FEDERAL SUBSISTENCE BOARD

TRIBAL CONSULTATION

VOLUME IV

EGAN CONVENTION CENTER
ANCHORAGE, ALASKA

January 21, 2011
9:00 o'clock a.m.

BOARD MEMBERS PRESENT:

Tim Towarak, Chairman
Kristin K'eit, Bureau of Indian Affairs
Geoff Haskett, U.S. Fish and Wildlife Service
Beth Pendleton, U.S. Forest Service
Sue Masica, National Park Service
Bud Cribley, Bureau of Land Management

Recorded and transcribed by:

Computer Matrix Court Reporters, LLC
135 Christensen Drive, Second Floor
Anchorage, AK 99501
907-243-0668
sahile@gci.net
CHAIRMAN TOWARAK: Good morning. Testing the speaker system here. We'd like to begin the process as soon as we can get people situated.

My name is Tim Towarak. I'm the Chairman for the Federal Subsistence Board. We just got done with two days of deliberations -- or three days actually of deliberation and we're ending it today with something that's very new to, not only us, but I think to everyone that's involved in any Federal agency.

I would like to welcome all of you today for our -- it's a historic move for the Federal Subsistence Board and the Federally-recognized tribes.

Before I go to introductions, I would like to say a few words about the purpose of today's meeting.

Consistent with Directives from the President of the United States and the Secretaries of the Interior and Agriculture, this Board and the program it represents will be emphasizing its relationship with tribes with the goal of increasing our government-to-government consultation with tribes and I might add onto this is that at this time, consultation has no preconceived definitions and hopefully by the end of today we'll have some direction from you as to what consultation with tribes should look like.

Speaking specifically to today's meeting that we intend to start the process of developing a tribal consultation protocol for the purpose of ensuring more comprehensive and effective future tribal involvement.

On December 28, 2010, letters were sent to all Alaska tribes and ANCSA Regional Corporations and Village Corporations inviting them to today's meeting with the Board and Regional Advisory Council Chairs. It is our goal to work with you to determine how best to structure future tribal consultations. It is also important to recognize the foundational role of the Regional Advisory Councils and the Federal Subsistence
Management Program. In making regulatory decisions, the Board must follow the recommendations of the Councils unless they are not supported by substantial evidence or violate recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of subsistence needs. That is why our Council Chairs are here today and why we will be discussing with the Councils during the coming winter meetings how they envision tribal government-to-government consultation should occur.

Based on input and discussions at today's meeting and later with the Councils, the Board will develop a draft document on the approach and vision for tribal consultation. This document will be shared with the tribes and Councils for their review and comment as we look towards finalizing this process.

As I stated on Tuesday, the Federal program is an outreach intensive program and we are always looking for new ways to engage subsistence users in the regulatory and management realm. Hearing from tribes is additional way to do this.

And as a matter of the mechanics of how we set it up today not knowing exactly how we wanted to do it yesterday, we wanted it to be as open as possible and we put chairs in a circle here hoping to use it as a means of having a free flow of information between not only us and you but the tribes that are on the phone. We've got a phone system here and my understanding is that we already have five people waiting to participate with us in our conversations today.

We have four stationary mics up here and we would like to invite tribal people as much as possible to sit within the circle and if you have plans to participate to sit either at one of the four tables here and the mics are all connected for our speaker system. We have a recording process going on over here that will record everything that is said today. We will use that as -- in meetings that I'm used to, these are called Minutes of the meeting, but it will be a public record for today's discussions.

When you do come up to participate, we'd like for you to state your name and the organization that you're representing for our records so that we will be able to substantiate recommendations that you make in the future.
And to begin this process -- and I have to emphasize that we have no format for how things are going to go today. We want it to be as open as possible and have people come up and freely express themselves on how you think the Federal Subsistence Board should generate tribal consultation.

And with that -- and you might hear more explanations as we go, but I would like to introduce the Board members -- the Federal Subsistence Board who are sitting throughout the buildings here. Sue, if you could begin. I'm sorry. We've got four Board members here.

MS. PENDLETON: Good morning. I'm Beth Pendleton. I'm with the U.S. Forest Service down in Juneau and I'm the Regional Forester.

MR. CRIBLEY: Good morning. I'm Bud Cribley and I'm with the Bureau of Land Management and I'm the State Director of the State here in Anchorage.

MS. K'EIT: Good morning. Welcome. I'm Kristin K'eit with Bureau of Indian Affairs. I'm the Division Director for Environmental and Cultural Resources Management and this week I've been the appointed Board member.

MS. MASICA: Good morning. My name is Sue Masica and I'm the Regional Director of the National Park Service and I'm based here in Anchorage.

MR. HASKETT: Sue, thanks. Good morning. I'm Geoff Haskett. I'm the Regional Director with the Fish and Wildlife Service here in Anchorage.

CHAIRMAN TOWARAK: That's the makeup of the Federal Subsistence Board. I am the Chairman.

I'd like to introduce Pat Pourchot. Pat is the Special Assistant for the Secretary of Interior for Alaska issues and his offices are here in Anchorage and his phone is listed in the directory if there's ever any desire to communicate with the Department of Interior.

We also have some of our Regional Advisory Council Chairman who are participating in our -- have been participating in our deliberations here for the last three days and I would like to have them introduce themselves.
MR. L. WILDE:  Good morning.  My name is Lester Wilde.  I'm from Hooper Bay and I Chair the YK Yukon-Kuskokwim Regional Advisory Council.

MS. CHYTHLOOK:  Good morning.  My name is Molly Chythlook.  I live in Dillingham and I Chair the Bristol Bay Regional Advisory Council.  Good morning again.

MR. LOHSE:  Good morning.  I'm Ralph Lohse, Copper Basin resident from the mouth to the headwaters and I Chair the Southcentral Regional Advisory Council.

MR. ADAMS:  (In Tlingit) It means honorable people.  (In Tlingit) That means good morning.  My name is Bert Adams, Sr., and I'm the Chairman for the Southeast Regional Advisory Council.  It's good to see many of you here.

MR. FIRMIN:  My name's Andrew Firmin. I'm the Eastern Interior Regional Advisory Council's representative and I'm also here representing the Council of Athabaskan Tribal Governments.

MR. SAMPSON:  Taku.  (In Inupiat) Thank you very much and good morning.  My name is Walter Sampson and I'm the president.....

(Laughter)

MR. SAMPSON:  The Chairman of the Northwest Arctic Regional Advisory Council.

MS. AHTUANGARUAK:  Good morning.  Thank you all for coming.  Your participation is greatly appreciated.  My name is Rosemary Ahtuangaruak.  I live in Barrow.  I've spent 25 years in Nuiqsut.

CHAIRMAN TOWARAK:  Thank you.  We also have Peter Buck who is representing the Seward Peninsula Regional Advisory Council.  The Chairman, Ralph Weaver Ivanoff, had a stroke about four or five months and he is still the Chair, but he's unable to participate and Peter Buck is representing the Seward Peninsula Advisory Council.  So, Peter, if you could come up here and join us, we would be happy for you to be part of this the -- you know, the circle here.
I'd like to introduce Albert Kookesh. AFN, in my mind, is the largest statewide tribal organization and in one of our meetings, I suggested that we've got to figure out ways to communicate on a layer-to-layer basis and since the Subsistence Board is a statewide organization and we represent all statewide issues, AFN, I think, as a tribal organization, is a good way to start our sessions and giving us direction on how tribal consultations should take place. So, Albert, if I could give you the mic, I'd like to begin with you.

MR. KOOKESH: I was glad you didn't ask me to pray.

(Laughter)

MR. KOOKESH: Well, I appreciate being here. I intended to come just to listen. Many of you know what AFN is, if there's anybody here who doesn't know what the AFN is, then you haven't been in Alaska for very long. I appreciate the opportunity just to say a few words on behalf of AFN.

Many of you know I'm the Chairman of AFN, or co-Chairman of the AFN and I appreciate being here. To members of the Board -- the Subsistence Board, thank you very much for the work that you do. As you probably know, I'm one of the people who have complained about this Board and went to the Secretary of Interior and said subsistence is broken. We need to do something different in Alaska. It wasn't a personal attack on any of you. It was dissatisfaction with what many of us in this room saw happening for subsistence in Alaska and I think if anybody can stand up here and say that, I can.

I was in the Legislature for ten years and we tried a constitutional amendment passed in the State Legislature and the Native community -- I was also the Chairman of the AFN then and the Native community spent upwards of $10 million trying to get a constitutional amendment in the State Constitution and we were not able to do it. We have polls in Alaska that say 70 percent of the people in Alaska would vote for a constitutional amendment, but the bottleneck was the Alaska Legislature. So we were unable to get that done.

So what we decided after ten years and our recommendation to the Board was let's not spend any more money on the State of Alaska trying to get a constitutional amendment. Let's spend the rest of our
money and the rest of our lives protecting what we have under Title VIII of ANILCA and we've done that. So when you see AFN coming and complaining about the Federal Subsistence Board, it's because of that work that we've dedicated ourselves to protecting what protections we have under the law, which is only Title VIII of ANILCA. The State of Alaska does not have a constitutional protection for subsistence. The highest and best use is the best they can do for us in Alaska.

I appreciate the work that you do. I appreciate the consultation process that is starting here. I want to tell you something that I saw over the years. The keyword before consultation was cooperative management. Many of you remember that. Many of you tribal members remember that. We're going to do cooperative management. We found out, those of us in the Native community, that cooperative management meant that the Native people would cooperate and somebody else would manage. And so we are not there anymore. We're now here at the consultation process. The consultation process is important to tribes in Alaska. AFN supports that process. AFN wants that process to go forward. The tribes need to have a say on the ground on what is happening on subsistence in Alaska. We support that.

For those of you who don't know, AFN is made up of three components: tribes, and 60 percent of the tribes in Alaska are members of AFN, are paying -- dues paying members of AFN. 60 percent. A hundred percent of the Village Corporations are members and a hundred percent of the Regional Corporations are members, so we have a diversity at the AFN level and we are probably the largest Native organization in Alaska that has some credibility in Alaska and in the Lower 48. But consultation with tribes is so important to us that I'm here today to tell you that we support and we want it to help, but we want it done right. We want the tribes to have a say and not to be disrespectful to the RACs, not to be disrespectful to the RACs, but they are not tribes. Remember that. The RACs are not tribes.

The tribes have to have the say. The tribes have to have the consultation. And AFN is going to stand behind them a hundred percent. We have tribes in Alaska that are dissatisfied, for example, of ANCSA. We understand and recognize that. But when it comes to subsistence, we're all together on the question. We're all together on trying to find the answer and consultation's part of that answer. I've looked at the
work that you do here in this room and the words that you
hear from members of the tribes, recognize how important
consultation is. You have to be able to get the wishes of
the people on the ground to a point of factual
conclusion. You have to be able to do that. You can't
sit up there and think that you have all of the answers
in your head when the people who are on the ground and
who live the subsistence lifestyle know the problems and
know what the answers have to be -- you have to listen to
them. That, to me, is what consultation is all about:
listening to the people who live the life.

On behalf of Julie Kitka and the AFN
Board, I want to thank you for allowing me to say a few
words. I appreciate Pat Pourchot being here and, Pat --
I really criticized Pat in the past, he and I have worked
together for a lot of years in the Knowles
Administration, and together in other areas, and the
Legislature. I appreciate his being here. It's good to
see you here, Pat, and people who don't really know him,
you know, he's a really good guy to work with and I
appreciate having him here.

Again, on behalf of the AFN Board, thank
you for allowing me to say a few words. I am just here
to encourage people to talk.

If nothing else -- members of the Board,
if nothing else, open a dialogue that is flowing both
ways. Open a dialogue that's flowing both ways. It
can't just come from you telling us how to live, how to
survive in our subsistence lifestyle. You have to work
with the people on the ground.

Thank you very much for your time and I
appreciate the effort here, of the interest.

CHAIRMAN TOWARAK: Thanks Albert. Thank
you, Albert. We'd like to encourage especially tribal
members to join us on the chairs that are in front and
for those of you -- I've heard that there's a couple of
people that have other medical appointments later on
today and they have requested that they be heard as soon
as we get started. So feel free to fill all the four
tables up here where the mics are and we will just
hopefully begin some kind of a dialogue with the tribes
in Alaska so that we can begin the process as soon as I
-- Mr. Jackson, are you available? Why don't you give us
-- get us started and invite others to join you up on
these four tables here.
MR. JACKSON: Thank you, Mr. Chair. My name is Willard Jackson, KIC Tribal Council. I'm here with my brother, Richard Jackson who is a -- the Grand Camp President. I'm honored to be sitting here and be talking about our issues as a tribe.

Two days I mentioned that I feel that and I feel the same way Senator Kookesh feels. We feel that the RAC Board and the Federal Subsistence Board need to come to the tribal councils, the leaders of your communities and your villages. They are the governing body for the tribe. Ketchikan is a -- Ketchikan Indian Community is a population of 5,580. We're a hub area in the Southeast area. We have families from Metlakatla. We have families from Hydaburg and we have families from Klawock. We have families from Craig. We have families from Wrangell and we have families from the outside area moving into our area for assistance, whether it be in food commodities or general assistance. That is happening today and it's going to continue to happen. It's happening in Juneau.

In 2020, the Native population in Anchorage is probably going to double. Our people are moving out of our villages to find a way of life because they're not finding it out in their outside areas.

The Ketchikan area, when our brothers and sisters go out on their fisheries for halibut, have to go outside their boundaries now. They are definitely in harm's way to do their halibut fishery now. The herring, everything we save from the Sitka area we need as harvest is flowing in. We no longer have herring spawning in our area. It's been fished out in the bay and it's real spotty in the Ketchikan area today. I appreciate a few years ago when they were going to open up a fishery off of Benton Island and they closed it.

I feel myself as an Alaska Native the fishery in the Sitka area, in my personal opinion, should be closed every other year to allow for that buildup and escapage of our herring. It is the last big area in Southeast Alaska.

I've got to leave early. I've got to -- I'm going to escort my younger brother. We're going to be going to the VA hospital. So I appreciate the opportunity to speak to you. I appreciate the last couple days in speaking on behalf of KIC Tribe.
There is a letter coming out of Grand Camp, Robert Loescher and Floyd Kookesh and Kendall Miller are drafting up that letter as we speak today. We want to submit it to the Board on behalf of Southeast Alaska. We don't have enough people from our different tribes in the Southeast area. I feel in the future of this Board, you need to travel outside this community to reach some of the other tribes in the Southeast.

Thank you very much.

CHAIRMAN TOWARAK: Thank you, Mr. Willard -- Mr. Jackson. Please feel free to come up and grab one of the phones and continue the discussions. I don't want to control the meeting. I would prefer that people feel free to come up and sit at the table and convey your thoughts on how this Board should conduct consultation with tribes. So feel free to just press the button in front of you on the right, I think, and if you see a red light come on, that means the microphone is on.

UNIDENTIFIED SPEAKER: Thank you. Good morning. Consultation's not a new thing. It's been around quite a while. It's just, from my point of view, I've been retired from the Council for quite a few years, but I've been appointed as tribal chairman because I'm considered one of the elders now. But we've been dealing with all the people that are sitting up here: Forest Service, Bureau of Land Management, Park Service, and the State Fish and Game.

I'll give you an example. At the start of this year, the Forest Service in the Ketchikan District had several meetings regarding our district about dividing it up for tourism and hunters and everything else. They aren't having any Native consultation at all. In fact we weren't even considered, it's kind of like the guy way up North that went into the Park area and got arrested, the 70-year-old man spend three days in jail because he was going through the Park area and he didn't want to be bothered. But this consultation, when we finally found out about the meetings, we attended it and the Forest Service will use that as a consultation, they'll get it into their records we consulted with Metlakatla, so, therefore, it looks like we agree with everything they do. That's not consultation.

And me being here today and Mr. Atkinson representing the Council and me representing the tribe,
we don't consider this consultation either. It's an open
dialogue leading to consultation. Until you deal with my
Council and the executives and my committee as a whole
and they come up with a resolution that finally gets
together, then you might have something you'd call
consultation. But it's not been happening that way. And
since everything that happens has already been decided in
our district before they consult with us. They only
bring us into Native views, all the people in my area
know, they get all the Natives together in one session
and then tell this is what we're going to do and they
call that consulting. Not so.

So I'd like to have a -- I'm glad -- this
is the whole point before I leave just exactly what I
tell my Council and my committee what you -- the
definition of consultation would be.

Thank you.

MS. THOMAS: May name is Evelyn Thomas.
I'm the tribal council president for the Village of
Crooked Creek, Alaska on the Kuskokwim River. I've been
the tribal president there for many years and this is my
Native village. It's where I was born and raised.

I thank you for this opportunity. It's
the first time that I personally have been -- even
notified, that I know of, of a consultation policy. One
of your members suggested the other day that they'd
support travel to smaller villages. That is an excellent
idea. For us to go to Bethel to attend a meeting -- a
three-day meeting costs us $1,350. Our small villages
and our small tribes do not have the money for that.

One of the things my tribe asked me to --
we've discussed this meeting here in Anchorage, which is
combining with others to be able to pay for it, other
meetings, we wanted to ask your help. My village is a
subsistence only village. We have no commercial fishing
and we're really feeling the bite of the intense pollock
fishery in Bristol Bay. We hear about subsistence all
the time and we hear that it's almost a racial issue. To
White people, and we were always taught as a child,
subsistence is not about race. It's not about anything
except the human right to feed your family.

If it is restricted to Mondays and
Fridays to when we can catch a salmon to feed our
families. It's important to us going to Seattle,
Washington, and standing in front of Safeway and telling them you can only go to the store on Monday and Friday to feed your family. If we talk about the cost, as a child growing up, very few people had heart disease. Very few people had Diabetes and I didn't even know what those were. We eat almost exclusively wild game and fish. In one language, we say when the fish is coming through, you could eat it. That's the only species that I have ever heard called food is the fish. Everything else has a name, but the fish is a staple of our diet. We need to do our subsistence needs before any other organization or commercial fish or anything else, it would cost the Federal and State government less in food stamps, welfare, and healthcare because our people will be healthier.

We discovered that there was king salmon, which is us -- we eat the head and tail, we eat every part of that. We dry fish. The fish guts go into the garden or into the -- to feed our dogs. The back bones go to feed our dogs and if we run short, we eat those back bones. Okay. So there's nothing wasted. Okay. And when we hear of the thousands of chinook salmon being thrown overboard as bycatch on the pollock fishery, this isn't right and for us, the way we see it, it's genocide. It's genocide. That fish would have come up the rivers and feed our families. That needs to be stopped. We voluntarily on the river all agreed to restrict our subsistence use when the fish stocks went down. The pollock fishery needs to also do that. Restrict their use of this fish. It's a crime to throw it overboard.

We need our food source and we'd like to request your help and eliminate that. I'm just an old grandma from Crooked Creek, but it doesn't take a rocket scientist to see what is happening to the fish stocks. I thank you for your time and I thank you for listening.

