

**TESTIMONY OF THE YUROK TRIBE BEFORE THE HOUSE NATURAL
RESOURCES SUBCOMMITTEE ON INDIGENOUS PEOPLE
IN SUPPORT OF THE YUROK LANDS ACT OF 2022**

September 14, 2022

A. INTRODUCTION OF H.R.7581 – YUROK LANDS ACT OF 2022

Good afternoon Chairwoman Leger Fernandez, Ranking Member Olbernotle, and members of the Subcommittee on Indigenous People (“Subcommittee”). It is an honor to be here today to testify in support of the Yurok Lands Act of 2022 (“Yurok Lands Act”). My name is Joe James. I am the Chairman of the Yurok Tribe (“Tribe”). I am a Yurok traditional religious practitioner, fisherman, hunter, and have lived on the Yurok Reservation for my entire life. The Yurok Tribe has been working on this bill (“Bill”) for over 20 years to protect our tribal members, preserve our culture and natural resources, address historical wrongs, and fulfil the intent of the Hoopa-Yurok Settlement Act of 1988 (“Hoopa-Yurok Settlement Act”). This Bill reflects years of meetings with Representative Huffman, Nation to Nation meetings with other local tribes, and consultations with local governments, environmentalists, organizations, and businesses. This extensive engagement has led to many refinements and compromises to the Yurok Lands Act. The Bill is the result of years of work and compromise that will provide significant benefits to the Yurok people while ensuring protection of the interests of other tribes and local entities.

B. THE HISTORY OF THE YUROK TRIBE

Since time immemorial, the Yurok people have occupied the pacific coast of Northern California and inland on the Klamath River. Our aboriginal territory included over 500,000 acres of ocean, lagoons, redwood forest, the lower 45 miles of the Klamath River, and our sacred high country in what is now known as Northern California. Our aboriginal territory is one of the most wild, biodiverse, and ecologically unique places on the planet. It includes the tallest trees in the world, some of the most ancient and largest fish on the planet, and the only freshwater lagoons on earth. From the beginning, we have followed all the laws of the Creator, which became the whole fabric of our tribal sovereignty.

The Yurok people continue to bless the deep river, the tall redwood trees, the rocks, the mounds, and trails. We pray for the health of all animals, and prudently harvest and manage the great salmon runs and herds of deer and elk. We use every bit of the animal or plant and never waste any part of it. Traditionally, our stewardship of the prairies and forests consists of controlled burns that improve wildlife habitat and enhance the health and growth of tan oak acorns, other nuts and berries, grasses, and bushes all of which we use for food and materials for baskets, fabrics, and utensils. Today, these practices led us to become early implementers of California’s Carbon Capture and Sequestration program.

For millennia, our religion and sovereignty have been pervasive throughout all our traditional villages. Our village way of life requires us to use sweathouses, extensive spiritual

training and sacrifice, and firm adherence to tribal law. The Klamath River was and remains our highway, and from the beginning we have utilized the river and the ocean in dugout canoes carved from redwood trees. Our people come together from many villages to perform ceremonial construction of our fish dams, and to participate in our annual ceremonies. Our way of life stayed in balance by our good stewardship, hard-work, wise laws, and constant prayers to the Creator.

During the mid-1800s, our social and ecological balance was shattered by contact with non-Indians. In 1851, California's first governor promised that "a war of extermination will continue to be waged between the two races until the Indian race becomes extinct." While finally apologizing on behalf of California, Governor Newsom recently called this what it was – "genocide." For us, it is not history. We lost more than seventy-five percent of our people through unprovoked massacres and diseases. In 1851, after goldminers swarmed over our land, we signed the "Treaty of Peace and Friendship" with representatives of the President of the United States. However, the United States Senate failed to ratify the treaty. In 1855, the United States created an Executive Order which ordered us to be confined to the Klamath River Reserve within our own territory. In 1864 and 1891, our reservation was merged with the Hoopa Valley Reservation. This small remnant of our ancestral land did not last long.

