

SCOMM

#7:1



# Alaska State Legislature

## House

August 10, 1977

JUNEAU ALASKA

Interim Committee on Subsistence  
Nels A. Anderson, Jr., Chairman  
P.O. Box 234, Dillingham, Alaska 99576  
Telephone: 842-5970

### STATEMENT TO

House Interior and Insular Affairs Committee  
Subcommittee on General Oversight and Alaska Lands

#### Representative Sieberling and Subcommittee members:

There are several categories of land that needs to be mentioned today. First, and very important are the national interest lands - the D-2 Lands. These lands are being looked at by individuals, organizations, state and federal agencies, native groups, conservationists, industrialists nationwide today. The State Interim Committee on Subsistence is looking at these lands in regards to how subsistence activities will be impacted by the management of these lands, how the use of these lands, water and natural resources will be regulated. Proposals provide for continuation of subsistence activities, yet there is always a possibility that curtailment of these subsistence activities could take place, unless subsistence is guaranteed by law.

In your travels throughout this State, you have seen many acres of land and water. Who does it all belong to? Under the Statehood Act of 1959, the State is entitled to approximately 103 million acres of land. Of the 71 million acres applied for under the general grant, the State has tentative approval for about 15 million acres, about 20 million acres has been patented: under community grants - 83,000 + acres have been applied for, 12,000 acres have been tentatively approved and patent gained on 10,216 acres; under national forests land, the State has applied for 37,200, received tentative approval for 15,000 and patent to 3,800 + acres.

Most of these lands applied for, tentatively approved and/or patented have been lands in areas of little conflict or dispute. The State must now wait until the village and regional corporations and the national interest lands are designated to receive remainder of its entitlement.

Native lands are of great significance in the land picture. Under Section 14(a) of ANCSA of 1971, it states "Immediately after selection by village corporations listed in Section 11 which the Secretary finds is qualified for land benefits under this Act, the Secretary shall issue to the village corporation a patent to the surface estate...." To date only about 4½ million acres have been conveyed to Native Corporations. This is merely a tenth of the land entitlement due Alaska Natives under ANCSA. Much of the land was selected by villages on the basis of their subsistence use, though these villages are organized as profit making corporations. Many, many problems have occurred that have caused delays in conveyance of title to Native corporations. What can be done to speed up the granting of title? Other Native Lands to consider are the Alaska Native Allotments. Under the 1906 Allotment Act, there have been 327 of 7,834 allotment applications granted title. Of these, 1,271 have been granted administrative approval, but titles still cannot be issued until a survey is done by the BLM, which could take months or years yet. These lands, too, were claimed on the basis of subsistence use and occupancy for hunting, fishing, berrypicking, camping, etc.. This Act was repealed by the passage of ANCSA in 1971. The facts show, too, that there has been little acreage conveyed under this treaty.

We in Alaska are very concerned about these delays of land transfer to those large, potential land owners. It is of utmost importance that these lands be transferred so that orderly land and water planning and management can happen. When land transfer occurs, cooperative efforts and acceptable land and water management concepts then

can be implemented. We, in Alaska are dually concerned as citizens of the State, and of the United States because these lands are in our front and back yards.

These national interest lands will surround us completely. We need to be clear on what use will be allowed, we need to know who will manage these lands and waters so that we can look at our needs practically and finally.

The Interim Committee on Subsistence was established by the State Legislature to seek a concensus on subsistence by collecting available data and information, to hold hearings, to quantify the amounts of food taken from the land, to determine the impact of the impact of D-2 land selection proposals on subsistence activities, and to review State law regarding subsistence activities.

Subsistence is a way of life for many Alaskans. It is food on the table and clothes on their backs. In a survey of three villages in Northwest Alaska, Kotzebue, Kivalina, and Noatak, some of the resources harvested in numbers or pounds, might be of interest to you. There were 6,727 caribou, 2,144 pounds of whale eaten, 54,444 salmon, 138,300 sheefish, and 179,150 trout harvested. There were 3,000 eggs harvested, and 20,211 pounds of berries picked. Other resources used consist of wild roots, wild ducks, geese and sea mammals.

In the Arctic Slope Region, the five villages of Barrow, Anaktuvak Pass, Kaktovik, Point Hope and Wainwright, a survey by F/SLUPC shows that approximately 2,800 people used 2,539,660 pounds of mammals, 123,840 pounds of fish and 30,940 pounds of fowl.

In a survey done by William Nicholson of the Bristol Bay Native Association in 1975, of the village of Aleknagik, 15 Alaska Native households were surveyed. This survey showed that 14 households felt that their dependency was 75% or over. One household felt that it's dependency was over 50%. Those users preferred the foods they've gathered over the store bought food because it tastes better, they were raised on

that food and it is what they can afford. The average median income per household surveyed at Aleknagik was \$3,000 per year. These people don't consider themselves poor as long as they are able to hunt, trap and fish. If this subsistence activity were lost to the people who are dependent upon it, where would they go for their food? There would be a marked increase on welfare and food stamps. There are a variety of types of fish and game resources obtained from the land and water in the different regions of the State. In Wainwright, coal from nearby is used for heating while others use wood gathered from the land. People go far and near over the land to perform subsistence activities. I don't believe that these users really thought much of delineating boundaries.

It is difficult to define subsistence, literally. Webster says "subsistence is the condition of remaining in existence, a means of subsisting is a source or means of obtaining the necessities of life - livelihood." For subsistence users it's a time or seasons - you've learned from your ancestors when and how to hunt the ducks and geese, the caribou, when to catch the fish, when the berries, the eggs, roots and greens are ready for harvest - it's done. There is a distinct feeling that is almost indescribable when you speak to subsistence users on what it means. It's an activity they've performed because they have to, it's part of their daily lives.

In the Aleknagik Survey an attempt is made to transpose the value of subsistence foods to those prices on the supermarket shelf. This is a very difficult task to perform. Who's value system will be used? A subsistence user might feel that the pound of moose he hunted is worth more than a pound of beef.

