

March 12 Council/Aquatics Meeting 10AM

Dave, Arnold, Marcella, Andy, Pete, Charlene (Misti absent)
Kevin, Jeff Dickison

Aquatics: Jason Koenig, Glen Parker, Craig Parker, Rick Peters, Joe Seymour, Kurt Post, Julie Owens, Jill Krise, Rose Boggs, Kim Zachary (and other half), Ben Parker, Rhonda Foster, Walter Lorentz, Tully Kruger, Andrea Sigo, Steve Sigo, Rose Krise, Steve Sigo Jr., Jake Sigo, Barb Henry, Vicky Kruger, Casey Krise

(a sign in list was passed around and the following signed in: Jason Koenig, Don Smith, Daniel Jake Johnston, Jeromy Meyer, Rose Krise, Steven Robert Sigo Jr., Kim Zachry, Glen Parker, Craig Parker, Rick Peters, Rhonda Foster, Joe Seymour, Andrea Wilber Sigo, Steve Sigo, Lawton Case, Tully Kruger, Kurt Post, Vicki Kruger, Julie Owens, Jill Krise, Rose Boggs, Walter Lorentz, Casey Krise ((plus one illegible signature)).

Dave called the meeting to order at 10:10 a.m.

Dave assured that Council will not close the fishery but will make a decision on the regs, but may not be fair for everyone, but will strive to make it fair for most.

Pete offered the prayer.

There is enough committee members present for a quorum.

Dave brought up one suggestion of 500 pounds to be held back for diggers. 500 pounds taken off now. Discussed a physical test in June/July that will give some time for safety training. The testing will start this year. This will help the safety for all divers. Nothing else will be changed. Tully asked about the testing process; Dave stated that the test can be done any time. Council has not decided what would be a good month to have the test done by, Andy suggested July is a slow month. Must dig 18 clams and patrol will go down and watch.

Next question is how many more divers to let in? Dave suggested allowing 20 new divers in. The safety test will be done each year.

Jill asked about the test; will it affect everybody, including those with temp. medical disability issues. Dave stated that has not been discussed. Jeff reminded that in the community meetings the committee assumed that the temp. medical waiver will be in place such as pregnancy and temp. medical issues. The permanent medical waiver is no more. Jill asked what a temp. medical is considered; Jeff stated that two years is temp. Julz stated that it cannot exceed two seasons and can only have one in a lifetime. Jill asked how to report a temp. medical waiver. Andy reminded that it needs to be a doctors note and that will be turned in to fisheries. Fisheries will report to the monitor.

Craig verified the 18 ducks for qualification number in a 30 minute period. Rose thought it was 10. Craig does not know what a fair number would be; he felt that 10 was merely a number. He feels the number is irrelevant; the main part is that the diver needs to dive

and get a duck. Rhonda reminded that in the past she heard 10 ducks in an hour, now its 18 in half hour, or 10 in half hour.

Arnold stated that a year ago Council directed a decision be agreed upon by now by the divers, now Council is put on the spot for making the decision when the decision should have been made by the divers. Dave mentioned that the two divers on Council are not voting. Arnold doesn't know what would be fair since he is not a diver. This regulation should have been worked on last year.

Rose Boggs stated that as the last aquatics meeting they pretty much came to an agreement, the only thing they did not agree on is how many new divers. She thought they agreed on 10 ducks in half hour agreed upon by consensus at the aquatics meeting.

Kevin reminded Council of the questions that were not decided on (#5-8)

Steve suggested to be fairer would be a test on time and location instead of number of ducks. He said the time of day makes a big difference and it could throw a test if it's the wrong time of the tide.

Andy stated there is not test day; only a deadline which will be August.

Walter asked how to run a test. Ray stated that there will be a form of contacting and law enforcement. Will dive with and certify that diver. This will provide integrity of the test. Have until April-August. There needs to be scheduling with law enf. Of the test. Law enf. Needs to conduct a fair test, the law enfo will dive with the tester.

Dave asked how many new divers to let in. Jason suggested he would like to see four divers brought in with the phase out program. Then bring in one or two a year. He would like to see the lowest amount coming in with a half quota. He feels that it would be best for the fishery. 8 people would be fine, but 16 would be too many and would take away too many pounds away from the current divers.

