



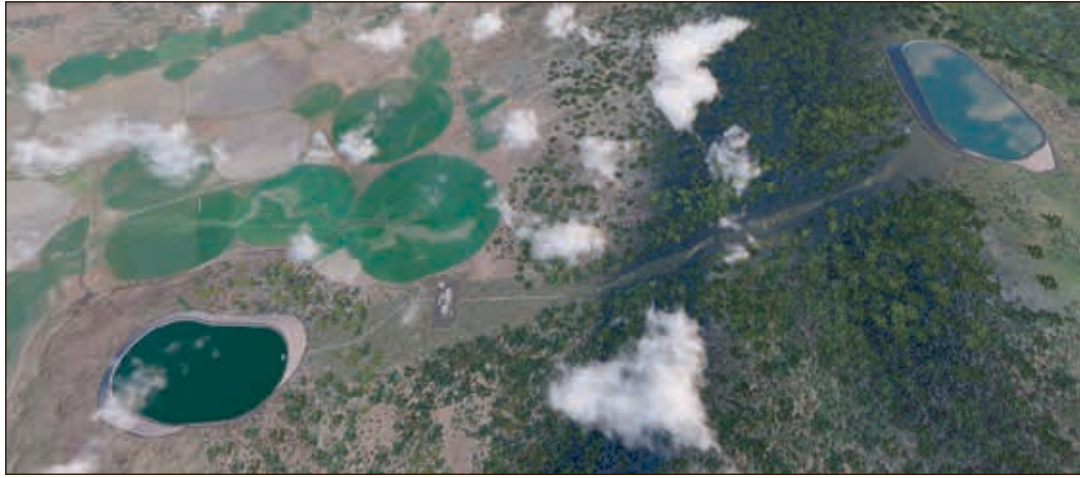
# KLAMATH TRIBES NEWS

KLAMATH - MODOC - YAHOOOSKIN

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A rendering of the Swan Lake Energy Storage Project in Klamath County with the lower reservoir (left) and upper reservoir (right). A powerhouse is situated to the right of the lower reservoir, and a pipeline connects the two reservoirs underground. (Rendering provided by Rye Development)

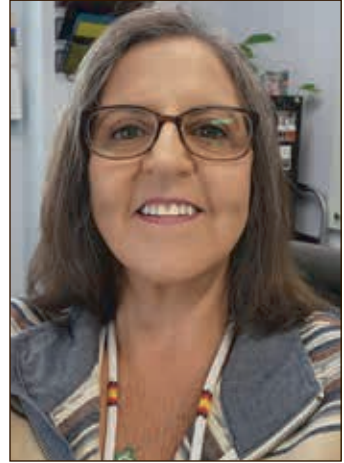
## Klamath Tribes Human Resources Department seeks to increase the workforce

By Paul Chamless  
Klamath Tribes News

Klamath Tribes' Human Resources Director, Laurel Robinson, has worked in HR for the Klamath Tribes since 1996 at Tribal Health and Tribal Administration. She is confronted with issues plaguing any HR Department, from a diminished workforce to worker burnout and unnecessary hiring barriers. She sat down with the Klamath Tribes News to discuss some of these problems and her approach to improving the situation.

"We're getting less and less applications," said Robinson. "With a limited number of workers in the local area, we are struggling to fill positions."

Robinson said a majority of the applicants are people already living in Chiloquin or Klamath Falls and surrounding areas. However, a lack of housing is a huge barrier to recruiting people from outside of the area. "As the workforce diminishes, there are only so many people in Klamath County," she said. "We're basically taking workers from other



Klamath Tribes Human Resources Director Laurel Robinson.

organizations in the area. We have to be competitive with benefits and salaries to attract workers to make the move."

Sometimes, she explained, people who were working at Tribal Health and Family Services will transfer to Tribal Administration and vice versa or workers will transfer within the organization, which still leaves an open position to fill. Setting like-pay scales, where the pay is comparable for similar jobs throughout var-

See page 15,  
Human Resources

## \$40 million Swan Lake Hydro Energy Project compensation package rejected by Klamath Tribes General Council

*A movement is underway by some tribal members for a referendum vote to accept the money*

By Paul Chamless  
Klamath Tribes News

Construction of a hydro pump storage project at Swan Lake has been a contentious issue within the Klamath Tribes since its proposal in 2011. At a tense General Council meeting on Sept. 30, 2023 present members voted to reject (77 to eight with eight abstentions) the settlement agreement, a compensation package exceeding

\$40 million. A large contingent of Klamath tribal members are opposed to the project breaking ground in spring, arguing that it will deface the cultural value and significance of the site. Others, however, see the compensation package as a necessary financial opportunity and are determined to bring the offer to referendum, allowing all eligible tribal members to vote for or against the settlement agreement.

In a 2016 letter to the Federal

Energy Regulatory Committee, then-Tribal Chairman Don Gentry stated, "The Klamath Tribes firmly oppose the licensing and construction of the hydro energy project at this location because it would destroy and adversely affect many cultural and sacred resources in the Swan Lake Rim area that continue to have a great spiritual

See page 15,  
Swan Lake



The Melita's project is under construction on Highway 97, with 14 rooms and 13 tiny homes being built to assist elders in need of housing. (Ken Smith/Klamath Tribes News)

## Multiple tribal projects in Chiloquin are underway to alleviate tribal housing needs providing affordable and transitional housing

By Paul Chamless  
Klamath Tribes News

There is a housing crisis across the nation and in Klamath County – and Chiloquin is no exception. To address the problem locally, the Klamath Tribes Housing and Planning Departments

have launched several projects to assist tribal members in finding permanent or transitional housing in Chiloquin. The two men overseeing the projects are Klamath Tribes' Housing Director Kenneth Ruthardt and Planning Director Jared Hall. To stimulate the economy

during Covid, the CARES Act was passed by Congress and signed by then-President Donald Trump in 2020. Building upon the CARES Act was the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act, or ARPA, signed into law by President

Biden on March 11, 2021. The Klamath Tribes is a huge beneficiary of this stimulus package. With \$350 billion allocated across

See page 3,  
Tribal Housing

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# Chairman's Report

By Clayton Dumont  
Klamath Tribes Chairman

With great pleasure and pride, I can report that the Klamath Tribes have regained ownership of nearly the entire (albeit short) length of pristine Tecumseh Creek and the eastern bank of a part of Crooked Creek. Located along Highway 62 between the Klamath Indian Agency and the fish hatchery, these spring-sourced waters are some of the cleanest on the planet, and their protection is vitally important to restoring the health of Ews (Upper Klamath Lake). There are also two wells on the property, one of which is artesian.

Although protecting the ambo (water) was the overwhelming motivation for those Tribal Council Members voting to approve the purchase, the property also contains a 1,487-square-foot home with two bedrooms and two bathrooms. The house sits between the property's large Aspen stand and Hwy. 62. No plans have been established for how to use the home or the property beyond protecting its function in the ecosystem.

I expect that Tribal Council will be looking to converse with General Council in the not too distant future about how our people would like to see the property managed. In the short term, we have asked our Economic Development Corporation Board of Directors if our new Klamoya Casino General Manager would like to rent the house while he and his family purchase a home. We believe it prudent to maintain a regular presence at the property.

It is important to note that the Klamath Tribes have filed complaints with the Oregon Department of Agriculture against neighbors of our newly

## Klamath Tribes Regain Ownership of 7.69 Acres of Tecumseh and Crooked Creeks



regained property for uncontrolled cattle grazing that has led to visible erosion, bank failure, and the loss of deep-rooted vegetation protecting riparian zones along Crooked Creek. Alas, the laws are weak, and the fight for enforcement is never-ending. As some of you have heard me say many times, the only way to truly protect our homeland is to own it.

Finally, the site is important to our cultural history. If you are a tribal member and interested in hearing more about its cultural significance, please reach out to our Culture and Heritage Department or feel free to give me a call.

The property was purchased with interest earned from our invested funds.

### A Free Press at Klamath Tribes News?

Never before have the Klamath Tribes had the opportunity to have a free press, with staff who are not required to clear investigations and stories about controversial topics with their supervisors. We now have that opportunity if we want it.

You may have noticed that advertisements are beginning to appear in our newspaper. At present, just under 50 percent of the cost of producing our fledgling paper comes from federal dollars. Fifty percent comes from the Klamath Tribes General Fund, and a small but growing amount comes

from selling advertisements.

Federal funds may not be used for expressly political purposes. So, until our paper can be fully funded with "unrestricted" dollars, we will need to be mindful that political content remains less than half. I don't see this as a problem. But it begs a much larger issue.

What is "political"? And more importantly, who decides?

In recent months I have been asked twice by our news team whether it was okay for them to write about topics or talk to particular staff members. On both occasions I responded by saying I am not comfortable telling our tribal press what they can and cannot write about or with whom they may speak. A free press, in my opinion, is essential to a healthy tribal nation and to responsible government.

Believing this was a matter for the full Tribal Council to discuss, I placed it on a recent work session agenda. The moment this agenda item came up, the conversation turned to a story about the Swan Lake Rim Hydro Power Project for which multiple Tribal Council members (with different points of view) had been interviewed.

The sentiment in the room was that as news of this pending story has leaked out into the tribal community, Tribal Council was being painted as both the initiator and director of the content of the story. (I got the sense from the majority of the eight Tribal Council members who were present for at least part of the work session that this narrative was prevalent on social media.) Although a formal vote was not taken, the position of a clear majority was that the story should be killed.

Ironically, fear of being painted as impediments to a free press led us to impede the freedom of our newly formed tribal press.

A week later, our Public Relations Director returned from

vacation and forwarded a draft of the article, which Tribal Council had not yet seen and which is now on the front page of this paper. He asked that we reconsider, given what he believed to be the professional and balanced quality of the writing. At that point a formal vote was taken, and the article was approved for publication: 4 to 2 with 4 abstentions.

Nonetheless, the fact that we felt compelled to vote seems to be the exact opposite of facilitating a free press. This was pointed out by both Secretary Frost and Councilman Lang (who

did not vote the same way) in notes attached to their votes.

I think these are growing pains, and I think with General Council's help they can be overcome. I am also certain that I do not want to be tasked with censoring our tribal news coverage. Nor do I think it is less than a horrible idea for the full Tribal Council to be given that charge. Obviously, we do need some guardrails. For example, personnel matters governed by confidentiality rules and sensi-

See next page,  
*Chairman's Report*

The *Klamath Tribes News* is a publication of the Klamath Tribes, (the Klamath, Modoc and Yahooskin Band of Snake Indians).

**\*Distribution:** Publications are distributed bi-monthly or as funding allows.

**Deadline:** Information submitted for publication must be received by the 15th of each month-(for the next publication).

**Submissions:** All submissions must be in electronic format. Submissions must be emailed as an attachment in Word format and must not exceed 500 words. All submissions must include the author's name, address and phone number. Submissions are used as fillers and publication is strictly dependent upon space availability. We cannot guarantee publication of any article or submission.

**Letters to the Editor:** Letters are viewed as Associated Tribal Information. However, they must be less than 500 words. Any and all articles may be edited for clarity and length. Letters are subject to review. Letters/articles that may contain libelous, slanderous, or personal attacks will not be printed.

**\*Photographs:** should be vivid and clear or 300 jpg/ppi. \*All internal photos by: *The Klamath Tribes News*, unless otherwise noted. All photos property of Klamath Tribes News dept.

**\*Returns:** For any information to be "returned", please include a "self" addressed stamped" envelope. \*Electronic submissions will not be returned.

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# KLAMATH TRIBES NEWS

KLAMATH - MODOC - YAHOOSKIN

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### Chairman's Report

From previous page.

tive information about cultural sites should not be published. However, any restrictions should be as minimal as possible and carefully thought out.

