SNEE-NEE-CHUM

Noxws' á?aq / Always bracken fern roots

March 2024

Temwexés / Bullfrog Time



Representing the community



Event reflects on tribal fishing wins, ongoing battles

Pg. 4



Museum revamps tribal exhibit

Pg. 10



Tribe celebrates construction of new homes

Pg. 12

Tribal Council members take on the important role of representing the Nooksack Indian Tribe in settings ranging from local events to political engagements in Washington, D.C.

Chairwoman RoseMary LaClair and council members Ryawn Cline and Victoria Joe (pictured right to left above) recently attended an Affiliated Tribes of Northwest Indians convention and met with federal leaders to discuss funding needs.

While each of them are set to serve on Tribal Council several more years, four other positions of the eight-member council are up for election this month.

More on page 2...

SNEE-NEE-CHUM NOOKSACK INDIAN TRIBE PO Box 157 DEMING, WA 98244





NOOKSACK INDIAN TRIBE

We are a tribe located in our ancestral homeland in the northwest corner of Washington state. Our name comes from a place name in our language and translates to "always bracken fern roots," which illustrates our close ties to our land and the resources that continue to give strength to our people. Our tribe is located in Deming, nestled amongst majestic mountains, lush forest, and the meandering and dynamic Nooksack River. Here in this scenic locale, we maintain a Tribal Council and Tribal Government. Both our Council and Government work to create a better future for every Nooksack and to ensure our tribe's sovereignty.



Nooksack Tribal Council

RoseMary LaClair, Chairwoman Alita Charles, Vice-Chairwoman Gary E. Kentner, Treasurer Frank Leyva, Secretary Roman Swanaset-Simmonds, Council Member Victoria Joe, Council Member Ryawn Cline, Council Member Roy Bailey, Council Member

Snee-Nee-Chum Newsletter

Newsletter Editor: Kimberly Cauvel Official publication of the Nooksack Indian Tribe PO Box 157 Deming, WA 98244 Website: nooksacktribe.org

Share with Snee-Nee-Chum

Submit news, announcements, celebrations, or department updates for consideration to Kimberly at kimberly. nooksackcommunications@gmail. com. Items for the April newsletter are due March 15.





Tribal Council candidates advance to general election

Four positions on the eight-member Nooksack Tribal Council are up for election this year: vice-chair, treasurer, and positions C and D.

Current Vice-Chairwoman Alita Charles, who was appointed to the position in September 2022, is not running for election. Current council member Roy Bailey and the tribe's events coordinator Anna Brewer are running for the seat.

Gary Kentner, current treasurer, is running for re-election against Leon Cline.

In the race for council seat

C, which Bailey currently holds, the tribe's health director Lona Johnson and housing authority staff member Jessie Madera advanced in the primary election.

Ryawn Cline is running for re-election to council seat D unopposed.

Here's more about the candidates —

Roy Bailey

Roy Bailey is running for vicechair after serving several terms in other Tribal Council positions; most recently, position C.

He is a Nooksack descen-



ROY BAIL FY

Continued on next page...

2024 General Election

March 16, 2024

Below are the Candidates appearing on the 2024 General Election Ballot

VICE CHAIRMAN:

Roy Lee Bailey Anna Rebecca Brewer

TREASURER:

Gary Eugene Kentner Leon Thomas Cline

COUNCIL SEAT - C:

Jesse Felix Madera Agripina (Lona) Laelana Johnson

COUNCIL SEAT - D:

Ryawn Kelly Cline

Voting Location:

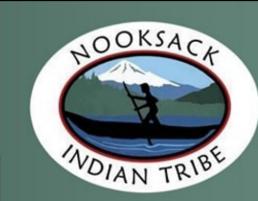
Mi sq' eq' ó Community Building 2515 Sulwhanon Road Everson, Washington

Polling Hours - General Election

Polls are open from 9 am – 5 pm March 14, 15 & 16, 2024

Absentee Voting:

Voters requesting an Absentee ballot for the General Election prior to the deadline of January 5, 2024 will have an Absentee mailed to them automatically.



FOR QUESTIONS, CONTACT Terry Rainey at:

e-mail: trainey@electionpeople.com Phone: Terry Rainey (505) 980-1076



See full candidate information online at nookscaktribe.org.

dant of the Roberts and Sulkanum families through his mother Sandra Joseph and is a descendant of the Swinomish and Upper Skagit tribes through his father Lawrence Bailey.

and Katie, and said in his candidate statement that he is dedicated to serving the Nooksack were Alvida Julian nee George Tribe.

Since high school, he has been involved with the tribe muxw First Nations, and his professionally, from tutoring younger students to currently serving as director of enrollment.

Anna Brewer

Anna Brewer is running for vice-chair.

She is a descendant of the George family; Her parents are Art and Becky George, her grandfather is Roy George Sr., and her great-grandfather is Sam George.

She has three teenage children-Isabella, Isaac, and Isaiah-with her husband of 20 vears, Jeremy Brewer.

Anna home-schooled her children and worked as an insurance agent before becoming Nooksack's events coordinator in June. Homeschooling was not an easy road to take, but she stuck with it because she felt it was the right path for her family.

"I will bring that same tenacity and stick-to-it-iveness to the position of vice chairman if elected," she said in her candidate statement.

Leon Cline

Leon Cline is running for Treasurer.

His father is Lexe'ym, Darrel Cline, of Nooksack, and his paternal grandparents were Nooksack tribal members Charlie Roy has two children, Jordan Cline and Rowena Roberts nee Antone.

> His maternal grandparents and Philip Thomas, from the Tsleil-Waututh and Sneneymother was Carole Thomas of Snuneymuxw.

In 2017, Leon was given a Tlingit name, Kaa dekwutz.

Born and raised in Whatcom County and employed with Nooksack in various roles since 1999, Leon said in his candidate statement that he would bring diligence, discipline, initiative and energy to a role on Tribal Council.

A graduate of Northwest Indian College, Leon said one of his goals is to inspire other tribal members to pursue higher education.



LEON CLINE



ANNA BREWER

Gary Kentner

Gary Kentner is seeking re-election as Treasurer. He did not submit a candidate statement.

Lona Johnson

Lona Johnson is running for Tribal Council position C.

She is a descendant of the Sulkanum family and was given the traditional name Hysaleetsa by her paternal great-grandparents Bertha and Morris Dan. She has four children—Alec, Hamilton, Moses, and Shoshanah-with her husband Joseph Johnson-Bob.

She is currently the Director of the Nooksack Health Department. She previously served in other roles at the tribe.

