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FEDERAL SUBSISTENCE BOARD
RURAL DETERMINATION PROCESS PUBLIC COMMENT
BEFORE HEARING OFFICER
PAUL MCKEE

Saxman Community Center
Saxman, Alaska
March 16, 2015
12:00 o'clock p.m.

Presenter: Pippa Kenner
Office of Subsistence Management

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P R O C E E D I N G S

(Saxman, Alaska - 03/16/2015)

(On record)

(Cape Fox Dancers Presentation)

MR. MCKEE: Well, good morning to everyone.

Before I get started on my portion of this meeting I just wanted to introduce, make everyone aware that we have a couple of Federal Subsistence Board members with us. Mr. Bud Cribley with the Bureau of Land Management and Ms. Beth Pendleton with the U.S. Forest Service, and I believe Beth has a few things she'd like to say before we get started.

MS. PENDLETON: Gunalcheesh, and thank you. I want to especially give a big thank you to Saxman Tribal Chair Lee Wallace and the Council members who are here as well as the Cape Fox Dancers for that wonderful, wonderful dance presentation and warm welcome. Also a big thank you to the Cape Fox Corporation for the Board members that are here today. To the city of Saxman. To the communities of Saxman. And Ketchikan, and others who may be here from Southeast Alaska to share comments with both myself and Board member Bud Cribley this morning. A very big thank you.

And just also to say that it's wonderful to be here and looking forward to hearing from many of you and your comments today and we'll take those to heart as the Board continues their deliberations on the rural determination process. It's important for Bud and myself to hear from you today so, thank you, for taking the time from your busy schedules to be here.

I also want to acknowledge that there are a number of other members here from the Forest Service who serve in the Federal Subsistence Program. I want to acknowledge Robert Larson, Tom Whitford, Cal Casipit. And then also from the Forest Service here, locally, in Ketchikan, our new tribal relations liaison Carla Kasaluken, who is over there by the windows and she's a fairly new employee to the Forest Service and a warm welcome, Carla, and glad that you're here today

1 too to listen to these proceedings as well.

2

3 So thank you, and thank you all for
4 being here.

5

6 MR. MCKEE: Well, I want to thank
7 everyone for attending this afternoon's meeting.

8

9 This is an opportunity for you all to
10 provide input to the Federal Subsistence Board's rural
11 determination process. Specifically the Board at the
12 direction of the Secretaries of the Interior and
13 Agriculture are seeking your comment on a proposed rule
14 on how the Board will make rural determinations in the
15 future.

16

17 The Board is not currently seeking
18 comments on which communities are rural or nonrural.
19 That part of the process will not come until after the
20 rulemaking is completed.

21

22 The Board is accepting comments on this
23 proposed rule until April 1st of this year. This
24 afternoon will be an opportunity for you to provide
25 oral or written comments.

26

27 My name is Chris McKee and I'm the
28 Wildlife Division chief with the Office of Subsistence
29 Management with the Fish and Wildlife Service in
30 Anchorage. Today I am here to serve as the meeting
31 facilitator, so my job is to make sure that everyone
32 here who would like to make oral or written comments on
33 the proposed rule is able to do so.

34

35 The meeting has been scheduled to last
36 until 2:00 p.m., in order to receive your comments. We
37 have with us here tonight, the court reporter, Tina,
38 who will be record and then transcribe your comments.

39

40 During the comment portion of this
41 meeting we will not be answering any questions, thus
42 allowing us time to listen to and hear your comments in
43 their entirety. Those comments will then be forwarded
44 to the Board.

45

46 We've had several of these public
47 meetings all throughout the state over the course of
48 the last six weeks or so, everywhere from -- there'll
49 be one going on Barrow tomorrow. We've had them in
50 Fairbanks, Nome, Kotzebue, Naknek, Kodiak and several

1 other areas of the State.

2

3 Because of the importance of your
4 comments, it's necessary that we follow certain
5 procedures during the meeting. As you entered the
6 meeting room, you were asked to sign in. It is very
7 important that every person present sign in so that we
8 have a complete record of all persons who attended or
9 participated in this meeting. If you plan to make oral
10 comments today, please fill out a speaker card, it's
11 one of these yellow cards up there at the table. Also
12 if you're attending this meeting or submitting comments
13 on behalf of a group or organization, please indicate
14 the name of the group or entity that you represent.

15

16 And, again, let me emphasize, that the
17 principle purpose of the public comment part of this
18 meeting is to receive information and comments from you
19 on the record. So with me here today I have Pippa
20 Kenner, who is an anthropologist with OSM in Anchorage
21 and she's going to give you a quick PowerPoint
22 presentation on the rural determination process. So
23 with that, I'll hand it over to Pippa.

24

25 Pippa.

26

27 MS. KENNER: Thank you, Chris. Again,
28 I'm Pippa Kenner, and thank you very much for coming
29 today. I have a PowerPoint, the lights are off. All
30 right. Tom, if you could go ahead and we could have
31 the first slide. Thank you.

32

33 First, we're going to talk about how we
34 got here.

35

36 On October 23rd 2009 Secretary of the
37 Interior Salazar announced the initiation of a
38 departmental review of the Federal Subsistence
39 Management Program in Alaska. Secretary of
40 Agriculture Vilsack later concurred with this course of
41 action.

42

43 The review focused on how the program
44 is meeting the purposes and subsistence provisions of
45 Title VIII of the Alaska National Interest Lands
46 Conservation Act, or ANILCA, and how the program is
47 serving rural subsistence users as envisioned when it
48 began in the early 1990s. On August 31st, 2010, the
49 Secretaries announced the findings of the review, which
50 included several proposed administrative and regulatory

1 reviews and/or revisions to strengthen the program and
2 make it more responsive to those who rely on it for
3 subsistence uses.

4

5 One proposal called for a review with
6 Council input of the rural determination process, and,
7 if needed, recommendations for regulatory changes. The
8 Subsistence Regional Advisory Councils were briefed on
9 the Federal Register notice during their winter 2013
10 meetings. At their fall 2013 meetings, the Councils
11 provided a public forum to hear from the residents of
12 their regions, deliberate on the rural determination
13 process and provide recommendations for changes to the
14 Board.

15

16 Testimonies from members of the public
17 were also recorded during separate public meetings held
18 to solicit comments on the rural determination process.
19 The Board held public meetings in Barrow, Ketchikan,
20 Sitka, Kodiak, Bethel, Anchorage, Fairbanks, Kotzebue,
21 Nome, and Dillingham. Government-to-government
22 consultations on the rural determination process were
23 held between members of the Board and tribes, and
24 additional consultations were held between members of
25 the Board and Alaska Native corporations.

26

27 The Board received 475 substantive
28 comments from various sources, including individual
29 citizens, members of Regional Advisory Councils, and
30 other entities or organizations such as borough and
31 village governments.

32

33 So what we would like to hear from you,
34 is, do you agree or disagree with changing the current
35 regulations on rural determinations as proposed by the
36 Secretaries.

37

38 This rule would be effective statewide.

39

40 And after the Board meets in June or
41 July of 2015 and makes its recommendations to the
42 Secretaries a final rule will be published which may or
43 may not differ from the proposed rule.

44

45 Next slide please.

46

47 This proposed rule was initiated based
48 on the findings of the Secretarial review of the
49 Federal Subsistence Management Program. Rural
50 determinations are important, because only residents of

1 areas identified as rural are eligible to harvest under
2 Federal subsistence regulations.

3

4 Next page please.

5

6 Under current regulations, the Board
7 aggregates communities or areas that are economically,
8 socially, and communally integrated, evaluates a
9 community's rural or nonrural status using guidelines
10 defined by the Secretaries such as population
11 thresholds and economic development. Under the
12 proposed regulations, the Board would evaluate a
13 community's nonrural status using a broad array of
14 relevant information and rely heavily on the
15 recommendations of Regional Advisory Councils. The
16 proposed regulatory change would increase flexibility
17 in the decisionmaking process and recognize the unique
18 nature of Alaskan communities.

19

20 Next slide please.

21

22 This is not for you to actually read,
23 it's to show you the difference between the old rule,
24 which has a list of criteria and requirements and the
25 new rule, which is much shorter.

26

27 Next slide.

28

29 Instead of using only population
30 thresholds, rural characteristics, aggregation of
31 communities, varying information sources, and
32 attempting to apply those statewide, the Board would
33 rely on the Councils and the public to provide
34 information to the Board and make rural determinations
35 on a regional level.

36

37 The proposed rule would eliminate the
38 mandatory 10-year rural review cycle, instead changes
39 to rural status would be based on proposals submitted
40 to the Board.

41

42 Last slide please.

43

44 Okay, so this is the new regulation
45 proposed by the Secretaries.

46

47 The Board determines which areas or
48 communities in Alaska are nonrural, and
49 current determinations are listed in
50 regulation, all other communities and

1 areas are therefore rural.

2

3 So what we'd like to hear from you
4 today, is, do you agree with these changes, and, if so,
5 why. Or, do you disagree with these changes, and, if
6 so, why.

7

8 That's the end of my presentation and
9 Chris is going to give you a few instructions before
10 the public process begins.

11

12 Thank you very much.

13

14 MR. MCKEE: Thank you, Pippa.

15

16 Well, as many of you are probably are
17 aware, we have quite a number of people that would like
18 to testify so because we have a limited amount of time
19 I'd like to ask that anyone who is going to testify to
20 please limit your comments to about five minutes in
21 length, and if we run out of time, please submit your
22 comments in writing prior to the April 1st deadline
23 that I mentioned earlier. And handouts are available
24 up at the front desk there with information on how to
25 provide your written comments.

26

27 So when I call your name, please step
28 forward to the microphone here at the desk and please
29 begin your presentation by stating your full name, and
30 please assist the recorder by spelling your name. If
31 you are affiliated with an organization or group,
32 please say so. So that your comments are accurately
33 captured, please speak clearly and also speak clearly
34 into the microphone. If you are called to speak and
35 choose not to speak or provide short remarks, you may
36 not cede your time to another speaker. So the time now
37 is 12:02 and I'd like to open the public hearing
38 section of this meeting.

39

40 The first speaker is Ms. Carolyn
41 Heersiman, am I pronouncing that correctly. Please
42 come up to the desk, thank you.

43

44 You need to press the button there
45 until you see the little red light, there you go.

46

47 MS. HEERSEMA: Good afternoon.
48 Gunalcheesh. Thank you for letting me speak the few
49 minutes of time that you have left available to me.

50

1 My name is Carolyn Heersema, H-E-E-R S
2 like in Sam, E-M-A.

3
4 REPORTER: Thank you.

5
6 MS. HEERSEMA: I am of the Saanyaa
7 Kwaan, Naach'uneidi (In Tlingit), Cape Fox Corporation.
8 I am one of a nine member Board of Directors.

9
10 And for many years -- I was born in
11 Ketchikan, but I was raised here in the village. I was
12 raised by a father who was a hunter and who was a
13 fisherman, and this was our way of life. This is how
14 we ate. This is what my father did for all of us. And
15 each and every time you think of taking this away from
16 our village it hurts, not just one person, but it hurts
17 hundreds of villagers who have come to know this way of
18 life.

19
20 We agree that, maybe, times change.
21 But if you're going to change and take this away from
22 us, you're taking away, not only one village, but
23 thousands of people that they are related to, not only
24 in the village but out of the village.

25
26 You would think that -- when you think
27 back many years, when we were coming up in age and
28 getting into the new way of life that we would revert
29 back to the way it was. Yes, I was brought up in a
30 village with deer, salmon, halibut. We moved out of
31 the village and moved to Seattle. But when we moved,
32 we still came back to the village and we still were
33 looking for our way, our clan, our food.

34
35 I would say, Gunalcheesh, again, to all
36 of you. And, please, let us have our way of life. Let
37 us keep it so we can give this to our children, and our
38 grandchildren.

