

B.4.H
Supplemental Tribal
HVT Comments
"Reference
Only"

MEMORANDUM

DATE: 13 October 2000
TO: Darcy Baldy
FROM: George Kautsky
CC: Duane Sherman, Leonard Masten, Mike Orcutt
SUBJECT: Council Motion on 2000 HOOPA TRIBAL FALL CHINOOK
FISHERY
ATTACHMENT: Council Resolution 93-51

Given the motion made today by Tribal Council to reaffirm the 1993 Tribal Council resolution on Tribal harvest allocation, I have framed the language and attached the 93 resolution for your consideration.

"The Council moves to reaffirm Resolution 93-51 of the Hoopa Valley Tribe
"establishing an inter-tribal fall chinook harvest allocation between the Hoopa and
Yurok tribes. Further, the conditions of Resolution 93-51 which were specific to the
1993 management season apply equally to the 2000 season."

RESOLUTION OF THE HOOPA VALLEY TRIBE
HOOPA INDIAN RESERVATION
HOOPA, CALIFORNIA

RESOLUTION NO: 93-51

DATE APPROVED: MAY 24, 1993

SUBJECT: ESTABLISHING AN INTER-TRIBAL KLAMATH FALL CHINOOK HARVEST ALLOCATION BETWEEN THE HOOPA AND YUOK TRIBES.

WHEREAS: The Hoopa Valley Tribe did on June 20, 1972, adopt a Constitution and Bylaws which was approved by the Commissioner of Indian Affairs on August 18, 1972, ratified by Act of Congress on October 31, 1988, and amended on June 19, 1990 and, by tribal law, the sovereign authority of the Tribe over the matter described herein is delegated to the Hoopa Valley Tribal Council, acting by resolution, and

WHEREAS: Pursuant to Article IX of the Constitution of the Hoopa Valley Tribe, the Tribal Council did enact the Fishing Ordinance of the Hoopa Valley Tribe, Ordinance No. 2-76, as amended, for the purpose of managing the fishery resources of the Tribe; and

WHEREAS: The Tribal Council has developed and implemented management programs through its Tribal Fisheries Department and Department of Public Safety and has demonstrated it's capability to manage it's fishery resource; and

WHEREAS: Since 1980, the Tribal Fisheries Department has participated in local, regional and national activities to develop integrated, comprehensive programs and projects that are designed to manage the Tribal fishery resources on a "gravel to gravel" basis; and

WHEREAS: Nothing in the Hoopa-Yurok Settlement Act, P.L. 100-580, regulates or otherwise determines the appropriate allocation share, or process for determining such share, for either the Hoopa or Yurok Tribes, of the harvestable surplus of fall chinook salmon of the Klamath and Trinity Rivers; and

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ALLOCATION BETWEEN THE HOOPA AND YUROK TRIBES.

NOW THEREFORE BE IT RESOLVED: That the Hoopa Valley Tribal Council, in exercising it's control over the Hoopa fishing rights and related activities, has determined that the inter-Tribal allocation of harvestable fall chinook salmon between the Hoopa and Yurok Tribes for the 1993 fishing season should be divided on a fifty-fifty (50/50) equal sharing basis of adult Klamath fall chinook.


BE IT FURTHER RESOLVED: That the Tribal Chairman is authorized to transmit this resolution to the Sacramento Area Office of the Bureau of Indian Affairs.


BE IT FURTHER RESOLVED: That the Tribal Chairman is authorized to execute any documents with the federal, state and local agencies necessary to carry out this policy.

C E R T I F I C A T I O N

I, the undersigned, as Chairman of the Hoopa Valley Tribal Council do hereby certify that the Hoopa Valley Tribal Council, composed of eight members, of which seven were present constituting a quorum at a special meeting thereof; duly and regularly called, noticed, and convened, and held this twenty-fourth day of May, 1993; and that this resolution was duly adopted by a vote of six for and none against, and that said resolution has not been rescinded or amended in any way.

DATED THIS 24TH DAY OF MAY, 1993.


DALE RISLING, SR, CHAIRMAN
HOOPA VALLEY TRIBAL COUNCIL

ATTEST: 
KIM H. NORTON, EXECUTIVE SECRETARY
HOOPA VALLEY TRIBAL COUNCIL