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from sdc

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Tribal Water Rights Lawsuits Lead to Costly Courtroom Battles

Richard W. Atwater, Fox and Hounds Daily

On summer weekends, the Truckee River is a favorite spot for vacationers, rafters, bike riders and patient anglers chasing the elusive trout plying its fresh, clear water.

Poisoning a Sierra stream to save the world's rarest trout

Louis Sahagun, Los Angeles Times

Officials pour poison into Silver King Creek, killing nonnative trout species, in order to make a home for the Paiute cutthroat trout.

State fisheries biologist Dave Lentz poured poison into a remote High Sierra stream and watched quietly as every rainbow and golden trout in the water turned belly up.



A frog does not
drink up the
pond in which it
lives. ~Sioux

How the Indians Lost Washington Territory

By **DAVID WALDSTREICHER** **nyt** March 25, 2011

THE BITTER WATERS OF MEDICINE CREEK A Tragic Clash Between White and Native America

By Richard Kluger Illustrated. 330 pp. Alfred A. Knopf. \$28.95.

Richard Kluger has written a half-dozen novels, but he's best known for telling true stories, hard stories, very well: *Brown v. Board of Education* ("Simple Justice"), the rise and fall of *The New York Herald Tribune* ("[The Paper](#)"), the cigarette wars ("[Ashes to Ashes](#)") and, more recently, American expansionism ("[Seizing Destiny](#)"). Of late he appears to be drawn toward the deep, the dark and the lethal in our past. "The Bitter Waters of Medicine Creek" is a worthy spinoff of "Seizing Destiny," which described the active and often ugly process of taking the continent. In Kluger's new book the scale is small and the specifics unlikely to be familiar to most readers. After the 1846 Oregon treaty with Britain, Americans for the first time began to move into the Puget Sound region, north of the more settled Willamette Valley. Indians there, including the small Nisqually tribe, previously had experienced limited contact with whites. The British presence at Fort Nisqually amounted to a trading, not settling, enterprise called the Hudson's Bay Company. As often occurred after wars and treaties in North American history, American land hunger changed the seeming solution into a new problem as settlers and some politicians sought loopholes. In the wake of the gold rush of 1848, a new federal law offered 320 acres to any white farmer who went to Oregon (640 acres if he was married and brought his wife).

Enter Isaac Stevens, an ambitious West Pointer appointed the first governor of Washington Territory in 1853. An engineer at a time when the Army trained the best of them, he volunteered to conduct a land survey on his way out West. He hoped to provide evidence in favor of a far northern route for the much-discussed transcontinental railroad.

Meanwhile, in the wake of the Mexican War of 1846, expansionists had come to dominate Washington, D.C. The Franklin Pierce administration made it abundantly clear that it expected the Indians to sign treaties surrendering their land. The governor of Oregon had ceded 7.5 million acres to the Indians for \$200,000 in money and goods, only to have the agreement fail in the Senate because it set aside "overly generous reservations."

Stevens thought he could do better. He "believed himself to be a wily ambassador from an advanced civilization while the natives were gullible primitives naturally inclined to defer to their racial superiors." In one of his first speeches as governor, he endeared himself to his new constituents by asserting a version of Manifest Destiny: "From your hands an imperial domain will descend to your children . . . in the cause of humanity and freedom." For the 1854 Medicine Creek Treaty, several small tribes allegedly agreed to give up control of 4,000 square miles,

except for fishing and hunting rights, in exchange for annuities and three reservations on inhospitable sites of two square miles each.

One of the Nisqually leaders whose “x” appears on the treaty was named Leschi. His signature, Kluger says, was probably forged, but whatever Leschi actually did at the treaty conclave, he seems to have immediately confronted the authorities with his objections, and may have won a promise of a somewhat larger reservation on a better site. What’s more, he began traveling to other tribes who were preparing to negotiate with the whites, warning them not to trust Stevens. These other tribes started to do a little bit better in their negotiations. Still, before the Senate had ratified the new treaties, Stevens was promoting the territories in the newspapers as open for settlement. Clashes between settlers and Indians were -inevitable.

