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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

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1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 1/21/2011)

4
5 (On record)

6
7 CHAIRMAN TOWARAK: Good morning. Testing
8 the speaker system here. We'd like to begin the process
9 as soon as we can get people situated.

10
11 My name is Tim Towarak. I'm the Chairman
12 for the Federal Subsistence Board. We just got done with
13 two days of deliberations -- or three days actually of
14 deliberation and we're ending it today with something
15 that's very new to, not only us, but I think to everyone
16 that's involved in any Federal agency.

17
18 I would like to welcome all of you today
19 for our -- it's a historic move for the Federal
20 Subsistence Board and the Federally-recognized tribes.

21
22 Before I go to introductions, I would
23 like to say a few words about the purpose of today's
24 meeting.

25
26 Consistent with Directives from the
27 President of the United States and the Secretaries of the
28 Interior and Agriculture, this Board and the program it
29 represents will be emphasizing its relationship with
30 tribes with the goal of increasing our government-to-
31 government consultation with tribes and I might add onto
32 this is that at this time, consultation has no
33 preconceived definitions and hopefully by the end of
34 today we'll have some direction from you as to what
35 consultation with tribes should look like.

36
37 Speaking specifically to today's meeting
38 that we intend to start the process of developing a
39 tribal consultation protocol for the purpose of ensuring
40 more comprehensive and effective future tribal
41 involvement.

42
43 On December 28, 2010, letters were sent
44 to all Alaska tribes and ANCSA Regional Corporations and
45 Village Corporations inviting them to today's meeting
46 with the Board and Regional Advisory Council Chairs. It
47 is our goal to work with you to determine how best to
48 structure future tribal consultations. It is also
49 important to recognize the foundational role of the
50 Regional Advisory Councils and the Federal Subsistence

1 Management Program. In making regulatory decisions, the
2 Board must follow the recommendations of the Councils
3 unless they are not supported by substantial evidence or
4 violate recognized principles of fish and wildlife
5 conservation or would be detrimental to the satisfaction
6 of subsistence needs. That is why our Council Chairs are
7 here today and why we will be discussing with the
8 Councils during the coming winter meetings how they
9 envision tribal government-to-government consultation
10 should occur.

11
12 Based on input and discussions at today's
13 meeting and later with the Councils, the Board will
14 develop a draft document on the approach and vision for
15 tribal consultation. This document will be shared with
16 the tribes and Councils for their review and comment as
17 we look towards finalizing this process.

18
19 As I stated on Tuesday, the Federal
20 program is an outreach intensive program and we are
21 always looking for new ways to engage subsistence users
22 in the regulatory and management realm. Hearing from
23 tribes is additional way to do this.

24
25 And as a matter of the mechanics of how
26 we set it up today not knowing exactly how we wanted to
27 do it yesterday, we wanted it to be as open as possible
28 and we put chairs in a circle here hoping to use it as a
29 means of having a free flow of information between not
30 only us and you but the tribes that are on the phone.
31 We've got a phone system here and my understanding is
32 that we already have five people waiting to participate
33 with us in our conversations today.

34
35 We have four stationary mics up here and
36 we would like to invite tribal people as much as possible
37 to sit within the circle and if you have plans to
38 participate to sit either at one of the four tables here
39 and the mics are all connected for our speaker system.
40 We have a recording process going on over here that will
41 record everything that is said today. We will use that
42 as -- in meetings that I'm used to, these are called
43 Minutes of the meeting, but it will be a public record
44 for today's discussions.

45
46 When you do come up to participate, we'd
47 like for you to state your name and the organization that
48 you're representing for our records so that we will be
49 able to substantiate recommendations that you make in the
50 future.

1 And to begin this process -- and I have
2 to emphasize that we have no format for how things are
3 going to go today. We want it to be as open as possible
4 and have people come up and freely express themselves on
5 how you think the Federal Subsistence Board should
6 generate tribal consultation.

7
8 And with that -- and you might hear more
9 explanations as we go, but I would like to introduce the
10 Board members -- the Federal Subsistence Board who are
11 sitting throughout the buildings here. Sue, if you could
12 begin. I'm sorry. We've got four Board members here.

13
14 MS. PENDLETON: Good morning. I'm Beth
15 Pendleton. I'm with the U.S. Forest Service down in
16 Juneau and I'm the Regional Forester.

17
18 MR. CRIBLEY: Good morning. I'm Bud
19 Cribley and I'm with the Bureau of Land Management and
20 I'm the State Director of the State here in Anchorage.

21
22 MS. K'EIT: Good morning. Welcome. I'm
23 Kristin K'eit with Bureau of Indian Affairs. I'm the
24 Division Director for Environmental and Cultural
25 Resources Management and this week I've been the
26 appointed Board member.

27
28 MS. MASICA: Good morning. My name is
29 Sue Masica and I'm the Regional Director of the National
30 Park Service and I'm based here in Anchorage.

31
32 MR. HASKETT: Sue, thanks. Good morning.
33 I'm Geoff Haskett. I'm the Regional Director with the
34 Fish and Wildlife Service here in Anchorage.

35
36 CHAIRMAN TOWARAK: That's the makeup of
37 the Federal Subsistence Board. I am the Chairman.

38
39 I'd like to introduce Pat Pourchot. Pat
40 is the Special Assistant for the Secretary of Interior
41 for Alaska issues and his offices are here in Anchorage
42 and his phone is listed in the directory if there's ever
43 any desire to communicate with the Department of
44 Interior.

45
46 We also have some of our Regional
47 Advisory Council Chairman who are participating in our --
48 have been participating in our deliberations here for the
49 last three days and I would like to have them introduce
50 themselves.

1
2 MR. L. WILDE: Good morning. My name is
3 Lester Wilde. I'm from Hooper Bay and I Chair the YK
4 Yukon-Kuskokwim Regional Advisory Council.
5
6 MS. CHYTHLOOK: Good morning. My name is
7 Molly Chythlook. I live in Dillingham and I Chair the
8 Bristol Bay Regional Advisory Council. Good morning
9 again.
10
11 MR. LOHSE: Good morning. I'm Ralph
12 Lohse, Copper Basin resident from the mouth to the
13 headwaters and I Chair the Southcentral Regional Advisory
14 Council.
15
16 MR. ADAMS: (In Tlingit) It means
17 honorable people. (In Tlingit) That means good
18 morning. My name is Bert Adams, Sr., and I'm the
19 Chairman for the Southeast Regional Advisory Council.
20 It's good to see many of you here.
21
22 MR. FIRMIN: My name's Andrew Firmin.
23 I'm the Eastern Interior Regional Advisory Council's
24 representative and I'm also here representing the Council
25 of Athabaskan Tribal Governments.
26
27 MR. SAMPSON: Taku. (In Inupiat) Thank
28 you very much and good morning. My name is Walter
29 Sampson and I'm the president.....
30
31 (Laughter)
32
33 MR. SAMPSON: The Chairman of the
34 Northwest Arctic Regional Advisory Council.
35
36 MS. AHTUANGARUAK: Good morning. Thank
37 you all for coming. Your participation is greatly
38 appreciated. My name is Rosemary Ahtuanguaruak. I live
39 in Barrow. I've spent 25 years in Nuiqsut.
40
41 CHAIRMAN TOWARAK: Thank you. We also
42 have Peter Buck who is representing the Seward Peninsula
43 Regional Advisory Council. The Chairman, Ralph Weaver
44 Ivanoff, had a stroke about four or five months and he is
45 still the Chair, but he's unable to participate and Peter
46 Buck is representing the Seward Peninsula Advisory
47 Council. So, Peter, if you could come up here and join
48 us, we would be happy for you to be part of this the --
49 you know, the circle here.
50

1 I'd like to introduce Albert Kookesh.
2 AFN, in my mind, is the largest statewide tribal
3 organization and in one of our meetings, I suggested that
4 we've got to figure out ways to communicate on a layer-
5 to-layer basis and since the Subsistence Board is a
6 statewide organization and we represent all statewide
7 issues, AFN, I think, as a tribal organization, is a good
8 way to start our sessions and giving us direction on how
9 tribal consultations should take place. So, Albert, if
10 I could give you the mic, I'd like to begin with you.

11
12 MR. KOOKESH: I was glad you didn't ask
13 me to pray.

14
15 (Laughter)

16
17 MR. KOOKESH: Well, I appreciate being
18 here. I intended to come just to listen. Many of you
19 know what AFN is, if there's anybody here who doesn't
20 know what the AFN is, then you haven't been in Alaska for
21 very long. I appreciate the opportunity just to say a
22 few words on behalf of AFN.

23
24 Many of you know I'm the Chairman of AFN,
25 or co-Chairman of the AFN and I appreciate being here.
26 To members of the Board -- the Subsistence Board, thank
27 you very much for the work that you do. As you probably
28 know, I'm one of the people who have complained about
29 this Board and went to the Secretary of Interior and said
30 subsistence is broken. We need to do something different
31 in Alaska. It wasn't a personal attack on any of you.
32 It was dissatisfaction with what many of us in this room
33 saw happening for subsistence in Alaska and I think if
34 anybody can stand up here and say that, I can.

35
36 I was in the Legislature for ten years
37 and we tried a constitutional amendment passed in the
38 State Legislature and the Native community -- I was also
39 the Chairman of the AFN then and the Native community
40 spent upwards of \$10 million trying to get a
41 constitutional amendment in the State Constitution and we
42 were not able to do it. We have polls in Alaska that say
43 70 percent of the people in Alaska would vote for a
44 constitutional amendment, but the bottleneck was the
45 Alaska Legislature. So we were unable to get that done.

46
47 So what we decided after ten years and
48 our recommendation to the Board was let's not spend any
49 more money on the State of Alaska trying to get a
50 constitutional amendment. Let's spend the rest of our

1 money and the rest of our lives protecting what we have
2 under Title VIII of ANILCA and we've done that. So when
3 you see AFN coming and complaining about the Federal
4 Subsistence Board, it's because of that work that we've
5 dedicated ourselves to protecting what protections we
6 have under the law, which is only Title VIII of ANILCA.
7 The State of Alaska does not have a constitutional
8 protection for subsistence. The highest and best use is
9 the best they can do for us in Alaska.

10

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

26

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

42

43 The tribes have to have the say. The
44 tribes have to have the consultation. And AFN is going
45 to stand behind them a hundred percent. We have tribes
46 in Alaska that are dissatisfied, for example, of ANCSA.
47 We understand and recognize that. But when it comes to
48 subsistence, we're all together on the question. We're
49 all together on trying to find the answer and
50 consultation's part of that answer. I've looked at the

1 work that you do here in this room and the words that you
2 hear from members of the tribes, recognize how important
3 consultation is. You have to be able to get the wishes of
4 the people on the ground to a point of factual
5 conclusion. You have to be able to do that. You can't
6 sit up there and think that you have all of the answers
7 in your head when the people who are on the ground and
8 who live the subsistence lifestyle know the problems and
9 know what the answers have to be -- you have to listen to
10 them. That, to me, is what consultation is all about:
11 listening to the people who live the life.

12
13 On behalf of Julie Kitka and the AFN
14 Board, I want to thank you for allowing me to say a few
15 words. I appreciate Pat Pourchot being here and, Pat --
16 I really criticized Pat in the past, he and I have worked
17 together for a lot of years in the Knowles
18 Administration, and together in other areas, and the
19 Legislature. I appreciate his being here. It's good to
20 see you here, Pat, and people who don't really know him,
21 you know, he's a really good guy to work with and I
22 appreciate having him here.

23
24 Again, on behalf of the AFN Board, thank
25 you for allowing me to say a few words. I am just here
26 to encourage people to talk.

27
28 If nothing else -- members of the Board,
29 if nothing else, open a dialogue that is flowing both
30 ways. Open a dialogue that's flowing both ways. It
31 can't just come from you telling us how to live, how to
32 survive in our subsistence lifestyle. You have to work
33 with the people on the ground.

34
35 Thank you very much for your time and I
36 appreciate the effort here, of the interest.

37
38 CHAIRMAN TOWARAK: Thanks Albert. Thank
39 you, Albert. We'd like to encourage especially tribal
40 members to join us up on the chairs that are in front and
41 for those of you -- I've heard that there's a couple of
42 people that have other medical appointments later on
43 today and they have requested that they be heard as soon
44 as we get started. So feel free to fill all the four
45 tables up here where the mics are and we will just
46 hopefully begin some kind of a dialogue with the tribes
47 in Alaska so that we can begin the process as soon as I
48 -- Mr. Jackson, are you available? Why don't you give us
49 -- get us started and invite others to join you up on
50 these four tables here.

1 MR. JACKSON: Thank you, Mr. Chair. My
2 name is Willard Jackson, KIC Tribal Council. I'm here
3 with my brother, Richard Jackson who is a -- the Grand
4 Camp President. I'm honored to be sitting here and be
5 talking about our issues as a tribe.

6
7 Two days I mentioned that I feel that and
8 I feel the same way Senator Kookesh feels. We feel that
9 the RAC Board and the Federal Subsistence Board need to
10 come to the tribal councils, the leaders of your
11 communities and your villages. They are the governing
12 body for the tribe. Ketchikan is a -- Ketchikan Indian
13 Community is a population of 5,580. We're a hub area in
14 the Southeast area. We have families from Metlakatla.
15 We have families from Hydaburg and we have families from
16 Klawock. We have families from Craig. We have families
17 from Wrangell and we have families from the outside area
18 moving into our area for assistance, whether it be in
19 food commodities or general assistance. That is
20 happening today and it's going to continue to happen.
21 It's happening in Juneau.

22
23 In 2020, the Native population in
24 Anchorage is probably going to double. Our people are
25 moving out of our villages to find a way of life because
26 they're not finding it out in their outside areas.

27
28 The Ketchikan area, when our brothers and
29 sisters go out on their fisheries for halibut, have to go
30 outside their boundaries now. They are definitely in
31 harm's way to do their halibut fishery now. The herring,
32 everything we save from the Sitka area we need as harvest
33 is flowing in. We no longer have herring spawning in our
34 area. It's been fished out in the bay and it's real
35 spotty in the Ketchikan area today. I appreciate a few
36 years ago when they were going to open up a fishery off
37 of Benton (ph) Island and they closed it.

38
39 I feel myself as an Alaska Native the
40 fishery in the Sitka area, in my personal opinion, should
41 be closed every other year to allow for that buildup and
42 escapage of our herring. It is the last big area in
43 Southeast Alaska.

44
45 I've got to leave early. I've got to --
46 I'm going to escort my younger brother. We're going to
47 be going to the VA hospital. So I appreciate the
48 opportunity to speak to you. I appreciate the last
49 couple days in speaking on behalf of KIC Tribe.
50

1 There is a letter coming out of Grand
2 Camp, Robert Loescher and Floyd Kookesh and Kendall
3 Miller are drafting up that letter as we speak today. We
4 want to submit it to the Board on behalf of Southeast
5 Alaska. We don't have enough people from our different
6 tribes in the Southeast area. I feel in the future of
7 this Board, you need to travel outside this community to
8 reach some of the other tribes in the Southeast.

9

10 Thank you very much.

11

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

21

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

31

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

48

49 And me being here today and Mr. Atkinson
50 representing the Council and me representing the tribe,

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

13

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

18

19 Thank you.

20

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

26

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

35

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

47

48 If it is restricted to Mondays and
49 Fridays to when we can catch a salmon to feed our
50 families. It's important to us going to Seattle,

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

16
17 We discovered that there was king salmon,
18 which is us -- we eat the head and tail, we eat every
19 part of that. We dry fish. The fish guts go into the
20 garden or into the -- to feed our dogs. The back bones
21 go to feed our dogs and if we run short, we eat those
22 back bones. Okay. So there's nothing wasted. Okay.
23 And when we hear of the thousands of chinook salmon being
24 thrown overboard as bycatch on the pollock fishery, this
25 isn't right and for us, the way we see it, it's genocide.
26 It's genocide. That fish would have come up the rivers
27 and feed our families. That needs to be stopped. We
28 voluntarily on the river all agreed to restrict our
29 subsistence use when the fish stocks went down. The
30 pollock fishery needs to also do that. Restrict their
31 use of this fish. It's a crime to throw it overboard.

