

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

FEDERAL SUBSISTENCE POLICY
TRIBAL CONSULTATION

Washington, D.C.
Friday, January 28, 2022

1 PARTICIPANTS:

2 Speakers:

3 BRYAN NEWLAND
Assistant Secretary
4 United States Department of the Interior, Bureau
of Indian Affairs

5
6 RAINA THIELE
Senior Advisor to the Secretary
Alaska Affairs

7
8 HEATHER DAWN THOMPSON
Director, Office of Tribal Relations
U.S. Department of Agriculture

9
10 KELLY KRYC
Deputy Assistant Secretary for International
Fisheries
11 NOAA

12 JANET COIT
Assistant Administrator for Fisheries
13 NOAA

14 ROSE PETOSKEY
Senior Counselor to the Assistant Secretary
15 Bureau of Indian Affairs
United States Department of the Interior

16
17 COLLEEN LABELLE
Supervisory Management
Department of Interior, BIA
18 Alaska Region

19 DEB HAALAND
Secretary
20 U.S. Department of the Interior

21 ROBERT MECUM
Acting Regional Administrator
22 NOAA Alaska Regional Office

1 PARTICIPANTS (CONT'D):

2 JAELEEN KOOKESH
3 Vice President, Policy and Legal Affairs
4 Sealaska Corporation

5 TISHA KUHNS
6 Vice President, Land and Natural Resources
7 Calista Corporation

8 MICHELLE ANDERSON
9 President
10 Ahtna, Inc.

11 NATALIE LANDRETH
12 Deputy Solicitor for Land

13 TIM SCHUERCH
14 Senior Counsel
15 Calista Corporation

16 HALLIE BISSETT
17 Executive Director
18 ANVCA

19 VINCE TUTIAKOFF
20 Chairman of the Board
21 Ounalashka Corporation

22 KAREN LINNELL
23 Executive Director
24 Intertribal Resource Commission

25 TOM HARRIS
26 CEO
27 Knikatu

28 CHERYL BOWIE
29 Founder
30 Dreambutterfly Botanicals

31 DONALD STANDIFER
32 Board Member
33 Tyonek Native Corporation

1 PARTICIPANTS (CONT'D):

2 RONALD KRUEGER
3 President
4 Unknown

4 EVA BURK
5 Food Security Specialist
6 Nenana Native Association

6 CURTISS CHAMBERLAIN
7 Calista Corporation
8 Associate General Counsel

8

9

10

11 * * * * *

12

13

14

15

16

17

18

19

20

21

22

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

2 (3:03 p.m.)

3 MR. NEWLAND: Good morning, everyone.

4 My name is Bryan Newland. I am the Assistant
5 Secretary for the Department of the Interior's
6 Bureau of Indian Affairs. I would like to welcome
7 everyone to this U.S. Department of Interior
8 Alaska Native subsistence consultation. I want to
9 welcome our Secretary here from the Department of
10 the Interior, Secretary Haaland, to share some
11 opening thoughts with everybody.

12 MS. HAALAND: -- There we go. Sometimes
13 technology doesn't work all that well but thank
14 you so much Assistant Secretary Newland and, of
15 course, I'm happy to be here with all of you.
16 (Speaks in Native Language). Greetings everyone.
17 I'm honored to come to you from the ancestral
18 homeland of the of the Tanoan and Tewa people here
19 in Albuquerque, New Mexico. And before I get
20 started, I just want to acknowledge our dutiful
21 and dedicated solicitor known by many of you, Bob
22 Anderson, who has put his heart and soul into this

1 position and we're very grateful that he is here
2 to advise us and be apart of our team. And first,
3 I also want to thank you all for participating in
4 this important consultation.

5 The vast ecosystem of tribes, villages,
6 corporations, non-profits and consortiums makes
7 Alaska unique and we're committed to including
8 your input in these policy discussions as we work
9 on the Federal Assistance Program. Alaska natives
10 are the original stewards of the vast landscape
11 and your knowledge has been passed down from
12 generation to generation from millennia to care
13 for your communities and to care for our planet.

14 When I visited Alaska several years ago,
15 I couldn't help but notice the incredible way that
16 Alaska natives lived in harmony with nature with
17 responsibly harvested the bounties that Alaska has
18 to offer. I look forward to visiting Alaska again
19 this year to meet with folks on the ground and to
20 learn more about the significant work that we are
21 accomplishing together.

22 This consultation will center your

1 voices as we work to address climate changes
2 impacts and how federal agencies can be better
3 partnered in promoting subsistence, harvest
4 opportunities for Alaska natives and protecting
5 habitats that make those traditions possible. As
6 we move forward in service to that goal, we do so
7 with the support and commitment to President Biden
8 and the entire Biden/Harris Administration.

9 Interior is joined today by our partners
10 at the Department of Agriculture and National
11 Oceanian and Atmospheric Administration, both of
12 which have important authorities when it comes to
13 subsistence in Alaska. The accounting (phonetic)
14 agency is committed to meaningful tribal
15 consultation, fulfilling our trust
16 responsibilities and strengthening our nation to
17 nation relationship across all areas of federal
18 government.

19 The Department is also committed to
20 consultation with Alaska native corporations. As
21 someone whose story is not unlike many of yours, I
22 know how much this means to indigent communities.

1 It's a historic opportunity to lend our voices to
2 decisions that impact our families and our
3 communities through the administration's all of
4 government approach to consultation where
5 indigenous people are consulted before policies
6 are developed instead of after they have been
7 determined.

8 At the White House Tribal Nation's
9 Summit in November, it was insightful to hear from
10 Alaska native leaders and their perspectives on
11 climate change and its impact on traditional life
12 ways that help communities survive in Alaska's
13 unforgiving environment. I hope that today
14 further explores your feedback. Together, we're
15 working to ensure that we are grounding decisions
16 in our shared heritage and are always mindful that
17 the best solutions come from the communities on
18 the ground.

19 I know how important Alaska Native's
20 Assistance regs are to all of you. It's one of
21 our priorities to ensure that the right to hunt,
22 fish and gather is upheld for many future

1 generations of Alaska natives. I want you to know
2 that the Department is committed to working with
3 you and we're eager to hear your voices and
4 priorities during this consultation.

5 As we look ahead to the future, we're
6 facilitating the distribution of billions of
7 dollars to native communities thanks to the
8 bipartisan infrastructure law. This funding will
9 help support Alaska native villages that are
10 literally being washed away by coastal erosion and
11 experiencing changes to their life ways because of
12 the changing climate. This funding and these
13 efforts will be transformational and we look
14 forward to moving this conversation forward in the
15 coming months. Thank you for everything you do
16 every day to care for your people and your
17 communities and please know that my door is always
18 open. Ya at eeh, thank you. I'd like to now turn
19 it over to Senior Advisor for Alaska Affairs,
20 Raina Thiele.

21 MS. THIELE: Thank you so much, Madam
22 Secretary for being here with us and thank you to

1 all of you first of all for being here with us
2 today. My name is Raina Thiele and I serve as
3 Senior Advisor to Secretary Haaland for Alaska
4 Affairs and Priorities. I'm also from Bristol
5 Bay, Alaska and (inaudible) and was raised really
6 between rural and urban Alaska. So, this session,
7 I know how meaningful this session is and I know
8 this is a session that many of you have asked for
9 over time. And so we are just incredibly excited
10 to be here with all of you and to hear from our
11 Alaska corporations and other colleagues today.

12 Just very quickly, I would like to just
13 note, the Secretary noted that we have some of our
14 high level officials here including Bob Anderson,
15 (audio disruption) and Ken Bart our solicitors
16 offices. We also have Sara Taylor from the
17 Secretary's office as well as our fish and
18 wildlife service team which includes Karen Coswell
19 who is our Alaska director in an acting capacity,
20 Crystal Leonetti and Hugh Detwiler. So I just
21 wanted to say thank you to all of our federal
22 officials who were interested in this session and

1 who have a dedication to be here and who are here
2 with us today. And with that, I will turn it over
3 to Heather Dawn Thompson from USDA.

4 MS. THOMPSON: Great. Good to see you,
5 Madam Secretary, and our Department of Interior
6 partners and our partners at NOAA. This is pretty
7 historic to be able to come to you together. We
8 heard from you that it was very challenging to
9 navigate all the different federal agencies on
10 these issues. So we're delighted to hold this
11 joint inter- federal consultation with you today.

12 As Raina said, my name is Heather Dawn
13 Thompson. I'm the Director of the Office of
14 Tribal Relations within the Office of the
15 Secretary at the United States Department of
16 Agriculture. And I'm joined by my colleague,
17 David Schmid, who is the Regional Forest Director
18 for the Alaska Region for the United States Forest
19 Service. Many of you know him well and work with
20 him closely on a regular basis.

21 Secretary Vilsack is very committed to
22 this conversation. As many of you know, he

1 announced in November an Indigenous Food
2 Sovereignty Initiative to completely rethink about
3 how the United States Department of Agriculture
4 thinks about food. And one of the most important
5 components of that is, of course, the subsistence
6 policies in Alaska.

7 I have the pleasure of living half of my
8 year in the Black Hills in South Dakota and the
9 other half in Sitka, Alaska in southeast Alaska.
10 So I'm very familiar through my marriage and my
11 family through my marriage for many of these
12 issues in a very personal way and I'm happy to be
13 working on them professionally with you.

14 Just a reminder that the written comment
15 period is open until February 15th. Of course,
16 today is very important but the written comments
17 are extremely in the consultation process and they
18 can be sent in to consultation-ak@ios.doi.gov and
19 Rose will that in the chat as well since you have
20 access to that. And I'll stop there and turn it
21 over to our partners, Kelly Kryc and Robert at
22 NOAA so that they can say some greetings. And

1 then we look forward to getting right into hearing
2 directly from you. Kelly.

3 MS. KRYC: Hello, good afternoon to
4 everyone. Many, many thanks to Madam Secretary
5 to, our colleagues at DOI and our colleagues at
6 USDA. NOAA is very pleased to be here and to hear
7 all of the feedback that you will offer. I'm
8 joined here today by my colleague, Doug Mecum.
9 His name is Robert on the screen. He's the Acting
10 Regional Administrator for the NOAA Alaska
11 Regional Office.

12 I'm here to affirm NOAA's commitment to
13 government consultation and also note the impact
14 that climate change has had on communities,
15 ecosystems and the subsistence that those
16 communities depend on. NOAA is working on the
17 ground in Alaska to understand, adapt to and
18 confer ecosystems, communities and ways of lives.

19 We note the importance of fisheries and
20 the mammal hunts and commit to working with all of
21 you to address the challenges that you raise here
22 today. And again, I'd like to thank our partners

1 at the Department of the Interior and USDA for
2 including NOAA today. Thank you so much.

3 MR. NEWLAND: Thank you, Kelly, thank
4 you Heather Dawn and thank you, Raina and also,
5 Madam Secretary and Bob Anderson as well for
6 taking some time to join us. We sent several
7 weeks ago a Dear Leader letter which many of you
8 received which posed five framing questions for
9 this consultation. They're in your chat but I
10 know many of you are joining by phone and I want
11 to just take a brief moment to read through these
12 questions to help guide our discussion.

13 First question that we ask is, how has
14 climate change affected subsistence? What changes
15 could be made to subsistence policies, regulations
16 or laws to help you adapt to those changes.

17 Question two. How can federal agencies
18 better cooperate with Alaska native Tribes, native
19 consortia and Alaska native organizations and
20 corporations to promote subsistence harvest
21 opportunities and protect habitat.

22 Question three. How does the statement

1 management regime effect implementation of the
2 federal priority or rural residents?

3 Question number four. How can the
4 Federal Subsistence Board and the Federal
5 Subsistence Program be changed to better
6 accommodate Alaska natives' subsistence needs.