Stevens was building a political base. So was Leschi. But Leschi had the tougher job. As an intertribal leader, he faced a disagreement about tactics. Some Indians favored attacking only male soldiers during a war. Others insisted on employing terror, even against women and children. The White River massacre of Oct. 28, 1855, claimed eight civilian victims. According to Nisqually traditions, Leschi didn’t approve of attacks on civilians, but Stevens took the White River raid as a personal betrayal and called for a war of extermination against those Indians who refused to surrender. He declared martial law, arrested white families who tried to remain neutral and encouraged volunteers to attack any and all hostile Indians.

Most whites in Washington Territory blamed the Indians for the war — but not all of them. The Pacific Coast commander of the United States Army, Maj. Gen. John Wool, refused to join the rush to slaughter. Wool was a septuagenarian veteran of the War of 1812. He distrusted unprofessional, volunteer soldiers who fought the Indians, and he told Stevens that the war would be over in a few months if Stevens didn’t insist on extermination. Stevens wrote to Secretary of War Jefferson Davis in an effort to have Wool dismissed.

Kluger paints a colorful portrait of two charismatic leaders in, at most, partial control of events. Stevens won the war but faced severe censure in Washington for his means. Leschi, in turn, held out for quite some time but was betrayed by a nephew. He faced a trial for murders that Stevens and his supporters refused to acknowledge as acts of war. After a jury failed to reach a verdict, he was tried a second time and convicted. He was hanged in public view near Fort Steilacoon.

Stevens, for his part, ran for the post of Washington Territory’s Congressional delegate, won and went back East to defend himself on the floor of the House. He died a bloody, flag-waving death in 1862 as a Union general leading his troops into enemy fire.

The fanatical Indian haters tend to steal the show in Kluger’s narrative. Fortunately, he is canny enough to realize what’s lost in a one-sided telling and compassionate enough to make sense of the doings on all sides. His frustration with Leschi’s end is evident in his lively epilogue, in which he recounts the recent history of the Nisqually. Despite struggles between an older faction and a newer group in the tribe, the Nisqually have successfully built a casino as well as new fishing and scuba-diving enterprises. And tribal historians and activists recently vindicated Leschi with the help of an unofficial historical retrial presided over by the chief justice of the Washington State Supreme Court.

Kluger’s recitation of these events can be seen as an upbeat refusal to treat a historical tragedy as irredeemable. Usually, Indians tend to disappear from histories about them — even when the blame for their suffering is placed on others. The Nisqually, as Kluger shows, have not disappeared, and “The Bitter Waters of Medicine Creek” is an eloquent account of a massacre’s legacies as well as its history.

[Native Musician Files Human Rights Complaint Against Redskins Football](#)

www.huffingtonpost.ca

[A Tribe Called Red member Ian "Deejay NDN" Campeau has tried to get the name of a local football team in Ottawa changed for over two years. Now he's taking his cause to the Ontario Human Rights Tribunal.](#)

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### **The ugly truth about our love of ‘Redskins’**

By Jonathan Zimmerman, Friday, August 30, 2:30 PM

In the 1930s, the good people of Pekin, Ill., decided they needed a mascot for their high school sports teams. Pekin was named for Peking (now Beijing), China, so they gave their teams a related nickname: [the Chinks](#) . At the start of every basketball game, a [Chink and Chinklette](#) — that is, a boy and girl dressed in Chinese attire — would walk into the center of the court and bow.

As the start of the NFL season draws near, I’ve got a question for you: How is the Chink any worse than the [Redskin](#), the feather-clad mascot of Washington’s pro football franchise?

It isn’t. The only difference is that the Redskin purports to be American Indian, not Chinese. And unlike any other ethnic group, Native Americans remain fair game for bigotry on game day.

The long-standing controversy over the Redskins’ nickname flared anew this year when D.C. Mayor Vincent C. Gray (D) suggested that the name [could become an issue](#) if the team wished to move into the District from its current home in suburban Maryland.

The Redskins’ response was simple: Forget about it. “We’ll never change the name,” owner [Daniel Snyder said](#). “Never — you can use caps.” On its Web site, the team [posted a link](#) to [a list](#) of more than 70 high schools in 25 states that still use the mascot.

But all that proved is that Native American mascots have staying power, which we knew already. The real question is why — and what it says about the rest of us.

Most Indian mascots date to the early 20th century, when white Americans worried that modern industrial life was eroding traditional masculine virtues: strength, stoicism and aggression. So college and professional sports teams named themselves after Native Americans, who seemed to embody precisely the qualities that white men had forsaken.