32
33 We need our food source and we'd like to
34 request your help and eliminate that. I'm just an old
35 grandma from Crooked Creek, but it doesn't take a rocket
36 scientist to see what is happening to the fish stocks.

37
38 I thank you for your time and I thank you
39 for listening.

40
41 MR. ADKINSON: Good morning. Mr.
42 Chairman. My dear friend, Senator Albert Kookesh, good
43 to see you here too.

44
45 My name is Solomon Adkinson and I
46 addressed you at the beginning of the conference and this
47 is our first time to send representatives from Metlakatla
48 and we appreciate the invitation to take part and to see
49 what is going on and how the consultation process is
50 taking place and I am impressed where every village had

1 a chance to say what they felt about the fisheries, about
2 the subsistence in their areas.

3
4 Up in Metlakatla, as I mentioned before,
5 we are the only reservation left in the State of Alaska.
6 Therefore we have the entire Annette Islands, it measures
7 10 miles wide, 21 miles long, and contains 87,000 acres.
8 We also have a 3,000 foot boundary around the island
9 from really low, low water extending out 2,000 feet.
10 This is our area that we can go fish in, we can subsist,
11 but, you know, the product is not always available right
12 there on our island. We need to be able to go to
13 adjoining islands such as Prince of Wales and we go to
14 Gravina Island. And traditionally our people have -- our
15 Natives have always been able to travel to different
16 areas, whether it during the summer months to pick
17 berries or to get the clams or the cockles, the dungeness
18 crab, whether they want to go get halibut or whatever.
19 They never -- never really restricted.

20
21 History tells us that they -- they lived
22 approximately 50 miles distance from our island at the
23 very beginning, before we had stores, we had to subsist,
24 we had to live off the land and our people did it
25 successfully. And one of the stories is that we've been
26 going over to the Hawaiian Islands with a large 70-foot
27 long canoe. So subsistence to all of us is nothing new
28 and now as we progress as a United States, more
29 regulations come and restrict us, restrict what we can do
30 and this is not healthy for any of us Native people
31 because it -- it makes it a little difficult for us to
32 get the Native food that we have learned to depend on.
33 So this organization is very valuable to the entire State
34 of Alaska. We need this. We need to be able to talk to
35 each other, to consult, to get all of the regulatory
36 agencies that are designed to preserve the different type
37 fisheries, et cetera, but sometimes they enter these laws
38 that restrict us a little bit too much that prevent us
39 from gathering the type seafoods and the berries,
40 whatever we need to subsist on. They restrict us so that
41 we're not able to do that anymore.

42
43 Tom Lang, he's Chairman of our Aboriginal
44 Rights Committee and Louie Wagner who is a member of the
45 City Council, maybe they'll make their presentation
46 later, but when we get back to Metlakatla, what we will
47 do is put all that we have learned together and present
48 it to the Council so that, as I mentioned at the very
49 beginning of this meeting, we would like to have
50 representation on the RAC. We feel that we need to be

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

10

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

14

15 Thank you.

16

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

32

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

49

50 One of the things we need to remember is

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

10

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

16

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

27

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

35

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

42

43 (Laughter)

44

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

1 against regions.

2

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

13

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

22

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

31

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

1 recognizes the history that we have and that we're trying
2 to hold onto.

3

4 Mr. Chairman.

5

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

13

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

18

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

41

42 So we feel that we're being regulated so
43 much by the Alaska Department of Fish and Game and it's
44 hurting these people here. The community's hurting. I
45 have a few members of Emmonak that are here with me and
46 they would like to add some -- I'd like to have -- I have
47 Nick Tucker here, Nick Tucker, Sr., here, he'd like to add
48 something here because he has work here and he needs to
49 go back to his job, so I'll have him add something on
50 here if he could.

1 CHAIRMAN TOWARAK: Before Mr. Tucker
2 comes on, we need your name and which organization you
3 represent.
4
5 MR. KELLY: Oh, I'm Marvin Kelly with the
6 Emmonak Tribal Council.
7
8 CHAIRMAN TOWARAK: Would you spell your
9 last name.
10
11 MR. KELLY: Kelly, K-E-L-L-Y.
12
13 CHAIRMAN TOWARAK: Okay.
14
15 MR. KELLY: First name Marvin, M-A-R-V-I-
16 N, Emmonak Tribal Council President.
17
18 CHAIRMAN TOWARAK: Thank you.
19
20 MR. KELLY: Go ahead, Nick.
21
22 MR. TUCKER: Mr. Chairman, my name is
23 Nick Tucker. I've been a life-long -- I'm 65 now, an
24 advocate for my people in regards to fisheries and areas
25 of fisheries, social issues in our village. And I want
26 to thank the tribal council here for a moment here before
27 I return to work.
28
29 I think what I find most encouraging is
30 that we're finally being recognized throughout Alaska to
31 be consulted even for us people that are on the ground
32 who are -- who have -- are touched by our subsistence way
33 of life right on the ground and our tribal councils are
34 the ones that understand it the most and work with the
35 Federal Subsistence Board and other governmental people
36 to represent us. The thing that I'm looking at is that
37 when we talk, we have no place called politics because
38 one thing that we have to understand is the sacredness of
39 each other's subsistence way of life. That comes first.
40 And I agree with being factual, that we are honest from
41 where you come from, where you want to be today, and
42 where you expect to be tomorrow because if we don't,
43 we're going to hurt each other and each tribe in Alaska
44 should recognize that each one of us have a certain
45 intertwining existence being with our subsistence way of
46 life in all areas of our tribes and councils and our
47 traditions.
48
49 The thing that I'm really looking at is
50 that by sacredness, I mean we do have to adapt and I feel

1 like I'm a criminal on the fishing grounds when I go out
2 commercial fishing where industries and almost 80 percent
3 unemployment. We have no other choice but to get motor
4 parts, outboard motors and nets and supplies and
5 equipment just to be able to go out whale hunting, seal
6 hunting, rabbit hunting, moose hunting, caribou, and fish
7 and that's where your consultation of the tribes come in.
8 And I really am happy about that.

9

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

14

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

30

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

39

40 Thank you, Mr. Chairman.

41

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

48

49 As you know, all the anadromous fish, the
50 salmon, whitefish, smelts, eels, and other fish

1 throughout their life cycles, especially when they're out
2 in the Bering Sea where they spent the majority of their
3 life to forage and grow to maturity, to return to where
4 they originate from just takes a few month when they come
5 up to the rivers then and it happens throughout the State
6 of Alaska. Managing them only when they return is
7 causing a lot of hardship between all the users of the
8 Yukon River salmon and also includes the treaty with
9 Canada and I believe that's causing hardship throughout
10 the State of Alaska.

11
12 And what I wanted to say is what we see
13 is very easily managed, but what we can't see is very
14 hard to manage. Just because we can't seem to physically
15 see them doesn't mean that we can't properly manage them.
16 The hardship that started in the past was when foreign
17 trawlers took fish and started harvesting them in the EE
18 Zone area, so-called donut hole, and also False Pass
19 interceptions. Now we have the United States trawlers
20 which are tossing all kinds of marine resources out in
21 the Bering Sea or the Gulf of Mexico, are causing us
22 hardship up here. Also the new one that just came out is
23 the CDQs. I believe there's six of them that are
24 operating right now and they even have a million dollar
25 processing plant and that's also giving us a lot of
26 hardships throughout the State.

27
28 I think that we need to start to
29 designate marine protected areas essential fish habitats
30 out in the areas where the fish are being intercepted or
31 being tossed overboard.

32
33 The fish here, you know, we have all
34 types of marine life that depend on the Bering Sea. The
35 one that's coming up that we're really concerned about is
36 the one on the Northern Bering Sea which is like a funnel
37 that goes up to the Arctic. So I hope that we can begin
38 to wake up and figure out what to do with all these
39 marine life that are causing a lot of hardship throughout
40 the State of Alaska.

41
42 Thank you for your time.

43
44 MR. KELLY: Thank you, Mr. Chairman.
45 This is Marvin Kelly again. So, you know, if we're able
46 to work with each other and I know I brought it up to the
47 -- Senator Mark Begich and some others like Congressman
48 Don Young and Senator Murkowski and asked him -- told him
49 that, you know, we should work with Canada, begin to keep
50 -- keep the talks going with Canada because that's where

1 the king salmon go to spawn, you know, and if they are
2 disturbing that -- if they're disturbing their spawning
3 grounds with their commercial fishing or some other thing
4 that's bothering the kings, the fish will go to other
5 tributaries. So as you guys know, Alaska has a lot of
6 tributaries because the salmon don't go -- just go to
7 Canada to spawn. They use all these other tributaries.
8 So, you know, that's where we -- that's where all of
9 Alaska tribes are working together. We work together to
10 find where these other kings are going to spawn so, you
11 know -- and I feel that, you know, the tribes really do
12 need to be involved with the co-management.

13

14 So thank you very much.

15

16 CHAIRMAN TOWARAK: Thank you, Mr. Kelly.
17 We will now switch back to the microphone in the meeting
18 room today. Mr. Andrew.

19

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

28

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

40

41 But over the last few days, I've been
42 participating in your process and I really appreciate the
43 opportunity that you have provided during that -- during
44 the last few days and the opportunity to talk about this
45 issue as well, as a non-agenda item on the first day.
46 But we feel that tribal consultation is extremely
47 important for decisionmakers and managers that affect our
48 tribes because when you establish a regulation without
49 the consultation of people, that regulation, its
50 implementation, its enforcement does not come out very

1 well. In the Yukon-Kuskokwim Delta, we have what we call
2 the Yukon-Kuskokwim Delta Goose Management Plan. It was
3 a document that was started in 1984 out of necessity to
4 address the issues of poor goose species in the Yukon-
5 Kuskokwim Delta. To date, there are two populations that
6 have nearly achieved their population goals or population
7 objectives or one -- one exceeded its population
8 objective and the other is nearing at or above its
9 population objective that we had established at that
10 time.

11
12 And this -- the Goose Management Plan was
13 developed by the people of the Yukon-Kuskokwim Delta, the
14 U.S. Fish and Wildlife Service, the Alaska Department of
15 Fish and Game, Oregon Department of Fish and Game in
16 Washington -- excuse me. Washington -- Oregon Department
17 of Fish and Wildlife, Washington Department of Fish and
18 Game, and the California Department of Fish and Game.
19 This is an excellent example of tribal consultation and
20 how effective it can work with the people that we have
21 out there.

22
23 And one of the areas that I think that
24 the tribal consultation process should really focus is
25 especially when you make decisions that affect
26 communities, like, for example, excluding communities.
27 The OSM or whichever your -- whoever your Staff members
28 are should go to those communities and let them know that
29 there is a proposal to exclude their communities because
30 when -- when you get a proposal to exclude your
31 community, you know, they're not necessarily paying
32 attention to what's happening with the regulatory process
33 and -- to the community's dismayed and they come to the
34 meeting and see it as a proposal and they weren't given
35 the opportunity to address it effectively. So -- or any
36 measure that you may have should be -- or the tribes
37 should be given the advance notice.

38
39 And the tribal -- or the representative
40 that you are going to have or will have on the Federal
41 Subsistence Board should be designated as tribal seats
42 because subsistence is a tribal issue. It's always been
43 a tribal issue. It's -- we've inherited from our
44 ancestors and ANILCA, the law that created the Federal
45 Subsistence Management System in Alaska was -- has its
46 foundations on ANCSA. ANCSA has its foundations on our
47 Native rights to the land. And so the law -- the
48 subsistence way of life that we live, the customary and
49 traditional use determinations, all those are tribal
50 issues that is ingrained into this law.

1 And the tribal consultation process
2 should not only be limited to the wildlife and fishery
3 proposals, but it should be inherent in all the agencies
4 that manage the fish and wildlife resources. I had
5 indicated in the last few days, Mr. Geoff Haskett coming
6 out to the community of Marshall to address some
7 fisheries issue that we are facing there in the
8 community. He came out along with Heather Kendall-Miller
9 and there might have been a couple other Refuge people
10 that traveled out to the community and talked to the
11 community -- the tribe, the tribal government officials
12 of Marshall and Ohogamiut and have that dialogue and keep
13 that dialogue open and continuing. And this is a real
14 good example that perhaps the other agencies that are
15 regulating our fish and wildlife and the way we utilize
16 the resource should follow

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN TOWARAK: Just grab the mic.

21

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

27

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

36

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

47

48 And things need to be fixed back to what
49 was promised to the Alaska Natives. The Alaska Natives
50 was never given the right to vote on what was

1 traditionally theirs so, you know, I think we need to go
2 back and make that's right to Alaska Natives because
3 we've been left out even with the State of Alaska. We
4 have to fight every day for our subsistence rights and
5 spend monies just to fight back to keep our rights and we
6 can't let it go because we need it for our future
7 generations. So something needs to be done. We need to
8 have a good working relationship where it's, you know,
9 it's serious, we can't be left sitting in the back to be
10 advisors anymore.

11
12 So tribal consultation is one way to go
13 about it, but it's not just to hear what the tribes say.
14 Giving the decisionmaking, you know, having them at the
15 table making the decisions to -- not just to be advisors.
16 So we need to be involved in like issues and when doing
17 research, and biologists, you know, based on biologists,
18 but the Alaska Natives, they've been good biologists all
19 their lives and they know just as much as the biologists
20 and they can listen to what the elders say because they
21 know what has been done and, you know, they've been there
22 for years and years and years so they know how, you know,
23 things run with the wildlife.

24
25 I was going to say too that everything
26 shouldn't be held within the Office of Subsistence
27 Management. They should, you know, expand it out to all
28 the villages or something to work on some kind of a
29 relationship. Everything shouldn't be solely left up to
30 the Office of Subsistence Management to implement and
31 administer. It should be -- you know, every region has
32 an organization that the tribes are involved in. There's
33 got to be some kind of working relationship there to, you
34 know, listen to, help or something. So there's other
35 options that could be used, you know, but the tribes need
36 to be involved as decisionmakers.

37
38 CHAIRMAN TOWARAK: Thank you, Linda. I
39 wanted to ask you -- and I don't know if you could hear
40 me, but is there any way that the tribes -- have you got
41 any thoughts about how the tribes could work with the
42 Regional Advisory Councils and if any of the Regional
43 Advisory Council Members have got a thought on that, if
44 you could get up on the phone and please feel free to
45 participate. I don't really want us to keep you out of
46 the loop. So, Linda, have you got any ideas on how
47 tribes could work with the Regional Advisory Councils?

48
49 MS. TINING: The Regional Advisory
50 Councils are advisors and in the past, I've seen those

1 Advisory Councils make decisions, but it's -- their
2 decisions aren't considered and that's one problem.
3 Then, you know, if a tribe selects a person to represent
4 them, that decision is made somewhere else of the
5 Department of Interior, who sits on those Advisory
6 Councils. So that's another thing that needs to be
7 changed if the tribe makes a decision and somebody that,
8 you know, wants to represent them, that's their
9 spokesperson. And so that's another -- you know, there
10 needs to be communication where they can -- the tribes
11 need to make their own decisions and not the Federal
12 government.

13

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

23

24 MS. TINING: Uh-huh.

25

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

32

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

41

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

47

48 MS. TINING: Maybe perhaps one way is to
49 take the recommendations and let the people who they
50 select sit at the Advisory Councils.

1 CHAIRMAN TOWARAK: We'll work on doing
2 that and perhaps Lester Wilde or one of the RACs have got
3 some thoughts on -- go ahead.