In the late 1890s, individual Indians received allotments from the tribal lands on the Klamath River Reserve and almost all the remainder of the Reserve was declared "surplus" and opened for homesteading by non-Indians. The forests were logged excessively, and wildlife was depleted. Even the great salmon runs went into deep decline. In the mid-1930s, the California attempted to illegally terminate traditional fishing by the Yurok people. Our rights were judicially reaffirmed in the 1970s and 1980s after decades of legal and physical battles. In 1988, Congress then passed the Hoopa-Yurok Settlement Act to separate the Klamath River Reserve from the Hoopa Reservation and distribute tribal assets. The Klamath River Reserve remained under the Tribe's control with about 5,000 acres of trust land while the Hoopa Reserve remained under the Hoopa tribe's control with over 90,000 acres of trust land.

Despite all odds, we have resisted, survived, and maintained our culture and our people. We are now the largest California tribe with over 6,400 tribal members, partly because we were never relocated, and we believe in our cultural and religious traditions. Many tribal members still live a traditional subsistence-based way of life. Every year we hold tribal ceremonies, dancing for the health of babies and to balance the world. Many of us still live in our traditional villages along the Klamath River where our ancestors lived, and subsistence based on a fishing, hunting, and gathering way of life.

Today, we are lawyers, doctors, soldiers, judges, artists, etc. who proudly continue to live traditional lives. However, it is not easy to live a traditional life on the reservation. The annual income on the reservation is about \$11,000 and many of our members live well below the poverty line. The Yurok people survive by supplementing food sources with subsistence activities such as hunting and fishing. The resources of the reservation, however, continue to diminish because of off reservation development. For example, the recent Klamath River salmon runs have been the lowest on record. The salmon have been killed by various fish diseases caused by poor water quality, high water temperatures, and low flows all of which are

caused by dams and agriculture. Animal populations on the land are declining because of less habitat due to logging, pesticide spraying on the reservation by logging companies, and massive illegal marijuana grows.

While much has been lost, the spirit of the Creator and our inherent tribal sovereignty still thrive in the hearts and minds of our people. They also continue to thrive in the strong currents, deep canyons, thick forests, and high mountains of our ancestral lands. The Yurok people have emerged, strong and proud from the tragedies and wrongs of the years since the arrival of non-Indians into our land. Our sacred and vibrant traditions have survived and are now growing grander and richer each year.

Our future lies in sustainable economic development based on our rich natural resources, cultural traditions, and the preservation of our way of life. There is little economic opportunity in our area, and it is up to us to use our limited resources to advance our people. The Yurok Lands Act includes critical congressional authorizations to further empower the Tribe to exercise its inherent tribal sovereignty to protect the Klamath River Reserve and its sacred areas, biodiversity, and natural resources. This protection benefits the Yurok people as well as American citizens and humanity.

C. THE YUROK LANDS ACT OF 2022

Over many years of hard work the Tribe crafted the Yurok Lands Act to promote sustainable economic development on Yurok lands, protect its cultural traditions, and preserve the Yurok way of life. The Yurok Lands Act advances these goals by adding land and resources to tribal ownership and use.

The Tribe has carefully tailored the Yurok Lands Act to achieve its goals and satisfy any applicable federal law and regulations. It has also made numerous changes to the Yurok Lands Act to address the concerns of local stakeholders. For example, after the legislative hearing in September of 2019 for H.R. 1312, the Tribe removed four sections from the Yurok Lands Act of 2019 to address the concerns of local tribes. The Yurok Lands Act's remaining sections, which are discussed below, simply expand the Yurok Reservation boundary to include lands the Tribe recently purchased and transfers into trust land adjacent to the Reservation.

1. Land into Trust

The Yurok Lands Act authorizes 1229 acres of Yurok Experimental Forest to be transferred into trust for the Tribe. Currently, this old growth forest is under the management of the U.S. Forest Service Research Branch. Upon transfer, the Tribe would be responsible for providing basic forest management necessary to improve the health of the forest, including fire prevention mitigation and maintenance of the one dilapidated road. The Tribe owns an adjacent parcel of about 20 acres of land. This parcel partly consists of old growth forest and includes an area cleared to build tribal offices for our forestry and environmental departments. The Tribe wants to manage the 1229 acres of Yurok Experimental Forest and adjacent parcel as one forest to improve conservation of this important old growth redwood forest by using traditional and modern forest

management conservation practices. The Bill prohibits any logging or gaming on the old growth forest and requires the Tribe to allow the U.S. Forest Service to allow research in the forest in perpetuity.