MR. ADKINSON: Good morning. Mr. Chairman. My dear friend, Senator Albert Kookesh, good to see you here too.

My name is Solomon Adkinson and I addressed you at the beginning of the conference and this is our first time to send representatives from Metlakatla and we appreciate the invitation to take part and to see what is going on and how the consultation process is taking place and I am impressed where every village had
a chance to say what they felt about the fisheries, about

the subsistence in their areas.

Up in Metlakatla, as I mentioned before,

we are the only reservation left in the State of Alaska.

Therefore we have the entire Annette Islands, it measures

10 miles wide, 21 miles long, and contains 87,000 acres.

We also have a 3,000 foot boundary around the island

from really low, low water extending out 2,000 feet.

This is our area that we can go fish in, we can subsist,

but, you know, the product is not always available right

there on our island. We need to be able to go to

adjoining islands such as Prince of Wales and we go to

Gravina Island. And traditionally our people have -- our

Natives have always been able to travel to different

areas, whether it during the summer months to pick

berries or to get the clams or the cockles, the dungeness

crab, whether they want to go get halibut or whatever.

They never -- never really restricted.

History tells us that they -- they lived

approximately 50 miles distance from our island at the

very beginning, before we had stores, we had to subsist,

we had to live off the land and our people did it

successfully. And one of the stories is that we've been

going over to the Hawaiian Islands with a large 70-foot

long canoe. So subsistence to all of us is nothing new

and now as we progress as a United States, more

regulations come and restrict us, restrict what we can do

and this is not healthy for any of us Native people

because it -- it makes it a little difficult for us to

get the Native food that we have learned to depend on.

So this organization is very valuable to the entire State

of Alaska. We need this. We need to be able to talk to

each other, to consult, to get all of the regulatory

agencies that are designed to preserve the different type

fisheries, et cetera, but sometimes they enter these laws

that restrict us a little bit too much that prevent us

from gathering the type seafoods and the berries,

whatever we need to subsist on. They restrict us so that

we're not able to do that anymore.

Tom Lang, he's Chairman of our Aboriginal

Rights Committee and Louie Wagner who is a member of the

City Council, maybe they'll make their presentation

later, but when we get back to Metlakatla, what we will

do is put all that we have learned together and present

it to the Council so that, as I mentioned at the very

beginning of this meeting, we would like to have

representation on the RAC. We feel that we need to be
there and we look at everything in a positive manner
knowing that whenever there are more ordinances or laws
to be implemented, we have to look at everybody's needs.
Do we need to implement this law and when you do, is it
going to benefit everyone or is it going to hurt someone.
So the consultation process has to be thorough and from
what we have observed here, it has been very thorough and
everybody that has something to say is given a chance to
say it and we respect that.

So on behalf of the Metlakatla Indian
Community and the Council, I want to say thank you for
giving us the opportunity to be heard.

Thank you.

MR. SMITH: Thank you, Mr. Chairman,
members of Board, and RAC members. My name is Mike
Smith. I'm the Director of Wildlife and Parks of the
Tanana Chiefs Conference. I would like to I guess talk
about consultation a little bit in context. As we all
know, in the original Constitution of the United States
of Alaska there's only one identified group in that and
that is Native American tribes. The reason for that of
course is that more than 200 years ago they recognized
the unique relationship that they had with the tribal
governments and the United States. When President
Clinton signed his Executive Order 13175, he was
recognizing over 200 years of legal and legislative
history. When President Obama adopted that order, he too
recognized over 200 years worth of history.

I think tribal consultation should be
looked at in relationship to the Executive Order signed
-- adopted by President Obama. In that Executive Order,
it talks about not only consultation when dealing with
the tribal governments, it also talks about a very
vigorou process. It envisions a process where tribes
had a very active role, a give and take, back and forth
with all Federal agencies. It talks about consensus
building mechanisms that the Federal government, where
applicable, to built consensus mechanisms. It talks
about the Federal government should take the tribal
processes and proposals before they generate their own.
It talks about -- should that not happen, then negotiated
rulemaking should occur. Now, negotiated rulemaking
envisions a very vigorous consultation process that is
far above the means that are currently being envisioned.

One of the things we need to remember is
that every one of the Federal agencies represented on the Federal Subsistence Board is developing their own consultation process that tribes, when having to deal with this need to remember that we are all dealing with all the Federal agencies. Each one of them is developing their own process, undertaking their own efforts to develop this process, and we need to be careful that they all closely adhere to the intent -- the original intent of the Executive Orders.

As mentioned, tribal consultation -- we are not stakeholders. We are not an interest group and with -- as Senator Kookesh mentioned, we are not the RACs. In all appreciation for the hard work that the RACs do, they are not tribal organizations.

So, Mr. Chairman, I just wanted to encourage and I certainly appreciate the efforts of your body to start to undertake the tribal consultation process and try to develop a process, but I want to make sure that we envision the full intent of the Executive Orders, the broad-reaching scope of the efforts, the give and take, the context that is recognized in there as to the services being provided by your various organizations and agencies, the full gamut, you know, the full vision of what is envisioned by those Executive Orders.

So, Mr. Chairman, I look forward to the process and certainly TCC will participate greatly in this and we look forward to a very positive outcome on this, Mr. Chairman, a process that fully recognizes the inherent tribal governmental rights of our tribes and the responsibility of the Federal government to recognize that.

CHAIRMAN TOWARAK: Mike, I've got a question for you. One of the areas I personally see as -- we need some direction on how the Federal Subsistence Board should relate with the State of Alaska and especially the Board of Fish. Have you got any thoughts on that?

(Laughter)

MR. SMITH: Mr. Chairman, I think I can safely say that there's a huge amount of frustration expressed in the State of Alaska right now. For 30 years we've been fighting a subsistence battle that has raged in all parts of our state, that has pitted our village against villages, brothers against brothers, regions
against regions.

During that situation — during that period of time, it seems that a — I don't want to turn this -- there seems like there's almost an animosity that has developed between State and Federal agencies and our tribal members are the ones that are affected by that animosity, Mr. Chairman. We, of course, would like the State to fully embrace our subsistence rights. We certainly support a constitutional amendment and feel that should that occur that would alleviate a lot of the concerns that have occurred over the last three years.

As far as the actual cooperation between the Feds and the State of Alaska, I don't know how much progress we've been making on that relationship as long as we have this over -- this white elephant in the room, if you will, Mr. Chairman, of not being able to provide the subsistence preference authorized under Federal law, the State of Alaska not being able to provide that preference.

Mr. Chairman, I'm not sure, and I think Senator Kookesh expressed it correctly. We're tired. We're tired of fighting the same old battles decades after decades. We want our subsistence rights protected. Mr. Chairman, my region, we still rely upon over 630 pounds of subsistence resources per person per year. That's over two pounds a day, Mr. Chairman. That is a subsis -- that is a way of life, Mr. Chairman.

The subsistence way of life is not just an idolized notion embodied in folklore. It still is a vital role in our regions. People depend upon it and as the -- if ever increasing economic situations don't improve out there, it's going to become more and more dependent upon subsistence resources to carry us through. It's really clear to me the difference between four -- between, you know, 15 king salmon in the freezer and 10 is huge to a family of four sitting on the Yukon River, Mr. Chairman. When it comes down to it, with all the complexities of State and Federal laws and jurisdictions, I always look at that family on the river, Mr. Chairman. I always look at the importance of that five extra fish to those people for the winter and that's what it comes down to. So, yes, I would love to see an increased cooperative effort between the Federal Subsistence Board and the State of Alaska, but it has to be in an effort that recognizes tribal rights, the subsistence as a way of life and not just a quantity of fish and game, that
recognizes the history that we have and that we're trying
to hold onto.

Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. This mic
seems to work better than some of the others, so I --
what I'd like to do Tim, if you don't mind, and I know
you're very patient, but what I'd like to do is pay a
little attention to those on the phone and I'd like to
hear -- have the next speaker be anybody that's available
on the phone.

UNIDENTIFIED SPEAKER: If you have a
comment or question you may press star, one. We do
already have someone in the queue. It comes from Marvin
Kelly, your line is open.

MR. KELLY: Thank you, Mr. Chairman.
This is Marvin Kelly with the Emmonak Tribal Council. I
was at the Washington, D.C., to meet President Obama and
they did, you know, like some of those gentlemen were
talking about, they recognized the tribes that want to be
co-managed -- cooperative management, you know. The
Yukon Delta has been -- we feel like we're the most
targeted people that are being regulated because the
State of Alaska is cutting down our subsistence fishing
times and our commercial fishing. Also they are
targeting our nets. So maybe they are -- you know,
they're doing all this regulating without even coming to
the tribal councils and, you know, that would open things
for us. They are -- you know, the subsistence -- most of
the people on the Yukon Delta depend on the salmon that
are coming up the river for their winter needs. Since
the Yukon people, they don't -- they do not run dogs, so
we don't catch fish anymore for dogs like we used to in
the old days. So all of our fish that we go out to
gather for winter needs or commercial fishing for our,
you know, just our own, but the main money that we make
out of the commercial fishing.

So we feel that we're being regulated so
much by the Alaska Department of Fish and Game and it's
hurting these people here. The community's hurting. I
have a few members of Emmonak that are here with me and
they would like to add some -- I'd like to have -- I have
Nick Tucker here, Nick Tuker, Sr., here, he'd like to add
something here because he has work here and he needs to
go back to his job, so I'll have him add something on
here if he could.
CHAIRMAN TOWARAK: Before Mr. Tucker comes on, we need your name and which organization you represent.

MR. KELLY: Oh, I'm Marvin Kelly with the Emmonak Tribal Council.

CHAIRMAN TOWARAK: Would you spell your last name.

MR. KELLY: Kelly, K-E-L-L-Y.

CHAIRMAN TOWARAK: Okay.


CHAIRMAN TOWARAK: Thank you.

MR. KELLY: Go ahead, Nick.

MR. TUCKER: Mr. Chairman, my name is Nick Tucker. I've been a life-long -- I'm 65 now, an advocate for my people in regards to fisheries and areas of fisheries, social issues in our village. And I want to thank the tribal council here for a moment here before I return to work.

I think what I find most encouraging is that we're finally being recognized throughout Alaska to be consulted even for us people that are on the ground who are -- who have -- are touched by our subsistence way of life right on the ground and our tribal councils are the ones that understand it the most and work with the Federal Subsistence Board and other governmental people to represent us. The thing that I'm looking at is that when we talk, we have no place called politics because one thing that we have to understand is the sacredness of each other's subsistence way of life. That comes first. And I agree with being factual, that we are honest from where you come from, where you want to be today, and where you expect to be tomorrow because if we don't, we're going to hurt each other and each tribe in Alaska should recognize that each one of us have a certain intertwining existence being with our subsistence way of life in all areas of our tribes and councils and our traditions.

The thing that I'm really looking at is that by sacredness, I mean we do have to adapt and I feel
like I'm a criminal on the fishing grounds when I go out commercial fishing where industries and almost 80 percent unemployment. We have no other choice but to get motor parts, outboard motors and nets and supplies and equipment just to be able to go out whale hunting, seal hunting, rabbit hunting, moose hunting, caribou, and fish and that's where your consultation of the tribes come in. And I really am happy about that.

And I agree with everyone, the RACs are not tribes. And I have witnessed unfortunately that they were used as a form to divide, to misinform, to give half truths to tribes and regions.

I realized I have -- we have, even fuel and -- our food emergency, a crisis a few years ago. I had calls from the Interior, they were definitely hurting. I understand them, why, because we were hurting and we warned them that way. We have to talk from where our hearts are not to gain (indiscernible-breaking up) precious resource cannot take (indiscernible-breaking up) be consulted. We have to be able to listen to each other as a tribe, talk to each other and work with each other, the key to this whole thing is that our ability to understand each other's heart and work with that. (Indiscernible-breaking up) up here in Alaska that we hardly know each other's regions. Even people coming in from Anchorage to here have to have cultural orientation to get here.

So -- and -- so I wanted to thank the Board this opportunity for tribal consultation. Let's be honest with each other and work with each other, respect the sacredness of each other's subsistence way of life. They do without our control, involve without your choice. Down here we have no alternative, but we need the commercial fishing to be able to go out to do our way of life.

Thank you, Mr. Chairman.

UNIDENTIFIED VOICE: This is Michael (Indiscernible). I'm Natural Resource Specialist for the Emmonak Tribe, 84 Refuge Information Technician and we dealt with migratory birds that were highly migratory that depended on the Yukon Western Alaska to go back to the healthy numbers.

As you know, all the anadromous fish, the salmon, whitefish, smelts, eels, and other fish
throughout their life cycles, especially when they're out
in the Bering Sea where they spent the majority of their
life to forage and grow to maturity, to return to where
they originate from just takes a few month when they come
up to the rivers then and it happens throughout the State
of Alaska. Managing them only when they return is
causing a lot of hardship between all the users of the
Yukon River salmon and also includes the treaty with
Canada and I believe that's causing hardship throughout
the State of Alaska.

And what I wanted to say is what we see
is very easily managed, but what we can't see is very
hard to manage. Just because we can't seem to physically
see them doesn't mean that we can't properly manage them.
The hardship that started in the past was when foreign
trawlers took fish and started harvesting them in the EE
Zone area, so-called donut hole, and also False Pass
interceptions. Now we have the United States trawlers
which are tossing all kinds of marine resources out in
the Bering Sea or the Gulf of Mexico, are causing us
hardship up here. Also the new one that just came out is
the CDQs. I believe there's six of them that are
operating right now and they even have a million dollar
processing plant and that's also giving us a lot of
hardships throughout the State.

I think that we need to start to
designate marine protected areas essential fish habitats
out in the areas where the fish are being intercepted or
being tossed overboard.

The fish here, you know, we have all
types of marine life that depend on the Bering Sea. The
one that's coming up that we're really concerned about is
the one on the Northern Bering Sea which is like a funnel
that goes up to the Arctic. So I hope that we can begin
to wake up and figure out what to do with all these
marine life that are causing a lot of hardship throughout
the State of Alaska.

Thank you for your time.

MR. KELLY: Thank you, Mr. Chairman.
This is Marvin Kelly again. So, you know, if we're able
to work with each other and I know I brought it up to the
-- Senator Mark Begich and some others like Congressman
Don Young and Senator Murkowski and asked him -- told him
that, you know, we should work with Canada, begin to keep
-- keep the talks going with Canada because that's where
the king salmon go to spawn, you know, and if they are
disturbing that -- if they're disturbing their spawning
grounds with their commercial fishing or some other thing
that's bothering the kings, the fish will go to other
tributaries. So as you guys know, Alaska has a lot of
tributaries because the salmon don't go -- just go to
Canada to spawn. They use all these other tributaries.
So, you know, that's where we -- that's where all of
Alaska tribes are working together. We work together to
find where these other kings are going to spawn so, you
know -- and I feel that, you know, the tribes really do
need to be involved with the co-management.

So thank you very much.

CHAIRMAN TOWARAK: Thank you, Mr. Kelly.

We will now switch back to the microphone in the meeting
room today. Mr. Andrew.

MR. ANDREW: Thank you, Mr. Chairman. My
name's Timothy Andrew. I'm the Director of Natural
Resources for AVCP. AVCP is a consortium of 56 member
villages in the Yukon-Kuskokwim Delta area. It goes from
as far down as Platinum in the southern area and
Lime Village is on the Upper Kuskokwim, Russian Mission
on the Yukon River and Kotlik, the farthest north
community within our region.

We have 48 inhabited communities, eight
what is termed as zero population tribes, but they are
still tribes and they still maintain tribal members, but
they reside in the communities that they were driven to
by the territorial government and also the Federal
authorities when Alaska was -- Alaska became a territory
and when Alaska became a state. Many of these
communities, they -- communities and tribes established
their traditional communities in locations where the best
food resources were and that basically established their
communities.

But over the last few days, I've been
participating in your process and I really appreciate the
opportunity that you have provided during that -- during
the last few days and the opportunity to talk about this
issue as well, as a non-agenda item on the first day.
But we feel that tribal consultation is extremely
important for decisionmakers and managers that affect our
tribes because when you establish a regulation without
the consultation of people, that regulation, its
implementation, its enforcement does not come out very
well. In the Yukon-Kuskokwim Delta, we have what we call
the Yukon-Kuskokwim Delta Goose Management Plan. It was
a document that was started in 1984 out of necessity to
address the issues of poor goose species in the Yukon-
Kuskokwim Delta. To date, there are two populations that
have nearly achieved their population goals or population
objectives or one -- one exceeded its population
objective and the other is nearing at or above its
population objective that we had established at that
time.

And this -- the Goose Management Plan was
developed by the people of the Yukon-Kuskokwim Delta, the
U.S. Fish and Wildlife Service, the Alaska Department of
Fish and Game, Oregon Department of Fish and Game in
Washington -- excuse me. Washington -- Oregon Department
of Fish and Wildlife, Washington Department of Fish and
Game, and the California Department of Fish and Game.
This is an excellent example of tribal consultation and
how effective it can work with the people that we have
out there.

And one of the areas that I think that
the tribal consultation process should really focus is
especially when you make decisions that affect
communities, like, for example, excluding communities.
The OSM or whichever your -- whoever your Staff members
are should go to those communities and let them know that
there is a proposal to exclude their communities because
when -- when you get a proposal to exclude your
community, you know, they're not necessarily paying
attention to what's happening with the regulatory process
and -- to the community's dismayed and they come to the
meeting and see it as a proposal and they weren't given
the opportunity to address it effectively. So -- or any
measure that you may have should be -- or the tribes
should be given the advance notice.

And the tribal -- or the representative
that you are going to have or will have on the Federal
Subsistence Board should be designated as tribal seats
because subsistence is a tribal issue. It's always been
a tribal issue. It's -- we've inherited from our
ancestors and ANILCA, the law that created the Federal
Subsistence Management System in Alaska was -- has its
foundations on ANCSA. ANCSA has its foundations on our
Native rights to the land. And so the law -- the
subsistence way of life that we live, the customary and
traditional use determinations, all those are tribal
issues that is ingrained into this law.
And the tribal consultation process should not only be limited to the wildlife and fishery proposals, but it should be inherent in all the agencies that manage the fish and wildlife resources. I had indicated in the last few days, Mr. Geoff Haskett coming out to the community of Marshall to address some fisheries issue that we are facing there in the community. He came out along with Heather Kendall-Miller and there might have been a couple other Refuge people that traveled out to the community and talked to the community -- the tribe, the tribal government officials of Marshall and Ohogamiut and have that dialogue and keep that dialogue open and continuing. And this is a real good example that perhaps the other agencies that are regulating our fish and wildlife and the way we utilize the resource should follow.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Just grab the mic.

MS. TINING: Good morning. My name is Linda Tining. I'm from the AHTNA Region. My parents are from Gakona and Gulkana and moved into (indiscernible) out of the AHTNA Region. So just a little background to let you know where I come from.