At the same time, though, the mascots also confirmed whites' sense of superiority. With their headdresses and beads, their tomahawks and war whoops, the Indian mascots seemed like throwbacks.

Consider [Chief Illiniwek](#), the University of Illinois mascot who made his first appearance at a 1926 football game with the University of Pennsylvania. A white guy in feathers, Chief Illiniwek performed an "Indian" dance and then shared a peace pipe with a drum major playing William Penn, the opponents' mascot.



But Illiniwek was a warrior at heart. The second man to play him traveled to the Pine Ridge Reservation in South Dakota, where he bought new regalia for the chief from "an old Indian woman" who had allegedly helped mutilate George Custer after the battle of Little Bighorn.

"It was . . . appropriate that Chief Illiniwek, the embodiment of the Red Men who had vanished before the overwhelming waves of White Men, should return to the land of their

fathers," a [University of Illinois booster wrote](#) in 1952. "It was proper and pleasing that the Chief should strut his stuff and perform his ancient ritualistic dances . . . before the packed Stadium of contemporary Palefaces."

There was only one problem: Chief Illiniwek never existed. Nor did Florida State's Chief Fullabull or Marquette's Willie Wampum. They were figments of the white imagination, bearing no connection or resemblance to actual Indians.

That's why Native Americans in the 1960s and 1970s protested Indian mascots at colleges and high schools. Since then, about 1,500 mascots have been altered or dropped. Marquette's Willie

Wampum was replaced by the Golden Eagle, and the University of Illinois retired the Chief Illiniwek mascot (but still use the name Fighting Illini).

But in the professional sports world, Native American mascots are still going strong. Fans of the Atlanta Braves still engage in the “tomahawk chop,” even after Jane Fonda — the owner’s wife at the time — [pledged to give it up](#). ([News cameras showed her doing it several nights later](#).) The Cleveland Indians retain their hideous cartoon logo, [Chief Wahoo](#). The Chicago Blackhawks wear [a profile of a Native American](#) on their jerseys.

And the nation’s capital is still home to the Redskins, the most offensive mascot of all. The term dates to the colonial era, when bounties were offered for killing Native Americans. Bounty hunters presented bloody skins and scalps as evidence of an Indian kill.

But don’t tell that to the owners of Washington’s football team or to its rabid fans, many of whom have vowed to stand by their mascot. So did many people in Pekin, where students staged a walkout in 1980 to protest the replacement of the Chink with a new symbol: the Dragon.

“Pekin Chinks, Dragon Stinks,” one protester’s sign read. “Chinks is Tradition,” said another. But it was a hateful tradition, just like Indian mascots, manufactured by whites to caricature others. We made the Redskin, so we can unmake him as well. Let’s hope we find the courage to do so.

The writer, who teaches history and education at New York University, grew up in Chevy Chase. He still roots for Washington’s professional football team.

Read more about this issue: [Mike Wise: Only Robert Griffin III can make the Redskins change their name](#) [Mike Wise: The last word on ‘Redskins’ is not ours](#) [Courtland Milloy: What’s in a name?](#)

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### **['Imperfect Harmony': How Singing With Others Changes Your Life](#)**

[www.npr.org](http://www.npr.org)

When Stacy Horn was 26 years old, she was divorced and miserable. She decided to join the Choral Society of Grace Church in New York. In her book *Imperfect Harmony*, she chronicles her 30 years with the group. Psychologist Daniel Levitin explains the brain science of group singing.

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### **Washoe Tribe Guided Hike at Galena Creek Visitor Center Saturday, September 21st at 10:00am**

Don't miss this guided hike led by Herman Fillmore of the Cultural Resource Department who will teach about the Washoe culture both before and after contact, including the language and the importance of place within that culture. He will share the Washoe names of plants and animals and discuss Washoe legends and their connection to place. Please bring sunscreen, water, and footwear suitable for hiking. \$5.00 attendance.

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## Specific Disaster Information from SBA

### Hurricanes

- [Hurricane preparedness checklist](#)
- [Hurricane safety tips](#)

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### Winter Weather

- [Winter weather preparedness checklist](#)
- [Tips on how to plan and prepare your business for winter weather](#)
- [Winter safety tips](#)

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### Earthquakes

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- [Wildfire safety tips](#)

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### Floods

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- [Create a customized cyber security plan for your business](#)
- [Cyber security tips for your small business](#)
- [Take a cyber security workshop](#)

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- [Get Occupational Safety and Health Act compliance assistance](#)

For more emergency preparedness advice, visit [preparemybusiness.org](http://preparemybusiness.org) or contact SBA's Disaster Assistance Customer Service Center at 1-800-659-2955 (TTY: 1-800-877-8339) or [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov).