Arnold asked how to determine; Jason suggested doing a drawing with the ones who are ready. Arnold stated what if there is someone waiting for the fishery and are not diving now, which would not be fair. Jason is referring to the assistance divers. Arnold would like to make it fair for everyone in the tribe. Jason stated a drawing would be fair.

Andrea stated that a certain amount has been set aside for those who need to learn. She explained the tier system, there are four tiers and suggested making a 5th tier for someone to work their way in to the fishery. This was already voted on.

Rose Krise agreed with Andrea, she thought that was already agreed upon, she is all for the tier system. There was a quorum at that meeting.

Steve Jr. brought up the focus of implementing a replanting of the product. If they replanted since it is a renewable resources and it wouldn't matter how many are in the fishery.

Dave agrees; Council discussed this and the discussion was put on hold. Expensive fishery.

Need more funding to keep this fishery going.

Jake stated that a lot of things need to overcome in order to become a diver; there are a lot of money and time to get in to a fishery. He feels 1000 pounds for a new diver is fair since it is hard. If a new diver can meet the requirements great. He doesn't want to see the door closed for new divers.

Steve believes that if there was proper enforcement out there this problem would straighten itself out. Charlene would like the divers to educate the officers. Steve suggested one officer each boat. Need to keep the honest people honest.

Jason fears that this fishery would blow up and too many divers are in. He doesn't want to see only 1000 pounds. There should be a limitation on it. He doesn't want to see the door opened too much.

Arnold stated that its hard to know what's going to be out there.

Tully agreed with Jake, everyone wants to be a diver but not everyone can be. There are some people who truly cannot do it and will give up. Need to let in a few people at a time, let 10-11 people in and let them even see if they can do it. Not everyone can. So many people want to do it and don't know if they can until they try. Those who cannot do it let them drop and bring in someone else. The test is hard. It's hard to dive that deep in the dark. Some can do it, some cant.

Charlene stated that there are a lot of members looking at the divers and want to do it. They look at the divers since it's a dangerous job. She has ideas of diversification; there are opportunities for divers to use their skills elsewhere also. They have opportunity to bid on tracks for the state for more income. She would like to see the resources replanted, she wishes that was started earlier. She would like to see the divers replant. She reminded that as tribal members, they have the right to go diving, reminded that all tribal members have that right and asked for the respect of the others who cannot get in.

Walter reminded that there are dangers, but there are some experiences he has had diving that he will never trade. He will never give up and it's his livelihood by choice. He would hate to see it decreasing.

Charlene shared that she is proud of her tribe and is one of the healthiest tribe. She feels its important for people to be honest with themselves about diving.

Jason stated that is what the phase out program is about. He also would like to see week day fisheries. If the door is opened all the way it will turn in to a weekend fishery and it will not be worth it.

Rose stated that we can't assume that everyone will even qualify. Not everyone will make it.

Marcella agreed with the 4th tier they went through a lot with the testing. There were 60 divers who took that test and so many didn't make it. Arnold doesn't think that many will make it.

Andy asked the group if they are comfortable with the numbers on the handout.

Steve stated that if enforcement is there, the numbers are good. With the right enforcement and the right training it will be fine.

Rhonda brought up when they started digging clams. They don't want to give a handout but wants to give a hand up. She wants to keep the pounds up for the current divers. She will do the phase out program. So many times when they had openings and the new divers didn't even pass so no one started. She feels that in order to get chosen to dive those interested need to be qualified before they are even considered in the drawing. She would like to see the 5000 pounds stay.

Dave stated that 5000 pounds will stay, as divers drop out, the pounds will increase. As younger divers come in they will have less pounds. Needs to be fair for the younger people coming in. There are some divers who have it easy since they do not dive at all. Need to show the capability of diving. 10 ducks in 30 minutes. Nothing else changes.

Jason would like a cap on the new divers.

Andrea stated that tier 5 will be a good starting place and if they like it they will stick with it and work their way up the tier. Some will drop out and others will stick with it and work their way up the tier. She doesn't feel its right to limit the number of new divers.

Steve suggested having the divers actually dig their own ducks.

Julz stated that we are here because the current divers do not want the new divers to come in. Suggested having those who are in the fishery be included.

Dave stated that the lottery drawing is open for new divers.

Arnold stated that everyone who is interested in the fishery will be included. Some will not make it.

The test needs to be taken by the IDQ holder. Not the spouse. IDQ holder is who needs to take the test.