Another aspect that bears significant thought in the subsistence issue is the legal aspect. Can the subsistence activity be guaranteed to special groups of people? If the State cannot provide for protecting subsistence, can and will the Federal Government? What will the law say? How will the law determine who is and who isn't

a subsistence user.

It has been brought to the State's attention by the formation of the Interim Committee on Subsistence that subsistence is an issue. There are some very real concerns on how land belonging to the State and Federal Government can be used. Subsistence users feel the need to impress upon government officials the necessity of allowing the continuance of subsistence activities on public lands.

We are glad that you have taken the time to come to some of the villages and towns in Alaska and hope that you will give subsistence a high priority in your recommendation to the Secretary of the Interior. Thank you for coming.

INTERIM COMMITTEE ON SUBSISTENCE 1977-1978

<u>Tape No.</u>	<u>Date</u>	<u>DESCRIPTION</u>
	<u>1977</u>	
		<b>PUBLIC HEARINGS:</b> <sup>1</sup>
	9/16	Kotzebue, Nome
	9/17	Nome
1	10/3	Glenallen
2-4	10/4	Fairbanks
5-6	10/5	Nenana
7-8	10/17	Kodiak
9-11	10/27	Nome
12*	10/27	Nome
13-14	11/10	Anchorage
15-16	11/12	Anchorage, AFN Convention
17-18	11/21	Galena
19	12/9	Juneau
20-21	12/12	Barrow
22-23	n.d.	Togiak
24-31	n.d.	Tapes on federal hearings on subsistence whaling
		<b>ALASKA PUBLIC FORUM</b> <sup>2</sup>
----	10/3	Dillingham
----	11/19	Copper Center
----	11/5	Fairbanks
----	11/17	Galena
	<u>1978</u>	
32-35 <sup>3</sup>	4/14-17	Teleconference
36 <sup>3</sup>	4/17	Committee workshop
37-38 <sup>3</sup>	3/23	? meeting
39 <sup>3</sup>	4/10	? meeting
40 <sup>3</sup>	4/19	"Definition of subsistence"
41-47	4/13-4/20	Selected testimonies
48-50	5/2	House Resources meeting
51	n.d.	Hearings on HB 718 in House Resources
52	n.d.	?
53	2/25-26	Senator Stevens on subsistence at AVCP Native Village Caucus
54	5/1	SCS meeting

<sup>1</sup> Transcripts available for all, except Togiak, with committee files

<sup>2</sup> Excerpts in Subsistence Committee Files, no tapes available

<sup>3</sup> Reel-to-reel tapes -- rest are audio cassettes



# Alaska State Legislature

## House

August 9, 1977

JUNEAU ALASKA

Interim Committee on Subsistence  
Nels A. Anderson, Jr., Chairman  
P.O. Box 234, Dillingham, Alaska 99576  
Telephone: 842-5970

### MEMORANDUM:

TO: Committee Members

FROM: Dorothy M. Larson *Dorothy M. Larson*

SUBJECT: Staff Report

I have been working full time since July 25th. This time has been spent organizing the office, preparing for this meeting and making contacts with resource people.

Adelheid Herrmann began working for the Committee as Secretary on August 8, 1977.

As you've seen in our budget that we are limited in the numbers of hearings we can hold, however if we can coordinate with times and schedules of other committees we may be able to get more for our dollar, for instance, the Permanent Fund Committee will be holding a meeting in Kotzebue on September 12, 1977. Representative Leo Schaeffer, Steve Cowper and Senator Pat Rodey all serve on this Committee. Mr. Schaeffer will arrange a meeting/hearing in Kotzebue for September 13th. Following that we would like to arrange a hearing in Nome on September 14th, and we will work with Mr. Nakak on that.

Over the Labor Day weekend, we hope to attend a meeting in Kipnuk concerning herring. We will be in contact with Harold Sparck of Nunam Kitlutsisti about this meeting. Mr. Akers might wish to attend this meeting.

If its agreeable with the Committee, hearings will be conducted without a quorum present. The Chairman, Staff Assistant and one or two other members who are available can also be present. This seems to be more practical and feasible.

Byron Mallot, Alaska Federation of Natives, Inc. President, has indicated that he likes the proposal made by the Chairman that the theme for the AFN Convention - 1977 be Subsistence. We have proposed that time be set aside on the first day to conduct a public hearing. We will pay a small amount to help defray the cost of the Convention. Mr. Mallot suggests that we work closely with the Alaska Public Forum on this plan. Jane Angvik, who is with the Alaska Public Forum, planned to attend today's meeting but was unable to at the last minute. The Alaska Public Forum has made Subsistence one of their issues. We will be meeting with her office on August 22, 1977. She would like to know if there are any particular areas that this Committee would like them to address. We plan to coordinate as much as possible with this group and others in our data collection and information sharing.

I'm looking forward to working for this Committee these next few months. If you have any questions, please let me know.



# Alaska State Legislature

## House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE  
P. O. Box 234  
Dillingham, Alaska 99576

### B U D G E T \*

#### I. SALARIES

Staff Assistant  
Secretary

\$10,000.  
5,000.

Subtotal

\$15,000.

#### II. TRAVEL & PER DIEM

8 trips x 3 members x \$200  
Per Diem: \$50/day x 4 days x 24  
Staff & Chairman Travel (1 trip - D.C. Included)  
Per Diem  
Dillingham Meeting Travel  
Per Diem

4,800.00  
4,800.00  
5,000.00  
3,500.00  
1,350.00  
1,000.00

Subtotal

\$20,450.

#### III. CONTRACTUAL SERVICES

Interpreter -40 hours at \$10/hr.  
AFN/Public Hearing Costs  
Video Tape of Hearings (estimate)  
Printing Costs (estimate)

400.00  
500.00  
500.00  
300.00

Subtotal

\$ 1,700.