I urge you to please make your voices heard. You can place your comments in the Members' Portal section of the tribal website. Go to "Government," then "Tribal Council," and finally "Send Your Message to Tribal Council."

### Another Court Victory

On January 8, 2024 the U.S. Supreme Court declined to hear Klamath Irrigation District's (KID) appeal of a U.S. 9th Circuit Court ruling. The 9th Circuit had determined that KID's 2021 lawsuit challenging Bureau of Reclamation's water management decisions belonged in federal court. KID maintained that the case was more properly about state adjudicated water rights and therefore belonged in Oregon courts. The U.S. 9th Circuit

Court said the ranking issue was the federal Endangered Species Act, so the battle belonged in the federal court system. Had the U.S. Supreme Court moved the lawsuit into an Oregon Court, the "McCarran Amendment" (named after a mid-20th century Senator) would have removed the United States "sovereign immunity" (from lawsuits without its consent). That outcome would have paved the way for KID to attack BOR's ESA obligations to c'waam, koptu, and c'iial's (salmon) argu-

ing that they were a lower priority than its obligations to protect farmers' Oregon water rights.

Because of a "stipulation" left over from the otherwise defunct Klamath Basin Restoration Agreement, the Klamath Tribes remain unable to make a call on Project irrigators by using our superior, time-immemorial, state-level water right to hold Ews (UKL) water at levels supporting our treaty protected ecosystem. Therefore, our attorneys are constantly en-

gaged in managing a complex relationship between state and federal law to maximize protection of our homeland ecosystem. As I have said before, I would not trade our legal team for any I have seen opposing us over these last five years, during which I have had opportunity to watch closely.

**READ ONLINE**  
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Construction is underway downtown Chiloquin. The triplex will provide three homes for tribal elders, will be downtown between Chocktoot and Yahooskin Streets, while the fourplex, providing another four families with homes, will be situated on Juda Jim Street. (Ken Smith/Klamath Tribes News)

### Tribal Housing

From front page.

various levels of government, \$20 billion was earmarked for tribes alone – \$1 billion of which was to be evenly distributed by approximately 570 eligible tribes – a substantial sum.

"So, we really went through that ARPA legislation to figure out what could we do as far as projects, and the one thing that became apparent to me in the new ARPA legislation is they defined construction projects – capital, they call them capital projects," said Hall. "It really laid out the rules and regulations of that. And then they also really exemplified the fact that they want tribes to focus on housing, the housing crisis, and getting new housing stock."

A pre-construction meeting was held on Dec. 4 to lay out the initial course of construction for a triplex home and a fourplex in Chiloquin. The first step is to clear the land of old structures, trees, and brush. A construction crew started this work in late December. The Klamath Tribes Road Maintenance crew also started site demolition on the Juda Jim lot in December, with the demolition of the old building structure that was not

being occupied. This provided tribal employees with intense heavy-equipment training hours and helped demonstrate tribal self-sufficiency by performing work on a tribal project.

The triplex, providing three homes for tribal elders, will be downtown between Chocktoot and Yahooskin Streets, while the fourplex, providing another four families with homes, will be situated on Juda Jim Street. The affordable housing will be for rent by low-income families. The properties are expected to be completed by fall 2024.

"It's light site work: clearing and grubbing," said Hall, referring to the triplex construction commencing in mid-December. "They're going to prep the access roads, do some pre-stormwater work. It's going to be a 0.26-acre lot adjacent to the city's buildings on Chocktoot Street."

Construction for the fourplex will break ground later this winter. The construction contract for this project is still in process. The anticipated completion date for both projects is Dec. 30, 2024.

In addition to the eight existing tribal homes at a property called "55 Acres," next to the goos oLgi gowa community center, Ruthardt anticipates completing an additional 16 rental

homes for low-income families.

The ARPA grant will help fund 23 units, those at "55 Acres," in addition to Hall's multiplex units in downtown Chiloquin.

Ruthardt's job extends beyond directing the development of proposed units. Renovations on existing properties occupied by tribal members also factor into his work and finding homes for tribal members. Renovations include installing 56 new woodstoves, repairing water and fire damages, and demolishing and rebuilding one home.

"Renovations, dropping the rental list down," said Ruthardt, pointing to a whiteboard of designated projects in the pipeline. "We have ongoing developments. At Melita's there are the 14 hotel rooms, 13 tiny homes, probably four workplace homes, and the storage unit, which is phase three – that's going to be determined."

The Klamath Tribes' rental assistance program, similar to Section 8 and providing vouchers to landlords, had a waitlist of 141 people as of March 2023. That number was down to 63 at the end of November.

The building formerly housing a restaurant called Melita's on Highway 97 is scheduled to be renovated. The former motel is located immediately

behind the restaurant. This project is funded through an Oregon Community Foundation grant.

"Melita's project should be imminent. It's approved," said Ruthardt. "So, we're going to refurbish or renovate the 14 rooms, and they're going to have kitchenettes in them for the guests. And hopefully, we'll start occupancy, probably in May. But primarily, the guests are going to be elders."

The former Melita's restaurant building will consist of three offices, a de-escalation room, and a single kitchen equipped with a refrigerator in case a guest wishes to have family over and cook. The space will also have a community room. On one side of the building will be the restaurant, and it will retain its former name. There can be a restaurant business so long as all the proceeds go to helping the emergency housing crisis.

"The Melita's project is meant for people struggling to find housing, lost a job, or you're an elder who, maybe something just happened, or you move back to this area," Ruthardt said, "and you're having trouble finding housing, you can get in there. And then there's the wraparound services to help them get back on their feet. And then the goal is to get them into permanent housing."

Another project to help al-

leviate Chiloquin's housing crisis is the construction of 13 tiny homes on a former RV lot located next to Melita's. Where the funding for this project will come from is still undetermined as of this writing. The 13 tiny homes, the multiplexes downtown, along with the 16 homes to be built at the "55 Acres" property will accommodate 36 people from the waitlist for the low-rent program. When renovations are completed, the current waitlist, comprising 148, is expected to drop.

"My goal is to take it down to zero," said Ruthardt. "That's what we're shooting for. It's not just me. I have a team behind me; we're building that and working to do it. People would like to move back to Chiloquin; I'm seeing more elders would like to move back here, but there's no housing. It's a huge problem. So, finding housing for them to live and work, that's going to be a huge challenge, but we're determined."

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## NOTICE TO TRIBAL MEMBERS

Klamath Tribal Administration will be making available to tribal members on Thursday, February 22, 2024 between the hours of 8:00 am to 4:00 pm, the following office furniture and computer monitors that have been declared surplus.

### Office Furniture and Computer Monitors (chairs, desks, file cabinets, office equipment)

\*Note: items are "as is" and may not be in operating condition. Repairs may need to be made to be functional.

### LOCATION

All surplus office furniture items will be set up at the Klamath Tribes Maintenance Building located at:

Tribal Administration  
501 Chiloquin Blvd  
Chiloquin, Oregon

### TIME SCHEDULE/Bring I.D.

Tribal Elders/Veterans: 8am-9am  
Tribal College Students: 9am-11am  
Tribal High School Students: 11am-1pm  
Tribal Members: 1pm-3pm  
Tribal Employees: 3pm-4pm

The time schedule will be adhered to –  
if you fall into one of the above-mentioned categories, that is your scheduled time.

A priority system for the release of the furniture and equipment has been developed. First priority will be for tribal elders/veterans; second priority is for tribal members currently enrolled in college; third priority is for tribal members currently attending high school; fourth priority is for general tribal membership; and fifth priority is for tribal members currently employed by the Tribes. College and high school students need to bring proof of school attendance and everyone will need to bring their tribal enrollment card.

Each individual will need to check in with the Receptionist. No one will be allowed to pick up any furniture and/or equipment for someone else or set aside for anyone else. One item per person. You need to be present at the designated times, to select furniture. **NO EXCEPTIONS.**

Questions call the Maintenance Program,  
at 783-2219 ext. 143 and ask for Todd.

## DAM DRAWDOWN



Water was released from the John C. Boyle during the drawdown that began on Jan. 16. It's the first step in removing four dams on the Klamath River, the largest dam removal project in U.S. history. Last year, the smallest of the four dams, Copco 2, was removed. Klamath Tribal members, including Chairman Clayton Dumont, were on hand (bottom photo) to observe the event. (Photos courtesy of Klamath Tribes)



### ✓ Looking for Work? Check Out the Temporary Labor Pool

#### So, what is the Temporary Labor Pool?

This is a database program with electronic records of applicants who want to be considered for temporary positions. It is managed by the Klamath Tribes' Education and Employment Department (E/E Department). Tribal Administration and Klamath Tribal Health and Family Services (KTHFS) utilize the data base by requesting the current labor pool applicant list when they are filling temporary job positions. Anyone seeking work is eligible to complete the Labor Pool Form. This document is used to gather work-related information to be entered into the Labor Pool Data Base. *Hint:* temporary work can provide good experience and sometimes leads to a full-time regular position.

#### Am I Eligible and How do I get a Labor Pool Form?

Anyone seeking work is eligible to complete the Labor Pool Form. The forms can be mailed, emailed, faxed, or picked up in the foyer of the Tribal Administration Building at 501 Chiloquin Blvd, Chiloquin, OR or in the Education and Employment Department. After the form (front and back) is complete, signed, and dated, the applicant should return it to the E/E Department. A brief interview will be held to make sure all the information is complete and also to better understand the needs and expectations of the applicant.

#### Important Things to Remember –

- Applicants should write legibly, fill out the form completely and make sure their work history is detailed to adequately show the duties performed. Volunteer work can be noted.
- The information provided is reviewed by the Human Resource Department to determine whether or not to contact a Labor Pool applicant for possible hire when temporary positions come open.
- Be sure to keep information current, particularly the contact information. Referrals cannot be made if you cannot be contacted quickly.
- Update often.
- Staff is a phone call or email away if you have questions!

#### Contact Information

Kathleen Hatcher Mitchell, Employment Services Manager  
Klamath Tribes Education and Employment Department  
Email: [kathleen.mitchell@klamathtribes.com](mailto:kathleen.mitchell@klamathtribes.com)  
(541) 783-2219, ext. 128

## The Klamath Tribes News website has launched!

Read current news,  
listen to podcasts,  
and much more.

Go to  
[klamathtribesnews.org](http://klamathtribesnews.org)

We welcome  
your feedback

Email us :  
[news@klamathtribes.com](mailto:news@klamathtribes.com)

# Klamath Tribes Chairman attends White House Tribal Nations Summit



By Ken Smith  
Klamath Tribes News

Klamath Tribes Chairman Clayton Dumont was in Washington, D.C., where he attended the White House Tribal Nations Summit held Dec. 6 and 7. A focal point of the summit was the pressing concern of tribal leaders: the oppressive bureaucracy attached to federal funding.

President Biden addressed the issue by reforming a Tribal Nations Executive Order 14058, issued Dec. 13, 2021 (Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government), and directed executive departments and agencies “to reduce administrative burdens and improve efficiency in public-facing and internal Federal processes...”

