Special Edition Newsletter regarding referendum vote by the Klamath Tribes for extension of the KBRA and KHSA.

The Klamath Tribal Council remains steadfast in our support of the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSA). This December 2012, Klamath members will decide by referendum ballot whether to amend the KBRA. After careful consideration the Tribal Council supports the amendment package and recommends a “yes” vote in favor of amending the KBRA. See inside for more information. Ballots will be mailed early December. Check your address with Members Benefits Department. 541-783-2219 ext. 203 or ext. 195

The KBRA is our best chance to restore healthy rivers, which will greatly benefit our fisheries and eco-system.
Dear Klamath member,

The Klamath Tribal Council remains steadfast in our support of the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSA). This December, Klamath members will decide by referendum ballot whether to amend the KBRA. After careful consideration the Tribal Council supports the amendment package and recommends a “yes” vote in favor of amending the KBRA.

First and foremost the Amendments extend the life of the KBRA for a minimum of two years. The Amendments also clarify the relationship between the Tribes and the US and ensure the Tribes retain their inherent authority to determine and control the value of the release and relinquishment of claims. The value of the deal now allocates $104 million in direct funding to the Tribes, an increase of more than $66 million. Furthermore the Agreements expand how the Department of Interior will work with the Tribes to implement the KBRA. A detailed description of the Amendments will be provided with the ballot, the Tribes’ website and at Tribal Headquarters.

We understand that the time it takes to move federal legislation through the US Congress can be lengthy and frustrating. But the benefits the Agreements will have on the health of the Klamath Basin are worth the wait and remain the best avenue to meet our goals. Specifically for the Klamath Tribes, the removal of four dams, reintroduction of salmon and steelhead to the Upper Klamath basin, restoration of aquatic habitat to support our tribal fisheries and $21 million toward the acquisition of 90,000 acres of our ancestral homeland at this point are only available through the KBRA.

Amending the KBRA in the Tribal Council’s opinion is the only path that protects the Tribes’ interest in the KBRA. The KBRA amendment process itself is a reminder that the KBRA is an effective, flexible, adaptive, and efficient tool to address Klamath Basin water matters and an example of how things are working under the KBRA. Again the Tribal Council remains committed to the success of the KBRA and KHSA and support the approval of the Amendments to the KBRA.
It is time for the People to once again vote regarding an "extention" of the KBRA.

In early December, Tribal members can expect to receive a ballot in the mail regarding proposed changes to the Klamath Basin Restoration Agreement (KBRA). Based on this vote, the Klamath Tribes will either approve or reject a package of amendments to the KBRA. If the Klamath Tribes approve the amendment package, they will remain a party to the KBRA. If the Klamath Tribes reject the amendment package, they will no longer be a party to the KBRA, because if the amendments are rejected then the KBRA will end on December 31, 2012.

On January 19, 2010, the Klamath Tribes’ General Council voted (770 for; 139 opposed) to enter into both the KBRA and its sister agreement, the Klamath Hydroelectric Settlement Agreement (KHSA). Since that time, there have been changes that now require another decision from the Klamath Tribes. In this special newsletter, much information is provided to Tribal members so that you can understand the issues and cast an informed vote. In addition, information materials will be included with the ballot to assist voters in understanding the issues.

A Message from the Klamath Tribes’ Negotiation Team

We, the KTNT, have said much to Tribal members over the past few years about the importance of the KBRA and the KHSA to the future of the Klamath Tribes. These agreements offer the best pathway from where we stand now to a future in which Tribal members can actually exercise their Treaty rights. Right now, can we go out into a forest that we own and exercise our Treaty rights? NO. Right now, can we fish for salmon and steelhead in our lakes and rivers? NO. Right now, can we fish for c’waam and koptu (the endangered suckers) in our lakes and rivers? NO. Right now, is the water quality and quantity in our rivers and lakes what it needs to be to support our Treaty resources? NO. Right now, is there a pathway to restore these things to the Klamath people? YES!! The KBRA and the KHSA were designed in part to restore land and healthy rivers and lakes to the Klamath Tribes. We have to fight hard to preserve these agreements, and to make sure that they are implemented as we intended. The proposed amendment package that Tribal members will be voting on is a vital part of this continuing fight to regain and preserve our heritage for future generations. The KTNT believes that the amendments strengthen the Klamath Tribes’ position in the KBRA, and recommend a “yes” vote.

