

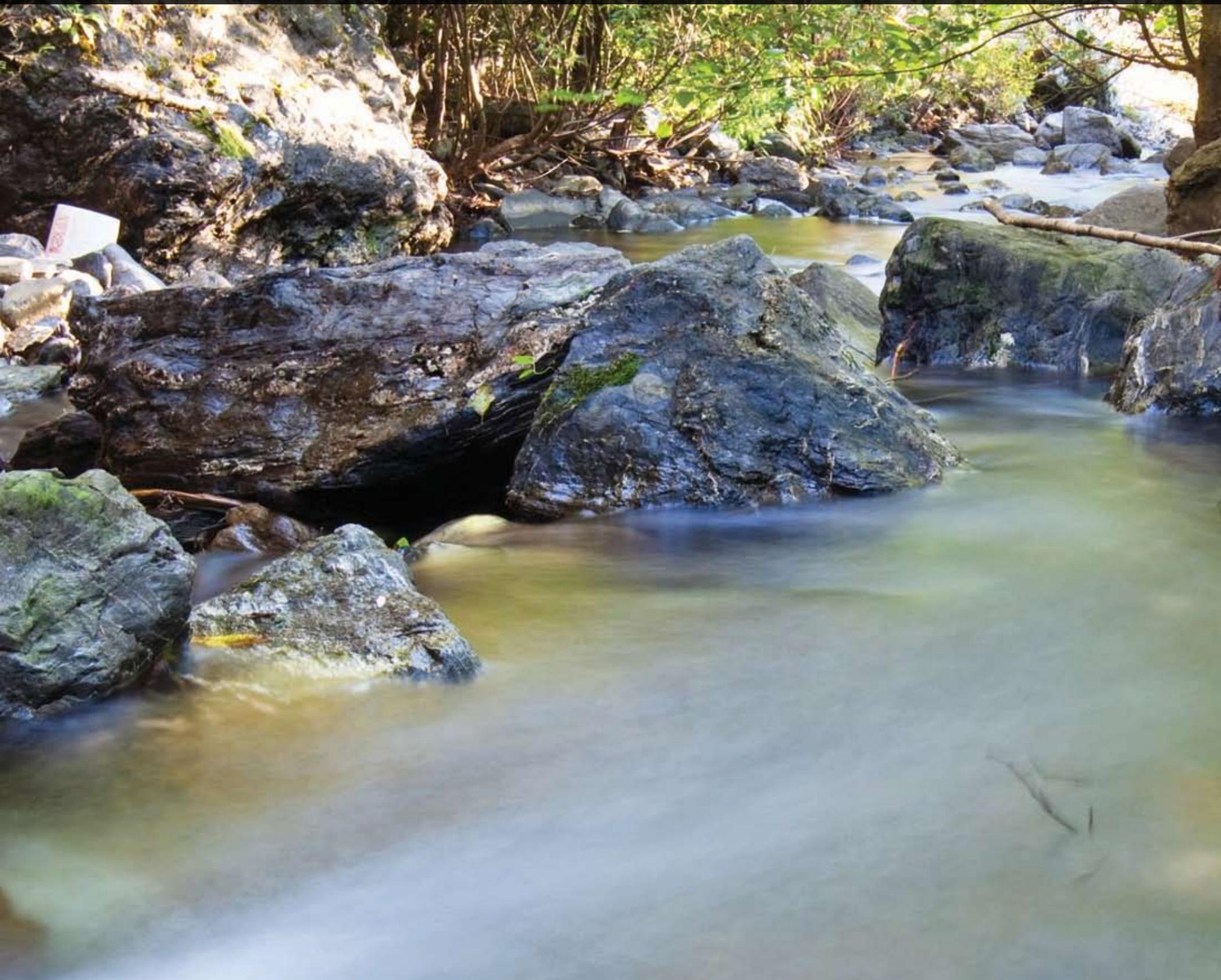


Yurok Today

The Voice of the Yurok People

Tribe Purchases 22,000 Acres

The land investment will increase the Tribe's meager land holdings and create access to cultural resources



Tribe's land purchase will double land base

The investment is expected to pay for itself and needed capital

The Yurok Tribe, working with the nonprofit Western Rivers Conservancy, completed a purchase of 22,237 acres from Green Diamond Resource Company in Humboldt County. The land, part of the Yurok's ancestral territory, will be sustainably managed for clean water and forest health.

"The Tribe has long sought the return of ancestral land to benefit salmon and restore tribal cultural management practices, which benefit fish, wildlife and the ecosystem as a whole," Yurok Tribal Chairman Thomas O'Rourke said. "This land will pay for itself and also provide the Tribe will much needed capital."

"This is an historic accomplishment to ensure clean, cold water for the Klamath River's salmon runs while re-establishing a portion of the Yurok's homeland," said Phillip Wallin, President of Western Rivers Conservancy.

"This is the culmination of almost 23 years of collaboration with the Yurok Tribe, commencing with the establishment of the Hoopa/Yurok Settlement Act of 1988. Our company is proud of our role in partnering with the Yurok and Western Rivers Conservancy to see this landscape moved into the Tribe's stewardship," said Neal Ewald, Vice President and General

Manager of Green Diamond Resource Company.

The land purchased today, more than 34 square miles, will become a Yurok Tribal Community Forest, and will double the Tribe's minimal land base. The Yurok's sustainable forestry management approach will protect salmon, improve water quality and restore meadows that traditionally supported subsistence hunting and gathering. The Tribe will work to further enhance three tributaries to the lower Klamath River that flow through the property: Pecwan, Ke'pel and Weitchpec Creeks.

These creeks provide vital cold water and spawning grounds for the many anadromous Klamath fish species.

In December, the State Water Resources Control Board (SWRCB) voted to authorize financing of \$18.75 million from the Clean Water State Revolving Fund for the Yurok Tribe to purchase the land.

"The State Water Resources Control Board supports this project as part of our program to continue to reduce nonpoint source pollution in California's waterways," said Esteban Almanza, head of SWRCB's Division of Financial Assistance. "This is an excellent project that provides multiple benefits to water quality and salmon habitat, and meets the high standards of management practices toward the success of our program objectives."

