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 occured 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 its 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. Its 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

Tape No.	Date	DESCRIPTION
	1977	
		PUBLIC HEARINGS:[1]
	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
		ALASKA PUBLIC FORUM[2]
---	10/3	Dillingham
---	11/19	Copper Center
---	11/5	Fairbanks
---	11/17	Galena
	1978	
32-35[3]	4/14-17	Teleconference
36[3]	4/17	Committee workshop
37-38[3]	3/23	? meeting
39[3]	4/10	? meeting
40[3]	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

[1] Transcripts available for all, except Togiak, with committee files

[2] Excerpts in Subsistence Committee Files, no tapes available

[3] Reel-to-reel tapes -- rest are audio cassettes

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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 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

BUDGET*

I.	SALARIES			
	Staff Assistant		$10,000.	
	Secretary		5,000.	
		Subtotal		$15,000.
II.	TRAVEL & PER DIEM			
	8 trips x 3 members x $200		4,800.00	
	Per Diem: $50/day x 4 days x 24		4,800.00	
	Staff & Chairman Travel (1 trip - D.C. Included)		5,000.00	
	Per Diem		3,500.00	
	Dillingham Meeting Travel		1,350.00	
	Per Diem		1,000.00	
		Subtotal		$20,450.
III.	CONTRACTUAL SERVICES			
	Interpreter -40 hours at $10/hr.		400.00	
	AFN/Public Hearing Costs		500.00	
	Video Tape of Hearings (estimate)		500.00	
	Printing Costs (estimate)		300.00	
		Subtotal		$ 1,700.
IV.	OTHER			
	Telephone, Toll, Telegram $170/mo x 5		850.00	
	Office Equipment Rental $45/mo x 5		225.00	
	Copy Service $150/mo x 5		750.00	
	Postage $150/mo x 5		750.00	
	Office Supplies		500.00	
	Newspaper Subscriptions		50.00	
	Miscellaneous		125.00	
		Subtotal		$ 3,250.
		TOTAL		$40,400.00

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

ALASKA PUBLIC FORUM
GALENA WORKSHOP
November 17, 1977

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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--

11-25-77

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

Male: (continued) training on how to make the policies; that possibly the 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.

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

Male: (continued) to all, it is a spiritual type of experience and it is a 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 regulations 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.

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).

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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, tha 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

10-26-77

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 solicite 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 concensus 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 appropriateiy 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 exisitng, 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 perameters 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 exisitng 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 comform 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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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.

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).

SCOMM

#7:2

September 14, 1977

Mr. Claud Hoffman
Chief Cadestral Engineer
Division of Lands
Department of Natural Resources
323 E. Fourth Avenue
Anchorage, Alaska 99501

Dear Mr. Hoffman:

The interim subcommittee of the Legislature on subsistence hunting and fishing would like to make arrangements for your agency to reproduce a series of mylar overlays prepared by the Federal-State Land Use Planning Commission which show subsistence hunting and fishing areas. These overlays are now in the possession of the Bureau of Land Management Natural Resource Library. The subcommittee would like one reproducible mylar overlay of each overlay provided by the Natural Resources Library.

A maximum of 45 overlays could be involved, but most likely the number would be approximately 30 overlays.

It would be appreciated if the copies could be made by October 1, 1977. When the duplicate overlays are completed, would you please send them to:

Representative Nels Anderson, Chairman
Subcommittee on Subsistence Hunting & Fishing
P. O. Box 234
Dillingham, Alaska 99576

In discussing this matter with Mr. Sherbahn of your staff, it was estimated that the cost of reproducing the maximum of 45 overlays would be approximately $150.00. This charge is acceptable to us. Charges for your services should be billed to:

Legislative Affairs Agency - Subsistence Subcommittee
Account Code: 31-92-1-771-399

Administrative Services Division
Legislative Affairs Agency
Pouch Y
Juneau, Alaska 99811

If you should have any questions regarding this request, please contact me in Juneau at 465-4915.

Please contact me at the above number when you are available to undertake our request and I will make arrangements for the Natural Resources Library to deliver the overlays to you.

Sincerely,

George Utermohle

George Utermohle
Research Analyst

GE:jm

cc: Hon. Nels Anderson
Administrative Services Division

Alaska State Legislature

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

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

TO: Legislative Affairs Agency
Pouch Y
State Capitol
Juneau, Alaska 99811

FROM: Dorothy M. Larson, Staff Assistant
Interim Committee on Subsistence

SUBJECT: Public Hearing Dates and Times for October

DATE: September 20, 1977

October 3, 1977, Monday - Public Hearing in Glenallen at the Glenallen High School at 7:00 P.M. in Room #1. Chairman Nels Anderson, Jr. and Representative Steve Cowper, and Senator Pat Rodey will conduct the hearing.

October 4, 1977, Tuesday - Public Hearing in Fairbanks at the USO Building, 516 1st Avenue, at 7:00 P.M.. Chairman Nels Anderson, Representative Cowper, and Senator Pat Rodey will conduct the hearing.

October 5, 1977, Wednesday - Public Hearing in Nenana at George Hall, Nenana, Alaska at 6:00 P.M.. Chairman Nels Anderson, Representative Cowper and Senator Pat Rodey will conduct the hearing.

October 17, 1977, Monday - Public Hearing at the Kodiak Borough Assembly Chambers in Kodiak at 7:00 P.M.. Chairman Nels Anderson, Senator Pat Rodey and Representatives Joe Hayes and Al Nakak will conduct the hearing.

, Jr.; Managing Editor, Jeffrey R.
Allam Area; Advertising Manager,
es Representative, Murlin G. Ever-
rvey; Staff Artist, Leonard W.

Chairman of the Board; Christian
ard; Toni Jones, Secretary; Karl
eo, Murlin G. Everson, Betty Farni,
Thomas Richards, Jr.; Financial

7.00 for two years.

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hope will broaden our readers'
before the legislature convenes

JRR

the Earth's testimony presented to the Department of Commerce on September 8, stating our position that the United States should file an objection to the International Whaling Commission's ruling to ban all subsistence hunting of the Bowhead whale. This position reflects the combined thinking of David Brower (President, Friends of the Earth), James Kowalsky (Alaska Field Rep), and staff of the Washington, DC office. It is consistent with earlier statements by Friends of the Earth on this issue as seen in the enclosed letter of July 19 signed by David Brower, and dating as far back to the good work done by Friends of the Earth's former Alaska Rep, Art Davidson, in 1970-1971, urging passage of a subsistence exemption for Alaska Natives as the Marine Mammal Protection Act was being deliberated in Congress.

It is most unfortunate that the national environmental organization which has been working the longest and most vigorously on the Bowhead-Eskimo issue has been completely misrepresented.

We would very much appreciate your printing of this letter and the enclosed testimony in the next issue of Tundra Times. It should clear the air once and for all. "Conservationists" and the Native community are going to have to work closely together in the coming years to avoid similar sorts of crises as pressures on Alaska's wildlife populations increase.

We appreciate the fine help of the Tundra Times in keeping these two groups of people in touch with each other. Thank you very much.

Sincerely yours,

Pamela Rich
Alaska Liaison

Mr. Brower's letter of July 19 is printed below:

We wish to comment on the current crisis of the endangered Bowhead whale (Balena mysticus) and the Inupiat Eskimo of northern Alaska. It is a crisis of inadequate management, of a dwindling whale population which is at only 6-10% of original stock, and of a people whose lives are precariously intertwined with the survival of that precious whale resource.

As environmentalists, we are caught in the middle of this serious dilemma. We are deeply concerned about the perpetuation of healthy whale populations in the earth's ecosphere. We have favored a ten year moratorium on commercial whaling of all whale species. We also believe in preserving the diversity of human cultures, especially those which have learned

other year, estimated to be 35 whales. Native leaders are concerned about this and do believe that corrective action should be taken. We think it appropriate to request that a basic "plan for improvement" be drafted by leaders from the affected villages of St. Lawrence Island, Kivalina, Point Hope, Wainwright, Barrow, Nuiqsit, and Kaktovik.

Other impacts affecting numbers, such as incidental commercial whalers, or habitat degradation must also be carefully examined and corrective actions taken, if the Bowhead population is really to be restored. In particular, we believe that the impacts from offshore oil exploration and development must be assessed. What studies are now underway? Will they be completed prior to lease sales? Have the other habitat polluting problems been identified? We would also encourage both Departments to seriously consider the establishment of an international whale sanctuary in the Beaufort Sea to give the habitat the protection it so critically needs.

It is as though we are being asked to side with either the Eskimo or the Bowhead. But they cannot really be separated. In speaking on behalf of protecting the whale, we are, in the long run, speaking on behalf of the Eskimo. Environmental organizations exist to take the long view even if that, as it does now, means biting the harpoon. To the best of our ability, we must vote in behalf of the voiceless--the species which can never speak for themselves such as the whale, and the people who cannot yet speak because they have not yet been born.

We feel obliged to work with the best available data, and to work conservatively with them. To make a decision which ignores either the whale or the Eskimo will serve neither the Eskimo, nor whales, nor us. We dare not close our eyes to data which we have and which the Eskimo appear not to have, because we believe that would permanently remove from Eskimo culture an Eskimo-Bowhead relationship which has been essential throughout history. We cannot therefore, for the sake of the political moment, fail the whale.

We can, however, urge that you, we, and the Eskimo concerned join in an effort to keep their culture alive and the Bowheads alive. We urge government and foundation support of continuing education, by Eskimo, or their people in the craft of subsistence hunting. We urge that the Eskimo make their own best estimates, for themselves and the rest of us, about what the carrying capacity is in the Bowhead resource

Juneau, Alaska 99811

Dear Governor Hammond:

I held a hearing on Subsistence in Kipnuk on September 3, 1977. I found the hearing quite interesting. The hearing coincided with a Central Bering Sea Fish and Game Advisory Board meeting. Over 25 villages along the Western Coast of Alaska were represented at that meeting.

The people discussed walrus, migratory birds and the d-2 issue along with the central issue--herring. The people gave their views in no uncertain terms.

One. The people are tired of being blamed for killing the walrus with no heads. They want you to understand that outside game hunters who hunt for the ivory don't eat the walrus meat. They want you to help stop people of Alaska from blaming them for the crimes of others.

Two. The people want you to help get the Migratory Bird Treaties renegotiated to allow for subsistence hunting of birds that come back in the spring. As you know, the people in the coastal and interior villages don't live near big Safeway and Carrs stores. In the spring the people are out of fresh meat. The cost of store-bought meat is prohibitive because none of the people have jobs in the winter.

The people of the coast ask that you press the President of the United States to renegotiate treaties that make it against the law to kill birds for food when they need it. The people ask that you don't be afraid to argue for them. You know how it is to be without meat.

The Claims act, the State and Federal government has not made the people rich, so please help the people change the treaties so they can have meat for their children.

Three. The people want the state to fund the Department of Fish and Game travel budget. The Fish and Game was supposed to be at the meeting in Kipnuk, but they were not there. The people were disappointed when there was no one from the Department to hear their concerns.

The herring issue was discussed at great depth. A position paper was adopted for consideration. It is too bad that the Department could not have participated in debate on an issue that is vital to the welfare of the coastal people of Western Alaska.

I hope you will work diligently to help your constituents in Western Alaska achieve their goals and objectives.

Best wishes,

Nels A. Anderson Jr.

TUNDRA TIMES SEPT. 21, 1977

Alaska State Legislature

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA 9981
907 465-3800

September 30, 1977

MEMORANDUM

TO: INTERIM COMMITTEE ON SUBSISTENCE

FROM: DOROTHY M. LARSON, STAFF ASSISTANT

SUBJECT: MONTHLY REPORT - SEPTEMBER

The activities of the Committee and staff are as follows:

On September 3rd, the Chairman, William Akers and I were in Kipnuk and conducted a public hearing. The major topics discussed were the herring fishery, walrus and regulations proposing that spring bird hunting be allowed. There were approximately 30 village representatives attending this 3 day workshop. The group proposed that the herring situation be studied and data be gathered before a commercial harvest be allowed. Their concern was that any other fishery at the present, without adequate biological data would endanger the subsistence fishery. That proposal will go to the Board of Fish. Another concern was headless walrus. They felt that Alaska Natives were being blamed for many of the headless walrus. They emphatically stated that the only time walrus heads were removed was to take ivory so that it was not wated when the carcass was beyond human consumption. (Attached is an article written by one of the so-called head hunters who do the same thing.)

Other activities include the preparation for the Kotzebue/Nome hearings held on September 15 and 16. Nels and Adelheid along with Senator Rodey and Representative Cowper conducted those hearings. The main topic at the Kotzebue hearing was the proposed whaling ban by the International Whaling Commission. We will incorporate that testimony with the testimony we received in Kotzebue. The people felt that they would rather have the use of subsistence resources than to exchange it for welfare. Problems arose with the Nome hearing and Nels told the people that he would be back to hold a hearing the latter part of October. We will begin working on that when we return next week.

Final preparations have been made and we will be leaving October 2 for a circuit to Glenallen, Fairbanks and Nenana and will return to Dillingham on October 7. Representatives Joe Hayes, Steve Cowper, Nels Anderson, and Pat Rodey will conduct the Fairbanks hearing. Hayes, Cowper and Anderson will conduct the Nenana hearing and Anderson and Cowper will conduct the Glenallen hearing.

We have been working closely with the Alaska Public Forum. They are holding a workshop on October 3 when the Governor will be in Dillingham. Unfortunately, Nels and I will be unable to attend, however, our Secretary Adelheid Herrmann will act as a resource person and will be representing the Committee in Dillingham and at Togiak. Nels has put out a news release encouraging area residents to attend and to speak on the subsistence concerns.

We have attended area meetings of the Nushagak/Togiak Advisory Committee. A major concern we had was the herring fishery regulations proposals due before October 3rd. There will likely be a commercial fishery of herring in the area and there are very little in the way of regulations. There is no subsistence provision in the regs. Nels has submitted a proposal on including this provision and one that will ask that biological data be gathered before a full scale commercial fishery be allowed.

We are waiting to hear from AFN, Inc. about their plans for the annual meeting. We will firm up plans for the hearing during the convention next week.

We have asked that TR books be returned to the Legislative Affairs office. When travel is necessary a TR will be wired from Legislative Affairs in Juneau for travel for the Subsistence Committee. We need to keep closer tabs on our budget expenditures. We have a schedule for travel and have asked each one to try to confirm with Ad Herrmann whether or not you can make your hearing schedule. We have not been able to contact William Akers or Al Nakak or Leo Schaeffer, so we would appreciate hearing from you by letter. We'd appreciate it if you could help us out by calling us or writing a note.

We will look forward to holding a full committee meeting in November. We have asked Joe Guthrie, Staff Attorney to assist us in drafting some legislation creating a subsistence division within the Department of Fish and Game, and on changing hunting seasons on moose in two game management units. George Utermohl is gathering data on the herring harvest for subsistence use throughout the State.

If you have any questions, please don't hesitate to contact us.

Alaska State Legislature

House

JUNEAU ALASKA

September 8, 1977

INTERIM COMMITTEE ON SUBSISTENCE

PROPOSED TRAVEL SCHEDULE FOR MEETINGS/HEARINGS -- Subject to Change

Kipnuk, Alaska	Anderson, Akers, Larson	September 3,4,5
Kotzebue, Alaska	Rodey, Cowper, Schaeffer, Anderson, Larson	Septermber 15
Nome, Alaska	Hayes, Cotten, Nakak, Anderson, Larson	September 16
Fairbanks/Nenana/ Copper Center, Alaska	Cowper, Rodey, Anderson, Larson	October 3,4,5
Kodiak, Alaska	Rodey, Hayes, Nakak, Anderson, Larson	October 17
Anchorage, Alaska	ALL COMMITTEE MEMBERS (AFN, Inc. Convention/Public Hearing)	Nov. 10,11,12
Galena, Alaska	Cotten, Akers, Cowper, Anderson, Larson	November 21
Juneau, Alaska	Schaeffer, Akers, Anderson, Larson	December 9
Barrow, Alaska	Schaeffer, Cotten, Hayes, Anderson, Larson	December 12

Alaska State Legislature

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

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

TO: Interim Committee on Subsistence

FROM: Dorothy M. Larson, Staff Assistant Dorothy

SUBJECT: Hearing Schedule

DATE: September 19, 1977

Enclosed is the hearing schedule that was approved in August. It was decided to try to stick to those dates, though the Kotzebue/Nome hearings were changed from the 13th and 14th of September to the 15th and 16th respectively because of the NOAA hearings.

Chairman Anderson, and Representative Akers conducted the hearing at Kipnuk on September 3, 1977 as scheduled.

Chairman Anderson, Senator Rodey and Representative Cowper conducted the hearings in Kotzebue. Ad Herrmann attended for me because I was seriously ill. I thought that this would be a good time to schedule a hearing since it was the date set for the NOAA hearings on the Bowhead whale Ban by the International Whaling Commission. Apparently this did not work out as well as expected because of the many meetings being held in Kotzebue at that time.

The following day, a hearing was conducted in Nome and the only committee member present was Chairman Anderson and staff secretary Adelheid Herrmann. The radio station misplaced the announcement for this hearing and other problems arose.

Please review the hearing schedule and check your calendars to see if there would be any conflicts in your schedules with these dates. If you are unable to attend the hearing you are scheduled for, please call me at 842-5970 so that an alternate can be sent.

Adelheid Herrmann will be in touch with each of you early the week of September 26 to confirm hearing assignments to see if alternates need to be arranged.

The next hearings are as follows:

Oct. 3, 1977, Monday, at 7:00 P.M. . Place - Glenallen High School, Room #1 Glenallen, Alaska. Copper River Area.

Oct. 4, 1977, Tuesday, at 7:00 P.M.. Place - USO Building, 516 1st Avenue, Fairbanks, Alaska.

Oct. 5, 1977, Wednesday, at 6:00 P.M. in Nenana at George Hall.

Chairman Anderson, Senator Pat Rodey and I will leave Anchorage for Copper Center by car on Oct. 3rd and make a loop through Fairbanks and Nenana.

We have sent announcements to the press and to the radio stations in all areas announcing the purpose of the hearings, time and place and those committee members conducting the hearing.

The other public hearing scheduled for October is to be held in Kodiak at 7:00 P.M. on Monday October 17, 1977 at the Kodiak Island Borough Assembly Chambers.

Those scheduled to conduct this hearing are Chairman Anderson, Senator Pat Rodey, Representatives Joe Hayes and Al Nakak.

Travel Requests are sent from Legislative Affairs for travel arrangements for the Subsistence Committee. If you don't use your T.R.'s please return them to Pat Costello at Legislative Affairs Agency in Juneau 99811.

Thank you for your cooperation. If you have any suggestions or comments, please be sure to call or write us.

Alaska State Legislature

House

JUNEAU ALASKA

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

September 3, 1977

Congressman Eldon Rudd
1428 Longworth Building
Washington, D.C. 20515

Dear Congressman Rudd,

I have tried to answer your questions as presented in your letter to my wife, of August 1, 1977. The Bristol Bay By-Lines doesn't publish anymore but she passed your letter on to me.

I chair an Interim Committee on Subsistence for the State of Alaska and want to share with you my view on HR 39.

I hope you can convince other members of Congress to SLOW down. We need time to prepare maps so that we can show you our subsistence range. Our state needs time to survey the sites of potential energy reserves. We need time to get villages in Alaska informed on HR 39.

We are asking that Congress send a copy of HR 39 to each Alaska village. In addition we would like Congress to encourage workshops on the bill so that everyone up here can have a better understanding of HR 39's provisions.

Please accept my sincere thanks for your effort to become better informed on this issue. I hope my comments will be helpful. Attached are answers to your questions.

Very Sincerely,

Nels A. Anderson

Nels A. Anderson
Chairman

NAA/ah.

Alaska State Legislature

House

JUNEAU ALASKA

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

1) Terms of the Statehood Act of 1959 would be preempted by HR 39. There is strong reason to believe that our State of Alaska will be forced to choose second choice land if HR 39 passes in its present form. Alaska's economic future will be affected but to what extent in unknown. HR 39 selections would surround State selections. If this happens Alaska will be forced to live with Federal regulations governing land and water management with this situation. Such a condition could severely restrict Alaska's economic advancement. A Cooperative Management concept may be the answer for the management of these lands.

2) I know that Alaska's land mass has not yet been thoroughly explored. Several areas mentioned in HR 39 could contribute to the nations energy needs in the form of fossil fuels. Until an accurate picture of the resources, renewable and non-renewable is available, it is very difficult to give specifics on just what existing potential development would be in conflict with HR 39.

3) It is of utmost importance that the lands selected by the State of Alaska, and Native Corporations be granted title to their land selected under the 1959 State - hood Act and the 1971 Alaska Native Claims Settlement Act. Then, the federal government should be allowed to make selections of National Interest Lands. The State of Alaska should receive 1st choice of available lands without interference from the federal government. No State selected lands should be preempted because of HR 39.

4) HR 39 should be enacted after the State makes it's selections, after Native Alaskans are granted their Native Allotments under the Native Allotment Act of 1906 and after the federal government has conveyed title of land to villages and regions created by the Alaska Native Claims Settlement Act of Dec. 18, 1971. HR 39 can prevent "rape" of lands at this time. Conservationists have made sure of that. If environmentalists get their way our State will never go beyond the frontier status we are in now.

I am of the opinion that the people of Alaska are more conscious about the non-rape of Alaska. Alaska can have a more controlled and orderly development than has been the past practice because of the emphasis on planning and the concern not only of Alaskans but nation - wide. The growth has been primarily due to the Trans Alaska Pipeline Development and has naturally spread to other areas. Alaska is definitely growing but the term "rape" cannot be used to describe growth. As stated before, if proper planning and management of all Alaska lands is put into effect - "rape" of the land and resources can be minimal giving way to orderly growth and development and even for having the status of certain areas that conservationists would like to see. One day, the nation may depend upon some of Alaska's resources for its sustenance. Will it be considered "rape" then?

5) The Alaska Coalition is the strongest and single proponent. They are a coalition of national environmentalists passing as spokesmen for Alaska. They do not represent

any viewpoint but their own. Their rationale is based on preservation for preservations sake. They say they are saving the land for future generations. What about us who live here now? I would characterize the Alaska Coalition's position as emotional.

We in Alaska haven't had the opportunity the remainder of the nation has had to testify and to plan for other national interest lands. The greatest amount of input should be from those residing in the State of Alaska. Again, I stress that planning and management of Alaska National interest lands will be of utmost importance to the State as well as the Nation if it is done orderly and objectively. It is not Alaska's fault that there has been "rape" of other lands in the U.S. but Alaska can, with the cooperation of the rest of the U.S. prevent that "rape" here in Alaska.

6) The specific concerns that have for my constituents is as I outlined in question # 4. I am also concerned that subsistence activities of Alaska residents must be more clearly spelled out. Our people in rural Alaska must be able to use national interest lands. Our people are not rich from oil. The Native people are not rich from the Claims Act. As long as our unemployment rate remains high we must still use the fish and game of all of Alaska's land. Specifically, convey all lands to their rightful owners forthwith. Subsistence for Alaska's residents must be guaranteed.

In the Bristol Bay area, HR 39 affects us in these ways - 7.5 million acres of new National Park areas, 2.6 million additional acres to the existing Katmai National Monument. Under the Wildlife Refuge System 3.5 million acres would be located in the Togiak National Wildlife Range, and 2.9 million acres in Iliamna National Wildlife Range. Under HR 39, there are 60,000 acres established "wild & scenic" rivers. A question the people ask- What kind of access and use will be allowed on these lands?

7) Salmon spawning areas, caribou calving areas, moose calving areas, duck and geese breeding grounds, berry picking areas should be protected. I can't be specific at this time but we have many areas that should be protected from any kind of development. The total land acreage is unknown at this time, however the State Department of Fish and Game can give you an idea of what critical habitat areas they consider important.

Alaska State Legislature

House

JUNEAU, ALASKA

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

TO: Legislative Council

FROM: Nels A. Anderson, Chairman
Interim Committee on Subsistence

SUBJECT: Progress Report

DATE: August 29, 1977

The headquarters and office of the Interim Committee on Subsistence was established in Dillingham in July. The telephone number is 842-5970. Staff includes Mrs. Dorothy Larson, Staff Assistant and Ms. Adelheid Herrmann, Secretary.

A list of those serving on the Committee is attached. A tentative schedule of the committees public hearings and meetings is attached for your information. The public hearing scheduled in Anchorage during the Alaska Federation of Natives, Inc. will be the largest and most significant. The theme of the Convention this year is Subsistence . If the cost is within reason, the public hearing will be video-taped for the record.

The first meeting of the Subsistence Committee was held on August 9, 1977 in Dillingham with all but 2 members present. The meeting was well attended by residents of Dillingham, Togiak, Stuyahok, Aleknagik, South Naknek, Koliganek. Visitors from local, state, federal, and other organizations were also present. Approval of the budget and travel schedule was given. It was unanimous, too, that a quorum need not be present to conduct a hearing. Guest speakers included George Allen, Rural Cap, Hank Cavallera, Consultant- formerly of Alaska Legal Services Corp., Joe Guthrie, Staff Attorney, Dr. Ron Skoog, Commissioner of the Alaska Department of Fish and Game. About one hour of public comment was held.

On August 10, 1977, the Committee members able attended an informal visit of the U.S. Subcommittee on Oversight and Alaska Lands with Reprentatives John Seiberling and Keith Sebelius.

Chairman Anderson presented a Statement expressing the concern of the Committee that the Subsistence issue be given high priority in the use and management on the National interest lands, and the speedy transfer of lands to State and Native Corporations.

The Committee and Staff will be working closely with other organizations on Subsistence, i.e., F/S LUPC, Rural Cap, AFN, Inc., Alaska Public Forum, Steering

Council for Alaska Lands chaired by Steve Cowper a member of the Subsistence Committee and Joe Hayes, also a member. Staff is involved in gathering information and data available from various sources. We have been sending press releases to all areas of the State. This Committee was mentioned in an editorial of one of the Anchorage papers following a receipt of our release. The Alaska Management Report has interviewed the Chairman and this weekly will have a feature and edition on Subsistence.

Staff has prepared a budget that is very realistic, and $40,400 will be used to the maximum. The issue of subsistence is and will continue to be a very crucial issue in the next decade because of its unusual relationship in the land picture in Alaska. The Committee will, as stated before, conduct hearings and attempt to reach all areas of the State. We will work cooperatively and in conjuction with others involved in Subsistence related projects. It was decided that this Committee must remain autonomous though. The progress and work load of the Committee is rapidly increasing.

If there are any questions, please don't hesitate to ask them or to contact staff at any time.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. BOX 234, DILLINGHAM, ALASKA 99576
TELEPHONE: 842-5970

D-2 HEARING

FAIRBANKS, ALASKA

AUGUST 20, 1977

by REP. NELS A. ANDERSON, JR., CHAIRMAN
INTERIM COMMITTEE ON SUBSISTENCE

I. HR 39 - WHAT IS IT?

WHEN SWINE FLU SHOTS WERE BEING ADMINISTERED, MY AUNT WAS NOT SURE THAT IT WAS THE RIGHT THING TO DO. HER DOUBTS WERE LINKED TO NEWS THAT MANY PEOPLE HAD DIED AFTER TAKING THE SHOTS.

MY AUNT AND HER DAUGHTER WENT TO VISIT MY DAD, WHO IS NOW THE HEAD OF OUR FAMILY, TO SEEK ADVICE. MY AUNT'S DAUGHTER ASKED DAD IF HE WAS GOING TO TAKE THE SWINE FLU SHOT. HE SAID YES HE WAS.

THEY DECIDED TO TAKE THEIR SHOTS, TOO, BECAUSE THEY KNEW MY DAD WOULD NOT TAKE ANYTHING THAT WOULD KILL HIM.

THIS STORY REMINDS ME OF THE DILEMNA WE IN ALASKA ARE IN TODAY REGARDING HR 39. MANY PEOPLE DON'T HAVE SOMEONE THEY CAN GO TO FOR ADVICE ON OUR LAND QUESTIONS. WE HAVE MANY LAND PUZZLES WHICH NEED TO BE SOLVED WHICH AT THIS TIME HAVE NO READY ANSWERS. MY AUNT TOOK HER SWINE FLU SHOT. NOW SHALL WE LOOK AT THE D-2 LANDS BILL TO SEE IF ACCEPTING THE LANGUAGE WILL KILL US?

YOU HAVE SAID THAT YOU ARE LOOKING FOR SPECIFICS IN YOUR TRAVELS THROUGHOUT OUR STATE. YOU HAVE HEARD MANY VIEWPOINTS OF MANY DIFFERENT PEOPLE AS YOU TRAVELED OUR GREAT LAND. YOU HAVE NOT HEARD TOO MANY SPECIFICS COMING FROM RURAL ALASKA

AS YET. I'M SURE YOU HAVE NOTICED THAT AND YOU SHOULD KNOW SOME OF THE REASONS WHY THE PEOPLE SPOKE ABOUT HR 39 IN GENERAL TERMS:

1) MOST OF THE PEOPLE OF RURAL ALASKAN VILLAGES HAVE NOT SEEN HR 39. IF THEY HAVE SEEN IT THEY DON'T KNOW WHAT IT MEANS. MANY OF THE PEOPLE IN RURAL ALASKA DO NOT READ, WRITE OR UNDERSTAND THE ENGLISH LANGUAGE. ALTHOUGH YOU HAD TRANSLATED WHAT WAS SAID INTO THE LOCAL DIALECT AT YOUR MEETING, THE FULL MEANING OF D-2 CANNOT BE UNDERSTOOD. (I WOULD WAGER THAT MANY OF OUR ALASKANS WHO ARE FLUENT IN ENGLISH ARE ALSO HAVING TROUBLE WITH THE LANGUAGE OF HR 39.)

2) THERE ARE MANY CONCEPTS AND WORDS IN HR 39 FOR WHICH THERE IS NO KNOWN NATIVE WORDS. I AM NOT AN EXPERT IN ANY NATIVE LANGUAGE BUT EXPERIENCE TELLS ME THAT MANY NATIVE PEOPLE DO NOT UNDERSTAND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT OF DECEMBER 18, 1971. ALTHOUGH ALMOST SIX YEARS HAVE ELAPSED MANY PEOPLE ARE YET UNINFORMED ABOUT WHAT THE CLAIMS ACT IS ALL ABOUT.

RECOMMENDATIONS

MAKE SURE THAT EVERY VILLAGE, CITY AND BOROUGH HAS AT LEAST ONE COPY OF THE BILL. HR 39 MUST BE UNDERSTOOD. YOUR COMMITTEE MUST ENCOURAGE EACH VILLAGE TO HOLD A WORKSHOP ON THE PROPOSED BILL SO THAT SPECIFIC LANGUAGE CHANGES TO THE BILL CAN BE MADE. UNLESS YOUR COMMITTEE MAKES A MEANINGFUL EFFORT TO EDUCATE THE PEOPLE OF ALASKA ABOUT WHAT HR 39 MEANS, YOUR VISITS UP HERE WILL BEAR NO FRUIT. WE CANNOT BE SURE THAT HR 39 WON'T KILL US UNLESS WE KNOW WHAT THE LANGUAGE MEANS.

II. UNFULFILLED PROMISES

THE FEDERAL GOVERNMENT HAS BEEN CRITICIZED ABOUT ITS INABILITY TO HANDLE LAND PROBLEMS IN ALASKA. THE PROBLEM ARISES BECAUSE MANY PEOPLE DON'T UNDERSTAND WHAT IS HAPPENING TO THE LAND. NOR DO THEY UNDERSTAND HOW THEY WILL BE ABLE TO USE THE LAND ONCE HR 39 BECOMES LAW. WE IN ALASKA ARE MANY MILES FROM THE CENTER OF POWER. MARK UP, SUB-COMMITTEE MEETINGS AND LEGISLATIVE SESSIONS WILL TAKE PLACE IN WASHINGTON D.C.. OUR VOICES MAY BE LOST IN THE WILDERNESS THAT SEPARATES US FROM OUR NATION'S CAPITAL.

MANY HAVE TOLD YOU WHAT THEY THINK IS WRONG WITH THE FEDERAL GOVERNMENT. IT IS CLEAR THAT WHAT IS SAID NOW HAS BEEN SAID ALREADY BUT AN ATTEMPT IS BEING MADE TO GIVE YOU A DEEPER UNDERSTANDING OF HOW MANY IN ALASKA FEEL ABOUT HR 39.

THREE FEDERALLY SANCTIONED LAND TRANSACTIONS HAVE BEEN IN EFFECT FOR MANY YEARS. THEY ARE 1) THE STATEHOOD ACT OF 1959 2) THE NATIVE ALLOTMENT ACT OF 1906 AND 3) THE NATIVE CLAIMS SETTLEMENT ACT OF 1971. MILLIONS OF ACRES OF LAND HAVE BEEN PROMISED UNDER THESE LAWS BUT LITTLE HAS BEEN TRANSFERRED FROM FEDERAL JURISDICTION INTO THE HANDS OF THOSE PARTIES WITH WHOM THE FEDERAL AGREEMENTS WERE MADE.

1) THE STATE OF ALASKA

THE STATE OF ALASKA IS ENTITLED TO 103 MILLION ACRES OF LAND. TITLE TO TENS OF MILLIONS OF ACRES OF LAND MUST YET BE GRANTED. ALASKA HAS HAD A DIFFICULT TIME RECEIVING PATENT. EXECUTIVE ORDERS HAVE BEEN ISSUED FREEZING LAND, NEW ACTS HAVE BEEN PASSED WHICH FORCED THE STATE OF ALASKA TO HALT ITS SELECTION UNTIL NEW TERMS HAD BEEN EXERCISED.

HR 39 HAS THE POTENTIAL OF FURTHER DELAYING THE PROCESS OF ALASKA'S SELECTION TO ITS FULL ENTITLEMENT UNDER THE TERMS OF THE ALASKA STATEHOOD ACT OF 1959. STATE LAND SELECTIONS WITHIN THE AREAS SET ASIDE FOR NATIONAL INTEREST LANDS ARE REVOKED UNDER HR 39. HR 39 PREEMPTS OUR STATES RIGHTS EVEN BEFORE THE PROMISE OF FULL ENTITLEMENT IS GRANTED. IT IS SMALL COMFORT TO GET EQUAL ACREAGE OF SECOND CHOICE LAND.

RECOMMENDATION

HR 39 MUST CREATE LANGUAGE THAT WILL PERMIT THE STATE OF ALASKA THE RIGHT TO ITS FULL ENTITLEMENT OF LAND WITHOUT FURTHER INTERFERENCE FROM THE FEDERAL GOVERNMENT. LAND OWNERSHIP PATTERNS MUST BE CLEARLY DELINEATED BEFORE THE CONCEPT OF COOPERATIVE MANAGEMENTS MAKE ANY SENSE.

HOW WILL WE BE ABLE TO NEGOTIATE THE TERMS OF A COOPERATIVE LAND MANAGEMENT AGREEMENT BETWEEN THE FEDERAL GOVERNMENT AND THE STATE WHEN THE STATUS OF THE LAND

IS STILL UNKNOWN.

MOVING TO SET ASIDE NATIONAL INTERESTS LANDS BEFORE THE STATE OF ALASKA IS GIVEN IT FULL ENTITLEMENT OF LANDS IS NOT FAIR.

2) NATIVE ALLOTMENTS

BEFORE WE BECAME A STATE IN 1959, A FEDERAL LAW CALLED THE INDIAN ALLOTMENT ACT WAS PASSED IN 1906. IN LATER YEARS THE ALASKAN NATIVES WERE INCLUDED AND WE KNOW THAT ACT AS THE NATIVE ALLOTMENT ACT. THE LAW ALLOWED ALASKA'S NATIVES WHO HAD 1/4 OR MORE NATIVE BLOOD THE RIGHT TO SELECT UP TO 160 ACRES OF PUBLIC UNAPPORPIATED LAND. THE ALLOTMENT WOULD BE CHOSEN ON THE BASIS OF TRADITIONAL USE AND OCCUPANCY. USES SUCH AS HUNTING, TRAPPING, CAMPING, BERRY-PICKING, WOODCUTTING, FISHING AND WILD FOOD GATHERING SITES WERE ACCEPTABLE.

SINCE THE PASSAGE OF THE NATIVE ALLOTMENT ACT, 7,834 APPLICANTS HAVE FILED FOR AN ALLOTMENT. 327 HAVE BEEN GRANTED TITLE TO THEIR LAND UNDER THE ACT. 1,271 HAVE BEEN GRANTED ADMINISTRATIVE APPROVAL. HOWEVER, RESTRICTED TITLE CANNOT BE ISSUED UNTIL THE ALLOTMENTS ARE SURVEYED BY BLM. WE DON'T KNOW WHEN THESE SURVEYS WILL BE DONE.

RECOMMENDATION

THE UNFULFILLED PROMISE OF LAND WITHOUT ACTION LEAVES A BITTER TASTE IN MANY MOUTHS. THE TRANSACTIONS MUST BE ACCELERATED SO THAT VALID EXISTING RIGHT UNDER THE 1906 NATIVE ALLOTMENT ACT IS NOT PREEMPTED BY HR 39. NATIVE ALLOTMENTS APPLIED FOR BUT NOT ADJUDICATED MAY FALL WITHIN THE BOUNDARIES SET FORTH IN HR 39. HOW MANY ALLOTMENTS WITHIN THE BOUNDARIES OF HR 39 IS UNKNOWN? WILL THE APPLICANTS' RIGHTS TO ENTER AND LEAVE THEIR LAND BE RESTRICTED? WILL THEIR RIGHTS BE TAKEN AWAY BEFORE THE APPLICANT RECEIVES RESTRICTED TITLE?

A SECTION OF HR 39 MUST DEAL WITH GETTING ALLOTMENTS TO THE APPLICANTS WITHOUT FURTHER DELAY. ACREAGE PROMISED MUST NOT BE DIMINISHED BECAUSE FIELD SURVEYS

DON'T SHOW EVIDENCE OF USE. NATIVE PEOPLE OF ALASKA HAVE LEFT THEIR LAND IN MUCH THE SAME WAY THEY FOUND IT SO THAT THE LAND COULD CONTINUE TO GIVE ITS BOUNTY.

MONEY FOR BLM MUST BE APPROPRIATED TO GET NATIVE ALLOTMENTS SURVEYED. A PROMISE MADE BY OUR GOVERNMENT MUST BE A PROMISE KEPT.

THIS IS AN OLD STORY IN WASHINGTON, D.C. ABOUT GENERAL CUSTER THAT SAYS HE TOLD THE DEPARTMENT OF INTERIOR TO DO NOTHING UNTIL THEY HEARD FROM HIM. PERHAPS THAT STORY IS NOT A JOKE ANYMORE BECAUSE THE BLM SURE HAS BEEN DRAGGING ITS FEET SINCE LITTLE BIG HORN.

3) ALASKA NATIVE CLAIMS SETTLEMENT ACT

THE TERMS OF THE 1971 ALASKA NATIVE CLAIMS SETTLEMENT ACT HAVE BEEN WELL PUBLICIZED. THE 40 plus MILLION ACRES OF LAND HAS BEEN VIEWED AS THE GREATEST LAND TRANSACTION IN THE HISTORY OF THE UNITED STATES. THE PRIVATE LAND OWNERS OF THIS MASSIVE AMOUNT OF REAL ESTATE HAVE NOT YET COME INTO POSSESSION OF TITLE.

4.5 MILLION ACRES HAVE BEEN CONVEYED TO DATE. THE LANGUAGE OF THE CLAIMS ACT IS CLEAR WHEN IT STATES THAT THE SECRETARY OF INTERIOR SHALL ISSUE PATENT TO THE SURFACE ESTATE OF QUALIFIED VILLAGE CORPORATIONS. THIS HAS NOT BEEN DONE.

THE PAINFULLY SLOW SNAIL-PACE CONVEYANCE OF LANDS CANNOT BE ALLOWED TO CONTINUE. THE VERY SAME PROBLEM THAT THE STATE OF ALASKA FACES IS SHARED BY THE VILLAGE AND REGIONAL CORPORATIONS. THEIR LAND ENTITLEMENT IS BEING HELD UP. DELAYS ARE MANY BUT NOT INSURMOUNTABLE.

RECOMMENDATION

MOVE TO APPROPRIATE MONEY SO THAT THE TERMS OF THE CLAIMS ACT CAN BE FULFILLED. UNCONVEYED LAND IS USELESS. YOU CAN'T DO ANYTHING WITH LAND THAT DOESN'T HAVE A PIECE OF PAPER THAT SAYS THE LAND BELONGS TO YOU.

THE LAND HAS TO BE TURNED OVER TO THE CLAIMS ACT VILLAGES AND REGIONS WITHOUT

FURTHER DELAY. THE PROMISE OF HOPE FOR THE FUTURE OF ALASKA'S ABORIGINAL PEOPLE FADES EACH DAY THAT BUREAUCRATIC DELAYS KEEP THE LANDS PROMISED OUT OF THEIR HANDS.

CONGRESS MUST REIMBURSE LEGAL FEES PAID BY THE VILLAGE AND REGIONS WHO HAVE FOUGHT TO ACCELERATE LAND CONVEYANCE. THERE IS NO REASON TO EXPECT THE PEOPLE THE FEDERAL GOVERNMENT CAME TO AN AGREEMENT WITH, TO FOOT THE BILL FOR AN ACTIVITY THAT WAS GUARANTEED BY LAW.

FINALLY, COOPERATIVE LAND AND WATER MANAGEMENT PROPOSALS IN HR 39 CANNOT TAKE PLACE UNTIL EVERY PARTICIPANT IS AT THE NEGOTIATING TABLE ON EVEN TERMS. LAND OWNERS WITH FULL TITLE TO THEIR LAND WILL BE ABLE TO NEGOTIATE MANAGEMENT PLANS WITH A FULL DECK. RIGHT NOW, THE FEDERAL GOVERNMENT HAS THE CARDS. THE GOAL SHOULD BE TO FULFILL PROMISES MADE BY CONVEYING ALL THE LAND THAT BELONGS TO THE VILLAGE AND REGIONAL CORPORATIONS.

III. SUBSISTENCE - HOW LONG?

MUCH OF THE LAND CHOSEN BY THE VILLAGES UNDER THE CLAIMS ACT WAS ON THE BASIS OF SUBSISTENCE USE. ALTHOUGH THE LAND ENTITLEMENT GRANTED COULD NOT SUPPORT THE FULL NEEDS OF EACH VILLAGE, THERE WAS NO REASON TO BELIEVE THAT THE FEDERAL AND STATE GOVERNMENTS WOULD NOT RESPECT THE DESIRES OF THE VILLAGE PEOPLE. PERHAPS THIS IS AND WAS A NAIVE PREMISE ON WHICH TO SELECT LAND BUT THERE IS STILL NO REASON TO BELIEVE THAT THE OPPOSITE IS TRUE.

TRADITIONAL USE AND OCCUPANCY OF ALASKA LANDS FOR SUBSISTENCE PURPOSES WILL UNDOUBLEDLY BE REQUIRED FOR MANY YEARS. BECAUSE OF THIS CONTINUING NEED, HR 39 LANGUAGE REGARDING SUBSISTENCE USE OF ALASKAS LAND WILL HAVE TO BE STRENGTHENED.

RURAL ALASKANS WILL NOT BE RICH FROM THE CLAIMS ACT FOR A LONG TIME. MOST OF THE MONEY COMING FROM THE ALASKA NATIVE FUND HAS BEEN USED TO DEVELOP REGIONAL AND VILLAGE CORPORATIONS.

EACH CORPORATION MEMBER HAS NOT SEEN A LARGE SUM OF MONEY TO DATE. NATIVE CLAIMS SHAREHOLDERS CANNOT EXPECT MEANINGFUL DIVIDEND PAYMENTS UNTIL THE REGIONS AND VILLAGES START MAKING PROFITS WHICH WILL SUPPORT THE CORPORATIONS PLUS SHARING ANY SURPLUS WITH THE SHAREHOLDERS.

RURAL ALASKANS UNEMPLOYMENT FIGURES ARE DISTRESSING WHEN COMPARED TO URBAN UNEMPLOYMENT FIGURES. THE PROBLEM OF UNEMPLOYMENT IS GOING TO CONTINUE TO PLAGUE OUR STATE NO MATTER HOW MUCH OIL MONEY IS MADE FROM TAXES ON THAT INDUSTRY.

STATE POLICY REGARDING REVENUE SHARING WILL GIVE A DECIDED ADVANTAGE TO URBAN AREAS OF OUR STATE BECAUSE OF THE SHEER WEIGHT OF NUMBERS. PER CAPITA DISTRIBUTION WILL CONCENTRATE WEALTH IN HIGH DENSITY POPULATION AREAS THUS LEAVING THE LOW DENSITY POPULATION RURAL VILLAGES WITH A SMALLER SHARE OF OUR STATE'S OIL MONEY.

A CASH ECONOMY SIMULTANEOUSLY OPERATING ALONG WITH SUBSISTENCE ECONOMY WILL BE THE RULE IN ALASKA. I DO NOT SEE RURAL ALASKANS IN THE CASH ECONMY TOTALLY FOR AT LEAST 50 YEARS.

BECAUSE OF THESE REASONS, HR 39 WILL NEED TO HAVE SUBSISTENCE PROVISIONS WRITTEN IN CLEAR UNMISTAKEABLE LANGUAGE.

THE INTERIM COMMITTEE ON SUBSISTENCE IS NOT PREPARED TO MAKE SPECIFIC LANGUAGE CHANGES TO THE TEXT OF HR 39. WE HOPE TO BE IN WASHINGTON, D.C. DURING MARK UP IN COMMITTEE AFTER WE HAVE HAD TIME TO PLAN STRATEGY. I WOULD HOPE THAT OUR COMMITTEE WILL BE PERMITTED TO WORK WITH YOUR COMMITTEE AND STAFF TO STRENGTHEN AND FURTHER REFINE SUBSISTENCE PROVISIONS OF HR 39.

RECOMMENDATIONS

THERE IS A NEED TO SLOW DOWN THE HEADLONG RUSH TO SET ASIDE NATURAL INTEREST LANDS. I REALIZE THAT YOUR COMMITTEE HAS A GOOD THING GOING. A MOMENTUM HAS DEVELOPED THAT YOUR COMMITTEE WOULD LIKE TO SEE CONTINUE. HOWEVER, IT MUST SLOW DOWN.

THE PEOPLE IN ALASKA NEED MORE TIME TO BE SPECIFIC IN THEIR RECOMMENDATIONS TO YOUR COMMITTEE. THE STATE NEEDS TIME TO MORE CAREFULLY STUDY AREAS THAT HAVE POTENTIAL EXTRACTABLE ENERGY RESERVES. THE VILLAGES AND REGIONS OF ALASKA NEED TIME TO STUDY HR 39 SO THAT THEY CAN INTELLIGENTLY STUDY THE BILL AND FAMILIARIZE THEMSELVES WITH HOW YOU PLAN TO PROTECT SUBSISTENCE. WE NEED TIME TO LAY OUT SUBSISTENCE ZONE RANGES IN MAPS.

SUMMARY

TO SUMMARIZE YOU MUST CONVEY ALL THE LANDS TO ALL PARTIES UNDER THE STATEHOOD ACT, THE NATIVE ALLOTMENT ACT AND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT. YOU MUST GIVE US MORE TIME TO STUDY HR 39. YOU MUST TIGHTEN UP LANGUAGE THAT WOULD GUARANTEE SUBSISTENCE FOR ALASKAN RESIDENTS. YOU HAVE TO SLOW DOWN.

WE CANNOT TALK TURKEY UNTIL WE GET OUR LANDS UNDER OUR CONTROL. THE REST OF THIS NATION MUST GIVE US TIME TO STUDY THE PROVISIONS OF HR 39.

I HOPE MY COMMENTS HAVE BEEN HELPFUL. THANK YOU FOR YOUR PATIENCE.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 284 • 842-5970
Dillingham, Alaska 99576

October 17, 1977

MEMORANDUM

TO: Legislative Affairs Agency

FROM: Dorothy Larson, Staff Assistant DML

SUBJECT: Calendar

The Interim Committee on Subsistence will conduct a public hearing on October 26, at 7:00 P.M. in Nome at the King Island Community Hall. Please make this addition.

In the November Calendar, please note that on November 10, 1977 a public hearing will be held at Room 114, Community Center at 607 West 6th Avenue from 6:00 P.M. to 9:00 P.M..

On November 11th, Friday, the Interim Committee on Subsistence meeting will be held at 9:00 a.m. in Anchorage at Federal/State Land Use Planning Commission Conference Room at 733 W. Fourth Avenue. All Committee members should attend.

On November 12th , the Committee will be at the Alaska Federation of Natives Convention to present a report to the Convention and to accept testimony of Convention representatives.

JUNEAU ALASKA

Alaska State Legislature

House

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

NEWS RELEASE

Nels Anderson, Jr., Chairman of the Interim Committee on Subsistence and committee members Steve Cowper, Joe Hayes, and Pat Rodey held public hearings in Glenallen, Fairbanks and Nenana in a circuit of the Interior on October 3,4,5. The hearings were well attended by a good cross section of the area residents, Anderson reports.

Anderson said that there are many of the same concerns being expressed by Alaska residents throughout his travels with the Subsistence Committee. At each hearing the concern for the protection of a subsistence lifestyle has been emphasized; protection of the subsistence resources; better management and enforcement practices by the Alaska Department of Fish and Game.

Alaska residents are concerned about the depletion of the fish and game and the use of these resources for subsistence purposes. Residents on the highway systems in rural Alaska are concerned about their ability to compete with the people who have the expensive boats, airplanes, ATV's who come from the cities to hunt or fish. Other concerns in the case of subsistence fishing in the Interior is that subsistence fishing was cut off when the commercial fishing was regulated. Distinction needs to be made between subsistence fishing and the commercial harvest of fish. It is noted that rules and regulations on the subsistence fishing are found in the commercial fishery section, generally.

Anderson said that he and Staff Assistant Dorothy Larson will be traveling to

Kodiak on October 17 and Nome on October 26. A hearing is scheduled for the Anchorage area on November 10, 1977 at 6:00 P.M. at the Community Center at 607 West 6th Avenue. He said that he was pleased with the turn-out at the hearings and that the Committee is gathering testimony that will be put in the form of recommendations and draft legislation.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

PUBLIC HEARING ANNOUNCEMENT

"THE INTERIM COMMITTEE ON SUBSISTENCE WILL HOLD A PUBLIC HEARING IN ANCHORAGE, ALASKA AT THE COMMUNITY CENTER AT 607 W. 6th Avenue (THE OLD CENTRAL JUNIOR HIGH BUILDING) IN ROOM 114 AT 6:00 P.M. ON THURSDAY, NOVEMBER 10th."

The Committee is urging Anchorage area residents to attend this hearing to express their views on subsistence concerns. Several questions have been posed for the public to respond to:

1) Should subsistence be taken into consideration when land and water use policy is developed?

2) Should subsistence be defined?

3) What should the State do about protecting subsistence?

The Committee will hold a regular meeting at 9:00 a.m. November 11, 1977 at the Federal/State Land Use Planning Commission at 733 W. 4th Avenue in Anchorage.

The Committee will be in attendence at the Alaska Federation of Natives, Inc. Annual Convention on Saturday November 12 to present a report to the Convention and to accept testimony.

Chairman Anderson would like to urge Anchorage Area residents to attend this Public Hearing.

The Committee will be drafting legislation making recommendations to the legislature on its findings from testimony from residents throughout the State of Alaska.

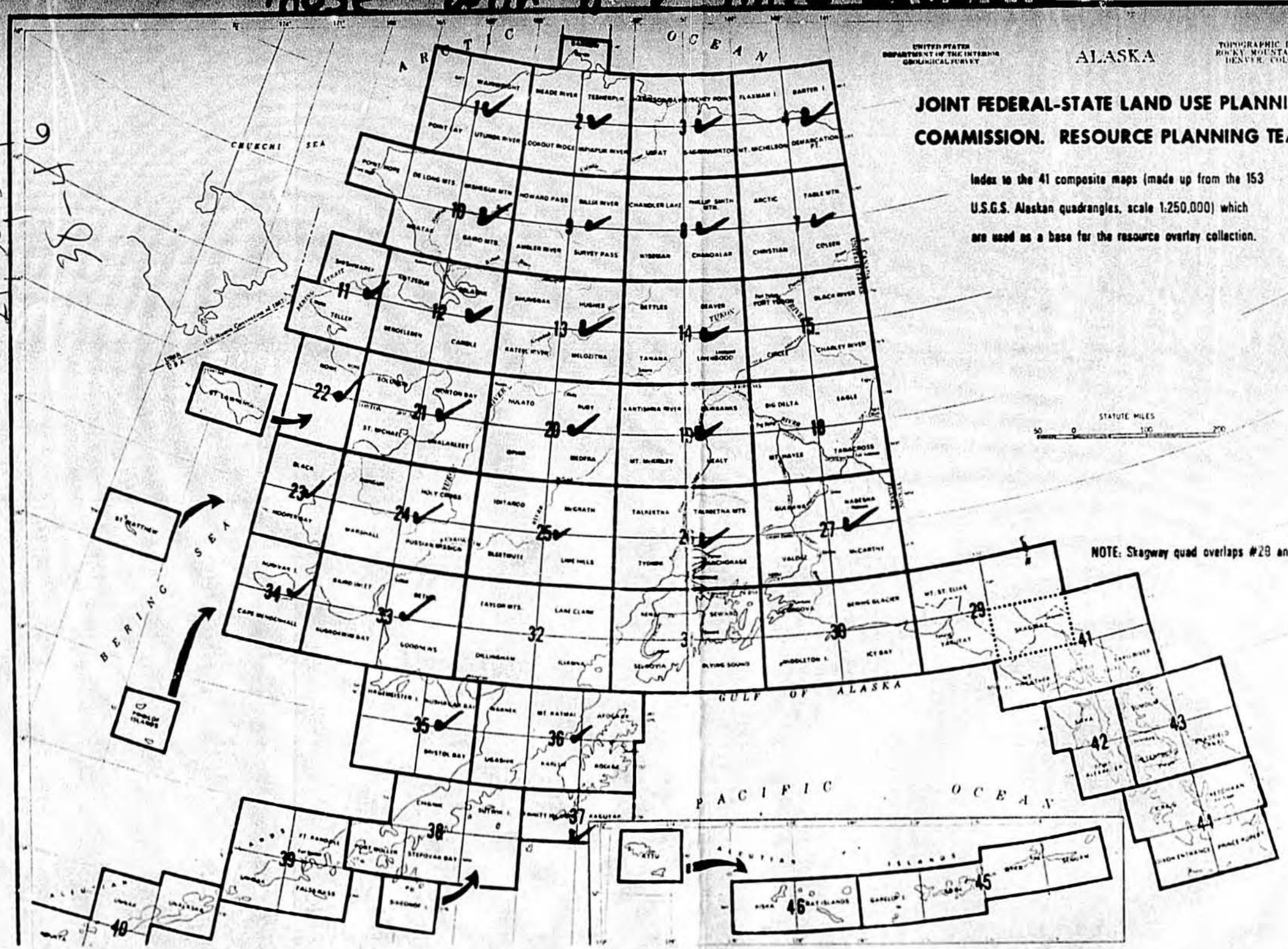
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

ALASKA

TOPOGRAPHIC DIVISION
ROCKY MOUNTAIN AREA
DENVER, COLORADO

JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION. RESOURCE PLANNING TEAM.

Index to the 41 composite maps (made up from the 153 U.S.G.S. Alaskan quadrangles, scale 1:250,000) which are used as a base for the resource overlay collection.



NOTE: Skagway quad overlaps #28 and #41.

SCOMM

#7:3

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

EXTRACTS FROM d-2 LEGISLATION WHICH ADDRESS THE ISSUE OF SUBSISTENCE

H.R. 39	Udall	('Udall Bill')
H.R. 1652	Dingell	
H.R. 2082	Leggett	
H.R. 5605	Seiberling	('Angoon Bill')
S. 499	Jackson	('Morton Bill')
S. 1500	Metcalf	
S. 1787	Stevens	('Alaskan Consensus Bill')

95TH CONGRESS
1ST SESSION

H. R. 39

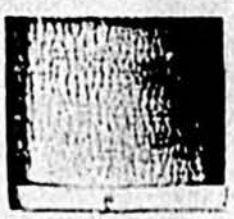
A BILL

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, Wild and Scenic Rivers and National Wilderness Preservation Systems, and for other purposes.

By Mr. UDALL, Mr. PHILLIP BURTON, Mr. BINGHAM, Mr. ANDERSON of Illinois, Mr. BROOKHEAD, Mr. CARR, Mr. DELLUMS, Mr. DRINAN, Mr. EDGAR, Mr. EDWARDS of California, Mr. FRASER, Mr. HARRINGTON, Mr. JEFFORDS, Mr. KASTENMEIER, Mr. MINETA, Mr. MOAKLEY, Mr. MOFFETT, Mr. NOLAN, Mr. OTTINGER, Mr. RONCALIO, Mr. SEIBERLING, Mr. WAXMAN, Mr. WEAVER, and Mr. TSONGAS

JANUARY 4, 1977

Referred to the Committee on Interior and Insular Affairs



ADMINISTRATIVE PROVISIONS

SEC. 605. Wilderness areas designated by this Act shall be administered in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

TITLE VII—GENERAL ADMINISTRATIVE PROVISIONS

SEC. 701. (a) Except as otherwise prohibited by Federal or State law, the Secretary shall permit the continuation of such subsistence uses of the fish, wildlife, and plant resources within the areas added to existing units or established by titles I, II, III, and IV of this Act. The Secretary may publish regulations prescribing conditions under which subsistence uses may be conducted, including, but not limited to, the establishment of limits on the number and type of wildlife species to be utilized and the length of the season during which subsistence activities may be engaged in within any such unit. After consultation with local residents and State agencies exercising jurisdiction affecting subsistence resources, the Secretary may designate "subsistence management zones" to include various geographical areas where

subsistence activities have customarily occurred in and adjacent to national interest lands, without regard to boundaries established for such lands by this Act. The Secretary shall establish "regulatory subsistence boards" consisting of ten persons who are subsistence users of such areas. Each Board shall be required to review and approve each subsistence permit application within each subsistence management zone in accordance with criteria and management procedure as promulgated by the Secretary after public hearings. Regulatory subsistence boards shall also advise the Secretary or his designee on matters of concern to subsistence permittees and other residents within specific subsistence management zones and shall cooperate with the Secretary in the development of studies on subsistence resources.

The Secretary or his designee shall retain the responsibility to enforce, review, and where necessary under subsection (b) of this section, overrule decisions and recommendations of the regulatory subsistence boards.

(b) Subsistence uses of national interest lands will in all cases be given preference over any competing consumptive use in a subsistence management zone. When a specific resource cannot support all demands upon it, the Secretary shall curtail subsistence uses of that resource to the extent necessary to protect the viability and well-being of fish, wildlife, and plant species affected or otherwise restore and

preserve wilderness values in the subsistence management zone: *Provided, however,* That in the absence of an emergency, the Secretary shall first consult with the regulatory subsistence boards and publish his proposals and seek public comment.

(c) People who exercise and who continue to exercise customary, consistent, and traditional use of subsistence resources in the national interest lands established by this Act, as of December 18, 1971, and their direct descendants, shall be permitted to continue subsistence activities on these national interest lands if they are primarily and directly dependent for the mainstay of their livelihood upon local natural resources for either food, shelter, materials, firewood, clothing, tools, transportation, or handicrafts and so long as such use is consistent with the sound management of these resources.

(d) The Secretary, who is responsible for the administration of units established by titles I, II, III, and IV of this Act, shall undertake research on the use of subsistence resources and shall seek data from subsistence users and consult such users frequently, and shall make findings of such research available to such users, the subsistence boards, and the public.

(e) Not later than ten years from the date of enactment of this Act, and continuing at intervals of not more

than five years after the submission of the first such report, the Secretary shall report to the Congress on the effect of all hunting and fishing including subsistence uses, on the flora and fauna within the lands included in this Act, and shall recommend, after consultation with the fish and game agency of the State of Alaska and the Regulatory Subsistence Boards authorized under subsection (a) of this section, whether changes in any or all of such uses may be necessary.

SEC. 702. The Secretary may permit hunting on lands and waters under his jurisdiction established as national preserves under title I of this Act, in accordance with such regulations as he shall prescribe. Such regulations may include the designation of zones where, and the establishment of periods when, no hunting shall be permitted in any such area for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate fish and game agency of the State of Alaska.

SEC. 703. (a) All lands designated by this Act as national parks, national monuments, national preserves, national wildlife refuges, national wildlife ranges, and, notwithstanding the provisions of section (9) (a) (iii) of the Wild and Scenic River Act (82 Stat. 907) as amended (16 U.S.C.

95TH CONGRESS
1ST SESSION

H. R. 1652

A BILL

To designate certain lands in the State of Alaska as units of the national wildlife refuge system.

By Mr. DINGELL

JANUARY 11, 1977

Referred to the Committee on Merchant Marine and Fisheries



lished by the Act shall be published in the Federal Register and filed in the office of the Secretary of the Interior, and such description shall have the same force and effect as if included in this Act; except that correction of clerical and typographical errors in such legal description and map may be made. Descriptions shall be based on land surveys or projections thereof.

SEC. 5. (a) Notwithstanding any other law, the refuges established by this Act shall be administered in accordance with the laws under which national wildlife refuges are established and administered. All lands established as national wildlife refuges by this Act are hereby withdrawn from all forms of appropriation under the public land laws including the mining and mineral leasing laws.

(b) Except as specifically provided for in this Act, the withdrawal of lands for refuges established by this Act shall (1) precede the selection of lands by native Alaskans under the Alaska Native Claims Settlement Act, except that one township surrounding each village within the boundary of any such refuge may be selected by the natives; and (2) precede the selection of lands by the State of Alaska.

(c) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(d) Nothing in this Act shall be construed as affect-

ing the jurisdiction or responsibilities of the State of Alaska witht respect to resident wildlife and fish in the national wildlife refuges established by this Act.

SEC. 6. (a) In any case where State-owned or privately owned land is completely surrounded by the lands of national wildlife refuges established by this Act, the State of Alaska or private owner shall be given such rights as may be necessary to assure adequate access to such State owned or privately owned land by the State or private owner and their successors in interest, or the State owned land or privately owned land shall be exchanged for federally owned land in the State of Alaska of approximately equal value under authorities available to the Secretary of the Interior; except that the United States shall not transfer to the State of Alaska or a private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a national wildlife refuge established by this Act, the Secretary of the Interior shall, by reasonable regulations consistent with the preservation of the area, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

95TH CONGRESS
1ST SESSION

H. R. 2082

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1977

Mr. LEGGETT (for himself, Mr. DINGELL, Mr. FORSYTHE, and Mr. OBERSTAR) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To revise the laws relating to the establishment, administration, and management of the National Wildlife Refuge System, to establish a Bureau of National Wildlife Refuges, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—NATIONAL WILDLIFE REFUGE SYSTEM

SHORT TITLE

SEC. 101. This title may be cited as the "National Wildlife Refugee System Organic Act of 1977".

Claims Settlement Act; except that lands within the boundaries of any unit of the System established by this section that have been withdrawn for selection by Native Village Corporations or Native Regional Corporations pursuant to the Alaska Native Settlement Claims Act, but which are not selected by any village or regional corporation, shall become a part of such unit.

(g) The Secretary shall permit previously established subsistence uses to continue within the units of the System established by this section for such time as he determines that the continuation of such uses are necessary for human survival and cultural purposes and do not materially or negatively affect the fish, wildlife, and plant resources or the purposes for which the units are established. The Secretary may publish regulations prescribing conditions under which subsistence uses may be conducted, including, but not limited to, the establishment of limits on the number and type of wildlife species to be utilized and the length of the season during which subsistence activities may be engaged in within any such unit.

(h) The Secretary is authorized to acquire by purchase, donation, bequest, exchange, or otherwise, lands within the perimeters of units of the System established by this section; except that—

95TH CONGRESS
1ST SESSION

H. R. 5605

A BILL

To establish Admiralty Island National Preserve in the State of Alaska, and for other purposes.

By Mr. SEIBERLING

MARCH 24, 1977

Referred to the Committee on Interior and Insular Affairs



(i) Motorized vehicles.

(ii) Aircraft.

(iii) Fish processing waste discharge.

(iv) Aquaculture, including mariculture.

(v) Hunting, fishing, and trapping.

(vi) Other such uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act.

(vii) The following uses will be prohibited within the boundaries of the preserve:

(A) New construction of commercial, recreational, or residential facilities, except as provided in this Act.

(B) No mining or mineral exploration activities of any kind including oil and gas.

(C) No predator control harvests: *Provided,* That should an animal species be in danger of depletion due to hunting pressures, natural phenomena, or other cause, recreational and subsistence hunting may be banned until such time as that species has reached a strong and stable population level.

(D) No motorized vehicles will be permitted in the preserve, except watercraft and float planes in the waterways, and along existing rights-of-way.

SEC. 5. (a) The Secretary shall permit hunting, fishing,

and public entry onto the lands and waters under his jurisdiction within the preserve in accordance with the applicable laws of the United States and the State of Alaska: *Provided*, That he may designate zones where, and periods when, no commercially related or recreational hunting, fishing, or entry will be permitted for reasons of public health, safety, or welfare, flora and fauna protection and management, subsistence activities of the Tlingit community, or administration within the intents and purposes of this Act. The Congress further recognizes that some of the uses on Admiralty Island, such as wildlife photography and observation and hunting may at times be in conflict with one another, and for this reason so designates the Pack Creek and Swan Cove area, within the boundaries of Pack Creek Research Natural Area as prohibited to recreational and subsistence hunting.

(b) Except in emergencies, any regulations prescribing closure or restrictions relating to hunting, fishing, and public entry shall become effective only after consultation with the Fish and Game Advisory Committee of Angoon, which is the appropriate agency having jurisdiction over hunting and fishing activities. The Fish and Game Advisory Committee shall consist of seven members, all of whom must be subsistence users and residents of Admiralty Island and possessing such other qualifications as may be established by the Secretary. Membership on the committee shall be determined by

popular vote at any regular or special election held in Angoon, Alaska.

(c) Notwithstanding this section or any other provision of this Act, members of the Angoon Tribes of Tlingit Indians residing on Admiralty Island shall continue in perpetuity their usual and customary use and occupancy of public lands and waters within the preserve, including, but not limited to, hunting, fishing, trapping, gathering of fruits and shellfish, and the use of any nonendangered bird or animal species for traditional ceremonials, regalia, and native arts and crafts.

SEC. 6. (a) Notwithstanding any other provision of law and before entering into any contract for the establishment of revenue-producing visitor services—

(i) the Secretary shall offer to Kootznoowoo, Incorporated, a first right of refusal to continue providing such services within the preserve subject to such terms and conditions as are reasonable and appropriate;

(ii) before entering into any contract or agreement to provide new revenue-producing visitor facilities or services within the preserve, the Secretary shall first offer to Kootznoowoo, Incorporated, the right to build and operate such facilities, which right of first refusal to remain in force for a period of one hundred and twenty days. Should Kootznoowoo, Incorporated, respond with proposals that satisfy the terms and conditions established



95TH CONGRESS
1ST SESSION

S. 499

A BILL

To provide for the addition of certain lands in the State of Alaska to the National Park, National Wildlife Refuge, National Forest, and National Wild and Scenic Rivers Systems, and for other purposes.

By Mr. JACKSON and Mr. HANSEN

JANUARY 28 (legislative day, JANUARY 19), 1977
Read twice and referred to the Committee on Interior and Insular Affairs

Township 41 south, range 53 west.

Township 41 south, range 54 west.

(c) Not later than ten years from the date of enactment of this title, and continuing at intervals of not more than five years after the submission of the first such report, the Secretary shall report to the Congress on the effect of all hunting, fishing, and trapping, including subsistence uses, on the flora and fauna within each area added to existing units or established by parts A and B of this title, and shall recommend whether any or all of such uses shall be continued.

NATIONAL PARK AREAS

SEC. 108. SUBSISTENCE USES.—Except as may otherwise be prohibited by Federal or State law, the Secretary shall permit the continuation of such subsistence uses of the fish, wildlife, and plant resources within the areas added to existing units or established by parts A and B of this title to the extent that such uses were in effect on the date of enactment of the Alaska Native Claims Settlement Act. Such uses shall continue unless the Secretary determines that particular uses are materially and negatively affecting the fish, wildlife, or plant resources of such areas: *Provided*, That, for such reasons as public safety, administration, fish and wildlife management, or public use and enjoyment, the Secretary may, by regulation, prescribe conditions under which such subsistence uses shall be conducted including, but not limited to, prohibitions on takings, and the establishment of limits on

the number and type of resources taken, and the season when, and area within such areas where, subsistence activities can be undertaken. Regulations promulgated pursuant to this section shall be put into effect only after consultation with the appropriate fish and game agency of the State of Alaska.

SEC. 109. COOPERATIVE AGREEMENTS.—(a) The Secretary is authorized to cooperate and seek agreements with the heads of other Federal agencies and the owners of lands and waters within, adjacent to, or related to each area added to existing units or established by parts A and B of this title, including, without limitation, the State of Alaska or any political subdivision thereof, any Native corporation, village, or group having traditional cultural or resource-based affinities for such areas, and, with the concurrence of the Secretary of State, the governments of foreign nations. Such agreements shall have as their purpose the assurance that resources will be used, managed, and developed in such a manner as to be consistent with the preservation of the environmental quality of such areas. The agreements may also provide for access by visitors to the park system units to and across the lands which are the subject of the agreements.

(b) The head of any Federal agency, other than agencies that are parties to cooperative agreements pursuant to subsection (a) of this section, having direct or indirect

on the effective date of this title, or which becomes invalid thereafter. Any claim recorded pursuant to the regulations promulgated under this subsection, for which the claimant has not made application for a patent within three years from the date of recordation, shall be presumed to be invalid unless the claimant presents to the Secretary clear evidence of its validity.

(2) The Secretary may administratively cancel any lease or prospecting permit for violations of the terms of the lease or permit or of regulations issued pursuant to the Mineral Leasing Act of February 25, 1920, without regard to the requirements of section 31 of such Act (41 Stat. 450, as amended; 30 U.S.C. 188), after thirty days notice to the lessee or permittee and failure of the lessee or permittee to correct the condition giving rise to the breach.

(c) The lands within the Noatak National Arctic Range are, subject to valid existing rights, withdrawn from location, entry, and patent under the public land laws of the United States, including all forms of appropriation under the mining laws of the United States and from the operation of the Mineral Leasing Act of February 25, 1920, as amended and supplemented.

WILDLIFE REFUGES

(d) Except as may otherwise be prohibited by Federal or State law, the Secretary shall permit the continuation of such subsistence uses of the fish, wildlife, and plant resources

within the refuges and the ranges to the extent that such uses were in effect on the date of enactment of the Alaska Native Claims Settlement Act. Such uses shall continue unless the Secretary determines that particular uses are materially and negatively affecting the fish, wildlife, or plant resources of the refuges and the ranges: *Provided*, That, for such reasons as public safety, administration, fish and wildlife management, or public use and enjoyment, the Secretary may, by regulation prescribe conditions under which such subsistence uses shall be conducted including, but not limited to, prohibitions on taking, the establishment of limits on the number and type of resources taken, and the season when, and area within the refuges and the ranges where, subsistence activities can be undertaken. Regulations promulgated pursuant to this section shall be put into effect only after consultation with the appropriate fish and game agency of the State of Alaska.

SEC. 206. WILDERNESS REVIEW.—(a) Within three years from the date of enactment of this title, the Secretary shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the refuges and the Iliamna National Resource Range for preservation as wilderness, and any designation of any such areas as

95TH CONGRESS
1ST SESSION

S. 1500

A BILL

To designate certain lands in the State of Alaska as units of the National Park, National Wildlife Refuge, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

By Mr. METCALF

MAY 12 (legislative day, MAY 9), 1977
Read twice and referred to the Committee on Energy and Natural Resources

TITLE VII—GENERAL ADMINISTRATIVE PROVISIONS

SEC. 701. SUBSISTENCE USES.—Except as otherwise prohibited by Federal or State law, the Secretaries of the Interior and Agriculture shall permit the continuation of subsistence uses of the fish, wildlife, and plant resources within the areas under their respective jurisdictions established as units, or added to existing units, of the four conservation systems pursuant to this Act (hereinafter referred to as the "national interest lands"). Each Secretary may publish regulations prescribing conditions under which subsistence uses may be conducted, including, but not limited to, the establishment of limits on the number and type of wildlife species to be utilized and the length of the season during which subsistence activities may be engaged in within any such unit of the national interest lands under his jurisdiction. After consultation with local residents and State agencies exercising jurisdiction affecting subsistence resources, each Secretary may designate "subsistence management zones" to include various geographical areas where subsistence activities have customarily occurred in and adjacent to national interest lands, without regard to boundaries established for such lands by this Act. The appropriate Secretary shall establish a "regulatory subsistence board" for each subsistence management zone or combina-

tion of zones. Each board shall consist of ten persons who are subsistence users of the zone or zones and shall be required to review and approve each subsistence permit application within the zone or zones in accordance with criteria and management procedure as promulgated by the appropriate Secretary after public hearings. Each board shall also advise the appropriate Secretary or his designee on matters of concern to subsistence permittees and other residents within the subsistence management zone or zones and shall cooperate with the appropriate Secretary in the development of studies on subsistence resources. The appropriate Secretary or his designee shall retain the responsibility to enforce, review, and, where necessary under subsection (b) of this section, overrule decisions and recommendations of the regulatory subsistence boards.

(b) Subsistence uses of national interest lands shall in all cases be given preference over any competing consumptive use in a subsistence management zone. When a specific resource cannot support all demands upon it, the appropriate Secretary shall curtail subsistence uses of that resource to the extent necessary to protect the viability and well-being of fish, wildlife, and plant species affected or otherwise restore and preserve wilderness values in the subsistence management zone: *Provided, however,* That in the absence of an emergency, the appropriate Secretary shall first con-

sult with the regulatory subsistence board or boards involved, publish his proposals, and seek public comment.

(c) People who exercised as of December 18, 1971, and who continue to exercise customary, consistent, and traditional use of subsistence resources in the national interest lands, and their direct descendants, shall be permitted to continue subsistence activities on these national interest lands if they are primarily and directly dependent for the mainstay of their livelihood upon local natural resources for either food, shelter, materials, firewood, clothing, tools, transportation, or handicrafts and so long as such use is consistent with the sound management of these resources.

(d) The Secretaries of the Interior and Agriculture shall undertake research on the use of subsistence resources on the national interest lands, shall seek data from subsistence users and consult such users frequently in conducting such research, and shall make the findings of such research available to such users, the regulatory subsistence boards, and the public.

(e) The Secretary of the Interior and the Secretary of Agriculture shall jointly report to the Congress not later than ten years from the date of enactment of this Act, and continuing at intervals of not more than five years after the submission of the first such report, on the effect of all hunting and fishing, including subsistence uses, on the flora and

fauna within the national interest lands. In each such report, the Secretaries shall recommend, after consultation with the fish and game agency of the State of Alaska and the regulatory subsistence boards, whether changes in any or all of such uses are necessary.

SEC. 702. HUNTING.—The Secretary may permit hunting within the national preserves established in title I, in accordance with such regulations as he shall prescribe. Such regulations may include the designation of zones where, and the establishment of periods when, no hunting shall be permitted in any such area for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate fish and game agency of the State of Alaska.

SEC. 703. MINING AND MINERAL LEASING.—(a) all lands established as units, or added to existing units, of the National Park System, the National Wildlife Refuge System, and, notwithstanding the provisions of sections (9) (a) (iii) of the Wild and Scenic Rivers Act (82 Stat. 907, as amended; 16 U.S.C. 1274(2)), the National Wild and Scenic Rivers System by this Act are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the min-

95TH CONGRESS
1ST SESSION

S. 1787

A BILL

Relating to the classification of certain lands within the State of Alaska, and for other purposes.

By Mr. STEVENS

JUNE 30 (legislative day, MAY 18), 1977
Read twice and referred to the Committee on Energy and Natural Resources

WILDLIFE MANAGEMENT

SEC. 4304. The taking of fish and game on all lands subject to this Act shall be regulated by the State of Alaska in accordance with applicable State law, including, but not limited to, the regulation of seasons, bag limits, means and methods, the administrative structure for wildlife management and regulations, the determination of resource depletion, and the definition of subsistence use and local residency. Where there is a conflict caused by depletion, the taking of fish and game for subsistence purposes shall be given preference over the taking of fish and game for other purposes. Such preference shall be granted to the local residents of the area affected by a conflict between consumptive uses. Nothing in this section shall be construed to require that hunting or fishing be permitted where depletion of the resource would dictate a complete prohibition of such activities.