7 And question five is, what difficulties
8 have you experienced in accessing subsistence
9 resources?

10 I want to note that this is the fourth
11 in a series of listening sessions and
12 consultations that we are holding. We held a
13 listening session so that we could hear from
14 directly from subsistence users. We held several
15 government to government consultations between the
16 federal government and Tribal governments. And
17 the purpose of today's consultation is to hear
18 directly from regional and village corporations.

19 I know that we have many Tribal
20 representatives on the line today as well. I want
21 to make sure that we are prioritizing
22 representatives from the regional and village

1 corporations today. We're not going to be in the
2 business of policing that, just ask for respect to
3 make sure that our village and regional and
4 corporate representatives have an opportunity to
5 speak first. And, of course, after everyone has
6 had that opportunity, we would be happy to hear
7 from you.

8 Also, ask you to recognize that we have
9 more than a hundred participants signed up for
10 today with a limited time and just please be
11 respectful of others who may want to speak. I
12 will help moderate and do my best to keep track of
13 those who have raised their hands first and put
14 the order of speakers in the chat. You can raise
15 your hand at the bottom of your screen by clicking
16 on the reactions button and using the raise my
17 hand feature or if you are on the phone, please
18 hit *9.

19 So with that, our first speaker today is
20 Jaeleen Kookesh followed by Michelle Anderson,
21 Tisha Kuhns and Ounalaska Corp from Ounalaska.
22 Jaeleen.

1 MS. KOOKESH: Thank you. Did you see
2 how quick I was to raise my hand? It's good to
3 see all of you. My name is Jaleen Kookesh. I'm
4 the Vice President for Policy & Legal Affairs with
5 Sealaska Corporation based in southeast Alaska.
6 We have over 23,000 Alaska native shareholders
7 primarily of Tlingit (phonetic), Haida (phonetic),
8 and Tsimshian (phonetic) descent. My Tlinget
9 (phonetic) name is (speaking Native Language).
10 The Dog Salmon Clan. My house, central house is
11 in Anchorage. I'm also Athabaskan on my mother's
12 side; Koyukon Athabaskan. My mom is one of 11
13 kids, my dad is one of 9 so you'll probably meet
14 one of my first cousins any time you go to Alaska.
15 Some of them are on the call.

16 So I've been with Sealaska for about 14
17 years and prior to that, spent 10 years in
18 Washington, D.C. at the law firm of M.S. Feldman
19 and have been doing Alaska native law and policy
20 for all of my career. And Secretary Haaland, I
21 actually did my legal studies in New Mexico at the
22 University of New Mexico. There are many familiar

1 faces on this call from the agencies. It's good
2 to see all of you and I appreciate all your work
3 from the agencies on behalf of Alaska's native
4 people and for listening today.

5 I know that you're seeking answers to
6 the questions that were just read to us. I will
7 respond to those in detail in the written
8 testimony that we will be submitting. I just want
9 to make a few comments today while I have the
10 opportunity to speak to all of you in person.
11 Well, not really in person, virtually, on this
12 important issue.

13 In my career, I would say that one of
14 the most important and longstanding issues we have
15 faced have been with regards to our traditional
16 way of life. In the federal arena it's called
17 subsistence. A lot of the problems cannot simply
18 be addressed through your regulatory system. A
19 lot of them stem from the limited protections that
20 are in place in the federal law.

21 And so, a lot of what we need to do as
22 Alaskan people is seek legislative changes. And I

1 know you can't affect that but I will say that any
2 federal legislation that comes before the
3 Congress, they often seek the agency's opinion
4 and view. So I hope that you would be supportive.
5 Changes to the systems established in ANILCA and
6 literally ignored in ANCSA that have very limited
7 rural preferences and protections for subsistence
8 as opposed to a native protection.

9 So I guess I would just say that one of
10 our key initiatives at least from Sealaska is to
11 seek some legislative changes that strengthen the
12 subsistence protection. We'd also like to see a
13 different regulatory management system on our
14 ANCSA land. There's 44 million acres in Alaska
15 that are owned by the Alaska Native Corporations.
16 These lands are treated as private lands in Alaska
17 and therefore subject to state jurisdiction, not
18 federal jurisdiction.

19 The other concern that I have is that
20 lands that have been selected but not yet conveyed
21 to an ANCSA corporation, those lands that are
22 selected but not yet conveyed are still in federal

1 ownership yet they're treated also under state
2 management just because of the potential for
3 advance (phonetic) to a Alaska corporation.

4 A lot of those selected but not yet
5 conveyed lands may never go into native camps. So
6 I just have an issue with both native land and
7 those selected but not yet conveyed not being
8 treated under the federal protections that are
9 allotted to subsistence. So I hope that you would
10 consider some of those issues as well.

11 We do have a concern with the limited
12 number of native or subsistence related
13 representation on the regulatory boards both
14 federal and state. Often times we have maybe one
15 seat, if we're lucky, 2, but these regulatory
16 boards for fish and for hunting are often
17 dominated by other interests other than
18 subsistence. So we hope you'll look into that
19 issue as well.

20 We strongly encourage the departments
21 that manage subsistence to review and consider
22 some of the resolutions that have come before the

1 Alaska Federation of Natives as well. Most
2 recently, there were at least five subsistence
3 related resolutions that came before the Alaska
4 Federation of Natives dealing with the Marine
5 Mammal Protection Act and the Magnuson-Stevens
6 Fisheries Act allowance for subsistence hunting
7 and fishing activities in Glacier Bay National
8 Park and our parks within Alaska. So I strongly
9 encourage you to look at some of those activities
10 with regards to subsistence and those
11 recommendations that come out of there.

12 We also recently had an issue with the
13 Federal Subsistence Board where they actually took
14 action to authorize an emergency hunt in the
15 community of Cake and in other communities in
16 Alaska. And the Federal Subsistence Board granted
17 that request and we were very grateful for that
18 and recognized or believe that they had certain
19 authorities to do so.

20 Of course, the state challenged that and
21 it went to court. The communities did win the
22 initial decisions in the court about the

1 authorities of the Federal Subsistence Board to
2 issue an emergency order and ultimately it was
3 appealed all the way to the highest court which
4 eventually had to declare it moot because the
5 emergency no longer happened. The hunt already
6 occurred.

7 So even though technically the
8 communities that had the emergency right to hunt
9 during the pandemic and meeting the food security
10 needs of their communities, it was declared moot.
11 So our concern is that that will be challenged
12 again. So we hope that the agency and the Federal
13 Subsistence Board will clarify the authority of
14 the Federal Subsistence Board to take those
15 actions for the food security of our communities.

16 We do strongly recommend, while we
17 appreciate this opportunity and when it's faced
18 that the agencies will take the opportunity to
19 have hearings in Alaska to hear from our local
20 communities, from our local leaders and get more
21 direct feedback from the users of our subsistence
22 rights.

1 We do strongly support research on the
2 impacts of climate change on our resources and
3 appreciate the agencies looking at that. As part
4 of that, we strongly support the use and review of
5 traditional and cultural knowledge. What do our
6 people have to say about the impacts and what they
7 see as opposed to simply western scientific review
8 of these issues.

9 We also support the establishment of a
10 disaster relief fund for subsistence when our
11 people can't get the fish and other resources they
12 need to survive up here in Alaska. There should
13 be opportunities for subsistence disaster relief
14 as well.

15 Just really quickly, I know we have
16 other people lined up so I just want to make a
17 note on law enforcement just for you to think
18 about. In our rural communities, law enforcement
19 when it comes to criminal acts, even murder and
20 dangers within our community, we have very slow
21 response when it comes to law enforcement. When
22 it comes to subsistence violations and hunting and

1 fishing violations you will have law enforcement
2 in our communities in a second. They will show up
3 very quickly to enforce and often harass our
4 people for subsistence hunting and fishing.

5 For me, that's very backwards. That's
6 very frustrating to see that the agencies, both
7 state and federal, will be quick to cite our
8 people for taking fish or game out of the time
9 that they're allowed to do so or even taking one
10 or two more fish than they're supposed to. But
11 when of our young ladies is murdered in one of our
12 villages, we can't get answers and we can't get
13 response. So that's a real problem that I hope
14 the agencies will look to.

15 As a closing comment, I just really hope
16 that the agencies will work with us to make sure
17 that subsistence uses are prioritized. As an
18 Alaskan, it's very frustrating to see the
19 opportunities of commercial bi-catch while the
20 opportunities that are lost by our communities by
21 these bi- catch activities but also sport fishing.
22 All of us who see the many boxes going out of

1 Alaska from the summer sport fishing and we know
2 that the economic impact that brings to the state
3 of having commercial and recreational fishing.

4 But when our people can't catch more
5 than 10 fish to feed their family for the whole
6 year and you see boxes and boxes leaving the state
7 it's very troubling and disheartening. So we hope
8 that you'll take this to heart and prioritize our
9 subsistence activities. And I look forward to
10 submitting detailed written comments on the
11 questions that were asked. Thank you for your
12 time.

13 MR. NEWLAND: Thank you so much,
14 Jaeleen. I really appreciate your comments. And
15 I just want to note that many of the things that
16 you've raised are right in line with a number of
17 the comments that we've received already through
18 this consultation process. Often when we engage
19 in consultation with so many tribes, we hear a
20 wide range of issues and thoughts and
21 recommendations.

22 It's very clarifying for all of us in

1 affirming to consistently hear people speak to
2 things like what you had mentioned with law
3 enforcement, bi-catch and the impact of, you know,
4 some of the commercial and recreational users on
5 people who depend on food for your way of life.
6 And so just thank you for taking the time in
7 sharing that and I just want to make sure I'm
8 noting how consistent that is with what we've been
9 hearing. Thank you, Jaeleen.

10 MS. KOOKESH: Thank you.

11 MR. NEWLAND: Next up, we have Michelle
12 Anderson.

13 MS. ANDERSON: Thank you. I'm going to
14 try to turn my video on here. You can't really
15 see me too well but I want to start off by saying
16 thank you to Secretary Haaland and to all of you
17 that started us out this morning with your
18 introductory comments. We do realize what an
19 opportunity this is and there is tremendous
20 excitement and hope that these consultations have
21 created. So I just want you to know we realize
22 it's a big deal.

1 My name is Michelle Anderson. I'm an
2 original shareholder of the -- and the current
3 president of Ahtna, Incorporated. I'm a member of
4 the Judishu clan or Turbo clan (phonetic) of the
5 Ahtna (phonetic) people. I'm a tribal member of
6 both Ahtna village and I was raised in the Copper
7 River region. The Ahtna people's traditional
8 homeland covers approximately 24 million acres of
9 south central Alaska. After ANCSA passed, we were
10 left with the land entitlement of approximately
11 1.7 million acres.

12 Our lands border the Wrangle park and
13 reserve to the east and stretch to the Denali
14 National Park and Preserve to the west. Ahtna has
15 eight villages but we are unique because seven of
16 these village corporations merge with an
17 unincorporated (phonetic) in 1980. We manage
18 these former corporation lands and we work
19 collaboratively with our tribes to protect our
20 traditional hunting and fishing.

21 Government agencies refer to that as
22 subsistence. We do not use that term.

1 Subsistence is defined as the action or act of
2 maintaining or supporting oneself at a minimal
3 level. Our traditional hunting and fishing have
4 never been about taking care of one's self at a
5 minimal level. We take care of our people and our
6 native communities. We make sure they have enough
7 of our food to sustain the mere bounds, not at a
8 minimum.

9 Unlike the other ANCSA regions in
10 Alaska, all of Ahtna villages are on the road
11 system. Ahtna people are raised on our customary
12 and traditional foods. Our elders selected our
13 lands for the traditional foods that they would
14 provide for generations for our food security.
15 Ahtna faces significant hunting and fishing
16 pressures from urban areas. This is not a new
17 threat.

18 I'd like to paraphrase a quote from a
19 1903 report from the Secretary of the Interior to
20 Congress. In it, he describes Copper River
21 Indians as scattered which I take to mean as
22 spread out on lands that they occupy. He noted

1 that they, these Copper River Indians, were near
2 starvation as a consequence of the invasion of the
3 new civilization. Well today, 120 years later, we
4 still compete with thousands of people to hunt on
5 our traditional lands. We face significant
6 competition for salmon from the sport fisheries
7 and dip netters.