"The Yurok Tribe looks forward to managing these lands in the way they were meant to be, which is for all species."

Thomas O'rouke Sr.~ Yurok Tribal Chairman

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The Pecwan Creek watershed is part of the Tribe's land purchase.

Photo courtesy of Cindy Diaz

In addition, bridge financing was provided to Western Rivers Conservancy by the David and Lucile Packard Foundation.

By limiting road-building, increasing forest diversity, setting aside carbon reserves and implementing the Tribe's no-herbicide-use policy, among other management prescriptions, the project helps meet the State's water quality goal to limit pollutants (Total Maximum Daily Loads), such as sediment and chemicals, allowed in the Klamath River.

"This land acquisition project addresses both water quality protection and restoration, and ultimately helps meet the State's goals to mitigate adverse impacts to California's waterways," Almanza said.

The project will protect habitat for seven aquatic species, including: coho salmon, steelhead trout, Chinook salmon, coastal cutthroat trout, rainbow trout, southern torrent salamander, and tailed frog, as called for in Green Diamond's Aquatic Habitat Conservation Plan approved several years ago. The Tribe's approach to forestry will promote old-growth habitat and forest diversity that will benefit a number of imperiled species, including marbled murrelet, northern spotted owl, fisher, Humboldt marten and mardon skipper.

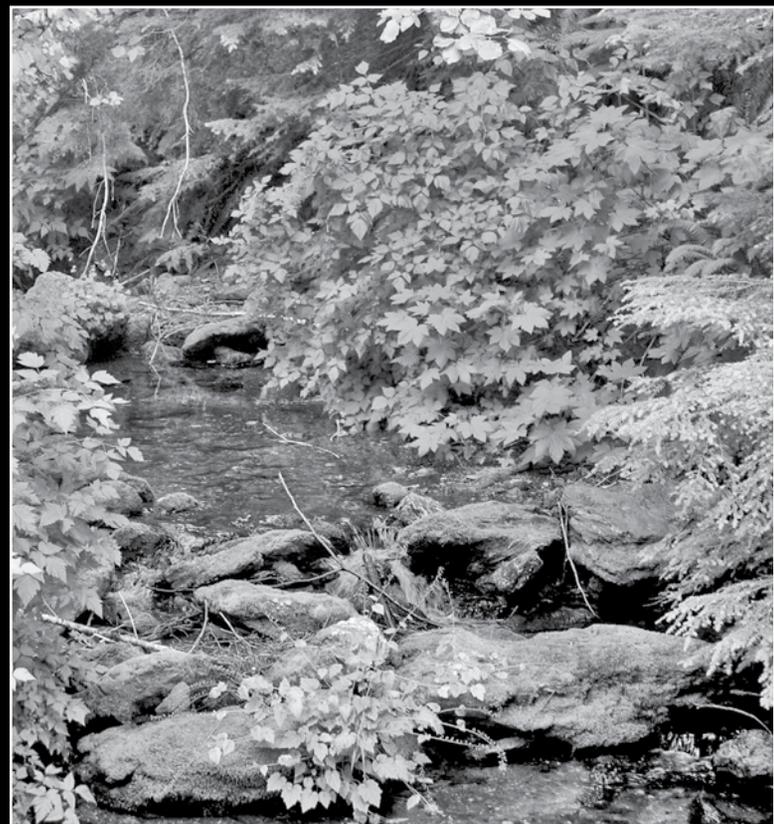
In addition to being a major conservation achievement, this project is also a major cultural accomplishment. The Yurok Tribe has long sought to regain this ancestral territory to rejuvenate traditional cultural practices, including subsistence fishing, hunting, gathering and basket-weaving.

"The Yurok Tribe looks forward to managing these lands in the way they were meant to be, which is for all species," Chairman O'Rourke said. ❖



Photo courtesy of Cindy Diaz

The Klamath River flows through the Weitchpec area.



Pecwan Creek is important for the Jump Dance and for fish.

Spring fishing regulations announced

Rules are aimed to help spring salmon and green sturgeon populations

In response to the decline of wild spring chinook salmon of the Klamath-Trinity Basin and concern regarding the status of green sturgeon, the Yurok Tribal Council has closed the spring fishery for three days per week, in addition to several other conservation regulations

“Closing the fishery is never an easy decision for our Council,” said Thomas O’Rourke Sr., Yurok Tribal Chairman. “Our people depend upon these fish to feed their families. However, it was decided to make this sacrifice to provide for our great grandchildren and beyond.”

This decision was made after gathering input from five public meetings, the Natural Resource Committee and the Tribal Fisheries Program.

The Tribe is concerned that natural populations, primarily from the South Fork Trinity and Salmon Rivers, of spring Chinook are at low levels. Annual abundance of spring chinook from the South Fork Trinity has averaged about 120 fish during each of the past seven years. By comparison, more than 11,000 adult spring Chinook returned to the river to spawn in 1964.

Currently, there are no federal or state-coordinated conservation objectives guiding the harvest of spring chinook. However, the Yurok Tribe, consistent with its longstanding approach to harvest management, does not see this as a reason to not proactively protect weak stocks. The Tribe encourages co-managers that harvest this species to adopt similar regulations to protect these fish.

“It is not easy for our fishers to stay off the river, while other fisheries proceed without consideration for these imperiled fish,” Chairman O’Rourke Sr. said. “We encourage co-managers to work with us to protect these vital stocks, by adopting conservation measures similar to what we have done for several years.”

The Tribe also adopted several regulations to protect green sturgeon, in addition to the three-day per week

closure. While population numbers are not available for this species, there is concern based upon degraded habitat conditions faced by these fish and

the vulnerability of this stock to over-exploitation, given that they don’t spawn until they are on average nearly 17 years old.

Another component of the spring regulations requires that the dorsal fin be removed from all harvested spring chinook, so it is obvious that these are subsistence fish. As in past years, the Council adopted regulations making it illegal to sell or purchase spring Chinook.