#### IV. OTHER

Telephone, Toll, Telegram \$170/mo x 5  
Office Equipment Rental \$45/mo x 5  
Copy Service \$150/mo x 5  
Postage \$150/mo x 5  
Office Supplies  
Newspaper Subscriptions  
Miscellaneous

850.00  
225.00  
750.00  
750.00  
500.00  
50.00  
125.00

Subtotal

\$ 3,250.

TOTAL

\$40,400.00

\*Revised budget covering the time between July 8 and December 31, 1977.

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Pouch Y State Capital  
Juneau, Alaska 99811

(The entire first portion of this is recorded at such a low volume level that none of it is distinguishable. Occasional words indicate that this is an introduction to the subjects to be dealt with.)

Female: For the purposes of the tape, this is the subsistence workshop in Galena, and we would ask--uh--I think I'll just go around the room, and ask each table to come up and just stand here and talk to the crowd and the tape should cover. Would this table like to start?

Male: Okay, on the first question on which system we think would give the most opportunity for subsistence, we feel that regional boards with regulatory powers. But we feel they should be possibly twelve boards, based on the regional corporation lines for the simple reason that most of the regional corporation areas cover a particular lifestyle. And this area you get really three different lifestyles involved. And, of course, we feel that subsistence you should have priority over non-consumptive uses.

And on 2, on the second question, it's No. 2 in the workbook, on (a), some of the statements we got to the question, "What do you mean when you use the term 'subsistence'?" And there's one that said, "being able to go out and shoot anything I want when I want to." And fishing and hunting whenever they need it-- I mean the people that do subsist in the area. Or another is a person who lives partly or entirely by hunting and fishing.

And on the question (b), which---"the State policy recognizes subsistence use of fish and wildlife as priority over commercial use--commercial and recreation use," and it asks: "Do you agree with that or not?" And, uh, I missed getting one. There were six of us at the table, and we had five "yes"--that we think that subsistence use should have priority.

Male: We brought four points up in our discussion. The first one is-- and these are points of consensus--we talked them around and said, "Yeah, we more or less agree on this thing." The first is that we're skeptical about new government entities. And a lot of times, as one of them pointed out, things are going so well so we say, "Let's get a new agency," and, sure enough, things go worse. So we'd be very hesitant to endorse this more and more bureaucracy.

The second thing is that we feel that regionalization would be useful if it had final say in the state. That is, if each region had the final say as to how things were going to be used in its region and that could not be vetoed by a higher board.

The third one--and this coincides with what the first table said--

Male:  
(continued)

a few of the regions should be more adequately defined in terms of land and people. And that might mean twelve regions, it might mean fifty regions, or a hundred regions. And objections were raised that the more regions you get the more expensive it gets, but it might be just the reverse. Because it would be very, very expensive here if you wanted somebody from Fairbanks to make decisions about how game was being used down here, you'd have to fly them down because he'd never been there before and, you know, living there for a few months so he'd get used to it. This looks to us like a very, very expensive project, and if there were a lot of smaller regions, it might mean a lot less transportation, a lot less paperwork, and a lot more direct viewing(?) for the problem.

The fourth point--I'm not quite sure if I can get this across but I'll try--we kind of reached an agreement that chasing a definition of subsistence is a red herring. It's not the point in this way. Subsistence tends to mean what we call sometimes the old way, when people were taking everything off the land, when there were no steel needles, there were no rifles. There wasn't any store-bought thread. It was all bone and wood and bark and skin. But nobody lives like that anymore. And, so, to put things in terms of subsistence versus non-subsistence, in a way is to confuse the issue. And for us the issue is just hunting, fishing, trapping, mining, water power--the use of the resources as they are by the people who are concerned with them. And the question is, what's the best use? Not, should it be subsistence, commercial or recreational, and not who should use it. The first question is what is the best use.

Okay, then for 2(b) and (c), our feeling was that these questions were simply misworded, because they're still pretending that we can solve something by throwing this word subsistence around. And since we concluded that you can't, the question couldn't get any answer from us.

Male:

Okay, when we talked about whether or not there should be regional advisory councils or regional policy councils, the following comments were made: One was that it might be hard to get cooperation throughout the region and that the regional boundaries might be wrong since it's on the Yukon River. Upriver people might want to regulate it in such a way that downriver people wouldn't take so much fish, and downriver people would want to take more fish. And so it might be hard to get agreement on a region of that size.

Another comment was that one problem with the present system is that these local advisory things don't have money for travel or

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Male: training on how to make the policies; that possibly the  
(continued) problem could be solved by just making local things effective  
by providing that money and training.

The third comment was that it might be possible if we did have regional councils, they would have more power than local ones. And there was some concern that if they took a region like this and elected the people to get on there, then Fairbanks might pull all the votes and put all their people on there. And so, if they do it that way, they should have either appointed by the Governor, or some way to district it out so that not all the people would get elected from the biggest city in each region.

And then we addressed the question of would this--which management system would be the most--offer the most opportunities for subsistence users. And one comment was that it wouldn't make any difference. It's just one more level of bureaucracy. And the other comment was that we really didn't have enough information to decide because the way--how loosely we talked--what information we had wasn't enough to tell whether it would be any better.

And then on the question of how we define subsistence, there were five or six at our table, but there was only two left by the time we got to that. Some went home. So we only had two definitions. One definition of subsistence is use of fish and game resources for food and clothing, and the other definition of subsistence is the taking of game by persons who do not have any other visible means of support.

And on the question do we agree with the State's subsistence priority, two votes "yes."

Female: Do you have a comment in the back? Gary, do you want to come up? Would you mind coming up here that we could get it on the tape recorder? It might be good.

Male: (mostly indistinguishable--too low) On this subsistence. . . . hunting and fishing. . . . when I go out on my snowmachine. . .

Female: Are you on the local advisory council?

Male: Yes.

Female: Have you met lately?