4
5 MR. L. WILDE: Mr. Chairman. Since
6 (Indiscernible) up here to chair -- I mean take over the
7 mic I thought I'd jump -- get the mic before he does
8 because I wouldn't have a chance if he does grab it.

9
10 (Laughter)

11
12 MR. L. WILDE: Mr. Chairman. One of the
13 things we've had in the past that we've tried to do in
14 the past is to have our meetings in the villages where
15 we're able -- so we could consult with the tribes and the
16 villages on particular proposals that affect their area.
17 And as you know when it comes to dealing with the Federal
18 government, you've got to deal with all kinds of
19 different rules and regulations that must be followed.
20 And one of the regulations state that we can only meet in
21 the hubs and that the hubs in our area is Bethel and
22 Emmonak and St. Marys, but it also -- there's also a
23 stipulation that in order for us to meet in a village,
24 they must have a certificate. I don't remember what the
25 certificate is, but it's an approved meeting place that
26 we must meet at.

27
28 And a lot of our villages that are out in
29 the areas that really do not have those certificates.
30 Prior to a time that these regulations were passed, we
31 were able to go to any village that invited us so that we
32 can consult with the people in that village and be able
33 to take those proposals and have the backing of the
34 tribes that are affected by those proposals. But we are
35 unable to do that anymore. If there was a way where we
36 can go over the -- or go past the regulation where it's
37 -- that states that we need to meet in a certified
38 meeting place, then it would be a lot easier for us to
39 get into the villages. But another prohibition that --
40 another problem that we have is the hub area that we are
41 delegated to meet in the hub and that's not consulting
42 with the people that are most affected by the decisions
43 that are made by the Board and the only way that we're
44 able to get the feel of the people that we deal with and
45 that who we try to help in every way that we can is to be
46 able to go out and meet with the people there.

47
48 There is -- the true -- if tribal
49 consultation is something that is -- well, needed and it
50 is needed in order for us to represent them properly is

1 to be able to go out and meet with them. And at this
2 time, with the funds and the resources that are available
3 to us, that is prohibited. So one of the ways that we
4 can be more closely -- and our tribes in the areas that
5 we represent can be more -- can be that more able to go
6 out and have consultation with them so we can pass it out
7 to you as a Board with a feeling that is coming out from
8 the area is to be able to go out and meet those people
9 and deal with their problems in their villages. That is
10 the only way that we -- that I feel that we can truly
11 represent our people and our tribes.

12

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

20

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

35

36 Thank you, Mr. Chairman.

37

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

44

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

46

47 MR. TOWARAK: I wanted to point out too
48 that we've got staff I think taking a look at using
49 modern technology and making it available on -- through
50 the Internet where people would be able to connect with

1 the Regional Advisory Councils on a regional board
2 meeting through the Internet. It's probably not real
3 efficient right now, but my understanding is there is
4 some organizations that are bringing faster speed
5 Internet capabilities to Western Alaska and hopefully
6 that will be a machine that eventually will help
7 communications better between the tribes and the Regional
8 Advisory Councils along with the Federal Subsistence
9 Board.

10

11 MR. HARRIS: Mr. Chairman.

12

13 CHAIRMAN TOWARAK: Go ahead.

14

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

17

18 CHAIRMAN TOWARAK: Sure.

19

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

28

29 (Laughter)

30

31 CHAIRMAN TOWARAK: So is fish.

32

33 (Laughter)

34

35 MR. HARRIS: Yes. My grandmother told me
36 that we need to be patient with the Ish tribe because
37 they're tribal people who forgot who they were and I'm
38 going to be speaking to you in particular in reference to
39 what's happened in Alaska and our roles here. Many of
40 you have heard me speak before, but Alaska is the least
41 productive wildlife state in the nation and if you're
42 managing Federal lands, you're managing the least
43 productive Federal lands in the nation. I also -- I'm
44 sad to report it appears that we are the least productive
45 wildlife habitat in the Northern Hemisphere, that more
46 wildlife was harvested within 55 miles of Washington,
47 D.C., than was harvested in all of Alaska last year, the
48 year before, the year before, the year before. And that
49 is shrinking at an enormous rate.

50

1 In 2001, Alaska reported 57,000 hoofed
2 animals harvested: deer, moose, caribou, sheep, muskox.
3 By 2008, it dropped to 43,000. We didn't lose that in
4 population overall in the State, but we lost the
5 population in rural Alaska and our villages can no longer
6 afford to feed themselves from the land surrounding their
7 village. We need to remember that ANCSA was mandated
8 that we would select the lands around our village
9 important to feed us. Those lands can no longer feed us.
10 And as such, we are forced as people to go onto Federal
11 lands to try to find that food, going farther and farther
12 and farther.

13
14 By 2001 to 2005, the Village of Tyonek
15 was only getting one moose off of 47,000 acres. The
16 lands -- all of the ANCSA land surrounding it. There
17 have been some changes made as a result of the direction
18 of the elders and the board. Today we're getting 18
19 moose of that same acreage. Today we are seeking to
20 rebuild and strengthen the salmon populations in and
21 around our village and we had to find that not from any
22 resource available in the State. We had to go to
23 California and West Virginia and other states to learn
24 from them what they were doing and when we found what
25 they were doing, we were shocked and amazed to learn
26 private landowners in those states were receiving Federal
27 subsidies from a pot of money today that is over
28 \$4 billion. These are Federal subsidies that this
29 agency, this Subsistence Board, has an obligation to know
30 about.

31
32 CHAIRMAN TOWARAK: Just for your
33 information, we have no jurisdiction over private lands.
34 That's State.

35
36 MR. HARRIS: We understand that. But
37 please understand that you're managing the least
38 productive Federal lands in this State -- in this nation
39 and that when the private landowner can no longer feed
40 itself on its lands, it's forced to go to you. This
41 Agency has a signed agreement.

42
43 CHAIRMAN TOWARAK: Would you relate how
44 that relates to tribal consultation?

45
46 MR. HARRIS: It relates tribal
47 consultation because one of the parties missing -- let me
48 ask. Is anybody here from NRCS -- USDA NRCS. This
49 Agency signed an agreement with NRCS in 2006. They
50 signed another agreement in 1988. The Executive Orders

1 are on file that this Agency would work with USDA and
2 USDA would work with this Agency to make certain that
3 this done because if this Agency does not do its job,
4 it's pushing the burden onto you. If USDA does not do
5 their job, it's forcing you to do things and to make
6 rules and regulations impacting us and making us
7 criminals when we go out and harvest against Federal law.
8

9 I say this because we now are in our
10 tenth year of documenting this and I will provide as you
11 request the memorandum of understanding among the U.S.
12 Department of Interior, Bureau of Indian Affairs, the
13 U.S. Department of Agriculture and Natural Resource, the
14 U.S. Department of Agriculture Farm Services where in
15 those agreements Department of Interior promised to stay
16 out of agricultural funding and keep their hands off
17 agricultural funding if USDA made that funding available
18 for subsistence and I very much encourage the Agency --
19 I promise you if this issue is not fixed, nothing else
20 you do matters. If this funding is not available to us
21 as a committee, Alaska Native Community, we will be back
22 here ten years from now with somebody saying well, that's
23 not our job. That's somebody else's job. This is \$150
24 million a year if you were to follow the national average
25 that should have come to Alaska communities to help feed
26 ourselves from our own lands. This is funding that was
27 made available to every U.S. citizen who qualified.
28

29 CHAIRMAN TOWARAK: Listen, I'd still like
30 to know how it relates to tribal consultation.
31

32 MR. HARRIS: It relates to tribal
33 consultation because this agreement also says tribal
34 consultation will occur in cooperation and with NRCS and
35 with and with -- and to make certain that we wouldn't be
36 here where we are today with the 26 percent loss in
37 wildlife across the State and I'm assuming consultation
38 is on subsistence. Now, please understand the Federal
39 landowner in the Lower 48 is a recipient of wildlife
40 coming off private lands.
41

42 CHAIRMAN TOWARAK: But our responsibility
43 is just Alaska and if you could focus on what we need to
44 manage subsistence on Federal lands in Alaska, I think
45 that's our focus today.
46

47 MR. HARRIS: Okay. And I appreciate that
48 and I know that that focus is there and that focus has
49 been there for the past 20 years. Is it getting any
50 closer? Are the records showing that we are not losing

1 our children from our communities? Are the records shown
2 that we are growing more wildlife? A key component is
3 missing. That key component -- and I urge the Board
4 members to read this memorandum. It was signed again
5 December 6th, 2006. It is part of an Executive Order
6 that you are subject to. The Executive Order says you
7 will meet with NRCS. The Executive Order says NRCS will
8 provide you an annual report of what they've done to
9 provide services and financial programs to Alaska
10 Natives -- to Alaska Natives. That promise was made back
11 in 1988. I promise you that report has not been done
12 ever. You've never seen it.

13

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

18

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

24

25 MR. HARRIS: Okay.

26

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

29

30 MR. HARRIS: Right.

31

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

37

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

48

49 CHAIRMAN TOWARAK: We will make a note of
50 that.

1 MR. HARRIS: Gunalcheesh. My Tlingit
2 culture requires me and obligates me to say if I've said
3 anything to offend you, I apologize. It was not my
4 intention to offend. It is my intention to bring to the
5 Agency that there are obligations that they've entered
6 into that we ask them to. If that's the purpose of this
7 consultation then that's the reason why I brought this to
8 your attention.

9
10 CHAIRMAN TOWARAK: Thank you very much.
11 Go ahead. Grab the -- use the mic.

12
13 MR. WOODS: Good morning, Mr. Chair. I'm
14 Frank Woods from the Bristol Bay Native Association. We
15 represent 31 tribes. The Bristol Bay Native Association
16 is a tribal entity. Like I said yesterday, it's about
17 the size of Ohio and we got under -- it's about 7,000
18 people now. I've been the subsistence coordinator since
19 2007. That's four years of experience in a management
20 Regional, at least, in this arena of resource management.
21 I -- all my life, I've been a pessimist. I hate politics
22 and I despise bureaucracy, but I'm here to represent the
23 people who have sent me here. This is a necessary evil.
24 I think -- on the Regional Advisement Management
25 Authority, this Regional -- the Federal Subsistence Board
26 is the closest thing to Regional Management Authority
27 that was designed to help each region meet their
28 subsistence needs.

29
30 Like Mr. Kookesh reminded us that there's
31 a little bit of a disconnect here that the Regional
32 Office in Anchorage under the U.S. Fish and Wildlife
33 Service -- and that's under Mr. -- yeah, the guy standing
34 there on the wall, I tease him all the time and Native
35 people use humor and that's one of my things is I help at
36 least bring some limelight in this whole situation
37 because I live off the land. I'm a half-breed. My
38 grandmother raised me traditionally. She told me that
39 was the right way. And what I end up doing today is
40 learning the white way. And that's a hard thing to do
41 when you're born and raised traditionally to sit here and
42 understand all the rules and regulations that are put on
43 us, a Native people, that as we grow -- and Native people
44 -- this is unique. We live in a really unique time.

45
46 Everybody that was born before 1965, July
47 16th, is my elder and I appreciate all the work you guys
48 -- you have done to help preserve what we have today.
49 And that's the reality. Now it's time for my generation
50 to step up to the plate. There's a disconnect. My

1 grandmother born and raised traditionally. My mom was
2 sent off to boarding school to learn the white way and
3 now I'm in between. And to have that disconnect --
4 because if you look around the room, that young man
5 sitting on the RAC board, he's the most important person
6 in this room as far as I'm concerned. Is that we need to
7 pass on and my job from now on -- I've made that a point
8 for my life, is to pass on what I've learned and what I
9 need to help the younger generation get engaged in this
10 process is to look around the room. There are very few
11 young people. Very few. And that's around the State.

12
13 There's less and less people getting
14 involved. I'm tired. I'm only three and a half years
15 into this process and I'm tired. I sit in the Federal
16 meetings, trying to sort out and hash out issues. I sit
17 in the State meetings and I even get more frustrated and
18 tired. But that's okay. You know, we have to welcome
19 the State because, you know, I think that we have welcome
20 them because we live here. Somebody was complaining
21 about the State and the Feds and we live here. We live
22 in the State of Alaska. It isn't about us and them.
23 It's the regulations that are put in place and I believe
24 in -- we live in a democratic society. We can change
25 them regulations.

26
27 You're asking for suggestions from -- how
28 to change this tribal consultation. You know, the
29 regional meetings are set up and they're managed out of
30 Anchorage. If we can compact them and regionalize those
31 within each region, people have ownership and they can
32 sit there and stand and they belong to. When the
33 gentlemen speak that they need more local meetings. The
34 tribes in our area are spread out just like every other
35 place in Alaska and how do you connect them people? You
36 go to where they're at. You go to where they're at.

37
38 We have -- in Bristol Bay, you know,
39 there are so meetings and so many issues and so much --
40 there's only -- you know, I go to each meeting and I sit
41 there and the bureaucracy that I see, U.S. Fish and
42 Wildlife has a full staff of biologists, administrators,
43 community liaison, tribal liaisons, and a director
44 sitting up there telling us how they're going to spend
45 the money. It's hard for me to sit back as one person
46 and sit there and attend a meeting with no representation
47 from a local regional authority or the tribes I can say.

48
49 You know, USDA has a really -- is it
50 USDA, no, it's -- the environmental program that has an

1 environmental person right in their office.

2

3

UNIDENTIFIED VOICE: EPA.

4

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

12

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

33

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

41

42

Doi.

43

44

CHAIRMAN TOWARAK: Thank you, Mr. Woods.

45

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

1 yesterday are true facts.

2

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

15

16 With regard to the consultation, I think
17 the consultation should occur every 30 days before any
18 change of policy or regulations or laws are implemented
19 and tribes shall be informed 60 days prior to
20 consultation and be provided with all pertinent
21 information necessary for informed consent; that
22 regulations, laws or policies shall not change or be
23 revised without consultation and consensus of the tribes;
24 that a thorough review and implementation of the legal
25 rights, laws, both Federal, international, and State
26 regarding Alaska and its people be accomplished and
27 probably even prior to consultation before these things
28 begin so we can compile, you know, the knowledge we need
29 to base our decisions and also consultation shall
30 recognize the inherent rights of indigenous Alaskans.
31 And one of the things that I did bring up yesterday was,
32 you know, that Alaska is unique, like Hawaii. We are the
33 only two states that are listed in the U.N. Charter which
34 gives us huge amount of rights and recourse and this is
35 primarily, you know, outlined -- and some of it is
36 outlined in the (Indiscernible) Memorandum which is tied
37 with the Treaty of Session (ph) which does state that is
38 transferred to the United States which was 117,600 square
39 feet.

40

41 Also with regard to the change in the
42 State of Alaska's Constitution, you know, I'm looking at
43 -- that's quite a process and the Secretary of Interior
44 does have a fiduciary responsibility to the indigenous
45 people of Alaska and I think it would be wise to request
46 him to protect the rights of the Indian, Eskimo and Aleut
47 peoples and with that, I think we could get our
48 subsistence rights back and it would be easy to
49 accomplish through the State of Alaska Constitution
50 through Article XII, Section 12, because that section

1 states that the State and its people, in their infinite
2 wisdom, it doesn't say that part, forever disclose all
3 rights and titles belonging to the Indian, Eskimo and the
4 Aleut peoples. So rather than maybe a long lawsuit, we
5 might want to try that process as well.

6
7 And if we do receive that, we will have
8 more say-so in the management of the lands in Alaska and
9 I think that's what's been critically lacking here as
10 well as the hostility that the State of Alaska has
11 historically and still today shows, in their attitude
12 towards the indigenous people, and it's a shame because
13 I think, you know, a lot of people have always been known
14 as people who share and we have shared so much that today
15 we have nothing. And so these are issues that I think
16 are important and I hope that these ideas are just to be
17 maybe a conversation, starter point.

18
19 Thank you.

