

# Battling Upstream

## The tribes on the Klamath know that as the river goes, so go the salmon

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Sunday, April 13, 2008



The Klamath River surges just below Merk Oliver's house. Right now, the water is slightly turbid, clouded and green - perfect for steelhead fishing. The Klamath is the second largest river in California, following the Sacramento, and its watershed encompasses a landscape that seems removed from the rest of the state by time as well as distance. Freeways, the digital economy, the entertainment industry, industrial agriculture - up here they seem like ill-recalled dreams.

But what happens on this river affects Lower California greatly. It determines whether commercial fishermen and recreational anglers can take salmon - and whether there'll be fresh wild salmon in markets and restaurants in San Francisco and Los Angeles. Ultimately, it figures into the availability of water for the state's homes and farms.

Oliver's home is several hundred yards from the river's mouth, and from his property you can hear the muffled reports of big combers breaking on the beach. A group of Yurok Indian youths are in the yard, grilling Pacific lampreys - anadromous, eel-like fish with circular mouths filled with sharp radula. Lampreys are highly esteemed by the Yurok, and are gaffed in the winter during low tides, when they skitter across flooded sandbars from the sea to the river. The close proximity to the big surf makes eel snagging a dangerous business, and fatalities from sleeper waves occur with some regularity.

Inside the small, clapboard house, Oliver, a tribal elder, is eating strips of smoked salmon. Oliver is thin but not frail, an exceptionally handsome man with long iron-colored hair and dark eyes glimmering with humor. He is 78, and has lived in this home for 55 years. A wood stove provides radiant heat. On the walls are photos - of family and tribal members, but also of fish: big salmon arrayed on a plank, skewered salmon staked around a fire, a close-up of a lamprey in shallow water, a huge sturgeon hanging from a tree limb. The room smells pleasantly of smoke and fish.

A few Yuroks are seated and standing around Oliver, who is ensconced in a comfortable chair near the stove. As he nibbles on the fish - symmetrical, long strips of blood orange chinook, translucent as stained glass - he uses a jack knife to carve a lamprey hook handle from yew wood.

Lamprey hooks are the essential tool for eel fishing. The requisite technique is to chase an eel as it lunges across the sandbar, snag it with the hook, then flip it high up on the beach with a flip of the arm and wrist. Oliver's eel hooks are held in particularly high regard, a set of finished hooks hang on a wire above Oliver's chair, the golden yew wood handles glossy. They are carved with uncanny accuracy to represent a lamprey head, right down to the radula in the mouth and staring, inquisitive eyes. The lamprey is an intelligent fish, say the Yurok; when you run after them with the hook, you can see the alarm in their faces. Somehow, Oliver has captured that sentience in his carving.

The talk is discursive, humorous and mildly chaffing. Oliver asks one of the young men if he is still seeing a Tlingit woman. Tlingits are a southeastern Alaska tribe, accomplished fishers and marine mammal hunters who have long... enjoyed must be the operative verb... a reputation for pride and aggressiveness.

No, the young man says, a half-smile on his lips. She went back north. Oliver nods his head sagely, intent on his carving.

"That was a tough woman," he says after a time. He looks around the room, fixes on a visitor sitting nearby on a stool. "That woman could've whipped three of you," he says. "She was fierce. Ate too much seal meat." There are gentle laughs, and heads nod in agreement.

This is a conversation that has been going on for a long time - eight to ten thousand years, give or take a millennium. That's how long the Yurok, California's largest tribe, have occupied this reach of the Klamath River.

The three main tribes inhabiting the Lower Klamath - the Yurok, Hupa and Karuk - all have maintained strong cultural identities, but the Yurok are perhaps most closely identified with the river. This is because of the location of the ancestral Yurok lands: From the Klamath's mouth and surrounding littoral territories to more than 50 miles upstream. All the Klamath tribes depended on the fish runs, but the river and its coastal nexus assumed particular significance for the Yurok.