We have eight villages in our region. AHTNA and the villages along the -- work together to select lands based on subsistence and economy benefit for our people. So some of our lands that we selected in the Parks, Denali Park and the Wrangell-St. Elias Park, so both of the Parks have different restrictions in both areas and make it limited for us to hunt in our traditional ways that we hunt for generations.

We believe that the tribes should have government-to-government relationship with -- because of the -- you know, no tribe, no government. All the tribes should have equal say and decisions should not be made without the tribal governments and maybe a co-management would be the best option right now, but, you know, villages co-managed the wildlife resource for generations and right now it hasn't been done that way. We've been left out of making all these decisions for the last 50 years since Alaska became a state.

And things need to be fixed back to what was promised to the Alaska Natives. The Alaska Natives was never given the right to vote on what was
traditionally theirs so, you know, I think we need to go
back and make that's right to Alaska Natives because
we've been left out even with the State of Alaska. We
have to fight every day for our subsistence rights and
spend monies just to fight back to keep our rights and we
can't let it go because we need it for our future
generations. So something needs to be done. We need to
have a good working relationship where it's, you know,
it's serious, we can't be left sitting in the back to be
advisors anymore.

So tribal consultation is one way to go
about it, but it's not just to hear what the tribes say.
Giving the decisionmaking, you know, having them at the
table making the decisions to -- not just to be advisors.
So we need to be involved in like issues and when doing
research, and biologists, you know, based on biologists,
but the Alaska Natives, they've been good biologists all
their lives and they know just as much as the biologists
and they can listen to what the elders say because they
know what has been done and, you know, they've been there
for years and years and years so they know how, you know,
things run with the wildlife.

I was going to say too that everything
shouldn't be held within the Office of Subsistence
Management. They should, you know, expand it out to all
the villages or something to work on some kind of a
relationship. Everything shouldn't be solely left up to
the Office of Subsistence Management to implement and
administer. It should be -- you know, every region has
an organization that the tribes are involved in. There's
got to be some kind of working relationship there to, you
know, listen to, help or something. So there's other
options that could be used, you know, but the tribes need
to be involved as decisionmakers.

CHAIRMAN TOWARAK: Thank you, Linda. I
wanted to ask you -- and I don't know if you could hear
me, but is there any way that the tribes -- have you got
any thoughts about how the tribes could work with the
Regional Advisory Councils and if any of the Regional
Advisory Council Members have got a thought on that, if
you could get up on the phone and please feel free to
participate. I don't really want us to keep you out of
the loop. So, Linda, have you got any ideas on how
tribes could work with the Regional Advisory Councils?

MS. TINING: The Regional Advisory
Councils are advisors and in the past, I've seen those
Advisory Councils make decisions, but it's -- their decisions aren't considered and that's one problem. Then, you know, if a tribe selects a person to represent them, that decision is made somewhere else of the Department of Interior, who sits on those Advisory Councils. So that's another thing that needs to be changed if the tribe makes a decision and somebody that, you know, wants to represent them, that's their spokesperson. And so that's another -- you know, there needs to be communication where they can -- the tribes need to make their own decisions and not the Federal government.

CHAIRMAN TOWARAK: We received a letter from the Secretary of the Interior stating that the Federal Subsistence Board needs to defer more to the Regional Advisory Councils and we take that very seriously. That's means we're -- the Board should not be making the decisions. We need the direction of the Regional Advisory Councils and if you have any ideas and, you know, when you go back -- this is going to be a long process. We're not going to make decisions today.

MS. TINING: Uh-huh.

CHAIRMAN TOWARAK: We're just opening the doors to get tribes to tell us how we should have tribal consultation and if there's ways that we can make use of the Regional Advisory Councils and make the tribes feel like that they're being heard through them, that's one avenue.

MS. TINING: If the tribes could sit on the Regional Advisory Councils, of the people that they would like to be their spokesperson, that would be a different thing, but now it's selected from the Department of Interior who sits on those Regional Advisory Councils and, you know, it's not -- you can recommend, but your recommendations don't always go the way you recommend.

CHAIRMAN TOWARAK: Okay. Just to let you and everybody else know, the door is open on suggestions on how we could use the mechanisms that we have available to us right now and make the tribes feel that they're part of the organization.

MS. TINING: Maybe perhaps one way is to take the recommendations and let the people who they select sit at the Advisory Councils.
CHAIRMAN TOWARAK: We'll work on doing that and perhaps Lester Wilde or one of the RACs have got some thoughts on -- go ahead.

MR. L. WILDE: Mr. Chairman. Since (Indiscernible) up here to chair -- I mean take over the mic I thought I'd jump -- get the mic before he does because I wouldn't have a chance if he does grab it.

(Laughter)

MR. L. WILDE: Mr. Chairman. One of the things we've had in the past that we've tried to do in the past is to have our meetings in the villages where we're able -- so we could consult with the tribes and the villages on particular proposals that affect their area. And as you know when it comes to dealing with the Federal government, you've got to deal with all kinds of different rules and regulations that must be followed. And one of the regulations state that we can only meet in the hubs and that the hubs in our area is Bethel and Emmonak and St. Marys, but it also -- there's also a stipulation that in order for us to meet in a village, they must have a certificate. I don't remember what the certificate is, but it's an approved meeting place that we must meet at.

And a lot of our villages that are out in the areas that really do not have those certificates. Prior to a time that these regulations were passed, we were able to go to any village that invited us so that we can consult with the people in that village and be able to take those proposals and have the backing of the tribes that are affected by those proposals. But we are unable to do that anymore. If there was a way where we can go over the -- or go past the regulation where it's -- that states that we need to meet in a certified meeting place, then it would be a lot easier for us to get into the villages. But another prohibition that -- another problem that we have is the hub area that we are delegated to meet in the hub and that's not consulting with the people that are most affected by the decisions that are made by the Board and the only way that we're able to get the feel of the people that we deal with and that who we try to help in every way that we can is to be able to go out and meet with the people there.

There is -- the true -- if tribal consultation is something that is -- well, needed and it is needed in order for us to represent them properly is
to be able to go out and meet with them. And at this
time, with the funds and the resources that are available
to us, that is prohibited. So one of the ways that we
can be more closely -- and our tribes in the areas that
we represent can be more -- can be that more able to go
out and have consultation with them so we can pass it out
to you as a Board with a feeling that is coming out from
the area is to be able to go out and meet those people
and deal with their problems in their villages. That is
the only way that we -- that I feel that we can truly
represent our people and our tribes.

And one of the things that seems to work
in one other organization that I belong to, the Yukon
River Drainage Fisheries Association, we go to the
villages that are -- that invite us and usually it is in
the case of YRDEA we go up river on the Yukon and then --
for one meeting and then on the next meeting is on the
lower river.

But coming from the Yukon Delta, there
are two different areas that the YK-Delta represents, the
people on the Lower Yukon from Russian Mission down to
the mouth, also from -- on the Kuskokwim around the
Kuskokwim coast but over to Kuskokwim up to Kalskag so
that's -- I think there's about 48 villages and there is
no way that we can represent those 48 villages and do our
jobs as we're expected to be -- our jobs to let the Board
and the Department of Interior expects to do our job and
do it correctly. Is there any way that we're -- there's
no way we can do it with meeting in the hubs. We've got
to be able to go out and meet our people -- meet with the
people that have the problems and if in any way that the
Board can help us in this area, we'd appreciate it a lot.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Mr. Wilde.
We will -- I -- maybe direct the Staff to take a look at
what is restricting you from -- the Regional Advisory
Councils from having meetings in any community available
and hopefully we'll come up with something, but thank you
for your suggestions.

MR. L. WILDE: Thank you, Mr. Chairman.

MR. TOWARAK: I wanted to point out too
that we've got staff I think taking a look at using
modern technology and making it available on -- through
the Internet where people would be able to connect with
the Regional Advisory Councils on a regional board
meeting through the Internet. It's probably not real
efficient right now, but my understanding is there is
some organizations that are bringing faster speed
Internet capabilities to Western Alaska and hopefully
that will be a machine that eventually will help
communications better between the tribes and the Regional
Advisory Councils along with the Federal Subsistence
Board.

MR. HARRIS: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MR. HARRIS: Mr. Chairman. Can you hear
me?

CHAIRMAN TOWARAK: Sure.

MR. HARRIS: Thank you. My name is Tom
Harris. I have the opportunity to speak on behalf of
Tyonek Native Corporation. I am of Tlingit ancestry, not
of Dena'. I'm humbled to be working for the grandparents
of the Tlingit and the Dena'. I'm also of a tribe called
Ish and maybe you've heard of it. It's often known by
its prefixes, Scottish, Irish, and some English in there
too, so I'm speaking to the Ish tribes as well.

(Laughter)

CHAIRMAN TOWARAK: So is fish.

(Laughter)

MR. HARRIS: Yes. My grandmother told me
that we need to be patient with the Ish tribe because
they're tribal people who forgot who they were and I'm
going to be speaking to you in particular in reference to
what's happened in Alaska and our roles here. Many of
you have heard me speak before, but Alaska is the least
productive wildlife state in the nation and if you're
managing Federal lands, you're managing the least
productive Federal lands in the nation. I also -- I'm
sad to report it appears that we are the least productive
wildlife habitat in the Northern Hemisphere, that more
wildlife was harvested within 55 miles of Washington,
D.C., than was harvested in all of Alaska last year, the
year before, the year before, the year before. And that
is shrinking at an enormous rate.
In 2001, Alaska reported 57,000 hoofed animals harvested: deer, moose, caribou, sheep, muskox. By 2008, it dropped to 43,000. We didn't lose that in population overall in the State, but we lost the population in rural Alaska and our villages can no longer afford to feed themselves from the land surrounding their village. We need to remember that ANCSA was mandated that we would select the lands around our village important to feed us. Those lands can no longer feed us. And as such, we are forced as people to go onto Federal lands to try to find that food, going farther and farther.

By 2001 to 2005, the Village of Tyonek was only getting one moose off of 47,000 acres. The lands -- all of the ANCSA land surrounding it. There have been some changes made as a result of the direction of the elders and the board. Today we're getting 18 moose of that same acreage. Today we are seeking to rebuild and strengthen the salmon populations in and around our village and we had to find that not from any resource available in the State. We had to go to California and West Virginia and other states to learn from them what they were doing and when we found what they were doing, we were shocked and amazed to learn private landowners in those states were receiving Federal subsidies from a pot of money today that is over $4 billion. These are Federal subsidies that this agency, this Subsistence Board, has an obligation to know about.

CHAIRMAN TOWARAK: Just for your information, we have no jurisdiction over private lands. That's State.

MR. HARRIS: We understand that. But please understand that you're managing the least productive Federal lands in this State -- in this nation and that when the private landowner can no longer feed itself on its lands, it's forced to go to you. This Agency has a signed agreement.

CHAIRMAN TOWARAK: Would you relate how that relates to tribal consultation?

MR. HARRIS: It relates tribal consultation because one of the parties missing -- let me ask. Is anybody here from NRCS -- USDA NRCS. This Agency signed an agreement with NRCS in 2006. They signed another agreement in 1988. The Executive Orders
are on file that this Agency would work with USDA and
USDA would work with this Agency to make certain that
this done because if this Agency does not do its job,
it's pushing the burden onto you. If USDA does not do
their job, it's forcing you to do things and to make
rules and regulations impacting us and making us
criminals when we go out and harvest against Federal law.

I say this because we now are in our
tenth year of documenting this and I will provide as you
request the memorandum of understanding among the U.S.
Department of Interior, Bureau of Indian Affairs, the
U.S. Department of Agriculture and Natural Resource, the
U.S. Department of Agriculture Farm Services where in
those agreements Department of Interior promised to stay
out of agricultural funding and keep their hands off
agricultural funding if USDA made that funding available
for subsistence and I very much encourage the Agency --
I promise you if this issue is not fixed, nothing else
you do matters. If this funding is not available to us
as a committee, Alaska Native Community, we will be back
here ten years from now with somebody saying well, that's
not our job. That's somebody else's job. This is $150
million a year if you were to follow the national average
that should have come to Alaska communities to help feed
ourselves from our own lands. This is funding that was
made available to every U.S. citizen who qualified.

CHAIRMAN TOWARAK: Listen, I'd still like
to know how it relates to tribal consultation.

MR. HARRIS: It relates to tribal
consultation because this agreement also says tribal
consultation will occur in cooperation and with NRCS and
with and with -- and to make certain that we wouldn't be
here where we are today with the 26 percent loss in
wildlife across the State and I'm assuming consultation
is on subsistence. Now, please understand the Federal
landowner in the Lower 48 is a recipient of wildlife
coming off private lands.

CHAIRMAN TOWARAK: But our responsibility
is just Alaska and if you could focus on what we need to
manage subsistence on Federal lands in Alaska, I think
that's our focus today.

MR. HARRIS: Okay. And I appreciate that
and I know that that focus is there and that focus has
been there for the past 20 years. Is it getting any
closer? Are the records showing that we are not losing
our children from our communities? Are the records shown
that we are growing more wildlife? A key component is
missing. That key component -- and I urge the Board
members to read this memorandum. It was signed again
December 6th, 2006. It is part of an Executive Order
that you are subject to. The Executive Order says you
will meet with NRCS. The Executive Order says NRCS will
provide you an annual report of what they've done to
provide services and financial programs to Alaska
Natives -- to Alaska Natives. That promise was made back
in 1988. I promise you that report has not been done
ever. You've never seen it.

And my concern is, is that as wildlife
resources deplete, the Alaska Natives attending this
meeting will also deplete. The reason for you even
existing will cease to be.

CHAIRMAN TOWARAK: Thank you. I'd really
like to focus on tribal consultation. That's the main
focus -- if you have an issue with an Agency or a
specific program, I think you should address the proper
Agency if you could.

MR. HARRIS: Okay.

CHAIRMAN TOWARAK: I would like you -- we
don't do this very often.

MR. HARRIS: Right.

CHAIRMAN TOWARAK: This is one
opportunity in a lifetime I think that we're bringing
ourselves -- and there's a lot of other people that would
like to focus on tribal consultation, if you could please
do that.

MR. HARRIS: Let me make it very crystal
clear. There must be a purpose to tribal consultation,
there must be a reason for us to talk, and that reason is
food. That reason is being able to feed ourselves. I
know from personal basis that -- how devastating the loss
of our subsistence foods are. I have family who have
been incarcerated for trying to feed ourselves and I see
it coming over and over and over again. I urge the
Agency, please NRCS to the table as required by the
agreement that this Agency signed.

CHAIRMAN TOWARAK: We will make a note of
that.
MR. HARRIS: Gunalcheesh. My Tlingit culture requires me and obligates me to say if I've said anything to offend you, I apologize. It was not my intention to offend. It is my intention to bring to the Agency that there are obligations that they've entered into that we ask them to. If that's the purpose of this consultation then that's the reason why I brought this to your attention.

CHAIRMAN TOWARAK: Thank you very much. Go ahead. Grab the -- use the mic.

MR. WOODS: Good morning, Mr. Chair. I'm Frank Woods from the Bristol Bay Native Association. We represent 31 tribes. The Bristol Bay Native Association is a tribal entity. Like I said yesterday, it's about the size of Ohio and we got under -- it's about 7,000 people now. I've been the subsistence coordinator since 2007. That's four years of experience in a management Regional, at least, in this arena of resource management. I -- all my life, I've been a pessimist. I hate politics and I despise bureaucracy, but I'm here to represent the people who have sent me here. This is a necessary evil. I think -- on the Regional Advisement Management Authority, this Regional -- the Federal Subsistence Board is the closest thing to Regional Management Authority that was designed to help each region meet their subsistence needs.

Like Mr. Kookesh reminded us that there's a little bit of a disconnect here that the Regional Office in Anchorage under the U.S. Fish and Wildlife Service -- and that's under Mr. -- yeah, the guy standing there on the wall, I tease him all the time and Native people use humor and that's one of my things is I help at least bring some limelight in this whole situation because I live off the land. I'm a half-breed. My grandmother raised me traditionally. She told me that was the right way. And what I end up doing today is learning the white way. And that's a hard thing to do when you're born and raised traditionally to sit here and understand all the rules and regulations that are put on us, a Native people, that as we grow -- and Native people -- this is unique. We live in a really unique time.

Everybody that was born before 1965, July 16th, is my elder and I appreciate all the work you guys have done to help preserve what we have today. And that's the reality. Now it's time for my generation to step up to the plate. There's a disconnect. My
grandmother born and raised traditionally. My mom was
sent off to boarding school to learn the white way and
now I'm in between. And to have that disconnect --
because if you look around the room, that young man
sitting on the RAC board, he's the most important person
in this room as far as I'm concerned. Is that we need to
pass on and my job from now on -- I've made that a point
for my life, is to pass on what I've learned and what I
need to help the younger generation get engaged in this
process is to look around the room. There are very few
young people. Very few. And that's around the State.

There's less and less people getting
involved. I'm tired. I'm only three and a half years
into this process and I'm tired. I sit in the Federal
meetings, trying to sort out and hash out issues. I sit
in the State meetings and I even get more frustrated and
tired. But that's okay. You know, we have to welcome
the State because, you know, I think that we have welcome
them because we live here. Somebody was complaining
about the State and the Feds and we live here. We live
in the State of Alaska. It isn't about us and them.
It's the regulations that are put in place and I believe
in -- we live in a democratic society. We can change
them regulations.

You're asking for suggestions from -- how
to change this tribal consultation. You know, the
regional meetings are set up and they're managed out of
Anchorage. If we can compact them and regionalize those
within each region, people have ownership and they can
sit there and stand and they belong to. When the
gentlemen speak that they need more local meetings. The
tribes in our area are spread out just like every other
place in Alaska and how do you connect them people? You
go to where they're at. You go to where they're at.

We have -- in Bristol Bay, you know,
there are so meetings and so many issues and so much --
there's only -- you know, I go to each meeting and I sit
there and the bureaucracy that I see, U.S. Fish and
Wildlife has a full staff of biologists, administrators,
community liaison, tribal liaisons, and a director
sitting up there telling us how they're going to spend
the money. It's hard for me to sit back as one person
and sit there and attend a meeting with no representation
from a local regional authority or the tribes I can say.

You know, USDA has a really -- is it
USDA, no, it's -- the environmental program that has an
environmental person right in their office.

UNIDENTIFIED VOICE: EPA.

MR. WOODS: Yeah, EPA. That's one of the most successful programs -- Federal programs in the State of Alaska. If we had a resource manager or a wildlife person in the tribe funded by the Federal government and/or multi-agency, it doesn't matter, if there was a person sitting in the tribal office to help us manage those issues, it would help a lot.

You know, last fall I realized -- I looked at my title and there -- it said Subsistence Division. So I stand divided today and I can sit here with a little bit of integrity and say look, you know, it needs to be top down and the funding needs to come to the tribes directly to help carry the message that they're a part of this process, not just saying they're a part of the process, from Anchorage and everywhere else. I tease Pete Probasco over there about eliminating sports hunting and fishing on Federal lands. Like I said yesterday, my grandmother considers sportshunting and fishing playing and we don't want to play with our food anymore. There's not enough for it to go around like the gentleman just said. Because we have a hard time feeding ourselves and it's even worse in the rural areas where you got no money. I've had people cry, literally in tears, and it's disheartening for me as an individual to sit here and watch this process happen. There are families almost starving because they can't heat their homes and they can't feed their families at the same time.