20
21 CHAIRMAN TOWARAK: Thank you. It is the
22 beginning process. We'll continue the process -- be a
23 chance for us -- our Staff to kind of compile what is
24 being said today and it will be distributed and we will
25 take a look at further analysis of which direction we
26 want to go.

27
28 Logistically we've been going for about
29 two hours. I'm sorry. We've been going for about two
30 hours and if there is a desire to take a break, we could
31 do that, but if you would prefer in the interest of time
32 for us to continue, what we could do is rotate our people
33 and take our little breaks and then come back, if that
34 would work.

35
36 UNIDENTIFIED VOICE: Take a break.

37
38 CHAIRMAN TOWARAK: I would say we should
39 continue the process.

40
41 UNIDENTIFIED VOICE: Okay.

42
43 CHAIRMAN TOWARAK: So let's -- any
44 suggestions?

45
46 MR. WALTERS: I'd like to speak if I
47 could.

48
49 CHAIRMAN TOWARAK: Okay. There's people
50 that have been waiting. You know what, for those of you

1 that would like to take a break, if you could do it on
2 your own. We're not going to -- I don't want to break
3 the process. I want to keep it going as a continuous
4 flow. We will have records of what is being said today,
5 so that will be available for you to review. So if you
6 need a break, take a break, but we will continue the
7 process just so that we get to hear everyone today. And
8 we're going to with the guy in the hat.

9

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

12

13 CHAIRMAN TOWARAK: Yes.

14

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

18

19 (Laughter)

20

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

25

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

29

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

34

35 (Laughter)

36

37 MR. WALTERS: I wear five different hats,
38 I'm hardly home, but when I'm home, I do a lot of
39 subsistence. Every day I wake up, I start my
40 subsistence. That's been going on all my life. I've had
41 my grandma, my grandpa as fish and game before I met fish
42 and game. They guided me through a subsisted way of
43 life. They don't tell us to overharvest anything we
44 take. But now there's change, you know.

45 (Indiscernible) to go out there to (indiscernible) and
46 some of them are disappearing. And I really highly
47 believe in cycles. Let's not forget our past as we move
48 forward. Someday they'll come back to old folks, what
49 you tell me, but it takes time like anything else and if
50 you don't manage what you've got now, it's going to

1 disappear.

2

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

23

24 Thank you.

25

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

29

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

32

33 (Laughter)

34

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

49

50 (Laughter)

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

9
10 I want to give you a little bit of
11 history about governments -- about the Federal
12 government's relationship with Native Americans. We all
13 know, you know, how this place was discovered. Many
14 people think that Columbus lost his way when he bumped
15 into our land. I don't take that position, but, you know
16 -- and they found Native Americans here. And when the
17 Pilgrims landed, you know, on Plymouth Rock, it was in
18 the middle of the winter or winter was coming and Native
19 Americans helped them, you know, survive the winter. And
20 one of the things that they learned from the Native
21 Americans was how to live with nature. That's something
22 that Native Americans really believed in.

23
24 When I was going to college, there was a
25 Native American -- I had a Native American instructor and
26 he came into our classroom. He was the very last one.
27 There was about 40 of us in that class and he would -- he
28 went to the board and he wrote the word, in real large
29 letters, nature. And then he drew a circle around that
30 and then he asked take 10 or 15 minutes and share with me
31 afterwards what you think that represents. And of
32 course, you know, 15 minutes went by and he opened it up
33 for discussion and I was sitting way in the back. I
34 always liked to sit way in the back because I didn't want
35 anyone to call on me to make a long speech.

36
37 (Laughter)

38
39 MR. ADAMS: And so he started way in the
40 back. We all gave our little thoughts about what that
41 represented and after we were done, he says you are
42 right. Some of you are right. That represents what our
43 people -- Native American people lived. He said that we
44 lived with nature and because we lived with nature, we
45 learned the law of nature and because we learned the law
46 of nature, we obeyed the laws of nature and because we
47 obeyed the laws of nature, nature provided us with
48 everything that we needed.

49
50 The next thing he did is he drew some

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

15

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

28

29 UNIDENTIFIED VOICE: Harvard too.

30

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

40

41 The founding fathers really looked
42 strongly at the structure of the Confederacy and
43 everything began through a tribal council and then if
44 that couldn't be solved, younger brothers who took up
45 that problem and if they couldn't save it, then it went
46 to older brothers or other brothers and then they were
47 the fire keepers. And they liked that structure and
48 they've copied it and then they formed the United States
49 Government. We know them as Senators and House of
50 Representatives. The fire keepers were the

1 administrators. But everything began from the tribal
2 councils. Okay. That's what ANILCA was designed for.
3 Bottom up not top down.

4
5 And then there's extermination and then
6 assimilation and relocation and eventually Indian self-
7 determination, the IRAs. 1934 I believe the Howard
8 (Indiscernible) Act came into being and this allowed
9 tribal governments where people reformed their tribal
10 governments and to start really working on addressing the
11 issues that were important to them. They were put on
12 reservations, they became wards of the Federal
13 government, but the Indian Reorganization Act enabled the
14 tribal organizations to take more responsibility for
15 their future. Excuse me. So that worked for a while.

16
17 There's a guy by the name of Felix Cohen
18 who was an expert on Indian law and he wrote an Indian
19 report about the issue of self-governance. He says self-
20 governance in the true sense of the term is something
21 that does not come from a throne, Washington or from
22 heaven, but these are decisions that are made by the
23 people who are most affected by it. Abraham Lincoln said
24 it was government for the people, by the people, and of
25 the people. Okay.

26
27 And so that enabled the tribal
28 governments to take on more responsibilities for their
29 own affairs. Bumpy road. And then in recent years, we
30 have learned about the Indian self-determination and the
31 most important I think is the self-governance
32 demonstration project. The gentleman that talked about
33 the directive that President Clinton signed I think it
34 was in 1994, I was there as a representative of my tribal
35 government and I witnessed the signing of that document
36 and what that document said, ladies and gentlemen, was
37 that if -- from here on, the Federal government is going
38 to start working with tribes on a government-to-
39 government relationship. You heard that over and over.

40
41 I think the real problem that we're
42 facing now is how are we going to work on the situation
43 of a real government-to-government relationship. One of
44 those things that he signed in that directive was that
45 any impediments that wouldn't allow a tribe to go into a
46 -- this type of situation had to be removed. I have a
47 little bit of asthma, so excuse me if I have to take a
48 deep breath every now and then.

49
50 So when President Clinton signed that, I

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

17
18 We don't see very much of that happening
19 these days. So I think since that came -- that was 1994,
20 I think since then there's only been five tribes that
21 have gone into -- and there's over 500 and some tribes
22 in the United States, 227 of them in Alaska, and so we
23 need to look at that a little bit more.

24
25 As far as your tribal consultation is
26 concerned, I've mentioned, you know, in the last couple
27 days' meetings how frustrating it was to get the word out
28 to the people in the village where we sometimes hold our
29 meetings to have tribal leaders come and participate in
30 those meetings. It is a problem. Some say that they
31 haven't received any notices. Others, you know, are
32 saying, you know, we'll let George do it. We need to get
33 rid of that attitude and I think that tribal governance
34 -- I was tribal president for my tribe for 12 years and
35 I think -- and I've always said and I've always tell that
36 tribal governments need to get more and more involved in
37 subsistence issues.

38
39 When we go up to the government to
40 negotiate our funding agreements, we only get allotted
41 \$1,200 to run our subsistence program. We can't do very
42 much with that. And so when we get into a situation with
43 any of those agencies that -- where we want to take
44 advantage of the non-BIA programs and if we're allowed to
45 do it, the funding that normally would go into that
46 project would also go with that program. Okay. So it's
47 an exciting program. It's there and somehow or another
48 we're going to have to start to figure out ways how to
49 take advantage of it.

50

1 I think that tribes -- when I was
2 assigned to be on my Southeast RAC, I was serving as
3 president the Yakutat Tlingit Tribe. And so, you know --
4 and I think maybe, you know, we've had other situations
5 like that too. It's true. RACs are not tribes, but we
6 do represent regions where tribes are located. Tribe --
7 bona fide self-governing tribes who can take advantage of
8 subsistence issues and make a difference. A proposal
9 could start there. Be submitted to the RACs and they
10 will of course, you know, consider them and we will put
11 a great amount of weight on that because it's coming from
12 a tribe.

13

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

27

(Laughter)

28

29
30 MR. ADAMS: Any final thoughts. You are
31 very -- you have the mechanism. You have the tools to
32 really make a difference if you actively get involved and
33 we have an opportunity to represent your villages, your
34 communities, your people through tribal governments and
35 work through the RACs. We will be there to help you in
36 any way that we can. I am committed to it because I have
37 served as a tribal president for 12 years and subsistence
38 has always been in the back of my mind. How can we
39 better, you know, represent our issues in regards to
40 subsistence and it's coming. And I told my tribe when I
41 realized that the Federal government was going to require
42 that tribes get more and more involved in the process and
43 I went to some of their meetings and I mentioned that and
44 I was hoping to see my whole tribal council, but they
45 just sent one who is the general manager.

46

47 Anyhow, folks, the tools are there for
48 you to use and I hope that, you know, you all take a look
49 at some of things that I've said and start working toward
50 making it work for you. Not so much for us. We're not

1 here to represent our best interests. We're here to
2 represent your interests and that's the position that I
3 always take. Everything begins from the bottom and works
4 its way up and that's where it's missing.

5
6 Let me make a comment about how the State
7 can work together with the Feds. Previous meetings, I've
8 always had my same seat, but the one who sat left to me
9 was a commissioner from the State Board of Fish -- or
10 Fish and Game and I used to rib him all the time and give
11 him a bad time and I've always said this, that if the
12 State wants to manage subsistence issues in Alaska, all
13 they need to do is come in compliance with ANILCA. It's
14 as simple as that, folks. Because the members of the
15 board that I talked to said we do all the work. You
16 know, it would be better if the State administered than
17 us and then we'd be able to give it all over to them.
18 Now I understand that a lot of people have problems with
19 the State. I do too. But if you want things to be run
20 in their proper order, I think the missing link was the
21 State coming out of compliance and we need to figure out
22 how to come back into compliance and I was hoping that
23 Senator Kookesh would be here to hear that because as he
24 said, it's in the Legislature where this is bottlenecked
25 and we need to kick a few people in the butt down there
26 and make sure that, you know, they do something about it
27 to come in compliance.

28
29 And there's an agreement, it was signed
30 several years ago when Tony Knowles was in office. We
31 need to look at that. It's a relationship between -- how
32 many remember that? It was a relationship between --
33 developed a relationship between tribes and the State and
34 -- just to begin working together. Okay. And so that
35 needs to be, you know, brought up and dusted off and
36 looked at. The MOU that we had at one time with the
37 State needs to be also addressed, the Feds and the State.

38
39 So thank you, ladies and gentlemen, for
40 giving me this opportunity. Mr. Chairman. I hope I
41 didn't bore you too much.

42
43 CHAIRMAN TOWARAK: You're welcome.

44
45 (Laughter)

46
47 MR. ADAMS: But I really feel strongly
48 about this and what I said has taken a lot of research,
49 folks. I mean it just didn't come from the top of my
50 head. I used to write a column for the Juneau Empire and

1 when I would go to these self-governance meetings with
2 the Indian Health Service and Department of Interior, I
3 rubbed elbows with the tribal leaders all across the
4 country. I rubbed elbows with the people from the
5 Federal side of it. I interviewed them and then I came
6 home and I wrote articles about it. It appeared in the
7 Juneau Empire.

8

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

12

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

15

16 Thank you, Mr. Chair.

17

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

20

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

24

25 (Laughter)

26

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

34

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

42

43 And it is very important that we have
44 these ways of subsistence -- to subsist and if any of
45 this subsistence way of life be removed will be
46 detrimental to the people that live in that way. They
47 will continue to live in that way for generations to
48 come. And we are the people that live the subsistence
49 way of life. As long as I can remember, the food that we
50 eat are with the season, we eat with the season, whatever

1 is in season. The migratory birds come in springtime.
2 We harvest them. Then when summer come, we harvest what
3 is in that region, in that season and the way we live
4 today will continue on for generations to come and our
5 children and our grandchildren will depend on what we
6 decide today.

7
8 And the gentlemen that are -- and the
9 people that are trying to remove all this way of life
10 won't be here. But our survival depends on how we live
11 and how we dictate this matter and way that we live
12 today. And the ruling that's being done by the Federal
13 system, they never stepped foot on any part here in
14 Alaska. No matter what happened in any geographical
15 place in Alaska affects us all. It is up -- way up
16 north, in the east, south, even out in the Pribilofs.
17 These migratory birds, they have no knowledge of no-fly
18 zones. The fish that swim in the seas, in the
19 tributaries, there are no limits of how far they should
20 go and when to turn back. They are governed by the
21 natural law that they live by. And they're there for a
22 reason. The reason is we are the people that will gather
23 these for generations to come and right now people or
24 wherever they are in Alaska, they are subsistence.

25
26 The driving force behind that is our
27 survivability and we'd like to keep that going. And the
28 laws the Federal system have put it on today will
29 devastate the future generations, that we should just
30 leave it alone, the way it is. And the stewardship
31 should be given to the people that live in any
32 geographical location in Alaska.

33
34 Every culture has a different way of
35 life, although similar in ways. But we have a driving
36 force behind it, and to subsist and to survive. I don't
37 think there's anyone here that haven't eaten any kind of
38 food that hasn't been subsisted in any location. I think
39 everyone here have tasted muktuk, salmon, whitefish,
40 sheefish, caribou, moose. We all have tried that and I
41 think I've tried every species that ever been caught even
42 while I was in my mother's womb. Subsistence for
43 Alaskans everywhere is important and we must keep it as
44 freely as given by the Creator.

45
46 Every living thing has been created for
47 a purpose and we must have purpose, have a chance to give
48 us our survivability and we will survive for the next
49 generation and our ancestors have verified that and
50 passed it down all through the ages. And what you decide

1 today will dictate the future and the generations to
2 come.

3

4 Thank you.

5

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

12

13 Thank you.

14

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

20

21 But the biggest concern I have now is
22 that I'm a father and I'm raising four sons right now.
23 20, 30 years down the road, I look at my children and
24 wonder what are these kids going to eat. The advice that
25 I have for tribal consultation is to have 227 RAC seats.
26 That way every tribe is represented. Every tribe should
27 put their best speaker forward, the one with the best
28 values for their tribe and then hash it out. That way
29 nobody could be misrepresented.

30

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

39

40 Thank you.

41

42 CHAIRMAN TOWARAK: Thank you, Mr.
43 Roberts.

44

45 MR. FIRMIN: Hello, my name is Andrew
46 Firmin. I'm here representing myself as well a RAC, as
47 well as the Council of Athabaskan Tribal Governments, the
48 Natural Resources Department. There's a lot of ways that
49 the consultation system now is broken and I'll point out
50 a few of them before I go to my recommendations.

1 One of them that I hope to never see
2 again is a proposal from ADF&G wanting to take
3 subsistence priority away from the Federal user because
4 that's just wrong without consulting tribes as was showed
5 in the information supplied yesterday.

6
7 For example, a friend of mine that I
8 graduated high school from -- with, he joined the Army in
9 1997. He's a West Point graduate. He's been to Iraq
10 three times. He's hardly been home in the last 14, 15
11 years and what if he came home and wanted to see -- go
12 home and go hunting and Fish and Game said, oh, we didn't
13 bother to talk to you, so you're no longer a priority.
14 You got to wait for the State season now. You can't --
15 you're not a subsistence user anymore. We took that away
16 from you. That's just one example of how I see that
17 could happen easily anywhere.

18
19 And that one proposal yesterday is just
20 a way for them to get their foot in the door. That may
21 not have been their intention, but that's the way I look
22 at it.