The Yurok had access to the migrating fish as soon as they left the sea, when they were at their fattest and brightest. Along with the river - and its salmon, steelhead, lampreys and candlefish - they also had the open ocean to exploit. Their food sources included Dungeness crabs, seaweed, mussels, abalone and periwinkles from the intertidal zone. They carved - still carve - elegant boats from redwood logs, and were redoubtable mariners, hunting marine birds, seals and sea lions and fishing for ling cod and rockfish in the rough inter-coastal waters. They had first rights to the dentalium and abalone shells that were the primary medium of exchange for the Klamath River tribes.

The river was their source of food and wealth, and it was their highway, their means of establishing commerce with other tribes. They were a water people, and still are. The photos on Oliver's walls are religious icons - graphic representations of all that is sacred to the tribe: the fish. Fishing nets and implements. Boats. The River. Because in any conversation with a Yurok, it always comes back to the river. To a very significant degree, the river is the reservation: Tribal holdings extend 1 mile inland along each bank from the mouth of the Klamath more than 40 miles upstream. Most of the land is exceedingly steep, of little utility for anything except conservative and limited forestry. What the tribe has always had, and still has to a significant degree, is the Klamath.

"The river gave us everything we needed to thrive," said Troy Fletcher, a tribal member and resource policy analyst. "It gave us food, wealth, beauty. This was paradise, and we knew it."

**But like most rivers** in North America, the Klamath has suffered. Agricultural water diversions have depleted the river's once mighty flows; four moderately sized hydroelectric dams along the Klamath's main stem - plus a huge dam on its major tributary, the Trinity - have greatly reduced the spawning grounds for anadromous fish. Too, the main stem Klamath dams warm the river's water, encouraging destructive parasites and blooms of toxic blue-green algae. Increasingly, it is clear the Klamath can have the dams or it can have fish, but not both. For years, the Yurok have been at the vanguard in a battle to remove the dams. Allied with them are the other Klamath tribes, commercial fishermen and sport anglers. Opposing them are the dams' operators - which have shifted over the years, as the facilities have changed ownership - and farmers in the Upper Klamath Basin, who divert the river's water for potatoes, grain, alfalfa, horseradish and other crops.

The Klamath always has been a major front in California's water wars, one that has waxed especially hot throughout the Bush administration. In 2001, increased downriver flows by the U.S. Bureau of Reclamation to sustain salmon were resisted by Basin farmers, who seized irrigation canal head gates in protest. Water availability already was a flashpoint issue on the Klamath because much of the Trinity's flow is diverted south for the state's cities and agricultural lands. The Upper Basin skirmishes heightened the sense among the tribes and their allies that the entire system was being drained, with no regard for the fisheries and the people who depended on them.

In 2002, the Bush administration sided with the farmers and slashed the releases to the river, delivering the water up to the irrigation districts. A massive fish kill on the Klamath followed; the salmon never really recovered from the blow. The incident scarred the collective sensibility of the Yuroks, and it is a subject that still engenders deep anger on the reservation.

The situation on the Klamath has far-reaching consequences - all the way down to Monterey. The scarcity of Klamath fish has resulted in multiple truncated commercial salmon seasons for California and Oregon, because the Klamath fish mingle with the nominally more plentiful Sacramento River salmon in the open ocean. As the Klamath

goes, then, so go the fortunes of the West Coast's commercial fishing fleet - and the Bay Area availability of fresh wild local salmon.

[Some fisheries biologists say it's already too late for salmon in the Lower 48 states. Development, logging, water diversions and dams, they claim, have compromised the spawning streams to an irreparable degree. Oceans warming due to climate change - and perhaps overfishing - are just additional nails in the coffin.