Lona holds a master's degree in public administration in tribal governance and has held leadership roles including with the National Congress of American Indians, Affiliated Tribes of

Northwest Indians, and Northwest Washington Indian Health Board. She also enjoys competing in war canoe races, which she said in her candidate statement has taught her about dedication, commitment, and teamwork.

Jessie Madera

Jessie Madera is running for Tribal Council position C. He is a longtime member of the Nooksack Housing Authority maintenance team, a volunteer firefighter for Whatcom County Fire District 1, and hopes to earn a position on Tribal Council.

"It is my dedication and commitment to this community that keeps me going," he said in his candidate statement.

Jessie is a proud graduate of Northwest Indian College and has worked for the tribe for more than 20 years.

He is married, has six children and four grandchildren. •

Leadership connects in D.C.

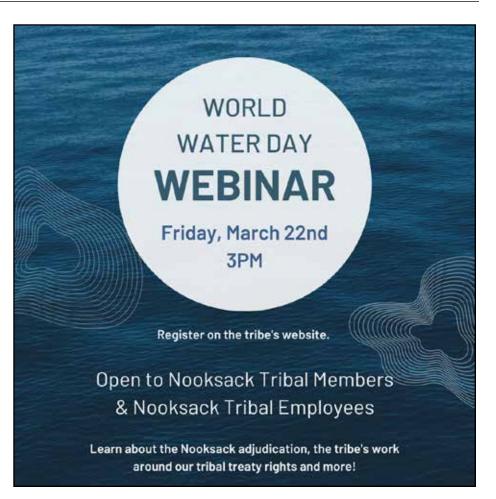




Photos from Lisa Wilson, Lummi



Chairwoman RoseMary LaClair, councilman Ryawn Cline, and councilwoman Victoria Joe (pictured counterclockwise from top left photo) connected with members of other tribal nations at an Affiliated Tribes of Northwest Indians event in Washington, D.C., in February.



Event recounts treaty fishing challenges, from civil rights to climate change





US V. WA 50 ≻

LEFT - RoseMary LaClair, center, laughs with her mother and godmother at the 50th anniversary

NWIFC photos



Leading up to the February 12 anniversary of Judge George Boldt's 1974 ruling in U.S. v. Washington, hundreds of members of treaty tribes gathered at the Muckleshoot Events Center in Auburn to reflect on the years before and since that pivotal moment in court.

Nooksack Chairwoman RoseMary LaClair and staff of the tribe's Cultural Resources Department were in attendance. Over two days, they heard from Fish Wars veterans, attorneys, and Boldt's descendants about the turmoil that led to the famous treaty rights lawsuit and the ways fisheries management has evolved in the region since.

"It was nice to have a refresher on the Boldt decision," LaClair said. "I did research the Boldt decision in high school and it kind of felt like ancient history. But it's not. Fifty years really isn't that long ago."

For elders including Doreen Maloney of the Upper Skagit Indian Tribe and Ramona Bennett of the Puyallup Tribe, memories from the Fish Wars remain vivid in their minds. They recounted some of their experiences—a mix of challenging and painful times with some fun and celebratory moments-with the crowd. Many speakers recalled tribal fishermen trying to harvest salmon in the dark to avoid the arrests, beatings, and destruction of gear that they often endured in the daylight.

Being a young leader, LaClair said it was impactful to hear from those who lived through the battle. She was also struck by comments from treaty fishing activist Billy Frank Jr.'s son Willie Frank III, who is the current Chair of the Nisqually Indian Tribe and is passionate about reclaiming Native heritage in the Northwest and beyond.

"One quote that I remember strongly is when Willie Frank was talking and he said: 'To be Native American and alive today is to have survived genocide'," LaClair said.

Political leaders and fish and game authorities of Washington state in the 1960s and 1970s tried to erase the tribes' fishing culture and failed. Boldt ordered that the state honor treaties between the tribes and the United States as the tribes had understood them; to ensure access to fish and other traditional foods and medicines in perpetuity.

"Nooksack is a tribe that fishes, and we always have historically," LaClair said.

The U.S. Supreme Court later upheld the tribes' treaty rights to fish as interpreted by Boldt, and co-management between the tribes and the state was born.

"My biggest takeaway is that it's something that we still need to work on," LaClair said. "Comanagement with the tribes and the state, it's a relationship

that still needs to be nurtured moving forward."

For Nooksack, while the treaty right to fish was reaffirmed decades ago, opportunities to harvest fish remain scarce.

LaClair herself hasn't had an opportunity to engage with the cultural practice. She said her brother has fished the Nooksack River a handful of times, her sister travels to other regions to fish, and her father has turned to hobby fishing.

"In recent generations, the lack of the resource and the environment that's damaged—all the things that lead up to why the fish are depleted—has had a real impact on our tribal members," LaClair said. "Both of mygrandfathers were fishermen. They did it for survival; to feed their families and put it away for winter. They also sold it to buy the things they couldn't harvest

themselves."

Her parents initially relied on fishing as well, although her father had to venture to Alaska to fish commercially. Now, salmon is a food LaClair and her loved ones savor at tribal events, but are rarely able to serve at their homes.

"Fish has been a part of our diet for thousands of years, but the resource has been lost," she said. "It's become a thing that for myself, it's not on my dinner table often. That's sad to know."

Tribal leaders shared at the anniversary event in February how they are continuing to fight for their Boldt-backed treaty rights to be maintained. Sustaining the resource—and therefore access to it—is increasingly challenged by human population growth, development, pollution, and climate change. •



RoseMary LaClair's brother, Kurtis Kelly, has fished the Nooksack River from a canoe a few times throughout his life.

TIMELINE — Before & after U.S. v. Washington

From treaty signings to the Fish Wars, and from the Boldt decision to the fight against environmental degradation, tribes remain on the front lines in the battle to save salmon and ensure continued access to the precious resource.

See a condensed version of a timeline provided at USvWA50 across pages 6-8.

Find the full timeline online: nwtreatytribes.org/usvwa







The late Judge George Boldt's daughter and grandson received honors, including blankets and a song by the Muckleshoot Canoe Family, at an event commemorating the 50th anniversary of Boldt's court ruling that reaffirmed tribes' treaty rights to harvest fish on and off of reservations.

 $NWIFC\ photo$

Remembering Billy Frank Jr.





Many memories of the late tribal fishing rights activist Billy Frank Jr., shown projected on a screen above, were shared in February at an event marking 50 years since the Boldt decision.

Frank encouraged tribes to always tell their stories, tell the truth, and look for common ground when fighting for treaty rights and the environment. His son Willie Frank III, at left, spoke several times throughout the event.

NWIFC photos



FISH COMMISSION ELECTIONS were held Jan. 27.



