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Congressional Updates

Not Wasting the Waste: Creating Environmental Sustainability

What price clean air?

Humboldt, Hoopa ask for more water in the Klamath; concerns loom about possible fall fish kill

National Strategic and Critical Minerals Production Act of 2012 (H.R. 4022)

Congressional Updates (with thanks to Marcia A.)

On May 15, the House voted 400 to 0 to pass the **HEARTH Act**, which would authorize tribes to [lease tribal lands](http://fcnl.org/r/B/MjEyNjI0/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9ob3VzZV9wYXNzZXNfaGVhcnRvX2FjdC8jISMh) <<http://fcnl.org/r/B/MjEyNjI0/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9ob3VzZV9wYXNzZXNfaGVhcnRvX2FjdC8jISMh>> without having to get prior approval for each lease from the Secretary of the Interior.

HEARTH Act (Helping Expedite and Advance Responsible Tribal Homeownership Act of 2011, H.R. 205). This legislation would authorize tribes to lease tribal lands for such purposes as housing, community services, business, energy connections and roads without having to get express prior approval for each project from the Secretary of the Interior, provided that the tribe has in place its own regulations for the conduct of that leasing which have been approved by the Secretary.

When the bill was brought to the House floor, its sponsor, Rep. Heinrich (NM) had this to say about the delays the HEARTH Act seeks to address:

Native families buying a house go through the same process as everyone else--they find a house they like, work with their bank to gain approval for a mortgage, and make an offer to the seller. But before these families can close on the sale, they must also get approval from the Bureau of Indian Affairs to lease the land that the house is built on. That approval can take between 6 months and 2 years--an intolerable delay for most buyers.

The House-passed HEARTH Act is now pending before the Senate Indian Affairs Committee.

Violence Against Women Act Trips on a TechnicalityThe House and the Senate have now each passed their own versions of the [Violence Against Women Act reauthorization](http://fcnl.org/r/B/MjEyNjI1/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS92YXdhX3RyaXBzX29uX3RIY2hu aWNhbGI0eS8jISMh) <<http://fcnl.org/r/B/MjEyNjI1/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS92YXdhX3RyaXBzX29uX3RIY2hu aWNhbGI0eS8jISMh>> but are currently deadlocked over a technicality in the bill.

One Step Closer to Energy Development in Indian CountryThe House Natural Resources Committee has now approved legislation that aims to streamline administrative processes currently hampering the [development of energy projects on Indian lands](http://fcnl.org/r/B/MjEyNjI2/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9ob3VzZV9jb21taXR0ZWVfYXBwcm92ZXNfbmF0aXZlX2FtX2VuZXJneV9hY3QvIyEjIQ) <<http://fcnl.org/r/B/MjEyNjI2/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9ob3VzZV9jb21taXR0ZWVfYXBwcm92ZXNfbmF0aXZlX2FtX2VuZXJneV9hY3QvIyEjIQ>> .

What Is Happening with the Cobell Settlement and Tribal Trust Funds? After nearly two years of negotiations, some tribes have now been **awarded funds** [<http://fcnl.org/r/B/MjEyNjI4/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9jb2JlbGxfYW5kX3RydXN0X2Z1bmRzX2p1bmVfMjAxMi8jISMh>](http://fcnl.org/r/B/MjEyNjI4/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9jb2JlbGxfYW5kX3RydXN0X2Z1bmRzX2p1bmVfMjAxMi8jISMh) that should have been available to them, in some cases, for more than 100 years.

On April 11, Attorney General Holder and Department of the Interior Secretary Salazar announced that the United States had entered into settlement agreements with 41 tribes in tribal trust claims, alleging that the federal government failed to properly collect from or invest in tribal natural resource assets. The total amount of these settlements is \$1.023 billion, the Administration announced in a moving ceremony with tribal leaders of the plaintiff tribes and departmental representatives who participated in the settlement negotiations. A press release about the settlements is available [here](#).