8 In the last few consultations, you heard
9 from some of our shareholders and travel members.
10 The Ahtna people traditional hunting and fishing
11 needs are not being met. Our people are hungry
12 for their traditional foods.

13 I want to talk a little bit about the
14 current management system today and I'm going to
15 talk about it in terms of federal management and
16 state management. The current federal system on
17 federal lands does not provide adequate
18 subsistence opportunities under ANILCA. There is
19 not enough federal land in our area to meet our
20 subsistence hunting needs. We have even been told
21 by federal agency staff that they are unwilling to
22 enforce the federal subsistence fisheries due to

1 concerns over their agents having personal
2 liability because of the state's interpretation of
3 the sturgeon case.

4 Federal managers rely on state data when
5 they should be collecting and maintaining their
6 own data. And there is not enough Alaska native
7 representation on the regional advisory councils
8 or the Federal Subsistence Board. There is no
9 consideration for traditional knowledge and
10 management.

11 We are not interested in co-management
12 with federal agencies on our land. We want the
13 authority to manage wildlife on our land. ANCSA
14 lands that have not been conveyed should not be
15 treated as state lands nor should state over
16 selections. The State of Alaska should release
17 their over selections and free up valuable hunting
18 areas.

19 Now regarding state management, I think
20 it's fair to say that the state has been very
21 hostile at every step. They do not take and make
22 the subsistence priority. The state has sued the

1 Federal Subsistence Board to wiggle away the
2 Board's ability to provide for subsistence needs
3 and state does not enforce hunting trespass on
4 ANCSA lands. The State Board and Game and Board
5 of Fish are hostile to Alaska native subsistence
6 needs.

7 This past week, our people were able to
8 fend off attacks on a state program called the
9 Communities Subsistence Hunt. The hunt was
10 originally established for Ahtna people. Because
11 of loopholes in the regulations, there are now 50
12 plus, anywhere from 50 to 70 community subsistence
13 hunt groups which all come into our region during
14 the hunting season.

15 A community is defined as 25 people who
16 may or may not know one another or who may or may
17 not live in our region. We all compete for the
18 100 moose allocation for that hunt. While the
19 Community Subsistence Hunt is not perfect, it is
20 all we have that affords us an opportunity to hunt
21 for our people.

22 Special interest groups like Sports

1 Hunter Associations influence the Board of Game
2 and state policies. And the state does not
3 consult with us when making management decisions.
4 The state will not consider our traditional
5 knowledge or management or even the data that we
6 select.

7 The only way to meaningfully fix this
8 for Ahtna Incorporated is to have direct wildlife
9 management authority on our ANCSA lands. We have
10 the in house capability to manage wildlife on our
11 lands. We've been building our land department's
12 wildlife capabilities. We are blessed with
13 traditional knowledge and we have a wildlife
14 management plan. We do not want to be under the
15 thumb of the state or another federal agency. To
16 us, that is co-management. As you have heard for
17 the last several weeks, it doesn't work.

18 The State of Alaska, federal agencies
19 and other political leaders are aware of the issue
20 that a lot of people face, given that we are on
21 the road system. Our region is blessed with
22 abundant wildlife and our traditional lands which

1 is where hunters want to come.

2 Our hunters cannot compete with the
3 offroad vehicles and equipment that these hunters
4 bring in. When hunting season begin, the
5 non-local hunters come in and take the quotas
6 before our hunters even have a chance to get out
7 there. State management has met closures. Our
8 people must eat. To feed ourselves, our people
9 have been made to feel like criminals. Since
10 Alaska became a state, our hunters have been cited
11 by state officials and given citations for what
12 they have called illegal hunting and their fishery
13 has been closed or put on a weekend only schedule.
14 Our fishwheels have even been padlocked.

15 With a group of Pucah (phonetic) in 1978
16 who weren't about to put up with that nonsense and
17 one elderly woman shot a padlock off her fish
18 wheel. She had a family to feed. Ahtna has a
19 lengthy case law established that describes what
20 we do to provide food security for our people and
21 protect our land from trespassers during hunting
22 season.

1 Congress and the State of Alaska have
2 forgotten their promise to us. We were told in
3 our land claim that the State of Alaska would
4 provide for our traditional foods. Instead we
5 beg, we plead, we go to court and sometimes we get
6 written up for hunting and fishing. The state is
7 attempting to assimilate us to make us think we
8 are like other Alaskans. We are not. We will
9 never be.

10 We are Ahtna, the indigenous people of
11 the Copper River and Cantwell areas. We have been
12 here thousands of years. Our traditional lands
13 were some 24 million acres and after ANCSA, we
14 were left with 1.7 million acres, not all of which
15 has been conveyed. Our traditional foods are as
16 much a part of our culture and who we are as our
17 language, our lands and all we hold sacred. To
18 starve us out or make it difficult for us to get
19 our traditional foods is fundamentally wrong and
20 at its very core is racist.

21 The only solution is to give Ahtna,
22 Incorporated full wildlife management authority in

1 our ANCSA land period. We've waited long enough.
2 Thank you for this opportunity to share.

3 MR. NEWLAND: Thank you so much, Ms.
4 Anderson, for your forceful and clear comments to
5 us today. I appreciate you taking the time to
6 join us.

7 MS. THIELE: Sorry, I think there was
8 one question from the federal side really quickly
9 for Michelle Anderson before we move on.

10 MR. NEWLAND: Sure.

11 MS. LANDRETH: Yeah hi, this is Natalie
12 Landreth, Deputy Solicitor for Land. I want to
13 make sure I understand the statement so please
14 correct me if I'm wrong. Did you say that Ahtna
15 residents can currently only hunt with these state
16 led community subsistence hunts, is that correct?

17 MS. ANDERSON: No, I'm sorry and I
18 didn't mean to leave that impression. Ahtna
19 people worked with the Board of Game and worked is
20 a real generous term. They basically had to prove
21 to the Alaska Board of Game that this hunt was
22 needed to feed our villages. It took them two

1 years to prove there was a need. And then -- so
2 there is a community subsistence hunt with a quota
3 or allocation and then our people can also hunt
4 during the regular season as well.

5 MS. LANDRETH: Thank you.

6 MR. NEWLAND: Thanks, Natalie. Okay
7 we'll go, thank you, Ms. Anderson. We'll go to
8 our next speaker in the queue, Ms. Kuhns.

9 MS. KUHNS: Hello, I hope you can all
10 hear me just fine. Good morning and afternoon to
11 all of you, depending on your location today.
12 It's good to see you all on. On behalf of Calista
13 Corporation, we thank you, Secretary Haaland, and
14 the Department of the Interior for the opportunity
15 to submit comments both public and written.

16 My name is Tisha Kuhns and I'm the Vice
17 President of Land and Natural Resources for
18 Calista Corporation. I am from Bethel Alaska and
19 a tribal member of the Akiachak native community.
20 I also have Curt Chamberlin and Tim Schuerch on
21 the line as part of Calista Corporation's public
22 comment today so they may be queued at different

1 parts throughout this consultation.

2 As an Alaska native regional
3 corporation, this issue is very important to
4 Calista's stewardship of our ancestral lands and
5 natural resources as well as the health and well-
6 being of Calista's 34,000 shareholders with roots
7 in 56 tribal communities of the Yukon Kuskokwim
8 region. The communities are located along the
9 Yukon Kuskokwim Rivers and along the Bering Sea
10 coast for across an area the size of New York
11 State.

12 Calista shareholders include the tribal
13 citizens of these 56 federally recognized tribes
14 which is nearly one- quarter of all the tribes in
15 Alaska. The Y-Kia region is not connected by a
16 road system so you can expect that access to each
17 community is by airplane, river boat, by river ice
18 road and on the frozen tundra. Logistical
19 limitations make it difficult and costly to
20 provide even basic goods and services in our
21 region. Climate change and erosion exasperates
22 our lifestyle.

1 Subsistence remains a priority for
2 Calista and its shareholders. Food security today
3 relies on a mixed cash economy. It takes cash
4 income to afford the fuel and equipment and
5 supplies necessary to purchase aid and subsistence
6 hunting, fishing and gathering activities.

7 This past year, we saw a drastic decline
8 in salmon escapement on the Yukon and Kuskokwim
9 Rivers forcing fishing closures on communities
10 that rely on salmon during the winter months. The
11 State of Alaska, Calista, Bristol Bay Native
12 Corporation and other partners joined together to
13 donate 37,000 pounds of salmon to the lower Yukon
14 communities in September 2021 to alleviate the
15 loss of last years salmon harvest.

16 While we were able to come together to
17 share resources during hard times, the source of
18 the lower salmon numbers needs to be understood
19 and managed at the local, state, federal and
20 international levels. We recommend and fully
21 support scientific studies on increased artic
22 group funding to support our understanding of our

1 socio ecologic and socio economic systems that
2 support the health of Alaskan communities and to
3 support tribal representation on the Federal
4 Subsistence Board and other working groups for
5 these same efforts now and going forward.

6 While this is a quick overview of what
7 we are seeing and hearing from our villages and
8 tribes in the Calista region and hearing tribal
9 voices from around the state from earlier
10 consultations this week, our written comments are
11 very much united with many of the priorities you
12 have already heard.

13 Subsistence is our national right to be
14 a part of the arctic eco system and as caretakers
15 and stewards of our land, we support approaches
16 that combine science and traditional knowledge.
17 Calista will be answering all of the questions
18 outlined in the consultation letter.

19 Now I will hand off the mic to Tim
20 Shirk, second in our report, the next one after
21 me, who is Senior Counsel for Calista and also a
22 native village of Cayanna Tribal (phonetic) who

1 will be raising concerns on the 1996 Leschi memo
2 and the present day structural impediment it has
3 created to our local Alaska native tribal
4 participation and federal and game management.
5 Also on the line, we will have Kurt Chamberlain,
6 Associate General Counsel for Calista, who will
7 discuss his firsthand knowledge from the mill at
8 (phonetic) Kuskokwim and his subsistence history.
9 Thank you so much.

10 MR. NEWLAND: Thank you, Tisha, I
11 appreciate your comments. We'll actually, Tim, we
12 do have another speaker in the queue ahead of you,
13 so I just want to respect the folks who got in
14 line. We'll have a representative from Ounalashka
15 first and then you, Tim, and Tom Harris. Hallie
16 Bisset, I see you. Alaska, you're on the line. I
17 will come back to you in Alaska if you figure
18 something out with your computer. Tim, we'll put
19 you on the floor.

20 MR. SCHUERCH: Thank you and thank you
21 to Vice President Kuhns for her introduction. I
22 am Tim Schuerch. I'm an attorney for Calista

1 Corporation. I'm also a tribal citizen of the
2 native village of Cayanna. Calista, we would like
3 to express a concern regarding the 1996
4 Solicitor's Memo by John Leschi, former Department
5 of Interior Solicitor.

6 We've looked at this pretty closely. In
7 the Leschi Memo without authority interprets the
8 Indian Self- Determination and Education
9 Assistance Act in a way that imposes statutory
10 limits on non-VIA interior agencies is the
11 contracting of PFSA's to tribes. And we believe,
12 our perspective is the Leschi Memo is basically
13 flawed. It fundamentally misinterprets the phrase
14 inherent federal function and it does so in a way
15 that directly contravenes the plain language of a
16 number of provisions of the Self- Determination
17 Act itself.

18 Now this, the Leschi Memo, because of
19 these misinterpretations has frustrated the
20 congressional intent of ISDEA and also the
21 self-governance and rights of tribes for 25 years.
22 Because of the Leschi Memo, tribes have lacked the

1 ability to enter (phonetic) a contract for
2 subsistence related PFSAs of non-VIA interior
3 agencies. This lack of input, participation and
4 ability to manage hunting and fishing the tribes
5 have suffered has had a disastrous impact on these
6 resources themselves and also on the tribe's
7 ability, the ability of tribes and tribal members
8 to continue our traditional harvesting practices.