Questions and Answers:

What do the KBRA and KHSA provide the Klamath Tribes?

- The KHSA charts a course for removing the lower four dams on the Klamath River in the year 2020. These dams block all salmon and steelhead runs from returning to the Klamath Tribal homelands; removing these dams is by far the best way to restore these runs.
- The KBRA provides:
  - A Tribal Program that includes:
    - funds for the purchase of the 90,000 acre Mazama Forest;
    - annual funding for aquatic ecosystem and uplands management;
    - an interim salmon fishery below Iron Gate Dam;
  - A Fisheries Program consisting of a massive effort to:
    - restore river and lake habitats;
    - improve water quality;
    - re-establish salmon and steelhead;
    - recover endangered suckers;
    - re-establish and maintain Tribal Treaty fisheries;
  - A Water Resources Program that:
    - reduces (by about 100,000 acre feet, or 25%, in dry years) and caps water diversions from Upper Klamath Lake by the Klamath Irrigation Project;
    - increases and caps diversions by the Lower Klamath and Tule Lake Wildlife Refuges;
    - protects against excessive groundwater use by the Klamath Irrigation Project;
    - reduces diversions above Upper Klamath Lake and increases inflow to the Lake by 30,000 acre feet per year;
    - restores former wetlands around Agency Lake;
    - provides sufficient water to improve fisheries;
    - strengthens the Klamath Tribes’ role in water management;
    - settles water adjudication issues between the Klamath Irrigation Project and the Klamath Tribes.
  - Jobs and economic development opportunities for Tribal members through the Programs listed above.

What happens if we vote yes?
The Klamath Tribes will remain a party to the KBRA. If all of the other 40-plus parties also vote yes, then the amended KBRA will continue.

What happens if we vote no?
The Klamath Tribes would essentially terminate the KBRA, because all parties must agree in order to amend the agreement. Because one of the proposed amendments extends the KBRA beyond the present termination date of December 31, 2012, if any party votes against the proposed amendments, then the termination date will not be extended, and the agreement will terminate.

What happens to the KHSA if the proposed amendments do not pass?
If the proposed amendments do not pass and the KBRA terminates, then political support for removing the lower 4 dams on the Klamath River will decrease, making it much
Why does the KBRA need to be amended? The overall budget in the KBRA was reduced by a vote of the KBRA parties because of the nation-wide economic recession, and the difficult relationship between the U.S. Congress and the President’s federal Administration. The Klamath Tribes voted against this change because the reduced budget decreased the overall value of the Tribes’ limited release of some claims against the U.S. It is also necessary to extend the KBRA beyond the current December 31, 2012 ending date.

How did the KBRA budget reduction affect the Klamath Tribes? Despite substantial funding increases for the Klamath Tribes’ Fisheries and Conservation Management Programs, and the Salmon and Steelhead Re-introduction Program, funding decreases in other areas diminished the overall value of the Tribes’ release of claims against the U.S.

Have there been any changes in KBRA provisions about the Mazama Forest acquisition? No. All provisions regarding the Mazama Forest are unchanged. We are still working to acquire this 90,000 acre piece of our homelands. If the Tribes’ efforts are unsuccessful the Tribes still have the right to withdraw from the KBRA.

What are the proposed amendments that affect the Klamath Tribes?

- **Termination of the KBRA before Congressional authorization legislation passes.** The KBRA cannot be fully implemented unless it is authorized by Congress. Because of the recent economic crisis and the bitter battles among the U.S. House, Senate, and the President’s administration, it may take several years to get the necessary Congressional legislation passed to authorize the KBRA. No party wanted to be subject to an agreement that was not going to be implemented, so a provision in the KBRA says that if the necessary Congressional legislation has not been passed by December 31, 2012, the KBRA terminates. The delay in Congress does not change the value of the KBRA, and it is too soon to give up on this historic agreement, so the parties are proposing an amendment to the expiration date that will do several things. First, it changes the termination date to December 31, 2014. Second, if the necessary legislation has not been passed by this new date, then the termination date will automatically roll over to December 31 of the following year. This will continue each year until the legislation is passed. If a party believes that the benefits they bargained for in the KBRA are no longer achievable, and dispute resolution procedures do not produce an acceptable amendment to the agreement, then the agreement would terminate. Termination of the agreement under this amendment is possible only before federal authorizing legislation has passed.