Male: No.

Female: But you're thinking about meeting now? Maybe talking about this kind of a thing? Does it have any comments on this. . . (indistinguishable). . .

Male: Our advisory committee can sit down now.

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Male:

To the question of which management constitutes the best, the subsistence is unanimous that regional, in that it would be closer to the people in the area and the availability of game and fish in the area.

It was also kicked around that any action taken by the State would have to be an improvement over what they got now.

Uh, the region as it's marked, it was felt that it would probably be better than breaking it up in that the fish of the Yukon River would all stay in the district until they went into Canada. And if you broke up the river into different sections, then each section would be controlling the fish as they would come into the section, and that's the cause of one of the problems that the State has now.

And to the council--to the advisory council--we have two opinions that were to be bigger than seven members in that to allow a vacancy for each village that would be affected by, say, the fish run up the river, so that each village would have some input--some say--to the situation as it was affecting the village itself. The other was that if it was going to be a seven member council, then the region itself should be divided into seven segments and one member elected from each segment. That would prevent all of the members, say, from coming out of Fairbanks, and again having them make a decision on something that's going to happen down here and they have no idea what's going on down here.

To the first question on what do you mean when you use the word "subsistence," we had two definitions. One, to hunt and fish to supplement store-bought items. The other would be to people who live in the area in the bush country relying on food--the fish and the game--for the major part of their food items. That's all we had.

Female:

(indistinguishable--improperly recorded--apparently at one point someone tried to move the mike closer to the speaker. The speaker is a native woman if this will help someone to recall.)  
. . . . Subsistence mean for those who need fish and game for survival only, and not themselves. And then we have we should have more control over management of livestock. . . .

Male:

In answer to the first question it was decided amongst us that the regional board concept should. . . (indistinguishable). Even realizing the expense of the regional concept, we feel that greater public input would be realized in this concept, and regulation would be better suited to the area served in dealing with local problems. And the region, we felt, should have

Male:  
(continued)

regulatory powers. And a portion of the group felt that the region should be broken into smaller parcels, part of the group did. And we felt that regulation differences throughout the larger regional area could be settled within the region without outside help from people who did not live. . . And subsistence should have priority and quotas set by the regional board.

The best definition we could come up with for subsistence was that it was not final. Mayor Vinson said that he felt that no subsistence between fishing was starvation. And the answer to the seven of sitting there was "yes" to subsistence.

Female:

I'd like to ask if anybody would like to come up and make a statement of any kind about subsistence that they didn't get to make at your small table. And we'll record that and then we'll move on to the other discussions. Is there anybody who would like to make any kind of comment about subsistence?

Male:

Yeah, I want to make a comment. I've heard a lot about subsistence and talked a lot about subsistence. And one thing you want to be sure, you know, that the Indians didn't invent the word "subsistence." The word was invented by somebody other than a native, and now he hates the word because you made it. And he hates the meaning of the word. Now, all of a sudden, he's highly educated and he's been through college, but he doesn't know the meaning of "subsistence." He doesn't know what it means. This way--go back in history--as far as you want to go back. First of all, the black people from Africa. When they wanted to use them for trade, they did. Used them like dogs. Now that's turning back, that wheel is turning over. Getting more blacks than whites. They're getting to be less Indians. But why should we kill a culture, why should we kill a lifestyle of the native people for the lifestyle of another person? There is a meaning for subsistence. There is a way to define it, but the courts of the land will not let you define it because they want it to be done in the one cultural way. They want everybody to fall in the groove and let the native die. Let his culture die; they care less. All we asking for all the time for is the continuing use of our culture--as long as we can continue to see our people have a culture and utilize that culture. And it's there to be utilized; it's here; it will be here; it has been here. But I'm afraid by a lot of education, a lot of skullduggery with the Federal government, we're gonna lose.

Male:

I got one thing I want to repeat. I heard it at the AFN convention when they were talking about subsistence. And some of the native people were saying it, and I feel it's true. That subsistence is not just a matter of taking food out of the streams or off the land. To the native it's a matter of religion, of culture. It's actually a spiritual thing to them in a lot of instances. And this is something that, of course, you can put no valuation on. It exceeds the dollar value they take out in furs, or what have you. But to some of them, not necessarily

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Male: to all, it is a spiritual type of experience and it is a  
(continued) necessity for them, regardless of what they make in a cash  
economy. And it's something that has to be considered, and  
yet I know of no way to figure it. But it's something that  
I feel was--that I heard that I felt was so true.

Male: You're right. There's a story with every move that's made.  
With every killing of every animal, the skinning of every  
animal, with the taking of birch bark, or willow bark, or  
anything from the land, there's a story goes with every bit  
of it and that part of the life. I wrote a little article  
when I was in Juneau--32 things that are utilized every day  
in the life of a subsistence user. There's 32 things that's  
used every day, work of art, different things that's used.  
So it's not only fish and game, it's not only moose and the  
fish. There are other things to it.

Male: I think that no matter how much money a person had, if he's  
used to a certain lifestyle--like if a man makes a thousand  
dollars and he can't go out to hunt and fish whenever he needs  
to or wants to, he can't go down to the supermarket and buy  
that. I think if a person lives in a certain area and lives  
in a certain style, they should be left alone to do as they  
see. Because they're going to take care of themselves, and  
it's been that way for years and years. More rules and regu-  
lations just makes things unnatural.

Female: Well, thanks for talking about that. We would like now to  
ask you if you have any questions about State government or  
policies or some of the other issues in the tabloid that you  
would like to talk about. Or if you would like to talk about  
local things, if you would like to make comments about what's  
going on in Galena that we can record and talk about and get  
to the people that might affect some of the conditions in Galena.  
I'm just going to turn this meeting over to you all and ask  
that you ask us what you would like to know. We can talk a little  
bit about the permanent fund money, if you're interested in hearing  
about that. I don't have a formal presentation, but I can answer  
some questions on it. If you would just like kinda to talk about  
it.