2. Reservation Boundary Adjustment

The Yurok Lands Act extends the eastern boundary of the Yurok Reservation to include the critically important Blue Creek Watershed and 60,000 acres that the Tribe purchased over the last 13 years to reclaim its aboriginal territory. The Blue Creek Watershed is a natural cold-water refuge for salmon migrating upstream on the Klamath main-stem. Its restoration and preservation are necessary to restore Klamath salmon runs. These salmon runs are less than 5% of their historical numbers and the United States has declared a tribal fisheries disaster for the Yurok fishery for the last 6 years. Currently, the Tribe manages the watershed as a salmon sanctuary according to a management plan to enhance its benefits for salmon and only allows land use that improves salmon habitat, but more is needed to restore the runs. The Yurok Lands Act would confirm these protections and ensure they continue in perpetuity.

In addition, Blue Creek is a Yurok sacred site and known as the Yurok people's stairway to heaven. It is the path to the "high country" of the Tribe's sacred lands in which the *woge*, ancient spirits, live. The Yurok people commune with the *woge* during prayer and ceremony. Blue Creek is also the site where we collect the medicinal plants that we use for healing and prayer.

The 60,000 acres of reacquired forested lands in the revised reservation are included in the Tribe's carbon sequestration project. The Tribe received a United Nations Equator prize for the carbon project. This prize is awarded to indigenous communities that lead sustainable development solutions. The carbon sequestration project allows us to protect our forests and environment for future generations by allowing forests to grow and selling collected carbon. Including these lands within the revised reservation boundary will allow the Tribe to better manage and protect these lands and promote long term sustainable economic development.

3. Scenic Byways Designation

Finally, the Yurok Lands Act designates the Bald Hills Road from its junction with U.S. Highway 101 to its terminus on the Klamath River as the Yurok Scenic Byway. Historically, this road was used by our ancestors to travel from the Yurok ocean villages – the largest being Orrick and T'surai – to the southern Klamath River villages of Pecwan and Witchpec. Today, it is the only road that connects the south and north parts of the Yurok Reservation. Tribal members drive one-and-a-half-hours from the south part of the reservation to the north part for work because that is where most of the reservation residents are employed. Although the Tribe does not own or manage the road, the Tribe has spent millions of dollars maintaining and improving it. The scenic byway designation will allow the Tribe to access grants under the Federal Scenic Byway Act to maintain and improve the road.

The road is worthy of the scenic byway designation. It begins in the Yurok village of Orrick which is now a sleepy coastal historic logging town with under 100 residents. It then goes east through the redwood belt of redwood trees. The Yurok people considered these trees to be sky poles capable of transporting people from this world to the next. Currently, the land is honored as the Lady Bird Johnson Redwood Grove in the Redwood National Park and home to old growth redwood trees that are over 2000 years old. At its cusp, the redwood groves open up to rolling hills of grass and oak trees for which the road earns its name as the Bald Hills. Historically, Yurok land management practices required regular low-level burning to terminate tree sprouts and brush that allowed grass and oak trees to grow together. The result is breathtaking rolling hills overlooking the redwood canopy to the ocean on the west and the Klamath River on the east.

D. GENERAL SUPPORT FOR TRIBAL LAND RESTORATION

We thank the Subcommittee for holding this Hearing on the Yurok Lands Bill. We are also extremely grateful for Representative Huffman's commitment to addressing our issues through this Bill, while being respectful of and balancing other tribal and local interests. Congressman Huffman and his staff have held countless meetings with us, other tribes, and local entities to thoroughly vet this Bill. All the compromises in the Bill reflect these efforts. The Bill has won wide support.

We will continue to work on the passage of this Bill because the future of the Yurok people depends on it. We will also continue to support tribal land restoration for all tribes and believe that tribes should support each other's land restoration efforts.