As of this writing, the Pacific Fishery Management Council - the regulatory body that governs West Coast marine fisheries - is poised to proscribe all salmon fishing for the 2008 season. The reason: An unexpected collapse in Sacramento River salmon stocks, which up to now have been relatively robust. If the ban is enacted as expected, it will be the first complete salmon closure for the California coast since commercial fishing began more than 150 years ago.

**But many fisheries** experts maintain Pacific salmon and steelhead can be revived in the continental United States. Further, they say, salmonid restoration will have ancillary benefits.

Bill Kier is a Humboldt County consulting biologist who has designed computer programs to track fishery restoration efforts on the Klamath; they are so accurate they have been applied by scientists across the country. Kier acknowledges that the data on southern range Pacific salmon is a mixed bag.

"But I still believe they have a very real fighting chance," he said. "The fact is that caring for salmon results in stabilized watersheds, better water quality, more wildlife - and in general terms, a cleaner environment. If you manage water and land for salmon, it doesn't matter if you're talking about the Klamath or the creek that flows through Mill Valley - life will be better not just for the salmon, but for the people who live in those watersheds, whether they're Native Americans, farmers or suburbanites."

Dams are not the only thing winnowing the Klamath's salmon. A couple of years ago, fluctuating ocean conditions off western North America reduced the production of plankton, the basic building block for all marine food webs. Pacific salmon typically run in two-to-four year cycles, so many biologists think the plankton paucity had a deep and negative effect on the fish populations that are now returning - or rather, not returning - to the rivers.

Oliver, who has been watching the fish runs all his long life, is convinced pollution also is a major factor in the decline.

"Everywhere in the world, people are using these harmful chemicals to do everything, right down to cleaning their toilets and dishes," he said. "The timber companies are spraying their lands with herbicides, and it runs into our rivers. The farmers are using too many pesticides. The whole system is poisoned, and the fish can't take it."

But for the Klamath, most biologists agree, the biggest problem is the dams. The battle over their disposition has raged in the courts, Congress and the media for two decades. Last year, the Yuroks and their allies caravanned to Omaha in an attempt to meet with Warren Buffett; his firm, Berkshire Hathaway, had recently purchased PacificCorp Power, the company that owns the Klamath hydroelectric dams. Buffett declined to meet with tribal leaders to discuss possible dam removal, claiming he never interfered in the management of subsidiary companies.

He may have been unnerved by a similar trip the Yuroks, Hupas and Karuks took to Scotland in 2004 to engage representatives of Scottish Power, the company that owned PacificCorp at the time. The Scots, who consider themselves a tribal and salmon-loving people, hailed the Indians as kindred souls and heroes, and reviled Scottish Power. Chagrined, Scottish Power executives promised to negotiate a solution with the Klamath tribes. Instead, they sold PacificCorp to Berkshire Hathaway.

After getting stonewalled by Buffett, a certain level of depression settled in along the river. But it now appears that serious negotiations about dam removal and increased flows were not wholly undermined by Buffett's rebuff. Indeed, talks have continued - both with Upper Basin irrigators and PacificCorp. The negotiations, Fletcher said, are at a sensitive stage, and he won't discuss details. But other stakeholders who weighed in on the Klamath for this article indicated a deal is very close. Not everyone is completely thrilled by the prospect. Both commercial fishermen and the Hupa tribe - who live just upriver from the Yurok - have expressed concerns that the settlement now under consideration may not guarantee sufficient flows for the Klamath.

"That worries us," said Zeke Grader, the executive director of the Pacific Coast Federation of Fishermen's Associations. "On the other hand, we're not going to actively oppose a settlement. We have to have good cops and bad cops on this thing, and the Yuroks are the good cops. We understand that."

Fletcher did say any settlement must be predicated on the removal of the main stem's four dams and adequate downstream flows for the fish. He also noted the tribe never really felt like its fight was with the farmers.

"After (the) 2002 (fish kill), we reached out to them," Fletcher said. "They share a lot of our values. They're rural people, people who are tied to the land, who are spiritual and hard-working. And like us, they face an unstable future. When we started talking to them, we realized, hey - we have a lot in common with these guys."