For more information and to view the complete regulation change visit <http://yuroktribe.org/departments/fisheries/fallharvest.htm> ✱

“It was decided to make this sacrifice to provide for our great grandchildren and beyond.”

Thomas O’rouke Sr.~ Yurok Tribal Chairman



Traditional fishing rules

Submitted by the Yurok Department of Public Safety

The Creator placed Yurok people and fish together for reasons of balance and longevity. The Yurok have a responsibility for assuring the fish get up the River. These reasons are codified as Indian Law, first instructions from the Creator to the Yurok People. When the Law is not followed, the balance is not maintained and the fish do not return, the River dries up and the Yurok people dwindle away.

(Yurok Culture Committee 2003)

Traditional Yurok Fishing Law is as follows:

1. Know your family relations. Know where you are related along the river. Know the River and its locations, particularly the village name that your family is from.
2. Not every Yurok family had/has a fishing place right.
3. Every Yurok has a fishing place right through permission.
4. Permission is gained by asking and being granted the right, with terms and conditions.
5. Permission given once is not permission given forever.
6. One standard condition is to offer some fish caught at the place where permission was granted.
7. Some fishing places are "open" and anyone can fish there. They are open on a first-come, first-serve basis. If someone is fishing in an open place then the latercomer informs the first party that they want to fish, and then they politely wait a day unless they have already caught enough fish, then they should make ready to leave. It is polite for the first party to provide some fish to those waiting.
8. No fighting on the River, particularly no fighting over fishing places. The River is a place to show respect.
9. Do not waste fish; do not take more than what is needed. It is not what the River will do for you, it is what you will do for the River.
10. Drift netting can occur anywhere as long as it doesn't disturb anyone else's fishing place or net set. ✘



Call your local Law Enforcement Agency @ 707-482-8185 ext 1404

Regarding any information of these possible indicators.

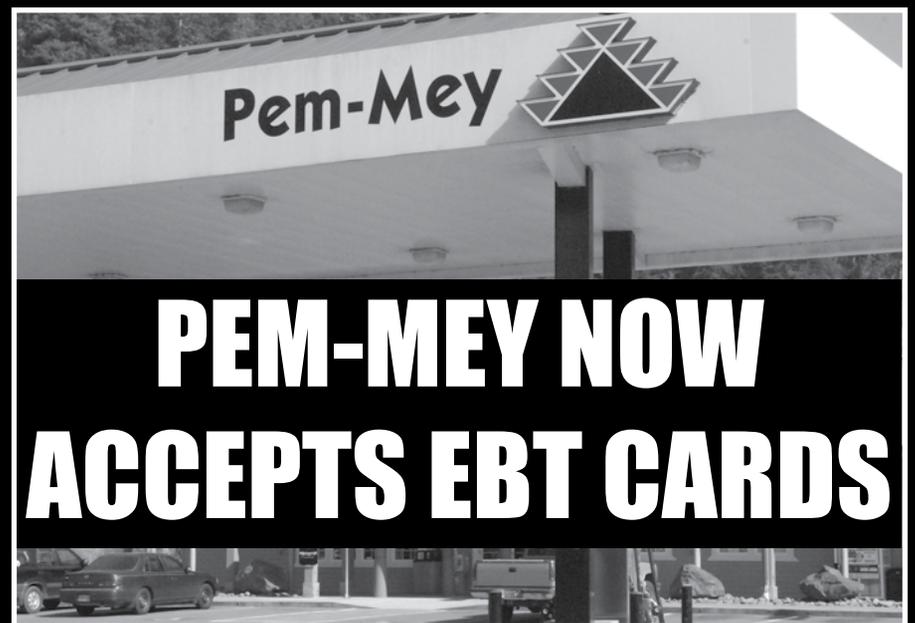


ITEMS THAT COULD INDICATE A METH LAB:

- measuring cups
- antifreeze containers
- papers, notes, "recipes"
- plastic storage containers
- coffee filters (especially red/pink-stained)
- rubber tubing/gloves
- aluminum foil
- funnels
- blenders
- thermometers
- glassware
- duct tape
- thermos bottles and propane tanks
- heat sources like hotplates or microwaves

Learn more - www.stoptribalmeth.org

Montana State University Extension · Tribal Meth Education Training & Help Center
National Congress of American Indians



Get a free life jacket for fishing season

Notice to Yurok Tribal Members: **FREE** Adult Life vests are available for Yurok fishers at Yurok Tribe Police Department at 247 Salmon Ave. Klamath office only. First come first serve.

Place your AD here

Yurok Today is now selling advertising. Yurok Today reaches 2,800 Yurok Tribal households and is available online. Please contact Matt Mais for rates at (707) 482-1350 or mmais@yuroktribe.nsn.us



DEPARTMENT PROFILE



The Yurok Tribe’s Education Department is now able to provide services to tribal members from the moment they are conceived to their final day of graduate school.