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**Beauty and the Beasts** By [NICHOLAS D. KRISTOF](#) NYT Op-Ed Columnist 8.31.13

DURING an August vacation with my family, I enjoyed lodgings so spectacular that not even Bill Gates or Warren Buffett could ever buy or rent them.

**On the Ground**

Nicholas D. Kristof

NYT 8.31.13

Nicholas D. Kristof spent summer vacation hiking the Pacific Crest Trail. In some ways, America's public lands are thriving. In other ways, they are hurting.

The scenery was some of America's finest: snowcapped mountains, alpine lakes, babbling brooks. The cost? It was free.

We were enjoying some of America's public lands, backpacking through our national patrimony. No billionaire can acquire these lands because they remain — even in a nation where economic disparities have soared — a rare democratic space. The only one who could pull rank on you at a camping spot is a grizzly bear.

“This is the most beautiful place in the world,” my 15-year-old daughter mused beside a turquoise lake framed by towering fir trees. She and I were hiking 200-plus miles on [the Pacific Crest Trail](#), joined for shorter bits by my wife and sons.

We imbibed from glacier-fed creeks, startled elk, and dallied beside alpine meadows so dazzling that they constitute an argument for the existence of God. At night, if rain didn't threaten, we spread our sleeping bags under the open sky — miles from any other human — and fell asleep counting shooting stars.

You want to understand the concept of a “public good”? It's exemplified by our nation's wilderness trails.

In some ways, this wilderness is thriving. [Cheryl Strayed's best-selling book “Wild,” about her long backpack on the Pacific Crest Trail](#), has inspired hordes of young women to try the trails. [Reese Witherspoon is starring in a movie](#) of “Wild,” made by her production company, and that will undoubtedly send even more out to feed the mosquitoes.

The talk of the trail this year was of [a woman named Heather Anderson who shattered a record](#) by backpacking from Mexico to Canada on the Pacific Crest Trail, without support, in 61 days. That's nearly 44 miles a day over tough terrain. She says she graduated from high school at 200 pounds and found purpose — and lost 70 pounds — on the trails. On this trek, she had encounters with five rattlesnakes, eight bears and four mountain lions. (For more on Heather Anderson's extraordinary journey, visit my blog at [kristof.blogs.nytimes.com](#).)

Yet America's public goods, from our parks to “Sesame Street,” are besieged today by budget-cutters, and it's painful to hike some trails now. You see lovingly constructed old bridges that have collapsed. Trails disturbed by avalanches have not been rebuilt, and signs are missing.

“Infrastructure is really crumbling,” [Interior Secretary Sally Jewell](#), herself a backpacker, told me. She notes that foreign tourists come to visit America's “crown jewels” like Yosemite and are staggered by the beauty — and flummoxed by the broken toilets.

It's even worse at the Forest Service, which is starved of funds partly because firefighting is eating up its budgets. [The Forest Service has estimated](#) that only one-quarter of its 158,000 miles of trails meet its own standards.



About once a year, my family hikes [the spectacular Timberline Trail](#), constructed in the Great Depression around Mount Hood in Oregon as a public works project. But one section washed out in 2006, and it still hasn't officially reopened.

What our ancestors were able to create when we were a poor country, we are unable to sustain even now that we are rich. That's not because of resources. It's because they were visionaries, and we are blind.

Wallace Stegner called our national parks America's "best idea." The sequester, which I would call "America's worst idea," was supposed to save money, but when sloping trails aren't maintained every year or two, they erode and require major repairs that cost even more.

Republicans praise the idea of citizen volunteers and public-private partnerships. But our agencies are so impoverished that they can't take full advantage of charity.

Mike Dawson of [the Pacific Crest Trail Association](#) says that volunteers could provide about 250,000 hours repairing the trail each year. But the Forest Service doesn't have the resources to organize and equip all the volunteers available, so it will be able to use only one-third of that free labor this year, he says. That's crazy.