The resuls:

Position B - Dan Olson Alt. B - Mamie Olson



Words of the Month

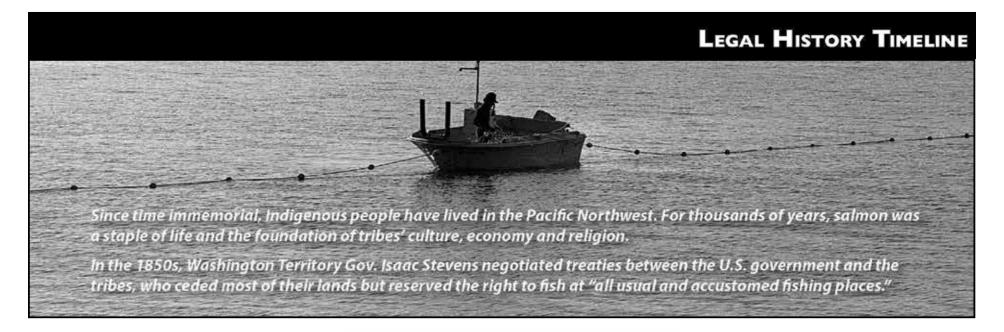
Slhiyoě7lhchalh

Ours. It's ours.

Hear the March
Word of the Month
at nooksacktribe.org/word/.



NOOKSACK CULTURE PROGRAM



STATE OVERSTEPS

1889

The first Washington State Legislature creates the office of Fish Commissioner to manage the fisheries of the state. For the next quarter of a century, state lawmakers and local authorities attempt to regulate tribal fisheries in violation of tribes' treaty-reserved rights.

May 16, 1905

In the first major fishing rights case to reach the United States Supreme Court, U.S. v. Winans, the justices hold that treaty Indians had reserved the right to cross non-Indian lands to fish at "usual and accustomed" places and that treaties are to be interpreted the way Indians had understood them.

January 11, 1946

Milo Moore, Washington state director of fisheries, meets with representatives of the Northwest Federation of American Indians to discuss cooperation in fishing matters and to ask Indians to obey state fishing laws. He does not get the cooperation he hoped for, and instead, "Prominent Indians from many tribes spoke on fisheries matters, and it was the general opinion that pollution, dams and water diversion were mainly responsible for the decline in salmon population."

November 4, 1963

Washington departments of Fisheries and Game file suit in state court to establish state authority to prohibit net fishing by Indians off-reservation. The state wins. However, by the 1960s, Northwest Indians are more militant and organized than in the past. With the support of the Bureau of Indian Affairs, the Department of Justice and tribal lawyers, tribes commence a series of legal actions to counter the state's efforts to eradicate treaty fishing rights. The ensuing physical confrontations and legal battles lead to *U.S. v. Washington*.

GOING TO COURT

May 27, 1968

The Supreme Court, in Puyallup Tribe of Indians v. Department of Game (Puyallup I), holds that the state of Washington could restrict Indian net fishing when necessary for conservation of the resource, and returns the case to state court to determine if existing regulations are "necessary."



Billy Frank Jr. harvests fish in 1973. Photo: Tom Thompson

July 8, 1969

In Sohappy v. Smith, 14 Yakama tribal members file suit against Oregon's regulation of off-reservation fishing. The U.S. and the Yakama, Warm Springs, Umatilla and Nez Perce tribes also sue to enforce Indian off-reservation fishing rights in U.S. v. Oregon. The federal court combines the two cases.

U.S. District Judge Robert Belloni decides in Sohappy v. Smith that treaties must be read to reflect the intent of the tribes, with strong protection of tribal off-reservation fishing rights. He rules that tribes must have a "fair share" of the salmon resource.

September 18, 1970

The federal government files U.S. v. Washington, challenging the state's interference with tribal harvest through discriminatory regulation and enforcement, on behalf of seven federally recognized tribes: Hoh, Makah, Muckleshoot, Nisqually, Puyallup, Quileute and Skokomish.

October 19, 1970

Quinault files to intervene in the case.

January 14 & 18, 1971

Yakama and Lummi file motions to intervene.

February 17, 1971

No party opposes motions to intervene that also include the Squaxin and Sauk-Suiattle tribes.

April 1, 1971

Upper Skagit files its motion to intervene.

June 4, 1971

The Stillaguamish Tribe of Indians files to intervene.

August 13, 1971

The Muckleshoot, Squaxin Island, Sauk-Suiattle, Skokomish and Stillaguamish tribes amend the complaint: If the tribes have a right to fish in common with the citizens of the United States, then the tribes have the implied right to have habitat for the fish protected.

November 19, 1973

The U.S. Supreme Court decision in Washington Department of Game v. Puyallup Tribe (Puyallup II) upholds the Indian right to net fish commercially for steelhead and returns the case to state courts to determine allocations.

TURNING POINT: Boldt decision

February 12, 1974

Judge George Boldt's ruling in *U.S. v. Washington*—in what is commonly referred to as the Boldt decision— reaffirms the tribes' treaty-reserved rights to harvest salmon and steelhead. The decision also recognized the tribes as comanagers of salmon and other fish.

The tribes of Washington had ceded their land to the United States, but reserved the right to fish as they had always done, including fishing at traditional locations that were off their reservations.

May-September 1974

Seven more tribes intervene in *U.S. v. Washington* during the appellate process: the Swinomish Indian Tribal Community, Tulalip Tribes, Suquamish Tribe, Port Gamble Clallam Indians (now Port Gamble S'Klallam Tribe), Lower Elwha Band of Clallam Indians (now Lower Elwha Klallam Tribe), Nooksack Indian Tribe and Jamestown S'Klallam Tribe.

June 24, 1974

A charter committee meets in Seattle to develop a constitution and bylaws for the Northwest Indian Fisheries Commission (NWIFC).

The charter charges the commission with giving the treaty tribes "the capability of speaking with a single voice on fisheries management and conservation matters."

January 14, 1975

Judge Boldt prohibits Washington from excluding hatchery-produced steelhead from the Indian treaty entitlement on rivers other than the Puyallup, pending final determination of that question by a federal court.

April 8, 1975

Judge Boldt expands the *U.S. v. Washing-ton* decision to herring and approves a sac-roe herring fishery management plan for 1975 that allocates equal shares of the off-reservation commercial catch to Indians and non-Indians.

June 4, 1975

The 9th U.S. Circuit Court of Appeals upholds Judge Boldt's ruling in U.S. v. Washington.

July 19, 1975

Judge Boldt orders the state to permit Indians to fish with any type of gear during the entire period open to U.S. fishermen under International Pacific Salmon Fisheries Commission regulations.