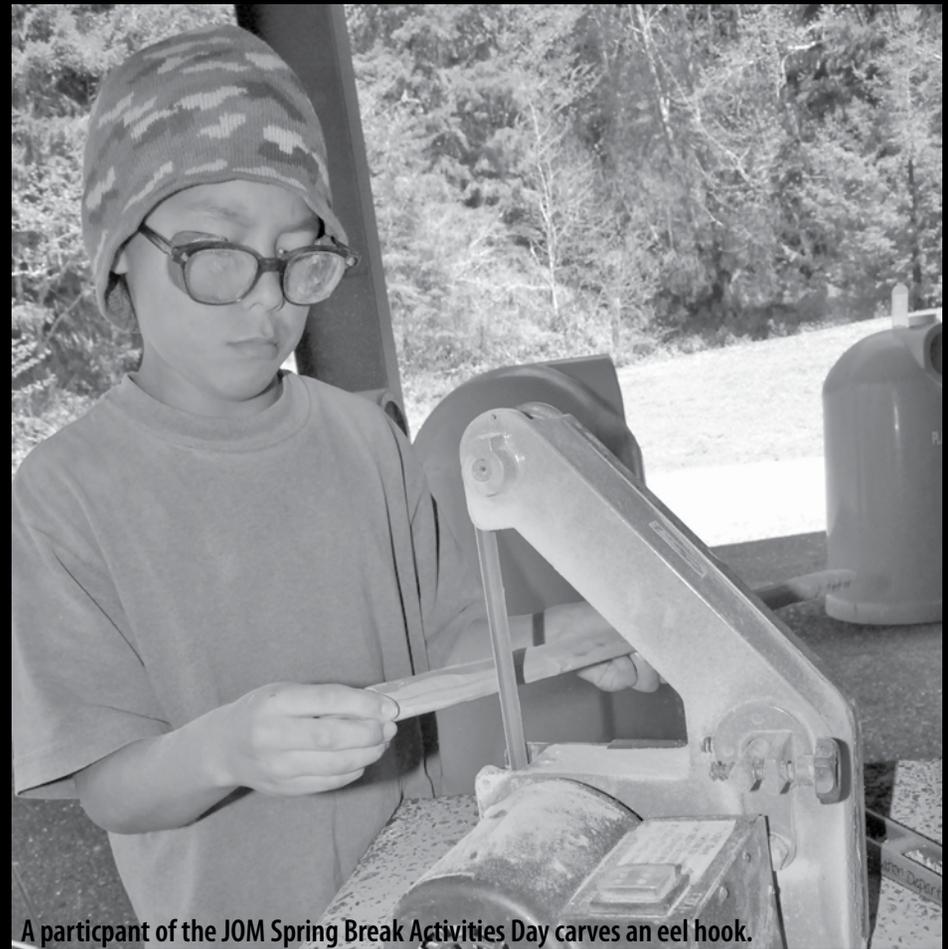
“We view our children as the future of the Yurok Tribe,” said Jim McQuillen, the Tribe’s Education Director. “It is our goal to ensure kids have a solid foundation in both culture and academics, those are the main ingredients for success. We want our children to be anchored in the Yurok culture for their educational success and success in life.”

The Education Department provides a wide-range of support services designed to ensure academic success while building and maintaining the Yurok cultural identity and assisting to provide for the health, education, economy and social well being of our members and future members and to preserve and promote our culture, language and religious beliefs and practices and pass them on to our children, our grandchildren, and to their grandchildren on, forever, according to its mission statement.

The Department runs the Tribe’s Early Head Start, Head Start, J.O.M. Program, Yurok Language Program, Higher Education Program and Success and Both Worlds Program and High School Guidance program. It employs 60 people.

Education recently opened a new 5,700 square foot facility in Klamath at Margaret Keating Elementary School in Klamath. There are also Head Start and Early Head Start operations in Ke’pel and Cutten. The aim of the Head Start Program is to develop social competence in the child’s everyday life. Social competence involves cultural development, cognitive development, socialization, physical and mental health and nutritional needs. The program is designed specifically to prepare children for the transition to the public school years. Yurok language and culture are also integrated into the curriculum.

There are plans under way to expand the Ke’pel site by two classrooms and move into a larger building in the Eureka area



A participant of the JOM Spring Break Activities Day carves an eel hook.

for center based services with several classrooms. The year-round program received a very high rating for environmental health, Federal Monitoring Review and the CHP for its buses.

There are more than 130 children in Head Start and Early Head Start programs alone. Parents can sign children up for services on the Tribe’s website www.yuroktribe.org The JOM Program provides tutoring services to over 300 K-12 students per year, in over 15 public schools, at locations both on and off the Yurok Reservation. Most JOM students improve in grades, attendance and attitude toward education.

Education also assists around 160 tribal members with

“We view our children as the future of the Yurok Tribe.”

Jim McQuillen~ Yurok Education Director

funding to attend college or vocational school. Last year, the department provided more than \$100,400 of funding to members both on and off the Reservation.

The Yurok Tribal Council has awarded teaching credentials to seven Yurok language teachers. The certificates enable, thanks to the new California Bill AB 544, language instructors to teach in the state's public school system with teaching credentials. Yurok language is now taught in several public schools including four of the area's high schools at no cost to the Tribe. The Language division of the Education Department facilitates six language immersion groups or pods throughout Yurok ancestral territory. In 2010 nearly 400 students received consistent training the Yurok language.

This work is paying off. There are more motivated and inspired Yurok language speakers than there were 50 years ago and the number is multiplying every day.

"Our language teachers are some of the most passionate people you will ever meet. The combination of their dedication, work and the love for the Yurok culture will restore our language to the way it was prior to European contact," McQuillen concluded. ❖

Yurok earns two big scholarships

While Yurok tribal member Jessica "Cooney" Clayburn is only 22, she has a crystal vision of what she wants in her future.

The Humboldt State University Junior recently received two highly competitive scholarships, totaling \$15,000. One of the scholarships was only open to students selected by and applied for by the university. Dr. Jacquelyn Bolman, the Director of HSU's Indian Natural Resources, Sciences and Engineering Program submitted the successful Morris K. Udall scholarship application on Clayburn's behalf. Only 80 students nationwide were awarded the \$5,000 recompense.

"She is an inspiration to all who pursue higher education.....and aspire to the ideals of "being of service" to our Tribes and Tribal people," Dr. Bolman said. "I know she holds within her the answers to the very complex challenges we are facing today as a people and a world."

The money will help Clayburn realize her goals.

"I was really shocked to receive the scholarships. I felt really happy that others believed enough in my dreams to fund them," Clayburn said. "I used the money to pay off student loans and avoid taking out more in the upcoming school year."

The second scholarship was bestowed to only one and four California Native American students who applied. The Morongo Band of Mission Indians Rodney T. Mathews, Jr. Memorial Scholarship also required someone nominate Clayburn. Yurok Tribal Member and President and CEO of the Seventh Generation Fund for Indian Development, Chris Peters, recommended Clayburn for the \$10,000 scholarship, which she won.

"I believe that through Jessica's skills, motivation and passion for serving indigenous



Jessica "Cooney" Clayburn won very competitive scholarships.

peoples as well as the Yurok community, she has great potential in becoming a future tribal leader. This is why it is an honor and a privilege to support Jessica Clayburn's application," Peters wrote in the application.