39
40 Gunalcheesh.

41
42 Thank you.

43
44 MR. MCKEE: Thank you. The next
45 speaker I have on my list is Mr. Charles Denny.

46
47 MR. DENNY: Hello, I'm Charles Denny.
48 I'm Tukyeidi from the Saanyaa Kwaan. I was born and
49 raised here in Saxman.

50

1 I take subsistence really seriously
2 because I live it day to day. And I enjoy it, too,
3 because you're teaching and you're bringing up the
4 younger folks to carry on the tradition. And I agree
5 with keeping Saxman as rural because that's the way we
6 were raised and we need to teach and bring up the
7 younger generation to carry on what we leave behind.

8
9 It would be devastating if that status
10 was taken away from us so that we wouldn't be able to
11 carry that on. It's like my mom's the eldest in the
12 community, once she's gone, nobody's been carrying that
13 forward and we lose a lot of it. We have other people
14 that teach the language but subsistence is the same
15 way, once you take it away it's hard to replace. And
16 it's just our way of life of trying to keep that
17 tradition going.

18
19 So if you can vote it and keep it so
20 that we can carry on our lifestyle, it'd be greatly
21 appreciated.

22
23 Thank you.

24
25 MR. MCKEE: Thank you. The next
26 speaker I have is Richard Shields, Sr.

27
28 MR. SHIELDS: My name's Richard
29 Shields, Sr. Shields is spelled S-H-I-E-L-D-S.

30
31 REPORTER: Thank you.

32
33 MR. SHIELDS: Like Charles Denny and
34 Carol, born and raised in the Saxman area. I left for
35 two years, which I consider on my part kind of like a
36 bad decision because I didn't know the unity of family
37 until I left. Then when I ran into hard times when I
38 was gone, I was on my own, and that's the way it was.
39 I thought I had a best friend, but apparently he
40 wasn't.

41
42 And there was one time that we were
43 sitting down for a meal with my family and the only
44 thing I was going to put on the table at that time was
45 rice and hot dogs. My family heard about it and they
46 brought me a nine course meal. It's amazing. The food
47 that we were brought up on, I remember when my dad and
48 them used to make fish patties. We'd have it for
49 breakfast, we'd have it for lunch, we'd have it for
50 dinner. We'd have our gumboots. We'd have -- you know

1 the food that we ate was not stripped of the pantry,
2 you might say, like the sea is our pantry, that's where
3 we get our food. That's what we rely on in the
4 wintertime. We've never ever taken advantage of that
5 and cleaned it out. We always took just enough to put
6 on the table and whenever there was a potlatch was
7 coming up and we heard about a potlatch coming up, we'd
8 help them get ready for -- give them some of the food
9 that we put on our table for our family.

10

11 You know back in the day we had the --
12 the pantry was there and now we rely on the job for
13 money. Our job used to be fishing, logging and
14 tourism. Now our job is tourism. And then after
15 tourism our people have to rely on unemployment.
16 Sometimes they don't have enough to make it through.
17 Sometimes I hear that our families, some of our
18 families don't have any food so we try to help them out
19 by giving them food. And this is what we put up. But
20 if somebody needs food on their table, we try to help
21 them. Like my brother said earlier, my dad is from
22 Sitka, my mother's from Wrangell, but our whole family
23 was born and raised here in Saxman.

24

25 I can say a lot more. There's a lot
26 more, I've seen a lot of change. But the critical
27 change is when the cost of fuel went up, it's harder to
28 go out and get food because of the gas price or diesel
29 price has gone up. And there's no more logging in this
30 area. And, again, the only thing we can rely on in the
31 wintertime -- or the summertime to try to put food on
32 the table is five months of work and that's not enough
33 time to do that, to have food on, so we rely on our
34 pantry. When the tide goes out we go get what we need.
35 We know when not to touch it and leave it alone.

36

37 So, I thank you for my time and I hope
38 you consider that you leave us as a rural status to
39 where we can go to our pantry and get our food when we
40 want it and enjoy it. And when we get our food we want
41 our friends to enjoy it with us.

42

43 Thank you for listening to me. You
44 folks have a good day.

45

46 Thank you.

47

48 MR. MCKEE: Thank you. The next person
49 I have is Mr. Woody Anderson.

50

1 MR. ANDERSON: Hello.

2

3 MR. MCKEE: Hi.

4

5 MR. ANDERSON: My name's Woody
6 Anderson. I grew up in Craig, Alaska, subsistence but
7 we didn't call it subsistence back then, it was our
8 food, our culture, it's who we are as a people. And we
9 grew up with the sockeye. And we'd go to Klawock and
10 beach seine, smokehouses were full all along the shore
11 there. We never had limits but we automatically set
12 limits, we took what we needed, we never wasted. You
13 never saw us throw our extra fish down on the beach.
14 If we had extra we would call family or go to the
15 elders and ask them if they wanted salmon. It was just
16 the way we were raised, we don't waste.

17

18 And then you started the limited amount
19 of fish we could take. They told us you're only
20 allowed 40 fish per family. It was tough. We were
21 used to just taking what we need and leave the rest.
22 We don't go in and overharvest. We can't share with
23 our elders like we used to and the feeling is a bad
24 feeling because I was raised to always go to the senior
25 home and knock on the doors, ask them if they want some
26 salmon, deer meat. That's the way my parents and
27 grandparents were raised, they raised us the same way.

28

29 I love that culture.

30

31 I'm Haida, Tlingit and Norwegian, but I
32 claim Native because it's the way I was raised.

33

34 It just really hurts me to see that
35 they're trying to take it away, which it shouldn't even
36 be considered -- talk about us being rural -- it's our
37 culture. It's who we are as a people.

38

39 You guys grew up with your beef and
40 your other meats, and turkeys, you know, that's who you
41 are, that's -- you like that food. You don't want
42 nobody to take it away from you. That's the way I
43 feel. It's like they're just trying to take it away.
44 I follow all the guidelines and the rules and then I
45 feel like when I'm out there harvesting my food that I
46 grew up with and my ancestors grew up with, it feels
47 like they harass us. They come over and check our
48 license and when we're in the middle of a set they say,
49 stop what you're doing, we want to check your permits.
50 I always tell them, come out here at nighttime when the

1 people are taking it illegally. Don't come out during
2 the daytime. If we're going to sneak it we won't do it
3 in broad daylight. It's just a shame that we have to
4 come up here and fight for our food that we grew up
5 with and we teach our children.

6

7 Our people were healthy because they
8 were used to this type of a diet.

9

10 I had this silly idea, I went on a
11 fast, and then I tried to go vegetarian, I broke out in
12 huge hives, went to the doctor and the doctor said,
13 what were you thinking, your people are used to eating
14 meat, go get a big steak or a salmon or something to
15 eat and I did and the hives went away, and I said, oh,
16 I guess he's right, he knows what he's talking about.

17

18 (Laughter)

19

20 MR. ANDERSON: Our people are used to
21 this food. We're not used to the diet like you get
22 from the store. Our health is not so good anymore.

23

24 So I really hope and pray you people
25 will consider to let us keep our diet, the food that we
26 grew up on and our body's are used to.

27

28 I thank you for your time.

29

30 MR. MCKEE: Thank you. The next person
31 I have on my list is Nora DeWitt.

32

33 MS. DEWITT: Hi there, I was supposed to
34 be further down on the list.

35

36 (Laughter)

37

38 MS. DEWITT: My name is Nora DeWitt.
39 N-O-R-A D-E-W-I-T-T.

40

41 REPORTER: Thank you.

42

43 MS. DEWITT: Thank you for coming to
44 Saxman to hear from our people. I am originally born
45 and raised from the Toydecuta (ph) Clan from the state
46 of Nevada. I married someone from Alaska, actually he
47 was from the Naanyaa.aayi clan, and he's the one who
48 moved me up here from the desert country to the land
49 and the water. And my way of life at that time was the
50 desert. And I have transitioned very well.

1 I was brought -- when I moved to Saxman
2 in 1973, I was welcomed by the Shields family who
3 taught me many things about putting up fish, how they
4 did that. When they talk about the fish on the beach,
5 Joe Williams, Sr., dumping the fish on the beach, I was
6 a part of that. And that was my first experience in
7 subsistence way of life and it was an experience I'll
8 never forget. Watching the little ones, the women and
9 the men, being a part of it, telling stories and joking
10 and everybody working to one purpose and that was to
11 put enough food away for the winter was awesome.

12
13 My husband not only fished, but he also
14 hunted. I'm now a widow. So because I'm a widow my
15 nephews and my neighbors, sometimes I'll come home from
16 work and I'll find fish on my doorknob, I'll find deer
17 on my doorknob or someone will just give me a call and
18 drop it off. But our community is well known for
19 taking care of the widows and the elders and I really,
20 really appreciate that.

21
22 I was adopted into the (In Tlingit)
23 Clan from Juneau, Auke Bay by my father-in-law, who at
24 the time was chief of the (In Tlingit) Clan. I didn't
25 know what he was doing at the time but I'm glad he did.
26 Because by his adopting me I was able to pass on the
27 legacy to my children and to my grandchildren.

28
29 I chose to raise my family with the
30 traditions of the Tlingit people because I wasn't going
31 to return to Nevada and they needed to know. And so
32 with the permission of my family in Nevada, my father
33 and my mother, we raised our children that way.

34
35 I had the honor to dance with the Cape
36 Fox people today. And when they turn their backs to
37 you, it's a sign of respect and it's to show you who
38 they are, what clan they're from, who they're
39 representing. And as you look around this room at the
40 panels and see all the clans, those are our ancestors.
41 They're the ones who have -- we have taken the clan
42 appropriately following our mother's side. When we
43 come up here to speak, we not only speak for ourselves
44 but we speak from what we've known from our ancestors.
45 So as we came in this morning, we didn't dance for
46 entertainment, we danced for respect. We called upon
47 our ancestors to come to bless our meeting, to bring
48 you wisdom, to help you with the decisions that you
49 have to make on our behalf. And you have a big
50 decision to make and we understand that.

1 You guys have been here before. We've
2 spoken many, many times on many, many forums and we've
3 gotten documented many, many times, and all for the
4 purpose of letting you know how subsistence, what it
5 means to us and how we do it and how it is our way of
6 life. And you'll hear more about that today.

7
8 But I especially want to let you know
9 that these are some of the reasons why I agree with the
10 changes that you're recommending.

11
12 I believe that they're fair and I
13 believe that they're going to lead to the right
14 solution. I believe that the best way is with the
15 Regional Advisory Council because they do know our
16 communities. They know our people. They know what's
17 important in our area. And I believe that they will
18 come to our communities and seek our advice and
19 especially with our tribes, the government to
20 government consultation, they will respect as well as
21 you folks. I believe that each region is different.
22 Southeast Alaska is different and you'll hear that
23 throughout the day with the testimonies and the way
24 people are going to speak to you.

25
26 I believe that the old criteria needs
27 to be eliminated, it was unfair. Saxman hasn't
28 changed. Saxman is the same as it was 10 years ago.
29 It was the same as it was in the '70s when I moved
30 here, except possibly we've expanded more.

31
32 I believe that subsistence is so
33 important to the continuance of our tribe and of our
34 people that, without it, we're going to see some
35 drastic, drastic changes.

36
37 One of the things that I would like to
38 further explain is I do a lot of work with Women in
39 Safe Homes and with the tribe. And you will know that
40 Saxman is recognized as its own community, both on the
41 State level, both on the national level and within the
42 governments and agencies within Southeast Alaska. We
43 are our own identity. We receive our own funding.
44 Sometimes we combine with other folks, only because
45 money is limited and in order to get appropriate
46 services the most feasible way and the best possible
47 way to obtain those services is to combine and get the
48 money that you need to provide the services, and that's
49 just something that we have to do in order to get the
50 services that are necessary for our community.