- **Protecting Value of the Klamath Tribes’ Release of Claims Against the U.S.** Currently, the KBRA requires and specifies funding for many actions by many parties but usually does not identify which entity would be funded to perform specific actions. The Klamath Tribes agreed to release certain claims against the U.S. after a long list of specific events had occurred, regardless of which entity performed the actions. Under this amendment, the release of claims would not occur unless amounts of funding for certain actions have been provided to the Klamath Tribes specifically. These conditions (Table 1) are added to the conditions already in the KBRA describing the events that must occur before the Klamath Tribes release claims against the U.S.

This brings the total funding that must come directly to the Klamath Tribes before any release of claims is possible to $102 million (increased from $35.7 million). In addition, no release of claims can happen before completion of many important KBRA programs (Mazama Forest acquisition, ecosystem restoration and monitoring, salmon and steelhead reintroduction, water use retirement above Upper Klamath Lake, regulatory assurances, interim flow and lake level protection, and interim salmon fishery) and removal of lower 4 Klamath River dams under the Klamath Hydroelectric Settlement Agreement.

Table 1. Funding for specific KBRA budget line items that must come to the Klamath Tribes before the Tribes’ will release certain claims against the U.S.

<table>
<thead>
<tr>
<th>Budget line item</th>
<th>Ecosystem Restoration and Monitoring Action</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Williamson R. aquatic habitat restoration</td>
<td>$2,136,100</td>
</tr>
<tr>
<td>4</td>
<td>Sprague R. aquatic habitat restoration</td>
<td>$24,549,450</td>
</tr>
<tr>
<td>5</td>
<td>Wood R. Valley aquatic habitat restoration</td>
<td>$6,341,850</td>
</tr>
<tr>
<td>48</td>
<td>UKL nutrients/algae/zooplankton</td>
<td>$5,670,000</td>
</tr>
<tr>
<td>50</td>
<td>UKL external nutrient loading</td>
<td>$3,626,000</td>
</tr>
<tr>
<td>51</td>
<td>UKL analysis of long-term data sets</td>
<td>$300,000</td>
</tr>
<tr>
<td>52</td>
<td>UKL listed suckers</td>
<td>$6,125,000</td>
</tr>
<tr>
<td>53</td>
<td>Tributaries water quality/nutrients/temp</td>
<td>$4,340,000</td>
</tr>
<tr>
<td>54</td>
<td>Tributaries geomorphology/riparian veg</td>
<td>$1,673,000</td>
</tr>
<tr>
<td>55</td>
<td>Tributaries physical habitat</td>
<td>$1,491,000</td>
</tr>
<tr>
<td>56</td>
<td>Tributaries listed suckers</td>
<td>$2,625,000</td>
</tr>
<tr>
<td>59</td>
<td>Remote Sensing acquisition and analysis</td>
<td>$375,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$59,252,400</strong></td>
</tr>
</tbody>
</table>
• **Re-negotiating the Release of Claims against the U.S. if Legislation Reduces the Value of Tribes’ Release of Claims.** Under this amendment, if the Klamath Tribes believe that federal authorizing legislation substantially diverges from the bargained-for benefits that are the conditions for the Klamath Tribes to release certain claims against the U.S., then the Tribes can initiate a process to re-negotiate the terms of those releases. Once the negotiation between the Tribes’ and the U.S. produces a mutually acceptable result, then there will be an evaluation of whether the outcome modifies any contractual obligations of the Klamath Tribes or the U.S. to any other Party. If there is no impact on contractual obligations to other Parties, then the re-negotiated outcome will be automatically amended into the KBRA, bypassing the normal amendment process which requires consensus of all Parties. If a contractual obligation to another Party is affected, then the re-negotiated outcome will either be automatically amended into the KBRA with that Party’s written consent, or the normal amendment procedures will be followed. This amendment protects the Klamath Tribes from Congress authorizing legislation that could diminish the value of the KBRA for the Tribes, and prevents unreasonable interference by other Parties in the negotiation and outcome of these sensitive matters between the Klamath Tribes and the U.S.

