
N C T C A

Northern California Tribal Chairmen's Association

May 18, 2011

Secretary John Laird
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Honorable Secretary Laird,

Representatives of several North Coast Tribes met with you on April 7, 2001, and since that meeting, the North Coast Tribes have continued to work diligently on efforts to craft an administrative measure that will protect the ability of the Tribes to continue traditional tribal uses of marine resources on the North Coast. To this end the Northern California Tribal Chairman's Association (NCTCA) has approved a motion to submit the attached draft memorandum of understanding (MOU) and accompanying draft regulation to you as a proposed administrative resolution. This proposal would protect these critical tribal traditional uses in a manner consistent with the unanimous recommendation of the North Coast Regional Stakeholders Group and the Blue Ribbon Task Force.

We are confident that this proposal demonstrates that protection of the traditional tribal uses is consistent with the overall goals of the Marine Life Protection Act (MLPA) and builds upon the MOU alternative we have discussed in several meetings and the cultural landscape memorandum provided by tribal legal counsel. This proposal provides a mechanism for the Tribes and the Department of Fish and Game to work together in a collaborative effort to protect both the traditional tribal uses necessary to maintain the integrity of the North Coast cultural landscape and the natural marine resources on the North Coast. Under this proposal the North Coast Tribes join with the Resources Agency as partners to bring our expertise and resources to bear in the effort to protect these cultural and natural resources.



Blue Lake Rancheria



Elk Valley Rancheria



Hoopa Valley Tribe



Karuk Tribe



Resighini Rancheria



Smith River Rancheria



Trinidad Rancheria



Yurok Tribe

The Chairman's Association would also like to clarify three important points. First, traditional tribal uses are sacred practices conducted to sustain our cultures and the health and well-being of our tribal members. Because the MLPA does not expressly recognize tribal uses, the proposed draft regulation treats traditional tribal uses as a subcategory of the category of recreational use. However, this should not be seen as affecting the vital role traditional tribal uses play in our culture and physical well-being. Second, the protection of traditional, religious, subsistence and cultural gathering does not require the use to be exclusive. Third, the Chairmen's Association expressly reserves any and all rights of the Tribes within our ancestral territory and this proposal in no way cedes, or is to be interpreted, as ceding any such rights.

We want to thank you for your ongoing interest and leadership in developing an administrative mechanism to assure continued Native American uses within the North Coast regulations implementing the Marine Life Protection Act. We look forward to reviewing this proposal with you as soon as a meeting can be arranged, and we would be interested in any updates you can provide us regarding the ongoing efforts of the Natural Resources Agency.

Sincerely,



Thomas O'Rourke, Chairman

Yurok Tribe



Kara Miller, Chairwoman

Smith River Rancheria



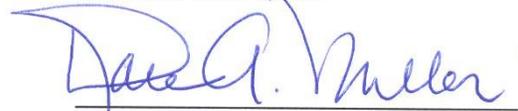
Ted Hernandez, Chairman

Wiyot Tribe



Garth Sundberg, Chairman

Trinidad Rancheria



Dale Miller, Chairman

Elk Valley Rancheria