But there is still PacificCorp. The farmers aside, Fletcher acknowledges it is naive to think any corporation would sign an agreement that results in a significant financial loss simply because other parties consider it the right thing to do.

"We understand this has to make sense for PacificCorp," he said.

**Fletcher is built** like a logger: big shoulders and arms, and a torso like a keg. Arriving at tribal headquarters near the Klamath's mouth for a recent interview, he walks into the building with his hands blackened from grease and soot. He had just driven over a snowy mountain road from the hamlet of Weitchpec, about 40 miles upriver. En route, he had come across a car engulfed by fire, and had stopped to help its owner put it out. That kind of instinctive willingness to aid a neighbor in trouble is embedded in most rural cultures, but in Yurok society it extends to the landscape itself.

"We believe we were given an obligation by the creator to restore and protect our land and our fisheries," Fletcher said. "It's spelled out in the preamble to the tribal constitution. For us, this goes back to the beginning of time. The challenge right now is extreme. But the obligation has always been there, and it will never change."

As part of meeting that obligation, the tribe imposes fisheries closures and season quotas on its members, even though the Yuroks have the sovereign right to catch as many fish as they want. Not all members are happy with the strictures, though they comply.

One tribal member who feels the regulations should loosen up a little is Tommy Wilson. Orphaned at 13, Wilson went to Atlanta to live with a married sister.

"That big city," he said. "I couldn't hack it. After a couple of months, I came back here, lived on my own, and did what I had to do to stay alive."

That included selling salmon, sturgeon, black bear parts and home-grown marijuana to a friendly man who later turned out to be an undercover U.S. Fish and Wildlife Service agent. In court, Wilson argued that his sovereign rights allowed him to make a living from tribal lands through any reasonable means.

"I said that we should be able to thrive, not just survive," he said. "That means when I catch a fish or kill a bear, or plant a seed and harvest the plant, I should be able to do with it what I want. We were once a wealthy people - and it was this river that made us rich. I didn't feel the federal government had the right to force bare subsistence on us."

The judge agreed, and threw the case out of court. But despite his entrepreneurial views - by no means unusual among the Yurok - Wilson obeys the tribal fishery regulations without rancor. That, of course, is integral to being a Yurok tribe member in good standing.

"Individually, we don't define ourselves first and foremost by our professions," said Maria Tripp, the tribal chairwoman. "To us, the most important thing is to be Yurok. Work is what you do - Yurok is what you are."

**Courtesy among tribal members** and hospitality to visitors is written into the Yurok constitution. There isn't any emotive breast-beating or preaching, but everyone is expected to strive for right thinking and right acting. You see this manifest, especially, when it comes to boat building.

The Yuroks have been carving redwood log boats for thousands of years; the craft are exquisite artifacts by any measure, and sacred to the tribe. All the boats are carved by hand without jigs or other mechanical aids, and a long apprenticeship is required before an artisan is allowed to create one without direct supervision. More than a steady hand is demanded of the carver: A clear mind and quiet heart also are requisite.

"No one is allowed to approach a boat if he is angry or upset," said Fletcher. "We believe the boats are living things - we carve then with hearts, lungs and noses. They can be affected by bad thoughts and feelings."

On a large, grassy lot in front of tribal headquarters, tribal member Dave Eric Severns has been carving a boat every day, up to 12 hours a day, since Thanksgiving.

"It's not something you just - do," Severns said, slowly peeling away long strips of straight-grained wood with a gouge. He moves slowly and talks softly, seemingly out of deference to the boat. "You live it. I work on this boat all day, way into the night. And when I go to bed, I still see it in my thoughts. It stays with me in my dreams, and then I wake up early in the morning and come back out here."