Jake, as a new diver hoping to come in, anyone who wants to experience this it's great. He welcomes anyone, and feels that if someone is ready to dive let them come in and try. He doesn't care how many pounds he gets.

Jason would like to change the dives to weekdays; Mon-Fri.

Arnold brought it back to how many divers to let in.

Someone asked if someone was phased out, can they come back in?

Dave suggested a duck tax to help go to enhancement.

Jason likes that, it would create jobs to plant.

Craig stated in his original proposal he suggested allowing the spouses to take the test for the IDQ holder. There are 5 spouse divers for the IDQ holder. Dave stated the holders have until August to pass the test.

Council will try their best to make it fair for most; they see new young divers who want in.

Glen reiterated; it has been his policy to allow spouses to dig, fish, etc. Ray clarified that the IDQ holder must be certified and the IDQ holder must be able to pass the test and be certified. The spouse still can dig for the IDQ holder, but the holder still needs to pass the test. Glen stated that the IDQ holders have invested for the spouses to dig for them. Dave stated that it's the test only. The IDQ holder must pass the test. Craig stated then, if that is the case opens the testing window as far as possible. He said that would allow for those who don't dive to get reacquainted. Dave said August 31st is the testing deadline. Craig feels that is reasonable.

Dave: Tentatively bring in 20 divers and see who makes it. New people. Current divers will maintain 5000 pounds. Rose Boggs asked about old divers who lost their quota.

Ray stated that anyone who is currently out of the fishery will have the chance to be drawn.

Rose asked if that drawing could be split, half new divers and half who lost their quota.

Tully agrees, to have 10 new divers and 10 who lost their quota in the past. That would be fair.

Marcella agrees with what Tully said. She feels that they should not get their chance.

Steve suggested starting over with everyone. Test everyone and everyone have until Aug 31 to dive.

Jill explained that if you put everyone in to the pot, including those who already had the quota and lost it. She thinks that most of the divers would be those who already lost their quota. They would take the opportunity away from the new divers.

Steve brought up why not make everyone start over.

Dave is not limited anyone, he only wants to see the IDQ holder be able to pass the test, but the spouses still can dig for them.

Steve clarified that all divers must test. If they cannot pass by Aug 31 they go on a 5 year phase out.

Jeff clarified that at the beginning people would go down to 4500 pounds, reserving those 500 for new divers. If they do not get certified by Aug they will lose that 500 that was banked.

Glen asked what if they pass the test in year 2. Ray stated that they will miss the deadline. Glen stated that if you cannot pass the test you are in the 5 year phase out. If they pass next year, they will start over. The test can be taken as many times as necessary.

Charlene asked if a diver starts on the phase out, if they do pass the test later they would be put in the pot of divers who lost their quota.

Ray clarified that this would be a timing issue, if someone is on the phase out, they could come back and recertify if there is another opening.

Charlene would like to see all of that included in the language.

Ray doesn't feel it will be complicated...

Jeff has not heard a single resolution; he has heard two different ideas: one is that the lottery is made up only of new divers or new divers also those who lost their IDQ in the past. He just wanted to clarify which option.

Ray believes that Council made it clear that any tribal member outside of the fishery is new divers. Including those who lost their IDQ in the past.

Charlene asked about the dividing the pot with the old divers with a drawing for one or two... ?? Ray stated that was discussed, but Council decided that anyone outside of the fishery will be considered equally. One drawing with all who do not have an IDQ.

Charlene is relying on the divers for their feedback. She would like to consider everything. Craig stated that the feeling is that some divers, who have already qualified and dropped out of the fishery, do not want to knock out those who have not had a chance. He agrees but does not know how to prioritize the divers drawing. Taking away opportunity from those who already had their chance.

Dave stated that it is open to all who do not have an IDQ.

Steve would like to see those who have gone to prison on a felony for a fishery related matter, excluded for life.

Jeff asked about those who were excluded for not paying taxes.

Dave stated that all past taxes must be paid. Including past due rent, anything owed to the tribe.

Steve asked about those who pass the qualification, he believes that each diver needs to log a dive everyday. Jeff stated that is in the existing regulation and enforcement needs to take care of that.

20 new divers will be drawn by lottery April 1, 10am

The regulation will be drafted up and approved.

Meeting adjourned at 11:22 a.m.