• **Making P.L. 93-638 Contracting more Accessible to Tribal Parties.** This amendment expands the scope of how agencies in the Department of the Interior will implement KBRA funding utilizing provisions under Public Law 93-638, the Indian Self-Determination and Education Assistance Act. Under the amendment, Interior agencies agree to use both Title I and Title IV authorities of this Act as vehicles to fund KBRA programs. This represents a significant expansion of the scope of how this Act has been implemented by certain agencies in the past. In particular, the U.S. Fish and Wildlife Service agreed to work with Tribes under Title I of this Act, which allows them to contract directly with the Klamath Tribes for selected KBRA programs.

In addition, the amendment commits the agencies to involve the Klamath Tribes in the planning and determination of funding available for fisheries restoration monitoring, reintroduction, and conservation management activities. This strengthens the Tribes’ ability to plan and implement Tribal programs.

What are the KBRA provisions relating to the Klamath Tribes’ limited release of some claims against the U.S.?

In summary form, the KBRA provides for the following arrangement with the U.S.:

A. In exchange for the benefits coming to the Klamath Tribes, the Klamath Tribes give up NO Treaty rights, but do provide the following limited release of claims against the U.S. for damages resulting from U.S. water management (applies only to the past performance of the U.S. up to the date when the Klamath Tribes signed the KBRA).

   o Federal water management decisions or the failure to protect Tribal water rights relating to damages to land or natural resources.
   o Federal handling of litigation of the Upper Klamath Lake and Klamath River water rights claims in the Adjudication.
   o Federal handling of litigation of other water rights claims if they are settled later under an Off Project Water Settlement.
   o Negotiation of the KBRA and KHSAA.

See subsection B below to understand what must happen before any release of claims is provided to the U.S., and subsection C below to understand the claims and rights specifically retained by the Tribes.

B. The Klamath Tribes will not be obligated to release any of the above claims against the U.S. until after the following things happen:

   o Authorizing legislation passes Congress.
   o All four dams on the Klamath River have been removed or breached so that the river is once again free-flowing and salmon and steelhead can swim up and down the river.
   o The Klamath Tribes have received full funding for our part of the Tribal Program, which includes $21 million towards the reacquisition of 90,000 acres of former Reservation lands (Mazama Forest), $21.8 million for aquatics and uplands management, and $250,000 to study economic development.
   o The Fisheries Restoration Plan has been fully funded, which means hundreds of millions of dollars have been spent on restoring the health of our rivers and lakes.
   o Phase 1 of the Fisheries Reintroduction plan has been fully funded, to restore harvestable salmon and steelhead populations in the Upper Klamath Basin.
   o The Fisheries Monitoring Plan has been fully funded.
   o The Water Use Retirement Program has been fully funded, to increase inflow into Upper Klamath Lake by 30,000 acre feet each year through decreasing upstream agricultural water use.
   o The Interim Flow and Lake Level Program has been fully funded, to keep adequate water in Upper Klamath Lake and the Klamath River during the period before dam removal and the full reduction of diversions by the Klamath Irrigation Project.
   o The Regulatory Assurances Program has been fully funded, to help us use the Endangered Species Act to achieve recovery of suckers and salmon.
   o The Klamath Tribes have received $59 million to implement specific fisheries restoration and monitoring line items (see Table 1 in Attachment B for a description of specific items).
   o Access for salmon fishing has been provided to the Klamath Tribes below Iron Gate Dam, or an equivalent benefit provided.
   o The required environmental analyses for reconnecting the diked and drained parts of Agency Lake must be completed, and the preferred alternative funded, to improve lake management for fish and other aquatic resources.

