



Steve Chaney/REDW/NPS

05/27/2010 02:45 PM

To troy fletcher <troy_fletcher@earthlink.net>

cc Destry Jarvis <destryjarvis@earthlink.net>, Megan Rocha <mrocha@yuroktribe.nsn.us>, Shaunna McCovey <smccovey@yuroktribe.nsn.us>

bcc

Subject Re: Follow up on Yurok Lands issues

I appreciate the clarification Troy. Destry and I are scheduled for a phone call a little later today.

As I mentioned, I'm also happy to continue to work with the Tribe on achieving Tribal goals through existing authorities. And while I'd certainly be willing to discuss self governance proposals, the use of less complex, easier to manage authorities such as those we use in the cooperative management arrangement we have with California State Parks is more what I had in mind. I'd suggest we discuss what you have in mind before investing significant time and effort in a proposal.

I'm available June 3 for a call or meeting except between 1:30 and 3:30 p.m. Just let me know.

Thanks Troy, for your efforts to keep communications open and effective.

◆ Steve W Chaney, Superintendent ◆

◆ Redwood National and State Parks ◆ 1111 Second Street, Crescent City, California 95531 ◆

◆ (707) 465-7300 Voice ◆ (707) 464-1812 Fax ◆

troy fletcher <troy_fletcher@earthlink.net>



troy fletcher

<troy_fletcher@earthlink.net>

05/27/2010 12:53 PM

Please respond to
troy fletcher
<troy_fletcher@earthlink.net>

To Steve_chaney@nps.gov

cc Destry Jarvis <destryjarvis@earthlink.net>, Shaunna McCovey <smccovey@yuroktribe.nsn.us>, Megan Rocha <mrocha@yuroktribe.nsn.us>

Subject Follow up on Yurok Lands issues

Steve,

Thanks for coming to Klamath yesterday to meet with us about our lands concepts. The Tribe will continue to work with you on the issues we discussed yesterday. For purposes of clarity please note the following.

Destry is the point person for the Tribe who will be working with you on issues/concerns/concepts around the potential transfer of Park lands within the Yurok Reservation to the Tribe. We want Destry to work with you to address potential issues with a goal on our part to address concerns by working toward draft language. Destry will be in close contact with the Tribe (Tribal staff, myself and Council). Please don't forward any working drafts to others until Destry says okay. We will be clear with you about what we will do with draft language as well. If there are any questions please ask Destry and you can contact me (707-498-8486 or at this e-mail address).

We also appreciate that you expressed interest in continuing to work with the Tribe under existing authorities. To this end, the Tribe will be developing a more formal Self Governance Title IV request for your consideration. Megan Rocha will be the point person for the Tribe here.

We also agreed that we would all touch base next week before the Tribal Council's trip to Washington DC. I believed we discussed speaking next Wednesday, June 3. We'll work to set a conference call for that date.

Thanks for you effort here. We want to move forward in a positive and productive manner. If something looks as if it is getting sidetracked please don't hesitate to contact me.

Thanks,
Troy Fletcher
Executive Director
Yurok Tribe



"Destry Jarvis"
<destryjarvis@earthlink.net>

To: "Steve_Chaney" <Steve_Chaney@nps.gov>
cc: "Shaunna McCovey" <smccovey@yuroktribe.nsn.us>
Subject: Yurok legislation

05/21/2010 03:27 PM
AST
Please respond to
destryjarvis

Steve, I appreciate the fact that you cannot be expected to have a firm position on proposed legislation without signoff from higher levels of NPS and DOI, but I do want to share with you an early draft of a bill that embodies the goals and management principles that the Yurok are advocating for with regard to the national park lands at the mouth of the Klamath River that lie within their Reservation, and have done so for over a century - and certainly for long before there was a Redwood National Park.. This draft puts in bill language the same cooperative principles that we have been discussing with you and your predecessors over the past 8 years at Redwood, and that are fully articulated in the "Shared Values Statement" that both the park and Tribe signed some time ago.

The Tribe's position is that these lands appropriately should be owned (in Trust) and managed by the Tribe as a key element of their ancestral homeland where their ancestors resided for thousands of years. As the draft bill plainly states, the Tribe will manage these lands as tribal park, fully compatibly and cooperatively with NPS.