AGRICULTURAL DEVELOPMENT

SEC. 4305. Agricultural development, including but not limited to cultivation and grazing, shall be permitted in accordance with the provisions of this Act. Agricultural rights shall be allocated by means of a long-term leasing system developed jointly by the Secretary and Secretary of Agriculture, following consultation with the Commission.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

FORM SA-2
100M 6-66

STATE OF ALASKA
Inter-Department Route Slip

TO: 3101
DEPT: Legislative Affairs
ATTN.: George Utermohle

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☐ For Your File	☐ Your Information

Remarks:

From: 1100
Dept.: Fish & Game Date 9-11-77
By: Steve Pennoyer

TABLE 25. Subsistence catch of salmon in the United States, in numbers of fish, 1976 1/

State, region, and district	Species						Effort 2/
	All Species	Sockeye	Pink	Chum	Coho	Chinook	
ALASKA	783,160	161,577	29,438	495,658	10,129	86,304	6,600
Western Alaska	726,120	122,022	23,704	491,465	4,886	84,043	2,224
Kotzebue 3/	15,765	----	----	15,765	----	----	91
Port Clarence 3/	6,780	291	436	6,026	20	7	15
Norton Sound 3/	27,483	----	18,409	7,867	1,004	203	133
Yukon 3/ 4/	236,381	----	----	221,284	----	15,097	758
Kuskokwim 3/ 4/	291,485	----	----	231,150	----	60,335	544
Bristol Bay	146,300	120,900	4,400	9,100	3,500	8,400	661
Alaska Peninsula, North Side 5/	1,011	475	----	232	304	----	15
Aleutian Islands 5/	915	356	459	41	58	1	7
Central Alaska	43,800	31,553	4,231	664	5,183	2,178	3,497
Alaska Peninsula, South Side 5/	1,436	450	385	229	372	----	30
Chignik	8,250	6,000	500	150	1,500	100	50
Kodiak	6,773	4,095	1,720	216	739	3	534
Cook Inlet	4,307	67	1,626	69	2,529	16	301
Resurrection Bay	----	----	----	NO EFFORT	----	----	0
Prince William Sound	----	----	----	NO EFFORT	----	----	0
Copper River	23,034	20,941	----	----	34	2,059	2,582
Bering River	----	----	----	NO EFFORT	----	----	0
Southeastern Alaska 7/ 8/	13,240	8,002	1,503	3,529	60	83	939
Yakutat	1,198	1,060	----	----	55	83	35
Fifteen (115)	2,412	1,486	39	882	5	----	204
Fourteen (114)	305	----	----	305	----	----	56
Thirteen (113)	1,589	873	508	208	----	----	271
Twelve (112)	420	82	----	338	----	----	31
Eleven (111)	373	351	22	----	----	----	0
Ten (110)	----	----	----	----	----	----	1
Nine (109)	1,409	101	----	1,308	----	----	61
Eight (108)	----	----	----	NO EFFORT	----	----	0
Seven (107)	6	6	----	----	----	----	3
Six (106)	35	----	35	----	----	----	1
Five (105)	114	114	----	----	----	----	8
Four (104)	760	190	500	70	----	----	2
Three (103)	2,994	2,444	124	426	----	----	129
Two (102)	917	917	----	----	----	----	94
One (101)	708	378	275	55	----	----	43
WASHINGTON							
OREGON							
CALIFORNIA							

1/ Sources: Alaska Department of Fish and Game, Washington State Department of Fisheries, Oregon Fish Commission, and California Department of Fish and Game, Anadromous Fisheries Research Branch.
2/ Effort in number of permit holders fishing in all districts except Kotzebue, Port Clarence, Norton Sound, Yukon, Kuskokwim and Chignik where effort is reported in number of family units fishing.
3/ Formerly grouped under "Arctic-Yukon-Kuskokwim".
4/ Includes small numbers of sockeye, pink, and coho salmon.
5/ Estimated total subsistence harvest extrapolated from permit returns.
6/ Pink and Chum salmon mixed.
7/ No subsistence fishery in any districts of Southeastern except those listed.
8/ No coho or chinook subsistence fisheries in 1976 by regulation except district 15 and Yakutat.

SPEED • Memo

BUREAU OF SPORT FISHERIES AND WILDLIFE

DATE OF MESSAGE: 19 Sept. 1977
DATE OF REPLY:

INSTRUCTIONS
Use routing symbols whenever possible.
SENDER:
Forward original and one copy. Conserve space.
RECEIVER:
Reply below the message, keep one copy, return one copy.

Subject: Subsistence use in the Refuge

To:
George Utermohle
Legal Affairs Agency
Pouch K
Juneau, Alaska
99801

FOLD — FOLD

USE BRIEF, INFORMAL LANGUAGE

Dear George,

Enclosed please find the waterfowl harvest Report done by David R. Klein. This is our only one we have and it is our Latest one. I hope this can help your research project. The difference in population may change in Villages, but taking of Waterfowl should not make that much difference. We do not have harvest reports of marine mamals and fur-bearing animals. You need to contact the Alaska Dept. of Fish and Game on trapping harvest. Anything we can do to help, give us a "ring."

From:
James J. Akpan
Native Liaison Specialist

5027-102 — 1. TO BE RETAINED BY ADDRESSEE — RI-88

BETHEL ITINERANT NURSING SERVICES
(HEALTH TEAM DISTRICTS)

June, ~~1977~~ 1975

DISTRICT I PHN: PHY: K. Shewmake		DISTRICT II PHN: J. Jacobs PHY: L. Alsgard		DISTRICT III PHN: Marylou Paterson PHY: D. Alsobrook		DISTRICT IV PHN: S. Martin PHY: P. Bancroft		DISTRICT V PHN: PHY: D. Estroff		DISTRICT VI PHN: K. Finn PHY: L. Spielman		DISTRICT VII PHN: D. Ketelsen PHY: P. Riccardi	
Akiak	195	Atmautluak	160	Marshall	225	Akiachuk	381	Chevak *	414	Alakanuk	536	Anvik	85
Eek	211	Chefornak *	192	Mt. Village*	540	Aniak	263	Hooper Bay *	600	Emmonak	534	Crooked Creek	84
Kipnuk	387	Kasigluk	306	Pilot Station	311	Chauthbaluk	129	Napakiak	293	Kotlik *	302	Grayling	177
Kongiganak	201	Newtok *	151	Pitkas Point	88	Kwethluk	450	Napaskiak	215	Sheldon's Point	289	Holy Cross	222
Kwigillingok	194	Nightmute *	133	Russian Mission	160	Lower Kalskag	205	Oscarville	51	Tuluksak /	204	Lime Village	20
Quinhagak	395	Nunapitchuk	312	St. Mary's	425	Mekoryuk *	202	Scammon Bay *	225			McGrath	306
Tuntutuliak	281	Toksook Bay *	330			Upper Kalskag	174					Medfra	30
		Tununak	283									Nickolai	109
												Red Devil	36
	1864		1867		1749		1804		1798		1865	Shageluk	179
												Sleetmute	118
												Stony River	70
												Takotna	35
													1471

*Medical Coverage by Dr. Spielman

/Medical Coverage by Dr. Alsobrook

3-2110
3-2456

* Villages within the Refuges and close Proximity

WATERFOWL IN THE ECONOMY OF THE ESKIMOS ON THE YUKON-KUSKOKWIM DELTA, ALASKA

David R. Klein*

ABSTRACT. Use of waterfowl by Eskimos on the Yukon-Kuskokwim Delta amounts to approximately 83,000 geese and brant and 38,000 ducks annually with the greatest take occurring during the spring hunting period. About 5,500 swans and 1,000 cranes are also taken throughout the area and 40,000 eggs are gathered for use as food. Egg gathering and village drives of molting, flightless adult birds have decreased in importance in recent years, but spring hunting of waterfowl continues to be important as it coincides with the period of greatest need for food by the Eskimos.

RÉSUMÉ. *Les Oiseaux aquatiques dans l'économie des Esquimaux du Delta du Yukon et du Kuskokwim, Alaska.* Chaque année, les Esquimaux du delta du Yukon et du Kuskokwim tuent environ 83,000 oies et bernaches, 38,000 canards, environ 5,500 cygnes et 1,000 grues et récoltent 40,000 œufs pour la nourriture. Les collectes d'œufs et la chasse aux oiseaux adultes en mue ont perdu de l'importance ces dernières années ; mais la chasse des oiseaux aquatiques au printemps continue d'être importante, car elle coïncide avec la période des plus grands besoins alimentaires des Esquimaux.

АБСТРАКТ. ВОДЯНЫЕ ПТИЦЫ В ХОЗЯЙСТВЕ ЭСКИМОСОВ ЮКОН-КУСКОКВИМ ДЕЛЬТЫ В АЛЯСКЕ. Добыча водяной птицы эскимосами Юкон-Кускоквим дельты достигает приблизительно 83,000 гусей и казарок и 38,000 уток в год, главным образом в весенний период охоты. Около 5,500 лебедей и 1,000 журавлей добывается также в этой местности, и 40,000 яиц собираются на пищу. Значение сбора яиц и облавы деревней на линяющую и не способную летать взрослую птицу уменьшилось за последние годы, но весенняя охота на водяную птицу сохраняет свое значение, так как она совпадает с периодом самой большой нужды эскимосов в пищевых продуктах.

MOST OF THE INHABITANTS of the Yukon-Kuskokwim Delta (Fig. 1) are Eskimos who traditionally have killed ducks and geese for food without regard to the time of year or other restriction. Historically, the harvest was accomplished by egg gathering during the nesting period, by clubbing flightless birds during the molt, and by taking on the wing with bolas and bird spears. The introduction of firearms to this region began in the early nineteenth century and today the Eskimo hunter is well equipped with modern arms and ammunition limited only by his ability to pay. Available to him are methods and means of transportation giving him greater mobility than ever before.

This study was undertaken from April to June 1964 and during February 1965 to provide basic information for an objective appraisal of the problem of seasonal use of waterfowl by Eskimos in the Yukon-Kuskokwim Delta. Letters were written in advance to each village council within the study area, explaining the nature of the study and asking their cooperation when I visited the villages shortly after the spring hunting period.

Mr. Ray Christianson, who operates an air charter service out of Bethel and is a representative in the Alaska State Legislature, flew me to most of the villages. He was of great help to me, being an Eskimo, he acted as interpreter, and the fact that many of the people in the villages were his personal friends established a rapport that otherwise would not have been possible. Samuelson Flying Service

* Alaska Cooperative Wildlife Research Unit, College, Alaska 99735



Fig. 1. The Yukon-Kuskokwim Delta area of Alaska.

of Bethel, which is owned, operated, and almost exclusively supplied by Wien Air, flew me to the other villages.

Upon arriving at a community, the village council president (usually the tribal council member was contacted and interviewed with regard to the size and mix of the village, usually at the National Guard armory, the community hall, or the village post-school and church buildings, subsequently known as the schoolhouse). Additional meetings were held at short notice, generally 24 to 72 hours thereafter. Village attendance varied from 8 at Akiak to 45 at Hooper Bay. Of the meetings, 23 were held in 23 different villages (see footnote, Table 5), the remainder (in the latter was explained; it was pointed out that everyone would benefit from an objective appraisal of the problem based on facts. Specific questions were then asked about the numbers by species of waterfowl obtained by the average hunter during the spring and fall shooting periods and their values were then related to the average take per household. Information on the number of eggs gathered per household and the primary species involved was also sought as well as the number and

species of birds caught in summer [illegible] of eiderdown. The [illegible] also questioned as to the use made of the birds, the number each may take, the amount preserved and methods employed; trends in [illegible] years in the use and use of waterfowl; the types and amounts of other wildlife resources available to the people, such as fish, marine mammals, moose, fur bearers, and small game.

The cooperation of the people in the villages was excellent. In one instance, in response to my preliminary letter, each hunter in the village reported his daily take of waterfowl during the spring hunt to the scribe of the local National Guard platoon. The scribe in turn tallied the total take for each man and presented the record to me when I visited the village. In another area, where the people had physically resisted enforcement attempts by U.S. Fish and Wildlife Service agents in the spring of 1961, the men were extremely cautious about divulging information about their use of waterfowl. Generally, however, the people freely provided the information I requested about their spring and fall harvest of geese and ducks. This is substantiated by comparison of these data for villages on the lower Yukon with similar data collected by Branch of River Basin Studies (BRBS) personnel during 1956 (U.S. Fish and Wildlife Service 1957). The fact that I used an interpreter who was an Eskimo, well known to the people, and further, that I was not identified with the U.S. Fish and Wildlife Service, undoubtedly contributed to the reliability of the data I collected. It is noteworthy that data from this study and the BRBS study for Emmonak and Mountain Village, where BRBS personnel spent considerable time, are similar, whereas the data for Pilot Station, where BRBS personnel had very limited contact, show wide differences. These comparisons of average waterfowl harvest per household are as follows:

	Total geese reported taken		Total ducks reported taken	
	This study	*BRBS*	*This study*	*BRBS*
Emmonak	30	23	15	5
Mountain Village	38	22	12	12
Pilot Station	170	23	75	11

The Eskimos of the Yukon-Kuskokwim Delta region feel strongly about their need and *right* to hunt geese and ducks in the spring, but they feel less justified in their spring hunting of swans and cranes, egg gathering, and summer drives of molting flightless waterfowl. This is presumably because they cannot readily justify these activities on the basis of need, and they harbour some concern about the possible harmful effects on the waterfowl populations. The data on the latter are therefore less reliable than the data on the goose and duck harvest.

Population and economic data for the study area have been obtained from the various published and mimeographed reports cited in the text; Kozely's work (1964) has been of particular value.

Ethnological and historical information about the Eskimo people of the area was obtained from the literature. Oswalt (1963*a* and *b*) gives detailed descriptions of the cultural changes taking place, the sorts of origin and historical cultures of the people, and the ethnography of the Eskimo.

This report deals primarily with the seasonal use of waterfowl by Eskimos on the Yukon-Kuskokwim Delta, and the demographic, economic, sociologic, and ethnographic information presented is only that related to the problem.

The People

The Yukon-Kuskokwim Delta area has an average population density of about one person per 3 square miles; 97 per cent are Eskimos. The area supports the largest concentration of Eskimo people existing in the world today. With the exception of less than 25 people living in 3 isolated locations, the entire population of the area, estimated at 9,521 in 1963, lives in 35 villages and the town of Bethel. The population of Bethel in 1963 was 1,538 and the other villages ranged in size from 31 to 531. In 1963 only 6 villages had a population of less than 100, whereas 13 were in the 100-200 range, 11 in the 200-300 range, 7 in the 300-400 range, and only Hooper Bay had a population in excess of 500 people (Table 1). The average annual crude rate of natural increase in the area was 4.18 per cent in 1964. This compares with 1.4 per cent for the entire United States and rates of 2 per cent for India and 3.5 per cent for Mexico during the current decade.

Table 1. Yukon-Kuskokwim Delta village populations (data from U.S. Bureau of the Census 1962, U.S. Bureau of Indian Affairs (BIA), and Kozely 1964).

VILLAGE	U.S. CENSUS 1960	BIA VILLAGE CENSUS 1961	1962	1963	NO. HOUSEHOLDS 1962
Yukon River					
Russian Mission	102			123*	20**
Marshall	166			201*	32**
Pilot Station	219	248	247	251	44
Andreafsky	225			272*	44**
Mountain Village	300	316	325	351	66
Hamilton *	35	31	31	31	4
Kotlik *	52	119	123	165	18
Chenehak *	97	22	23	31	7
Pastolik *		10		10	1***
Bill Moore Slough *		12		12	2*****
Akers Slough *		12		5	1***
Emmonak (Kwiguk)	358	393	384	388	63**
Alakanuk	278	332	343	362	60
Kuskokwim River					
Upper Kalskag	142	155	151	121	26
Lower Kalskag	122	140	140	148*	31
Tuluksak	142	146	155	165*	30
Akiak	187	180	184	194	29
Atmachak	229	237	252	277*	45
Kwethluk	325	345	356	366	63
Bethel	1,258			1,538	203**
Oscarville	51			61*	10**
Napaskiak	154	168	163	186*	35
Napakiak	190	244	246	254	43
Tuntatuliak	144	152	166	169	24
Eek	154	209	216	212	39
Kwigillingok	344	310	299	318	50
Kwinhagak	228	252	264	280	45**
Nunapitchuk	327	368	387	392	62
Kasigluk	214	253	345	279	39
Bering Sea					
Sheldon Point	125			138*	22**
Scammon Bay	115	155	163	169	26
Hooper Bay	460	482	509	531	72
Chevak	315	348	358	372	63
Newtok	129	148	146	144	20
Tanunak	183	204	215	232	36
Nightmute	237	216	262	258	47
Chefornak	133	133	143	139	30
Kipnuk	221	256	265	274	45
Goodnews Bay (Mumtrak) *	154	153	167	139	31****
TOTAL				9,521	1,530

*Estimates based on average population change of other villages.
**Estimates based on average household size of 6.2; in the case of Bethel, it includes only the Eskimo population.
***1963
****1961

All living in Kotlik now

* Villages within the Refuge and close Proximity.

Since the introduction of aspects of Western culture and economy there has been a general abandonment of the smaller villages where subsistence hunting and fishing were the only means of livelihood. Kozely (1964) lists over 50 villages within the study area that have been abandoned during the past 3 decades; many of these villages were on the tundra of the Delta at some distance from the 2 main rivers. As a result vast areas are now unpopulated, and the Eskimo people are now concentrated in the larger villages along the Kuskokwim and Yukon Rivers, and on the coast of the Bering Sea where there are schools, churches, and stores.

In a U.S. Public Health Service study (from Kozely 1964) of a sample of 10 villages in the Yukon-Kuskokwim Delta area, including 420 housing units, it was found that 86 per cent of the houses had only 1 room, 10 per cent had 2 rooms, and 4 per cent had 3 rooms. The typical family consisted of 8 persons; the mother's age was 25 to 29, she had 5 living children, and 40 per cent of the mothers studied had tuberculosis.

Economic Status of Area

The basic economy of the entire Yukon-Kuskokwim Delta area is that of subsistence hunting, fishing, and gathering. The major portion of the food consumed by the people and their dogs comes from wildlife resources; virtually all the fuel for cooking and heating is locally obtained wood or seal oil, and much of the Eskimo clothing is made from hides of the marine and land mammals of the area.

By far the most important single item in the subsistence economy is salmon. All of the villages, with the exception of those in the coastal areas, are dependent for their primary food source upon the annual migratory runs of salmon up the Yukon and Kuskokwim rivers. With the beginning of the fish runs, the people disperse from the villages to fishing camps along the rivers. These are traditionally-used fishing sites each occupied by one or several families, and with permanent fish drying racks and storage sheds. People at Kasigluk and Nunapichuk annually travel down the Johnson River to its confluence with the Kuskokwim where they fish for salmon. Other fish are also available seasonally throughout the area.

The people of the coastal villages of Scammon Bay, Hooper Bay, Tanunak, Nightmute, Newktok, Kipnuk, Chefornak, Kwigillingok, Kwinhagak, and Goodnews Bay (Fig. 1), derive much of their subsistence from the sea, although not to the same extent as the Eskimos on the islands of the Bering Sea or those on the Arctic coast of Alaska. Fish, primarily tomcod (*Microgadus proximus*), and seals (primarily *Phoca vitulina*) are the resources on which they draw most heavily. Other marine mammals, such as walrus (*Odobenus divergens*) and beluga whales (*Delphinapterus leucas*), are taken when available but they are not abundant in this region. Normally, a few men from the villages on the Yukon Delta, the villages of Chevak, Tuntatuliak and Eek, and as far up the Kuskokwim as Napaskiak (Fig. 1.), travel by dog sled to the coastal areas to hunt seals. Seal hunting is an important winter activity and continues into the spring and early summer until the sea ice leaves the coastal areas.

Other food resources of the area include moose (*Alces alces*), ptarmigan (*Lagopus lagopus*), snowshoe and arctic hare (*Lepus americanus* and *L. othus*), carcasses of mammals taken for their pelts (such as muskrat, *Ondatra zibethica*

and mink *Mustela vison*), berries and greens from wild plants, and the limited produce of leaf and root crops in home gardens.

The cash economy of the area is supplementary to the subsistence economy which meets many of the basic needs of the people. Nevertheless, cash is essential to purchase the many staple food items such as tea, coffee, salt, flour, milk and sugar introduced into the Eskimo diet by whites; it is also required for clothing, outboard motors and fuel, fish nets, rifles and ammunition, household items, etc. Less basic to the needs of the people, but important to their psychological well-being, are such things as food delicacies from the trading post, dress clothing to be worn at church and social events, radios, occasional air transportation, money for movies, and religious items and offerings.

Sources and amounts of cash income for 18 villages in the Yukon-Kuskokwim Delta area are presented in Table 2. Wages are derived mainly from fish-processing work, National Guard participation, work for the local village traders, maintenance work for U.S. Bureau of Indian Affairs and State school facilities, and longshoring. Commercial fishing is an important source of income on the Kuskokwim River downstream from Kwethluk, and on the Yukon River from Andreafsky to the sea. King, silver, and chum salmon are the three species of fish upon which the commercial fisheries is based. There is no commercial fishery in the coastal areas between the Yukon Delta and the Kuskokwim River.

Income is derived from the shooting of muskrats and trapping of mink for their pelts, and from the sale of seal hides. Mink trapping has been by far the most important activity of this nature and averages annually 15,000 to 20,000 mink valued at between $375,000 and $500,000 (Burns 1964). Mink from the Yukon-Kuskokwim Delta are among the largest and of the best quality in North America, and they command premium prices at fur auctions. Oswalt (1963b) indicates that $250 to $375 was the average value of mink to each trapper in 1956 at Napaskiak. In the past two years the harvest has been considerably below these levels owing to poor weather conditions during the trapping season and

Table 2. Sources and amounts of earned income within villages on the Yukon-Kuskokwim Delta, 1962 (data from Kozely 1964).

VILLAGE	WAGES	FISHING	HUNTING & TRAPPING	ARTS & CRAFTS	OTHER ACTIVITIES	PRIVATE BUSINESS	TOTAL
Yukon River							
Pilot Station	32,993	6,250	16,115	2,990	340	8,500	67,188
Mountain Village	37,000	150,000	15,700	770	1,600		205,070
Kotlik	19,500	5,000	10,500	1,400			36,400
Alukanuk	124,000	25,000	16,800	3,200	220	5,000	174,220
Kuskokwim River							
Kwethluk	21,000	40,000	21,660	21,500	3,200	1,000	108,360
Napaskiak	20,500	15,000	18,050	3,700	1,050		58,300
Napakiak	39,895	12,000	12,247	3,372	1,200		68,709
Tuntatuliak	21,035	13,090	13,641	3,611	3,268	1,900	56,545
Kwigillingok	46,225	30,000	19,810	3,090	8,970	3,000	111,095
Kasigluk	15,000	61,000	25,500	5,000	7,000	10,000	123,500
Bering Sea							
Scammon Bay	18,800	13,500	11,085	6,500	1,200	7,000	58,085
Hooper Bay	28,000	10,000	28,470	1,400	3,000	3,000	73,870
Newktok	19,700		5,512	1,670	575		27,457
Tanunak	70,000	6,020	15,200	5,175	1,020	7,000	104,415
Nightmute	19,900	1,600	8,150	11,100	1,500	8,500	50,750
Chefornak	26,500	12,500	22,650	2,790	700	1,000	66,140
Kipnuk	98,000	7,500	32,200	5,700	7,150	6,000	156,550
Goodnews Bay (Mumtrak)	100,000	4,400	3,860	1,620	75	400	110,355
PERCENTAGE OF TOTAL	45.7	24.9	17.9	5.1	2.5	3.8	

a pronounced reduction in the value of mink on the market. Hair seal pelts have increased in value in the last few years and now bring prices of $20 to $30 per pelt. Muskrats have yielded a reduced income in recent years due to low value of pelts and the consequent decreased interest in spring rat hunting. Oswalt states that during 1956, which was a poor year with local prices of only $0.40 to $0.85 per pelt, the range in income by Napaskiak muskrat hunters was $20 to $200. Other fur bearers of lower abundance and frequently only locally available throughout the area, but which contribute to the overall income from trapping, are weasel, beaver, marten, river otter, snowshoe hare, lynx, wolf, and fox.

Income from arts and crafts is derived from the sale of women's handicraft such as baskets of grasses, sedges, and roots; parkas and mukluks; dolls and beadwork. In some of the coastal villages, men do limited ivory and wood carving. Utilitarian articles constructed for local sale by some men with special craft abilities include river boats, kayaks, and dog sleds.

Total personal income within the study area can only be estimated from the incomplete data available; however, it exceeds $4 million annually. Earned income constitutes approximately 85 per cent of the total income of the area, the remainder being welfare income from state and federal sources (Table 3). Welfare money is available mainly in the following categories: old age assistance, aid to dependent children, aid to the blind, unemployment compensation, social security, and direct Bureau of Indian Affairs and State of Alaska payments to individuals without other sources of income and unable to subsist from the land.

Table 3. Total cash income within villages on the Yukon-Kuskokwim Delta (data from Kozely 1964).

VILLAGE	1963 WELFARE BIA	1963 WELFARE STATE	1962 TOTAL EARNED INCOME	PER CAPITA INCOME	INCOME PER HOUSEHOLD
Yukon River					
Pilot Station	1,425	13,296	67,188	326	1,862
Mountain Village	256	20,312	205,070	643	3,419
Kotlik		6,765	36,400	262	2,398
Chenelliak	639	2,340			
Emmonak (Kwiguk)		13,840			
Alukanuk	798	28,552	174,220	562	3,393
Kuskokwim River					
Upper Kalskag	2,434	10,712			
Lower Kalskag	4,054				
Tuluksak	988				
Akiak	2,529	9,930			
Akiachak	84	17,608			
Kwethluk	1,982	14,344	108,360	341	1,979
Napaskiak	344	24,936	58,300	449	2,388
Napakiak	1,693	16,452	68,709	342	2,020
Tuntatuliak	480	13,752	56,545	419	2,958
Eek	666	10,572			
Kwigillingok	468		111,095		
Kwinhagak	1,517	3,296			
Nunapichuk		9,081			
Kasigluk	8,828	22,568	123,500	633	3,715
Bering Sea					
Scammon Bay	511	9,636	58,085	404	2,624
Hooper Bay	6,191	21,412	73,870	191	1,109
Chevak	1,280	17,468			
Newktok	580	6,144	27,457	237	1,709
Tanunak	3,543	10,228	104,415	509	3,283
Nightmute	134	10,492	50,750	238	1,306
Chefornak	68	12,696	66,140	568	2,630
Kipnuk	2,842	20,428	156,550	656	3,996
Goodnews Bay (Mumtrak)	857	11,720	110,355	773	3,7
AVERAGE				432	2,611

Of the total welfare moneys coming into the area, approximately 80 per cent are from the State of Alaska, and most of the remainder is through the Bureau of Indian Affairs. It is interesting that the distribution of welfare money to the villages appears to be correlated with the proximity of the village to the town of Bethel, where the district welfare agency offices are located. For example, the village of Napaskiak, which is only 7 miles from Bethel, has a per capita income $17 above the average for the area and 30.2 per cent of its income is derived from welfare. While Pilot Station, approximately 90 miles from Bethel and on the Yukon River, has a per capita income $106 below the area average, yet only 9.1 per cent of its income is from welfare. In addition to direct welfare payments, those individuals with Eskimo blood are also given medical care through the auspices of the U.S. Public Health Service, which has a large staffed hospital in Bethel and sends nurse and doctor teams on frequent visits to the villages.

The per capita cash income for the area is obviously one of the lowest in the nation. The average per capita income of $432 for the villages, for which complete data is available, can be compared to the 1963 averages of $2,839 for all of Alaska, $2,500 for all 50 states and $1,390 for Mississippi, which has the lowest average in the nation. The contrast is obviously great and is reflected in the standard of living of the Eskimo people. However, a direct comparison of cash income of this nature does not take into consideration the value of the subsistence commodities that the Yukon-Kuskokwim Delta produces and the extent to which these commodities supplant the need for cash expenditures. The fish, wildlife, and plant resources of the area are all the more important to the Eskimo people because of the high cost of imported items which reduces the buying power of the dollar to less than one half of what it is in Seattle or other West Coast cities.

Patterns of Waterfowl Use

Although the bow with blunt tipped arrow, bird spear, and bolas, once used by the Eskimos for taking waterfowl on the wing, were relatively inefficient in contrast to the shotgun, a much greater effort was expended in the pursuit of waterfowl over a longer duration of time than at present. Egg gathering and drives of flightless adult birds in the summer are still undertaken in essentially the same manner as they were in the past, although the use of outboard motors has added to the mobility of the Eskimo and motor powered boats are a definite asset in conducting drives on large lakes or lake systems. The patterns of waterfowl use by the Eskimos of the Delta region vary considerably from the coastal area to the upriver regions where the tundra intergrades with the shrub type and spruce forests. Aboriginal techniques of hunting waterfowl show remarkably little variation throughout the arctic and subarctic tundra regions. In this respect, Chard's (1963) description of methods of hunting waterfowl employed by the Nganasan of the Taimyr Peninsula of Siberia is also applicable to the Eskimos of the Yukon-Kuskokwim Delta.

Spring Hunting

During early spring (late April and early May, see Table 4), large numbers of northward-migrating eider ducks become available to seal hunters. The birds come in almost continuous flocks of a few to several hundred each and fly low over the open leads adjacent to the shore ice. Seal hunters are reluctant to shoot eiders when seals are present in the area because they feel their shooting will frighten the seals; however, the eiders are readily taken during periods when seals may be temporarily unavailable. They are an important source of food for seal hunters in the field and are also taken back to the villages when the birds can be killed in sufficient quantity. Because the eiders are among the first waterfowl available after a long winter of living on fish and seal, their arrival is welcomed by the people as a pleasant diet variation, and in those years when winter stores are becoming depleted they are an important supplementary food.

Table 4. Earliest dates of arrival of waterfowl species in the Yukon-Kuskokwim Delta region (data from Gabrielson and Lincoln, 1959).

SPECIES	DATES	LOCATIONS
Cackling goose	Apr. 24	Bethel
	Apr. 29	Mt. Village
Lesser Canada goose	Apr. 17	Bethel
Emperor goose	May 15	Hooper Bay
White-fronted goose	Apr. 17	Bethel
	Apr. 17	Chevak
	Apr. 25	Mt. Village
Black brant	May 5	St. Michael*
	May 20	Hooper Bay
	May 25	Mt. Village
Snow goose	Apr. 29	Mt. Village
Mallard	Apr. 13	Bethel
	Apr. 16	Mt. Village
	Apr. 23	Pilot Station
Pintail	Apr. 14	Marshall
	Apr. 19	Eek
	Apr. 20	St. Michael*
	May 8	Hooper Bay
Whistling swan	Mid-April	St. Michael*
	Apr. 21	Mt. Village
	May 7	Bethel
Lesser sandhill crane	Apr. 29	Mt. Village
	May 2	St. Michael*
Pacific eider	May 4	Hooper Bay
King eider	May 4	Hooper Bay
Spectacled eider	May 2	Cape Romanzof
	May 5	Hooper Bay
	May 6	St. Michael*

*Not included in Fig. 1 as at 63°29' N., 162°03' W.

Whereas firearms have enabled seal hunters to take larger numbers of eiders on any one hunt than was possible before, in recent years the cash economy has resulted in increased dependence on purchased foods with a corresponding reduction in the effort expended on seal hunting. Even with a substantial increase in the cash value of raw seal hides, only an average of about 20 per cent of the men of the coastal villages continue to hunt seals. Seal hunting is of greatest importance in the villages of Scammon Bay, Hooper Bay, and Tanunak.

As the spring progresses in the coastal areas, other early-arriving species become available (Tables 4, 5, 6, and 7). The cackling (*Branta canadensis minima*) and white-fronted geese (*Anser albifrons frontalis*) arrive in abundance in early May, but a few birds may be seen in late April. The emperor goose (*Philacte canagica*) usually comes a little later except to the Goodnews Bay area where they congregate in large numbers in late April. The emperor goose is taken in greater numbers than any other goose in all of the coastal villages from Goodnews Bay to Newktok. In Chevak, Hooper Bay, and Scammon Bay, the cackling and white-fronted geese constitute the larger portion of the spring take.

Table 5. Take of geese and brant by Eskimos on the Yukon-Kuskokwim Delta.

			SPRING							FALL						
			Relative Importance							Relative Importance						
VILLAGE	TOTAL VILLAGE	TOTAL HOUSEHOLD	CANADA	WHITEFRONT	EMPEROR	SNOW	BLACK BRANT	TOTAL VILLAGE	TOTAL HOUSEHOLD	CANADA	WHITEFRONT	EMPEROR	SNOW	BLACK BRANT
Yukon River														
Russian Mission	240	12	1					120	6	1				
Marshall	1,120	35		2			1	1,600	80	3	2			1
Pilot Station	2,640	60	3	2			1	4,840	110	3	2			1
*Andreafsky	1,892	43	3	1		4	2	2,728	62	2	1			3
Mountain Village	1,650	25	3	1		1	4	858	13	2	1			
*Hamilton	92	23	3	2		1		36	9	2	1			
*Kotlik	414	23	3	2		1		162	9	2	1			
*Chenelliak	161	23	3	2		1		72	9	2	1			
*Pastolik	23	23	3	2		1		9	9	2	1			
*Bill Moore Slough	46	23	3	2		1		18	9	2	1			
*Akers Slough	23	23	3	2		1		9	9	2	1			
Emmonak (Kwiguk)	1,260	20	3	2		1		630	10	2	1			
Alukanuk	1,500	25	3	2		1		480	8	1	2			3
Kuskokwim River														
*Upper Kalskag	520	20	1	1				130	5	1				
Lower Kalskag	620	20	1	1				155	5	1				
Tuluksak	750	25	2	1				390	13	2	1			
Aklak	870	30	1	2				232	8	1	2			
Akiachak	2,250	50	1	2				450	10	1	2			
*Kwethluk	2,520	40	1	2				567	9	1	2			
*Bethel	812	4	1	2				406	2	1	2			
*Oscarville	250	25	1					100	10	1				
*Napaskiak	875	25	1					350	10	1				
Napakiak	1,075	25	1					430	10	1				
*Tuntatuliak	480	20	1					120	5	1				
Eek	780	20	1	1				195	5	1				
Kwigillingok	1,250	25	2			1		500	10					
Kwinhagak	810	18	2			1	3	135	3					1
Nunapichuk	4,960	80	1	2				3,720	60	1	2			
*Kasigluk	3,120	80	1	2				2,340	60	1	2			
Bering Sea														
Sheldon Point	330	15	3	1		2		110	5	2	1			
Scammon Bay	2,600	100	1	3	2	4	5	2,600	100	1	3	2		
Hooper Bay	6,480	90	1	2	4		3	7,200	100	1	2	4		1
Chevak	1,134	18	1	2	3	4		819	13	1	2	3	4	
*Newktok	420	21	2		1			240	12	1				
Tanmiak	980	25			1			540	15	1				
*Nightmute	987	21	2		1			564	12	1				
Chefornak	450	15	2	3	1			240	8	1	2			
*Kipnuk	1,125	25	2		1			675	15	1				
Goodnews Bay (Mumtrak)	429	13			1		2	165	5	1				
TOTAL	47,858							34,935						
SPECIES TAKE BY SPECIES			20,000	13,500	6,300	5,100	2,500		18,200	9,100	1,200	400	5,500	
AVERAGE PER HUNTER			11						23					

*Villages not visited; the basis for extrapolating data between ecologically similar villages to obtain estimates for those villages which were not visited was as follows:

Andreafsky = average of Pilot Station and Mountain Village

Hamilton, Kotlik, Chenelliak, Pastolik, Bill Moore Slough, Akers Slough = average of Emmonak and Alukanuk

Upper Kalskag = Lower Kalskag

Kwethluk = average of Aklak and Akiachak

Bethel (native) = estimate based on FWS, BIA, and other reports

Oscarville, Napaskiak = Napakiak

Tuntatuliak = Eek

Kasigluk = Nunapichuk

Nightmute, Newktok = average of Chefornak, Tanmiak, and Kipnuk

Pintail ducks (*Anas acuta*) are also taken in large numbers throughout the coastal area (Table 6). They are not as eagerly sought as geese, because they represent less meat but they are the easier bird to obtain after the tundra ponds and lakes are free of ice. Mallards (*Anas platyrhynchos platyrhynchos*) are not taken in appreciable numbers by Eskimos in the coastal villages, but they are more plentiful in the areas further back from the coast.

During the early spring immediately after the birds first start arriving on the tundra, hunting is most intensive. At this time, the people are eager for a change of diet, other food is in shorter supply than at any other time of the year, and after a winter of unemployment, financial reserves are at a yearly low. The men generally travel 10 to 20 miles daily by dog team to bluffs and high cutbanks

Table 6. Take of ducks by Eskimos on the Yukon-Kuskokwim Delta.

			SPRING					FALL			
			Relative Importance					Relative Importance			
VILLAGE	TOTAL VILLAGE	TOTAL HOUSEHOLD	MALLARD	PINTAIL	EIDER	TOTAL VILLAGE	TOTAL HOUSEHOLD	MALLARD	PINTAIL
Yukon River									
Russian Mission	540	27	2	1		260	13	2	1
Marshall	320	10	1	2		160	5	1	2
Pilot Station	1,100	25	2	1		2,200	50	2	1
*Andreafsky	504	10	2	1		1,188	27	2	1
Mountain Village	462	7	1	2		330	5	1	2
*Hamilton	24	6	2	1		48	12	1	1
*Kotlik	108	6	2	1		216	12	2	1
*Chenelliak	42	6	2	1		84	12	2	1
*Pastolik	6	6	2	1		12	12	2	1
*Bill Moore Slough	12	6	2	1		24	12	2	1
*Akers Slough	6	6	2	1		12	12	2	1
Emmonak (Kwiguk)	315	3	1			630	10		
Alukanuk	420	7	2	1		900	15	2	1
Kuskokwim River									
*Upper Kalskag	260	10	1	2		130	5	1	2
Lower Kalskag	310	10	1	2		155	5	1	2
Tuluksak	300	10	2	1		210	7	2	1
Aklak	870	30	2	1		493	17	2	1
Akiachak	315	7	2	1		675	15	2	1
*Kwethluk	1,134	18	2	1		1,008	16	2	1
*Bethel	609	3	2	1		703	1	2	1
*Oscarville	150	15		1		30	3		1
*Napaskiak	525	15		1		105	3		1
Napakiak	645	15		1		129	3		1
*Tuntatuliak	288	12		1		72	3		1
Eek	468	12		1		117	3		1
Kwigillingok	750	15	3	2	1	250	5	2	1
Kwinhagak	450	10		1	2	225	5		1
Nunapichuk	1,860	30	2	1		930	15	2	1
*Kasigluk	1,170	30	2	1		585	15	2	1
Bering Sea									
Sheldon Point	110	5		1		286	13	2	1
Scammon Bay	650	25	3	2	1	520	20	2	1
Hooper Bay	1,080	15		1	2	864	12		1
Chevak	504	8		1	2	945	15		1
*Newktok	540	27		2	1	200	10		1
Tanmiak	720	30		2	1	468	13		
*Nightmute	1,260	27		2	1	420	10		1
Chefornak	600	20	3	2	1	390	13	2	1
*Kipnuk	1,800	80			1	225	5		1
Goodnews Bay (Mumtrak)	264	8			1	66	2		1
TOTAL	21,700					15,815			
SPECIES TAKE BY SPECIES			4,700	12,000	3,300			4,800	10,500
AVERAGE PER HUNTER			11				10		

*Villages not visited; the basis for extrapolating data between ecologically similar villages is the same as for Table 5.

portance in the coastal tundra where nesting densities are highest (Table 7). It seems likely that in spite of the increased human population, fewer eggs are gathered now than in the past; for with most of the people concentrated in the villages, the total area searched is much less. There is no significant amount of waterfowl nesting in the shrub and forest zones adjacent to the upriver villages on the Yukon and Kuskokwim rivers, consequently, egg gathering is practised only by the few Eskimos who travel to spring hunting camps on the tundra.

Egg-gathering is undertaken primarily by the women and children of the coastal and tundra villages. Although the eggs are important as food, the traditional significance in the culture of the people and the recreational aspect of egg-gathering undoubtedly add incentive. While most of the eggs are gathered in the vicinity of these villages, it is not uncommon in favourable weather for groups of women and children to be transported several miles by boat for a day of egg-gathering in a more productive habitat. In the spring hunting camps of upriver Eskimos, eggs are also gathered by the men during their muskrat hunting excursions. The eggs of the various species of geese nesting throughout the region are preferred because of their size, but even the smallest eggs of passerine species are acceptable. In the coastal fringe of tundra from Scammon Bay to Kwinhagak, the eggs of emperor geese are readily available and constitute the major proportion of eggs taken. The eggs of cackling geese are also fairly abundant throughout this same region and at Chevak and possibly Newktok, they are most frequently taken. Those of sea gulls (*Larus* spp.) comprise a significant part of the total eggs taken; and at Scammon Bay, Tanunak, Tiksik Bay (new site of Nightmute), and Goodnews Bay, the eggs of murres (*Uria* spp.), puffins (*Fratercula corniculata* and *Lunda cirrhata*), and other sea birds may be available in limited numbers. In the tundra areas of the Delta further back from the coast, eggs collected represent a more random assortment of species.

Drives of Flightless Birds

An important method of taking waterfowl in the past has been that of staging drives of flightless birds in midsummer when adults are molting their flight feathers and before juveniles have attained flight. These drives, involving large numbers of people (usually all those in a village who were physically able), were usually conducted among the lake systems where the ducks and geese congregate during the molt. In recent years drives have lost much of their significance to the economy of the villages and each year sees a reduction in their number.

Drives require considerable organization and advance planning within the village. Boats must be committed to transport the people to the area chosen and to be used in the actual operations on the lakes. The birds are herded into one large flock by boats and kayaks and are then forced onto the land where additional people frighten the birds ahead of them into fish nets in which they become entangled, or through a line of waiting people who kill the birds with clubs. The social aspect of the drives, the thrill of the chase, and the general excitement all contribute to making them a pleasant diversion from the summer's fishing activities. The number of birds taken in a single drive, of course, varies with the habitat in which it is conducted as well as with the number of people and boats involved and the efficiency of the organization. Generally, to be worthwhile, a drive involving most of the people of a village would have to yield at least several hundred birds. From reports of the distribution of birds per family, the average take per drive very likely falls between one and two thousand birds. Small drives yielding from 20 to 100 birds may also occasionally be undertaken by several men with boats when they are afield in the summer and conditions are favourable.

Traditionally, at least one drive was conducted annually by the people in each of the villages of the coastal, tundra and downriver areas, but they were not generally undertaken by the people in the upriver regions because suitable areas were at too great a distance. The social and recreational aspects of drives have perhaps always been of a significance nearly equal to the actual need for food, at a time when other food is quite abundant. With the increase in wage employment in recent years, the demands of commercial and subsistence fishing, and the more frequent absence of men from the village during the summer months, there is less opportunity and incentive to organize village drives. Also, the Eskimos realize this activity is in violation of Federal laws, and because they cannot justify it in their own minds on the basis of need for food, there is increasing hesitation among them to undertake a drive which requires advance decision and planning. It is always more difficult to rationalize a questionable action before than after the fact. Furthermore, there is concern by the people that they may be apprehended by Federal agents, because an organized drive on the treeless tundra involving several boats and dozens of people is readily visible from a plane flying over the area.

Organized village drives during 1963 were apparently restricted to a few coastal villages including Scammon Bay and Chefornak, the two tundra villages of Kasigluk and Nunapichuk, and Napaskiak. The estimated total take in the Scammon Bay drive was 2,500 birds, whereas the estimated take from that at Napaskiak in 1961 was 1,400 birds. The Chefornak drive, on the other hand, appeared to involve less than 200 birds, mostly emperor geese. Other organized drives may have taken place during 1963, but we are not aware of them. In the coastal areas, emperor geese are the birds taken most frequently, while in the tundra villages and at Napaskiak, ducks (greater scaup [*Nyroca marila*] and old squaw [*Clangula hyemalis*]) apparently predominate with some lesser Canada geese also being taken.

Fall Hunting

Fall hunting of waterfowl is of considerably lesser importance throughout most of the Delta region than is spring hunting (Tables 5 and 6). The exceptions are the Yukon River villages of Marshall, Pilot Station, and Andreafsky, where fall hunting results in a greater take of birds than does spring hunting, and the coastal villages of Scammon Bay and Hooper Bay where fall and spring hunting are about equal. There are several reasons for the general reduction in take of waterfowl in the fall, including the availability and abundance of other food at that time, the demands of other activities, such as subsistence fishing and fish preservation, moose hunting in upriver areas, the high cost of salt for preservation of birds for winter use, the greater wariness of the birds, and the absence of well defined flightways in the fall.

Geese are not as readily available for hunting in the fall as in the spring; consequently, there is a much greater reduction in the number of geese taken [illegible] particularly in the villages of the Kuskokwim River

above Bethel. The take of swans (*Olor columbianus*) and cranes (*Grus canadensis canadensis*) during the fall is relatively insignificant in contrast to the spring take.

There are a few individuals in some of the villages who preserve birds for use during the winter, but most of the birds taken are for immediate consumption. Because of the damp rainy autumn weather, birds usually cannot be preserved by drying as is sometimes done in the spring, and cold storage facilities are not available. Instead, salt is used as a preservative and the carcasses are stored in wooden barrels. As the required salt and barrels are quite expensive in these remote villages, only the occasional, more affluent Eskimo can afford to preserve for winter use birds that are shot in the autumn.

In the past, in addition to the meat of waterfowl, use was made of unplucked bird skins for making parkas; goose and eider down was used to a limited extent as insulation in garments; showy feathers were used to decorate mammal-skin parkas as well as fans and other ceremonial objects; and needles and other implements were made from bird bones. Bird-skin parkas were common throughout the Yukon-Kuskokwim Delta area as recently as 30 to 20 years ago. They were most frequently made from the ventral surface skins of geese, brant, and eider ducks, and while extremely warm, they did not wear as well as most mammal-skin parkas. Bird-skin parkas are now very rare throughout the area. Feathers are still used to some extent for decoration on parkas and in the making of ceremonial fans and masks which are exported for sale to tourists. Metal implements have completely replaced those previously made of bird bone.

The Waterfowl Populations

Waterfowl population data for the Yukon-Kuskokwim Delta area are sketchy. For species such as the emperor and cackling geese that for the most part nest only in this area, population estimates are available based on counts of birds on their wintering areas or on aerial or ground counts of breeding pairs on the nesting grounds. For more cosmopolitan nesters, such as the lesser Canada and white-fronted geese, estimates of the Yukon-Kuskokwim component of their populations are rather lacking or are empirical guesses by workers familiar with the particular species. Available population estimates for waterfowl species taken by Eskimo hunters in the Yukon-Kuskokwim Delta area are listed in Table 8 for comparison with the Eskimo harvest.

Cackling geese and white-fronted geese receive greater hunting pressure than any other waterfowl species on the Delta. The spring take by Eskimos may approach 15 per cent of the total spring population of each species. Lesser

Table 8. Comparison of waterfowl population estimates for the Yukon-Kuskokwim Delta with the estimated take by Eskimos.

SPECIES	SOURCE	WATERFOWL POPULATION	TAKE BY ESKIMOS		
			SPRING	FALL	TOTAL
Cackling geese	Nelson & Hansen 1959	(spring) 80,000 (fall) 450,000	20,000	18,200	38,200
White-fronted geese	Dzubin et al. 1964	200,000	13,500	9,100	22,600
Black brant	Hansen & Nelson 1957 Barry 1964	100,000 100,175,000	2,500	5,500	8,000
[illegible]	Barry 1964	200,000	6,500	1,700	8,200
[illegible]	Couch 1964	500,000	3,400	400	3,800
[illegible]	Banko & Mackay 1964	40,90,000			[illegible]

Canada geese, which are included with cackling geese in the utilization data, apparently are considerably less numerous throughout the Delta than cackling geese and therefore represent the smaller component of the Canada goose varieties reported taken. Black brant, emperor, and snow geese are only locally available in the Delta area and harvests of these species are accordingly lower than for Canadas and white-fronts which are more widely distributed during the spring migration. Although species populations of brant, emperor, and snow geese inhabitating or passing through the Delta area are comparable to the white-fronted and cackling geese populations, the numbers harvested by Eskimos are considerably less than those of the white fronts and cacklers. This is apparently directly related to their more restricted local availability. Probably not more than 2 to 3 per cent of the total spring population of black brant is taken by Eskimo hunters each year, while the fall harvest is perhaps 3 per cent. The maximum spring harvest of emperor geese by Eskimos would not be likely to exceed 6 per cent of the spring population of these birds, whereas the fall harvest accounts for about 1 per cent of the population at that time of the year. Snow geese do not nest on the Delta, but about 300,000 migrate in the spring along the coast across the Yukon Delta to nesting areas on Wrangell Island and the northern coast of the Chukchi Peninsula of Siberia (Cooch 1964). On the basis of this population estimate, the spring harvest by Eskimos on the Yukon-Kuskokwim Delta amounts to approximately 1 to 2 per cent of this segment of the total North American snow goose population.

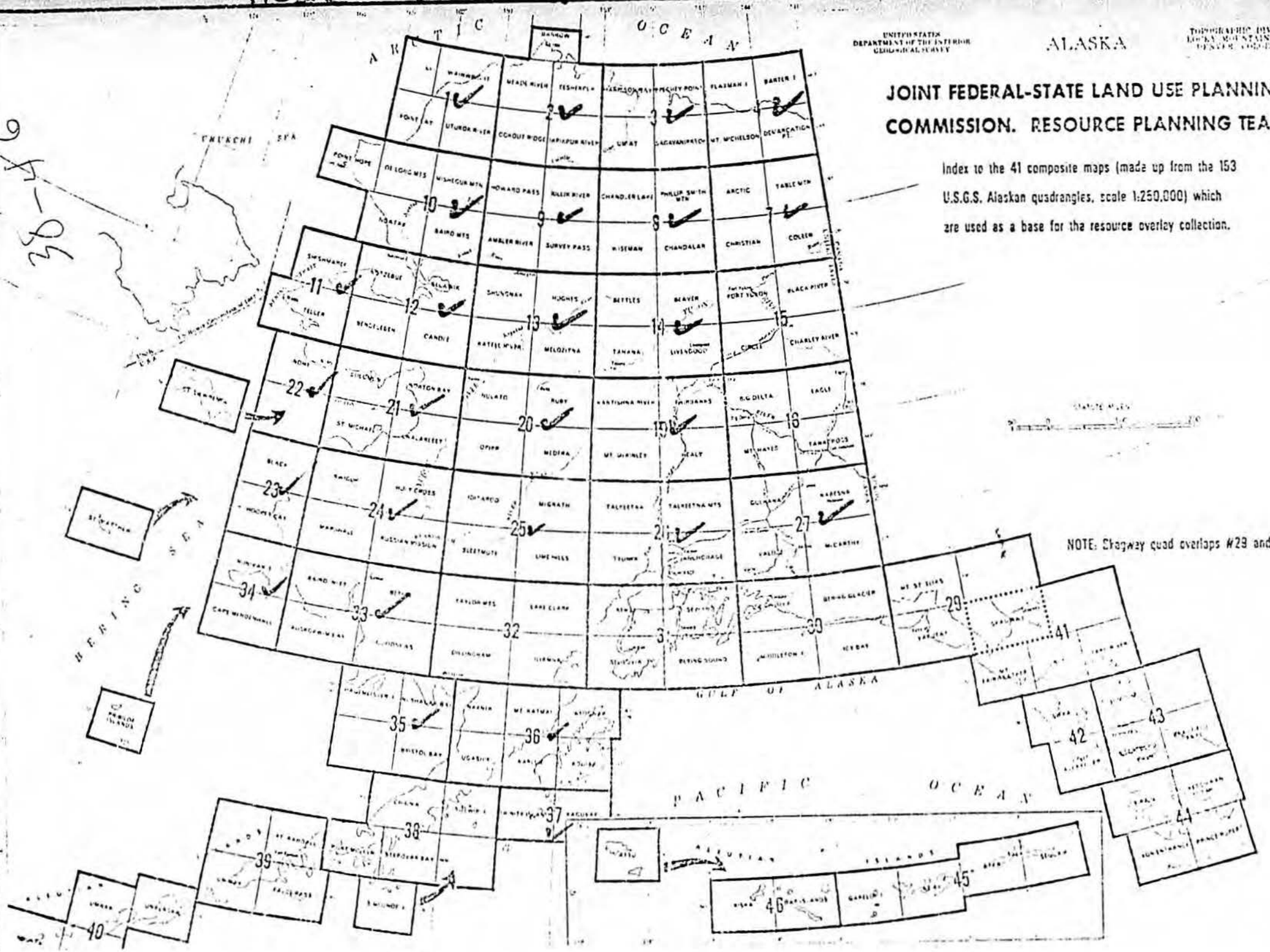
No population estimates are available for the species of ducks involved in the harvest. Eiders, which are taken in significant numbers only in early spring, represent a very small percentage of the total number of the eiders that migrate northward along the coast each spring. Pintails and mallards, although taken in greater numbers than eiders, are not as eagerly sought as geese. Their harvest is both a product of availability and hunting effort. The take of over twice as many pintails as mallards is the direct result of the relative abundance of these two species throughout the Delta area. Because there is considerably less hunting for ducks than of geese, it is doubtful if the harvest of any species of duck approaches 5 per cent of the spring population.

Most of the harvesting of swans by Eskimos on the Yukon-Kuskokwim Delta is in the spring. As far as is known, only whistling swans are taken, as apparently there are no trumpeters (*Olor buccinator*) in the area. This harvest accounts for approximately 6 to 8 per cent of the total whistling swan population in North America.

Acknowledgments

Financial support for this study was made available through the Alaska Cooperative Wildlife Research Unit by the U.S. Bureau of Sport Fisheries and Wildlife. I am indebted to the members of the village councils of the communities throughout the study area, without whose assistance the study would not have been possible. I am also grateful to Mr. Ray Christiansen who provided advice and background information about the area and acted as interpreter in many of the villages visited, and to Mr. Ray Woolford, Mr. Neil Argy, Mr. Ray Tremblay, Mr. Darwin Seim, and innumerable others, who provided useful advice and information. Mr. James King and Dr. Wendell Oswalt kindly read the manuscript and provided many useful comments.

THOSE WITH A ✓ HAVE SUBSISTENCE USE DATA



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

ALASKA

TOPOGRAPHIC DIVISION
ROCKY MOUNTAIN AREA
DENVER, COLORADO

JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION. RESOURCE PLANNING TEAM.

Index to the 41 composite maps (made up from the 153 U.S.G.S. Alaskan quadrangles, scale 1:250,000) which are used as a base for the resource overlay collection.

NOTE: Chugwey quad overlaps #29 and #41.

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Alaska State Legislature

House

JUNEAU ALASKA

PROPOSAL
FOR THE ESTABLISHMENT OF A
SPECIAL COMMITTEE ON SUBSISTENCE

It is proposed that a special committee on subsistence be established to succeed the Legislative Council's Subcommittee on Subsistence Hunting and Fishing. The special committee on subsistence would continue the subcommittee's work in defining the issues surrounding subsistence and preparing legislation arising out of the public hearings, as well as assume additional responsibilities for oversight of state agencies and their handling of subsistence-related issues. The duties of the committee for the remainder of the session can be fulfilled with only additional costs for committee staff, an administrative assistant and secretary, and for committee travel to public hearings in Anchorage and Fairbanks.

Duties

The special committee on subsistence would have the following duties:

1) Continue the efforts of the Legislative Council's Subcommittee on Subsistence Hunting and Fishing to gather public input on subsistence and related issues;

2) Continue the efforts of the subcommittee to gather all available information on subsistence;

3) Receive public comment through public hearings on legislation which address subsistence issues;

4) Draft legislation which addresses subsistence and related issues as deemed necessary by the committee;

5) Quantify the amount, kind, value, and importance of renewable resources harvested for subsistence purposes in Alaska;

6) Cooperate with the Administrative Regulations Review Committee in reviewing the regulations of the Departments of Fish and Game, Natural Resources, and Community and Regional Affairs as they relate to subsistence;

7) Perform oversight of the activities of the state agencies responsible for managing renewable resources which are used for subsistence purposes;

8) Monitor those activities of federal agencies which would affect the use of federal lands for subsistence purposes;

9) Evaluate the impact of proposals for federal legislation or regulations which would affect subsistence.

Justification

During the interim the Subcommittee on Subsistence Hunting and Fishing devoted substantial time and resources to hear what the people of Alaska had to say about subsistence. This was an important first step in defining the subsistence issue and served as a starting point for a long-term and concerted effort by the legislature to address the important questions surrounding subsistence. Public hearings were held in twelve cities, towns, and villages. Approximately 500 persons attended the hearings and 150 persons presented testimony before the committee.

By the end of 1977 the interim subcommittee was able to gather much of the available material on subsistence, analyze the current proposals for federal legislation which affect subsistence, and prepare draft legislation which addresses the salient issues defined in the public hearings. There was not enough time to thoroughly understand all the factors that affect subsistence resources and influence the subsistence lifestyles of many Alaskans. The subsistence issue is a dynamic issue. The factors affecting subsistence are constantly in a state of flux as federal law and policy change, population grows, ownership of land changes, and the economy of rural areas fluctuates. Without a continuing effort by the legislature to be actively involved, the future of subsistence in Alaska will be determined by exogenous forces.

There is much more that needs to be done to understand the forces that influence the subsistence lifestyle. As an understanding of subsistence

is achieved, there will be a need for additional legislation to insure that the subsistence lifestyle remains a viable way of life for those who live it through choice or necessity.

The membership of the interim subcommittee on subsistence has developed an expertise and familiarity with the subject. Since there exists a continuing need to deal with subsistence issues at the legislative level, the optimum use of legislators' time and legislative resources would favor the establishment of a select special committee to deal with this issue. The establishment of a special committee on subsistence would ease the workload of the existing standing committees. Consideration of subsistence issues in a permanent committee, such as Resources, would place additional workloads on already burdened committees.

There are currently five bills in the House, in addition to legislation prepared by the interim subcommittee, which deal with subsistence.

Background

The formation of the subsistence committee stems from the interest, insistence, and persistence of many individuals and organizations who felt that subsistence is a vitally important issue that needed to be addressed by the State of Alaska, legislatively and administratively. Countless times, the term "subsistence" was broached when discussing land use policies, selection of state, federal, and Native lands, and in the management, protection, and enforcement of the fish and game resources.

Several legislators had recognized the necessity of dealing with the issue of subsistence because diminishing fish and game resources, increased population density, and changes in means and methods of harvesting subsistence resources had already led to problems of allocating the available resources. The problem of allocating the resource among the many user groups could only become worse in the future, so the legislature was faced with the task of providing a realistic approach to resource allocation that could be implemented as soon as possible.

The Interim Committee on Subsistence was established by the First Session of the Tenth Alaska Legislature for the purpose of seeking a concensus on subsistence. The committee's goals and objectives were to conduct public hearings throughout the various communities around the state, both rural and urban; to collect testimony on the issue of subsistence; to gather available information on the subject; to attempt to quantify the amounts of subsistence resources taken from the land and water; to review state statutes regarding subsistence; to review subsistence activities on federal land; and to attempt to define subsistence.

Accomplishments of the staff and committee have been to collect available data, conduct hearings and collect public testimony. After the staff and committee had assessed the amount of work, the funding, and the length of time necessary to perform the goals of the committee, the committee decided to put more emphasis on the public hearings. The meaning and importance of subsistence was put into focus by what was being brought to its attention in the testimony. It would have been

valuable to be able to quantify subsistence harvest to be able to show in dollars and cents the impact a loss of subsistence would have economically, socially, and fiscally upon the State of Alaska, but the time and money to do it was not available.

The committee briefly touched upon subsistence activities on federal lands.

The activities of the subsistence committee are reported in its final report to the Legislative Council. The final report reviews the accomplishments of the committee and contains its proposals for legislation.

BUDGET

Staff

Administrative Assistant $68/day x 90 days	=	$ 6,200
Secretary $52/day x 90 days	=	4,600

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Anchorage hearings 6 legislators x $165	=	1,000
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Office space, equipment, telephone, and supplies would be provided from existing resources maintained by Legislative Affairs Agency with no additional cost directly attributable to the Special Committee

TOTAL	$13,000

Alaska State Legislature

House

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Alaska State Legislature

House

JUNEAU, ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 284 o 842-5970
Dillingham, Alaska 99576

DRAFT OUTLINE

Report to 1978 Alaska State Legislature January 7, 1978 from Interim Committee on Subsistence

I. Introduction

A. Role of Committee

1) Goals of Committee
2) Budget & Operations Cost
3) Committee Membership

a. Statements from Committee members

II. Activities of Committee & Staff - August 1977 through December 1977

A. Schedule of Hearings & Meetings

B. Brief Summary & Overview of Hearings

1) Text of oral Public Hearing Testimony & written testimony
2) Kotzebue Whale Hearings Testimony

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A. Overview by Joe Guthrie, Staff Attorney

B. How can & will the State protect subsistence activities and resources?

C. Necessity of State Government to take action on developing a Subsistence Position.

IV. Cultural Aspects in Subsistence Issues

A. Traditional Subsistence Lifestyle

B. Non-Native Participation in Subsistence Lifestyle

IV. Cultural Aspects in Subsistence Issues - continued

C. Problems in Defining the Term "Subsistence"

D. Summary of Subsistence Resource Harvests & Uses

V. Economic Aspects of Subsistence

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B. What are alternatives to a Subsistence lifestyle?

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B. Funding of ADF&G and how it relates to the protection, management, and enforcement of Fish & Game regulations.

VII. Proposed Draft Legislation

A. Brief Summary of purpose of proposed Draft Legislation

VIII. Committee Recommendations to 1978 Alaska State Legislature

A. Review, Develop and enact Draft Legislation

B. Review funding of ADF&G and Institute a new funding policy and level

C. Create a Division of Subsistence parallell to the Division of Sports Fisheries & Commercial Fisheries.

D. Create a on-going permanent Sub-Committee on Subsistence of State Legislators.

E. Proposal for Regionalizing Boards of Fish & Game

F. Other

IX. Conclusion

X. Bibliography

Alaska State Legislature

House

JUNEAU, ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 231 ○ 842-5970
Dillingham, Alaska 99576

MEMORANDUM

TO: To Whom it May Concern

FROM: Dorothy M. Larson, Staff Assistant DML

DATE: December 2, 1977

Attached is a draft outline for the report to the Alaska State Legislature from the Committee on Subsistence for your information. Any comments you may have would be appreciated.

Alaska State Legislature

House

JUNEAU, ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 231 ○ 842-5970
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Alaska State Legislature

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JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

PRESS RELEASE

The Interim Committee on Subsistence Chairman Nels Anderson, Jr. of Dillingham reported that the Nome Public Hearing was very successful and well attended. Villages from outlying areas around Nome were able to testify before Anderson and Representative Al Nakak of Nome.

Anderson stated that the message he received there that Subsistence must be protected. The Subsistence resources from the land and the sea provided the major food source for the people in that area and they feel that this source is being reduced and threatened and definitely needs protection.

The Committee will be in Anchorage to conduct a public hearing on November 10th. A full committee meeting will be held on November 11th in Anchorage with the Committee attending the Alaska Federation of Natives, Inc. Annual Convention where they will receive testimony from the Convention workshops on Saturday November 12th. On November 21st the Committee will be in Galena.

Anderson said that he is pleased to see residents from the areas the committee has visited turn out to give their views on the Subsistence issue, an issue that is of great importance to both the rural and urban population. A diverse population has testified before the Committee - Native, Non-Native, seasonal workers, house wives, students, retired people, organizations, conservation groups, health organizations, Department of Fish and Game and guides and interested people.

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Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

November 7, 1977

TO: Nels A. Anderson, Jr., Chairman & Committee Members

FROM: Dorothy M. Larson, Staff Assistant

SUBJECT: Progress Report - October 1977

The activities of staff for October has been consistent with the past activities, preparation and holding public hearings in Glenallen, Fairbanks, Nenana, and Kodiak. The Staff Attorney, Joe Guthrie, has prepared several pieces of draft legislation (see attached) for your review, comments, recommendations and/or changes.

Ad Herrmann has been working on the transcription as much as possible. We have included samples of oral and written testimony in this packet. We have requested from National Oceanic and Atmospheric Administration a copy of the Kotzebue Whaling Hearing to incorporate into our testimony.

The gist of the testimony has been that most people wish to see subsistence protected. It is generally agreed that the term subsistence will be very difficult to define. Most would hesitate to see it defined on a racial basis. Some suggestions have been on a need basis, economic basis, suggestion of a "limited entry" system, distinct between commercial and subsistence use needs to be made. In our State law subsistence regulations fall under the commercial section of the law. We have made a proposal to create a Division of Subsistence parallel to the Division of Commercial Fisheries and Division of Sport Fisheries. Many people have testified on the necessity to create regional fish and game boards.

I have requested $425.00 with the Chairman's approval from the Legislative Council for maps and overlays showing seasonal subsistence use areas in approximately 43 villages. I have also requested an additional $600.00 for 2 weeks salary for clerical assistance in transcribing testimony.

I estimate that the tapes will all be finished by the end of November and the last 2 will be the Juneau and Barrow hearings in December. The Barrow hearing, I think, will be quite lengthy.

I expect to have a draft report on the findings and draft legislation and recommendat to you by mid December. It would be my recommendation that after the Committee membe have had an opportunity to make comments or change to Nels and myself that a final report would be ready by the end of December or first week in January.

I would appreciate any comments from Committee members on the above work plan and the budget.

Another comment on the hearings - there has been quite a diverse population testifying at our hearings. Thus far, we have been to Kipnuk, Kotzebue, twice to Nome, Fairbanks, Nenana, Glenallen and Kodiak. Examples include individuals, students, housewives, retired people, Native organizations, health organizations, regional and village corporation representatives, conservationist organizations, Vista volunteer, homesteaders, Fish and Game personnel, guides, sportsmans groups, Fish and Game advisory Board Members, commercial fishermen, and others.

IN THE HOUSE BY ANDERSON

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act regionalizing the Board of Fisheries and the Board of Game."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.221 is repealed and re-enacted to read:

Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes of the conservation and development of the fishery resources of the state, there are created 12 boards of fisheries, each with jurisdiction over the area of a regional corporation established under the Alaska Native Claims Settlement Act. Each board of fisheries is composed of seven members appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. Each member appointed must be a resident of that area of the state over which the board to which he is appointed exercises jurisdiction. Each member appointed shall be appointed without regard to political affiliation. The commissioner is not a member of any board of fisheries, but he or his designee is ex officio secretary to each board.

(b) For purposes of the conservation and development of the game resources of the state, there are created 12 boards of game, each with jurisdiction over the area of a regional corporation established under the Alaska Native Claims Settlement Act. Each board of game is composed of seven members appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. Each member appointed must be a resident of that area of the state over which the board to which he is appointed exercises jurisdiction. Each member

appointed shall be appointed without regard to political affiliation. The commissioner is not a member of any board of game, but he or his designee is ex officio secretary to each board.

* Sec. 2. AS 16.05.251 is amended to read:

Sec. 16.05.251. REGULATIONS OF THE <u>BOARDS OF FISHERIES. Each board of fisheries</u> [BOARD OF FISHERIES. THE BOARD OF FISHERIES] may <u>for the area over which the board has jurisdiction</u> make regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.62) for

(1) setting apart fish reserve areas, refuges and sanctuaries in the waters of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishment of open and closed seasons and areas for the taking of fish;

(3) setting quotas and bag limits on the taking of fish;

(4) establishment of the means and methods employed in the pursuit, capture and transport of fish;

(5) establishment of marking and identification requirements for means used in pursuit, capture and transport of fish;

(6) classifying fish as commercial fish, sport fish or predators or other categories essential for regulatory purposes;

(7) engaging in biological research, watershed and habitat improvement, fish management, protection, propagation and stocking;

(8) investigating and determining the extent and effect of predation and competition among fish in the state, exercising control measures considered necessary to the resources of the state;

(9) entering into cooperative agreements with educational institutions and state, federal, or other agencies to promote fish research, management, education and information and to train <u>persons</u>

[MEN] for fish management;

(10) prohibiting the live capture, possession, transport, or release of native or exotic fish or their eggs;

(11) establishing seasons, areas, quotas and methods of harvest for aquatic plants;

(12) establishment of the times and dates during which the issuance of fishing licenses, permits and registrations and the transfer of permits and registrations between registration areas is allowed; however, this paragraph does not apply to permits issued or transferred under ch. 43 of this title.

* Sec. 3. AS 16.05.255 is amended to read:

Sec. 16.05.255. REGULATIONS OF THE <u>BOARDS OF GAME.</u> <u>Each board of game</u> [BOARD OF GAME. THE BOARD OF GAME] may <u>for the area over which the board has jurisdiction</u> make regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.62) for

(1) setting apart game reserve areas, refuges and sanctuaries in the waters or on the lands of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishment of open and closed seasons and areas for the taking of game;

(3) establishment of the means and methods employed in the pursuit, capture and transport of game;

(4) setting quotas and bag limits on the taking of game;

(5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators or other categories;

(6) investigating and determining the extent and effect of predation and competition among game in the state, exercising control measures considered necessary to the resources of the state and designating game management units or parts of game management units in

which bounties for predatory animals shall be paid;

(7) engaging in biological research, watershed and habitat improvement, and game management, protection, propagation and stocking;

(8) entering into cooperative agreements with educational institutions and state, federal, or other agencies to promote game research, management, education, and information and to train persons [MEN] for game management;

(9) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs;

(10) establishing the times and dates during which the issuance of game licenses, permits and registrations and the transfer of permits and registrations between registration areas and game management units or subunits is allowed.

* Sec. 4. AS 16.05.257(a) is amended to read:

(a) Each board of game [THE BOARD OF GAME], at its regularly scheduled annual meeting, may adopt regulations providing for subsistence hunting in a game management unit or subunit or a portion of a unit or subunit in the area over which the board exercises jurisdiction upon

(1) recommendation of the department, based on biological evidence;

(2) the majority vote of the active local advisory committees for that game management unit or subunit;

(3) the written petition of not less than 100 interested residents of that game management unit or subunit; or

(4) the written petition of not less than 25 interested residents of an area which is requested for establishment as a subsistence area within a game management unit or subunit.

* Sec. 5. AS 16.05.257(f) is amended to read:

(f) Each board of game [THE BOARD OF GAME] at any time may review

and change the boundaries of a subsistence area upon

(1) the recommendation of the department, based on biological evidence;

(2) the written petition of not less than 25 interested residents of that area; or

(3) the majority vote of the active local advisory committees for that area.

* Sec. 6. AS 16.05.260 is amended to read:

Sec. 16.05.260. ADVISORY COMMITTEES. Each board of fisheries [THE BOARD OF FISHERIES] and each board of game [THE BOARD OF GAME] may make regulations it considers [THEY CONSIDER] advisable in accordance with the Administrative Procedure Act (AS 44.62) establishing, at places in the state designated by the individual boards, advisory committees to be composed of persons well informed on the fish or game resources of the locality. The boards shall set the number and terms of each of the members of the advisory committees, shall delegate one member of each committee as chairman, and shall give him authority to hold public hearings on fish or game matters. Recommendations from the advisory committees shall be forwarded to the appropriate board for its [THEIR] consideration but if the boards choose [BOARD OF FISHERIES OR THE BOARD OF GAME CHOOSES] not to follow the recommendations of the local advisory committee the appropriate board shall inform the appropriate advisory committee of this action and state the reasons for not following the recommendations. The commissioner shall delegate authority to advisory committees for emergency closures during established seasons. The commissioner is empowered to set aside and make null and void only opening of seasons set by the advisory committees under this section. The appropriate board shall promulgate the necessary regulations governing these closures.

* Sec. 7. AS 16.05.305 is amended to read:

Sec. 16.05.305. CLERICAL ASSISTANCE FOR BOARDS. Each board of fisheries [THE BOARD OF FISHERIES] and each board of game is [THE BOARD OF GAME ARE] authorized to hire and set the compensation for one clerical assistant for each board.

* Sec. 8. AS 16.05.930(d) is amended to read:

(d) No nondomestic animals of any species may be transferred or transported from the state under (a) of this section unless approved by the appropriate board of game [BOARD OF GAME] in regular or special meeting. Animals transferred or transported under (a) of this section shall be animals that are certified by the department to be surplus and unnecessary to the sustained yield management of the resource. Each application for a permit under (a) of this section shall be accompanied by a statement prepared by the Department of Fish and Game examining the probable environmental impact of the action.

* Sec. 9. AS 16.05.940(1) is amended to read:

(1) "a board" or "the board" means either a board of fisheries [THE BOARD OF FISHERIES] or a board of game [THE BOARD OF GAME];

* Sec. 10. AS 41.99.010 is amended to read:

Sec. 41.99.010. GAME MANAGEMENT AND ENFORCEMENT. Nothing in this title denies the Department of Fish and Game or the boards of fisheries and game [BOARD OF FISH AND GAME] their management and enforcement responsibilities related to the fish and game of this state.

* Sec. 11. AS 16.05.300(b) is repealed.

IN THE HOUSE BY ANDERSON

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to open seasons for the taking of moose in Subunits 9(A), 9(B), 9(C), and Unit 17."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. The open season for the taking of moose in those areas designated Subunit 9(A), 9(B), and 9(C) by 5 AAC 90.010(9) Reg. 62, July 1977, and that area designated Unit 17 by 5 AAC 90.010(17) Reg. 62, July 1977, is from August 15 to September 5.

IN THE HOUSE BY ANDERSON

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act creating a division of subsistence hunting and fishing."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.090 is amended by adding a new subsection to read:

(c) The commissioner shall establish a departmental division of subsistence hunting and fishing.

* Sec. 2. AS 16.05 is amended by adding new sections to read:

Sec. 16.05.093. DIRECTOR OF THE DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall be administered by a fish and game biologist.

Sec. 16.05.094. DUTIES OF DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall

(1) compile existing data, hold hearings, and conduct studies to gather information on all aspects of the role of subsistence hunting and fishing in the lives of the residents of the state;

(2) quantify the amount, value, and extent of dependence on food acquired through subsistence hunting and fishing;

(3) make information gathered available to the legislature in a form suitable for use in developing legislation relating to land and water management;

(4) assist the legislature to determine what uses of fish and game, as well as which users and what methods, should be termed subsistence uses, users, and methods;

(5) evaluate the impact of state and federal laws and

regulations on subsistence hunting and fishing and, when corrective action is indicated, make recommendations to the governor and the legislature.

w.o. 4346

IN THE HOUSE BY ANDERSON

HOUSE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

Relating to legalizing hunting of migratory birds in the springtime.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS hunting of migratory game birds in the spring is prohibited by the terms of the conventions concluded between the United States and Great Britain for the protection of migratory birds on August 16, 1916; between the United States and the United Mexican States for the protection of migratory birds and game mammals on February 7, 1936; and between the United States and the Government of Japan for the protection of migratory birds in danger of extinction and their environment, on March 4, 1972; and

WHEREAS many residents of the rural areas of Alaska must rely on wildlife for food; and

WHEREAS the nutritional value of migratory game birds to the rural residents of Alaska is of particular significance in the springtime due to the depletion of winter food stocks and because spring thawing conditions make equivalent substitutes commercially unavailable; and

WHEREAS many otherwise law-abiding citizens have been forced to resort to illegal hunting to provide for the health and well-being of their families; and

WHEREAS the United States and the Soviet Union have completed negotiations on a treaty, now before the Senate for ratification, which leaves authority to establish those closed seasons necessary for the preservation of migratory bird stocks to the appropriate authorities in the respective nations, with provision that if the need arises special agreements may be negotiated with regard to conservation or hunting of particular species;

BE IT RESOLVED by the Alaska State Legislature that it requests the President of the United States to direct the Department of State to amend existing treaties to conform to the approach taken in the recent U.S-U.S.S.R. treaty, thereby allowing rural residents of Alaska to hunt migratory game birds in the springtime if consistent with the conservation of migratory game bird stocks.

COPIES of this resolution shall be sent to the Honorable Jimmy Carter, President of the United States; the Honorable Cyrus Vance, Secretary of the Department of State; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

I. **REQUEST**
Bill/Resolution No.
Title An Act creating a Division of Subsistence Hunting and Fishing
Requested by Legislative Affairs Date 11-17-77

II. FISCAL DETAIL
Agency Affected Department of Fish and Game
Program Category Affected NRMEC
Budget Request Unit(s) Affected New BRU to be created

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			392.5	392.5	392.5	392.5
200 TRAVEL			23.0	23.0	23.0	23.0
300 CONTRACTUAL			30.0	30.0	30.0	30.0
400 COMMODITIES			3.0	3.0	3.0	3.0
500 EQUIPMENT			20.0	1.0	1.0	1.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			468.5	449.5	449.5	449.5

FUNDING (Thousands of Dollars)

GENERAL FUND			468.5	449.5	449.5	449.5
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			14	14	14	14
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

In addition to a Headquarters Staff of a Director, Deputy Director, Secretary, and Administrative Assistant, work would be accomplished by regional positions at Range 18 in Juneau, Anchorage, Kodiak, Fairbanks, and Nome. (One clerical position will be assigned to each regional position). Travel is provided at $3,000 for regional positions and $4,000 for Director and Deputy. Contractual is for phones, printing and advertising, and space rental. New equipment needed for all new positions. Fiscal note can be revised upward or downward based on further clarification of scope of duties by bill sponsor.

IV. DATE November 18, 1977 PREPARED BY Jeff Morrison
AGENCY Fish and Game

IN THE HOUSE [redacted]

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act creating a division of subsistence hunting and fishing."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.090 is amended by adding a new subsection to read:

(c) The commissioner shall establish a departmental division of subsistence hunting and fishing.

* Sec. 2. AS 16.05 is amended by adding new sections to read:

Sec. 16.05.093. DIRECTOR OF THE DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall be administered by a fish and game biologist.

Sec. 16.05.094. DUTIES OF DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall

(1) compile existing data, hold hearings, and conduct studies to gather information on all aspects of the role of subsistence hunting and fishing in the lives of the residents of the state;

(2) quantify the amount, value, and extent of dependence on food acquired through subsistence hunting and fishing;

(3) make information gathered available to the legislature in a form suitable for use in developing legislation relating to land and water management;

(4) assist the legislature to determine what uses of fish and game, as well as which users and what methods, should be termed subsistence uses, users, and methods;

(5) evaluate the impact of state and federal laws and

regulations on subsistence hunting and fishing and, when corrective action is indicated, make recommendations to the governor and the legislature.