1 I do thank you for your time and the
2 opportunity to speak.
3
4 MR. MCKEE: Thank you. The next person
5 that I have on my list is Beth Bogarde.
6
7 MS. BOGARDE: Hello.
8
9 MR. MCKEE: Hi.
10
11 MS. BOGARDE: My name is Beth Bogarde,
12 B-O-G-A-R-D-E.
13
14 REPORTER: Thank you.
15
16 MS. BOGARDE: And I represent Women in
17 Safe Homes. Women in Safe Homes is located in
18 Ketchikan but we serve from -- we serve Petersburg,
19 Wrangell, all of Prince of Wales, Annette Island,
20 Metlakatla and Saxman. And we delineate the various
21 communities, with which we serve. Saxman, we consider
22 for all purposes, a separate entity. With grants from
23 the Federal government passed through to the State of
24 Alaska, we report that Saxman is separate. We report
25 it as population separate, and I saw that that was one
26 of your criteria. But we also report as separate
27 culture. We respect that way of life.
28
29 I truthfully -- I was born and raised
30 in Ketchikan, Mountain Point, specifically, and I did
31 not know that it was called subsistence. To me, it was
32 just the way. That's how my family called it, it's
33 just the way. So like many of my friends and childhood
34 friends in Saxman, we survived the same way. My dad
35 was a fisherman and construction, that's what he did.
36
37 But to get back to Women in Safe Homes,
38 I want to emphasize something that I think is
39 critically important. If you take away a way of life,
40 you take away a portion of identity. Women, alone,
41 cannot solve the issue of any kind of cultural loss.
42 It takes both, male and female. If you take away the
43 identity, you take away the positive aspects of a
44 culture. With doing that you strip people of their
45 moments of reflection, and what that leads to are
46 difficulties. Sometimes people don't maintain that
47 same level of self-respect. As everyone in this room
48 knows, if you don't have your own sense of self you
49 cannot give a positive sense of self to another person.
50 When you take away a culture, a way of life, you take

1 away their positive aspects. They cannot pass that
2 down to someone. They cannot pass it down to their
3 families, if, they, themselves don't feel it and know
4 it.

5

6 That is why I'm speaking on behalf of
7 Women in Safe Homes for this proposed rule change.

8

9 Also, I'm speaking on the part of
10 myself as a neighbor and friend, playmate and childhood
11 area of people that I respect and honor mightily. We
12 learned a great deal from the culture that Saxman has
13 taught throughout our areas. Families that were not
14 brought up in Saxman learned a great deal, we respect
15 that knowledge and we pass that down to our families,
16 too.

17

18 Thank you, very much.

19

20 MR. MCKEE: Thank you. The next person
21 on my list is Mr. Woodrow Watson.

22

23 MR. WATSON: Good afternoon. Dear FSB
24 Board members.

25

26 The Saxman Alaska Native Brotherhood
27 and Alaska Native Sisterhood, Camp 15,
28 Saxman would like to submit the
29 following resolution stating our stance
30 on the recent proposed revision of
31 regulations that the Federal
32 Subsistence Board has posted in the
33 Federal Register. We ardently support
34 any proposal rule that would reinstate
35 Saxman, Alaska to be a rural community
36 for the purposes of subsistence use on
37 Federal public lands and waters.

38

39 Thank you for your position you have
40 proposed and all the efforts you have
41 provided.

42

43 Signed myself, Woodrow Watson,
44 President ANB, and Sara Abbott,
45 President ANS.

46

47 Our resolution that we signed was
48 Resolutions 2015-03-01. The resolution by the Saxman
49 Alaska Native Brotherhood and Alaska Native Sisterhood
50 Camp 15 declaring public comment to the proposed rule

1 of the Federal Subsistence Board with agreement to
2 amend 36 CFR Part 242 and 50 CFR Part 100.

3

4 Whereas, the Alaska Native Brotherhood
5 and Alaska Native Sisterhood is the
6 oldest known indigenous persons civil
7 rights organization and the rural
8 founder by Alaska Natives on November
9 5th, 1912; and

10

11 Whereas, the Saxman Alaska Native
12 Brotherhood and Alaska Native
13 Sisterhood are charged to represent the
14 interests of Alaska Natives; and

15

16 Whereas, the Saxman ANB and ANS have
17 supported and advocated since its
18 founding for customary and traditional
19 subsistence harvest of resources; and

20

21 Whereas, the Alaska Native Brotherhood,
22 ANS is a local organization operating
23 in Saxman, Alaska, a one square mile
24 small village settlement with a low
25 population which was designated rural
26 in 1990 by the Federal Subsistence
27 Board and the 24th anniversary of the
28 FSB original decision for rural status
29 there has been no significant change to
30 make Saxman a nonrural community; and

31

32 Whereas, the proposed revision by the
33 FSB to recommend a simplification of
34 the process by determining which areas
35 and communities are nonrural in Alaska,
36 all other communities and areas would
37 therefore be rural is precisely on the
38 mark; and

39

40 Whereas, the proposed revision
41 recommended by the FSB will start a
42 deep healing process for any
43 helplessness, hopelessness and
44 disappointment experienced because of
45 the ruling that was unfair for a
46 struggling, small and rural community;

47

48 Therefore be it resolved, that the
49 Saxman Alaska Native Brotherhood and
50 Alaska Native Sisterhood, Camp 15

1 declare agreement with the Federal
2 Subsistence Board to amend 36 CFR, Part
3 242 and 50 CFR, Part 100.

4
5 Certification passed and approved by a
6 duly constituted quorum of Alaska
7 Native Brotherhood and Alaska Native
8 Sisterhood, Camp 15 on March 2, 2015.

9
10 Attested by myself, Woodrow Watson,
11 President and Sara Abbott, ANS
12 President.

13
14 And I thank you for your time in
15 allowing me to speak on behalf of this.

16
17 Thank you.

18
19 MR. MCKEE: Thank you. The next person
20 on my list is Mr. Kenneth Truitt.

21
22 MR. TRUITT: Good afternoon. My name
23 is Kenneth Truitt. Last name is spelled T-R-U-I-T-T.

24
25 REPORTER: Thank you.

26
27 MR. TRUITT: I currently sit on
28 Ketchikan Indian Community's Tribal Council.

29
30 I'm here to support that Saxman
31 continues to remain in a rural status. I not only grew
32 up part-time in this community but I also grew up on
33 the West Coast, meaning Prince of Wales Island. I was
34 raised on that island and I was raised growing up
35 harvesting our food day by day. There were many times
36 as a child that we could not go out and play with our
37 friends unless we harvested the berries that we had to
38 pick and also we had to go down and get fish. And
39 there were many times that we put up that fish when the
40 fish were running and we would can it and smoke it.
41 And I used to ask my mom, why do all the rest of the
42 kids get to play when we couldn't go out and play and
43 she said when we were growing up we did the same thing,
44 we harvest everything year-round.

45
46 As my brother, Richard Shields, talked
47 about the sea is our garden, the sea is where we gather
48 our food. When the tide was low we went down and dug
49 clams and began to put those up. And when the tide was
50 high we'd look for the fish coming in.

1 I asked my mother one time, I said, why
2 do we always have to do this and she said because this
3 is what we live on, every year, every winter. And I
4 did not realize the significance of it until I heard my
5 mother and my grandmother say to me one time, they
6 would say that when there were those in the village had
7 nothing and they didn't have anything to eat, my
8 grandfather would come home with a wooden box and he'd
9 go under the pantry and he'd start taking food out of
10 the pantry, flour, fish, whatever they had put up and
11 he would walk down to the street and give it to the
12 people that did not have anything. It was our way of
13 life. It was what we did.

14
15 And it finally hit home a few years
16 back when I was going to paramedic school in Oregon,
17 and I was down there for quite awhile. Couldn't take
18 very much because it cost a lot of money to move stuff.
19 But when I was down there I was telling my parents, I
20 said, you know, I'm really hungry for some smoked fish
21 and some fresh halibut and I said, maybe this summer
22 when I come up I can probably put some up and take some
23 with me but, you know, our custom was we put up for the
24 whole family. If we went out and got 300 fish, well,
25 that 300 fish was never wasted. We gave it to the
26 family and those that had a need. A couple weeks
27 later, mailman brought two boxes to my house. Inside
28 those two boxes, wrapped individually, in jars, if you
29 can imagine shipping in jars, smoked salmon and salmon
30 to my home and he said -- I said, do I owe anything on
31 it, knowing how much it cost to ship from our village
32 and he said, no it's been paid. So I immediately got
33 on the phone and began to thank my parents because I
34 realized what they had done for me. And I remember a
35 time I said I wanted some fresh halibut, my dad said
36 I'm coming down on a trip, I'll be passing through
37 Portland, I'll leave a package there for you and go
38 ahead and pick it up. I had to drive an hour to go
39 pick it up. I got there and they had left the fish out
40 on the tarmac in the 90 degree weather. All that fish
41 was thawing out. It was a large box. I got back to
42 school. I began to call my teachers and began to call
43 my classmates that I was going to school with and I
44 said if you want fresh halibut come over and get it now
45 because if you don't, I have to throw it away. It's
46 thawed out but it's still good.

47
48 The reason I'm sharing these stories is
49 because it's our way of life. It's something we have
50 done all our life. My grandson is now learning how to

1 subsistence fish. He has a permit. He's five years
2 old. To go out there and get the halibut. Yes, his
3 dad has to help him or his grandpa's got to help him,
4 but he does it. It's what we are. It's who we are.
5 This whole community, friends and family, many family
6 here. It's our way of life. Take that away from us,
7 take the rural status away from us and we become just a
8 statistic, we become just a Ketchikan. We're not
9 Ketchikan here, we're Saxman. We will always be
10 Saxman. We will always be a Native community. And we
11 will always open our doors to anybody that comes here.
12 I have not only had the honor of being adopted by the
13 Haida people but I've also been adopted by the Shields
14 family in this community. They are my brothers. They
15 are my sisters. And I honor them. I come here to
16 represent, not only them, but our community in
17 Ketchikan.

18

19 KIC is very much a part of this whole
20 community. I appreciate the time that you're giving us
21 to speak what we feel what we have rights to. Those
22 rights are very important to us. And I thank you very
23 much.

24

25 Thank you.

26

27 MR. MCKEE: Thank you. The next person
28 on my list is Mr. Tom Denny.

29

30 MR. DENNY: My full name is actually
31 Tommy H. Denny, but I prefer Tom.

32

33 MR. MCKEE: Okay.

34

35 MR. DENNY: One of the things that I
36 would like to say is, you know, you made a bunch of
37 rules and it's hard at 4 bucks a gallon for gas and you
38 make us go way out when there's fish right here.

39

40 PUBLIC: Uh-huh.

41

42 MR. DENNY: You should think about that
43 and think about all the people that are starving now.
44 People that -- when you said you were going to take it
45 away, some of us -- I won't even go get my card now.
46 Why. If it's going to get taken, have it. I'll go use
47 my pole and go out where I know fish are. I'll spend
48 12 to 16 hours a day fishing and maybe I'll be lucky if
49 I catch one or two because you have all the other
50 fishermen out there. All the guys that come from out

1 of state that take boxes and boxes and boxes of fish
2 that are here for a week at a time, two weeks at a
3 time. Sure, they have to pay a lot of money. Some of
4 these people in the community, they don't have that
5 kind of money. You should think about the people in
6 the community, the people that are starving. Some of
7 the people here, they provide for a lot of people,
8 other than just their own family. Some of it comes
9 when they have parties, deaths and families they bring
10 the stuff out.