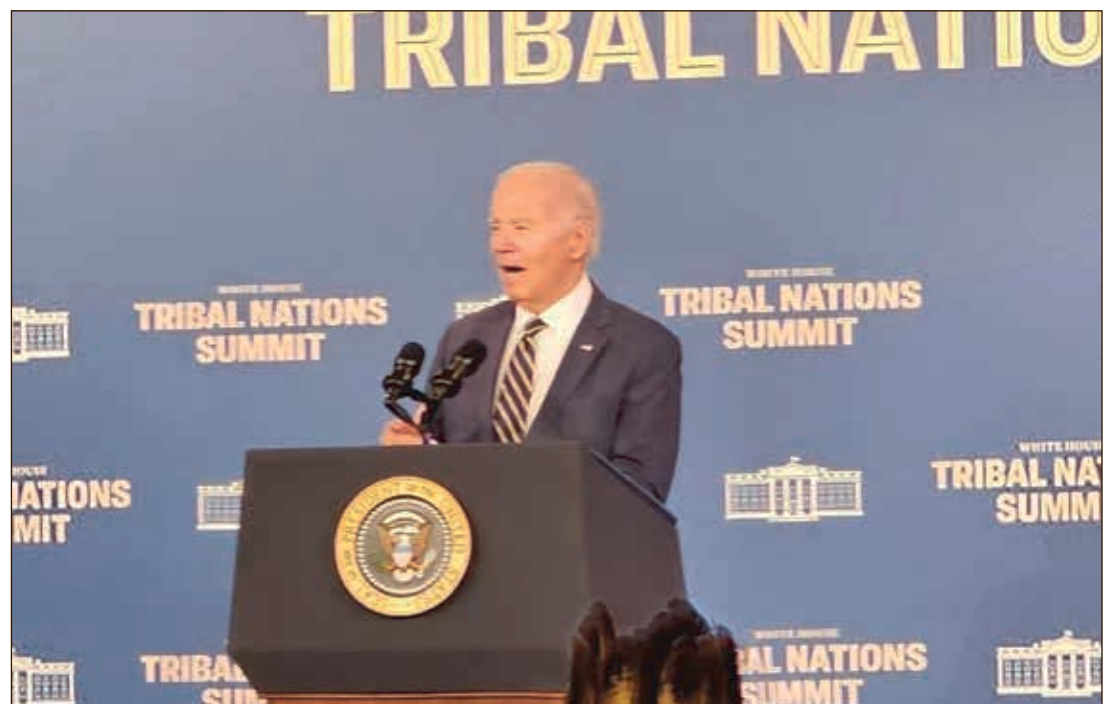
As written in the Dec. 6 Executive Order by the President, “Despite the progress of the last 50 years, Federal funding and support programs that are the backbone of Federal support for Tribal self-determination are too often administered in ways that leave Tribal Nations unduly burdened and frustrated with bureaucratic processes.”

Chairman Dumont concurred with the President, stating, “One of the issues that many tribes, including us, face is matching funds. If we’re going to access federal dollars for different things, they may require us to have a 25 percent match upfront – that can be tough. We’re not a rich tribe. When he announced this, he promised us that the burden was going to be eased. Also, you know, the reporting requirements on a lot of the grant dollars that tribes

can access are just really onerous and a real tax on our staff. So, the first few pages of that are about reducing the red tape and the bureaucracy. So that was good.”

Chairman Dumont also said he communicated with Oregon Congressman Cliff Bentz just before the congressman headed into a Natural Resources Committee meeting. “There are a lot of federal dollars available right now for natural resources activities,” Chairman Dumont said. “And one source of those funds is called the Tribal Forest Protection Act, and if you have tribal forests, or you have lands adjacent to those tribal forests that need restoration work to help prevent wildfires, then you can apply for those dollars. We applied for one of those awards through the BIA (Bureau of Indian Affairs), and it was really successful. The other we went through was with the Forest Service, and it took four months to get a response. Congressman Bentz asked about the delay on our behalf while in the committee meeting, and I understand our Fire Manager in Chiloquin got a call back the next day. So that was good.”

Representatives from Tribes around the nation were on hand for the summit, including the Associated Tribes of Northwest Indians. Chairman Dumont was thus able to spend some time with the Nez Perce Chairman. The Nez Perce headquarters is in Idaho, but part of their homeland is in the northeastern corner of Oregon. “They have issues with the state of Oregon, you know, NAGPRA, Native American Graves Protection and Repatriation Act kinds of issues or other natural resource issues that involve the state government in Oregon,” Chairman



President Joseph Biden speaks at White House Tribal Nations Summit. (Photo courtesy of Klamath Tribes Chairman Clayton Dumont)

Dumont said. “So, their ability, because they’re based in Idaho, has sometimes been challenged by other Oregon tribes, you know, as far as their relationship with the state government here, and he wanted to know what I thought about it. I committed to bringing the matter to our full Tribal Council and told him I expected we would be supportive of the Nez Perce desire to interact with the Oregon State Government. We interact with California because our ceded lands extend into California, so we understand. I let him know that I expected we would be supportive and that with the approval of the full Tribal Council, I would communicate that support to leaders of the other eight Oregon-based tribes.”

Chairman Dumont also met with the staff of Oregon Senator Jeff Merkley, discussing a host of issues. Among those was the Inflation Reduction Act money that will be distributed throughout the Klamath Basin, from

the headwaters to the ocean. These are critically important funds that U.S. Secretary of the Interior Deb Haaland helped champion for forest restoration work in the Klamath Tribes homeland. “Some of those dollars that came the first year to the Fremont-Winema were not spent in a way that we thought was productive,” Chairman Dumont said. “While I was back there, I heard from our Natural Resources Department leadership that the Fremont-Winema Forest Service was telling them not to expect any of those dollars to come for the next four years.

“That money is supposed to come for five years, given the extreme fire danger that exists here in our treaty-protected forest. So, I asked the Senator’s staff about that, and they were baffled. By the time I got home, I was told that planning meetings between the Fremont-Winema staff and our Natural Resources Department for next year’s funding were

being scheduled. So, we probably owe Senator Merkley yet another ‘thank you’ for all he does to support the Klamath Tribes. We expect that over the next four years, our relationship with the Fremont-Winema will be much improved, and given what we’ve just gone through, being critical of how they spent this year’s allocation, we foresee productive use of those dollars. So, to hear that they weren’t coming was off-putting, to say the least.”

Filling out the full slate of meetings, the Chairman met with the Assistant Deputy Secretary for Fish and Wildlife Service, Mathew Strickler, on Endangered Species Act issues and the perpetual water problems facing the Upper Klamath Basin. He stated that the meeting was productive as we move toward a new ESA-required Biological Opinion for protecting endangered cwaam and koptu.

## In Memoriams

### Sasha Lee "Bear Cub, Sasha Bear" Atchley March 28, 1988 – December 26, 2023



Sasha Lee "Bear Cub, Sasha Bear" Atchley, 35, of Chiloquin, Oregon, entered her spiritual journey on December 26, 2023, in Chiloquin, Oregon.

Sasha was born on March 28, 1988, in Chiloquin, Oregon, as a blessing to Aaron L. Gentry and the late Lee A. Crosier (Dillstrom). She was an enrolled member of the Klamath Tribes and a descendant of the Coquille Indian Tribe and the Confederated Tribes of the

Warm Springs Indian Reservation. Sasha was proud of her culture, expressing and showing it everywhere she went. During her younger years, Sasha loved to dance at powwows, starting in traditional, where she was blessed to wear her aunt Alicia's buckskin, and later stepping into the fancy shawl category, where she would glide beautifully across the dance floor like a butterfly. Sasha was blessed to share her love of native dancing with her daughter

Nikaya and was honored to uphold the cultural tradition of sharing her knowledge with her. She was proud to learn how to make regalia for her daughter to dance.

During Sasha's precious time here on earth, she fought the battle of addiction several times and won. She blossomed into a beautiful soul, finding what she loved and becoming the best at anything she put her mind to. When the spooky Halloween season approached, she looked forward to being the store manager for the Spirit of Halloween, loving every minute of working for the company. Sasha took much pride in her work and enjoyed seeing her loved ones visit her at work, always making sure they would leave with everything they needed, from decorations to costumes. She loved making sure her family was taken care of.

Anyone who knew Sasha knew that once she set her mind on something, there was no stopping her. With that fire burning strong, Sasha proudly completed her G.E.D., becoming a certified Master Gardener through the Oregon State Uni-

versity Extension and reaching the Silver Ambassador level as a seller of her favorite Plexus products. Determined to expand her horizons, Sasha recently began pursuing an associate's degree.

Sasha loved athletics and took the utmost joy in being the assistant coach for her daughter's volleyball team, where she led them to victory. Sasha also kept her artistic and creative side strong through beading and crocheting, proudly making and gifting her creations to her beloved family members. Sasha's happiest of times were spent fishing at her favorite fishing spot with her significant other and daughter.

Sasha will always and forever be remembered for her beautiful, bright smile and her big laughter that filled the room with so much love. Her laugh will never be forgotten.

Sasha is survived by her grandparents, Don and Mary Gentry, father Aaron L. Gentry, significant other Craig Atchley, daughter Nikaya Skelton, sisters Kira Bazzano, Amelia Barbosa, Trinity and Brie Gentry, brother Elijah Gentry, aunts Alicia Gentry and

Adria (Ruben) Paschal, and numerous aunts, uncles, nieces, nephews, and cousins.

Sasha is preceded in death by her great-grandmother Edna Dillstrom, grandparents Belvie and Jackie Dillstrom, great-grandfather Albert Summers Sr., great-grandmother Laura Picard Grabner, mother Lee A. Crosier (Dillstrom), and daughter Nastassia Halani Atchley.

Services were held Saturday, January 6, 2024, at 11:00 a.m. at the Chiloquin Christian Center, 301 S. Chiloquin Blvd, Chiloquin, Oregon 97624. Burial was at Hill Cemetery, and a meal followed at the Klamath Tribes goos oLgi gowa Community Center.

The family requests that instead of flowers, donations be made to local organizations for gardening and animal rescue, for both were so very dear to her heart.

The family would like to extend their heartfelt gratitude to all who have offered and provided their support during this trying time.

### Ben F. Mitchell Jr. May 19, 1954 – January 8, 2024



enjoyed playing basketball in various local leagues and traveling to All-Indian Basketball Tournaments throughout the Northwest. Ben would mostly play for the Sprague River Ducks or the Beatty Hawks with local tribal members.

In 1976, Ben met Kathleen J. Eitner, and in 1977 they married. They had one son, Kiota N. Mitchell. Ben worked for Sherm's Thunderbird Market for close to 30 years as the Night Manager. After leaving Sherm's, he found a job he truly loved, being a Medical Transporter for Klamath Tribal Health and Family Services. Ben enjoyed helping his people and their families.

In 2019, after an accident forced Ben to retire, he enjoyed reading and could finish novels in a few short days. He had a lifelong love of watching and collecting movies. Ben enjoyed traveling to visit family and friends and enjoyed seeing new sights. He often watched or attended live sporting events, both local, College, and Professional. Ben enjoyed attending Tribal Celebrations, especially the Klamath Restoration Celebration and the All-Indian

tournaments and was able to attend *The Gathering of Nations* in New Mexico. Ben would attend and take part in various Klamath Tribal Ceremonies. Each of Ben's grandparents was a member of four different Tribes, including the Klamath, Modoc, Confederated Tribes, and Bands of the Yakima Nation and Pitt River Tribes. Ben was a proudly enrolled member of the Klamath Tribes.

Ben was pre-deceased by his parents, Ben Mitchell Sr. and Betty Lou Underwood/Shuey Mitchell; and foster parents Bill and Winona Rentz; siblings Bryan and Gale Mitchell; grandparents Ben Faye Mitchell and Bessie Eads-Mitchell Woodrow 'Woody' Underwood; and Mabal Ball-Shuey; and foster sister Betty Case.

Ben is survived by his wife, Kathleen Mitchell; son, Kiota and wife, Jessica Mitchell of Klamath Falls, OR; brothers Jeff and wife Kathleen Mitchell of Chiloquin, OR; Marc and his wife Robin Mitchell of La Grande, OR; sister Gwendolyn Mitchell of Klamath Falls, OR. And foster siblings Rosie Duran, Billie Rentz, and Joe Hood Sr. Ben is also survived

by many nephews, nieces, and cousins from the Klamath Tribes, Pitt River Tribe, Yakima Tribe, and Siletz Tribe who were very dear to him. He is also survived by lifelong friends Randell Whiting, Ed Rodgers, and Mike Carlson.