And then at the same time, we have young people, literally year before we had a cultural camp, the young people in our area and I think it's throughout the State are yearning to understand what culture means to them and their heritage and how important it is. So with that I'll shut up -- I could keep going on for a long time if you want me to, but I'll shut up for now.

Doi.

CHAIRMAN TOWARAK: Thank you, Mr. Woods.

MS. MILLS: My name is Mary Ann Mills and I'm Vice Chair for the Kenaitze Indian Tribe and I spoke yesterday about some of the concerns that I had and probably frightened a few people and I apologize. I did not mean to, but, you know, the facts I brought out
yesterday are true facts.

You know, one thing that amazed me -- and I am also with -- appointment for the Southcentral Regional Advisory Council. I am one of the new members so yesterday was quite an introduction for myself and the one thing I -- I was just amazed at and have been for quite a few years is the management of our fish and wildlife and the flora and fauna of Alaska because of the depletion that's occurring and I would like to remind people here that prior to that when we had management of our -- the resources of our land that these things did not occur. We may not have the degrees like a biologist, but we do know indigenous science.

With regard to the consultation, I think the consultation should occur every 30 days before any change of policy or regulations or laws are implemented and tribes shall be informed 60 days prior to consultation and be provided with all pertinent information necessary for informed consent; that regulations, laws or policies shall not change or be revised without consultation and consensus of the tribes; that a thorough review and implementation of the legal rights, laws, both Federal, international, and State regarding Alaska and its people be accomplished and probably even prior to consultation before these things begin so we can compile, you know, the knowledge we need to base our decisions and also consultation shall recognize the inherent rights of indigenous Alaskans.

And one of the things that I did bring up yesterday was, you know, that Alaska is unique, like Hawaii. We are the only two states that are listed in the U.N. Charter which gives us huge amount of rights and recourse and this is primarily, you know, outlined -- and some of it is outlined in the (Indiscernible) Memorandum which is tied with the Treaty of Session (ph) which does state that is transferred to the United States which was 117,600 square feet.

Also with regard to the change in the State of Alaska's Constitution, you know, I'm looking at -- that's quite a process and the Secretary of Interior does have a fiduciary responsibility to the indigenous people of Alaska and I think it would be wise to request him to protect the rights of the Indian, Eskimo and Aleut peoples and with that, I think we could get our subsistence rights back and it would be easy to accomplish through the State of Alaska Constitution through Article XII, Section 12, because that section
states that the State and its people, in their infinite wisdom, it doesn't say that part, forever disclose all rights and titles belonging to the Indian, Eskimo and the Aleut peoples. So rather than maybe a long lawsuit, we might want to try that process as well.

And if we do receive that, we will have more say-so in the management of the lands in Alaska and I think that's what's been critically lacking here as well as the hostility that the State of Alaska has historically and still today shows, in their attitude towards the indigenous people, and it's a shame because I think, you know, a lot of people have always been known as people who share and we have shared so much that today we have nothing. And so these are issues that I think are important and I hope that these ideas are just to be maybe a conversation, starter point.

Thank you.

CHAIRMAN TOWARAK: Thank you. It is the beginning process. We'll continue the process -- be a chance for us -- our Staff to kind of compile what is being said today and it will be distributed and we will take a look at further analysis of which direction we want to go.

Logistically we've been going for about two hours. I'm sorry. We've been going for about two hours and if there is a desire to take a break, we could do that, but if you would prefer in the interest of time for us to continue, what we could do is rotate our people and take our little breaks and then come back, if that would work.

UNIDENTIFIED VOICE: Take a break.

CHAIRMAN TOWARAK: I would say we should continue the process.

UNIDENTIFIED VOICE: Okay.

CHAIRMAN TOWARAK: So let's -- any suggestions?

MR. WALTERS: I'd like to speak if I could.

CHAIRMAN TOWARAK: Okay. There's people that have been waiting. You know what, for those of you
that would like to take a break, if you could do it on
your own. We're not going to -- I don't want to break
the process. I want to keep it going as a continuous
flow. We will have records of what is being said today,
so that will be available for you to review. So if you
need a break, take a break, but we will continue the
process just so that we get to hear everyone today. And
we're going to with the guy in the hat.

MR. WALTERS: Yeah, thank you, Mr. Chair.
Could you hear me?

CHAIRMAN TOWARAK: Yes.

MR. WALTERS: And thank you, Mr. Chair.
I'm glad to see you up there, Tim. I don't feel all
alone now.

(Laughter)

MR. WALTERS: I'm from Mountain Village.
My name's Alex Walters (ph). I was born in 1939 and over
the years (indiscernible) you've gone the wrong way.
I've seen some changes in my lifetime.

I wasn't going to come up and speak, but
I've got two daughters that are grandmas now, so I feel
that I had to say something in their behalf.

You know, at the end of the year I have
been married for 46 years and I hope they continue. At
one point, my wife told me to take my sleeping bag up to
the city office and live here.

(Laughter)

MR. WALTERS: I wear five different hats,
I'm hardly home, but when I'm home, I do a lot of
subsistence. Every day I wake up, I start my
subsistence. That's been going on all my life. I've had
my grandma, my grandpa as fish and game before I met fish
and game. They guided me through a subsisted way of
life. They don't tell us to overharvest anything we
take. But now there's change, you know.
(Indiscernible) to go out there to (indiscernible) and
some of them are disappearing. And I really highly
believe in cycles. Let's not forget our past as we move
forward. Someday they'll come back to old folks, what
you tell me, but it takes time like anything else and if
you don't manage what you've got now, it's going to
disappear.

The more you (indiscernible), the polar bears and different species. Now, the Yukon kings are a big issue. You know, I respect everyone in the river. I've gone to many meeting up river. There are a lot of good people up there. So of them down in Southeast too. In fact all over the State of Alaska. But at times we lose miscommunication and misunderstanding of certain issues that we face. And with something like this going on (indiscernible) see it, maybe some of those things will iron out. We have to stand side by side no matter who. Put everything on the table and treat each other with respect to make this work. There is no other solution if you want to continue -- certain animals around where you're at and we have to (indiscernible) times, we have to live with that. We have to follow the regulations whether we want to or not, you know, it's just it, that's (indiscernible). Using commonsense in whatever we do. I'm sorry I have tone sometimes but my wife told me she couldn't live with me a lot of times, commonsense is not there to move you, but I try.

Thank you.

CHAIRMAN TOWARAK: Okay, thank you, Mr. Waters. Let's hear from one of the Regional Advisory Council Chairs.

MR. ADAMS: Permission to take possession of the talking stick, Mr. Chairman.

(Laughter)

MR. ADAMS: I'm going to stand up here because I want to talk to you people out there. I wish -- you know, it seems like we lost some of our tribal members. But I went out here earlier to say good-bye to some people who were leaving and one of the tribal members, you know, came up to me and says we want to hear from the RACs because it's the RACs who you people are going to have to go through to address our needs. So I'm going to -- I'm here to try to address that and take out your pencil and paper, ladies and gentlemen, this is going to be Tribal Consultation 101, a lecture by Bert Adams, Sr. And the reason why I want you to take out pencil and paper is because I'm going to give you a test afterwards.

(Laughter)
MR. ADAMS: Senator Kookesh I guess stepped out, but I just wanted him to know that not once has any of our RACs as far as I know tried to be a tribe. We represent villages who have tribal governments and one of the frustrations that we've had is getting more and more tribal governments involved in the process and I hope that this talking circle today will help achieve that.

I want to give you a little bit of history about governments -- about the Federal government's relationship with Native Americans. We all know, you know, how this place was discovered. Many people think that Columbus lost his way when he bumped into our land. I don't take that position, but, you know -- and they found Native Americans here. And when the Pilgrims landed, you know, on Plymouth Rock, it was in the middle of the winter or winter was coming and Native Americans helped them, you know, survive the winter. And one of the things that they learned from the Native Americans was how to live with nature. That's something that Native Americans really believed in.

When I was going to college, there was a Native American -- I had a Native American instructor and he came into our classroom. He was the very last one. There was about 40 of us in that class and he would -- he went to the board and he wrote the word, in real large letters, nature. And then he drew a circle around that and then he asked take 10 or 15 minutes and share with me afterwards what you think that represents. And of course, you know, 15 minutes went by and he opened it up for discussion and I was sitting way in the back. I always liked to sit way in the back because I didn't want anyone to call on me to make a long speech.

(Laughter)

MR. ADAMS: And so he started way in the back. We all gave our little thoughts about what that represented and after we were done, he says you are right. Some of you are right. That represents what our people -- Native American people lived. He said that we lived with nature and because we lived with nature, we learned the law of nature and because we learned the law of nature, we obeyed the laws of nature and because we obeyed the laws of nature, nature provided us with everything that we needed.

The next thing he did is he drew some
arrows that pointed from outside of the circle pointing
to the circle and he says what do you think that means.
It was pretty obvious. It was the outside influences
that were looking in outside and their purpose was to
come in and conquer and eventually that happened and it
caused a culture clash between our people to ruin our
people and that many of us are still trying to recover
from today. And he said by the time that you are done
with this class, we hope that you will have a pretty good
understanding of this principle and it might take some of
you a long time to realize those things, but he said when
you start finding answers to these how you can go back
into living in that circle of nature out and then you
have an obligation to share it with the world.

So that's our challenge, ladies and
gentlemen. How can we go back to living with the laws of
nature as our people had so many, many years ago. The
policies that the Federal government had with Native
Americans were many. To begin with, they wanted to
assimilate us into their civilization, okay. Thomas
Jefferson really believed that. He said if we educate
the Native people, then they will become a part of us and
we can grow together. That really didn't happen,
although some attempts were -- did you know that
Dartmouth College was established for the purpose of
educating Native Americans?

UNIDENTIFIED VOICE: Harvard too.

MR. ADAMS: Harvard too. And so there
were schools established later to start that process, but
things happened and to make a long story short, you know,
the conflict between Native Americans and people out on
the prairies and so forth just didn't work out and when
the Revolutionary War came and the founding people of
this country, you know, gained independence, they -- or
did you know that the Native Americans were going to be
the 14th (indiscernible)?

The founding fathers really looked
strongly at the structure of the Confederacy and
everything began through a tribal council and then if
that couldn't be solved, younger brothers who took up
that problem and if they couldn't save it, then it went
to older brothers or other brothers and then they were
the fire keepers. And they liked that structure and
they've copied it and then they formed the United States
Government. We know them as Senators and House of
Representatives. The fire keepers were the
administrators. But everything began from the tribal
councils. Okay. That's what ANILCA was designed for.
Bottom up not top down.

And then there's extermination and then
assimilation and relocation and eventually Indian self-
determination, the IRAs. 1934 I believe the Howard
(Indiscernible) Act came into being and this allowed
tribal governments where people reformed their tribal
governments and to start really working on addressing the
issues that were important to them. They were put on
reservations, they became wards of the Federal
government, but the Indian Reorganization Act enabled the
tribal organizations to take more responsibility for
their future. Excuse me. So that worked for a while.

There's a guy by the name of Felix Cohen
who was an expert on Indian law and he wrote an Indian
report about the issue of self-governance. He says self-
governance in the true sense of the term is something
that does not come from a throne, Washington or from
heaven, but these are decisions that are made by the
people who are most affected by it. Abraham Lincoln said
it was government for the people, by the people, and of
the people. Okay.

And so that enabled the tribal
governments to take on more responsibilities for their
own affairs. Bumpy road. And then in recent years, we
have learned about the Indian self-determination and the
most important I think is the self-governance
demonstration project. The gentleman that talked about
the directive that President Clinton signed I think it
was in 1994, I was there as a representative of my tribal
government and I witnessed the signing of that document
and what that document said, ladies and gentlemen, was
that if -- from here on, the Federal government is going
to start working with tribes on a government-to-
government relationship. You heard that over and over.

I think the real problem that we're
facing now is how are we going to work on the situation
of a real government-to-government relationship. One of
those things that he signed in that directive was that
any impediments that wouldn't allow a tribe to go into a
-- this type of situation had to be removed. I have a
little bit of asthma, so excuse me if I have to take a
deep breath every now and then.

So when President Clinton signed that, I
was involved in a working group soon after that signing was taken place. The challenge was how are we going to implement that so that it benefits tribes. And one of the things that we talked about was how tribes were able to take more responsibility through the Bureau of Indian Affairs, you know, and administer many of those programs themselves and we approached it in that same way and one of the things that we came up with is called a non-BIA program. And -- but essentially that -- that said as we were developing that concept with that, if there was any program, function, service, or activity that any of those agencies or the Federal government administered and that it has any historical, geographical, or cultural significance to a tribe -- here's the secret, folks, all we need to do is tell that agency that we want to assume responsibilities for those programs.

We don't see very much of that happening these days. So I think since that came -- that was 1994, I think since then there's only been five tribes that have gone into -- and there's over 500 and some tribes in the United States, 227 of them in Alaska, and so we need to look at that a little bit more.

As far as your tribal consultation is concerned, I've mentioned, you know, in the last couple days' meetings how frustrating it was to get the word out to the people in the village where we sometimes hold our meetings to have tribal leaders come and participate in those meetings. It is a problem. Some say that they haven't received any notices. Others, you know, are saying, you know, we'll let George do it. We need to get rid of that attitude and I think that tribal governance -- I was tribal president for my tribe for 12 years and I think -- and I've always said and I've always tell that tribal governments need to get more and more involved in subsistence issues.

When we go up to the government to negotiate our funding agreements, we only get allotted $1,200 to run our subsistence program. We can't do very much with that. And so when we get into a situation with any of those agencies that -- where we want to take advantage of the non-BIA programs and if we're allowed to do it, the funding that normally would go into that project would also go with that program. Okay. So it's an exciting program. It's there and somehow or another we're going to have to start to figure out ways how to take advantage of it.
I think that tribes -- when I was assigned to be on my Southeast RAC, I was serving as president the Yakutat Tlingit Tribe. And so, you know -- and I think maybe, you know, we've had other situations like that too. It's true. RACs are not tribes, but we do represent regions where tribes are located. Tribe -- bona fide self-governing tribes who can take advantage of subsistence issues and make a difference. A proposal could start there. Be submitted to the RACs and they will of course, you know, consider them and we will put a great amount of weight on that because it's coming from a tribe.

I would encourage tribal organizations to get more and more of their tribal members on Regional Advisory Councils. That way you'll get more better representation. And I think it's a two-way thing. We need to communicate back and forth. That's been a thing that has been talked about already, but, ladies and gentlemen, brothers and sisters, this is a very important part and exciting part of how tribal governments get to be more involved in subsistence issues and I commend your -- President Obama for making it possible for this to happen through this process and you are very powerful people and, excuse me again -- I'm going to finish up here in a bit -- my glass of water that is.

(Laughter)

MR. ADAMS: Any final thoughts. You are very -- you have the mechanism. You have the tools to really make a difference if you actively get involved and we have an opportunity to represent your villages, your communities, your people through tribal governments and work through the RACs. We will be there to help you in any way that we can. I am committed to it because I have served as a tribal president for 12 years and subsistence has always been in the back of my mind. How can we better, you know, represent our issues in regards to subsistence and it's coming. And I told my tribe when I realized that the Federal government was going to require that tribes get more and more involved in the process and I went to some of their meetings and I mentioned that and I was hoping to see my whole tribal council, but they just sent one who is the general manager.

Anyhow, folks, the tools are there for you to use and I hope that, you know, you all take a look at some of things that I've said and start working toward making it work for you. Not so much for us. We're not
here to represent our best interests. We're here to represent your interests and that's the position that I always take. Everything begins from the bottom and works its way up and that's where it's missing.

Let me make a comment about how the State can work together with the Feds. Previous meetings, I've always had my same seat, but the one who sat left to me was a commissioner from the State Board of Fish -- or Fish and Game and I used to rib him all the time and give him a bad time and I've always said this, that if the State wants to manage subsistence issues in Alaska, all they need to do is come in compliance with ANILCA. It's as simple as that, folks. Because the members of the board that I talked to said we do all the work. You know, it would be better if the State administered than us and then we'd be able to give it all over to them. Now I understand that a lot of people have problems with the State. I do too. But if you want things to be run in their proper order, I think the missing link was the State coming out of compliance and we need to figure out how to come back into compliance and I was hoping that Senator Kookesh would be here to hear that because as he said, it's in the Legislature where this is bottlenecked and we need to kick a few people in the butt down there and make sure that, you know, they do something about it to come in compliance.

And there's an agreement, it was signed several years ago when Tony Knowles was in office. We need to look at that. It's a relationship between -- how many remember that? It was a relationship between -- developed a relationship between tribes and the State and -- just to begin working together. Okay. And so that needs to be, you know, brought up and dusted off and looked at. The MOU that we had at one time with the State needs to be also addressed, the Feds and the State.

So thank you, ladies and gentlemen, for giving me this opportunity. Mr. Chairman. I hope I didn't bore you too much.

CHAIRMAN TOWARAK: You're welcome.

(Laughter)

MR. ADAMS: But I really feel strongly about this and what I said has taken a lot of research, folks. I mean it just didn't come from the top of my head. I used to write a column for the Juneau Empire and
when I would go to these self-governance meetings with
the Indian Health Service and Department of Interior, I
rubbed elbows with the tribal leaders all across the
country. I rubbed elbows with the people from the
Federal side of it. I interviewed them and then I came
home and I wrote articles about it. It appeared in the
Juneau Empire.

So I think I know what I'm talking about
and I hope I touched some of your guys' sensitivities so
that you'll be able to realize that also.

Thank you very much and I hope you have
a good rest of the day.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you, Bert. Give
the mic to the guy in the hat.

MR. ADAMS: To the guy in the hat. (In
Tlingit). (In Tlingit) Do you know what that means,
it's your turn.

(Laughter)

MR. TELLFIELD: Good morning. Chairman
Towarak, members of -- gentlemen -- ladies and gentlemen
of the Board. My name is William Tellfield. I'm from
the reservation of Noorvik. I was born there and I'm
half Inupiat and half Athabaskan and my son's family is
from Fort Yukon and I'd like to speak to you today on
behalf of our subsistence rights.

Subsistence was always here in Alaska and
even before I was born, I was being nourished by the food
that was being subsisted by my mother. And all through
her term, my mother and the community of Noorvik were
subsistence and it's always been their livelihood that I
-- when I was growing up, that was going on and it's
still going on today.

And it is very important that we have
these ways of subsistence -- to subsist and if any of
this subsistence way of life be removed will be
detrimental to the people that live in that way. They
will continue to live in that way for generations to
come. And we are the people that live the subsistence
way of life. As long as I can remember, the food that we
eat are with the season, we eat with the season, whatever
is in season. The migratory birds come in springtime. We harvest them. Then when summer come, we harvest what
is in that region, in that season and the way we live
today will continue on for generations to come and our
children and our grandchildren will depend on what we
decide today.