Introduced: 2/1/78
Referred: The Special Committee on Subsistence, Resources and Finance

IN THE HOUSE

BY THE SPECIAL COMMITTEE ON SUBSISTENCE

HOUSE BILL NO. 718

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act creating a permanent interim Subsistence Committee."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 24.20 is amended by adding new sections to read:

Sec. 24.20.600. SUBSISTENCE COMMITTEE ESTABLISHED. The Subsistence Committee is established as a permanent interim committee of the legislature. The establishment of the committee recognizes the need for continuous and intensive legislative study and involvement in the subsistence issue to insure that the subsistence lifestyle remains a viable way of life for those who live it through choice or necessity.

Sec. 24.20.610. MEMBERSHIP. The Subsistence Committee is composed of three members of the house appointed by the speaker of the house, and three members of the senate appointed by the president of the senate. The membership from each house shall include at least one member from each of the two major political parties. The committee elects a chairman from among its members.

Sec. 24.20.620. TERM OF MEMBERSHIP. The Subsistence Committee shall be organized within 15 days after the organization of each legislature. Members serve for the duration of the legislature during which they are appointed. If they are reelected or their term of office extends into the next succeeding legislature, they continue to serve until reappointed or the appointment of their successor.

Sec. 24.20.630. VACANCIES. When a vacancy occurs in the membership of the Subsistence Committee, the presiding officer of the house

incurring the vacancy shall choose a successor. If the office of the president of the senate or speaker of the house of representatives becomes vacant and a vacancy from the affected house occurs among the membership of the committee, the remaining committee members from the house incurring the vacancy shall appoint a new member.

Sec. 24.20.640. MEETINGS. The Subsistence Committee may meet during sessions of the legislature and during the interim between sessions at such times and places in the state as the chairman may determine. Members may receive, for the minimum time required to get to and from meetings and for the period while attending meetings, the same travel and per diem allowances provided by law for members of the legislature when attending sessions, except that members of the committee receive no per diem during the legislative sessions other than the per diem allowance paid to other members of the legislature.

Sec. 24.20.650. STAFF. The Legislative Affairs Agency shall provide the committee with professional and clerical assistance under the auspices of the Legislative Council.

Sec. 24.20.660. DUTIES. The Subsistence Committee shall

(1) gather information on all aspects of subsistence hunting and fishing and the role of subsistence in the lives of the residents of the state;

(2) monitor the activities of state officers and agencies which affect the use of subsistence resources;

(3) evaluate the impact of federal laws, regulations, and policies which affect subsistence;

(4) receive public comment on governmental action affecting subsistence.

Sec. 24.20.670. POWERS. The Subsistence Committee has the following powers:

(1) to organize and adopt rules for the conduct of its business;

(2) to hold public hearings;

(3) to require all state officials and agencies of state government to give full cooperation to the committee or its staff in assembling and furnishing requested information;

(4) to act on all bills referred to it and to report back on its actions and recommendations to the house from which the bill was referred;

(5) sponsor legislation in accordance with AS 24.30.060(b).

Sec. 24.20.680. REPORTS. The Subsistence Committee shall submit a summary report of its findings and recommendations to each legislature.

* Sec. 2. AS 24.30.060(b) is amended to read:

(b) Bills introduced by the Legislative Council shall be delivered with a letter of explanation to the rules committee of either house and bear the inscription "Rules Committee by Request of the Legislative Council"; <u>bills introduced by the Subsistence Committee shall be delivered with a letter of explanation to the rules committee of either house and bear the inscription "Rules Committee by request of the Subsistence Committee";</u> bills introduced by the Administrative Regulation Review Committee shall be delivered with a letter of explanation to the rules committee of either house and bear the inscription "Rules Committee by Request of the Administrative Regulation Review Committee"; bills introduced by the Legislative Budget and Audit Committee shall be delivered with a letter of explanation to the rules committee of either house and bear the inscription "Rules Committee by Request of the Legislative Budget and Audit Committee." Bills presented by the governor shall be delivered with a letter to the rules committee of either house and bear the inscription "Rules Committee by Request of the Governor";

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

September 20, 1977

DEPARTMENT OF THE INTERIOR RECOMMENDED AMENDMENTS TO H.R. 39, PROPOSED "ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT"

On page 19, line 12, through page 22, line 20, revise section 701 read as follows and delete section 702.

SEC. 701. (a) Except as otherwise provided by Federal law, the State of Alaska is authorized to permit subsistence uses of fish, wildlife, and plant resources within designated subsistence management zones by:

(1) Defining "subsistence us " to include the taking and use of customary or traditional wild foods and other renewable biological resources from lands and waters for personal or family consumption; provided that such taking is not accomplished in a wasteful manner. Such uses may also involve the customary trade or barter among qualified subsistence users for personal or family consumption;

(2) prescribing conditions under which subsistence uses may be permitted, including but not limited to, the establishment of limits on season length, take, and number and type of fish, wildlife, or plant species to be utilized; provided, however, that the level of subsistence uses may not be significantly expanded beyond those in existence as of December 18, 1971;

(3) determining, without regard to race or ethnic origins, wh is qualified for subsistence uses within subsistence management zones based upon: customary and direct dependency

upon the use of subsistence resources as the mainstay of one's livelihood as of December 18, 1971; area of domicile; availability of alternative resources; and cultural needs;

(4) creating a system of local subsistence advisors to assist in determining who is qualified for subsistence uses within subsistence management zones; and

(5) giving subsistence uses preference over any other competing consumptive use within subsistence management zones. When actual or anticipated population declines in a specific subsistence resource would be aggravated by continued subsistence uses or other competing consumptive uses, the State shall first curtail the other consumptive uses, and as a last resort, subsistence uses, to the extent necessary to protect the viability and well being of the fish, wildlife, and plant populations affected.

(b) The Secretaries of Interior and Agriculture shall designate by regulation subsistence management zones within their respective areas added to the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems by this Act. Subsistence management zones shall include only those areas where subsistence uses were customarily occurring on December 18, 1971, and where continued subsistence uses would be consistent with the purposes for which the area was established and is being managed.

(c) The appropriate Secretary may close any subsistence management zone or portion thereof to subsistence uses for reasons of public safety, fish and wildlife management, administration, or public use and enjoyment of the area; and notwithstanding any other provision of this section, if the appropriate Secretary determines that conditions imposed by the State of Alaska under subsection (a)(2) of this section are inconsistent with the purposes for which any area was established or constitute a danger to the population of any species, he may close the area to subsistence uses.

(d) (1) Except for those subsistence uses authorized in this section all areas of the National Park System in the State of Alaska shall be closed to hunting and trapping, but shall be open to non-commercial fishing in accordance with the applicable laws of the United States and the State of Alaska; provided, however, the Secretary shall permit fishing, trapping, and non-commercial hunting within areas established by this Act as "national park preserves" and "national rivers" in accordance with the applicable laws of the United States and the State of Alaska.

(2) The Secretary may designate for all units of the National Park System, the National Wildlife Refuge System and the Wild and Scenic Rivers System in the State of Alaska areas where, and periods when, hunting, fishing, trapping or entry may be limited or proscribed for reasons of public safety; administration, protection and management of living resources, preservation of subsistence resources, or public use and enjoyment. Except in emergencies, any regulation prescribing such restrictions relating to hunting, fishing, trapping or entry shall be put into effect only after consultation with the appropriate State agency having jurisdiction over such activities.

(e) Any person who violates or fails to comply with any regulation issued pursuant to subsections (c) or (d) of this section shall be fined not more than five hundred dollars or imprisoned for not to exceed six months, or both.

(f) The Secretary, in consultation with the Secretary of Agriculture, shall prepare and submit a report every two years to the President of the Senate and the Speaker of the House of Representatives on subsistence uses within designated subsistence management zones. The report shall include among other things, the status of wildlife populations impacted by subsistence uses, the number of persons engaged in subsistence uses, the status of subsistence in the native cultures, the scope, nature and effectiveness of the State subsistence program, whether the State is in compliance with the standards set forth in this Act on subsistence use, and whether there is a need for new legislation modifying the existing subsistence use system.

(g) Nothing in this section shall be deemed to modify or repeal the provisions of the Fur Seal Act of 1966 (16 U.S.C. Sections 1151 et seq.); the Endangered Species Act of 1973 (16 U.S.C. Sections 1531 et seq.); the Marine Mammal Protection Act (16 U.S.C. Sections 1361 et seq.); or the Migratory Bird Treaty Act (16 U.S.C. Sections 701 et seq.).

(h) Notwithstanding any other provision of law or any other provision of this Act to the contrary, the Secretary may permit the use of snowmachines for subsistence purposes.

HR 39

ADMINISTRATIVE PROVISIONS

SEC. 605. Wilderness areas designated by this Act shall be administered in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

TITLE VII—GENERAL ADMINISTRATIVE PROVISIONS

SEC. 701. (a) Except as otherwise prohibited by Federal or State law, the Secretary shall permit the continuation of such subsistence uses of the fish, wildlife, and plant resources within the areas added to existing units or established by titles I, II, III, and IV of this Act. The Secretary may publish regulations prescribing conditions under which subsistence uses may be conducted, including, but not limited to, the establishment of limits on the number and type of wildlife species to be utilized and the length of the season during which subsistence activities may be engaged in within any such unit. After consultation with local residents and State agencies exercising jurisdiction affecting subsistence resources, the Secretary may designate "subsistence management zones" to include various geographical areas where

subsistence activities have customarily occurred in and adjacent to national interest lands, without regard to boundaries established for such lands by this Act. The Secretary shall establish "regulatory subsistence boards" consisting of ten persons who are subsistence users of such areas. Each Board shall be required to review and approve each subsistence permit application within each subsistence management zone in accordance with criteria and management procedure as promulgated by the Secretary after public hearings. Regulatory subsistence boards shall also advise the Secretary or his designee on matters of concern to subsistence permittees and other residents within specific subsistence management zones and shall cooperate with the Secretary in the development of studies on subsistence resources.

The Secretary or his designee shall retain the responsibility to enforce, review, and where necessary under subsection (b) of this section, overrule decisions and recommendations of the regulatory subsistence boards.

(b) Subsistence uses of national interest lands will in all cases be given preference over any competing consumptive use in a subsistence management zone. When a specific resource cannot support all demands upon it, the Secretary shall curtail subsistence uses of that resource to the extent necessary to protect the viability and well-being of fish, wildlife, and plant species affected or otherwise restore and

preserve wilderness values in the subsistence management zone: *Provided, however,* That in the absence of an emergency, the Secretary shall first consult with the regulatory subsistence boards and publish his proposals and seek public comment.

(c) People who exercise and who continue to exercise customary, consistent, and traditional use of subsistence resources in the national interest lands established by this Act, as of December 18, 1971, and their direct descendants, shall be permitted to continue subsistence activities on these national interest lands if they are primarily and directly dependent for the mainstay of their livelihood upon local natural resources for either food, shelter, materials, firewood, clothing, tools, transportation, or handicrafts and so long as such use is consistent with the sound management of these resources.

(d) The Secretary, who is responsible for the administration of units established by titles II, III, and IV of this Act, shall undertake research on the use of subsistence resources and shall seek data from subsistence users and consult such users frequently, and shall make findings of such research available to such users, the subsistence boards, and the public.

(e) Not later than ten years from the date of enactment of this Act, and continuing at intervals of not more

than five years after the submission of the first such report, the Secretary shall report to the Congress on the effect of all hunting and fishing including subsistence uses, on the flora and fauna within the lands included in this Act, and shall recommend, after consultation with the fish and game agency of the State of Alaska and the Regulatory Subsistence Boards authorized under subsection (a) of this section, whether changes in any or all of such uses may be necessary.

SEC. 702. The Secretary may permit hunting on lands and waters under his jurisdiction established as national preserves under title I of this Act, in accordance with such regulations as he shall prescribe. Such regulations may include the designation of zones where, and the establishment of periods when, no hunting shall be permitted in any such area for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate fish and game agency of the State of Alaska.

SEC. 703. (a) All lands designated by this Act as national parks, national monuments, national preserves, national wildlife refuges, national wildlife ranges, and, notwithstanding the provisions of section (9) (a) (iii) of the Wild and Scenic River Act (82 Stat. 907) as amended (16 U.S.C.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P.O. Box 234
Dillingham, Alaska 99576
Phone: 842-5970

Final Report

of the

Interim Committee on Subsistence

Alaska Tenth Legislature

Second Session

MEMBERSHIP OF THE
INTERIM COMMITTEE ON SUBSISTENCE

Committee Members

Representative Nels A. Anderson, Jr., Chairman, Dillingham

Representative William Akers, Chuloonawick

Representative Sam Cotten, Eagle River

Representative Joe Hayes, Anchorage

Representative Al Nakak, Nome

Representative Leo Schaeffer, Kotzebue

Representative Steve Cowper, Fairbanks

Senator Pat Rodey, Anchorage

Staff Members

Dorthy Larson, Staff Assistant, Dillingham

Adelheid Herrmann, Secretary, Naknek

Joe Guthrie, Legislative Attorney, Juneau

George Utermohle, Research Analyst, Juneau

TABLE OF CONTENTS

REPORT TO THE 1978 ALASKA STATE LEGISLATURE
BY THE INTERIM COMMITTEE ON SUBSISTENCE

		Page
1.	INTRODUCTION	1
2.	ROLE OF INTERIM COMMITTEE ON SUBSISTENCE	3
3.	GOALS OF COMMITTEE	3
4.	BUDGET AND OPERATIONS COSTS	5
5.	COMMITTEE MEMBERSHIP	6
6.	ACTIVITIES OF COMMITTEE AND STAFF	6
7.	SCHEDULE OF HEARINGS	7
8.	BRIEF SUMMARY AND OVERVIEW OF HEARINGS	8
9.	LEGAL ASPECTS RELATING TO SUBSISTENCE	10
10.	OVERVIEW BY JOE GUTHRIE - LEGAL	10
11.	HOW CAN AND WILL THE STATE PROTECT SUBSISTENCE?	17
12.	NECESSITY OF STATE GOVERNMENT TO TAKE ACTION IN DEVELOPING A SUBSISTENCE POSITION	19
13.	CULTURAL ASPECTS IN SUBSISTENCE ISSUE	20
14.	TRADITIONAL SUBSISTENCE LIFESTYLE	20
15.	NON-NATIVE PARTICIPATION IN SUBSISTENCE LIFESTYLE	23
16.	PROBLEMS IN DEFINING THE TERM "SUBSISTENCE"	25
17.	SUMMARY OF SUBSISTENCE RESOURCE HARVEST AND USES	28
18.	ECONOMIC ASPECTS OF SUBSISTENCE	30
19.	ECONOMIC AND CULTURAL FACTORS BY HANK CAVALLERA	31
20.	WHEN AND HOW DOES ONE TRANSLATE THE SUBSISTENCE LIFESTYLE TO A CASH ECONOMY	40
21.	WHAT ARE ALTERNATIVES TO A SUBSISTENCE LIFESTYLE	41
22.	ECONOMIC IMPACT ON SOCIAL SERVICES SHOULD SUBSISTENCE BECOME PROHIBITED	42
23.	ADMINISTRATIVE ROLE IN SUBSISTENCE ISSUE	43
24.	ALASKA DEPARTMENT OF FISH AND GAME POSITION PAPER ON SUBSISTENCE	43
25.	FUNDING OF THE ADF&G	47
26.	PROPOSED DRAFT LEGISLATION & RESOLUTIONS	48
27.	COMMITTEE RECOMMENDATIONS TO LEGISLATURE	49
28.	REVIEW, DEVELOP AND ENACT LEGISLATION	49
29.	REVIEW FUNDING OF ADFG AND INSTITUTE NEW FUNDING LEVEL AND POLICY	50
30.	CREATE DIVISION OF SUBSISTENCE	51
31.	CREATE COMMITTEE ON SUBSISTENCE	51
32.	PROPOSAL FOR REGIONALIZING FISH AND GAME BOARDS	52
33.	CONCLUSION	53
34.	BIBLIOGRAPHY	55

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
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I. INTRODUCTION

By Representative Nels A. Anderson, Jr., Chairman of the Alaska State Legislative Interim Committee on Subsistence

SUBSISTENCE

The term "subsistence" has been a loosely defined term used to legitimize use of Alaska's land and water resources for survival in dire emergencies. Alaska's people have not placed the subsistence harvest of fish and game, birds and vegetation very high on their priority of uses until of late.

Commercial and sport interests have been the deciding voice on how our fish and game resources are regulated. Exclusive game guide areas are set up, sport fishing seasons are guaranteed by the sheer weight of numbers, commercial fishing seasons are often opened even though biological evidence dictates otherwise.

The means of travel and killing animals and fish is becoming more sophisticated. High speed planes fly far from urban Alaska cities to remote parts of rural Alaska, placing unprecedented harvest pressures on caribou and moose herds throughout Alaska. Fishing fleets travel faster and farther with more holding capacity thus extending their once limited ranges into areas that once were beyond their capabilities.

The Department of Fish and Game, the favorite scapegoat of politicians, special interest groups, and frustrated fish and game users is funded by two methods :

the General Fund and funds from the sale of licenses which are in turn matched by Federal funds. It is complex and causes concern because one's income may influence one's attitude in making decisions.

In the meantime, subsistence users are generally alarmed because there are no legislative guarantees that fish and game populations will be protected for their use. The State Legislature has addressed "Subsistence" in a haphazard manner which leaves the subsistence user twisting in the wind.

There are four primary users of our fish, game, birds, and vegetation resources in Alaska : 1) The Subsistence user 2) The Commercial user 3) The Sports user 4) The Recreation user.

The four uses of our renewable resources on the land, in the air and in the waters of Alaska must be recognized by the State of Alaska as competing uses of the above mentioned resources.

The changing land ownership patterns, diminishing fish and game resources, increased hunting and fishing technology, growing population pressures, are all factors that require our State to wrestle with and solve the problem of "Subsistence". Hopefully, the following recommendations will lead us toward a solution that will satisfy all the users of our renewable resources.

A. Role of Interim Committee on Subsistence

1) Goals of Committee

The Interim Committee on Subsistence was established by the 1977 Alaska State Legislature for the purpose of seeking a concensus on subsistence. The Committee's goals and objectives were to conduct public hearings throughout the various communities around the State, both rural and urban; to collect testimony on the issue of subsistence; to gather available information on the subject; to attempt to quantify the amounts of subsistence resources taken from the land and water; to review State statutes regarding subsistence; to review subsistence activities on federal land; and to attempt to define subsistence.

Accomplishments of the Staff and Committee have been to collect available data, conduct hearings and collect public testimony from the following schedule of villages and towns and written testimony from a statewide source through letters and reports of testimony. We have collected available data that quantifies amounts of subsistence harvests in several areas. We have maps and overlays that designate land use for subsistence harvests in over 40 villages, along with surveys done by several organizations that quantifies various uses of subsistence resources. After the Staff and Committee began to assess the amount of work, the funding, and the length of time necessary to perform the ideal goals of the Committee, we decided to put more emphasis on the hearing schedule, gathering of testimony from a statewide source. In our travels, the emphasis and scope of the Committee came more into focus by what was being brought

to our attention in the testimony. though it would have been valuable to be able to quantify subsistence harvest to be able to show in dollars and cents the impact a loss of subsistence would have economically, socially and fiscally upon the State of Alaska. To accomplish these goals would mean a concentrated survey, research and a great deal of time and money expended on one aspect. This effort could be tackled at a later time, and should the Legislature choose to implement the recommendations of this Committee, this definitely would become part of the functions of the body created to attack the subsistence issue.

We briefly touched upon subsistence activities on federal lands. It is felt that this area of concentration will be faced by the federal legislators, with input from our State government through the Steering Council for Alaska Lands, chaired by Representative Steve Cowper, who is also a member of the Interim Committee on Subsistence. In order for any governing bodies to do any planning regarding lands, it is vitally important that the status of the lands be clarified, that title to private lands through Alaska Native Claims Settlement Act and State-selected lands be conveyed. Attached to this report, as a part of the public record, is a copy of "Legal Issues in Federal Protection For Subsistence On The Proposed National Interest Lands" by Dennis D. Kelso. It is a comprehensive, indepth report regarding federal lands.

The history leading to the formation of this Committee stems from the interest, insistence, and persistence of many individuals and organizations who felt that subsistence is a vitally important issue

that needed to be addressed by the State of Alaska, legislatively and administratively. Countless times, the term subsistence was broached when discussing land use policies, selection of land, both State, federal and Native, in the management and in the protection and enforcement of the fish and game resources.

There have been several legislators who recognized the necessity of facing and dealing with the issue of subsistence because of the diminishing fish and game resources, increased population density, changes in means and methods of taking subsistence resources, and the easy access to the resources. The ANCSA had such an impact on the State of Alaska and subsistence was a constant reminder in the passage of that piece of legislation. Now, the State is faced with the task of providing a more realistic approach that can be implemented.

The Committee posed several questions to generate a response from the residents of the State relating to subsistence:

1) Should subsistence be taken into consideration when land and water use policy is developed?

2) Should subsistence be defined?

3) What should the State do about protecting subsistence?

The response and testimony from the public will be in the content of the public hearing testimony record attached to this report, under Section II.

2) Budget and Operations Cost

The first budget request for the operations for this Committee was $100,420.00 which ideally would have accomplished much of

the work that needs to be done in the area of subsistence. The budget was pared down to $40,400 which was the figure used to develop the hearing schedule and activities of Staff and the Committee. The office was opened in Dillingham in space provided by Representative Anderson; the only cost to the State was the cost of the fuel oil. The major expenses were salaries, travel and per diem, telephone, copy service, transcribing costs, maps, supplies postage. At this writing, we do not have a final accounting of the exact expenditures. We do not anticipate any over expenditures and feel that we may be under what the total allocation for what the budget was.

3) Committee Membership

The Committee was chaired by Representative Nels A. Anderson, Jr., of Dillingham with other members as follows: Senator Patrick Rodey of Anchorage, Representative William Akers of Chuloonawick, Representative Samuel Cotten of Eagle River, Representative Joe Hayes of Anchorage, Representative Al Nakak of Nome, Representative Leo Schaeffer, Jr., of Kotzebue, and Representative Steve Cowper of Fairbanks. It is felt that a good cross section of the Legislature was represented with this Committee with urban and rural legislators alike participating.

II. ACTIVITIES OF COMMITTEE AND STAFF

A. The Staff Assistant, Dorothy Larson of Dillingham began working full time the latter part of July and Secretary Adelheid Herrmann of Naknek began work in early August. The Committee held its first meeting in Dillingham on August 9, 1977. At this initial meeting, the Committee heard Staff Attorney Joe Guthrie, Commissioner of the Alaska Department

of Fish and Game Ron Skoog, Attorney Hank Cavallera and George Allen of RuralCap give an overview of subsistence issue. At the meeting in August, the Committee agreed unanimously that a hearing schedule would be developed with a maximum of 3 or 4 members and the Staff Assistant conducting the hearing. At most of the hearings, there was at least one other Committee member and the Committee Chairman and staff present. You will find on the hearing testimony this information.

B. Schedule of Hearings

The Committee adherred to the schedule below for the travel and hearing itinerary:

Kipnuk.....	Sept. 3
Kotzebue.....	Sept. 16
Nome.....	Sept. 16
Glenallen.....	Oct. 3
Fairbanks.....	Oct. 4
Nenana.....	Oct. 5
Kodiak.....	Oct. 17
Nome.....	Oct. 27
Anchorage.....	Nov. 10
Galena.....	Nov. 21
Juneau.....	Dec. 9
Barrow.....	Dec. 12

C. Brief Summary and Overview of Hearings

The hearing attendance was considered to be fair. It appears that during the interim period of the 1977 and 1978 Legislature, there were countless hearings and meetings held throughout the State.

There was a very good cross-section of each community represented in urban and rural areas. Approximately 500 people were in attendence at the hearings. Those testifying at the public hearings numbered 150,** while others presented written testimony and letters.

When the Committee began on the hearing circuit, it was felt that in order to be objective and to gather the testimony of a broad spectrum of Alaska residents, we would have to be careful not to polarize the issue of subsistence. There was concern that this issue could become identified as a Native versus non-Native issue. It is felt that this was not the case. The testimony, on the whole, was felt to be objective and representative of the feelings of many residents of the State. There were Native, non-Native, housewives, children, students, health officials, conservationists, environmentalists, businessmen, Fish and Game officials and personnel, retirees, guides, commercial fishermen, sports hunters and fishermen, Native organizations both profit and non-profit representatives, representatives of various State agencies, Vista Voluteers, legislators, city and borough officials, whalers, lawyers, researchers, trappers, school teachers, school board members, air taxi operators, store owners and many others.

The bulk of the testimony centered around the necessity to protect and allow for the continuance of subsistence; to protect and manage the resources; discussion on the allocation and whether priority should be given subsistence versus the sports or commercial users; pros and cons of defining the term "subsistence"; discussion of regionalizing the Fish and Game Boards into regional areas with direct authoritative power rather than only advisory powers; and the funding source and level of the Alaska Department of Fish and Game.

** The 16 moderators at the Alaska Federation of Natives, Inc. Convention represented peoples views throughout Alaska.

Attached to this report is the verbatim hearing testimony, the written testimony submitted to the Committee for the record and the testimony of the Public Hearing of the Draft Environmental Impact Statement Respecting the International Whaling Commissions Deletion of the Native Exemption for the Subsistence Harvest of Bowhead Whales, more commonly known in Alaska as the Whaling hearings. This hearing was held on the same day that the Committee was in Kotzebue. We requested that this testimony be forwarded to be incorporated into our record since it deals with one aspect of a subsistence resource and harvest, though it is governed by and on an international level. There is a possibility that the whalers from the North Slope will challenge the International Whaling Commission's jurisdiction in the matter of subsistence whaling, however.

The method staff used to publicize the meetings and hearings included notifying the newspapers of the area, the radio stations, notices to regional corporations, village councils, city and borough officials, and other legislators in the hearing location and by posting in public places. We feel that the public was well aware of the subsistence issue and that an Interim Committee on Subsistence existed.

Had it been economically feasible, the Committee would have gone to more locations in rural Alaska. We had numerous requests to go to the outlying areas. The hearing locations were chosen geographically based on both urban and rural populations. On a per capita basis, more people turned out in the rural areas. The largest urban hearing was in Fairbanks. It was also the longest hearing, lasting about 4-1/2 hours. The Committee attended the Alaska Federation of Natives, Inc. Annual Convention on

November 12, 1977 and accepted testimony from the Convention regarding subsistence. The theme of the Convention was Subsistence.

It is hoped that you will take the time to read the attached testimony given to this Committee to gain a better insight and understanding of the scope of the problem of subsistence as it relates to residents of this State. This topic will be brought up time and time again in the discussion of land and water use policies, economic growth and development, in planning for the future of the State. It is NOT just one issue, it is a complex entity that necessitates its treatment be as a whole, not in any fragmented, splintered approach. The cultural, economic and legal aspects are all integral parts that are interrelated when speaking to or of the subsistence issue.

The information collected through the hearings and the available current information gathered on the subject of subsistence will be of significant value to any State body that will be charged with undertaking the task of further work in this area. The concensus gathered from the hearings is that subsistence IS an issue, a problem that is of the magnitude worthy of the State's attention. As mentioned before, it is a complex area that will take a lot of concerted effort and time, and undoubtedly, money. Any issue that affects the everyday lives of people is bound to be a tough, touchy, dynamic proposition for any body to tackle. Empathy was expressed by many in the committee's travels that the people did not envy the difficult task the Committee had.

III. LEGAL ASPECTS RELATING TO SUBSISTENCE ISSUES

A. Overview by Joe Guthrie, Staff Attorney

Following is the entire contents of the report to the Committee by Joe Guthrie, Staff Attorney:

Federal Regulation

The problem of regulating subsistence fishing and hunting now confronting the State legislature and administrative agencies will depend in large measure on whether the federal government undertakes to regulate subsistence on national interest lands. Language to this effect appears in several of the D-2 bills. If such language is enacted, state regulation inconsistent with federal law would be superseded on these national interest lands. In addition, the federal government may have the power to regulate subsistence activities on State-owned land as well, either as a necessary incident of the power to regulate subsistence on adjacent national interest lands, as a derivative of the federal government's treat power, or as an exercise of power made necessary by the involvement of more than one state. Conceivably, Congress could not only supersede inconsistent state regulation, but also preempt the state from the field of regulation entirely.

Action or inaction on the part of the federal government is significant not only from the standpoint of restriction of the state's role, but also in terms of the substance of the regulations which could be enacted by the federal government vis a vis the state. Under the equal protection language of the fourteenth amendment to the U.S. Constitution and parallel provisions of the Alaska Constitution, the state may be prohibited from granting any preferential hunting and fishing rights on the basis of race (to be discussed below). However, a federal law linking subsistence preferences to racial status might be found to be encompassed by the trust doctrine extant between Indians and the federal government, relieving such a law from the equal protection scrutiny otherwise usually accorded under the fifth amendment to laws making racial classifications. This trust doctrine has developed from two constitutional sources: 1) Congressional power to "regulate" Commerce...with the Indian tribes" and 2) Presidential authority to make treaties, by and with the consent of the Senate. In Morton v. Marconi, 147 US 535(1974) the Supreme Court declined to view a Native hiring and promotion

preference as a racial classification, holding instead that the preference was not granted to Indians as a discrete racial group, but rather as members of quasi-sovereign tribal entities. Thus, viewing the classification as political, the court was able to find the preference reasonably and directly related to a legitimate, non-racially based goal. However, the court expressly based the finding that the preference applied only to members of "federally recognized" tribes. Since there is only one Indian reservation in Alaska, it is arguable whether a court would apply the reasoning of Morton, supra, in reviewing a subsistence preference in favor of Alaska Natives. However, numerous statues, regulations, cases and a Solicitor General's opinion can be cited to demonstrate that Alaska Natives have long been beneficiares of the federal trust relationship, and furthermore, that the trust relationship was not ended by ANCSA. Since the trust relationship is still extant, one might argue that a subsistence preference in favor of Natives is encompassed by the trust responsibility. If so, the reasoning of Morton could be applied, allowing a subsistence preference in favor of Natives to be regarded as political and not a racial classification. This follows because all legislation benefiting Natives, including that examined by Morton, supra, derives from the Commerce clause and the trust responsibility developed by the courts.

State Legislation and Equal Protection

State legislation creating a subsistence preference would be effective on private and state lands in the absence of conflicting or preempting federal legislation, and on federal lands in the absence of conflicting federal legislation. As stated earlier, a preference linked to racial status would likely be invalidated under the equal protection language of the 14th amendment of the US Constitution and Section I and III of Art. I of the Alaska Constitution. However, the Bakke case, now before the US Supreme Court, may result in dramatic changes in the law of

equal protection. Although the Bakke case and legislation creating a subsistence preference in favor of Natives both involve reverse discrimination, it might be pointed out that such a subsistence preference is not the equivalent of affirmative action, since Natives are already more fully represented in the subsistence way of life than any other group.

Even if the state legislation does not expressly tie subsistence preference to racial status, Natives would surely comprise a large proportion of persons benefited thereby, which could engender a charge of defacto discrimination. A subsistence preference could be drafted which would not be invalidated as defacto legislation if 1) the classification is not a racial classification but a user classification, 2) the classification does not infringe fundamental rights, 3) no discrimination or other disadvantage to any minority group results, and 4) the classification is rationally related to permissable governmental objectives. Kelso argues that the above criteria could be met by a subsistence preference drawn so as to select beneficiaries by reference to a common way of life, economic dependence, and area residence. He maintains that such a preference would be found non-racial because the criteria used to classify privileged users operates without reference to racial factors and reflects significant economic and lifestyle considerations that are only incidentally related to race.1/

Freedom of Speech and Religion

The equal protection language of the 14th amendment is not the only provision of the US Constitution which might be involved if a subsistence preference were created -- claims of violation of rights under the first amendment of the US Constitution have already arisen in connection with state regulation of subsistence activity.

1/ Kelso, Dennis D., Legal Issues in Federal Protection for Subsistence on Proposed National Interest Lands, Friends of the Earth, P.77.

In State of Alaska v. Carlos Frank, no. 75-2729, the defendant, Carlos Frank, was convicted of transporting a moose taken out of season to a funeral potlatch held on the occasion of the death of a friend. Frank is now appealing his conviction to superior court, claiming that his conviction violates his first amendment rights of freedom of speech and freedom of exercise of religion.

In order for a claim of infringement of freedom to exercise religion to prevail, 1) the religious belief must be held in good faith, 2) the conduct being justified must be necessary for the practice of the religion, and 3) there must not be a state interest of sufficient magnitude to override the interest claiming free exercise clause protection.

The district court rules against the defendant on his free exercise of religion claim, holding fresh moose meat not to be essential for a potlatch, although finding a potlatch to be a religious celebration.

The district court rules against the defendant on his freedom of speech claim also. In order for such a claim to prevail, the conduct for which protection is sought must be shown to involve elements of speech. The defendant claimed that the feast itself was a communication, and that the moose which was the center of the feast was a communication expressing reverence for the family, solidarity with the living and honoring the dead. When speech and nonspeech elements (such as transporting a moose) are combined in the same course of conduct, only a sufficiently important governmental interest in regulating the nonspeech element can justify incidental limitation of 1st amendment freedoms. However, the district court agreed with the state's contention that the conduct constituting the violation is unrelated to conduct constituting speech within the first amendment, since only transportation of moose is prohibited, not its use at the potlatch; further, even

if the defendant's conduct is related to speech, the interest underlying the regulation is a compelling governmental interest.

Preemption of state regulation by ANCSA

In addition to the foregoing, the defendant also argued that ANCSA preempted state regulation of subsistence activities. The court found no such intent in the Act or its legislative history, finding instead an anticipation on the part of Congressmen that the state and federal governments would "take necessary action to protect subsistence needs of Natives". Obviously, the treatment of this issue, as well as the two others, in the appellate courts could have a significant impact on the state's regulation of subsistence.

Other State Constitutional Provisions

The Constitution of Alaska provides, "Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use." (Alas. Const. Art. VIII, sec. 3) The legislature is given authority to provide for "utilization, development, and conservation" of Alaska's natural resources "for the maximum benefits of its people." (Alask. Const. Art.VIII, sec. 2) However, application of this power to certain resources must meet a constitutional standard: "Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses." (Alas. Const. Art.VIII, sec. 4) This language indicated broad legislative power to deal with subsistence resources within the boundaries of maximum benefit for Alaska's people and sustained yield of the resource. Although subsistence resources are reserved to the people in common, the express allowance of preferences among beneficial uses suggests the constitutionality of legislation 1) granting preference to subsistence

users in taking fish and wildlife and 2) requiring the Department of Fish and Game to manage with subsistence as the highest priority.2/

In addition, according to an amicus curiae brief filed in support of the appellants in Alaska v Tanana Valley Sportsman's Association, (No. 3433) the records of the constitutional convention indicate that the language in section 2 was not meant to preclude prioritization. The same brief maintains that the records also indicate that section 3's reservation of wildlife to the people for the common use refers to the legal title of the wildlife and does not prevent allocation of game to certain groups to the exclusion of others as long as the chosen classification system is not capriciously discriminatory.

However, the constitution imposes some limits on the allocation of harvesting privileges. Art. VIII, sec. 17 provides that laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purposes to be served by the law or regulation.

Presumably, a subsistence preference not based on racial criteria would make the classifications between persons which are indicated in light of the objectives which such a law would be designed to attain and not be arbitrary.

Finally, Art. VIII, sec. 3 provides that the legislature may not create or authorize an "exclusive right or special privilege of fishery". Kelso maintains that a subsistence preference would not be an exclusive right of fishery because such a preference would merely establish subsistence as the highest priority use and would generate a management scheme to give effect to that priority. 3/

2/ Ibid., p 109
3/ Ibid., p 110

The superior court in Tanana Valley Sportsman's Association and Mark Wartes v. State of Alaska, no. 76-1958 invalidated regulations which authorized the issuance in part on the basis of need, of permits allowing the taking of 3,000 caribou. The court held that the Board of Game lacked authority to issue permits on the basis of need in light of the provisions of Art. VIII, secs. 2,3,4, and 17.

The decision is unclear as to whether issuance on the basis of need is defective because of uncontradicted evidence that a hunt is biologically unsound, or rather because no constitutional or statutory authority exists authorizing discrimination between hunter applicants on the basis of need. The opinion itself seems to favor the former interpretation; however, subsequent court approval of redrafted regulations which continue to authorize the taking of 3,000 animals but do not allocate between hunters on the basis of need would indicate that the court found authorization to differentiate between hunters lacking. If so, a statute would be sufficient to provide the necessary authority, unless of course the court meant to say that the language of the constitutional provisions is repugnant to discrimination on the basis of need. This seems unlikely in light of the language of the decision.

Conclusion

I think the conclusion most appropriate to this overview is to note the rapid developments in every aspect of this field of law, and to caution any reader that the foregoing information may be obsolete by the time he or she reads it.

(Above paper submitted by Joseph A. Guthrie, Staff Attorney for the Committee)

B. How Can and Will the State Protect Subsistence Activities and Resources?

It is imperative that the State exercise its duty to the residents of this State to protect the natural resources "for the common use".

Whether or not there is a prioritization or preference, it is evident that the resources must be protected if there is to be any type of resource allocation.

Avenues the State could take are presented in the recommendations in Section VIII. An immediate and accurate assessment of the fish and game populations, the total number of users in each user classification, and decisions made based upon the above information on how and whether to begin prioritizing or granting any user classification preference would be the next step.

It would be important that this be attacked in an orderly, consistent fashion and not continue with the fragmented methods the State has used in handling subsistence or any other resource use.

An important point to look at is that each of the recommendations made by the Committee focuses on the Alaska Department of Fish and Game in some way. Since the Department is charged with the responsibility of our fish and game resources, it is logical to assume that the Legislature would begin to make an evaluation of the Department's activities to get a clearer picture of what are the priorities and the dimension of the work of the Department. Does it have the necesssary fiscal level to adequately perform all the functions it is charged with? Does the Department have adequate personnel in all divisions? Is the Department able to accomplish their goals in a way that provides equal attention to each user group and the resources harvested? Is the composition of the Board of Fish and the Board of Game representative of each user classification? Can regional boards best provide the State with the expertise necessary to protect and manage the resources?

It is evident that there is rapidly increasing pressure upon the resources. A statement from Page 17 of The Summary of the Conference On Taking Fish and Game Resources to Meet Subsistence Needs is simple, but true, "The quickest ways to decimate a resource is to provide easy access to it or to commercialize the resource." This seemingly is happening in this State. With these rapid changes in all areas of the State, (this is often brought to the Committee's attention by the testimony of all rural areas, and especially those easily accessible by highway systems, i.e., Nenana and Glenallen)

We are aware of the political pressures by the special interest groups, the commercial, the sports, the conservationists, the recreation groups. Though there are advocacy groups, determined and concerned individual organizations, there does not appear to be a subsistence type of a following with the exception of RuralCap or the AFN, Inc.. Though these organizations are significant in bringing forth the subsistence issue, it takes tremendous amounts of money to gain the political clout needed. Mainly because of the money factor, those living a subsistence lifestyle are unable to spend much time organizing efforts because they are too busy making a subsistence living.

The crux of the matter is that in order to continue any on-going harvest there needs to be a resource base to draw from to fulfill the needs of the user groups. Protecting and maintaining a resource would be a #1 priority for a subsistence harvest in the estimation of this Committee.

C. Necessity of State Government To Take Action In Developing a Subsistence Position

As it has been emphasized throughout this report, the State of Alaska will find it extremely and absolutely necessary to take a good look at this

issue. Again, there will be challenges through legal actions with the increasing pressures and competing uses upon the fish and game resources.

It cannot be stressed loudly enough, that it is incumbent upon the legislative body to begin to initiate a positive plan of action regarding subsistence. The State has never had a solid plan that could be identified, because policies were so loosely implemented. With sound management and continued availability of the resource base, the residents of this State can expect to enjoy the harvest of resources as they have in the past.

The time has arrived whereby the State of Alaska must begin making solid plans for that resource. It is upon the Legislature and the Administration to work cooperatively on this issue so vital to many Alaskans.

IV. CULTURAL ASPECTS IN SUBSISTENCE ISSUE

A. Traditional Subsistence Lifestyle

In the forward by Harold Napoleon in the book, Does One Way of Life Have to Die So Another Can Live, he writes "Subsistence is often thought of as a certain kind of hunting and fishing where people go out not for the sport of it, but to get something to eat. But subsistence is really much more. It is not an isolated thing that can be set out and looked at by itself. It is interwoven into every aspect of our lives....Subsistence is really an entire way of Life. (Emphasis added.)

How DO you describe the relationship of the land to your body, your mind, and to your entire perception? Very difficult, even when it is a part of your daily life.

Helen Geisert, in her testimony (see Glenallen Testimony-October 3) said, "I don't call it subsistence, it's our way of life."

Christine Yazzie, on behalf of AHTNA, Inc. testified at the Glenallen hearing (see Glenallen Testimony, October 3, 1977) "We feel that subsistence must be recognized as a major cog in the past, present, and future cycles of our heritage. Subsistence stands today as in the past - our way, our life, our lifestyle.....Many people, I am sure, would like to take the attitude that when the Settlement Act was passed in December 18, 1971, Subsistence was surgically removed from our way of life, cleanly, effortlessly and painlessly, this was not the case."

This aspect of the report is difficult to relate in black and white. How do you portray the feelings, the intenseness, the frustration, the emotions of those people who came before the Committee? It was evident that there is a special, unique relationship with the land and the water; that there is a religious and spiritual feeling present in the relationship; that there is a traditional process of educating the young people to assist them in their pursuit of a subsistence lifestyle; that there is a great amount of pride in the culture and subsistence lifestyle. Marian Hao describes "Subsistence living as a time of seasons." (see Fairbanks Testimony, October 4, 1977)

The elders and other Native people expressed a special concern about the loss of their culture, the traditions, the language, the changing times. A part of this process of change is in the subsistence lifestyle. Change has been rampant in Alaska with statehood, the passage of the ANCSA, the construction of the pipeline and prospect of yet other pipelines, and snowballing effect of this growth and impact. Those who have been in Alaska for a lifetime, or for a decade or two have seen the sudden change. Pioneers can remember the days gone by. Many Alaska Natives still remember the early '20s when they were granted citizenship.

In order to bring the entire picture of subsistence to the proper perspective, the cultural aspect cannot be ignored. It is necessary to review this consideration to include a segment of the State's population who, in fact and reality, are the majority numbers who are traditional subsistence users, the Alaska Native.

It is no wonder the subsistence issue has been so volatile. It deals with a complexity of issues in terms of the traditional, cultural, the economics, and the legal points of view. It deals with the every day functions in a subsistence lifestyle.
Mark Jacobs, Sr. of Sitka said, "When one is accultured to certain foods, you cannot destroy that appetite, you can only suppress it." (see Anchorage Public Hearing Testimony - November 10, 1977).

Rosita Worl, in her paper Legislative Considerations For the Maintenance of Subsistence states, "...the deep cultural attachment to subsistence overrides economic motives....the cultural values of subsistence are perhaps the most difficult to define.....To ignore the social and cultural aspects of subsistence will facilitate the demise of subsistence. Restrictive and narrowly defined regulations can lead to the extinction of Alaska Native cultures.....The underlying rationale for certain cultural patterns of subsistence behavior is not always consciously or manifestly understood."

Throughout the testimony references have been made to culture, for the concerns for preservations of culture, of which subsistence is a part. Subsistence has been called a way of life, a lifestyle. It refers to education and knowledge passed on and acquired, spiritual practices, a unique relationship with the environment and the seasons. People who live that lifestyle refer to it as part of their cultural heritage. It

is a part of the language, the foods that are eaten, places travelled to and from, it's reflected in the stories, the games and the dances.

The threat of loss of any aspects of a subsistence lifestyle means that a part of the heritage will disappear or be altered. Predominantly involved in this lifestyle are rural Alaska Natives. In the past two decades and more recently, there have been major upheavals (passage of ANCSA, the pipeline, statehood and other happenings) causing real concern for the preservation of the cultures. A way of life is dynamic and changes are constantly in motion. These changes are usually more elusive and subtle than those experienced by the Alaska Native peoples.

The aspect of subsistence certainly cannot be ignored. It can probably best be described as the roots of this issue.

B. Non-Native Participation in Subsistence Lifestyle

As above, the subsistence lifestyle may be referred to as living in a relationship with the land, the sea, the seasons. If you've lived it traditionally, or if you've chosen it as a preference over other lifestyles, as many Alaskans have, you undoubtedly will not want to give it up. The conditions of the traditional and the newcomer to subsistence living are very similar. Many non-Natives live this way either out of choice or necessity. For some traditional users, too, it may be their choice.

The testimony we heard from Native and non-Native subsistence users alike was that race not be made a part of the criteria in determining who is or isn't allowed to use the subsistence resources. There are the pioneers, the trappers, the hunters, miners, the fishermen, and seasonal workers common to the Alaskan population. These people have adapted to a living in tune with the environment. The length or degree of dependency

upon the resources may or may not be as great as the traditional user. Nevertheless, it is a preference or a choice necessitated by where one chooses to live, a way of living made by many, many Alaskans, Native and non-Native alike.

A concensus was reached that the subsistence issue is not a Native versus non-Native issue, regardless of the fact that the majority of the users happen to be Alaska Natives. It is based on the dependency upon the resources by the user.

The non-Native users have similar complaints to those of the traditional user. They range from the use of the high powered rifles; the high speed motorized vehicles, airplanes and boats; the increased pressure from the urban areas; easy access to rural areas via highways, river and by air; all causing an increase in the hunting and fishing pressure on a state-wide basis to a rapidly declining fish and game population.

To many of the non-Native users, susbsistence has been their lifestyle. They would like to be able to continue having the choice. There is a definite threat to the ability to continue living attuned to the environment becauser of the above mentioned pressures.

John Schaeffer, President of the NANA Corporation put it bluntly, (see Kotzebue Public Hearing, September 16, 1977) "We have many non-Native subsistence users....We have got to differentiate the subsistence user from the big game trophy hunter.....It is not a matter of regulating color - this is a problem with regulation that people in the State of Alaska have because in the rural area, the greatest user is Native. They tend to look at subsistence use as a Native issue - It is not a Native issue."

What will the criteria be for allowing the continued use of the subsistence resources? Will certain Alaskan residents be denied the ability to use these resources? These are extremely tough questions to answer. Yet, they will have to be addressed.

C. Problems in Defining the Term "Subsistence"

Throughout the testimony received by the Committee, when discussion centered around to define or not to define the term, it seems as if we were spinning wheels. Our task was not an enviable one.

One of the common fears expressed was that when guidelines or regulations are made, would they be too restrictive? Would there be an exclusion of certain people? What would the criteria be? Many Subsistence users are also seasonal workers, or people who work when work is available. The majority of subsistence users are from rural areas where unemployment statistics and cost of living indexes are extremely high. Their dependence upon subsistence resources is of vital importance to their daily welfare when not employed. When they are employed, it limits their capability to harvest the resource. When they are unemployed, they need the subsistence resource to survive because there is no cash income to sustain them. The procurement of the resources for food then becomes their "job".

In defining subsistence, the definition or description, would have to take into consideration the vast differences throughout Alaska. Could one definition satisfy the entire State? Some people felt that an adequate definition could not be coined for the entire State because each area is different. It's possible that a broad, flexible definition could given to subsistence with emphasis on the "description" of the activities.

Should the Legislature create a Board of Subsistence and a Division of Subsistence, the task of defining subsistence could be further researched and would fall into this realm of decision making. This would increase the awareness throughout the State on this issue. This Committee looked at tackling a definition closely. This task is going to have to come with the assistance of the entire Legislature, with continued, comprehensive work by an on-going effort to come up with a workable, applicable definition of the term "subsistence".

The creation of the above mentioned Board and Division of Subsistence would not add another layer to the problem, but would bring to bear the magnitude and importance of the issue to the residents of this State. By providing a mechanism for solution of the subsistence problems in this manner would allow those working on the issue to address it squarely rather than in a fragmented method.

This Committee inquired of the western and midwestern states, Canada, and Hawaii on how subsistence activities are handled in their areas.

In Hawaii, all fishing and hunting laws apply equally with no preferential treatment. Those over 65 are not charged for licenses.

In Washington, there are no state statutes pertaining to subsistence hunting and fishing. Indian tribes can set subsistence fishing within the confines of their respective reservations. In February 1974 the US District Court (Boldt decision) rules that certain treaty Indians were entitled to 50% of the salmon and steelhead runs. Subsequent court orders allow treaty Indians named in the case to take steelhead and salmon unrestricted for subsistence and ceremonial purposes.

Montana has no statutes providing for subsistence hunting and fishing, though there is exception that exempts violations for the purposes of preventing suffering by hunger.

North Dakota does not deal with the issue. Reservation Indians are permitted to hunt and fish on tribal lands without regard for the State hunting and fishing regulations.

Minnesota does not have statutes that apply to subsistence provisions. Likewise for Wisconsin.

In Idaho, there are no state statutes that deal specifically with subsistence hunting and fishing provisions. Indians living within state boundary have guaranteed to them by treaty certain rights which deal with hunting and fishing entered into by the the federal government.

Oregon State does have administrative rules addressing Indian subsistence fishing. Their definition of "subsistence fishing" means taking food fish for Indians' personal use, including the sale or exchange with other treaty Indians, but not for sale or trade with non-Indians.

Oregon's administrative rules also covers Ceremonial Fishing. Rules state notification must be made in advance, specifying amounts needed, the gear to be used, location of storage, exact dates of ceremonial fishing will take place, names of fisherman and helpers, location of the ceremony where fish will be used, and signature of the designated tribal offical.

One area that could be researched further, possibly, is to include in the Alaska statute a provision similar to the Oregon administrative rule, to allow the sale or exchange or subsistence products with other subsistence users. Our statute prohibits this sale or barter at the present. It is a known fact there there is bartering taking place. This practice is unlawful. Pete Bobby illustrates in "...A Special Relationship With the Land" on page 3 that, "We had no more food in Lime Village, so I caught a moose.....We shared the moose meat with other people who also needed food. Someone turned me in for killing a moose out of season....and fined me $50. I thinks it is odd that I hunt my food with moccasins on and am tried for hunting food for my family when they are hungry, and airplanes land all the time right in front of my village, shoot moose and caribou, cut off heads, and take off, leaving the meat behind. State of Alaska says that you cannot give meat away to your friend, yet it is our way of life."

To expand our present definition will have to be done with much scrutiny. It is almost an impossible task, as mentioned before. It should be made broad and flexible. In defining or describing subsistence activities,

we may find it necessary to put the cart before the horse by creating priorities and preferences for the harvest allocations because of the on-going depletion of the resources taking place. This is a political reality staring the State in the face that must be attended.

D. Summary of Subsistence Resource Harvest and Uses

The resource harvest and uses will be touched on lightly in this report, but this should not undermine their importance in the overall picture.

We have available maps and overlays showing subsistence use in over 40 rural villages. This information is valuable in relating to you how much land is utilized in a maintenance of a subsistence lifestyle. Much of this land is in private ownership, on State selected or owned land, or on federal lands. The animals are not cognizant of who that land belongs to and often the user may not even be aware of who owns the land that they are using in pursuit of their livelihood.

It has been pointed out in the testimony of Jonathan Solomon (see Fairbanks Public Hearing, October 4, 1977) that there are definite boundaries of use surrounding neighboring villages. These boundaries were respected by those involved. It is with the accessability and availability of the urban sports hunters and fishermen to rural Alaska that causes a threat and some animosity on the part of those who are quite dependent upon the fish and game resources for subsistence purposes.

There have been studies, surveys, and a compilation of data by various state and federal agencies, organizations and individuals enumerating subsistence resource harvests. Below are some examples that will interest and may even surprise you.

> In a survey by the Associated Village Council Presidents in 1976, an average per family in 47 villages showed that 9,281 pounds of fish, land mammals, sea animals, vegetation and birds

were utilized. Can you imagine 16,659,062 pounds of fish, animals, greens, berries, birds and other products and what this would be equivalent to in store bought products. This was the total amount utilized by the the 47 villages.

In a survey by Art Patterson for the Federal/State Land Use Planning Commission in 1974, entitled Subsistence Harvests in Five Native Regions There is listed below examples of some subsistence products and the estimated quantity used. This will give you an idea of the variety of land and sea animals and other resources used as you move from one area of the State to another, illustrating the vast differences.

In the Doyon Region, the Galena Subregion will be cited, since we held a hearing there on November 21, 1977.

Mammals	745,514 pounds
Fish	1,710,417 pounds
Fowl	39,700 pounds
Berry Products	27,636 pounds
Total Poundage	2,523,267 pounds

Also noted, a considerable amount of timber was used for firewood, homebuilding and other home uses.

Examples of the resources harvest for food are, beaver, caribou, hare, moose, muskrat, porcupine, sheep, crane, ducks, geese, ptarmigan, spruce hen, ling cod, graying, pike, salmon, sheefish, trout, whitefish, blueberries, cranberries, salmonberries and wood products.

The population of the Galena Subregion in 1974 was 1,779 with a Native enrollment of 1,845 according to the BIA Enrollment Office.

It was stated that some of the figures may have been overstated and inconsistent when determining dressed weight or the whole weight of the carcass. Some of the fish catch was used for dog feed. It was also pointed out that some of the figures may be underestimated when compared to previous studies of the area and harvest.

Approximately 1,464 pounds were utilized on a per capita basis using the 1970 population figures.

In the Bering Straits Region, using the 1970 population figures of 4,640 in 17 villages, the survey showed that approximately 1,000 pounds was utilized on a per capita basis.

Mammals	3,060,283	pounds
Fish	719,375	pounds
Fowl	121,889	pounds
Berry/Vegetation	162,930	pounds
Total Poundage	4,064,447	pounds

Examples of resources include, bear, beaver, caribou, reindeer, hare, muskrat, porcupine, squirrel, seal, walrus, whale, burbot, char, flounder, grayling, herring, ling cod, salmon, sheefish, smelt, tomcod, trout, whitefish, crab, shrimp, claims, auk, murre, puffin, crane, ducks, geese, eggs of birds, ptarmigan, spruce hen, blueberries, blackberries, cranberries, salmonberries, fireweed, sourdock, Eskimo potato, celery, onions, rhubarb, willow leaf.

An average whale, 32 feet long weighing 64,000 pounds provided approximately 48,000 pounds of meat for consumption. Species hunted and trapped for fur but not for consumption was also categorized. These animals were used for the furs, for sale, barter, arts and crafts or home use.

A comparison between 3 locations shows that people in Shismaref estimated use on a per capita basis of 2,502#, at Nome about 350# on a per capita basis, and in Golovin about 671# on a per capita basis. This shows to some extent the degree of dependency upon the subsistence resources in the rural areas versus communities have had closer access to stores and commodities.

The last example that will be portrayed is AHTNA, Inc. Region. The population figure used is the 1973 BIA enumeration of 550.

Mammals	291,631	pounds
Fish	264,820	pounds
Fowl	3,315	pounds
Total Poundage	559,766	pounds

About 1,019# was utilized on a per capita basis. This was based on the Native enumeration of the area and does not include the harvest of caribou and moose and fish from outside hunting pressure of non-Native and other Natives who have access by highway to the Ahtna Region from both Anchorage and Fairbanks and Valdez areas.

This sampling gives you an idea of the quantity and the degree of dependency upon the resources of people who rely primarily upon the land and the sea for their daily maintenance.

V. ECONOMIC ASPECTS OF SUBSISTENCE

In a follow-up report to the Interim Committee on Subsistence, Hank Cavallera, former Alaska Legal Services attorney presented the Committee with a summary whereby he attempted to put the "subsistence" issue in a proper policy perspective and to discuss some of the basic legal issues surrounding subsistence.

It reviews his presentation at the first meeting of the Committee in Dillingham and a review of his approach to developing a subsistence plan. Mr. Cavallera has done extensive work in the area of subsistence.

Mr. Cavallera's report will be presented in its entirety, rather than fragmenting his presentation into the economic, cultural and legal aspects presented in the outline since it deals with the issue of subsistence as a whole process. Below is the text of Mr. Cavallera's report.

"At the meeting in Dillingham, I attempted to put the "subsistence" issue in a proper policy prospective and to discuss some of the basic legal issues surrounding subsistence.

This report will review the presentation at Dillingham and review an approach to developing a subsistence plan.

I. Economic and Cultural Factors

A. What is the economic value of "subsistence" to the state's rural residents?

The rural Native economic life is centered on subsistence hunting, fishing, and gathering activities with only limited participation in the cash economy. Alvarado v State, 486 Pzd 894 (Alaska 1971). Fifty percent of the food for three quarters of the Native families in Alaska's small and medium village is acquired through subsistence and 40 percent of such families spend an average of six to seven months a year engaged in subsistence activity of some kind.[1] "In western and northern Alaska, there is generally a greater dependence upon food gathering activities than in other regions."[2]

Although only fragmentary information is available on the magnitude of the subsistence dependence of rural Native people and its dollar worth, a Department of the Interior study of the Socio-economic Considerations of proposed Alaska Wildlife Refuges is helpful in understanding the economic importance of the subsistence harvest to the village economy.[3] The figures summarized below are drawn from that study, indicate the number of pounds of meat, fish, skins, berries, greens, roots and wild vegetable harvested yearly in a particular region and the harvest's Anchorage dollar value replacement cost. The latter figure is extemely conservative since food costs in the bush average much higher than Anchorage, and presupposes the existence of an alternate food supply.[4]

In the majority of villages, fresh meat, fish and produce is unavailable

at any price except through the subsistence harvest:

Year of Study	Region	Native Population	Total Pounds	Dollar Value
1967-72	Bristol Bay 25 Villages	3,694		$ 1,541,246
1973	Interior 20 Villages	2,391	3,086,419	3,710,753
1972	Kotzebue 10 Villages	3,283	3,970,411	4,730,564
1973	Bethel 4 Villages[5]	1,097	1,063,178	1,184,005
TOTAL		10,465	8,120,008	$11,166,586

B. The long range prospects of the industrial economy in rural Alaska.

The potential economic growth of rural Alaska is a matter of conjecture. The economic growth that will come will most likely be centered upon natural resource development and to a limited extent, tourism. In many small villages the only full time jobs belong to the teachers.

Economic development in rural Alaska, if centered upon the extraction of natural resources, will require the investment of large amounts of capital that may not be available to Alaska corporations.

The Native corporations themselves, have, out of necessity, invested more in the urban areas of the state than in their respective regions.[6]

C. The interests of the State in subsistence on Federal and State lands.

The State of Alaska, of course, has a stake in what happens to be proposed national interest lands. Further, "states have traditionally had primary control over wildlife within their borders, and federal management of subsistence on the national interest lands threatens to cut back that authority. Since subsistence resources and their habitats extend beyond federal lands, the impact of federal policies will be felt not only on the national interest lands but also on neighboring state and private (Native) lands."[7]

The State also has an interest in subsistence because it may eventually have added social welfare responsibilities to the approximately 60,000 rural Natives of Alaska. The Alaska Native Claims Settlement Act provides as follows:

> Congress finds and declares that...(b) the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives....without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating...(a) lengthy wardship or trustship....[8]

Thus, ANCSA is a time delayed "termination" policy. It foresees in the future that Alaska Natives will not enjoy any special privileges from the federal government. If Congress sticks with this stated purpose the State could possibly be faced with added cost in its social services budget by delivering certain programs to Natives that are now primarily paid for by the federal government.

The failure to protect subsistence may also create social costs because subsistence is so closely tied to Native culture.[9]

D. Maintaining subsistence as an opportunity for retaining an unbroken link with the State's and Native's cultural past.

The National Park Service's Subsistences Uses of New National Service Areas in Alaska notes that

> Traditional subsistence activities, in addition to supporting the health and welfare of rural people, help to maintain ethnic identity and strong ties with linguistic and cultural ways of great antiquity. The Secretary, therefore, recognizes that the continuance of such harvest of wild food and other biological resources from lands proposed as additions to the National Park System pursuant to (the Alaska Native Claims Settlement Act) is an important opportunity for retaining an unbroken link with the nation's cultural past. Such recognition is supported by the declaration of Congress in the Historic Preservation Act of 1966 (P.L. 89-665), which states in part, "that the historic and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.[10]

Subsistence provides cultural and psychological values. For example:

> (T)he Kobuk people have developed a special attachment to living on and from the land. They opt for a subsistence livelihood, not just because it gives them food they most desire or allows them to live where they most prefer, but also because it permits them to be what they value most as human beings. Their sense of identity as Eskimos is fundamentally dependent upon living as hunters and gatherers. If they lose their subsistence lifestyle, they are no longer "real Eskimos."
>
> This system of values, combined with other elements of personality, economic imperatives, and need for certain kinds of food ties the Kobuk people to their villages and subsistence livelihood. Beyond this, they are emotionally committed to this lifestyle. It gives them satisfactions that they cannot find in other places.[11]

The United States Department of the Interior's report on federal programs and Alaska Natives stated:

> The survey of Native Views reported that over three-fourths of Natives living in small and medium sized villages rely on the land around them for their food. If these families, the majority of whom already living on incomes below the poverty level, were to lose access to subsistence resources or their harvesting rights, they could be left economically destitute. In the survey, subsistence activities were overwhelmingly identified as "the old way" which needed to be passed on to children. It was also named as the feature "best liked" in village life.[12]

E. ANCSA Corporations cannot be expected to provide total economic stability in rural Alaska.

Although reasonable minds may differ as to the ultimate economic viability of the ANCSA created regional "profit-making" corporations, ANCSA cannot be expected to offset the increasing diminution of the subsistence harvest. To date, ANCSA and its theoretical benefits have had a de minimuseffect on the rural village economy and the life quality of the average village shareholder. As recently noted by Perry Eaton, vice president of the United Bank of Alaska and a corporate officer of Koniag, Inc. (the ANCSA regional corporation representing the Kodiak area), a number of the regional corporations are in financial trouble, and possibly 65% of the village corporations will be bankrupt within seven years.[13]

The lack of any qualitatively distinctive financial benefit to the average village shareholder is apparent. For example, over the past five years the average village shareholder of the Calista Corporation (of which there are 13,444 scattered throughout the Yukon/Kuskokwim Delta in 56 subsistence dependent villages) has received the following ANCSA mandated distributions of cash:

Year	Amount
1974	$184.98
1975	92.59
1976	79.03
1977	53.23
Total	$409.83

In a recent study of the impact of ANCSA on village life commissioned by the Alaska Humanities Forum and the Alaska Native Foundation, Dr. Nancy Davis (a former anthropology professor at the University of Alaska, Anchorage) has accurately characterized the present situation:

> How has life changed in small villages? Apparently little, if any, at the end of the first five years. A few more dollars have arrived, but the amounts are not large. One more organization, the "Native Corporation" has been added to the menagerie of externally-introduced institutions. The same individuals who previously were involved in village affairs now make more trips.[14]
>
> It appears to me at the end of the first five years that far more money, more jobs and more people of the non-Native community are involved, and will continue to be involved, than will ever be the case with the Natives. Only a dribble of the billion dollars will reach the Natives of Village Alaska. Many million more will ultimately go to non-Natives as they are charged with trying to make the Land Claims Act work. As one Native reported in near despair in 1976, "those guys (White people) are going to get it all back anyway, so why should we try?" The delay in conveyance, the complexity of "making money", and the fear of taxes are leading some Native persons to consider this Act one more incidence of the American government inadvertently undermining the original inhabitants, this time in a long grueling

> process leading to the inevitable failure of impossible concepts of profit-making corporations imposed upon a hunting and fishing population whose cultures have become increasingly fractures, with too little time for creative mending of the new with the old.[15]

Consequently, any analysis of the impact of H.R. 39 and subsistence generally on rural Native village life must be grounded on the realization that subsistence remains the foundation of village culture, the predominate focus of village activity and the mainstay of the village economy.

F. Native Subsistence Activity was not adequately safeguarded by ANCSA.

Although ANCSA is commonly identified as an unprecedented expression of Congressional concern for the economic and social well-being of Native people, protection of Native subsistence activity, the life essence of Native culture and economics, was abandoned during the eleventh hour of the legislative dance.

The first major step toward ANCSA was Senate passage of S. 1830 on July 15, 1970. Although the bill provided a grossly inadequate land settlement of only 10 million acres, the importance of Native subsistence activities was at least symbolically recognized and protected. §2(a)(7) of S.1830 articulated a Congressional intent to effectuate a just settlement of Native claims by providing:

> Protection of Native subsistence hunting, fishing, trapping, and gathering rights and where it is within the power of the federal government, measures for the conservation of subsistence biotic resources.

§ 20 and 23 authorized the Secretary of the Interior to classify public lands surrounding Native villages as Subsistence Use Units, (hereinafter SUU) and in appropriate instances limit hunting, fishing and trapping to subsistence dependent local residents. However, any actual protection of Native subsistence use which would have been gained by the implementation of §§ 20 and 23 would have been largely illusory. The preservation of subsistence was viewed merely as guaranteed harvesting privileges on land proximate to individual villages, rather than as protection of ecosystems and essential wildlife habitat. The maximum duration of a subsistence priority over sport hunting and fishing is a SUU was limited to four years, and the creation of a SUU did not prevent the disposal of lands within its boundaries under the public land laws.

However, even such an obviously hollow commitment to the preservation of subsistence proved unattractive to a Department of the Interior inclined to exchange raw acreage for subsistence. In a letter to Senator Jackson dated July 25, 1969, accompanying a Department substitute for S. 1830, then Secretary of the Interior and former Alaska Governor Walter Hickel gave the following explanation for the elimination of any reference to the protection of subsistence activities in the administration's bill:

> "We believe that the enlarged land area that we are supporting for each listed village will protect the biotic resources of the Natives of those villages."

Unmoved by Secretary Hickel's explanation of Interior's abbrogation of S. 1830's limited protection of Native subsistence uses, the Senate passed S. 1830 with its subsistence provisions intact. The Senate Report accompanying S. 1830[16] reiterated an at least theoretical understanding of the threat posed to Native subsistence use by encroaching uncontrolled development and of the relationship between the preservation of subsistence and a just Native claims settlement:

> The Alaska Native people as a group are among the most disadvantaged citizens of the United States in terms of income, employment, educational attainment, life expectancy, health, nutrition, housing and every important indicator of social welfare.
>
> Without title to the lands they use and occupy, Alaska Natives are defenseless against character of and sometimes depletes subsistence resources, and against the population influx which disorganizes indigenous ways of life.
>
> ....There are millions of acres of land used by, and indispensible to, Natives as wildlife habitat and hunting ranges.
>
> Some of the factors which the Committee considered in arriving at the present land grant provisions of S. 1830 are as follows... (5) the need to provide protection for subsistence uses of the land. (Emphasis added).

On January 25, 1971, progress toward a settlement was renewed in the 92nd Congress when Senator Jackson reintroduced M. 1830 as S. 35. On February 17, 1971, Senator Harris introduced S. 835, a bill supported by the Alaska Federation of Natives, which provided a 60 million acre land settlement and a considerably strengthened scheme for the protection of Native subsistence use.

S
S16 of the Harris bill preserved the right of Native subsistence use of Native, Federal and State land in Alaska for 100 years, and required public certification by the head of each appropriate federal agency that a proposed use of public land detrimental to subsistence was reasonably necessary for the purpose sought to be accomplished and would not unreasonably impair the ability of rural Native people to satisfy their subsistence needs.

On April 19, 1971, S. 1571 was introduced, a Nixon administration substitute, again devoid of any Congressional commitment to the preservation of Native subsistence use or of any protective subsistence management scheme.

On October 20, 1971, the House passed HR 10367, and on November 1, 1971, the Senate passed S. 35 with at least a qualified subsistence protection mechanism intact. The disparities between S. 35 and HR 10367 were successfully resolved by a Conference Committee during the first week of December 14, 1971. ANCSA then passed both houses on December 14, 1971. However, during the Conference Committee negotiations the Congressional finding supporting the preservation of Native subsistence use and its accompanying protective management scheme

inexplicably were struck from the Act. A somewhat cryptic justification for this result was included in the Conference Committee report as the only surviving expression of explicit Congressional concern in ANCSA for the protection of Native subsistence activity:

> The Conference Committee, after careful consideration, believes that all Native interests in subsistence resource lands can and will be protected by the Secretary through the exercise of his existing withdrawal authority. The Secretary could, for example, withdraw appropriate lands and classify them in a manner which would protect Native subsistence needs and requirements by closing appropriate lands to entry by non-residents when the subsistence resources of these lands are in short supply or otherwise threatened. The Conference Committee expects both the Secretary and the State to take any action necessary to protect the subsistence needs of the Natives. (Emphasis added).[17]

Reference by the Conference Committee to a state responsibility for the protection of Native subsistence activity is significant. Although the states are ostensibly the owners of wild game within their political boundaries, Geer V. Connecticut[18] the United States may constitutionally exercise authority over game management on federal lands, Kleppe v New Mexico,[19] State of Alaska v Andrus,[20] a result which has led to considerable tension between competing federal and state wildlife management systems, New Mexico State Game Commission v Udall.[21] State concern for the preeminence of its wildlife management perogative undoubtedly underlies the Conference Committee's relinquishment of direct federal responsibility for the protection of Native subsistence activity, and is consistent with the federal government's pre-statehood and ongoing failure to protect Native subsistence activities from competing state wildlife management priorities.

The state's rationale for such a result was aptly summarized by the Chairman of the Native Land Claims Task Force of the Alaska Chamber of Commerce in testimony before the House Subcommittee on Indian Affairs:

> "We also feel that the concept of 'subsistence' lands, as contained in most of the proposed legislation, is unnecessary. Under existing State laws and regulations special subsistence hunting and fishing licenses are available.
>
> The Alaska Department of Fish and Game has the authority to control the types of hunting and fishing allowed in various areas of the State. The needs of the subsistence licensee are thus protected. Under this type of management program no lands need be set aside specifically for this purpose."[22]

As a result of ANCSA's subordination of the federal commitment to the protection of Native subsistence activity to state demands for wildlife management autonomy, primary responsibility for the preservation of subsistence has devolved to the State Department of Fish and Game.

G. Status of Subsistence

As of this date the State has done little to protect subsistence. The inaction of the State creates a situation in which an adequate resource base may be permanently ruined.[23]

II. Legal Considerations in Developing a Subsistence Policy Plan

A. Preferential Hunting and Fishing Rights for Subsistence Purposes

The State under the fourteenth amendment to the US Constitution and parallel provisions of the State constitution is clearly prohibited from initiating any type of preferential hunting and fishing rights for Alaska Natives.

The federal government's power to legislate for the benefit of Alaska Natives on federal lands was discussed in a memorandum by David L. Schooler for the Federal/State Land Use Planning Commission which has been submitted to the Committee. The basic point of the case of Morton v Mancuri is that the federal government can legislate for the members of federal Indian tribes beyond a reservation context as Alaska Natives have received the benefits of other federal legislation all of which comes under the same federal power which is basically the commerce clause and the federal trust responsibility developed by the Courts.

The problem with a federal scheme for protection which would benefit only Alaska Natives is the question of who would manage the resources. If the State managed the resources it may be an unconstitutional use of state personnel and money to manage a plan for the benefit of a group of people based on either their status as members of Indian tribes or as Alaska Natives. The issue recently emerged in the treaty fishing dispute in Washington. The Washington supreme court ruled that the State Department of Fish and Game could not manage the Indians share of the fish allocated under a federal court order. Basically, I believe that the court said this was unconstitutional under the state constitution as a denial of equal protection of the law. (The decision should be reviewed to see if the 14th amendment of the US Constitution was also a basis of the decision). Therefore, any federally mandated subsistence policy on federal lands ultimately would have to be accompanied by federal management.

B. A State Subsistence Plan

As you know, certain legal issues pertaining to subsistence are now before the Supreme Court of the State (see, Tanana Valley Sportsmen v State). If the court upholds the right of the State to protect subsistence, I would offer the following, subject to further legal analysis, as a method of regulating subsistence. This is offered as a basic beginning point and can be refined as needed. It is also offered subject to further legal analysis.

1. Treat subsistence as economic regulation. Regulation of economic and social issues need only be rational to withstand attacks under the equal protection caluse of the constitution, Dandridge v Williams _____. U.S._____(1969).

2. Make a legislative finding that subsistence has been and continues to be an ongoing economic system in the state.

3. Make a legislative finding that there is a lack of alternative sources of income in the small towns and villages.

4. Divide the state into the 13 regional areas or other regional management units. Allow for advisory personnel on subsistence or require that advisory boards of fish and game must include subsistence users.

5. Provide that subject to the requirements of sustained yield management that people who live in communities of less than 1,500 people (my arbitrary figure) are entitled to subsist under the most generous limits on harvesting of the various resources (zone 1).

6. Provide that people who live in communities from 1,500 to 7,500 are entitled to a more limited harvest of biotic resources (zone 2).

7. Provide that people who live in communities of 7,500 and up are entitled to the least generous rights to harvest biotic resources (zone 3).

8. In making the calculations of what each group is entitled to receive, the ADF&G is going to have to provide the legislature on the harvest by region and species over the last 3 to 4 years to see what the harvest has been in the past. The legislature would then have to make the determination of how to allocate the harvest.

For instance people in zone 1 may be entitled to a percentage of the kill of caribou in the region, and the people residing in zones 2 and 3 would be entitled to a smaller percentage of the kill.

A variation would be to provide that license holders in zone 1 could kill X number of caribou, zone 2 license holders could kill a lesser amoung and so on.

As you can see zone 3 people may need to participate in a lottery system to get a tag if the available harvest is down.

I've offered this plan as a starting point for the following reasons:

1. Protects the users who need continued access to resources the most.

2. Protects the resource base because the total harvest must be subject to sustained yield management.

3. It provides flexibility.

4. It's the easiest plan to administer.

5. There is no real need to provide a definition of subsistence.

Above report submitted by Hank Cavallera, Sitka, Alaska

Mr. Cavallera's report was given careful thought. There are points that this Committee has considered and that the Legislature will consider in the future as possible solutions for resolving the subsistence problem. The Committee certainly was looking for a method of administering a flexible subsistence plan that would protect the resource base subject to a sustained yield management that would also protect the users who need continued access to resources the most. These ideas will give the Legislature food for thought so that in time of deliberation on the subsistence issue, it will not have to begin from line one.

A. When and How Does One Translate the Subsistence Lifestyle To a Cash Economy?

It has been said by Mark Jacobs in his testimony to the Committee (see November 10, 1977 Anchorage Public Hearing) "Subsistence Hunting and fishing is something we cherish, there is no monetary value that can be placed on it."

Irene Catalone testified the same evening (see November 10, 1977 Anchorage Public Hearing) "Whether you're out in the village where there is no other economy exists, where it is your job to go out and make a living, which you'll do off the land, fishing, gathering wood, getting your water... it's a full time job making a living out there."

The State knows that there is no stable economic system in most of the rural villages. Without participation in the subsistence economy, many rural Alaskans would not be able to survive.

It would take an economist's expertise to determine what cash value could be fairly placed on a subsistence product and to make a comparison

with cash economy products. Another comparison that would have to be made, too, is to compare the nutritional value of the subsistence product with the store bought product. How does this parallel the cash economy product? What would the cost be to the rural consumer when it is finally received and consumed?

Most subsistence users directly or indirectly participate in a cash economy. The degree of participation may be more or less depending on the dependency upon a subsistence lifestyle. Some may say that subsistence supplements the income of rural Alaskans. It would seem to more accurate to assume that the limited income derived supplements the subsistence lifestyle. The major source of "income" is generally from the subsistence resources for many in rural Alaska.

We would recommend that the proposed Division of Subsistence be put to work performing the necessary research to compile comparative data on the economics of subsistence in order that an accurate and up to date view of this aspect is reported.

B. What Are Alternatives to a Subsistence Lifestyle?

Alternatives to a subsistence lifestyle are few. Welfare, a full cash economy if available. Some who have moved into a semi-subsistence lifestyle by moving more into a cash economy because of necessity are already exercising a sort of alternative. Oftentimes, this is not out of choice, but necessity to help support the participation in the subsistence economy.

Subsistence users adamantly say that welfare is no substitute for their subsistence lifestyle, their way of life. Yet, others say that subsistence users can get food stamps, welfare and use other services. Rural

residents just do not have the access to the services that urban residents have. There aren't eligibility workers, social workers, or the services or commodities available in every village. Often, there may be an area office with one staff member serving 20 or 30 villages.

Joe Clark of Clarks Point said in his testimony to the Committee (see Anchorage Public Hearing, November 10, 1977), "I rely heavily on subsistence, I raised a big family, 11 children, and I'm thankful they are all alive and in good health. And it's mainly because of subsistence that they are.....I could look to our government which is the US Government for help, for food and clothing, if this is the way I wanted to go, but like I said, I am a very proud person..."

The State will have to look at positive alternatives. Is welfare and food stamps a fair comparable alternative? Is it fair to uproot families in the pursuit of employment and a cash economy?

Again, all aspects of the subsistence lifestyle have to be evaluated to arrive at solutions that offer acceptable substitutes or alternatives.

C. Economic Impact on Social Services Should Subsistence Become Prohibited

This is an alternative that, hopefully, the State will never have to address.