August 20, 1975

U.S. District Judge Belloni issues a supplemental order in U.S. v. Oregon, declaring that treaty tribes must have an opportunity to harvest up to 50% of Columbia River fall chinook that the states allow to be taken by all user groups and which are destined to return to the tribes' usual and accustomed fishing places.

October 20, 1975

The state files a petition for the U.S. Supreme Court to review decisions made by lower courts in *U.S. v. Washington*.

October 21, 1975

In subsequent rulings, Judge Boldt prohibits or limits Indian on-reservation fishing in several instances where he found such restriction necessary to ensure adequate spawning.

October 22, 1975

Judge Boldt rules that he has jurisdiction to restrict Indian on-reservation fishing on runs affected by his decree when necessary or to preserve the runs. The Puyallup and Nisqually tribes appeal this ruling to the 9th Circuit.

October 27, 1975

Judge Boldt names a Fisheries Advisory Board consisting of one state representative and one Indian representative to attempt to reach agreement on fisheries regulatory matters prior to submission to the court for judicial determination. Article in Northwest Indian News following Judge George Boldt's decision in February 1974.

Boldt's Name 'Synonymous with Rights'

BY BRUCE VAN BROCKLI

to the state of Montans as a child, but it was in a Tacoms courtroom that the name George Hugo Boldf was to become synonymous with Indian treaty linking rights, for in February, 1974, the federal district court judge's ruling that Western Washington treaty Indians were western washington to 50% of the harvestable salmon catch set off a shock were which swept the nation.

Judge Boldt's historic ruling came after three fong years of study of the facts surrounding the 1950's treaties agreed by the U.S. government and Western Washington these. Refrecting on the case, U.S. v. Wissington, Judge Boldt said, "in the early days of our country, the judges who first spoke on loider rights have always had such a profound sense of guilf in taking away the ledians" Meelihood that they made plans for them to have other places to go and figh.

"It's always been that way, all down through the years, I know, I reed those decisions."

on July 2, 1979, the U.S. Supreme Court agreed. In a convincing 6-3 ruling, it upheld wirtually all of Bold's 194 decision, save a disagreement over counting on-reservation fish catches as aer of the Indiams' total share.

corrinds, and obegoes any possion in any anything 'yes' or 'no' about it."

Amid the non-Indian calls for impeachment and the considerable action, little has been said publicly of the

After moving to Montana, Boldt



RETIRED FEDERAL DISTRICT JUDGE GEORGE BOLDT His cases touched underworld, taxes, and tribal realities

During his more than 20 years on mind in handing out tough sentences in bench, he developed a reputation for cases involving underworld leaders an

In 1970, he presided over the trial of the Seattle Seven Conspiracy where he declared a mistrial, ruling the actions of

the defendants had prejudiced the jury. In 1971, President Nixon called upon Boldt to head a special Pay

The Indian rights decision on fishing, however, was to bring the most intense public opposition. Bumper stickers calling for his impeachment and such pedestrian outcries as "Judge Bolidt is an indian Giner" sprouted all around the Sound.

Those busily organizing to impeach the judge most likely had no knowledge of the University of Puget Sound treatee's former activities in behalf of minorities, in his World Wat II service as an Army Colonel with the CSS in Surma, Boldt had admonished his troops for making derogatory racial statements about Japanese in the presence of Nisel (American-born Japanese) soldiers on the base.

At the time, the two major daily newapapers in Western Weshington, the Post-intelligencer and the Seattle Times, outsided collorials praising Solet's Firmness, Falmess, and Intellect." Barely five months later, the United States Supreme Court. in a ruling which read like a recitation of Solid's scholarnito, windicated the retired fustice.

The ball is now clearly in the State's court and one can reasonably assume

Judge Boldt also orders the state to allow Indians to take a greater share of the 1975 harvestable chum salmon as an "equitable adjustment" for the "substantial and significant" denial of their opportunity to take an equal share of coho salmon after state courts hampered enforcement against unauthorized nontreaty fishing in direct violation of the federal court's order.

January 26, 1976

The Supreme Court declines to review *U.S. v. Washington,* thereby reaffirming Judge Boldt's decision and the ruling of the 9th Circuit.

January 28, 1976

The 9th Circuit affirms Judge Belloni's May 8, 1974, order that Columbia River treaty tribes are entitled to 50% of the harvestable runs destined to reach the tribes' usual and accustomed fishing grounds and stations.

February 1977

In *U.S. v. Oregon*, the federal court approves a five-year plan for an inriver harvest-sharing formula between non-Indian and Indian fisheries. The plan fails because it does not include controls on ocean harvests or specific measures to replace fish runs destroyed by development.

March 1977

The Yakama, Warm Springs, Umatilla and Nez Perce tribes create the Columbia River Inter-Tribal Fish Commission.

March 22, 1979

Judge Boldt approves an interim plan for implementation of his decision in *U.S. v. Washington* and appoints a fisheries technical advisor and a designated master, who is assigned to hear subsequent matters in specialized cases.

July 2, 1979

In Washington v. Washington State
Commercial Passenger Fishing Vessel,
the Supreme Court upholds U.S. v.
Washington, ruling that the treaties
secured the tribes a right to harvest a
share of each run of anadromous fish
that passes through tribal fishing areas.

AN EVOLVING BATTLE

1980-82

Columbia River, Puget Sound and Washington Coast tribes sue the U.S. Secretary of Commerce over ocean fishing regulations because a large percentage of treaty fish were being caught in waters managed by the Department of Commerce. The federal government is ordered to regulate ocean fisheries to ensure that a reasonable number of salmon reach tribal fishing places.

September 26, 1980

In the first ruling of *U.S. v. Washington*, Phase II, Judge William Orrick holds there is a duty imposed upon the state, as well as the U.S. and third parties, to refrain from degrading fish habitat to an extent that would deprive the tribes of their moderate living needs. Orrick also prohibits the state from damaging fish habitat and includes hatchery-raised fish in the allocation to Indians.

October 12, 1984

The tribes and state receive an 18-month stay of proceeding in *U.S. v. Washington*, Phase II, to negotiate the Timber/Fish/Wildlife (TFW) Agreement.

March 1985

President Ronald Reagan and Canadian Prime Minister Brian Mulroney sign the U.S./Canada Pacific Salmon Treaty, which reduces Canadian and Alaskan harvest of Columbia River salmon and adds tribal representation to the international decision-making body.

April 29, 1985

In the state's appeal of the Phase II decision, the 9th Circuit agrees that the state has treaty duties to protect habitat and affirms that hatchery fish are part of Indian/non-Indian fishing allocations but reverses a previous declaration on habitat, saying that the state's duties depend on the facts of particular habitataltering activities.