The Klamath native went to Margaret Keating and was in one of the last junior high classes before it closed its doors to that age group. She also graduated from Del Norte High School. Clayburn attributes her success to having a stable, intoxicant-free home while she was a child and being exposed to her culture at a young age. Even though drugs and alcohol were not present inside her house, she witnessed living on the Reservation over and over again the turmoil substance abuse causes which is something she is intensely driven to turnaround once she finishes school.

"I want everyone in our tribal population to have the same opportunities I had and still have — a drug and alcohol-free safe home, access to my culture and language and knowing who I am and where I come from," Clayburn said. "All of those things enabled me to have the passion to work hard and achieve my educational goals and dreams." Clayburn is working toward a Bachelor's Degree in psychology and minor in business

administration. She will be applying to HSU's post graduate Social Work Program in 2012. After Clayburn completes her social work training she wants to work for Yurok people in some capacity.

"I definitely see myself coming back to the Yurok community and working for my people," Clayburn said. Clayburn is the program development coordinator for Red Deer Consulting, which specializes in leadership development, personal growth and identity based counseling and advising to Indigenous peoples, and is also headed by Chris Peters. It is there where she has formed her greatest life goal.

"Working with Red Deer Consulting I've been able to see how much culture plays a part in the health and well being of native people," Clayburn said. "My big dream is to make a culturally sensitive treatment option that is viable for our people and will offer the best chance of success."

Clayburn is also currently a JOM tutor serving the South District area. She enjoys working with Yurok youth providing academic assistance as well as cultural activities.

Clayburn, whose mother, Barbara McQuillen, a Yurok language teacher, is an active participant in Yurok ceremonies. She also is keen on working with people, which is probably the most valuable skill in her field. She also is very grateful for her parent's for giving her foundation.

"I am a people person. I love to work with people," Clayburn stated. "I would also like to thank my mother and father for their strong support and always encouraging me to pursue my dreams" Clayburn concluded. ✨

Learn how to be a police officer

The Yurok Tribe is always in need of qualified tribal members to work for its Public Safety Department.

The Department is in charge of keeping Reservation residents safe, protecting cultural sites and defending fish and wildlife from poachers.

A job as a law enforcement officer can be

receive the basic education needed to qualify for an entry level officer position. Graduates earn a Peace Officer Standards and Training academy certificate which is good for three years. A basic reading and grammar test is required to qualify before the academy begins, as well as being fingerprinted.

"The best advice I can give to potential cadets is to study your books and pay attention in class."

Thorin McCovey~ Yurok Public Safety Officer

very rewarding on a personal level, comes with a living-wage salary and good benefits.

Securing a position as a sworn law enforcement officer is rigorous to ensure the best possible applicants become officers.

There are several things a potential recruit must think about prior to pursuing a career in law enforcement.

"I tell people to ask themselves the following: Is this something I can completely commit to? Will I be able to meet the mental and physical demands of the job? Do I possess qualities that will translate to one day becoming a leader in the community?" said Public Safety Officer Thorin McCovey, who, in addition to his regular duties, is tasked with recruiting new officers.

If the answer is yes to all of those questions, the steps below will guide potential officers through what it takes to land a position in law enforcement.

First step, THE POLICE ACADEMY:

The police academy is where cadets

During the academy there are several challenges that must be met in order to succeed. A cadet will be in a classroom for much of the academy but there is plenty of hands-on work as well. There are several tests administered throughout the demanding process. There are also live training scenarios and tests on lessons learned during the exercises. If a test is failed, cadets are required to pass a remediation exam to receive a POST certification. If the cadet fails the remediation he or she is dismissed from the academy.

Physical training takes place nearly every day of the week. This involves running and other exercise routines geared toward training objectives and promoting lifetime fitness for future officers. Defensive tactics are also taught. Cadets will learn basic skills to protect themselves during physical altercations as well as demonstrate control techniques for making arrests. Firearm's

training is another area which cadets will be evaluated and must meet a standard. Emergency vehicle operation is another area of instruction where cadets must meet a set standard.

“The best advice I can give to potential cadets is to study your books and pay attention in class,” McCovey said. “Apply yourself to the task at hand and you’ll do fine.”

For more detailed information on the police academy contact your nearest California POST academy.

Second step, The APPLICATION PROCESS:

Once the academy portion is finished, then what? The next phase in becoming an officer is finding a job. The trends on job availability for sworn officer positions tend to ebb and flow throughout the state. Different departments may have different policies, standards, or even philosophies when it comes to looking at applicants. POST standards are the minimum standard across California. Individual departments can impose additional requirements or have higher standards. For example, some departments require an associate’s degree or higher before considering an applicant.

There are generally several stages in the recruitment process. After the application is received by the department, a testing process is usually administered and an oral board or interview will be scheduled. This usually consists of a written exam and a physical agility test. The standards are set

by the individual department. The interview usually consists of a panel including the department head, supervisors, and maybe other officials. If an applicant is selected, the next area of screening begins, which is the background check.

The main area that frequently causes problems or concerns for people is the background investigation. There is frequently concern over things applicants may have done in the past, which can affect chances of getting hired.

“The most important thing to do is to always, always, always tell the truth,” McCovey said. “Many times people have tried to lie or cover up something in their background and are disqualified not because of the past incident but because they lied about it.”

Usually, the agency will work with the applicant and will not disqualify him or her from being hired. Again, however, if the investigator finds an untruth the recruit will be excluded.

Legally, the minimum hiring age is 18. However, practically all agencies require the applicants to be at least 21 by the time they are hired. It is a good idea to review the California regulations on the POST website regarding selection standards. While this site is designed primarily for agencies, and recruits may not be able to access all of the information, it is helpful for finding out what it takes to become an officer.

For more information visit:
http://www.post.ca.gov/Hiring/Peace_Officers/. ❄

Tribe drafting traffic laws for Rez

The Yurok Tribal Court, the Yurok Tribal Public Safety Department and the Office of the Tribal Attorney are coordinating on an effort to strengthen traffic safety laws on the Yurok Reservation.