C. The Klamath Tribes reserve the following rights and claims:

   o Retain all Treaty rights – release of some claims as described in A above **IN NO WAY RELINQUISHES OR TERR...**
MINATES THE TREATY RIGHTS THAT UNDERLY THOSE CLAIMS, including water rights involved in the Klamath Basin Adjudication.

- Retain claims relating to damages to land or natural resources not caused by federal water management decisions or the failure to protect Tribal water rights.
- Retain claims relating to damages to land or natural resources caused by federal water management decisions or the failure to protect Tribal water rights that occur after enactment of the KBRA, that are not associated with implementation of the KBRA.
- Retain claims for enforcement of the KBRA.
- Retain all claims for water rights, except to the extent they are limited by the KBRA (see D below).
- Retain all rights to acquire, use, and protect water rights, subject to the terms of the KBRA.
- Retain all claims relating to activities affecting water quality, subject to the terms of the KBRA.

D. In exchange for the benefits coming to the Klamath Tribes (which include the Klamath Irrigation Project’s formal recognition of the Klamath Tribes’ Time Immemorial water rights, and the Project’s agreement to permanently reduce and cap water diversions), the Klamath Tribes provide conditional assurances to the Klamath Irrigation Project that the Tribes will not use Tribal trust or Tribal water rights to try to force the Project to further reduce their diversions. Assurances that the Klamath Tribes will not try to reduce Project diversions below the Project’s capped amount will become permanent ONLY after the following things happen:

- All four dams on the Klamath River have been removed or breached so that the river is once again free-flowing and salmon and steelhead can swim up and down the river.
- Funding has been authorized for a program to increase flows into Upper Klamath Lake by substantially reducing upstream agricultural water use.
- The Klamath Irrigation Project has reduced, or can be forced to reduce, its water diversions.
- $21 million has been provided for the Mazama Forest reacquisition.

When asked about the effect of the Tribes’ assurance to the Project irrigators to not seek further diversion reductions below those specified in the KBRA, Professor Wilkinson responded that “…this limited assurance is absolutely not a waiver of all tribal water rights… In my opinion, this assurance is reasonable from the Tribes’ point of view.”

When asked about the release of certain claims against the U. S., Professor Wilkinson says the following. “…The Tribes agree to “relinquish and release” all claims against the United States for damage to tribal water and fishing rights that resulted from actions above the California-Oregon border and that arose before the KBRA goes into effect. …The law on such claims for past damages, however, is against the Tribes in several respects. For older claims, the United States could raise statutes of limitations and other procedural defenses. In general, as you know, the courts have grown increasingly antagonistic to tribal rights over the past twenty years. An example is the rejection of your fishing rights suit against PacifiCorp. Klamath Tribes of Oregon v. PacifiCorp… The Tribal Council can know that the relinquishment has little or no real-world effect… The relinquishment of suits against the United States for money damages for past breaches of trust seems to be giving up little, if anything….The assurances and relinquishments relating to claims against the United States and water rights cannot be viewed in isolation. Instead, they should be seen as necessary and minor aspects of the comprehensive and powerful provisions of the KBRA…”

When asked whether the KBRA terminates Treaty rights, Professor Wilkinson responds that “what the Tribes would agree to do in the KBRA is to hold back on enforcing the treaty rights in specific, limited circumstances… the Tribes, in a long campaign that they themselves initiated, have agreed in the KBRA not to claim their treaty rights in a small number of carefully-targeted situations in order to achieve overriding tribal goals. The rights themselves, however, remain in place. This is not a termination, or abrogation, of any treaty right.”

Review of Controversial KBRA Sections by Professor Charles Wilkinson

The Tribal Council asked for an independent review of the more controversial sections of the KBRA by Professor Charles Wilkinson, who is one of the leading Indian Law scholars in the nation. Professor Wilkinson worked on Restoration of the Klamath Tribes, was one of the founders of NARF, and has been a friend of the Klamath Tribes for many years. He responded with a 5 page letter which was too long to print in this newsletter, so only key quotes from the letter are presented here. Complete copies of the letter can be obtained from the Tribal Secretary, Torina Case. Overall, Professor Wilkinson enthusiastically endorses the KBRA by saying it

“…is one of the most remarkable and promising efforts that I have witnessed in my thirty-eight years of work on natural resources law and policy in the American West… this is a truly historic agreement, and you deserve to take great pride in it…”
We lost our anadromous fish runs to the dams. The KHSA is our best chance to remove the dams, and the KBRA is our best chance to re-establish these runs.