Ben asked that his remains be held for cremation in a manner consistent with tribal custom and tradition. An Hon-

oring Celebration and Gathering will be held for Ben later this Sqo/Spring in Chiloquin, Ore., followed by a Burial Ceremony at Schonchin Cemetery. In lieu of flowers, the family requests donations be made to local service providers, Tayas Yawqs, Klamath Falls, Ore., Native American Rights Fund (NARF) Bolder Col., or to the charity of your choice.

To submit an obituary

please send as a

Word document file

not more than 800 words  
with a photo

to

news@klamathtribes.com

# Klamath Tribes working to complete a new courthouse and expand judiciary powers

By Paul Chamless  
Klamath Tribes News

While tribes such as the Cherokee or Navajo have robust judicial systems capable of adjudicating a wide variety of cases – though the Federal Government prosecutes major, felony cases – the Klamath Tribes is making strides in expanding its own judicial capacities. The Klamath Tribes is presently expanding its law codes and working on completing the construction of a new Tribal Courthouse.

The Tribal Courthouse is located at 35601 South Chiloquin Road in Chiloquin, across from the Klamath Tribes Culture and Heritage Community Center on Highway 62. The building was formerly a church, and the building and land were purchased with CARES funds – a stimulus package designed to stimulate the economy during COVID-19. With the subsequent round of American Rescue Plan Act (ARPA) funding, the application to renovate the tribal court was successful, obtaining approval from the tribal legal team and tribal council.

“It’s scheduled to be completed in April,” said Jared Hall, Klamath Tribes Planning Director. “And so, hopefully, the tribal court team will be moving back in May.”

“The general contractor had several projects they were in the middle of and closing out,” he continued, explaining just one of the many obstacles in securing the building’s renovation from start to finish. “So, we had limited crews over there doing stuff, but they’re starting to get more bodies over there, and they can make some more progress.”

While the physical manifestations of establishing a judiciary – building a courthouse – are generally straightforward, understanding the course that brought the Tribes to this point is less clear.

Chiloquin has a reputation for having been a lawless place in the past – a point not lost on some residents born here decades ago. “And so, folks stepped in and said that the federal government needed to take responsibility for major crimes,” said Klamath Tribes’ Chairman Clayton Dumont, providing a brief background

of judicial power being stripped away from the Tribes. “Of course, then that would get farmed out to regular law enforcement, but not tribal law enforcement.”

He elaborated on the reasoning for strengthening and expanding the Tribes’ own judiciary in the present. With a public safety department now recognized by the State of Oregon and freshly sworn-in officers, the contours of this reality are beginning to take shape.

“I think we’ve always had a desire to put those institutions back in place that we lost,” said Dumont. “We had a tribal police force for a long time before Termination. We’ve had a fish and game officer – he was not armed. We’ve never had the capacity to enforce State law before, which these officers now will be able to do. The impetus for this has also been for families and kids specifically, trying to get our kids out of the system, wanting to have a court that was situated in the community and that understood how to help kids that are getting into trouble as opposed to going into the outside system, and end up going in wrong directions.”

Dumont also addressed the McGirt decision, a landmark Supreme Court case establishing tribes in Oklahoma have jurisdiction to prosecute crimes committed on their lands, whether by tribal members or non-tribal individuals. Although in one setback, stemming from a June 2022 Supreme Court ruling, the state of Oklahoma can seek to prosecute non-tribal citizens who are accused of committing crimes against tribal citizens on reservations.

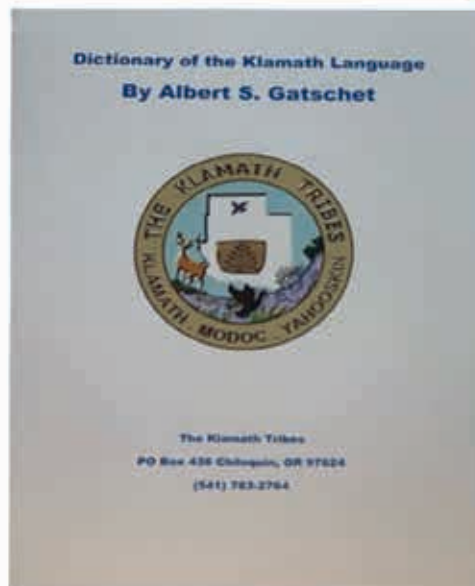
“I have always thought it was absurd that tribal members from other tribes were subjected to tribal laws on the other side of the country,” Dumont said. “So, if I were in Oklahoma, and I was in their jurisdiction, and I violated a law, I would be subject to their judicial system, but a non-tribal from here wouldn’t.”

But Dumont does express optimism in the long-term for the Klamath Tribes Judiciary.

“Right now, I’m happy that we’re going to have our own law enforcement people who will be able to enforce State law and tribal law. And the fact that our courts are taking care of our kids; that they’re able, for example, to collect child support, attach wages, that’s huge.”



The new Klamath Tribes courthouse at 35601 South Chiloquin Road in Chiloquin is currently under renovation. (Paul Chamless/Klamath Tribes News)



## Gatschet & Barker

# Klamath Language Dictionary - \$20 per copy

Dictionary hard copies are available for your purchase through the Language Department \$20 per copy. Payment methods accepted are cashier’s check, money order, cash (in person). Contact the office email [ktlanguages@klamathtribes.com](mailto:ktlanguages@klamathtribes.com) for out of town orders. For in-person purchase go to 116 E. Chocktoot St. Chiloquin, OR 97624 (old Tribal Court Building, go to back of the building)

# Klamath Tribal Health & Family Services open transitional emergency shelter

By Paul Chamless  
Klamath Tribes News

Homelessness is an epidemic affecting Americans in great proportions. Over the past six years, the number of people experiencing homelessness in Oregon has increased by 63 percent to 14,655. Locally, it is estimated that more than 300 American Indian people are homeless.

In 2021, the Klamath Tribes approved a resolution outlining a plan and strategy for creating a homeless services initiative. The initiative is all-encompassing to help struggling tribal members become self-sustaining – providing housing and direct access to mental health, substance use, medical, dental, and pharmacy services, thus enabling participants to regain their dignity and become self-sufficient. The location of the shelter will be located at 310 S. Fifth Street in Klamath Falls.

Chanda Yates, the Health General Manager for Klamath Tribal Health and Family Services, is tasked with setting up and maintaining the program. After securing grant funding from the Oregon Health Authority, she began hiring in Nov. 2022. She wrote the job description for the Klamath Tribes' Homeless Services Director and ultimately hired Marci McComas in the position. From there, they began building the entire program, from concept to opening day.

"Ours is emergency shelter – from right off the streets," said Yates, describing the broad concept of the program. "We provide intensive case management to individuals to get them stable enough to go in to housing, whether it's community housing, or individual studio units, or whatever might be available, so that they can successfully remain housed."

The capacity will be from 12 to 20 individuals any night, and Yates anticipates that most participants – the term KTH&FS prefers to use for individuals in its program – will be men because that is the demographic applying for shelter.

"Our program is going to be based on demand and first come, first served," said Yates. "So, if we happen to get a lot of applications from women, they're going to be considered in the order in which they're received plus their circumstance."

There are specific eligibility requirements that are designed to be "low barrier" in order to help those in greatest need.

Homeless Services Director Marci McComas said that priority will be given to people coming out of detox or medical facilities. Participants applying have to be at least 18 years old, a Klamath tribal member or descendant, and they have to meet certain criteria on a background check.

"That being said," said McComas, "there is the opportunity for adjudication, depending on what offenses they have, because we are a low barrier shelter. So, we understand that our participants are going to have backgrounds."

Showers and restrooms are provided, as well as breakfast and dinner. "We don't provide lunch because we want to encourage them to get out into the community and socialize," said McComas. "They can go to our Engagement Center. We serve lunches there and will always feed our participants if need be, but we're trying to encourage them to get out, move around, and be active in the community."

The transitional emergency shelter is the first shelter the Klamath Tribes has ever operated, and to the Tribes' knowledge, the first of its kind in Klamath County.

Donations will help forge a bond between the Tribes, other community partners, and community members. Donations are a way for individuals and communities to bring awareness and positively make a difference. McComas said that there are two ways in which people can donate or be involved. One, donations are accepted at the Engagement Center at 633 Main Street. Travel-size toiletry items, clothing, shoes, gloves, hats, and socks will be appreciated. And two, a meal train will be activated: community members can sign up for different days of the month to provide a meal for up to 20 people at the shelter.

"One of the biggest things we're wanting to do is we're wanting to give these tribal members their dignity back," said McComas, citing the program's mission. "We're wanting them to be able to build a life and be successful. We're kind of coming alongside them, helping them address whatever barriers they have, and just getting them able to integrate back into society." The Klamath Tribes calls this to be in good health again.

Integrating participants back into society will require major col-



A transitional emergency shelter downtown Klamath Falls is being built and includes tiny houses. It is the first shelter the Klamath Tribes has operated, and the first of its kind in Klamath County. (Ken Smith/Klamath Tribes News)

laboration to succeed. McComas noted that her program will be collaborating closely the Youth and Family Guidance Center, or YFGC, run by Klamath Tribal Health.

"And YFGC will provide a lot of support to our participants in the sense of like substance abuse treatment, mental health treatment, and other coaching/counseling," continued McComas. "But we will also probably work very closely with a lot of other community partners within our community, because basically, our case managers in a lot of ways are sort of like resource brokers. We obviously can't provide all the services that our participants will need. So, for things like medical and dental, we'll work very closely with our clinics within Klamath Tribal Health. And basically, we're there to align them with the services they need, if that's within Klamath Tribal Health, that's great; but if not, wherever need be."

Yates stressed the importance of building trust with the participants and elaborated on some of these individuals' backgrounds. Because this population is in transition on a regular basis and their family are other people who live on the street, building trust faces some obstacles. Yates further stated that potential participants usually don't have any identification because it's been lost or stolen.

"We have to help them fill out the application, help them get their tribal ID, and help them get their identification card," said Yates. "The whole goal and the whole emphasis of this program is intensive case management. So, we've found through our research and best practices in the homeless arena that you can put a homeless person in a shelter and say, 'This is your house, this is your room.' You can go to it nine times out of 10 and they're never there, because they want to be with the society that they've

created and feel safe with, which is those that are on the street. And it takes them a really long time to build trust that this is my unit and this unit is my home. And when they build that trust, they'll start coming back to their unit more."

They can come to their unit under the influence, explained Yates, so long as they're living and behaving within the rules of the program. "And we're doing that because no other program is taking that low barrier of trying to bring stability and trust back into their lives, to bring some normalization back into their lives. No matter how simple and small it may feel, we want to make sure that they have that. For example, to engage them, we're asking them to come to the Engagement Center and at Halloween to carve pumpkins. It may seem ridiculously simple, but they have not had that opportunity to be welcomed anywhere: to come in, to have something warm, to plug in their cell phone, if they happen to have one, and to get something to eat. And to do an activity that's just social, there's no expectation of them to do anything except be there with others."

Staff will be on-site 24 hours a day, which is very important to a program like this. Staff is currently going through intensive training to ensure they are well-equipped to deal with crisis and de-escalation.

As of this writing, some positions are still open, and anyone interested can go to the Klamath Tribal Health & Family Services building at 3949 S. Sixth Street to fill out an application or online. McComas stressed that they will have a case manager and a peer support specialist assigned specifically to shelter participants: "The case management piece is really, really what makes these types of programs work."