The departments are beginning to draft tribal traffic ordinances that will bolster Tribal sovereignty and increase the jurisdiction of the Yurok Tribe. The new laws will also transfer traffic law-related authority from Humboldt and Del Norte County courts to the Yurok Tribal Court.

Most of the laws are shaping up to be very similar to the California Vehicle Code, however, there will be some exceptions.

When the new laws come out they will pertain to every person driving on the Reservation.

Currently, the California Attorney General maintains that the state cannot ticket tribal members for driving without a registration on the Reservation, although the California Highway Patrol does it all the time.

The Attorney General’s opinion states: “California motor vehicle registration and driver’s license requirements are not subject to enforcement against Indian tribal members on roads within their Indian reservation.”

There are several cases cited in the opinion in regards to Public Law 280 and the California Vehicle Code. Public Law 280 is what enables state and county police to enforce the California Criminal Code on the Reservation. Much of the meaning of the Attorney General’s opinion has been interpreted in different ways by different people in the CHP, members of the community and the courts. The new tribal laws are intended to be a solution to the confusion surrounding the state’s jurisdiction on the Tribe’s land and make the roads safer for those driving on the Reservation.

“If you look at it from the perspective of overall community well-being, what we have now is severely lacking because we don’t have solid set of rules to govern and protect all citizens driving on the Reservation,” said Public Safety Officer Thorin McCovey, who is charged with finding solutions for traffic issues. “The new traffic laws will give the Tribe sovereign authority over our roads and put in check people who don’t want to drive in a respectful way.”

In the meantime, it is important for tribal members not to let licenses or registrations expire, according to the Yurok Tribe’s Department of Public Safety.

The new ordinances, when adopted by the Tribal Council, will likely take the place of California license and registration.

The Yurok Department of Public of Public Safety is also embarking on another effort to keep Reservation drivers safe. Public Safety is starting the “Buckle up Yurok” campaign to encourage the use of seatbelts and car seats and curtail the number of drivers’ under the influence of alcohol or drugs on the road. The grant also contains money to create the traffic-related ordinances referenced above.

Those changes will dramatically decrease the number of driving-related injuries and fatalities, according to the United States Center for Disease Control, which keeps statistics traffic-related human damage.

Please visit the Tribe’s website www.yuroktribe.org and facebook page www.facebook.com/theuroktribe for upcoming events and additional information. ❖

YUROK COMMUNITY MEETING



KICK OFF EVENT

COME JOIN US MAY 14, 2011

Yurok Tribe Community Room; 10-12am

Please Come Out for the Community Meeting Kick Off Event to Learn About the Klamath Area Land Use Planning Effort.

(Hunter Creek area, Klamath Townsite, Klamath Glen, & Requa)

Bring your family and share ideas about the Klamath Area

(Refreshments will be provided)

KEEP KLAMATH BEAUTIFUL

Place your AD here

Yurok Today is now selling advertising. Yurok Today reaches all 2,800 Yurok Tribal households and is available online. Please contact Matt Mais for rates at (707) 482-1350 or mmais@yuroktribe.nsn.us

Learn more about the Cobell Settlement

Courtesy of the Two River Tribune ~ By Kay Heitkamp

Cobell v Salazar. Fifteen years in the making. The largest class action lawsuit ever filed against the U.S. government. Multiple allegations of mismanagement and lack of accounting for trust funds and lands held in trust. A complete denial of all claims by the federal government.

A \$3.4 billion settlement – the largest class action suit ever settled over federal trust management of Indian lands and the largest settlement ever agreed to by the U.S. government. This is a proposed settlement, the result of multiple modifications since the original settlement agreement of December 7, 2009. The court must still decide whether the settlement is fair, provide opportunity for comments or objections, and give its final approval.

Multiple appeals were filed. Judges have come and gone. There may be further appeals. Is it over? Not yet. Is the end in sight? Perhaps.

The settlement required special approval by Congress and took almost a year to work its way through the Senate and House of Representatives which both took part in negotiations and hearings. President Obama signed the agreement into law last December.

There may be as many as 600,000 individuals entitled to participate in the settlement. The federal government really doesn't know how many beneficiaries there are. They only have addresses for perhaps 300,000 – 400,000 people. The Yurok Tribe has held public meetings and workshops to help tribal members wade through the settlement process.

At a meeting on April 12 in Hoopa, two attorneys who have represented Elouise Cobell and the class action plaintiffs spoke to approximately 100 people who came for an update, to ask questions, and express their opinions. Attorney Bill Austin has been involved in the lawsuit for 10 years and fellow attorney David Smith, a few years less.

After Congress approved and the President signed the legislation into law, the settlement went back to the Court led by Senior Judge Thomas Hogan for preliminary approval.

“What does that mean?” asked Smith. “It means that Judge Hogan in Washington D.C. looked at the settlement and said, on its face, it appeared fair. Congress thought it was fair and the President thought it was fair. The judge set a hearing date of June 20, 2011 and asked for as many people as possible within that time frame to have notice of the lawsuit, to give them a chance to be notified or find out if they

might be potential beneficiaries.”

At this point, the settlement is considered to be a proposed settlement because, although signed into law by the President, there are still more steps involved before distribution of any monies.

About \$12 million dollars of the proposed settlement was set aside to give notice to potential beneficiaries about their right to participate. Traveling around Indian Country, using TV, radio, and postings to the Internet, Austin and Smith have conducted an exhaustive number of meetings to get the word out.

“Why did we have to spend \$12 million dollars to do this?” asked Smith. “The reason is that there are approximately 600,000 individuals we believe have the right to participate in the settlement. We need to be sure as many people as possible know about their rights and that they need to make important decisions about those rights. There are deadlines approaching.”

Smith gave his toll-free phone number, 1-866-383-6554, for people to call him directly with any questions about the settlement. He said their office usually receives 50-60 calls a day. He also suggested calling 1-800-961-6109 for specific information.

“Individuals who think they may be eligible to participate in the settlement but have not yet received notice or are not receiving IIM account statements should call 1-800-961-6109 or go to the website at IndianTrust.com to register,” said Smith.