As you will realize upon reading the draft bill, the concept goes a bit further in legislative language than was the case with earlier park/tribe precedents such as Everglades/Miccosukee, Death Valley/Timbisha Shoshone, or Grand Canyon/Havasupai. If it moves along expeditiously as we anticiapte, it could also serve as a model for other park and tribal cooperative relationships of the future, including Badlands/Ogalala or Canyon deChelly/Navajo.

Once you have read through the proposed bill language, I would be happy to discuss it with you at your convenience, and urge that you engage the Tribal Council on a government-to-government basis to further explore issues and opportunities.

Thanks,

Destry

T. Destry Jarvis
President
Outdoor Recreation & Park Services, LLC
16412 Hampton Road
Hamilton, Virginia 20158

540-338-6970 o)
540-454-3004 (c)

The Yurok Treaty Fulfillment and Land Conservation Act of 2010

The purpose of this Act is to fulfill Yurok Tribe treaty and Congressional commitments to this Northern California Tribe in a manner that will support tribal sovereignty, sustain tribal economic development, and assure perpetuation of the Yurok Tribe's customary and traditional cultural, religious, and natural resource management values.

Title I. Yurok Reservation

The boundary of the Yurok Reservation, as first recognized in the Treaty of 1851 and re-established by the Hoopa-Yurok Settlement Act of 1988, is hereby amended pursuant to the boundary depicted on Map # zzzzzz, attached hereto. Such federal lands that lie within the Reservation boundary that are not transferred to tribal ownership and management (Tribal Trust) by Title II of this Act, shall remain federal, to be hereafter cooperatively managed (co-management) by the Yurok Tribe and the respective federal agency that is the land manager on the date of enactment of this Act, as defined by Title II, Section 2 of this Act.

Title II, Land Transfers, Designations, and Acquisitions

Section 1. Federal Land Transfers

Federal lands transferred by this Act to the Yurok Tribe, from Redwood National Park, the Yurok Experimental Forest, and the California Coastal National Monument, as depicted on Map # xxxxxxxx all lie within the ancestral territory of the Yurok Tribe, and will be administered by the Tribe in a manner fully compatible with the policies and programs of the respective federal agencies.

- (a) Redwood National Park lands transferred by this Act to the Yurok Tribe, consisting of some 1200 acres as shown on Map # pppppp, which have been within the boundary of the Reservation for over a century, will be hereafter administered by the Tribe as a tribal park. Management of this tribal park shall include policies prohibiting commercial timber harvest, hunting, and development incompatible with the adjacent National Park lands, as determined by a joint planning process between the Tribe and the agency. In addition, public access and public educational programs in the tribal park will continue and expand pursuant to a tribal park management plan developed by the Tribe in cooperation with Redwood National Park's management of adjacent lands and facilities.
- (b) USDA Yurok Experimental Forest land transferred by this Act to the Yurok Tribe, consisting of some 1400 acres as shown on Map # ffffff, will be administered as a tribal forest preserve in a manner that assures preservation of any remaining old growth trees, and protects the habitats of native species, including the marbled murrelet.

- (c) California Coastal National Monument lands transferred to the Yurok Tribe by this Act, consisting of the 10 acre Redding Rock that lies five miles offshore from the mouth of Redwood Creek, as depicted on Map# mmmmm will be administered by the Tribe as a tribal wildlife preserve in a manner that assures protection of the marine mammal haul-out and pupping habitat, and sea bird nesting sites.
- (d) All other federal lands that occur within the Yurok Reservation Boundary prior to the date of enactment this Act shall be transferred to the Yurok Tribe to be managed by the Tribe as part of the Reservation.

Section 2. Co-Management

Co-management, for purposes of this Act, is defined to mean that the Yurok Tribe and federal agencies that hold and manage lands within the Yurok ancestral territory and/or within the revised Reservation boundary, as depicted on Map # xxxxx, will consult on a government-to-government basis for all planning, management, public access, and operational decision-making regarding the respective agencies lands that fall within such ancestral territory. The intent of such consultation will be joint management decision-making for such lands on any and all matters related to the Tribe's customary and traditional practices, including subsistence fishing and gathering of river and marine biota and plant materials for food, basketry, or other traditional tribal purposes, including ceremonial and religious purposes.