11
12 A lot of the younger guys that have to
13 go and pull this stuff by hand, you're making them go
14 way out to do it and it's supposed to be just them, one
15 person. How is one person going to pull if they have
16 20 fish on the line. You should think about all the
17 other younger kids coming after us that it's affecting
18 because once you take it from us, and it's almost like
19 you've already done it, remember there are starving
20 people in our community that need this fish. That need
21 this way of life. We've lived it forever. We will
22 continue to do it, even if we have to go, like I said,
23 I do, by pole. But you know what, what I catch, I'll
24 provide it to somebody else. And the ones that do have
25 their cards, they're lucky that they'll come and share.
26 They'll ask me, how are you doing. Well, what I get I
27 share with my elderly people. They're not only from
28 the community of Saxman, but some of them stay way up
29 north, some of them I've worked for 10, 15 years, their
30 husbands are gone, it's just the wives now. I provide
31 a lot of fish for a lot of people. It's just the way
32 we were brought up. It's the way we were raised, to
33 help people. That's who we help. A lot of different
34 people.

35
36 Maybe just you folks here, one time or
37 maybe another, if it gets taken away from you, like I
38 heard another person speak earlier, it's going to hurt,
39 the ripple down effect is going to be, maybe one, two
40 generations, maybe three, four, five down the line.
41 But there is still people in this community that need
42 and want our fish that we try to provide and I share
43 what I have. I don't keep it for myself. I don't keep
44 it for my immediate family, it gets distributed out.
45 So what little we do catch -- and we get harassed, our
46 younger kids out there, they're getting harassed
47 because there's two or three of them on the boat. You
48 can't do it by yourself. Even the strongest people --
49 even if you just use small little weights, when you get
50 a lot of fish on there you're providing for a lot of

1 people, it's not just the person on the boat. So you
2 really -- we get harassed, not only by the Coast Guard,
3 we get harassed by Fish and Game, we don't know who,
4 State of Alaska, Federal, everybody's coming after us.
5 It's like come on now, all we're trying to do is
6 provide for our families and other families. It's not
7 just our immediate families.

8

9 Because I know -- like I said, I would
10 be hurting for halibut and some of my cousins, my
11 brothers that are close to me, that I -- I grew up in
12 the community here. I was born in Anchorage but I was
13 raised right here in this community. Some of the best
14 people I know are in this community. And you can give
15 me millions of dollars to move out of this community
16 and I would not, this is my home. This is where I
17 choose to live, in Saxman, not Ketchikan, Saxman. We
18 are here as a people that we need and live off this
19 lifestyle.

20

21 Thank you, very much for your time.

22

23 MR. MCKEE: Thank you. The next person
24 I have on my list is Ginger Fox.

25

26 MS. FOX: Good morning.

27

28 MR. MCKEE: Hi.

29

30 MS. FOX: My name is Ginger Fox. I'm
31 representing Tlingit and Haida. I was coming here to
32 represent myself but this is my sister Candace
33 Williams.

34

35 MS. WILLIAMS: Hello. I am President
36 of Tlingit and Haida Saxman Chapter and also a delegate
37 for Saxman, and we've been bringing the subsistence
38 resolution before you for many years now and it's very
39 dear to our heart because my mom was exactly the same
40 way but it's taking two of us to fill her shoes though.

41

42 MS. FOX: And she was dressed up there
43 too.

44

45 MS. WILLIAMS: And when we see all
46 these designs around it means that we are somebody. We
47 belong to a tribe, to a clan. And a lot of times
48 that's our history and we don't want to lose that by
49 being determined we're nonrural status. So we'd like
50 to read our resolution to let you know how important

1 being rural status means to us as Tlingit and Haida
2 members.

3

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The FSB Board members, the Saxman Tlingit and Haida Council Chapter carefully watched the process unfold for the rural determination and today we would like to submit a resolution, 15-01-03. A resolution by Saxman Tlingit and Haida Community Council Chapter in support of amending the rural determination process. Based on the Federal Subsistence Board April 2014 recommendations and to hasten rural status for Saxman, Alaska.

Please accept our resolution for the record. The decision to rule Saxman, Alaska as rural community will lift our hearts and minds.

Thank you for accepting the April 2014 recommendation and making them a reality. The Tlingit word for you is, Gunalcheesh, I offer our deepest heartfelt Gunalcheesh.

Sincerely, Candace Williams, President, Saxman Chapter.

MS. FOX: My name is Ginger Fox. I'm on the Tlingit-Haida Saxman Chapter Board, and I'm the Secretary.

But this is the resolution for 15-01-03.

A resolution by the Saxman Tlingit-Haida Community Council Chapter in support of amending the rural determination process based on the Federal Subsistence Board's April 2014 recommendations to hasten rural status for Saxman, Alaska.

Whereas, the Saxman Tlingit-Haida Community Council is an organization of the Tlingit-Haida Indian Tribes of Alaska, a regional tribe recognized by the United States of America as a

1 Federally-recognized tribal government
2 pursuant to Section 8 of the Act of
3 June 19, 1935, amended by the Act of
4 August 19, 1965 and the Act of November
5 2, 1994, Public Law 103-454, 108-4792;
6 and

7
8 Whereas, the Saxman Tlingit-Haida
9 Community Council is composed of
10 Tlingit and Haida Alaska Natives
11 residing in Saxman, Alaska; and

12
13 Whereas, the Saxman Tlingit-Haida
14 Community Council expresses its
15 complete support for the recognition of
16 the Saxman as a rural community; and

17
18 Whereas; Saxman, Alaska was established
19 in 1990 by the Federal Subsistence
20 Board as a separate community in the
21 Federal rural determination process for
22 an Alaska community traditionally
23 dependent upon subsistence activities;
24 and

25
26 Whereas, the Saxman families were
27 placed at risk to change their way of
28 life under the extraordinary challenge
29 when the Federal Subsistence Board
30 eliminated Saxman's rural community
31 status on June 6, 2007; and

32
33 Whereas, the Federal Subsistence
34 Board's new proposed regulations made
35 at the April 2014 public meeting will
36 lift the hearts and minds of Saxman
37 families and will positively impact
38 future generations to maintain a
39 cultural subsistence way of life; and

40
41 Whereas, the Saxman Tlingit-Haida
42 Community Council ratifies agreement to
43 support the Federal Subsistence Board's
44 proposed regulations to amend the rural
45 determination process as written in
46 Subpart B of 36 CFR, Part 242, and 50
47 CFR Part 100-rural determination, a and
48 b;

49
50 Now therefore be it resolved that the

1 Saxman Tlingit-Haida Community Council
2 and Saxman, Alaska supports the Federal
3 Subsistence Board to amend the rural
4 determination process based on the
5 April 2014 recommendation and to hasten
6 rural status for Saxman, Alaska;
7

8 Adopted on March 10, 2015 by the Saxman
9 Tlingit-Haida Community Council;
10 certified by Candace Williams,
11 President; Ginger Fox, Secretary.
12

13 Thank you, very much.
14

15 And I'd kind of like to just say a
16 little bit about Ketchikan, don't claim us anyways, so
17 I don't know why you want to push us in with them, they
18 don't won't help us get an education. We have to go to
19 Juneau still for that. So we're on our own out here
20 and we'd like to stay rural.
21

22 Thank you, very much.
23

24 MR. MCKEE: Thank you. The next person
25 I have on my list is Joseph Thomas.
26

27 MR. THOMAS: Gunalcheesh.
28

29 Gunalcheesh.
30

31 (In Tlingit)
32

33 What I said to you is, I introduced
34 myself. My English name is Joseph Thomas. Last name
35 T-H-O-M-A-S.
36

37 REPORTER: Thank you.
38

39 MR. THOMAS: My Tlingit name is (In
40 Tlingit) and I belong to the Dakl'aweidi, Killer Whale
41 Clan and I am from Kake, but I reside here in Saxman.
42

43 It is very hard to even receive, even
44 as an elder, to receive -- let me go back a little bit.
45 I heard earlier, this afternoon, several times, way of
46 life, statements; a way of life. And it brought back
47 to me a recollection of the Forest Service put out a
48 book about that, Way of Life (In Tlingit); Our Food is
49 our Way of Life. Very, very interesting book, a lot of
50 information in it and it can be gotten from any Forest

1 Service Department and we use that in teaching our
2 Tlingit language, our Tlingit culture in various ways.

3

4 I just wanted to remark on that.

5

6 But I'm here to speak to you in Tlingit
7 on behalf of the Saxman IRA Council. I have only a few
8 moments for a few comments but they're all important.

9

10 The Saxman IRA Council received the
11 Federal Registry January 28th, 2015. The Saxman IRA
12 Council is also the governing body for the tribal
13 citizens of Saxman, Alaska. The tribe sees the
14 importance of the Regional Advisory Council because
15 they have knowledge about the communities and areas in
16 a specific region. Saxman IRA Council believes that
17 the Federal Subsistence Board has made a good decision
18 to obtain knowledge and counsel through the Regional
19 Advisory Councils.

20

21 When the rules were first made up, a
22 lot of the rules were not right but are being corrected
23 to this day, I know.

24

25 Again, I'd like to go back a little bit
26 and I'll speak to you in Tlingit first.

27

28 (In Tlingit)

29

30 When I was growing up in my community,
31 Kake, Alaska, I was attending an ANB meeting, Camp No.
32 10 and there at the meeting the word, subsistence, was
33 brought up and as it was talked about, the elders in
34 the community said with this word coming to us our way
35 of life is going to be very hard, beginning now. It's
36 going to be very hard to get things to eat. And one
37 man got up and said what is subsistence.

38

39 (In Tlingit)

40

41 What is called, subsistence. Nobody
42 commented.

43

44 Thank you for listening to me. I won't
45 take up any more of your time. There are many people
46 here that would like to make more points than I have
47 and, again, I know that you will do the right thing for
48 our people.

49

50 Gunalcheesh.

1 MR. MCKEE: Thank you. We have about
2 an hour left now and so hopefully I'd like to keep
3 folks at about five minutes if possible. I appreciate
4 everybody taking the time to make your comments as --
5 because I know it's important to everybody.

6
7 The next person I have up on my list is
8 William Williams.

9
10 MR. JAMES: I was one of the first to
11 put my papers up there and you never came to me yet,
12 Franklin James.

13
14 MR. MCKEE: Well, I've had other people
15 come up here and said others were needed to go to work
16 and had to get out of here earlier so I'm just reading
17 them as I've had them presented to me so -- go ahead.

18
19 MR. WILLIAMS: Thank you for coming to
20 Saxman, I appreciate it. I think the people here also
21 appreciate it.

22
23 Gunalcheesh.

24
25 This is about my third time that I came
26 up and talked to people like you that came from,
27 wherever you come from to help us, get into the
28 subsistence way of life, or the subsistence whatever it
29 is. I'd like to thank each and every one of you for
30 taking your time to come here and see how we people
31 here in Saxman live.

32
33 I might add, though, one thing, you've
34 heard a lot about how we live and what we eat. I would
35 like to say this is about my third time that I've been
36 here. The first time was when you were making us a
37 rural community, back in the '70s or '80s, whenever it
38 was. And then again about 10 years later, saying that
39 you were going to change our rural status. And here we
40 are again. You're going to change our rural status, or
41 trying to, or asking us. I would say to you that if
42 you come back or send somebody here and talk to the
43 Saanya Kwaan people, see if they are still beating the
44 drum, and how they feel, the Cape Fox Dancers, if they
45 are still beating the drum then I think that's when you
46 should ask us if we want to be a rural community. When
47 those dancers aren't here beating the drum, then I
48 would suggest it's time to have a hearing like this.

