



Hoopa Valley Tribal Council
Natural Resources Division
Fisheries Department
Post Office Box 417 • Hoopa, California 95546
(530) 625-4267 • FAX (530) 625-4995

11 March 2002

Dr. Donald O. McIsaac, Executive Director
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

Dear Dr. McIsaac:

RE: Tribal Representation on PFMC Advisory Committees

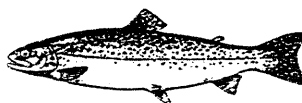
The Hoopa Valley Tribe (Tribe) is transmitting this letter in response to an inquiry initiated by Mr. LB Boydston of California Department of Fish and Game on 27 November 2001 regarding procedures for designating representatives from Yurok and Hoopa Valley tribes to the SAS and HSG (attached). The Tribe maintains that alternating these appointments between the two tribes provides the best opportunity for each to protect its interests in the PFMC process. This has been the protocol observed for several years with regard to the SAS. We support the observance of the same protocol for the HSG seat which represents Klamath Basin tribal interests.

As observed by Mr. Boydston, the motion, which set indefinite terms for appointees to these subcommittees (Motion 28 of September 2000), acknowledged the concept that Klamath Basin tribes alternate their representation. In 2000, the Tribe sought to affect this rotation by appointing me, the Tribe's Fisheries Director, as the California tribal representative on the SAS for a term of three years. This appointment was not acted on by the PFMC and instead, the Yurok Tribe retained its representative's position. Similar to the alternation of appointees to the SAS between these two Klamath Basin tribes, we would support the appointment of a Yurok Tribal representative to the HSG in my place where I currently represent Klamath Basin tribal concerns. After three years, the Tribe would provide you with its nominee for the HSG and in six years, we would again recommend our representative to the SAS. This would effectively alternate California tribal representation on both subcommittees on a tri-annual basis.

The Tribe's position on this issue has been consistent and in accordance with PFMC intent. The PFMC has received the Tribe's letter of nomination identifying me as nominee to SAS (letter addressed to you on 13 October 2000). It is important to the Hoopa Valley Tribe that the California Indian Tribal Representative be experienced in resources management and have a practical as well as technical appreciation for the complexities of salmon management. As described in the nomination, my skills and experience are demonstrated. I attained my B.S. in Fisheries at Humboldt State University in 1984 and have served as the Tribal Fisheries Program Director since 1988. During my tenure, I have regularly attended meetings of the PFMC as technical advisor to our Tribal Council.



PACIFIC LAMPREY



STEELHEAD



GREEN STURGEON

Dr. D. Mclsaac
3-11-02
Page 2 of 2

In conclusion, the Hoopa Valley Tribe has recommended me to fill this SAS appointment in recognition of my experience, stature in our government, and willingness to work cooperatively with diverse resource user groups. This letter is intended to resurface this issue and again request that PFMC act to appoint me as California Indian representative to the SAS. If appointed, I would be a strong asset to expressing California Indian concerns in salmon issues.

For the purpose of future correspondence, I may be reached at the letterhead address.

Sincerely,



Michael W. Orcutt
Director

Cc:
LB Boydston
CDGF, 1416 Ninth Street
Sacramento, CA 95814

Dave Hillemeier
Yurok Tribe Fisheries Department
15900 Hwy 101 N
Klamath, CA 95548

Jim Harp
Quinault Indian Nation
PO Box 57
Amanda Park, WA 98526-0057

PFMC members

Mr. Dave Hillemeier
Fishery Biologist
Yurok Tribe
Fisheries Department
15900 Hwy 101 N
Klamath, CA 95548

Mr. Mike Orcutt
Representative
Hoopa Valley Tribe
PO Box 417
Hoopa, CA 95546-0417

Gentlemen:

The issue of which tribe should be seated on the PFMC's SAS and HSG panels has yet to be resolved. It is my understanding that the Yurok tribe wishes to retain the SAS seat and the Hoopa tribe wishes to rotate the seat, as we have done in the past.

I have reviewed the motion that fixes the terms of agency and tribal members' indefinite tenures (attached). The motion clearly indicates the Yurok and Hoopa tribes have an "arrangement" to rotate their people on the panels.

This indefinite tenure situation is reflected in the Council's Operating Procedures (also attached).

I am writing to request that the tribes settle this matter before the March Council meeting. Even if the Yurok Tribe is set on retaining the seat, my recommendation to the Hoopa Tribe is to bring this matter up at the March Council meeting during the public comment period. This would likely result in Council vote to decide the matter.

Here are some options for you both to consider:

1. Rotate the SAS and HSG seats, as in the past, every cycle (now every 3 years).
2. Same as 1. but do the rotation more often.
3. Let the Council decide it.
4. Let the KFMC decide it with the tribes abstaining (or some other agreed upon procedure).
5. Let another party or group decide it (a party or group the tribes can agree on).

If the tribes have already reached an agreement, I retract this letter. If not, please begin the negotiations. Let me know if I can help. I am available to fly up and meet with you both, or whomever is empowered to make this decision. I can also arrange a meeting place and invite agreed upon individuals or representatives.

Sincerely

LB Boydston
Representative

cc: John Coon
Pacific Fishery Management Council