Male: What has become of Governor Hammond's proposal for Alaska, Inc.  
in relation to the permanent fund?

Female: Governor Hammond's proposal is still a proposal, uh, for the  
earnings off of the permanent fund. A lot of people are confused  
about what the money is from the permanent fund. The bulk of  
the money is to be invested and to make more money off of that.  
And the money that is made off of that investment, the interest  
or the earnings, could be divided into something like the  
Alaska, Inc. concept. Uh, it's still a proposal. It hasn't gone  
very far. I don't know whether it's in bill form or not.

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Male: I thought it was actually a portion of the permanent fund would go into Alaska, Inc.

Female: No. It is uh--

Male: --just interest money.

Female: It's just, it would just be, I mean, not small because you're talking about several hundred thousand dollars growing all the time--but essentially what you're talking about would be something like the \$6,000 here. This is just one example that could be divided among all the people in the state--sort of dividend concept like that, where everyone would become a stockholder in Alaska, and, you know, be earning dividends off of that--you know, it's cut into a payback plan for the earnings.

Male: Well, I thought that in the original concept of the presentation was the money was to be invested in somewhat like it was put forth in here, you know--small business loans, or bond, or however. And that through the profit-making corporation structure, but that's not the case.

Female: No, that is the case. Let me back up. One thing about the permanent fund that you have to remember is that the money that's in it allocated by the statute must make more money. Okay? It can't be given away or anything like that--it's got to be income producing. First of all, the law right now reads that a minimum of 25% of certain oil and gas monies--in other words, not taxes on the land that the pipeline is on but the wellhead tax and things like that are going into the permanent fund. The majority of this money must be invested; it can't be spent. And by investment--it must produce an income; it must make more money. The income goes into the general fund and can be spent. Now, some of that money could be divided out into things like Alaska, Inc. It could go out to community development loans; it could go out to economic development by communities. Back to the public forum, people said they wanted economic development in renewable resources industries, which means things like agriculture, fisheries, timber, things like that. And they wanted that money that was hearned to go into enhancing that. There are several revolving loan funds in the state which could be increased if there was more money available to be loaned out to communities--things like that. Right now it's looking to us as though most of the money will----(end of tape).

FAIRBANKS/SUBSISTENCE/GOVERNOR HAMMOND  
November 5, 1977

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Juneau, Alaska 99811

Governor

...However, compounding the problems of providing that type of local input is a fact of course that the constitution speculates that those resources belong to all the citizens of the state and if we're to provide some sort of a lay-gut prerogative to the locals to constrain participation and utilization of those resources by people who live elsewhere, we fly into direct conflict with that constitutional mandate. However, I have concluded after looking at the alternatives and discussing this matter with numbers of people throughout the state, that it is high time we took a more direct look at providing greater and more significant regional input. I was the instigator, if that's the appropriate word, of the advisory board concept some years ago, which was an effort to provide at the local level, some significant input and while that has provided some, the lack of formal structure, the lack of funding, and the perception of many at the local level that the advisory boards have been ineffective, quite frankly, necessitates that we address this problem, look at something more formalized and more capable of directly providing that meaningful input. Now the old regional board concept that was mentioned that I had initially proposed works something like this. It would have said section the state off into say twelve districts in which there would be up to six advisory boards. Those advisory boards would be formed at the local level, by the local people, not appointed by the Governor. They would in turn elect one of their people to serve on a so-called regional board. They in turn, would elect one of the regional board membership to serve on a master board. The local regional board would promulgate the regulations and they would then be conveyed to the master board which would be compelled to approve them unless they did one of two things: if they flew in the face of broad public interest or they abused sound conservation practice. Now one of the things that would have accomplished is permitted the local people to determine what they wish in the way of regulations, to have a representative that they had in fact selected, take their case to the master board and sell it rather than have some political appointee serving as a board member. Another problem is that the constitution obligates that the board be selected by the governor. There is some problems then with that democratic process that I mentioned before. The other problem is there is a great fear and apprehension, particularly from some of the urban areas that if the local regional boards were provided with that significantly upgraded authority to promulgate regulations, that somehow they

Governor  
cont.

might do violence to the interest of the urban sportsman and I felt frankly that that broad catch-all when we said that the master board review the regulations proposed by the area and veto them on the basis of broad public interest was a sufficient safeguard, but there was apprehension, particularly from the urban areas that defeated this bill, that you mentioned Governor Egan ultimately vetoed. And incidentally, that bill simply had, on a trial basis, selected one area of the state in which to try this on for size. But that's all water over the dam. In dusting off the regional board concept, I tried to key into the blueprint which is evolving, the input that I have heard from various interest groups and individuals throughout the state during the interim period and I want to make it clear that the proposal that you may see floated out is not structured in concrete. We have to come up with something for people either on one hand to look at as a target for today and start carving upon and adjusting rather than just talk in nebulous, esoteric terms as to what we're attempting to accomplish. But I instructed my departments and agencies to take the regional board concept and instead of working excessively to tell us why it couldn't work to provide me with a means and method as to how it could be made to work and that's what they're in the process of doing and have been for some time. The next step in that process is to take this proposal, float it out through public forums, various interest groups, respective native corporations in the case of those areas that are under native corporate -in large measure fall within the perview of native corporate entities and to solícite input to make the adjustments necessary. The proposal that has currently been worked on, and again I want to make it clear that it is not yet the Governor's proposal. It's simply a blueprint leading hopefully to a proposal that will either be submitted in the form of legislation or to the degree possible, implemented through regulations. And incidentally, the proposal that I'm going to discuss here this morning could in large measure be implemented through regulation. What it suggests doing is establishing something, I think six regional areas and these, you'll see depicted on the map, in those areas, there would then be a continuation of the advisory boards in the manner in which they are now structured, new boards could be created. Then a selection, probably the chairman of perhaps seven of those advisory boards, because we don't want to have a top-heavy regional board, perhaps seven or that's not a fixed figure, maybe every chairman of every advisory board ought to serve on the regional board. Those people would then get together and within the region themselves, come forth with a consensus opinion as how to treat some of the conflicts