23
24 Another way is not recognizing
25 traditional and ecological knowledge and data as science
26 as much. I know it's used, but we have a lot of water
27 fowl and migratory birds in Yukon Flats. I think over
28 one million birds nest there annually and all the birds
29 that nest on the North Slope pass through there. And I
30 was hunting with my Great Uncle who speaks with a bad
31 stutter because he was forced not to speak his language
32 in the school that he was forced to go to as a child. He
33 has no problem speaking Gwich'in but he has a bad stutter
34 when he speaks English. I was hunting with him there and
35 I asked him, you know, where'd all the birds go this
36 year, there were thousands of them on the lakes, how come
37 there's nothing today. And just as you or I would say
38 it's sunny out today, he said, oh, well, there was a full
39 moon last night. That's when they all leave.

40
41 And every year since then, I've noticed
42 that that's a fact and how many millions of dollars would
43 it have took a biologist studying birds to come to that
44 same conclusion. And the TEK knowledge and data is just
45 priceless.

46
47 Some other examples I have of the -- some
48 of the systems being broken is that there's -- every
49 Agency I see here has some project or program going on
50 around my region that directly affects me, my family, and

1 the people I represent and we're pretty much tired of
2 agencies sending their janitors up to say, hey, we're
3 going to do this, see you later, bye. I mean virtually
4 flying over town and throwing pamphlets out and saying
5 it's tribal consultation.

6
7 There have been some other activities
8 going on on BLM lands that we don't quite understand
9 because they're on BLM lands directly adjacent to tribal
10 and wildlife refuge lands where there's mining activities
11 going on that are affecting our fish, our rivers, and we
12 don't have much of a say about it because there isn't
13 much of a consultation at all.

14
15 And another one is there's people that a
16 few years ago, they flew a helicopter from here in
17 Anchorage, a hundred miles past Fort Yukon to count fish
18 from a helicopter and then when they got up there, they
19 said oh, the water's too high and murky, we can't count
20 fish so they flew all the way back to Anchorage. One
21 phone call to the tribe could have solved them and saved
22 them all that time and money. They could have come up
23 three days later and it was fine, but instead they spent
24 their budget and couldn't count fish that year.

25
26 Those are just a few examples.

27
28 I'm here representing the CATG, which is
29 the Council of Athabaskan Tribal Governments, and for the
30 most part, we have a pretty good working relationship
31 with ADF&G, Fish and Wildlife Service, and Pat Pourchot
32 and a few other Agency staff members came to Fort Yukon
33 I believe over the summer and had a little kind of a
34 closed-door meeting so we could get to the heart of the
35 matter quickly and not have a line out the door of people
36 wanting to talk about off subject things, and I have a
37 bit of a summary from that meeting. But first I'd like
38 to tell everybody that CATG is a consortium founded in
39 1985 and it consists of ten villages on the Yukon Flats
40 which is Arctic Village, Beaver, Birch Creek, Canyon
41 Village, Chalkyitsik, Circle, Fort Yukon, Rampart,
42 Stevens Village, and Venetie.

43
44 The tribal elected chiefs serve as its
45 board of directors, so we have a say from every village
46 in every meeting that we have every month. Our
47 traditional lands encompass 35 million acres of wetland.
48 We have many rivers and tributaries that all navigable.
49 You can run a boat up 30 different rivers out of Fort
50 Yukon and most of them are all salmon-bearing streams and

1 rivers. A lot of our traditional land goes clean into
2 Canada, ANWR, the Yukon Flats National Wildlife Refuge
3 and it's just -- it kind of -- it's bad that when ten
4 feet away, we don't have a say in what's going on because
5 there's a strip mine going on or something and all the
6 backwash from the mining goes right into our rivers and
7 clouds it up and it kind of reminds me of, I don't know
8 if any of you all have seen that show Gold Rush on
9 Discovery Channel, the first day I watched it, it really
10 pissed me off because the guy's standing there, and he
11 looks around and says see this, this is all ours and
12 we're all rich. And that's the way I feel, but who's
13 this guy from Oregon sitting dirtying up our rivers. The
14 first thing he did was ran an excavator across a salmon-
15 bearing stream and then the next thing he did was he dug
16 a trench in a salmon-bearing stream and started pumping
17 all that crappy water back into that stream. And I was
18 glad I seen an ADF official on there -- ADF&G official on
19 that show because that's just a perfect example of what
20 goes on around the State.

21

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

33

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

37

38 (Laughter)

39

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

44

45 And CATG is based on self-governance and
46 we like to exercise all our rights and we like to have
47 the tribes of CATG and Yukon Flats require that all
48 Federal and State agencies engage in meaningful
49 consultation on a government-to-government basis on any
50 action that will have -- that will affect their

1 traditional and customary use within their traditional
2 lands. Some of the recommendations that came out of the
3 meeting was the operations of the Federal Subsistence
4 Management Program must include a mandate of government-
5 to-government consultation with tribal governments.
6

7 The Federal Subsistence Management
8 Program must build consultation with tribal governments
9 and to program designed to ensure integration of tribal
10 input and perspectives into fish and wildlife management
11 decisions to affirm adherence to the Congressional
12 mandate of ANILCA Title VIII.
13

14 The Federal Subsistence Management
15 Program should initiate an increase in .809 agreements
16 under Title VIII of ANILCA with tribal governments and
17 tribal organizations in rural communities including off-
18 the-road system and areas of high subsistence use on or
19 adjacent to Federal lands to complete their mandate.
20

21 The structure of the Federal Subsistence
22 Board shall reflect the people that it serves. The
23 Federal Subsistence Board should be comprised of rural
24 subsistence users which are decisionmakers that are
25 affected by the decisions. The Agency heads should serve
26 an advisory function to the Federal Subsistence Board
27 made up of rural subsistence users.
28

29 The operations of the Federal Subsistence
30 Management Program should be managed, implemented, and
31 located within rural communities and areas of high
32 subsistence use on or adjacent to Federal lands.
33

34 The Federal Subsistence Board meetings
35 should be held in rural communities including off-the-
36 road system in areas of high subsistence use on or
37 adjacent to Federal lands.
38

39 The Regional Advisory Council meetings
40 should be held in rural communities including off-the-
41 road system and areas of high subsistence use on or
42 adjacent to Federal land.
43

44 The Federal Subsistence Program should
45 increase public outreach and make the regulatory process
46 more accessible to the subsistence user.
47

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

1 subsistence use on or adjacent to Federal lands.

2

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

7

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

13

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

17

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

20

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

28

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

36

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

42

43 I know I personally get a lot of mail as
44 to having like a -- you know, like hub offices of Federal
45 Subsistence Management like, we, at CATG have a weekly
46 radio program that consists of all departments of CATG:
47 health, education, employment, natural resources, and
48 that we talk on the radio about all these different
49 subjects and what's going on and we like to inform the
50 people that way and we encourage other agencies to use

1 the same methods, including the Internet, and the radio
2 show, a lot of people listen to. They call in. They ask
3 questions and like I said, a lot of it, I do a lot of
4 footwork and a lot of people that I represent are simple
5 people. They don't -- they're not educated and some of
6 the outreach programs that they have don't always work.

7
8 Like with the duck stamps, for example,
9 that they've been implementing, I don't think anybody in
10 Fort Yukon would have a duck stamp if CATG wasn't selling
11 them or giving them away simply because, you know, what's
12 that? One enforcement officer told my neighbor, he said
13 do you have a duck stamp and he said what's that. He
14 said I'm not going to the post office. He said, well,
15 what are you doing, where's the duck stamp. He says what
16 do you mean, I got food stamps. Is that what you're
17 talking about?

18
19 (Laughter)

20
21 MR. FIRMIN: And the guy kept telling him
22 no, and he couldn't get it and he said, well, what are
23 you doing out here with a shotgun and he said, oh, I'm
24 grocery hunting and he had some ground squirrels in a
25 couple traps that he had, he was checking his traps. But
26 it was springtime and they still -- you know, that's just
27 their mentality and my same neighbor, that same person,
28 a couple of them are pretty colorful characters and he
29 asked me what I was doing coming to Anchorage and I told
30 him well, I'm going for a meeting. What the heck,
31 meetings, meetings, you're always going to meetings, what
32 do you do down there. And the easiest way to explain it
33 to him was I told him I'm going to fight for fish, he
34 says what fish, if I didn't give you any, you wouldn't
35 have any.

36
37 (Laughter)

38
39 MR. FIRMIN: And I said, yeah, that's
40 pretty much the truth and I said, well, they're trying to
41 take your fishwheel away from you, so I'm going down to
42 fight for your fishwheel. What would you do without it,
43 well, gee, I don't know, I guess I'll fish with dynamite
44 after that because I can't afford a net.

45
46 (Laughter)

47
48 MR. FIRMIN: That's one thing is anybody
49 can build a fishwheel with a hammer and nails and a saw
50 and not everybody can afford a net and they're just

1 people like him that just remind me that a simple life is
2 good, but when there's other people making laws and rules
3 around you and you don't know what's going on, those are
4 the people that are affected by our decisions.

5

6 Thank you.

7

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

16

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

24

25 (Laughter)

26

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

29

30 Who's next.

31

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

42

43 (Laughter)

44

45 MR. CHYTHLOOK: And I guess just to try
46 and give a background of who I am. I was born in Togiak
47 and grew up around Lake Egegik, in Dillingham/Bristol Bay
48 area for most of my life. And most recently I retired
49 from 21 years of service as a regional coordinator for
50 Board of Fish/Board of Game Program, State of Alaska, and

1 I was honored by the State as being one of the longest
2 standing Regional Coordinators I guess with their
3 program. And one thing I remember when I first got on in
4 1988 we still had the subsistence law intact that the
5 State had back then before it was challenged by those who
6 didn't like it and we -- I was in charged of 12 advisory
7 committees in the Southwest which unfortunately at times
8 included Area M folks and -- but I was glad to work with
9 them because I was assigned -- I also had Kodiak as one
10 of my advisory committees and then Bristol Bay and then
11 just before I retired, I was also given couple of
12 committees up in Kuskokwim region, the Lower Kuskokwim
13 and Central Bering Sea committees and these represent,
14 you know, many communities and one thing that I recall
15 was that we did have -- the State did have a regional
16 council system and unlike yours, the regions were divided
17 into six regions which still exist by the State program.
18 However, one difference that I recall from the Regional
19 Council Advisory System was that the members of the
20 regional council made up of advisory committee chairs.

21
22 And each chair, when we met, for
23 instance, the Southwest Regional Advisory Council met,
24 all the chairs from all the advisory committees came and
25 sat and had equal voice and also presented the concerns
26 of the folks within their area and villages that they
27 represent on advisory committees and the bottom -- issues
28 that they needed to bring here to the Board of Fish or to
29 the Board of Game for resolutions and as a result, some
30 proposals were formed from -- I guess there were some
31 kind of like earlier consultations of local advisory
32 committees meeting together and forming proposals to
33 address some of the concerns that were had by both local
34 residents and tribal residents within the area.

35
36 And I thought that that process worked
37 pretty well at the time. But, you know, if -- I guess
38 from my experience, one thing that I would suggest that
39 the RAC and the Federal Subsistence Board would address
40 is that funding. You know, funding is something that I
41 think our RAC people really need in order to carry on
42 some of the duties that I heard from the public today
43 mention that needed to be addressed. I recall even on a
44 State level that at one point the Department of Fish and
45 Game had some ample funding to cover enough meetings on
46 local advisory committee level and, for instance, in my
47 region, we used to have three or four meetings a year,
48 but through the years, as the funding sources I guess got
49 somewhat not as plentiful as used to be, they -- one of
50 the first things that Department of Fish and Game or

1 maybe even the Federal government at times does is they
2 take the funding away from people that need the most and
3 that is the local village/tribal areas.

4

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

17

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

29

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

40

41 (Laughter)

42

43 MR. CHYTHLOOK: But in about a month, she
44 got rehired by BBNA to be the national resource director
45 and she has filled out that role for three or four years
46 now and as a result, I think I see more people like Frank
47 Woods and others becoming more involved. And those of
48 you that are involved in the system, please invite
49 younger people to become more involved.

50

1 And then, you know, I don't know what
2 kind of a system that we're looking for and which would
3 work the best for tribes or anybody in Alaska, but one
4 thing that I want to say is that participation in any
5 process is the most important thing. You know, for your
6 concern to be heard, you need to make yourself present
7 and that's why I stressed importance of, you know, if
8 funding can be made available for people to participate,
9 even on the RAC level.

10
11 I know on the State of Alaska's side, we
12 do -- we have tried to involve advisory committee chairs
13 to attend local area RAC meetings. However, the funding
14 as I mentioned -- I think I was talking to a subsistence
15 regional coordinator just a week or so ago and the
16 funding has dwindled down to where the executive
17 directors of either Board of Game or Board of Fish is
18 telling the regional coordinators to try to hold at least
19 one meeting a year to cover all the fishery and Board of
20 Game issues and that is really hard to do in one meeting
21 and I'm hoping that some of the department heads who may
22 have influence with the Commissioner or with the
23 Legislature, if you're listening here, please request
24 that in order for people such as tribal members or
25 village members that need to be represented that we need
26 to have more funding.

27
28 So I thank you for this opportunity. I'm
29 not from Southeast, so I'll quit real early.

30
31 (Laughter)

32
33 MR. CYTHLOOK: Thank you very much.

34
35 CHAIRMAN TOWARAK: Thank you, Joe. Good
36 comments.

37
38 MR. NED: Mr. Chairman. Board members.
39 My name is Stanley Ned. I'm from Allakaket.

40
41 I'll give you a couple reasons why I
42 think it's really important that you consult with the
43 tribes before the decision is made on proposals that'll
44 affect our people.

45
46 For example, gas in my home town is now
47 at \$7. A quart of oil is 14.25. All the nonedible items
48 are marked up close to two to 300 percent. So it's
49 really important you guys communicate with us.
50 Communication is the number one problem. Sometimes it

1 works. Sometimes it don't. Depends on who you have as
2 your coordinator and that person needs to communicate
3 with us.

4
5 But the moose population in my region
6 used to be at .3 moose per square mile. Now it's down to
7 .2 and I asked Department Fish and Game where would it be
8 before it get to the extinct level, you know, and he said
9 it's going to fluctuate at .2 for a while.

10
11 Before that, they told me at .3 you're in
12 danger zone. So it just -- it's like somebody's not
13 telling the truth here, you know. So I think it's really
14 important that they communicate with the local people
15 using TEK in their decisions before they make their --
16 whatever they do.

17
18 But the fish population in my home town
19 is way down. There's hardly any caribou there anymore
20 since the pipeline was built. They got roads right
21 across the spawning grounds of the fish and everybody
22 uses that road. It's called the Dalton Highway. And we
23 have a lot of people that are now guiding in our area,
24 competing with the locals to get the resources there and
25 it's getting harder and harder to live there. There's
26 not very many jobs in my village.

27
28 We have a Refuge manager there that's
29 giving us a hard time. He's -- every time there's --
30 moose hunting season come up, he has a couple planes
31 flying around. One example is that my brother, he works
32 there and he has -- he like to help other people. So he
33 put his money together with three other people to go
34 hunting and they finally spotted a moose and here come
35 the Refuge manager with his plane that flew right over
36 the moose and chased it away so they couldn't get their
37 moose there. So that's just couple examples. Like the
38 guy from Fort Yukon was saying, they're giving everybody
39 a hard time. So that should be addressed too.

40
41 And as far as trying to communicate with
42 us out there and consult with us, I think the Internet
43 program would be good and as the gentleman stated earlier
44 too, you know, there's got to be more funding for the
45 Refuge -- RAC people to have their meetings in the
46 villages and that's the other thing, you know, the Board
47 should go out to some of the villages, like the Yukon
48 River Drainage Fishery Association, they have meetings in
49 the villages, you know, where there's a lot of people
50 that want to the come to meeting, want to testify but

1 can't do it because they don't have the money to come
2 here. So I think it's important that they have some of
3 the meetings out in the villages.

4
5 And that's all I have.