May 8, 1986

The U.S., state and tribes meet to discuss a tentative settlement for Phase II. There is no settlement, but the tribes and state secure a stay of the proceedings for 12-18 months.

1989

The tribes are willing to dismiss without prejudice U.S. v. Washington, Phase II, and seek cooperative resolution of environmental impacts to salmon habitat. After being denied protection of resources and fish habitat, the tribes are forced back into court to defend treaty-protected rights on a case-by-case basis.

June 23, 1993

Judge Barbara Rothstein dismisses without prejudice U.S. v. Washington, Phase II. All parties support this motion. Though Phase II was dismissed, the U.S. or tribes could reinitiate habitat-related litigation in the future.

December 20, 1994

In a subproceeding of U.S. v. Washington, Judge Edward Rafeedie declares tribal off-reservation shellfishing rights.

"The fact that some species were not taken before treaty time—either because they were inaccessible or the Indians chose not to take them—does not mean that their right to take such fish was limited. Because the 'right of taking fish' must be read as a reservation of the Indians' pre-existing rights, and because the right to take any species, without limit, pre-existed the Stevens Treaties, the court must read the 'right of taking fish' without any species limitation."

November 4, 1996

The Makah Tribe secures a win in a subproceeding regarding Pacific whiting and rockfish. The ruling reaffirms that the "right of taking fish" applies to all species found in "usual and accustomed fishing grounds and stations," whether or not those species were taken at treaty time.

March 16, 1999

The U.S. Department of the Interior adds nine salmon runs in the Pacific Northwest to the endangered species list. They join 15 others that are already listed.

Listed as endangered: Upper Columbia River spring chinook

Listed as threatened: Puget Sound chinook Lower Columbia River chinook Lake Ozette sockeye Hood Canal summer chum Lower Columbia River chum Mid-Columbia River steelhead Upper Willamette River chinook Upper Willamette River steelhead

Between 1985 and 2000, the tribes support the development of cooperative management approaches including TFW, Sustainable Forestry Roundtable, Forests and Fish Law, Chelan Agreement and State-Tribal Environmental Memorandum of Understanding.

FOCUS ON FISH PASSAGE

June 16, 2000

After several situations where the state refuses to work cooperatively, plaintiff tribes raise concerns about fish-blocking culverts and the failure of the state to protect the treaty-reserved rights of the tribes.

October 26, 2000

A formal mediation process is initiated for culvert concerns.

January 12, 2001

Twenty-one northwest Washington tribes, joined by the United States, ask the U.S. District Court to find that the state has a treaty-based duty to preserve fish runs and habitat, and to compel the state to repair or replace culverts that impede salmon migration.

March 5, 2002

Fishing groups challenge National Marine Fisheries Service regulations and annual allocations of Pacific whiting to the Makah Tribe. The court interprets treaty language as entitling the tribes "to take fifty percent of the salmon and other free-swimming fish in the water controlled by Washington."

August 22, 2007

Federal District Court Judge Ricardo Martinez issues a summary judgment holding that while culverts impeding fish migration are not the only factor impacting habitat, building and maintaining culverts that impede salmon migration diminished the size of the runs and thereby violated Washington state's obligations under the Stevens Treaties.

August 23, 2007

The court rules that state culverts that block fish and diminish salmon runs violate Indian treaty fishing rights. The ruling rests on historical facts that the state never disputed: Washington tribes refused to sell their land until they were assured a continued supply of fish in the treaties. "This paper secures your fish," Gov. Isaac Stevens had told the tribes. In essence, non-Indians paid for 5 million acres of Indian land by promising to protect Indian fisheries.

March 29, 2013

The court orders the state to significantly increase efforts to remove and replace state-owned culverts that block salmon and steelhead by 2030.

September 2013

In consultation with the tribes, the state files lists of fish barriers to be corrected by the departments of Transportation, Natural Resources, Parks, and Fish and Wildlife.

June 27, 2016

The 9th Circuit affirms the decision requiring the state to correct its barrier culverts. This reaffirms the fundamental principle that treaty rights to take fish include protecting and restoring fish habitat, and that the state's barrier culverts violate those rights.

October 2016

The departments of Natural Resources, Parks, and Fish and Wildlife meet the deadline to fix barrier culverts.

May 19, 2017

The 9th Circuit rejects the state's petition to rehear its decision.

January 12, 2018

The U.S. Supreme Court accepts a petition to review the case on the state's appeal.

April 18, 2018

Arguments are heard in Supreme Court.

June 11, 2018

The Supreme Court affirms the 9th Circuit decision, upholding the injunction ordering the state to repair its fish-blocking culverts.

February 2024

Treaty fishing rights, fisheries regulations, access to fishing places, and habitat protection—as affirmed in U.S. v. Washington—routinely shape legislative and regulatory decisions.

The tribes party to U.S. v. Washington commemorate the 50th anniversary of the Boldt decision as they continue to exercise their treaty-protected rights and steward the environment for the benefit of everyone in the Pacific Northwest.

NATURAL & CULTURAL RESOURCES DEPARTMENT

DEER & ELK SEASON IS CLOSED

Return tags by March 31 for a chance to win a \$100 fuel card for the Nooksack Market Center.



Contact Natural & Cultural Resources at 360-592-5140

In brief: Hunters' teachings

In addition to salmon fishing, hunting has long been part of the Nooksack way of life, and teachings about hunting with efficiency and with respect to the resource are often handed down relative to relative.

As elk and deer hunting season recently came to a close, George Swanaset Jr., front left in the photo, shared that it's often best to process a harvest in the field when it comes to big game.

"Sometimes when you are deep in the brush, by yourself, it is easier to debone on location," he said. "One of my favorite ways was to go through the back. This left the guts in the cavity. You are able to get all of the meat and use the hide as the pack."



Richard Julian Mathexwi shared that he was taught to pray before hunting, and to thank every animal harvested.

"My dad George Cline said you took a life, you shouldn't be proud of that. But we have to eat, so give thanks."





This project was made possible in part by the Institute of Museum and Library Services

Star of the week: Emmitt

Favorite food: Pizza Favorite book: Pete the Cat Favorite movie: The Lego Movie Best friend: Gus Gus

When I grow up I want to be: A

policeman

Favorite thing about the Youth Program: Going to library Favorite thing about school?

Soccer

If I could make one rule that everyone in the world had to follow, my rule would be: No cussing.



Star of the week: Montana

Favorite food: Pizza

Favorite book: Diary of a Wimpy

Favorite movie: Nightmare on Elm

Best friends: Jocelann, Ainsley,

Nakiah, Emery

When I grow up I want to be: A

Favorite thing about the Youth Program: Going to library, seeing

Jocelann

Favorite thing about school?

