Support for Winnemem Wintu Template Resolution

WHEREAS, the Winnemem Wintu Tribe have been and continue to be the stewards and caretakers of the Winnemem Waywacket, now known as the McCloud River, since time immemorial.

WHEREAS, the Winnemem Wintu Tribe was removed from the Winnemem Waywacket by the U.S. Bureau of Reclamation and Indian Service during the construction of Shasta Dam.

WHEREAS, the Winnemem Wintu Tribe never received compensation or like lands for their inundated homes as required by the 1941 Central Valley Indian Lands Acquisition Act (55 Stat 612) passed by Congress.

WHEREAS, the Legislature of the State of California passed AJR 39 recognizing that the Winnemem Wintu are a historical tribe of California, and urges a restoration of the tribe’s federal recognition.

WHEREAS, the United States has a long history of government-to-government relations with the Winnemem Wintu Tribe, including late Spiritual Leader Florence Jones receiving one of the first ceremonial permits under the American Indian Religious Freedom Act from the U.S. Forest Service.

WHEREAS, it has been confirmed by independent researchers that the U.S. Bureau of Reclamation’s proposal to raise Shasta Dam an additional 18.5 feet would inundate or damage more than 40 sacred sites that the Winnemem Wintu Tribe still access and would cause irreparable harm to Winnemem Wintu spiritual, mental and physical health.

WHEREAS, the proposed raise of Shasta Dam would flood Bałas Son (Puberty Rock), Children’s Rock and other sacred sites integral to the Bałas Chonas Winyupus (Coming of Age ceremony for young women).

WHEREAS, the Winnemem Wintu Tribe’s cultural and religious practices are inextricably tied to the Winnemem Waywacket and to myriad sacred sites throughout their ancestral watershed so that there is nowhere else in this world where they can be Winnemem.

WHEREAS, ceremonies are core to the values and practice of the Winnemem culture and lifeway and are vital to the sustenance of the Tribe and, thus, the dam raise represents a form of cultural genocide.
WHEREAS, the Winnemem Wintu people are survivors of multiple campaigns of genocide and cultural annihilation and must access, pray and gather at sacred sites within the Winnemem Waywacket watershed in order to continue their genocide recovery, revitalize their cultural lifeways and continue on as a people.

WHEREAS, the U.S. Bureau of Reclamation, in violation of federal law, has failed in its NHPA section 106 duties to consult in good faith with the Winnemem Wintu Tribe about the potential impacts of the dam raise to Winnemem Wintu cultural resources, sacred sites, burial grounds and spiritual practices.

WHEREAS, the U.S. Bureau of Reclamation’s construction of the Shasta Dam raise is an unjustified and unacceptable violation of Winnemem Wintu sovereignty and a dereliction of consulting obligations that threatens the sovereignty of tribal nations throughout the United States.

WHEREAS, the proposed $1.3 billion project to raise Shasta Dam, which will only yield an estimated 51,300 acre-feet of extra water, less than 1/10th of 1 percent of California’s annual water budget, is an irresponsible investment of taxpayer dollars compared to groundwater recharge, ecosystem restoration, conservation projects and other methods of increasing the public’s access to clean water.

WHEREAS, the private landowning members of a state water agency, Westlands Water District, are the primary proponents and beneficiaries of the publicly funded dam raise project.

WHEREAS, the proposal to raise Shasta Dam would violate California state law, the Wild and Scenic Rivers Act which bars federal agencies from activities that would harm the free-flowing nature of many California Rivers, including the Winnemem Waywacket (McCloud River).

WHEREAS, raising the dam in violation of a state law that protects natural resources as well as the cultural resources of numerous tribes sets a harmful precedent for all California Indigenous peoples.

WHEREAS, the proposed dam raise, according to the U.S. Fish and Wildlife Service, would inundate uncapped abandoned mines, flooding Shasta reservoir during heavy rains with additional cadmium, mercury, nickel and other toxins, endangering the water quality and water-based cultural practices of California tribes downstream.
WHEREAS, in 2011, President Obama endorsed the United Nations Declaration of Rights of Indigenous People Resolution (UNDRIP), which is not an aspirational document but a translation of existing, ratified international human rights for the unique needs of Indigenous peoples throughout the world.

WHEREAS, the U.S. Bureau of Reclamation’s dam raise proposal violates the Winnemem Wintu Tribe’s rights guaranteed under the UNDRIP, including the right to life free of the destruction of their culture (Article 8), the right to government agency policies ensuring that the Winnemem Wintu people can transmit culture to future generations (Article 12) and the requirement that states obtain the free, prior and informed consent from the Winnemem Wintu for any policies or projects that affect their homelands (Article 19).

NOW, THEREFORE, BE IT RESOLVED that the _________(Name of Tribe)_______ condemns the proposed raise of Shasta Dam as a project that is destructive to the Winnemem Wintu people and the natural environment and calls upon U.S. Bureau of Reclamation and the Department of Interior to permanently terminate the project.

BE IT FURTHER RESOLVED that the _____(Name of Tribe)_______ call upon the U.S. Bureau of Reclamation and the Department of the Interior to fulfill their duties specified by the Central Valley Indian Lands Acquisition Act and provide the necessary just compensation to the Winnemem Wintu Tribe for the original construction of the Shasta Dam.

The foregoing resolution was passed by the ______(Title of the Tribe’s Governing Body) this _______ day of ________, 2020.

ATTEST:

Signed ___________________________ Date __________________

CC:

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