49
50 Let me back up. My father is from the

1 House of the Halibut with the Saanya Kwaan people. My
2 mother is from the Chief Shakes House of the Naa
3 Kahidi, people of Wrangell. That's what you would
4 hear, something maybe like Captain Joe who talks
5 Tlingit all the time. Well, I'm 70 years old and I
6 couldn't understand what he said and that was because
7 of the people in Washington who said it wasn't right
8 for me to talk my language, but that's another story.
9

10 I am for rural status here in Saxman.
11 I think that you've heard a lot about how we eat and
12 what we eat.

13
14 I could tell you this, when I was
15 growing up my father, which he is no longer here now,
16 but he would show us how to eat Indian food. My
17 brother is coming up here shortly and I used to watch
18 him, we lived right close to the beach, I used to watch
19 my dad and my father [sic] sitting on the beach eating
20 clams, raw, he was just a little kid and I don't know
21 if he knew what he was eating, I don't know if he eats
22 it today but my dad was showing us at that time what
23 kind of food we should eat. I went out fishing with my
24 father as I got older, we were fishing eulachons up in
25 the Unuk and we made a set and got some fish and he
26 grabbed that fish out of the net and he says, do you
27 know what you're supposed to do with the first eulachon
28 you eat, eat it (makes sound)

29
30 (Laughter)

31
32 MR. WILLIAMS: I looked at him, I ain't
33 going to do that. But that's how we train ourselves.

34
35 Again, I would encourage you to see if
36 the Saanya Kwaan people, that's the people of Saxman,
37 are still here beating the drum, then you might say --
38 if they're not beating it, then you might say, should
39 we be changed to urban. That's' what I think you
40 should do because it'll save a lot of time, I know you
41 guys work hard at it and I'm not going to -- one thing
42 about the microphone, I'm a politician, is that if you
43 get a microphone in front of people here to listen,
44 you're in trouble.

45
46 (Laughter)

47
48 MR. WILLIAMS: But I'm not going to
49 take up that much time.

50

1 I'd like to thank you again for being
2 here and helping us keep Saxman as a rural community.
3
4 Gunalcheesh.
5
6 MR. MCKEE: Thank you. The next person
7 on my list is Tate London.
8
9 MR. JAMES: I'm still going to have to
10 say my name's up there and I can't sit here very long,
11 I'm under medical care and I put my name in early and I
12 don't know why you're passing me up.
13
14 MR. LONDON: I'll give it to my elder.
15
16 MR. MCKEE: Sure.
17
18 MR. JAMES: But.....
19
20 MR. MCKEE: What's your name.
21
22 MR. JAMES: Franklin James.
23
24 MR. MCKEE: Okay.
25
26 MR. JAMES: I put it right up at the
27 beginning.
28
29 MS. KENNER: Okay, come on up.
30
31 MR. MCKEE: Come on up.
32
33 MS. KENNER: Come on up. Thank you.
34
35 MR. JAMES: And I got some papers for
36 you guys, I'm not going to go through them, I'll just
37 stick to the key parts. One, two, three, four -- I
38 don't know which ones of you can have it -- I guess you
39 are, but I'm not going to read it, I'm just going to
40 hit on the key parts.
41
42 REPORTER: Thank you.
43
44 MR. JAMES: I'm sorry I have to
45 interrupt but I'm by myself and.....
46
47 MR. MCKEE: It's okay.
48
49 MR. JAMES:I'm under doctor care
50 and so.....

1 MR. MCKEE: Go ahead.
2
3 MR. JAMES:and that's why I put
4 my name in first and I thought you were purposely doing
5 it.
6
7 My name is Franklin H. James, Sr., and
8 my last name spelled is J-A-M-E-S.
9
10 REPORTER: Thank you.
11
12 MR. JAMES: I'm a Tlingit and
13 hereditary passed down, head tribal spokesman for the
14 Thleenaidi of the Dog Salmon, that was passed down to
15 me probably almost 40 years ago.
16
17 But what I want to talk on is Saxman.
18 Saxman was born a Native village. It was born while
19 Ketchikan was still a Tlingit village (In Tlingit), and
20 the White people stayed over in Loring, that's where my
21 grandfather was. To me, I can't see, you know, my
22 attorney -- you guys know who I am and the case I won,
23 so you guys all should know that, anyways, my attorney
24 came up a few years ago and told Saxman, some of the
25 head people here, if you retain me it won't cost you
26 nothing, I will get you your rural status and they
27 can't touch it, he says, I don't care if they have an
28 airport right up here, an airport right here and hotels
29 around and big supermarkets right around this village,
30 this village will always stay a rural area. It's like
31 trying to change spots on one of those big cats, those
32 orange cats who have dots, you can't change it.
33
34 You know if you guys read Justice
35 Burger's report what he said was a dime store burglary,
36 that we owned 100 percent of everything in Alaska,
37 everything. I'm just going to read one little quote.
38
39 Does one way of life have to die so
40 another can live.
41
42 What are they saying. That means we
43 have to give up our rights so you guys can live, that's
44 what they're saying.
45
46 Alaska Natives, what they call
47 subsistence, which I don't agree with, entire way of
48 life, is our foods, it's just like what Richard Shields
49 said, Harvey Shields said. Now, if you go back -- you
50 want to go way back to March 13, 1867, the inhabitants

1 in the Territory of Alaska, according to their choice,
2 reserving their natural allegiance may return to Russia
3 within three years, but if they should prefer to remain
4 in the Territory, they remain with the exception of the
5 uncivilized tribes. Now, who were the uncivilized
6 tribes. Us. We controlled the Russians. So these
7 parts, you know, you guys are going to have to
8 remember, Russia stated to the U.S., the uncivilized
9 tribe should always enjoy their freedom, their
10 lifestyle and the U.S. should never interfere with the
11 uncivilized tribes. They called the Tlingits
12 uncivilized because they could not control us.

13

14 There's another one.

15

16 What does subsistence mean.

17

18 It's not us. It was forced on us. We
19 did not know welfare, during the war, we never even
20 felt the effects of the war, we were able to go out and
21 eat what we always eat, just like they stated earlier,
22 out there is where our food is. So what does
23 subsistence mean. Subsistence was made up in the
24 latter part of the 1800s to help foreigners that were
25 having a hard time, the only time the Natives had hard
26 times when they let them come in and take our food
27 away, such as (In Tlingit), abalone, most of this food
28 are extinct to us because when you guys put it up, or
29 whoever makes these laws to sell the stuff that belongs
30 to us, that was always ours for 30,000 years. Why do I
31 say 30,000 years, Terry (Indiscernible), I think you
32 guys know Terry. Him and I went on one debate, that's
33 when I was able to talk, right now I'm having a hard
34 time, and he state for mean, mean low water, if you had
35 a carving that was one foot under, that's 5,000 years,
36 we got one that's four and a half foot, so what does
37 that tell you, that you come and change our ways of
38 living.

39

40 So one here, this one short -- I want
41 to keep it short, but it's still -- I'm going to try to
42 get a hold of my attorney again, he since took the head
43 job outside of Port Angeles for another reservation
44 that said he could get their rural status, they'll
45 never lose it, I don't care if they have airports
46 around, hotels around, as long as it's not sitting
47 here, they should never lose it, oh, this one little
48 part you'll see, and this is from you guys:

49

50 The Alaska National Interest Lands

1 Conservation Act requires that rural
2 Alaskans be given priority for
3 subsistence use of fish and wildlife on
4 Federal lands.

5
6 I'm just going to hit on the excerpts.

7
8 The nonrural Ketchikan area would be
9 expanded to include all those living on
10 the road system connected to the city
11 of Ketchikan, except Saxman.

12
13 It states that twice in here.

14
15 So why are we battling with these
16 people. They're only, like you see out there, the
17 disease are laying in these stores that are being fed
18 to us. The healthy foods are laying out there. Yeah,
19 all this stuff that you hit.

20
21 But I want to hit on this one right
22 here and then I'm done because I can't -- I have a hard
23 time talking.

24
25 Everyone has a dream. If you guys had
26 a dream you wouldn't be up here.

27
28 Our way of life, we're not talking
29 subsistence. A place where you can
30 relax, fish, hunt, eat your favorite
31 foods, where in our country,
32 Southeastern Alaska.

33
34 A Native elder saying, when you're tide
35 kindly retreats, it leaves the tidal
36 and pools, to starve in our great
37 wondrous land is for the lazy and
38 fools, for when the tide is at its low
39 the picking's at its best upon the wise
40 and beach bestow, your table is set.
41 Let's eat.

42
43 Yet, every year, we fight the same
44 fight. You guys know I won the biggest case in Alaska
45 next to the Native Land -- you guys know that, and you
46 have to come to a decision. I got a letter from you
47 guys, from Dean Dunsmore, I got a letter from the
48 Federal Subsistence Board, I got a letter from the
49 USDA, I got a letter from the BLM, they're playing
50 games with me a little too long so we asked the judge,

1 you guys come to a decision when you're going to be
2 done, they figure at the end of this year, so that's
3 why I say, why do you want to take their livelihood
4 away, their way of life. And it's all that way.

5
6 So I know I can't talk so long, but I
7 gave you guys all the papers. And like I say I can
8 show you right here that they split me open and it's
9 kind of hard to talk. So I appreciate that, I was
10 wondering why you were skipping me over when I was one
11 of the first to talk.

12
13 Thank you.

14
15 MR. MCKEE: Thank you. Mr. London.
16 Thank you.

17
18 MR. LONDON: Good afternoon. I'm Tate
19 London. My last name is spelled L-O-N-D-O-N.

20
21 REPORTER: Thank you.

22
23 MR. LONDON: I am Tlingit. I am from
24 Ketchikan. I'm the son of Ernie Boyd and Claudette
25 London. And I serve on the Board of Directors of
26 Sealaska Corporation.

27
28 I speak on behalf of Sealaska in
29 support of the proposed rule and, more importantly, in
30 support of a rural determination on behalf of Saxman.

31
32 I am a bit of a history buff and if
33 you'll indulge me for just a moment.

34
35 52 years ago President John F. Kennedy
36 spoke to a crowd of approximately 500,000 people in
37 West Berlin, it was the height of the Cold War and West
38 Berlin was completely surrounded by East Germany.
39 Residents of West Berlin feared possible occupation and
40 what did they fear, the same thing that the people of
41 Saxman fear; they fear loss of their way of life.
42 President Kennedy spoke words in German that I won't
43 repeat, because my German is not that good, but it
44 translated to; I am a Berliner. I am a citizen of
45 Berlin. President Kennedy's message was clear. In
46 this time of great uncertainty we stand with you.

47
48 I am here today on behalf of Sealaska
49 Corporation to convey this important message:
50

1 Saanya Kwaan, (In Tlingit)

2

3 I am a citizen of Saxman.

4

5 I told you I am from Ketchikan, but
6 this community has nourished my soul. I've been out
7 here and I've raised totems with my friends and my
8 tribal brothers and sisters here in Saxman. This is a
9 time of uncertainty for the citizens of Saxman. And
10 we, at Sealaska, support restoration of Saxman's rural
11 community status for subsistence purposes.

12

13 I'm pleased to see the proposed changes
14 to the FSB's rural determination process. Saxman is a
15 rural predominately Native community. Subsistence,
16 that is, the customary and traditional gathering,
17 preparation and consumption of fish and game is an
18 intrinsic part of Native identity. Subsistence is
19 important for the sustenance of rural residents and for
20 the cultural identity and sustainability for Native
21 people, for Tlingit people.

22

23 Any rural determination process that
24 lumps Saxman with Ketchikan is arbitrary and
25 fundamentally unfair. It does harm to the residents of
26 Saxman without any corresponding benefit or legitimate
27 reason for doing so. Ketchikan and Saxman share much
28 in common, but there are important distinct differences
29 in social, political and community characteristics.
30 And Saxman has quantifiable rural characteristics. The
31 production of traditional and wild foods is an
32 important characteristic of this community. Saxman's
33 population density, it's sparse population is a factor
34 that weighs heavily in favor of a rural determination.

35

36 Gunalcheesh.

37

38 Thank you for the opportunity to speak
39 on behalf of Sealaska in support of our tribal brothers
40 and sisters of Saxman and other similarly situated
41 communities.

42

43 I thank President Lee Wallace and Mayor
44 Harvey Shields for the opportunity to be on their lands
45 here on this Kwaan.