If I could make one rule that everyone in the world had to follow, my rule would be: Be nice.



Star of the week: Ava

Favorite food: Watermelons and strawberries

Favorite book: Baby Unicorn Favorite movie: Karate Sheep Who is your best friend? Kaylie When I grow up I want to be: A princess

Favorite thing about the Youth Program: I get to see my friends Favorite thing about school? Math

If I could make one rule that everyone in the world had to follow, my rule would be: No littering because the plants will die.



Star of the week: Ethan

Favorite food: Fry bread Favorite book: One Piece Favorite movie: One Piece Who are your best friends? Cam, Ben, Gavin, Emmitt

When I grow up I want to be: A

Favorite thing about the Youth **Program**: Going to library Favorite thing about school? Football

If I could make one rule that everyone in the world had to follow, my rule would be: No racism.



Tribe-focused exhibit reopens with updates



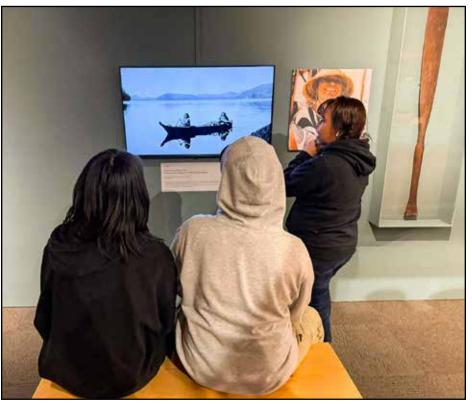
Photos from Nooksack Youth Program



The "People of the Sea and Cedar" exhibit re-opened at the Whatcom Museum's Lightcatcher building in February after a closure to install updates, including modern artwork by Nooksack's Louie Gong.

The exhibit was originally opened in partnership with the Nooksack and Lummi tribes in 2017. It showcases the culture of the tribes, from millennia ago to today.

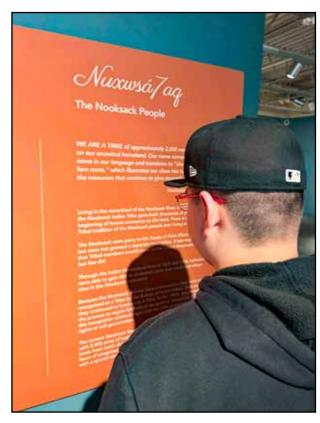
The Nooksack Youth Program explored the revamped exhibit in early February.











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Photos by Kimberly Cauvel

The revamped "People of the Sea and Cedar" exhibit highlights the success of Eighth Generation, a company established by Nooksack artist Louie Gong, and includes a dozen recordings of the tribe's Jeremiah Johnny speaking Lechelesem.

Visit the exhibit





Big celebration held for tribe's new tiny homes







Members of Tribal Council, along with elders, youth, and new residents, celebrated the tribe's three new tiny homes during a ribbon cutting ceremony on February 20.

The Sulkanum Singers gave a Prayer Song to bless the new residences and Chairwoman RoseMary LaClair spoke about the need for more tribal housing.

The new tiny homes will serve tribal members on the Nooksack Housing Authority's one- and two-person housing waitlist. Additional housing projects are in the works.



Upcoming Events COMMUNITY BREAKFAST 9 a.m. - 12 p.m. March 23 CULTURAL ACTIVITIES NIGHT 6 - 8:30 p.m. March 26 Dinner provided. MOVIE NIGHT 6:30 p.m. March 30 Dinner provided.

Overcome barriers to work

The North Intertribal Vocational Rehabilitation Program (NIVRP) serves disabled adults who have a permanent diagnosis that creates barriers to work.

We provide services to help individuals overcome those barriers and work toward a vocational goal that best suits their abilities.

Some barriers we have seen over the past 23 years include a lack of access to services for treatment of disabilities, to education or to training; a lack of job history, resume and cover letter; a lack of proper work attire; and a lack of driver's license and transportation. There are many more barriers caused by disabilities and they

Assisting Native Americans whose disabilities result in barriers to find employment, succeed at work and live independently in their Tribal communities.

are as unique as our clients.

We work diligently with each client's medical provider(s) to establish and work toward a goal that is suitable to their needs. We will ask for a release of interest to be your advocate and to discuss the best course of action to overcome the barriers you face because of a disability or disabilities.

If you feel you may qualify for vocational rehabilitation, please contact us. Vocational rehabilitation counselor Tammy Cooper-Woodrich is available at the Nooksack Social Services Office, 360-592-0135, Mondays and Tuesdays. She is at the Bellingham NIVRP office, 360-671-7626, Wednesday-Friday. Please call for an appointment.



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Free Legal Services for Low Income Native Americans and Alaska Natives

Do you have a civil (non-criminal) legal problem?

The **Native American Unit** (NAU) at **Northwest Justice Project** (NJP) provides free **civil** legal services to eligible Native Americans and Alaska Natives who cannot afford a lawyer in Washington. The NAU emphasizes cases involving state agencies' policies and practices that have had disproportionate, adverse impacts on Native communities. The NAU also has dedicated resources for legal matters that stem from being a victim of crime.

The NAU can work with you on:

- Protecting Indian monies (per capita, settlement, and other tribal income) from garnishment and/or impacting other income and benefits;
- Trust land rights leasing, rights of way, homeownership, and purchase/sale agreements;
- Child welfare and nonparental custody matters in state courts involving a Native child;
- Education suspensions, expulsions, special education, truancy, foster and homeless student issues;
- Civil matters relating to a client's experience as a crime victim, such as an eviction due to a domestic violence incident, protection orders for vulnerable adults, bullying at school, or sexual harassment in the workplace;
- Estate planning and probate issues before the BIA; and
- Other issues arising directly from a person's legal status as an American Indian or Alaska Native.

Kinstaadaal @ 99

To find out if we can help you, please scan here:



What is Northwest Justice Project?

The Northwest Justice Project (NJP) is a statewide non-profit organization with 21 offices in Washington State that provides free civil legal services to low-income people. NJP's mission is to secure justice through high quality legal advocacy that promotes the long-term well-being of low-income individuals, families, and communities.







Schools offer Spring Break food boxes

The Spring Pantry Program facilitated by the Foothills Food Bank is offered to all Mount Baker School District families during spring break. The program provides families with breakfast and lunch foods that children can prepare for themselves at home during the break.

How does it work? On Friday, March 29th, a box of nutritious breakfast and lunch foods will be delivered to participating families. You do not need to be home to accept delivery.