After nearly two years of negotiations, which were initiated in the fall of 2009, these particular tribes now have been awarded funds that should have been available to them - in some cases, for more than 100 years - for the operations of tribal governmental programs and for tribal programs serving Native American citizens. Some 114 tribes filed suit against the federal government and a number of tribes are still negotiating toward their own settlement agreements.

On May 16, a judge for the U.S. District Court for the District of Columbia approved the settlement agreements for a majority of these 41 tribes. The Court's approval leads to payment to each tribe of an amount based on the tribe's estimate of the money lost because of federal mismanagement of tribal trust assets. Settlement funds will be paid from the judgment fund kept by the Department of the Treasury to each tribe. How those funds will be spent by the tribe - and whether a percentage might be distributed to individual tribal members as per capita payments - is a decision that will be made by each individual tribe.

The related case, Cobell v. Salazar, recovered some monies due to individuals in a class action suit. On May 22, the District of Columbia Circuit Court of Appeals affirmed the judgment of the District Court in appeals brought by four individuals to stop final approval to the \$3.4 billion settlement in the Cobell case. The May 22 actions affirm the decision of the District Court to approve the Settlement following the Fairness Hearing on June 20. If no requests for rehearing are filed in the allotted time period, or if the requests for rehearing are denied, then the Settlement's Final Approval will become effective. Under the Settlement Agreement, a total of \$1.412 billion will be distributed to individual Indian beneficiaries, who are expected to receive a minimum of \$1,800 each.

More information is available [here](#) and [here](#).

Restoring River Habitats in Maine The Penobscot Indian Nation has joined a broad consortium of organizations, businesses and government agencies to launch a project to open up the Penobscot, Maine's largest river, to **reduce the impact of dams** [<http://fcnl.org/r/B/MjEyNjMy/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9yZXN0b3Jpbmdfcml2ZXJfaGFiaXRhdHNfaW5fbWFpbmUvIyEjIQ>](http://fcnl.org/r/B/MjEyNjMy/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9yZXN0b3Jpbmdfcml2ZXJfaGFiaXRhdHNfaW5fbWFpbmUvIyEjIQ) on the life-cycle of migrating fish.

Water - A Life Issue in the Southwest A new project in Navajo Nation is set to provide clean running water <http://fcnl.org/r/B/MjEyNjMz/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS93YXRlcl9saWZlX2lzc3VlX2luX3NvdXRod2VzdC8jISMh> to tribal citizens' homes that have never had access to it before.

And This Just In From Congress... The House approved a bill that would violate long standing environmental and Native American protections <http://fcnl.org/r/B/MjEyNjM1/MTcyMjYx/0/0/aHR0cDovL2Zjbmwub3JnL2lzc3Vlcy9uYXRpdmVhbS9hbmRfdGhpc19qdXN0X2luX2Zyb21fY29uZ3Jlc3MvIyEjIQ> .

This week, the House approved several bills affecting specific tribes and Alaska Natives, including lands for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation of Utah, use of court-awarded funds for the Minnesota Chippewa Tribe, and allowing certain lands to be taken into trust for the 19 Pueblos of New Mexico to be used for the benefit of the Santa Fe Indian School. The House also voted to prohibit certain gaming activities on lands that the Tohono O'odham Nation of Arizona was authorized to purchase, and to authorize the Alaska Native Corporation for southeast Alaska, Sealaska, to receive its remaining land entitlement under the Alaska Native Claims Settlement Act.

Finally, the House approved H.R. 1505 (as a part of omnibus bill H.R. 2578), which waives the requirement that the Department of Homeland Security comply with certain federal environmental laws - including the National Environmental Protection Act, the Endangered Species Act, the National Historic Preservation Act and the Archeological Resources Protection Act - when conducting border security activities on federal lands within 100 miles of the international borders between the United States and Mexico and Canada. It would also waive the Native American Graves Protection and Repatriation Act and the American Indian Religious Freedom Act within that 100 mile area. See a [map](#) of the area covered by this bill.