The property of this program will be a gated community. A

vinyl, aesthetically pleasing fence will be installed around the entire perimeter of the property to provide privacy for the neighbors as well as the residents of the program. No visitors are allowed unless accompanied by a staff member.

The transitional emergency shelter program is established with a clear, defined set of rules and policies. Although participants are not required to be clean and sober to enter the program, they are required to participate in regular case management that will address any barriers they may have. This includes an invitation to receive care for substance abuse and mental health conditions. There is a very strict no Drugs and Alcohol policy in place that will be strongly enforced. Drugs and Alcohol being brought onto the property will result in an immediate exit.

For neighbors concerned about the impact on the neighborhood, programs similar to this have proven not only to improve the appearance of local neighborhoods but are also statistically proven to reduce the amount of emergency calls to police in the residing areas.

"We are here to support the neighbors, address any of their concerns and to help homeless people that may be congregating near their homes," said Yates. "We are bringing solutions to the neighbors they previously did not have."

For individuals seeking shelter and who meet the requirements, applications can be sent in via email to the homeless services department at [marci.mccomas@klamathtribalhealth.org](mailto:marci.mccomas@klamathtribalhealth.org) or dropped off in person at the KTH&FS Engagement Center at 633 Main Street, Klamath Falls 97603.



# Klamath Tribes' Quail Trail Transit Program adds 2 new buses to existing fleet; 2 new SUVs for medical transport program

By Paul Chamless  
Klamath Tribes News



One of the four current Quail Trail buses. This one has a capacity of 22 passengers. (Paul Chamless/Klamath Tribes News)

The Klamath Tribes Quail Trail bus service will be adding two brand-new Ford F-450s, each with a capacity of 14 passengers, to its current fleet to supplement routes between Chiloquin, Klamath Falls, and Beatty. They are wheelchair accessible and more fuel-efficient than the current buses. Two of the four current buses, each with a capacity of 22 passengers, are Ford F-550s. But with bigger engines and thus costlier repairs after breakdowns, the time is now for the new purchases. The Tribes also operate two older Ford F-450s – though they are also near the end of their tenure due to high mileage.

Michele Carson, Transit Program Manager within the Planning Department, noted the difficulties in maintaining the status quo of the fleet. “They’re much bigger breakdowns,” she said, pointing out that breakdowns happen several times in a calendar year. “If it breaks down, you’re going to pay between \$3,000 and \$5,000 every time you hit the shop.”

According to Carson, the old F-550s each have around 380,000 miles under their belts, while the F-450s have accrued around 200,000 miles each. This kind of mileage is not sustainable. “We need to be rid of them,” Carson added, “but we are going to keep one behind just in case we need it.”

An Oregon Department of Transportation Needs-Based CARES Grant is funding the purchase of the two new buses.

In addition to the two new buses, the Tribes is acquiring two new SUVs for medical transport to various medical facilities throughout Oregon state, including Sky Lakes Medical Center in Klamath Falls. Potential passengers just have to meet the criteria to be eligible. “The criteria are an individual must be 60 or older; if they’re disabled and under 60, we can do that; the individual doesn’t have to be a tribal member, and it’s open to the public. All of our grants are open to the public,” said Carson. The Transit Program contracts with Translink, an Oregon Health Plan program,

to ensure medical transport for those seeking assistance.

The Transit Program endured low passenger counts on its daily routes as a result of COVID, and those numbers have steadily recovered since the pandemic was officially declared over by the Biden Administration in April 2023.

As a result of lower passenger turnout, Carson is not concerned about the lower passenger capacity of the two new buses, though she does anticipate ridership returning to pre-pandemic levels.

“We struggled during COVID because you had to be so many feet apart,” said Carson. “We weren’t getting the people because so many folks were afraid to ride.” She added that her routes never recorded a single case of COVID.

In 2020, HEPA filters were added to the buses to help mitigate the spread of COVID. Carson beamed with pride while explaining the diligence of her team.

“If a passenger got on with even just a sniffle, John was always putting the filters on,” said Carson, explaining the commitment of the drivers. “And they were manual. So, you could just flip a switch, and they would be on. And our other full-time driver, Pat, keeps those buses tidy. She’s up at 4 a.m. and has those buses ready by 5 a.m.”

Carson and her office co-worker, Transit Program Specialist Ron Hugulet, staffed the program. They manage two full-time and seven part-time bus drivers and medical transport for individuals requiring assistance.

Recovering the passenger count to pre-pandemic numbers will require time and patience. Carson pointed out that the buses were generally half-occupied on any given route before the pandemic. Now, she speculates that they average 50-65 passengers a day on all routes combined,

which is still a dramatic improvement from peak COVID.

The routes accumulate 310 miles throughout the course of the day.

Carson also emphasized the importance of the routes to the citizens of Chiloquin and Klamath Falls. For individuals from Chiloquin, which lacks adequate grocery stores, accessing grocery stores and food produce in Klamath Falls becomes a health matter. Likewise, some Klamath tribal members living in Klamath Falls ride the bus to the clinic in Chiloquin, said Carson. People also ride the bus to grade, high, college, and work.

Buying the two lower-capacity buses is necessitated by the

fact that any bus exceeding a capacity of 14 passengers requires its driver to hold a Commercial Driver’s License or CDL. “And if they do pursue it,” said Carson, explaining most individuals’ motivation for getting a CDL, “they’re pursuing it to go do trucking.”

Despite some of the challenges the Transit Program has faced in recent years, Carson expressed optimism for the future of her department. “Just get on a bus, come ride,” she said. “It’s a great ride when you don’t have to drive that dangerous road every day.”

## The Klamath Tribes Language Department

Klamath/Modoc		
Winter	loldam	(lul tum)
Snow	keys	(case)
It's snowing	kena gee	(kanah gaa)
Ice	we	(waa)
Wind	slewys	(slou weash)
Windy	slewy	(slou wee)
Food	p'as	(p ahs)
Paiute		
Winter	tommo	(toh'moh)
Snow	nebabi	(nuh'bah'bee)
It's snowing	teekawene	(tuuh'kah'wuhn)
Ice	tuzeco	(too'suh'coh)
Wind	hikwa	(heh'kwa)
Windy	hikawene	(heh'kah'wuhn)
Food	tekaba	(tuh'kah'bah)

The Klamath Tribes Language Department is working to gather information from Klamath Tribal members, regarding Language services, through a survey. The first 75 Klamath Tribal Members, 18 years and over will be eligible to receive a \$25 gift card when you complete the survey. Surveys are located at the Tribal Language Department.

*The Language Department is responsible for delivery/mailling the gift cards.*

You may email a request or, completed survey to  
[ktlanguages@klamathtribes.com](mailto:ktlanguages@klamathtribes.com)  
[sallee.shadley@klamathtribes.com](mailto:sallee.shadley@klamathtribes.com)

	neme	?ewksiknii mowatakkni
<b>Mother</b>	<i>pia</i>	<i>pk'isap</i>
<b>Father</b>	<i>naa</i>	<i>ptisap</i>
<b>Parents</b>	<i>nana pueah</i>	<i>shukikash</i>
<b>Aunt</b>	<i>pidu (maternal) pahwa (paternal)</i>	<i>psaaq'ip (maternal) pGojiip (paternal)</i>
<b>Uncle</b>	<i>?aatsi (maternal) hi'e (paternal)</i>	<i>bloGooc'ip (maternal) pseeyip (paternal)</i>
<b>Grandmother</b>	<i>mo?a (maternal) hutsi?i (paternal)</i>	<i>pq'olliip (maternal) pt'eewip (paternal)</i>
<b>Grandfather</b>	<i>togo?o (maternal) kinn?o (paternal)</i>	<i>pk'aasip (maternal) bloksip (paternal)</i>

moo sepk'eec'a / pisa ee (Thank You)

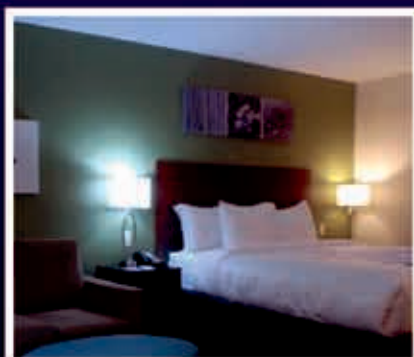


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### CLEANING UP OREGON CRIMINAL RECORDS IS NOW EASIER

Effective January 1, 2022, the legislature made it much easier and cheaper to expunge/seal criminal records. You may be able to get criminal dismissals, acquittals, arrests, or older convictions expunged/removed from your record.

- Class B felonies, which don't involve a person or firearm, are now eligible for expungement 7 years from the date of conviction, or release from imprisonment, whichever is later.
- Class C felonies are now eligible for expungement 5 years from the date of conviction, or release from imprisonment, whichever is later.
- Class A misdemeanors are now eligible 3 years from the date of conviction, or release from imprisonment, whichever is later.
- Class B and C misdemeanors, non-traffic violations, and findings of contempt are eligible 1 year after conviction, or release from imprisonment, whichever is later.
- If you had a probation revocation in a case you can't apply for an expungement until 3 years after the probation revocation, or when you would otherwise qualify for expungement of the conviction, whichever is later.
- Arrests, citations, and charges are eligible for expungement after 1 year if no charges are filed or 60 days from the date the prosecuting attorney says they are not going to go forward with the charges, whichever is earlier.
- Dismissals or findings of not guilty are eligible for expungement as soon as the court order is filed showing the case is dismissed or that you were not guilty.
- You can't get an expungement if you have a warrant or an active criminal case open or pending anywhere in the world, even if the cases is in municipal court.

Some convictions still cannot be expunged, such as:

- Some crimes that involve the mistreatment of the elderly and/or children;
- Some assaults and criminally negligent homicide;
- Most sex crimes (some sex crimes may be eligible under special conditions);
- Municipal or state traffic offenses; or
- DUI convictions, even if it was dismissed because of a diversion program.

Once a record is expunged you can say that you have not been convicted of that crime\*, even on employment and housing applications. You will also have to notify the Foundation for Continuing Justice at [www.continuingjustice.org](http://www.continuingjustice.org).

\*It may show up in very special circumstances, but those are rare.



#### IMPORTANT

This information is general and is not legal advice. Everyone's own personal history must be checked. You should talk to a lawyer to see if you qualify.

\*Most old marijuana convictions can now be sealed/expunged.

\*There is no court filing fee to apply for expungement.

\*More cases are eligible than before.

\*The 10-year wait and blocking rules have been dropped.

\*Only one \$33 background check fee (for convictions only) and fingerprint card are required, even if you file requests in more than one county.

\*Free statewide forms available on the judicial department website.

\*Prosecutors now only have 120 days to object.

\*It is now harder for a court to deny an expungement.

### Easier Criminal Record Expungement in Oregon

In case you haven't heard – expungement of criminal records is now easier and cheaper in Oregon. The Legal Aid Services of Oregon and Oregon Law Center have distributed a fact sheet regarding expungement of old criminal records and convictions. Many of the old rules no longer apply and it is harder for a court to deny expungements.

This information may be helpful in deciding if you would benefit from checking with an attorney or law firm. Please note that the information supplied on the sheet is not legal advice and everyone's own personal history determines if they qualify.

Contact the Klamath Tribes' Education & Employment Department for more information.

**The Klamath Tribes  
 Education & Employment Department  
 Attn: Employment Services Manager  
 PO Box 436  
 Chiloquin, OR 97624  
 (541) 783-2219 ext. 128**

# Fremont-Winema National Forest Service News



By Benjamin Wilson

The Fremont-Winema National Forest hosted the Regional Forester Team from Region 6, the Pacific Northwest Region, last week for a management review. Topics involved sustainability, relations with our partner organizations, employee work-life balance, and the impact of our Ranger Districts on the communities that host them. The Regional Forester Team plan to look into ways they can assist with seed and tree viability for replanting in burned areas like

the 242 and Bootleg fires, as well as ways to reduce vandalism and damage in remote recreation areas that charge a fee.