Even the present decrease in subsistence has impacted the social services. There is an increase in the use of welfare and other social services in rural areas; there is an increase in health services; an increase in unemployment services; an increase and emphasis on alcohol related services; and in mental health services. The State Legislature created interim committees on alcoholism and unemployment to look at these problems this past interim period. It would be interesting to see the

correlation and to make a comparison of the findings of the other committees that deal with social problems that are not just one problem or issue, but a complexity of problems.

The economic impact on social services will continue to increase and become more burdensome, not only for the State, but for the consumer of these services. These services are not readily available in many villages, as mentioned before, those who need the services sometimes just have to give up because they are unable to either get to the person who can provide the service, or that person is unable to get to him. The best alternative to provide to Alaskan residents is the abundance and continued availability of the natural resources that they are so dependent upon.

VI. ADMINISTRATIVE ROLE IN SUBSISTENCE ISSUE

A. The Alaska Department of Fish and Game Position Paper On Subsistence

At the August meeting of the Interim Committee on Subsistence, the Commissioner Ron Skoog, newly appointed Commissioner attended and presented the following position paper on subsistence. This paper was prepared in 1973.

"SUBSISTENCE"

The Department of Fish and Game's role is to assure a resource base that can be exploited which at necessity, requires our assistance in working with the public and the Board to develop a regulatory framework that meets the legitimate subsistence need of the people.

DEFINITION:

1. Subsistence Utilization - the exploitation of renewable resources for individual, family, or local consumption by people whose location, culture, and/or income makes them dependent upon these resources for a substantial part of their food supply.

2. Subsistence - the exploitation of renewable resources for personal use.

PROBLEM:

Subsistence involves:

1. The biological productivity of the exploited resources.

2. The development of a legal framework--constitutional, statutory, and regulatory--under which the exploitation can take place.

3. The political realities of the present situation.

DEPARTMENT STRATEGY:

1. The Department of Fish and Game has and shall continue to recognize legitimate subsistence utilization of resources as a priority use.

2. Regulations governing legitimate subsistence utilization shall continue to be based on the biological productivity of the resource in concert with the public need.

3. The Department must realize that the regional and village corporation have responsibility to insure that subsistence requirements are satisfied to the greatest extent possible by their judicious selection of land under the Alaska Native Land Claims Settlement Act.

   a. This is based on the fact that the natives have the right to select 40 million acres of land under the act and they have the right to retain that land for their exclusive use within the State's regulatory framework.

   b. We must recognize, however, the intent of Congress was that subsistence needs shall be met on public lands as well. The Native leaders are aware of this and that is basically what they are fighting for.

   c. Also, we must recognize that the loss of 40 million acres to public use is not in the public's interest.

4. The Department must immediately open up communications with both the Regional and Village Corporations.

5. The Commissioner's Office must establish the Department "position" to govern the conduct of the liaison group as they meet with the corporation.

   a. We will not drop on the corporation "en masse" but will instead send out our most knowledgeable one or two people to meet with corporations.

   b. Our basic position will consist of the following:

      1. Legitimate subsistence utilization will be conducted within the framework of maximum sustained yield.

2. Our past record show that, to date, we have provided for legitimate subsistence use. We do, however, recognize that competition between other users and subsistence is now a real (as opposed to imagined) problem and we are willing to support reasonable regulations that will reduce this conflict.

3. We recognize the native rights as private land owners; however, we must inform them that "exclusive use" will still be subject to state regulation in order to provide for an orderly harvest and adequate reproductive stocks.

4. Exclusive use foreclosed the opportunity for the natives to use these resources in revenue generating programs.

We must meet with the corporations and listen to their position. We should strive to have the define legitimate subsistence use.

Definition from Title 16 16.05.940(17)

"Subsistence fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources for personal use and not for sale or barter, with gill net, seine, fish wheel, long line, or other means defined by the Board."

The position paper above outlines what the position of the ADF&G has been on subsistence. This is basically a good working paper that needs to be updated. It is a valid position and could readily and easily be used as a basis for managing the subsistence resources. Under Department strategy, number 1. "The Department of Fish and Game has and shall continue to recognize legitimate subsistence utilization of resources as a priority use." This statement is what this committee would like to come to the forefront. The Department, the Governor's Office have stated this, yet subsistence resources are running far behind in the competition for the resources the users are dependent upon. The commercial, sports and recreation users do have a lot of influence and support backing their efforts to see their needs are met.

It was recognized in 1973, as is at the present time, that there is a definite competition between the other users and subsistence. It is "a real (as opposed to imagined) problem and we are willing to support

reasonable regulation that will reduce this conflict." This is an area where the Department could focus in on. There is a conflict arising that will force the State to act.

The "real" problem is even more real now, with the scores of sports, recreational and commercial users. As you review the regulations, there has been much emphasis placed on providing regulations for the sports and commercial fishing and hunting. That clearly is from the pressure from these users, but there has been a de-emphasis on just what the Department deems a "priority use" of the fish and game, and that is subsistence use. The subsistence aspect has been treated sporadically. The subsistence activities are mentioned briefly within the Commercial fishing regulations. The subsistence harvester would definitely dispute the fact that a subsistence take is not, cannot and never will be the same as a commercial take. These subsistence regulations must be separated from the sports and commercial interests. They are all different.

If number 1 under Department Strategy were being implemented in 1973 and to date, the subsistence "problem" may never have arisen. It has been put on simmer and is now beginning to come to a boil.

The Department, the Governor's Office, and the Legislature must work cooperatively on some alternative solutions, regulations, administration of subsistence. We have had the Alaska Public Forum and the Interim Committee on Subsistence working this year on the subsistence topic because it was pointed out as being a very real concern of the people. The Forum will have an analysis for the Governor and the Legislature and their findings should be looked at along with our recommendations.

It will take a coordinated effort to evaluate all of this information and this effort could be an activity of a committee, though temporary, such as the Interim Committee to continue to evaluate, research and to come up with a permanent, on-going plan for subsistence.

In conclusion, the Governor's Office, the ADF&G, the Legislature must then evaluate strategy, work programs, funding structure and levels and begin looking at prioritizing the allocations of resources seriously and promptly.

B. Funding of the ADF&G and How It Relates to the Protection, Management and Enforcement of Fish and Game Regulations

In order to implement any new directions within the Department of Fish and Game in the management, the research and enforcement areas, the Committee has recommended increased funding in all areas. This is made on the basis of having a sound management system with healthy fish and game populations so that the State can and will continue to satisfy and provide the needs and interests of its residents.

In addition to making recommendations for increased funding, we have included the proposal for a Division of Subsistence. A fiscal note prepared by the ADF&G would provide for a staff of 14 people in regional offices in the amount of $468.5 for FY 1979 from the General Fund. This is merely a beginning talking paper and would need to be researched, revised and studied indepth.

The Legislature is aware of the snow-balling effect whenever new requests are made and implemented. This will certainly be true here, too, when the services and duties are expanded it will add fiscal increases. Not only the request dealing with added personnel, but for the creation of a whole new division with a new scope and dimension.

This new proposal for a newly created division is brought about by the necessity to pinpoint, to resolve and to act upon a problem that is a statewide concern. We cannot reiterate often enough that a major concern expressed by the residents of this State is that there needs to be resource base with continuing renewal of these resources so that subsistence uses and other uses can be sustained.

VII. PROPOSED DRAFT LEGISLATION & RESOLUTIONS

Immediately following this section, are attached copies of the proposed bills and resolutions drawn up by our Staff Attorney, Joe Guthrie.

1) For an Act creating a Division of Subsistence Hunting and Fishing.

2) For an Act regionalizing the Board of Fish and the Board of Game.

3) Resolution to create a State Subsistence Hunting and Fishing Committee.

4) Resolution relating to legalizing hunting of migratory birds in the spring time to be presented to the congressional delegation and to the federal government.

(We have requested that our Staff Attorney prepare a proposed bill for the creation of a Board of Subsistence, though this is not attached, it will be included for further review.)

(SEE ATTACHMENTS IMMEDIATELY FOLLOWING THIS PAGE FOR A REVIEW OF THESE PROPOSED PIECES OF LEGISLATION AND RESOLUTIONS.)

BY THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL (for the Interim Committee on Subsistence Hunting and Fishing)

IN THE HOUSE

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act creating a division of subsistence hunting and fishing."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.090 is amended by adding a new subsection to read:

(c) The commissioner shall establish a departmental division of subsistence hunting and fishing.

* Sec. 2. AS 16.05 is amended by adding new sections to read:

Sec. 16.05.093. DIRECTOR OF THE DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall be administered by a fish and game biologist.

Sec. 16.05.094. DUTIES OF DIVISION OF SUBSISTENCE HUNTING AND FISHING. The division of subsistence hunting and fishing shall

(1) compile existing data, hold hearings, and conduct studies to gather information on all aspects of the role of subsistence hunting and fishing in the lives of the residents of the state;

(2) quantify the amount, value, and extent of dependence on food acquired through subsistence hunting and fishing;

(3) make information gathered available to the legislature in a form suitable for use in developing legislation relating to land and water management;

(4) assist the legislature to determine what uses of fish and game, as well as which users and what methods, should be termed subsistence uses, users, and methods;

(5) evaluate the impact of state and federal laws and

regulations on subsistence hunting and fishing and, when corrective action is indicated, make recommendations to the governor and the legislature;

(6) make recommendations to the Board of Game and the Board of Fisheries regarding adoption, amendment and repeal of regulations relating to subsistence hunting and fishing.

BY THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL (for the Interim Committee on Subsistence Hunting and Fishing)

IN THE HOUSE

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act regionalizing the Board of Fisheries and the Board of Game."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.221 is repealed and re-enacted to read:

Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes of the conservation and development of the fishery resources of the state, there are created 12 boards of fisheries, each with jurisdiction over the area of a regional corporation established under the Alaska Native Claims Settlement Act. Each board of fisheries is composed of seven members appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. Each member appointed must be a resident of that area of the state over which the board to which he is appointed exercises jurisdiction. Each member appointed shall be appointed without regard to political affiliation. The commissioner is not a member of any board of fisheries, but he or his designee is ex officio secretary to each board.

(b) For purposes of the conservation and development of the game resources of the state, there are created 12 boards of game, each with jurisdiction over the area of a regional corporation established under the Alaska Native Claims Settlement Act. Each board of game is composed of seven members appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. Each member appointed must be a resident of that area of the state over which the board to which he is appointed exercises jurisdiction. Each member

appointed shall be appointed without regard to political affiliation. The commissioner is not a member of any board of game, but he or his designee is ex officio secretary to each board.

* Sec. 2. AS 16.05.251 is amended to read:

Sec. 16.05.251. REGULATIONS OF THE <u>BOARDS OF FISHERIES. Each board of fisheries</u> [BOARD OF FISHERIES. THE BOARD OF FISHERIES] may <u>for the area over which the board has jurisdiction</u> make regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.62) for

(1) setting apart fish reserve areas, refuges and sanctuaries in the waters of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishment of open and closed seasons and areas for the taking of fish;

(3) setting quotas and bag limits on the taking of fish;

(4) establishment of the means and methods employed in the pursuit, capture and transport of fish;

(5) establishment of marking and identification requirements for means used in pursuit, capture and transport of fish;

(6) classifying fish as commercial fish, sport fish or predators or other categories essential for regulatory purposes;

(7) engaging in biological research, watershed and habitat improvement, fish management, protection, propagation and stocking;

(8) investigating and determining the extent and effect of predation and competition among fish in the state, exercising control measures considered necessary to the resources of the state;

(9) entering into cooperative agreements with educational institutions and state, federal, or other agencies to promote fish research, management, education and information and to train <u>persons</u>

BY THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL (for the Interim Committee on Subsistence Hunting and Fishing)

IN THE HOUSE

HOUSE CONCURRENT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

Relating to the creation of a State Subsistence Hunting and Fishing Committee.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS subsistence hunting and fishing is a means of livelihood to much of the population of rural and urban Alaska; and

WHEREAS the importance of this subject to these Alaskans and to all of Alaska requires special analysis and study of the subject, the needs of subsistence hunters and fishermen, and potential avenues of legislation relating to subsistence hunting and fishing; and

WHEREAS there is no present agency of the state continuously dedicated to providing the type of analysis and study necessary to the sensitive and reasonable treatment of subsistence hunting and fishing;

BE IT RESOLVED by the Alaska State Legislature that there is established a State Subsistence Hunting and Fishing Committee composed of the following members to identify the problems and suggest further solutions with respect to subsistence hunting and fishing:

(1) three members of the senate appointed by the president;

(2) three members of the house appointed by the speaker;

(3) the commissioner of fish and game or his designee; and be it

FURTHER RESOLVED that the committee established by this resolution shall make a final report not later than January 1, 1979 to the governor and to the Legislative Council on its recommendations with respect to a comprehensive state policy on subsistence hunting and fishing; and be it

FURTHER RESOLVED that, with the consent of the governor, the committee may apply for federal, state and private financial assistance to undertake

and complete its work.

[MEN] for fish management;

(10) prohibiting the live capture, possession, transport, or release of native or exotic fish or their eggs;

(11) establishing seasons, areas, quotas and methods of harvest for aquatic plants;

(12) establishment of the times and dates during which the issuance of fishing licenses, permits and registrations and the transfer of permits and registrations between registration areas is allowed; however, this paragraph does not apply to permits issued or transferred under ch. 43 of this title.

* Sec. 3. AS 16.05.255 is amended to read:

Sec. 16.05.255. REGULATIONS OF THE BOARDS OF GAME. Each board of game [BOARD OF GAME. THE BOARD OF GAME] may for the area over which the board has jurisdiction make regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.62) for

(1) setting apart game reserve areas, refuges and sanctuaries in the waters or on the lands of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishment of open and closed seasons and areas for the taking of game;

(3) establishment of the means and methods employed in the pursuit, capture and transport of game;

(4) setting quotas and bag limits on the taking of game;

(5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators or other categories;

(6) investigating and determining the extent and effect of predation and competition among game in the state, exercising control measures considered necessary to the resources of the state and designating game management units or parts of game management units in

which bounties for predatory animals shall be paid;

(7) engaging in biological research, watershed and habitat improvement, and game management, protection, propagation and stocking;

(8) entering into cooperative agreements with educational institutions and state, federal, or other agencies to promote game research, management, education, and information and to train <u>persons</u> [MEN] for game management;

(9) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs;

(10) establishing the times and dates during which the issuance of game licenses, permits and registrations and the transfer of permits and registrations between registration areas and game management units or subunits is allowed.

* Sec. 4. AS 16.05.257(a) is amended to read:

(a) <u>Each board of game</u> [THE BOARD OF GAME], at its regularly scheduled annual meeting, may adopt regulations providing for subsistence hunting in a game management unit or subunit or a portion of a unit or subunit <u>in the area over which the board exercises jurisdiction</u> upon

(1) recommendation of the department, based on biological evidence;

(2) the majority vote of the active local advisory committees for that game management unit or subunit;

(3) the written petition of not less than 100 interested residents of that game management unit or subunit; or

(4) the written petition of not less than 25 interested residents of an area which is requested for establishment as a subsistence area within a game management unit or subunit.

* Sec. 5. AS 16.05.257(f) is amended to read:

(f) <u>Each board of game</u> [THE BOARD OF GAME] at any time may review

and change the boundaries of a subsistence area upon

(1) the recommendation of the department, based on biological evidence;

(2) the written petition of not less than 25 interested residents of that area; or

(3) the majority vote of the active local advisory committees for that area.

* Sec. 6. AS 16.05.260 is amended to read:

Sec. 16.05.260. ADVISORY COMMITTEES. Each board of fisheries [THE BOARD OF FISHERIES] and each board of game [THE BOARD OF GAME] may make regulations it considers [THEY CONSIDER] advisable in accordance with the Administrative Procedure Act (AS 44.62) establishing, at places in the state designated by the individual boards, advisory committees to be composed of persons well informed on the fish or game resources of the locality. The boards shall set the number and terms of each of the members of the advisory committees, shall delegate one member of each committee as chairman, and shall give him authority to hold public hearings on fish or game matters. Recommendations from the advisory committees shall be forwarded to the appropriate board for its [THEIR] consideration but if the boards choose [BOARD OF FISHERIES OR THE BOARD OF GAME CHOOSES] not to follow the recommendations of the local advisory committee the appropriate board shall inform the appropriate advisory committee of this action and state the reasons for not following the recommendations. The commissioner shall delegate authority to advisory committees for emergency closures during established seasons. The commissioner is empowered to set aside and make null and void only opening of seasons set by the advisory committees under this section. The appropriate board shall promulgate the necessary regulations governing these closures.

* Sec. 7. AS 16.05.305 is amended to read:

Sec. 16.05.305. CLERICAL ASSISTANCE FOR BOARDS. Each board of fisheries [THE BOARD OF FISHERIES] and each board of game is [THE BOARD OF GAME ARE] authorized to hire and set the compensation for one clerical assistant for each board.

* Sec. 8. AS 16.05.930(d) is amended to read:

(d) No nondomestic animals of any species may be transferred or transported from the state under (a) of this section unless approved by the appropriate board of game [BOARD OF GAME] in regular or special meeting. Animals transferred or transported under (a) of this section shall be animals that are certified by the department to be surplus and unnecessary to the sustained yield management of the resource. Each application for a permit under (a) of this section shall be accompanied by a statement prepared by the Department of Fish and Game examining the probable environmental impact of the action.

* Sec. 9. AS 16.05.940(1) is amended to read:

(1) "a board" or "the board" means either a board of fisheries [THE BOARD OF FISHERIES] or a board of game [THE BOARD OF GAME];

* Sec. 10. AS 41.99.010 is amended to read:

Sec. 41.99.010. GAME MANAGEMENT AND ENFORCEMENT. Nothing in this title denies the Department of Fish and Game or the boards of fisheries and game [BOARD OF FISH AND GAME] their management and enforcement responsibilities related to the fish and game of this state.

* Sec. 11. AS 16.05.300(b) is repealed.

BY THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL (for the Interim Committee on Subsistence Hunting and Fishing)

IN THE HOUSE

HOUSE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

Relating to legalizing hunting of migratory birds in the springtime.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS hunting of migratory game birds in the pring is prohibited by the terms of the conventions concluded between the United States and Great Britain for the protection of migratory birds on August 16, 1916; between the United States and the United Mexican States for the protection of migratory birds and game mammals on February 7, 1936; and between the United States and the Government of Japan for the protection of migratory birds in danger of extinction and their environment, on March 4, 1972; and

WHEREAS many residents of the rural areas of Alaska must rely on wildlife for food; and

WHEREAS the nutritional value of migratory game birds to the rural residents of Alaska is of particular significance in the springtime due to the depletion of winter food stocks and because spring thawing conditions make equivalent substitutes commercially unavailable; and

WHEREAS many otherwise law-abiding citizens have been forced to resort to illegal hunting to provide for the health and well-being of their families; and

WHEREAS the United States and the Soviet Union have completed negotiations on a treaty, now before the Senate for ratification, which leaves authority to establish those closed seasons necessary for the preservation of migratory bird stocks to the appropriate authorities in the respective nations, with provision that if the need arises special agreements may be negotiated with regard to conservation or hunting of particular species;

BE IT RESOLVED by the Alaska State Legislature that it requests the President of the United States to direct the Department of State to amend existing treaties to conform to the approach taken in the recent U.S-U.S.S.R. treaty, thereby allowing rural residents of Alaska to hunt migratory game birds in the springtime if consistent with the conservation of migratory game bird stocks.

COPIES of this resolution shall be sent to the Honorable Jimmy Carter, President of the United States; the Honorable Cyrus Vance, Secretary of the Department of State; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

VIII. COMMITTEE RECOMMENDATIONS TO 1978 ALASKA STATE LEGISLATURE

A. Review, Develop, and Enact Draft Legislation and Resolutions

You have had an opportunity to look at the draft legislation that was prepared by our legal staff. Please take the time to look closely at these papers and consider them during the next Legislature. The issue of subsistence will be a topic that the Legislature will and must attend to soon. As indicated by the pages and pages of testimony from Alaskan residents from Barrow to Juneau, it is an issue that will be before you with increasing pressures.

This is a topic that is sensitive in the minds and bodies of many, many Alaskans who are cognizant of subsistence because of the threat and effect this has upon their daily lives.

As you review the testimony, you will find that the quality is quite varied. It often reflects the extent of dependency of the user. Some testimony is very biased, subjective, while others look at this issue with great objectivity. On the whole the concern that the State must insure is that subsistence is protected by the protection of the resources.

It will be up to the Legislature to act upon the recommendations of this Committee along with the recommendations of Alaskan residents who testified at the public hearings. It would be ideal if this Committee could have spent more time in more villages. These are the people who do not ordinarily have access to the Legislature. Most rural people were very thankful to the Committee for coming out to the rural areas to hear what they had to say on this issue because they cannot afford to go to the traditional hearing cities and towns. Should the Legislature find it necessary, we would also recommend that more rural villages and towns be visited, if at all possible.

There is yet a tremendous amount of work to be done, research to be compiled, coordinating between federal and state agencies, priorities to be inventoried before the Legislature or the Administration can come to any conclusive, immediate plan in implementing any or all of the proposed recommendations in this section.

B. Review Funding Of ADF&G And Institute a New Funding Level And Policy

In the past, the ADF&G has been characterized by residents as the scapegoat for the shortcomings and deficiencies that have arisen surrounding the fish and game resources.

Some of the reasons for this has been due to the funding level, the management, enforcement and protection problems, the composition of the Board of Fish and Game, the increase of competitive user groups, and the pressure upon the Department from many directions.

In our hearings, this has been brought out many times. The reality of the situation is MONEY. The Department has a broad field of responsibility, a large area to manage, a Division of Commercial Fisheries, a Division of Game, a Division of Sports Fish and a Division of Fisheries Rehabilitation Enhancement and Development. Some of the money is derived from the General Fund, some from the sale of licenses, and some from federal sources. We would like to see the pressure taken off the Department to increase the sale of licenses for receipt of matching federal funding. A solution to this would be for the Legislature to begin appropriating money from the General Fund to the Department that has been heretofore been funded by the proceeds of state and federal taxes and licenses on hunters and fishermen. Jay Hogan of the Fish and Game Department has offered to perform an analysis of the ADF&G

budget indicating those areas which would benefit from an infusion of General Funds.

In the receipt of testimony, it was a concensus from the people, that even with the complaints and inadequacies of the Department, most people would like to see the management capability remain with the State of Alaska, that any preemption by the Federal government would be detrimental to Alaska.

In order for the Governor, the ADF&G, and the Legislature to come to grips with an orderly applicable plan for the State, a good place to begin is within the existing frame work and parameters of the ADF&G, the department responsible for the subsistence resources.

C. Create Divison of Subsistence Parallel to the Division of Sports Fisheries and Commercial Fisheries and Division of Game

This Division would have a director with staff to compile data; hold hearings; conduct studies on subsistence activities; quantify amounts and values of subsistence resources; degree of dependency; provide information to the Legislature for use in developing legislation relating to land and water management; to determine what uses of fish and game, as well as which users and methods should be termed subsistence uses, users and methods; evaluate impact of state and federal laws and regulations on subsistence hunting and fishing and; when corrective action is indicated, make recommendations to the Governor and the Legislature.

D. Create a Committee on Subsistence

The resolution that was proposed for creation of a Committee on Subsistence is attached for your review. The intent of this committee

was to be an on-going, permanent committee, however, because the mechanism for creating such a committee with the membership we proposed (which included 3 members of the Senate, 3 members of the House and the Commissioner of ADF&G or his designee) is not provided for in our rules, this type of committee would require a legislative resolution. Thus, we have proposed the resolution for a temporary committee that could be re-created, is necessary to complete the work of the Committee.

We feel that the work of the Interim Committee must be continued. It should not stop now, for it is a dynamic field that needs attention. There is much work to be done to refine the recommendations made by this Committee, other areas that need to be researched. As we stated in our goals section, we were unable to perform many of the tasks we felt were necessary for a well-rounded informative report. These are areas that need to be expanded to provide the Legislature with the best possible information on which to base its decisions.

E. Proposal for Regionalizing Fish and Game Boards

You have reviewed the proposed Act. Basically, it provides for the creation of local, regional boards with authority to make the decisions based on a regional basis. We have proposed the regional boundaries of the Native corporations, since those are boundaries that are already used by many agencies and by the government. These Boards would then have jurisdiction to make regulations for that region. Each regional area would have Advisory Committees to advise them, similar to the local advisory committees now in existence to the Board of Fish and Board of Game.

The Committee has not had the necessary time to go over these proposals with a fine toothed comb. They are basically concepts that are presented to the Legislature to be further reviewed and analyzed. We do not expect them to be implemented immediately, though the urgency is there, but we look toward the entire legislature to begin some serious thought on enacting legislation to permit the working in the subsistence area to go on. It is not a problem that will go away. As long as there are resources, there will subsistence.

IX. CONCLUSION

It is a very difficult chore to make any concise brief statements on subsistence in winding down this report. This issue will have to be approached not only as a whole, but each and every facet of the subsistence question must directly and deliberately be considered. This means encompassing the cultural, the legal, the economic and the administrative aspects in the development of a workable plan, program, or policy of subsistence for the State of Alaska.

The State of Alaska must act on subsistence in 1978. Subsistence users are uneasy about the lack of positive direction given to subsistence in the past. Uncertainty must be dispelled by recognizing the need to include subsistence activities in all land and water use policy decisions.

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SCOMM

#7:4

STATE of ALASKA

MEMORANDUM

TO: Sue Johnston, Librarian
Legislative Reference Library

DATE: October 25, 1979

FILE NO:

TELEPHONE NO:

SUBJECT:

FROM: Betty Abel, Administrative Assistant
Subsistence Section
Department of Fish and Game

Enclosed are copies of the testimony given at Alaska Public Forum Workshops around the State. The workshops were held by the Interim Committee on Subsistence. These copies are for your files and were given to us by Dave Hoffman from the Interim Committee on Subsistence office. Dave also had tapes the Committee made during discussions on SCS CSHB 960 am S, 1978 establishing the Subsistence Section of the Department of Fish and Game. We are going to have these tapes duplicated onto cassettes and will forward a copy to you for your records.

01-A2LH

STATE OF ALASKA

OFFICE OF THE GOVERNOR
ALASKA GROWTH POLICY COUNCIL
ALASKA PUBLIC FORUM

JAY S. HAMMOND, Governor

Phone 276-5262
Loussac-Sogn Building
429 D Street, Suite 310
Anchorage, Alaska 99501

September 5, 1977

COMMISSIONER'S OFFICE
RECEIVED
SEP 6 1977
DEPARTMENT OF FISH AND GAME

Commissioner Skoog
Department of Fish and Game
Subport Building
Juneau, Alaska 99801

Dear Commissioner Skoog:

After what seems like 300 revisions of the subsistence questions by many different people, we feel perhaps the best way to approach this issue in the Public Forum is to leave the questions open-ended (i.e. give no options).

I have certainly appreciated all the help your department has given us in the preparation of questions and background material. I hope that the piece included, which is the rough draft of what will go into the Forum tabloid, covers most of the essential points.

As you well know, it is a complicated issue. I have tried to write it simply enough so that the majority of people will understand.

Very possibly I may have missed some crucial elements. Unfortunately, I can not give you much time for review and critical comments as our time schedule is extraordinarily tight. Following comments from the Growth Policy Council on Wednesday when they meet here to review the questions and background material, we will begin to do the final rewriting and editing of material so it will be ready for the typesetters on Monday.

I will need your comments by Thursday afternoon at the latest. Perhaps you can phone them to me? If comments are extensive and you and members of your department would like to write them out, perhaps someone who is flying to Anchorage Wednesday or Thursday will carry them up. I can pick them up at the airport or wherever.

I'm sorry there is not more time. Believe me, things are like a madhouse up here.

In haste,

Nan Elliot

Nan Elliot
Publication Specialist

NEE:rj

9/5/77

SUBSISTENCE

The Alaska Public Forum

Introduction

One of the most sensitive and controversial issues facing the State in the area of fish and wildlife management is subsistence use of the resources.

At the heart of the dilemma lie these questions:

-----What exactly do people mean when they use the term "subsistence"?

-----Most importantly, recognizing that fish and wildlife are not limitless, and that there may not be enough for everyone, what criteria ~~and management~~ scheme should we use to equitably determine who may use these resources for subsistence purposes? and what management system should be used to regulate such uses

There are no easy answers.

In any discussion of hunting and fishing, we must keep one critical element clearly in focus---the protection of healthy populations of fish and wildlife. If we pursue them to extinction, any further discussion will be purely academic.

Under the terms of the Alaska Constitution, these resources are the common property of all Alaska citizens. The responsibility for managing resident populations of fish and wildlife rests with the State.

As Alaska's population grows, pressures on the fish and wildlife resources increase and conflicts over who should be allowed to hunt and fish intensify.

While no one relishes the idea of personal restrictions ~~in~~ on the use of fish & game resources this arena, it is unrealistic to expect that today's dependence on the land can continue forever. In short, demand will exceed

supply. The State, as manager, has already begun to assign some priorities for use of the resources.

Governor Hammond recently stated that "To preserve the potential for the subsistence way of life is an extremely high priority of my administration".

In a policy statement in 1973, the Alaska Department of Fish and Game and the Alaska Board of Fish and Game recognized subsistence as the highest priority ~~among consumptive uses (i.e. recreational, commercial)~~ of the resources.

Few people, we imagine, would argue against the State ~~showing~~ preferential treatment to the person who relies solely on the land and sea to provide for his or her existence.

But the issue is far more complicated than that.

There are relatively few examples today in Alaska of "pure" subsistence living. ("Pure subsistence" being defined as total reliance on the land for food, clothing and shelter.) In most cases, modern conveniences and technology have infused such a lifestyle with varying degrees of dependence on a cash-based economy. In addition, recreational, cultural and commercial pursuits overlap with subsistence or are intimately interwoven into one's interpretation of that way of life. While it may be possible to quantify how many pounds of meat and fish are necessary to keep one alive, it is impossible to measure the psychological or spiritual benefits of following such a lifestyle.

Although the administration has assigned subsistence highest priority in the area of fish and wildlife management, there are many who contend that the State has not followed through on that policy.

Indeed, the difficulty lies not in the recognition of the problem but rather the extreme difficulty in determining who the subsistence users are and what program might best be implemented to provide for that use.

Through the Public Forum process we hope that more people will come to an understanding of the whole issue and perhaps with more minds working on the problem we shall begin to perceive some kind of equitable solution.

What is Subsistence?

Although there is a State law defining it and several Federal and State policies recognizing it, there is no universally accepted definition for subsistence use of the resources.

In the Alaska Statutes, "subsistence fishing" is defined as "the taking, fishing for, or possession of fish, shellfish or other fishery resources for personal use and not for sale or barter". "Subsistence hunting" means "the taking of game animals by a state resident for food or clothing for personal or immediate use."

In 1973, the Federal-State Land Use Planning Commission sponsored an informal conference on "Subsistence Uses of Fish and Game in Alaska". The participants concluded that an all-encompassing definition should include (1) to sustain life, (2) for economic benefit, (3) for relaxation and recreation, and (4) to maintain a lifestyle or culture. The majority felt that "to sustain life" should be the highest priority and "to sustain a lifestyle" the second priority.

Some may define subsistence activities as the direct use of fish and wildlife for food, clothing and shelter. Others may include some commercial pursuits, such as the sale of ivory, furs

Still others feel the taking of resources is a vital part of the individual's cultural and historical heritage and involves traditional diet, art, religion.

(Note: Perhaps here we might list examples of some subsistence uses for the purposes of discussion. i.e. Is the taking of walrus predominantly for the ivory which will provide cash to buy necessities a "subsistence" activity? Is guiding others on hunting and fishing trips "subsistence" activity? Is the taking of a moose or caribou to supplement diet a subsistence activity if one depends mostly on a job for pay?

In the next decade we may be faced with a question which is at once very difficult and very sa.. If there are not enough fish and wildlife for all ~~subsistence~~ purposes, who should be allowed to fish and hunt?

Some people have suggested that it depends on the user's (1) degree of economic dependence, (2) past cultural or historical use, (3) local residency and/or (4) use of traditional versus modern methods and means of harvest.

Degree of economic dependence. Most ~~native~~ peoples ~~as well as other Alaskans~~ living in rural areas spend much of their time hunting, fishing, trapping, berry-picking, and greens gathering. These food sources supply a major portion of their diet. Although commercialization of fish, ivory and fur introduced subsistence people in Alaska ~~years~~ many years ago to a cash economy in many villages and outposts of the state there still exists a lack of other employment opportunities. This forces ~~most~~ many rural Alaskans to depend on food gathering for a significant part of their livelihood.

Cultural or historical use. Activities which sustain life often have roots which go much deeper than that of purely satisfying a physical need. For centuries the Alaska native people lived closely with the land and sea in order to survive. Subsistence

is an intimate part of [illegible]

culture. Last year during the Public Forum workshop in Bethel the protection of subsistence lifestyle was raised as a vital concern. One young man explained, "The young people who went out to school, like myself, when we couldn't have subsistence foods, sometimes we get up from the table with tears. I mean, you couldn't help that. It is not only to fill yourself, your hungry stomach, but also to fill your being...to have a good feeling, to have mental health and employment. If subsistence is threatened, then you take away all these things".

However, subsistence is not an exclusive ethnic pursuit. Historically, many Alaskans, regardless of their origins, have ~~homesteaders and trappers and their families~~ lived predominantly from the land. While their reasons for continuing in such a lifestyle may not be cultural ones, they too have many strong psychological and historical ties with the land.

Some believe that only Alaska natives should be allowed to continue subsistence activities. They maintain it is the only possible solution for protecting their heritage and unique cultures. Others feel that qualification as a subsistence user should not be dependent or affected by race or ethnic origin for it would be contrary to the Alaska State Constitution which recognizes all citizens as equal under the law. Furthermore, a "natives only" policy does not address the matter of need which will vary between individuals, communities and geographical areas regardless of ancestry.

Local Residency

Many feel that the people who harvest the resources for subsistence purposes should be given first ~~preference~~ priority to hunt and fish in the area in which they live. ~~That would~~

~~of residency~~. However, residency would it be based on a certain number of years? Would it allow subsistence hunting and fishing to newly arrived residents? As communities expand, pressures on existing fish and wildlife in the area needed to support subsistence activities will undoubtedly increase.

Traditional versus modern methods and means of harvest.

Modern technology has changed the pattern of subsistence living. Modern tools, firearms, and transportation methods are becoming increasingly available to the subsistence hunter and fisherman and their families. With this technology available the subsistence user has the capability of taking more animals than his needs may dictate. Thus, his impact upon the fish and wildlife can be much greater now than was possible in the past.

Only a few years ago it was customary for residents of Fairbanks and Anchorage to drive out of the city in the fall to shoot a moose or caribou for the winter. But now, with growing populations, game animals have been so heavily hunted near these urban areas, particularly along the road system, that this is seldom possible. As a result, urban dwellers have sought more remote wildlife using chartered aircraft, off-road vehicles, or riverboats. These modes of travel have also allowed rural Alaskans to range further and take more game than in the past. As a result competition is increasing for often diminishing wildlife resources.

Some people feel that those who use older, more traditional methods and means of harvest - such as travelling by foot or dogsled and using harpoon or bow - should be given a preference in subsistence pursuits. This would limit the take of the resources. Others argue that this option is unrealistic and comparable to asking

the urban dweller to give up his automobile and return to the horse and buggy.

More realistically perhaps, can we distinguish between someone who hunts subsistence by snowmachine or someone who charters an airplane to subsistence hunt. Both modes of transportation are modern. ~~But one is more traditionally used for hunting in Alaska.~~

Management of Fish and Wildlife

The State of Alaska is responsible for the management of all resident fish and wildlife. ~~The~~ Management and enforcement of regulations in this area lies with the Department of Fish and Game. There are two citizen regulatory boards -- The Alaska Board of Game and the Alaska Board of Fisheries which are appointed by the Governor. Citizen participation is encouraged and provided through the existing 53 fish and game advisory committees in the state.

These committees have increased local involvement in fish and game matters as opposed to the time when no such boards existed. However, lack of funding, formal organization and other frustrations have caused many people to conclude that the present advisory committee system no longer adequately addresses such things as subsistence needs, resource allocation, or stock depletion.

Thus it seems evident that more significant participation at the local level is required. It has been suggested that the State should establish regional fish and game boards which might actually set regulations affecting fish and wildlife management for the region. Final adoption powers would rest with a State Fish and Game Board. Regional subsistence councils with the authority to make initial determinations on all qualified subsistence users have also been suggested.

Another possibility is to legislate specific laws addressing the subsistence question. Many people fear this solution because it does not allow flexibility in accommodating subsistence. As one government official said we cannot "rigidly institutionalize" the term "subsistence" through one piece of legislation. That approach would not truly meet the lifestyle or cultural needs of the majority of Alaskans. What is subsistence to one ~~place~~ person or group differs from the meaning or emphasis of another ~~place~~ person or group.

The subsistence lifestyle is an evolving, changing way of life, not something cast in concrete. Whatever management structure we adopt should reflect the changing times as well as changing patterns of ~~the~~ animal ~~and marine world~~ numbers and distribution.

Additionally, subsistence requirements will not make equal demands on all resources in all areas. Recreational, commercial and other uses are also important and should continue to the extent that they do not truly interfere with or jeopardize ~~the~~ subsistence resource use.

Through the Public Forum process we hope that a discussion of the subsistence issue will not only generate a greater understanding of the complexities of the problem, but supply new ideas or solutions as to how we may best refine our present management system to address this very critical issue.

9/5/77

SUBSISTENCE QUESTIONS

1. What do ~~people~~ you mean when ~~they~~ you use the term "subsistence"? And what subsistence uses of fish and wildlife should have highest priority?

2. If there are not enough fish and wildlife for all ~~subsistence~~ uses, what criteria should be the basis for deciding who may use these resources for subsistence purposes?

3. ~~What management scheme would best assure healthy populations of fish and wildlife and also provide for valid subsistence uses?~~

~~How would you both provide for valid subsistence uses, and assure healthy populations of fish and wildlife continue to exist~~

How would you ~~provide~~ assure ~~that~~ healthy populations of fish and wildlife as well as provide for valid subsistence uses.

STATE of ALASKA

MEMORANDUM

TO: Commissioners

DATE: September 9, 1977

FROM: Fran Ulmer
Director
Policy Development and Planning
Office of the Governor

SUBJECT:

Attached is a revised version of the Public Forum questions and background discussion papers. Some of you shared comments with us on the first draft; they were appreciated and hopefully, satisfactorily incorporated in this revision.

Any recommended changes which you might have on the attached, would be greatly appreciated. Next week is our last opportunity to make changes in the questions and disussion papers, as the material will be printed for distribution soon after that.

Let me invite and encourage you to participate in the Forum sessions this fall. Please let us know which ones you will be able to attend.

cc: Governor's Staff

FAU/dp

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3101
DEPARTMENT Legislative Affairs
ATTENTION George Utermohle

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☑ For Your File	☑ Your Information

Remarks:

I am xeroxing some "subsistence" information for you, the discussion paper used by the Forum.

FROM:
MAIL STATION NUMBER 0164
DEPARTMENT Governor
BY [signature] DATE 10/11
02-002 (REV.10/73)

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3101
DEPARTMENT Legislative Affairs
ATTENTION George Utermohle

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☐ Comment	☐ Return As Requested
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☐ Prepare Reply	☐ Necessary Action
☑ For Your File	☑ Your Information

Remarks:

The final version of this draft can be obtained from Barry Quinn, Executive Director, Public Forum @ 276-5262

FROM:
MAIL STATION NUMBER 0164
DEPARTMENT Governor
BY [signature] DATE 10/11
02-002 (REV.10/73)

01-A2LH

STATE OF ALASKA

JAY S. HAMMOND, Governor

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429 D Street, Suite 310
Anchorage, Alaska 99501

OFFICE OF THE GOVERNOR

ALASKA GROWTH POLICY COUNCIL
ALASKA PUBLIC FORUM

1977 PUBLIC FORUM SCHEDULE

Dillingham	Monday	October 3
Togiak	Tuesday	October 4
Wainwright	Wednesday	October 5
Kotzebue	Wednesday	October 12
Noorvik	Thursday	October 13
Anchorage	Saturday	October 22
Nunapitchuk	Wednesday	October 26
Emmonak	Friday	October 28
Fairbanks	Saturday	November 5
Chalkyitsik	Tuesday	November 8
Kenai	Wednesday	November 9
A.F.N.	Friday	November 11
Galena	Thursday	November 17
Copper Center	Saturday	November 19
Cordova	Tuesday	November 29
Hoonah	Wednesday	November 30
Ketchikan	Saturday	December 3

8/25/77

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE

PROPOSED TRAVEL SCHEDULE FOR MEETINGS/HEARINGS -- Subject to Change

Kipnuk, Alaska	Anderson, Akers, Larson	September 3,4,5
Kotzebue, Alaska	Rodey, Cowper, Schaeffer, Anderson Larson	September 13
Nome, Alaska	Hayes, Cotten, Nakak, Anderson Larson	September 14
Fairbanks/Nenana/ Copper Center,Alaska	Cowper, Rodey, Anderson, Larson	October 3,4,5
Kodiak, Alaska	Rodey, Hayes, Nakak, Anerson, Larson	October 17
Anchorage, Alaska	ALL COMMITTEE MEMBERS (AFN, Inc. Convention/Public Hearing)	November 10,11,12
Galena, Alaska	Cotten, Akers, Cowper, Anderson, Larson	November 21
Juneau, Alaska	Schaeffer, Akers, Anderson, Larson	December 9
Barrow, Alaska	Schaeffer, Cotten, Hayes, Anderson, Larson	December 12

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE

The purpose of this committee is as follows:

1. Seek a consensus of subsistence by collecting all views on the subject by holding hearings and reviewing available information on the issue.
2. Refine information on the subject and make a proposal to the next legislature regarding what the term subsistence means.
3. Investigate hunting and fishing and quantify the amount of food taken from the land to determine the actual value of dependence by regions.
4. Determine the feasibility of having a subsistence economist on the staff of various departments involved with land management and resource management.
5. Determine the impact of the various D-2 land selection proposals on subsistence hunting and fishing.
6. Evaluate the compatibility of present and projected subsistence needs and activities with the State and Federal government fish & game management structures, policies, and regulations, investigate alternatives that are justified, and propose legislation that is required.

Rep. Vic D. Anderson Jr.

Alaska State Legislature

House

JUNEAU ALASKA

SUBSISTENCE

Many citizens of our State of Alaska are wrestling with the issue of subsistence. The word as commonly defined means the minimum of food and shelter necessary to support life or a source of means of obtaining the necessities of life.

Subsistence farming is a system of farming that provides all or almost all of the goods required by the farm family usually without surplus for sale. Alaskan people have harvested all of their food from the lands and waters of the State in the recent past. Even today much of the food on the tables of Alaskans comes from the land.

1. The Interim Committee on Subsistence would look at the Alaska lifestyle to determine how our citizens view the issue of subsistence. There is a vast storehouse of knowledge available on the subject which can be collected and analyzed for use in looking at land and water management policy. The idea would be to summarize existing information for developing a broader understanding of how subsistence impacts the lifestyle of all Alaskan residents.

2. Analysis of existing information would be necessary to refine the available information as seen through the eyes of an economist. Furthermore, the legislature would have a better understanding of what alternatives there are available to including subsistence in the development of a land and water management plan for the State. Finally, we would hope to bring to the legislature a better concensus of what the term "subsistence" in Alaska means to its people.

3. The Committee would gather available information to determine the amount of food taken from the land and waters of the State. Hearings would be held in several areas to hear urban and rural statements regarding their dependence on food taken from the land and waters of the State. An effort would be made to value an equivalent food replacement if it were purchased from store shelves.

4. State government does not have in its employ any staff to address subsistence as an economic base for its citizens. The Department of Fish and Game would be a candidate for an employee to deal with subsistence issues. Public statements regarding subsistence may fall on deaf ears unless a staff member can evaluate the impact of subsistence on new regulations regarding land and resource management.

Other departments which could benefit would be the Department of Natural Resources and the Department of Community and Regional Affairs. The Committee would take a close look at the need for subsistence staff and make recommendations to the legislature accordingly.

5. D-2 land considerations could have a dramatic affect on land and resource use by Alaska residents. Each resident who takes food from the land and waters of our State have a vested interest in protecting the source of their food supply. Fish, sea mammals, birds, berries, wood for fuel and building are important necessities that assist in supporting our citizens. A hard look at various D-2 proposals must be made and they should be examined to see that subsistence hunting, fishing and gathering activities are not preempted.

6. Our State must inform itself on the issue of subsistence to see that the concept is not destroyed before subsistence activities are curtailed by long range land and water management plans of the State and Federal government. The Committee would evaluate present and projected subsistence needs to see if they comply with the State and Federal governments' structures, policies and regulations.

Finally, the Committee would investigate various alternatives that are justified and propose legislation consistent with constitutional restraints.

NAA:agw

AUG 0 9 1977

TABLE OF CONTENTS

	Page
PREFACE	1 & 2
KUSKOKWIM DISTRICT	3
INTRODUCTION	3
District and Subdistrict Boundaries	3
Fishery Resources	3
Commercial Fishery	4
[redacted]	[redacted]
Management	[redacted]
DISTRICT SUMMARY OF THE 1976 COMMERCIAL FISHERIES	[redacted]
Licensing	[redacted]
Commercial Catches	[redacted]
Buyers and Processors	10
Economic Value	10
Enforcement	10
[redacted]	11
Commercial Fishery	11
King Salmon	14
Subdistrict 1	15
Subdistrict 2	15
Chum Salmon	16
Subdistrict 1	17
Coho Salmon	17
Subdistrict 1	17
[redacted]	[redacted]
Methods	[redacted]
Catch and Effort	[redacted]
Escapement	[redacted]
[redacted]	[redacted]
Commercial Fishery	[redacted]
Subsistence Fishery	[redacted]
Escapement	[redacted]
[redacted]	[redacted]
Commercial Fishery	[redacted]
Subsistence Fishery	[redacted]
[redacted]	[redacted]
OUTLOOK FOR 1977	24
King Salmon	24
Chum Salmon	24
Coho Salmon	24
Pink Salmon	25

ALASKA DEPARTMENT OF FISH AND GAME
DIVISION OF COMMERCIAL FISHERIES

[redacted]

STAFF

BETHEL FIELD OFFICE -- P. O. BOX 90
Michael D. Jonrowe (Kuskokwim Area Biologist)
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ANCHORAGE REGIONAL OFFICE -- 333 Raspberry Road
Gary Schaefer (Kuskokwim Research Biologist)

INDEX TO FIGURES AND TABLES

		Page
KUSKOKWIM DISTRICT		
[illegible]		
Table 1.	Kuskokwim district mileages	27
Table 2.	List of fishes found in the Kuskokwim area	28
Table 3.	Kuskokwim district emergency orders, 1976	29
Table 4.	Kuskokwim district regulatory changes, 1977	30
Table 5.	Summary of special projects conducted in the Kuskokwim district, 1976	31 & 32
DISTRICT SUMMARY		
Table 6.	Kuskokwim district processors and associated data, 1976	33 & 34
Table 7.	Kuskokwim district licenses issued by village and subdistrict, 1976	35
[illegible]		
Table 9.	Average weight of salmon taken in the Kuskokwim district commercial fishery, 1976	37
Table 10.	Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-10) all gear combined, 1976	38
Table 11.	Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-11), all gear combined, 1976	39
Table 12.	Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-12), all gear combined, 1976	40
Table 13.	Commercial salmon catches, upper Kuskokwim River (subdistrict 2, 335-20), all gear combined, 1976	41
Table 14.	Kuskokwim District age analysis data, 1976	42
[illegible]		
Table 16.	Commercial salmon catches, Quinhagak (subdistrict 4, 335-40), all gear combined, 1976	44
Table 17.	Aerial salmon escapement surveys in the Kuskokwim district, 1976	45-48
Table 18.	Commercial salmon catches, Goodnews Bay (subdistrict 5, 335-50) all gear combined, 1976	49

APPENDIX TABLES

		Page
KUSKOKWIM DISTRICT		
A. Table 1.	Kuskokwim district commercial and subsistence catches, 1913-1976	50
DISTRICT SUMMARY		
A. Table 2.	Kuskokwim district commercial, vessel, and gear licenses issued by subdistrict, 1960-1976	51
A. Table 3.	Kuskokwim district commercial catch by drainage, 1960-1976	52
A. Table 4.	Comparable commercial king salmon catch data, Kuskokwim district, 1900-1976	53
A. Table 5.	Commercial salmon pack by species in round weight (lbs). Kuskokwim district, 1964-1976	54
A. Table 6.	Mean salmon weights and prices paid to fishermen, Kuskokwim district, 1964-1976	55
A. Table 7.	Dollar value estimates of Kuskokwim district commercial fishery, 1964-1976	56
[illegible]		
A. Table 9.	Comparative commercial king salmon catch by fishing period during the king salmon season, Kuskokwim River (subdistrict 1, 335-10), 1965-1976	58
[illegible]		
A. Table 11.	Comparative commercial chum salmon catch data by fishing period during the chum salmon season, Kuskokwim River (subdistrict 1, 335-10), 1971-1976	60
A. Table 12.	Comparative commercial coho salmon catch date by week, lower Kuskokwim River (subdistrict 1, 335-10), 1965-1976	61
[illegible]		

APPENDIX TABLES (Continued)

Page

A. Table 18. Comparative Kuskokwim River drainage king salmon escapement counts..... 68

PREFACE

This report presents all available information concerning the management of commercial and subsistence fisheries in the Kuskokwim district. Although data from many special research projects are included in this report, complete documentation of these projects and results will be presented in separate reports. All catch data tables are based upon field data.

Data presented in this report supercedes information found in previous management reports. An attempt has been made to correct errors in previous reports and previously unrecorded data have been incorporated into this report which are so indicated by appropriate footnotes.

This report is organized into the following major sections:

1. District Introduction. This is a general and brief description of the area, inhabitants, fishery resources, fisheries and management practices.
2. District Summary. This section summarizes current year data for the area and makes comparisons with previous years.
3. Subdistrict Reports. There are several unique and separate fisheries in the district and separate comprehensive reports are presented for each.

In order to facilitate use of this report, the tabular data has been separated into current year tables and appendix tables where annual comparisons are made. The text for each major section is followed by current year tables and then appendix tables.

The following is an explanation of how effort and catch per unit effort data, presented throughout this report, have been derived. Total boat (or fisherman) hours are computed by arbitrarily assuming that if a fishing boat delivers in any 24 hour fishing period, it fished the

Commercial Fishery

Although the Kuskokwim district commercial fishery is the oldest in the AYK region with catches reported as early as 1913, commercial fishing did not mature for a half-century. For many years, small commercial mild-cure operations were conducted in or near Kuskokwim Bay while the Kuskokwim River fishery remained virtually undeveloped. During the 1930's when dog teams were intensely utilized for freight hauling, a "quasi-commercial" fishery operated in the McGrath area for the sale of dried, subsistence caught salmon for dog food. However, this fishery declined with the dog teams and the Kuskokwim district experienced little additional commercial effort until Alaska became a state more than twenty years later.

Commercial salmon fishing activity has grown significantly since statehood as district fishermen have been making the difficult transition from a subsistence culture to a cash economy. This has affected fishing effort, resulting in a tremendous expansion in fishermen numbers and in increased, sustained effort. Fishing vessels have remained virtually unchanged over the years, but increased utilization of highly mobile nylon drift nets has greatly improved the efficiency of the fleet. Of course, the overall expansion of the commercial fishery could not have been accomplished without improvements in processing and tendering facilities that have occurred throughout the district (Appendix Table 1).

King, red, coho, pink and chum salmon are of primary commercial significance in the Kuskokwim district. Although these fish are commercially utilized locally to some extent, the vast majority are transported from the district as a fresh or frozen product. Sheefish and whitefish are harvested incidentally to the salmon catch, however, a limited fall and

winter "whitefish fishery" is conducted to satisfy local market requirements.

Subsistence Fishery

District residents have long depended upon the fishery resources as a source of food. Until relatively recently, traditional fishing methods and materials limited the size and scope of the fishery. Spears, dip nets, fish traps, and willow or caribou strip gill nets were slowly supplanted by more efficient linen gill nets enabling the fishery to expand tremendously. Whitefish, cisco, black fish, pike, burbot, and sheefish have been historically utilized along with salmon, particularly chum salmon. Recent improvements in fishing gear, notably the introduction of nylon gill net webbing, have increased the availability and importance of king salmon since statehood. Estimated peak subsistence salmon harvest levels were reached during the 1930's coincidentally with the quasi-commercial McGrath fishery, but harvest trends indicated a continuing decline into the 1940's. Little additional catch data is available for the twenty year span prior to statehood (Appendix Table 1).

Today the dependence on fish for personal use remains as important as money realized from the commercial fishery. However, several factors, as yet not totally defined, are affecting the complexion of the subsistence fishery. These factors include:

(1) Increasing commercialization of subsistence products.

(2) Cultural changes of local residents.

(3) Various State and Federal social-aid programs.

Any management of the Kuskokwim district fishery resources must take into account the growing - and changing - requirements of the subsistence fishery.

Subsistence Salmon Roe Fishery

The Governor approved legislation on May 29, 1975 allowing the sale of subsistence caught salmon roe within the AYK region. In order to administer the legislation, the Commissioner of Fish and Game issued an emergency regulation in June, 1975 which controlled the purchase and sale of subsistence roe in portions of the region. The key elements of the emergency regulation were:

1) Permits are required of all persons or companies purchasing or processing subsistence-caught roe.
2) Revocation of permits upon violation of permit terms, regulations or laws.
3) Strict reporting requirements in regard to amount of subsistence-caught roe in order that estimates of subsistence harvests can be made.
4) Prohibition of subsistence-caught roe sales when subsistence harvests are likely to exceed traditional personal use needs.
5) Prohibition of subsistence-caught roe sales in districts and subdistricts where salmon runs are especially vulnerable to overharvest or where subsistence catches in the past have been negligible.

Numbers of salmon were "back-calculated" from reported subsistence roe poundages by utilizing in-season sampling of the various runs. Therefore, estimates of the subsistence harvest were possible and were available for in-season management purposes. Attachment 1 presents a comprehensive review of the "subsistence roe fishery".

Management

The Division of Commercial Fisheries of the Alaska Department of Fish and Game is responsible for the management of the commercial and

subsistence fisheries within the Kuskokwim district. The permanent staff assigned to this district includes one management biologist and two research biologists. In addition, 10-15 temporary summer employees are hired each season to assist the permanent staff in conducting various management and research studies.

The main objective of the Department's program is to manage the commercial salmon fisheries on a sustained yield basis in addition to obtaining needed information to determine the potential for commercial fisheries on under utilized species such as herring, char and whitefish. Present commercial salmon fishing regulations are still relatively restrictive in order to insure that sufficient salmon are provided for subsistence fishery and spawning ground requirements.

The basic regulation that governs the commercial salmon harvest in all districts is the scheduled weekly fishing period. Commercial fishing is normally allowed from 6 hours to four days a week during the open season, depending upon the sub-district and species involved. Fishing effort usually occurs during the entire run and not just during any particular segment of the run. Occasionally more, or less, fishing time is allowed, depending upon fishing conditions, the strength of the runs or spawning escapements as determined by special studies conducted by the Department.

Due to the vast size of the area and the turbid nature of many streams, accurate estimates of the size of salmon runs and the spawning escapements are difficult to obtain. Fishery management is also hampered by the relative lack of comparative catch and return information since all the fisheries were either initiated or expanded through regulation changes since 1961 and 1962. The management problem is further compounded by having to provide sufficient escapement after commercial fishing for the important subsistence fishery as well as for spawning purposes.

Subsistence Fishery

Methods: The annual survey of the Kuskokwim River subsistence fishery was initiated in 1960. During the early years, the Department utilized "smokehouse counts" to determine total utilization of subsistence-caught fish. In an effort to determine additional timing and magnitude data, the Department began using "subsistence catch calendars" which are distributed to fishermen prior to the fishing season. Subsistence fishermen enter their daily catches of salmon and non-salmon species on the calender. During July and August a Department crew utilizes a cabin skiff to travel more than 360 river miles (Eek to Swift River) to collect catch data from the individual fishermen in addition to recording certain information from non-fishing families. After the river survey is completed, catch questionaries are sent to those fishermen not individually contacted.

In the 1969 Annual Report, a review is presented regarding methods used to obtain subsistence harvest and related information. All subsistence information presented in tabular form in this report, except in Appendix Table 17 represents "expanded data". This includes those families known to have fished but for one reason or another were not personally contacted by the survey crew. Catch data for these families are assumed to be the same as the averages for the particular village and are included in most of the tables.

Reported coho salmon catches are very minimal as the coho salmon run occurs after the survey is completed. Most of the coho salmon catch data is obtained from the return of catch calenders. Prior to 1969, little effort was made to determine the coho salmon harvest. The coho salmon estimates are not included in the comparative catch tables.

Catch and Effort: The Kuskokwim River system's harvest included 57,917 king salmon and 223,792 chum salmon utilized by 672 fishing

families during 1976 (Table 11). The king salmon catch was the largest since 1970 and was 33 percent above the recent 15 year average (Appendix Table 13). The chum salmon harvest was 18 percent below the high 1974 catch, but 8 percent above the recent 16-year average (Appendix Table 14).

In order to evaluate the effect of snowmachines on the subsistence harvest, all fishing families interviewed since 1967 have been checked for the number of snowmachines they owned. The number of families owning snowmachines has more than doubled since 1969 (Appendix Table 15). Average numbers of snowmachines per fishing family during 1967-1975 are shown in Appendix Table 16.

The public relations aspect of the annual subsistence fishery survey is important to the success of the survey itself and the Department's management program. By any method tested, the results of the voluntary contribution of the people of this program are as accurate as the people are capable of giving. The major problem is that many of the fishermen are illiterate and speak only Eskimo and have to relay much of the catch information through their school-age children.

There is still a moderate sale or trading of dried salmon on the Kuskokwim River, but is not documented. People from the coastal delta villages still bring their pokes of seal oil to trade for dried fish. The lower river dried fish are now primarily being used for human consumption.

The use of the fishwheel to capture salmon is slowly disappearing from the Kuskokwim River. Only 8 fishwheels were used along the survey route in 1976, compared to 30 in 1965 and 65 in 1960. The fishwheel is being replaced by the much more mobile gill net, which involves a lot less time and effort to operate. The use of gill nets is a relatively new technique for most Kuskokwim River residents. The efficiency of the two types of gear is difficult to evaluate, as large catches are often made with both. Table 15 presents an overview of all the subsistence data conducted in 1976.

Escapement

Kuskokwim River drainage escapement estimates from aerial surveys have proved difficult and costly to obtain. Varying stream and weather conditions, in addition to pilot and observer skills, often make the data difficult to interpret (Appendix Table 18). Although aerial surveys will be continued for some streams, emphasis will be placed on obtaining accurate escapement figures by use of counting towers or weirs on several "key" spawning tributaries.

All the kuskokwim River aerial survey results for 1976 are presented in Table 12. Escapements of kings, chums and reds were generally above average as documented by aerial survey.

A counting tower has been operated yearly on the Kogrukluk River (Holitna River system) since 1969 (except 1971). The Kogrukluk River crew counted 3,261 kings, 9,170 chums, and 4,433 reds. The chum and red salmon counts were the highest on record, while the king count was average in magnitude.

QUINHAGAK (SUBDISTRICT 4)

Commercial Fishery

The Quinhagak fishery is one of two located south of the Kuskokwim River mouth (Figure 1). This fishery has traditionally been very sporadic due to unstable processing facilities, however, the commercial fishery has stabilized during the past few seasons.

Fishing regulations for this subdistrict are very similar to those found on the Kuskokwim River, except that there are no distinct fishing seasons. Beginning with the 1971 season, the basic fishing period was reduced from two 24-hour periods to two 12-hour periods per week. Commercial fishing is allowed only in Kuskokwim Bay waters. This is necessary to ensure escapement of adequate numbers of salmon up the

narrow Kanektok River. The vast majority of gear operated consists of drift gill nets that are fished at low tide in "gutters" located two to three miles off shore and next to shore at high tide. Most of the fishing takes place near the mouth of the Kanektok River.

The Kanektok River king salmon run is later than that of the Kuskokwim River and for this reason the Quinhagak fishery opening is delayed until mid-June. The delayed opening prevents possible interception of Kuskokwim River fish and aids in preventing overharvest of the king salmon run.

Fishermen were required to use small mesh gear (6-inch stretched mesh or smaller) during the entire commercial fishing season. This was necessary primarily to prevent selective harvesting of the larger, more productive king salmon by the large mesh nets. However, the mesh limitation was also designed to increase harvests of the more abundant "other salmon" species (i.e. red, pink, chum, and coho).

The commercial salmon season was opened on June 21 with two 12-hour fishing periods a week continuing until July 19 when an additional 12-hour period was added to the schedule. (Table 16). A total of 14,110 kings, 6,090 reds, 13,777 cohos, 31,412 pinks and 43,659 chums totalling 109,048 fish was taken. All catches were considerably above the recent 5 year averages with the exception of the red salmon catch (Appendix Table 3). Fishermen were placed on limit for much of the season by one of the major buyers. Commercial fishing effort totaled 181 fishermen, an 8 percent decrease from the record 1974 levels but still above average.

Subsistence Fishery

Accurate comparable subsistence data has been lacking for the Quinhagak subsistence fishery during recent years. However, observation by the staff indicates that dependence on subsistence fishing has not been high. Apparently the greatest amount of fishing effort occurs in

the Kanektok River after the commercial fishing season when mostly coho salmon are taken.

Methods used to tabulate catches made by Quinhagak fishermen were similar to those used for the Kuskokwim River survey. A total of 50 Quinhagak fishing families returning catch calendars reported catching 2,200 kings and 5,950 "other salmon"..

Appendix Table 17 shows comparative catch data for 1967-76.

Escapement

Escapement counts made during various aerial surveys of the Kanektok River system are shown in Table 17. Poor weather conditions frequently hampered aerial surveys in the Quinhagak subdistrict. The king salmon escapement appeared to be at least average in magnitude. Based on comparative catch data, escapement of all other species was probably average also.

GOODNEWS BAY (SUBDISTRICT 5)

Commercial Fishery

Traditionally, the male residents from the villages of Goodnews Bay and Platinum have gone to Bristol Bay each summer to fish or work in the canneries, leaving the women and children home to fish for subsistence purposes. Prior to 1968, there are no records indicating that commercial salmon harvests were ever made in Goodnews Bay. The Department held public meetings in the area during the early 1960's regarding the possibility of initiation of a commercial fishery, but the negative response from village residents plus the absence of salmon buyers precluded this development.

In late August of 1968, the commercial salmon fishing was opened by emergency order in Goodnews Bay. This commercial fishery was created as

a result of a request from area residents and Department surveys, which indicated that a small harvestable supply of salmon was available. The fishery has been sporadic in nature due to inconsistent processing capabilities and inclement weather.

The commercial salmon season was opened June 21. The harvest was composed of 4,417 kings, 5,575 reds, 9,852 cohos, 8,453 pinks and 10,354 chums, totaling 38,651 fish. The king salmon catch was 51 percent above the 1975 harvest and 56 percent above the recent five-year average. Numbers of reds were 40 percent below the 1974 record level but were 22 percent above the recent average. The coho salmon harvest was 54 percent below 1974 record but 6 percent above the five-year average, while the chum salmon harvest was 37 percent below the 1974 record and 36 percent above the recent average. Commercial fishing terminated on September 11 when buyers left the subdistrict (Table 18).

A total of 40 fishermen made commercial landings in 1976, a decrease of 24 fisherman below 1975 levels.

This fishery has an important potential enforcement problem, indicated by fishermen's reports of illegal commercial fishing in the Goodnews River. Department personnel held several meetings in Goodnews Bay to discuss the fishing activities, and toward the end of the season, illegal fishing in the Goodnews River abated somewhat.

Subsistence Fishery:

Subsistence information from Goodnews Bay was very sparse for 1976. Subsistence catches from the subdistrict are always minimal.

Escapement:

Escapements of all species in the Goodnews River appeared adequate.

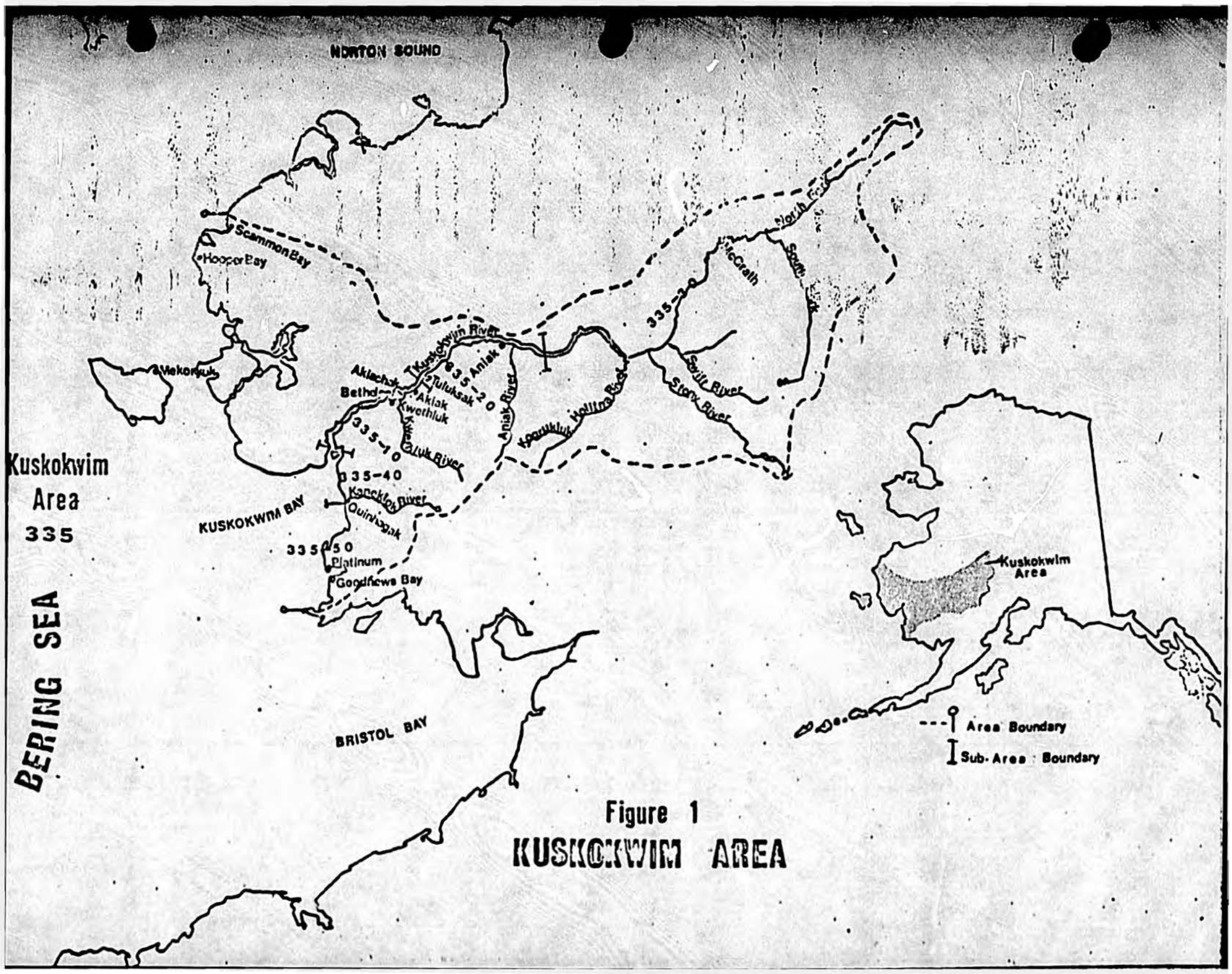

Figure 1

KUSKOKWIM AREA

Table 8. Commercial and subsistence salmon catches by species and statistical area, Kuskokwim district, 1976.

Subdistrict	King	Red	Coho	Pink	Chum 1/	Total
335-10 Lower Kuskokwim						
Commercial	27,418	2,971	87,933	133	176,727	295,182
Subsistence 2/	46,522	-	- 3/	-	140,258	186,780
Total	73,940	2,971	87,933	133	316,985	481,962
335-20 Middle Kuskokwim						
Commercial	3,317		568		1,137	5,022
Subsistence 2/	9,507		- 3/		58,537	68,044
Total	12,824		568		59,674	73,066
335-30 Upper Kuskokwim						
Commercial	0		0		0	0
Subsistence 2/	1,888		- 3/		24,997	26,885
Total	1,888		0		24,997	26,885
Subtotal Kuskokwim River						
Commercial	30,735	2,971	88,501	133	177,864	300,204
Subsistence 2/	57,917	-	- 3/	-	223,792	281,709
Total	88,652	2,971	88,501	133	401,656	581,913
335-40 Quinhagak						
Commercial	14,110	6,090	13,777	31,412	43,659	109,048
Subsistence 2/	2,217	-	- 3/	-	5,930	8,147
Total	16,327	6,090	13,777	31,412	49,589	117,195
335-50 Goodnews Bay						
Commercial	4,417	5,575	9,852	8,453	10,354	38,651
Subsistence	201	-	- 3/	-	1,428	1,629
Total	4,618	5,575	9,852	8,453	11,782	40,280
Total Kuskokwim District						
Commercial	49,262	14,636	112,130	39,998	231,877	447,903
Subsistence 2/	60,335	-	- 3/	-	231,150	291,485
Total	109,597	14,636	112,130	39,998	463,027	739,388

1/ Subsistence catches contain small numbers of red and pink salmon.

2/ Expanded data.

3/ Insufficient data for valid determination.

Table 15. Kuskokwim River subsistence fishery data, 1976.

Village	Fishing Family Data				Estimated Salmon catch 1/			Units of Gear		
	Families	People	Dogs	Snow-Machines	King	Other 2/ Salmon	Coho 3/	8-1/2" Nets	5-1/2" Nets	Fish Wheels
Kipnuk										
Kwigillingok					75	463				
Kongigonak					122	439				
Eek	24	134	75	28	3232	3637	788	19	15	
Tuntutuliak	29	183	112	36	4807	8390	50	27	25	
Kasigluk	29	240	8	37	1613	4044	6	19	19	
Nunapitchuk	33	223	134	54	2578	6466	85	23	23	
Atmauthluak	13	82	33	15	1159	3361	85	12	10	
Napakiak	34	204	83	42	3330	9265	212	32	31	
Oscarville	7	45	31	7	623	2376	40	7	3	
Napaskiak	18	121	63	22	3566	21380	138	18	19	
Bethel	97	720	258	105	13215	26533	437	83	78	
Kwethluk	43	245	203	58	4193	26443	677	41	40	
Akiachak	29	209	91	43	4915	15298	752	26	25	
Akiak	22	135	207	28	3076	12163	174	23	25	
Tuluksak	22	169	98	30	1411	11673	160	19	23	
Lower Kalskag	23	139	105	26	4536	17158	11	18	20	
Upper Kalskag	15	83	73	15	1413	8527	167	11	13	
Aniak	14	73	47	13	1490	13355	152	10	7	2
Chuathbaluk	9	58	26	26	657	7824	143	8	8	
Napaimute	2	7	8	2	420	1636	17		2	1
Georgetown										
Crooked Creek	5	35	20	3	264	3236		2	4	1
Red Devil	3	15	13	3	195	4231		1	3	1
Sleetmute	13	57	50	5	356	7571	57	3	13	
Stony River	6	30	36	9	620	5523		2	7	3
Lime Village	4	18	33		33	2800	161		6	
Totals	494	3225	1880	607	57917	223792	4312	404	419	8

1/ Expanded data.

2/ Mostly chum with lesser number of reds, pinks, and a few small kings.

3/ Data is very fragmented and minimal.

Appendix Table 8. Total utilization of Kuskokwim River king salmon, 1960-1976.

Year	Commercial Catch 1/	Subsistence Catch 2/	Total Utilization
1960	5,969	20,361	26,330
1961	18,918	30,910	49,828
1962	15,341	14,642	29,983
1963	12,016	37,246	49,262
1964	17,149	29,017	46,166
1965	21,989	27,143	49,132
1966	25,545	49,606	75,151
1967	29,986	57,875	87,861
1968	34,278	30,230	64,508
1969	43,997	40,138	84,135
1970	39,290	69,204	108,494
1971	40,274	42,926	83,200
1972	39,454	40,145	79,599
1973	32,838	38,526	71,365
1974	18,664	26,665	45,329
1975	21,720	47,784	69,504
1976	30,735	57,917	88,652
5 year average	30,590	39,209	69,799

1/ Subdistricts 335-10, 335-20 and 335-30.
2/ Catches are expanded and include all villages surveyed each year. Data includes a few villages not included in comparative catch tables.

Appendix Table 10. Total utilization of Kuskokwim River chum salmon, 1960-1976

Year	Commercial Catch 1/	Subsistence Catch 2/	Total Utilization
1960		327,297	327,297
1961		185,447	185,447
1962		165,626	165,626
1963		141,550	141,550
1964		189,660	189,660
1965		283,459	283,459
1966		174,660	174,660
1967	148	205,263	205,411
1968	187	260,023	260,210
1969	7,165	198,628	205,793
1970	1,664	245,550	247,214
1971	68,914	116,391	185,305
1972	78,619	120,316	198,935
1973	148,746	179,259	328,005
1974	171,887	277,170	449,057
1975	181,840	176,389	358,229
1976	177,864	223,792	401,656
5 yr. average	130,001	173,905	303,906

1/ Subdistricts 335-10 and 335-20.
2/ Catches are expanded and include all villages surveyed each year, 335-10, 335-20 and 335-30.