Not Wasting the Waste: Creating Environmental Sustainability

Saturday, 09 June 2012 11:59 By [Beverly Bell](#), [Other Worlds](#) | "Birthing Justice" Series

S. Ushakumari is a horticulturist who has been working with a public interest research organization, Thanal, for the past 22 years. Part of her life's work is a movement which is sweeping the globe: zero waste. Instead of seeking to "manage" waste, this philosophy and campaign aim to eliminate it. Zero waste considers the entire life cycle of material objects – natural resource extraction, processing, production, transportation, consumption, and disposal – which is exhausting the planet's resources and creating increased pollution. Zero waste re-examines consumption with an ethical, economic, and environmental eye. It starts with the humble elements of waste reduction: re-using, recycling and composting. But it goes further, requiring companies to change the way they design and manufacture goods so that they are free of toxins, and getting government to change policies and laws. Ultimately, zero waste aims to create a society that lives sustainably on a finite resource base. In the process, it strengthens local economies with jobs, reduces energy demands and thus climate change, and saves local governments money that is spent cleaning up industries' messes.

S. Ushakumari | Kerala, India (Photo: THANAL)

Zero waste came to us as an alternative to the current waste management paradigm of burning or burying, which is actually wasting the waste itself.

Tourists like to come and visit [the town of] Kovalam but, in the past ten to fifteen years since globalization hit, the state of Kerala has been having a problem of excessive waste. The figures showed that the tourist flow was actually going down in Kovalam because of waste. The tourism department became very concerned. They had what they thought was a good idea: burn the waste and make it disappear. Like a miracle.

When we [at Thanal] came to know about the incineration and problems associated with it, we held a press conference as a first step to starting a campaign, which the media took up in a very positive manner.

We also communicated with leaders in the community who really felt attacked by the idea of incineration, because it's a thickly populated area.

Then the tourism director at that time, who was a medical professional, had a discussion with us. He asked, "Why you are you opposing this?" We gave him all of the written documents against incineration. Then he said, "Okay. Because of the information you gave me, I stopped the project. But, now, I need to solve the problem. Can you help me out?" He said, "Come up with some ideas and we'll support you."

Discussions with the Global Anti-Incinerator Alliance [GAIA] gave us the idea of zero waste. We started by identifying the kind of waste that was in Kovalam. We found out that almost 70 to 80 percent of the waste could be recycled or reused.

Women in the town got inspired by the whole idea of an alternate approach to waste management, and that's how we began. With the support of the tourism department, we started a zero waste center, which was a resource education center to do training with women, students, farmers, and policy-makers. Almost immediately, we were training up to 400 women – not very many men actually came forward – and also some local organizations who were working with street children.

Some of the women were interested in developing an enterprise. In 2004, they started the Pioneer Paper Bag Unit. They talked to hoteliers in and around Kovalam and got the hotel industry to start realizing the problems with the materials they were wasting, including newspaper. They were just dumping it in the city garbage which was, in turn, getting dumped into some corner of the city premises. Some of the hoteliers started freely giving their waste paper to the Pioneer Paper Bag Unit. The unit made paper bags to give back to the hotel, so it was like completing the cycle. They also got one-sided papers [sheets in which one side is blank] from some of the computer centers and they made notebooks. I can happily say that the unit works in an economically sustainable manner.

Another material we started using was coconut shells, because Kerala is known for coconut. We found a good craft person, and we got him to train a few women. Most of these women had no idea of art, and now they make beautiful things out of the shells.

We've started recycling another resource, waste cloth. There are almost 140 tailor shops in Kovalam where foreigners come to get Indian clothes because they're very cheap here. The tailors cut the clothes and they just dump the waste somewhere or burn it. Luckily, we got an artist who was working on waste clothes, who held trainings for women. They started producing lot of beautiful products, like banners and wall hangings, backpacks, and bags. I like to call it "patch-working women's lives."