46

47 Gunalcheesh.

48

49 MR. MCKEE: Thank you. Next on my list
50 is Mr. Melvin Charles.

1 MR. CHARLES: Thank you. My name is
2 Melvin Charles and I was born August 11th, 1940 in
3 Klawock. We moved here to Saxman in 1950.

4
5 Saxman should always remain rural. No
6 borough, nor State has any right to inflict upon land
7 that is in trust.

8
9 On our fisheries, the majority of the
10 fishermen are from out of state. Our common people is
11 very, very, very small numbers. It should be a
12 majority, a total control by the common people of the
13 land, yet, we are not fishing. All of our people are
14 now on public assistance and drawing food stamps. I am
15 the oldest of 14 children of Matilda Kruishnek (ph),
16 right up to the day that my mother died she did not
17 know any welfare nor food stamps.

18
19 On our eulachons. Now we are deprived
20 of our eulachons, we cannot get it. The Federal
21 Subsistence Board or the United States should call on
22 Canada to bring to our people right here in Saxman
23 eulachons because they -- Canada is at fault because we
24 do not have any eulachons because of their mining. Now
25 we cannot get any of our eulachons are right now
26 because it is such small numbers. We cannot even go
27 out there and harvest the eulachons that have died on a
28 beach.

29
30 I do very well on saying where the fish
31 is going to be, when it's going to hit and how long
32 it's going to last. On the 22nd of this month it's
33 going to spawn in Sitka. On the 22nd of this month
34 it's going to spawn. It's supposed to spawn in Unuk
35 River and the areas out here it's going to spawn in the
36 Carol Inlet area, yet, we cannot go up there and
37 harvest any eulachons. Why. We would not go up there
38 to go kill the eulachons that are trying to spawn.
39 Eulachons will dry up on the beach and they're dead.
40 Why are we being deprived of getting the eulachons that
41 are dead. The Fish and Game is there all the time
42 watching and monitoring. They should not be disrupted
43 at the time of spawning, the same as eulachons, no
44 boats running around. When the herring is going to
45 spawn, among our Native people we did not -- not even
46 allow to row in the presence of the herring when it's
47 ready to spawn. Now we got helicopters, planes, seine
48 boats and everything running all through everything
49 disrupting our herring. Hauling up their pond fishing
50 is over. Wherever you have it it's killing our

1 eulachon -- I mean our herring. That should come to a
2 stop now.

3

4 If we go out and get any abalones,
5 we'll get thrown in jail for getting our abalones.
6 What is the cause of our loss of abalones, was that
7 from the Natives, that was from the non-Natives. They
8 harvested our abalones so strongly and so badly that we
9 are not even allowed to go out there to get it.

10

11 Now, our sea cucumbers, right here on
12 the back it was common for us to go right here on the
13 beach and get the sea cucumbers that we want, the sea
14 urchins, our clams, with no problem, just go right down
15 to the beach at low tide and go get them, and now we
16 can't get it. Our sea cucumbers now is so scarce that
17 it's pretty soon we'll be thrown in jail for going out
18 and getting our sea cucumbers.

19

20 We do not even like to touch our clams
21 anymore because it is not worth it. Clams purifies
22 your water and so does your gooey ducks. Even the
23 foreign countries now do not want our clams and gooey
24 ducks because of the danger. Leave them alone. Make
25 your harvest so short every year that'll give them time
26 to replenish.

27

28 And the same as our sea urchins, stop
29 it, stop it now.

30

31 And when I go out and get sockeyes, I
32 go out and get enough. You give us 12 to 20 sockeyes
33 and then you take our fish away from us if we have more
34 than that per person. That has never been like that
35 with me in my life. I have a large family and
36 relatives that are in need of our food. For each and
37 every person to go get their own sockeyes and their own
38 clams and whatever they're going to go after they'll
39 have to have their own skiff and outboard. One boat
40 goes out there to get them. I'm talking about for my
41 family. Not every one of us.

42

43 Now, our eulachons are going to be here
44 soon. We're not going to go out there and kill them,
45 let us harvest the ones that are dried up on the beach,
46 they're already dead. And that is urgent, right now.

47

48 For the borough.....

49

50 MR. MCKEE: Mr. Charles.....

1 MR. CHARLES: The Ketchikan borough --
2 what.
3
4 MR. MCKEE: We're going to have to.....
5
6 MR. CHARLES: All right, thank you.
7
8 MR. MCKEE:can't let you go over,
9 I'm sorry, but we have to allow.....
10
11 MR. CHARLES: Thank you. And the
12 borough and the State has no right intervene on land of
13 trust.
14
15 Thank you.
16
17 MR. MCKEE: I apologize. I'm just
18 trying to make sure that everybody has a chance to get
19 up here and speak before 2:00 o'clock. So the next
20 person on my list is Joe Williams.
21
22 MR. WILLIAMS: Good afternoon.
23
24 MR. MCKEE: Hi.
25
26 MR. WILLIAMS: (In Tlingit)
27
28 I am saying my name is Joe Williams,
29 thank you very much for being here today. Making notes
30 this morning about all that's being said. I truly
31 appreciate the privilege of being able to speak in
32 front of you today to talk about our great land of
33 Saxman, Alaska.
34
35 And I certainly support the idea of
36 keeping Saxman rural. I certainly support the idea of
37 having the decisionmaking process of rural status
38 within its region.
39
40 Years ago when I was tribal president
41 for Saxman, I was tribal president for 12 years and
42 made many visits to our congressional folks and had a
43 good one on one talk with Senator Stevens then and
44 said, I think it's time that you put the rural status
45 making of a tribe within the tribe, or of a local
46 community within the hands of the tribal organization.
47 If we're truly going to honor a government to
48 government relationship, that's where it should be, in
49 the hands of a Federally-recognized tribe. It's
50 unfortunate at the time that we had visited that

1 history, you know, what happened to our Senator.

2

3 I certainly don't support the idea of
4 the old idea criteria of how to select a rural
5 community. Because most of the time when you are
6 sitting on your meetings -- you come to Saxman and I
7 appreciate it but the fact of the matter is you don't
8 live here. And until you live here then you have that
9 understanding of what it really means when we say, the
10 tide's out, the table's set; you know what that means.
11 You've heard that today on several occasions.

12

13 And one of the things that I certainly
14 support is being able to have members within our
15 community to desire to do this, and there are many, to
16 go out and get salmon, go out and get the halibut, go
17 out and get the deer, and go out and get the
18 subsistence food that this guy, who's now 70 years of
19 age, cannot do, and physically cannot do that as much
20 as I desire to. When my children were home we would
21 smoke 88 pieces of king salmon at one time because they
22 consumed it. I've never known that we have thrown any
23 food away. The limitations of putting people on the
24 amount of limitation as far as Native people is
25 concerned, that I just don't understand. You talk
26 about foreigncy, that's foreign to me as a Tlingit. To
27 you I understand because there are many more of you
28 that you need to put on a limit; that I understand.

29

30 Just Saturday, it's kind of
31 interesting, over this past year I'd come home, as
32 mentioned earlier, we'd come home and you'd have salmon
33 or other kinds of seafood sitting at your front door,
34 that's me, my nephews, my great nephews leave it at my
35 door. I would call them and say now you need to come
36 and take care of it, but I certainly was then able to
37 teach them how to smoke salmon. That was really
38 important.

39

40 Because of that, interesting that we're
41 having this meeting today, because on Saturday I had 28
42 elders in my home and all we ate was Indian food, all
43 we ate. We had seaweed soup with salmon eggs. We had
44 king salmon. And also smoked salmon. Smoked
45 eulachons. Regular salmon, king salmon broiled, and
46 then also eulachons fried. We had seal oil, eulachon
47 oil, of which I'd love to tell you how I was taught how
48 that was made but given the amount of time that you've
49 allowed there just isn't the time to do that today.

50

1 So with this, I just want to reiterate,
2 what these folks gave me, my nephews gave me, my elders
3 were able to eat. And I talk about my elders because
4 the oldest there on Saturday was 95 years of age. I,
5 like my brother, I'm 70 years of age and I think I was
6 among the younger ones of them, enjoying the food of
7 which we live on.

8
9 I'm going to close with a story and
10 please know when a Tlingit says I'm closing, doesn't
11 necessarily mean he's ready to quit, he's just getting
12 real close.

13
14 Okay. Years ago when I attended Alaska
15 Native Brotherhood Convention, and please understand,
16 Alaska Native Brotherhood was the organization to
17 participate in. And I -- what I do for a living today,
18 I tell stories about our Tlingit culture to the
19 visitors that come to see our great community. And I
20 tell them that, in our Tlingit culture, there always
21 had to be a boy, had to be a girl in the family and
22 ladies please know you continue to have children until
23 that occurred. Many women on my tours would say, how
24 can you predict that. And please know, when I started
25 this business, I did it as a favor to a friend who was
26 in the tourist business, not knowing what I was getting
27 myself into and I honestly didn't know the answers to
28 the questions that were being asked, therefore, I had
29 to do my homework.

30
31 One of the things -- I tell you that
32 because to share this with you, when I was speaking to
33 an esteemed elder throughout Southeast Alaska, Dr.
34 Walter Soboleff, if you've been around, at any time you
35 would hear that name, Dr. Walter Soboleff. We were
36 sitting over here, just right over here at Alaska
37 Native Brotherhood Convention and I told him what I did
38 for a living and I said, how can we, Doctor, how could
39 we earlier days really know for sure that we were going
40 to have boys and girls in the family structure. He
41 said, son, please know I was 60 years of age, anybody
42 who calls me son at that age I feel pretty good about
43 it, okay, but he says, well, son, I'm surprised you
44 asked that question. I said, Doctor, I'm asking the
45 question because I don't know the answer. And he said
46 think about it for just a few minutes, son; everything
47 then that we ate was wild. Then he gave me this
48 laundry list of I knew better than to interrupt, wild
49 salmon, wild humpies, wild halibut, wild sockeye, and
50 the list went on from there, for about five minutes he

1 was giving me all these wild things that we were
2 eating, he said, son, it wasn't until we started eating
3 this processed food did we get ourselves into trouble.
4 And you know the processed food, perhaps you only know
5 the processed food. So I share that with you because
6 it came from a man at the time was 102 years of age,
7 who's going to argue with that wisdom; not this guy who
8 was 40 years younger than him at that time.

9

10 So I want to say from my heart,
11 Gunalcheesh, Gunalcheesh, thank you very much for
12 listening to all of here today and truly thank you for
13 honoring our community of Saxman with your presence to
14 hear our side of the story.

15

16 Gunalcheesh.

17

18 MR. MCKEE: Okay. We're running pretty
19 short on time so I'm going to have to try to limit
20 speakers to about four minutes or so, so the next
21 person I have on my list is Donald Westlund.

22

23 MR. WESTLUND: Hello Board members, my
24 name is Donald Westlund, W-E-S-T-L-U-N-D.

25

26 REPORTER: Thank you.

27

28 MR. WESTLUND: I support the original
29 criteria.

30

31 There's two treaties that were done,
32 ANILCA and ANCSA. ANCSA gave land and money, ANILCA
33 gave rural priority. It was not to be racial in any
34 way, it was to be for the rural communities, whether
35 they were Native, White, Black, Red, Yellow, whatever.
36 Saxman, under the criteria did not ever meet the rural
37 criteria, they are connected to the road, they use our
38 hospital. The fire protection for Saxman is offered by
39 South Tongass Fire.

40

41 I live 15 miles north of town. I live
42 approximately nine miles from the city limits of
43 Ketchikan. Saxman is 6.5 tenths of a mile, less than
44 -- almost a half mile from the city. It's Mile 2 from
45 the original Mile 0, Saxman is Mile 2, I'm at Mile 15,
46 am I not as rural as Saxman, I believe I am, but, yet I
47 cannot get a card. My gas cost the same amount of
48 money, I drive extremely farther than they do in
49 Saxman, it cost me more.