Governor  
cont.

that we're now confronted with. We have problems, for example, in the allocation of the fisheries. But to get into the Yukon River, you'll have advisory boards in the upper end and the lower end and in the middle that may make a different-allocation as to how those fish should be distributed. I think appropriately those concerned should be worked out to the maximum extent possible within that region. Hopefully, they then would convey to the existing board structure if we do not change that, their proposed regulations, the methods and means, seasons and bag limits and that type of consideration for proposed regulation. The master, if you will, or the existing, current Board of Fish and Board of Game would then receive all those proposed regulations with the recommendations from the regional board. And, I think there would be an expressed mandate and appropriately should be an expressed mandate to those boards then to view those proposals and those recommendations and act upon them within those two board criteria. Are the proposals emanating from the regions in the broad public interest and two, do they do violence to sound conservation practice or be in accordance with. But in addressing the subsistence issue, one of the things that we're looking at is a proposal, and I think is mandated, is that the regional board, this collection of advisory board representation, come forth with a subsistence plan because we recognize that the subsistence needs and obligations in different areas and districts are quite different. We think it appropriate for those boards to determine then, the parameters of their region what that plan should be and to actually, formally structure such a plan with priorities and appropriate means of addressing subsistence needs. Now all this, obviously, is going to take additional funding. You can't have anything that suggests the formalization of the advisory board system which exists now, bringing them together into a regional board concept without providing at least some funding for transportation, operational expenses, per diem and so forth. That funding could be very significant and very substantial. Again, I'm not suggesting this is easily accomplished; I'm not suggesting that we have the funds available to fully implement this at this stage and time. I'll give you very briefly, a thumb-nail sketch of the prognosis of the state finances at the moment, simply this, we're looking at the revenue short-fall of roughly one hundred fifty to two hundred million over what we'd anticipated here six months ago. We're currently obligated to borrow two hundred million on future revenues. We are, what I term, dangerously dependent upon one resource, that being oil to fund 60% of our cost of government right now.

Governor  
cont.

And to significantly expand any government programs is going to be a rather difficult in the immediate future. Now I'm not preaching gloom, in the long term we'll be able to implement something of this nature quite well, but I think we should look to structuring something that has accord of most of the people that significantly and adequately addresses the problem of subsistence needs and provides a meaningful and viable alternative to what we're looking at proposed in some of the congressional legislation, which, should we not adequately address the subsistence needs, adequately provide for local, meaningful public input, we're going to find imposed upon us by congress, I fear. So the specifics and the particulars, again, I'd like to point out, are not structured in concrete. They're subject to change. I'm always increasingly reluctant and gun-shy of floating anything out on an exploratory basis because when you explore something, too often it translates in the public minds as an endorsement. You know what this idiot is attempting to impose upon you. So, I want to make it clear that I'm soliciting input, that we're flexible in that regard. Maybe there should be more regions, maybe there should be different methods of selecting the members of that regional board, maybe the regional board should have more authority, and mind you the only way that greater authority could be provided would be through legislative mandate. I can, through administrative fiat, through regulatory devices, do essentially all this right now. The only thing required then is the funding necessary to implement it. But we could consolidate and formalize the regional board concept among the advisory board, structure the regions themselves, convey to the existing Fish and Game Boards our desires that they promulgate regulations in accordance with the regional board input so long as they meet those criteria I mentioned earlier. And maybe that's a significant and appropriate first step before we perhaps, take a look at structuring it into legislation. I know that many of the regions want greater authority when it comes to promulgating regulations. The concern and the difficulty of providing that additional authority, I think to any who have been engaged in the legislative process, are apparent. Let's face it, under a current apportionment Anchorage virtually owns the legislature, both the house and senate. With an additional 40,000 people they'll have both of them. Anchorage is not going to permit their constituency to be screened out casually from engaging in hunting/sport fishing activity in areas of the state that they normally have recourse to unless there's a good, sound and solid reason for so doing. I ask in turn that the regions address the issues of subsistence, certainly we have structured into state policy. That obligation that where there are conflicts

Governor  
cont.

in allocation of resources, that subsistence be paramount. I think under that broad policy statement, the regional boards have every right and justification to assure, under their subsistence management plans that regulations conform to that. And I'm sure that the master boards or the Board of Fish and Game would recognize that and implement those regulations that met that criteria. Now I don't need to tell you in greater detail the mechanics and concepts embodied in this than you perhaps want to hear, I'd be pleased to respond to any questions you might have but we have not publicized or made too much public noise on this because now we're at the stage of having something to draw in public input, consult with the various regional corporations, interest groups, Public Forums, and what have you as to what you think a better means of perhaps adjusting some of these particulars might be. So, with that I'll open up to any specifics you might have in the way of questions on that concept.

Yes.

male

What would be the trade-offs of the state spending money for that type of authority as opposed to maybe on other government functions such as welfare communities or something like that? It seems to me there would be some trade-offs, not just to spend so many million on this .....unintelligible...

Governor

Well, it would be pretty difficult to determine what those needs might be that could be reduced initially. There may be some spin-outs of that nature and I would hope there would be, but let me say that I suspect they would not occur. I don't think you'd suddenly say or find the legislature saying "alright now that this particular region of the state has greater capability of utilizing perhaps subsistence resource and assured perpetuation of that resource is suddenly that we can reduce this or that program". I don't think that there are such trade-offs, politically.

male

Is there any ball-park figure for the relationship between competition or Fish and Game between subsistence demands and sports demands?

Governor

What did you say? Is there any...

male

I'm wondering what the relationship is between sports demands and subsistence demands.