9 The Leschi Memo has wreaked a massive
10 amount of real world damage to our traditional
11 natural resources and our way of life. Something
12 has to be done. We respectfully ask the Interior
13 Solicitor to carefully review the Leschi Memo and
14 consider withdrawing or revoking it consistent
15 with ISDEA, other pertinent statutes, executive
16 orders, department policy and current Indian case
17 law. This simple administrative step the
18 Department could take would have a significant
19 impact on the ability of tribes to manage our
20 traditional resources on our traditional lands.
21 And we'll be following up on this in writing in a
22 little more detail. Of course, we would be happy

1 to follow up with you directly as needed. Thank
2 you.

3 MR. NEWLAND: Thank you so much, Tim, I
4 appreciate you raising that. In addition to Bob
5 Anderson on the line we also have (audio skip)
6 Office of the Solicitor as well so thank you.
7 Next, we will see if our friends from Ounalashka
8 have figured out or resolved any issues with the
9 muting and speaking. Ounalashka? We'll hold your
10 spot and go to our next speaker, Tom Harris.

11 MR. HARRIS: Thank you, Bryan. I would
12 ask that Hallie Bissett be in my place and I'll
13 trade with her. She has got a conflict that she
14 needs to attend to.

15 MR. NEWLAND: Okay. Hallie?

16 MS. BISSETT: Thank you, Tom. I promise
17 I won't take up a lot of time. I just have a few
18 comments. Of course, we'll be responding in
19 writing to all of the questions that you asked and
20 I do apologize for being late. I want to
21 recognize, I think it's absolutely fantastic that
22 the Secretary herself and you, Bryan, are here to

1 talk with us today about this very important issue
2 for all Alaska native people.

3 I just want to reiterate on behalf of
4 the -- first, I'll introduce myself, my apologies.
5 My name is Hallie Bissett. I am the
6 great-granddaughter of Chief Nicolie, member of
7 the Mountain Clan which later turned into Montana
8 Creek Group. It is now I'm a member of the
9 Cannick Tribe (phonetic) that was created as part
10 of some congressional legislation as well and I
11 run the Alaskan Native Village Corporation
12 Association.

13 So we represent 177 village corporations
14 that were created under ANCSA and I would just say
15 on behalf of all my members, this issue is one
16 that is near and dear to all of our hearts. It's
17 one that we are absolutely unified in the native
18 community on. We in terms of understanding
19 landownership which was a foreign concept to us in
20 and of itself, having gotten the land things
21 passed, was, you know, wasn't perfect. One of the
22 least favorite things that people tell me is ANCSA

1 is termination legislation. I'm like well don't
2 tell me like I don't know exactly what it was.

3 You know, there were a lot of things in
4 there that needed fixing and we're approaching a
5 50 year anniversary of that legislation. We
6 consider it a living document. We consider it a
7 subsistence rights of our people that were left
8 out of ANCSA as the number one issue that did not
9 get addressed. And I agree with Michelle, forget
10 about co- management. The idea we have of having
11 our own land and the rights to our land has
12 absolutely included the ability to manage our own
13 wildlife.

14 And our share with you just really
15 quickly a story about, you know, a conversation I
16 had recently with a staffer on The Hill about the
17 wildlife bill. I was explaining to him, you know,
18 we need the rural subsistence, the subsistence
19 preference for our people, for Alaska native
20 people to manage on our own lands. And he said to
21 me, well we can't have you just going outside your
22 house and shooting and any animal you want. You

1 know, the animals, the wildlife, they belong to
2 the public.

3 And so, so here I am in 2022 just being
4 introduced to the concepts that the animals belong
5 to the public of the whole United States. And I
6 thought I'd just bring that up because as I was
7 analyzing the state management of our wildlife,
8 you can see almost a 4 to 1, 6 to 1 ratio of
9 permits that are being given to people that do not
10 live in this state.

11 And so, the amount of permits being
12 allowed for even just poor communities, that
13 amount, that license for poor communities, the
14 number of licenses handed out has stayed at 400
15 licenses per year for the last 30 years. It does
16 not sound to me like the State of Alaska is
17 managing the wildlife in the best interest of the
18 Alaskan public.

19 And I wonder, you know, I don't have
20 anything against commercial fishing. It's a
21 livelihood that many of our people depend on. But
22 I do not believe that unless they're replenishing

1 the herd at four times the rate that they're
2 handing out these licenses, that is the
3 sustainable situation that we're in right now.
4 And the fix that they at (inaudible) would like is
5 100 percent management on the lands that we
6 receive and then not so that we can go outside our
7 house and shoot and animal. That is not the
8 concept that we have as native people. It is so
9 that we can manage sustainability of the herds
10 that we know the numbers of.

11 They like to say that we don't have it
12 science and they call it traditional knowledge.
13 And I said this in a DOE meeting yesterday, you
14 know, I took some advanced level biology courses
15 and college level courses in biology and various
16 different types of sciences. And, you know, if I
17 could sum it up, it's you form a hypothesis, you
18 test that out and if that doesn't work you try
19 something else and until you get in between some
20 kind of a statistical range of certainty of what
21 works and what does not. Well we've been doing
22 that too but just for, you know, hundreds of

1 thousands of years here in our home rather than,
2 you know, the hundred years that non-indigenous
3 people have been here.

4 I have elders tell me that they don't
5 even feed the little baby moose the right foods
6 and we are not allowed to feed the baby moose. If
7 we did that, we would go to jail. That's where
8 we're at right now in the State of Alaska and
9 that's unacceptable. So I think that, you know,
10 there are ways to get there. I think even as just
11 the state level and I know my friend Tom who is
12 very passionate about these issues will fill you
13 in a little bit more about private lands wildlife
14 management.

15 That kind of a concept, we're the only
16 state in the United States that doesn't allow for
17 that kind of a program to happen and I don't know
18 why, why is that? Is it because the only private
19 landowners are indigenous, does that make any
20 sense to anybody? It certainly doesn't to me. It
21 could be a revenue generating thing for our state
22 that's 100 percent reliant right now on oil. It's

1 a way to diversify our economy, it's a way to
2 replenish the herds. Because if you're
3 economically tied to it, the concept is that you
4 actually care about the supply of animals that are
5 available.

6 And so again, we will be following up in
7 writing. Thank you, Tom, very much, our honored
8 elder for allowing me to have your spot so I could
9 get to my other meeting and fight some other
10 issues for our people. Thank you for the
11 opportunity to speak to you today. Thank you for
12 attending everyone of you that's on the call.
13 This is an absolutely important issue and we hope
14 to one day reach the goal that Michelle
15 articulated so well. Thank you all.

16 MR. NEWLAND: Thank you so much, Hallie,
17 I appreciate that. I just want to respond very
18 briefly to one thing you raised about tribal
19 knowledge or traditional knowledge. You know, we
20 often either within the scientific discussion, we
21 often categorize what native people know as
22 traditional ecological knowledge which we all know

1 is just a different way of saying science done by
2 native people.

3 And we are trying to make sure that we
4 are better incorporating that into our science
5 driven federal decisions both here at Interior and
6 across the government. We do have an inter-agency
7 agreement that was announced at the Tribal Nation
8 Summit on traditional ecological knowledge and
9 building that into our federal processes. So I
10 just appreciate you reinforcing that. I had
11 somebody tell me once that data is just a fancy
12 word for information and we've all got information
13 available to us that our people have accumulated
14 over generations and generations so thank you for
15 that.

16 I know that we have because high speed
17 internet is so difficult to access for so many
18 people across Alaska, we have a number of you
19 joining by phone. And I understand that in this
20 format, it can be difficult for you to get in the
21 speaker's queue. So if you joining us by phone
22 and you wish to speak, you can prompt that by

1 pressing *9. That will put you in the speaker
2 queue and I will recognize you by the last four
3 digits of your phone number. So again, if you are
4 joining us by phone today, please press *9.

5 All right, our next speaker, I know we
6 got a little bit out of order. The next speaker
7 that I had was Karen Linnell. And if our friends
8 from Ounalashka have been able to resolve their
9 issues, we'll go to you after Karen.

10 MS. LINNELL: Sorry, good morning.

11 MR. TUTIAKOFF: Can you hear me now?

12 MR. NEWLAND: We can hear you. We're
13 going to have -- we have Karen Linnell up and then
14 we'll come back to you.

15 MS. LINNELL: Because of their
16 connection issues, they can go ahead and go now
17 while he's got connection. That will be fine.

18 MR. NEWLAND: Okay that works. Thank
19 you, Karen. Ounalashka, you're up.

20 MR. TUTIAKOFF: Yes, good afternoon or
21 good morning. This is Ounalashka Corporation. My
22 name is Vince Tutiakoff, Sr. I'm the Chairman of

1 the Board. I'm also a former member of the Kodiak
2 Pollutions Subsistence Board and Chair for many
3 years. My concerns are not enough funding for the
4 federal agencies to do their jobs out in our
5 region up in our area. The other one is in
6 regards to all of the comments that have been
7 made. We support all of those comments. They are
8 important to us.

9 Our fisheries issues are not as -- are
10 more important to us than the actual hunting. It
11 has done a lot on the sea out here. We don't have
12 any large game in our area but I know that other
13 parts of our region and others do have hunts.

14 My concern is that the state control
15 that's been prevalent in most of the communities
16 I'm hearing and regions is an issue and we need to
17 resolve this in order for native people to
18 continue to have access to fisheries, to large
19 game. We're being cut off and I agree that
20 they've been cited. In fact, I've been cited for
21 hunting myself by the State of Alaska. I found it
22 very discouraging that I was hunting for community

1 at the same time but we learned from that
2 experience not to be around the state when they're
3 out running around also.

4 So it's kind of -- I'm sorry about the
5 connection that we have and I want to thank the
6 Secretary of Interior Haaland for being part of
7 this discussion. We want to find a resolve to all
8 these issues that the native people have in
9 Alaska. It's very discouraging to hear some of
10 the things that are being -- that we don't hear
11 our here as much. But we support you and we want
12 to let you know that we're here to try to help and
13 resolve these issues. Thank you very much for the
14 opportunity and again, sorry for the connection.
15 We're in and out as everyone knows with this
16 system. Thank you very much.

17 MR. NEWLAND: Thank you so much and
18 please don't apologize for connection issues. I
19 think that speaks to a related important issue
20 that we need to build out our broadband
21 infrastructure to reach so many of your
22 communities. So thank you for that and for your

1 patience with us. All right, I will turn it back
2 to Karen now. And my apologies if I'm
3 mispronouncing anyone's name.

4 MS. LINNELL: Thank you. For the
5 record, I guess, as I've just come from testimony
6 at the Department or the Board of Game, my name is
7 Karen Linnell. I'm the executive director of
8 Intertribal Resource Commission. I am Chief
9 (inaudible) and I have seen from Chief (inaudible)
10 on my Tlingit, and Ahtna, and Athabaskan sides
11 there. I spent the last week at the Alaska Board
12 and Game meeting in Wasilla where we had at least
13 a dozen tribal citizens, leaders and Atrick
14 (phonetic) staff speak to the proposals before the
15 board.

16 Because of that testimony this time we
17 were able to protect our community hunt under
18 state management that Michelle Anderson spoke to.
19 There were many proposals to improve it and then
20 because the Board of Game did not meet in 2021 or
21 2020, they opened up the call for proposals again.
22 And that's when we saw two proposals come forward

1 to eliminate that community hunt based on
2 misinformation.

3 And often we get called racist in this
4 group because we ask for a hunt to be managed
5 according to customary traditional practices.
6 There was a community use pattern recognized in a
7 single or individual household use pattern that is
8 recognized. And so those are the things that we
9 were fighting to protect.

10 And I'm glad that you brought up the
11 broadband connectivity issues as there has been
12 several proposals put before the Board of Game to
13 make applications for some of the hunts online
14 only. And until there is equity in internet
15 access, we can't let that happen.