How do I sign up? The deadline to sign up is March 13. Use the QR code below to access the sign-up form, or contact your school's Family Services Coordinator:

Acme, MBA, Jr/Sr High:
Christina Ortiz
360-617-4511
cortiz@mtbaker.wednet.edu
ERC, Harmony: Kate Davies
360-617-4303
kdavies@mtbaker.wednet.edu
Kendall: Cynthia Flores

360-617-4406 cflores@mtbaker.wednet.edu





NOOKSACK OFFICE OF THE TRIBAL ATTORNEY

March Wills Clinic offered

A will allows you to select the person(s) who will handle your affairs and receive what you own after you pass on. It can be comforting knowing your family won't need to worry about these things or bear the expense of closing an estate. A will may be changed or updated if your wishes or life situation change.

Without a will, the BIA makes these decisions on your behalf through a lengthy process called probate. Nooksack contracts with attorney Kate Jones, who specializes in tribal wills, to provide wills clinics periodically so tribal members can have their wills done at no charge.

For any tribal members who are interested, Wills/Estate Planning clinic appointments are available on Wednesday, March 27th. The clinic is available to all enrolled Nooksack members and their spouses, aged 18 and over, at no cost to you.

To attend the clinic, please call or email attorney Kate Jones at 206-370-1034 or katejoneslaw@gmail.com to schedule your intake appointment. You may also call the Office of Tribal Attorney at 360-592-4158 ext. 3354 to leave a message for attorney Kate Jones. There is no charge and no obligation.

When you need probate

As soon as possible, contact any of the following offices to inform the BIA of the decedent's passing:

- The agency or BIA regional office nearest to where the decedent was enrolled:
 Bureau of Indian Affairs, 2707 Colby Avenue, Suite 1101 Everett, WA 98201.

 Phone: 425-622-9158.
- Any agency or BIA regional office: Bureau of Indian Affairs, The Federal Building, 911 NE 11th Ave. Portland, OR 97232. Phone: 503-231-6702.
- The Trust Beneficiary Call Center, Office of Special Trustee: (888) 678-6836.
 Email: tbccmail@btfa.
 gov. 4400 Masthead NE, Albuquerque, NM 87109.

Additional resources to assist your family in this difficult time:

- Your Land Your Decision (What is Probate?): www. bia.gov/bia/ots/dop/your-land
- The Trust Beneficiary Call Center, Office of Special Trustee: www.doi.gov/ost/ tbcc

Small bites

Food & Nutrition notes

Diabetes is a growing health concern across the United States and is prevalent among Native communities.

Nooksack and the Northwest Indian Health Board are offering programs this year to encourage diabetes prevention and management.

Having healthy snacks on hand is a key way to reduce and manage sugar intake.

Nooksack Diabetes Health Challenge

What is it? This annual challenge encourages patients established at the Nooksack Tribal Health Clinic to continue care for their diabetes.

How do I participate? Call the Nooksack Tribal Health Clinic and schedule an appointment with the Registered Dietitian Nutritionist as well as a diabetes health appointment with your medical provider. Once all the steps are complete, you will be eligible for a retail voucher.

2024 Four Tribes Diabetes Prevention Challenge

What is it? An opportunity for individuals with or without a diabetes diagnosis to win a trip to the Great Wolf Lodge with their family. Monthly goodies are also available throughout the year for participants who meet with the Registered Dietitian Nutritionist.

How do I participate? Call the Nooksack Tribal Health Clinic and schedule an appointment with the Registered Dietitian Nutritionist. Meet with her at least once a month to receive the monthly giveaway item. Check in about health-related goals throughout the year to receive up to four entries into the drawing for the Great Wolf Lodge trip.

Fruit & Vegetable Prescription Program

What is it? Participants receive vouchers to purchase fresh, frozen, and canned fruits and vegetables at their local Safeway. Nooksack households may be eligible to receive up to \$250 worth of vouchers over a 6-month period. Enrollment is open through June.

How do I enroll? Call the

Nooksack Tribal Health Clinic and add your name to the list for the Fruit & Vegetable Prescription Program. The Registered Dietitian Nutritionist will reach out with additional information.

Some nutritious snack ideas:

- Hard-boiled egg and banana
- Fresh or canned fruit and cottage cheese
- Orange or apple and string cheese
- Greek yogurt and fresh or

Contact Us

Meredith LaFrance

Registered Dietician Nutritionist at the Health Clinic

Office - (360) 966-2106

Email - mlafrance@nooksack-nsn.gov

- frozen fruit
- Almonds/Peanuts/Cashews and dried fruit
- Roasted chickpeas
- Snap peas and carrots with hummus
- Rice cake and peanut butter
- Whole wheat tortilla, peanut butter and banana rolled into a wrap
- Steamed edamame and fresh berries •

NOTICE - Excluded parties



LEGAL NOTICE - NICHOLAS RENE PEREZ

Nicholas Rene Perez (DOB 6/17/1985) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective July 13, 2011, pursuant to a Court ORDER, Case No. 11/07-CIV-046.

LEGAL NOTICE – NICHOLAS RABANG CUNANAN

Nicholas Rabang Cunanan (DOB 07/23/1983) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective September 30, 2014, pursuant to a Court ORDER, Case No. 11/07-CIV-047.

LEGAL NOTICE – MONTE ELDER SPEEDIS (AKA MONTE ROBERTS)

Monte Elder Speedis (DOB 12/26/81) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective August 24, 2016, pursuant to a Court ORDER, Case No. 2013-CI-EXC-001.

LEGAL NOTICE – ERNESTO SOSA

Ernesto Sosa (DOB 10/22/1992) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective April 17, 2019, pursuant to a Court ORDER, Case No. 2019-CI-EXC-001.

LEGAL NOTICE – KEITH EVERETT MILLER

Keith Everett Miller (DOB 1/19/1985) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective June 17, 2020, pursuant to a Court ORDER, Case No. 2020-CI-EXC-001.

LEGAL NOTICE - SHALEEN M. YOUNG

Shaleen M. Young (DOB 2/9/1976) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective August 13, 2020, pursuant to a Court ORDER, Case No. 2020-CI-EXC-002.