50

1 I have great respect for their culture
2 but ANCSA and ANILCA is not based on race or culture,
3 it is just rural communities based on location.

4
5 I could tell you that my ancestors, my
6 French ancestors from Europe, if anybody knows what the
7 Clovis Point Spear is that actually came from Europe
8 and it did not come across the landbridge. Clovis
9 Point is actually older than the people that live here
10 in this part of the country. Clovis people were here
11 prior to that. Most of the Clovis Point mapping sites
12 are in Eastern America. So my ancestors have been here
13 for a long time, probably longer than some of these
14 ancestors. I should be afforded this way of life, as
15 they call it.

16
17 If Saxman would take and realize that
18 they are an integral part of Ketchikan. Their children
19 use our school. They work in Ketchikan. I just -- you
20 know, I can't say enough that if they would support all
21 of Ketchikan as being subsistence and be part of
22 Ketchikan, which they are, they vote the same as I do
23 for borough elections, they are tied to Ketchikan.

24
25 PUBLIC: I think your time is up.

26
27 MR. WESTLUND: Yes, ma'am. I realize my
28 time is going short. I did not speak while you were
29 speaking or anybody else did so I thank you for the
30 time. I've been here before.

31
32 Just remember that when you take away
33 from what was agreed upon, the original ANCSA and
34 ANILCA, and change the criteria and give it to these
35 regional committees, think about who are on those
36 committees and who they serve.

37
38 Thank you, very much.

39
40 MR. MCKEE: Thank you.

41
42 PUBLIC: Asshole.

43
44 MR. MCKEE: The next speaker is Marge
45 Yeltatze -- sorry about that.

46
47 MS. YELTATZIE: Please don't go, I have
48 something to say to you.

49
50 MR. WESTLUND: Sir, I don't.....

1 MR. YELTATZIE: Darrel, that is
2 inappropriate, I apologize for him.

3
4 MR. MCKEE: People, let's try to keep
5 it.....

6
7 MS. YELTATZIE: My name is Marge
8 Yeltatzie, Y-E-L-T-A-T-Z-I-E.

9
10 REPORTER: Thank you.

11
12 MS. YELTATZIE: The difference between
13 you and me is you can go back to France and find all
14 your language, your food, your customs and everything
15 is intact, I don't have that privilege.

16
17 Thank you.

18
19 Okay. I have the privilege of living
20 in Saxman. My people are from Metlakatla. My mother
21 moved to Saxman in 1973 when the housing first started
22 out here. My brother and I moved our families out here
23 when new housing opened up, the Saanya Kwaan invited us
24 on to their land and we have been here ever since.

25
26 I was hospitalized a couple of years
27 ago and when I came home there was a smokehouse built
28 on my land -- where did he go -- this fine gentleman
29 that was sitting here named, John Beck, built me a
30 smokehouse, that smokehouse is open to anybody who
31 wants to use it. When we put up our food it is not
32 free. There's a lot of work that goes into giving away
33 our products. The widows, the orphans, the disabled
34 are very important to us. The jars that we buy, the
35 fuel that it takes to pressure cook outside, especially
36 if we're doing something like seal, we can't do inside
37 because of the aroma, it's very time consuming. When
38 my brother put up fish or deer or anything, Hudson Bay
39 Tea, harvesting Hudson Bay Tea, wild rice, spruce tips,
40 anything, my brother is paralyzed on his left side now,
41 still last summer he went out and harvested around here
42 and his sons and his daughter and my daughters
43 processed the food. This last week we had a meeting
44 about a family potlatch that we are having to place
45 headstones on our grandmother's and grandfather's
46 graves and he advised us that he could no longer go out
47 and do what he used to do but he is willing to stay
48 home and go through the tedious process of cleaning and
49 separating. This is a family activity three, four
50 generations strong. It is important to our behavioral

1 health, our mental health. When we have potlatches
2 feasting is important. The Tsimshians go through great
3 lengths to not have war because they know the value of
4 human life. Feasting -- when there is times of turmoil
5 is important because you eat and you break down the
6 barriers. Just like this man, we would invite him to
7 be with us to understand our ways, to try to understand
8 where we are coming from.

9

10 We've given up a lot.

11

12 In one generation our ancestors had to
13 go through a process of cultururation, imagine having to
14 learn to speak another language, giving your children
15 away for years to a boarding school. Even now in an
16 economy that is down we are in a bust economy, we
17 didn't know we were in a boom economy and now that we
18 are in a bust economy we depend on each other to
19 survive in this economy even if we don't get along, we
20 still support each other.

21

22 Thank you. I appreciate your time.

23

24 I support your -- yes, yes, yes,
25 please, hear us. This is something that is important.
26 Like I said, not just for our physical health but our
27 emotional, our spiritual, our behavioral health.

28

29 Thank you.

30

31 MR. MCKEE: Thank you. The next
32 speaker is Trudi Swink.

33

34 MS. SWINK: Hello. My name is Trudi
35 Swink, T-R-U-D-I S-W-I-N-K.

36

37 REPORTER: Thank you.

38

39 MS. SWINK: Thank you guys for coming
40 and hearing our community members and myself.

41

42 I was afraid to speak at first but the
43 decision you guys are going to make is going to impact
44 my grandchildren. Yes, I have grandchildren that are
45 being taught the way of our life. It's very important
46 to us and what that gentleman has said, I am on the
47 City of Saxman Council, we do have our own firehouse,
48 we do have our own fire truck; it is run by South
49 Tongass but it is ours. Yes we vote for a Mayor for
50 the borough because any borough they have what say over

1 our land too, and we have voices to say what we want to
2 happen on our land.

3
4 It's scary to think that you guys are
5 going to make a very important decision that might
6 impact generations to come.

7
8 If you look out in our harbor there is
9 not one seining boat out there. Everybody in this room
10 does not fish for profit. We fish for survival, it's
11 our way of life. It's our food on our plate. We do
12 not fish to sell it. You could look in our harbor, not
13 one of us own a seining boat that reside in Saxman owns
14 a seining boat that's docked in any Ketchikan harbors.
15 We feed our community with the fish. We are farm -- if
16 you want to look at it as we are farmers, we don't
17 overharvest anything. Everything that is caught we use
18 to survive. It's not for profit. And I think you guys
19 should take that into consideration, that our rural
20 status is for food on our plate, not for profit.

21
22 Thank you.

23
24 MR. MCKEE: Thank you. The next person
25 on my list is Winona Wallace.

26
27 MS. WALLACE: Everybody likes to call
28 me WANona, but it's W-I-N-O-N-A, Winona Wallace, W-A-L-
29 L-A-C-E.

30
31 REPORTER: Thank you.

32
33 MS. WALLACE: And I live at 2539 Killer
34 Whale Avenue.

35
36 I want to say it's a pleasure having
37 Beth and the gentlemen here today, the FSB and the
38 Office of Subsistence Management. We're really glad, I
39 think Beth had a lot to do with this public comment
40 period here in Saxman specifically.

41
42 I'm in favor as a resident of you
43 proposing the new changes for the FSB because I'm in
44 favor of simplification. I think that the process that
45 has drawn up since 1990, started out like, oh, we
46 should be in the business of trying to figure out what
47 we're going to do for rural determination, but I think
48 over the years that it's just gotten convoluted. And I
49 think that when Saxman became a rural community in
50 1990. the FSB knew it was small, we came forward at the

1 Eagles Club downtown, all of our kids came out, people
2 came from Washington, D.C., and in 1990 they determined
3 that Saxman was rural. Nothing has changed.

4

5 A few things have changed, we've got
6 this great building. But the rural characteristic of
7 Saxman is the same. It's close-knit. I know what my
8 neighbor's are doing, I know what they basically are
9 doing all the time and they know what I'm doing. So
10 the character that we have in Saxman is that it's
11 small, we're close-knit, we thrive independently like
12 Trudi said, our government and our Federally-recognized
13 tribe and the municipal government thrive on their own
14 independently.

15

16 I think what we're hearing today is
17 that rural determination is synonymous with this word
18 subsistence, we're saying how important that is to us,
19 we're also saying at the same time, we want rural
20 determination for Saxman. And I think that what has
21 happened is that whenever somebody decided, and I think
22 it was Staff, decided that we would aggregate, real
23 fancy word, I had to look it up in the dictionary, but
24 it means combining, we were combined with Ketchikan and
25 our kids went to school there but socially our kids
26 were not integrated in K-High. I have three children
27 who went to K-High and they found it really difficult
28 there. They were separate. They were from Saxman.
29 They were pushed aside. There's discrimination in
30 those hallways at K-High. People don't like to admit
31 it but it does exist. So I don't think we were
32 integrated.

33

34 We have a small population, we'll
35 probably always be small. The land base in Ketchikan
36 -- I mean in Saxman, you can't really -- there's some
37 growth but I don't think there'll be a whole lot. And
38 I think that in 10 years you'll come back and we'll --
39 if go through the same thing again it won't have
40 changed much. But what happens is when you do a rural
41 determination in an office, in our offices, it's really
42 difficult because we don't have a lot of man power so
43 we're burdened with fighting you guys, I feel like it's
44 a fight, and it's really, really difficult for us to
45 keep up and then keep up all the other self-governance
46 things that we're having to ponder with.

47

48 So I am in favor of this whole process
49 to become simplified and basically you're saying that
50 the Federal Subsistence Board would rule on those

1 nonrural communities. To me, nonrural is Anchorage,
2 Fairbanks, Juneau, Ketchikan questionable, and, then,
3 therefore, all other Alaskan communities are rural. So
4 Saxman becomes rural and has been rural, doesn't even
5 become rural it's been rural and so I'm in favor of
6 that. I think that it's really important to remember
7 that all of the people who have spoken here today are
8 speaking from the heart and I'm in favor of the
9 simplification process.

10

11 Thank you.

12

13 MR. MCKEE: Thank you. Next on my list
14 is Markel Wallace.

15

16 MS. WALLACE: Hi. My name is Markel,
17 it's M-A-R-K-E-L Wallace.

18

19 REPORTER: Thank you.

20

21 MS. WALLACE: The answer to your
22 question for me is, yes, I agree and I would really
23 urge you to make those changes for our community. I --
24 sorry, I'm getting emotional -- but I definitely think
25 that you should also use the Regional Advisory
26 Council's recommendation because they know us, they
27 know each specific region and I definitely would go
28 with their recommendation because I think that they're
29 in favor for us as well.

30

31 I won't take up much more time because
32 I know you have a lot of people to get to, but, my
33 answer is yes, thank you.

34

35 MR. MCKEE: Thank you. I hope I
36 pronounce this correctly, the next person I have is Tom
37 Lanthrim, Lenthrim.

38

39 MR. LENTHRIM: Close enough.

40

41 MR. MCKEE: I think that's right, sorry
42 about that.

43

44 MR. LENTHRIM: It's my lefthanded
45 writing.

46

47 (In Tlingit)

48

49 I am a Tlingit. Kaagwaantaan, double
50 headed Eagle Wolf House. I'm also Tsimshian (ph), my

1 origin is Metlakatla.

2

3 And as far as this subsistence rule, it
4 is important for us to keep harvesting what we do
5 because it's our DNA, it's who we are. If you take
6 that away from us we will be gone. To me it's another
7 form of genocide. All nations up and down are starting
8 to go back to their natural foods that they lived on
9 because the processed foods that we eat is
10 deteriorating us. Diabetes, everything else that's
11 coming about, it didn't -- we didn't have it. Once we
12 turn back to who we are, is what we eat, we're more
13 healthy. It's important.

