weeks during the commercial season. Second offense - loss of vessel, gear, fish, and fishing rights for two months during a commercial season. These penalties will be continued into subsequent commercial seasons if insufficient time remains in the current season.

C. Selling Fish Caught by Uncertified Fishers: First offense penalty - loss of certification for a period of two weeks during the commercial season. Second offense - loss of certification for two months during the commercial season. This penalty will be continued into subsequent commercial seasons if insufficient time remains in the current season.

D. Failure to turn in fish tickets in required time period: Loss of certification until all tickets returned.

If tickets lost:

First offense - fine of \$15 per ticket lost

Second offense - fine of \$50 per ticket lost

Third offense - loss of all fishing rights for two months during commercial season and fine of \$50 per ticket lost, unless the tickets are from the Tribal Guide fishery, in which case the third offense penalty will be loss of Tribal Guide privileges for the period of one year and fine of \$50 per ticket lost.

If tickets turned in after October 31, 2008:

Fine of \$15 per ticket turned in late.

E. Selling subsistence fish: First offense - loss of fishing rights for six months. Second offense - loss of fishing rights for one year.

F. Noncooperation with Public Safety - loss of fishing rights for one month.



EPA Regional Administrator Wayne Nastri hands Maria Tripp a check in the amount of \$2,367,269.00. This check represents the total funding awarded to the Yurok Tribe Environmental Program, Watershed Restoration Program, and Fisheries Departments for the upcoming Fiscal year; this funding includes awards for water quality monitoring, air quality monitoring, solid waste service planning, data management, watershed restoration, fish habitat studies, and contamination studies. Regional Administrator Nastri and support staff visited the Tribe on July 22 to celebrate the successes of the Tribe's collaborations with EPA over the last 11 years, over which time the Yurok Tribe has become a national leader in Tribal environmental protection and restoration.



Yurok Today

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