16 I'd like to say that while we're glad to
17 have the MOA signed by the Deputy Secretary of
18 Interior and on Intertribal Resource Commission in
19 November 2016, there has not been any clear
20 direction and method for implementation of the
21 MOA. We'd like to see a step down implementation
22 plan at each of the agencies that we work with

1 with the Park Service, with Bureau of Land
2 Management as to how they will help to implement
3 this memorandum of agreement.

4 After four years of working through the
5 Federal Subsistence Program bureaucracy, ARPRC was
6 able to manage its first federal community harvest
7 system hunt in 2021. We had 40 participants in
8 the first year with 0 moose harvested and 0
9 caribou harvested as of yet. I say the federal
10 bureaucracy because when it was negotiated with
11 the Solicitor here in Alaska at the Federal
12 Subsistence Board and at the OSM level, he --
13 they've said that it can't be done when he was the
14 key negotiator in it.

15 And so, it's very frustrating that we
16 had to go to such lengths and attend at least 8
17 Federal Subsistence Board meetings and twice as
18 many regional advisory committee meetings to get
19 approval in each step of the way to report on
20 progress in order for this hunt to happen. There
21 was also some misinformation given out at the
22 beginning regarding the process and it wasn't so

1 much that what they were saying it was how they
2 were saying it and it was in a negative tone. And
3 so therefore, led to reluctance in signing up for
4 their hunt.

5 In regards to appropriations for Alaska
6 subsistence and the programs that ARPRC, the
7 Kuskokwim River Intertribal Fish Commission, Yukon
8 Intertribal Fish Commission work through the
9 funding goes through the central office. And
10 often it's close to the end of the year before
11 that funding is released to us. This funding for
12 2021 while it was authorized and should have been
13 distributed in early or late, you know, right
14 after October 1 in 2020, we didn't get it until
15 September 13, 2021, near the end of the fiscal
16 year.

17 While it, you know, we appreciate the
18 funding and stuff it shouldn't take nearly a year
19 to get that funding after it's been authorized. I
20 believe if this funding were sent directly to the
21 Alaska Regional Office, it wouldn't be the case
22 and that we'd have -- and they do have a better

1 understanding of subsistence issues in Alaska and
2 who is doing what here with these different
3 entities that are eligible for that funding.

4 We'd also like to see more of the
5 agencies participating in the 638 contracting
6 option. For the last several years our
7 Intertribal Resource Commission has spent time
8 building capacity to be the stewards of the land.
9 Integrating traditional knowledge with western
10 science. We have an anthropologist to interpret
11 and quantify some of what we say so that others
12 can understand. We have a wildlife and a
13 fisheries biologist and are right now in the midst
14 of hiring an ecologist to help us study the
15 habitat.

16 It's sad that we have to hire somebody
17 to interpret what our elders have been saying for
18 years in observation of the resources and what
19 they see. And then pairing what they see with
20 western science and quantifying it and getting it
21 reported back. We have been working to fill
22 information gaps, gaps in data to better inform

1 fish and wildlife management.

2 We have a study happening now where
3 we're working on a carnivore project and it
4 actually is a true collaboration with the state of
5 Alaska and the University of Alaska Fairbanks,
6 Ahtna Incorporated and AITRC. And this study
7 started at an Ahtna meeting with all of our
8 villages and an elder asked the question why are
9 allowing bear baiting on Ahtna land. We don't
10 even know how many bears are out there and he was
11 concerned about the resource.

12 Because of that, Ahtna and AITRC
13 partnered on a small study outside of Glenallen in
14 a 26 square mile area setting 26 hair snares. And
15 the Department of Fish and Game said we'd be lucky
16 to see one bear. Well, we had 30 distinct bears
17 based on DNA sampling. And so because of that
18 question, in the last couple of years we've got a
19 study going on that's encompassing the entire Game
20 Management Unit 13, a true collaboration effort.
21 And we'll be peer reviewed outside of the State of
22 Alaska which is really important. Part of it is

1 just lending to credibility. You can't peer
2 review something with your own agency, it's not a
3 peer review.

4 Michelle Anderson spoke briefly to the
5 reliance on state data for management and that's
6 something that I think that we need to look at.
7 Everything has been status quo. This year it was
8 not so noticeable as when we were looking at the
9 data presented by the Department of Fish and Game
10 regarding salmon return on the Copper River. And
11 we took the numbers that were given to us by the
12 state, put it into a single chart rather than
13 having it spread amongst multiple charts which is
14 common amongst their presentations and were able
15 to point out that the amount necessary for
16 subsistence was not being met in the north end of
17 the Copper River, the headwaters.

18 And so, when we presented that
19 information to the Wrangell-St. Elias National
20 Park who is the federal manager for the Copper
21 River, they were rather surprised. They had been
22 looking at those same numbers presented by the

1 Department for years and saying it's okay,
2 everything looks good. When we put it into this
3 other chart, they were a bit surprised at what
4 they saw.

5 It's not typical and so we feel that
6 gathering your own information is an important key
7 for management. You have to take ownership of
8 your responsibilities and having organizations
9 like the Kuskokwim River Intertribal Fish
10 Commission and Intertribal Resource Commission,
11 the Yukon River Intertribal Fish Commission,
12 they're good partners to help manage those
13 resources.

14 Our MOA in this idea to help with
15 management of resources came long ago and we've
16 been working on this for well over a decade now.
17 I think that we've got potential to take on more
18 responsibilities. Right now in the MOA allows for
19 cooperative management on federal lands which was
20 not the original intent in negotiations. It was
21 to get management of Ahtna lands and, you know,
22 that's still our wish and our people's wish to be

1 able to use the land for what it was selected for.

2 While our Ahtna tradition territory is
3 roughly 28 million acres, we only own 1.7 million
4 acres of it. And being able to look at that and
5 use it is key. I'd also like to thank the lady
6 that spoke earlier about state land selections.
7 They're at 95 and 98 percent of their entitlement
8 and already have clean title to that. There was a
9 20 percent over selection that they had and that
10 over selection should have been reduced all along
11 as their percentage of ownership came in. There
12 is absolutely no incentive for the state to
13 relinquish their over selection because they get
14 to manage it.

15 BLM interprets it as an encumbrance on
16 the land and that's why they're not managing it.
17 But we don't get to manage lands under selection.
18 I don't understand why the state gets to manage
19 lands that are under selection. And I think that
20 this is something that can be dealt with rather
21 quickly by setting a deadline for them in their
22 finalization of their entitlement. I know there

1 is over a million acres of over selection on a
2 traditional territory. This would be a great
3 benefit to us in our ability to hunt and subsist.

4 I guess we'll definitely submit
5 comments. I'm starting to ramble so I'll stop.
6 Good to see you all Dave and Raina and thank you,
7 Madam Secretary for joining us as well, I really
8 do appreciate it.

9 MR. NEWLAND: Thank you so much, Karen,
10 I appreciate your comments as well. In
11 particular, I appreciate you highlighting 638
12 contracting as a tool. You're the second person
13 today who has raised 638 contracts. That is not
14 something that we've heard a lot about in our
15 previous consultation.

16 MS. LINNELL: I do think that, you know,
17 there is opportunity for tribal organizations to
18 help further things along. You look at what's
19 been done with our healthcare system when the
20 tribes took over our healthcare system, greatly
21 improved the care that we get for our people and
22 it's pennies on the dollar compared to what was

1 done through federal management. And so, so much
2 more can be done and I just really encourage that,
3 you know, the other agencies step up in using that
4 outside of the BIA. Thank you.

5 MR. NEWLAND: Thank you so much. I have
6 hands raised from Tom Harris, Curtiss Chamberlain
7 and Jaeleen. I just want to note that Curtiss and
8 Jaeleen, I want to make sure that those are not
9 legacy hands and I want to make sure that we've
10 got others who can speak who haven't had an
11 opportunity yet if it's your intention to speak
12 again.

13 If you are joining by phone and you wish
14 to speak, you can hail our attention and get
15 yourself in the queue by pressing *9. Tom Harris.
16 I think I had skipped you inadvertently. I
17 apologize.

18 MR. HARRIS: Thank you. No worries.
19 (Speaks in Native Language). The RS knows me as
20 Alpha Thomas Harris. I'm the last grandson raised
21 by the last matriarch of the Tongass Tribe. We
22 have the honor to -- I have the honor to serve as

1 an election officer at the KPAS (phonetic)
2 Corporation and I'm also CEO of Knikatu, the
3 village corporation in Wasilla. Both are ANCSA
4 corporations. At the Tongass Tribe, we were the
5 first Alaskan Tribe to be contacted by the United
6 States Government, the first Tribe to be
7 photographed. The first Tribe (audio skip) and
8 our Chiefs were the first Alaska natives to be
9 incarcerated for life by the United States
10 Government, protecting our rights to feed
11 ourselves.

12 The Tongass National Forest was named
13 after us. However today, it is illegal to feed
14 ourselves from that forest as we have done for
15 more than 14,000 years. Our elders shared with us
16 the legends of undersea villages and the times
17 when we traded our harvest from South America to
18 the Kamchatka Peninsula. In September of 2014,
19 Canadian scientists discovered one of our under
20 water village sites, exactly where our elders said
21 it was 300 feet below the surface of the ocean.

22 They located by the site finding our

1 houses (audio skip) our fish traps on the ocean
2 floor. It is estimated by those Canadian
3 scientists that it has been nearly 14,000 years
4 since that site was above water. We don't claim
5 to be the oldest. We are the grandchildren of the
6 Abaskan Tribes (phonetic). So if we're 14,000
7 they are far older than we are.

8 Please know that we are grateful for
9 this opportunity to share this and I will provide
10 my comments in writing. We have -- you'll hear us
11 talk about many things and one of the things that
12 we talk about is completing interests and
13 competing interests. As tribes, we're raised to
14 work with competing interests. We face a nation
15 and a society that celebrates independent
16 competing interests as supreme. And that's where
17 we see many of the conflicts.

18 As we bring these issues forward, you'll
19 hear this phrase used time and time again. As a
20 child, I remember hearing our elders weep for the
21 90 percent of wildlife resource that was Alaskan
22 when they were children were lost. Seven decades

1 later, I myself am in that same position with 90
2 percent of the wildlife as I remember is gone. In
3 those days, the elders clearly identified the loss
4 as directly attributable to the independent
5 competing interest of our nation's leadership.

6 MR. NEWLAND: Tom, you were glitching in
7 and out. I think your connection was spotty. I
8 just wanted to let you know, I missed the last 10
9 or 15 seconds.

10 MR. HARRIS: Okay. Our elders
11 identified that the conflict way back when was
12 interdependent competing interests. Right now,
13 we're dealing it with a time where we once had 10
14 months of annual harvest. All too quickly, that
15 became 10 weeks. And many of our villages are
16 down to 10 days and some of our villages is 10
17 minutes. The moment that King Salmon swims into
18 your net it's over.

19 As Alaska Native Corporations, we are
20 the largest landowner group in America. Yet it's
21 legally impossible for us to harvest our
22 traditional foods from our own land. We're only 8

1 percent of the prison age population. We're 42
2 percent of the prison population. We're 70
3 percent of the homeless population. And you
4 understand that ANCSA Corporation shareholders are
5 those people and they're landowners.

6 Alaska has the highest rate of homeless
7 and incarcerated landowners in our nation's
8 history and it's not going down. Also note that
9 Alaska natives have the highest rate of voluntary
10 enrollment in the United States military. Those
11 same soldiers have been failed to acknowledge by
12 their own government for their contribution and
13 native allotment claims are held up.

14 As I'm anxious for our people, I'm also
15 anxious for our land. There is an old saying, you
16 take care of the land, the land will take care of
17 you. We're not taking care of this land. We feel
18 we are seeing Alaska in the throws of what may be
19 its first death rattle. What may be a 7
20 generational slide which it may never recover.
21 Certainly not in our lifetimes. I'm confident
22 that you will be told, oh this is merely the

1 delusion of an old man and that everything is just
2 fine in Alaska. Not to worry, you'll be told.
3 There's much more important, more pressing issues
4 to attend to.