14

15 It's only common sense that we do and
16 keep it that way.

17

18 Are all of you from Alaska or are you
19 from down South.

20

21 MS. KENNER: Down south.

22

23 MR. LENTHRIM: Okay. As far as I'm
24 concerned you people should know have you lived amongst
25 Natives to the point of how we feel, how we carry
26 ourselves. To me I live in two worlds, I work in the
27 (In Native) world, but I live in the Indian world.
28 It's like taking off a cloak. Like my Killer Whale
29 chief said, when he goes to his long house in the sea
30 he turns human, when he comes out he's a killer whale.
31 That's how I feel when I work in your world, but I love
32 the friends that I gain there. We learn a lot from
33 each other because there's a lot of things that they
34 don't know about us. Because it's very hard for us to
35 trust because there was so much taken from us.

36

37 It's only since the '80s that we came
38 out of our shell out there and started showing you our
39 culture and we want to keep gathering our foods for the
40 simple fact that it's healthy for us.

41

42 I see a lot of people coming in here
43 and taking our salmon, a lot. And we're not supposed
44 to have more than a dozen or so, it's kind of hard to
45 comprehend that thought because even your Fish and
46 Game, when I used to fish when I was a teenager, they
47 told us we can't keep the king salmon when we're
48 harvesting salmon. How are we supposed to know about
49 it until we open the hatch after -- we can't stop and
50 pick, it's time consuming, three months or less to fish

1 but that king salmon goes to our elders. They're the
2 ones that can't go out and get it.

3

4 Now, I can't even go out and get
5 cockles, clams because I'm scared they might kill us.
6 Eulachons, very important to us, the Unuk is being
7 poisoned by mines that are above the mountains on the
8 Canadian side, I don't see anything or hear little bit
9 what's happening as far as stopping the Canadians. Our
10 brothers on the other side are fighting it. I want to
11 see this side start fighting it, or this whole place is
12 like a delta, it'll kill this whole area. They say
13 they're putting a natural dam up there, the eulachons
14 are gone because they did a 10 year, 15 year mine above
15 the Unuk, they're putting another one up there, it's
16 huge. If that natural dam breaks it'll kill all this
17 delta. Where would we all be once it's done. It's
18 already happening in the middle of B.C., same thing,
19 natural dam broke, all that stuff -- all that poison is
20 in the river. In time, within a year or two what's
21 going to be there. It's going to happen here if we
22 don't stop them.

23

24 It's important that we all listen and
25 put it on the table to each other, not just one --
26 okay, where is the Native sitting here as far as our
27 subsistence rights on this side. Do we have a
28 representative to where we could speak and you could
29 hear what we have to say instead of just this few
30 minutes that we have. I would like to see that happen,
31 that we would feel how we feel, on how we feel about
32 life. It's important that we walk the same Earth as
33 you. Very important.

34

35 Right now you guys are going to make a
36 decision on the Natives in this area, Saxman, there's a
37 lot of Natives that live here, Haida, Tlingit,
38 Tsimshian that do the same and just never forgot how to
39 gather our foods, but it's important that you listen to
40 what we say and take it into consideration because it's
41 very important to us to continue the way we live.
42 Because I moved home from Seattle, I lived there for 20
43 years, but it's important to live our ways, that's why
44 I'm home.

45

46 Gunalcheesh.

47

48 Howaa.

49

50 MR. MCKEE: Thank you very much. We

1 have two speakers left and we're right at 2:00 o'clock,
2 so I'm going to have to please ask the last two
3 speakers to be brief, if possible. So the next person
4 I have is Byron Charles.

5
6 PUBLIC: It's Indian time, you can go
7 over.

8
9 MR. CHARLES: Good afternoon, people,
10 my name is Byron Charles.

11
12 (In Tlingit)

13
14 I was born in Craig and raised in
15 Klawock. The majority of the people that's been
16 addressing you are relatives of mine. I just recently
17 signed an agreement with the State of Alaska to dismiss
18 a civil complaint against all parties acting under the
19 color of State and Federal law, that includes local,
20 State and Federal agencies here in this state for
21 failing to comply with what is known as Public Law 85-
22 508, the Alaska Statehood Act.

23
24 I went to court here in Ketchikan on
25 February 24th. The judge refused to answer my
26 question. The first question I asked him, are you
27 familiar with such a legal document. I told him that
28 I'm not a qualified lawyer, I don't claim to be, but I
29 recognize a legal binding document when I see one.
30 Part of the research I've been conducting, in 2013 the
31 question was asked of the United States population, how
32 many of you actually know what your First Amendment
33 Rights is. For the people in Alaska the question was
34 asked, what was the percentage of the people back in
35 1958 that actually knew what their First Amendment
36 Rights is. In the Statehood Act, Congress made it very
37 clear, not only do I belong to a Federally-recognized
38 tribe but they are labeled as an administrative body
39 with the same powers and authority as any U.S. District
40 Court system here in the state, and in the United
41 States. But the only problem is, we didn't have
42 qualified people with the education and experience and
43 knowledge and understanding of how to use those tools
44 that were afforded to us back then. So the people more
45 or less came together and said I have a license, two of
46 those surviving members live in Anchorage today, okay.
47 Out of respect for those elderly people I decided and
48 agreed to dismiss the civil complaint, because all
49 along it wasn't a civil matter, it was a criminal
50 matter.

1 What is the criminal matter.

2

3 Failing to comply with a legal binding
4 contract signed by the President of the United States
5 and approved by the United States Congress.

6

7 I work for the Forest Service here in
8 Ketchikan. I helped build the majority of the trails
9 here in Southeast Alaska. I helped build these homes
10 here in Saxman. Some of these people behind me were
11 with me building these homes all over Southeast Alaska.

12

13 Now, here's my primary concern, on the
14 government to government level, there should always be
15 an equally shared decisionmaking processing system.
16 There hasn't been any since 1958 and there still isn't
17 today.

18

19 Now, it's kind of like you and I taking
20 the book in half and telling our kids that are in
21 college today, I'm sorry but you don't need to pay
22 attention to this because we're moving forward. Some
23 of you have iPhones, I noticed that, what good is this
24 technology to any of our kids if we don't teach them
25 the government's original intent. These people here
26 are talking about nourishment, just like you were
27 nourished when you were little. The food that's given
28 to us up here that's abundantly used by everybody, not
29 just the Native people, everybody, okay, helps us
30 survive during the spring, summer, fall and winter
31 months. Like dry fish. Did you know that seal oil,
32 when you rub it all over your body, you can go out here
33 in the water, you wouldn't even feel the cold. That's
34 what our people used back then way before we even had
35 clothes, or diving gear.

36

37 So before a decision is made, I
38 provided a copy of the case that was dismissed to you,
39 it's open to the public, so before any decision is
40 made, be careful of your choice of words. I am that
41 administrative body that Congress afforded to me. I am
42 a Federally-recognized tribal member. And I do know
43 how to use those tools that were afforded to me. I
44 can't represent the people of Alaska, but I can use
45 myself as an example. The judge here in Ketchikan.....

46

47 MR. MCKEE: Mr. Charles, we're going to
48 have to get to the last speaker.

49

50 MR. CHARLES: Okay. The last question

1 -- the last statement -- the judge refused to answer my
2 question, period.

3

4 Thank you for your time.

5

6 MR. MCKEE: Thank you. The last
7 speaker we have is Edward John.

8

9 PUBLIC: You got me on there too.

10

11 MR. MCKEE: No, we don't.

12

13 PUBLIC: Why not.

14

15 MR. MCKEE: Because we've already had
16 people that have come in and signed up long before when
17 the meeting started and we have to go to another
18 meeting and have to hear the same concerns from those
19 people. So we have to limit the amount of time that
20 we're here at this meeting. I'm sorry.

21

22 PUBLIC: Okay, off record, this meeting
23 is illegal, you guys are superseding the President's
24 signature that says we have a treaty with the United
25 States.....

26

27 MR. MCKEE: Sir, we have another
28 speaker that's come up here to speak now, thank you.

29

30 PUBLIC: This is an illegal procedure.

31

32 MR. MCKEE: Go ahead, I'm sorry.

33

34 REV JOHN: Thank you. Well, I want to
35 thank you for coming here to listen to the community of
36 people here from Saxman and your consideration for the
37 rural status.

38

39 It reveals to us that you are
40 thoughtful and thinking about the lives of the people.
41 Today we live in a day and age where the dollar rules
42 and I'm talking about the fisheries. My dad was a
43 commercial fisherman and the fish that are caught
44 usually are sent over seas, a determining factor for
45 how much money the fishermen are going to make if
46 they're commercial fishermen is set up by the people
47 from overseas, from Japan and Korea, and also even for
48 herring fishing in Sitka. My dad, again, we fished
49 over there -- my name is Edward John and I'm from
50 Angoon. I was born and raised there. I pastor Saxman

1 Pentecostal Church of God.

2

3 I understand what it is when you look
4 at how the dollar rules the world today. I see how the
5 fisheries have changed. I seen a time when I grew up
6 in Angoon, a small community and that was before
7 statehood. It kind of tells you how old I am, so I
8 won't go too far into that.

9

10 But, again, when the herring fishery
11 takes place in Sitka, when the spawn is there -- in
12 Japan they have a big celebration for that because
13 they're getting the eggs and they're getting the
14 fishery from Alaska, while all the time we, as the
15 people, that live, not for special benefits, but it's
16 how we live on the fisheries and the things that are
17 here, and harvested in Alaska, that really helps the
18 family members and it brings a family closer together.

19

20 And when I talk about a dollar, how the
21 dollar rules. The other day I read something on my
22 computer, it talked about a college boy. He went off
23 to school, he came back home, he got a job, and he was
24 working for awhile but somebody broke into his home,
25 and he heard the robber so he went and tapped him on
26 the shoulder, he said what are you looking for, he said
27 I'm looking for the money and he said, well, let me
28 help you, I'll try to find some, too, he said I don't
29 have any.

30

31 (Laughter)

32

33 REV JOHN: But we live in a day and age
34 today that -- I'm really thankful that you people have
35 come this way to listen to the hearts of the people
36 because this is who they are, each one of us. I grew
37 up in Angoon, a small community.

38

39 When I was growing up I don't think we
40 had more than 300 people there, and I think they
41 counted the cats and dogs when they said that, and it
42 still hasn't grown. And so I left from Saxman once
43 when there was a church having trouble, my organization
44 sent me there and I wanted to come back, so when I came
45 back, my son said to me, he said, dad, we're back home
46 and this is home to us.

47

48 So, again, I want to thank you for your
49 time and each one of you, you have been very kind, very
50 thoughtful to listen and I hope and pray that you will

1 give a lot of consideration to what was shared with
2 you.

3

4 Thank you.

5

6 PUBLIC: Gunalcheesh.

7

8 MR. MCKEE: Thank you very much. I
9 just want to remind folks again that you can also
10 submit written comments after this meeting until the
11 comment deadline of April 1st of this year. All of the
12 addresses and instructions for submitting comments are
13 included in the handouts given to you when you arrived.

14

15 Thank you, everyone, for participating
16 in this process today. The Federal Subsistence Board
17 is looking forward to the comments on this issue from
18 the tribes, ANCSA Corporations and the general public.
19 After all comments are received and evaluated then the
20 final rule on the rural determination process will be
21 adopted by the Secretaries of the Interior and
22 Agriculture. The next step will be where the Federal
23 Subsistence Board makes the rural determinations based
24 on that final rule.

25

26 Thank you, everyone, for coming out
27 today.

28

29 (Applause)

30

31 (Off record)

32

33 (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, State of Alaska and reporter for Computer Matrix Court Reporters, LLC do hereby certify:

THAT the foregoing pages numbered 2 through 55 contain a full, true and correct Transcript of PUBLIC HEARING IN RE: FEDERAL SUBSISTENCE BOARD RURAL DETERMINATION PROCESS, taken electronically by Computer Matrix Court Reporters on the 16th day of March 2015 in Saxman, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 31st day of March 2015.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/18