And the gentlemen that are -- and the
people that are trying to remove all this way of life
won't be here. But our survival depends on how we live
and how we dictate this matter and way that we live
today. And the ruling that's being done by the Federal
system, they never stepped foot on any part here in
Alaska. No matter what happened in any geographical
place in Alaska affects us all. It is up -- way up
north, in the east, south, even out in the Pribilofs.
These migratory birds, they have no knowledge of no-fly
zones. The fish that swim in the seas, in the
tributaries, there are no limits of how far they should
go and when to turn back. They are governed by the
natural law that they live by. And they're there for a
reason. The reason is we are the people that will gather
these for generations to come and right now people or
wherever they are in Alaska, they are subsistence.

The driving force behind that is our
survivability and we'd like to keep that going. And the
laws the Federal system have put it on today will
devastate the future generations, that we should just
leave it alone, the way it is. And the stewardship
should be given to the people that live in any
geographical location in Alaska.

Every culture has a different way of
life, although similar in ways. But we have a driving
force behind it, and to subsist and to survive. I don't
think there's anyone here that haven't eaten any kind of
food that hasn't been subsisted in any location. I think
everyone here have tasted muktuk, salmon, whitefish,
sheefish, caribou, moose. We all have tried that and I
think I've tried every species that ever been caught even
while I was in my mother's womb. Subsistence for
Alaskans everywhere is important and we must keep it as
freely as given by the Creator.

Every living thing has been created for
a purpose and we must have purpose, have a chance to give
us our survivability and we will survive for the next
generation and our ancestors have verified that and
passed it down all through the ages. And what you decide
today will dictate the future and the generations to come.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Tellfield. Who wants to go next. If I could remind you, I'd sure like to see a focus on giving the Federal Subsistence Board direction on how we could meet the demand by the Secretary of Interior to have tribal consultation.

Thank you.

MR. ROBERTS: Thank you, Mr. Towarak. My name is James Roberts and I'm from Tanana, Alaska. I work for the Tanana Tribal Council. I work for (indiscernible). I'm a hunter. I'm a fisherman and I'm a dog musher.

But the biggest concern I have now is that I'm a father and I'm raising four sons right now. 20, 30 years down the road, I look at my children and wonder what are these kids going to eat. The advice that I have for tribal consultation is to have 227 RAC seats. That way every tribe is represented. Every tribe should put their best speaker forward, the one with the best values for their tribe and then hash it out. That way nobody could be misrepresented.

The way I see it now is that we're fighting with downriver, we're fighting with the Canadians and it's wrong. These are good people all over. I feel really bad that we have to do that. But my advice is to have 227 RAC seats and not to have bureaus like USFWS, ADF&G making all the rules of us. If we want to be sovereign, we'll make all the rules for ourselves. And that's how I feel.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Roberts.

MR. FIRMIN: Hello, my name is Andrew Firmin. I'm here representing myself as well a RAC, as well as the Council of Athabaskan Tribal Governments, the Natural Resources Department. There's a lot of ways that the consultation system now is broken and I'll point out a few of them before I go to my recommendations.
One of them that I hope to never see again is a proposal from ADF&G wanting to take subsistence priority away from the Federal user because that's just wrong without consulting tribes as was showed in the information supplied yesterday.

For example, a friend of mine that I graduated high school from -- with, he joined the Army in 1997. He's a West Point graduate. He's been to Iraq three times. He's hardly been home in the last 14, 15 years and what if he came home and wanted to see -- go home and go hunting and Fish and Game said, oh, we didn't bother to talk to you, so you're no longer a priority. You got to wait for the State season now. You can't -- you're not a subsistence user anymore. We took that away from you. That's just one example of how I see that could happen easily anywhere.

And that one proposal yesterday is just a way for them to get their foot in the door. That may not have been their intention, but that's the way I look at it.

Another way is not recognizing traditional and ecological knowledge and data as science as much. I know it's used, but we have a lot of waterfowl and migratory birds in Yukon Flats. I think over one million birds nest there annually and all the birds that nest on the North Slope pass through there. And I was hunting with my Great Uncle who speaks with a bad stutter because he was forced not to speak his language in the school that he was forced to go to as a child. He has no problem speaking Gwich'in but he has a bad stutter when he speaks English. I was hunting with him there and I asked him, you know, where'd all the birds go this year, there were thousands of them on the lakes, how come there's nothing today. And just as you or I would say it's sunny out today, he said, oh, well, there was a full moon last night. That's when they all leave.

And every year since then, I've noticed that that's a fact and how many millions of dollars would it have took a biologist studying birds to come to that same conclusion. And the TEK knowledge and data is just priceless.

Some other examples I have of the -- some of the systems being broken is that there's -- every Agency I see here has some project or program going on around my region that directly affects me, my family, and
the people I represent and we're pretty much tired of
gencies sending their janitors up to say, hey, we're
going to do this, see you later, bye. I mean virtually
flying over town and throwing pamphlets out and saying
it's tribal consultation.

There have been some other activities
going on on BLM lands that we don't quite understand
because they're on BLM lands directly adjacent to tribal
and wildlife refuge lands where there's mining activities
going on that are affecting our fish, our rivers, and we
don't have much of a say about it because there isn't
much of a consultation at all.

And another one is there's people that a
few years ago, they flew a helicopter from here in
Anchorage, a hundred miles past Fort Yukon to count fish
from a helicopter and then when they got up there, they
said oh, the water's too high and murky, we can't count
fish so they flew all the way back to Anchorage. One
phone call to the tribe could have solved them and saved
them all that time and money. They could have came up
two days later and it was fine, but instead they spent
their budget and couldn't count fish that year.

Those are just a few examples.

I'm here representing the CATG, which is
the Council of Athabaskan Tribal Governments, and for the
most part, we have a pretty good working relationship
with ADF&G, Fish and Wildlife Service, and Pat Pourchot
and a few other Agency staff members came to Fort Yukon
I believe over the summer and had a little kind of a
closed-door meeting so we could get to the heart of the
matter quickly and not have a line out the door of people
wanting to talk about off subject things, and I have a
bit of a summary from that meeting. But first I'd like
to tell everybody that CATG is a consortium founded in
1985 and it consists of ten villages on the Yukon Flats
which is Arctic Village, Beaver, Birch Creek, Canyon
Village, Chalkyitsik, Circle, Fort Yukon, Rampart,
Stevens Village, and Venetie.

The tribal elected chiefs serve as its
board of directors, so we have a say from every village
in every meeting that we have every month. Our
traditional lands encompass 35 million acres of wetland.
We have many rivers and tributaries that all navigable.
You can run a boat up 30 different rivers out of Fort
Yukon and most of them are all salmon-bearing streams and
rivers. A lot of our traditional land goes clean into
Canada, ANWR, the Yukon Flats National Wildlife Refuge
and it's just -- it kind of -- it's bad that when ten
feet away, we don't have a say in what's going on because
there's a strip mine going on or something and all the
backwash from the mining goes right into our rivers and
clouds it up and it kind of reminds me of, I don't know
if any of you all have seen that show Gold Rush on
Discovery Channel, the first day I watched it, it really
pissed me off because the guy's standing there, and he
looks around and says see this, this is all ours and
we're all rich. And that's the way I feel, but who's
this guy from Oregon sitting dirtying up our rivers. The
first thing he did was ran an excavator across a salmon-
bearing stream and then the next thing he did was he dug
a trench in a salmon-bearing stream and started pumping
all that crappy water back into that stream. And I was
glad I seen an ADF official on there -- ADF&G official on
that show because that's just a perfect example of what
goes on around the State.

A lot of the tribes, though, we subsist
and live off the land. We trap, we hunt, and we fish.
And I know myself included made a lot of sacrifices to
come here. It's 56 below in Fort Yukon right now where
I left my wife and infant son home alone. These are just
some of the sacrifices that we make to come to these
meetings as volunteers for the RAC and I encourage a lot
of the RACs -- people to go to their meetings. Myself,
personally, I like to go visit people and elders as part
-- just ask them oddball questions, see what they say and
write it down and take notes.

I went to my grandfather's house and
asked him last week how did Strangle Woman Creek get its
name.

(Laughter)

MR. FIRMIN: That was a bit of a story,
but that's just something that if I didn't ask him, I
would never know, and if he passed away, who else would
know that story.

And CATG is based on self-governance and
we like to exercise all our rights and we like to have
the tribes of CATG and Yukon Flats require that all
Federal and State agencies engage in meaningful
consultation on a government-to-government basis on any
action that will have -- that will affect their
traditional and customary use within their traditional lands. Some of the recommendations that came out of the meeting was the operations of the Federal Subsistence Management Program must include a mandate of government-to-government consultation with tribal governments.

The Federal Subsistence Management Program must build consultation with tribal governments and to program designed to ensure integration of tribal input and perspectives into fish and wildlife management decisions to affirm adherence to the Congressional mandate of ANILCA Title VIII.

The Federal Subsistence Management Program should initiate an increase in .809 agreements under Title VIII of ANILCA with tribal governments and tribal organizations in rural communities including off-the-road system and areas of high subsistence use on or adjacent to Federal lands to complete their mandate.

The structure of the Federal Subsistence Board shall reflect the people that it serves. The Federal Subsistence Board should be comprised of rural subsistence users which are decisionmakers that are affected by the decisions. The Agency heads should serve an advisory function to the Federal Subsistence Board made up of rural subsistence users.

The operations of the Federal Subsistence Management Program should be managed, implemented, and located within rural communities and areas of high subsistence use on or adjacent to Federal lands.

The Federal Subsistence Board meetings should be held in rural communities including off-the-road system in areas of high subsistence use on or adjacent to Federal lands.

The Regional Advisory Council meetings should be held in rural communities including off-the-road system and areas of high subsistence use on or adjacent to Federal land.

The Federal Subsistence Program should increase public outreach and make the regulatory process more accessible to the subsistence user.

The Federal Subsistence Program offices and staff should be located in rural communities, including off-the-road system and areas of high

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subsistence use on or adjacent to Federal lands.

The Federal Subsistence Program should design and implement research and management projects at the local level utilizing traditional and ecological knowledge, expertise, and human resources.

The Federal Subsistence Management Program should make budgetary allocations to fund a list of structural and operational modifications for improvement of services to rural subsistence users to ensure they're meeting the mandate of ANILCA Title VIII.

In order to meet the original intent of ANILCA Title VIII, the terms rural preference and subsistence must be removed.

ANILCA Title VIII must provide for a Native preference of customary and traditional use.

The Director and I, we went through this and we kind of hashed out the Native preference part and I personally don't agree with that. However, this is what they came up with at that meeting because I know a lot of people that have lived, fished and hunted that are non-Native in our area and to me that would just cut them out of the loop and I don't agree with that.

However, .809 agreements need to be increased and directly allocated for tribes and consortiums for studies and data gathering to be used as management tools, to be used to inform management to make better decisions. And there also needs to be some ongoing dialogue with deliverables going on between tribes.

And also I would like to see the 231 Federally-recognized tribes in Alaska that need to be on a single mailing list that need to get a list of everything that goes on tribe to tribe that the Federal Subsistence Board has going on.

I know I personally get a lot of mail as to having like a -- you know, like hub offices of Federal Subsistence Management like, we, at CATG have a weekly radio program that consists of all departments of CATG: health, education, employment, natural resources, and that we talk on the radio about all these different subjects and what's going on and we like to inform the people that way and we encourage other agencies to use
the same methods, including the Internet, and the radio show, a lot of people listen to. They call in. They ask questions and like I said, a lot of it, I do a lot of footwork and a lot of people that I represent are simple people. They don't -- they're not educated and some of the outreach programs that they have don't always work.

Like with the duck stamps, for example, that they've been implementing, I don't think anybody in Fort Yukon would have a duck stamp if CATG wasn't selling them or giving them away simply because, you know, what's that? One enforcement officer told my neighbor, he said do you have a duck stamp and he said what's that. He said I'm not going to the post office. He said, well, what are you doing, where's the duck stamp. He says what do you mean, I got food stamps. Is that what you're talking about?

(Laughter)

MR. FIRMIN: And the guy kept telling him no, and he couldn't get it and he said, well, what are you doing out here with a shotgun and he said, oh, I'm grocery hunting and he had some ground squirrels in a couple traps that he had, he was checking his traps. But it was springtime and they still -- you know, that's just their mentality and my same neighbor, that same person, a couple of them are pretty colorful characters and he asked me what I was doing coming to Anchorage and I told him well, I'm going for a meeting. What the heck, meetings, meetings, you're always going to meetings, what do you do down there. And the easiest way to explain it to him was I told him I'm going to fight for fish, he says what fish, if I didn't give you any, you wouldn't have any.

(Laughter)

MR. FIRMIN: And I said, yeah, that's pretty much the truth and I said, well, they're trying to take your fishwheel away from you, so I'm going down to fight for your fishwheel. What would you do without it, well, gee, I don't know, I guess I'll fish with dynamite after that because I can't afford a net.

(Laughter)

MR. FIRMIN: That's one thing is anybody can build a fishwheel with a hammer and nails and a saw and not everybody can afford a net and they're just
people like him that just remind me that a simple life is
good, but when there's other people making laws and rules
around you and you don't know what's going on, those are
the people that are affected by our decisions.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Firmin.

I notice that you're reading off a written list and I
think some of those -- well, I think all of them are very
important for that to be conveyed. You know, we're going
to rely on the recording of all of our comments today,
but if you don't mind if we could make a copy of that or
if you already have another copy, would you make sure the
Staff gets it.

MR. FIRMIN: I have this on a zip drive
in my pocket that I gave to Agency Staff that provided
you with copies and I'd be happy to email it. To start
the tribal consultation process, I'll email it to every
Agency that gives me their email address so then they can
send everything they want back to me and I can spend
hours a day fishing through them for the good stuff.

(Laughter)

CHAIRMAN TOWARAK: Thank you. If we
could get a copy of that, that would be great.

Who's next.

MR. CHYTHLOOK: Thank you, Mr. Chair. My
name is Joe Chythlook. I am from Bristol Bay and I guess
when Secretary Salazar hit Bristol Bay a couple years
ago, we were fortunate that he chose Dillingham as the
first place to have kind of a public hearing. I recall
how one of the first things he asked was, well, where are
the elders and I looked around and there was a couple of
young people my age sitting and I looked around for more
elders and it finally dawned on me that you and I's age
group now, Mr. Chair, are elders.

(Laughter)

MR. CHYTHLOOK: And I guess just to try
and give a background of who I am. I was born in Togiak
and grew up around Lake Egegik, in Dillingham/Bristol Bay
area for most of my life. And most recently I retired
from 21 years of service as a regional coordinator for
Board of Fish/Board of Game Program, State of Alaska, and
I was honored by the State as being one of the longest standing Regional Coordinators I guess with their program. And one thing I remember when I first got on in 1988 we still had the subsistence law intact that the State had back then before it was challenged by those who didn't like it and we -- I was in charged of 12 advisory committees in the Southwest which unfortunately at times included Area M folks and -- but I was glad to work with them because I was assigned -- I also had Kodiak as one of my advisory committees and then Bristol Bay and then just before I retired, I was also given couple of committees up in Kuskokwim region, the Lower Kuskokwim and Central Bering Sea committees and these represent, you know, many communities and one thing that I recall was that we did have -- the State did have a regional council system and unlike yours, the regions were divided into six regions which still exist by the State program. However, one difference that I recall from the Regional Council Advisory System was that the members of the regional council made up of advisory committee chairs.

And each chair, when we met, for instance, the Southwest Regional Advisory Council met, all the chairs from all the advisory committees came and sat and had equal voice and also presented the concerns of the folks within their area and villages that they represent on advisory committees and the bottom -- issues that they needed to bring here to the Board of Fish or to the Board of Game for resolutions and as a result, some proposals were formed from -- I guess there were some kind of like earlier consultations of local advisory committees meeting together and forming proposals to address some of the concerns that were had by both local residents and tribal residents within the area.

And I thought that that process worked pretty well at the time. But, you know, if -- I guess from my experience, one thing that I would suggest that the RAC and the Federal Subsistence Board would address is that funding. You know, funding is something that I think our RAC people really need in order to carry on some of the duties that I heard from the public today mention that needed to be addressed. I recall even on a State level that at one point the Department of Fish and Game had some ample funding to cover enough meetings on local advisory committee level and, for instance, in my region, we used to have three or four meetings a year, but through the years, as the funding sources I guess got somewhat not as plentiful as used to be, they -- one of the first things that Department of Fish and Game or
maybe even the Federal government at times does is they
take the funding away from people that need the most and
that is the local village/tribal areas.

I knows it's a case with not just the RAC
but other entities with -- throughout the State of
Alaska. And my -- I guess my suggestion to the Federal
program would be that you folks make sure that you seek
for adequate funding to carry on the functions of the
Regional Advisory Councils because they need it. And
then I guess I heard many ideas that some of the folks
have presented to day. I agree with some, but I know
from my personal experience that it takes lots of time of
personal effort from people that want to be involved in
the process to be there and to make themselves available
to be heard.

And if there is funding needed, I guess
any more funding needed for participation, it would be
for the Federal government or other agencies I guess to
make available for tribes, if there is a meeting in a
regional setting, to be able to come to that meeting, to
attend and to be heard because in many cases now, tribes
run lots of different programs and the Federal
Subsistence Board Program's one of the newer programs
that has been established by the Federal government
because of the fact that the State did not comply with
the subsistence law.

And one thing I want to say is my wife
happens to be on the RAC and as the gentleman that sat
next to me mentioned earlier, he has been married for
quite a few years. I have been married to my wife for
quite a few years as well and one important thing that I
see that is for everyone that really wants to improve any
system is to be involved. My wife just retired from the
Subsistence Division for State of Alaska after working
for 26 years and I thought that she was going to stay
home.

(Laughter)

MR. CHYTHLOOK: But in about a month, she
got rehired by BBNA to be the national resource director
and she has filled out that role for three or four years
now and as a result, I think I see more people like Frank
Woods and others becoming more involved. And those of
you that are involved in the system, please invite
younger people to become more involved.
And then, you know, I don't know what kind of a system that we're looking for and which would work the best for tribes or anybody in Alaska, but one thing that I want to say is that participation in any process is the most important thing. You know, for your concern to be heard, you need to make yourself present and that's why I stressed importance of, you know, if funding can be made available for people to participate, even on the RAC level.

I know on the State of Alaska's side, we do -- we have tried to involve advisory committee chairs to attend local area RAC meetings. However, the funding as I mentioned -- I think I was talking to a subsistence regional coordinator just a week or so ago and the funding has dwindled down to where the executive directors of either Board of Game or Board of Fish is telling the regional coordinators to try to hold at least one meeting a year to cover all the fishery and Board of Game issues and that is really hard to do in one meeting and I'm hoping that some of the department heads who may have influence with the Commissioner or with the Legislature, if you're listening here, please request that in order for people such as tribal members or village members that need to be represented that we need to have more funding.