The KHSA targets the lower four dams on the Klamath River for removal. Only one has fish ladders, and they work very poorly.
On October 12, 2012, Klamath Tribal member, Crayton Jackson, took his mom, Eloise Ohles, to get her first fresh salmon in history. This monumental and spiritual moment at the Iron Gate Dam (where salmon are still blocked from coming up the Klamath River to the Klamath Tribal homelands), was made possible thru the KBRA - Klamath Basin Restoration Agreement. These relations and dedicated efforts to help the salmon return. "dic c'iyaa'l's wytaa- Good Salmon Day!"
November 8, 2012

Gary Frost, Chairman
Klamath Tribes
P.O. Box 436
Chiloquin, Oregon 97624

RE: Approval of proposed Amendments to Klamath Basin Restoration Agreement

Ayukii Chairman Frost:

The Karuk Tribe continues to appreciate the close working relationship we have developed with the Klamath Tribes through the process of developing and implementing the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSA). The effort has been monumental and the progress made to date could only have been achieved by collaboration between neighboring Tribes.

As you know, we are now faced with a decision amend the KBRA or let the agreement expire December 31, 2012. It is a difficult decision and we do not make it lightly. However, after careful consideration we have concluded that the extension of the termination date, along with the other amendments, is the right decision.

Despite the delays we have experienced in the past year, we remain convinced that the KBRA and KHSA remain the best avenue for restoring the fisheries and water quality of the Klamath River. Thus, we want to let the Klamath Tribes know that we remain wholly committed to seeing the KBRA and KHSA fully implemented and we remain committed to working collaboratively with the Klamath Tribes and other partners.

If you have any questions on this or any other matter, please get in touch with us. Again, we appreciate the hard work on your part that has helped get us to this point in the process and look forward to continuing the partnership into the future.

Yootva,

Russell “Buster” Attebery
Chairman
Vice-Chairman Don Gentry:
"I wholeheartedly urge our membership to vote yes on the ballot you will soon be receiving in the mail. Though we anticipate there is still much work to do to pass the legislation in Congress, the KBRA and KHSA provide the greatest opportunity to restore our fisheries and achieve the goals of the Klamath Tribes."

Torina Case, Tribal Member and Klamath Tribal Secretary:
"I support the KBRA/ Hydro agreement because it means a step towards a solution in the Basin. There hasn’t been any possibilities of that for a very long time. We have all been fighting a battle where there would be no winner… the KBRA and Hydro Agreements offer a Win-Win solution."

Jeff Mitchell, Klamath Tribal Council and Negotiation Team: "The decision we make concerning the KBRA/ KHSA will be one of the most important decision in the last 150 years of our Tribes. These agreements represent the most significant actions we can take to preserve and protect the values and principles, the lands, water and resources including all our fish, plant and wildlife of the entire Klamath Tribes. A vote of yes will set a new course that brings stability, predictability and certainty that we have not had since prior to termination. We can set us on a new path or we can tie ourselves and our descendents to decades more of uncertainty and litigation. I ask you all to vote yes."
Brandi Decker, Klamath Tribal Member and Tribal Treasurer: "I can honestly say, from my heart, that about nine years ago, I was nominated by Tribal Council to sit on the Hatfield Group. In this group of individuals, there were a variety of interest groups in participation. I was nervous, leary, and very unsure of why I was the chosen one. I had no clue what this group was about, but at the meeting, the first words out of my mouth, was that we are all a part of this Basin and it is going to take all of us working together to resolve and fix the problems.