This is the first boat Severns has carved on his own, after working for six years under his mentor, George Wilson. It's about 20 feet long. The log it is carved from was more than 5 feet in diameter, and weighed about 1,600 pounds. When the boat is finished, Severns said, four men will be able to lift it and move it with ease.

"This is a river boat," Severns said, moving his hand along the smooth, brick-red gunwales. "The ocean boats were up to 60 feet long and 12 feet wide. Eighty years ago, Yuroks used the ocean boats to deliver milk from Klamath dairies up to Crescent City (about 20 miles). They were incredibly seaworthy craft."

There is a knob in the bow section of the boat that is meant to represent its heart; a small black stone rests on it. The stone, says, Severns, is a lock that keeps the boat secure.

"Boats had primary owners, but anyone could use one if they needed it - unless there was a rock on the heart," Severns said. "Someone from the tribe comes by here and sees the rock on this boat's heart, they know it isn't supposed to be moved."

Up at Oliver's house, the lampreys have finished cooking on the charcoal grill. Nearby, a couple of young men check conditions in a large smokehouse. It is full of lampreys; they hang like golden stalactites from racks near the rafters. One of the Yuroks cuts off a slab of grilled eel, rolls it in a slice of white bread and hands it to a visitor. The meat is dense, rich, oily and incredibly sweet. Oliver walks among the youths, evaluating the cooking techniques, sampling eel, essaying humorous comments. Sometimes he simply looks at the river for extended periods of time.

Tripp says Oliver and other elders are the tribe's bedrock assets, keeping the people anchored to their place in the world.

"When my friends and I were going to college (at nearby College of the Redwoods and Humboldt State University), Merk was always coming around to feed us with traditional foods," she said. "He was out of time - connected to the old, old ways. He kept us grounded, made us understand who we are and where we came from."



# A Water People. Chronicle Graphic



Yurok tribe elder Merk Oliver burnishes a lamprey hook used to catch the eels as they cross sandbars at the mouth of the Klamath River where it hits the Pacific. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Desmond Oliver, 17, dodges the waves with a freshly hooked lamprey. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Robert Ray (in red) looks on as Dave Eric Severns builds a redwood canoe. He has been working up to 12 hours a day on the boat since Thanksgiving. Chronicle photo by Michael Macor



Chronicle / Michael Macor

With nighttime approaching, young Yurok tribe members break out the flashlights as they fish for eel at the mouth of the Klamath. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Early morning fog blankets the Klamath Valley. Chronicle photo by Michael Macor



Chronicle / Michael Macor

The Yurok Indians have lived on the lands near the Klamath River's mouth for 8 to 10 thousand years. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Tribe member Frank Pires looks out over the Klamath River from the home of elder Merk Oliver. Chronicle photo by Michael Macor



Chronicle / Michael Macor



Tribal council member Raymond Mattz visits the tribal village in Klamath, where many ancestral ceremonies are still performed. A sweathouse is just behind him. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Dave Eric Severns (left) builds an authentic Yurok canoe out of a solid redwood tree as fellow tribe member Thomas Willson checks out his friend's handiwork. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Yurok tribe member Thomas Willson tends to drift nets that he has strung out across the Klamath River in search of steelhead fish as his dogs Lakota and Roadster wait nearby. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Eel hooks, handmade by Yurok tribe elder Merk Oliver, are used in catching slithering lampreys as they spawn up the Klamath River from the Pacific Ocean. Chronicle photo by Michael Macor



Chronicle / Michael Macor

Young members of the Yurok tribe gather at the mouth of the Klamath River to fish for lamprey eels. Chronicle photo by Michael Macor



Chronicle / Michael Macor

With eel hook in hand, Yurok tribe member Desmond Oliver, 17, watches the waters for migrating lamprey eel as they enter the Klamath River on their journey from the ocean.  
Chronicle photo by Michael Macor



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An American bald eagle soars above the waters of the Klamath River. Chronicle photo by Michael Macor



Chronicle / Michael Macor