Appendix Table 13. Comparative Kuskokwim River king salmon subsistence catches by village, 1960-1976

Village	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Kwigillingok, Kipnuk, Kongiganak	250	283	54	229	414	0[1]	205	957	70	385	1,111
Eek	1,474[3]	2,238[3]	1,060[3]	2,697[3]	1,857	2,737	2,872	4,375	2,760	2,037	2,065
Tuntutuliak	226	2,226	842	2,853	1,826	1,978	3,061	3,338	2,026	2,195	3,558
Kasigluk	135	1,215	127	1,302	[4]	513	1,875	2,766	1,360	2,888	3,931
Nunapitchuk	683	2,042	848	1,874	636	490	2,875	1,926	1,360	2,279	4,680
Atmauthluak[6]											1,205
Napakiak	1,830	2,573	2,191	3,148	2,677	1,670	3,592	3,922	2,317	3,546	4,960
Oscarville	1,968	282	75	309	339	678	301	1,327	393	457	542
Napaskiak	536	1,258	759	1,569	2,201	1,412	2,935	3,091	1,647	2,227	3,446
Bethel	1,923	4,150	1,378	7,019	4,114	3,342	7,604	11,772	4,900	7,472	17,026
Kwethluk	2,692	3,763	2,329	5,050	3,262	4,538	6,135	6,889	3,549	3,187	7,932
Akiakchak	1,626	3,052	1,800	2,533	3,488	3,952	4,957	5,543	3,415	2,602	7,022
Akiak	1,865	3,159	906	2,869	2,495	1,774	3,941	3,790	1,332	1,275	3,290
Tuluksak	737	1,486	493	1,295	572	1,019	1,559	1,710	1,048	1,131	1,995
Lower Kalskag	961	571	805	2,661	710	841	1,918	1,733	1,463	2,083	2,146
Upper Kalskag	667	1,049	[7]	[7]	1,143	719	1,333	1,699	1,404	1,623	734
Aniak	1,057	688	185	602	1,104	494	2,002	1,415	467	1,406	2,136
Chuathbaluk	64	54	10	30	74	29	139	217	40	180	219
Napamute	20	16	44	52	134	2	78	60	100	19	22
Crooked Creek	747	518	561	859	1,358	363	1,249	638	77	541	684
Georgetown	[10]	[10]	[10]	[10]	[10]	[10]	12	[10]	[10]	9	2
Red Devil	[10]	40	144	228	314	[10]	182	[10]	111	142	232
Sleetmute	465	222	[9]	[9]	[9]	491	149	343	200	267	161
Stony River	435	25	31	67	299	101	632	364	191	2,187	105
Totals	20,361	30,910	14,642	37,246	29,017	27,143	49,606	57,875	30,230	40,138	69,204

Village	1971	1972	1973	1974	1975	1976	1960-1973 Average	1974-1976 Average
Kwigillingok, Kipnuk, Kongiganak	241	10	75	[10]	[10]	197	330	65.67
Eek	1,882	1,969	1,981	2,356	2,110	3,232	2,286	2,566
Tuntutuliak	1,841	3,214	2,859	1,577	3,492	4,807	2,289	3,292
Kasigluk	1,645	1,292	1,864	1,411	1,713	1,613	1,609	1,579
Nunapitchuk	1,970	2,496	2,663	1,165	2,092	2,578	1,916	1,945
Atmauthluak[6]	548	864	1,106	382	1,042	1,159	931	861
Napakiak	1,868	2,009	1,763	1,224	2,864	3,330	2,719	2,473
Oscarville	570	196	586	180	891	623	573	565
Napaskiak	1,916	1,578	2,048	900	2,308	3,566	1,902	2,258
Bethel	8,731	8,371	8,898	4,631	11,688	13,215	6,907	9,845
Kwethluk	5,564	5,137	3,444	2,694	3,179	4,193	4,534	3,355
Akiakchak	4,818	3,872	2,592	1,726	3,534	4,915	3,662	3,392
Akiak	2,688	1,899	1,895	1,292	2,837	3,076	2,366	2,402
Tuluksak	1,280	1,318	1,322	883	1,338	1,411	1,212	1,211
Lower Kalskag	2,355	2,604	1,309	1,586	2,755	4,536	1,583	2,959
Upper Kalskag	601	401	938	463	1,752	1,431	1,026	1,215
Aniak	1,076	2,105	1,030	1,952	1,391	1,490	1,126	1,611
Chuathbaluk	179	261	942	674	594	657	174	642
Napamute	17	20	13	6	226	420	43	217
Crooked Creek	291	183	269	650	238	264	596	384
Georgetown	0	0	0	[9]	[10]	[10]	4	[10]
Red Devil	135	182	138	205	623	195	168	341
Sleetmute	181	69	504	269	256	356	277	294
Stony River	2,521[11]	95	287	439	861	653[11]	524	651
Totals	42,926	40,145	38,526	26,665	47,784	57,917	38,757	44,122

1/ Included with other villages.
2/ Does not include 1965
3/ Estimates based on catch data through 1969
4/ Included with Eek
5/ Does not include 1964
6/ New village of Atmauthluak segregated in 1970 from parent village of Nunapitchuk.
7/ Included with Lower Kalskag
8/ Does not include 1962 and 1963
9/ Included with Red Devil
10/ Data not available
11/ Includes Lime Village

ndix Table 14. Comparative Kuskokwim River "other salmon" subsistence catches by village, 1960-1975.[1/2/]

age	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1960-1973 Average	1974 1976 Average
uk, Kongiganak, KWINHE																			
igillingok, KWIG···	1,430	3,279 4/	1,990 4/	2,562 4/	2,323	0	680	2,846	2,800	2,481	3,937	1,110	1,284	807	9/	9/	902	1,966	902
EEK	4,094 4/	2,321 4/	2,072 4/	1,771 4/	3,151	2,898	1,324	1,922	3,503	3,436	4,855	2,213	783	2,401	4,227	2,754	4,425	2,625	3,802
utuliak, TUNT···	4,101	8,526	9,692	6,791	8,421	18,993	9,747	11,531	14,090	17,462	10,600	9,964	11,103	13,572	28,321	7,429	8,440	11,042	14,730
gluk KASIGLUK	1,400	3,657	1,705	1,020	5/	4,041	3,058	2,309	4,311	3,308	5,731	2,043	1,934	6,090	6,773	3,708	4,050	3,124	4,843
pitchuk NUNAP···	2,743	4,868	7,474	2,462	1,171	4,251	4,145	6,278	7,731	6,934	11,412	3,375	5,600	7,663	12,498	5,447	6,551	5,436	8,165
uthluak ATMAUTH···											1,191	1,197	947	2,818	4,585	2,524	3,446	1,538	3,518
ekok NAPAKIAK	19,888	5,789	6,167	3,711	12,312	12,928	9,275	12,685	12,700	12,390	16,371	4,427	5,191	8,461	21,494	11,630	9,477	10,164	14,200
uitte OSCARVILLE	3,948	1,680	1,723	1,025	487	8,010	407	2,580	2,104	2,743	4,669	1,675	498	3,081	6,617	3,237	2,416	2,474	3,756
ktak NAPAKIAK	5,199	4,286	5,546	3,584	6,275	26,206	8,743	8,585	12,409	11,655	11,169	7,039	8,858	8,478	20,467	12,930	21,518	9,145	18,305
T BETHEL	12,972	12,845	8,470	8,623	15,623	19,099	14,011	14,055	28,603	14,613	33,475	9,905	16,885	33,930	34,892	26,808	26,970	17,365	29,223
luk KWETHLUK	32,975	21,106	22,788	13,188	19,186	37,780	18,707	23,872	36,645	23,462	27,702	13,941	11,721	19,565	39,747	19,183	27,120	23,046	28,763
ktak OKIAKCHAK	15,932	12,518	10,521	6,725	10,096	25,138	15,049	13,584	19,461	10,306	29,776	12,298	9,266	9,864	15,108	14,008	16,050	14,324	15,055
AKIAK	13,061	8,205	6,551	8,478	9,659	12,297	10,622	9,332	13,775	9,854	13,003	9,264	5,108	6,118	18,424	18,890	12,337	9,666	16,553
ksak TOKLIKSUK	19,261	7,928	8,526	10,289	9,777	12,820	11,670	8,898	11,114	6,058	7,626	5,115	5,145	5,948	13,261	7,819	11,833	9,298	10,971
r Kalskag LOWER	11,563	7,764	16,478	23,249	9,472	21,906	10,346	16,018	8,114	8,468	11,158	3,509	3,490	2,873	12,265	9,823	17,169	11,029	13,085
r Kalskag UPPER	38,398	27,149	7/	7/	11,391	11,970	6,236	8,364	9,733	9,413	5,309	3,530	1,460	5,607	9,631	6,904	8,694	11,547	8,409
k ANIAK	36,673	15,935	10,120	10,608	17,874	11,353	12,484	16,788	17,341	15,127	10,030	4,933	5,243	13,547	9,305	9,597	13,507	14,147	10,803
tnbaluk CHUATH····	22,370	2,922	3,784	2,629	5,059	6,507	5,625	7,249	11,588	7,523	10,971	5,632	8,509	14,171	4,287	561	7,967	8,181	4,271
Pute NUNAPITCHUK	11,017	6,235	3,898	5,192	4,873	704	3,704	5,750	1,774	1,453	1,224	1,862	4,645	3,451	76	226	1,653	3,504	651
ed Creek, CROOKED	41,263	17,558	27,259	23,166	32,550	18,986	19,467	14,365	12,704	6,810	9,216	3,094	3,658	1,981	4,954	2,461	3,236	16,577	3,550
ycetown GEORGETOWN	9/	9/	9/	9/	9/	9/	70	9/	2,030	3,664	800	0	0	10	9/	9/	9/	939	9/
Devil RED DEVIL	9/	1,350	9,007	5,367	5,706	9/	2,746	9/	2,400	1,130	2,454	1,067	1,695	2,782	2,688	4,481	4,231	3,246	3,800
nute SLEETMUTE	17,259	6,884	10/	10/	10/	11,707	2,611	6,875	11,218	8,258	4,464	3,203 11/	4,293	2,168	4,212	5,761	7,628	7,176	5,867
r River STONY	11,750	2,642	1,855	1,110	4,254	15,865	3,933	11,377	13,875	12,080	8,407	5,995 11/	3,000	3,875	4,328	5,202	8,484 11/	7,144	6,004
ls	327,297	185,447	165,626	141,550	189,660	283,459	174,660	205,263	260,023	198,628	245,550	116,391	120,316	179,259	277,170	176,389	228,104	205,183	229,246

Catches include a majority of chum salmon but include small numbers of red, coho, pink and small king salmon.
1965 to 1972 catches do not include late coho salmon catches.
Does not include 1965.
Estimate based on catch data through 1970.
Included with Eek.
Does not include 1964.
Included with Lower Kalskag.
Does not include 1962 and 1963.
Data not available.
Included with Red Devil.
Includes Lime Village.

Appendix Table 15. Comparative subsistence fishing data between families owning and not owning snowmachines, Kuskokwim River, 1967-1976. 1/

Year	Families	People	Dogs	Snow-machines	Average per family					
					People	Dogs	Snow-machines	Kings	Other Salmon	Percent fam with snowma
1967										
With snowmachine	59	410	288	63	6.95	4.88	1.07	143	355	14
Without snowmachine	359	2,264	1,963	0	6.31	5.47	0	101	404	
1968										
With snowmachine	159	1,100	808	182	6.92	5.08	1.14	70	382	30
Without snowmachine	374	2,247	2,052	0	6.01	5.49	0	51	493	
1969										
With snowmachine	158	1,097	876	189	6.94	5.54	1.20	78	306	45
Without snowmachine	191	1,208	1,173	0	6.32	6.14	0	71	425	
1970										
With snowmachine	287	1,962	1,413	375	6.84	4.92	1.31	121	380	58
Without snowmachine	212	1,201	972	0	5.66	4.58	0	87	413	
1971										
With snowmachine	361	2,459	1,504	494	6.79	4.16	1.37	89	243	74
Without snowmachine	128	734	601	0	5.73	4.70	0	84	278	
1972										
With snowmachine	278	2,096	949	385	7.54	3.41	1.38	76	220	77
Without snowmachine	85	508	328	0	5.98	3.86	0	48	247	
1973										
With snowmachine	343	2,246	1,375	506	6.55	4.00	1.48	79	362	81
Without snowmachine	81	429	283	0	5.15	3.49	0	47	254	
1974										
With snowmachine	337	2,153	1,339	491	6.39	3.97	1.46	47	495	88
Without snowmachine	68	350	158	0	5.15	2.32	0	29	342	

Appendix Table 15. Comparative subsistence fishing data between families owning and not owning snowmachines, Kuskokwim River, 1967-1976. 1/ (Continued)

Year	Families	People	Dogs	Snow-machines	Average per family					Percent families with snowmachines
					People	Dogs	Snow-machines	Kings	Other Salmon	
1975										
With snowmachine	313	2,029	1,252	482	6.55	4.00	1.54	79	309	84
Without snowmachine	59	313	126	0	5.30	2.13	0	62	301	
1976										
With snowmachine	416	2,815	1,578	607	6.77	3.79	1.46	91	340	81
Without snowmachine	78	410	302	0	5.26	3.87	0	60	306	

1/ Unexpanded data.

Appendix Table 16. Comparative Kuskokwim River subsistence fishery data, 1960-1976 4/

Year	Fishing families surveyed	Mean numbers per fishing family					
		People	Dogs	Snow-machines 1/	King Salmon	Other salmon 3/	Fishwheels
1960	247	5.89	6.66		60	1,074	2/
1961	342	6.02	6.33		39	453	.19
1962	349	6.50	6.30		79	470	.18
1963	405	6.14	5.29		87	351	.11
1964	394	6.33	5.44		70	454	.10
1965	332	5.95	5.45		64	669	.08
1966	492	5.91	4.49		91	320	.06
1967	472	6.36	5.22	.18	106	375	.06
1968	567	6.23	5.31	.35	53	447	.06
1969	376	6.49	5.51	.53	78	385	.05
1970	514	6.33	4.65	.75	108	384	.02
1971	488	6.53	4.30	1.01	88	238	.01
1972	576	6.78	3.08	1.00	51	166	.02
1973	408	6.55	3.84	1.48	81	356	.02
1974	596	6.24	3.61	1.12	45	466	.02
1975	437	6.41	3.99	1.35	79	310	.02
1976	494	6.53	3.81	1.23	86	335	.02

1/ Snowmachine count started in 1967.
2/ Information not available.
3/ Does not include coho salmon.
4/ Unexpanded data.

Appendix Table 17. Quinhagak subsistence fishery data, 1967-1976 1/

		Averages Per Fishing Family							
Year	Total Fishing Families	People	Dogs	Snow-machines	King Salmon	Dog Dalmon	Coho Salmon	8 1/2" Nets	5 1/2" Nets
1967	19	6.43	4.00		71	231		.86	1.00
1968	46	5.59	4.07	.28	88	234	380	.48	.54
1969	59	5.38	3.41	.46	27	29	179	.72	.28
1970	46	6.02	2.76	.74	47	110		.64	.69
1971	41	5.83	2.37	.73	55	87	36	.54	.73
1972	54	6.41	2.30	.80	56	116	9	.44	1.00
1973	44	5.80	2.07	.98	61	98	83	1.02	.98
1974	47	5.53	2.31	1.17	46	78	87	.63	.74
1975	46	5.86	1.85	1.13	71	88		1.00	.93
1976	50	5.62	2.2	1.42	44	119		0.84	1.24

1/ Expanded data.

Table of Contents

Table of contents . . . . . 1.
Index to figures, tables and appendix tables . . . . . iii.
Preface . . . . . 1.

Norton Sound-Port Clarence-Kotzebue district
[redacted]
Special studies . . . . . 12.
Emergency orders and regulations . . . . . 16.

Norton Sound District
District and subdistrict boundaries. . . . . 19.
Commercial fishery . . . . . 19.
Subsistence fishery . . . . . 22.
District summary 1976
Commercial fishery . . . . . 23.
[redacted]
Subdistrict summaries, 1976
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

Alaska Department of Fish & Game
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Index to Figures, Tables and Appendix Tables

Figures

[redacted]

Figure 2. Norton Sound district showing commercial fishing subdistricts. . . . . 18.

[redacted]

Norton Sound District (333)

Table 1. Norton Sound district subsistence catches, 1976 . . 42.
Table 2. Norton Sound salmon escapement data, 1976 . . . . . 43.
Table 3. Commercial salmon catches from Nome (subdistrict 1), Norton Sound, set gill nets, 1976 . . 44.
Table 4. Commercial salmon catches from Golovin (subdistrict 2), Norton Sound, set gill nets, 1976 . . 45.
Table 5. Commercial salmon catches from Moses Point (subdistrict 3), Norton Sound, set gill nets, 1976 . . 50.
Table 6. Commercial salmon catches from Norton Bay (subdistrict 4), Norton Sound, set gill nets, 1976 . . 52.
Table 7. Commercial salmon catches from Shaktoolik (subdistrict 5), Norton Sound, set gill nets, 1976 . . 55.
Table 8. Commercial salmon catches from Unalakleet (subdistrict 6), Norton Sound, set gill nets, 1976 . . 58.

Appendix Table 1. Vessel and gear licenses issued, Norton Sound, 1961-1976 . . . . . 62.

[redacted]

Appendix Table 3. Mean weights and numbers of salmon per case, Norton Sound District, 1962-1976. . . . . 66.

Appendix Table 4. Estimated mean prices paid to fishermen, Norton Sound District, 1962-1976 . . . . . 66.

Appendix Table 5. Dollar estimates of Norton Sound District commercial fishery, 1961-1976 . . . . . 67.

[redacted]

Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

[redacted] 6)

Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

[redacted]

[redacted]

District boundaries. . . . . [redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . 83.
Escapement . . . . . 83.
Discussion . . . . . 83.

[redacted]ct

District boundaries . . . . . 92.
Commercial fishery-salmon. . . . . 92.
Commercial fishery-other species . . . . . 96.
[redacted] . . . . . [redacted]
Escapements . . . . . 99.
Kotzebue District-Outlook for 1977 . . . . . 100.

Appendix
Table 6. Commercial salmon pack by species and type of processing, Norton Sound District, 1961-1976 . . . . . 68.
Appendix
Table 7. Comparative aerial survey counts of Norton Sound streams, 1961-1976 . . . . . 69.
Appendix
Table 8. Comparative Norton Sound District commercial catch data, 1974-1976, subdistrict 1 (Nome) . . . . . 72.
Appendix
Table 9. Comparative Norton Sound District commercial catch data, 1962-1976, subdistrict 2 (Golovin) . . . . . 73.
Appendix
Table 10. Comparative Norton Sound District commercial catch data, 1962-1976, subdistrict 3 (Moses Point). . . . . 74.
Appendix
Table 11. Comparative Norton Sound District commercial catch data, 1974-1976, subdistrict 4 (Norton Bay) . . . . . 75.
Appendix
Table 12. Comparative Norton Sound District commercial catch data, 1969-1976 subdistrict 5 (Shaktoolik) . . . . . 76.
Appendix
Table 13. Comparative Norton Sound District commercial catch data, 1961-1976, subdistrict 6 (Unalakleet) . . . . . 77.

Port Clarence District (332)

[redacted]

Kotzebue District (331)
Table 9. Commercial salmon catches from Kotzebue District (331) set gill nets, 1976 . . . . . 102.
Table 10. Kotzebue District aerial surveys, 1976 . . . . . 105.
Appendix
Table 16. Commercial and subsistence salmon catches, Kotzebue District, 1914-1976 . . . . . 106.
Appendix
Table 17. Kotzebue District commercial, vessel, and set gill net licenses issued, 1962-1976 . . . . 107.
Appendix
Table 18. Salmon pack by species and type of processing, Kotzebue District, 1962-1976 . . . . . 108.
Appendix
Table 19. Comparative commercial chum salmon catch statistics, Kotzebue District, 1962-1976 . . . . . 110.
Appendix
Table 20. Dollar value estimated of Kotzebue District commercial fishery, 1962-1976. . . . . 111.
Appendix
Table 21. Mean weights and number of salmon per case, Kotzebue District, 1962-1976 . . . . . 112.
Appendix
Table 22. Estimated mean prices paid to fishermen by species, Kotzebue District, 1962-1976 . . . . . 113.

[redacted]

Attachment 1. Norton Sound-Kotzebue district processors and associated data, 1976 . . . . . 123.

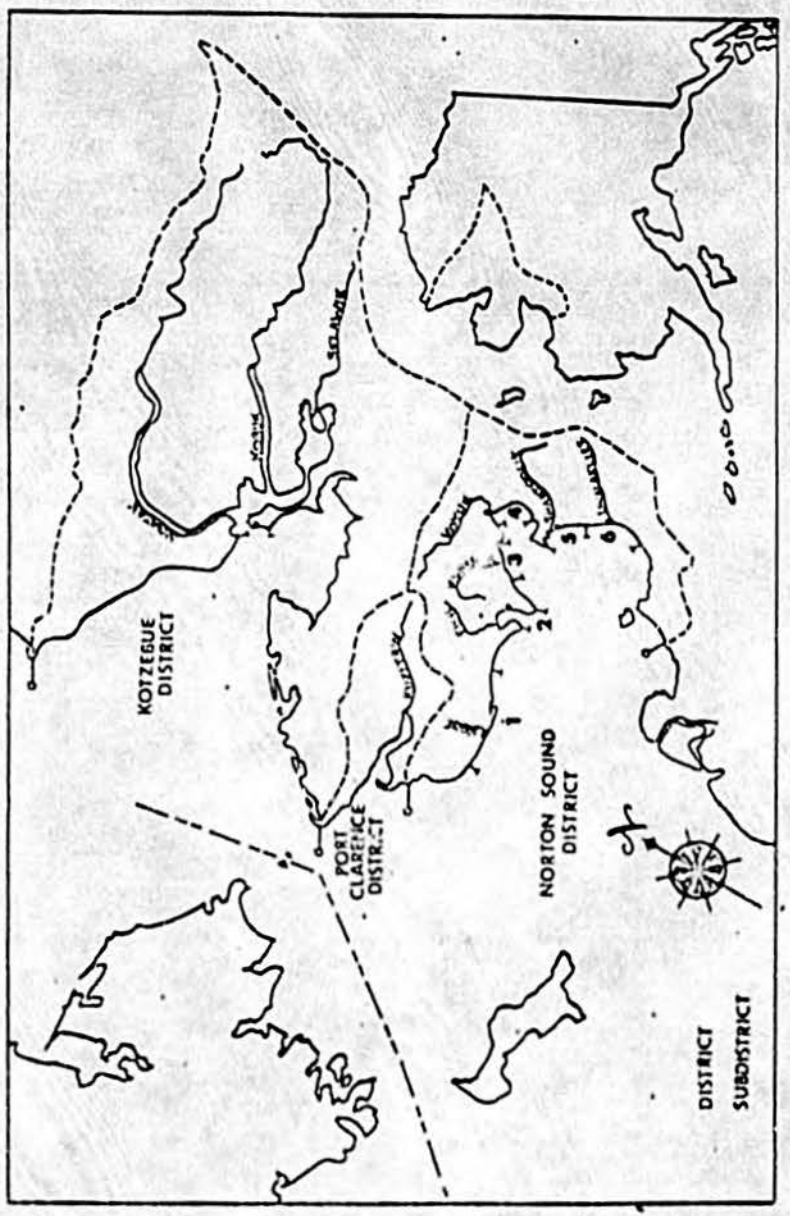


Figure 1. Norton Sound-Port Clarence-Kotzebue Districts.

Subsistence catch information has been derived from interviews of subsistence fishermen, actual counts of subsistence fish and subsistence catch forms distributed to fishermen. Subsistence salmon catches in the Nome subdistrict (subdistrict 1) have been determined from the return of catch forms as required under a permit system.

Sound. A small red salmon (O. nerka) population exists in Salmon Lake on the Seward Peninsula and in Kelly Lake on the Noatak River near Kotzebue.

Other species common to the freshwater and coastal marine habitats are: sheefish, whitefish, Arctic char, lake trout, arctic grayling, burbot, suckers, sculpins, blackfish, sticklebacks, lampreys, smelt, herring, cods, flounders, crabs, shrimps and mollusks.

Water quality

Except for sections of the Seward Peninsula, water quality and spawning habitats in the area have been largely preserved in their original condition because land development activities have been minimal or non-existent. The future impact of oil development, mining activities, road construction and gravel removals on water quality and area fishery resources remains to be seen.

Commercial fishing

In 1959 and 1960, Department biologists conducted reconnaissance surveys which indicated harvestable surpluses of salmon were available in several districts and were not being commercially utilized. The Department liberalized various regulations and encouraged processors to explore and develop new fishing grounds. As a result, commercial salmon fishing activity has grown significantly since statehood, enabling many area residents to obtain a cash income.

NORTON SOUND-PORT CLARENCE-KOTZEBUE DISTRICT

Introduction

The Norton Sound-Port Clarence-Kotzebue management district includes all coastal waters from Canal Point Light in southern Norton Sound to Point Hope, approximately 160 miles northwest of Kotzebue and includes St. Lawrence Island (Figure 1). This management area comprises over 65,000 square miles with a coastline exceeding that of California, Oregon and Washington combined.

Fishery resources

All five species of Pacific salmon are indigenous to the area with chum salmon (Oncorhynchus keta) being the most abundant. Although chum and pink salmon have been found as far north as Barrow and in the Beaufort Sea adjacent to the mouth of the Sagavanirktok River, these species become relatively rare north of the Kotzebue Sound drainage. The largest spawning runs of king salmon (O. tshawytscha) occur in Norton Sound. King salmon are uncommon north of the Shaktoolik River in Norton Sound but have been found as far north as the Wulik River, located about 100 miles northwest of Kotzebue. Coho salmon (O. kisutch) are uncommon north of Norton Sound, but have been found in Kotzebue

Nearly all area commercial fishermen and processing plant workers are resident Eskimos. Commercial fishermen operate set gill nets to capture salmon from outboard powered skiffs. All commercial salmon fishing is done in coastal marine waters.

Declines in subsistence salmon utilization have made increases in commercial utilization possible during recent years. Additionally, there have been increased demands from Japanese markets for fresh, frozen and cured salmon, especially chums. These trends are expected to continue and should result in moderate increases in production and economic value of the commercial fishery over the next few years.

Chum and pink salmon are commercially significant species in Norton Sound, while chum salmon are the mainstay of the Kotzebue commercial fishery. Although these fish are commercially utilized in local markets to some extent, the majority are transported from the districts as a fresh or frozen product.

Char and whitefish are harvested incidentally to the salmon catch in Norton Sound, while sheefish and char provide the main incidental catch in the Kotzebue district. Limited commercial fisheries are also conducted by permit for sheefish, whitefish and char.

Subsistence utilization

There are approximately 18,000 Eskimo people in the area; the majority residing in more than 26 small villages scattered along the coast and the major river systems. Nearly all of these native people are dependent to varying degrees on the fish and game resources for their livelihood.

Subsistence fishermen operate fish nets in the main rivers and, to a lesser extent, in the coastal marine waters capturing mainly salmon, whitefish, Arctic char and sheefish. Beach seines are occasionally used near the spawning grounds to catch schooling or spawning salmon and other species of fish. Sheefish, pike, char, smelt, saffron cod and king crab are frequently taken through the ice by handlines for subsistence and recreational purposes.

There is very little wastage of any portion of the fish taken for subsistence purposes. The major portion of the fish is sun-dried or smoked for later consumption, while the head and viscera are usually fed to dogs.

The Department has conducted annual surveys of the important subsistence salmon fisheries since the early 1960's. The majority of salmon taken are chums. Subsistence harvest information prior to 1960 is incomplete or entirely lacking for many years. There are some records indicating that in excess of 75 thousand salmon

were taken in some years during the early 1960's.

Management

The Division of Commercial Fisheries of the Alaska Department of Fish and Game is responsible for the management of commercial and subsistence fisheries in this vast area. The permanent staff assigned to this area consists of one management-research biologist and one clerk-typist assigned to the Nome field office. In addition, from 7 to 12 summer employees are hired each season to assist in conducting various management and research studies.

Operating expenses for the Norton Sound-Kotzebue area management and research program from July 1,1975 through June 30,1976 were approximately $99,000. Of the total, state and federal funds provided $77,000 and $22,000, respectively.

The main objective of the Department's program is to manage the commercial salmon fisheries on a sustained yield basis. In addition, information is obtained to determine the potential for commercial fisheries of under-utilized species such as herring, char and whitefish. Present commercial salmon fishing regulations are still relatively restrictive in order to insure that sufficient salmon are provided for subsistence fishery and spawning ground requirements.

The basic regulation that governs the commercial salmon harvest in all districts is the scheduled weekly fishing period. Commercial fishing is normally allowed for a total of four days a week during the open season. Fishing effort usually occurs during the entire run and not just during a particualr segment of the run. Occasionally fishing time is increased or decreased, depending upon fishing conditions and the strength of the runs or spawning escapements, as determined by special studies conducted by the Department.

Due to the vast size of the area accurate estimates of the size of salmon runs and the spawning escapements are difficult to obtain. Fishery management is also hampered by the relative lack of comparative catch and return information, since the fisheries were initiated or expanded through regulation changes only since 1961 or 1962. Management problems are further compounded by having to provide sufficient escapement after commercial fishing for the important subsistence fishery as well as for spawning purposes.

The Alaska Department of Fish and Game policy has been to maintain current levels of commercial utilization indefinitely until positive trends in subsistence utilization are established and more information is obtained on the relationship between the salmon catches, escapements and returns.

#3-X-02-76 (Kotzebue)	July 29	Correct fishing times by rescinding previous emergency order.	Incorrect fishing schedule listed in 3-X-01-76.
#3-X-03-76 (Kotzebue)	August 26	Close Kotzebue district to commercial fishing.	Below average chum salmon escapements.

Figure 2. Norton Sound District.

per pound for king salmon (Appendix Table 4).

Norton Sound fishermen received approximately $285,203 from buyers for their 1976 catches (Appendix Table 5).

Six processors operated in Norton Sound in 1976. Three fishermen's co-operatives with shore facilities operated in Golovin (subdistrict 2), Moses Point (subdistrict 3) and Unalakleet (subdistrict 6), while three independent operators purchased fish in Nome(subdistrict 1) and Moses Point.

A list of processors operating in Norton Sound is presented in Attachment 1.

A total of 1,053,966 pounds of fresh or frozen salmon was processed in 1976 (Appendix Table 6).

Subsistence fishery

A total of 133 subsistence fishermen interviewed reported catching 203 king; 1,004 coho; 18,409 pink and 7,867 chum salmon for a total subsistence harvest of 26,973 salmon (Table 1). This subsistence catch was approximately equal to the recent 5-year average annual subsistence harvest level of 27,600, but was 24% below the recent 10-year average annual harvest. These subsistence harvest totals may provide evidence of a continued declining trend

in the subsistence utilization of the salmon resource. The formation of commercial fishermen's co-operatives, the decreased dependence upon sled dogs for transportation and increased year round employment are all factors in the declining subsistence harvest. An exception may be noted for subdistrict 1, Nome, where increased access to salmon streams may cause increased subsistence harvests.

Escapement

Table 2 presents salmon escapement data obtained in the district during 1976. Comparative annual escapements for selected streams are shown in Appendix Table 7.. Kwiniuk River escapements since 1965 have been obtained by a counting tower project. Escapement data for the Chirosky River, a Unalakleet River tributary, were also obtained by a counting tower project initiated in 1975. Other escapement data represents indices of abundance obtained by aerial surveys.

For all of Norton Sound, pink salmon escapements were average to above average. The chum salmon escapement was judged below average except for a better than average return to the Golovin subdistrict. The Kwiniuk River of the Moses Point subdistrict had the poorest return of chum salmon since a counting tower project was initiated in 1965.

The 1976 escapements relative to brood year escapements were below average for pink salmon and chum salmon.

Although pink salmon were abundant in the Nome subdistrict, the commercial fishery targeted chum salmon stocks, as indicated by the chum/pink salmon catch ratio of 5.5:1.0. The commercial fishery was closed on July 8 due to apparent milling of salmon stocks and resulting high commercial chum salmon catches and lagging escapements. The fishery was re-opened for one 36-hour period on July 15 and then closed until July 25. Comparative commercial catch data are presented in Appendix Table 8.

Subsistence fishery

A regulation change instituted at the fall 1974 meeting of the Board of Fish & Game placed all streams of the Nome subdistrict under a permit system. This regulation requires a subsistence fisherman to secure a permit in order to fish for subsistence purposes. This procedure was initiated to accurately determine subsistence fishing effort and harvest which has been sustained at high levels since 1968.

In 1976, 113 permits were issued to Nome subdistrict subsistence fishermen. A total of 101 (87.1%) permits were returned with catch information. Of the 101 returned permits, 24 indicated the fisherman "did not fish". The seventy-seven subsistence fishermen who reportedly engaged in subsistence fishing caught a total of 7,399 salmon,

Subdistrict Summaries, 1976

Nome (Subdistrict 1)

Commercial fishery

Twenty-eight vessels and gill nets were registered to fish in the Nome subdistrict, representing a 48% decrease from the record of 54 in 1975 (Appendix Table 1).

Twenty-one commercial fishermen caught 2 king, 10 red, 1,340 pink and 7,477 chum salmon, totaling 8,837 salmon (Table 3). The catch was purchased locally by two buyers.

Fish were chilled and flown in the round to processors and markets elsewhere in the State. Some of the catch was purchased and marketed fresh in Nome.

The 1976 chum salmon commercial harvest was the second highest recorded for this subdistrict since active commercial fishing was initiated in 1964 (Appendix Table 2). The harvest was equal to the recent 5-year average annual average harvest, but was 1.5 times the recent 10-year average annual harvest of 3,500 fish.

Pink salmon catches were 29.8 percent above the recent 5-year average annual harvest, but 33.3 percent below the recent 10-year average annual harvest.

which included 13 king, 180 coho, 5,492 pink and 1,705 chum salmon (Table 1 and Appendix Table 2). Due to high subsistence effort in the Nome River during 1975, individual permit quotas were reduced and fishermen were asked to voluntarily fish other streams in the Nome subdistrict; as a consequence, 80 permits were issued for the Nome River in 1976, a 20% reduction from 1975 levels.

Escapement

Aerial surveys conducted of key streams in the Nome subdistrict indicated a peak escapement index of 12,161 pink and 2,667 chum salmon (Table 2). The escapement indices of both pink and chum salmon were judged to be average.

Golovin Bay (Subdistrict 2)

Commercial fishery

A total of 25 vessels and 23 gill nets was registered for the Golovin subdistrict, representing decreases of 40% and 46%, respectively, from record 1975 licensing (Appendix Table 1).

Twenty-two commercial fishermen harvested 11 king, 1,311 coho, 24,230 pink and 30,614 chum salmon, totaling 56,166 fish (Table 4). This catch was 20.1% above the recent 5-year average annual harvest of 42,000 salmon.

The catch was purchased locally in Golovin by a fishermen's co-operative, dressed, frozen and shipped to markets in Seattle, Washington via freezerboat..

The commercial chum salmon catch was 10.2% below the recent 5-year average annual harvest of 34,000 fish, but was 8.2% above the recent 10-year average of 28,000 salmon.

The pink salmon harvest was the second largest ever made and was 98% above recent 5-year and 10-year average annual harvests of 12,000 pink salmon. The coho salmon catch was the largest on record, due primarily to unusually high fishing effort during the month of August. Comparative commercial catch data and aerial survey information indicated the 1976 Golovin subdistrict chum and pink salmon runs were at least average in magnitude. Consequently, the commercial season remained open on a normal four-day per week fishing schedule from June 15 to August 31. Comparative commercial catch data are presented in Appendix Table 9.

Subsistence fishery

The catches of 8 subsistence fishermen from White Mountain and Golovin included 2,356 pink and 1,277 chum salmon, totaling 3,633 salmon (Table 1 and Appendix Table 2). Growing numbers of fishermen are placing increased reliance upon the commercial fishery and community development to provide a base of income.

Escapement

Aerial surveys conducted of the Fish River and Niukluk Rivers yielded estimates of 23,040 pink, 12,520 chum salmon and 8,500 pink and chums combined (ie. indistinguishable by species)(Table 2). Salmon escapement indices were judged to be average for both pink and chum salmon. Escapements for both species were approximately equal to their respective parent year escapements of 1974 and 1972 (Appendix Table 7).

Moses Point (Subdistrict 3)

Commercial fishery

A total of 50 vessels and 49 nets were registered representing decreases of 25.4% and 26.9%, respectively, from record 1975 levels (Appendix Table 1).

A commercial catch of 16,137 salmon was made by 54 fishermen. The catch was comprised of 19 king, 5,072 pink, 10,813 chum and 233 coho salmon (Table 5). The harvest was 66.4% below the recent 5-year average annual harvest of 48,000 salmon.

Commercial catches were purchased by two buyers. One buyer shipped fish in the round from the subdistrict, while the local fishermen's co-operative processed and chilled fish prior to shipment.

The commercial chum salmon harvest was 74.6% below the recent 5-year average annual harvest of 41,000 fish, while the pink salmon catch was 22.4% below the recent 5-year average annual harvest of 6,500 salmon.

Aerial surveys and a Department counting tower confirmed poor chum salmon escapements to the Kwiniuk River, while aerial surveys indicated poor chum escapements to the neighboring Tubutulik River also. Kwiniuk River counting tower figures were the lowest since the project's inception in 1965 and represented the second consecutive year of below average escapements. Comparison of the commercial chum/pink catch ratios (2.1:1.0) and Kwiniuk River counting tower escapement sample ratios (0.2:1.0) indicate continued targeting of chums by the commercial fisher The commercial season was closed on July 8 due to poor chum salmon escapements and was re-opened on July 25. Comparative catch statistics for the Moses Point subdistrict are presented in Appendix Table 10.

Subsistence fishery

The subsistence catches of 9 fishermen from the village of Elim included 22 kings, 5,016 pink and 1,548 chum for a total of 6,586 salmon. The 1976 subsistence harvest demonstrates a continuing decline in subsistence use. Growing numbers of fishermen are placing increasing emphasis upon community development and commercial

fishing to provide a base of income (Table 1 and Appendix Table 2).

Escapement

The Kwiniuk and Tubutulik Rivers are the main spawning grounds for fish entering this subdistrict. An aerial survey index count of the Tubutulik River of 1,095 chum, 6,065 pink salmon and 2,600 "salmon" (not identified by species) indicated the smallest return on record for chum salmon and a slightly below average return for pink salmon. The total expanded escapement enumerated by a tower into the Kwiniuk River in 1976 was 12 king, 6,834 chum, 28,431 pink and 12 coho salmon. Pink salmon escapements decreased 30% from the 1975 brood year escapement, while chum escapement were 80% below the 1972 escapement (Table 2 and Appendix Table 7).

Norton Bay (Subdistrict 4)

Commercial fishery

A total of 23 vessels and 21 gear licenses were issued, representing decreases of 41% and 50%, respectively, from record 1975 levels (Appendix Table 1).

Twenty-seven commercial fishermen caught 103 king, 4,389 pink, 95 coho and 7,135 chum salmon, totaling 11,722 salmon (Table 6). This total harvest was 28.9% above the recent 4-year average

annual harvest, but was 57% below the 1975 harvest total.

Norton Bay fish were flown, in the round, via light aircraft to the fishermen's co-operative in Unalakleet or tendered to Moses Point for processing.

Commercial chum salmon catches were 15.2% below the recent 4-year average annual harvest, while pink salmon harvests were 2.4 times the recent 4-year average.

This fishery is the most sporadic of the subdistrict fisheries in Norton Sound. The remoteness of the fishing grounds from the buying stations and difficulties with operating tenders in the shallow waters of Norton Bay account for the thus far limited character of this fishery. Due to average escapements and light commercial fishing effort, the commercial season remained open on a normal 4-day per week fishing schedule from June 15 to August 31. Comparative commercial catch data are presented in Appendix Table 11.

Subsistence fishery

The subsistence catches of 4 fishermen from the village of Koyuk included 2 king, 41 pink and 236 chum for a total of 279 salmon (Table 1).

Escapement

The Koyuk, Ungalik and Inglutalik Rivers are the main spawning

ground for fish entering this subdistrict. In 1976 an aerial index survey conducted of the Ungalik River resulted in a count of 5,753 chum, 982 pink and 1,600 salmon (not identified by species). A total of 115 pink and 247 chum were counted in the Koyuk River and 4,674 pink, 1,394 chum and 117 king salmon were counted in the Inglutalik River (Table 2).

Shaktoolik (Subdistrict 5)

Commercial fishery

Vessel licenses decreased 12.9% from 1975 levels, while gill net licenses increased 3.9%.

Thirty-seven commercial fishermen harvested 886 king, 129 coho, 15,740 pink and 15,727 chum, totaling 32,482 salmon (Table 7). This catch was 18.9% above the recent 5-year average annual harvest of 27,000 fish and 72.9% above the recent 10-year average annual harvest of 18,750 salmon.

Salmon were tendered to facilities at Unalakleet (subdistrict 6) to be dressed, chilled or frozen and flown to markets elsewhere in the state.

The chum salmon harvest was 32% below the recent 5-year average annual harvest of 23,000 fish and equal to the 10-year

average annual harvest.

Pink salmon catches were 4.7 times the recent 5-year average annual harvest of 3,300 fish, while the king salmon harvest was 2.0 times the recent 5-year average of 450 salmon.

Aerial survey information and commercial catch data indicated a possible below average run of chum salmon to the Shaktoolik River, resulting in a reduction in fishing time on July 15 and a closure on July 19. The commercial season was not re-opened until July 25. Comparative commercial catch data are presented in Appendix Table 12.

Subsistence fishery

Five subsistence fishermen caught 24 king, 121 coho, 1,188 pink and 269 chum salmon totaling 1,602 salmon. The bulk of this harvest came from subsistence fishing activities on the Shaktoolik River. This harvest was the lowest on record and may be attributed to the growing numbers of fishermen engaged in the commercial fishery (Table 1 and Appendix Table 2).

Escapement

In 1976, the Shaktoolik River, the main spawning stream in this subdistrict, was aerially surveyed with an escapement count of 139 king, 12,175 pink and 1,736 chum salmon (Table 2).

Coho salmon catches were 1.5 times the recent 5-year average of 3,400 fish, while the king salmon harvest was 37.2% below the recent 5-year harvest average of 1,900 salmon (Appendix Table 2).

Comparative commercial catch information and aerial survey data indicated a below average chum salmon run to the Unalakleet River in 1976. Less conclusive data from the Chirosky River counting tower also seemed to point towards a below average run and corresponding escapements. Commercial fishing time was reduced on July 15 and a closure was instituted on July 19. The season was re-opened on July 25. Comparative commercial catch data are presented in Appendix Table 13.

It should be noted that in response to Department encouragement to fishermen to harvest abundant pink salmon, increasing amounts of pink salmon gear was utilized during the 1976 season.

A total of 2,891 char were captured incidentally to the commercial salmon fishery.

Subsistence fishery

Thirty subsistence fishermen in this subdistrict harvested 142 king, 694 coho, 4,316 pink and 2,832 chum totaling 7,894 salmon. This catch was the second smallest subdistrict harvest recorded and may be attributed to growing numbers of fishermen

Unalakleet (Subdistrict 6).

Commercial fishery

A total of 59 vessels and 59 gear licenses were issued representing reductions of 11.9% and 1.7%, respectively, from 1975 levels.

A total of 60 participating commercial fishermen harvested 1,198 king, 5,148 coho, 37,113 pink and 24,484 chum salmon for a total of 67,943 salmon (Table 8). This total harvest was equal to the recent 5-year average annual harvest of 69,000 but 10% above the 10-year average annual harvest of 61,500 fish.

All fish caught were purchased in Unalakleet by the fishermen's co-operative. The salmon catch was dressed, iced or chilled at the shore based facility, and later flown to markets and processors elsewhere in the state.

The commercial chum salmon harvest was 20% below the recent 5-year average annual harvest of 34,000 fish and 9.6% below the recent 10-year average annual harvest of 27,000 salmon.

The pink salmon harvest exceeded the previous 5-year average annual harvest by 1.2 times and was 34.3% above the recent 10-year average of 27,600 salmon.

and individuals placing more reliance upon commercial fishing and associated industries to provide a base of income (Table 1 and Appendix Table 2).

Escapement

Aerial surveys of the Unalakleet River, North River and Egavik Creek, in addition to Chirosky River tower counts documented approximately 363 king, 79,290 pink and 6,477 chum salmon in streams of this subdistrict. Escapements for king salmon were judged to be poor, whereas pink and chum salmon escapements were above average and below average respectively (Table 2).

Norton Sound District Outlook for 1977

Insufficient data is available to enable accepted forecasting methods to be employed in Norton Sound. The 1977 "Outlook" is based upon analysis of comparative commercial catch and escapement information, age data and subjective determinations. The "Outlook" is presented only as an indicator of possible 1977 run strength.

Norton Sound pink salmon do not demonstrate a strong odd/even year cycle and run strength is difficult to predict. The pink salmon return to Norton Sound in 1977 will be produced from the 1975 brood year. Pink salmon escapements in 1975 were average, but were notably strong in subdistrict 3, Moses Point. Therefore, overall pink salmon returns are expected to be of average magnitude in 1977.

The 1977 Norton Sound chum salmon return will be produced by the 1972-1974 escapements, with the bulk of the run composed of the four-year-old age class from the 1973 escapement. Inspection of 1976 age data tends to indicate below average recruitment from the 1972 brood year in some subdistricts. This may indicate below average returns of age 5_1 chums this year. Chum salmon escapements in 1972 were judged to be average; 1973 escapements were below average and 1974 escapements were average. Overall, Norton Sound chum salmon returns are anticipated to be of below average to average magnitude in 1977.

Commercial fishing effort, in terms of gear licenses, decreased 29% in 1976 from previous record 1975 levels; however, 1976 gear license totals were very similar to previous record levels set in 1973 and 1974. The 1975 levels are believed to have increased due to anticipated implementation of the "limited entry" program. Last year's license registration level is believed to be representative of "normal" fishing effort and is not expected to change greatly in 1977.

Table 1. Norton Sound district subsistence catches, 1976.

Village	No. of Fishermen Interviewed	Kings	Reds	Cohos	Pink	Chum	TOTAL SALMON
Unalakleet	30	142	-	694	4316	2332	7,934
Shaktoolik	5	24	-	121	1163	269	1,602
Koyuk	4	2	-	--	41	235	279
Elim	9	22	-	--	5916	1518	6,556
Golovin	6	--	-	--	1995	1128	3,123
White Mountain	2	--	-	--	361	149	510
Nome	77	13	-	189	5432	1735	7,399
District TOTAL 1976	133	203	-	1,004	18,409	7857	27,483
District TOTAL 1975	133	186	-	152	15,203	8124	24,305
District TOTAL 1974	117	420	-	1,064	16,426	3953	21,863
District TOTAL 1973	79	392	-	520	14,770	7185	22,867

Appendix Table 2. Commercial and subsistence catches by species by subdistrict, Norton Sound District, 1961-1976

Year	Commercial						Subsistence					Combined					
	King	Red	Coho	Pink	Chum	Total	King	Coho	Pink	Chum	Total	King	Red	Coho	Pink	Chum	Total
NOME (SUBDISTRICT 1)																	
1964	5	-	-	1	1,194	1,200	-	-	-	-	-	5	-	-	1	1,194	1,200
1965	1	-	-	193	1,941	2,135	-	-	780	1,825	2,605	1	-	-	973	3,766	4,740
1966	1	-	32	1	581	615	12	192	1,794	1,762	3,760	13	-	224	1,795	2,343	4,375
1967	-	-	-	72	406	478	11	36	349	627	1,023	11	-	36	421	1,033	1,501
1968	-	-	-	56	102	162	7	103	6,567	621	7,243	7	-	103	6,567	723	7,405
1969	-	-	63	330	601	994	2	27	3,649	508	4,186	2	-	90	3,979	1,109	5,180
1970	-	-	6	55	960	1,019	-	35	5,001	458	5,494	-	-	39	5,056	1,418	6,513
1971	11	-	-	14	2,315	2,340	-	122	5,457	2,900	8,479	11	-	122	5,471	5,215	10,819
1972	15	-	-	12	2,643	2,670	19	57	4,686	315	5,070	34	-	57	4,698	2,958	7,740
1973	-	-	-	321	1,132	1,453	14	120	5,169	1,862	7,114	14	-	129	5,429	2,986	8,567
1974	19	-	123	7722	10,431	18,295	8	9	3,818	183	4,014	27	-	128	11,540	10,614	22,309
1975	2		319	2163	8,304	10,849	2	97	6,267	2,858	9,224	5	-	416	8,430	11,222	19,073
1976	2	10	-	1348	7,477	8,837	13	189	5,492	1,709	7,399	15	10	189	6,840	9,182	16,236
GOLOVIN BAY (SUBDISTRICT 2)																	
1962	45	11	264	10,276	68,720	79,316	-	-	-	-	-	45	11	264	10,276	68,720	79,316
1963	40	40	-	19,677	49,890	69,647	-	118	5,702	9,319	15,139	40	40	118	24,779	59,209	84,786
1964	27	40	3	7,236	58,301	65,607	-	-	-	-	-	27	40	3	7,236	58,301	65,607
1965	-	-	-	-	-	-	2	49	1,623	3,847	5,421	2	-	49	1,623	3,847	5,421
1966	17	14	584	4,665	29,791	35,071	4	176	1,573	3,520	5,273	21	14	760	6,238	33,311	40,344
1967	10	-	747	5,790	31,193	37,740	3	185	2,774	4,803	7,765	13	-	932	8,564	35,996	45,505
1968	12	-	705	18,478	10,011	29,654	4	181	4,955	1,744	6,886	16	-	886	23,383	11,755	36,540
1969	24	-	1,224	23,708	20,949	45,409	2	190	2,760	2,514	5,466	30	-	1,414	25,668	23,463	50,875
1970	13	-	3	18,771	20,566	39,303	4	353	1,054	2,614	4,017	17	-	356	21,767	23,180	45,320
1971	17	-	197	2,735	33,824	36,793	7	191	1,944	1,936	3,678	44	-	388	4,679	35,760	40,471
1972	36	-	20	6,562	27,097	33,715	4	62	1,735	2,028	3,829	40	-	82	8,297	29,125	37,544
1973	70	-	183	14,145	41,699	56,097	1	43	9	74	132	71	-	231	14,154	41,765	56,219
1974	30	-	3	28,380	30,173	58,586	3	-	967	206	1,176	33	-	3	29,307	30,379	59,722
1975	17	-	206	10,770	41,761	52,754	-	1	2,011	2,025	4,037	17	-	207	12,781	43,786	56,771
1976	11	-	1,311	24,230	30,614	56,166	-	-	1,595	1,128	3,123	11	-	1,311	26,225	31,742	59,289
ESKIMO POINT (SUBDISTRICT 3)																	
1962	27	-	-	11,100	50,683	61,810	-	-	-	-	-	27	-	-	11,100	50,683	61,810
1963	15	-	-	2,549	54,274	56,838	5	-	5,808	8,316	14,129	20	-	-	8,357	62,590	70,967
1964	32	3	-	3,372	28,568	31,975	-	-	63	348	411	32	3	-	3,435	28,916	32,386
1965	-	-	-	-	-	-	16	72	1,325	9,857	11,270	16	-	72	1,325	9,857	11,270
1966	17	-	-	2,745	24,741	27,503	14	250	2,511	5,509	8,284	31	-	250	5,256	30,150	35,687
1967	-	-	-	-	-	-	39	116	1,322	9,913	11,390	39	-	116	1,322	9,913	11,390
1968	12	-	1	9,012	17,908	26,933	2	80	6,135	2,527	8,744	14	-	81	15,147	20,435	35,677
1969	29	-	-	11,807	24,594	36,430	9	109	1,790	1,681	3,211	38	-	109	13,597	26,275	39,641
1970	39	-	-	13,052	29,726	42,817	16	160	4,661	6,960	11,797	55	-	160	17,713	36,686	54,614
1971	95	-	4	922	43,831	44,852	16	271	1,046	2,227	3,560	111	-	275	1,968	46,058	48,412
1972	145	-	11	5,866	30,919	36,956	44	108	1,579	2,070	3,801	234	-	119	7,445	32,989	40,757
1973	134	-	-	10,603	31,389	42,126	2	-	-	298	300	136	-	-	10,603	31,687	42,426
1974	193	-	9	12,821	55,276	68,304	3	-	2,302	1,723	4,101	201	-	9	15,203	56,999	72,412
1975	16	-	-	4,307	46,692	51,122	7	6	1,230	503	1,796	18	-	6	5,687	47,507	53,418
1976	19	-	233	5,072	10,813	16,137	22	-	5,016	1,548	6,586	41	-	233	10,088	12,361	22,723
NORTON BAY (SUBDISTRICT 4)																	
1962	387	7	40	4,402	24,380	29,216	-	-	-	-	-	387	7	40	4,402	24,380	29,216
1963	137	2	-	17,676	12,469	30,284	-	-	5,097	-	5,097	137	2	-	22,773	12,469	35,381
1964	50	3	-	988	5,916	6,957	-	-	-	-	-	50	3	-	988	5,916	6,957
1965	-	-	-	-	-	-	4	22	252	3,032	3,310	4	-	22	252	3,032	3,310
1966	-	-	-	-	-	-	7	41	929	3,612	4,589	7	-	41	929	3,612	4,589
1967	-	-	-	-	-	-	12	14	1,097	2,955	4,068	12	-	14	1,097	2,955	4,068
1968	-	-	-	-	-	-	28	71	1,916	1,672	3,687	28	-	71	1,916	1,672	3,687
1969	26	-	-	4,849	3,974	8,849	59	169	2,115	1,655	4,018	85	-	169	6,964	5,629	12,867
1970	-	-	-	-	-	-	3	10	840	3,500	4,353	3	-	10	840	3,500	4,353
1971	-	-	-	-	-	-	5	47	92	2,619	2,763	5	-	47	92	2,619	2,763
1972	43	-	-	1,713	7,799	9,555	30	44	2,639	2,022	4,185	73	-	44	3,802	9,821	13,740
1973	28	-	-	1,645	4,672	6,345	1	-	10	130	141	29	-	-	1,655	4,802	6,486
1974	21	-	-	654	3,826	4,501	-	-	17	900	917	21	-	-	671	4,726	5,418
1975	60	-	89	1,117	17,389	18,674	1	-	93	361	455	60	-	89	1,210	17,750	19,129
1976	103	-	95	4,389	7,135	11,727	2	-	41	236	279	105	-	95	4,430	7,371	12,006

Appendix Table 2. (Continued) Commercial and subsistence catches by species by subdistrict, Norton Sound district, 1961-1976

Year	Commercial						Subsistence					Combined					
	King	Red	Coho	Pink	Chum	Total	King	Coho	Pink	Chum	Total	King	Red	Coho	Pink	Chum	Total
SHAKTOOLIK (SUBDISTRICT																	
1961	140	-	-	29,075	24,746	53,961	-	-	-	-	-	140	-	-	29,075	24,746	53,961
1962	1,738	-	2,113	640	8,718	13,209	-	-	-	-	-	1,738	-	2,113	640	8,718	13,209
1963	480	11	563	5,183	19,153	25,390	-	-	-	-	-	480	11	563	5,183	19,153	25,390
1964	611	79	16	1,969	35,272	37,967	77	340	2,132	5,412	7,961	708	79	356	4,101	40,684	45,928
1965	127	30	-	3	8,356	8,516	31	107	3,767	3,470	7,321	158	30	107	3,744	11,774	15,837
1966	310	-	956	344	8,292	9,902	142	762	1,445	4,183	6,532	452	-	1,718	1,789	12,475	16,434
1967	43	-	88	1,050	1,656	2,849	262	387	2,010	4,436	7,095	305	-	475	3,066	6,091	9,937
1968	61	-	130	2,205	2,584	4,980	10	458	6,355	1,915	8,738	71	-	588	8,560	4,419	13,638
1969	33	-	276	6,197	8,645	15,151	40	193	4,018	3,439	7,690	73	-	469	10,215	12,084	22,841
1970	197	-	155	2,301	15,751	18,404	43	210	2,475	2,016	4,744	240	-	365	4,776	17,769	23,150
1971	284	-	238	28	13,849	14,399	87	329	494	5,060	5,970	371	-	567	522	18,909	20,369
1972	419	-	11	2,798	12,022	15,250	64	235	939	3,399	4,637	483	-	246	3,737	15,421	19,887
1973	289	-	177	6,450	14,568	21,484	51	130	3,410	1,397	4,988	340	-	307	9,860	15,907	26,472
1974	583	-	175	5,650	26,391	32,809	93	353	1,501	358	2,705	676	-	532	7,551	26,749	35,514
1975	651	2	.	1,774	49,536	52,775	18	14	1,394	334	1,760	669	2	870	3,168	49,870	54,535
1976	866	-	129	15,740	15,727	32,482	24	121	1,168	269	1,602	910	-	250	16,928	15,996	34,084
UNALAKLEET (SUBDISTRICT																	
1961	5,160	35	13,807	5,162	23,586	47,750	-	-	-	-	-	5,160	35	13,807	5,162	23,586	47,750
1962	5,089	-	6,739	6,769	30,283	48,880	-	-	-	-	-	5,089	-	6,739	6,769	30,283	48,880
1963	5,941	18	16,202	11,140	27,003	60,304	-	-	-	-	-	5,941	18	16,202	11,140	27,003	60,304
1964	1,273	1	79	1	19,411	20,965	488	2,227	7,010	6,776	16,471	1,761	1	2,306	7,011	26,337	37,436
1965	1,321	-	2,040	24	26,498	29,873	521	4,562	11,488	8,791	25,362	1,842	-	6,592	11,512	35,289	55,235
1966	1,208	-	4,183	5,023	16,840	27,254	90	789	6,683	3,387	10,349	1,298	-	4,972	11,106	20,227	37,603
1967	1,751	-	1,544	21,961	8,502	33,758	490	484	9,964	-	10,938	2,241	-	2,028	31,925	8,502	44,696
1968	960	-	4,549	41,474	14,865	63,848	186	1,493	11,044	2,982	15,705	1,146	-	8,042	52,518	17,847	79,553
1969	2,276	-	5,273	40,558	27,012	70,179	324	1,483	4,230	4,196	10,233	2,600	-	6,756	44,788	26,228	80,372
1970	1,606	-	4,261	30,779	40,029	76,673	493	3,907	10,101	7,214	21,721	2,099	-	8,168	40,883	47,244	98,394
1971	2,166	-	2,688	1,196	37,543	43,593	911	3,137	2,230	7,073	13,351	3,077	-	5,825	3,426	44,616	56,944
1972	2,235	-	412	28,231	20,440	51,318	643	1,818	3,132	4,132	9,725	2,878	-	2,230	31,363	24,572	61,043
1973	1,397	-	8,922	13,335	25,716	49,370	323	213	6,233	3,426	10,195	1,720	-	9,135	19,568	29,142	59,565
1974	2,100	-	1,778	93,332	36,170	133,380	313	706	7,341	588	8,948	2,413	-	2,484	100,673	36,758	142,328
1975	1,638	-	3,167	12,137	48,740	65,682	163	74	4,758	2,038	7,033	1,801	-	3,241	16,895	50,778	72,715
1976	1,198	1	5,148	37,113	24,484	67,944	142	694	4,316	2,832	7,984	1,340	1	5,842	41,429	27,316	75,928
ALL SUBDISTRICTS																	
1961	5,300	35	13,807	34,237	48,332	101,711	-	-	-	-	-	5,300	35	13,807	34,237	48,332	101,711
1962	7,286	18	9,156	33,187	182,784	232,431	-	-	-	-	-	7,286	18	9,156	33,187	182,784	232,431
1963	6,618	71	16,765	55,625	154,789	233,868	5	118	16,607	17,635	34,365	6,618	71	16,883	72,232	172,424	268,228
1964	2,018	124	94	13,567	144,662	164,671	565	2,567	9,225	12,486	24,843	2,583	124	2,665	22,792	161,348	189,514
1965	1,449	30	2,040	220	36,795	40,534	574	4,812	19,111	30,772	55,269	2,023	30	4,842	19,351	67,567	95,813
1966	1,553	14	5,755	12,278	80,245	100,345	269	2,210	14,335	21,873	38,687	1,822	14	7,965	27,113	102,118	139,032
1967	1,804	-	9,179	28,879	41,756	81,618	817	1,222	17,516	22,724	42,279	2,621	-	11,601	46,395	64,480	123,897
1968	1,065	-	6,885	71,179	45,708	124,837	237	2,391	36,917	11,661	51,206	1,262	-	9,276	108,091	57,641	176,043
1969	2,392	-	6,836	66,949	82,795	178,972	436	2,191	18,562	15,615	36,804	2,828	-	9,027	105,511	98,410	215,776
1970	1,853	-	4,423	64,508	107,034	178,218	561	4,475	26,123	22,764	53,126	2,414	-	9,098	91,035	129,797	231,344
1971	2,593	-	3,123	4,895	131,362	141,973	1,026	4,097	10,863	21,812	37,801	3,619	-	7,224	15,758	153,177	179,778
1972	2,938	-	454	45,182	100,920	149,494	806	2,319	14,158	11,966	29,249	3,742	-	2,773	59,340	114,886	180,741
1973	1,918	-	9,787	46,499	119,093	176,797	392	570	14,775	7,105	22,842	2,310	-	9,802	61,769	126,243	199,639
1974	2,951	-	2,692	144,519	162,767	315,029	823	1,054	16,426	3,964	21,268	3,371	-	3,156	164,945	166,726	337,197
1975	2,393	2	4,553	52,388	212,480	271,816	186	192	15,883	8,143	24,305	2,579	2	4,745	68,191	220,623	296,121
1976	2,219	11	6,916	87,892	96,250	193,288	703	1,004	18,048	7,718	26,973	2,922	11	7,920	105,940	103,968	220,261

1/ Includes 197 recorded red salmon in all subdistricts.
2/ Includes 93 recorded red salmon in all subdistricts.
3/ Includes 11 recorded red salmon in all subdistricts.

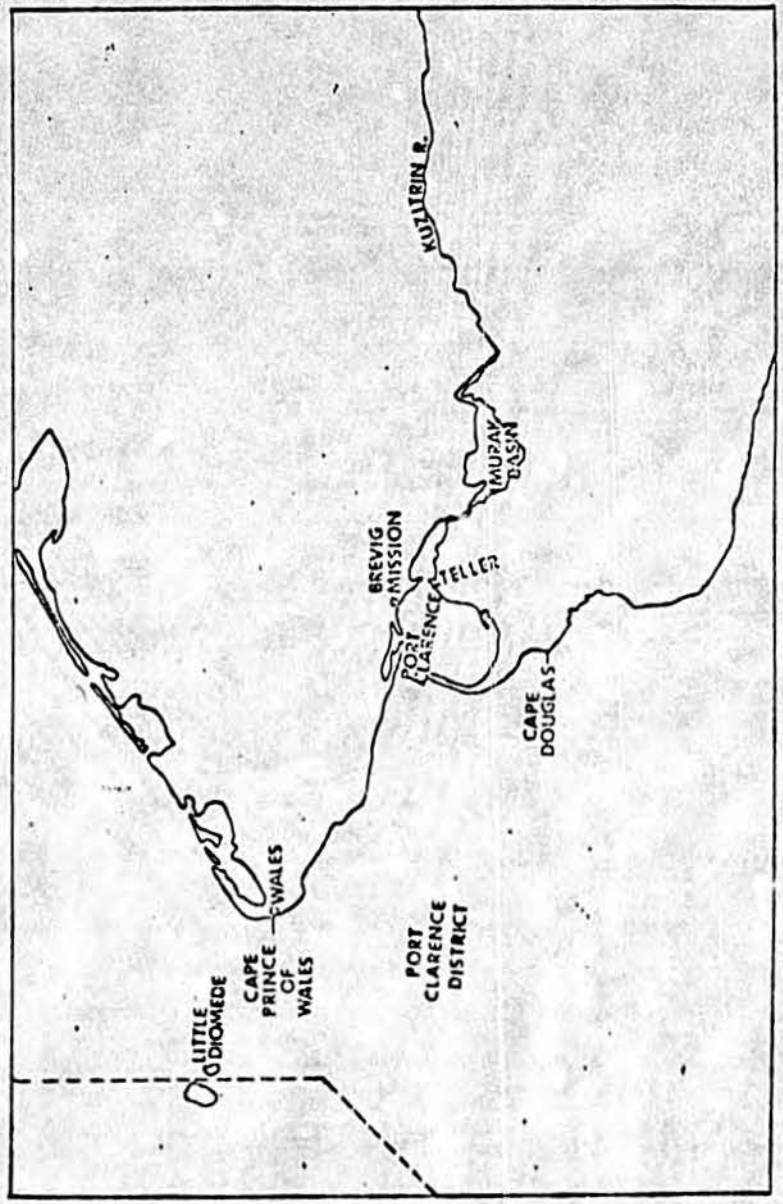


Figure 3. Port Clarence District.

PORT CLARENCE DISTRICT

District boundaries

The Port Clarence district encompasses all waters from Cape Douglas to Cape Prince of Wales (Figure 3). A unique feature of this district is the Pilgrim River-Salmon Lake red salmon run which is one of the northern most occurrences of this species on the continent.

Commercial fishery

Commercial fishing in freshwater is prohibited. In 1966 a total of 1,216 salmon consisting of 93 reds, 131 pinks and 992 chums was taken commercially in the Grantley Harbor-Tuksuk Channel area. This was the only bona fide commercial fishery in the district, but a few salmon are probably sold or bartered each year in Teller and Nome. In 1974 the Board of Fish & Game officially closed the Port Clarence district to commercial salmon fishing.

Subsistence fishery

Red salmon bound for the Salmon Lake-Grand Central River spawning grounds must pass through Port Clarence, Grantley Harbor, Tuksuk Channel, Imuruk Basin and Pilgrim River. Teller and

Brevig Mission subsistence fishermen take an unrestricted harvest of all species of salmon, mainly in the Grantley Harbor and Tuksuk Channel areas. Subsistence fishermen from Nome fish for all species of salmon in the Pilgrim River and Salmon Lake areas under special permits.

The subsistence salmon fishery in the Tuksuk Channel-Grantley Harbor area is a traditional fishery probably dating back hundreds of years. Subsistence fishing in Salmon Lake dates back at least to the 1930's. The Pilgrim River was not fished until 1962.

It is likely that the traditional subsistence fishery in the area had been harvesting this run at or near its maximum sustained yield for many years. Easier access to Salmon Lake and Pilgrim River due to road construction in 1957 increased subsistence utilization by Nome fishermen in these areas and resulted in overharvest by the combined subsistence fisheries. The red salmon in this district are currently at threshold population levels.

Since 1964 the subsistence fishery in the Pilgrim River-Salmon Lake area has been made more restrictive. A summary of the important restrictions, in chronological order, is presented below:

1. Beginning with the 1964 season, a permit was required under which numbers of salmon taken could be limited. Fishermen were also required to record daily catches.

2. In 1964 the Grand Central River was closed to subsistence fishing for salmon.

3. No salmon gill net or fishing device can obstruct one-half of any salmon migration waterway or spawning stream. This took effect in 1964.

4. Subsistence fishing for salmon was prohibited within 300 feet of a marker placed at the outlet of Salmon Lake. This also took effect in 1964.

5. In 1966 fishermen were restricted to a total salmon take of either 25 or 50 fish (all species combined), depending on need. The effort in the Salmon Lake-Pilgrim area decreased by 50 percent that year (Appendix Table 14).

6. Beginning with the 1969 season, fishermen were restricted to a total of 25 salmon of all species. Failure to return their daily catch records would result in not being able to receive a permit the following year.

7. Beginning with the 1971 season, the following regulation went into effect: a set gill net may obstruct no more than one-half the width of any fish stream. A stationary fishing device

Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976).

Location	No. of Fishermen	Catch/ Fisherman	King	Red	Coho	Pink	Chum	TOTAL
				1963				
Pilgrim River	7	246	0	303	0	805	419	1,727
Salmon Lake	9	303	0	3,283	25	0	0	3,308
TOTAL	16	315	0	3,586	25	805	419	5,035
Teller	3	802	9	1,280	0	256	860	2,405
DISTRICT TOTAL	19	392	9	4,866	25	1,061	1,279	7,440
				1964				
Pilgrim River	14	197	17	1,266	174	312	986	2,755
Salmon Lake	8	48	0	209	53	59	63	384
TOTAL	22	143	17	1,475	227	371	1,049	3,139
Teller-no survey								
DISTRICT TOTAL	22	143	17	1,475	227	371	1,049	3,139
				1965				
Pilgrim River	12	101	11	305	64	199	628	1,207
Salmon Lake	11	103	1	962	100	23	43	1,129
TOTAL	23	102	12	1,267	164	222	671	2,336
Teller	6	600	24	537	475	1,632	931	3,599
DISTRICT TOTAL	29	205	36	1,804	639	1,854	1,602	5,935

in gradual increases in run magnitudes over the next few years. However, it is also possible that the run has suffered such a significant decline that it cannot be restored to former levels by management techniques alone. It may be necessary to initiate an expensive rehabilitation program and prohibit all subsistence fishing. One problem concerning a blanket subsistence closure is that other harvestable species such as pink and chum salmon migrate concurrently with the red salmon. To prohibit the taking of red salmon would prohibit, or at least seriously limit, the taking of these other species as well. An alternative management policy would be to subject the subsistence fishery to open and closed periods in order to increase escapement and still allow a subsistence harvest. This latter policy was initiated during the 1972 season.

Appendix Table 14. (continued) Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976)

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
			1969					
Pilgrim River	3	5	0	4	0	10	0	14
Salmon Lake	4	13	0	51	0	0	0	51
TOTAL	7	9	0	55	0	10	0	65
Teller	6	270	2	128	27	538	932	1,617
DISTRICT TOTAL	13	122	2	180	27	548	922	1,582
			1970					
Pilgrim River	3	20	0	32	0	2	25	59
Salmon Lake	4	22	0	30	6	23	30	89
TOTAL	7	21	0	62	6	25	55	148
Teller	9	710	4	481	1,040	1,261	3,601	6,387
Brevig Mission	2	334	0	45	25	22	575	667
TOTAL	11	641	4	526	1,065	1,283	4,176	7,054
DISTRICT TOTAL	18	400	4	583	1,071	1,308	4,231	7,202
			1971					
Pilgrim River	4	21	3	37	3	0	39	82
Salmon Lake	4	30	4	90	2	14	10	120
TOTAL	8	25	7	127	5	14	49	202
Teller	12	531	23	683	899	1,155	3,605	6,370
Brevig Mission	2	104	1	35	55	2	115	208
TOTAL	14	470	23	723	954	1,157	3,720	6,578
DISTRICT TOTAL	22	308	31	850	959	1,171	3,769	6,780

Appendix Table 14. (continued) Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976).

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
			1966					
Pilgrim River	7	58	5	7	14	84	295	405
Salmon Lake	4	32	0	123	2	0	2	127
TOTAL	11	48	5	130	16	84	297	532
Teller	13	348	2	702	785	645	2,393	4,527
Brevig Mission	2	291	3	168	95	130	185	581
TOTAL	15	341	5	870	880	775	2,578	5,108
DISTRICT TOTAL	26	217	10	1,000	896	859	2,875	5,640
			1967					
Pilgrim River	4	22	7	51	4	5	21	88
Salmon Lake	9	32	0	286	2	0	0	288
TOTAL	13	34	7	337	6	5	21	376
Teller	6	629	5	1,731	226	762	1,051	3,776
DISTRICT TOTAL	19	244	12	2,068	232	767	1,073	4,152
			1968					
Pilgrim River	3	22	3	34	4	7	19	67
Salmon Lake	3	25	0	73	1	0	0	74
TOTAL	6	24	3	107	5	7	19	141
Teller	11	249	25	361	75	1,542	738	2,741
Brevig Mission	7	113	12	220	53	537	147	789
TOTAL	18	196	37	581	128	1,899	885	3,530
DISTRICT TOTAL	24	153	40	688	133	1,906	904	3,671

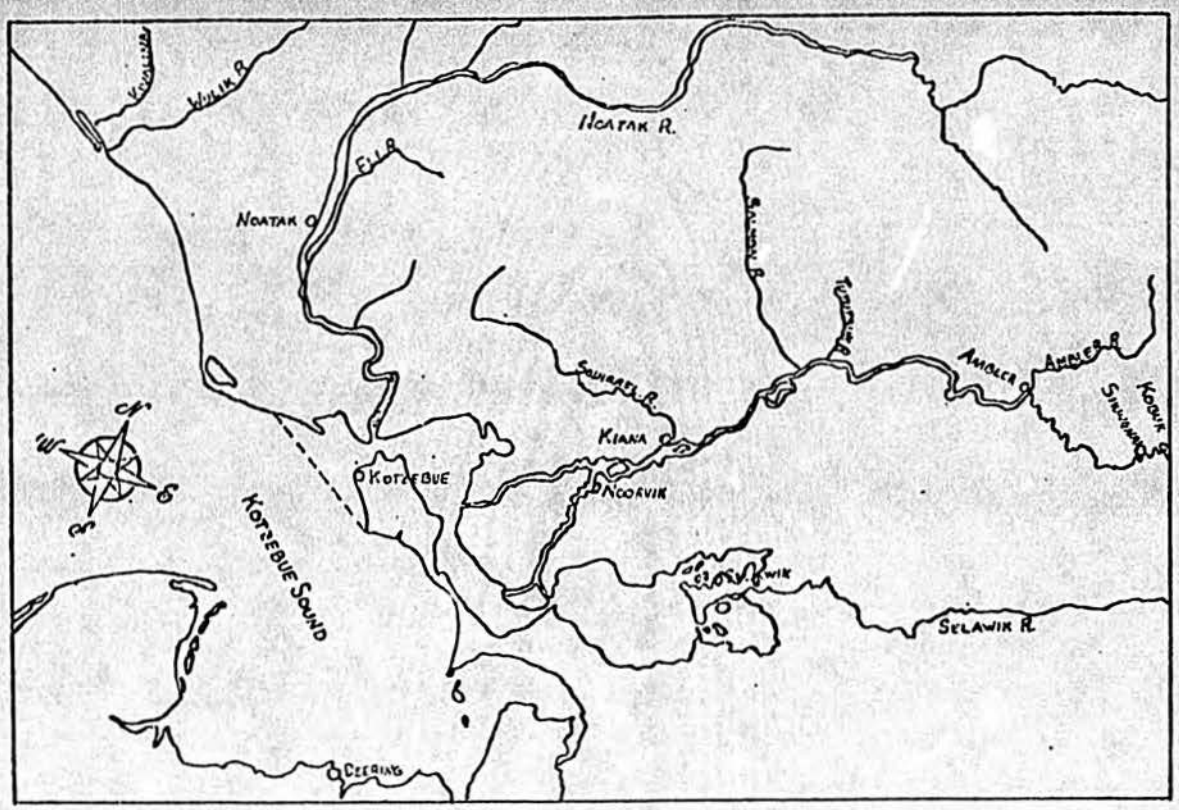
Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake and Teller, (1963-1976) (continued)

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
				1976				
Teller	6	1,034	4	200	0	200	5,800	6,204
Brevig Mission								
TOTAL	6	1,034	4	200	0	200	5,800	6,204
Pilgrim River	8	67	2	53	20	236	226	537
Salmon Lake	1	39	1	38	0	0	0	39
TOTAL	9	106	3	91	20	236	226	576
DISTRICT TOTAL	15	452	7	291	20	436	6,026	6,780

Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake and Teller, (1963-1976). (continued)

Location	No.of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	Total
				1972				
Teller 7	7	442	0	63	287	75	2,661	3,091
Brevig Mission	1	250	4	0	101	0	145	250
DISTRICT TOTAL	8	418	4	68	388	75	2,806	3,341
				1973				
Teller	4	584	22	46	280	424	1,562	2,334
Brevig Mission	0	0	0	0	0	0	0	0
DISTRICT TOTAL	4	584	22	46	280	424	1,562	2,334
				1974				
Teller	7	218	0	0	62	12	1,445	1,529
Salmon Lake	4	7	0	28	0	0	0	28
Brevig Mission	2	605	0	0	0	2	1,208	1,210
DISTRICT TOTAL	13	213	0	28	62	14	2,663	2,767
				1975				
Teller	7	310	0	216	5	743	1,209	2,173
Brevig Mission	2	153	0	0	0	0	305	305
TOTAL	9	275	0	216	5	743	1,514	2,478
Pilgrim River	2	38	0	1	0	0	75	76
Salmon Lake	6	5	0	27	0	0	0	27
TOTAL	8	13	0	28	0	0	75	103
DISTRICT TOTAL	17	152	0	244	5	743	1,589	2,581

Figure 4. Kotzebue District, [illegible]



Appendix Table 15. Comparative red salmon aerial survey counts and subsistence catches, Port Clarence District, 1963-1976.

Year	Aerial Survey Counts: Salmon Lake	Aerial Survey Counts: Grand Central River	Aerial Survey Counts: Total	Subsistence Catch: Pilgrim River Drainage	Subsistence Catch: Teller Brevig Mission	Subsistence Catch: Total
1963	866	620	1,486	3,586	1,280	4,866
1964	76	590	666	1,475	0	1,475
1965	250	160	410	1,267	537	1,804
1966	1,120	370	1,490	130	870	1,000
1967	129	280	409	337	1,731	2,068
1968	830	645	1,475	107	581	688
1969	24	171	195	55	128	183
1970	1/	1/	1/	62	526	588
1971	538	512	1,050	127	723	850
1972	600	300 2/	980	0	68	68
1973	1,747	607	2,354	0	46	46
1974	820	0	820	28	0	28
1975	537	123	660	28	216	244
1976	132	22	154	53	291	344

1/ No survey made.
2/ Boat survey.

Commercial Fishery-other species

Other species of fish that are harvested commercially include sheefish and Arctic char. The Arctic char fishery is incidental to the commercial salmon fishery. In 1976 no commercial landings of incidentally caught Arctic char were recorded. There were Arctic char being caught during the last week of the commercial salmon fishery, but the fishermen utilized them for personal use.

The sheefish fishery is generally considered a winter fishery. This fishery is regulated by permit and area to be fished with an area quota of 25,000 pounds in effect. During the winter of 1975-1976, 556 sheefish, averaging 9.0 pounds, were harvested. The bulk of this harvest was marketed and sold locally with some sheefish flown in the round to marketing outlets in Fairbanks and Anchorage (Table 23).

Subsistence Fishery-salmon

Subsistence salmon fishing has long been an important food gathering activity for the Eskimo people of the Kotzebue district. Remnants of salmon spears and nets have been found in old village sites on the Kobuk River that date back to 1250 A.D.. At present, subsistence fishermen use set gill nets and beach seines to catch salmon in the bays and rivers. Nearly all of the catch is

consumed as dried fish. All portions are utilized, e.g. the flesh is dried and used for both human and animal consumption, while the head and viscera are fed to dogs.

It is difficult to calculate the value of the subsistence fishery in terms of dollars to the residents of this area. However, if subsistence fishermen had to purchase a protein food in the place of their subsistence salmon catch, this fishery would probably rival the value of the commercial fishery. In some years the numbers of salmon taken for subsistence in the Kotzebue Sound area exceeds the commercial catch. Subsistence catches of salmon and other fish were especially important in 1976 due to reduced numbers of caribou.

All available subsistence chum salmon catches are presented in Appendix Table 23. The 1957 studies of Raleigh document estimates of average annual subsistence catches for recent years prior to 1957. The methods and completeness of this survey were not fully documented. The catch estimates were obtained from interviews of a certain percentage of each village population. The interview data was then expended to include the entire village. Possible large errors in the estimation of total catches could have occurred.

this is expected to result in less subsistence fishing effort in the future.

In 1976, 15,765 chum salmon were harvested for subsistence purposes by 91 fishermen. The subsistence harvest is annually assessed either by personal interviews or catch calendars. The personal interview is the predominant means of gathering this information. Appendix Table 24 presents mean catches per fisherman (fishing family) for the seven villages surveyed annually since 1962.

The 1976 subsistence harvest of 15,765 chum salmon represented a decrease from the 1975 harvest. The 1976 harvest was approximately 32% below the recent 5-year average of 23,264 (Appendix Table 25).

Escapements

During 1976, aerial surveys were conducted of key tributaries as well as the main streams of the Kobuk and Noatak River systems and the Inmachuk River of southern Kotzebue Sound. Aerial and foot survey counts of spawning chum salmon in 1976 are presented in Table 10.

Chum salmon escapements indices recorded for the Noatak and Kobuk River systems were respectively 32% and 78% below primary brood year abundance indices. The Noatak River escapement indexes for 1976 was 52% below comparable annual average indices. Appendix Table 26 represents comparative escapements for the 1962-1976 period.

Catches during the period 1962-1976 were obtained by the Alaska Department of Fish and Game. The catches were tabulated by direct counts of salmon, interviews, or by the return of catch forms that were distributed to the fishermen who are not contacted by interviewers. On the basis of observations and analysis of catch records, it was estimated that the recorded catches represented at least 70 percent of the actual harvest. The villages of Deering, Buckland, Candle and Shishmaref were not surveyed until the 1965 season.

The estimated average annual catch, both commercial and subsistence, of chum salmon in the Kotzebue Sound drainage during the 1962-1976 period was slightly less than one-half of that for the 1957 study. There is insufficient information to determine whether this apparent decline in catch is a result of less fishing effort, fewer available salmon, errors in catch estimates or a combination of all of these factors.