So I thank you for this opportunity. I'm not from Southeast, so I'll quit real early.

(Laughter)

MR. CYTHLOOK: Thank you very much.

CHAIRMAN TOWARAK: Thank you, Joe. Good comments.

MR. NED: Mr. Chairman. Board members. My name is Stanley Ned. I'm from Allakaket.

I'll give you a couple reasons why I think it's really important that you consult with the tribes before the decision is made on proposals that'll affect our people.

For example, gas in my home town is now at $7. A quart of oil is 14.25. All the nonedible items are marked up close to two to 300 percent. So it's really important you guys communicate with us. Communication is the number one problem. Sometimes it
works. Sometimes it don't. Depends on who you have as
your coordinator and that person needs to communicate
with us.

But the moose population in my region
used to be at .3 moose per square mile. Now it's down to
.2 and I asked Department Fish and Game where would it be
before it get to the extinct level, you know, and he said
it's going to fluctuate at .2 for a while.

Before that, they told me at .3 you're in
danger zone. So it just -- it's like somebody's not
telling the truth here, you know. So I think it's really
important that they communicate with the local people
using TEK in their decisions before they make their --
whatever they do.

But the fish population in my home town
is way down. There's hardly any caribou there anymore
since the pipeline was built. They got roads right
across the spawning grounds of the fish and everybody
uses that road. It's called the Dalton Highway. And we
have a lot of people that are now guiding in our area,
competing with the locals to get the resources there and
it's getting harder and harder to live there. There's
not very many jobs in my village.

We have a Refuge manager there that's
giving us a hard time. He's -- every time there's --
moose hunting season come up, he has a couple planes
flying around. One example is that my brother, he works
there and he has -- he like to help other people. So he
put his money together with three other people to go
hunting and they finally spotted a moose and here come
the Refuge manager with his plane that flew right over
the moose and chased it away so they couldn't get their
moose there. So that's just couple examples. Like the
guy from Fort Yukon was saying, they're giving everybody
a hard time. So that should be addressed too.

And as far as trying to communicate with
us out there and consult with us, I think the Internet
program would be good and as the gentleman stated earlier
too, you know, there's got to be more funding for the
Refuge -- RAC people to have their meetings in the
villages and that's the other thing, you know, the Board
should go out to some of the villages, like the Yukon
River Drainage Fishery Association, they have meetings in
the villages, you know, where there's a lot of people
that want to the come to meeting, want to testify but
can't do it because they don't have the money to come here. So I think it's important that they have some of the meetings out in the villages. And that's all I have. Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Ned.

MS. WALLS: Thank you very much. And I too will face the audience and my name is Kaye Walls. I'm from Fort Yukon. My dad is from Fort Yukon. My mother is from Old Crow, Canada. They're connected by the Porcupine River and me and my mom and dad went up and down that river just to smile at each other. And my tribe is called Gwich'in and how I teach people to say it is point at your chin and say which chin. Your chin or my chin. Which chin are you talking about and then you put a G in front of it. Gwich'in. Gwich'in. That's my tribe. And I am so grateful to be here.

You know, you are all meant to be here. This isn't an accident or who came or what. You are all meant to be here and we're all meant to share. Thank you, Creator. And I hope you don't think -- how you say -- I remember we were having a meeting on Yukon Flats and they said who wants to speak next and there was a hand and the people beside me were going no, no. No. And then after the meeting, I asked them how come you kept saying no and they said because we didn't want the mic to be given to this certain person because every time they gave him the mic, they always start back and forth and would have the mic a long time. And they all heard his stories before.

(Laughter)

MS. WALLS: So I hope when you see me take a mic again that you don't go no, no.

(Laughter)

MS. WALLS: Anyway my traditional knowledge story is that I took a contract with Intertribal Council and it was the first three governments in Alaska meeting. The first: the Feds, the State, and the tribes. And I was -- and we went and
traveled to 11 areas -- regions of the State to talk
about salmon harvest.

We didn't go to the North Slope because
at that time they didn't have salmon. I understand that
somebody caught a salmon up there last summer. And --
but anyway we traveled to those -- to the 11 areas of the
State. My job was to request Native participants and we
had a lot of Native participants.

And anyway and they said, you know, yeah,
good luck, Kaye, you know, like good luck in getting them
out there. Good luck in having them participate. Good
luck with, you know, coming up information. And, you
know, it's -- we started out 9/11 was our first meeting
for the Central area here in Anchorage and as the person
that they looked to, shall we keep going, right out in
the lobby, the buildings were burning in New York.
Should we keep going. And I said yes because that's what
we do. We keep going and that's what we do with our
subsistence. We keep doing. We keep saying that -- the
same things over and over again.

I remember the elders telling me that
when the birds would come back to Yukon Flats, they would
block out the sun. That many of them block out the sun.
I remember, too, the story about the first Native person
on Yukon Flats that saw an airplane and I think this
story is like the two old women story. You know, every
tribe has a story.

And he was so brave. He was out on the
land by himself doing -- but anyway, and he heard this
noise and they're so rare in those days, you know,
because if you were out on the land by yourself, you'd
better be a thinking human being because you make a
mistake and -- and so he heard the plan (indicating) and,
you know, became aware and looking around and what's --
what is that noise and then he saw it and he stood there.
It's coming straight at him and he stood there. It went
over his head and he fell backwards. He did not take his
eyes off of what feared him. He kept on. He kept
watching. I just think that was a brave person even
falling back, everybody laughs, but he kept his eyes --
he was focused and that's how we are in the land too.
And that's why we are here today too.

And I just appreciate you so much.

(In Native) Big thank you. Big thank
you for being here -- okay.

To the RAC, you know, as Native people, we have our Robert Rules of Order which begins -- and it's always in thanksgiving, you know, thank you, Creator, I'm here today. Thank you, Creator, I met new people who shared their story with me. Thank you, Creator; thank you, Creator.

So anyway, it -- and we're about thanksgiving. We know we're blessed and we're about thanksgiving. So in our meetings we start with thank you, thank you that we're here today and we're gathered and that we need to be here and share and then at the end of the meeting, we give thanksgiving again, thank you, thank you that we're -- we met together and we had good time and we shared information and it's -- you know, it's good.

Always been -- like serving on the Gwich'in steering committee. Two things we were told to do and, you know, protect the sacred calving grounds. Number two, do it in a good way. Do it in a good way. And that's our RACs. And they do do it in a good way, our Native people. One thing -- and it was suggested to me by my sister a long time ago was that she would -- didn't want me to use that word should. She said it conjures up inside of us when they were to make us assimilate. You should be like this. You should be, you know, this Western way. And I said, well, gosh, what word do you use, you know. I should lose weight. I should -- you know, my language, I -- whatever, I should, I should and she said you use the word prefer. I like that. It doesn't bring up, you know, negativity or make you think -- it -- prefer. I would prefer to lose weight. I'd prefer to get in shape. I'd prefer to eat better.

So that's one thing and it goes with what the RACs are about to stay in harmony and balance. And I'm reminded, too, because I heard discussion on rural preference and Native preference and Martin Ivan Martin, my friend from the Bethel area, he told me one time that -- he said I remember you Kaye from the Legislature. I remember where the Speaker of the House kept saying Representative Walls, would you vote. Representative Walls, would you vote. And I was sitting there praying, praying, what do I do, what do I do.

If I vote against subsistence because we
I want it made a preference in the bill or do I vote for it and have rural preference. But I know as Native people that we will never -- we always share and I know my grandmother in Fort Yukon, she would bake bread everyday and people coming into the village, Western people, she would, you know, give them tea and homemade bread every time. How come you do that, they would ask her. How come? And they would go up to her house and, you know, our windows were lower in those days. We didn't have the -- you know, the windows up here. They were like just right off the ground were the windows. And they would come and look in the window and watch her. Woo, how could you stand in that and she said they are at a different way and she said no matter what, you have to feed them.

So I knew we would share. And I just -- so anyway, I went through the debate in my mind too, you know, politically too. I knew people may not understand and -- but anyway I voted against the bill and people said she voted against subsistence. And unless they asked me, I would not explain it. And then I forgot it and then Martin Ivan Martin came back and he said I remember that, Kaye, and I said thank you. Because people -- I don't remember my stories. People have to tell me.

Anyway, I'm very humble to be with you here today. I thank you and I'm glad to see (indiscernible). (In Native) Thank you very much. Oh, yeah. The two words I told you I would teach you is one is Gwich'in and the other one is Macee (ph), heavy on the C. Macee, thank you.

MR. SAMPSON: Thank you very much. Bertrand, I think I'd flunk your class if I was in your class, so -- you hear that, Bert. Oh, okay.

First of all, my name's Walter Sampson and I'm originally from Noorvik, but I've lived in Kotzebue for the last 38 years. Prior to that, I'm from the (indiscernible), back those days, we didn't have high school in the regional centers and, in Virgus (ph), so I had to go outside. Graduated from (indiscernible) in '68. Went into the military, spent a tour in Vietnam, and came home in '71. Went to work for NANA in '73.

It's been a very challenging process for me, working in this system that was created by Congress. Even though it was created by Congress, the provisions
that it has and the allowances that it has for me to enroll into the corporation, I would need to have a quota blood quantum. So in a sense, that was your corporation is a tribal entity as well, but structured in a different way because Congress created that business structure.

But the opportunity that's been given to us is certainly something that I appreciate. It's a privilege and I'm honored to sit on the Regional Advisory Council. Yes, we have our differences. Yes, some of us will get whatever we want. Some others won't get what they want. But the opportunity that's been created here, we all need to work together to get the best of that opportunity.

I started out lost and through the process, when it first started and asked myself where do I fit. You're the Chairman of a Regional Advisory Council that was created under ANILCA Section .805 and with some of the comments that were made, yes, RAC is not a tribe. But I'm a tribal member of a community. I understand that. I applied to sit on the Regional Advisory Council because I represent my people in that position. First of all.

Secondly, I need to acknowledge the Board. To those of you that are new, I hope what you hear will give you some good perspectives, good perspective in regards to how people live off the land, what they do to make provisions for the family. And the most important to you as a Board is to weigh in that decision that you will make and on making that decision for that family that is dependent on the resource. And that is critically important for you as a Board.

We've gone through a process as communities, as organizations, both at the city level and at the tribe level, trying to work with the past system that's failed us. I'm talking about the State system. The only option that we had was to go with the Federal system hoping that it would provide for us a process so we can get that resource for those that need that resource and that depends on that resource.

Like I said, the State failed us. The State denied us. The State rejected us. We've attempted, as a Native community, to fix the problem. We've heard that. We set aside the differences and say, State, let's fix the problem in the Constitution that don't have allowance for the preference. That's why I
say they rejected us.

Nonetheless, we have to also move on. But that move on how we take that through is going to be critically important to all of us. We're making history today really because as a Native community, we've never sit next to the Federal Board to have a dialogue, to have that relationship. It's been opened to us. Let's take advantage of that.

What they're trying to do is to try to establish that relationship, to get a process in place so that we can have that better relationship to address those very needs that we continue to hear from the rural community. Let's get the members educated in regards to exactly who we are.

I do have some recommendations in regards to my thoughts of what the Federal system needs to do.

First of all, it needs to go through the process of educating those in the rural community who you are and what you do. What is the purpose. What are your goals so they can understand exactly what you do. We need to increase that public process. I say public process because that's the only way that we will get into some of our villages, to some of our tribes. By increasing that public process, I'm hoping that the Board will be able to look at maybe regionalizing a Board meeting instead of just holding meetings in Anchorage.

If you cannot regionalize a full Board meeting, then I would suggest several of the Board members travel to the regional centers to at least to hold a hearing and try to get a good village perspective so you can understand and as you go through the process of your deliberations, of proposals then you can think back and say, oh, that old man or that old lady or that young man or that young woman said this. You can place those things as you go through your thought process when you deliberate in regards to proposals.

This would also provide for you by going to some of those regional centers or to the community to visit some of the tribes, the tribal entities, and get connected with those folks so they can know who you are, so they can see who you are. By communicating with them, hopefully they can understand exactly what your role is. And I think what you will hear from others will also be critical for you to listen to.
As a member of the Regional Advisory Council, my thrust has always been to listen to the communities and their needs, listen to the families and their needs. Based on that, I will go through a process in my mind of making sure that I address those needs that's been given or taken to me as comments and I hope that very process that I've told you will be part of what you should do throughout the State.

Thank you very much. Mr. Chair.

CHAIRMAN TOWARAK: Thank you, Mr. Sampson. I'm assuming that these two guys are the last people that want to make comments and -- but we'll take Jerry but I've got one person that's been waiting very patiently on the radio -- on the telephone and I'd like to put that person on and then we will wrap up with -- person on the radio -- I mean on the telephone that would like to.....

UNIDENTIFIED SPEAKER: Yes, there is. And as a reminder, anyone who's just joined the call, if you'd like to make a comment, you may press star one, but we do have a comment from Marvin Kelly. Your line is open.

MR. KELLY: Thank you, Mr. Chairman. One of our tribal council members wanted to speak, but he had to go, so I'd like to thank the Chairman and especially the Board. Just to what Mr. Wilde, our RAC for Yukon Delta, he's saying that, you know, the villages out here are so -- they're all spread out. You know, it's very hard for him to go to each village and bring out the concerns that are being brought up because it's still the small villages that are hurting and there's no way they can be heard by -- or they don't have -- they're not as organized as what's going on, you know.

So for help for the Yukon Delta and we were able to hold conferences here. I met a person up in Fort Yukon. His name's Alexander and, you know, I've talked with him a few times and how they're working with their corporations where they (indiscernible) corporation lands to the tribes and their tribes are able to help with the terms of the allegiance. So, you know, that's one of the things that we're still trying to work out down here at the Yukon Delta. You know, it's very -- it's hard for the people that are hurting the most to be heard and I know I heard that one person from the Ish family or Ish person that, you know, they had noticed
that people are hardly ever getting game or food from the
-- from subsistence because, you know, it's like that
other person said, the State is failing the subsistence
users.

And, you know, in the Yukon Delta,
commercial fishing is a very vital thing for our
community to subsistence hunt or fish and you know for
the Federal Subsistence Board to help the people in the
Yukon Delta, you know, is to have all the tribes of
Alaska get together and we go to Canada and like that one
person said, Mr. Firmin from Fort Yukon, there's mining
up in Canada and right now, we don't have a say on it.
We can't go across the border and say can you guys please
not mine this tributaries water -- headwaters, you know.
That's where Alaska tribes get -- we'll get the power to
say we want to be -- we want to speak with Canada on the
same ground level. We don't want to be like those people
were saying pointing at down river people or up river
people or the people in the middle, you know. That's
where, we get together and say, we're expressing all our
concerns and they're all on the table.

Because when I was at Washington, D.C.,
meeting there were some people in the Copper River that
were having the same kind of issues that we are having on
Yukon where they're having trouble with their salmon
because the Canadians across the border are doing
something that, you know, even though we want to say
something, we cannot do it because -- oh, excuse me --
because of the border line and that's where we're being
held back, where we cannot say. And you know, they're
the ones talking about the goose management or where we
made agreement with the Canadians that we would try to
get the bird -- goose numbers back up. So that's where,
you know, I think, you know, the tribes get together and
talk with -- or get a study done on the other side of the
border and say look at this, these king salmon are going
up there, going across the border to spawn. We want to
send people from Alaska to go to the Canadian border --
Canadian side and do a study on where those fish are
making their -- spawning their eggs and make sure that
those areas are protected from those mining companies.

You know, there's one gentleman that I
ran into like probably six years ago. I was coming home
from Anchorage. He's from up river area, probably Fort
Yukon, I don't remember where he was from, but he came up
to me and shook my hand and he said thank you very much
for sending some king salmon up and I told him you're
very welcome. We always think of you guys up there. We
know that the fish go all the way up the river. They
don't just stop right at the mouth. They continue on.
And the Yukon Delta, every year we have escapement,
thousands -- 50,000 plus numbers of chinook that we allow
to go up the river. Where those go, we still don't know
and now we know that there was money allocated to the
State of Alaska that they're supposed to do a study down
here, but for some reason, it went somewhere else.

So those are the things that, you know, the Federal Subsistence Board needs to look at with the
State. Excuse me. If the State is allocated to do
something, they're supposed to do it where it's supposed
to go not change their mind and say okay, we're going to
do it over there. So that's where the tribal council
would be the people to be in contact with because that's
where all the concerns of the Native people that depend
on these subsistence issues, they go to their tribes and
say why is this regulations being brought to us. Why do
we have to do this. Why is it we have to only fish so
long. You know, it's really hard for the tribe to try to
explain something that we do not understand still and
that's where the RAC comes in and it's really hard for
the tribes to explain to it when you can't talk directly
with the RAC or like Mr. Wilde, you know, he's our
advisory here so, you know, as far as I know, I have not
seen them come here to Emmonak and I don't know where
that -- how that's supposed to happen. I know Mr. Wilde
personally because he used to work here in the Yukon
Delta as a fish collector and he knows this area, how,
you know, we depend on salmon and commercial fishing and
if the commercial fishing is cut, then it will continue
down the chain to the subsistence fisherman who needs
that monies just so they can do the subsistence hunting
because it's all connected.

I think that's all I have.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Mr. Kelly.
And now we're going to revert to the floor. Who's got
the -- go ahead.

MR. WAGONER: Thank you, Chair. My name
is Louie Wagoner from Metlakatla, born and raised, life-
long resident and I serve on the community council and we
volunteer, so I appreciate the work that the RAC board
does as volunteers. It's a lot of work. And what we
need from the RAC Board is to make sure we're contacted when the meetings take place, when any proposals come in, especially when they're affecting any of our villages because these proposals, most of them are not coming from those of us who live our way of life. We live off the land, the water.

We're not the ones trying to change and make all the rules. We like the old way and we know our limits and we were taught not to waste, so we don't need to change our way. What we need is protection from the RAC Board and the Federal Subsistence Board to protect our way of life. It's really important is we'd rather just be home and enjoying what we do, going out on the beach at low tides and getting clams, cockles, seaweed, gumboots, whatever it is that's in season not having to protect our way of life all the time.

So that's really important to us. Back in 2000 when I first got on council, Saul Atkinson he was our mayor and we had a really good relationship with the forest service. We were informed all the time of what the changes that were coming. They would come to Metlakatla, bring all their proposals in whatever area they were going to cut timber in and if it was going to harm our subsistence areas and this was during Jerry Ingersol's time as head forester and he was really good with us keeping the government-to-government continuing there.

So just a little bit of an example here. They would bring in staff and they would set up their chart on the stands that they would bring, you know, and go over everything really well so we understood the changes that might come near our area and we had a voice and we knew they were coming. We would always make sure our whole community knew about this and we'd encourage as many of our people as possible to come and attend the meetings so they would have a say in what was going to happen and they can't say later that, you know, you didn't tell us or you forgot about us. They had their chance to participate. So it's really important that we are always informed in plenty of time to respond and that worked very well with them during that time.

And there's always something else. I forget about it now, so that was the main thing that I wanted to cover.