5 I urge you take what is said here not
6 with a pinch of salt but with a pound of salt as
7 used to preserve the truth, not season it. As you
8 do the research, you will find the following as
9 fact. More wildlife was harvested within 50 miles
10 of Washington, D.C. than was hunted by hunters --
11 harvested by hunters in the entire 365 million
12 acres of Alaska.

13 Now I'll say this again. Within 50
14 miles of Washington, D.C. where many of you sit,
15 more wildlife was harvested by hunters. The Kenai
16 Peninsula during the Hammond administration
17 reported 2400 moose being harvested. In 2012,
18 that harvest was down to 66 moose. The community
19 of Oxtan (phonetic) used to harvest 650 moose a
20 year. It's now down to moose a year and half of
21 that harvest goes to federal and state employees
22 (phonetic). This past year, the mighty Yukon

1 River, second largest river on the continent was
2 closed to King Salmon. This was once the primary
3 food source of the Yukon villages. We faced the
4 harshest winter and paid the highest price for
5 food imported in the nation. Also the highest
6 price for energy. I will tell you, the Kenai and
7 the Susitna River are not far behind.

8 The community in Ketchikan, once the
9 proud salmon capital of the world, my home town,
10 no longer even has a King Salmon derby. Yet the
11 same King Salmon species was transplanted from
12 Alaskan and Washington waters (audio skip).
13 They're having a bang up year harvesting our King
14 Salmon in New York State, New York State. They
15 have a higher bag limit for King Salmon because of
16 the work the United States government has done to
17 seed these in the rivers of the Great Lakes. Oh
18 by the way, that seeding they used Alaska
19 traditional knowledge to do that.

20 The agencies of the State of Alaska and
21 the United States government know about this
22 tremendous loss, they've known for decades. And

1 it's been hidden like a terrible little family
2 secret. Most recently in a federally funded
3 report funded through the federal aid in wildlife
4 restoration dated 2011, the State of Alaska
5 Department of Fish and Game published the findings
6 effectively recasting 15 years of wildlife harvest
7 data. When was the last time you heard somebody
8 recast 15 years of harvest data. In which they
9 restated and inflated Alaska's wildlife harvest
10 records.

11 I have to thank Karen Linnell for
12 bringing up that issue. Request the reports now.
13 In those reports, they were inflating, in some
14 cases, 100 percent and I will quote to you their
15 citing's for why it was done. These were based on
16 unreported harvests of the A, D, F and G
17 subsistence position door to door survey and other
18 sources. Across the state and every village you
19 went door to door? I think we would have heard
20 about it.

21 What's more damaging is that the bulk of
22 the inflated data was primarily focused on native

1 community. And those communities, the inflation
2 was over 100 percent. I restate that while I'm
3 extremely concerned about this wildlife and what
4 it means for our tribes, our state and our nation,
5 I'm as much concerned about this loss as it means
6 to the Alaska biosphere and the biosphere of the
7 ocean that surrounds Alaska.

8 Since first contact with the United
9 States government, trillions of metric tons of
10 biomass as represented by salmon no longer cycling
11 back and forth from fry to spawn are missing.
12 Trillions of metric tons. We now have hundreds
13 and thousands of miles of ocean, river and lake
14 shorelines that have less than 2 percent of their
15 traditional nutrients. The nutrient loss impact
16 on both the land and sea habitats is unmeasurable
17 and compounding daily.

18 Regrettably instead of effectively
19 dealing with this issue in an ethical and
20 completing interest manner, certain employees of
21 both the federal and state agencies have elected
22 to focus accusations on blaming Alaska natives for

1 over harvesting. As if 15 percent of the
2 population could possibly out harvest 85 percent
3 of the rest of the population. By the way, that
4 85 percent of the rest of the population is better
5 financed, better equipped, and in charge of
6 wildlife management and writing the regulations.
7 The concern we have is deeper and I apologize if I
8 offend anyone by this needs to be said.

9 MR. NEWLAND: Mr. Harris, I'm sorry to
10 interject. I know that you had an opportunity to
11 share these thoughts at our session last week and
12 I do appreciate them and I want to encourage you
13 to submit in writing.

14 MR. HARRIS: I will go to one final
15 comment.

16 MR. NEWLAND: I just want to note too
17 we've got a number of folks in the queue and
18 limited time left. Thank you.

19 MR. HARRIS: One final comment and I
20 will reinforce the request of Ahtna. Ahtna is
21 right on the money on this. We need to have the
22 right to manage wildlife on our lands like every

1 other state in the nation has for its citizens.
2 There may be a claim that we may have given up our
3 aboriginal rights but I have to ask for the record
4 did we give up our citizen rights?

5 If we had this land in any other state
6 in the nation, we would not be the least
7 productive wildlife state in the nation and we can
8 document that. And in order to make that happen,
9 I'm asking the agencies to conduct a national
10 resource inventory of Alaska both the historic and
11 present wildlife resources to study this
12 inventory. It's been done 21 times in the lower
13 49 states, 21 times. It's never been done once up
14 here and we can document the losses.

15 I'm anxious that this be done and I
16 thank you for giving me an opportunity to comment.
17 This will be in written format to the agencies and
18 I want to also say a thank you to the folks in
19 your group who have been wonderful to deal with.
20 You've got lots of people whose hearts are in the
21 right place and are making openings where they
22 can. But what's going on here in Alaska and I

1 will quote Congressman Young. What we've got here
2 is not right and should not be happening. No
3 Americans have more access to wildlife than we
4 have. No habitat in America that is now the least
5 productive like here in the nation. Thank you for
6 allowing me to speak. I appreciate that, thank
7 you.

8 MR. NEWLAND: Thank you, Mr. Harris and
9 I intend no disrespect by interjecting. I just
10 want to make sure that with our limited time, we
11 have an opportunity for folks to give their
12 statements on the record who haven't had an
13 opportunity yet. We have five speakers in the
14 queue, a fifth speaker is a phone number ending in
15 7022. So I just ask our speakers to recognize we
16 have 30 minutes left in our scheduled time. I
17 have a little bit of flexibility to stay on for a
18 few minutes so we can wrap up but I do encourage
19 you to be respectful of others. So Jaeleen, I
20 know you're reading a comment from someone else,
21 I'll turn to you followed by Cheryl.

22 MS. KOOKEESH: Thank you for the

1 opportunity to speak again. This time it's not
2 for myself. I appreciate the indulgence. Our
3 (inaudible) was hoping to make this statement but
4 she's, like many people, wearing many hats today.
5 And she is also a board member emeritus of
6 Sealaska Corporation (inaudible). And she works
7 very hard with the ASM Subsistence Committee on a
8 consistent basis as well. She wanted me to read
9 this statement for her.

10 And it has to do with the importance of
11 having those who are knowledgeable about
12 subsistence activities in Alaska to be a part of
13 the administration would be part of the management
14 administration with regards to subsistence. And
15 it's a recommendation for the fish and wildlife
16 service regional director as well as the NOAA
17 Alaska regional administrator and this is her
18 statement.

19 We are recommending in strongest terms
20 that if there are fully qualified Alaska native
21 candidates for these positions that expert
22 consideration be given to them. And further, if

1 qualified natives are not selected through this
2 process, that the agencies explain to the Alaskan
3 Native Tribes, organizations and corporations who
4 are a key player, what is a consideration and if
5 so, what weight did it have.

6 For the record, both ASN (phonetic) and
7 (inaudible) have become managers on marine
8 mammals, or at least management of marine mammals,
9 recommended Eugene Peltola, Jr. for the Fish and
10 Wildlife Service Alaska regional director
11 position. Mr. Peltola has a long career in U.S.
12 Fish and Wildlife Services which has included work
13 in law enforcement, biology and wildlife rescue
14 management and subsistence management which is
15 very important to the Alaska community.

16 He has demonstrated a record of working
17 hard for the native community and we believe that
18 he is qualified. We hope that the agencies will
19 consider strong candidates with subsistence
20 experience. I will note that Mr. Peltola is not
21 aware of this and I know he's on the call and this
22 is on behalf of (inaudible). So thank you for

1 your indulgence.

2 MR. NEWLAND: Thank you so much Jaeleen,
3 I appreciate that. I appreciate your time with us
4 today. Next up will go to Cheryl and following
5 Cheryl we'll have Donald.

6 MS. BOWIE: Are you able to hear me?

7 MR. NEWLAND: Yes.

8 MS. BOWIE: You can, okay thank you. My
9 name is Cheryl Unguuiq Ann Bowie. I was born in
10 Inupiaq, Alaska. My parents are Carl Richard
11 Bowie and Roselyn Norton. You guys probably would
12 be more familiar with my grandparents, James and
13 Juanita Norton. Anyway, I just have a quick
14 bullet list.

15 I belong to the Nenana Corporation and
16 (inaudible) Corporation and I just have a very
17 small bullet items and I'm not speaking on behalf
18 of any of my tribes, just as an individual. I
19 think we need to focus on equal rights in tribal
20 law regardless of race and I think that we need to
21 break down the shareholders by incarceration and
22 adjust native preference to stop some of that.

1 And I think that we need to legalize unapproved
2 drugs and for law enforcement education and
3 training in these.

4 So a lot of the states are participating
5 and Alaska in too in legal marijuana model and
6 down here, they actually tax it for cultural and
7 scientific facilities. I live in Colorado now
8 because I had to move for medical reasons. And
9 so, I think that what we need to do is we need to
10 (audio skip) --

11 MR. NEWLAND: Cheryl?

12 MS. BOWIE: -- how we operate and I
13 think --

14 MR. NEWLAND: Cheryl.

15 MS. BOWIE: Yeah?

16 MR. NEWLAND: I'm sorry to interject. I
17 just want to make sure we're directing your
18 comments at subsistence policy.

19 MS. BOWIE: Yes, I am, I'll get there.
20 I mean everybody else also talked about these
21 things. I'm literally just wrote these bullet
22 points in response to other people bringing up

1 these exact issues, shareholders and
2 incarceration. And the fact that they're getting
3 fined for wildlife and hunting but we can't get
4 response for law enforcement. And so I'm updating
5 you on the different models that are happening in
6 governance, not just the one that everyone is
7 familiar with.

8 Down here, that is changing and the
9 oversight is changing in Tribal law. And so, I
10 think that we need to take a look at those things
11 because you guys are going to start getting a lot
12 of money for these. So the tribes down here are
13 getting more money for these and things are
14 changing down here. Most people down here operate
15 individually, not in these programs.

16 And like down here in Colorado, the bulk
17 money goes to like the big colleges and
18 institutions and like the tribal clinics are off
19 in a really poor part of town in public housing.
20 And so, there's just access needs to be viewed
21 differently. We need to be looked at in how we're
22 living and not just the way that it's been deemed

1 that we're living. And we need to think about how
2 that impacts shareholders that might be being
3 displaced by climate change like people from the
4 arctic.

5 I'm from the arctic and I have to live
6 in Colorado and I don't have access to the kind of
7 healthcare that I need in Alaska and that's not my
8 fault. But oftentimes if you step out of these
9 programs, you kind of -- you kind of get like
10 banished from your tribe. So those are the things
11 that I've come up with is equal rights in tribal
12 law regardless of race.

13 We need to review the different economic
14 models and the research models that we're using in
15 our programs including in wildlife management and
16 our healthcare research. And that might be kind
17 of going against other laws and standards like the
18 Beaumont Report. So typically, you know, the kind
19 of research that we do with our tribal clinics,
20 they do mirror CDC laws but the difference is we
21 don't provide healthcare to everybody.

22 MR. NEWLAND: Cheryl, I regress. I'm

1 going to actually have to move to our next
2 speaker. I apologize for doing this with our
3 limited time, we need to hear from designated
4 representatives from the folks we have to consult
5 with. I apologize. Thank you. Our next speaker
6 we have is Donald Standifer.