Although there is no fishing effort or other data available, there is some indication that the dependence on subsistence fishing has declined in this region during recent years as a result of increased welfare payments and more employment opportunities. Motorized snow vehicles are beginning to replace sled dogs and

Appendix Table 23. Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976. (continued)

Village	1971 Fishermen Interviewed	1971 Number of Sheefish	1972 Fishermen Interviewed	1972 Number of Sheefish
SUBSISTENCE				
Noorvik	32	5,975	21	2,213
Kiana	25	1,060	17	307
Ambler	13	711	6	350
Shungnak	20	671	10	639
Kobuk	5	1,068	7	12
Subtotal	95	9,485	61	3,521
Selawik	27	3,416	-	--
Kotzebue	33	682	18	311
Totals	155	13,583	79	3,832
COMMERCIAL				
Kotzebue	5	456	11	2,325
Combined TOTALS	160	14,039	90	6,157

SUBSISTENCE	1973		1974	
Noorvik	19	4,334	21	519
Kiana	25	--	15	51
Ambler	5	83	10	257
Shungnak	9	195	7	127
Kobuk	7	226	5	108
Subtotal	65	4,888	58	1,062
Selawik	-	--	-	--
Kotzebue	-	--	-	--
Totals	65	4,888	58	1,062
COMMERCIAL				
Kotzebue	6	--	-	--
Combined TOTALS	71	4,888	58	1,062

Appendix Table 23. Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976.

Village	1966-1967 Fishermen Interviewed	1966-1967 Number of Sheefish	1967-1968 Fishermen Interviewed	1967-1968 Number of Sheefish
SUBSISTENCE				
Noorvik	28	3,792	35	1,910
Kiana	19	925	25	766
Ambler	11	194	14	559
Shungnak	11	166	13	837
Kobuk	7	99	5	270
Subtotal	76	5,176(6-10/67)	92	4,342(6-10/68)
Selawik	29	7,164(3-11/67)	38	5,080(4-11/68)
Kotzebue	30	10,060(10/66-5/67)	48	21,871(10/67-7/68)
Totals	135	22,400	178	31,293
COMMERCIAL				
Kotzebue	10	922(10/66-5/67)	17	2,375(10/67-9/68)
Combined TOTALS	145	23,322	195	33,668

SUBSISTENCE	1968-1969		1970	
Noorvik	20	1,324	46	7,126
Kiana	22	409	25	790
Ambler	20	554	12	125
Shungnak	17	530	19	608
Kobuk	11	553	4	158
Subtotal	90	3,370(10/68-12/69)	106	8,807
Selawik	35	4,140(3-11/69)	29	1,601
Kotzebue	19	4,362(10/68-12/69)	33	3,520
Totals	144	11,872	168	13,928
COMMERCIAL				
Kotzebue	-	2,206(10/68-12/69)	4	350(1/70-12/70)
Combined TOTALS	144	14,078)	172	14,278

Appendix Table 24. Subsistence chum salmon catch per fisherman, Kotzebue district, 1962-1976.

Village	1962	1963	1964	1965	1966	1967	1968	1969	1970
Kotzebue	1/	650	515	400	158	202	135	98	187
Noatak	1,190	800	710	810	820	914	220	760	242
Noorvik	665	160	220	220	137	90	84	163	132
Kiana	350	2/	260	265	62	68	96	223	138
Ambler	1/	94	310	190	76	49	33	235	242
Shungnak	1/	2/	2/	220	45	125	114	318	182
Kobuk	335	67	205	145	104	35	206	206	150

1/ No survey.
2/ Number of fishermen unknown.

Appendix Table 23. Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976. (Continued)

Village	1975 Fishermen Interviewed	1975 Number of Sheefish	1976 Fishermen Interviewed	1976 Number of Sheefish
SUBSISTENCE				
Noorvik	22	660	6	210
Kiana	15	68	20	58
Ambler	12	114	8	60
Shungnak	14	540	15	539
Kobuk	6	255	8	99
Subtotal	69	1,637	57	966
Selawik	-	--	-	--
Kotzebue	-	--	-	--
Totals	69	1,637	57	966
COMMERCIAL				
Kotzebue	14	2,633(12/74-6/75)	2	566
Combined TOTALS	83	4,270	59	1,522

SUBSISTENCE
Noorvik
Kiana
Ambler
Shungnak
Kobuk
Subtotal

Selawik
Kotzebue
Totals

COMMERCIAL
Kotzebue

Combined TOTALS

Appendix Table 25. Kotzebue district subsistence chum salmon catches, 196[illegible]76.

Village	1962	1963	1964	1965	1966	1967	1968	1969
Noorvik	15,934	4,304	2,167	5,596	3,141	2,350	2,424	1,301
Kiana	3,139	1,973	783	1,598	433	1,489	2,488	2,458
Ambler	1/	755	2,142	1,340	912	679	457	3,525
Shungnak	1/	1,240	3,134	2,160	899	1,500	1,600	2,550
Kobuk	2,321	200	1,020	877	625	175	1,030	1,655
Kobuk River TOTAL	21,393	8,472	9,246	11,571	6,010	6,193	7,999	11,489
Noatak River TOTAL 2/	48,890	16,762	12,763	5,671	19,700	26,512	5,490	14,458
Kotzebue	-	5,835	7,753	8,058	8,640	4,032	4,324	1,768
Deering	-	-	-	5,200	6,238	3,098	2,838	1,897
Buckland	-	-	-	-	-	162	37	-
Candle	-	-	-	-	-	11	89	200
Shishmaref	-	-	-	-	-	100	37	-
DISTRICT TOTAL	70,283	31,069	29,762	30,500	35,583	40,108	20,814	29,812

1/ Not surveyed.
2/ Represents catches of the village of Noatak; 40,693 chums taken during 1961.

119.

Appendix Table 24. Subsistence chum salmon catch per fisherman, Kotzebue district, 1962-1976. (continued)

Village	1971	1972	1973	1974	1975	1976
Kotzebue	53	63	195	1/	1/	1/
Noatak	148	74	36	393	133	212
Noorvik	223	84	121	324	210	259
Kiana	207	84	178	181	288	79
Ambler	177	244	305	165	282	250
Shungnak	133	266	469	891	647	281
Kobuk	386	302	273	450	293	70

1/ No survey.
2/ Number of fishermen unknown.

118.

Appendix Table 26. Comparative chum salmon aerial survey counts, Kotzebue district, 1962-1976.

	1962	1963	1964	1965	1966	1967	1968
Noatak River System							
Noatak River(below Kelly River	168,000	1,970 1/	89,798	4,177 1/	101,640	28,620	39,394
Eli River	9,000	35 1/	-	-	12 1/	-	5,502
Kelly River&Lake	1,818	600	-	3,155	570	225	375
TOTAL	178,818	2,605 1/	89,798	7,332 1/	102,222	28,845	45,271 1/
Kobuk River System							
Main Kobuk River							
Mouth toKobuk	-	-	7,985	-	-	-	-
Kobuk to Pah River	-	-	-	1,000	266	-	530
Pah River to just below Selby River	-	400	-	-	-	-	50
Selby River mouth and Slough	-	2,575	-	1,750	630	1,625	70
Selby River mouth to just below Beaver R.	-	-	-	-	-	75	170
Beaver River mouth	-	1,095	-	-	460	795	1,550
Above Beaver River	-	465	-	-	118	-	-
TOTAL Main Kobuk River	23,150 2/	4,535	7,985	2,750	1,474	2,495	2,370
Squirrel River	16,050	2,200	8,009	7,230	1,350	3,332	6,746
Salmon River	12,936	1,535	9,353	1,500 1/	3,957	2,117	3,367
Tutuksuk River	10,841	670	2,635	-	1,303	169	823 1/
TOTAL KOBUK R. System	62,977 2/	8,940	28,032	11,480	8,164	8,113 3/	13,306

1/ Poor survey conditions or incomplete survey.
2/ Probably represents over-estimate and includes some sheefish.
3/ Counts have been revised and are now correct.

Appendix Table 25. Kotzebue district subsistence chum salmon catches, 1962-1976. (continued)

Village	1970	1971	1972	1973	1974	1975	1976	Fishermen Interviewed(1976)
Noorvik	6,077	7,144	1,774	2,312	6,609	4,620	1,555	6
Kiana	3,457	5,177	1,435	4,470	2,726	4,320	1,579	20
Ambler	2,899	2,299	1,469	1,529	1,651	3,390	2,000	8
Shungnak	3,450	2,653	2,665	4,406	6,243	9,060	4,213	15
Kobuk	600	1,931	2,119	1,917	2,251	1,755	562	8
Kobuk River TOTAL	16,483	19,204	9,462	14,634	19,480	23,145	9,909	57
Noatak River TOTAL 2/	4,120	9,919	741	216	4,330	1,515	4,448	21
Kotzebue	6,184	1,737	1,151	1,172	1/	1/		1/
Deering	1,242	763	369	1,093	1,880	1,175	1,358	12
Buckland	344	155	59	1,722	639	1,540		
Candle	113	50	15	1/	1/	1/	50	1
Shishmaref	-	131	29	100	200	230		
DISTRICT TOTAL	28,486	31,959	11,085	18,942	26,729	27,605	15,765	91

1/ Not surveyed.
2/ Represents catches of the village of Noatak; 40,693 chums taken during 1961.

Table of Contents

Table of contents . . . . . 1.
Index to figures, tables and appendix tables . . . . . iii.
Preface . . . . . 1.

Norton Sound-Port Clarence-Kotzebue district

[redacted] . . . . . 8.
[redacted] . . . . . 8.
[redacted] . . . . . 8.
[redacted] . . . . . 8.
[redacted] . . . . . 8.
[redacted] . . . . . 9.
Special studies . . . . . 12.
Emergency orders and regulations . . . . . 16.

Norton Sound District

District and subdistrict boundaries. . . . . 19.
Commercial fishery . . . . . 19.
Subsistence fishery . . . . . 22.
District summary 1976
Commercial fishery . . . . . 23.
[redacted] . . . . . 85.
[redacted] . . . . . 86.
Subdistrict summaries, 1976
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]
[redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

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Index to Figures, Tables and Appendix Tables

Figures

[redacted]

Figure 2. Norton Sound district showing commercial fishing subdistricts. . . . . 18.

[redacted]

Norton Sound District (333)

[redacted]

Table 2. Norton Sound salmon escapement data, 1976 . . . . . 43.
Table 3. Commercial salmon catches from Nome (subdistrict 1), Norton Sound, set gill nets, 1976 . . 44.
Table 4. Commercial salmon catches from Golovin (subdistrict 2), Norton Sound, set gill nets, 1976 . . 45.
Table 5. Commercial salmon catches from Moses Point (subdistrict 3), Norton Sound, set gill nets, 1976 . . 50.
Table 6. Commercial salmon catches from Norton Bay (subdistrict 4), Norton Sound, set gill nets, 1976 . . 52.
Table 7. Commercial salmon catches from Shaktoolik (subdistrict 5), Norton Sound, set gill nets, 1976 . . 55.
Table 8. Commercial salmon catches from Unalakleet (subdistrict 6), Norton Sound, set gill nets, 1976 . . 58.

Appendix
Table 1. Vessel and gear licenses issued, Norton Sound, 1961-1976 . . . . . 62.

[redacted]

Appendix
Table 3. Mean weights and numbers of salmon per case, Norton Sound District, 1962-1976. . . . . 66.

Appendix
Table 4. Estimated mean prices paid to fishermen, Norton Sound District, 1962-1976 . . . . . 66.

Appendix
Table 5. Dollar estimates of Norton Sound District commercial fishery, 1961-1976 . . . . . 67.

[redacted]

Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

[redacted]

Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . [redacted]

[redacted]

[redacted]

District boundaries. . . . . [redacted]
Commercial fishery . . . . . [redacted]
Subsistence fishery . . . . . [redacted]
Escapement . . . . . 83.
Discussion . . . . . 83.

[redacted]

District boundaries . . . . . 92.
Commercial fishery-salmon. . . . . 92.
Commercial fishery-other species . . . . . 96.

[redacted]

Escapements . . . . . 99.
Kotzebue District-Outlook for 1977 . . . . . 100.

Kotzebue District (331)

Table 9. Commercial salmon catches from Kotzebue District (331) set gill nets, 1976 . . . . . 102.
Table 10. Kotzebue District aerial surveys, 1976 . . . . . 105.
Appendix Table 16. Commercial and subsistence salmon catches, Kotzebue District, 1914-1976 . . . . . 106.
Appendix Table 17. Kotzebue District commercial, vessel, and set gill net licenses issued, 1962-1976 . . . . 107.
Appendix Table 18. Salmon pack by species and type of processing, Kotzebue District, 1962-1976 . . . . . 108.
Appendix Table 19. Comparative commercial chum salmon catch statistics, Kotzebue District, 1962-1976 . . . . . 110.
Appendix Table 20. Dollar value estimated of Kotzebue District commercial fishery, 1962-1976. . . . . 111.
Appendix Table 21. Mean weights and number of salmon per case, Kotzebue District, 1962-1976 . . . . . 112.
Appendix Table 22. Estimated mean prices paid to fishermen by species, Kotzebue District, 1962-1976 . . . . . 113.

[redacted]

Attachment 1. Norton Sound-Kotzebue district processors and associated data, 1976 . . . . . 123.

Appendix Table 6. Commercial salmon pack by species and type of processing, Norton Sound District, 1961-1976 . . . . . 68.
Appendix Table 7. Comparative aerial survey counts of Norton Sound streams, 1961-1976 . . . . . 69.
Appendix Table 8. Comparative Norton Sound District commercial catch data, 1974-1976, subdistrict 1 (Nome) . . . . . 72.
Appendix Table 9. Comparative Norton Sound District commercial catch data, 1962-1976, subdistrict 2 (Golovin) . . . . . 73.
Appendix Table 10. Comparative Norton Sound District commercial catch data, 1962-1976, subdistrict 3 (Moses Point). . . . . 74.
Appendix Table 11. Comparative Norton Sound District commercial catch data, 1974-1976, subdistrict 4 (Norton Bay) . . . . . 75.
Appendix Table 12. Comparative Norton Sound District commercial catch data, 1969-1976 subdistrict 5 (Shaktoolik) . . . . . 76.
Appendix Table 13. Comparative Norton Sound District commercial catch data, 1961-1976, subdistrict 6 (Unalakleet) . . . . . 77.

Port Clarence District (332)

[redacted]

Subsistence catch information has been derived from interviews of subsistence fishermen, actual counts of subsistence fish and subsistence catch forms distributed to fishermen. Subsistence salmon catches in the Nome subdistrict (subdistrict 1) have been determined from the return of catch forms as required under a permit system.

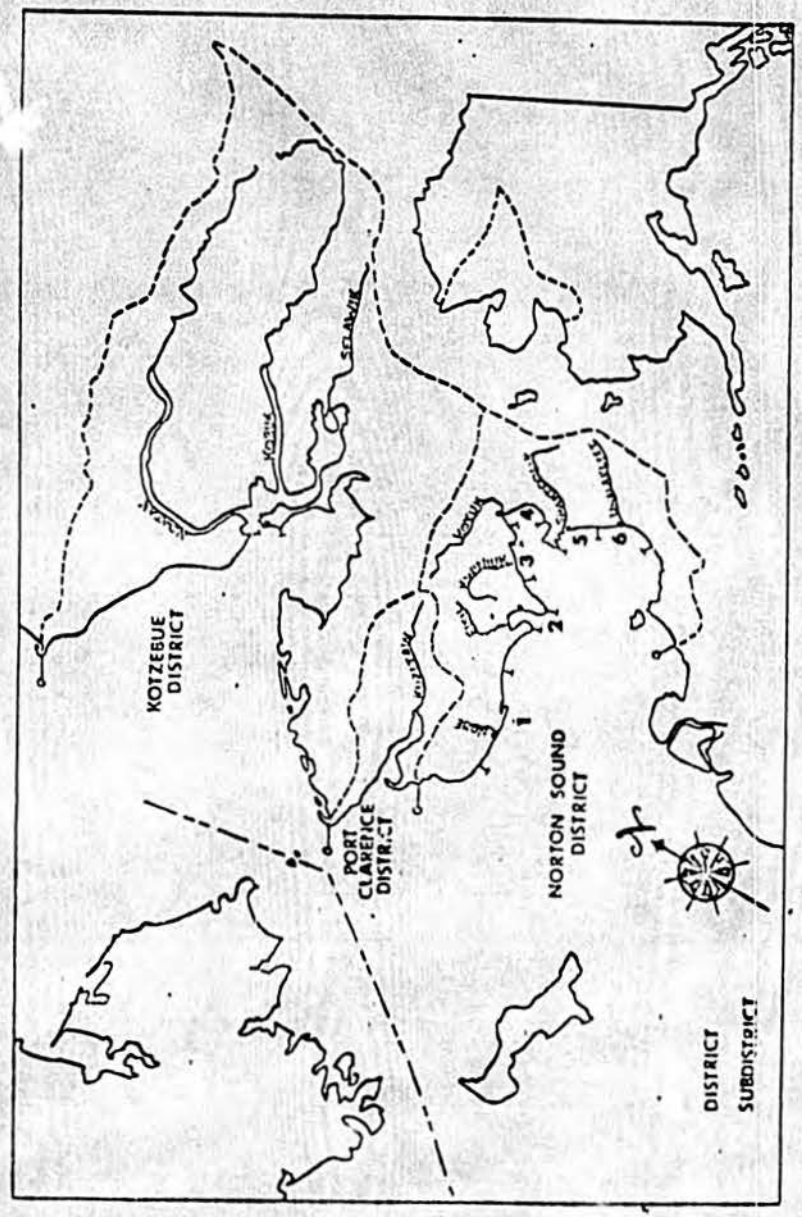


Figure 1. Norton Sound-Port Clarence-Kotzebue Districts.

Sound. A small red salmon (O. nerka) population exists in Salmon Lake on the Seward Peninsula and in Kelly Lake on the Noatak River near Kotzebue.

Other species common to the freshwater and coastal marine habitats are: sheefish, whitefish, Arctic char, lake trout, arctic grayling, burbot, suckers, sculpins, blackfish, sticklebacks, lampreys, smelt, herring, cods, flounders, crabs, shrimps and mollusks.

Water quality

Except for sections of the Seward Peninsula, water quality and spawning habitats in the area have been largely preserved in their original condition because land development activities have been minimal or non-existent. The future impact of oil development, mining activities, road construction and gravel removals on water quality and area fishery resources remains to be seen.

Commercial fishing

In 1959 and 1960, Department biologists conducted reconnaissance surveys which indicated harvestable surpluses of salmon were available in several districts and were not being commercially utilized. The Department liberalized various regulations and encouraged processors to explore and develop new fishing grounds. As a result, commercial salmon fishing activity has grown significantly since statehood, enabling many area residents to obtain a cash income.

NORTON SOUND-PORT CLARENCE-KOTZEBUE DISTRICT

Introduction

The Norton Sound-Port Clarence-Kotzebue management district includes all coastal waters from Canal Point Light in southern Norton Sound to Point Hope, approximately 160 miles northwest of Kotzebue and includes St. Lawrence Island (Figure 1). This management area comprises over 65,000 square miles with a coastline exceeding that of California, Oregon and Washington combined.

Fishery resources

All five species of Pacific salmon are indigenous to the area with chum salmon (Oncorhynchus keta) being the most abundant. Although chum and pink salmon have been found as far north as Barrow and in the Beaufort Sea adjacent to the mouth of the Sagavanirktok River, these species become relatively rare north of the Kotzebue Sound drainage. The largest spawning runs of king salmon (O. tshawytscha) occur in Norton Sound. King salmon are uncommon north of the Shaktoolik River in Norton Sound but have been found as far north as the Wulik River, located about 100 miles northwest of Kotzebue. Coho salmon (O. kisutch)are uncommon north of Norton Sound, but have been found in Kotzebue

Subsistence utilization

There are approximately 18,000 Eskimo people in the area; the majority residing in more than 26 small villages scattered along the coast and the major river systems. Nearly all of these native people are dependent to varying degrees on the fish and game resources for their livelihood.

Subsistence fishermen operate fish nets in the main rivers and, to a lesser extent, in the coastal marine waters capturing mainly salmon, whitefish, Arctic char and sheefish. Beach seines are occasionally used near the spawning grounds to catch schooling or spawning salmon and other species of fish. Sheefish, pike, char, smelt, saffron cod and king crab are frequently taken through the ice by handlines for subsistence and recreational purposes.

There is very little wastage of any portion of the fish taken for subsistence purposes. The major portion of the fish is sun-dried or smoked for later consumption, while the head and viscera are usually fed to dogs.

The Department has conducted annual surveys of the important subsistence salmon fisheries since the early 1960's. The majority of salmon taken are chums. Subsistence harvest information prior to 1960 is incomplete or entirely lacking for many years. There are some records indicating that in excess of 75 thousand salmon

Nearly all area commercial fishermen and processing plant workers are resident Eskimos. Commercial fishermen operate set gill nets to capture salmon from outboard powered skiffs. All commercial salmon fishing is done in coastal marine waters.

Declines in subsistence salmon utilization have made increases in commercial utilization possible during recent years. Additionally, there have been increased demands from Japanese markets for fresh, frozen and cured salmon, especially chums. These trends are expected to continue and should result in moderate increases in production and economic value of the commercial fishery over the next few years.

Chum and pink salmon are commercially significant species in Norton Sound, while chum salmon are the mainstay of the Kotzebue commercial fishery. Although these fish are commercially utilized in local markets to some extent, the majority are transported from the districts as a fresh or frozen product.

Char and whitefish are harvested incidentally to the salmon catch in Norton Sound, while sheefish and char provide the main incidental catch in the Kotzebue district. Limited commercial fisheries are also conducted by permit for sheefish, whitefish and char.

were taken in some years during the early 1960's.

Management

The Division of Commercial Fisheries of the Alaska Department of Fish and Game is responsible for the management of commercial and subsistence fisheries in this vast area. The permanent staff assigned to this area consists of one management-research biologist and one clerk-typist assigned to the Nome field office. In addition, from 7 to 12 summer employees are hired each season to assist in conducting various management and research studies.

Operating expenses for the Norton Sound-Kotzebue area management and research program from July 1,1975 through June 30,1976 were approximately $99,000. Of the total, state and federal funds provided $77,000 and $22,000, respectively.

The main objective of the Department's program is to manage the commercial salmon fisheries on a sustained yield basis. In addition, information is obtained to determine the potential for commercial fisheries of under-utilized species such as herring, char and whitefish. Present commercial salmon fishing regulations are still relatively restrictive in order to insure that sufficient salmon are provided for subsistence fishery and spawning ground requirements.

The basic regulation that governs the commercial salmon harvest in all districts is the scheduled weekly fishing period. Commercial fishing is normally allowed for a total of four days a week during the open season. Fishing effort usually occurs during the entire run and not just during a particualr segment of the run. Occasionally fishing time is increased or decreased, depending upon fishing conditions and the strength of the runs or spawning escapements, as determined by special studies conducted by the Department.

Due to the vast size of the area accurate estimates of the size of salmon runs and the spawning escapements are difficult to obtain. Fishery management is also hampered by the relative lack of comparative catch and return information, since the fisheries were initiated or expanded through regulation changes only since 1961 or 1962. Management problems are further compounded by having to provide sufficient escapement after commercial fishing for the important subsistence fishery as well as for spawning purposes.

The Alaska Department of Fish and Game policy has been to maintain current levels of commercial utilization indefinitely until positive trends in subsistence utilization are established and more information is obtained on the relationship between the salmon catches, escapements and returns.

#3-X-02-76 (Kotzebue)	July 29	Correct fishing times by rescinding previous emergency order.	Incorrect fishing schedule listed in 3-X-01-76.
#3-X-03-76 (Kotzebue)	August 26	Close Kotzebue district to commercial fishing.	Below average chum salmon escapements.

per pound for king salmon (Appendix Table 4).

Norton Sound fishermen received approximately $285,203 from buyers for their 1976 catches (Appendix Table 5).

Six processors operated in Norton Sound in 1976. Three fishermen's co-operatives with shore facilities operated in Golovin (subdistrict 2), Moses Point (subdistrict 3) and Unalakleet (subdistrict 6), while three independent operators purchased fish in Nome(subdistrict 1) and Moses Point.

A list of processors operating in Norton Sound is presented in Attachment 1.

A total of 1,053,966 pounds of fresh or frozen salmon was processed in 1976 (Appendix Table 6).

Subsistence fishery

A total of 133 subsistence fishermen interviewed reported catching 203 king; 1,004 coho; 18,409 pink and 7,867 chum salmon for a total subsistence harvest of 26,973 salmon (Table 1). This subsistence catch was approximately equal to the recent 5-year average annual subsistence harvest level of 27,600, but was 24% below the recent 10-year average annual harvest. These subsistence harvest totals may provide evidence of a continued declining trend

in the subsistence utilization of the salmon resource. The formation of commercial fishermen's co-operatives, the decreased dependence upon sled dogs for transportation and increased year round employment are all factors in the declining subsistence harvest. An exception may be noted for subdistrict 1, Nome, where increased access to salmon streams may cause increased subsistence harvests.

Escapement

Table 2 presents salmon escapement data obtained in the district during 1976. Comparative annual escapements for selected streams are shown in Appendix Table 7.. Kwiniuk River escapements since 1965 have been obtained by a counting tower project. Escapement data for the Chirosky River, a Unalakleet River tributary, were also obtained by a counting tower project initiated in 1975. Other escapement data represents indices of abundance obtained by aerial surveys.

For all of Norton Sound, pink salmon escapements were average to above average. The chum salmon escapement was judged below average except for a better than average return to the Golovin subdistrict. The Kwiniuk River of the Moses Point subdistrict had the poorest return of chum salmon since a counting tower project was initiated in 1965.

The 1976 escapements relative to brood year escapements were below average for pink salmon and chum salmon.

Although pink salmon were abundant in the Nome subdistrict, the commercial fishery targeted chum salmon stocks, as indicated by the chum/pink salmon catch ratio of 5.5:1.0. The commercial fishery was closed on July 8 due to apparent milling of salmon stocks and resulting high commercial chum salmon catches and lagging escapements. The fishery was re-opened for one 36-hour period on July 15 and then closed until July 25. Comparative commercial catch data are presented in Appendix Table 8.

Subsistence fishery

A regulation change instituted at the fall 1974 meeting of the Board of Fish & Game placed all streams of the Nome subdistrict under a permit system. This regulation requires a subsistence fisherman to secure a permit in order to fish for subsistence purposes. This procedure was initiated to accurately determine subsistence fishing effort and harvest which has been sustained at high levels since 1968.

In 1976, 113 permits were issued to Nome subdistrict subsistence fishermen. A total of 101 (87.1%) permits were returned with catch information. Of the 101 returned permits, 24 indicated the fisherman "did not fish". The seventy-seven subsistence fishermen who reportedly engaged in subsistence fishing caught a total of 7,399 salmon.

Subdistrict Summaries, 1976

Nome (Subdistrict 1)

Commercial fishery

Twenty-eight vessels and gill nets were registered to fish in the Nome subdistrict, representing a 48% decrease from the record of 54 in 1975 Appendix Table 1).

Twenty-one commercial fishermen caught 2 king, 10 red, 1,348 pink and 7,477 chum salmon, totaling 8,837 salmon (Table 3). The catch was purchased locally by two buyers.

Fish were chilled and flown in the round to processors and markets elsewhere in the State. Some of the catch was purchased and marketed fresh in Nome.

The 1976 chum salmon commercial harvest was the second highest recorded for this subdistrict since active commercial fishing was initiated in 1964 (Appendix Table 2). The harvest was equal to the recent 5-year average annual average harvest, but was 1.5 times the recent 10-year average annual harvest of 3,500 fish.

Pink salmon catches were 29.8 percent above the recent 5-year average annual harvest, but 33.3 percent below the recent 10-year average annual harvest.

which included 13 king, 180 coho, 5,492 pink and 1,705 chum salmon (Table 1 and Appendix Table 2). Due to high subsistence effort in the Nome River during 1975, individual permit quotas were reduced and fishermen were asked to voluntarily fish other streams in the Nome subdistrict; as a consequence, 80 permits were issued for the Nome River in 1976, a 20% reduction from 1975 levels.

Escapement

Aerial surveys conducted of key streams in the Nome subdistrict indicated a peak escapement index of 12,161 pink and 2,667 chum salmon (Table 2). The escapement indices of both pink and chum salmon were judged to be average.

Golovin Bay (Subdistrict 2)

Commercial fishery

A total of 25 vessels and 23 gill nets was registered for the Golovin subdistrict, representing decreases of 40% and 46%, respectively, from record 1975 licensing (Appendix Table 1).

Twenty-two commercial fishermen harvested11 king, 1,311 coho, 24,230 pink and 30,614 chum salmon, totaling 56,166 fish (Table 4). This catch was 20.1% above the recent 5-year average annual harvest of 42,000 salmon.

The catch was purchased locally in Golovin by a fishermen's co-operative, dressed, frozen and shipped to markets in Seattle, Washington via freezerboat..

The commercial chum salmon catch was 10.2% below the recent 5-year average annual harvest of 34,000 fish, but was 8.2% above the recent 10-year average of 28,000 salmon.

The pink salmon harvest was the second largest ever made and was 98% above recent 5-year and 10-year average annual harvests of 12,000 pink salmon. The coho salmon catch was the largest on record, due primarily to unusually high fishing effort during the month of August. Comparative commercial catch data and aerial survey information indicated the 1976 Golovin subdistrict chum and pink salmon runs were at least average in magnitude. Consequently, the commercial season remained open on a normal four-day per week fishing schedule from June 15 to August 31. Comparative commercial catch data are presented in Appendix Table 9.

Subsistence fishery

The catches of 8 subsistence fishermen from White Mountain and Golovin included 2,356 pink and 1,277 chum salmon, totaling 3,633 salmon (Table 1 and Appendix Table 2). Growing numbers of fishermen are placing increased reliance upon the commercial fishery and community development to provide a base of income.

Escapement

Aerial surveys conducted of the Fish River and Niukluk Rivers yielded estimates of 23,040 pink, 12,520 chum salmon and 8,500 pink and chums combined (ie. indistinguishable by species)(Table 2). Salmon escapement indices were judged to be average for both pink and chum salmon. Escapements for both species were approximately equal to their respective parent year escapements of 1974 and 1972 (Appendix Table 7).

Moses Point (Subdistrict 3)

Commercial fishery

A total of 50 vessels and 49 nets were registered representing decreases of 25.4% and 26.9%, respectively, from record 1975 levels (Appendix Table 1).

A commercial catch of 16,137 salmon was made by 54 fishermen. The catch was comp 'sed of 19 king, 5,072 pink, 10,813 chum and 233 coho salmon (Table 5). The harvest was 66.4% below the recent 5-year average annual harvest of 48,000 salmon.

Commercial catches were purchased by two buyers. One buyer shipped fish in the round from the subdistrict, while the local fishermen's co-operative processed and chilled fish prior to shipment.

The commercial chum salmon harvest was 74.6% below the recent 5-year average annual harvest of 41,000 fish, while the pink salmon catch was 22.4% below the recent 5-year average annual harvest of 6,500 salmon.

Aerial surveys and a Department counting tower confirmed poor chum salmon escapements to the Kwiniuk River, while aerial surveys indicated poor chum escapements to the neighboring Tubutulik River also. Kwiniuk River counting tower figures were the lowest since the project's inception in 1965 and represented the second consecutive year of below average escapements. Comparison of the commercial chum/pink catch ratios (2.1:1.0) and Kwiniuk River counting tower escapement sample ratios (0.2:1.0) indicate continued targeting of chums by the commercial fishery. The commercial season was closed on July 8 due to poor chum salmon escapements and was re-opened on July 25. Comparative catch statistics for the Moses Point subdistrict are presented in Appendix Table 10.

Subsistence fishery

The subsistence catches of 9 fishermen from the village of Elim included 22 kings, 5,016 pink and 1,548 chum for a total of 6,586 salmon. The 1976 subsistence harvest demonstrates a continuing decline in subsistence use. Growing numbers of fishermen are placing increasing emphasis upon community development and commercial

fishing to provide a base of income (Table 1 and Appendix Table 2).

Escapement

The Kwiniuk and Tubutulik Rivers are the main spawning grounds for fish entering this subdistrict. An aerial survey index count of the Tubutulik River of 1,095 chum, 6,065 pink salmon and 2,600 "salmon" (not identified by species) indicated the smallest return on record for chum salmon and a slightly below average return for pink salmon. The total expanded escapement enumerated by a tower into the Kwiniuk River in 1976 was 12 king, 6,834 chum, 28,431 pink and 12 coho salmon. Pink salmon escapements decreased 30% from the 1975 brood year escapement, while chum escapement were 80% below the 1972 escapement (Table 2 and Appendix Table 7).

Norton Bay (Subdistrict 4)

Commercial fishery

A total of 23 vessels and 21 gear licenses were issued, representing decreases of 41% and 50%, respectively, from record 1975 levels (Appendix Table 1).

Twenty-seven commercial fishermen caught 103 king, 4,399 pink, 95 coho and 7,135 chum salmon, totaling 11,722 salmon (Table 6). This total harvest was 28.9% above the recent 4-year average

annual harvest, but was 57% below the 1975 harvest total.

Norton Bay fish were flown, in the round, via light aircraft to the fishermen's co-operative in Unalakleet or tendered to Moses Point for processing.

Commercial chum salmon catches were 15.2% below the recent 4-year average annual harvest, while pink salmon harvests were 2.4 times the recent 4-year average.

This fishery is the most sporadic of the subdistrict fisheries in Norton Sound. The remoteness of the fishing grounds from the buying stations and difficulties with operating tenders in the shallow waters of Norton Bay account for the thus far limited character of this fishery. Due to average escapements and light commercial fishing effort, the commercial season remained open on a normal 4-day per week fishing schedule from June 15 to August 31. Comparative commercial catch data are presented in Appendix Table 11.

Subsistence fishery

The subsistence catches of 4 fishermen from the village of Koyuk included 2 king, 41 pink and 236 chum for a total of 279 salmon (Table 1).

Escapement

The Koyuk, Ungalik and Inglutalik Rivers are the main spawning

ground for fish entering this subdistrict. In 1976 an aerial index survey conducted of the Ungalik River resulted in a count of 5,753 chum, 982 pink and 1,600 salmon (not identified by species). A total of 115 pink and 247 chum were counted in the Koyuk River and 4,674 pink, 1,394 chum and 117 king salmon were counted in the Inglutalik River (Table 2).

Shaktoolik (Subdistrict 5)

Commercial fishery

Vessel licenses decreased 12.9% from 1975 levels, while gill net licenses increased 3.9%.

Thirty-seven commercial fishermen harvested 806 king, 129 coho, 15,740 pink and 15,727 chum, totaling 32,482 salmon (Table 7). This catch was 18.9% above the recent 5-year average annual harvest of 27,000 fish and 72.9% above the recent 10-year average annual harvest of 18,750 salmon.

Salmon were tendered to facilities at Unalakleet (subdistrict 6) to be dressed, chilled or frozen and flown to markets elsewhere in the state.

The chum salmon harvest was 32% below the recent 5-year average annual harvest of 23,000 fish and equal to the 10-year

average annual harvest.

Pink salmon catches were 4.7 times the recent 5-year average annual harvest of 3,300 fish, while the king salmon harvest was 2.0 times the recent 5-year average of 450 salmon.

Aerial survey information and commercial catch data indicated a possible below average run of chum salmon to the Shaktoolik River, resulting in a reduction in fishing time on July 15 and a closure on July 19. The commercial season was not re-opened until July 25. Comparative commercial catch data are presented in Appendix Table 12.

Subsistence fishery

Five subsistence fishermen caught 24 king, 121 coho, 1,188 pink and 269 chum salmon totaling 1,602 salmon. The bulk of this harvest came from subsistence fishing activities on the Shaktoolik River. This harvest was the lowest on record and may be attributed to the growing numbers of fishermen engaged in the commercial fishery (Table 1 and Appendix Table 2).

Escapement

In 1976, the Shaktoolik River, the main spawning stream in this subdistrict, was aerially surveyed with an escapement count of 139 king, 12,175 pink and 1,736 chum salmon (Table 2).

Unalakleet (Subdistrict 6).

Commercial fishery

A total of 59 vessels and 59 gear licenses were issued representing reductions of 11.9% and 1.7%, respectively, from 1975 levels.

A total of 60 participating commercial fishermen harvested 1,198 king, 5,148 coho, 37,113 pink and 24,484 chum salmon for a total of 67,943 salmon (Table 8). This total harvest was equal to the recent 5-year average annual harvest of 69,000 but 10% above the 10-year average annual harvest of 61,500 fish.

All fish caught were purchased in Unalakleet by the fishermen's co-operative. The salmon catch was dressed, iced or chilled at the shore based facility, and later flown to markets and processors elsewhere in the state.

The commercial chum salmon harvest was 28% below the recent 5-year average annual harvest of 34,000 fish and 9.6% below the recent 10-year average annual harvest of 27,000 salmon.

The pink salmon harvest exceeded the previous 5-year average annual harvest by 1.2 times and was 34.3% above the recent 10-year average of 27,600 salmon.

Coho salmon catches were 1.5 times the recent 5-year average of 3,400 fish, while the king salmon harvest was 37.2% below the recent 5-year harvest average of 1,900 salmon (Appendix Table 2).

Comparative commercial catch information and aerial survey data indicated a below average chum salmon run to the Unalakleet River in 1976. Less conclusive data from the Chirosky River counting tower also seemed to point towards a below average run and corresponding escapements. Commercial fishing time was reduced on July 15 and a closure was instituted on July 19. The season was re-opened on July 25. Comparative commercial catch data are presented in Appendix Table 13.

It should be noted that in response to Department encouragement to fishermen to harvest abundant pink salmon, increasing amounts of pink salmon gear was utilized during the 1976 season.

A total of 2,891 char were captured incidentally to the commercial salmon fishery.

Subsistence fishery

Thirty subsistence fishermen in this subdistrict harvested 142 king, 694 coho, 4,316 pink and 2,832 chum totaling 7,894 salmon. This catch was the second smallest subdistrict harvest recorded and may be attributed to growing numbers of fishermen

and individuals placing more reliance upon commercial fishing and associated industries to provide a base of income (Table 1 and Appendix Table 2).

Escapement

Aerial surveys of the Unalakleet River, North River and Egavik Creek, in addition to Chirosky River tower counts documented approximately 363 king, 79,290 pink and 6,477 chum salmon in streams of this subdistrict. Escapements for king salmon were judged to be poor, whereas pink and chum salmon escapements were above average and below average respectively (Table 2).

Norton Sound District Outlook for 1977

Insufficient data is available to enable accepted forecasting methods to be employed in Norton Sound. The 1977 "Outlook" is based upon analysis of comparative commercial catch and escapement information, age data and subjective determinations. The "Outlook" is presented only as an indicator of possible 1977 run strength.

Norton Sound pink salmon do not demonstrate a strong odd/even year cycle and run strength is difficult to predict. The pink salmon return to Norton Sound in 1977 will be produced from the 1975 brood year. Pink salmon escapements in 1975 were average, but were notably strong in subdistrict 3, Moses Point. Therefore, overall pink salmon returns are expected to be of average magnitude in 1977.

The 1977 Norton Sound chum salmon return will be produced by the 1972-1974 escapements, with the bulk of the run composed of the four-year-old age class from the 1973 escapement. Inspection of 1976 age data tends to indicate below average recruitment from the 1972 brood year in some subdistricts. This may indicate below average returns of age 5_1 chums this year. Chum salmon escapements in 1972 were judged to be average; 1973 escapements were below average and 1974 escapements were average. Overall, Norton Sound chum salmon returns are anticipated to be of below average to average magnitude in 1977.

Table 1. Norton Sound district subsistence catches, 1976.

Village	No. of Fishermen Interviewed	Kings	Reds	Coho	Pink	Chum	TOTAL SALMON
Unalakleet	30	142	-	694	4316	2832	7,984
Shaktoolik	5	24	-	121	1108	269	1,602
Koyuk	4	2	-	--	41	236	279
Elim	9	22	-	--	5016	1548	6,586
Golovin	6	--	-	--	1995	1128	3,123
White Mountain	2	--	-	--	361	149	510
Nome	77	13	-	189	5492	1705	7,399
District TOTAL 1976	133	203	-	1,004	18,409	7867	27,483
District TOTAL 1975	133	186	-	192	15,803	8124	24,305
District TOTAL 1974	117	420	-	1,004	16,426	3953	21,868
District TOTAL 1973	79	392	-	520	14,770	7135	22,867

Commercial fishing effort, in terms of gear licenses, decreased 29% in 1976 from previous record 1975 levels; however, 1976 gear license totals were very similar to previous record levels set in 1973 and 1974. The 1975 levels are believed to have increased due to anticipated implementation of the "limited entry" program. Last year's license registration level is believed to be representative of "normal" fishing effort and is not expected to change greatly in 1977.

Appendix Table 7. Commercial and subsistence catches by species by subdistrict, Norton Sound district, 1961-1976

Year	Commercial						Subsistence					Combined					
	King	Red	Coho	Pink	Chum	Total	King	Coho	Pink	Chum	Total	King	Red	Coho	Pink	Chum	Total
NOME (SUBDISTRICT 1)																	
1964	5	-	-	1	1,194	1,200	-	-	-	-	-	5	-	-	1	1,194	1,200
1965	1	-	-	193	1,941	2,135	-	-	780	1,825	2,605	1	-	-	973	3,766	4,740
1966	1	-	32	1	581	615	12	192	1,794	1,762	3,760	13	-	224	1,795	2,343	4,375
1967	-	-	-	72	406	478	11	36	349	627	1,023	11	-	36	421	1,033	1,501
1968	-	-	-	56	102	162	7	103	6,507	621	7,243	7	-	105	6,567	723	7,405
1969	-	-	63	330	601	994	2	27	3,649	508	4,186	2	-	90	3,979	1,109	5,180
1970	-	-	6	55	960	1,019	-	35	5,001	458	5,494	-	-	39	5,056	1,418	6,513
1971	11	-	-	14	2,315	2,340	-	122	5,457	2,900	8,479	11	-	122	5,471	5,215	10,819
1972	15	-	-	12	2,643	2,670	19	57	4,684	315	5,075	34	-	52	4,696	2,958	7,746
1973	-	-	-	321	1,132	1,453	14	120	5,108	1,362	7,114	14	-	129	5,429	2,494	8,567
1974	19	-	123	7722	10,431	18,295	8	5	3,818	183	4,014	27	-	128	11,540	10,614	22,309
1975	2		319	2163	8,364	10,869	2	97	6,267	2,358	8,724	5	-	416	8,430	11,722	19,593
1976	2	10	-	1368	7,477	8,837	13	189	5,492	1,709	7,399	15	10	189	6,860	9,382	16,236
GOLOVIN BAY (SUBDISTRICT 2)																	
1962	45	11	264	10,276	68,720	79,316	-	-	-	-	-	45	11	264	10,276	68,720	79,316
1963	40	40	-	19,677	49,850	69,047	-	118	5,762	9,319	15,139	40	40	118	24,779	59,569	84,186
1964	27	40	3	7,236	56,301	63,607	-	-	-	-	-	27	40	3	7,236	56,301	63,607
1965	-	-	-	-	-	-	2	49	1,523	3,847	5,421	2	-	49	1,523	3,847	5,421
1966	17	14	584	4,665	29,791	35,071	4	176	1,573	3,520	5,273	21	14	760	6,238	33,311	40,344
1967	10	-	747	5,790	31,193	37,740	3	165	2,774	4,803	7,765	13	-	932	8,564	35,996	45,505
1968	12	-	205	18,498	10,011	28,656	4	181	4,955	1,744	6,884	16	-	386	23,383	11,755	35,540
1969	28	-	1,224	23,266	20,949	45,409	2	190	2,760	2,514	5,466	30	-	1,414	26,026	23,463	50,875
1970	13	-	3	18,771	20,566	39,305	4	353	3,056	2,604	6,017	17	-	356	21,827	23,170	45,322
1971	17	-	197	2,735	33,824	36,793	7	191	1,444	1,936	3,578	44	-	388	4,179	35,760	40,371
1972	36	-	20	6,562	27,097	33,715	4	62	1,735	2,028	3,829	40	-	82	8,297	29,125	37,544
1973	70	-	183	14,145	41,699	56,097	1	43	9	74	132	71	-	231	14,154	41,765	56,229
1974	30	-	3	28,340	30,173	58,546	3	-	967	206	1,176	33	-	3	29,307	30,379	59,722
1975	17	-	206	10,770	41,761	52,754	-	1	2,011	2,025	4,037	17	-	207	12,781	43,786	56,791
1976	11	-	1,311	24,220	30,614	56,166	-	-	1,995	1,128	3,123	11	-	1,311	26,225	31,742	59,289
MOSES POINT (SUBDISTRICT 3)																	
1962	27	-	-	11,100	50,683	61,810	-	-	-	-	-	27	-	-	11,100	50,683	61,810
1963	15	-	-	2,549	46,274	48,838	5	-	5,808	8,316	14,129	20	-	-	8,357	54,590	62,967
1964	32	3	-	3,372	28,568	31,975	-	-	63	348	411	32	3	-	3,435	28,916	32,386
1965	-	-	-	-	-	-	16	72	1,325	9,857	11,270	16	-	72	1,325	9,857	11,270
1965	17	-	-	2,745	24,741	27,503	14	250	2,511	5,409	8,184	31	-	250	5,256	30,150	35,687
1967	-	-	-	-	-	-	39	116	1,322	9,913	11,390	39	-	116	1,322	9,913	11,390
1968	12	-	1	9,012	17,908	26,933	2	80	6,135	2,527	8,744	14	-	81	15,147	20,435	35,677
1969	29	-	-	11,607	26,595	38,430	9	109	1,798	1,403	3,211	38	-	109	13,397	27,997	41,641
1970	39	-	-	13,052	29,726	42,817	16	160	4,661	6,960	11,797	55	-	160	17,713	36,686	54,614
1971	95	-	4	922	43,831	44,852	16	271	1,656	2,727	4,560	111	-	275	1,968	46,858	49,412
1972	195	-	11	5,866	30,919	36,986	44	108	1,579	2,070	3,801	239	-	119	7,445	32,989	40,787
1973	134	-	-	10,603	31,369	42,176	2	-	-	298	300	136	-	-	10,603	31,667	42,476
1974	193	-	9	12,821	55,276	68,304	3	-	2,382	1,723	4,108	201	-	9	15,203	56,999	72,412
1975	16	-	-	4,497	46,699	51,122	7	6	1,280	503	1,796	18	-	6	5,687	47,247	52,918
1976	19	-	233	5,072	10,813	16,137	22	-	5,016	1,548	6,586	41	-	233	10,088	12,361	22,723
NORTON BAY (SUBDISTRICT 4)																	
1962	387	7	40	4,402	24,380	29,216	-	-	-	-	-	387	7	40	4,402	24,380	29,216
1963	137	2	-	17,476	12,469	30,284	-	-	5,097	-	5,097	137	2	-	22,773	12,469	35,381
1964	50	3	-	988	5,916	6,957	-	-	-	-	-	50	3	-	988	5,916	6,957
1965	-	-	-	-	-	-	4	22	252	3,032	3,310	4	-	22	252	3,032	3,310
1966	-	-	-	-	-	-	7	41	929	3,612	4,589	7	-	41	929	3,612	4,589
1967	-	-	-	-	-	-	12	14	1,097	2,945	4,068	12	-	14	1,097	2,945	4,068
1968	-	-	-	-	-	-	28	71	1,916	1,872	3,887	28	-	71	1,916	1,872	3,887
1969	26	-	-	4,849	3,974	8,849	59	189	2,115	1,655	4,018	85	-	189	6,964	5,629	12,867
1970	-	-	-	-	-	-	3	10	840	3,500	4,353	3	-	10	840	3,500	4,353
1971	-	-	-	-	-	-	5	47	92	2,672	2,763	5	-	47	92	2,672	2,763
1972	43	-	-	1,713	7,799	9,555	30	44	2,039	2,022	4,185	73	-	44	3,802	9,821	13,740
1973	28	-	-	1,645	4,672	6,345	1	-	10	130	141	29	-	-	1,655	4,802	6,486
1974	21	-	-	654	3,826	4,501	-	-	17	900	917	21	-	-	671	4,726	5,418
1975	60	-	89	1,137	17,385	18,670	1	-	93	361	455	69	-	89	1,230	17,746	19,133
1976	103	-	95	4,389	7,135	11,722	2	-	41	236	279	105	-	95	4,430	7,371	12,001

Appendix Table 2. (Continued) Commercial and subsistence catches by species by subdistrict, Norton Sound district, 1961-1976

Year	Commercial						Subsistence					Combined					
	King	Red	Coho	Pink	Chum	Total	King	Coho	Pink	Chum	Total	King	Red	Coho	Pink	Chum	Total
SHAKTOOLIK (SUBDISTRICT																	
1961	140	-	-	29,075	24,746	53,961	-	-	-	-	-	140	-	-	29,075	24,746	53,961
1962	1,738	-	2,113	640	8,718	13,209	-	-	-	-	-	1,738	-	2,113	640	8,718	13,209
1963	480	11	563	5,183	19,153	25,390	-	-	-	-	-	480	11	563	5,183	19,153	25,390
1964	631	79	16	1,969	35,272	37,967	77	340	2,132	5,412	7,961	708	79	356	4,101	40,684	45,928
1965	127	30	-	3	8,316	8,516	31	107	3,760	3,429	7,371	158	30	107	3,766	11,776	15,837
1966	310	-	956	344	8,292	9,902	142	762	1,445	4,183	6,532	452	-	1,718	1,789	12,475	16,434
1967	43	-	88	1,050	1,655	2,842	262	387	2,010	4,436	7,095	305	-	475	3,066	6,091	9,937
1968	61	-	130	2,205	2,500	4,900	10	458	6,355	1,915	8,738	71	-	588	8,560	4,419	13,638
1969	33	-	276	6,197	8,645	15,151	40	193	4,018	3,439	7,690	73	-	469	10,215	12,084	22,841
1970	197	-	155	2,301	15,753	18,406	43	210	2,475	2,016	4,744	240	-	365	4,776	17,769	23,150
1971	284	-	238	28	13,849	14,399	87	329	494	5,060	5,970	371	-	567	522	18,909	20,369
1972	419	-	11	2,798	12,622	15,250	64	235	939	3,399	4,637	483	-	245	3,737	15,421	19,887
1973	289	-	177	6,450	14,500	21,416	51	130	3,410	1,397	4,988	340	-	307	9,860	15,897	26,404
1974	583	-	179	5,650	26,391	32,803	93	353	1,901	358	2,705	676	-	532	7,551	26,749	35,508
1975	691	2		1,774	49,536	52,775	18	14	1,394	334	1,760	669	2	870	3,168	49,870	54,535
1976	866	-	129	15,740	15,727	32,482	24	121	1,188	269	1,602	910	-	250	16,928	15,996	34,084
UNALAKLEET (SUBDISTRICT																	
1961	5,160	35	13,807	5,162	23,586	47,750	-	-	-	-	-	5,160	35	13,807	5,162	23,586	47,750
1962	5,089	-	6,739	6,769	30,283	48,880	-	-	-	-	-	5,089	-	6,739	6,769	30,283	48,880
1963	5,941	18	16,202	11,140	27,003	60,304	-	-	-	-	-	5,941	18	16,202	11,140	27,003	60,304
1964	1,273	1	79	1	19,611	20,965	488	2,727	7,030	6,776	16,471	1,761	1	2,306	7,031	26,337	37,436
1965	1,321	-	2,010	24	26,458	29,813	521	4,562	11,488	8,791	25,362	1,842	-	6,592	11,512	35,289	55,235
1966	1,208	-	4,183	5,023	16,840	27,254	98	789	6,083	3,367	10,349	1,298	-	4,972	11,106	20,227	37,603
1967	1,751	-	1,544	21,961	8,502	33,758	490	484	9,964	-	10,938	2,241	-	2,028	31,925	8,502	44,696
1968	960	-	6,549	41,474	14,865	63,848	186	1,493	11,044	2,982	15,705	1,146	-	8,042	52,518	17,847	79,553
1969	2,276	-	5,273	40,558	27,012	70,119	324	1,483	4,230	4,196	10,233	2,600	-	6,756	44,788	26,228	80,352
1970	1,604	-	4,241	30,779	40,029	76,653	495	3,907	10,104	7,214	21,721	2,099	-	8,148	40,883	47,244	98,374
1971	2,166	-	2,688	1,196	37,543	43,593	911	3,137	2,230	7,073	13,351	3,077	-	5,825	3,426	44,616	56,944
1972	2,235	-	412	28,231	20,440	51,318	643	1,818	3,132	4,132	9,725	2,878	-	2,210	31,363	24,572	61,043
1973	1,397	-	8,922	13,335	25,716	49,370	323	213	6,233	3,426	10,195	1,720	-	9,135	19,568	29,142	59,565
1974	2,100	-	1,778	93,332	36,170	133,380	313	706	7,341	588	8,948	2,413	-	2,484	100,673	36,758	142,328
1975	1,638	-	3,167	12,137	48,240	65,182	163	74	4,758	2,038	7,033	1,801	-	3,241	16,895	50,278	72,215
1976	1,193	1	5,148	37,113	24,484	67,944	142	694	4,316	2,632	7,584	1,360	1	5,842	41,429	27,316	76,928
ALL SUBDISTRICTS																	
1961	5,300	35	13,807	34,237	48,332	101,711	-	-	-	-	-	5,300	35	13,807	34,237	48,332	101,711
1962	7,286	18	9,156	33,187	182,784	232,431	-	-	-	-	-	7,286	18	9,156	33,187	182,784	232,431
1963	6,613	71	16,765	55,625	154,789	233,863	5	118	16,607	17,635	34,365	6,618	71	16,883	72,232	172,424	268,228
1964	2,018	126	98	13,567	148,862	164,671	565	2,567	9,225	12,486	24,843	2,583	126	2,665	22,792	161,348	189,514
1965	1,449	30	2,010	220	36,795	40,504	574	4,812	19,131	30,772	55,289	2,023	30	6,842	19,351	67,567	95,813
1966	1,563	14	5,755	12,778	80,245	100,345	269	2,210	14,335	21,873	38,687	1,822	14	7,965	27,113	102,118	139,032
1967	1,804	-	9,179	28,879	41,756	74,818	817	1,222	17,516	27,724	47,279	2,621	-	1,601	46,395	69,480	117,097
1968	1,044	-	6,885	71,179	45,398	124,506	237	2,391	36,912	11,661	51,201	1,282	-	9,276	108,091	57,059	175,707
1969	2,392	-	6,836	66,949	82,795	178,972	436	2,191	18,562	15,615	36,804	2,828	-	9,027	105,511	98,410	215,776
1970	1,853	-	4,423	64,508	107,034	178,218	561	4,675	26,127	22,764	54,126	2,414	-	9,098	91,035	129,798	232,344
1971	2,593	-	3,127	4,895	131,362	141,977	1,026	4,097	10,863	21,815	37,801	3,619	-	7,224	15,758	153,177	179,778
1972	2,938	-	454	45,182	100,920	149,494	804	2,319	14,158	13,966	31,247	3,742	-	2,773	59,340	114,886	180,741
1973	1,918	-	9,282	46,499	119,093	176,797	392	570	14,775	7,105	22,842	2,310	-	9,802	61,269	126,263	199,644
1974	2,951	-	2,092	148,519	162,767	315,829	423	1,054	16,426	3,958	21,861	3,371	-	3,156	164,945	166,725	537,697
1975	2,333	2	4,553	52,388	212,486	271,761	186	192	15,803	8,124	24,305	2,519	2	4,745	68,191	220,610	296,066
1976	2,219	11	6,916	87,892	96,250	193,288	703	1,004	18,058	7,718	26,973	2,922	11	7,920	105,940	103,968	220,261

1/ Includes 197 recorded red salmon in all subdistricts.
2/ Includes 93 recorded red salmon in all subdistricts.
3/ Includes 11 recorded red salmon in all subdistricts.

PORT CLARENCE DISTRICT

District boundaries

The Port Clarence district encompasses all waters from Cape Douglas to Cape Prince of Wales (Figure 3). A unique feature of this district is the Pilgrim River-Salmon Lake red salmon run which is one of the northern most occurrences of this species on the continent.

Commercial fishery

Commercial fishing in freshwater is prohibited. In 1966 a total of 1,216 salmon consisting of 93 reds, 131 pinks and 992 chums was taken commercially in the Grantley Harbor-Tuksuk Channel area. This was the only bona fide commercial fishery in the district, but a few salmon are probably sold or bartered each year in Teller and Nome. In 1974 the Board of Fish & Game officially closed the Port Clarence district to commercial salmon fishing.

Subsistence fishery

Red salmon bound for the Salmon Lake-Grand Central River spawning grounds must pass through Port Clarence, Grantley Harbor, Tuksuk Channel, Imuruk Basin and Pilgrim River. Teller and

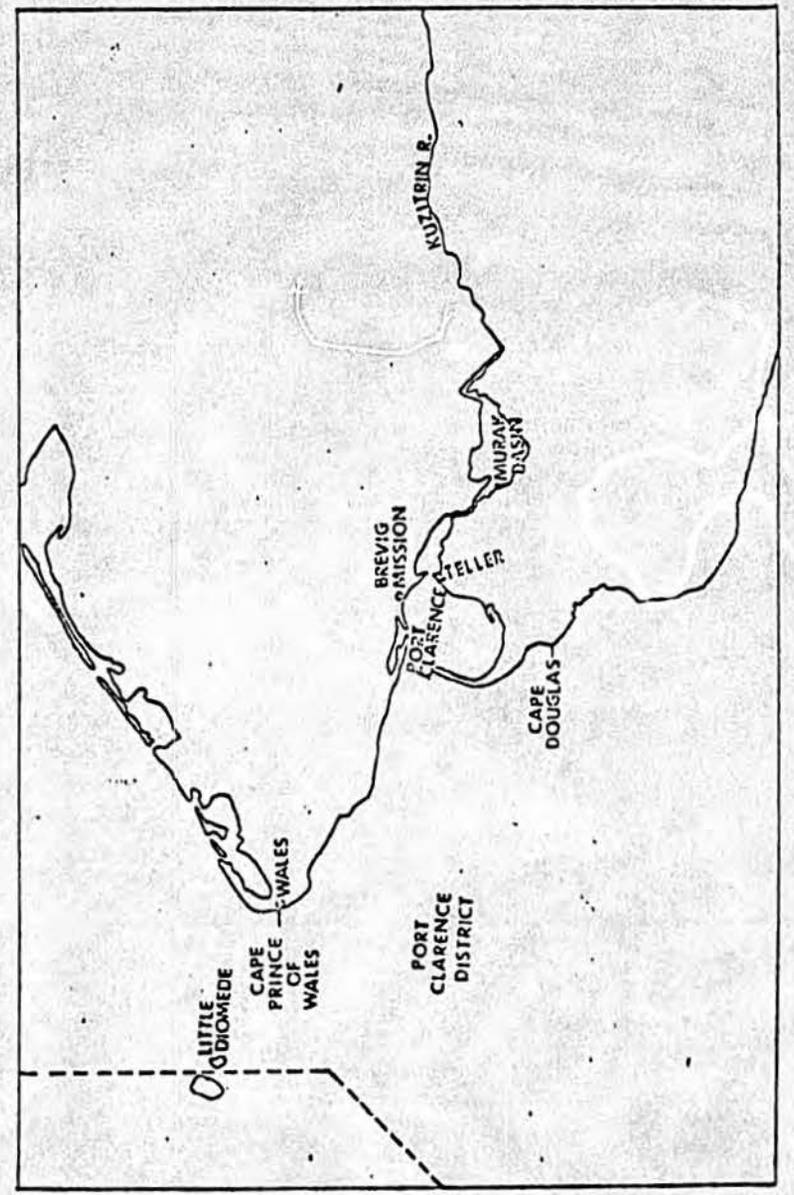


Figure 3. Port Clarence District.

Brevig Mission subsistence fishermen take an unrestricted harvest of all species of salmon, mainly in the Grantley Harbor and Tuksuk Channel areas. Subsistence fishermen from Nome fish for all species of salmon in the Pilgrim River and Salmon Lake areas under special permits.

The subsistence salmon fishery in the Tuksuk Channel-Grantley Harbor area is a traditional fishery probably dating back hundreds of years. Subsistence fishing in Salmon Lake dates back at least to the 1930's. The Pilgrim River was not fished until 1962.

It is likely that the traditional subsistence fishery in the area had been harvesting this run at or near its maximum sustained yield for many years. Easier access to Salmon Lake and Pilgrim River due to road construction in 1957 increased subsistence utilization by Nome fishermen in these areas and resulted in overharvest by the combined subsistence fisheries. The red salmon in this district are currently at threshold population levels.

Since 1964 the subsistence fishery in the Pilgrim River-Salmon Lake area has been made more restrictive. A summary of the important restrictions, in chronological order, is presented below:

1. Beginning with the 1964 season, a permit was required under which numbers of salmon taken could be limited. Fishermen were also required to record daily catches.

2. In 1964 the Grand Central River was closed to subsistence fishing for salmon.

3. No salmon gill net or fishing device can obstruct one-half of any salmon migration waterway or spawning stream. This took effect in 1964.

4. Subsistence fishing for salmon was prohibited within 300 feet of a marker placed at the outlet of Salmon Lake. This also took effect in 1964.

5. In 1966 fishermen were restricted to a total salmon take of either 25 or 50 fish (all species combined), depending on need. The effort in the Salmon Lake-Pilgrim area decreased by 50 percent that year (Appendix Table 14).

6. Beginning with the 1969 season, fishermen were restricted to a total of 25 salmon of all species. Failure to return their daily catch records would result in not being able to receive a permit the following year.

7. Beginning with the 1971 season, the following regulation went into effect: a set gill net may obstruct no more than one-half the width of any fish stream. A stationary fishing device

Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976).

Location	No. of Fishermen	Catch/ Fisherman	King	Red	Coho	Pink	Chum	TOTAL
				1963				
Pilgrim River	7	246	0	303	0	805	419	1,727
Salmon Lake	9	263	0	3,283	25	0	0	3,308
TOTAL	16	315	0	3,586	25	805	419	5,035
Teller	3	802	9	1,280	0	256	860	2,405
DISTRICT TOTAL	19	392	9	4,866	25	1,061	1,279	7,440
				1964				
Pilgrim River	14	197	17	1,266	174	312	986	2,755
Salmon Lake	8	43	0	209	53	59	63	384
TOTAL	22	143	17	1,475	227	371	1,049	3,139
Teller-no survey								
DISTRICT TOTAL	22	143	17	1,475	227	371	1,049	3,139
				1965				
Pilgrim River	12	101	11	305	64	199	628	1,207
Salmon Lake	11	103	1	962	100	23	43	1,129
TOTAL	23	102	12	1,267	164	222	671	2,336
Teller	6	600	24	537	475	1,632	931	3,599
DISTRICT TOTAL	29	205	36	1,804	639	1,854	1,602	5,935

in gradual increases in run magnitudes over the next few years. However, it is also possible that the run has suffered such a significant decline that it cannot be restored to former levels by management techniques alone. It may be necessary to initiate an expensive rehabilitation program and prohibit all subsistence fishing. One problem concerning a blanket subsistence closure is that other harvestable species such as pink and chum salmon migrate concurrently with the red salmon. To prohibit the taking of red salmon would prohibit, or at least seriously limit, the taking of these other species as well. An alternative management policy would be to subject the subsistence fishery to open and closed periods in order to increase escapement and still allow a subsistence harvest. This latter policy was initiated during the 1972 season.

Appendix Table 14. (continued) Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976)

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
				1969				
Pilgrim River	3	5	0	4	0	10	0	14
Salmon Lake	4	13	0	51	0	0	0	51
TOTAL	7	9	0	55	0	10	0	65
Teller	6	270	2	128	27	538	932	1,617
DISTRICT TOTAL	13	122	2	180	27	548	922	1,582
				1970				
Pilgrim River	3	20	0	32	0	2	25	59
Salmon Lake	4	22	0	30	6	23	30	89
TOTAL	7	21	0	62	6	25	55	148
Teller	9	710	4	481	1,040	1,261	3,601	6,387
Brevig Mission	2	334	0	45	25	22	575	667
TOTAL	11	641	4	526	1,065	1,283	4,176	7,054
DISTRICT TOTAL	18	400	4	588	1,071	1,308	4,231	7,202
				1971				
Pilgrim River	4	21	3	37	3	0	39	82
Salmon Lake	4	30	4	90	2	14	10	120
TOTAL	8	25	7	127	5	14	49	202
Teller	12	531	23	688	899	1,155	3,605	6,370
Brevig Mission	2	104	1	35	55	2	115	208
TOTAL	14	470	23	723	954	1,157	3,720	6,578
DISTRICT TOTAL	22	308	31	850	959	1,171	3,769	6,780

Appendix Table 14. (continued) Subsistence catches (all species) for Pilgrim River, Salmon Lake, and Teller, (1963-1976).

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
				1966				
Pilgrim River	7	58	5	7	14	84	295	405
Salmon Lake	4	32	0	123	2	0	2	127
TOTAL	11	48	5	130	16	84	297	532
Teller	13	348	2	702	785	645	2,393	4,527
Brevig Mission	2	291	3	168	95	130	185	581
TOTAL	15	341	5	870	880	775	2,578	5,108
DISTRICT TOTAL	26	217	10	1,000	896	859	2,875	5,640
				1967				
Pilgrim River	4	22	7	51	4	5	21	88
Salmon Lake	9	32	0	286	2	0	0	288
TOTAL	13	34	7	337	6	5	21	376
Teller	6	629	5	1,731	226	762	1,051	3,776
DISTRICT TOTAL	19	244	12	2,068	232	767	1,073	4,152
				1968				
Pilgrim River	3	22	3	34	4	7	19	67
Salmon Lake	3	25	0	73	1	0	0	74
TOTAL	6	24	3	107	5	7	19	141
Teller	11	249	25	361	75	1,542	738	2,741
Brevig Mission	7	113	12	220	53	537	147	789
TOTAL	18	196	37	581	128	1,899	885	3,530
DISTRICT TOTAL	24	153	40	688	133	1,906	901	3,671

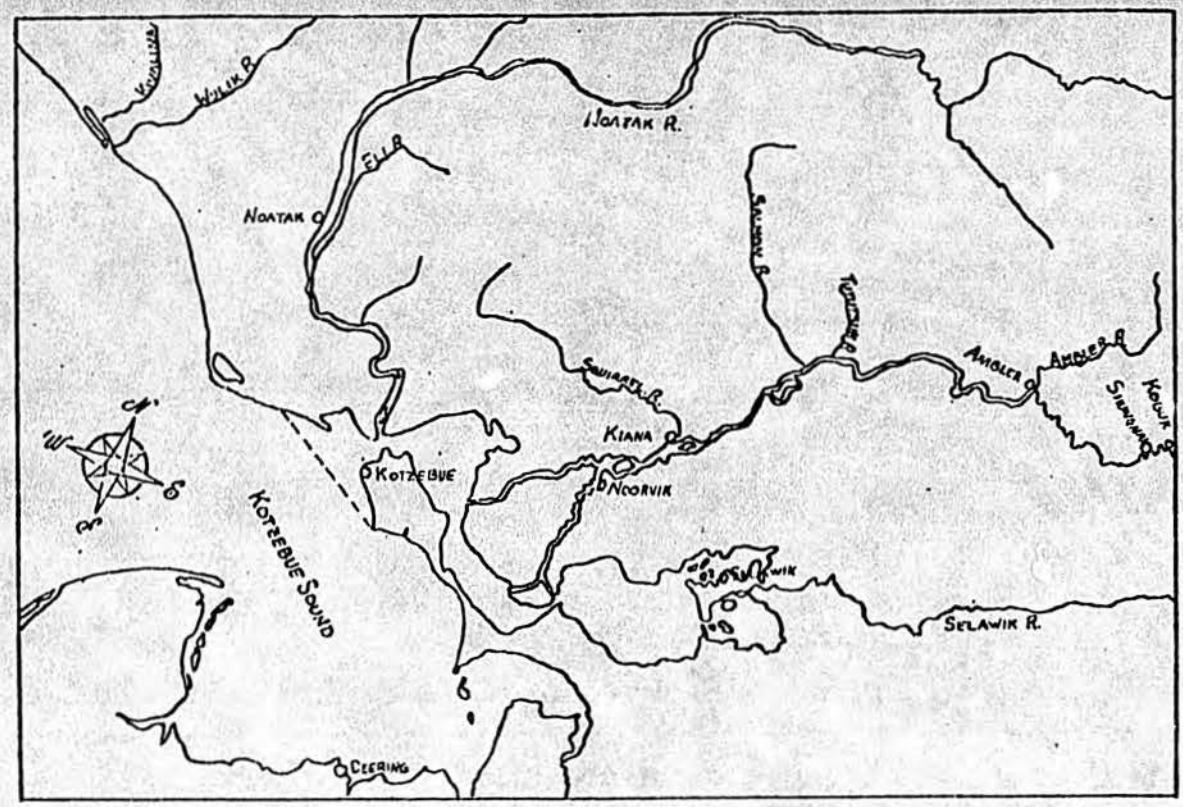
Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake and Teller, (1963-1976) (continued)

Location	No. of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	TOTAL
				1976				
Teller	6	1,034	4	200	0	200	5,800	6,204
Brevig Mission								
TOTAL	6	1,034	4	200	0	200	5,800	6,204
Pilgrim River	8	67	2	53	20	236	226	537
Salmon Lake	1	39	1	38	0	0	0	39
TOTAL	9	106	3	91	20	236	226	576
DISTRICT TOTAL	15	452	7	291	20	436	6,026	6,780

Appendix Table 14. Subsistence catches (all species) for Pilgrim River, Salmon Lake and Teller, (1963-1976). (continued)

Location	No.of Fishermen	Catch/ Fishermen	King	Red	Coho	Pink	Chum	Total
				1972				
Teller	7	442	0	68	287	75	2,661	3,091
Brevig Mission	1	250	4	0	101	0	145	250
DISTRICT TOTAL	8	418	4	68	388	75	2,806	3,341
				1973				
Teller	4	584	22	46	280	424	1,562	2,334
Brevig Mission	0	0	0	0	0	0	0	0
DISTRICT TOTAL	4	584	22	46	280	424	1,562	2,334
				1974				
Teller	7	218	0	0	62	12	1,445	1,529
Salmon Lake	4	7	0	28	0	0	0	28
Brevig Mission	2	605	0	0	0	2	1,208	1,210
DISTRICT TOTAL	13	213	0	28	62	14	2,663	2,767
				1975				
Teller	7	310	0	216	5	743	1,209	2,173
Brevig Mission	2	153	0	0	0	0	305	305
TOTAL	9	275	0	216	5	743	1,514	2,478
Pilgrim River	2	38	0	1	0	0	75	76
Salmon Lake	6	5	0	27	0	0	0	27
TOTAL	8	13	0	28	0	0	75	103
DISTRICT TOTAL	17	152	0	244	5	743	1,589	2,581

Figure 4. Kotzebue District, showing project location.



Appendix Table 15. Comparative red salmon aerial survey counts and subsistence catches, Port Clarence District, 1963-1976.

	Aerial Survey Counts			Subsistence Catch		
Year	Salmon Lake	Grand Central River	Total	Pilgrim River Drainage	Teller Brevig Mission	Total
1963	866	620	1,486	3,586	1,280	4,866
1964	76	590	666	1,475	0	1,475
1965	250	160	410	1,267	537	1,804
1966	1,120	370	1,490	130	870	1,000
1967	129	280	409	337	1,731	2,068
1968	830	645	1,475	107	581	688
1969	24	171	195	55	128	183
1970	1/	1/	1/	62	526	588
1971	538	512	1,050	127	723	850
1972	680	300 2/	980	0	68	68
1973	1,747	607	2,354	0	46	46
1974	820	0	820	28	0	28
1975	537	123	660	28	216	244
1976	132	22	154	53	291	344

1/ No survey made.
2/ Boat survey.

Commercial Fishery-other species

Other species of fish that are harvested commercially include sheefish and Arctic char. The Arctic char fishery is incidental to the commercial salmon fishery. In 1976 no commercial landings of incidentally caught Arctic char were recorded. There were Arctic char being caught during the last week of the commercial salmon fishery, but the fishermen utilized them for personal use.

The sheefish fishery is generally considered a winter fishery. This fishery is regulated by permit and area to be fished with an area quota of 25,000 pounds in effect. During the winter of 1975-1976, 556 sheefish, averaging 9.0 pounds, were harvested. The bulk of this harvest was marketed and sold locally with some sheefish flown in the round to marketing outlets in Fairbanks and Anchorage (Table 23).

Subsistence Fishery-salmon

Subsistence salmon fishing has long been an important food gathering activity for the Eskimo people of the Kotzebue district. Remnants of salmon spears and nets have been found in old village sites on the Kobuk River that date back to 1250 A.D.. At present, subsistence fishermen use set gill nets and beach seines to catch salmon in the bays and rivers. Nearly all of the catch is

consumed as dried fish. All portions are utilized, e.g. the flesh is dried and used for both human and animal consumption, while the head and viscera are fed to dogs.

It is difficult to calculate the value of the subsistence fishery in terms of dollars to the residents of this area. However, if subsistence fishermen had to purchase a protein food in the place of their subsistence salmon catch, this fishery would probably rival the value of the commercial fishery. In some years the numbers of salmon taken for subsistence in the Kotzebue Sound area exceeds the commercial catch. Subsistence catches of salmon and other fish were especially important in 1976 due to reduced numbers of caribou.

All available subsistence chum salmon catches are presented in Appendix Table 23. The 1957 studies of Raleigh document estimates of average annual subsistence catches for recent years prior to 1957. The methods and completeness of this survey were not fully documented. ne catch estimates were obtained from interviews of a certain percentage of each village population. The interview data was then expended to include the entire village. Possible large errors in the estimation of total catches could have occurred.

this is expected to result in less subsistence fishing effort in the future.

In 1976, 15,765 chum salmon were harvested for subsistence purposes by 91 fishermen. The subsistence harvest is annually assessed either by personal interviews or catch calendars. The personal interview is the predominant means of gathering this information. Appendix Table 24 presents mean catches per fisherman (fishing family) for the seven villages surveyed annually since 1962.

The 1976 subsistence harvest of 15,765 chum salmon represented a decrease from the 1975 harvest. The 1976 harvest was approximately 32% below the recent 5-year average of 23,264 (Appendix Table 25).

Escapements

During 1976, aerial surveys were conducted of key tributaries as well as the main streams of the Kobuk and Noatak River systems and the Inmachuk River of southern Kotzebue Sound. Aerial and foot survey counts of spawning chum salmon in 1976 are presented in Table 10.

Chum salmon escapements indices recorded for the Noatak and Kobuk River systems were respectively 32% and 78% below primary brood year abundance indices. The Noatak River escapement indexes for 1976 was 52% below comparable annual average indices. Appendix Table 26 represents comparative escapements for the 1962-1976 period.

Catches during the period 1962-1976 were obtained by the Alaska Department of Fish and Game. The catches were tabulated by direct counts of salmon, interviews, or by the return of catch forms that were distributed to the fishermen who are not contacted by interviewers. On the basis of observations and analysis of catch records, it was estimated that the recorded catches represented at least 70 percent of the actual harvest. The villages of Deering, Buckland, Candle and Shishmaref were not surveyed until the 1965 season.

The estimated average annual catch, both commercial and subsistence, of chum salmon in the Kotzebue Sound drainage during the 1962-1976 period was slightly less than one-half of that for the 1957 study. There is insufficient information to determine whether this apparent decline in catch is a result of less fishing effort, fewer available salmon, errors in catch estimates or a combination of all of these factors.

Although there is no fishing effort or other data available, there is some indication that the dependence on subsistence fishing has declined in this region during recent years as a result of increased welfare payments and more employment opportunities. Motorized snow vehicles are beginning to replace sled dogs and

Appendix Table 23. Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976.

Village	1965-1967 Fishermen Interviewed	1965-1967 Number of Sheefish	1967-1968 Fishermen Interviewed	1967-1968 Number of Sheefish
SUBSISTENCE				
Noorvik	28	3,792	35	1,910
Kiana	19	925	25	766
Ambler	11	194	14	559
Shungnak	11	166	13	837
Kobuk	7	99	5	270
Subtotal	76	5,176(6-10/67)	92	4,342(6-10/68)
Selawik	29	7,164(3-11/67)	38	5,030(4-11/68)
Kotzebue	30	10,060(10/66-22,400 5/67)	48	21,871(10/67-31,293 7/68)
Totals	135		178	
COMMERCIAL				
Kotzebue	10	922(10/66-5/67)	17	2,375(10/67-9/68)
Combined TOTALS	145	23,322	195	33,668

Village	1968-1969 Fishermen Interviewed	1968-1969 Number of Sheefish	1970 Fishermen Interviewed	1970 Number of Sheefish
SUBSISTENCE				
Noorvik	20	1,324	46	7,126
Kiana	22	409	25	790
Ambler	20	554	12	125
Shungnak	17	530	19	608
Kobuk	11	553	4	158
Subtotal	90	3,370(10/68-12/69)	106	8,807
Selawik	35	4,140(3-11/69)	29	1,601
Kotzebue	19	4,362(10/68-11,872 12/69)	33	3,520
Totals	144		168	13,928
COMMERCIAL				
Kotzebue	-	2,206(10/68-12/69)	4	350(1/70-12/70)
Combined TOTALS	144	14,078)	172	14,278

Appendix Table 23. (continued) Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976.