Fire Season for the South-Central Oregon area was declared over on October 16th, and immediately afterward, agencies in the South-Central Oregon Fire Management Partnership began prescribed fire operations of two distinct varieties: underburning and pile burning.

Underburning is where fire managers are targeting low, highly flammable vegetation in an effort to reduce the available amount of fuel a fire can consume. This was demonstrated to be effective during the Bootleg fire in 2021, where areas that had been both thinned and treated with fire are still standing and green in 2023, but areas that hadn't been treated experienced high, sometimes complete, tree mortality.

Pile burning is similar, except

dead and downed vegetation and trees are cleared out of an area to allow for replanting and reforestation. Pile burning may be hand-piled, in which case firefighters and workers cut and pile dead vegetation by hand or assisted by machines like buncher-fellers and dozers.

Both underburning and pile burning contribute to the amount of smoke in the air; however, the smoke impacts from a single prescribed fire typically last less than a week. Ultimately, pile burning allows the Forest Service and their partners to reforest burned areas, whereas underburning keeps the forest alive – while also improving habitat for wildlife, protecting human communities, minimizing the spread of insects and disease, removing invasive species, and assisting late-opening lodgepole pine cones with reseeding the ground.

The Forest Service has begun the process of standing up a road crew, which should allow for faster maintenance and repair of roads within the boundaries of the Forest when roads are unsafe or impassible. The exact scope of work that the road crew will contribute to has yet to be defined; however, as the Fremont-Winema has one of the most extensive forest road networks in the United States, this should have a very positive impact.

During the Regional Management Review, Liz Berger, the Acting Regional Forester for Region 6, Northwest Region, discussed how the Fremont-Winema achieved 150% of timber targets for Fiscal Year 2023. While this is excellent from a yearly perspective, conservation and timber industry partners expressed a desire to see targets lowered in order to maintain the long-term health and viability of the forest. Those

same partners expressed a continued desire to work with the Fremont-Winema to achieve a state of sustainability, in one case expressing, “There’s no other place like this. We have to work together to keep the forest alive for the future”.

In the interest of protecting and maintaining the Forest for future generations, the Northwest Region of the Forest Service is currently revising the Northwest Forest Plan. While the exact content of the updated Northwest Forest Plan is still pre-decisional, the stated goals of the plan are to focus on improving fire resilience, adapting to climate change, include the Tribes within decision-making processes, create sustainable communities, and protect old-growth forest.

*Benjamin Wilson is the Public Affairs Officer for the U.S. Forest Service.*

*maqlaqs s?ayooga hemkanks neme natuniduudu*

## We are learning language. We are learning Paiute.

*waq lis ?i nanookins or ha?o me.*

By Georgene Nelson  
Director of Klamath Tribes  
Language Department

These are two different phrases from three different languages, and both phrases say “How are you all” in Klamath/Modoc and Northern Paiute, respectively. The students who have studied in the 2022-2023 Cultural Language Sounds Program or are currently enrolled in the Klamath Tribes Cultural Language Sounds Program learn these phrases in their first language classes.

The Klamath Tribes Language Department has created a Zoom app Language Training program. The Klamath and Modoc Languages (?ewksiknii coy moattaknii) have been taught on Monday evenings. The Northern Paiute (neme) classes are taught on Wednesday nights. The students are adults to 4th-grade children. Students are from throughout Oregon and Washington state. A couple of returning students help the new 2023-2024 students with pronunciation and all students lend their study tips to each other. The majority of the students are enrolled Klamath Tribal members, and a couple are tribal spouses or tribal descendants.

The focus of the Klamath

Tribes Cultural Language Sounds Program is to teach the phonetic sounds of the tribal alphabet. The goals of the Program are to empower students with cultural pronunciation and teach vocabulary and sentences in the tribal languages. Klamath and Modoc are very similar; however, Northern Paiute is very different. This year, we have grown the Northern Paiute Language Class from 4 students to 6 students. The Klamath and Modoc class has 14 regular students.

The Klamath, Modoc, and Northern Paiute Languages are all three considered endangered languages. There are no known fluent speakers of the three languages within the Klamath Tribes. It is with the help of the University of Oregon Language Department that the languages have materials in the form of booklets and audio materials, we can teach the sounds of these languages, which were developed in the 1990s. The Klamath Tribes have been working on teaching vocabulary for 34 years.

The hopes in 2024 are centered on these trainings to help build fluency in teaching sentences as part of everyday communication, with the help of dedicated Tribal Members of the Klamath Tribes. These are a few samples of how students are using the

language after they are trained. A couple of graduated students of the 2023-2024 Cultural Sounds Class, Syd and Rachael, submitted a translation of “I love you,” and the sentence was written as “stint mis ni” in the Klamath/Modoc language, and it was an accurate communication in both spelling and sentence structure.

Two children in the 2023-2024 Northern Paiute class, Blue and Alayna, who both happen to be in the 4th grade and live in separate towns, both went to their respective schools and introduced themselves in Northern Paiute to their fellow students during a class event. A wife and her husband, Ruth and Brian, are taking the Klamath and Modoc class together, and they work to incorporate their words in everyday sentences at home and send texts in Klamath/Modoc. One student, Josh, who is an instructor, uses some of the Klamath words in his instruction in archery. A graduate student, Rowena, teaches her customers words in the Klamath/Modoc language and also helps tribal members with vocabulary or pronunciation when she comes across them through her vending travels. There are Klamath Tribes employees who are using the language while at work. One non-tribal employee, Michelle, greeted the Tribal Coun-

cil in the Klamath and Modoc Languages during a Tribal Council Meeting. Two employees at Klamath Tribal Health and Family Services, Tammy and Amanda, also use the tribal language by having messages say a greeting in Klamath/Modoc on their voice messages. Ron, a Transit Department employee, uses the Klamath and Modoc words to say good morning to co-workers. He also says the standard Klamath/Modoc greeting to co-workers.

Students have shared how they feel empowered, more culturally connected, and proud of themselves to learn how to introduce themselves in their native language. Tammy and Amanda reported that Tribal members respond to them positively in the Klamath/Modoc language, or they have discussions about language by having a greeting in the tribal language on their voice messages.

The Klamath Tribes Language Department staff are working to teach language to all employees whenever they get the opportunity.

The hope is that all language students can continue communicating as they also learn the basic grammar of the languages and how to write sentences. The students are encouraged to teach what they know to family and friends. The writing of the

language is a newer practice, as the language was studied in 1890 by Samuel A. Gatschet, a linguist from the US Government sent out to study Tribes in the West, and in the 1950s to 1960s by MAR Barker, UC Berkley Linguist. The languages now use the letter symbols of the International Phonetic Alphabet (IPA) to get as close as possible to cultural sounds for the words of the languages.

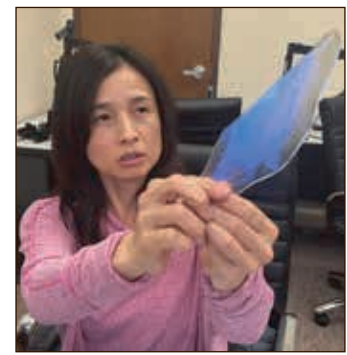
The Klamath Tribes Language staff are working to create more video media to share on their web page at [www.klamath-tribes.org](http://www.klamath-tribes.org) and on the Klamath Tribes YouTube Channel. The most recent videos are for the Winter Words and Holiday Season; these can be seen on the language page of the Klamath Tribes website. The goal is to get more language information to our Tribal people so they can review and use the words in their daily communication.

You can contact the Language Department at [klanguages@klamathtribes.com](mailto:klanguages@klamathtribes.com) with questions or contact the staff at (541) 783-2291.

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## Artist creates hanging installation of salmon and suckers for Oregon Tech's Boivin Hall



Artist Kana Tanaka holds up a glass salmon.

By Ken Smith  
*Klamath Tribes News*

Kana Tanaka is an artist based in the San Francisco Bay Area. She is creating a public art display of glass-made fish, specifically salmon and suckers, to be on display at the Oregon Institute of Technology campus in the 44,000-square-foot Boivin Hall.

The "Shoal of Returning Hope" project was commissioned by the Oregon Arts Commission for the "Art in Public Places Opportunity." The installation will consist of numerous shining salmon and suckers as glass pieces suspended in midair of the Boivin Hall. She visited the Klamath Tribes to research the fish and understand the ecology around the Klamath

Basin and Klamath River as four dams are removed. The goal of the artwork, Tanaka stated in her proposal, is to add warmth and color to the building with suggestive movement and respect for the natural light of the building.

She summarized the concept of the project, stating, "I would like to visually represent the hope the community surrounding the Klamath Basin has been holding for many years. The installation will consist of an abundant amount of shining salmon-like glass pieces suspended in the midair of the Boivin Hall. The color and shape of the school of glass-made fish installed in the air will give us a future image of how the ecology around Klamath River will recover and flourish after the removal of the dams that have impacted it catastrophically by our human civilization."

The installation will use a two-story-high open space as a 3D canvas to tell the story of salmon as they return to the upper Klamath River and tributaries in the Basin. Tanaka described the project installation in her submission for proposals, stating, "I interpreted the big gray beam, which exists in the middle of the space, to represent a dam for salmon to be jumping over. Adding eight

extra braces between existing trusses and adding stainless cable across the large area will create approximately two '20 feet by 15 feet (joined above the stairway) for a suspended sculpture area."

Tanaka was inspired by Coho and Chinook salmon, which change their body color while swimming their upriver journey. To capture the changing colors of the fish, she used dichroic glass that produces a wide variety of colors in its reflected and transmitted light. For the upper part of the installation, the dichroic glass will produce red in the transmitted color and silvery blue in the reflection. For the lower part of the installation, she will use dichroic glass that reflects light reddish-orange, and transmitted color to be light cyan.

The dichroic glass shards will be cut by a waterjet cutter, etched for detail patterns, and fired (slumped) to create a curved shape and 'fish scale-like' fragmented texture. The number of fish on display will be more than 800, suspended on 250 vertical cable lines. Each wire with fish will be further stabilized and accentuated with a ball of light-orange glass inspired by a piece of salmon roe, the "seed or our hope for the thriving ecology of the region."

Tanaka, who is originally from Japan, visited the Klamath Tribes to gain an understanding of the Tribe's history in the area and see firsthand the ecology of the Upper Klamath Basin. She visited the Ambodat fish rearing facility for c'waam and koptu suckers and toured the local area, including a trip to the Wood River Wetland and surrounding creeks and rivers. She spoke with the Klamath Tribes News during her visit to discuss the project and her work as an artist.

"This particular project was asking artists to give suggestions or themes to include mostly Klamath Basin," she said. "Regional, culture history, people, maybe it can be indigenous people or a story of what's happening now or in the past and nature... So, I started with the Klamath Basin and found that sort of overarching California and Oregon, southern Oregon border area, and then I learned about the Klamath River, and then the dam removal project."

When Tanaka made the art proposal, she did not know about the water issues of the Upper Klamath Lake area with the Klamath Tribes. One of the art selection committee members was the local artist, Natalie Ball

(Klamath Tribe Council Member), who introduced Tanaka to the specific stories about the Upper Klamath Lake area. She invited Tanaka to visit the Tribes in December. After the site visit and learning about the Tribes, Tanaka decided to incorporate the c'waam and koptu for the area above the upper stairway and upper floor area. And the color choice was shared with the people at Ambodat.