I have several friends and relatives who are amongst the majority of each of these and now a few words from Tribal members and friends about the... other interest groups. I was not there to cause problems, nor was I there really for any answers. I simply figured I would do my best to participate and to offer what I could. I developed a friendly working relationship with these people, and there was one individual there that was very negative and always seemed so mad. I was nominated by the group to be a co-chair, and the one thing that I did know in my heart was that there was no way anything was going to be resolved unless everyone came together to restore the whole water system from the top to the bottom.

I am very pleased to see the hard work and efforts of individuals who have put their whole lives into these issues. These two documents prove we CAN work together and show the federal government that this community, our basin, and the Tribes, have come together in this time of change, to make this a better place for our future generations. If we do not do something now, while we have the attention of the Federal Government, State Governments, Tribes, Local Officials, and other interest groups, we may never be able to fix these problems. Despite all of the current economics everywhere in this world, I have been praying that this is the time for all of us and our families to move forward and accomplish our FUTURE. I believe we have such a potential to grow and benefit everyone right now, that we cannot give up without a FIGHT, we have come a long ways from what I can see. Also, back to the individual I mentioned above that sat across from me in the Hatfield Group Meetings, that was always negative and mad... I am happy to say, that he has, for the past years, showed nothing but respect and support to the Klamath Tribes, and in him we have a great friend indeed. I cannot thank the many individuals enough (from the bottom of my heart) who have spent enormous amounts of time, energy, and dedication, at the meetings and on these documents, to prepare our FUTURE. There are too many to mention, but our Creator knows who they are and I am very proud of them. I will be voting yes."

Shawn L. Jackson, Klamath Tribal Council Member: "I am in support of the KBRA/ Hydro Agreements for dam removal and salmon return for reasons that benefit the land, water and the people. If we don't make efforts to improve the current situation then we all lose! I am voting Yes."

Anna (Ridenour) Bennett, Klamath Tribal Council Member: “I support the KBRA and the Hydopower agreement because it is a means of restoring our environment to support harvestable levels of treaty guaranteed resources. For the first time since 1909, salmon and steelhead will swim the waters of the Williamson and Sprague Rivers'. It is also a means of recovering a portion of our homelands. And with that, we gain a valuable tool to utilize the Tribal Forest Protection Act. This will enable us, along with the federal government, to restore the natural habitat of the Winema- Fremont National Forest, which we exercise our Treaty hunting, fishing, gathering and trapping rights on. It also strengthens our water rights, in which the Project Irrigators have agreed to withdrawing contests in the Klamath Basin Adjudication to our Time Immemorial priority date and to our claimed amounts of water. They have also agreed to reduce their take of water from the lake. This is a great opportunity for the Tribes to move to the fore-front in restoring our natural resources."

S. Craig Tucker, Karuk Tribe Klamath Coordinator: "I still believe we stand on the verge of the biggest river restoration effort in US history. I can think of no other politically viable approach to remove dams, increase flows to the rivers and lakes, and invest the millions needed to effect basin wide restoration in the Klamath."

Taylor R. David, Klamath Tribal Member: "I know that nothing is perfect in this world, but I still believe these documents are a ray of hope for our people and the watershed in this area. How will we know, unless we keep trying.

As a young girl growing up in the Sprague River Valley, I used to ride my pony along the tracks and pack a lunch with my sister and family. We'd go to our ranch and swim in the Sprague River (it was clear then) and my horse could walk across the rocky bottom all the way to the other side. Then on my way home we'd ride thru the "hundreds" of willows that lined the train tracks all the way to Beatty. Then I'd stop my horse at our natural artesian for an ice cold drink of water... and I too, drank from the Artesian... it was clean and clear. But today, there are NO more willows because the water table is too low and the Sprague River is so dense with green moss that you cannot see across the rocky bottom where I once swam and the natural artesian dried up when I was in college in the early 90's, and has never returned.

I am not without reservation regarding the future work and the policies that we will face in the future, but I believe that if I don't vote yes... then nothing will change, and things will only get worse. I've worked for my tribe for over 20 years, and I've seen the hard work that has went into these two documents. I feel it is my responsibility to vote yes... as it is our responsibility to protect our natural resources and make the federal government uphold their trust responsibilities to the tribes."
Comments and Thoughts Continued...