7 MR. STANDIFER: Hello, I'm trying to get
8 my video on here. My name is Donald Standifer.
9 I'm here on behalf of Tyonek Native Corporation.
10 And there is approximately 7 or 8 villages here in
11 Cook Inlet Alaska. Tyonek is located some 45 air
12 miles from Anchorage on the west side of Cook
13 Inlet. Tyonek was one of the first ones to file a
14 lawsuit against the State of Alaska for
15 subsistence. I think it was 1979 or '80 somewhere
16 in that area. I was involved at the time.

17 We have traditionally hunted and fished
18 and harvested clams and fished halibut in the Cook
19 Inlet for subsistence needs from before the
20 Russians were here. We also used to hunt the
21 moose over in Kenai Anchorage area, Sitka and due
22 to increasing pressures over the years, we've been

1 reduced to a small size now where harvesting our
2 moose, for example, in the Tyonek area and south
3 of here. It used to be one of our favorite places
4 used to be north of here but there's just too many
5 people coming in from Anchorage and other areas.

6 Something interesting happened a couple
7 years ago. During our lawsuit against the State
8 of Alaska, we had to prove customary traditional
9 use and we had to hire a bunch of people. We had
10 to do all kinds of stuff to prove that we had --
11 we took videos to prove we were a customary
12 conditional user. Well a few years back, all
13 these people started coming from Anchorage and
14 Kenai fishing in our area and we couldn't do
15 nothing about it because they're not on our land.
16 They're taking part of our allocation so why
17 didn't they have to prove customary traditional is
18 my question.

19 And I just thank you guys for taking a
20 look at this as it's really important to us. We
21 believe in the federal government to strengthen
22 our subsistence hunting and fishing over there.

1 There's even been on the moose, there's even been
2 a fishing guide up there. He converted lodge into
3 subsistence hunting. Why are people coming from
4 Anchorage and Kenai and so on and so forth and
5 they have this place and provide transportation
6 for them to go around and get their moose.

7 And right now, we appreciate the
8 strengthening subsistence from the federal
9 government. There is one other thing too like on
10 the climbs for example. Further south of here and
11 something on the east side happened with all the
12 climbs over there over in Pie Gulch (phonetic) and
13 the Kenai area, south of Kenai area. Guides over
14 there are taking people over to the west side
15 where we usually traditionally climb and we're
16 getting very concerned about that.

17 So one of the things I'd like to see is
18 like the community harvest and that's
19 traditionally what we've done. We traditionally
20 climbed for those people that couldn't afford to
21 go down there and give it to our elders and so on
22 and so forth. I'll just keep it real short. I

1 know we're running out of time so I just wanted to
2 give my two cents. Thank you.

3 MR. NEWLAND: Thank you, Mr. Standifer,
4 I appreciate it. I'm actually so we have three
5 speakers in the queue. We have 15 minutes left.
6 I'm going to leave it at the folks who are
7 presently in the queue and I'm going to shift it
8 up a little bit to make sure we hear from folks
9 who haven't had an opportunity to speak yet. So
10 if you are joining us with phone number ending in
11 7022, the floor is yours. From there, I will move
12 to Eva Burke and then I will stay on the line for
13 Curtiss Chamberlain. 7022, you can unmute your
14 phone by pressing *6.

15 MR. KRUEGER: Thank you for the chance
16 to provide comments on subsistence which is a
17 really our way of life out here. My name is Ron
18 Krueger, Sr. I'm the president of (inaudible)
19 Corporation for Ambic (phonetic). I'm also an
20 Ambic Tribal Council member and I have some
21 comments to make on some key issues that are
22 important to us out here.

1 The most important thing the Department
2 of Interior could do for subsistence for my
3 village is to recognize that land use decisions
4 have severe consequences for subsistence.
5 Critically important to me and my village and
6 tribe, DOI must revise the Bering Sea Western
7 Interior Resource Management Plan passed the last
8 day of the Trump administration.

9 Never before has BLM created a plan like
10 this for ACECs designates protective subsistence
11 resources and BLM recommends lifting all of the
12 protective public land orders to ANSCA 17(d)(1)
13 which makes all the land we depend on subsistence
14 available to any developer with a mining claim.
15 Every time there is a claim or a piece of land
16 becomes unavailable for subsistence use is (audio
17 skip). The village corporation is working with
18 Ambic Tribe which is a member of the Bering Sea
19 Interior Tribal Commission.

20 The Tribal Commission has asked
21 repeatedly for BLM to fix the Bering Sea Plan.
22 The Tribal Commission has also asked BLM to make

1 regulations for areas that are of critical
2 environmental concern, ACECs. So that ACECs won't
3 be fully eliminated again without explanation of
4 the public purpose for that decision.

5 The Tribal Commission has asked BLM to
6 retain the ANSCA 17(d)(1) public landowners on
7 tribally nominated ACECs to protect subsistence
8 resources and uses. Our village corporation
9 support this. Our corporation and the Tribal
10 Commission also ask BLM to use the most current
11 science in its evaluation of the plan and the ACC
12 did not do this. These decisions have huge
13 consequences for indigenous people's subsistence
14 resources and uses and the Agency needs to correct
15 a great wrong done by the last administration by
16 fixing the Bering Sea Western Interior Plan.

17 There needs to be coordination between
18 federal land management plans, federal climate
19 change policy and federal subsistence management.
20 This should meet several of your Department of
21 Interior Executive Order 14008 changing
22 commitments to tackle climate change and

1 coordinate among agencies and bureaus. We have
2 additional comments and will put them in writing.
3 Thank you.

4 MR. NEWLAND: Thank you so much and
5 thanks for flagging that management plan. Next,
6 we will go to Eva Burk and then to Curtiss
7 Chamberlain.

8 MS. BURK: Hello, this is Eva Burk.
9 Again thank you for letting me speak. I am the
10 Vice Chair of Tagachilli (phonetic) Corporation,
11 the Village Corporation in Nenana and I am on the
12 Land Committee. And I think there was a comment
13 being made but I think we do need to in the
14 question about how can federal agencies better
15 cooperate. It's also federal agencies cooperating
16 with one another so I think there is a real
17 connection between health and access to land and
18 traditional food and there is research that backs
19 that up.

20 So I think we need to be coordinating
21 that, you know, realizing we need those health
22 dollars that benefit our culture. One of the

1 things we do here attend (phonetic) a Chief
2 conference is we do culture camps where we take
3 kids out and we teach them how to harvest from the
4 land and process and preserve their traditional
5 food and do culture.

6 And then this is specific to question
7 number 5, what difficulties have you experienced
8 in accessing. You know, we have shifted to a
9 mixed economy so we do use motorized equipment to
10 hunt, fish, gather. And so, when you don't have
11 the economic opportunity to purchase that
12 equipment and fuel, you don't have access.

13 So by having higher numbers of health
14 disparities and incarceration, that directly
15 affects our ability to access and many of the men
16 are in the system and not being given the chance
17 to become providers. So I feel like we really
18 need to make that connection between health and
19 these culture camps and getting people who might
20 not normally have access, including our urban
21 people, a chance to reconnect with place and
22 reconnect with our people in the land. So I just

1 really wanted to make that connection between
2 health and culture so thank you again.

3 MR. NEWLAND: Thank you so much, Eva,
4 for those comments. And then we will turn to
5 Curtiss for our last comment today and before you
6 take this mic, just a reminder that we are
7 accepting written comments as well. The
8 information is in the chat here. We are accepting
9 written comments by February 15, 2022. And those
10 of you joining by phone, I will read the email
11 address where you can send those comments right
12 now. I want to make sure you have a moment to
13 grab a pen if necessary. You can send written
14 comments to consultation-ak@ios.doi.gov by
15 February 15th. Again, that's
16 consultation-ak@ios.doi.gov. Curtiss.

17 MR. CHAMBERLAIN: Okay, I've got a lot
18 to say. I'm going to try to be as fast as I can
19 because I have a feeling we're looking at a hard
20 cap here. So my name is Curtiss Chamberlain. I'm
21 a member of the Aniak Tribe and Calista
22 shareholder. I previously served as a member of

1 the (inaudible) Corporations board of director.
2 I'm here speaking on behalf of Calista as its
3 associate general counsel.

4 I first want to thank everyone for
5 giving me the opportunity to speak today. I have
6 more written out but I'll be quick and apologize
7 to the person transcribing this. I'm here to
8 present anecdotal evidence of my observations to
9 the effects of climate change on the subsistence
10 lifestyle crash really within in the Yukon coast
11 and drainage. My comments today are going to be
12 focused on questions 1 and 5.

13 MR. NEWLAND: Curtiss, I'll just say, I
14 will hear you out for your comments. Please take
15 your time.

16 MR. CHAMBERLAIN: Slow down, okay.

17 MR. NEWLAND: I'm taking notes as well.

18 MR. CHAMBERLAIN: Okay. So again, my
19 apologies. So I'm here to focus on questions 1
20 and 5. In the form of painting a broader picture
21 of the changes to our traditional way of life and
22 the urgency of the crisis our people are facing

1 using my perspective as an example. And with the
2 remaining questions being represented in our
3 written comments.

4 As a recovering trial lawyer, I'll try
5 to keep it brief but that may be beyond my
6 abilities. I'll do my best though. It's commonly
7 said and it's readily agreed upon in the YK region
8 that subsistence, in Alaska really, subsistence is
9 the lifeblood of native Alaskan communities.
10 However, in this case, native Alaskan communities
11 and Yukon Coastal Delta are bleeding out. Our
12 resources have been disappearing for decades and
13 they're now on the verge of total collapse.

14 I want to go into my story a little. I
15 spent my early years living off the land in a
16 cabin just outside of Aniak. I spent my summers
17 in a fish camp. Our lifestyle was 100 percent
18 subsistence through year 10. My family obtained
19 most of our resources from fishing, hunting and
20 gathering. We spent our springs hunting fowl,
21 summers hunting and fishing, harvesting and drying
22 fish, fall gathering berries and hunting, winters

1 hunting, trapping and ice fishing.

2 Alaska natives and this has already been
3 said, I'll just glam over this, has successfully
4 managed the resources on the YK delta for
5 millennia. In our region, it was once flushed
6 with flora and fauna and our people are able to
7 harvest what they needed and share with the
8 community what they don't. Even today, 90 percent
9 of the household regions within the YK delta rely
10 upon subsistence food for their needs.

11 Like our ancestors, my family made a
12 point of sharing our catch with the community. We
13 would get a boat load of fish, dry fish every year
14 and we would give away over half of that which to
15 a 10 year old like me who had to go out and work
16 was kind of a pain. But at the same time, it
17 worked for us and it helped the elders in our
18 community. My grandmother, being the prime
19 example, she was widowed before I was born and
20 having had only a third grade education, her
21 freezer was still over full.

22 She never worked a day in life except

1 she raised 15 children and deserved a break. But
2 the community always took care of her and we
3 always did that. And when my parents got older,
4 they were able to reap that same benefit as well.
5 This least year, the younger people in our
6 community would bring wood and fish for them in
7 the winter. They'd come and shovel out the -- it
8 was a harsh, harsh winter. We had neighborhood
9 kids come and shovel out their driveway. And
10 that's the culture we grew up in.

11 I started subsistence fishing around age
12 6. I learned to operate a boat at age 6. I moved
13 to commercial fishing in 1987 when I was 10 years
14 old. In the early 1990s, the salmon population
15 began to decline, starting with the massive crash
16 in 1993. By 1994, the commercial fishing industry
17 in the middle coastal area collapsed completely.

18 The remainder of the fishery in the
19 coastal harbor and this is public record, you can
20 easily research this, just limped along for a
21 couple decades before pretty much completely
22 collapsing in the last two years with the Alaska

1 governors issuing disaster declarations for both
2 Yukon and Kuskokwim areas. It's already been
3 covered in infinite detail here so I don't need to
4 go too crazy on this.