LEGAL NOTICE - MICHAEL OLENSLAGER

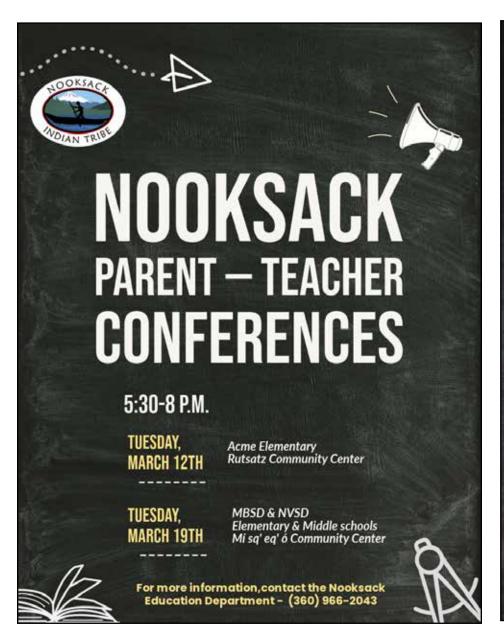
Michael Olenslager (DOB 2/26/1994) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective September 10, 2020, pursuant to a Court ORDER, Case No. 2020-CI-EXC-003.

LEGAL NOTICE – PATRICK STEPHAN MCDONALD

Patrick Stephan McDonald (DOB 1/7/74) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective April 14, 2021, pursuant to a Court ORDER, Case No. 2021-CI-EXC-001.

LEGAL NOTICE – ISAIAH LEVON CLARK

Isaiah Levon Clark (DOB 12/20/1983) is PERMANENTLY EXCLUDED FROM THE TERRITORIAL JURISDICTION OF THE NOOKSACK INDIAN TRIBE, effective March 10, 2023, pursuant to a Court ORDER, Case No. 2022-CI-EXC-001.





March 2024

Elders' Lunch Menu

Monday Every day: Fresh green salad and fresh fruit.	Tuesday	Wednesday	Thursday	Friday 1 Sweet & Sour Meatballs Rice Steamed Veggies Mandarin Oranges
4	5	6	7	8
Teriyaki Chicken Rice Steamed Veggies Pudding	Indian Tacos Beef, Cheese, Lettuce, Tomato, Onion & Salsa Jell-O w/ Fruit	Fish Sandwiches Clam Chowder Shrimp Caesar Salad Grapes	Beef Stew Roll Caesar Salad Cupcakes	CLOSED Billy Frank Jr. Day
11 Chili Burger French Fries Ice Cream w/ Berries	12 STOWW Day Pork Stir Fry Rice Egg Roll Blueberry Muffins	13 Chicken Fried Steak Mashed Potatoes Green Bean Casserole Applesauce	14 Corned Beef Hash Boiled Eggs Apple Crisps	15 Food Bank Friday Roasted Chicken Potato Salad Baked Beans Brownie
18	19	20	21	22
Beef & Broccoli Rice, Egg Roll Egg Drop Soup Ice Cream Sundaes	Chicken Burgers Cheese, Lettuce, Tomatoes Potato Wedges Fruit Salad	Hamburger Mashed Potatoes, Gravy Green Beans Jell-O w/ Fruit	Turkey & Ham Hoagie Cheese, Lettuce & Tomato Macaroni Salad Cookies	Pork Chops Boiled Potatoes Green Beans Coconut Rice Pudding
25	26	27	28	29
Chicken Strips Potato Wedges Coleslaw Fresh Fruit	Goulash Corn Garlic Bread Jell-O	Corned Beef Soup Roll Mixed Veggies Bread Pudding	Sheppard's Pie Chicken & Rice Soup Garden Salad Pears	Pork Noodles Steamed Veggies Fresh Melon

Nooksack Tribal Holidays

Tribal Offices will be closed on the following days in 2024:

Jan. 1 New Year's Day

Jan. 15 MLK Jr. Day

Jan. 22 Treaty Day

Feb. 19 Presidents' Day

Mar. 8 Billy Frank Jr. Day

Apr. 22 Mother Earth Day Obsv

May 27 Memorial Day

Jul. 4 Independence Day

Aug. 30 Fri before Labor Day

Sep. 2 Labor Day

Sep. 23 Governance Day

Oct. 14 Coast Salish Day

Nov. 11 Veterans Day

Nov. 28 Thanksgiving Day

Nov. 29 Native Heritage Day

Dec. 24 Admin Leave

Dec. 25 for Christmas

Dec. 26-31 Admin Leave

Tribal Council MEETING March 5



6 p.m. at the Mí sq' eq' ó Community Building 2515 Sulwhanon Dr, Everson, WA 98247

....(360) 592-5164



Kindergarten Registration

Mount Baker School District 2024-25 School Year

3:30 – 6:00 p.m.

Wednesday March 13 Harmony Elementary 360-383-2050 Wednesday
March 13
Kendall
Elementary
360- 383-2055

Thursday
March 14
Acme
Elementary
360-383-2045



Please bring your child!

Online Registration: https://www.mtbaker.wednet.edu/page/enrollment-transfers

If you need a printed packet or have questions please call!
We need your child's name on our "Class of 2037" list®

- > Students must be five (5) years old on or before August 31, 2024
- > You **must** provide immunization records and documentation of legal name and birthdate (birth certificate, ID card, or passport)



Tribal Council Office

Visit the Human Resources

Department page at

nooksacktribe.org

for information about
current job openings.



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Tribal Council Fax(360) 592-4506
Administrative Office Main
Early Childhood Education (Director Elvira Bitsoi) Head Start - Deming(360) 592-0141 Head Start - Everson(360) 966-0523
Education (Director: Donia Edwards) Education Main Office(360) 966-2043 Youth Program(360) 966-2043
Health Services (Director: Lona Johnson) Behavioral Health (360) 966-2376 Dental Clinic (360) 306-5151 Genesis II Office (360)-398-6399 Medical Clinic (360) 966-2106 Medical Business Office (360) 966-7704
Law Enforcement (Police Chief: Francisco Sanchez) Police Department(360) 592-9065
Natural & Cultural Resources Natural Resources (Interim Dir: Ned Currence)(360) 592-5176 Fishing and Shellfish Fisheries Hotline(360) 592-5140 Cultural Resources (Dir: George Swanaset, Jr.)(360) 306-5759
Social Services (Director: Heidi Davis)(360) 592-0135

Elders Office
Youth & Family Services
Other Services (360) 306-5756 Auto Shop (360) 306-5756 Child Support (360) 306-5090 Economic Development & Planning (360) 592-0162 Enrollment Office (Dir: Roy Bailey) (360) 592-0135 Facilities & Maintenance (Dir: Richard Edwards) (360) 592-0162 Housing Authority Office (Dir: Malori Klushkan) (360) 592-5163 Mí sq' eq' ó Community Building (360) 966-9153 North Intertribal Vocational Rehabilitation Program (360) 671-7626 Tribal Court Fax (360) 306-5181 Tribal Court (360) 306-5125 Tribal Gaming (360) 592-5472 Tribal Veterans Program (360) 592-5176
Casino & Market Center Nooksack Northwood Casino