The placement of the fish will follow the path of the salmon from the Pacific Ocean to Chiloquin, and she will be utilizing the structure of the building as part of the location of movement, with the stairway representing the dam removal area, and above the stairway, the Upper Klamath Lake and Chiloquin area.

The public art installation is expected to be completed this summer, coinciding with the dam removal project completion. Tanaka said she would feel a sense of accomplishment once the project was finally completed and installed.

"When I see people come in to experience the piece, interact with it, and really appreciate it, that's when I feel accomplishment," she said.

## Klamath Tribes purchases house along Highway 62 with more than 7 acres of land



By Ken Smith  
*Klamath Tribes News*

In late December, the Klamath Tribes purchased a house located next to Crooked Creek along Highway 62 just outside of Fort Klamath. The purchasing price was \$700,000. The Tribal Council approved the deal at a December meeting. The 1,487-square-foot house on 7.69 acres has views of the Wood River Valley and abuts two spring-water creeks. Built in 2000, it's a two-story single-family dwelling with two bedrooms, two baths, and no car garage.

This reporter joined Klamath Tribes Chairman Clay Dumont for an on-site visit

to the house. As we toured the property surrounded by aspen, Dumont was overjoyed with the location and the clear spring-fed Tecumseh and Crooked Creeks that wind through the property. "There were several of us on the Council that were very excited about it," he said. "Very excited about being able to protect this water. As you can see, there's no cleaner water on the planet."

He explained that Tecumseh Creek runs out of the ground just across the highway and feeds into Crooked Creek on the property, and the surrounding mountainsides have natural springs that are used to feed nearby Agency Lake. Endangered red band trout migrate up the creeks in fall to spawn, and Dumont explained

that the creeks used to have suckers that were a different color than the c'waam, koptu.

He pointed to an abandoned home near the property that used to be Seldon Kirk's property. He was chairman for life in the 1930s and 40s and was Dumont's great-grandfather's younger brother. "That side of the family talks about different colored suckers, purple colored, that were up in here. They tasted different. They were better, they thought, than the c'wwam and koptu. But those fish are gone now."

Dumont added that the reacquired property is also an important cultural site. "I don't want to say too much about the importance of it, but tribal members can get with the Culture and Heritage Department if they're interested. Also, Council Grove is very close, which is where our ancestors signed the treaty," he said.

The house has been under some tribal member ownership over the years, Dumont said. "If you go way back, this was tribal property for a long time.

And I'm not just talking about, you know, pre-treaty. I'm talking about afterward when it was in private property hands. It was owned by tribal members."

The property owner was in favor of the Tribes owning it, Dumont said, and there were multiple offers for the house. "They wanted the tribes to have it," he said. "And they called us, and we had to move pretty quickly on it."

The decision now is what to do with the house and property. Many suggestions have been made, but Dumont stressed that the priority of the purchase was for water protection. "I want to emphasize that the most important thing right now is that we've got the water protected," he said. "That was the underlying importance for those of us on the Council that were pushing to buy. It was just to protect this water."

However, many tribal departments have expressed interest in using the house. "There are a number of things that could happen with it," he said. "We're probably talking at the next Gen-

eral Council meeting about reintroducing salmon and whether the tribes want to be part of that. This might be a place where we could do that. It could be a bed and breakfast that could generate income for the tribes. It could be a place where when we try to bring in professionals who can't find housing, it can be temporary for them to stay while they're looking for housing. There are two or three departments that are interested in it. I think it would be a beautiful place for people who are in recovery, you know, to come and sweat and get well."

Dumont said he hoped the Tribes would be proactive with other important properties with tribal connections to the past. But right now, he is basking in the purchase of this property. "I hope it never leaves our possession again," he said glowingly. "Given how hard it is to get these lands back. Yeah, I would expect that it'll be ours forever."

## Q&A with Marshal Moser: Wildlife biologist seeking to save threatened fish

By Ken Smith  
Klamath Tribes News

Marshal Moser is a field naturalist and certified wildlife biologist on a mission to restore the health of the Upper Klamath Basin's ecosystem, with particular interest in the endangered bull trout. He has lived in Chiloquin for 17 years and has been working with the Klamath Tribes Ambodat Department to collect genetic samples of DNA in local streams to identify bull trout using an eDNA sampler owned by Ambodat. Bull trout of the Upper Klamath Basin are concentrated in what biologists have identified as the Klamath Recovery Unit, composed of the Upper Sprague River, the Sycan River, and tributaries of Upper Klamath Lake. Ambodat is also involved in the bull trout recovery efforts and is assisting Crater Lake National Park biologists with fish monitoring work at Sun Creek in the park and will begin work to restore bull trout streams of Long Creek located on Nature Conservancy land at Sycan Marsh. In addition, Ambodat is looking to hire tribal members to help remove invasive brook trout.

Presently, there is a need for more data to identify and delineate present and historical populations of bull trout in the Upper Klamath Basin. Bull trout of the Basin were once widespread, but their numbers have dwindled due, in part, to habitat fragmentation from agricultural water diversions and past fisheries management. Their recovery has also been hampered by competition and interbreeding with the non-native brook trout.

The U.S. Fish and Wildlife Service has established the Klamath Recovery Unit of southern Oregon, which includes core areas of bull trout in the Upper Klamath Lake, Sycan River, and Upper Sprague River. The Upper Klamath Basin core area is comprised of the northern portion of Upper Klamath Lake and its immediate major and minor tributaries. Sun Creek, which originates from the southern slopes of Crater Lake National Park, and Threemile Creek, located on the west side of the Wood River Valley, serve as key streams for bull trout survival and long-term efforts to recover bull trout populations

in the Upper Klamath Basin. Moser's gathering of genetic data of bull trout in the Basin is much needed in order to accurately identify population numbers and locations of their habitat – and he does so as a volunteer.

**So, you're just doing this work on the side, in your own free time. You're not being paid. You're just volunteering your interests and efforts.**

Correct. It's a great interest of my life. I've done the things I'm comfortable with and enjoy filling my time with such consulting.

**We're in a historical moment here that you can engage in as a field naturalist. Because we're removing all these dams and the basin is going to change, the river is going to change, and there is a great interest from around the country and internationally. How can people get involved with this restoration that's going on? People can become activists, right? Which is kind of what you are.**

Not so much as a political activist, but actually trying to help on the land in some of the efforts to restore it. There is, like you said, a whole bunch going on: fish re-stockings, the dams being taken out, monitoring fish by putting transmitters and transponders in them. What got me started in the present one, where I'm using some of the Tribes' equipment, is the Forest Service wants to know where the bull trout are in the Upper Basin that flows into the Sprague and Williamson Rivers. And there was a grant with Trout Unlimited that had some money. And then, the Tribes offered their sampler to sample the DNA in the streams. A sampler is a machine that sucks the water out and runs it through a sterile filter to capture the genetic material that's in the water.

**The Tribes have it at their water quality lab?**

Yes, that's where it's maintained. And I have it right now. I've been using it for quite a few months. It's the only one they have, and they weren't using it. So, this fits right in with the reasons they got it.

**You went over there and said you wanted to use it as a volunteer?**

I said I needed that to document some of the fish. It's one



Marshall Moser

of the best methods there is, in ways better than electrical fishing, better than hook and line fishing, better than seining, and other methods to catch the fish because you can suck a tiny amount of water out of the stream, about two to five liters, and check for every species over a half-mile upstream. All the fish that are there can be used for other documentation, too. Technically, it's called environmental DNA sampling – eDNA. And it's a very thorough method, which you can easily miss using other methods, the presence of something there that's in low numbers or in a different place that you didn't sample, hiding under a log, or like some of the fish that hide under rocks and leaves. And so, it's a very, very thorough method of checking what's there. It does have to be sent to a lab. And that does cost a bit, but the price has been dropping from hundreds of dollars to between \$100 and \$200 per sample, and that'll give you all the fish here in the stream. You can do plants, other animals, anything that had living or dead parts in the water that may have included DNA.

**Are you paying for these samples out of your own pocket?**

It's not being paid for. The samples are being collected, put in alcohol, and kept in a refrigerator.

**Are you going to send them back to Ambodat?**

If they want them, I have sent them a map of all the sample sites. And they may not want all the sample sites, but that will be their choice of what they want to use. Other organizations, like Trout Unlimited, that got the original grant in the first place, will be interested in the bull trout.

And the bull trout is a native species to the area.

They are a native species. It's a little bit of a mystery how they got here, but they originally

were as far south as the McCloud River in California. They went extinct from there in the 1990s. But there's no connection through the rivers now to the populations that are in Central Oregon. Central Oregon on Metolius River and the Warm Springs reservation have possibly the healthiest population in the U.S.

**And the Basin?**

The Basin has a population here. It's very unusual. It surprises people to learn about it. There's some along the edge of the Cascades and some of the creeks of the Upper Sprague River in both branches, the north and the south forks.

**There is a display of fish at Wood River Wetland for trout there, and I think the bull trout is listed.**

Yes, it's there. So, for a while, I worked for the Lonesome Duck about four miles downstream as a consulting biologist, full time there, and we had a team of guides, and every once in a while, a guide would report somebody catching one. Now, another thing that happens is they look so much like a brook trout that people don't know. And there are warnings when you get into the area, signs up along the road to tell you if you don't know the difference, you better not keep it between a brook trout and a bull trout. And I can think of a sign way up on the Sycan right now, the Sycan River, warning people that you're coming into bull trout country, so it's better to know what you're doing. They're very similar. And it's possible that people are getting them and don't even know.

**Do you have a goal in mind? What's your mission with the DNA testing?**

To find out where the different fish are. And you can get some idea of the size of the population and to supply the baseline material for areas that do need the restoration, helping the fish try to come back to natural populations again.

What I would be doing is supplying data to interested organizations like the Tribes and Trout Unlimited. Each one has kind of its own niche, what they're most interested in. And the Tribe is very interested in the suckers, of course, and they may be interested in bull trout, too. I'll make that all available.

**What is your timeline to complete this part of your project?**

There is no particular timeline. And that's one of the things about DNA: it can last indefinitely. It depends on how it's preserved. But right now, I'm trying to get over to the point where somebody else can help with the funding of it. I don't care that much about who funds it. But somebody, especially those that are interested in seeing what's in those streams from the DNA, they would be the ones most likely to want to pay for those samples. And I recently found three labs that can run those samples for a couple of years. I did not know which lab could run the samples by the protocol in which they were preserved. And I had to look that up and ask some other people for help.

**If you could get involved with the Tribes?**

**What would you like to see them do?**

I just like to encourage them to continue doing what they're doing: preserving these populations. Trying to get back to the original conditions that were here, a healthy population of all the native species.

**Is there anything else you would like to add?**

Well, I'd like to encourage people with something you asked me before: there are different places where people can volunteer their work. And there is a lot of money available; a grant writer would be great. Because I just don't have enough time to do that. I'm just a one-man show. And I would rather just be a consultant for this work, non-paid, and help other people. Grant writing, fieldwork: Trout Unlimited needs some field people here; there's a very small group. And a lot of us, well, I'm 75, a lot of us are that age, and we need some younger people that are interested in this and willing to supply muscle power, brain power—all of it's needed.

**And if somebody wants to get involved, how do they contact you?**

Email is best:  
marshalmoser@gmail.com.

## Human Resources

*Continued from page 1*

ious departments, is high on Robinson's agenda. She said some departments have more money to spend and, therefore, can spend more on hiring. Like pay scales, in theory, would discourage people from lateral moves, doing the same job for a different department. "I set standard pay ranges for like positions so we could reduce the lateral movement," she said. "But I'm still finding a lot of internal movement." She added that she prefers individuals not to stay in positions they are discontent with.