So, we had three products: coconut shells, waste clothes, and the Pioneer Paper Bag products. Once they mastered production, the next issue was marketing. So we started an enterprise development program, which was run initially by three women.

More important than the numbers has been the capacity that's been built among women who are closely associated with the zero waste centers. You should come and see it; only then would you believe what change can happen to these local, illiterate women. One woman in the Pioneer Paper Bag Unit, Seema, she was just sitting at home when she heard about our training program. She came forward, but she was very shy. She couldn't even talk in public. In the last five years, she's actually become a leader in the Unit, and she's also a part-time enterprise development program person. Now you should see her, the way she talks to any kind of person: government official, minister, delegate coming from outside the county, anybody. There are a lot of similar women. Actually, we were never thinking about empowering women at that point of time, but through zero waste, it happened.

Also, in ten schools in the area, we've started a program called bio-diversity and food security. We're promoting worm composting, which means all the organic waste that is generated from the children's lunchboxes or public lunch program goes to the worm compost, and then into the gardens in the schools. The children and teachers are getting hands-on training in bio-diversity and food security to make the cycle complete. The vegetable gardens are producing almost 20 to 30 percent of the vegetables for the noon meal programs. And now the children are collecting seeds and starting the same program in their homes. They come from the urban poor, and they've understood the importance of bio-diversity. I am sure this connection between food, waste, and the toxics will reach other schools in Kerala.

We hold a summer camp and organize explorations for the children, and we sometimes take the parents also, so it becomes a regular outreach program for the community with film showings and everything. We also thought, let's have the children learn the skills for making toys with non-toxic materials. We've reached a point where now, the children have started understanding climate change and how it's linked to the waste issue, how it's linked to the food production system, how it's linked to industrialization processes.

The zero waste team is working with the government for a program in schools in Kerala. They've come out with a handbook for the schools, and they conducted workshops for the teachers with this manual. We have 14 districts, and in every district, a few schools will be piloting this idea to create zero waste schools. Once the children understand the problem of

waste, they'll be able to carry the message back home. Some schools are also doing water and energy conservation.

We're also working at a state-wide policy level. One of our main zero waste campaigners was invited to be part of a governmental team to frame the state of Kerala's waste policy. And this team's final zero waste document was released in 2008 by the honorable president of India.

One of the important programs that we started is poison-free farming. Once we understood what kind of pesticides the farmers use, we started discussing with the local government, with the women's groups, with the local farmers, who are mostly men. All the women understood that the pesticides were creating problems for themselves and the children. And they said, "We want to be trained in organic farming." We trained them how to ban toxic pesticides, how to make local, organic manure, and things like that. We started with three women and within one year's time, it grew to three groups of women.

One of the beautiful parts of the whole project was, once we started farming, the children started eating vegetables. That was a real eye-opener for the mothers.

The chief, or president, of the local government really got interested in the program because he was also basically a farmer. He said, "The local government can put some money to take this program forward. In five years time, we have to completely change this village into organic."

When we started organic farming, as I said, all the women came forward, but we understood that involving women still wouldn't solve the issue of pesticides. We had to change the farmers, the men, also. Initially, we were not into marketing the organics. Our idea had been that the poor people should eat the food, so we encouraged that, and they were doing it. But then we thought, "Let's start organic marketing, so we can motivate more male farmers to change their agricultural practices. At least it can be chemical-free, it can be pesticide-free, and it can be fertilizer-free later on." And that really worked. It's just very small-scale farming, but one can see the improvements in the productivity and in the diversity of the crops we cultivate. And because of our work, the Minister of Agriculture has framed an organic farming policy for the state of Kerala.

The idea from Kovalam has gone all over the world now, which I think is the most beautiful part of the project. At least six or seven states are now modeling their zero waste programs after the one in Kovalam. Other countries — like the tourism department in the Philippines — are keen on implementing a zero waste program.

I think zero waste is what Gandhiji taught us. He didn't coin the words 'zero waste', but what he told us about self-reliance, about non-violence, it's all the principle of zero waste. The basic philosophy, the basic efforts, the basic understanding, is the same.