Village	1971 Fishermen Interviewed	1971 Number of Sheefish	1972 Fishermen Interviewed	1972 Number of Sheefish
SUBSISTENCE				
Noorvik	32	5,975	21	2,213
Kiana	25	1,060	17	307
Ambler	13	711	6	350
Shungnak	20	671	10	639
Kobuk	5	1,068	7	12
Subtotal	95	9,485	61	3,521
Selawik	27	3,416	-	--
Kotzebue	33	682	18	311
Totals	155	13,583	79	3,832
COMMERCIAL				
Kotzebue	5	456	11	2,325
Combined TOTALS	100	14,039	90	6,157

SUBSISTENCE	1973		1974	
Noorvik	19	4,394	21	519
Kiana	25	--	15	51
Ambler	5	83	10	257
Shungnak	9	195	7	127
Kobuk	7	226	5	100
Subtotal	65	4,888	58	1,062
Selawik	-	--	-	--
Kotzebue	-	--	-	--
Totals	65	4,888	58	1,062
COMMERCIAL				
Kotzebue	6	--	-	--
Combined TOTALS	71	4,888	58	1,062

Appendix Table 24. Subsistence chum salmon catch per fisherman, Kotzebue district, 1962-1976.

Village	1962	1963	1964	1965	1966	1967	1968	1969	1970
Kotzebue	1/	650	515	400	158	202	135	98	187
Noatak	1,190	800	710	810	820	914	220	760	242
Noorvik	665	160	220	220	137	90	84	163	132
Kiana	350	2/	260	265	62	68	96	223	138
Ambler	1/	94	310	190	76	49	33	235	242
Shungnak	1/	2/	2/	220	45	125	114	318	182
Kobuk	335	67	205	145	104	35	206	206	150

1/ No survey.
2/ Number of fishermen unknown.

Appendix Table 23. Subsistence and commercial sheefish catches, Kotzebue district, 1966-1976. (Continued)

Village	1975 Fishermen Interviewed	1975 Number of Sheefish	1976 Fishermen Interviewed	1976 Number of Sheefish
SUBSISTENCE				
Noorvik	22	660	6	210
Kiana	15	68	20	58
Ambler	12	114	8	60
Shungnak	14	540	15	539
Kobuk	6	255	8	99
Subtotal	69	1,637	57	966
Selawik	-	--	-	--
Kotzebue	-	--	-	--
Totals	69	1,637	57	966
COMMERCIAL				
Kotzebue	14	2,633(12/74-6/75)	2	566
Combined TOTALS	83	4,270	59	1,522
SUBSISTENCE				
Noorvik				
Kiana				
Ambler				
Shungnak				
Kobuk				
Subtotal				
Selawik				
Kotzebue				
Totals				
COMMERCIAL				
Kotzebue				
Combined TOTALS				

Appendix Table 25. Kotzebue district subsistence chum salmon catches, 1962-1976.

Village	1962	1963	1964	1965	1966	1967	1968	1969
Noorvik	15,934	4,304	2,167	5,596	3,141	2,350	2,424	1,301
Kiana	3,139	1,973	783	1,598	433	1,489	2,488	2,458
Ambler	1/	755	2,142	1,340	912	679	457	3,525
Shungnak	1/	1,240	3,134	2,160	899	1,500	1,600	2,550
Kobuk	2,321	200	1,020	877	625	175	1,030	1,655
Kobuk River TOTAL	21,393	8,472	9,246	11,571	6,010	6,193	7,999	11,489
Noatak River TOTAL 2/	48,890	16,762	12,763	5,671	19,700	26,512	5,490	14,458
Kotzebue	-	5,835	7,753	8,058	3,640	4,032	4,324	1,768
Deering	-	-	-	5,200	6,238	3,098	2,838	1,897
Buckland	-	-	-	-	-	162	37	-
Candle	-	-	-	-	-	11	89	200
Shishmaref	-	-	-	-	-	100	37	-
DISTRICT TOTAL	70,283	31,069	29,762	30,500	35,583	40,108	20,814	29,812

1/ Not surveyed.
2/ Represents catches of the village of Noatak; 40,693 chums taken during 1961.

Appendix Table 24. (continued) Subsistence chum salmon catch per fisherman, Kotzebue district, 1962-1976.

Village	1971	1972	1973	1974	1975	1976
Kotzebue	53	63	195	1/	1/	1/
Noatak	148	74	36	393	138	212
Noorvik	223	84	121	324	210	259
Kiana	207	84	178	181	288	79
Ambler	177	244	305	165	282	250
Shungnak	133	266	469	891	647	281
Kobuk	386	302	273	450	293	70

1/ No survey.
2/ Number of fishermen unknown.

Appendix Table 26. Comparative chum salmon aerial survey counts, Kotzebue district, 1962-1976.

	1962	1963	1964	1965	1966	1967	1968
Noatak River System							
Noatak River(below Kelly River	168,000	1,970 1/	89,798	4,177 1/	101,640	28,620	39,394
Eli River	9,080	35 1/	-	-	12 1/	-	5,502
Kelly River&Lake	1,818	600	-	3,155	570	225	375
TOTAL	178,898	2,605 1/	89,798	7,332 1/	102,222	28,845	45,271 1/
Kobuk River System							
Main Kobuk River							
Mouth toKobuk	-	-	7,985	-	-	-	-
Kobuk to Pah River	-	-	-	1,000	266	-	530
Pah River to just below Selby River	-	400	-	-	-	-	50
Selby River mouth and Slough	-	2,575	-	1,750	630	1,625	70
Selby River mouth to just below Beaver R.	-	-	-	-	-	75	170
Seaver River mouth	-	1,095	-	-	460	795	1,550
Above Beaver River	-	465	-	-	118	-	-
TOTAL Main Kobuk River	23,150 2/	4,535	7,985	2,750	1,474	2,495	2,370
Squirrel River	16,050	2,200	8,009	7,230	1,350	3,332	6,746
Salmon River	12,936	1,535	9,353	1,500 1/	3,957	2,117	3,367
Tutuksuk River	10,841	670	2,635	-	1,383	169	823 1/
TOTAL KOBUK R. System	62,977 2/	8,940	28,032	11,480	8,164	8,113 2/	13,306

1/ Poor survey conditions or incomplete survey.
2/ Probably represents over-estiamte and includes some sheefish.
3/ Counts have been revised and are now correct.

Appendix Table 25. Kotzebue district subsistence chum salmon catches, 1962-1976. (continued)

Village	1970	1971	1972	1973	1974	1975	1976	Fishermen Interviewed(1976)
Noorvik	6,077	7,144	1,774	2,312	6,809	4,620	1,555	6
Kiana	3,457	5,177	1,435	4,470	2,726	4,320	1,579	20
Ambler	2,899	2,299	1,469	1,529	1,651	3,390	2,000	8
Shungnak	3,450	2,653	2,665	4,406	6,243	9,060	4,213	15
Kobuk	600	1,931	2,119	1,917	2,251	1,755	562	8
Kobuk River TOTAL	16,483	19,204	9,462	14,634	19,680	23,145	9,909	57
Noatak River TOTAL 2/	4,120	9,919	741	216	4,330	1,515	4,448	21
Kotzebue	6,184	1,737	1,151	1,172	1/	1/		1/
Deering	1,242	763	369	1,098	1,880	1,175	1,358	12
Buckland	344	155	59	1,722	639	1,540		
Candle	113	50	15	1/	1/	1/	50	1
Shishmaref	-	131	29	100	200	230		
DISTRICT TOTAL	28,486	31,959	11,085	18,942	26,729	27,605	16,765	91

1/ Not surveyed.
2/ Represents catches of the village of Noatak; 40,693 chums taken during 1961.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

TABLE OF CONTENTS

	Page
PREFACE	1 & 2
KUSKOKWIM DISTRICT	3
INTRODUCTION	3
District and Subdistrict Boundaries	3
Fishery Resources	3
Commercial Fishery	4
[redacted]	
[redacted]	
Management	9
DISTRICT SUMMARY OF THE 1976 COMMERCIAL FISHERIES	9
Licensing	9
Commercial Catches	9
Buyers and Processors	10
Economic Value	10
Enforcement	10
[redacted]	11
Commercial Fishery	11
King Salmon	14
Subdistrict 1	15
Subdistrict 2	15
Chum Salmon	16
Subdistrict 1	17
Coho Salmon	17
Subdistrict 1	17
[redacted]	
Methods	
Catch and Effort	
Escapement	
[redacted]	
Commercial Fishery	
Subsistence Fishery	
Escapement	
[redacted]	
Commercial Fishery	
Subsistence Fishery	
[redacted]	
OUTLOOK FOR 1977	24
King Salmon	24
Chum Salmon	24
Coho Salmon	24
Pink Salmon	25

AUG 0 9 1977

ALASKA DEPARTMENT OF FISH AND GAME
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INDEX TO FIGURES AND TABLES

KUSKOKWIM DISTRICT

Page

[redacted]

Table 1. Kuskokwim district mileages..... 27
Table 2. List of fishes found in the Kuskokwim area..... 28
Table 3. Kuskokwim district emergency orders, 1976..... 29
Table 4. Kuskokwim district regulatory changes, 1977..... 30
Table 5. Summary of special projects conducted in the Kuskokwim district, 1976..... 31 & 32

DISTRICT SUMMARY

Table 6. Kuskokwim district processors and associated data, 1976..... 33 & 34
Table 7. Kuskokwim district licenses issued by village and subdistrict, 1976..... 35
[redacted]
Table 9. Average weight of salmon taken in the Kuskokwim district commercial fishery, 1976..... 37
Table 10. Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-10) all gear combined, 1976..... 38
Table 11. Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-11), all gear combined, 1976.... 39
Table 12. Commercial salmon catches, lower Kuskokwim River (subdistrict 1, 335-12), all gear combined, 1976.... 40
Table 13. Commercial salmon catches, upper Kuskokwim River (subdistrict 2, 335-20), all gear combined, 1976.... 41
Table 14. Kuskokwim District age analysis data, 1976..... 42
[redacted]
Table 16. Commercial salmon catches, Quinhagak (subdistrict 4, 335-40), all gear combined, 1976..... 44
Table 17. Aerial salmon escapement surveys in the Kuskokwim district, 1976..... 45-48
Table 18. Commercial salmon catches, Goodnews Bay (subdistrict 5, 335-50) all gear combined, 1976..... 49

APPENDIX TABLES

KUSKOKWIM DISTRICT

Page

A. Table 1. Kuskokwim district commercial and subsistence catches, 1913-1976..... 50

DISTRICT SUMMARY

A. Table 2. Kuskokwim district commercial, vessel, and gear licenses issued by subdistrict, 1960-1976..... 51
A. Table 3. Kuskokwim district commercial catch by drainage, 1960-1976..... 52
A. Table 4. Comparable commercial king salmon catch data, Kuskokwim district, 1900-1976..... 53
A. Table 5. Commercial salmon pack by species in round weight (lbs). Kuskokwim district, 1964-1976..... 54
A. Table 6. Mean salmon weights and prices paid to fishermen, Kuskokwim district, 1964-1976..... 55
A. Table 7. Dollar value estimates of Kuskokwim district commercial fishery, 1964-1976..... 56
[redacted]
A. Table 9. Comparative commercial king salmon catch by fishing period during the king salmon season, Kuskokwim River (subdistrict 1, 335-10), 1965-1976..... 58
[redacted]
A. Table 11. Comparative commercial chum salmon catch data by fishing period during the chum salmon season, Kuskokwim River (subdistrict 1, 335-10), 1971-1976..... 60
A. Table 12. Comparative commercial coho salmon catch date by week, lower Kuskokwim River (subdistrict 1, 335-10), 1965-1976..... 61
[redacted]

APPENDIX TABLES (Continued)

Page

[redacted]

A. Table 18. Comparative Kuskokwim River drainage king salmon escapement counts..... 68

PREFACE

This report presents all available information concerning the management of commercial and subsistence fisheries in the Kuskokwim district. Although data from many special research projects are included in this report, complete documentation of these projects and results will be presented in separate reports. All catch data tables are based upon field data.

Data presented in this report supercedes information found in previous management reports. An attempt has been made to correct errors in previous reports and previously unrecorded data have been incorporated into this report which are so indicated by appropriate footnotes.

This report is organized into the following major sections:

1. District Introduction. This is a general and brief description of the area, inhabitants, fishery resources, fisheries and management practices.
2. District Summary. This section summarizes current year data for the area and makes comparisons with previous years.
3. Subdistrict Reports. There are several unique and separate fisheries in the district and separate comprehensive reports are presented for each.

In order to facilitate use of this report, the tabular data has been separated into current year tables and appendix tables where annual comparisons are made. The text for each major section is followed by current year tables and then appendix tables.

The following is an explanation of how effort and catch per unit effort data, presented throughout this report, have been derived. Total boat (or fisherman) hours are computed by arbitrarily assuming that if a fishing boat delivers in any 24 hour fishing period, it fished the

Commercial Fishery

Although the Kuskokwim district commercial fishery is the oldest in the AYK region with catches reported as early as 1913, commercial fishing did not mature for a half-century. For many years, small commercial mild-cure operations were conducted in or near Kuskokwim Bay while the Kuskokwim River fishery remained virtually undeveloped. During the 1930's when dog teams were intensely utilized for freight hauling, a "quasi-commercial" fishery operated in the McGrath area for the sale of dried, subsistence caught salmon for dog food. However, this fishery declined with the dog teams and the Kuskokwim district experienced little additional commercial effort until Alaska became a state more than twenty years later.

Commercial salmon fishing activity has grown significantly since statehood as district fishermen have been making the difficult transition from a subsistence culture to a cash economy. This has affected fishing effort, resulting in a tremendous expansion in fishermen numbers and in increased, sustained effort. Fishing vessels have remained virtually unchanged over the years, but increased utilization of highly mobile nylon drift nets has greatly improved the efficiency of the fleet. Of course, the overall expansion of the commercial fishery could not have been accomplished without improvements in processing and tendering facilities that have occurred throughout the district (Appendix Table 1).

King, red, coho, pink and chum salmon are of primary commercial significance in the Kuskokwim district. Although these fish are commercially utilized locally to some extent, the vast majority are transported from the district as a fresh or frozen product. Sheefish and whitefish are harvested incidentally to the salmon catch, however, a limited fall and

winter "whitefish fishery" is conducted to satisfy local market requirements.

Subsistence Fishery

District residents have long depended upon the fishery resources as a source of food. Until relatively recently, traditional fishing methods and materials limited the size and scope of the fishery. Spears, dip nets, fish traps, and willow or caribou strip gill nets were slowly supplanted by more efficient linen gill nets enabling the fishery to expand tremendously. Whitefish, cisco, black fish, pike, burbot, and sheefish have been historically utilized along with salmon, particularly chum salmon. Recent improvements in fishing gear, notably the introduction of nylon gill net webbing, have increased the availability and importance of king salmon since statehood. Estimated peak subsistence salmon harvest levels were reached during the 1930's coincidentally with the quasi-commercial McGrath fishery, but harvest trends indicated a continuing decline into the 1940's. Little additional catch data is available for the twenty year span prior to statehood (Appendix Table 1).

Today the dependence on fish for personal use remains as important as money realized from the commercial fishery. However, several factors, as yet not totally defined, are affecting the complexion of the subsistence fishery. These factors include:

(1) Increasing commercialization of subsistence products.

(2) Cultural changes of local residents.

(3) Various State and Federal social-aid programs.

Any management of the Kuskokwim district fishery resources must take into account the growing - and changing - requirements of the subsistence fishery.

Subsistence Salmon Roe Fishery

The Governor approved legislation on May 29, 1975 allowing the sale of subsistence caught salmon roe within the AYK region. In order to administer the legislation, the Commissioner of Fish and Game issued an emergency regulation in June, 1975 which controlled the purchase and sale of subsistence roe in portions of the region. The key elements of the emergency regulation were:

1) Permits are required of all persons or companies purchasing or processing subsistence-caught roe.
2) Revocation of permits upon violation of permit terms, regulations or laws.
3) Strict reporting requirements in regard to amount of subsistence-caught roe in order that estimates of subsistence harvests can be made.
4) Prohibition of subsistence-caught roe sales when subsistence harvests are likely to exceed traditional personal use needs.
5) Prohibition of subsistence-caught roe sales in districts and subdistricts where salmon runs are especially vulnerable to overharvest or where subsistence catches in the past have been negligible.

Numbers of salmon were "back-calculated" from reported subsistence roe poundages by utilizing in-season sampling of the various runs. Therefore, estimates of the subsistence harvest were possible and were available for in-season management purposes. Attachment 1 presents a comprehensive review of the "subsistence roe fishery".

Management

The Division of Commercial Fisheries of the Alaska Department of Fish and Game is responsible for the management of the commercial and

subsistence fisheries within the Kuskokwim district. The permanent staff assigned to this district includes one management biologist and two research biologists. In addition, 10-15 temporary summer employees are hired each season to assist the permanent staff in conducting various management and research studies.

The main objective of the Department's program is to manage the commercial salmon fisheries on a sustained yield basis in addition to obtaining needed information to determine the potential for commercial fisheries on under utilized species such as herring, char and whitefish. Present commercial salmon fishing regulations are still relatively restrictive in order to insure that sufficient salmon are provided for subsistence fishery and spawning ground requirements.

The basic regulation that governs the commercial salmon harvest in all districts is the scheduled weekly fishing period. Commercial fishing is normally allowed from 6 hours to four days a week during the open season, depending upon the sub-district and species involved. Fishing effort usually occurs during the entire run and not just during any particular segment of the run. Occasionally more, or less, fishing time is allowed, depending upon fishing conditions, the strength of the runs or spawning escapements as determined by special studies conducted by the Department.

Due to the vast size of the area and the turbid nature of many streams, accurate estimates of the size of salmon runs and the spawning escapements are difficult to obtain. Fishery management is also hampered by the relative lack of comparative catch and return information since all the fisheries were either initiated or expanded through regulation changes since 1961 and 1962. The management problem is further compounded by having to provide sufficient escapement after commercial fishing for the important subsistence fishery as well as for spawning purposes.

Subsistence Fishery

Methods: The annual survey of the Kuskokwim River subsistence fishery was initiated in 1960. During the early years, the Department utilized "smokehouse counts" to determine total utilization of subsistence-caught fish. In an effort to determine additional timing and magnitude data, the Department began using "subsistence catch calendars" which are distributed to fishermen prior to the fishing season. Subsistence fishermen enter their daily catches of salmon and non-salmon species on the calender. During July and August a Department crew utilizes a cabin skiff to travel more than 360 river miles (Eek to Swift River) to collect catch data from the individual fishermen in addition to recording certain information from non-fishing families. After the river survey is completed, catch questionaries are sent to those fishermen not individually contacted.

In the 1969 Annual Report, a review is presented regarding methods used to obtain subsistence harvest and related information. All subsistence information presented in tabular form in this report, except in Appendix Table 17 represents "expanded data". This includes those families known to have fished but for one reason or another were not personally contacted by the survey crew. Catch data for these families are assumed to be the same as the averages for the particular village and are included in most of the tables.

Reported coho salmon catches are very minimal as the coho salmon run occurs after the survey is completed. Most of the coho salmon catch data is obtained from the return of catch calenders. Prior to 1969, little effort was made to determine the coho salmon harvest. The coho salmon estimates are not included in the comparative catch tables.

Catch and Effort: The Kuskokwim River system's harvest included 57,917 king salmon and 223,792 chum salmon utilized by 672 fishing

families during 1976 (Table 11). The king salmon catch was the largest since 1970 and was 33 percent above the recent 15 year average (Appendix Table 13). The chum salmon harvest was 18 percent below the high 1974 catch, but 8 percent above the recent 16-year average (Appendix Table 14).

In order to evaluate the effect of snowmachines on the subsistence harvest, all fishing families interviewed since 1967 have been checked for the number of snowmachines they owned. The number of families owning snowmachines has more than doubled since 1969 (Appendix Table 15). Average numbers of snowmachines per fishing family during 1967-1975 are shown in Appendix Table 16.

The public relations aspect of the annual subsistence fishery survey is important to the success of the survey itself and the Department's management program. By any method tested, the results of the voluntary contribution of the people of this program are as accurate as the people are capable of giving. The major problem is that many of the fishermen are illiterate and speak only Eskimo and have to relay much of the catch information through their school-age children.

There is still a moderate sale or trading of dried salmon on the Kuskokwim River, but is not documented. People from the coastal delta villages still bring their pokes of seal oil to trade for dried fish. The lower river dried fish are now primarily being used for human consumption.

The use of the fishwheel to capture salmon is slowly disappearing from the Kuskokwim River. Only 8 fishwheels were used along the survey route in 1976, compared to 30 in 1965 and 65 in 1960. The fishwheel is being replaced by the much more mobile gill net, which involves a lot less time and effort to operate. The use of gill nets is a relatively new technique for most Kuskokwim River residents. The efficiency of the two types of gear is difficult to evaluate, as large catches are often made with both. Table 15 presents an overview of all the subsistence data conducted in 1976.

Escapement

Kuskokwim River drainage escapement estimates from aerial surveys have proved difficult and costly to obtain. Varying stream and weather conditions, in addition to pilot and observer skills, often make the data difficult to interpret (Appendix Table 18). Although aerial surveys will be continued for some streams, emphasis will be placed on obtaining accurate escapement figures by use of counting towers or weirs on several "key" spawning tributaries.

All the kuskokwim River aerial survey results for 1976 are presented in Table 12. Escapements of kings, chums and reds were generally above average as documented by aerial survey.

A counting tower has been operated yearly on the Kogrukluk River (Holitna River system) since 1969 (except 1971). The Kogrukluk River crew counted 3,261 kings, 9,170 chums, and 4,433 reds. The chum and red salmon counts were the highest on record, while the king count was average in magnitude.

QUINHAGAK (SUBDISTRICT 4)

Commercial Fishery

The Quinhagak fishery is one of two located south of the Kuskokwim River mouth (Figure 1). This fishery has traditionally been very sporadic due to unstable processing facilities, however, the commercial fishery has stabilized during the past few seasons.

Fishing regulations for this subdistrict are very similar to those found on the Kuskokwim River, except that there are no distinct fishing seasons. Beginning with the 1971 season, the basic fishing period was reduced from two 24-hour periods to two 12-hour periods per week. Commercial fishing is allowed only in Kuskokwim Bay waters. This is necessary to ensure escapement of adequate numbers of salmon up the

narrow Kanektok River. The vast majority of gear operated consists of drift gill nets that are fished at low tide in "gutters" located two to three miles off shore and next to shore at high tide. Most of the fishing takes place near the mouth of the Kanektok River.

The Kanektok River king salmon run is later than that of the Kuskokwim River and for this reason the Quinhagak fishery opening is delayed until mid-June. The delayed opening prevents possible interception of Kuskokwim River fish and aids in preventing overharvest of the king salmon run.

Fishermen were required to use small mesh gear (6-inch stretched mesh or smaller) during the entire commercial fishing season. This was necessary primarily to prevent selective harvesting of the larger, more productive king salmon by the large mesh nets. However, the mesh limitation was also designed to increase harvests of the more abundant "other salmon" species (i.e. red, pink, chum, and coho).

The commercial salmon season was opened on June 21 with two 12-hour fishing periods a week continuing until July 19 when an additional 12-hour period was added to the schedule. (Table 16). A total of 14,110 kings, 6,090 reds, 13,777 cohos, 31,412 pinks and 43,659 chums totalling 109,048 fish was taken. All catches were considerably above the recent 5 year averages with the exception of the red salmon catch (Appendix Table 3). Fishermen were placed on limit for much of the season by one of the major buyers. Commercial fishing effort totaled 181 fishermen, an 8 percent decrease from the record 1974 levels but still above average.

Subsistence Fishery

Accurate comparable subsistence data has been lacking for the Quinhagak subsistence fishery during recent years. However, observation by the staff indicates that dependence on subsistence fishing has not been high. Apparently the greatest amount of fishing effort occurs in

the Kanektok River after the commercial fishing season when mostly coho salmon are taken.

Methods used to tabulate catches made by Quinhagak fishermen were similar to those used for the Kuskokwim River survey. A total of 50 Quinhagak fishing families returning catch calendars reported catching 2,200 kings and 5,950 "other salmon"..

Appendix Table 17 shows comparative catch data for 1967-76.

Escapement

Escapement counts made during various aerial surveys of the Kanektok River system are shown in Table 17. Poor weather conditions frequently hampered aerial surveys in the Quinhagak subdistrict. The king salmon escapement appeared to be at least average in magnitude. Based on comparative catch data, escapement of all other species was probably average also.

GOODNEWS BAY (SUBDISTRICT 5)

Commercial Fishery

Traditionally, the male residents from the villages of Goodnews Bay and Platinum have gone to Bristol Bay each summer to fish or work in the canneries, leaving the women and children home to fish for subsistence purposes. Prior to 1968, there are no records indicating that commercial salmon harvests were ever made in Goodnews Bay. The Department held public meetings in the area during the early 1960's regarding the possibility of initiation of a commercial fishery, but the negative response from village residents plus the absence of salmon buyers precluded this development.

In late August of 1968, the commercial salmon fishing was opened by emergency order in Goodnews Bay. This commercial fishery was created as

a result of a request from area residents and Department surveys, which indicated that a small harvestable supply of salmon was available. The fishery has been sporadic in nature due to inconsistent processing capabilities and inclement weather.

The commercial salmon season was opened June 21. The harvest was composed of 4,417 kings, 5,575 reds, 9,852 cohos, 8,453 pinks and 10,354 chums, totaling 38,651 fish. The king salmon catch was 51 percent above the 1975 harvest and 56 percent above the recent five-year average. Numbers of reds were 40 percent below the 1974 record level but were 22 percent above the recent average. The coho salmon harvest was 54 percent below 1974 record but 6 percent above the five-year average, while the chum salmon harvest was 37 percent below the 1974 record and 36 percent above the recent average. Commercial fishing terminated on September 11 when buyers left the subdistrict (Table 18).

A total of 40 fishermen made commercial landings in 1976, a decrease of 24 fisherman below 1975 levels.

This fishery has an important potential enforcement problem, indicated by fishermen's reports of illegal commercial fishing in the Goodnews River. Department personnel held several meetings in Goodnews Bay to discuss the fishing activities, and toward the end of the season, illegal fishing in the Goodnews River abated somewhat.

Subsistence Fishery:

Subsistence information from Goodnews Bay was very sparse for 1976. Subsistence catches from the subdistrict are always minimal.

Escapement:

Escapements of all species in the Goodnews River appeared adequate.

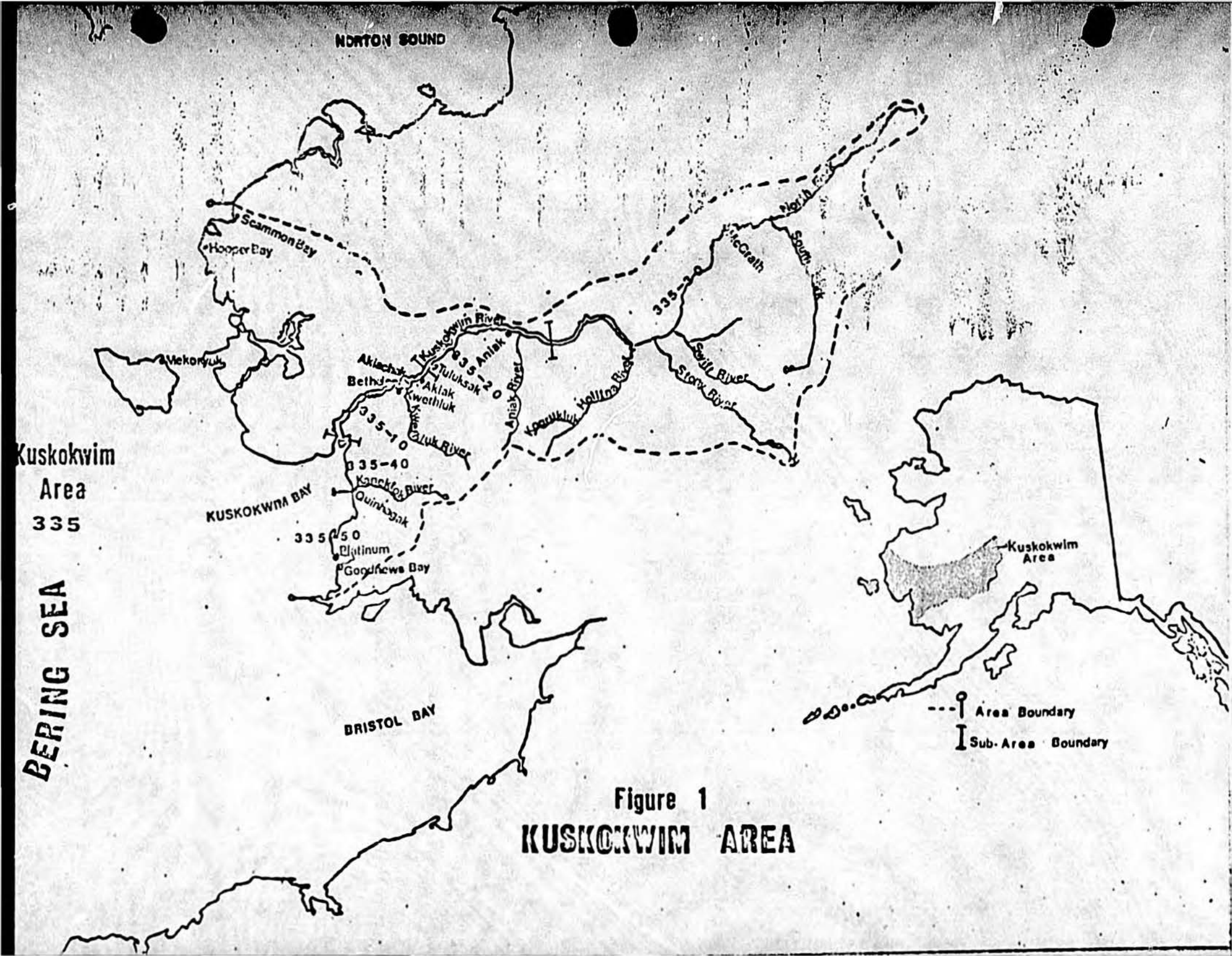

Figure 1

KUSKOKWIM AREA

Table 8. Commercial and subsistence salmon catches by species and statistical area, Kuskokwim district, 1976.

Subdistrict	King	Red	Coho	Pink	Chum[1/]	Total
335-10 Lower Kuskokwim						
Commercial	27,418	2,971	87,933	133	176,727	295,182
Subsistence [2/]	46,522	-	- [3/]	-	140,258	186,780
Total	73,940	2,971	87,933	133	316,985	481,962
335-20 Middle Kuskokwim						
Commercial	3,317		568		1,137	5,022
Subsistence [2/]	9,507		- [3/]		58,537	68,044
Total	12,824		568		59,674	73,066
335-30 Upper Kuskokwim						
Commercial	0		0		0	0
Subsistence [2/]	1,888		- [3/]		24,997	26,885
Total	1,888		0		24,997	26,885
Subtotal Kuskokwim River						
Commercial	30,735	2,971	88,501	133	177,864	300,204
Subsistence [2/]	57,917	-	- [3/]	-	223,792	281,709
Total	88,652	2,971	88,501	133	401,656	581,913
335-40 Quinhagak						
Commercial	14,110	6,090	13,777	31,412	43,659	109,048
Subsistence [2/]	2,217	-	- [3/]	-	5,930	8,147
Total	16,327	6,090	13,777	31,412	49,589	117,195
335-50 Goodnews Bay						
Commercial	4,417	5,575	9,852	8,453	10,354	38,651
Subsistence	201	-	- [3/]	-	1,428	1,629
Total	4,618	5,575	9,852	8,453	11,782	40,280
Total Kuskokwim District						
Commercial	49,262	14,636	112,130	39,998	231,877	447,903
Subsistence [2/]	60,335	-	- [3/]	-	231,150	291,485
Total	109,597	14,636	112,130	39,998	463,027	739,388

1/ Subsistence catches contain small numbers of red and pink salmon.

2/ Expanded data.

3/ Insufficient data for valid determination.

Table 15. Kuskokwim River subsistence fishery data, 1976.

Village	Fishing Family Data: Families	People	Dogs	Snow-Machines	Estimated Salmon catch 1/: King	Other 2/ Salmon	Coho 3/	Units of Gear: 8-1/2" Nets	5-1/2" Nets	Fish Wheels
Kipnuk										
Kwigillingok					75	463				
Kongigonak					122	439				
Eek	24	134	75	28	3232	3637	788	19	15	
Tuntutuliak	29	183	112	36	4807	8390	50	27	25	
Kasigluk	29	240	81	37	1613	4044	6	19	19	
Nunapitchuk	33	223	134	54	2578	6466	85	23	23	
Atmauthluak	13	82	33	15	1159	3361	85	12	10	
Napakiak	34	204	83	42	3330	9265	212	32	31	
Oscarville	7	45	31	7	623	2376	40	7	3	
Napaskiak	18	121	63	22	3566	21380	138	18	19	
Bethel	97	720	258	105	13215	26533	437	83	78	
Kwethluk	43	245	203	58	4193	26443	677	41	40	
Akiachak	29	209	91	43	4915	15298	752	26	25	
Akiak	22	135	207	28	3076	12163	174	23	25	
Tuluksak	22	169	98	30	1411	11673	160	19	23	
Lower Kalskag	23	139	105	26	4536	17158	11	18	20	
Upper Kalskag	15	83	73	15	1413	8527	167	11	13	
Aniak	14	73	47	13	1490	13355	152	10	7	2
Chuathbaluk	9	58	26	26	657	7824	143	8	8	
Napaimute	2	7	8	2	420	1636	17		2	1
Georgetown										
Crooked Creek	5	35	20	3	264	3236		2	4	1
Red Devil	3	15	13	3	195	4231		1	3	1
Sleetmute	13	57	50	5	356	7571	57	3	13	
Stony River	6	30	36	9	620	5523		2	7	3
Lime Village	4	18	33		33	2800	161		6	
Totals	494	3225	1880	607	57917	223792	4312	404	419	8

1/ Expanded data.

2/ Mostly chum with lesser number of reds, pinks, and a few small kings.

3/ Data is very fragmented and minimal.

Appendix Table 8. Total utilization of Kuskokwim River king salmon, 1960-1976.

Year	Commercial Catch 1/	Subsistence Catch 2/	Total Utilization
1960	5,969	20,361	26,330
1961	18,918	30,910	49,828
1962	15,341	14,642	29,983
1963	12,016	37,246	49,262
1964	17,149	29,017	46,166
1965	21,989	27,143	49,132
1966	25,545	49,606	75,151
1967	29,986	57,875	87,861
1968	34,278	30,230	64,508
1969	43,997	40,138	84,135
1970	39,290	69,204	108,494
1971	40,274	42,926	83,200
1972	39,454	40,145	79,599
1973	32,838	38,526	71,365
1974	18,664	26,665	45,329
1975	21,720	47,784	69,504
1976	30,735	57,917	88,652
5 year average	30,590	39,209	69,799

1/ Subdistricts 335-10, 335-20 and 335-30.
2/ Catches are expanded and include all villages surveyed each year. Data includes a few villages not included in comparative catch tables.

Appendix Table 10. Total utilization of Kuskokwim River chum salmon, 1960-1976

Year	Commercial Catch 1/	Subsistence Catch 2/	Total Utilization
1960		327,297	327,297
1961		185,447	185,447
1962		165,626	165,626
1963		141,550	141,550
1964		189,660	189,660
1965		283,459	283,459
1966		174,660	174,660
1967	148	205,263	205,411
1968	187	260,023	260,210
1969	7,165	198,628	205,793
1970	1,664	245,550	247,214
1971	68,914	116,391	185,305
1972	78,619	120,316	198,935
1973	148,746	179,259	328,005
1974	171,887	277,170	449,057
1975	181,840	176,389	358,229
1976	177,864	223,792	401,656
5 yr. average	130,001	173,905	303,906

1/ Subdistricts 335-10 and 335-20.
2/ Catches are expanded and include all villages surveyed each year, 335-10, 335-20 and 335-30.

Appendix Table 13. Comparative Kuskokwim River king salmon subsistence catches by village, 1960-1976

Village	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Kwigillingok, Kipnuk, Kongiganak	250	283	54	229	414	0[1]	205	957	70	385	1,111
Eek	1,474[3]	2,238[3]	1,060[3]	2,697[3]	1,857	2,737	2,872	4,375	2,760	2,037	2,065
Tuntutuliak	226	2,226	842	2,853	1,826	1,978	3,061	3,338	2,026	2,195	3,558
Kasigluk	135	1,215	127	1,302	[4]	513	1,875	2,766	1,360	2,888	3,931
Nunapitchuk	683	2,042	848	1,874	636	490	2,875	1,926	1,360	2,279	4,680
Atmauthluak[6]											1,205
Napakiak	1,830	2,573	2,191	3,148	2,677	1,670	3,592	3,922	2,317	3,546	4,960
Oscarville	1,968	282	75	309	339	678	301	1,327	393	457	542
Napaskiak	536	1,258	759	1,569	2,201	1,412	2,935	3,091	1,647	2,227	3,446
Bethel	1,923	4,150	1,378	7,019	4,114	3,342	7,604	11,772	4,900	7,472	17,026
Kwethluk	2,692	3,763	2,329	5,050	3,262	4,538	6,135	6,889	3,549	3,187	7,932
Akiakchak	1,626	3,052	1,800	2,533	3,488	3,952	4,957	5,543	3,415	2,602	7,022
Akiak	1,865	3,159	906	2,869	2,495	1,774	3,941	3,790	1,332	1,275	3,290
Tuluksak	737	1,486	493	1,295	572	1,019	1,559	1,710	1,048	1,131	1,995
Lower Kalskag	961	571	805	2,661	710	841	1,918	1,733	1,463	2,083	2,146
Upper Kalskag	667	1,049	[7]	[7]	1,143	719	1,333	1,699	1,404	1,623	734
Aniak	1,057	688	185	602	1,104	494	2,002	1,415	467	1,406	2,136
Chuathbaluk	64	54	10	30	74	29	139	217	40	180	219
Napamute	20	16	44	52	134	2	78	60	100	19	22
Crooked Creek	747	518	561	859	1,358	363	1,249	638	77	541	684
Georgetown	[10]	[10]	[10]	[10]	[10]	[10]	12	[10]	[10]	9	2
Red Devil	[10]	40	144	228	314	[10]	182	[10]	111	142	232
Sleetmute	465	222	[9]	[9]	[9]	491	149	343	200	267	161
Stony River	435	25	31	67	299	101	632	364	191	2,187	105
Totals	20,361	30,910	14,642	37,246	29,017	27,143	49,606	57,875	30,230	40,138	69,204

Village	1971	1972	1973	1974	1975	1976	1960-1973 Average	1974-1976 Average
Kwigillingok, Kipnuk Kongiganak	241	10	75	[10]	[10]	197	330	65.67
Eek	1,882	1,969	1,981	2,356	2,110	3,232	2,286	2,566
Tuntutuliak	1,841	3,214	2,859	1,577	3,492	4,807	2,289	3,292
Kasigluk	1,645	1,292	1,864	1,411	1,713	1,613	1,609	1,579
Nunapitchuk	1,970	2,496	2,663	1,165	2,092	2,578	1,916	1,945
Atmauthluak[6]	548	864	1,106	382	1,042	1,159	931	861
Napakiak	1,868	2,009	1,763	1,224	2,864	3,330	2,719	2,473
Oscarville	570	196	586	180	891	623	573	565
Napaskiak	1,916	1,578	2,048	900	2,308	3,566	1,902	2,258
Bethel	8,731	8,371	8,898	4,631	11,688	13,215	6,907	9,845
Kwethluk	5,564	5,137	3,444	2,694	3,179	4,193	4,534	3,355
Akiakchak	4,818	3,872	2,592	1,726	3,534	4,915	3,662	3,392
Akiak	2,688	1,899	1,895	1,292	2,837	3,076	2,366	2,402
Tuluksak	1,280	1,318	1,322	883	1,338	1,411	1,212	1,211
Lower Kalskag	2,355	2,604	1,309	1,586	2,755	4,536	1,583	2,959
Upper Kalskag	601	401	938	463	1,752	1,431	1,026	1,215
Aniak	1,076	2,105	1,030	1,952	1,391	1,490	1,126	1,611
Chuathbaluk	179	261	942	674	594	657	174	642
Napamute	17	20	13	6	226	420	43	217
Crooked Creek	291	183	269	650	238	264	596	384
Georgetown	0	0	0	[9]	[10]	[10]	4	[10]
Red Devil	135	182	138	205	623	195	168	341
Sleetmute	181	69	504	269	256	356	277	294
Stony River	2,521[11]	95	287	439	861	653[11]	524	651
Totals	42,926	40,145	38,526	26,665	47,784	57,917	38,757	44,122

1/ Included with other vilages.
2/ Does not include 1965
3/ Estimates based on catch data through 1969
4/ Included with Eek
5/ Does not include 1964
6/ New village of Atmauthluak segregated in 1970 from parent village of Nunapitchuk.
7/ Included with Lower Kalskag
8/ Does not include 1962 and 1963
9/ Included with Red Devil
10/ Data not available
11/ Includes Lime Village

ndix Table 14. Comparative Kuskokwim River "other salmon" subsistence catches by village, 1960-1975.[1/2/]

age	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1960-1973 Average	1974-1976 Average
k, Kongiganak, KWINHAGAK																			
igillingok, KWIG···	1,430	3,279[4/]	1,990	2,562[4/]	2,323	0	680	2,846	2,800	2,481	3,9[illegible]	1,110	1,284	807	9/	9/	902	1,966	902
EEK	4,094[4/]	2,321[4/]	2,072[4/]	1,771[4/]	3,151	2,898	1,324	1,922	3,503	3,436	4,8[illegible]	2,213	783	2,401	4,227	2,754	4,425	2,625	3,802
tulilak, TUNT···	4,101	8,526	9,692	6,791	8,421	18,993	9,747	11,531	14,090	17,462	10,600	9,964	11,103	13,572	28,321	7,429	8,440	11,042	14,730
luk KASIGLUK	1,400	3,657	1,705	1,020	5/	4,041	3,058	2,309	4,311	3,308	5,731	2,043	1,934	6,090	6,773	3,708	4,050	3,124	4,843
pitchuk NUNAP···	2,743	4,868	7,474	2,462	1,171	4,251	4,145	6,278	7,731	6,934	11,412	3,375	5,600	7,663	12,498	5,447	6,551	5,436	8,165
thluak ATMAUTH···											1,191	1,197	947	2,818	4,585	2,524	3,446	1,538	3,518
ket NUNACHIAK	19,888	5,789	6,167	3,711	12,312	12,928	9,275	12,685	12,700	12,390	16,371	4,427	5,191	8,461	21,494	11,630	9,477	10,164	14,200
ette BOBKEWILLE	3,948	1,680	1,723	1,025	487	8,010	407	2,580	2,104	2,743	4,669	1,675	498	3,081	5,617	3,237	2,416	2,474	3,756
rtak NUNAPITCHUK	5,199	4,286	5,546	3,584	6,275	26,206	8,743	8,585	12,409	11,655	11,169	7,039	8,858	8,478	20,467	12,930	21,518	9,145	18,305
t BETHEL	12,972	12,845	8,470	8,623	15,623	19,099	14,011	14,055	28,603	14,613	33,475	9,905	16,885	33,930	34,892	26,808	26,970	17,365	29,223
luk KWETHLUK	32,975	21,106	22,788	13,188	19,186	37,780	18,707	23,872	36,645	23,462	27,702	13,941	11,721	19,565	39,747	19,183	27,120	23,046	28,783
lrak AKIACHAK	15,932	12,518	10,521	6,725	10,096	25,138	15,049	13,584	19,461	10,306	29,776	12,298	9,266	9,864	15,108	14,008	16,050	14,324	15,055
AKIAK	13,061	8,205	6,551	8,478	9,659	12,297	10,622	9,332	13,775	9,854	13,003	9,264	5,108	6,118	18,434	18,890	12,337	9,666	16,553
lsak TOKLESUK	19,261	7,928	8,526	10,289	9,777	12,820	11,670	8,898	11,114	6,058	7,626	5,115	5,175	5,946	13,261	7,819	11,833	9,298	10,971
r Kalskag LOWER	11,563	7,764	16,478	23,249	9,472	21,906	10,346	16,018	8,114	8,468	11,158	3,509	3,490	2,873	12,265	9,823	17,169	11,029	13,085
r Kalskag UPPER	38,398	27,149	7/	7/	11,391	11,970	6,236	8,364	9,733	9,413	5,309	3,530	1,460	5,607	9,631	6,904	8,694	11,547	8,409
ANIAK	36,673	15,935	10,120	10,808	17,874	11,353	12,484	16,788	17,341	15,127	10,030	4,933	5,243	13,547	9,305	9,597	13,507	14,147	10,803
tbaluk CHUATH····	22,370	2,922	3,784	2,629	5,059	6,507	5,625	7,249	11,588	7,523	10,971	5,632	8,509	14,171	4,287	561	7,967	8,181	4,271
ute NUNAPITCHUK	11,017	6,235	3,898	5,192	4,873	704	3,704	5,750	1,774	1,453	1,224	1,862	4,645	3,451	76	226	1,653	3,584	651
ed Creek CROOKED	41,263	17,558	27,259	23,166	32,550	18,986	19,467	14,365	12,704	6,810	9,216	3,094	3,658	1,981	4,954	2,461	3,236	16,577	3,550
potown GEORGETOWN	9/	9/	9/	9/	9/	9/	70	9/	2,030	3,664	800	0	0	10	9/	9/	9/	939	9/
Devil RED DEVIL	9/	1,350	9,007	5,367	5,706	9/	2,746	9/	2,400	1,130	2,454	1,067	1,695	2,782	2,688	4,481	4,231	3,246	3,600
route SLEETMUTE	17,259	6,884	10/	10/	10/	11,707	2,611	6,875	11,218	8,258	4,464	3,203[11/]	4,293	2,368	4,212	5,761	7,628	7,176	5,867
r River STONY	11,750	2,642	1,855	1,110	4,254	15,865	3,933	11,377	13,875	12,080	8,407	5,995	3,000	3,875	4,328	5,202	8,484[11/]	7,144	6,004
ls	327,297	185,447	165,626	141,550	189,660	283,459	174,660	205,263	260,023	198,628	245,550	116,391	120,316	179,259	277,170	176,389	228,104	205,183	229,246

[1/] Catches include a majority of chum salmon but include small numbers of red, coho, pink and small king salmon.
[2/] 1965 to 1972 catches do not include late coho salmon catches.
[3/] Does not include 1965.
[4/] Estimate based on catch data through 1970.
[5/] Included with Eek.
[6/] Does not include 1964.
[7/] Included with Lower Kalskag.
[8/] Does not include 1962 and 1963.
[9/] Data not available.
[10/] Included with Red Devil.
[11/] Includes Lime Village.

Appendix Table 15. Comparative subsistence fishing data between families owning and not owning snowmachines, Kuskokwim River, 1967-1976. 1/

Year	Families	People	Dogs	Snow-machines	Average per family					
					People	Dogs	Snow-machines	Kings	Other Salmon	Percent fa with snowma
1967										
With snowmachine	59	410	288	63	6.95	4.88	1.07	143	355	1
Without snowmachine	359	2,264	1,963	0	6.31	5.47	0	101	404	
1968										
With snowmachine	159	1,100	808	182	6.92	5.08	1.14	70	382	3
Without snowmachine	374	2,247	2,052	0	6.01	5.49	0	51	493	
1969										
With snowmachine	158	1,097	876	189	6.94	5.54	1.20	78	306	4
Without snowmachine	191	1,208	1,173	0	6.32	6.14	0	71	425	
1970										
With snowmachine	287	1,962	1,413	375	6.84	4.92	1.31	121	380	5
Without snowmachine	212	1,201	972	0	5.66	4.58	0	87	413	
1971										
With snowmachine	361	2,459	1,504	494	6.79	4.16	1.37	89	243	7
Without snowmachine	128	734	601	0	5.73	4.70	0	84	278	
1972										
With snowmachine	278	2,096	949	385	7.54	3.41	1.38	76	220	7
Without snowmachine	85	508	328	0	5.98	3.86	0	48	247	
1973										
With snowmachine	343	2,246	1,375	506	6.55	4.00	1.48	79	362	8
Without snowmachine	81	429	283	0	5.15	3.49	0	47	254	
1974										
With snowmachine	337	2,153	1,339	491	6.39	3.97	1.46	47	495	8
Without snowmachine	68	350	158	0	5.15	2.32	0	29	342	

Appendix Table 15. Comparative subsistence fishing data between families owning and not owning snowmachines, Kuskokwim River, 1967-1976. 1/ (Continued)

Year	Families	People	Dogs	Snow-machines	Average per family					
					People	Dogs	Snow-machines	Kings	Other Salmon	Percent families with snowmachines
1975										
With snowmachine	313	2,029	1,252	482	6.55	4.00	1.54	79	309	84
Without snowmachine	59	313	126	0	5.30	2.13	0	62	301	
1976										
With snowmachine	416	2,815	1,578	607	6.77	3.79	1.46	91	340	81
Without snowmachine	78	410	302	0	5.26	3.87	0	60	306	

1/ Unexpanded data.

Appendix Table 16. Comparative Kuskokwim River subsistence fishery data, 1960-1976 4/

Year	Fishing families surveyed	Mean numbers per fishing family					
		People	Dogs	Snow-machines 1/	King Salmon	Other salmon 3/	Fishwheels
1960	247	5.89	6.66		60	1,074	2/
1961	342	6.02	6.33		39	453	.19
1962	349	6.50	6.30		79	470	.18
1963	405	6.14	5.29		87	351	.11
1964	394	6.33	5.44		70	454	.10
1965	332	5.95	5.45		64	669	.08
1966	492	5.91	4.49		91	320	.06
1967	472	6.36	5.22	.18	106	375	.06
1968	567	6.23	5.31	.35	53	447	.06
1969	376	6.49	5.51	.53	78	385	.05
1970	514	6.33	4.65	.75	108	384	.02
1971	488	6.53	4.30	1.01	88	238	.01
1972	576	6.78	3.08	1.00	51	166	.02
1973	408	6.55	3.84	1.48	81	356	.02
1974	596	6.24	3.61	1.12	45	466	.02
1975	437	6.41	3.99	1.35	79	310	.02
1976	494	6.53	3.81	1.23	86	335	.02

1/ Snowmachine count started in 1967.
2/ Information not available.
3/ Does not include coho salmon.
4/ Unexpanded data.

Appendix Table 17. Quinhagak subsistence fishery data, 1967-1976 1/

Year	Total Fishing Families	Averages Per Fishing Family							
		People	Dogs	Snow-machines	King Salmon	Dog Dalmon	Coho Salmon	8 1/2" Nets	5 1/2" Nets
1967	19	6.43	4.00		71	231		.86	1.00
1968	46	5.59	4.07	.28	88	234	380	.48	.54
1969	59	5.38	3.41	.46	27	29	179	.72	.28
1970	46	6.02	2.76	.74	47	110		.64	.69
1971	41	5.83	2.37	.73	55	87	36	.54	.73
1972	54	6.41	2.30	.80	56	116	9	.44	1.00
1973	44	5.80	2.07	.98	61	98	83	1.02	.98
1974	47	5.53	2.31	1.17	46	78	87	.63	.74
1975	46	5.86	1.85	1.13	71	88		1.00	.93
1976	50	5.62	2.2	1.42	44	119		0.84	1.24

1/ Expanded data.

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PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE OM SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels Anderson, Jr.
Chairman
Representative Sam Cotten
Representative Steve Cowper
Representative Al Nakak
Representative Leo Shaeffer
Representative Joe Hayes
Representative William Akers

STAFF MEMBERS PRESENT:

Dorothy Larson, Staff Assistant
Adelheid Hermann

PUBLIC HEARING LOCATION:

Anchorage Community Center
Anchorage, Alaska

DATE: November 10,1977
TIME: 6:00 P.M.

TABLE OF CONTENTS

Page

Nels Anderson.....1

Nels Anderson.....2

Nels Anderson.....3

Mitch Demientieff.....3

Mitch Demientieff..... ..3

Isaac Juneby.....4

Isaac Juneby..... 5

Representative Cowper.....5

Steve Cowper.....6

Isaac Juneby..... 6

Isaac Juneby.....7

Representative Cowper.....7

Isaac Juneby.....8

Representative Cowper.....8

Charles Nelson.....8

Charles Nelson.....9,10,11

Dale Bondurant.....11,12,13,14,15
16,17,18,19,20
2223,

Representative Al Nakak.....16,18,19,20,21

Representative Nels Anderson..... 21,22,

REP. Nels Anderson.....23

Dale Bondurant.....23

Charles Nelson.....24

Dale Bondurant.....24

Mark Jacobs, Jr.....24, 25, 26

Rep. Nels Anderson.....26

Judy Rosander.....26

TABLE OF CONTENTS

Representative Steve Cowper.....26

Judy Rosander.....27

Woodrow Morrison.....28,29,30,31,32

Representative Sam Cotten.....32

Representative Sam Cotten.....33

Dale Bondurant.....33

Representative Steve Cowper.....33

Irene Catalone.....33,34,35

Representative Nels Anderson.....35

Male Participant in the Audience.....35

Representative Nels Anderson.....36

Peter Demoski.....36,37

Phil Smith.....38

RepresentativeNels.Anderson.....38

Hank Ostrosky.....38,39,40,41,42,43
44,

Andy Jimmy.....44,45

Representative.....45

Phillip Dembroski,.....45,46,48

Representative.Nels Anderson.....46,47,48

Phillip Dembroski.....49

Representative Nels Anderson.....49

Joe Clark.....50

Ed Norman.....50,51,52,53

Representative Nels Anderson.....52 ,53

ANCHORAGE PUBLIC HEARING- COMMUNITY CENTER

NOVEMBER 10,1977 6:00 P.M.

NELS ANDERSON- I will call the Interim Committee on Subsistence to order at this time. My name is Nels Anderson, I'm Chairman of the Interim Committee on Subsistence. I would like to introduce the panel members that are up front here. To my far left is Representtive Al Nakak, from Nome, sitting next to him is Representative Billy Akers from Chuloonawich, Representative Steve Cowper from Fairbanks and Representative Leo Schaeffer from Kotzebue. Our staff is Adelheid Hermann from Naknek, and Dorothy Larson, in the back in the gray, from Dillingham.

The reasons for our hearing has been made pretty well known in the media, thanks to Seanator Rodey, he was able to get a press release out and gave us a little publicity. The question that we've been asking the public throughout our hearings in various parts of the State, is asking the public whether or not subsistence or subsistence activities should be defined? How do you as indiviual Alaskan people feel about subsistence and what should the State of Alaska do to protect subsistence hunting and fishing. Those are basically the questions that the committee is interested in finding out at least to get comments from the public on those three issues. Anything that the public may have relevant to the question of subsistence is of course going to be important. It becomes increasingly important because one of our members has been asked to go back to Washington, D.C. and attend Mark up hearings on D-2 Land Legislation. Representative Cowper will be going back to Washington the latter part of this week. I don't know how long he's going to be back there

NELS ANDERSON continued
but whatever information we can get from the public on what their feelings are I think will be extremely important because Mr. Cowper then could transmit that information directly to the Congessmen that are going to be writing legislation that is going to directly affect Alaskans.

We are planning a full committee meeting tomorrow at nine a.m. andwhat we'll be doing will be reviewing some of the activities and some of the proposed legislation that has been drafted be Legislative Affairs Agency. The substance of that proposed legisation will be made known to the public after the subsistence committee meets tomorrow or else would be discussed tomorrow and I'm sure the press will be there and you are certainly welcome to attend. And any other members of the public at that time may attend as well. We plan the meeting at nine o'clock in the morning at the Federal/State Land Use Planning Commission Conference Room. I would ask if any members of the panel have any comments to make at this time.

I do have one request from the public, Mitch Demientieff has asked that he be the first to testify and if there is no objection from the panel we'll go ahead and do that. Before then Representative Nakak, Do you have any comments? Mr. Akers? Representative Cowper - Just this Mr. Chairman, the Congress has made it pretty clear that they are going to create a subsistence preference on the Federal Lands that are included in the D-2 Bill. The problem is they don't really know how to define subsistence. What is a subsistence hunter, what is a subsistence fisherman. We would like to help them draw a bill that is going to work, so I would like to find out how you would do it. If you have to have a limited harvest of animals in agiven area who should have preference. Should it be on a class basis, should it be

on a geographical basis, these are all thing that we'd be interested in hearing from you, about and also any comments you have on subsistence lifestyle.

MITCH DEMIENTIEFF - Thank you very much for allowing me to go back and retestify to those of you that were in Nenana will recall, I did testify in Nenana and since then we've had a few more meetings in the area and have changed our attitudes, of which I'll make specific reference to. Again, I thank you for the opportunity to talk, I know this is the first occasion to talk to the committe without having to do best man honors for committee members. Very interesting time we had in Nenana. Specifically, the concerns I had were in reference to the selling of salmon roe caught from subsistence fish. In working with the subsistence issue - I think we're beginning to realize that we need to have a clear distinction between commercial and subsistence activities and we begin to see the difference in, and in We I'm speaking of the Tanana Advisory Committe to the Department of Fish and Game, in reviewing the recent regulation changes that are proposed and that the Board will be considering very soon in December, I understand.

The Tanana Advisory Committee of which I' corrently Chairman of that Committee. We adopted the position unanimously that the sale of salmon roe caught from subsistence fish be terminated at the end of the commercial season. We were in favor of that contingent and we put that word in there, contingent on subsistence fishing reopening to 7 days a week, 24 hours a day. We feel that this will do a number of things, one - it will make a clear distinction between subsistence and commercial activity. And the only people on the river at that time will be true subsistence fisherman, true people who need the fish and have a use for the fish. If there is no monetary gain in the fish then we feel that a lot less people are going after the fish therefore we have

Mitch Demientieff's testimony continued

adopted that contingent that subsistence fisherman are allowed to return back to 7 days a week, 24 hours a day fishing. I say that we think it will significantly reduce the number of fisherman on the river after commercial season closes because some people aren't just going to fish if they can't make money at it and I know it's going to be of some burden, I speak for myself personally, I have my fishing operation is seven miles one way from Nenana and that's 14 miles round trip times twice a day minimum, that't 28 miles a day, I'm going to be hauling fish out of my own pocket plus the cost of maintaining my gear. We done some hard thinking about it and we just feel that there has to be that clearer distinction and if we are going to truly protect the subsistence resources this is what we're going to have to do. My testimony prior to this time was contrary and I felt the need to and I was going to write, I didn't realize you guys were going to have a hearing down here, I was going to write and let you know, that I've changed my position and if you read back throught the testimony that is no longer standing - this is our position as we've adopted it now and my own personal feeling as well.

PARTICIPANT IN THE AUDIENCE- Question - Mr. Chairman, can I ask a question please? I just want a ballpark figure on how much he gets for the sale of roe?

Mitch - $2.50 was the price we were getting this year. Last year it was $3.00. There's more money in the eggs than in the fish that's why we think it's going to reduce the subsistence.

Isaac Juneby - My name is Isaac Juneby, I'm from Eagle, Alaska. I'm the head of the Eagle Village Council. I'm the chief up there. My deal is that this is subsistence - Who is to govern what subsistence means. Webster's dictionary explains that is means the support or

Isaac Juneby's testimony continued

livelihoon. Yes, let me fulfill on that there it says in subsistence you are dealing with Natives to Alaska, Native from Alaska, and Caucasians who are registered up there. There is a lot of trouble that's going on - Native to Alaska means that your subsisting off the land and you're making your livelihood in that. I would like to say in Eagle many families have low income both white and Athabascans and we want all of these people to be able to feed their families and (inaudiable). I just want to make it explanatory that I know my way of life - I live off the land and I would make it self-explanatory that according to the Alaska Native Land Claims it says, "Native"- Alaska Native yes, but you've got to consider that you were talking about two different people there. I've got Caucasian brother-in-law who is a trapper, who is making his living off the land so they didn't state that - it just says natives of Alaska which complies to me, Eskimos and it didn't say about Representative Cowper - in the bill did it explain to you that you could settle there as long as you're a resident.

Representative Cowper - Mr. Chairman, if I can repond to that. I think what the Congress is going to do and what we're urging them to do is just what you say is they are going to make a subsistence preference, and that is not to be based on race. That it be based on probably on geographical areas so that people who live close to the fishand game get first choice.

Isaac Juneby- What I'm talking about is mot discrimination or anything against race or anything like that it says if you can get the ANLC and read over such and such, it says Alaska Natives. Now who is to consider the Alaska Natives as a whole - You are considered, Alaska Native because you're from Fairbanks, you're out of the Fairbanks area

so who in the - how can you consider, you can go to my area, Eagle, which you never have been and you could hunt and subsist off my land and who can consider you because you been well, I can tell you the fact there, I've known you, I've heard of your name in the Legislature, about 4 yrs. You're the head of the Finance and I know this as a fact to my notion, who can tell you that you can not come up there. You're a resident of the State of Alaska, you are a native to the land, who can determint that?

Representative Steve Cowper - Well, I guess the answer to that would be, of course I've never applied for a subsistence permit, and I don't imagine I would get one if I did apply for it. I have a regular job and I work in Fairbanks.

Isaac Juneby-But you do - in the fall time when the hunting season is there do you hunt moose or caribou?

Representative Steve Cowper - No, I don't. I'd have a lot of trouble skinning them.

Isaace Juneby- What is your last name there. I would like to take it. Steve Cowper, my name is Isacc Juneby from Eagle, How can you, like the State Fish and Game and the Federal Fish and Game get together in April last year and this year, the governing body of the Fish and Game, They made the rules, regulations that we cannot hunt moose on the south side of the Yukon River. It is 20 days, from September 1st through September 20th on the North side of the River, Unit 25 C. We live by moose, and by caribou and stuff like that and what it is is self explanatory. How come they let it go on the other side of the river and not on the south side where I live. It's causing quite a problem up there.

Representative Steve Cowper- I don't know the answer to that. But I'd be interested in findin out. A lot of times these rules are made by

Representative Cowper continued
regualation and we don't find out about it until somebody tells us like you're doing.

Isaas Juneby- What can be brought up about it if I tell you. I told you what it is there, you could promise and yet - Are you running this year again? Well, I'm going to tell you what, while you're sitting on the meeting there right now, if you are, if you get me, my name is Isaac Juneby, Chief of Eagle River, You can write me and let me find out the and I probably will have people support you if you run for Governor but I don't know if we're going to get something there.

REPRESENTATIVE COWPER- Assuming if there's not enough moose we'll say to go around up in you area, How do you think the State should decide who takes it. In other words, if you can't shoot but 300 moose, maybe it's 30 or 3,000 I don't know. But lets say if you can't shoot but 300 moose up in that area, who do you think should have the preference. How do you think we ought to decide who gets to go in and shoot the moose.

Isaace Juneby - Well, you've got to take it to the constitution that all men are equally. If I'm not in Eagle, and I come in here and I buy a $2400 licence, I'm entitled to get it, so we got no discrimatory remarks on that. What it is, is that you as an individual, if you fly, and this is one of the things I brought up to the Tanana Chiefs, last March, who is to govern who flies an aircraft according to the State Statutues of the Fish andGame there, y ou can go into this and you're supposed to wait 24 hours or what have you on the same day airborne and all that. Up in Eagle I can get a plane and I could fly into this place there is no given area and I could shoot a moose there on the same day airborne. People are against it. Who is to determine all these there? Somebody has got to be there as a law enforcement.

Issac Juneby Testimony continued

Representative Steve Cowper - One of the things the committee's found out by having hearings around the state is that there's probably not enough money in the enforcement agency to keep enforcement agents around in the places where they should be because the they've chosen up until recently to go on the license fees, the hunting and the fishing license fees, that they get and then they get federal money that matches that. But they haven't asked the State for any more money for fish and game enforcement or management. That may be on of the problems - we just got too big a State and too few people. So what we may do is cut some general fund money.

Isaac Juneby - Would you give me all the revenues that the State got with the Fish and Game. How much they got during 1977 and I would like a complete report - that's throughout the whole State of Alaska. That't probably self explanatory right there if I see the figures in.

Steve Cowper- You'll have to give me your address.

Isaac Juneby - It's Isaac Juneby, Box 122, Eagle, Alaska. I take this opportunity. Nice talking with you there.

Charles Nelson- My name is Charles Nelson, I'm from Ketchikan, I'm with the Tlingit and Haida but I'm here representing myself and some of the older people that live out in the outlying villages of Hydaburg, Craig, Klawok, I have never given testimony on subsistence before and I don't really know what you require but I would like to try for the record to give you some of the things that we have lost over the period of the years by State regulations and some of the things that have been taken from us were never regulated until they became of some value. I can recite back to the years,'52,'53,'54,I used to bring tons of

Charles Nelson testimony continued

Herring roe to Ketchikan and sell it for less than 5¢ a lb., Nobody cared about it, nobody cared whether I took 10 tons, 20 tons,50 tons, or how much I took. Indians used to use it for their garden. They supplemented their living in the spring with the herring eggs. And I think it done sort of a ecological factor in the environment by keeping the herring at a rate that you know that could be controlled. Same with our seagull eggs. We used to go gather our seagull eggs in the spring and pretty soon we get laws prohibiting us from taking them. These things, that don 't seem much to people today but this is the livelihood and the lifestyle of the people. It is the inherent right of the people that were born and raised in Alaska. I think there is some provisions , I'm not no lawyer, but I think there's some provisions and our constitution that gives Ethnic group of Indians some privilages that no other group enjoy and even in our State constitution it says no rights previously enjoyed by the Indians that the territorial of Alaska becoming a State shall be taken from them. But then the State says that you can't qualify these things because the State superceded these rights and they no longer are effective but Congress never repealed sone of these things.

I used to have an Indian Fishing and Trapping license that was given to me by the Federal Government, the fact that I was a quarter Indian, I had this license. I was going to test it in the State myself, but I didn't have the funds to go along with it. Congress never repealed that license, so therefore, I think that license should have been still in effect but rather than argue over $10.00 I went and bought a State license but when you stop and look at some of these things. If you're taken away, if you want to look at in the sense, (ianaudible) But terms that they use now - the impact on the ecomony

CHARLES NELSON- testimony continued

and lifestyle of the people. Sone of those people don't have anything else but that there is no wages. The pipeline was up here, but that has come and gone, and maybe there will be some more but they live under an environment that very few people could subsist without the subsistence. When you come down measure this to who has the right to subsistence. Now everybody says that as an individual we all have this. as a citizen we have these rights. But those rights are not guaranteed to everybody, I think that Congress in their wisdon saw that the people would have to retain some of these rights and it's hard for anybody maybe justify these things but I don't think that they've ever hurt the environment in the taking of some of these things.

I've heard the people in the south eastern accusing the Indians of taking deer out of season. The Indians themselves in their own protection of deer, never took them in winter months, well after about November. December, January, Fevruary, March they're hardly fit to eat so they never used to take them, yet they accuse people of this. We foung out there are clam beds we have supplemented out diet with, now they say they are poisonous, you're not supposed to go there and pick them, But for centuries people lived, I don't say some of them didn't die but through trail and error, they were able to eliminate some of the that biologist are finding out now - that the snout contains most of the toxin, the skin. And in the summer months, when the weather is warm, some of the plankton and stuff die cause the red tide. Well, they learned this through trail and error see, but all of a sudden, I don't think it's so confusing to the younger people but to the older people whos lifestyle has been this, and I've seen it in my time and I've lived it, I'm a half Indian, my mother was a full-blooded Indian, my dad was a Swede but he adopted he came up here with

CHARLES NELSON-testimony continued

Lieutenant Perry to Alaska and he was up in the North so he adapted to the lifestyle and unless you lived it is pretty hard to put into legislation something that would be really fair to the people an this is all I'm asking. If you get reasonable people, I don't care who they are, if they're reasonable in their decisions the people by appealing never get left out. But the fact that the people that are in the decision making position, if they don't know this there's no way they can put into effect good legislation. So if this is only my reason of appearing here is to try to add a little something that might help in your decision in making up some laws. Thank you very kindly.

Dale Bondurant - My name is Dale Bondurant and I'm here representing the Izaak Walton League and the Sportsmans Game Preservation Association. I'm not against subsistence hunting and fishing or the subsistence way of life. But we are against an exclusive or priorty consideration for this way of life. Our main reasons are it't not an equitable consideration. The State constitution is pretty expicit, it says that the fish and the wildlife and the waters are reserved to the people for their common use. Taking the Native view that this is a lifestyle or a traditional way of living I would like to point out that there has been something that just came into effect that does no longer a valid claim. That's the Alaska Native Claims Settlement Act in which it says that aboriginal righta are hereby forever extinguished and if we had a settlement what did we settle? If this part doesn't apply. I think another thing we have to look at is the validity of this claim and what the Native people have done to themselves. NOw there is 44 million acres awarded under the claims Settlement Act whether this is a valid settlement or not it has been accepted

DALE BONDURANT - testimony continued

and those 44 million acres are in the process of being selected. I think there's some things we must look at in this selection to see the validity of the claim. Very little of the selections as far as the regional corporations were made for subsistence reasons, they were mainly made for economic reasons that were controlled of course by the areas in which they were allowed to select. Again, in the transfer of these lands the Native Corporation leaders have been violently opposed to any type of easements on these lands. Not one subsistence easement was requested by any Native Corportation in the transfer of these lands. This is going to make a hardship on the Native people because if some village owns traditional hunting and fishing area, another village can be denied it because of no public easement. You can say w ll we can have agreements between ourselves but this doesn't assure the person of having it and it surely doesn't assure him of having the right of subsistence hunting and fishing if the land is sold which it can be as soon as they get a hold of it.

Another thing we hear about the D-2 Lands and the right of priority or exclusive subsistence hunting and fishing on these lands. How are people going to get to these lands. They have no easements into the land and they have no easements out of the land. If the village owns a traditional trail or acess, they could (inaudible) tie this up.

Another one and I think a real important one, and I've considered a very selfish method was some of the game regulations that were proposed last year. There were five different proposals in which they asked for large areas of Alaska to be set aside for exclusive hunting and fishing, subsistence but they asked that any land within those areas that were going to be tranferred to Native Corporations be excluded and I say this for the economic value that they'd hve to sell rights

DALE BONDURANT - Testimony continued

to guides or sell rights to other people, acess to the game on this land and this game belongs to everybody so I say the validity of their claims haven't been supported by some of the things they've done. Now we say traditional uses, well, let's actually look at traditional use- What is traditional use? I said in the D-2 land hearing here in Anchorage and here time afer time that they use the traditional method of hunting on these lands of snowmachines, many Native groups have asked this that they can continue to use snow machines on the D-2 lands as tradition. Well, my tradition goes back that far I've lived in Alaska for 30 years, I hunt and I consume the game so my tradition goes back that far. How far does the traditional use of radios in hunting of whales and walrus - is that a traditional use? Let's go airplanes, or high powered rifles. Iwould admire and support anybody that could live off the land like they did 300 years ago but those days are past and we got to look at it as a fact of life so we got this question that MR. Cowper has asked and that Mr. Anderson has brought up that how do we determine subsistence. Well, I hope we are not going to determine it on race because we have a Constitution and A Native Claims Settlement Act that should hve done away with that and I don't think we need this kind of problems in Alaska. I think most of the people in the State of Alaska supported the Native Claims Act because they believed in the validity of these claims so let's don't get into that.

Are we going to do it by method - I don't think we can because how far do you go back on method - do you go back past the snow machine. Do you go back past the airplane or radio or what do you do as far as method? I don't think you can do that. So then I think you have to get down to the economics of it. I think that is the only way you can make any determination. Okay, we're going to talk about economics

DALE BONDURANT- Testimony continued

and the way we got to talk about economics and any kind of management of the fish and game. We got to see how we're going to manage it and I hope that we manage it so that it perpetuates itself and when we do that we've got to look at the supply we've got and tthe demand and when look at the supply and the demand this economics has to be applied to that. Now you ask the example of say 300 moose lets get it down to say 10 moose, you;ve got 10 moose and we've got 10 people,we got no problem then next year we got nine moose and 10 people or 10 moose and 11 people whatever you got. Okay, we've got to make some economics determingation then, We have got to say all the people uder a $2,000 income can hunt moose. Okay, what happens in the next year, we only got 8 moose and we still got 10 people - are we going to say all the people under $1,900. can hunt moose and the next year are we going to say the same thing because we no longer have a leveling factor that I think the gentleman before me brought out a little bit that nature had before. I think this is whay we had people and game in any type aboriginal type country -was we had natures leveling factor. When man kill off the game - nature kill off the man. There was no management of the game by the people. The people exists and they had to live and they took the game as it come by and the only thing that managed the game was this way of nature.

So we get down to this economix thing and the only thing that we can say then is that it's welfare - it has to be welfare. It has to be welfare then, cause we all live off the land. There is nobody on this earth that doesn't live off the earth and it's the extent of the direct living off the earth so I say it becomes a method of welfare, if you're going to base it on who has the right to it under economics and if this resouce belongs to all of us and I say it does, I say that

DALE BONDURANT - Testimony continued

the constitution guarantees it in the State of Alaska and I say the constitution of the United States guarantees it, that it belongs to every body. I don't want my share of wefare or my share of the resources used as a welfare. I think it's a pitiful thing if this country isn't rich enough to support the people in it. But I don 't want it done in that way. Therefore, I am against an exclusive or preferential right of subsistence. I think in the management of the game subsistence is such a motherhood factor that it throws such a weight on the management of the game that it makes it impossible. I would like to give you some examples of this. Last year when the caribou were suddenly realized they were in desparate shape. They came by and triedto make some way to let some of the people have the caribou. We had, I think it was a magistrate in the North, said that they wouldn't even try somebody that went out and killed a caribou even though the Fish and Game said it was against the Law. We got people in the North now saying that they are going to hunt whale even though this is an international agreement. And we have had people that are hunting waterfowl and eggs for years even though we've had an agreement with Mexico a agreement with Mexico and Canada. Now, I say we're all equal, and we all have to be treated equal and we all have to obey the laws equally and if we don't do this what have we settled in Alaska. I say we haven't settled anything and if we ahven't settled anything I think it's time for the State of Alaska to quit playing their part in the settlement and not use your and my money, royalty money for the other part of the settlement act, the billion dollars. If people aren't going to obey the laws that I have to obey then we have no obligation to our part of the settlement.

Representative Al Nakak- I've got a few thoughts from your comments. Theoretically, the Claims Act passed title to 40 million acres of land, more or less in realtors terms to Native Corporations, now if I was to sit here and Representative Schaeffer how many acres the Arctic Slope Regional Corp. has received or NANA Regional Corporation has received or if I was to ask Mr. Anderson how many acres the Bristol Bay Native Corporation has received or if I was to tell you how many acres Bering Straits Native Corporation has received and I were able to tell you presently that we don't have title to one acre and six years have passed you tell me that it's been settled, we've accepted the Act, but parity? hasn't been received, we don't have title to the land. Face it, the land area such as Bering Straits area, the title which a villageCorporation receives which is surface estate in my area certainly with the condition of game, the tradional hunting patterns, you don't hunt withing a 36 square mile area, granted traditionally people went up to the coast 40 miles inland for moose, caribou, etc..But when you say, the land was in exchange for the Claims Act was given for economic reasons that is right - 36 square miles of land doesn't support 400 people(INAUDIABLE).

Dale Bondurant- I would like to answer you, I realize tha title to land hasn't been given.

Al Nakak- As far as requisition of easements etc. with all the easements everybody asked for you might as well recognize that the Natives get a piece of land and the public gets a third of it.

DALE BONDURANT - I would like to respond to some of the statements you're making.

REPRESENTATIVE AL NAKAK- Well, I'm responding to the statements you made.

Dale Bondurant- Okay, lets go to the easement question. The only easements that are being asked and the only valid easements that should be allowed is the same easements that will be allowed on any private land

Dale Bondurant - Testimony continued

that was given to anybody whether it was State land transferred to private or so forth and that land belongs to everybody, it belongs to the Native as well as does everybody else and that's what I'm trying to impress here is I think we're all Alaskans, we're not non-Natives and Native, there is no such thing anymore we're in the 20th Century, and there's no such a thing and I realize title hasn't been given, there's blame can be laid in a lot of places, I think the overselection is part of it, I think the fight for easements if part of it. There's a lot of things but there is an intent to make a settlement and it will be made and what I'm saying is that settlement also, or part of that settlement is also that the aborigingal rights of the Natives are hereby forever extinguished or is it not? Can we come back and say, like Mr. Hopson is saying, that we're going to hunt whales no matter what or are they going to say that we are going to hunt caribou no matter what? I have to abide by the laws of this State and I think everybody in them out to abide by them. Let's change them if ther're not right but let's don't just say that the Native people don't have to abide by them and I have to. Some of my people crossed the Land Bridge ahead of yours because I'm part Indian from the lower 48 but I am am Alaskan right now and I think we're all Alaskans. We have had darn good rapport and I don't think we need these kinds of special privileges for one group or the other no matter who they are. I think this has to be cut out and I think like Mr. Hopson making statements that we're going to hunt whale even though the United States is in an International Agreement isn't the way to go if it's wrong we should get the agreement changed. The United States has an obligation to see that the people in dire

DALE BONDURANT - Testimony continued

need of living surely should be doing something about it but is shouldn't be okaying a right to violate an agreement that's been in good faith by the United States and I can't buy this under any conditions.

Representative Al Nakak - I've read some of these documents that have been prepared for the Committee and one which you may be interested in by the Interior Wildlife Association of Alaska and I imagine you may know some of the people involved there but its entirely evident to me that all the wrongs ave been committed historically, presently and in the future have been by the Natives of the Villages.