I thank you folks very much, I appreciate
CHAIRMAN TOWARAK: Thank you, Mr. Wagoner.

MR. NICHOLAI: Thank Chairman and Board members and RAC people. My one suggestion about this tribal consultation business, I think you're really have to have to be very careful because there -- I'm going to say what my uncle says, it'll be another form of lip service to us where you guys, the Federal Subsistence, you would manipulate us to dictate our future. That's what -- that's not culturally traditionally our way of life of living off the land and water.

You know, like I said, you got to be very careful because the system is not -- you might step out of the boundaries of what Title VIII ANILCA is, even Executive Order, or President's order or anything, you know. It's the -- it looks like a good opportunity, but it might be a reversal of what we're looking for.

I don't know what else to say, but it might be a ray of sunshine, but it might be a darker future where it could change like where we could use the system like the Federal government where the tribes could manipulate you guys to protect our traditional cultural way of life.

You know, my grandpa, Joe, told me subsistence is not -- doesn't explain our way of life. He told me it's a dirty word. There's a lot of ways. There's a lot of things happening. There's a lot of complex issues. There's a lot of problems. There's -- resources are running out and our way of life is changing every day, every minute. What happens here will always seem like it's going to help, but it always comes out affecting us adversely. I have a lot of things to do, I'm sacrificing time to be here. I have mother, grandma, people that I have to take care of. But I'd say just be very careful what you're doing.

CHAIRMAN TOWARAK: Thank you very much and your name?

MR. NICHOLAI: Gerald Nicholai from Tanana.

CHAIRMAN TOWARAK: The people in the back want me to make sure that everyone, for the record,
provides their name and organization.

(Indiscernible-away from microphone) the Board to manipulate the tribes and if you can suggest ways that we could do that, if you think about it in the future, you know, as long as I'm here, we'll -- you'll have someone to listen to you.

Thank you.

MR. ISAAC: Thank you, Tim. How you doing. Good to see you again. For the record, my name is Jerry Isaac. I'm from the Native village of Tanacross. I have been elected to serve as the president of the Tanana Chiefs Conference based out of Fairbanks. TCC's region is about 235,000 square miles and represents 42 villages and TCC's mission is to be an advocate in the representation -- provide representation with services for its member villages.

Over the years -- you know, over the years, our people have always stood up for their rights to hunting and fishing. The basic rights of -- that provides the means for food and sustenance for our people and families have always been under fire. I feel that my people have always been subjected to -- gave up more than they received.

I was born and raised in my village. My father and my grandfathers were always proud to be what they called themselves Americans. We have documents that talk about the freedom of religion and freedom of speech and freedom of the rights to be recognized according to you're being a citizen. I oftentimes feel perplexed that as a Native that's simply debatable at best.

I have a desire as a leader -- as an elected leader of my village, I have a desire that our people are recognized as Americans who truly have concerns like any American. I would like to see that issues like the hunting and fishing rights be handled on the basis of fairness of equality and in order to do that, we'll need to do what we're doing today in our meeting and consulting, but those are fancy words that needs to be interpreted and to be given righteous interpretation so to speak, to give it a fair and equal meaning.

To me, meaning consultation means to be respectful of one another and to always understand that
there is a resource that will be used up and gone forever
if we don't come together to come up with a plan that
would be meaningful to my people as well as yours. You
hear many of the comments made earlier today about having
meetings in the rural areas. And you hear comments about
my friends and colleagues having to give up doing certain
things to come here.

It's not for nothing that we say there's
no jobs or things of that nature in our villages. And
where has it gone that -- the value -- the American value
that we choose to live where we want and simply not to
have it a condition to be respected by words and comments
like well, you can always move to Anchorage or Fairbanks.

There are many things that you can do,
but meaningful consultation means to me that it starts
out with the recognition of each other's existence and to
recognize and value each other's stance and beliefs and
the fact that based upon this that we develop a protocol,
a process that would result in the actual act of
consultation. There are many things on the list that I
have concerns about.

Research studies is one of it.

In my four and a half sort years of being
president of TCC, I have been party to and have been in
earshot of the differences that researchers have in
regards to each other's styles, the methods that they
each use and the rationale that goes along with it. It
appears to me that sometimes bureaucratically the
valuable intent to come up with actual numbers and facts
are stymied by egocentric types of concerns and that's
got to stop.

To me research is research is research.
All I want to do is to get the scientific information
that myself and the rest of my decisionmaking body could
use to make -- to take decisive actions or want to do
about protecting the fish and wildlife resources. Simply
put, there are concerns about local enforcement. A non-
Native guy got cited and roughed up otherwise from what
hear, he, being a relatively a law-abiding citizen. I
had a friend, a former president of TCC, who was stopped
for no reason at all. Do we enforce -- is your Agency --
Mr. Towarak, the Fish and Wildlife Agency, is that their
responsibility to enforce safety, boat safety and this
stuff? If that is so, then I have a hard time
understanding that because I thought fish and wildlife
meant the protection of fish and game and not protection of people.

Many of the groups in the rural -- of the rural part of Alaska have many years of experience and expertise in contracting for Federal services. That needs to be really looked at instead of finding excuses about why Native organizations should not be permitted to manage National Park Service. It really needs to be looked at. I can guarantee you that I think I can do a decent job of managing the National Park Services and to gain and achieve the target objectives it sets forth.

I'd like to just ask in my parting shot that I call forth the question of fairness and quality and that's all I ask is for my people to be treated with fairness and equality.

Thank you.

CHAIRMAN TOWARAK: Thank you, Jerry. And for your information, everything that is being said today is being recorded and our Staff, we're going to make a synopsis I guess, if you call it that, of everything that's being said and we hope to share this with the RACs and then with the tribes and come up eventually with a method of doing tribal consultations in the future. So the project is really just beginning and this is just the beginning. It will continue.

MR. ENCELEWSKI: Mr. Chairman, pleasure to be here and a chance to talk. I could see the consultation's going to take some time as it takes four hours to get your turn.

(Laughter)

MR. ENCELEWSKI: So it is a major hurdle. I just would like to point out a couple things. My name is Greg Encelewski. I am the tribal president and chairman from Ninilichik Traditional Council. If you don't know about Ninilichik, you could probably read about it in the paper, the State's constantly fighting with us and trying to take away our C&T and so on and so forth.

But anyway we're down on the Peninsula. One thing we do have is we are on the road system, so we have a little better access.
But I want to address what I think we're here for is the consultation with the Subsistence Board and we have a couple suggestions that we thing could help work, but before I get into them, I do want to say that what we have done as -- I am also a member of the Southcentral Regional Advisory Committee. Ralph Lohse's Chairman over there and I intentionally ran for that position, I've been on there for many years so I could support my community as a subsistence user and a Native from Ninilchik.

And I know my responsibility is for the whole region and I do that, I take that very seriously, but the process there is that we've had to take our whole tribe literally and the Tribe of Kenai supporting us, we had (indiscernible) that went to jail for subsistence rights on the Kenai, came to support us, and we testified to the Southcentral RAC and we did -- we were heard and we did get -- we did pass proposals and when we went to the Federal Board, they were -- they didn't get the deference and a lot of them failed.

So that's where we felt that there was some problem. So I guess what I'm suggesting is in consultation is to find a way through more means that we could communicate to our RACs, get our people on the RACs that support us and for the Federal Subsistence Board there are several seats that I strongly feel should be tribal seats. The State has a position -- or a seat on the Federal Board as an advisor and I think the tribes ought to have that same equal opportunity.

Also that, you know, when it comes to the actual order of how you take comments, I feel that the tribal -- when there is tribal comments at the end of your presentation, they should be able to have a rebuttal or the tribal organizations should be have -- to be able to come forth and state because what happens is you get all this testimony, you get all this talk about a proposal or whatever's going on, and a lot of times, a tribe will get up there first and they've came to a RAC or they've made their proposal, then the State comes in, they cry and they whine and they tell you all these other stuff. Well, long story short, the tribe doesn't have a chance for rebuttal a lot of times or a time to speak clearly where they should.

I know it's a large issue of how we're going to get proper representation for everyone in this State. We're in the same boat. We're losing our
resources and resources are getting minimal. More of our 
fish is going outside in boxes. Sportsmen are catching 
it day and night and so it's a major problem. But I'm 
here to work with you and to hear and to figure out ways 
that we can come up with the Federal Board and I think 
that we should try and get some tribal people on there, 
maybe a tribal organization with representatives from the 
tribes maybe geographically, I'm not sure. 

But thank you very much. Starting my 
stuff and I'll send you a note on it.

Thank you, Tim.

CHAIRMAN TOWARAK: Thank you. We'd be 
glad to take written comments also and I'm sure the 
process will be open, you know, at least for the next 
year. Thank you for your patience. I hope I got it.

MS. STICKWAN: At our meeting, we had a 
meeting with the tribes in the region, in the AHTNA 
Region. What they came up with was that they would like 
to see a tribal RAC formed similar to the RACS that are 
in position that -- there are ten regions statewide, that 
one person from each region be on this tribal RAC and 
that OSM fund this tribal RAC, if it can't be funded by 
the OSM, then it should be funded by the Alaska Regional 
Affairs Office or BIA or some other organization, Federal 
or State Agency and it should not-- it shouldn't include 
policies -- it shouldn't just be looking at fish and 
wildlife proposals, it should be looking at management 
policies, anything that the RACs look at: management 
policies, all of those things that this tribal RAC should 
be able to have the same information as the RACs so they 
can get more voices just like the RACs do with fish and 
wildlife proposals, this tribal RAC should also be given 
the same information.

That's what we came up with.

I know that would be really difficult for 
OSM because their budget was cut in half, but maybe there 
could be working with the State of Alaska through the 
Legislature, something, somehow that they can come up 
with through the Alaska Community Regional Affairs or get 
some monies from BIA to have this statewide tribal RAC.

That's what we came up for our region.

The other thing is I have a question
about what the RACs will be doing because you're supposed
to be giving deference to the RACs. You know, how can
you give meaningful consultation when you're still going
to have to give deference to the RACs. We'll have to
some how work that out and listen to both the RACs and
the tribes and I know our council, the Southcentral
Regional Advisory Council, we do listen to the tribes.
We do -- from each person, we have people serving
different areas of the RAC and we listen to those
people's region where the proposal's coming from, the
management plan, or policy's coming from, we listen to
that person in the RAC. And we usually listen to what
they say and we do what they want to see done on the
management plan or the policy or the proposal.

I would like to see, you know, we are
going -- as RAC leaders, we're going to need to get the
information from the tribes. I'm sure you will be
presenting that information to us so that we can take it
into consideration when we meet since you are going to
give deference to the RAC members even though you'll
still be giving meaningful consultation with the tribes,
you still have to do that so we are able to work together
with the tribes and so we can support each other which I
think we have been doing it in the past, and for most of
the RACs, I guess it could be improved upon. But that
was what we came up with for the AHTNA Region was to have
a tribal RAC -- statewide RAC funded by OSM or BIA or the
Community Regional Affairs.

I have a question, I don't know if I can
ask you a question. Is this going to go through a
rulemaking process, this tribal consultation or is it
just -- will we be able to make comments on, or is this
the process right now? Is there a formal rulemaking
process?

CHAIRMAN TOWARAK: Yeah. I've been told
that it's not a rulemaking process. It's a develop -- a
policy development process and we're making it as open as
possible right now. You know, we're going to kind of
capsulize everything that's been said today and send it
out to all the RACs and I don't know what type of a mail
system that we use to get it out to the tribes, but I
would expect that we would send it out to the tribes as
much as, you know, as we could and request, you know,
analysis and criticism of the input from today and
eventually come up with a positive plan. That's my
guess. It's open though. We're not restricted, you
know, to the normal process of regulations.
And before you hand it up, I might have skipped it, but we need your name and....

MS. STICKWAN: Gloria Stickwan.

CHAIRMAN TOWARAK: Okay.

MS. STICKWAN: I serve on the Southcentral RAC as well.

CHAIRMAN TOWARAK: Okay. Thank you.

MR. ESMALSKA: Thank you, Mr. Chairman. My name is Burton Esmalska from Nulato. I'm going to be 84 years old in a couple days and I wanted to talk to the folks about this subsistence you're talking about and I just going to tell them the importance of it.

How I was raised in subsistence life and the Federal government is really hurting the Natives -- the whole Natives of Alaska. That's what they're doing to them now.

Me, I don't worry about myself. I worked a long time. I'm a taxpayer. I get good check every month and I don't worry now, I got the food I want, but my young people is hurting because I was raised with it, I understand it, the subsistence life, and that's what the Federal government is cutting off all the people in Alaska. The whole Natives, Aleuts, Eskimos, Coching, the whole works is going through it now. That pain. They're just taking it away from the Natives in Alaska. The Federal government doesn't know nothing about the Yukon River. That's the whole problem. So when you guys, when you get through with this meeting, the meeting, I don't want it to get any worse than the way it is now, this subsistence life because I've been through a rough life raising my kids in my days and this meeting here, I want you to make sure that they don't make it worse anymore on the Natives for our subsistence life.

And this -- that's what I'm telling you about now. There are fishnet, the Federal government, I want to tell you a story about it, a really true fact story. They want to make it 7 or 8 inch, you know, they are going to kill the fish. If they ever built that thing to 8 or 8 inch, that six inch, that's the real mark for fish, we'll get the mediums and then the small ones go through it and the big ones that's going to hatch in the rivers, we'll catch more or a few of them. For about
two years, I was in camp fishing on that salmon, that
king salmon, this is what seen. I went through myself
that some of that 8 inch mesh, they're just going to kill
the salmon, kill all the big fish that's going to hatch.
That's what they're going to do if they even make it.
They should leave it where it is now at six inch because
where I learn it, I used to fish subsistence. But two
years ago, they move us into town now, me and my wife, we
really enjoy that life on the -- this salmon about four
or five big fish are caught during all them years.
They're still out there in the river, and the big fish,
very few of them coming into the (indiscernibles) and I
cought about four of them and I feel sorry about it that
they're caught, that five fish like that, all them years,
and when I take the eggs out where six mesh in the river
and that river got two forks in it and then big salmon is
right there, right below, I catch that big salmon, geez,
i got (indiscernible).

We used to commercial fish, not even
commercial fishing now on the Yukon and I tell my wife
give me that machine, weighing machine, we have weighing
machine for that commercial. So I put that fifth one, it
don't look too big, the fifth one, I weigh, it's 29
pounds, that salmon, and that's -- I've caught some
bigger ones. Five and this is the smallest one. And I
turn to my wife, I (indiscernible) the eggs, I want to
see how big the eggs is and I open it and I -- gee, big
kings, big eggs ready to hatch, I put them on that
weighing machine and that eggs alone is three pounds,
that's how much fish that eggs in the (indiscernible) go
in the other river, it's going to go up to the other
river and hatch there. The big fish, they stay out there
in the middle.

Now where the net is, we get that medium
size that's just right. There's no problem with that.
And then you're surviving, made it strict on Nulato,
we're 4A district, from Anvik to Bishop Rock, that's
about 20 miles above Nulato; that's the main spot right
on the Yukon. That's why they're hard on us, but I don't
mind that, but it's the whole Alaska is -- they're doing
it to, to Natives. All the Natives is going through it
and they have to break down on that, treating Natives
like that, taking away our subsistence life, what our
grandparents taught us. I was raised with it, tough
life. We have to eat food, what little we get, when that
moose came around, the only people that have moose
(indiscernible) come around. Before that I've seen it,
there's no -- we have to eat the meat year-round, that's
how we live. Besides fish. All the peoples in fish camps, they're living on fish.

Now it's like that all over Alaska even on the cold side, the Eskimos, Aleuts, the whole works. That's what the Federal government is going to take away from us. That's not right. That cannot be done. They have to stop it. That's subsistence life and that -- that net is the main one. They got to leave it just where it is. Otherwise the Native people, they're going to kill all of that big fish that's going to hatch. And why they're hard on that District 4A, Nulato, there's two (indiscernibles) got that big rivers where the fish, both of them got two forks. A lot of fish go up them two rivers and there's many creeks in between there where all the fish go. Now that's why they're hard on Nulato and Anvik.

Like last summer, they let the first run of king salmon go by Nulato and Anvik, we're all sitting down. I don't mind me, but the poor people is just hungry and after that first run passed by, then the opening, there's some poor people, some of them don't got nothing right now and that's the whole Yukon, it's like that all the way up to Eagle. They want to stop that net, that's the main thing, they got to leave it where it is. And that subsistence fishing, they allow us only twice a week, 12 hours each shift and that's -- we're getting nothing now, so, last summer it was hard.

But all I'm saying is this is for the whole Alaska Natives. They have to quit cutting us off. Our lives, our young generations that's all we're hearing now, they're going to have -- they're going to depend on it.

You know, down in the Lower 48, I heard stories about it. Lots. You know, Jeronimo, you (indiscernible) a lot of people because you are doing that do them and, you know, when they got a hold of him, he was pretty old, well, they can't put him in jail, they got to treat him good, they were sorry what they done to him, that's why they (indiscernible) a lot of people, Jeronimo, the outside Indian, the rough Indian, there is no real battling, I hear lots of stories about that guy. That's what's happen -- that's probably just what the Federal government is doing to Alaska now. It's really painful. You all aren't worrying now, but the people of -- Natives of Alaska is going to hurt.
And the main thing I want them to do is make that net (indiscernible) and that subsistence life, I want the Natives rights for it. Just leave it. Don't make it any worse, the Federal government, I don't want them to make it any worse.

You know, this is what Ted Stevens four years ago, the Republicans controlled the House and Senate. Four years ago he came back to Alaska (indiscernible) we don't fix it, I done all the thinking for you, he came back to Alaska. Now you got all the true stories about that. Too bad that guy is not here today. Ted Stevens. The Senate and the House, (indiscernible) you're going to hurt when the Federal government take over the law in Alaska. The people are going to suffer. You see what's going on now, which is what Ted Stevens said. Our life is nothing now.

So what I want them to do is make that fishing in the river. If they do that, they're going to hurt the whole Yukon. They're going to kill it. And the subsistence life, I don't want them to make it any worse because I was raised up on it myself.

I was told a story about what happened when I was a little boy, I remember across Nulato, Kaiyuh Flats, the whole half of Nulato have to move out with their kids, that's the only way they survive and they live on fish, grouse, chickens, rabbits. That's all there was. I remember when there was no moose, no beaver yet. And now we were in Kaiyuh one fall and then my dad and mom, I understand they're talking Native. It's -- they didn't have to tie up the dogs. He told me, I'm going to go down to Nulato and get a little groceries. Little stuff, salt and sugar, like that. He went down Nulato, he came back the next day and then he'd take Mom (indiscernible) (In Native). It's a man, a Native, I was small but I understand. He told Mom I was coming back in that slough and there's two moose across the trail, where that come from. Well, my Dad he was trained -- a long time ago was trained to run down anything on (indiscernible) I could have killed them, two moose, but there's lots of people hungry in Kaiyuh, it's not only us going to eat, so he told Mom get the word all around the camps so they come to the camp in the morning, they all come here, I understand what he's talking about and all the people came. They all went down to that moose track. About two hours later, they all came back, two moose and all these people just like (indiscernible). My dad got one piece
of meat just for -- I know -- and one moose head, that's
all he got, the whole two moose went to all the people
and all of them people was so happy. That's having tough
life and there was no river yet and after the beaver
came, it got easier. We started to eat good, so that's
what the Federal government is trying to take away from
the Natives, the whole Alaska Natives. This is
(indiscernible).