To learn more about S. Ushakumari's organization, Thanal, please see www.thanal.co.in.

*Thanks to Suchi Daga for help in editing this interview.
Inspired? Here are a few suggestions for getting involved!*

- Re-assess what you need and learn about the repercussions of what you buy. Annie Leonard's *The Story of Stuff* (Free Press, 2010) provides detailed information about the global materials economy and suggests policies and actions that could make it more fair and sustainable. Visit The Story of Stuff Project's website to see a fact filled 20-minute animation about the root causes and effects of consumption.
- Changing our individual consumption habits is important, but ultimately corporations produce the majority of the world's waste, fueling climate change. National government and international governing bodies are the only ones who can regulate this waste, yet feeble efforts at regulation often result in benefiting the big polluters. Check out Basel Action Network for more on international regulation of toxic waste (www.ban.org).
- Lobby elected officials for stronger industry regulations and on other environmental issues. Get started with Pesticide Action Network's action guide (www.panna.org/get-involved/action-center/hold-leaders-accountable).
- Learn more about real solutions to climate change and see how you can get involved at The Story of Stuff Project's Cap and Trade Take Action webpage (www.storyofstuff.org/movies-all/story-of-cap-trade/act).
- Most of the food sold in the US travels 1000 - 1500 miles. Work to eliminate enormous levels of waste in the form of fuel by strengthening your own local economy. Lobby to make local and national laws friendlier to businesses that buy and sell local products and to family farms that bring their harvest to neighborhood markets. Check out Georgia Organics' Action and Advocacy webpage to see one example of effective advocacy for a stronger local economy (www.georgiaorganics.org/takeaction.aspx).
- So much of what we buy new and packaged in plastic can be bought or found used. Salvage construction materials, visit your dump's 'swap shop,' dress up your wardrobe at used clothing stores, and use your local junk yard for car parts.
- Everyday opportunities to create less wasteful habits include:
 - Hanging your clothes out to dry instead of using the dryer;
 - Lowering the temperature of your hot water heater;
 - Asking your local grocery store, farmers' market, or CSA to phase out plastic bags. Many cities have banned plastic bags from their store checkout lines. Lobby your city to do the same; and
- Avoiding bottled water. Visit Corporate Accountability International's water webpage to tell your governor to think outside bottled water.

And check out the following resources and organizations:

- Global Alliance for Incinerator Alternatives, www.no-burn.org
- EarthBeat Radio, www.earthbeatradio.org
- Advocates for Environmental Human Rights, www.ehumanrights.org
- Pesticide Action Network, www.panna.org
- OilWatch, www.oilwatch.org
- Green For All, www.greenforall.org
- Zero Waste for Zero Warming campaign, www.zerowarming.org
- North American Program of Women's Earth Alliance, www.womensearthalliance.org
- Sustainable Energy and Economy Network, www.seen.org
- Oil Change International, www.priceofoil.org
- Global Justice Ecology Project, www.globaljusticeecology.org

- Environmental Justice Resource Center, www.ejrc.cau.edu
- Jeff Conant and Pam Fadem, A Community Guide to Environmental Health (Hesperian Foundation, 2008)

What price clean air?

By [George F. Will](#), Published: July 6 NYT Opinion

PHOENIX

The federal government is a bull that has found yet another china shop, this time in Arizona. It seems determined to inflict, for angelic motives and progressive goals, economic damage on this state. And economic and social damage on Native Americans, who over the years have experienced quite enough of that at Washington's hands.

The gain from this pain? The most frequently cited [study](#) says "research to date . . . is inconclusive as to whether" there would be "any perceptible improvement in visibility at the Grand Canyon and other areas of concern." The Environmental Protection Agency says that the [Navajo Generating Station](#) (NGS) is "near" 11 national parks, several of which are 175 miles distant.