6
7 Thank you.

8
9 CHAIRMAN TOWARAK: Thank you, Mr. Ned.

10
11 MS. WALLS: Thank you very much. And I
12 too will face the audience and my name is Kaye Walls.
13 I'm from Fort Yukon. My dad is from Fort Yukon. My
14 mother is from Old Crow, Canada. They're connected by
15 the Porcupine River and me and my mom and dad went up and
16 down that river just to smile at each other.

17
18 And my tribe is called Gwich'in and how
19 I teach people to say it is point at your chin and say
20 which chin. Your chin or my chin. Which chin are you
21 talking about and then you put a G in front of it.
22 Gwich'in. Gwich'in. That's my tribe. And I am so
23 grateful to be here.

24
25 You know, you are all meant to be here.
26 This isn't an accident or who came or what. You are all
27 meant to be here and we're all meant to share. Thank
28 you, Creator. And I hope you don't think -- how you say
29 -- I remember we were having a meeting on Yukon Flats and
30 they said who wants to speak next and there was a hand
31 and the people beside me were going no, no. No. And
32 then after the meeting, I asked them how come you kept
33 saying no and they said because we didn't want the mic to
34 be given to this certain person because every time they
35 gave him the mic, they always start back and forth and
36 would have the mic a long time. And they all heard his
37 stories before.

38
39 (Laughter)

40
41 MS. WALLS: So I hope when you see me
42 take a mic again that you don't go no, no.

43
44 (Laughter)

45
46 MS. WALLS: Anyway my traditional
47 knowledge story is that I took a contract with
48 Intertribal Council and it was the first three
49 governments in Alaska meeting. The first: the Feds, the
50 State, and the tribes. And I was -- and we went and

1 traveled to 11 areas -- regions of the State to talk
2 about salmon harvest.

3
4 We didn't go to the North Slope because
5 at that time they didn't have salmon. I understand that
6 somebody caught a salmon up there last summer. And --
7 but anyway we traveled to those -- to the 11 areas of the
8 State. My job was to request Native participants and we
9 had a lot of Native participants.

10
11 And anyway and they said, you know, yeah,
12 good luck, Kaye, you know, like good luck in getting them
13 out there. Good luck in having them participate. Good
14 luck with, you know, coming up information. And, you
15 know, it's -- we started out 9/11 was our first meeting
16 for the Central area here in Anchorage and as the person
17 that they looked to, shall we keep going, right out in
18 the lobby, the buildings were burning in New York.
19 Should we keep going. And I said yes because that's what
20 we do. We keep going and that's what we do with our
21 subsistence. We keep doing. We keep saying that -- the
22 same things over and over again.

23
24 I remember the elders telling me that
25 when the birds would come back to Yukon Flats, they would
26 block out the sun. That many of them block out the sun.
27 I remember, too, the story about the first Native person
28 on Yukon Flats that saw an airplane and I think this
29 story is like the two old women story. You know, every
30 tribe has a story.

31
32 And he was so brave. He was out on the
33 land by himself doing -- but anyway, and he heard this
34 noise and they're so rare in those days, you know,
35 because if you were out on the land by yourself, you'd
36 better be a thinking human being because you make a
37 mistake and -- and so he heard the plan (indicating) and,
38 you know, became aware and looking around and what's --
39 what is that noise and then he saw it and he stood there.
40 It's coming straight at him and he stood there. It went
41 over his head and he fell backwards. He did not take his
42 eyes off of what feared him. He kept on. He kept
43 watching. I just think that was a brave person even
44 falling back, everybody laughs, but he kept his eyes --
45 he was focused and that's how we are in the land too.
46 And that's why we are here today too.

47
48 And I just appreciate you so much.

49
50 (In Native) Big thank you. Big thank

1 you for being here -- okay.

2

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

9

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

19

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

38

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

49

50 If I vote against subsistence because we

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

16

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

27

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

34

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

38

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

47

48 It's been a very challenging process for
49 me, working in this system that was created by Congress.
50 Even though it was created by Congress, the provisions

1 that it has and the allowances that it has for me to
2 enroll into the corporation, I would need to have a quota
3 blood quantum. So in a sense, that was your corporation
4 is a tribal entity as well, but structured in a different
5 way because Congress created that business structure.

6
7 But the opportunity that's been given to
8 us is certainly something that I appreciate. It's a
9 privilege and I'm honored to sit on the Regional Advisory
10 Council. Yes, we have our differences. Yes, some of us
11 will get whatever we want. Some others won't get what
12 they want. But the opportunity that's been created here,
13 we all need to work together to get the best of that
14 opportunity.

15
16 I started out lost and through the
17 process, when it first started and asked myself where do
18 I fit. You're the Chairman of a Regional Advisory
19 Council that was created under ANILCA Section .805 and
20 with some of the comments that were made, yes, RAC is not
21 a tribe. But I'm a tribal member of a community. I
22 understand that. I applied to sit on the Regional
23 Advisory Council because I represent my people in that
24 position. First of all.

25
26 Secondly, I need to acknowledge the
27 Board. To those of you that are new, I hope what you
28 hear will give you some good perspectives, good
29 perspective in regards to how people live off the land,
30 what they do to make provisions for the family. And the
31 most important to you as a Board is to weigh in that
32 decision that you will make and on making that decision
33 for that family that is dependent on the resource. And
34 that is critically important for you as a Board.

35
36 We've gone through a process as
37 communities, as organizations, both at the city level and
38 at the tribe level, trying to work with the past system
39 that's failed us. I'm talking about the State system.
40 The only option that we had was to go with the Federal
41 system hoping that it would provide for us a process so
42 we can get that resource for those that need that
43 resource and that depends on that resource.

44
45 Like I said, the State failed us. The
46 State denied us. The State rejected us. We've
47 attempted, as a Native community, to fix the problem.
48 We've heard that. We set aside the differences and say,
49 State, let's fix the problem in the Constitution that
50 don't have allowance for the preference. That's why I

1 say they rejected us.

2

3

Nonetheless, we have to also move on.

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

10

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

17

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

20

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

31

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

42

43 This would also provide for you by going
44 to some of those regional centers or to the community to
45 visit some of the tribes, the tribal entities, and get
46 connected with those folks so they can know who you are,
47 so they can see who you are. By communicating with them,
48 hopefully they can understand exactly what your role is.
49 And I think what you will hear from others will also be
50 critical for you to listen to.

1 As a member of the Regional Advisory
2 Council, my thrust has always been to listen to the
3 communities and their needs, listen to the families and
4 their needs. Based on that, I will go through a process
5 in my mind of making sure that I address those needs
6 that's been given or taken to me as comments and I hope
7 that very process that I've told you will be part of what
8 you should do throughout the State.

9
10 Thank you very much. Mr. Chair.

11
12 CHAIRMAN TOWARAK: Thank you, Mr.
13 Sampson. I'm assuming that these two guys are the last
14 people that want to make comments and -- but we'll take
15 Jerry but I've got one person that's been waiting very
16 patiently on the radio -- on the telephone and I'd like
17 to put that person on and then we will wrap up with --
18 person on the radio -- I mean on the telephone that would
19 like to.....

20
21 UNIDENTIFIED SPEAKER: Yes, there is.
22 And as a reminder, anyone who's just joined the call, if
23 you'd like to make a comment, you may press star one, but
24 we do have a comment from Marvin Kelly. Your line is
25 open.

26
27 MR. KELLY: Thank you, Mr. Chairman. One
28 of our tribal council members wanted to speak, but he had
29 to go, so I'd like to thank the Chairman and especially
30 the Board. Just to what Mr. Wilde, our RAC for Yukon
31 Delta, he's saying that, you know, the villages out here
32 are so -- they're all spread out. You know, it's very
33 hard for him to go to each village and bring out the
34 concerns that are being brought up because it's still the
35 small villages that are hurting and there's no way they
36 can be heard by -- or they don't have -- they're not as
37 organized as what's going on, you know.

38
39 So for help for the Yukon Delta and we
40 were able to hold conferences here. I met a person up in
41 Fort Yukon. His name's Alexander and, you know, I've
42 talked with him a few times and how they're working with
43 their corporations where they (indiscernible) corporation
44 lands to the tribes and their tribes are able to help
45 with the terms of the allegiance. So, you know, that's
46 one of the things that we're still trying to work out
47 down here at the Yukon Delta. You know, it's very --
48 it's hard for the people that are hurting the most to be
49 heard and I know I heard that one person from the Ish
50 family or Ish person that, you know, they had noticed

1 that people are hardly ever getting game or food from the
2 -- from subsistence because, you know, it's like that
3 other person said, the State is failing the subsistence
4 users.

5
6 And, you know, in the Yukon Delta,
7 commercial fishing is a very vital thing for our
8 community to subsistence hunt or fish and you know for
9 the Federal Subsistence Board to help the people in the
10 Yukon Delta, you know, is to have all the tribes of
11 Alaska get together and we go to Canada and like that one
12 person said, Mr. Firmin from Fort Yukon, there's mining
13 up in Canada and right now, we don't have a say on it.
14 We can't go across the border and say can you guys please
15 not mine this tributaries water -- headwaters, you know.
16 That's where Alaska tribes get -- we'll get the power to
17 say we want to be -- we want to speak with Canada on the
18 same ground level. We don't want to be like those people
19 were saying pointing at down river people or up river
20 people or the people in the middle, you know. That's
21 where, we get together and say, we're expressing all our
22 concerns and they're all on the table.

23
24 Because when I was at Washington, D.C.,
25 meeting there were some people in the Copper River that
26 were having the same kind of issues that we are having on
27 Yukon where they're having trouble with their salmon
28 because the Canadians across the border are doing
29 something that, you know, even though we want to say
30 something, we cannot do it because -- oh, excuse me --
31 because of the border line and that's where we're being
32 held back, where we cannot say. And you know, they're
33 the ones talking about the goose management or where we
34 made agreement with the Canadians that we would try to
35 get the bird -- goose numbers back up. So that's where,
36 you know, I think, you know, the tribes get together and
37 talk with -- or get a study done on the other side of the
38 border and say look at this, these king salmon are going
39 up there, going across the border to spawn. We want to
40 send people from Alaska to go to the Canadian border --
41 Canadian side and do a study on where those fish are
42 making their -- spawning their eggs and make sure that
43 those areas are protected from those mining companies.

44
45 You know, there's one gentleman that I
46 ran into like probably six years ago. I was coming home
47 from Anchorage. He's from up river area, probably Fort
48 Yukon, I don't remember where he was from, but he came up
49 to me and shook my hand and he said thank you very much
50 for sending some king salmon up and I told him you're

1 very welcome. We always think of you guys up there. We
2 know that the fish go all the way up the river. They
3 don't just stop right at the mouth. They continue on.
4 And the Yukon Delta, every year we have escapement,
5 thousands -- 50,000 plus numbers of chinook that we allow
6 to go up the river. Where those go, we still don't know
7 and now we know that there was money allocated to the
8 State of Alaska that they're supposed to do a study down
9 here, but for some reason, it went somewhere else.

10
11 So those are the things that, you know,
12 the Federal Subsistence Board needs to look at with the
13 State. Excuse me. If the State is allocated to do
14 something, they're supposed to do it where it's supposed
15 to go not change their mind and say okay, we're going to
16 do it over there. So that's where the tribal council
17 would be the people to be in contact with because that's
18 where all the concerns of the Native people that depend
19 on these subsistence issues, they go to their tribes and
20 say why is this regulations being brought to us. Why do
21 we have to do this. Why is it we have to only fish so
22 long. You know, it's really hard for the tribe to try to
23 explain something that we do not understand still and
24 that's where the RAC comes in and it's really hard for
25 the tribes to explain to it when you can't talk directly
26 with the RAC or like Mr. Wilde, you know, he's our
27 advisory here so, you know, as far as I know, I have not
28 seen them come here to Emmonak and I don't know where
29 that -- how that's supposed to happen. I know Mr. Wilde
30 personally because he used to work here in the Yukon
31 Delta as a fish collector and he knows this area, how,
32 you know, we depend on salmon and commercial fishing and
33 if the commercial fishing is cut, then it will continue
34 down the chain to the subsistence fisherman who needs
35 that monies just so they can do the subsistence hunting
36 because it's all connected.

37
38 I think that's all I have.

39
40 Thank you, Mr. Chairman.

41
42 CHAIRMAN TOWARAK: Thank you, Mr. Kelly.
43 And now we're going to revert to the floor. Who's got
44 the -- go ahead.

45
46 MR. WAGONER: Thank you, Chair. My name
47 is Louie Wagoner from Metlakatla, born and raised, life-
48 long resident and I serve on the community council and we
49 volunteer, so I appreciate the work that the RAC board
50 does as volunteers. It's a lot of work. And what we

1 need from the RAC Board is to make sure we're contacted
2 when the meetings take place, when any proposals come in,
3 especially when they're affecting any of our villages
4 because these proposals, most of them are not coming from
5 those of us who live our way of life. We live off the
6 land, the water.

7
8 We're not the ones trying to change and
9 make all the rules. We like the old way and we know our
10 limits and we were taught not to waste, so we don't need
11 to change our way. What we need is protection from the
12 RAC Board and the Federal Subsistence Board to protect
13 our way of life. It's really important is we'd rather
14 just be home and enjoying what we do, going out on the
15 beach at low tides and getting clams, cockles, seaweed,
16 gumboots, whatever it is that's in season not having to
17 protect our way of life all the time.

18
19 So that's really important to us. Back
20 in 2000 when I first got on council, Saul Atkinson he was
21 our mayor and we had a really good relationship with the
22 forest service. We were informed all the time of what
23 the changes that were coming. They would come to
24 Metlakatla, bring all their proposals in whatever area
25 they were going to cut timber in and if it was going to
26 harm our subsistence areas and this was during Jerry
27 Ingersol's time as head forester and he was really good
28 with us keeping the government-to-government continuing
29 there.

30
31 So just a little bit of an example here.
32 They would bring in staff and they would set up their
33 chart on the stands that they would bring, you know, and
34 go over everything really well so we understood the
35 changes that might come near our area and we had a voice
36 and we knew they were coming. We would always make sure
37 our whole community knew about this and we'd encourage as
38 many of our people as possible to come and attend the
39 meetings so they would have a say in what was going to
40 happen and they can't say later that, you know, you
41 didn't tell us or you forgot about us. They had their
42 chance to participate. So it's really important that we
43 are always informed in plenty of time to respond and that
44 worked very well with them during that time.

45
46 And there's always something else. I
47 forget about it now, so that was the main thing that I
48 wanted to cover.

49
50 I thank you folks very much, I appreciate

1 it.

2

3 CHAIRMAN TOWARAK: Thank you, Mr.

4 Wagoner.

5

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

15

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

22

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

29

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

42

43 CHAIRMAN TOWARAK: Thank you very much
44 and your name?

45

46 MR. NICHOLAI: Gerald Nicholai from
47 Tanana.

48

49 CHAIRMAN TOWARAK: The people in the back
50 want me to make sure that everyone, for the record,

1 provides their name and organization.

2

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

8

9 Thank you.

10

11 MR. ISAAC: Thank you, Tim. How you
12 doing. Good to see you again. For the record, my name
13 is Jerry Isaac. I'm from the Native village of
14 Tanacross. I have been elected to serve as the president
15 of the Tanana Chiefs Conference based out of Fairbanks.
16 TCC's region is about 235,000 square miles and represents
17 42 villages and TCC's mission is to be an advocate in the
18 representation -- provide representation with services
19 for its member villages.

20

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

28

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

36

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

48

49 To me, meaning consultation means to be
50 respectful of one another and to always understand that

1 there is a resource that will be used up and gone forever
2 if we don't come together to come up with a plan that
3 would be meaningful to my people as well as yours. You
4 hear many of the comments made earlier today about having
5 meetings in the rural areas. And you hear comments about
6 my friends and colleagues having to give up doing certain
7 things to come here.

