From: david michelson
To: MakahDEIS.nwr@noaa.gov;
Subject: "2008 Makah DEIS"
Date: Friday, August 15, 2008 4:38:49 PM

The Makah state that they want to resume Whaling for tradition,cultural,health,and to bring pride back to there young people.

It comes down to the fact that it is the Makah's have the treaty rights to harvest whales. But it is also the only treaty right that they wish to follow. After this treaty right is settled. A revue is do of all treaty rights should be done. They were breaking a lot of there treaty rights then and now, that is another subject.

The fact remains that do to there treaty of 1855 they have that right, and they do not need permission, permits, or to comply with any new regulations set-up by the States,or Federal Government. It is stated in a book written by the Olympic Peninsula Intertribal Cultural Advisory Committee: Native people of the Olympic Peninsula.(WHO WE ARE). Quote: The Marine Mammal Protection Act "does not in any way dimish or abrogate existing protected Indian Treaty fishing or hunting rights." (Marine Mammal Protection Act 1995:17) It is up to the Tribe to develop regulations regarding tribal marine mammal take. With that said The Makah's right to hunt whales should not be challenged.

If and when they decide to resume hunting which they state is for food, traditional, culture, and to bring pride back to the young people of the tribe. If the Makah People truly wish to reintroduce whaling traditions to their young people, then doesn't it stand that the use on non-traditional equipment defeats the purpose? Will all the traditions and rituals, before, during, and after the whale hunt be taught and followed? Wouldn't that be wonderful for the youth of Neah Bay to learn and understand the strength, dedication, and heritage of there ancestors.(*see reference material) The way that it is stated on the hunt that if the whale is struck with a harpoon anywhere then it can be shot, that is not traditional. All the traditional ways should be done first, then after a set amount of time then the whale should be shot. High powered rifles and powerboats are not tradition.

When hunting is resumed the Makah Tribe should be required to provide there own security, not use the Coast Guard as there own police force at tax payers cost. If the Coast Guard is used then it should the Tribe should pay the cost of the service and it should go into the Operations Fund for the Coast Guard, just as oil spill incidents have to reimburse the Coast Guard. The cost should not come out of Non-Native funds.

With the new state House Bill 2514 which requires all vessels to approach no closer than 100 yards of whales. This should keep the protesters far enough away so as not to interfere with the hunt. If they do break that distance then they should be

fined the maximum amount of the fined.
If they continue to break that law then there vessels should be seized and put up for auction.

I attended the Meeting in Port Angeles on May 28th 2008, it was a very informative meeting. I talked to several of the Makah Elders at that meeting about whaling, sealing etc. one of the questions that I asked concerned drift whales, and why didn't they use them, it was stated that they never used drift whales and didn't want to use them because they didn't know the cause of death and how long it had been dead. In the research that I have done it stated that drift whales that washed up on the beach were thought of as a gift, and that they also pray for a whale to wash up on the beach. They didn't know back then how the whale had died, or how long it had been dead but they used it anyway. It that is true then any drift whale should be concerned and as much as possible used and considered a bonus.

Another thing that should be considered about drift whales, and other dead whale is when the tribe starts hunting again, if a whale is struck and gets away and later washes up on a beach along the migration route, and it is proven that it had been harpooned by the tribe then they should be held responsible for the removal of the dead whale from the beach anywhere along the coast from California to Alaska including Canada.

In closing I spent approximately 5 days a week for 3 years from Sept 1999 - Sept 2002. on the reservation an got to know a great many Makah tribal members. The whaling subject did come up in many conversations, most of the members that I talked to about the eating of whale meat said that they didn't like it. The tribe states that the majority of the tribe wants the hunt and the meat, that survey was taken by the tribe. A survey should be taken by a netural party that is not assossated with the tribe to find the true feelings. The survey would help determine how mant whales need tobe taken each year for the tribes needs.

Referance Book: Traditions & Change on the North Coast, The MAKAH, NUU-CHAH-NULTH, SOUTHERN KWAKIUTI AND NUXALK By Ruth Kirt. See Whaling: Pgs 133-138, 143, 165-171.

Thank you
David Michelson
Port Angeles WA

Be the filmmaker you always wanted to be—learn how to burn a DVD with Windows®. Make your smash hit