Governor

Well, I think they vary with the regions of the state. I think they vary with the abundance of the resource within those regions. Again, I think that's a determination better met by the local people who live within that region than, I think then it should be evaluated

Governor  
cont.

on the broad public interest basis with those criteria I mentioned you cannot, for example, let's say that we in Bristol Bay wanted to keep out all of the Anchorage sportsmen. We might structure something that said look, we're not going to have any bull-moose season, get all those who come from elsewhere and maybe there might be a circumstance that would require that in the future. I'm not saying that condition prevails now but if there were abundance of moose there and adequate number of bulls, and this did violence to the public interest, as perceived by those master boards, then that regulation would probably be vetoed. On the other hand, if there were inadequate supplies of moose down there to provide for the needs of the people, the locals, or those who are willing to engage with the same methods and means and seasons and bag limits as the locals, then perhaps you should be confined to a non-sport.

male

Now that there is tremendous competition on the resources available by sport...

Governor

In some areas there are, yes.

Yes. (acknowledging a question)

male

Is there any way in which the proposed regional board concept would influence the interaction between the state and the federal government in...

Governor

Yes, indeed there is. This is one of the things that, quite frankly, necessitated my view of us taking off the shelf, this proposal. I had a chance to meet with the Secretary of Interior and of course both Congressmen Udall and Siberly and then those dealing with the D2 legislation, Senator Jackson and frankly unless the state comes up with something that significantly addresses the whole question of subsistence, quite frankly, the regional corporations and native groups are going to be a prime determinant of whether or not that issue is adequately addressed in state effort. I think you're going to find something structured into federal law that could splinter your management system as partially federal and partially state management. You could have some peculiar situations that permit, for example, subsistence activities on lands that normally, such activities are not permitted. Now I've floated out this as a rather, I think, significant problem and one of concern if I were a native subsistence user who was accommodated under federal law for the time being to permit subsistence activities on park land. I suspect the first time you have a group of school teachers from Michigan touring that park land and they stumble across forty caribou gut piles, there are going to be pressures to remove that type of activity from the traditional park concept.

Governor  
cont.

I, therefore, think it quite preferable not to call it a park. Maybe put constraints on it that permit subsistence and then protect the other natural values and call it something else. Why I'm an advocate of this cooperative management idea because, well nobody can define subsistence. I have said subsistence, the definition of it, is difficult to define as the word pornography. Everybody knows it when you see it, but to put a definition on it is difficult. But we all know that we can't have subsistence without habitat. So the one thing you could structure into a cooperative management system that had federal, state, native corporate lands and what have you embodied in it is that a prioritized prime usage that places habitat i.e. subsistence at the top of the heap. You're going to permit other activities but they're not going to do violence to habitat in those particular cooperative management areas. But if we don't come up with a program, I think you're going to find some other alternatives that are going to be far less acceptable to Alaskans in general. And I think those who have opted, and let me say just one more word, we've heard a lot of areas have speculated, well maybe federal management would be better than state management, and I suggest to you that I think there is a growing awareness, particularly in the north slope areas that---what is suggested to be imposed upon them insofar as the bowhead whale constraints are far more stringent on the federal level than what we at the state level would impose. So there are trade-offs. Excuse me, go ahead.

male

In a way, you answered my question by stating that we haven't come up with a definition of subsistence as such. If we're going to try and determine these regional boundaries for subsistence purposes, who would be, has the state come up with a definition for a subsistence person?

Governor

No. Again, I say that the regional can better determine within their confines what qualifies as subsistence and what would be an appropriate subsistence user. I think that that can be done and should be done regionally. I don't think there is any sort of blanket definition. I think a subsistence user in Barrow may be something entirely different than a subsistence user in Bristol Bay or Anchorage and the question is, do we equate subsistence with monetary, spiritual, cultural considerations. I think those things vary throughout the state. The best definition that I have come up with personally, in subsistence, is that which sustains body and soul. Because it may have nothing to do with monetary or actual physical dependency and yet be just as pertinent for some person to engage in something as it may be for those who are actually physically dependent upon the resource. Yes Bob.

Bob

I think it is important that everyone understand that these regional boards would be responsible for suggesting regulations in commercial and recreational usage areas as well as subsistence, although there's a heavy focus, of course, on subsistence and that's the only thing for which they would be asked to come up with plans, nevertheless, they are going to have to make some of the decisions about all 3 uses and when you get to many of the fish, for example, the same people who on the one hand take certain fish in a subsistence manner are also the same people who take them in a commercial manner and they are going to have to make sure that all of the kinds of use are provided for in the regulations they propose or else in fact they cut off their left hand to keep their right hand more effective.

Governor

One of the problems, again suggest in the approach of this nature, let's take the cow-moose situation. You may have an area in which there are five or six advisory boards and say 3 of them come out favoring the cow-moose season, 2 against or vice versa. Then the board comes in with a proposal and those who are not accommodated are furious with the board and pressuring either through the legislative process or what have you to make adjustments. And quite frankly, if you think we've got problems with Fish and Game management now, you just let us politicians start managing Fish and Game from the legislative floor. Unless we address this better, provision of local input, meaningful perceptual, meaningful local input, you're going to find increasingly these issues brought to the legislative floor and then on the base of who's got political muscle of the moment resolved. Let me suggest to you again with the urban areas acquiring greater and greater representation in both houses of the legislature under existing apportionment plans, I don't think the rural areas are going to be as well accommodated as they would be under an approach of this nature. If we could do it, but I would far rather have that area say alright, we want your five or six boards to sit down together and give us one recommendation to this master board as to whether you favor or disfavor a cow-moose season. And then, if that cow-moose season can be accommodated in the view of the Board of Game on a sound biological basis, fine. If the local people still don't want it, the board and the department should not impose upon them simply because it's biologically tolerable. It should be then imposed only if it's a biological necessity. Any other specific questions?