The attorneys brought packets of detailed information with them and offered to stay as late in the day as possible to answer individual questions and help individuals fill out claim forms. Smith recommended that people read through a one-page summary included in each packet to get an idea of what the settlement is all about. The summary answers questions about the two classes of eligible beneficiaries, provisions of the settlement, and amounts that will be distributed.

Smith specifically pointed out a section about other individual rights, such as the right to opt out of one of the classes. The opt out date was April 20.

Austin took the floor, saying he wanted to 1) explain the purpose of the lawsuit, 2) discuss why the case took so long, 3) share what he believes was accomplished, and 4) describe why he believes the settlement was the right thing to do. He began with why the lawsuit was necessary.

“In 1887, Congress imposed by statute a trust relationship on Indians who were told they owned their land and had beneficial interests in it, but couldn't sell, lease, or use it without government permission and consent,” Austin said. “The U.S. government was

supposed to manage and control the accounts into which monies from the use of the land were to be deposited, but for 120 years, the government mismanaged those funds in a manner that defies the imagination.”

Repeated requests over the years for an accounting of the trust funds failed, and on Feb. 2, 1996, Elouise Cobell and four other IIM holders filed a lawsuit in Washington D.C. They asked a federal judge to accomplish what the government had been unable or unwilling to do – require the United States to explain its mismanagement of the trust funds, account for missing monies, and reform the way it does business.

What happened? In December 1999, the federal judge assigned to the case declared the federal government had a legally enforceable obligation to do a full and complete accounting of its handling of the trust funds and assets for the previous century. This was called a stunning victory for the plaintiffs.

Affirming the judge’s decision 18 months later in 2001, the Washington D.C. Court of Appeals (just below the U.S. Supreme Court), ruled that all there was left to do was for the U.S. to take steps to rectify the situation, promptly. Eight years went by before a settlement was reached while the federal government refused to comply with the lower court’s orders and repeatedly appealed countless rulings issued by the courts.

Different judges tried to bring the case to conclusion and failed. It was finally conceded that it was impossible to get an accounting of the mismanaged trust funds because so many records were missing, destroyed, or non-existent.

Smith gave an example of the federal government’s inability to render an accounting of trust funds. The court had requested the government go back 100

years. Smith said the U.S. government was unable to go back even 10 years with any credibility and probably only understood 20-30 percent of its own records that, in part, had often been destroyed.

In an effort to bring some justice to Native peoples, a judge held another trial that began in January 2008. The following August, he issued a 70 page decision in which he determined that the IIM trust account balance should be set at \$455.6 million dollars as fair compensation for holders of IIM accounts. This amount was hotly contested, but requests by plaintiffs’ attorneys for additional monies couldn’t be supported because records to support a higher amount didn’t exist. During the next five months of negotiations, the amount was increased to the current figure of \$3.4 billion.

On July 24, 2009, about five months before the case settled, the Court of Appeals issued a decision that raised a very real potential for the case continuing for several more years, with the end result that there could well be nothing left to compensate the beneficiaries. Although an earlier court concluded that plaintiffs were entitled to an accounting of their accounts and assets – where there land is, what money went in, what came out, what it was used for, where it went, there appeared to be no end in sight. Austin said it seemed the right time to close the door, settle and move forward.

Are there any winners? A \$1.5 billion fund, part of the \$3.4 billion total settlement, has been set aside to pay both classes of beneficiaries. Every plaintiff who meets the eligibility requirements of the Historical Accounting Class that includes holders of IIM accounts will receive a single payment of \$1,000. The same plaintiffs may also be members of the Trust Administration

Class as trust landowners and, if eligible, will each receive a minimum of \$800 (previously \$500), in addition to the \$1,000 payment.

Goals are to distribute the \$1,000 payments by October, with other payments to be sent out by next March.

A \$1.9 billion Trust Land Consolidated Fund, also part of the \$3.4 billion total settlement, has been set aside to provide individual Indians a chance to sell and be compensated for fractionated interests in trust lands. Often, hundreds of individuals may have an interest in just one parcel of property. The federal government will have 10 years to purchase individual interests and turn the land over to the tribes. No individuals will be forced to sell their property interests. This fund will also support trust reform efforts and set aside \$60 million for Indian scholarships.

The good news is that settlement distributions will not be taxed. Medicare, disability, and social security benefits will also not be affected even though receipt of settlement monies will result in a one-time increase to individual earnings.

When asked about opting out of the Trust Administration Class to pursue their own individual claims against the federal government, Smith said the person who wanted to opt out must have sent a request in a letter that includes the individual’s full name, telephone number, address, social security number, IIM account number(s), and a signature. The letter should have been postmarked by April 20.

What does it mean if you decide not to participate as a beneficiary in the Trust Administration Class? According to Smith, individuals will have to hire and pay their own attorneys – there is no money in the settlement allocated for legal fees.

“The claim would most likely need to be filed in the Court of Federal Claims

and may take years to litigate. It's expensive and difficult," said Smith. "Also, when suing the federal government, there are statutes of limitation that apply, barring many claims from being filed. Many of the dates required to bring this kind of lawsuit have already expired."

Several members of the audience expressed their resentment at getting ripped off by the federal government repeatedly over the years. One said that in his opinion, the settlement was no settlement at all. "It's nothing. It's pathetic" he said, but added, "Get what you can, just don't sell your land. Keep it for your grandkids, give it back to the tribe, or give it to me." His last remark lightened the mood of the audience and earned hearty applause.

Austin agreed with the speaker that the settlement doesn't end the injustice and that it doesn't represent full compensation for all the injustices endured by Indians over the centuries. He said though, in his opinion, you have to try to correct the injustice...you have to try to take the federal government to task. Most importantly, said Austin, it establishes a precedent – you can take the government to court and win. It's something to build on.