All this is symptomatic of a deeper disdain in some circles for the very idea of a public good: Who needs a national forest? Just buy your own Wyoming ranch!

This fall will probably see a no-holds-barred battle in Washington over fiscal issues, and especially the debt limit. But, in a larger sense, it's a dispute over public goods. So, considering how ineffective Congress is, perhaps we should encourage all 535 members to take a sabbatical and backpack the Pacific Crest Trail. I'm not sure we'd miss them for five months. And what an entertaining reality show that would make!

It would also have a serious side. Maybe when dwarfed by giant redwoods, recalcitrant politicians would absorb a lesson of nature: We are all part of something larger than ourselves. Perhaps they would gain perspective and appreciate the grandeur of our public lands of which they are such wretched stewards. •

*I invite you to visit my blog, [On the Ground](#). Please also join me on [Facebook](#) and [Google+](#), watch my [YouTube videos](#) and follow me on [Twitter](#).*

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***Love the Earth, Plant a Roof!***

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**<http://buffy-sainte-marie.blogspot.fr/2011/12/longest-walk-american-indians.html>**

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**CH: Sharing my nephews dance companies page. Jake Pratt- cutest boy with the cutest dimples in all of North America.**

## **Wambdi Dance**

Thank you for visiting our page. We are a new company and we appreciate your support. As a performance company we are offering quality and professional dance, music, and cultural performances. We will be offering small community based events and can send individual performers or group performances...

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### **The Last American Indian On Earth**

[m.huffpost.com](http://m.huffpost.com)

Imagine a man dressed in stereotypically "traditional" Native American garb, donning a massive white feathered headdress, an ornamental tunic, and face paint. Now imagine that man performing mundane tasks in Washington, DC, like grocery shopping, riding an escalator or having lunch at a local restau...

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*The 1894 Census Bureau estimated more than 40 "official" Indian Wars in the United States that cost the lives of some 19,000 white men, women and children and the lives of about 30,000 Indians. In addition to the official Indian Wars, there were hundreds of skirmishes between the settlers and the Native Americans that resulted when pioneers pushed westward, encroaching upon traditional Indian lands.*

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### **Just in!: Flagger Training** *(sorry 'bout little notice sdc)*

The Nevada Department of Transportation is planning the next phase of the I-15 Improvement from Dry Lakes to Glendale. This is a 300 work day project. An opportunity to get training as a flagger is available.

Attached is the brochure for the flagger certification program. Once certified you can complete the tribal affirmative action application available at Human Resources for Indian preference referral to the project. [Flagging Brochure 2013 \(2\).pdf](#)

The next class will be held on Sept. 07, 2013 form 8:00 am – 12:00 pm, at the Southern Nevada Laborers Union in Las Vegas. Please fill out the registration form to enroll and contact Heather Lara for enrollment. The cost is \$55.00.

If you have any additional questions or concerns, please feel free to contact me at:

[HLara@tmcc.edu](mailto:HLara@tmcc.edu) or 775.829.9045

Fax: 775.824.3802

[www.nvltap.tmcc.edu](http://www.nvltap.tmcc.edu)

*Heather Lara, Nevada LTAP Center/Flagger Certification, Program Manager*

5270 Neil Road, Room 302, Reno, Nev. 89502 Email: [HLara@tmcc.edu](mailto:HLara@tmcc.edu)

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### **Register for Simple, Effective, Inexpensive for Local Businesses Tools and Contacts**

conta.cc Local businesses need Simple, Effective, Inexpensive Business Development tools and taught how to use them. Join the Northern Nevada Buy Local initiative and Jennifer Baker for FREE workshops Sponsored by Get YOUR Success Coaching and Consulting, No Nv Buy Local initiative and Constant Contact

# Chaw'se Bigtime Annual gathering Sept 27-29th

Where: Chaw'se Indian Grinding Rock State Historic Park  
14881 Pine Grove Volcano Rd, Pine Grove California

**Ceremonies are held in the hun'ge (roundhouse)  
by local Native Americans. Indian families gather  
at the park in September for the annual Acorn Harvest  
Ceremonies, Dancing, hand games,  
singing and storytelling are traditional at this event.  
Spectators are welcome, but there is no fixed schedule of events.  
Native American crafts and foods are available.**

## Sponsors

[www.MiwokNation.com](http://www.MiwokNation.com)