- (a) Hereafter, the federal, state and tribal park lands, depicted on Map # yyyy shall be known as *Redwood National, State, and Tribal Parks*, and shall be jointly administered in a manner that serves the general public, as well as traditional tribal cultural and religious needs.
- (b) Upon transfer to the Yurok Tribe by this Act, Redding Rock, a component of the California Coastal National Monument administered by the Bureau of Land Management, will continue to be a component of such monument under the ownership and management of the Yurok Tribe. The Yurok Tribe and the BLM will enter into a co-management agreement whereby all future management and use decisions will be made as a result of joint planning.
- (c) Upon modification of the Yurok Reservation Boundary by this Act, such federal lands that fall within the expanded Reservation boundary shall remain part of the Six Rivers National Forest. However, all such federal lands that lie within the Reservation boundary will be jointly administered by the USFS and the Tribe for all matters concerning traditional Yurok fishing, hunting, gathering, and related subsistence activities, as well as for managing access to sites of traditional religious and cultural practices.
- (d) Federal ocean marine waters that comprise the Yurok National Marine Sanctuary, as designated by Section 3(a) of this Act, shall be managed jointly by the Yurok Tribe and the Western Region National Marine Sanctuary Program Office of the US Department of Commerce. A co-management plan shall be developed for this new sanctuary within three years of the date of enactment of this Act, to be prepared jointly by the Yurok Tribe and the

agency. Any such plan shall assure the continuation of Yurok traditional fishing and gathering from such ocean waters, including from beaches within the Yurok ancestral homeland area.

Section 3. Designations

- (a) That portion of the Southern Siskiyou Wilderness Area of the Six Rivers National Forest that falls within the newly defined Yurok Reservation, pursuant to this Act, shall hereafter be known as the Yurok Wilderness Area.
- (b) Federal ocean waters lying offshore of the Yurok ancestral homeland territory, as depicted by Map # 00000, are hereby designated as the Yurok National Marine Sanctuary.
- (c) The Bald Hills Road, from its junction with California Highway 101 to its terminus on the Klamath River, is hereby designated as the Yurok National Scenic Byway.
- (d) Upon final transfer of title from the City of Trinidad, the 12.5 acres in that City that comprise the ancient Yurok village site known as Tsurai, is hereby designated as the Tsurai Tribal Historic Site.

Section 4. Acquisitions

- (a) The Yurok Tribe is hereby authorized to acquire by purchase or donation, any non-federal lands within the exterior boundary of the Yurok Reservation established pursuant to this Act.

Title III. Appropriations

- (a) There are hereby authorized such sums as may be needed for the completion of land purchases from private owners of lands that lie within the exterior boundary of the Yurok Reservation established pursuant to the Act, including, but not limited to:
 - (1) \$10 million as a portion of the purchase price of the Phase I, Yurok Sustainable Forest, from Green Diamond Resources, Inc.
 - (2) \$40 million as a portion of the purchase price of the Phase II, Blue Creek Tribal Preserve property, from Green Diamond Resources, Inc.

Significant Improvements and Resources within the Overlap of Redwood National Park and the Yurok Reservation

- Lands
 - Total - 1,359.6 acres
 - **NPS owned- 1,160.0 acres**
 - Private - 136.0 acres
 - State owned- 63.4 acres (State lands are those that are submerged and not held in fee by any other private or public interest)
- Roads
 - Alder Camp road (primary entrance to Alder Camp Correctional Facility)
 - *^Asphalt – 1.00 miles (reconstructed and resurfaced in 2009)
 - Coastal (scenic) Drive
 - ^Gravel/asphalt– 0.64 miles - subject to major slides in winter
- Trails
 - ^Flint Ridge Trail – 2.92 miles
 - ^Coastal Trail – 0.85 miles
- Other Improvements
 - Flint Ridge Campground
 - #10 sites with picnic tables, bear boxes, & fire grates
 - Klamath River Overlook
 - *14 parking spaces – 1,665 sq. feet of asphalt with a curb
 - *#Public restrooms (2)
 - *Interpretive panels/displays
 - *Picnic tables
 - #Trash receptacles
 - Site receives significant public use. Used regularly in spring and fall for on-site NPS naturalist programs (primarily whale watching)
 - Requa Maintenance site – 38.47 acres
 - Rehab to be completed 2012
- Natural/Cultural Resources
 - Old growth redwood- spotted owl/murrelet habitat (321 acres)
 - Marshall Pond (24 acres - habitat for waterfowl and other aquatic species – potential salmon restoration site)

* Requires high cost maintenance and/or replacement on a 3-10 year cycle

^ Requires at least annual maintenance

Requires daily, weekly and/or monthly maintenance