The NGS on Navajo land in northern Arizona burns coal from the Kayenta Mine, which is co-owned by the Navajo and Hopi nations. The EPA is pondering whether all three units of the NGS should be required to install the "best available" [emission-control technologies](#), perhaps costing more than \$1.1 billion. More than 80 percent of the power plant's employees are Navajo, many of whom speak Navajo to help preserve the nation's culture. In 2007, the percentage of the Navajo Nation's population living in poverty was 36.8.

But the Navajos, the plant and the mine that powers it may be sacrificed to this [dubious environmental crusade](#). The new technology would reduce nitrate aerosols. They, however, are responsible for just 4 percent of what is called "light extinction" over the Grand Canyon.

Water falls unbidden from the sky but must be pumped to Arizonans — Tucson is 2,500 feet above sea level. The NGS provides 95 percent of the power for the pumps of the Central Arizona Project (CAP), which made Phoenix and most of modern Arizona possible. A study sponsored by the Interior Department estimates that the EPA's mandate might increase the cost of water by as much as 32 percent, hitting agriculture users especially hard. They might be driven back to using scarce groundwater — which was supposed to be protected by the CAP. That is why many environmentalists supported the CAP, one of the largest reclamation projects in U.S. history.

An [Arizona State University study](#) estimates that between now and 2044, the NGS and the mine will contribute \$20 billion to the state's economy and provide 3,000 jobs each year. If there is an NGS. Its site lease expires in 2019. If the EPA mandates the most expensive technologies, each of the NGS owners would have to weigh whether it is sensible to make large capital investments in a plant that might not operate after that. Furthermore, one of the six owners of the NGS is the Los Angeles Department of Water and Power, which may be prohibited by California law — [the](#)

[state may be destitute](#), but it is determined to fix the climate — from making investments that will extend the life of coal-fired plants.

Testifying to Congress last February, an EPA official uttered the six-word incantation that summarizes Obama administration policies and progressivism generally: “We do not have to choose.” It is, [the official said](#), quoting President Obama, a “false debate” that we have to choose between the “public health benefits from reducing air pollution from power plants” and “growing this economy in a robust way.”

But benefits usually have costs. And in reality — which is the region contiguous to Washington — two pertinent questions usually are: How much government do you want, and how much are you willing to pay for it in diminished economic growth? The Obama administration consistently favors more government and, believing that “we do not have to choose,” is mystified by stubbornly sluggish growth.

In 1990, Congress passed the Clean Air Act amendments, which high-mindedly mandated restoration of visibility in parks and wilderness areas *to natural conditions*. “Natural” meaning what? Before humanity? Anyway, the EPA is empowered to make this happen, so it empowers its professional writers of regulations — sometimes 26-year-olds fresh from law school — to [maximize regulations](#) to that end. These are regulations that others must live with while minimizing the damage the regulations cause.

The Navajo have been here before. EPA regulations caused the closure of the Mohave Generating Station near Laughlin, Nev., which was the sole buyer of coal from the Black Mesa Mine, leading it to cease operations. The mine’s land is co-owned by the Navajo and Hopi nations.

This story has become as American as “The Great Gatsby,” wherein Tom and Daisy Buchanan “smashed up things and creatures and then retreated back into their money or their vast carelessness . . . and let other people clean up the mess they had made.”

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Humboldt, Hoopa ask for more water in the Klamath; concerns loom about possible fall fish kill

Megan Hansen/The Times-Standard Posted: 07/07/2012 02:35:52 AM PDT

With fall around the corner, Hoopa Valley Tribe officials are crossing their fingers for the government to release more water from the Trinity River to avoid a potential fish kill on the Klamath River.

A record number of adult salmon -- estimated at more than 380,000 by the Pacific Fishery Management Council -- are anticipated to return to the Klamath this fall. Both Humboldt County officials and tribal members are concerned there won't be enough water in the river to support the fish.

Regina Chichizola, communications coordinator for the Hoopa Valley Tribe and founder of the Klamath Riverkeeper group, said tribal members want the Bureau of Reclamation to respect the tribe's water rights and stop diverting most of the Trinity's water down south.

