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**Private profit trumps religious freedom**  
*Winnemem Wintu Tribe Fights U.S. Forest Service*

Most people cannot imagine being charged to enter their church or temple, but if the U.S. Forest Service has its way, the Winnemem Wintu Tribe may have to do just that: pay in order to use their place of worship. The U.S. Forest Service is supporting a private company's right to profit from campground fees over the Tribe's religious freedom right to pray at their traditional sacred site.

**Who are the Winnemem Wintu?**

The Winnemem Wintu Tribe is a traditional Tribe whose ancestral lands are located along the McCloud River, south of Mount Shasta. The vast majority of the Tribe's sacred sites and lands are inaccessible – they were flooded after the construction of the Shasta Dam. "While our men were fighting for this country during World War II, we were displaced without due process or compensation in order to make way for Shasta Dam," explains Caleen Sisk-Franco, spiritual head of the Tribe. "If you want to talk about the letter of the law, the U.S. Bureau of Reclamation didn't even fulfill the obligations set out in law when the dam was constructed. We are still waiting for the government to fulfill its promises to our people."

**What is the Puberty Ceremony?**

The Winnemem Wintu have prayed for millennia along the McCloud River, which was once a sprawling village known as Kaibai. Today, tourists go there to picnic, camp and park their powerboats. The U.S. Forest Service subcontracts with Shasta Recreation Company to operate the campground.

The Puberty Ceremony honors the coming of age for young women from the Tribe and sets the Tribal foundation of existence. Fourteen year-old Waimem Sisk-Franco, the daughter of Winnemem leaders Caleen Sisk-Franco and Mark Franco, by tradition should undergo the ceremony this July. The ceremony is planned in correspondence with lunar and seasonal cycles and lasts four days. It consists of the young woman camping on one side of the river for three nights, learning from older women who visit her there, grinding herbs and medicines at a sacred rock, known as Puberty Rock. On the fourth day, when the moon is full, the fourteen year-old swims across the river and joins tribal dancers as a full-fledged woman.

The Winnemem Wintu Tribe has been planning a coming of age ceremony at a campground along a section of the McCloud River, which is owned by the U.S. Forest Service. The Tribe needs to use the campground privately for four days, but the government has effectively stopped the ceremony by refusing to waive campground fees and close a 200-yard section of the river.

## **U.S. Forest Service Refuses to Protect Winnemem Wintu's Religious Freedoms**

According to the Shasta Recreation Company, the Winnemem Wintu should pay \$1000 dollars out of their own pockets so the company can make a profit off the Tribe's use of the site. The Forest Service has decided to uphold the contractual rights of the vendor over the Tribe's religious right to access the sacred site.

"We are basically being told we have to pay to practice our religion, and we can't afford that. We have enough trouble making payments on PG&E bills - we didn't plan on payments or an entrance fee for our religious ceremonies. And no one should be able to make money off our ceremonies," declared Mark Franco, political Headman of the Tribe.

The Winnemem Wintu face additional challenges due to the Shasta Dam. Puberty Rock is under water half the year due to the fluctuating water levels of Shasta Reservoir, and it may be under water in July. The dam and management of the reservoir have prevented the Tribe from accessing many of their sacred sites, and they might face this challenge during the Puberty Ceremony.

"Isn't this country supposed to uphold religious freedoms?" asked Sisk-Franco. "By refusing to close the campground and this section of the river, it means our whole ceremony will be in danger. It is our right to practice our religion without fear, in privacy, and they are basically denying us that right."

### **What does the U.S. Forest Service say?**

The U.S. Forest Service insists that the letter of the law does not allow for exclusive use of 'public lands.' But according to allies who support the Tribe's usage of the site, this isn't about access to public land. "This is about access to a place of worship, like a church. And the government is trampling on the Tribe's religious freedoms to ensure a company makes a profit," said filmmaker Toby McLeod, who produced a documentary about the Winnemem for PBS. "This is a disturbing step backwards."

Throughout year-long negotiations with the Forest Service, the Tribe has been shunted back and forth between the Forest Service and the Shasta County Sheriff's Department in their effort to create a safe passage across the river for the ceremonial swimmers. Both agencies say it is someone else's responsibility to post signs or buoys. "One agency tells us one thing, another agency tells us another thing. And we have jumped through hoops to work with *all* of them for over a year now," says Gary Mulcahy, governmental liaison for the Tribe. "At some point, we have to ask ourselves, does the government value us so little that they would put our Tribal members at risk?"

### **What is at stake for the Winnemem Wintu Tribe?**

Even the impediments to the ceremony put the Tribe at risk, points out Sisk-Franco. "Maybe in all our meetings we have not made clear to the Forest Service what this ceremony means to the Tribe. This is a matter of survival – the Winnemem people need our ceremonies and our sacred places to live. The government is endangering our entire way of life by refusing to cooperate. All we are asking is for four days of campground use. That does not seem like too much to ask for the survival of an entire people."

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