Robinson said it is ideal that workers are interested in what they are doing, as this helps bolster retention rates for any given department. "Sometimes the individual will transfer because they prefer a different type of work, or they prefer the supervisor in another department, or they're avoiding burn-out," she said. "Maybe you've done something for a while

and want to try something different. Or maybe the pay is better."

The Klamath Tribes face the challenge of internal movement as current employees change positions and departments, while other challenges have been recruiting individuals who have criminal backgrounds, whether misdemeanors or felonies. Many assume that they won't be hired because of their past. Or non-tribal individuals who assume the Tribes only hire tribal members and thus don't apply for open positions.

There are also cases where some individuals might have been addicted to hard drugs or have a criminal record from decades ago. Robinson disagrees with the notion that a former convicted felon should be perpetually punished. "You paid your debt to society. We don't need to keep punishing you," she said. "How can you rebuild your life if you can't get a job?"

She said one individual's background check is not going to matter unless the crime is recent or they apply for a position

that requires clearing a specific background requirement.

As for hiring non-tribal members who have not worked for a tribe, Robinson noted the unique challenges these individuals might initially face. Learning the tribal side of things is critical because the tribe has its own government and is a government within a government where tribal laws and specific Federal rules apply. State employment laws do not apply to Tribes who are sovereign nations. Tribes have a lot of rules to follow that are not required of private industry. This makes the learning curve more challenging for people who have not had the experience of working for a tribe.

With the legalization of marijuana use, pre-employment drug testing played a large role in discouraging potential hires from applying. Marijuana use, being detectable in the human body for up to a month for occasional use, impeded the application process for employers and employees. When positions have a short open recruitment period,

there is no possibility to clear the system for drug testing. "We were missing a lot of opportunities for hiring," said Robinson. "Since the goal of drug testing is to ensure we have a drug free workplace, we have stopped pre-employment testing and use suspect testing, unless the position requires extra caution such as bus drivers, for example."

Around 80 percent of the current Klamath Tribes workers are enrolled members of a tribe. However, the goal is to increase that percentage and train more tribal members to join the workforce and fill positions. Robinson also stressed the need for more on-the-job training, coaching, and increased work competency training for advancement opportunities in order to garner interest in working for the tribe as well as for retaining current employees.

"Director-level positions are harder to fill," said Robinson. "One part of my strategic plan is to have the departments implement succession planning so we're hiring from the bottom up, not the top down. That

way, knowledge doesn't walk out the door when somebody leaves. You train up so that there's always somebody ready to step up as opposed to now they're gone, and we have to try and figure out what processes they knew and didn't teach others to do."

Robinson acknowledges that some employees, regardless of the organization for which they work, can be territorial in wanting to keep the knowledge to themselves, which can hinder succession planning.

Robinson has adjusted pre-requisites and salaries for a variety of jobs in an effort to fill positions in a location with a limited workforce. She encourages job prospectors to view the job listings posted on the Klamath Tribes website, which change often as positions become available. Lucrative jobs are being offered by the Tribes, she said, with many more opportunities to come as the Tribes' workforce needs are quickly expanding.

## Swan Lake

*Continued from page 1*

value to members of the Tribes."

As recently as Jan. 31, 2020, current Tribal Chairman Clayton Dumont submitted a letter to Copenhagen Infrastructure Partners (CIP), the investment firm that owns and operates the project, representatives stating that the company "is about to blow a gaping canyon into the center of a massive Klamath/Modoc cathedral..."

Chairman Dumont and other Tribal Council Members had been attempting to send the latest offer to all 4,611 tribal members eligible for a Referendum Vote. The actions taken at the Sept. 30 meeting will now stop that from happening. Part of the motion that was passed stated, "We stipulate that there will be no future votes." However, that has not stopped some tribal members from pursuing a referendum vote, as some tribal members see the compensation package as an opportunity for financial benefits that outweigh sacred concerns, disallowing the position of accepting the \$40 plus million compensation as "blood money." Some tribal members, however, see the compensation package as an opportunity to address many



Duke Kimbol

needs of the Tribes for social service and other programs, as well as a museum for the McLeod family heritage basket collection.

One tribal member, Harley "Duke" Kimbol, has thus far obtained 100 signatures as of late December as he seeks the necessary 250 signatures to move forward to a referendum vote. "I've had a little backlash over it, you know, when some people don't like what's going on," he said. "But since the project is going to be built, and they're offering your tribe \$40

million compensation for some of the sites that will be ruined, I think we'd better look at that."

If Kimbol is successful in acquiring the necessary signatures, a referendum vote will be distributed to all eligible tribal member voters.

According to Article XIV Section 1 of the Klamath Tribes Constitution: "Upon petition of two hundred fifty or more of the eligible voters of the Klamath Tribes, any action of the General Council shall be submitted to a popular referendum, and the vote of the majority of the qualified voters voting in such referendum shall be conclusive and binding, provided that at least four hundred fifty of the eligible voters shall vote in such election. Referendum vote shall be final."

Kimbol emphasized that fewer than 100 tribal members voted at the General Council meeting in late September to turn down the offer. He also pointed out that there are over 4,600 voting members, and anyone eligible to vote on this matter should have been granted that right in the first place – though many contend that all members were granted a right to vote online during the General Council called meeting.

Addressing the matter, Tribal Council Member Ellsworth

Lang, who voted to reject the compensation package, stated that all of the Tribes' membership could attend the General Council meetings and noted that all members eligible to vote could do so by phone or via Zoom. He acknowledged that some tribal members may not be as involved or may not have the time or resources to log in. "And that's an unfortunate thing when we're talking about not having the ability," Lang said. "It's also a big job for the Klamath Tribes and Klamath Tribal Council to make sure our membership has the ability. And so that way, our folks do have the ability when somebody said that they didn't because they didn't get to vote."

The CIP compensation package was proposed to be distributed as such: \$22 million for land acquisition, \$10 million for a tribal museum, \$5 million for a sober living facility, \$2 million for education, and promises to employ tribal members in union wage jobs.

"I just feel that, having driven medical transport and the bus for the Tribes for the past few years, that I can see the need for that money," said Kimbol. "That could be used in every department of the Tribes that we have, and I know some tribal members that have died in the street

that were really in need of mental health services. And I looked at the kids that don't have a real family life and mothers taking care of kids on their own."

Kimbol expressed that the needs of tribal children and their education are also important services that require more money. "And having worked with kids most of my life, I just feel there's a big need," he said. "And some of the folks that told me they don't want to take that money or vote yes on that is because they said it violates our sovereign rights of the Tribes. And that's one thing: we don't ever want to give up our sovereign rights. But certain things can be negotiated. I talked to the people from the Swan Lake project, and they stated they want a good working relationship with the Klamath Tribes and Klamath County."

Re-acquiring Klamath ancestral land is also a priority of the Tribes, said Kimbol, and with the \$22 million earmarked for land acquisition in the compensation package, that could be a windfall of money for land acquisitions.

While Kimbol remains steadfast in his pursuit of a referendum vote, others are

*See next page,  
Swan Lake*

## Swan Lake

*Continued from previous page*

wary of accepting money from CIP for myriad reasons. The two glaring issues that elicited alarm from the faction opposed to accepting the \$40 million compensation package are the forfeiture of sovereign rights and the desecration of sacred sites.

“We are waiving our sovereign immunity in this agreement, damage agreement, it was first called a mitigation agreement,” said Lang, explaining the potential negative implications of accepting the compensation package. “We’re also waiving any claims in the future – if anything negative happens with their equipment, for example.”

Lang stated that the Klamath Tribes is releasing all claims in the future for the licensing period during CIP’s Swan Lake hydro pump storage operation, which continues until around 2060. “So, we are relinquishing all claims in the future, whether it’s water or anything that has to do with the Swan Lake Hydro Project. In fact, it states that we will defend their project and we will defend the Swan Lake Hydro Project, CIP, and Rye Development if anything comes up that’s negative. And

if we go against that, they will want all the money back. We will give them money back, and we still won’t be able to file a claim or suit against Rye, CIP, or the Swan Lake Hydro Project.”

The Swan Lake hydro pump project will be situated on private property just south and to the east of the Swan Lake rim – an area Lang visits several times a year and hunts in as well.

In October 2019, while walking in the area that will house the lower reservoir storage pond with other tribal members and a team from Rye Development, the company developing the project for CIP, Lang made a discovery.

“I personally had walked up a pretty small little area and found roughly 60 rock stack features, which is a lot of features in such a small area,” said Lang. “And immediately I said, ‘Man, this area’s very spiritual, it’s got a lot of energy here.’ And as we turned around and looked up at the site of Swan Lake and the Swan Lake rim, it was absolutely gorgeous. Our ancestors had come there for tens of thousands of years to pray, to have a ceremony, to have vision quests.”

Kimbol and other Elders at a November Elders’ Meeting expressed skepticism regarding the unique significance of Swan Lake. “I’ve never heard

of anything going on there at all,” said Kimbol, commenting on his attempts to understand where Swan Lake’s spiritual significance and ceremonial practices came from. “But, you know, all of our land, all of our former reservation is spiritual.”

The Swan Lake project will use water to store and generate energy to supplement the electric grid. Water will move between two reservoirs at different elevations, with a powerhouse located closer to the lower reservoir; power will be stored when energy demand is low and generated when demand is high.

CIP’s project is a step towards realizing Oregon’s clean energy mandate, which stipulates that 100 percent of the electricity Oregonians use come from emissions-free resources by 2040.

Erik Steimle, Executive Vice President of Rye Development, noted some of the benefits of the Swan Lake Energy Storage Project in an email correspondence with the Klamath Tribes News.

Beyond the millions of dollars generated in tax revenue from the project that can be used for roads, schools, healthcare, and more, Steimle regards the project as a “vital piece of Oregon’s strategy to combat climate change and re-

duce dependence on fossil fuels. “We all want healthy and safe communities that protect our families’ and children’s health,” he continued. “In order to address the rise in temperatures and extreme weather events like wildfires, droughts, and floods, we need to build cleaner, renewable energy facilities like Swan Lake.”

While Rye Development and CIP were unsuccessful in offering the Klamath Tribes a compensation package, Steimle maintains that Rye is culturally attentive in coordinating the development of the project with the Tribes.

“We respect the rights of tribal members to take such an action,” said Steimle, referring to the called meeting that took place on Sept. 30, “and we plan to continue working with the Klamath Tribes to ensure the project will be built in a way that protects cultural, heritage and botanical sites of importance while providing clean energy infrastructure that will serve many generations.”

Steimle added that the Federal Energy Regulatory Commission’s (FERC) permitting process for hydropower projects is very robust, and there were many opportunities for public input and government-to-government consultation between FERC and the Klamath Tribes to ensure that potential environmental impacts and impacts to tribal

cultural resources are documented, avoided and mitigated.

Lang, however, doesn’t believe that Rye Development can avoid and mitigate impacts on cultural resources and said at the Sept. 30 meeting that they are specifically going to demolish and remove at least 70 tribal sites in the lower pond. “They’re going to be installing transmission lines; they’re going to go through a village site. And where there are village sites, there are graves.” And he also passionately stated, “I’m going to stand in front of my ancestors one day, and I’m going to have to answer to them why I had the right to make a decision to destroy our powerful places of ceremony.”

Tribal members on both sides of the fence make compelling cases for accepting or rejecting the compensation package.

As for Kimbol, he remains convinced that a referendum ballot should be sent out to all eligible tribal voters. “We use all the schools in Klamath County,” he said. “If we want to do any shopping, we have to go to Klamath Falls to do that. So, our people are dependent on Klamath County, just like Klamath County is dependent on the Tribes. So, I feel we need to learn to work together.”



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