"Right now, all the water is going to the Central Valley," Chichizola said. "We're expecting an answer from the Bureau of Reclamation in the next two weeks."

The Trinity River is the Klamath's largest tributary, and water is often diverted from the river to farmers and residents of Southern California. In 2002, the diversion led to a massive fish kill on the Klamath.

Fifth District Supervisor Ryan Sundberg said the fish kill had an immense negative impact on the county's tribes and fishing industry.

"Economically, that's nothing anyone wants to go through again," Sundberg said. "They had to do a couple of years where they closed down the salmon season."

The number of salmon estimated to return to the river this fall is 2.4 times the number of fish that attempted to spawn in September 2002. More than 33,000 adult salmon perished in the lower Klamath that year from a disease outbreak linked to low water levels and high fish density, according to the Pacific Fishery Management Council.

Don Reck, the environmental division manager for the Bureau of Reclamation's Northern California Area Office, said the river gauge in 2002 reached about 2,000 cubic feet per second. He said a number of agency and tribal representatives have met to discuss water level recommendations for this year.

"The recommendations from the group are from mid-August to late September to have floor flows, as measured down near Klamath, at about 3,200 cubic feet per second," Reck said.

He said the Bureau of Reclamation will likely go through the National Environmental Policy Act process -- which evaluates the environmental effects of an action or project and its alternatives -- before making any final decisions on how much water to release from the Trinity.

"We'll probably be doing an environmental assessment to try to determine if there are any impacts to the human environment," Reck said.

Hoopa Valley Tribal Chairman Leonard Masten said the tribe won back 50 percent of the Trinity's flow by way of court rulings and a legislation-backed record of decision in 2000. The decision was still being litigated in 2002 when the fish kill occurred, but Masten said the decision is now in place and that it's law.

"We're having a tough time getting the Bureau of Reclamation to adhere to it," Masten said. "We're constantly having to fight to get them to pull their end."

Masten said the Bureau of Reclamation has been good about allocating funding to efforts focused on Klamath River restoration projects, but it's still a fight whenever it comes to water flow issues.

"It's been frustrating, and you'd think there'd be more assistance," Masten said.

The Humboldt County Board of Supervisors wrote letters in March to the U.S. Department of the Interior and Gov. Jerry Brown advising them of the potential for another fish kill and the need for additional water.

Chichizola said more input from the community is still needed.

"I think if people go to the supervisors meetings and let them know how much they support the fishing industry, that it'll help," Chichizola said.

She said people can learn more at www.facebook.com/SaveTheKlamathTrinitySalmon.

Megan Hansen can be reached at 441-0511 or mhansen@times-standard.com.

Quote of the day: "Don't tell me what you believe. Show me what you've done and I will know what you believe." Jana

Congressman Mark Amodei, who moonlighted as a State Senator while also serving as President of the Nevada Mining Association, has introduced a bill that would nearly abolish the public's right to participate in the management of mining claims on lands that belong to all of us.

The **National Strategic and Critical Minerals Production Act of 2012 (H.R. 4022)** could come up for a vote on the House floor as early as Wednesday.

Nevadans and others must speak out against this bill that will:

- Eliminate meaningful environmental review for mining projects
- Nearly eliminate opportunities for citizens to participate in critical public review of mining projects
- Speed up permitting for mines and
- Force federal land managers of most public lands to make mineral extraction—not conservation or even recreation—their top priority. The 1872 Mining Law already allows multinational corporations free access to minerals on public lands with minimal return to taxpayers. And as the [report](#) we released last week demonstrated, they are getting a free ride in Nevada as well. We don't think these highly profitable, largely foreign-owned mining corporations should be allowed to play fast and loose with the rules in addition to all the other perks they receive.

Thanks for your support and for taking time to help stop this law that is bad for Nevada's public lands and worse for our democracy!

Onward! Bob Fulkerson