So I don't want them to make it any worse
and that net, you can't make it 7 or 8 inch. That's the
main one. The one that kills. So that's what I've told
you folks about now. It's a long story, but I made it
shorter.

(Laughter)

MR. ESMALSKA: So I want to thank you for
letting me talk to you people, you're welcome.

CHAIRMAN TOWARAK: Well, thank you very
much for coming, Mr. Esmalska.

MR. ESMALSKA: Thank you.

CHAIRMAN TOWARAK: We really appreciate
your input.

MR. ESMALSKA: Uh-huh.

MR. FIRMIN: Thank you too, Mr. Esmalska.
It's always a pleasure to hear elders speak. I could sit
on a porch and sip tea with him all day.

This is Andrew Firmin from Fort Yukon and
I just had a few more suggestions that Stanley Ned farted
in a blizzard earlier but I heard him.

(Laughter)

MR. FIRMIN: He inspired me with a few
more ideas, what I thought -- when I first got on the
RAC, we were kind of limited by the budget to stay on the
road system, but when we did have enough money to go to
the villages and one of them was Fort Yukon and there was
a -- I think one whole day of public testimony at the
tribal house about the size of this room and it was
fairly full, but I think I got to encourage like the
villages and everybody here to take some applications
home and fill them out. Have their tribal councils
nominate somebody, support them, use them as a reference on your applications. Get your chiefs to be a reference. You know, it doesn't hurt to apply and I think a lot of it is the recommendations that they make on those applications and who does the interviewing, but the way I got on the RAC was just somebody kind of just tossed me an application and said fill this out because -- I believe Craig Fleener was on the RAC then and I took his chair when he got deployed.

But in doing that, I think that funding for the -- funding needs to go to the RACs to have meetings out in the villages and if the tribes -- as Mr. Wilde was saying earlier, they don't have the infrastructure or the certifications to handle large-scale meetings, possibly they could bring tribal representatives from surrounding villages that are too small to those meetings and perhaps they can send a chunk of change to that village before they -- the RAC goes there so they could get accommodations ready. They could have -- you know, they could cook food and hire people to clean up, get everything ready for you ahead of time before the staff gets there so that they will be, you know, easily accommodated. I mean we'll pitch tents for you guys or something.

But I think funding could go to the tribes as part -- in part as like a tribal liaison or a tribal coordinator to an existing position that's in the tribe already to help fund and run and facilitate some of those meetings in some of the villages because I know it's a lot of work and a lot of time and effort goes into them and they can get quite costly to travel to some of those villages, but like I said before, if they can't -- if the village doesn't have the infrastructure to handle a live-scale meeting like this, then possibly they could send a tribal representative from the councils be it either, you know, the chief, second chief, or just a nominated representative from the council or someone like myself that they would like to send to these meetings.

Thank you.

MR. LANLORD: Thank you, Mr. Chairman. My name's James Landlord (ph) (indiscernible) Tribe. We're exited this consultation with the tribes on our subsistence issues. I think it's a long time coming but we have familiarity with DOI and IHS with the consultation process but with the Federal Subsistence it's brand new and -- for tribes of Alaska and I think
it's a good thing for us because the State of Alaska has, you know, they've been looking past tribes especially to implementing our subsistence issues and I think the Federal government is going to increase with this role in our (indiscernible).

Secretary Salazar wants to increase the Federal Board to two more and I think I heard that they wanted to -- they're using the word rural preference perhaps since, as I said, Federal Subsistence Board and affecting our Native people I think the preference should be changed to a tribal, maybe even two more or one of them. And I think we already know that the State and the Federal Board have an MOA or an MOU. And I don't know if the RAC ever seen that or maybe if we can get a copy of that, you know, to see how it's going to affect us out in the villages. Perhaps we can get a copy of that and see how it's going to affect our -- the MOU or MOA's going to affect our uses to gather food.

There was one more. I can't remember. I didn't have any notes, so, thank you. Thank you.

CHAIRMAN TOWARA: Thank you, Mr. Lanlord. Just for your information, my understanding is that they're going to add two additional subsistence users. Now whether they're tribal or not, I'm not sure, but we'll fi -- I think it's going to be -- the requirement is that they are subsistence users. So that it -- it could include tribal people.

MR. WOOD: Mr. Chair. The last -- final comments from me would be to -- and my personal observations sitting on Regional Council, observing the Regional Councils is that the changes that were made a few years ago before I came aboard, there's commercial and sport seats that are really active and they kind of dominate some of the majority of the meetings and it's kind of a disservice to the original intent of the Regional Advisory Councils and that process. Now, maybe I'm a little bit off base. I'll check with the other Regionals -- is them commercial and sports seats are highly motivated to get their needs met, but that's not the intent of the Regional Advisory Councils is -- Federal Subsistence Board is to help subsistence not commercial and sports.

That would be one change of policy would
be to help get the voice -- a more of a subsistence voice in that arena. The other thing would be throughout the whole State of Alaska, I see agencies speaking in -- for or against Native programs -- or they represent Native groups. I mean, you got to stop and think about it, we got BIA, a wonderful program; Parks, I'm not too familiar with the Park Service or the Preserves, but, you know, they're designated for certain areas. Forestry's got a huge program. BLM, kind of the underdog in the whole Federal Management System according to the meetings I've attended.

(Laughter)

MR. WOODS: The Refuge system, this is -- and the Refuge system is to help -- has been more helpful in just about every wildlife management arena that I've attended. The Marine Mammal Protection or Marine Mammal Services under I think it's U.S. Fish and Wildlife Service and the Division of Commerce, I think there's two different -- anyway, the multi layers of Federal Agency and the bureaucracy in each one is speaking in behalf of many people and trying to represent that the best they can, but they're not doing a very good job.

I would suggest that you guys look at a policy to compact Native programs. That means each industry has a budget for subsistence or resource management, that AFN and different groups around the state are looking at protecting Native rights. And one of those is the suggestion that they have instead of a rural preference, a Native preference. That's kind of -- I'm here opening a can of worms that I don't want to get into on a Federal level, Mr. Pourchot, but I think that if we can compact the subsistence use dollars to make a statewide and a regional representation board that would have a seat on this Board, it would help.

I don't know how that looks and I don't know whether I pretend to even walk through the Federal system to even -- I got enough on my plate. Anyway that would be a suggestion from me is to -- that would -- you know, there's a lot of stuff to manage within the State of Alaska. We're so huge, I was sitting at an IPCOMM meeting and I don't understand what -- I mean I could only take care of what's in front of me.

So with that said, you know, protect the Natives -- like your elders said, to protect the Native rights and subsistence rights for Native people, those
services should be compacted through an agreement regionally, with a State board format similar to this. But I -- you know, that's just my suggestion. There's a lot of issues out there and a lot of things that need to be done and it looks like, you know, a good start.

Thanks.

CHAIRMAN TOWARAK: Thank you, Mr. Wood.

MR. MORRELL: Good afternoon, Mr. Chairman. My name's Thomas Morrell (ph). I'm from Grayling. I've been at these meetings since they began. Being Federal Subsistence meeting, I was really hoping to see a lot more people that subsist off the land that can be here and voice their opinions. But, you know, I know that the natural resources all over the world is declining because of overuse in large places and the species are totally disappearing. And the management of these resources is responsible to help everybody. And it shouldn't be the commercial fishermen or, you know, sportfishermen or the trophy hunters, people who want to hang stuff on the walls. We've got to have priority over these natural resources and, you know -- I was thinking about this trade and selling strips and stuff like that we were talking about earlier was a commercial thing. And that's totally different from trading fish for moose meat or seal or whatever.

Trading is trading and commercial sale of fish, whether it be whole or in part or in strips, is totally commercial enterprise. I mean selling strips for profit is a commercial enterprise and it should be noted as that. I mean commercial -- selling commercial -- selling strips commercially is -- I don't see how you could sell subsistence fish commercially when it's clearly selling it for profit which will put it in the commercial category. I mean I don't see how you can mix that up.

I'm really happy you guys -- this thing is -- finally decide to meet with the people and have some input from the people that use the resources and getting more input from more people would definitely improve this. I was going to ask you a question. The regulations, rules, or whatever they -- that's -- come out of this meeting, how long will it last? Are you going to revise it somewhere down the road in one year or two years? I mean things change and I was wondering about that.
CHAIRMAN TOWARAK: My understanding is that it will be a fluid document. It could be changed and my -- it's policy, right. And policies are made to change as -- if the users want it changed, we will listen to those changes and if it's the right thing to do, we would make changes.

MR. MORRELL: Thank you. It's -- the resources are always changing. You always have more or less fish and probably you're having less fish all the time like we're having more and more people all the time. You know, the population is growing steadily, but we still have the same amount of resources. So I think that's another problem.

And the other thing is like in Grayling, in that area, I see a new species come into the creeks -- the freshwater creeks. They're pike -- the pike fish, northern pike. They're moving into these freshwater creeks and I've never seen that too much a long time ago, but just lately I have been seeing a lot of pikes moving into -- you know, they're pretty much of a predatory kind of species. They had trouble with this thing down in the Great Lakes somewhere where people do a lot of sportfishing and they were eating up all the trout, but -- sportfishing down there and I know, I don't know what's everywhere, but I see it in a few creeks in and around the Grayling area that pikes were moving in and I don't know how much effect they're having in eating the salmon species, but I know a they're predatory kind of fish.

And I want to thank you for letting me speak and I hope it goes better when you get a lot of input from a lot of people that live off the land.

CHAIRMAN TOWARAK: Thank you, Mr. -- is it Melali?

MR. MORRELL: Morrell, yes, sir.

CHAIRMAN TOWARAK: Morr -- and we hope to get the information out.

MS. AHTUANGARUAK: My name is Rosemary Ahtuangaruak. I spent 25 years in Nuiqsut. In May, last year I moved to Barrow. Our process in Nuiqsut was very difficult as we worked through many concerns. Our lands were changing. Our waters were changing. We spoke many times about our concerns to subsistence. Our elders
started this process as our grandparents and our concerns continue to be watered down.

We worked five years on the Minerals Management NPR-A, trying to describe specific methods of how some of their activities should be done, on ways that will impact our seasonal usages or areas that are most important during certain times: our natural waterways, our transportation routes.

We've shared many, many concerns, but as many tribes also agree, we continue to give up, we continue to face changes in efforts of creating policies were done without at the table. We also went through after many decades of activity, they came back to us to talk about contaminants to the Tiktalik, the lingcod. There was activities that had changes to the lands and waters from resource obstruction that was leading to leaching of these contaminants into the water. Areas closer to where these activities were the worst. Closer to our community, they were less.

But this discussion occurred in Barrow and the communication came by phone to our tribal leader and the -- what came out of that process was to tell us not to eat any of these fish. As it turned out, they did a study and this study turns out to not look at how we use these fish, so we had to tell ATSCR, Agency for Toxicology and Disease Registry, to go back and redo this study looking at how we consume these fish because they affect us. These contaminants, they accumulate in us. They come into our bodies, into our breasts, into our future generations. As, women, we carry this burden with us through multiple generations.

I've studied this process because of health changes that were coming to our village. In 1986, I moved to Nuiqsut to become a health aid. Our village talked of what was going on. There were only 323 people when I got there, but when I decided to go to the University of Washington to become a physician assistant, I came out of school and now there were 60 people needing medicines to help them breathe.

I had started talking about these concerns before I went to school to further my education because I was seeing these changes and I was starting to gather statistical data, but politics and willingness to listen to these concerns were not well received in some ways. And still our studies are not there.
Well, a few years ago, we had 20 babies Medi-evac'd out of our village, put on respirators to help them breathe. Is this enough? Is that enough? Ten of those babies had worst complications. That's why we go to these meetings regardless of how bad things have been because we look into these little eyes and our hopes that we're working hard enough so that they still will breathe.

We also have concerns with the North Shore offshore environment and we put in a lot of discussions to try to protect fish migration rights, but without us continuing to be at the table, our ability to work through this process gutted out everything we worked over five years to do with the most effort to create the lease sales. Instead of saying things that should be done just so and not along these different areas, it became maybe industry should do this. Maybe they could do this, not they will, not they must.

The way that the studies were done when we look at our rapid consumption of certain species and narrow windows of time and our elders who share with our (In Native) our grandchildren, they share the new taste of these foods so they'll build up the desire for these foods, but we have many species that our people are no longer exposing our young children to. We have many concerns because the changes to the lands have changed the stories we're telling our children. Our hopes for restoration are affected by this.

We have communicated. We have participated. Last year I went on 39 trips before I quit counting, trying to deal with issues related to health, tradition, and culture. I had to volunteer for most of this stuff as many of our tribal people do. It takes me away from my town. It takes me away from all the hats I wear. As a health aide, I'm not there to be on call. As the person who works with our fire department, I'm not there to help with the training. As, you know, a mother who is -- I have five children and now I've got ten grandchildren. I wasn't there to help with the conflicts in school.

All of these costs add up and it's a price we pay because we continue to look in those new little eyes and it's a price that cannot be recouped in this process. Now, we have had 9 of 11 elders, men, that have died from cancer. These concerns are echoed in the communities. The two men that did not die have had
cancers and they're survivors. That's a terrible process
that we have to go through and we have these discussions
now about efforts to provide grants for concerns about
health and air quality and what do they do, limit it to
the hospitals, to the schools, and to the public
community centers.

But yet, where's our ability to address
the health. Our babies are breathing in their own
houses. These kinds of things are how the consultation
process has failed us. It's not the way things should be
done. Now we have opportunities to apply for various
grants to help our communities look at environmental
factors.

I've done three trips across the North
Slope to every village. I present to our children. I
present to the community. I offer to present to the
councils. Some councils are well received. Some are
not. But it's an opportunity to share and provide the
education that our children are needing to deal with the
changes that are coming because these decisions are their
daily lives, as the decisions of my grandparents is my
daily life. And these decisions have made many changes
to our bodies that now we have children that are
worrisome for leukemia. That's not right. It's not
right.

Please listen.

Thank you.

CHAIRMAN TOWARAK: I think this concludes
the process. We started at 9:00 o'clock and we've been
going nonstop and we appreciate those of you that have
waited until the end to participate. As I said, if I've
stated anything wrong, let me know.

We're gathering this information and
we're hoping to come -- and we will exchange it with the
public through the RACs and to the tribes, to the
regional corporations, the village corporations, and to
as many people in rural Alaska as possible to review the
gatherings that we have here today and then hopefully we
will be leaning towards a general policy of tribal
consultation that we will use that's been recommended by
you.

We know that we're restricted by budgets
on doing some of the things, but we're going to take a
look at that also. The Secretary did charge us to
participate on analyzing -- having the Board analyze the
operations of the Federal Subsistence Programs, including
the budget, and the leadership in that department.

So with that, I'm -- are there any
comments that any Board members would like to make or
short, final comments by RACs and -- we haven't heard
from Prince William Sound.

MR. LOHSE: Thank you. Well, I've
already got my instructions. It's supposed to be short.
I'm going to turn a little bit to my mentor right here
right alongside of me and maybe make it a little shorter
than he did.

(Laughter)

MR. LOHSE: But what we've been hearing
today really fits in a lot with my background. We've
heard a lot of stories of Creation, we've heard a lot of
stories of different beliefs and backgrounds, but one of
the things that I learned a long time ago is that what we
say should bless and not curse. And to bless means to
give great weight, to make a heavy weight, to make of
great importance and to curse means to make a little
weight, to make of no importance, and that's what we need
to do to all of what we hear and what we gather from the
information that we get here.

We need to put great importance. We need
to bless the people who speak. And I really liked some
of the ideas that came up and I'm going to try to tell
you some things. I've been a Council Chair for quite a
while. I've been on the RAC for quite a while and I
really think it's going to be important when the RAC
meets that if there's an issue that affects an individual
tribe or a group of tribes that a direct invitation goes
to them to come to the RAC.

Now, we've been fortunate in our RAC.
We've had tribal members as part of our RAC. We've been
able to go to tribal communities to hold our RAC
meetings, but I think that when an issue comes up -- and
I think that should be part of our policy, that when an
issue comes up that directly involves a tribe or a group
of tribes, a direct invitation goes to them to attend the
RAC meeting and that they be given a blessed listening
to, that great weight be put on what they have to say.
And I think the same thing should go for
the Board. I think that there should be, if there's
issues that are coming before the Board, that it's made
a part of the policy to send out an invitation directly
to the tribes or the group of tribes that are involved in
it. I liked Mrs. Stickwan's comment about having a
tribal RAC. Maybe we can't have a tribal RAC, but for
the tribes to get together and have somebody to represent
them and at least have the position on the Board that the
State liaison has, I think would be a very good idea. Or
possibly one of the two other seats that are supposed to
be on the RAC could come from that and that would be up
to the -- that maybe can't come under the provision of
the OSM, them providing it, but the tribes could get
together to do that kind of thing.

And I do like what Bert said. The RAC is
not a tribe. But the RAC represents what ANILCA calls
for, the rural residents of Alaska, and that's rural
Native and non-Native. And I'm not an Ish. I could say
that if the other guy was here, I don't come from a
Scottish, an Irish, or an English background. I'm an On
and that means I come from a Saxon background and my
people go back to subsistence a long way. And maybe I'm
a throwback.

If you've all heard about the guy that
was found under the snow in the Swiss Alps, that's
probably one of my long-ago relatives, and he was found
with seeds and berries in his bag and a stone knife and
a bow and arrow with stone arrowheads on his back. And
so that could be part of my background too and that's
part of all of our background.

And I'm 68 years old today. I'll be 69
not too long from now and I do have a subsistence
lifestyle even if I'm not a Native Alaskan. I still cut
my own firewood. I haul my own firewood on a sled. We
eat fish. We eat game. And I'm looking forward to my
sons burying me in the State of Alaska. But having that
said, I do see that it's important that we allow the
people who were here to have a good strong voice in the
activities that we're doing right now, activities that
directly affect them, directly affect their livelihood,
directly affect their culture, their nutrition, and all
the rest of it.

And I thank you for this opportunity and
I hope we do better in the future.
CHAIRMAN TOWARAK: Thank you. I guess I'm going to have the final word since I'm the Chairman of the Board. I want to end this whole thing with some advice my grandfather told me. He said God gave you two ears and one mouth; use them proportionately, and I hope we did that today.

Thank you very much for being here.

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

I, Salena A. Hile, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 439 through 521 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME IV taken electronically on the 21st day of January 2011, beginning at the hour of 9:00 a.m. at the Egan Convention Center, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 4th day of February 2011.

____________________________
Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14