Buttons Bodner, Modoc Elder of the Klamath Tribes: "The return of the Salmon is important, the elders before me were fisherman, but since the salmon have been gone over 90 years that means our Treaty Right hasn't been respected or enforced in all this time. I'm 83 years old now and its been a long time since the Sprague River and all the other waterways have been clean. I'm voting YES on the KBRA and Hydro Agreement because many things have changed in my lifetime. But the worst thing I've seen is the way our water has been depleted for everyone, and how our deer and elk herds have suffered. I hope things can change for our wildlife and I hope the water can be clean again in the future, then maybe we can all start working together."

Larry Dunsmoor, Klamath Tribes Senior Aquatics Biologist: "When I came here to work as your Fisheries Biologist in 1988, things looked pretty grim. The c'wam had just been listed as endangered, and the rivers, the lake, and the fisheries were in terrible shape. When I learned about the salmon and steelhead runs that once returned to the Upper Basin, I thought that there was no hope at all to bring them back. It looked pretty impossible back then to put together the funding and the collaborative relationships with other groups that would be needed if we were to ever fix this place, and truly restore the fisheries that belong here. Now, after 22 years, I see how much has changed since 1988. We have arrived at a place that is nothing short of miraculous, to me. 10 years ago I would have laughed in the face of anyone who told me that we would be able to engineer the return of salmon and steelhead by removing 4 dams, reach an agreement on water with the Project irrigators, and bring hundreds of millions of dollars to bear on restoring the damaged aquatic ecosystems in the Upper Klamath Basin. And now, here we are, right on the brink of accomplishing those things! It's just miraculous! Of course, merely signing the KBRA and KHSA has not accomplished these things. Those agreements have charted the course, and have provide the structure and funding to accomplish our goals, and in many ways are just the beginning. Approval of the agreements means we will face an enormous amount of work to make sure that we accomplish our goals, and it will take many years still to do so. So, if you vote for approving these agreements, as I hope you will, do so realizing that ultimate success means a lot of hard work over the coming years, and no guarantees that everything will work perfectly. But also do so knowing that these agreements deliver by far the best chance to fix this place we live in that has ever come along. It will be up to us to make sure it happens."

Jana (Walker) De-Garmo, Klamath Tribal Member: "I have not been very involved in the Water issues, but I am in support of the dam removal. I believe that it will bring life back to the rivers and lake and also bring back the salmon and other fish. My mother (Cookie Walker) always told us that the lake used to be clean and people could swim in it. She told us that her grandmother and two or three other older Tribal ladies used to camp at the lake and they would take their canoe, a shot gun, fishing pole, and frying pan and go out on the lake and get duck eggs, fish, and pull up Tule to eat. My mom said when the winds would come up, the old ladies would head for the islands in it. she told us that her grandmother and other ladies camped at the lake and they would take back the salmon and other fish. I am not sure this can be done anymore with the lake in the condition that it is in. I have a lot of stories from my mother, and many of them are centered around the lake and the rivers from when she was a young girl growing up."

Attention Klamath Tribal Members! Tribal Council and Staff will be hosting KBRA/KHSA Informational Mtgs. at the following locations:

Nov. 29th Doubletree at Lloyd Center, Portland OR 1000 NE Multnomah Street, Portland OR. 6pm.

Nov. 30th: Holiday Inn Springfield, 919 Kruse Way, Springfield OR. 5pm

Dec. 3rd: Red Lion Inn Medford. 200 N. Riverside Avenue, Medford OR 97501 at 6pm.

Dec. 5th at OIT Mt. Mazama room, Klamath Falls, Oregon. Time: 6pm

Dec. 6th at Klamath Tribal Admin. Auditorium, Chiloquin, Oregon. 6pm

For more info call: 541-783-2219 ext. 170

Attention! Klamath Tribal I.D. Machine will also be on location at these Tribal Meetings!

If you need a new ID: Name and Address on it (utility bill or another form mail that shows your current address and $2.50 if you don't have your old I.D. to turn in. Students: You can get a Student Report and bring that. For more info: Rosemary Treetop 541-783-2219 ext. 150