5 But the losses weren't just limited to
6 commercial fishing. As the years progressed,
7 coastal residents faced subsistence limitations as
8 well. The salmon population continued to decline.
9 Residents of the Yuko Kuskokwim region began to
10 incur restrictions and were ultimately prohibited
11 from collecting Shinnok salmon entirely.

12 Initially, when I was growing up, the
13 other fishermen would blame it on over fishing and
14 false passes. As the years came on, other targets
15 came in such as bi-catch and what we're seeing
16 here and climate change also. With climate
17 change, you know, one of the biggest theories is
18 higher temperatures are resulting in increased
19 ocean acidity which harms shellfish and plankton
20 in turn leaving less food for fish.

21 And the subsistence loss is not just
22 limited to fish but game as well. When I was in

1 high school, there was a herd of caribou within a
2 day's snowmobile ride from Aniak. The herd moved
3 around the time I graduated from high school and
4 has never returned. They moved north to better
5 hunting grounds because the grounds in our area
6 ended up melting and refreezing which made it
7 almost impossible for the herd to access the
8 lichen in our region.

9 Warming has contributed to the reduction
10 of wet land which obviously reduced the available
11 habitat for water fowl and small fish like Black
12 Fish in our area. But it also increases the
13 likelihood of forest fires in our region.
14 Increases outbreaks of spruce bark beetles and
15 when that happens, reduces habitat for the other
16 game.

17 As the forest serves for the base of
18 food in our food chain, this distress will move up
19 and affect all levels of the food chain. And I
20 want to use an example for those of us who have
21 been in Alaska in the last year, you'll notice
22 when we have the extremely warm summers, we saw

1 the trees getting distressed. Trees were turning
2 brown in August due to the hot temperatures and
3 that affects every level of the vegetation and it
4 affects all aspects. That's just the canary in
5 the coal mine.

6 And so, global warming and climate
7 change are affecting all levels of life in Alaska.
8 As we know, Alaska gets hit three times as much as
9 the lower 48 or the lower -- the more moderate
10 climates in terms of global warming.

11 And I want to move on to the winter
12 months. In the winter months, those were my
13 favorite times of year. The whole country would
14 open up. You'd be able to use dog sleds and
15 snowmobiles to go out hunting. In the summer,
16 you're limited to the rivers. In Aniak, the one
17 road goes in a circle. Once the winter opened up,
18 it opened up a whole new ecosystem for us to hunt
19 and gather with so we don't over tax our systems
20 we have. Ice fishing also added, you know, there
21 are large number of winter runs.

22 However, as it has warmed up, the ice

1 has become less stable. Our winter travel is
2 dependent on firm and solid ground to travel on.
3 It got so bad because the 300 race had to be
4 shortened due to poor ice in recent years. So as
5 a result of the destruction in our subsistence
6 ways of life, many of the Yukon coastal timber
7 region have been forced to rely on grocery stores
8 as the region's resources grew limited. However,
9 good costs are exorbitant in the YK region.

10 As another speaker said, the food costs
11 and energy costs are among the highest in the
12 nation. Shipping and this is when I was in high
13 school, shipping anything in the region cost \$2 a
14 pound and it has probably gone up since but I
15 haven't shipped anything into the region in a
16 decade. The last time I was in the Yukon coastal
17 region, I saw a gallon of milk cost \$18.

18 And this is likely when Raven Air
19 declared bankruptcy in 2020. That complicated a
20 limited infrastructure to our region where there
21 was difficulty obtaining flights and getting
22 flights to go in. As a result, a lot of the fresh

1 foods were spoiled and they were never great to
2 begin with. A common complaint many people have
3 in the area, fresh food tends to spoil when
4 waiting to get flown out, especially to the more
5 remote villages.

6 As a result, many of the native Alaskans
7 in our region were forced to abandon their
8 cultural diets because many foods from the stores
9 were high in preservatives and low in in
10 nutritional content. Due to increased costs, the
11 residents were forced to purchase food based on
12 price, not nutritional value which negatively
13 impacts the health of the community.

14 Native Alaskans suffer from a myriad of
15 health concerns. They're diagnosed with Type II
16 diabetes at rates three times the rate of their
17 White peers. They have the highest rates of
18 colorectal cancer in the nation and they have
19 alarmingly high rates of heart attacks and
20 strokes.

21 From a cultural standpoint, climate
22 change plays a big part in the destruction of the

1 traditional ways of life. As with climate change
2 and other external factors, nutritional resources
3 become scarce. And with the YK region having one
4 of the highest poverty rates in the nation, many
5 of our tribal members have been forced to move out
6 of region. This in turn leads to an erosion of
7 our cultural traditions and loss of our values and
8 language.

9 As much as it pains me to admit it, I'm
10 a prime example of this. I left the region after
11 high school as my way of life eroded and the
12 fishery had collapsed. I had no reason to return.
13 The economy had collapsed. It was again, giving
14 no reason to return. And now I'm in my middle
15 ages and I'm fighting tooth and nail to
16 reintroduce my heritage and my way of life to my
17 children which is one of the reasons why I ended
18 up folding up a law firm that I owned for 10 years
19 and took a job with Calista Alaska. This is my
20 effort to bring culture back to my children and
21 preserve my way of life.

22 With respect to the question posed by

1 the Department, we'll outline our proposed changes
2 and requests in writing where we can more fully
3 expand upon our options. However, we want to make
4 clear that subsistence needs seem to have taken a
5 back seat throughout the years and we feel it
6 should be given an equal or greater priority to
7 commercial fishing.

8 When looking at this from a financial
9 perspective, everyone tends to look at the tax
10 revenue commercial fishing generates. But when
11 you look at the health impacts to poor diet, to
12 loss of the way of life and the cultural pressures
13 that many of our people spoke to. I think Mr.
14 Harris spoke a great deal to how that's affected.
15 We have high incarceration rates and mental
16 illness, substance abuse. All of those can be
17 related and tied back in way to the disruption of
18 our culture.

19 If we can make an effort to do that,
20 that will eliminate a considerable amount of costs
21 that the government, state, local and municipal
22 governments incur trying to offset these damages

1 that have occurred. Granted I can't blame all of
2 this on global warming or on climate change but it
3 plays a factor and it's part of a large scale
4 thing.

5 Now I want to emphasize, however, that
6 when we're going to subsistence, it's meaningless,
7 it has to be at the front of the line if the
8 resources are not preserved and saved. There's no
9 benefit to being the first in line to a broken
10 water fountain. In some ways, climate change
11 changes on subsistence is glaringly obvious and in
12 other ways it's not so. You know, the bulk to
13 salmon, that's under water, nobody can see it,
14 nobody can really feel it. It's a hard area to
15 evaluate.

16 However, our purpose today is to
17 emphasize the important of preserving that
18 subsistence way of life for us. The salmon are
19 absolutely critical to maintaining our health, our
20 culture, our way of life and even our economic
21 stability. I think quite frankly when it comes
22 to, you know, everyone comes out with ideas. From

1 a personal standpoint, I'm speaking on behalf of
2 myself and not on behalf of Calista, I don't care
3 what it is as long as it works. If you can do it
4 without us where you find a magic bullet that
5 doesn't involve cultural knowledge I don't care,
6 get the fish back in the water. That is the
7 ultimate -- that is the issue of paramount
8 importance for our people. Because without the
9 fish, those fish and the resources within our
10 region are the glue that keep our communities
11 together.

12 I left because there was no glue there
13 and it kills me to this day to be separated from
14 my people. It's something of paramount
15 importance. I came down and I was running a law
16 firm in Las Vegas for 10 years but I'm not home.
17 My home is up in Alaska and I'm dying to be back
18 up there and I'm dying to reembrace my culture and
19 pass it on to my children. But without those
20 resources there, that glue that holds that
21 community together is going to fail and so, I want
22 to close on that.

1 MR. NEWLAND: I was going to say, we're
2 going to start to lose other federal agency
3 officials very quickly so I just wanted to make
4 you aware of that.

5 MR. CHAMBERLAIN: I'm finished.

6 MR. NEWLAND: And that's a good note to
7 finish on about how important it is to revitalize
8 our traditional life ways and create an ability
9 for us as native people to continue to live our
10 tribal life ways which requires us to have a
11 homeland and a tribe. And to support our
12 resources, we need to support our ways of life. I
13 want to thank you, Curtiss, for sharing your
14 thoughts with us as well as everybody else who
15 took time out of your day today on a Friday late
16 in January in the winter for joining us in these
17 consultation sessions.

18 I want to just recap some of the common
19 themes that we've heard throughout the past few
20 weeks, in particular, that need to do something
21 about the declining salmon and caribou populations.
22 Addressing by-catch and the impact of commercial

1 fisheries on subsistence users. We heard a lot
2 about criminalizing tribal life ways and the
3 policing of subsistence fishing and harvest.
4 Heard a lot about the need to make improvements to
5 the relationship between the federal government
6 and the tribes in Alaska and have a management
7 regime that is respectful of tribes and indigenous
8 peoples.

9 And then heard a lot of stories from
10 folks about what you are all observing with your
11 own eyes when it comes to climate change and the
12 impact on your lands and waters. There are many
13 more comments that we heard, those are just some
14 common themes I just wanted to share here. Please
15 submit written comments if you wish to us again at
16 consultation-ak@ios.gov by February 15th. I want
17 to make sure I'm providing an opportunity for my
18 colleagues from other agencies to share some
19 parting words before we wrap up today. Heather
20 Dawn, do you have anything you want to add?

21 MS. THOMPSON: I just wanted to echo
22 Bryan from the USDA and thank everybody for being

1 here on your Friday. I think one of the most
2 interesting things is the unanimity, the
3 consistency from the listening session to the
4 tribal leaders to the ANCs on these topics and on
5 the solutions to address them. That's unusual in
6 Indian country where we have a lot of different
7 competing views on things sometimes but that is
8 the one thing that has really stood out to me
9 having sat through all of these different
10 consultations.

11 So I think that provides a really strong
12 path going forward. So I just really wanted to
13 thank you all for your time, for your advocacy on
14 your way of life. Thanks so much, Bryan.

15 MR. NEWLAND: Thanks Heather Dawn.
16 Karen and friends from NOAA, do you have anything
17 you want to add?

18 MS. KRYC: I'm happy to rereport both
19 what Bryan and Heather just said and I want to
20 just thank everyone for their time and for sharing
21 your thoughts. I also want to say because I was
22 completely remiss at the beginning, I forgot to

1 introduce my own self. I'm Kelly Kryc. I'm the
2 Deputy Assistant Secretary for International
3 Fisheries at NOAA and I also serve as the Senior
4 Arctic Lead for NOAA. So these conversations are
5 especially relevant for all of my work and the
6 work of my colleagues. I have taken copious notes
7 and will relay all of this back to my colleagues.
8 Thank you so much.

9 MR. NEWLAND: Thank you, Kelly. See I
10 have this kick with phonetic sounding names and
11 sometimes misspeak. Kelly, thank you so much for
12 your thoughts and for sticking with us. Raina,
13 any parting words before we close up?

14 MS. THIELE: Thank you, Bryan. I just
15 to say thank you again to everyone for
16 participating and we look forward to taking some
17 next steps on these wonderful recommendations.
18 Thank you very much.

19 MR. NEWLAND: Thanks, Raina. Thank you
20 everybody. I wish you all good health and
21 wellness in the coming weeks for you and your
22 families and your communities. I hope you have a

1 restful and warm weekend and we look forward to
2 being able to visit with you in person when it's
3 safe to do so. Thank you so much. That concludes
4 our consultation.

5 (Whereupon, at 5:25 p.m., the
6 PROCEEDINGS were adjourned.)

7 * * * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

CERTIFICATE OF NOTARY PUBLIC

DISTRICT OF COLUMBIA

I, Mark Mahoney, notary public in and for the District of Columbia, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

(Signature and Seal on File)

Notary Public, in and for the District of Columbia

My Commission Expires: May 31, 2022

