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# SHASTA INDIAN NATION



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September 25, 2011

Neil Manji, Regional Manager  
California Fish and Game  
601 Locust Street  
Redding, CA 95501

Dear Mr. Manji:

Subject: Klamath Basin Restoration Agreement – Fishing Rights

The Klamath Basin Restoration Agreement (KBRA) provides the Klamath Tribes an interim fishing site in an area of Siskiyou County that is not within their ancestral territory. Granting the Klamath Tribes a fishing right in Shasta ancestral territory will have definite and irreparable negative impacts to the Shasta Indian Nation and Shasta people. The Shasta Indian Nation opposes the provision of an interim fishing right for the Klamath Tribes on the Klamath River between Iron Gate Dam and the I-5 bridge and implores the California Department of Fish and Game to exercise the Alternative Procedure provided in the KBRA.

#### 34.1. Petition

Within three months of the Effective Date, the CDFG, Klamath Tribes, and relevant agencies of the United States will jointly petition the California Fish and Game Commission to establish an interim fishing site in the reach of the Klamath River between Iron Gate Dam and the I-5 Bridge. The petition will provide that Chinook salmon fishing in this reach of the river will be open to the Klamath Tribes each salmon season immediately after the hatchery at Iron Gate Dam achieves egg take goals. The provisions regulating this interim fishing site, including the definition of the interim period for this purpose, will be set forth in this joint petition. The Parties will support the petition. The interim fishing regulations will become effective as soon as practicable.

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Chairman	P.O. Box 528 Etna, CA 96027	Vice Chairwoman
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#### 34.2. Alternative Procedure

If the petition is not granted, the United States, the Klamath Tribes, and other interested Parties agree to meet and confer to develop equivalent benefits for the Klamath Tribes.

#### 34.3. No Adverse Impact

Any outcome under this Section 34 will not have any adverse impact upon existing harvest allocation issues among other Tribes and non-Indian interests.

Klamath Basin Restoration Agreement, February 18, 2010

### **The proposed area is documented Shasta aboriginal territory and is the home to at least 6 Shasta village sites and adjacent Burial grounds.**

<http://digitalassets.lib.berkeley.edu/anthpubs/ucb/text/arf009-007.pdf>

Part 1. SHASTA VILLAGES

Robert F. Heizer and Thomas R. Hester

**45. A'-chit'-ter-rah'-kah.** Village on river flat on SE side of Klamath River, 2.5 to 3 miles above mouth of Shasta River behind a mountain called Round Hill on maps, but known locally as Black Mountain (Merriam, ms.)

**46. Hahs'-nit.** Large Shasta village on small flat of same name on N. side of Klamath River about 2 miles below Henley (Merriam, ms.).

**47. Okwavig.** Dixon (1907: map) and Kroeber (1925:286) describe this as a (I believe that this is near to where Chief Bill was murdered) Kammatwa settlement on N. side of Klamath River. Merriam (ms.) places the village on the N. side of the Klamath at the mouth of Cottonwood Creek about 2 miles S. of Hornbrook. Other spellings are O'-k'wa-ik and Ah-wuk'-hah (Merriam, iMs.).

**48. Ko-ha'-pi-rah.** Village on flat at Henley near Hornbrook (Merriam, ms.). Merriam (ms.) also refers to the village as Kwas-ha'-pi-rah or Kwe'ha'-pi-rah.

**49. Uqwavig'ahowax Ha.** Village at Hornbrook (Holt, 1946: map).

**50. Eras.** Kammatwa settlement on S. side of Klamath River (Dixon 1907: map; Kroeber 1925:286). More precise location data are provided by Merriam (ms.) who places the village (A'-ras) on the S. side of the Klamath at Klamathon bridge on wagon road from Ager and Trail to Hornbrook.

**51. Kwah-wah'-ah-se-wah'-kah.** Village on S. side of Klamath River at mouth of Willow Creek below Ager (Merriam, ms.).

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Vice Chairwoman

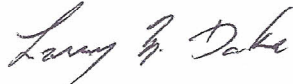
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To proceed with implementation of this provision would be a manifest injustice against the Shasta Indian Nation and a violation of our environmental justice. The Shasta Tribes Culture and Historic Preservation Officer (CHPO) raised concerns with the proposed location during the public meeting held in Beswick, California July of 2010; and expressly called for consultation pursuant to the CEQA and NEPA that require protection of prehistoric village and burial sites. The Shasta Indian Nation is the primary Tribal stakeholder who will experience negative impact to our sites if this provision of the KBRA is implemented. However, consultation has not occurred as required under Federal and State environmental laws. We are gravely concerned that agencies are intentionally circumventing the requisite consultation process.

If you have questions please contact Larry Doke, Chairman, [lmdoke@centurylink.net](mailto:lmdoke@centurylink.net) (541-826-7813) or Sami Jo Difuntorum, Shasta CHPO, [samijodif@yahoo.com](mailto:samijodif@yahoo.com) (530-643-2463).

Sincerely,



Larry Doke, Chairman  
Shasta Indian Nation

Cc: Wally Herger, House of Representatives  
Dianne Feinstein, California Senator  
Barbara Boxer, California Senator  
Larry Echohawk, Department of Interior  
Jerry Brown, Governor of California  
Jim Cook, Siskiyou County Board of Supervisors

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