During the trial, one of the key judges, Judge Lambert, also recognized the value of the plaintiff's actions. He declared the hope for a better future for our country was, in his view, sustained by the fact that the Indians who brought this case stood up, drew a line in the sand, and told the government enough is enough, this far and no more. ✘

Scenic Byways meeting

Come learn about the progress of our Yurok Scenic Byways Program (YSBP)!! Learn what Tribal Scenic Byways are all about and how you can get involved. Check out which routes we are planning to designate and discuss how the YSBP can benefit you! The dates are May 25th at the Klamath Tribal Office and May 26th at the Weitchpec Tribal Office. Both meetings will be from 5:30pm-6:30pm. Light refreshments will be provided. For any further information feel free to contact: Isaac Kinney, Scenic Byways Coordinator (530)625-4130 ext. 1631 (707)482-1350 ext. 331 ikinney@yuroktribe.nsn.us

Tribe increases web exposure

The Yurok Tribe has increased its exposure on the worldwide web to create greater access to services and public information and promote its larger initiatives.

The Tribe now has a Facebook page where tribal members and the public can get updates on the Tribe's activities, learn about its culture and look at photos from tribal events. People can join the Facebook page at www.facebook.com/theyuroktribe. The Tribe's Human Resources Department also has a Facebook page that contains all current job listings. It can be joined www.facebook.com/yuroktribehumanresources

The Tribe, with the help of Six Rivers Graphic Design, is also in the process of overhauling its website. The departments that provide services, such as Social Services and Education, have forms online and some can be filled out and returned online. For example, parents can sign up for Head Start and Early Head Start online now.

There is also a news feed that is updated weekly as well as many other aesthetic changes.

Please visit the www.yuroktribe.org to view the changes and keep informed. ✘

Decision makers visit the Yurok Reservation



(Left) Del Laverdure, Principal Deputy Assistant Secretary for Indian Affairs, Burton Warrington, Counselor, Assistant Secretary for Indian Affairs, Chairman Thomas O'Rourke Sr., Bryan Newland, Counselor, Assistant Secretary for Indian Affairs, Public Safety Chief Mary McQuillen and Yurok Executive Director John Gonzales. The Department of the Interior team took time to learn about the unique challenges the Yurok Tribe is facing and the creative solutions it is implementing to overcome them.



(Left) Charmain Thomas O'Rourke Sr. and Administration for Native Americans Commissioner Lillian Sparks talk at the Libby Nix Community Center in Weitchpec. Sparks toured the Reservation from top to bottom. The Administration for Native Americans funds key tribal projects such as the Language Program and Condor Reintroduction Initiative. ANA has also supported some of the Tribe's environmental goals.



(Left) Joseph James, Yurok Transportation Manager Dale Risling, Deputy Regional Director of the BIA Pacific Region LeRoy Gishi, Chief, Division of Transportation Bureau of Indian Affairs, Yurok Self Governance Javier Kinney, Kevin Bearquiver, Deputy Bureau Director, of the Office of Indian Services were hosted by the Tribe's Transportation Department for a visit of the Yurok Reservation, which highlighted the Bald Hills Paving Project and subsequent planned projects, and the coordination of efforts to secure funding from the Department of Transportation Federal Highways Administration and Bureau of Indian Affairs.

The federal agency team were impressed by the innovative approaches of the Yurok Tribe regarding the paving of the Bald Hills Road and other transportation projects including the Yurok Scenic Byways and the Paul Sarbanes Transit in the Parks award.



Mom and pop joint a success in Klamath

Dexterity and commitment to community are the key components of running a successful business in a sparsely populated, economically challenged rural area.

The Klamath River Café, a quaint home-style eatery, is the embodiment of those two characteristics, which is why this coming summer will be its fourth in business.

Yurok Tribal Member Walt Lara III and his wife Tatia opened the diner using Walt's Hoopa/Yurok Settlement money. The Cafe serves up fresh breakfasts, frothy coffee drinks, lunches and dinners and it also caters.

"We do everything from fancy linens and nice silverware to paper plate and plastic forks," Walt said. "We've catered weddings to birthday parties."

Every item menu at the Klamath hub starts from real ingredients and patrons are always given generous portions at a truly reasonable price. The apple pie starts with apples and the chowder with fresh clams. The chicken sandwich has a whole breast. The Laras also weave local foods into their offerings. For example, during Dungeness crab season the delectable crustacean will be on the menu. The same goes for lingcod and salmon.

"When we come across something we think people will enjoy we put it out there fresh," Walt said.

The busiest time for the mom and pop restaurant is during sport salmon season on the Klamath River. The Laras have built relationships with local fishing guides who arrive before the hint of dawn for breakfast and leave with sack lunch for their clients.

"We're starting to get a good rapport going with the guides. They come in because they like our food and we're on time," Walt said.

This seasonal rush requires Tatia to start work at 4 a.m. and Walt at 5 a.m. every day of the week. Walt is also the Program Manager for the Yurok Tribe's Watershed Restoration Program. Tatia has a

second job at the Klamath River Early College of the Redwoods.

The Café has a fishing theme. The curtain holders are made from fishing poles and the walls adorned with fishing-related decorations. The Laras also let local artists sell their work on consignment in the dining area.

The Laras have made quite a few improvements to the space since they took it over. Walt built the bars and installed new floors as well as reconfigured the kitchen. Tatia added all the niceties that give the place its comfy character.

The Laras give back to the community that supports the café. They recently donated breakfast for all participants in the Yurok Tribe's Klamath River Clean Up. The couple also contributes gift certificates for area fundraisers.

The café also serves as an information center for residents and tourists. During the summer, hundreds of cyclists stop in to ask for directions and where to find a



Yurok Tribal Member Walt Lara and his wife Tatia own the Klamath River Cafe.

place to stay.

"A lot of them want to put up a tent on the side of the road," Tatia said. "We let them know that's not a good idea."

One evening a trucker came in just after closing. The stoves were shut down so the gentleman was given a thick sandwich. Ever since, the truck driver stops at the restaurant every time he passes through Klamath.

"He doesn't have to stop here. It would be just as easy to stop in Eureka or Crescent City. People remember that kind of thing," Walt concluded. ✨

Yurok Business Spotlight



Yurok Today features one Yurok business in each edition. Please contact Matt Mais at (707) 482-1350 to participate.



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Yurok Environmental Program Technician and Tribal Member Emery Mattz tosses a piece of debris into a dumpster at the 10th Annual Klamath River Clean Up.