female

I have one. And I'm quite naive in the issue of subsistence, I'll admit, but it would seem to me that even under reapportionment, which I don't completely understand, that in terms of sport fishing and hunting that the cost of gasoline and that sort of thing, the sports fishermen are going to have to pay to get to the game maybe in another five or ten years is in the long

Governor  
cont.

extent you'd go by but that could do a great deal to selectively focus the use to those that live in that area. And, of course, that's what scares the devil out of a lot of people who don't want to be obligated to do that. Okay, well I've talked too much. I would appreciate that, again, that you would bear in mind that this isn't structured in concrete. I'd like you to deal frankly with the method of whether or not you think the six regions is appropriate. Or whether there should be more regions and the method of determining who sits on those boards and whether the boards should have more authority instead of simply proposing, making recommendations and then also, one other consideration in our proposal would have an individual from the regional boards goes to the Fish and Game Board hearings, take their case in hand, present it to that board, then one thing it would do is assure the local people that they had their representative - not somebody the governor had selected or imposed upon them. Their representative would go in and convey to them why their regulations were or were not accepted. The other presence on those boards would be frankly, a non-voting presence of the area Fish and Game and in the case of federal land holders, perhaps somebody from Fish and Wildlife Service and I'm not sure, there's a third. What's the other one? Public Safety. So that those people were able to sit in with the local regional boards and convey to them their concerns and to on the other hand, listen to the concerns of the people locally and try to adjust their views accordingly.

Yes. (acknowledging a question)

male

Some of us have input which we may provide which isn't exactly relevant to this structure of regions and so forth. This is still the time to do that?

Governor

Oh sure, you bet! The next thing we're going to do, frankly, solicit and pull in some of the people who - representatives from various interest groups, to have them sit down and go into an in-depth review of some of these proposals and I can assure you the end product will be quite different, I suspect from what we're talking about today. Go ahead (acknowledging question)

male

I was wondering if the state is looking for a definition of subsistence so it could use it in a regulatory manner, you know like ah...

Governor

I think everybody's been looking for one for at least the last 15 years and if you have one, we'd be interested in hearing what you propose.

female  
cont.

run going to take care of a lot of the issues that we're talking about right now. It seems like...

Governor

What do you mean, the taxes?

female

Yes. The price of gasoline, as I see it, has got to keep rising and it seems to me that in the length of time that I've been in Alaska, less and less of the people that I knew, like in Anchorage, are going out hunting because it's costing them more to do that. Do you think that's an issue that...

Governor

I think the pressures, again, I would defer to some of those from the region and let me say that the pressures in Bristol Bay area where I came from going like this astronomical increments, quantum leaps per year and I don't think that has been a deterrent in general but maybe it has been in some areas. I think a bigger deterrent has been the reduction of the resource and the fact that you can't go out as easily and get moose no matter where you go in the state as you could ten years ago. But I don't think that's an inhibiting factor, quite frankly,, at this stage in time. It may become so. Any other ...

female

I'd like to ask you one. I just am curious as to what the difference is between an in-state consumption and out of state consumption of the resources is, and I've never quite understood. Would a regulation, if it were on a local level be able to restrict the use of the resource of that level to Alaskans?

Governor

Only to this extent, only to this extent. Let's say, again, taking the Bristol Bay area, which is a prime sport fishing and hunting area that has numbers of people from outside the state visit it each year. I suspect if there were deemed inadequate amount of whatever game, let's say moose, in this case, or caribou, to provide for the "subsistence needs" of the people, then let's face it. Probably, the subsistence user, the guy who lives there, it's hard to make a case of the subsistence user who can hire an airplane and fly up from Montana or what have you to hunt in the Bristol Bay area. If there are inadequate game stock there through seasons and bag limits, you can't say "no non-resident can hunt or fish here". But you can say "we're going to close the season at the time of the year that the primary trophy hunts occur". If you had closed during September and October or August, any take of caribou and moose, there would be virtually no sportsmen that would appear on the scene. Or if you were to screen out the transport of game by aircraft, that's the only way they can address it - through methods and means and bag limits, to treat everybody alike. You're not going to say the Anchorage-ite or the Fairbanks-ite cannot come to Bristol Bay. If he comes down there, he submits himself to the same constraints that just coincidentally enable the local to utilize that resource to a much better degree than somebody else. That's the maximum

Governor  
cont.

extent you'd go by but that could do a great deal to selectively focus the use to those that live in that area. And, of course, that's what scares the devil out of a lot of people who don't want to be obligated to do that. Okay, well I've talked too much. I would appreciate that, again, that you would bear in mind that this isn't structured in concrete. I'd like you to deal frankly with the method of whether or not you think the six regions is appropriate. Or whether there should be more regions and the method of determining who sits on those boards and whether the boards should have more authority instead of simply proposing, making recommendations and then also, one other consideration in our proposal would have an individual from the regional boards goes to the Fish and Game Board hearings, take their case in hand, present it to that board, then one thing it would do is assure the local people that they had their representative -- not somebody the governor had selected or imposed upon them. Their representative would go in and convey to them why their regulations were or were not accepted. The other presence on those boards would be frankly, a non-voting presence of the area Fish and Game and in the case of federal land holders, perhaps somebody from Fish and Wildlife Service and I'm not sure, there's a third. What's the other one? Public Safety. So that those people were able to sit in with the local regional boards and convey to them their concerns and to on the other hand, listen to the concerns of the people locally and try to adjust their views accordingly.

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Governor

I think everybody's been looking for one for at least the last 15 years and if you have one, we'd be interested in hearing what you propose.

male

I'd be interested in using it.

Again, I don't think you can come up with a definition that would apply in all regions, precisely the same. I think there has to be a flexibility whether you could come up with a broad statement that would be meaningful, I don't, I have not heard it and I have not - I don't have much faith that we're going to come up with one of that nature in the immediate future.

O.K.

I might say that the cost of implementation, if we went with this program, first year costs would be \$900,000, which suggests that if it's implemented it will be implemented late in the year, after (end of tape).