8
9 It's not for nothing that we say there's
10 no jobs or things of that nature in our villages. And
11 where has it gone that -- the value -- the American value
12 that we choose to live where we want and simply not to
13 have it a condition to be respected by words and comments
14 like well, you can always move to Anchorage or Fairbanks.

15
16 There are many things that you can do,
17 but meaningful consultation means to me that it starts
18 out with the recognition of each other's existence and to
19 recognize and value each other's stance and beliefs and
20 the fact that based upon this that we develop a protocol,
21 a process that would result in the actual act of
22 consultation. There are many things on the list that I
23 have concerns about.

24
25 Research studies is one of it.

26
27 In my four and a half sort years of being
28 president of TCC, I have been party to and have been in
29 earshot of the differences that researchers have in
30 regards to each other's styles, the methods that they
31 each use and the rationale that goes along with it. It
32 appears to me that sometimes bureaucratically the
33 valuable intent to come up with actual numbers and facts
34 are stymied by egocentric types of concerns and that's
35 got to stop.

36
37 To me research is research is research.
38 All I want to do is to get the scientific information
39 that myself and the rest of my decisionmaking body could
40 use to make -- to take decisive actions or want to do
41 about protecting the fish and wildlife resources. Simply
42 put, there are concerns about local enforcement. A non-
43 Native guy got cited and roughed up otherwise from what
44 hear, he, being a relatively a law-abiding citizen. I
45 had a friend, a former president of TCC, who was stopped
46 for no reason at all. Do we enforce -- is your Agency --
47 Mr. Towarak, the Fish and Wildlife Agency, is that their
48 responsibility to enforce safety, boat safety and this
49 stuff? If that is so, then I have a hard time
50 understanding that because I thought fish and wildlife

1 meant the protection of fish and game and not protection
2 of people.

3
4 Many of the groups in the rural -- of the
5 rural part of Alaska have many years of experience and
6 expertise in contracting for Federal services. That
7 needs to be really looked at instead of finding excuses
8 about why Native organizations should not be permitted to
9 manage National Park Service. It really needs to be
10 looked at. I can guarantee you that I think I can do a
11 decent job of managing the National Park Services and to
12 gain and achieve the target objectives it sets forth.

13
14 I'd like to just ask in my parting shot
15 that I call forth the question of fairness and quality
16 and that's all I ask is for my people to be treated with
17 fairness and equality.

18
19 Thank you.

20
21 CHAIRMAN TOWARAK: Thank you, Jerry. And
22 for your information, everything that is being said today
23 is being recorded and our Staff, we're going to make a
24 synopsis I guess, if you call it that, of everything
25 that's being said and we hope to share this with the RACs
26 and then with the tribes and come up eventually with a
27 method of doing tribal consultations in the future. So
28 the project is really just beginning and this is just the
29 beginning. It will continue.

30
31 MR. ENCELEWSKI: Mr. Chairman, pleasure
32 to be here and a chance to talk. I could see the
33 consultation's going to take some time as it takes four
34 hours to get your turn.

35
36 (Laughter)

37
38 MR. ENCELEWSKI: So it is a major hurdle.
39 I just would like to point out a couple things. My name
40 is Greg Encelewski. I am the tribal president and --
41 chairman from Ninilichik Traditional Council. If you
42 don't know about Ninilichik, you could probably read
43 about it in the paper, the State's constantly fighting
44 with us and trying to take away our C&T and so on and so
45 forth.

46
47 But anyway we're down on the Peninsula.
48 One thing we do have is we are on the road system, so we
49 have a little better access.

50

1 But I want to address what I think we're
2 here for is the consultation with the Subsistence Board
3 and we have a couple suggestions that we think could help
4 work, but before I get into them, I do want to say that
5 what we have done as -- I am also a member of the
6 Southcentral Regional Advisory Committee. Ralph Lohse's
7 Chairman over there and I intentionally ran for that
8 position, I've been on there for many years so I could
9 support my community as a subsistence user and a Native
10 from Ninilchik.

11
12 And I know my responsibility is for the
13 whole region and I do that, I take that very seriously,
14 but the process there is that we've had to take our whole
15 tribe literally and the Tribe of Kenai supporting us, we
16 had (indiscernible) that went to jail for subsistence
17 rights on the Kenai, came to support us, and we testified
18 to the Southcentral RAC and we did -- we were heard and
19 we did get -- we did pass proposals and when we went to
20 the Federal Board, they were -- they didn't get the
21 deference and a lot of them failed.

22
23 So that's where we felt that there was
24 some problem. So I guess what I'm suggesting is in
25 consultation is to find a way through more means that we
26 could communicate to our RACs, get our people on the RACs
27 that support us and for the Federal Subsistence Board
28 there are several seats that I strongly feel should be
29 tribal seats. The State has a position -- or a seat on
30 the Federal Board as an advisor and I think the tribes
31 ought to have that same equal opportunity.

32
33 Also that, you know, when it comes to the
34 actual order of how you take comments, I feel that the
35 tribal -- when there is tribal comments at the end of
36 your presentation, they should be able to have a rebuttal
37 or the tribal organizations should be able -- to be able
38 to come forth and state because what happens is you get
39 all this testimony, you get all this talk about a
40 proposal or whatever's going on, and a lot of times, a
41 tribe will get up there first and they've come to a RAC
42 or they've made their proposal, then the State comes in,
43 they cry and they whine and they tell you all these other
44 stuff. Well, long story short, the tribe doesn't have a
45 chance for rebuttal a lot of times or a time to speak
46 clearly where they should.

47
48 I know it's a large issue of how we're
49 going to get proper representation for everyone in this
50 State. We're in the same boat. We're losing our

1 resources and resources are getting minimal. More of our
2 fish is going outside in boxes. Sportsmen are catching
3 it day and night and so it's a major problem. But I'm
4 here to work with you and to hear and to figure out ways
5 that we can come up with the Federal Board and I think
6 that we should try and get some tribal people on there,
7 maybe a tribal organization with representatives from the
8 tribes maybe geographically, I'm not sure.

9

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

12

13 Thank you, Tim.

14

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

19

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

38

39 That's what we came up with.

40

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

47

48 That's what we came up for our region.

49

50 The other thing is I have a question

1 about what the RACs will be doing because you're supposed
2 to be giving deference to the RACs. You know, how can
3 you give meaningful consultation when you're still going
4 to have to give deference to the RACs. We'll have to
5 some how work that out and listen to both the RACs and
6 the tribes and I know our council, the Southcentral
7 Regional Advisory Council, we do listen to the tribes.
8 We do -- from each person, we have people serving
9 different areas of the RAC and we listen to those
10 people's region where the proposal's coming from, the
11 management plan, or policy's coming from, we listen to
12 that person in the RAC. And we usually listen to what
13 they say and we do what they want to see done on the
14 management plan or the policy or the proposal.

15

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

30

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

37

38 CHAIRMAN TOWARAK: Yeah. I've been told
39 that it's not a rulemaking process. It's a develop -- a
40 policy development process and we're making it as open as
41 possible right now. You know, we're going to kind of
42 capsulize everything that's been said today and send it
43 out to all the RACs and I don't know what type of a mail
44 system that we use to get it out to the tribes, but I
45 would expect that we would send it out to the tribes as
46 much as, you know, as we could and request, you know,
47 analysis and criticism of the input from today and
48 eventually come up with a positive plan. That's my
49 guess. It's open though. We're not restricted, you
50 know, to the normal process of regulations.

1 And before you hand it up, I might have
2 skipped it, but we need your name and.....

3
4 MS. STICKWAN: Gloria Stickwan.

5
6 CHAIRMAN TOWARAK: Okay.

7
8 MS. STICKWAN: I serve on the
9 Southcentral RAC as well.

10
11 CHAIRMAN TOWARAK: Okay. Thank you.

12
13 MR. ESMALSKA: Thank you, Mr. Chairman.
14 My name is Burton Esmalska from Nulato. I'm going to be
15 84 years old in a couple days and I wanted to talk to the
16 folks about this subsistence you're talking about and I
17 just going to tell them the importance of it.

18
19 How I was raised in subsistence life and
20 the Federal government is really hurting the Natives --
21 the whole Natives of Alaska. That's what they're doing
22 to them now.

23
24 Me, I don't worry about myself. I worked
25 a long time. I'm a taxpayer. I get good check every
26 month and I don't worry now, I got the food I want, but
27 my young people is hurting because I was raised with it,
28 I understand it, the subsistence life, and that's what
29 the Federal government is cutting off all the people in
30 Alaska. The whole Natives, Aleuts, Eskimos, Coching, the
31 whole works is going through it now. That pain. They're
32 just taking it away from the Natives in Alaska. The
33 Federal government doesn't know nothing about the Yukon
34 River. That's the whole problem. So when you guys, when
35 you get through with this meeting, the meeting, I don't
36 want it to get any worse than the way it is now, this
37 subsistence life because I've been through a rough life
38 raising my kids in my days and this meeting here, I want
39 you to make sure that they don't make it worse anymore on
40 the Natives for our subsistence life.

41
42 And this -- that's what I'm telling you
43 about now. There are fishnet, the Federal government, I
44 want to tell you a story about it, a really true fact
45 story. They want to make it 7 or 8 inch, you know, they
46 are going to kill the fish. If they ever built that
47 thing to 8 or 8 inch, that six inch, that's the real mark
48 for fish, we'll get the mediums and then the small ones
49 go through it and the big ones that's going to hatch in
50 the rivers, we'll catch more or a few of them. For about

1 two years, I was in camp fishing on that salmon, that
2 king salmon, this is what seen. I went through myself
3 that some of that 8 inch mesh, they're just going to kill
4 the salmon, kill all the big fish that's going to hatch.
5 That's what they're going to do if they even make it.
6 They should leave it where it is now at six inch because
7 where I learn it, I used to fish subsistence. But two
8 years ago, they move us into town now, me and my wife, we
9 really enjoy that life on the -- this salmon about four
10 or five big fish are caught during all them years.
11 They're still out there in the river, and the big fish,
12 very few of them coming into the (indiscernibles) and I
13 caught about four of them and I feel sorry about it that
14 they're caught, that five fish like that, all them years,
15 and when I take the eggs out where six mesh in the river
16 and that river got two forks in it and then big salmon is
17 right there, right below, I catch that big salmon, geez,
18 I got (indiscernible).

19
20 We used to commercial fish, not even
21 commercial fishing now on the Yukon and I tell my wife
22 give me that machine, weighing machine, we have weighing
23 machine for that commercial. So I put that fifth one, it
24 don't look too big, the fifth one, I weigh, it's 29
25 pounds, that salmon, and that's -- I've caught some
26 bigger ones. Five and this is the smallest one. And I
27 turn to my wife, I (indiscernible) the eggs, I want to
28 see how big the eggs is and I open it and I -- gee, big
29 kings, big eggs ready to hatch, I put them on that
30 weighing machine and that eggs alone is three pounds,
31 that's how much fish that eggs in the (indiscernible) go
32 in the other river, it's going to go up to the other
33 river and hatch there. The big fish, they stay out there
34 in the middle.

35
36 Now where the net is, we get that medium
37 size that's just right. There's no problem with that.
38 And then you're surviving, made it strict on Nulato,
39 we're 4A district, from Anvik to Bishop Rock, that's
40 about 20 miles above Nulato; that's the main spot right
41 on the Yukon. That's why they're hard on us, but I don't
42 mind that, but it's the whole Alaska is -- they're doing
43 it to, to Natives. All the Natives is going through it
44 and they have to break down on that, treating Natives
45 like that, taking away our subsistence life, what our
46 grandparents taught us. I was raised with it, tough
47 life. We have to eat food, what little we get, when that
48 moose came around, the only people that have moose
49 (indiscernible) come around. Before that I've seen it,
50 there's no -- we have to eat the meat year-round, that's

1 how we live. Besides fish. All the peoples in fish
2 camps, they're living on fish.

3

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

18

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

30

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

36

37 You know, down in the Lower 48, I heard
38 stories about it. Lots. You know, Jeronimo, you
39 (indiscernible) a lot of people because you are doing
40 that do them and, you know, when they got a hold of him,
41 he was pretty old, well, they can't put him in jail, they
42 got to treat him good, they were sorry what they done to
43 him, that's why they (indiscernible) a lot of people,
44 Jeronimo, the outside Indian, the rough Indian, there is
45 no real battling, I hear lots of stories about that guy.
46 That's what's happen -- that's probably just what the
47 Federal government is doing to Alaska now. It's really
48 painful. You all aren't worrying now, but the people of
49 -- Natives of Alaska is going to hurt.

50

1 And the main thing I want them to do is
2 make that net (indiscernible) and that subsistence life,
3 I want the Natives rights for it. Just leave it. Don't
4 make it any worse, the Federal government, I don't want
5 them to make it any worse.

6
7 You know, this is what Ted Stevens four
8 years ago, the Republicans controlled the House and
9 Senate. Four years ago he came back to Alaska
10 (indiscernible) we don't fix it, I done all the thinking
11 for you, he came back to Alaska. Now you got all the
12 true stories about that. Too bad that guy is not here
13 today. Ted Stevens. The Senate and the House,
14 (indiscernible) you're going to hurt when the Federal
15 government take over the law in Alaska. The people are
16 going to suffer. You see what's going on now, which is
17 what Ted Stevens said. Our life is nothing now.

18
19 So what I want them to do is make that
20 fishing in the river. If they do that, they're going to
21 hurt the whole Yukon. They're going to kill it. And the
22 subsistence life, I don't want them to make it any worse
23 because I was raised up on it myself.

24
25 I was told a story about what happened
26 when I was a little boy, I remember across Nulato, Kaiyuh
27 Flats, the whole half of Nulato have to move out with
28 their kids, that's the only way they survive and they
29 live on fish, grouse, chickens, rabbits. That's all
30 there was. I remember when there was no moose, no beaver
31 yet. And now we were in Kaiyuh one fall and then my dad
32 and mom, I understand they're talking Native. It's --
33 they didn't have to tie up the dogs. He told me, I'm
34 going to go down to Nulato and get a little groceries.
35 Little stuff, salt and sugar, like that. He went down
36 Nulato, he came back the next day and then he'd take Mom
37 (indiscernible) (In Native). It's a man, a Native, I was
38 small but I understand. He told Mom I was coming back in
39 that (indiscernible) slough, I was coming back in that
40 slough and there's two moose across the trail, where that
41 come from. Well, my Dad he was trained -- a long time
42 ago was trained to run down anything on (indiscernible)
43 I could have killed them, two moose, but there's lots of
44 people hungry in Kaiyuh, it's not only us going to eat,
45 so he told Mom get the word all around the camps so they
46 come to the camp in the morning, they all come here, I
47 understand what he's talking about and all the people
48 came. They all went down to that moose track. About two
49 hours later, they all came back, two moose and all these
50 people just like (indiscernible). My dad got one piece

1 of meat just for -- I know -- and one moose head, that's
2 all he got, the whole two moose went to all the people
3 and all of them people was so happy. That's having tough
4 life and there was no river yet and after the beaver
5 came, it got easier. We started to eat good, so that's
6 what the Federal government is trying to take away from
7 the Natives, the whole Alaska Natives. This is
8 (indiscernible).

9

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

15

16 (Laughter)

17

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

20

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

23

24 MR. ESMALSKA: Thank you.

25

26 CHAIRMAN TOWARAK: We really appreciate
27 your input.

28

29 MR. ESMALSKA: Uh-huh.

30

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

34

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

38

39 (Laughter)

40

41 MR. FIRMIN: He inspired me with a few
42 more ideas, what I thought -- when I first got on the
43 RAC, we were kind of limited by the budget to stay on the
44 road system, but when we did have enough money to go to
45 the villages and one of them was Fort Yukon and there was
46 a -- I think one whole day of public testimony at the
47 tribal house about the size of this room and it was
48 fairly full, but I think I got to encourage like the
49 villages and everybody here to take some applications
50 home and fill them out. Have their tribal councils

1 nominate somebody, support them, use them as a reference
2 on your applications. Get your chiefs to be a reference.
3 You know, it doesn't hurt to apply and I think a lot of
4 it is the recommendations that they make on those
5 applications and who does the interviewing, but the way
6 I got on the RAC was just somebody kind of just tossed me
7 an application and said fill this out because -- I
8 believe Craig Fleener was on the RAC then and I took his
9 chair when he got deployed.

10

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

26

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

41

42 Thank you.

43

44 MR. LANLORD: Thank you, Mr. Chairman.
45 My name's James Landlord (ph) (indiscernible) Tribe.
46 We're excited this consultation with the tribes on our
47 subsistence issues. I think it's a long time coming but
48 we have familiarity with DOI and IHS with the
49 consultation process but with the Federal Subsistence
50 it's brand new and -- for tribes of Alaska and I think

1 it's a good thing for us because the State of Alaska has,
2 you know, they've been looking past tribes especially to
3 implementing our subsistence issues and I think the
4 Federal government is going to increase with this role in
5 our (indiscernible).

6
7 Secretary Salazar wants to increase the
8 Federal Board to two more and I think I heard that they
9 wanted to -- they're using the word rural preference
10 perhaps since, as I said, Federal Subsistence Board and
11 affecting our Native people I think the preference should
12 be changed to a tribal, maybe even two more or one of
13 them. And I think we already know that the State and the
14 Federal Board have an MOA or an MOU. And I don't know if
15 the RAC ever seen that or maybe if we can get a copy of
16 that, you know, to see how it's going to affect us out in
17 the villages. Perhaps we can get a copy of that and see
18 how it's going to affect our -- the MOU or MOA's going to
19 affect our uses to gather food.

20
21 There was one more. I can't remember.
22 I didn't have any notes, so, thank you.

23
24 Thank you.

25
26 CHAIRMAN TOWARAK: Thank you, Mr.
27 Lanlord. Just for your information, my understanding is
28 that they're going to add two additional subsistence
29 users. Now whether they're tribal or not, I'm not sure,
30 but we'll fi -- I think it's going to be -- the
31 requirement is that they are subsistence users. So that
32 it -- it could include tribal people.

33
34 MR. WOOD: Mr. Chair. The last -- final
35 comments from me would be to -- and my personal
36 observations sitting on Regional Council, observing the
37 Regional Councils is that the changes that were made a
38 few years ago before I came aboard, there's commercial
39 and sport seats that are really active and they kind of
40 dominate some of the majority of the meetings and it's
41 kind of a disservice to the original intent of the
42 Regional Advisory Councils and that process. Now, maybe
43 I'm a little bit off base. I'll check with the other
44 Regionals -- is them commercial and sports seats are
45 highly motivated to get their needs met, but that's not
46 the intent of the Regional Advisory Councils is --
47 Federal Subsistence Board is to help subsistence not
48 commercial and sports.

49
50 That would be one change of policy would

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

12

13 (Laughter)

14

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

25

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

38

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

47

48 So with that said, you know, protect the
49 Natives -- like your elders said, to protect the Native
50 rights and subsistence rights for Native people, those

1 services should be compacted through an agreement
2 regionally, with a State board format similar to this.
3 But I -- you know, that's just my suggestion. There's a
4 lot of issues out there and a lot of things that need to
5 be done and it looks like, you know, a good start.

6

7 Thanks.

8

9 CHAIRMAN TOWARAK: Thank you, Mr. Wood.

10

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

29

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

40

41 I'm really happy you guys -- this thing
42 is -- finally decide to meet with the people and have
43 some input from the people that use the resources and
44 getting more input from more people would definitely
45 improve this. I was going to ask you a question. The
46 regulations, rules, or whatever they -- that's -- come
47 out of this meeting, how long will it last? Are you
48 going to revise it somewhere down the road in one year or
49 two years? I mean things change and I was wondering
50 about that.

1 CHAIRMAN TOWARAK: My understanding is
2 that it will be a fluid document. It could be changed
3 and my -- it's policy, right. And policies are made to
4 change as -- if the users want it changed, we will listen
5 to those changes and if it's the right thing to do, we
6 would make changes.

7
8 MR. MORRELL: Thank you. It's -- the
9 resources are always changing. You always have more or
10 less fish and probably you're having less fish all the
11 time like we're having more and more people all the time.
12 You know, the population is growing steadily, but we
13 still have the same amount of resources. So I think
14 that's another problem.

15
16 And the other thing is like in Grayling,
17 in that area, I see a new species come into the creeks --
18 the freshwater creeks. They're pike -- the pike fish,
19 northern pike. They're moving into these freshwater
20 creeks and I've never seen that too much a long time ago,
21 but just lately I have been seeing a lot of pikes moving
22 into -- you know, they're pretty much of a predatory kind
23 of species. They had trouble with this thing down in the
24 Great Lakes somewhere where people do a lot of
25 sportfishing and they were eating up all the trout, but
26 -- sportfishing down there and I know, I don't know
27 what's everywhere, but I see it in a few creeks in and
28 around the Grayling area that pikes were moving in and I
29 don't know how much effect they're having in eating the
30 salmon species, but I know a they're predatory kind of
31 fish.

32
33 And I want to thank you for letting me
34 speak and I hope it goes better when you get a lot of
35 input from a lot of people that live off the land.

36
37 CHAIRMAN TOWARAK: Thank you, Mr. -- is
38 it Melali?

39
40 MR. MORRELL: Morrell, yes, sir.

41
42 CHAIRMAN TOWARAK: Morr -- and we hope to
43 get the information out.

44
45 MS. AHTUANGARUAK: My name is Rosemary
46 Ahtuanguaruak. I spent 25 years in Nuiqsut. In May, last
47 year I moved to Barrow. Our process in Nuiqsut was very
48 difficult as we worked through many concerns. Our lands
49 were changing. Our waters were changing. We spoke many
50 times about our concerns to subsistence. Our elders

1 started this process as our grandparents and our concerns
2 continue to be watered down.

3
4 We worked five years on the Minerals
5 Management NPR-A, trying to describe specific methods of
6 how some of their activities should be done, on ways that
7 will impact our seasonal usages or areas that are most
8 important during certain times: our natural waterways,
9 our transportation routes.

10
11 We've shared many, many concerns, but as
12 many tribes also agree, we continue to give up, we
13 continue to face changes in efforts of creating policies
14 were done without at the table. We also went through
15 after many decades of activity, they came back to us to
16 talk about contaminants to the Tiktalik, the lingcod.
17 There was activities that had changes to the lands and
18 waters from resource obstruction that was leading to
19 leaching of these contaminants into the water. Areas
20 closer to where these activities were the worst. Closer
21 to our community, they were less.

22
23 But this discussion occurred in Barrow
24 and the communication came by phone to our tribal leader
25 and the -- what came out of that process was to tell us
26 not to eat any of these fish. As it turned out, they did
27 a study and this study turns out to not look at how we
28 use these fish, so we had to tell ATSCR, Agency for
29 Toxicology and Disease Registry, to go back and redo this
30 study looking at how we consume these fish because they
31 affect us. These contaminants, they accumulate in us.
32 They come into our bodies, into our breasts, into our
33 future generations. As, women, we carry this burden with
34 us through multiple generations.

35
36 I've studied this process because of
37 health changes that were coming to our village. In 1986,
38 I moved to Nuiqsut to become a health aid. Our village
39 talked of what was going on. There were only 323 people
40 when I got there, but when I decided to go to the
41 University of Washington to become a physician assistant,
42 I came out of school and now there were 60 people needing
43 medicines to help them breathe.

44
45 I had started talking about these
46 concerns before I went to school to further my education
47 because I was seeing these changes and I was starting to
48 gather statistical data, but politics and willingness to
49 listen to these concerns were not well received in some
50 ways. And still our studies are not there.

1 Well, a few years ago, we had 20 babies
2 Medi-evac'd out of our village, put on respirators to
3 help them breathe. Is this enough? Is that enough? Ten
4 of those babies had worst complications. That's why we
5 go to these meetings regardless of how bad things have
6 been because we look into these little eyes and our hopes
7 that we're working hard enough so that they still will
8 breathe.

9
10 We also have concerns with the North
11 Shore offshore environment and we put in a lot of
12 discussions to try to protect fish migration rights, but
13 without us continuing to be at the table, our ability to
14 work through this process gutted out everything we worked
15 over five years to do with the most effort to create the
16 lease sales. Instead of saying things that should be
17 done just so and not along these different areas, it
18 became maybe industry should do this. Maybe they could
19 do this, not they will, not they must.

20
21 The way that the studies were done when
22 we look at our rapid consumption of certain species and
23 narrow windows of time and our elders who share with our
24 (In Native) our grandchildren, they share the new taste
25 of these foods so they'll build up the desire for these
26 foods, but we have many species that our people are no
27 longer exposing our young children to. We have many
28 concerns because the changes to the lands have changed
29 the stories we're telling our children. Our hopes for
30 restoration are affected by this.

31
32 We have communicated. We have
33 participated. Last year I went on 39 trips before I quit
34 counting, trying to deal with issues related to health,
35 tradition, and culture. I had to volunteer for most of
36 this stuff as many of our tribal people do. It takes me
37 away from my town. It takes me away from all the hats I
38 wear. As a health aide, I'm not there to be on call. As
39 the person who works with our fire department, I'm not
40 there to help with the training. As, you know, a mother
41 who is -- I have five children and now I've got ten
42 grandchildren. I wasn't there to help with the conflicts
43 in school.

44
45 All of these costs add up and it's a
46 price we pay because we continue to look in those new
47 little eyes and it's a price that cannot be recouped in
48 this process. Now, we have had 9 of 11 elders, men, that
49 have died from cancer. These concerns are echoed in the
50 communities. The two men that did not die have had

1 cancers and they're survivors. That's a terrible process
2 that we have to go through and we have these discussions
3 now about efforts to provide grants for concerns about
4 health and air quality and what do they do, limit it to
5 the hospitals, to the schools, and to the public
6 community centers.

7
8 But yet, where's our ability to address
9 the health. Our babies are breathing in their own
10 houses. These kinds of things are how the consultation
11 process has failed us. It's not the way things should be
12 done. Now we have opportunities to apply for various
13 grants to help our communities look at environmental
14 factors.

15
16 I've done three trips across the North
17 Slope to every village. I present to our children. I
18 present to the community. I offer to present to the
19 councils. Some councils are well received. Some are
20 not. But it's an opportunity to share and provide the
21 education that our children are needing to deal with the
22 changes that are coming because these decisions are their
23 daily lives, as the decisions of my grandparents is my
24 daily life. And these decisions have made many changes
25 to our bodies that now we have children that are
26 worrisome for leukemia. That's not right. It's not
27 right.

28
29 Please listen.

30
31 Thank you.

32
33 CHAIRMAN TOWARAK: I think this concludes
34 the process. We started at 9:00 o'clock and we've been
35 going nonstop and we appreciate those of you that have
36 waited until the end to participate. As I said, if I've
37 stated anything wrong, let me know.

38
39 We're gathering this information and
40 we're hoping to come -- and we will exchange it with the
41 public through the RACs and to the tribes, to the
42 regional corporations, the village corporations, and to
43 as many people in rural Alaska as possible to review the
44 gatherings that we have here today and then hopefully we
45 will be leaning towards a general policy of tribal
46 consultation that we will use that's been recommended by
47 you.

48
49 We know that we're restricted by budgets
50 on doing some of the things, but we're going to take a

1 look at that also. The Secretary did charge us to
2 participate on analyzing -- having the Board analyze the
3 operations of the Federal Subsistence Programs, including
4 the budget, and the leadership in that department.

5
6 So with that, I'm -- are there any
7 comments that any Board members would like to make or
8 short, final comments by RACs and -- we haven't heard
9 from Prince William Sound.

10
11 MR. LOHSE: Thank you. Well, I've
12 already got my instructions. It's supposed to be short.
13 I'm going to turn a little bit to my mentor right here
14 right alongside of me and maybe make it a little shorter
15 than he did.

16
17 (Laughter)

18
19 MR. LOHSE: But what we've been hearing
20 today really fits in a lot with my background. We've
21 heard a lot of stories of Creation, we've heard a lot of
22 stories of different beliefs and backgrounds, but one of
23 the things that I learned a long time ago is that what we
24 say should bless and not curse. And to bless means to
25 give great weight, to make a heavy weight, to make of
26 great importance and to curse means to make a little
27 weight, to make of no importance, and that's what we need
28 to do to all of what we hear and what we gather from the
29 information that we get here.

30
31 We need to put great importance. We need
32 to bless the people who speak. And I really liked some
33 of the ideas that came up and I'm going to try to tell
34 you some things. I've been a Council Chair for quite a
35 while. I've been on the RAC for quite a while and I
36 really think it's going to be important when the RAC
37 meets that if there's an issue that affects an individual
38 tribe or a group of tribes that a direct invitation goes
39 to them to come to the RAC.

40
41 Now, we've been fortunate in our RAC.
42 We've had tribal members as part of our RAC. We've been
43 able to go to tribal communities to hold our RAC
44 meetings, but I think that when an issue comes up -- and
45 I think that should be part of our policy, that when an
46 issue comes up that directly involves a tribe or a group
47 of tribes, a direct invitation goes to them to attend the
48 RAC meeting and that they be given a blessed listening
49 to, that great weight be put on what they have to say.
50

1 And I think the same thing should go for
2 the Board. I think that there should be, if there's
3 issues that are coming before the Board, that it's made
4 a part of the policy to send out an invitation directly
5 to the tribes or the group of tribes that are involved in
6 it. I liked Mrs. Stickwan's comment about having a
7 tribal RAC. Maybe we can't have a tribal RAC, but for
8 the tribes to get together and have somebody to represent
9 them and at least have the position on the Board that the
10 State liaison has, I think would be a very good idea. Or
11 possibly one of the two other seats that are supposed to
12 be on the RAC could come from that and that would be up
13 to the -- that maybe can't come under the provision of
14 the OSM, them providing it, but the tribes could get
15 together to do that kind of thing.

16
17 And I do like what Bert said. The RAC is
18 not a tribe. But the RAC represents what ANILCA calls
19 for, the rural residents of Alaska, and that's rural
20 Native and non-Native. And I'm not an Ish. I could say
21 that if the other guy was here, I don't come from a
22 Scottish, an Irish, or an English background. I'm an On
23 and that means I come from a Saxon background and my
24 people go back to subsistence a long way. And maybe I'm
25 a throwback.

26
27 If you've all heard about the guy that
28 was found under the snow in the Swiss Alps, that's
29 probably one of my long-ago relatives, and he was found
30 with seeds and berries in his bag and a stone knife and
31 a bow and arrow with stone arrowheads on his back. And
32 so that could be part of my background too and that's
33 part of all of our background.

34
35 And I'm 68 years old today. I'll be 69
36 not too long from now and I do have a subsistence
37 lifestyle even if I'm not a Native Alaskan. I still cut
38 my own firewood. I haul my own firewood on a sled. We
39 eat fish. We eat game. And I'm looking forward to my
40 sons burying me in the State of Alaska. But having that
41 said, I do see that it's important that we allow the
42 people who were here to have a good strong voice in the
43 activities that we're doing right now, activities that
44 directly affect them, directly affect their livelihood,
45 directly affect their culture, their nutrition, and all
46 the rest of it.

47
48 And I thank you for this opportunity and
49 I hope we do better in the future.
50

1 CHAIRMAN TOWARAK: Thank you. I guess
2 I'm going to have the final word since I'm the Chairman
3 of the Board. I want to end this whole thing with some
4 advice my grandfather told me. He said God gave you two
5 ears and one mouth; use them proportionately, and I hope
6 we did that today.

7
8 Thank you very much for being here.

9
10 (Off record)

11
12 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
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