Dale Bondurant - What do you mean?

Representative Al Nakak - I'm saying that the Natives have wasted the resources.

Dale Bondurant - I don't even think that's even a consideration of what we're talking today. We're talking today about protecting a resource we have today.

Representative Al Nakak - We're talking about such a broad subject that I should have prefaced my statement by saying that it's my position that it's not an ethnic institution and it's my position that subsistence is not an ethnice institution. I come from and area in which covers maybe 80 thousand square miles from Siberia to above the Artic Circle to the mouth of the Yukon, 20 communities, St. Lawarance Islan, walrus, whale, the very same thing that you mentioned and its evident to me that the wrong-the fact that the concern is that subsistence is in this time and place, this Era, within Alaska's total society is totally and exclusively an ethnic institution. The right of subsistence use, hunting, gathering,

REPRESENTATIVE AL NAKAK -Testimony continued

fishing, I feel should be maintained and along the same lines as you state - without regard to race.

DALE BONDURANT - Well, I ask you how are you going to determine this?

REPRESENTATIVE AL NAKAK - This is why we're here.

DALE BONDURANT - I say the only way you're going to determine it - if you're not going to on the way of the race and you can't do it on method because everybody's using different methods now. There's not ly going to deny that you don't hunt walrus with a radio and th there's nobody denies you're not going to hunt whale with a radio.

REPRESENTATIVE AL NAKAK - There's nobody from Shaktoolik, to Koyuk, to St. Michaels, to Stebbins, who is going to deny that they haven't seen sportsmens come out with Supercubs etc. to the gravel bars behind the mountains. Had we the opportunity to earn $25,000 or $40,000 and buy ourselves an airplane maybe we could hunt in Anchorage but there's nothing - it's all hunted out.

DALE BONDURANT - I agree, and this is a problem and I don't support the guy that abuses the resource whether he's white or Native or what he is. I'm not for that. I'm for the resource and let's don't make any mistakes unless we make them for the resource. I don't think any of us have a right whether we're white, Native, or politicians, or John Doe public, have a right to destroy any one species of our resource. We don't have this right. Just because we live on this earth, we don't have the right.

REPRESENTATIVE AL NAKAK - I've never felt that from Kotlik, to Stebbins, to St. Micheals to Unalakleet, to Shaktoolik, to Koyuk, to Elim, to White Mountain, to Golivin. to Council, to Nome, to Brevig Mission, to Teller, to Mary's Igloo, to Wales, to Diomede,

REPRESENTATIVE AL NAKAK - Testimony continued

to Gambell, to Savoonga, to Shismaref, up in Deering or Selawik, I've never ever maintained that subsistence is a right only because we happen to be Natives out there or that we have the right aboriginal or otherwise to extinguish any species. I just think that subsistence is a way of life that can be maintained.. Now if you happen to live at Shaktoolik and that's what you want to do, fine.

DALE BONDURANT - I agree that my opening statement was that I'm not against subsistence, I'm against that subsistence has a priority or any exclusive right to a resource that belongs just as much to me as anybody in this room and that's what I'm saying. I only hunt what I use, I don't go out and kill a bear or something like that. I've live in Alaska for 30 years and I generally take a moose every year. I go fishing and I get my salmon and everything, I'm called a sportsman, but I subsist on that game that I take. I subsist just as much on that moose as you do. I have a job, I agree with that. But there's also some of these people that are hunting some of the marine mammals that are supposedly exclusive subsistence that have jobs too. And even beyond that, they're making profits to buy a way of life that isn't so much traditional and I have no objection to that. And I have no objection to that, that isn't my objection is if you give it a priority or an exclusive right. That's my objection. I say that when one community say that when one community takes 600 walrus, in which they can't use over 120 or 130 and the rest of them their heads cut off and the rest of the carcass goes to waste and they call that subsistence and they say that they should have a priority or a right to that, I say baloney. There isn't - what's traditional about a bunch of cribbage boards or so forth

DALE BONDURANT - Testimony continued

made out of walrus rusks, there's nothing traditional about this and we shouldn't be supporting this. But this is what it's getting down to, and that's what I say and if those people can compete with me to do that I got no objections but if you give it exclusive rights to do that - that's a choice of a way of life that they're taking. That's what I'm objecting to and that's why I'm here explaining my position and the position of the people that I represent.

REPRESENTATIVE AL NAKAK- First part inaudible). And then go back in the hills for moose or caribou or go up and help with the reindeer herd. You know that's a choice but I'd like to see that choice remain.

DALE BONDURANT - But I think it can remain but don't make it an exclusive choice. But I'd like to ask Mr. Cowper a question - I think he said something about there was, or maybe it was Mr. Nelson (Anderson) that there was a meeting tomorrow and they were going to present a proposal for legislation and the gentlemen here just tells me we're here tonight to get the people's view on this before we present legislation and evidently there is some legislation that is already.

REPRESENTATIVE NELS ANDERSON - I made the statement that we have asked Legislative Affairs to prepare proposed legislation for us.

DALE BONDURANT - So there must be preparation already made without the input here.

REPRESENTATIVE NELS ANDERSON - Now, wait aminute. You have to let me clarify that. The legislation that I referred to was one-creating a Division of Subsistence in the Dpartment of Fish and Game okay - it has nothing to do with defining subsistence or

REPRESENTATIVE NELS ANDERSON- Testimony continued describing the activities or anything else like that because we've still got until December 12 before we complete our hearings and the gentleman that spoke from Eagle brought out some points that have already been made and you're not telling us anything new either. All I'm saying that your comments are well taken, I agree basically with the premises that you have brought to the Committee's attention and I certainly appreciate those.

We've already been told, in the past, that if we are going to determine who may subsist that it should not be defined on the basis of race on the basis of the basis of method, that we ought to take a good close look at the economics. I think that idea has merit, we are certainly looking at those suggestions, and I certainly have no preconceived notions on how or what we're going to ultimately end up with and that's precisely why we're here. The other legislation is legislation that looks to me as Chairman of this Committee to be appropriate legislation for the Committee's consideration for proposal to the Legislative Council, which in turn can or cannot introduce it to the next legislative session. That's basically it.

DALE BONDURANT- Well, Mr. Nelson - (Nels corrects him) Mr. Anderson pardon me. I think the one thing that we have to do and I've not heard anybody able to do it - I've heard everybody ask about it- is define subsistence because we're all here talking about it some people for it- how do they know they're for it when there's no definition of it. This is one thing - I've heard people stand right up here and argue I'm for subsistence and ask them how to define subsistence and they son't know how. So how can you be for something when it hasn't ever been given an acceptabele definition

DALE BONDURANT - Testimony continued

We better define subsistence and then decide whether we're for it - the gentleman over here may be against it just as much as I am.

REPRESENTATIVE NELS ANDERSON- I think what we've also accomplished to is that to try to define subsistence as it may relate to every part of the State of Alaska may not be the right thing to do because subsistence activities differ. We've been told to describe subsistence activities rather that try to define the term itself. When you came in, I remember the first thing you said was that you are for subsistence.

DALE BONDURANT - I'm for using the resource and living off it. I think every one of us is for subsistence.

REPRESENTATIVE NELS ANDERSON - But you're not against subsistence, but even though we haven't defined it you still have a position on it.

DALE BONDURANT - I'm agains any priority or exclusive use of subsistence we all subsist, we all live off of mother earth, every one of us we don't get anything from anyplace else. And we're all subsistence. I don't think the farmer has anymore right to be a has anymore right to be a farmer from now on, and his ancestors to be farmers from now on than me as a machinist to be a machinist from now on and so forth. We're all living off mother earth and it's a competitive thing and let's not give people exclusive or priority rights.

CHARLES NELSON - I would like to ask on question - That's what I brought up in my statement - we used to be able to take these herring roe - hundreds of pounds of it. The law now says that you can have only 10 lbs. per family and yet last summer or the last two or three years seine boats have come in and taken hundred of tons, cut

CHARLES NELSON - Testimony continued

the roe out of the herring, shipped them to Japan, made big money off of them. Ho so you base that equal rights of the economy of the natural resource for the people? I don't care whether somebody sells it or I just eat it - it doesn't make any difference - it's there for the people - if I decide to put it up and use it throught the winter for part of my living, I have a right to do that but the saw has changed now and says I no longer have that right but somebody else has a right to come in and take hundreds of tons because he has a permit. Now can you show the equality of that thing when you're talking about economy?

DALE BONDURANT - Mr. I sure can and I'm for you just as much- if some of these gentlemen have seen me in the fish and game meetings fighting the commercialization of the resource just as much as I'm against a priority consideration for the subsistence use of the resource. I think that that resource belongs to everybodey and there should be an equitabe use of it and I'm not for the guy that goes out here and just says that's my livelihook. I should have the right to it I'm a commercial fisherman or I'm a guide - him having any more right than you or me - I'm for an equitabe right and I'll fight right along with you against that and I have in these hearings so I totally agree with what he says. I don't think somebody because they got a commercial license and a boat has any more right to that roe than the gentleman here does.

MARK JACOBS, JR. - My name is Mark Jacobs, Jr. from Sitka, Alaska I want to thank you for affording me this opportunity to express my views on subsistence hunting and fishing. Alathough I've been adapted to a cash economy I cannot turn my back on a Native Culture under which I was raised. Subsistence hunting and fishing. Although

MARK JACOBS, Jr. - Testimony continued

is something that I cherish. There's no monetry value that can be placed on it. Any laws or regulations that would either ban or severely restrict the Native would be destroying the Culture. I heard a statement here that was said - that no special groups of people have a right to destroy any species of people or any species of animal. I'd like to say that the State Legislature or the Federal Legislature has no right to destroy a culture either. We've been brought up under that system for many years - I cannot turn my back on it. I am concerned about my status and my right to continue to use of subsistence resources. It seems to me that I would be precluded because of my income.

My continued use of Native foods has no eroded. It will be a part of my life as long as I live. No amount of laws or regulations can be created to imply that I can no longer crave my traditional food. When one is accultured to a certain food the best white man's steak cannot satisfy that craving. Tradintional food taking away a traditional food is like taking the rice diet out of the oriental. That's how serious it is. Maybe it can be best expressed by taking the politician or the business man and especially those that enjoy their cocktail hours I realize it is something that is cherished just like we cherish our traditional use of Native foods. If you enact a prohibition, there will be a lot of scraming and hollering from the politician the business man because they cherish their cocktail hours. I believe that the Traditional uses is a lot deeper than this. I believe conservation and subsistence can be compatible. The State of Alaska, through its Governor, the legislature and mainly the State Fish and Game can be more responsible to those that use traditional subsistence

MARK JACOBS, JR. - Testimony continued

resources and not be sportsman oriented only.

REPRESENTATIVE NELS ANDERSON - I agree, they cannot take the cocktail hour away. They better not do that.

Judy Rosander - My name is Judy Rosander, I reside in Fairbank, Alaska but I grew up in rural Alaska. A lot of questions that have been asked this evening is concerning the definition of subsistence. I think if anybody tries to define it they should leave it as broad a possible. Cause if you start narrowing it down - it's going to become law and have to many restrictions on the people who have to use that law. It's kind of a touchy thing. I would leave it as broad as possible and then discuss regulations concerning if after. and then I'm also hearing tonight, traditional way of life, traditional lifestyle which connotates that they have a choice. The people who use those terms should go out to the villages where they have to live off the land there is no choice and if you take away subsistence living from them you don't take their lifestyle or their way of life, you take their life period cause tha's what they live off. I would like the committee in mind also. And everything else I wanted to say has been said.

REPRESENTATIVE STEVE COWPER - Mr. Chairman, this is something that I think is correct. There is no cash economy to speak of in a lot of rural Alaska - it is in some of the larger towns and of course it is here in the urban areas. I think it's something that we just have to consider - a lot of the villages in Alaska, the subsistence economy is (inaudible) that's all it is. Somehow I think that fact has to be recognized - I don't know how long it will remain that way but it is something we have to recognice in order to make

REPRESENTATIVE STEVE COWPER - Testimony continued.

these decisions. The cash economy only extends so far into rural Alaska .

JUDY ROSANDER - It's nice to know you recognize that, lots of people don't realize that knowing that fact that people do live wholly off the land.

WOODROW MORRISON , JR. -My name is Woodrow Morrison Jr. I'm from Hydaburg but I've been living out in Shageluk, on the lower Yukon for the last three years. I like these other two gentlemen down here. I grew up subisting. Here we get into that word again. Anyway, living off certain types of a diet. I think that as people born into generation after generation of eating food like this their body adapts to certain types of diets so there is no longer a matter of choice it's necessity but getting back to the word subsistence. The word subsistence has general usage in sociolgy and anthropologhy which generally refers to meeting and fufilling basic needs. In other words enough to keep alive is how it's generally used. But we have two different styles since we are now getting into the cultural definition of it. Out in the village. when we're talking about subsistence we're talking about survival. But to the Natives that moved from the Villages to the city or large Urban centers subsistence has become traditional.

I operate a small grocery store out in the village. And people out there their primary diet comes from the land. The white fish, the pike, the shee, ravvits, and the stuff they buy in the store supplements that diet. Whereas, I believe that the people who have moved to the city their primary diet comes from the store and is supplemented by the moose that they get when they go out in the villages, fish so you have two different ones here. But

WOODROW MORRISON - Testimony continued

as you have noticed I have not made too much of a distinction on income but income does play a large part in it. I've heard somebody else say it should be put on income. Well. I believe along the same lines that if it does get down to the point where the State has to decide who may take the fish and game then I think it's going to have to be done along the lines of poverty level income. But then that would be only one of the criteria and I think for establishing it because if you go strictly on the income level the people who would be hurt most on it would be the ones that are not quite -their income would be slightly over that poverty level which would disqualify them for subsistence permits like you have in southeastern. Down there they just apply for tham and you get it. But if it does go on the income level the guy that's making just a little bit over what's it going to do to him -is he ging to quit his job so that his income will go below the level or is he going to work harder so he can afford to buy more food. And as far as protecting the game we did - I was an alternate delegate to a meeting down Pilot Station, down on the Yukon last February, we were concerned with the number of moose that were being killed on the upper (inaudible) and left. Some of the moose were left with only the hind quarters missing. Others, the entire carcass with only the head removed. Down in unit 18, an area down aroune Piamute, Kalskag, and Marshall they were having worse problems. down there with the airplane hunters coming in and using CB radios but there was nothing anybody could do about it. We used existing State laws and we proposed to the State Depattment of Fish and Game to st up two subsistence zones and we did it with the understanding that subsistence zones

WOODROW MORRISON'S -Testimony continued

would not keep out any State resident regardless if he was Native or white, it would keep out the foreign and non-resident hunters, primarily, it would limit the type of vehicle that could be used to travel into the hunting area. And Fish and Game backed off on it and gave us the control zone - called the Paradise Control Zone one the lower Yukon well, bounded on the west by the Yukon River and the Inoko River on the east running down below Holy Cross and then North above Grayling to Eagle Island and then on across to the mouth of the Ididarod River. So what happened was- what we did was it prohibited aircraft from landing within the zone, in other words if a hunter came out he could not land on the river with a float plane in front of the town of Shageluk, he could land on the lake behind the town, because it was beyond the boundary. But what it force him to do was to hunt under our terms. He had to go up river by boat the same way we do, then bringing the meat our, he could not remove any part of the meat with a chartered aircraft. It had to be taken our on a scheduled mail run or however you call it.

We wanted to go a step further but we were turned down. We were told the Fish and Game didn't have the money to do it. We wanted to put a control type of officer, more of a customs inspector type person, in each of the four landing zones, Well I think there were five anyway there was Graylin, Anvik, Holy Cross and Shageluk and what we were attempting to do was force that hunter to bring the entire carcass back to that designated landing area where that subsistence officer, or whatever you wanted to call him, would inspect the carcass and determine how much of it is no longer usable You know bloodshot and all the rest of it the parts he couldn't use. And also to check, and get an accuarte account of how many

WOODROW MORRISON - Testimony continued

moose were killed so we didn't go far enough into it to firest tell Fish and Game we wanted an accurate population of the moose within that zone. If we had an accurate count, then one could determine an optimun size - a number of moose that would be nexessary for sustained yield in other words when you got a herd of cattle out there and you just go in and kill them and you don't know how many there are and you just keep killing them eventually you're not going to have too many So anyway this was part of it so we can get an accurate count of how many were killed, but there was no money for that and the person would have been hired just during the hunting season. Now this doesn't stop anybody from hunting in the zone all it does, is like I said, it controls the type of vehicle that can be used within the area.

And down in Piamute control area, it really made more of an impact down there because the only way you can get into those lakes is with a float plane, set a zodiac boat on the lake, with a walkie talkie, another guy go up with a float plane and spot, without the float plane being able to land on those lakes I think if I remember correctly, I think they have to portage in, pack their canoes in like everybody else. I was hoping that more of this type of thing would be done because this was done by the Native people themselves, it was not done by anything suggested by any white sportsman groups in fact the ones that fought it the hardest was the game guides and the sports hunters, they didn't even bother to find out whit it's all about.

We were not trying to set up an exclusive hunting park for Natives. We were trying to control or set up some protective device for the game.

The other thing that's coming in now is that every time some

WOODROW MORRISON - Testimony

protective device for the game.

The other thing that's coming in now is that every time something has a commercial value then it's taken away from us. Like with the Herring Roe in Southeastern. We got a lot of white-fish . We get them in the winter after freeze up and we get them in the spring during bread up by dipping for them, and setting nets for them and I'm afraid that some smart guy is going to come along and make a commercial season for them. I hope that the legislature will never permit this to hammpen now there are some areas where whitefish is traded back and forth. It's more of a barter type economy in the different villages. But you come in there in the winter time when they're no jobs, even right now, there's no jobs, it's damn tempting to sell your food if some body offers you money for it. And I'm afraid that this is going to happen again. It happens everytime the whiteman finds a market for something - it's gone. Then we get blamed so those are the things that I would recommmend.

First, establish the population of the effected animals and the fish amd of mecessaru assign quotas as to how many of these game animals or birds can be taken, Set up an effective checking systems We can't get all of them. Under the present method people send in their moose tags if they feel like it so you never leally know how many are killed. Set you regulations so that certain types of fish that are necessary to people's diets who live out there-don't come on a commercial market. And if you do define sub-sistence and do get it down to a point where you're going to have to decide who may take these animals and who may take these fish and birds then set it up on a - well, for example, if the guy is

WOODROW MORRISON - Testimony

eligible for food stamps - it'll have to be done primarily on income level. I think I said everything I meant to say. Oh, there was one other thing on the migratory waterfowl, during the spring months, I do realize that there have been excuses in it. But it's my understanding that the International Treaty does not prohibit the emergencey taking of waterfowl during the spring months the migratory waterfowl. The only restriction on it is by the Alaska State Regulations. and I don't beieve it's a statuaory condition-it's an administrative code of the Fish and Game and it's my understanding that other states where they are affected by this, Duck Unlimited, now these organizations are not opposed to the emergency taking of migratory waterfowl in the spring months but yet in a meeting in Bethel last year the fish and game people said we will enforce that even if you shoot at us. If you're hungry out there. I mean if you're really down and hungry and you do kill waterfowl in the spring-time you can be prosecuted for it and that's only because of the Alaska Adminstrative Code and so that doesn't jive with the International Treaty and they won't change it. We've requested it-to Fish and Game.

REPRESENTATIVE SAM COTTEN - That differs than from, I think I read someplace where there's an emergency provision for other types of game.

WOODROW MORRISON - For everything but migratory waterfowl.

REPRESENTATIVE SAM COTTEN - And the State of Alaska makes exclusion on that?

WOODROW MORRISON - That's right in the Fish and Game regulations.

REPRESENTATIVE SAM COTTEN - Good Statement Mr. Morrison -Mr.Chairman

REPRESENTATIVE SAM COTTEN - Testimony continued

If I could take the liberty I'd like to ask Mr. Bondurant what he thinks of that proposals - I would just sort of like to get your reaction.

DALE BONDURANT - Well, I think proposals such as the way you control the take of the game are good proposals if they're designed for the management of the game. I think they're poor proposals if they're designed to give by nature a certain area exclusive use of that game.

REPRESENTATIVE STEVE COWPER - That wasn't what he was talking about.

DALE BONDURANT - No - I say if they are designed for that reason, I would be against them. But if they designed to control the taking of game and themanagement we're for them. Our organization has fought for these walk in areas and we're the ones that got the- no hunting the same day airborne into the regulations - we fought the Fish and Game for years to get that one in. We definitely believe inthe protection of the resource and I agree with the man - how can you manage game unless you what's there? We fought the Fish and Game for years on this because they manage more on the take, and we got more people taking game every year so they got a bigger take and they say well, we've got plenty of game which we all know we have't it's been here a few years. But anything that that's designed to protect the game adn I'll pack my game as far as anybody else. I don't think I have a right to be guarnateed part of this resource - I just have a right to be guaranteed equal access to it -that's all I want.

IRENE CATALONE - My name is Irene Catalone and I'm from Fairbanks, Now, I think that what you 're doing here is kind of confusing mess mainly because subsistence hasn't been defined and there has been

IRENE CATALONE-Testimony continued

a whole lot of different things thrown out trying to define subsistence, that don't really relate to subsistence at all such as lifestyle, different economics and everything else. To me subsistence has to be defined before we can really do anything else about subsistence. Hold any further hearings or anything else. To me subsistence is just the ability to make a living whether it's in s regular it's in a regular job from 8 to 5 such as most of us I assume , here have, or whether you're out in the village where no other economy exists where it is your job to go out and make a living, which you'll do off the land, fishing, gathering wood, getting your water and if anyone has been out in the village, this is what it is - it's full time job, making a living out there. So I don't have any problems with whoever it happens to be, of any ethnic persuasion, if they choose to make this their lifestyle, going out to a village or living in a cabin in the woods, making their living like that. That's subsistence, they're keeping themselves alive. I don't see how anyone could have a problem with that. And we're bringing in another subject which is the Claims Act. Eventually, hopefully the Claims Act will put private property in the hands of village corporations, when that becomes private property that's not everyone's problem. That's not everyones to deal with. You don't go to, for instance, if I had a house with a lot, you wouldn't come and tell me how to regulate that lot. Whether I can have somebody hunt on it or anything else. It's really not that much of your business and that's whats going to happen if the land ever gets, what's it called conveyed. That's such a vague term anymore - it's been so long. But you know, none of these things really seems to present a problem. When you think about them

IRENE CATALONE - Testimony continued
they're really pretty much simplistic. That's all I have to say.

REPRESENTATIVE NELS ANDERSON - I have to agree with you that in our efforts I went in full blast to try to get the term defined and then I got my wings singed pretty quickly and was told quite clear-ly to try to define it was going to take an awful lot of time because it is confusing, there are a lot of factors that enter into trying to define it. The only thing that I've gotten any real direction from was a statement made by some pers . I can't remember who it was or where not, but the point is that we have to as you just did describe subsistence activities describe subsistence activities. I think we'll describe the activities in general terms. Out of that I think regulations will probably develop and if those regul-ations don't fit then I think the courts? will take over further define what we're talking about. Now as far as defining the term, I've descovered, as you've said, it is a confusing mess and a lot of different factors come in to the picture. And we're having a very difficult time as a committee to try to come to terms with that term. Any comments from the committee?

Male Participant in the Audience- I would just like to throw one little thing out for thought.
REPRESENTATIVE NELS ANDERSON - Would you like to come forward or are you going to ask the lady a question?
Male Participant in the Audience - Neither really. It's just a question of thought. What happens if an individual makes $50,000 this year and decides to go out and live in his cabin next year and not make any money.

REPRESENTATIVE NELS ANDERSON - You just have to go up there and kill a moose whenever you need some meat. That would be my answer, I don't know what the rest of the panel thinks.

PETER DEMOSKI - My name is Peter Demoski, I'm from Nulato, along the Yukon River. Sitting here tonight, a lot of the testimony covered a lot of the areas that I've been concerned with in the last few years. But I would like to bring up a couple of concerns that a Mr. Bondurant brought up. Okay, we seem to be confusing tying to define subsistence in a traditional sense . Now, one has nothing to do with the other. When he made a statement saying that the Ivory cribbage boards, and similiar items - what have that has to do with tradition? Well, ther're just advance improvements on something that was started a long time ago. So that is tradition. That's the way cultured advanced throughout history. Your just improve on what was done before. Now, I don't agree with his other statement that his asking who has the right to restrict certain persons and allow certain persons more leeway in obeying regulations and laws. This just falls back on the United States Government. Their law was based on moral principle that freedom and some human rights are privileged but they're not rights. Federal law or State law can restrict those rights if they want to. I also disagree with his statements that portions of Alaska should be granted varying degrees of subsistence usage of those areas by certain people. It's a well known fact that in any culture you go to in the world there are different statuses of people. Some are more affluent some less, and some even lesser. Now the gentleman who brought up the question - What does a guy who makes $50,000 do a year and then move into a bush and live in a cabin. That's

PETER DEMOSKI - Testimony continued

a privilege he can use, now you take a rural resident. He can't make that privilege, he's stuck in the village. He's got to live off the land.

Okay, now we get to the easement section. This is going to have an impact on subsistence because I've already sent a statement of opposition to BLM and the Land Use Planning Commission on a lot of their easement propositions for our village selection. I believe it's the opinion of some federal and state judges that allowing certain portions of the Native selected lands as Public Usage Lands is against the law. I back that up 100%. You can't allow a certain footage of land along both sides of navigable waters as public usage land. You do that you're going to be in conflict with Native allotments along that land, fishing camps along that water and whatever usage is those Native people in that area have utilized the land for. As far as using easements going through Native selection land especially through well, I'll just use subsistence in a broad term since I don't think it can be defined and I don't think it ever will be accepted by any one group of people. But it's going to have an affect on the people who use that land. There are alternatives that they can consider, the alternative might take a little more time, or it might make it more difficult for the people who want to use that public land but it can be accomplished. It's unfortunate that subsistence has to come up to legislation but we're stuck with it and I sympathize with this committee's job in trying to define it and make it work for all the people in Alaska. I fear the outcome of it because no one will ever be satisfied but we're just going to have to accept it. That's all.

PHIL SMITH - I'm executive Director of the Rural Alaska Community Action Program but I made the mistake of staying up late and dictating a great big long statement that got typed up and somebody handed it to me today as I walked out of the office today, so I won't read it I'll present it to you. Essentially, Mr. Chairman, the question was asked in the annoucement of this hearing whether or now subsistence should be defined and of course there has been tremendoud lot of discussion around that it is the opinion developed over some time of Rural Cap at least that it is probably best left undefined. That rather what should be defined are management systems and other forms of habitat protection devices and so forth which will allow local people to define subsistence as they do it or to describe it. (see attached statement).

REPRESENTATIVE NELS ANERSON - Mr. Smith, your suggestion on creating-(inaudible) legislation that could do what you suggested in your final comment. There is already in our statutes as you well know a limited entry program for fishing and that's been tested in the courts and found that it stood the constitutional test and perhaps that may be the direction that the committee will have to go.. I'm sure in this point in time - the idea seems to have a great deal of merit.

HANK OSTROSKY - Mr. Chairman, members of the Committee, my name is Hank Ostrosky and I'm here strictly as a citizen representing no specialized group. A backgroung of information that I think would be helpful to this committee. A little history - in 1972 we were looking for alternate marketing and banking systems and also management systems for fisheries in rural Alaska and in our studies we found out

HANK OSTROSKY- Testimony continued

that any impact that this would have into rural Alaska, could cause a lot of interference and that there are alot of lives of people involved by not taking a look at what existed in depth within the areas of the villages. This led us into subsistence, looking at subsistence uses of various resources. We would look into it and put a little study tosee exaccly what would happen you know if things were disrupted. It became very obvious that we were looking not at subsistence as such but a subsistence system. We compiled a lot of information concerning it and we ren across other people who had been doing some studies to show for instance that subsistence was a taboo to quantify or put a value to subistence and everybody was more or less shying away from it. We sort of bit the bullet and looked at it to quantify it and we found an alarming situation like in the Wade Hampton area, which Emmonak is a part of. When we started to quantify it and we didn't go through all of (inaudible) and we came to a figure and this is based on subsistence to replace subsistence within that actually small area would cost $40 million dollars a year. This was not looking at the disruption within the cultural system and result in social services that would have to put in there to rectify that. We had to sort of extrpolate that figure in lookinginto the past that you know you hit basicallly into the economics of a culture adn sometimes the damage can never be retified no matter how much money you put into it. Taking just a - off the top you know to replace that you can safely say about another $50 million dollars or $90 million dollars that would just have to place that one particular economy if you are going to disrupt it. Well, then we saw what we were relly looking at. Now before I use another term I would like to make a definition and look at economics. We sort of looking at a definition

HANK OSTROSKY - Testimony continued

of economics - the transfer of goods and services. Well, for who? And you look at what you're talking about - it's the transfer of goods and services for people alright that says that the index of what you're talking about is economics if for people. Then what we found out at - we were looking at a subsistence economic system. All of a sudden the whole problem seemed to fall ino focus. Then we started looking say what was considered another mechanism of a cash economic system. The more we looked at it - the more we found out that actually using cash as an economic system is a big fallacy-that people do not eat or use money - I mean as that - they take money and they transfer it for goods and services. And then we found that what we're looking at is a cash inflatable demand - all of a sudden - that certain groups were trying to substitute cash for what people use - a nd people use cash to get goods and service, and all of a sudden you see, almost like the moneychangers, actually corrupting the discipline of economics as indexed back to the human being.

With this we decided to look into certain systems that exised in Anchorage, Subsistence systems, so er look at moose - people to out in the bush and stuff like that - but all of a sudden that doesn't supply the economics basis for how people exist in Anchorage. So we start kicking stuff around - alrght how does a person survive in Anchorage - by a job he gets cash, he turns that into goods and services and there is very little left over in the end so that his cash inflates because he's using his cash for in most cases just to stay above board. If he has a surplus he's going into another type of system which he is now controlling more demand. I hope I'm not making this too complex, but we go into it. We looked into it and we know that there's a whole group of people in Anchorage that

HANK OSTROSKY -Testimony continued

didn't have jobs so how were they living and they had no excess cash so we said what is the subsistence that actually exists in Anchorage.

Well, define that we're out in the bush where a person in the village will pick up a gun, go shoot a ptarmigan or a duck, throw it in the pot or go shoot a moose. This was not available to thecitizen of Anchorage. So what he did - his tool of getting subsistence was a fountain pen, in which he hunted the bureaucracies for unemployment checks, and this type of thing and there was no disposable income after it so you're looking at a subsistence economic system in which you're transferring cash into full goods and services. Like Phil Smith, there I mean, I know if you get a narrow definition of subsistence -once that narrow definition of subsistence was satisfied that those who were trying to destroy a culture then you've had it in the legislation, You'd be lined up against the wall. When you start looking at a subsistence economic system and allowing each local area to define what that meant in lifestyle and this they would be able to quantify -now that meant in lifestyle and this they would be able to quantify -now I'm talking about the local areas themselves, doing the studies, and I would suggest here that the local commion be formed and before the State moved in to try to regulate priority usage that all this be taken into consideration.

Four years ago I attended a subsistence hearing in Juneau and the same thing came - to define subsistence - at that time I was looking at another group that was studying a problem and they were trying to legislate - first of all before they could come up with a suggestion to legislate they said we would have to come to a definition of what we were talking about because they found out if

HANK OSTROSKY - Testimony continued

they didn't come up with a proper definition that every time they tried to change it later on a new bureau would form -a bureaucacy around the new definition. I'm thinking about bureaucracy -once they are formed you can't destroy them and as a result the cost of this went insurmountable so what they did, they sat down and by consensus of this whole group they came up with a definition - now it didn't take too much longer. This conference in Juneau, I suggested, if it took up five years to come up with a difinition, and a definition that would be a consensus, everybody in this room here, I notice a similiarity between the gentleman's remarks and what Woody, and they were very similiar but the only arguement there was priority of use and this is what they were looking at. But there were hitting on the saying really what they wanted toprotect.

I would suggest on this that before any legislation we come up with a definition but nor a definition that's going to serve any special interest group. The priority of distribution, this can be handled at a later date ? and it can be handled very constitutionally I think at the level of the village, or at the leved of the local community because the power of local government when you look at it constitutionally is very, very powerful especially when the citizens start acting very responsibly, as did the North Slope people when they formed their Whaling Commission and they were using more accurate information, more assurate than the federal government could produce or any of the conservationists could produce and I think with the strength of these commions working through local government that the problem of subsistence and the priority use of the commmodities theat susbsistenc- you're going to regulate could actually be satisfied. Another thing, it's funny at this time -you've got

HANK OSTROSKY-Testimony continued

a lot of young people you know that are going into how to- your're dealing with scientific facts, your also dealing with human beings, political decisions, and the whole demension, because if you do something here, something reacts overhere.

Recently, I testified in front of the 200 mile commission and the problems that they are facing is similiar to what the committee here is facing. I ran across a mechanism by which, you probably can hire people - we're trying to get a person up here from the States, he's a former? - to do these what they call econometric models, I mean -that's a big term - but econometric models don't take into consideration people and how people react. But there is a new mechanism of computing this and I got an article out o Newsweek and it's the only article I've got and thecommittee is welcome to this if they would copy this - so that with enough data in all your departments, you've got your social services, Health and Welfare, you've got a lot of data existing in your bureauacries right now that is fairly accurate and would hve to be extrapulated out right now to see how accurat it is to see what your present problem is. But if you use that data correctly, in a four dimensional model what they call, and they are very sucessful now, so that you can actually, instead of by guess and or by gosh, you can start picking up the accuracy of you decisions as a legislators which I think if this is what you attemp to do and come up wiht these models based on accurate information so that you force your departments to intercommunicate this information and come to you with results, not with more problems. Because consistently your bureauacries because they do not intercommunicate and they have all the information to do so and to say okay here is what we figure as a

HANK OSTROSKY - Testimony continued

group, that we can solve this problem, they come to you with more problems, and the legislature is wasting it's time, not representing people, but tying to straighten out the problems within the bureaucracies that if they would intercommunicate their observable facts of what they have experienced that in this respect they could come up to you and say here is the solutions we would like your political judgement on it as representative of the people, who we represent, your political judgements, you put the icing on thecake and call it a piece of legislation that now represents people. This is my testimony and I did this (inaudible) I just listened to the problems that were voiced here and concentrating on some of this problem, infirectly say from 1952 until 1972 and directly we're forced to look into this thing, Believe me I'm not an economist or anything of this nature but I had to look at all these discplines and try to interrelate these different deals and try to come up with a conclusion that was satifying to me.

ANDY JIMMY - My name is Andy Jimmy from Minto - Mr. Chairman, Living off the lan, The State says we'll treat everybody equal. (inaudible) You're making $50,000 a year and I'm making $2,000 but we're treated equal right? Okay the Federal could give priority or give some people subsistence when they need it but the State can't. You know what I'd like to suggest -like living off the country,living off the land, like fish and game, we can't do thinks like you're making $50,000 a year, I can't get an airplane, charter the airplane, go out there and get my food for the winter. It's pretty hard to change people like that. I got elected chief of Minto in January, I told the people I'll do my best to help them along but I can't the way

ANDY JIMMY - Testimony continued

the way they been living, I can't change their ideas, I can't change nothing, I'm there ot help them and I think you people are the same way right? We're all there to help the people. But I can't move my grandma to Fairbanks or Anchorage to live because she wants to live off the coutry and that's about the extent of my testimony. To mix it around it the people that really need it I (inaudible) To not favor people but to steady them and to give them what ever it takes to keep them over the winter. What I'm trying to say is what we get off the country or out of the river we get to use and we get just what we need let's keep it that way and if someone needs mear for the winter, charter the airplane and go out ther and get it, I can't charter an airplane, (inaudible sentences)

REPRESENTATIVE JOE HAYES - The way I'm interpreting what you're saying is that economics is a factor in economic living, in other words, if there is a need based on lack of miney, lack of cash, then that consideration should be given to that.

ANDY JIMMY - If you go to the villages and see how they live and how many people really need it you'd give it to them. Well, if you say we have subistence for 6 people put your name in and draw it out of the hat.

PHILLIP DEMBROSKI - My name is Phil Dembroski and I'm not representing any specific club tonight however I am a member of four sportsmen's organizations within the Anchorage area and I think what I say they would back me up, the majority of them, All I want

PHILLIP DEMBROSKI - Testimony continued

to state tonight, is that I so and most of the members of the organizations that I belong to agree with Mr. Bondurant's philosophy as far as the game belonging to everyone and it should be dealt out equitably. I have one more question, that I have not been able to find an answer to. Why do we need subsistence when we have a fisherman hunting license when we each can go out and get a moose or caribou or two caribou or three caribou, along with all the fish we can possibly eat or out family can eat. Now people are - do not have the income where they can purchase this license, then I would be in favor of the State issuing to them free of charge, versus a subsistence permit per se.

REPRESENTATIVE NELS ANDERSON - Okay, the question is why do we have subsistence . All the traveling I've done so far, on the issue, there are several, more than several places in the State that have very limited resources. Okay, you take up in the Fairbanks area for instance or in the Kodiak area where we held a hearing, where people are allowed 25 fish per person. All the people in Kodiak that came up and testified said that 25 fish wasn't enough. If your main diet is fish, 25 fish just isn't going to cut it. You have 3 in the family, that's 75 fish and five that't five times twenty-five. We've gone to other parts of the State of Alaska where the caribou heards were supposedly down to such a point where the herd couldn't take unlimited catch from everybody - there had to be some mechanism developed to permit certain people to get the caribou. Even up in the Glennallen area people are on a permit system up there as well, okay when we go into this, I didn't realize that there was that severe of a problem in some of our areas but

REPRESENTATIVE NELS ANDERSON -Testimony continued

what we have to take a look and I begin to see that as one of the responsibilities of this committee is to find out what the actual need is of alot of these people who are on subsistence resources. Some of the areas of our State, there are no rules or regulations guiding the subsistence take or the commercial take of herring, the Bristol Bay Area for instance, the Department of Fish and Game has absolutely no idea of what the size of the herring run is at the present time. So they are going to recomment that 6,000 metric will hve some harmful effect on the long term reproduction of that species or whether it's not going to have any effect at all . These ara the kinds of things that prople have been bringing to the attention of the committee.

What are you going to do about this - it that the right thing to do. I have on my own personally made recommendations to the Fish and Game prior to the time that they go out and make these commmercial recommendations that they have a better idea of what they're talking about prior to the time that they try to sell the public on it because we have run into some very problems obviously with thw Northwest herd - the caribor herd. The Bowhead Whale is another thing that's a Federal and International realm. I know but still what do Alaskaans really know about the Bowhead population. What kind of information is abailable that is really truthful and accurate. Why we need subsistence - I've got notes and tapes and a lot of that has been transcribed and the need for the State of Alaska to look at subbistence is very clear and very real. That's the reason, I brought up earlier that we have to define, we have a Civision of Commercial Fisheries, we have a

REPRESENTATIVE NELS ANDERSON - Testimony continued

Divison of Sports Fisheries ,we have a Division of Sport Hunting and so forth. People are telling us, in many parts of the State that we've gone to that why don't we create a Division of Subsistence so that we know what we're talking about because apparently the Teh Department of Fish and Game really doesn't have any real idea what the Beaver population is in the lower part of the Nushagak River. Okay, how so we get aroun that, I really don't know but people have been saying if the existing mechanism isn't going to work and the Department is going to continue to sell the game that they better know what they're talking about because they're infringing on subsistence activities when they blindly go out and say okay you guys can kill so many moose or you can take so many beaver, yet they don't really know what they're doing. I think the people have a right to expect the State of Alaska to demand that Administration properly evaluate the resources of ou State of Alaska adn that's one of the purposes of the committee to try to find out what the problems are, make recommendations to the legislature, and try to find out what we're talking about. I really didn't think that we were going to have this much of an impact on the minds throughout the State of Alaska. And people are talking subsistence now. it used to be something we just mentioned vaguely but now you have to sit down and talk about it in official gathering here and really trying to grasp what we're trying to get at.

PHILLIP DEMBROSKI - Well, hypothetically when you make your recommmendations and assuming that you did recommend subsistence would you also make recommendations as to quotals, based on a famil's economy based on their size. If that game in that area did become depleted

PHILLIP DEMBROSKI - Testmony continued

such as the Arctic Caribor Hear or a certain fishery in a certain area.

REPRESENTATIVE NELS ANDERSON - Well, what we're going to have to do is take a look at all the recommendations that have been made by people like yourself, and Mr. Bondurand and come up with what we think is the best mechanism is in the committtee and make that recommendation to the council and hopefully they'll adopt whatever recommendations we'lll come up with as you probably can tell what I'm saying is that I ahven't made up my mind yet what I'm going to do or what I'm going to recomment to the committee or what the recommendations of the Committee is going to be but apparently we are going to have to take every theing that you've said into consideration - that we are going to have to take the geographical location of a person into consideration, we're going to have to take a liik at the size of the resource around which the person is living, the economic status of that person, the size of that family - it's all goint to be part of the total picture. That's about the best I can do - we're going to have to consider all those factors.

JOE CLARK - Mr. Chairman, my name is Joe Clark and I'm Eskimo, I'm very proud of it and I think we are a privileged people. Forthe most part- I can say this formyself with out this thing that we are talking - subsistence- I don't know whether I would be here right now. I rely very heavily on subistence, I've raised a big family, 11 children and I'm very thankful that they are all alive adn in good

JOE CLARK - Testimony continued

health adn it's mainly because of subsistence that they are there. I know because I am priviledged pereon, that I could look to our government, which is the United States Government, for help, for food and clothing, if this is the way I wanted to go but like I said I am a very proud person adn I've not asked for help from the government to feed or cloth mychildren or myself. And the only thing that I'm asking as far as subsistence goes if yoi have to make a judgement - I'd like to say - if there is one animal left - I would like for whoever to make this judgement to go for subsistence rather than a sport fisherman or hunter. That's all I have to say.

ED NORMAN - My name is Ed Norman and I'm going to represent myself but I'm also the vice president of teh Sportsmans Game Preservation Association. And on of the things I can understand that this is a very, very complex situation and it's not one that any one person or any small group is going to be able to get to the ground work right away I know only through these kinds ofdifferent types of hearing are you going to touch on different bases. One of the things that I was, and I'm not trying to make jes. We were going to get experts fron the outside to study things, we've had quite a few experts up here in Alaska fron the outside to study things and sometimes we ought to do a little bit to look on our past and take some of the advice from people who have live here to although on of the things that was brought up about the 25 fish in Kodiak and I hope I live long enough to see it souds like limited entry - I don't think it's a fair and eqitabe situation where you've got aman that can make $60,000 and still on limited entry are we still going to have

ED NORMAN- Testimony continued

a person, and I'm not knocking anybody who is making $40,000, $50,00, Or 60,000 but on subsistence I think this is brought up. Like my dentist you couldn't go to him because he had to go out and commercial fish. We're going to hve the same thing in some of these villages. This is something that touches on the resident and the people that live here in Alaska. I think that there is quite few avenues that have to be rally looked into. Like the man said he's proud he's a Eskimo.

My grandparents were from Lapland and I'm prout of that. I'm not here because of that I'm just here. I know they can see many, many things that's going to be leaving the game has left. We went on record 8 years ago with the Nelshina caribou herd, it was the people that were depleting them. Many of them were being slaughtered, and I think we have to be very careful and this is the advent of the snowmobile. Iwe would have hunted them by dog sled or other ways I'm sure it wouln't hurt them. To get a field count is very important adn I don't feel the Fish and Game had ever done a good job on this. The one man that said about checking areas were people bring out the meat - I think that't a real good idea rather that the antlers. I think it gives - I don't know the name, I like the name sportsman, but the fact is the people don't think sportsman eat fish, Ido and I enjoy them, and I eat moose and by golly if I didn't get a moose I'd bepretty much in a year to get through because I can't afford the beef prices. There has never been beef in my house. I eat fish instead but the point is I got one salmon this year. No, the point is if the person can get it for ones need is fine but to have exclusive areas set up and and I can see right now there will be capitalization on it- lets

ED NORMAN - Testimony continued

say I have an area over here and possible for a monetary gain, and money speaks might loud these days, so I think that there's going to have to be a lot of policing to make a law that's fair and equitable and plus it can be enforced - it's really going to have to have some looking into, I can see this. So that's teh only thind I look at - I found out when they set up some kind of certain zones, I understand some certain privileged individuals already had a handle on it. What I'm talking about now is the hunting area where they pat to get in. These are thing that I really look at with a jaundiced eye. I think these things will crop up so I'm sure that you guys got you hands full.

REPRESENTATIVE NELS ANDERSON - I just want to make a comment here. There has been some resistence to the idea of creating subsistence zones to protect the resource. When we were up in Kotzebue, there was testimony gived to us stating that there are exclusive sport hunting zones set aside up in that particular area. There's a dentist down in Anchorage, and a school teacher down in Anchorage that have the exclusive right and no other game guide can go in there and take any of the game from that particular area. It seems to me if that's correct and if that's right then I can't see any reason why people think that rural areas and urban areas as well, that there should be subsistence use of our resources when they have exclusive use game guides. Exclusive areas all for them selves alone. If anybody comes in the can be prosecuted, the game licensing board can (inaudible) Exclusive area?

ED NORMAN - Maybe I didn't read that the same as you did, I understood

ED NORMAN - Testimony continued

and I'm not for that exclusive area, I'll just righ now, I don't think they should be set aside for these different people but the part I read and correct me if I'm wrong, that anybody could go in there, and in fact you can even use the airstrips, which I son't have an airplant so it wouldn't do me any good but this is the way I understood it although I think they're cutting their own throats by doing this because just what you said is what I could see a long time ago. What would be happening, I think, I haven't talked to them, adn certainly they could see this what would be forthcoming because certainly what's fail for on would be fair to the other and I'll agree 100% with what you said although I was under the understanding that I could, or you or anyone else could to up there adn use this area.

REPRESENTATIVE NELS ANDERSON-NO--OTHER GUIDES

ED NORMAN-Of course I can understan that point, because we have had, and we still have many bandit guides that fly around and of course they're going to cut their own throats that's just all there is to it. But the point is apparantly that's why this law was enacted, But I'm not in favor of that either.

END OF TRANSCRIPT

BY MARK JACOBS, JR.
P.O.BOX 625
Sitka, Alaska 99835

TO THE COMMITTEE ON SUBSISTENCE HEARING

My name is Mark Jacobs, Jr. I want to thank you for affording me this opportunity to express my veiws on subsistence hunting & fishing.

Although I have been adapted to a cash economy I cannot turn my back on the Native culture under which I was brought up. Subsistence hunting and fishing is some thing we cherish, there is no monetary value that can be placed on it. Any laws or regulations that would either ban or severly restrict the Native would be destroying a culture.

I am concerned about my native status and my right to continue to use our subsistence resources. It seems to me that I would be precluded because of my income. My continued use of Native foods has not eroded. It will be a part of my life as long as I live. No abount of laws or regulation can be created or enacted to imply that I can no longer crave my traditional food.

When one is addultured to certain foods you cannot destroy that appetite, you can only suppress it. I cherish my native foods, when I crave certain Native or traditional ways of preparation of foods; the best white man's steak or white man's specialties cannot satify. To take away traditional food is like taking the rice diet from the orienta or maybe a better way to express how I feel about it is for example the politican or business man. Especially those that enjoy their cocktail hour. I realize it is something they cherish, Enact a prohibition and there will be a lot of screaming and hollering.

Our traditional uses is far deeper than that. I believe conservation and subsistence can be compatable. The State of Alaska through it's Governor, Legislature an namely the State Fish & Game Department can be more responsive to those that use traditional subsistence resources and not be sportsman oriented as they presently seem to be. Thank you.

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PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT

REPRESENTATIVE NELS ANDERSON
REPRESENTATIVE SAM COTTEN
REPRESENTATIVE JOE HAYS
REPRESENTATIVE LEO SCHAEFFER
REPRESENTATIVE AL OSTERBACK

STAFF MEMBERS PRESENT:

DOROTHY LARSON, STAFF ASSISTANT
ADELHEID HERMANN

PUBLIC HEARING LOCATION:

ALASKA FEDERATION OF NATIVES, INC. CONVENTION
WESTWARD HILTON HOTEL
ANCHORAGE, ALASKA

DATE: November 12,1977
TIME: 5:00 P.M.

10-25-77

TABLE OF CONTENTS

BYRON MALLOT.....1,

Representative Nels Anderson.....1,2

Betty Miller.....3,

Rosita Worl.....4,5

Doug Motig.....5,6,7

Carl Jack.....7,8,9,10,11

Evelyn.Pete.....11,12,13,14

Byron Mallot.....14,15,

Larry Edwards.....15,

Luke Titus.....15,16,17

Nelson Frank,.....17

Bill Wood 17,18,

Nick Lunde.....19,20,

Dorothy Pegan.....20,21

Peggy Woodly.....21,22

Charlie Johnson.....22,23

Ed Thomas.....23,24

Byron Mallot.....24,25,

Representative Nels Anderson.....25,26,27,28

BYRON MALLOT - Those workshop moderators that are going to give reports I will be calling on you. When I do call on you please come forward to one of the mikes to make your report. As we announced earlier all of the workshop reports will be made part of the subsistence hearing that Representative Nels Anderson and his members are holding throughout the State.

REPRESENTATIVE NELS ANDERSON - Thank you, Byron. I would like to ask the members of the subsistence Committee to come forward and join me up at the front here if they would. There's Representative Joe Hayes, who has been very patient along with myself and Representative Leo Schaeffer from Kotzebue, Why don't you guys get your tails up here so we can get this thing going. I don't know who else is back there. While the members of the Committee are coming forward I'd like to say that I appreciate the opportunity to be here - this thing has turned out to be something all together different than what I had anticipated in my little bush mind, but you'll have to forgive me for that. The Interim Committe on Subsistence, is a committee that was established by the Legislature this year. It was put together by my insistence because the State of Alaska, in my opinion does not really recognize the deep need for subsistence hunting, fishing and gathering activities in the State of Alaska. Members of the Interim Committee are Senator Pat Rodey, he is the only Senator that is serving on the Committee, Representative Steve Cowper, Representative William Akers, Representative Al Nakak, Representative Leo Schaeffer, Representative Joe Hayes, Representative Sam Cotten, who I think was in the area earlier and myself. I think possibly many of you already know the pur-

Representative Nels Anderson - pose of the Committee. The Committee is to hear comments from the public in as many places as we can get to with a very limited budget to get the people's feelings throughout the State of Alaska on what they feel about subsistence. Questions that we ask are thre basically - 1) Should the term Subsistence be defined? 2) What do you feel about subsistence- what are your feelings about subsistence? 3) What should the State of Alaska do about protecting subsistence? At this time I'll officially call the Interim Committee Hearing to order and we'll begin to hear the presentations that the Alaska Federation of Natives has prepared.

BYRON MALLOT - Thank you, Mr. Chairman, members. We have during, and we do apologize for the length of time it took us this afternoon. We hope that you understand, I'm sure you did. The AFN, during it's annual meeting has had a series of workshops in three vroad areas but they relate to the overall question of Subsistence. They have to do with Native Culture and Lifestyle. The role of regional village and regional non-profit corporations and the whole role of State and local and federal governments, policy as they affect out lives. The entire convention comprising some 800 people actively participated in those workshops. The reports of each workshop will be done in writing and will be made available to you as well as the results of questionares on those issues thst were filled out by members of the annual meeting also. At this time Mr. Chairman I'd like to call on the recorders and moderators to give their reports.

BETTY MILLER - I'm a stock holder in Cook Inlet Region Corp. - I'm scared to death. We were told to give a synopsis of some of the things that we covered in our group and I think the feeling that I got from the groups I attended was first of all the Alaska Natives need to unite and to work as one unit toward one goal. If we don't do that everything that we've worked for - there will be no problem of subsistence because there will be no villages. That slowly the villages are going to go away because there is poor management and no communication between the villages and the regional corporation.

There are language barriers that are not being met. There is no communication between regional corporations and village corporations. This came out very strong in all of the meetings that I attded. I think that most of the people felt that villages can survive on subsistence but a cash flow into the villages enhances the life of the village - in other words some villages could just live on subsistence but money into the villages helps them in buying sugar or if the airplane doesn't make it to the village they don't have fuel to cook their food or whatever. I think that the thing we got cut of most of the meetings was that we need to communicate more not only among ourselves but among people. It seems that what we are talking about, our problems are falling on deaf ears and I noticed that the president of Cook Inlet Region did leave as we were about to make ou presentation. I feel like on a meeting like this there should be stockholders, villagers, and regional corporations sitting down and talking together instead of being separated. Thank you.

ROSITA WORL - I did prepare a statement on Subsistence based on my two years of experience in the Arctic Slope and my own personal experiences as being raised in a subistence based economy. I will submit to you that statement,however, I would just like to give you a very brief account of what I view to be the important elements in Subsistence. The three elements are economics, social and cultural. The primary focus of subsistence has bben on the economic aspect in the harvest of resources and also on defining the boundaries within which those economic or subsistence activities occur. That's been the primary focus of all subsistence works and generally the subsistence legislation. It is my feeling that if legislation is to protect or insure the maintenance of subsistence then the other aspects of the social and cultural elements must be taken into consideration. And, in that respect, social aspects I'm talking about the organization of social relations in which the harvest is secured and in contemporary society that social relations encompasses a relationship between the actual activities, the person who is going out and also financial support. Now that might sound like economics but the relationship of social in that group of people go together to secure a subsistence harvest. There are two aspects to it- 1) Subsistence requires economic income or monetary income and that monetary income is secured in various ways either by ther person actively going out to work himself part time or else he may receive financial support from other members of his family or other members in his community and in return those resources are shared within the community and so to legislate on a individual basis, my feeling,would de detrimental to the survival of subsistence.

The other aspect of subsistence that must be considered in

ROSITA WORL - Testimony continued

legislation is cultural. The Athabascans case which was discussed today is a very good example of the Cultural values of Subsistence. Cultural is a very complex issue and it deals with apsychological feelings of going out and being on the land, the continued relationship to the lan, the manifestations of subsistence in your arts and in your oral tradition in your literature and those must all be considered. I guess the final statement that I would like to day is that the fate of subsistence today lies not so much in the hunter pursuing his game in the field but it lies on legislation that will either inhibit, or restrict his or her activities.

DOUG MOTIG - I've been accused of always being ready but that's not the truth. We discussed and agreed and recommended that the following:

Subsistence is a village way of life both for bodily well-being and spiritual, emotional well-being. Since being deprived of a subsistence way of life would cause death of a valuable culture and economically would be impossible to replace adn if deprived and has caused alcholism and other kind of disenabling activities. Education of the subsistence way of life should be keyed to the environment.

Utilizing Native people on the local level, There needs to be a more clearly defined set of duties for each corporation. And more important the corporation work cooperatively. We recommend communication between the corporations and people should be provided for. An ombudsman serves a role as a mediator, to

communicate the business of the corporation and to communicate to the corporation of the people's wishes. The non-profit could probably serve this role better and we also recommend a directory, informational booklet be developed as to what and who is the Native serving corporation and that book be distributed to the village people. In the past the regional corporation have had self serving roles in terms of advocacy, they have as can be seen served the best interests of the whole. However, for better services to the local community the regional profit corporation should advocate more for human services since they have more available dollars and political clout. Alaska Federation of Natives, has in the past served as a form for general issues to be discussed at the Convention. This has provided for a better response to the people's needs on a village level. They have also served as advocates for the solutions to problems of village people. This activity should be continued with more provisions for effective communicaions to village people recognizing that villages are distinctly different and that we are living in a grace period of no taxes of heavy competitors in terms of economic viability we suggest a set of alternatives be drawn up to meet the future needs of the villages economically and action be taken to insure a stable economic base.

Two of the current bills facing the population of Alaska Natives directly are the D-2 Bill and Senate Bill 2046 concerning D-2 lands Bill it is the responsibility of the Secretary of Interior to respond to the subsistence issue by writing in to amend the Bill to address itself to the subsistence concerns in response to the Native way of life in Alaska utilizing face to

DOUG MOTIG - Testimony continued

Doug Motig - input and participation. Senate Bill 2046 does not allow for implementing the right to self - determination for local communities to become autonomous. There must be language in the Bill to insure the viability of local government control. Granted there are some communcations needed, there are some communities needed extra technical assistance. It is our position, that only way to insure self determination of Native peoples is to clearly assist with the intention of extablishing local autonomy. Thankyou very much.

CARL JACK - Thank you Mr. Cahirman. The delegated from the Association of Village Council Presidents furing the last two days have met as a group to establish the regions position. Since the convention here deals with an emphasis on subsistence we have reviewed the resolutions that hve been passed at the convention. I have submitted those resolutions to the resolutions to the Resolutions Commettee. We also have reviewed the results of the last conference that was sponsored by AVCP in August 4,5,6, in Bethel and I have been directed by the delegates to submit the results of the Conference. I will touch on the main importtant parts and will submit the results of the Conference. I will touch on the main important parts and will submit the written text to the Committee here. Fires on dealt with the Wildlife Management. The adoption of the Soviet U.S. Treaty on Migratory Birds that allowed for the Harvest of Migratory birds during the current closed season based on need. AVCP also supports an earlier opening of the September 1, full hunting periond for rural Alaska to allow AVCP villagers to leagally harvest migratory birds

DOUG MOTIG -Testimony continued

DOUG MOTIG - for food in August befor they leave the region in abundance prior to September. The retention of management of marine mammals by the Federal Government and the retention of the Native exemption as enacted by Conress. AVCP does not support the State of Alaska obtaining management control for the State refuses to regulate game based on need of the rural Alaskan Subsistence hunters. AVCP would only supprt State management only if Sports huntins is clearly restricted when and where it interfers with subsistence hunting of maring mammals for food. The establishment of subsistence hunting zones for moose in the entire AVCP region, the elimination of all sports hunters. These hunters increase competitior for the surplus moose and force rural villages to resort to illegal hunting during the closed periods to obtain meat for their families. Subsistence hunters must hunt leagally and the State of Alaska contributes to the crisis in moose management by continually declaring that urban hunters have the same tight to the limited moose resource as rural subsistence hunters. The eliminaion of a $500. permit fee for the hunting of musk ox and the closure of mush ox population to sports hunting when subsistence needs require all surplus musk oxen for local food.

On fisheries, that the subsistence way of life be linked to management of regional fisheries both within its rivers and the sea. AVCP desires that fishing of salmon stocks in the ocean by foreign countries must stop immediately. And that the Congress of the United States must take steps to recognize importance of management of fisheries as an important part of the management of AVCP land mass as an ecosystem That the AVCP be made an intregal part of the fisheries management program

DOUG MOTIG - Testimony continued

Doug Motig - of the Federal Government in the formal management arrangement as part of the regional Federal Land Manage= ment. Program, The formal cooperative arrangement between the federal land management and AVCP mush exist. Taht both the Federal and State governments. That the Federal Government must refrain from disturbing the land where the fish spawn and the animals live to protect the regions fisheries and wildlife. On OCS- that all studies be completed before the decision to lift the suspension on ocs (inaudible) and that these results be shared at Government expense be shared with the villages. That the village be informed how the information was obtained. That AVCP and it's villages have the power of local review prior to the initiation of studies while the studies are going on and in reviewing the studies. That AVCP be part of the management system of Federal decisions to lease OCS where and when leases occur and be involved in all decision making in the operaion and maintanence of the project to insure continuation of Yupik lifestyle.

On CZM -that befor intiating CZM in the AVCP region that AVCP be notified and be given the opportunity for recommendations for it is the people of AVCP who will suffer the hardships. That the Federal gevernment give money to AVCP to do the studies in education of the villages and that these funds not be given to outside groups. That AVCP wants preference in contracting for local people because we know the informaion is bes.

When the Government classifies its land and AVCP have full participation in the classification procedures. On interim conveyance, reconveyancem and navigibility. Reaffirm the descion of Energy Transportation Workshop that we have had to wait for the land rather than be forc ed into accepting easements and immediate

DOUG MOTIG - conveyance. People are concerned with integrity of the land, and the subsistence problems that can accompany many easements. AVCP recognizes that the Alaska Native Claims Settlement Act is not as good as promised and that D-2 Bill might be able to correct some of the bad parts of the Settlement act particualarly sections dealing with easements and navigibility. AVCP supports a definition of navigibility that givess as much of the river beds to the State of Alaska so that villages can recieve high grounds. There was a special concern at the conference on the issue of hereing. In the eastern Bering Sea the herring is an important subsistence fish to the coastal villages and will be an important commercial industry on the coast line in the furure with or without the village participation. In 1977 unexpected fishing success was acheieved in Togiak area by American Fisheries. The total of 3,200 metric tons was harvested in just 3 weeks and a full season in 1978 could net someplace between 6 or 7 thousand metric tons in the Togiak alone. The stat of Alaska supports the commercialization of herring as a renewable resource industry. AVCP does not support commercial fishing of herring but does encourage on the coast line to join with Bristol Bay villages to establish the rules for the state and the Federal Government on this fisheries. The rules that could protect subsistence by establishing registration for gear, tonnage quotas and mechanisms to insure village control and profit from any commercial herring fisheries. AVCP moved that the state and federal government must do a complete study of the eastern Bering Sea Herring Population for not less than 10 years and all inportant information must be made

DOUG MOTIG - Testimony continued

DOUG MOTIG - available to the coastal communities. This study would determine the spawning sequence, the areas of distributio, seasonal fluctuation, age, sex ratios, fisheries management conflicts as well as conflicts with set net tradional sites for subsistence harvests in Hooper Bay and Nelson Island Region. If the results of the studies so that commercial fishing of Herring would be detrimental to the subsistence harvests and commercial fishery closure should be extended to the agreed upon date. These are the most important parts that came from the Land Donference and as directed by the delegates, I submit them to you.

EVELYN PETE - Subsistence for hunting, the Copper River people have always depended on Subsistence fishing and hunting. All of the fish that we take is used to survive. When we kill an animal like a moose or a caribou we eat everything. We do not use the head for a trophy we eat most of it. We eat the stomach and all of the meat. We use the bones to tan the hide and we use the hide to make mocassins and coats. Our position on Subsistence fishing - now the sports fihermens cash economy to the state seems to be more important to the state than the subsistence fisherman. The Copper River people cannot survive without fish or game. The regulations won't work with us. We use all the present limit of 30 fish a year that the Fish and Game Department forces those who make over $5,000.00 a year to live on. We have to take a stand on this issue because without Fish and Game our people will die. We do not have a heavy

EVELYN PETE - Testimony continued

Evelyn Pete- cash economy and it is so cold in the winter that even big contractors an big pipeline companies have to close down so how can our people live then? They have to go back to our old way and get enough meat and fish to live during the winter months. D-2 will greatly effect the Copper River by the Wrangell proposed withdrawal, the Denali Withdrawal adn the McKinley park extension. The Copper River region needs to have control over the results of the rules and theregulations regarding D-2/

The AGTNA position of the roles of profit and non-profit corporations. There is a lack of communication between village corporations and the regional corporations which could be eased through use of correspondence, meeting of minutes of corporation minutes to shareholders of village corporations, telephone communications, questionares and village visits where applecable. There is a need of equalization of representation on the Board of Directors in some regions such as in the AHTNA region. Revitalization of the interests of the stockholders is essential. There exists the reponsibility of the stockholders to demand and secure information from the region. Regional boards could increase communications by sending a list of board members addresses to stockholders. Non-profit corporations need to inform stockholders of status of grants and contracts monthly. Traning for board members is needed. Nominated individuals need to be evaluated for qualifications and capabilities. Regional corporations should have representation of federal and/or state level dn governors offices for a stronger political base.

Social issues need to be presented by a unified front of both

EVELYN PETE - Testimony continued

Evely Pete - Profit and Non-Profit corporations. There is a need for two branches of AFN, one to continue to implement Alaska Native Claims Settlement Act and the other to meet individual needs and to provide technical assistance and support. In answer to how the village corporation could maintain the economic stability there is the need to keep ongoing costs to a minimum. In part this can be doe by using the resources of the regional corporation.

There is a need to increase interest in bi'lingualism in the home. Program should be developed to provide bilingual education for for young adults and/or parents who are not bilingual. Cultural activities should be continued to be stressed in school programs and to the school board.

AHTNA's position on government problems facing rural Alaska. There is a need for any elected representative to the legeislature or a lobbyist to represent the interests of the region. We hope the AFN could provide support and communication between the villages and the State government. There is a need to get Native people in key positions in industry, business, adn education. There is a need to get younger people involved politivally as well as socially and culturally.

The group wants no more transportation corridors across our lands unless we have conteol over commercial enterprises that are on teh corridors of the land. There should be education by rural Alasakans to help urban Alaskans understand the special problems of rural villages. These rural people would be chosen by rural people. State monies from teh surplus oil revenues should be used first

EVELYN PETE - Testimony continued

EVELYN PETE - of all to help rural areas in teh field of education, Health and industry. As this is accomplished excess monies could go to the permanent fund. There is a need for the state to provide more assistance in provideing plannning for all state programs and information on current and future state programs.

I'm going to take advantage of the floor and speak about another issue that we felt that should be brougt before you. We have been discussing all of the issues and making position known that are very important to all of us. But we haven't addressed the real issue that is before us and that is alcholism. Some of us can come to this convention and go to all the parties adn drink and know when it starts to hurt our lives then it's time to quit. Some of our people are here and observe us but they cannot draw that fine line and quit when it is hurting them because alcohol has taken control over their lives. We believe that we have in just getting together anmeeting Natives from all over our state, sharing ideas, problems, goals, objectives adn just being together. Alchol is a relatively new problem to Alaska Natives since the whit man has only been here around here 100 year with his booze. We should at least be aware of the dangers of alchol in our own lives and also be aware that people we represent are watching us and know alchol used without caution and self awareness is dangerous to all human beings.

BYRON MALLOT - I would like to ask in the interest of time and to the germaine to the Subsistence Hearing that those moderators

BYRON MALLOT - Testimony continued

BYRON MALLOT - that still have to report - report only the Subsistence sections verbally, the reports on the other sections will be placed in the written records.

LARRY EDWARDS - Mr. Presiden, I don't have any notes or anything on this subsistence living thing but I would like to point out the "In order for one way of life to live and one to die- In order to keep both ways of life for our people that it is essential that we better our fish and wild life laws. And I would like to see more Native input in there- they are the people that know more about our wildlife adn animals in this country. Also on the subject I'd like to see that the fish adn game board take action on that and not have so many board members from guides or know big game hunters and stuff like that. Also on the roads - I would like to see that they don't have so many roads in Alaska expecially if they are Native lands. I urge all the corporations to ban the roads.

LUKE TITUS -In our group defintion of subsistence. We came up with this definition-the utilization of ny renewable or non renewable resource by inhabitants of a region as directed by their native culture. Subsistence and culture go hand and hand the subsistence lifestyle is the way of excercising the traditional rights of the people. Take away those rights, you will practically kill the identity of the people. There are nine effective ways of dealing with this issue 1) Changes in the management scale and regulation of fish and ame to fit the native way of life as an example the setting of seasons for hunting to

LUKE TITUS - Testimony continued

LUKE TITUS - follow the rural area. 2) Set up fish and game management boards in each region to get more input and more control over the game and fish in order to address local issues. 3) Small game limit should be compativle with subsitence needs of the villages. Game management quota levels have historically been set for the sportsman hunter and not for the on going needs of a rural or regional area - examples - inequity and the ptarmigan quotas mentioned such as one that you have two ptarmigan tht can be caught - how will two ptarmigan feed a family of 10? When a sportsman hunter will be really happy to shoot two shotgun shells for two ptarmigan. That's a thing that we're talking about 4) Set up regional fish hatcheries to rehibilitate depleted fisheries resources 5) Where an area an area of subsistence may neighbor a wildlife reserve the native can be given first preference for utilizing that natural resource if it is a renewable resource 6) Rotate areas for hunting to control turnover of game each year an example 100 sq. miles used for hunting one year and the adjacent 100 sq. miles not used then the following year rotate to the area of use. 7) The native themselves should be made aware that a renewable resource will be depleteed without proper management. 8) Educate the general public recognition. I'll speak to this a person who is on subsistence hunting will take all the game - If I go out hunting I will eat the intestines of a moose before I do anything else where as someone from the city went out and caught the same moose they'll probable leave the intestines and some other

LUKE TITUS - Testimony

Luke Titus - part there of the meat. -Also 9) To educate the public about the Alaska Native Land Claims Settlement Act with due regard subsistence level of our native people. That is our report on Subsistence.

NELSON FRANK - Thank you Mr. Chairman. My group is terms of Native lifestyle and culture came up with the following conclusions. That cubsistence defined is a total way of life that includes cultural preservation as well as being economically feasible. The values that were discussed were as follows: The villages were started and exists because of th around subsistence lifestyles. Subsistence is seen as more valuable than a cash based economy and is still far more desirable and there is more honor in providing for your own family and taking responsibility for those in the village and far less degrading than accepting welfare. There was a discussion on the issue between subsistence and sport hunting and fishing with the conclusion that subsistence utilizes far more of the game and less abuse of the regulation and that the state provide more techinical assistance in balanceing out and protecting the subsistence aspect of the game versus the sports fisherman and were given at the state stocks for sports fishing and very little is done for subsistence. Some of the other solutions were that the village lifestyle should be the sole responsibility of the villagers and that subsistence be incividually defined by each area reflecting its own unique needs and therefore formulatin its own regulations and that the state just provide technical assistance for that purpose.

BILL WOOD - Thank you, Mr. President, I would also like to thank

BILL WOOD - Testimony continued

Bill Wood-you for eliminating all of the testimony except subsistence. I was one of I think two people that was involved in moderating four or five different tables so my eight pages are now down to one. I would like to just summarize some of the statements on subsistence that have come from the four tables that I was moderating. Due to the lack of game resources villages are concerned about selling their land and thereby eliminating the billages. Eklutna was especifically concerned about this area. As far as the definition of subsistence is concerned most of the group felt that it should be defined in the context of rural and urban not in the context of Native adn non-Native the feeling was that politically this may allow for more non-Native during the coming years of reapportionment.

The profits should invest in the non renewabele resource as one of their priorities. For example, fish hatcheries, moose, caribou and deer ranching ets.. That all people should be allowed to subsistence hunt, trap and fish as long as thay don't abuse that privilege. The group agrees with some of the other groups testimony that has already been given on that area. They also stated that on a regional basis and in regional lands that maybe a portion of the hunting and fishing permits cost should be returned to that corporation in that area. A caution is that they should be careful when defining subsistence so as to take into account the culture, current lifestyle, and heritage of the areas that are involved. That the Native Corporations should have some say into the control of the subsistence activities in their area and on their land and finally that we would like to ask consideration that in the definition of subsistence that it be taken into account not only cash based economy but also those subsistence activities themselves.

NICK LUNDE - I have had the honor of being a moderator for two different groups. One from the remote villages and another from a group of students. I thought the contrast on what they chose to discuss was quite relevant. The first group being from the remote villages discussed the lifestyle as it was known over the years prior to the culture of the non-native peoples were brought into the State of Alaska and inpacted the manner in which they had to survive. For years they were able to get what they needed from whatever was available, essentially not having to concern themselves with the presenvation of any kind of species as they were sufficient numbers available to them in their geographic location to survive withour any kind of diffi culty. What created the difficulty for them to survive was the influx of the commercialization of all the products. And the overuse by mechanized means such as being able to get to hunting and fishing with outboard motors, sonwmobiles, the use of firearms and these kinds of things So law had to be created which in turn limited their ability to secure life giving commodities such as birds, animals and fish. By having those kinds of things. so laws had to be created which in turn limited their ability to secure life giving commodities such as birds, animals and fish. By having those kins of elements reduced cerated the need for the modernized process of going out and earing a dollar and being able to buy something that in order to be able to supplant what was taken away by law.

The discussion went on to that being for a good long time and one of the end results for that discussion was that there is insufficient numbers of Natives that are required by the manner in which they survive being left out of the decision making process. Those individuals that are dependent on the commercialization for their livilihood. I believe the focus in was legislators that were

NICK LUNDE- brought in from locations from locations other than in the small communities. The store owners, the big game hunting guides, these kinds of individuals are the ones being used because of what they call "expert knowledge: on the various subject matter. What are not relied on is the localized expert knowledge and as such the local commuity individuals that rely on these things for survival are being eliminated from the controlling bodies that develop the laws and regulations.

From the students standpoint - the students happed to be a group from Barrow and very strongly in their minds was the Bow-head Whale situation and they talked about this for a consider-able period of time and recognized that in the generating of laws or thelimiting of any individual being able to take question came up was "What do we know about the elements that we are attempt-ing to control?" The laws themselves directly impact the species such as the Bowhead Whale those aren't what the law is aimed at burt the end result is that those laws also take away from the nutritional needs of the people that rely on them for basic life and also along with that are traditional cultural kinds of activities that occur after all of these thing have accomplished. So in the process of enacting laws we need to consider everything that goes into these kinds of things not just what is being regulated for teh mere sake of survival of one specific species that is such as whale, or seal, or moose, or caribou or anything of that type. They also went into the area of the discussion of enforcement but since this group is not interested in that I will just submit this in written form.

DOROTHY PEGAN - Thank you Mr. Chairman, most of my remarks will address what the groups I moderated felt were important for

DOROTHY PEGAN - village survival and not necessarily directly concerned with subsistence per se. So my remarks will be very brief. Most of the subsistence problems have been covered and I would just like to reiterate and solidify some remarks made a littler earlier. It was very strongly felt by the groups that I moderated that the villages must forget their differences and pull together in a cooperative to present a stronger and more unified voince in both State and Federal Legislators. And that whereas it is recognized that villages even close to each may wish to maintain different lifestyles, traditional and new and that both of these lifestyles should be allowed to exist and it is further recognized that regardless of lifestyle choosen there will be some degeree in each of reliance on both the traditional and the new and that both will face the same subsistence needs so should unify to protect their resource. It was recognized by the group that there are different subsistence needs for rural and urban areas and that although the needs of both should be met, these differences should be recognized. It was strongly felt that the regional fish and game boards should be empowered with regulatory powere for their region and not just be advisory boards and that special hunting regulations should be set up to restrict both the sports hunters who are going into the rural areas and taking the game and also the Urban Native population who apparently have enough mony to charter planes to go out into the rural areas and again deplete the game of the rural native Alaskans.

PEGGY WOODLY - I was asked to submit the summary presented by the groug at table 20 that Frank Peteerson moderated. The Alaska Native should be given preference. Welfare is no acceptable

PEGGY WOODLY- substitute for subsistence. In my life I would never have made it without subsistence fishing. There are too many registered guides in Alaska 1,722 today. Las year one guide brought 45 Swedes in and Air taxi and they got 40 moose. The people living there on subsistence can't stand that kind of competition. The new people coming up to Alaska are causing the wildlife habitat to shrink. It would be better that they didn't come. There are things that money can 't buy. I don't get the satisfaction eating the white man's food that I do from eating subsistence food. We don't want welfare. l welfare. My family never would have made it when I was a kid without subsistence food. The res of my report deals with other subjects.

CHARLIE JOHNSON - The Bering Straits Association met and took a position of a couple of items that we're discussing.

We view the road system as proposed by the State highway department as probably would be the biggest detriment to subsistence activity and would do more damage than any rules or regulations that the state legislature or any game board could come up with. You only have to go around Anchorage or Fairbanks to find that out and I thind those residents here would agree with me fully. We are completely opposed to the road that the State highway system is proposing to Nome from Fairbanks to Anchorage.

Secondly, we would also like to point out we would oppose the proposed regulations that the State fish and Game Board is suggesting that would put income requiement, the permit system, and all of those, We feel if this goes on pretty soon we'll have to report every Tom Cod that we take and we'll have to start counting those things so we don't break th law.

CHARLIE JOHNSON - Thirdly, we would like to see that the local board be franted some regulartory powers rather than just advisory. We know that the State is back there on this D-2 issue, proclaiming that it has all these local boards and it listens to these local boards and that it alone can really properly manage the resources of the State. We feel that if this is in fact true, then the local boards must have the regulatory powers that is now held by the one State Board. We feel that the one State Board has to compromise to satisfy for example Anchorage Sports Hunters requirements and compromise as the interest of the people in the bush, the Native people. We have to go (inaudible) miles in o one direction, 30 in another, adn 50 in another to take a moose, It was suggested by some local residents that perhaps the reason for that the tourist would have something besides Eskimos to look at. I think that has some basis. Another good example of that is that Brevig has a lot of moose but can't take that but they have to go someplace else quite a few miles and it's very difficult for the people of Brevig to hunt moosewithout breaking the law.

The last point we would like to bring up is that our board would like to suggest that the State Legislator strongly back the position of the Alaska Whalers and they also support the position taken by Governor Hammond that we be allowed to continue taking the whale.

ED THOMAS - Mr.President, on behalf of the table in which I was moderator, I would like to express a point of view and a consideration at future AFN, Conventions, that the time allotment for

ED THOMAS - for hearing the points of view of the individual tables be at a better time rather than at the end of the convention. Our table was very grateful for the opportunity to actively participate in the conference and make recommmendations but some of them I thought were very goo but they won't be able to be heard and benefiting the rest of the Convention so our recommendation would be to have the hearing of the individual tables at a better time. The points of view from the people at the table were pretty much already covered here pertaining to subsistence use however there were a few other addtional considerations. The people at the table felt that the regiona profit,and non-profit corporations controlled by the Natives should take the initiative in developing or influenceing legislation with acess to D-2 lands. They feel that the people in th se regions are more expert on what is happening in their area than somebody who would be on a statewide basis.

There is a feeling that sports hunting or sports usage of subsistence items should be based on need whether it be for physical things such as food and clothing, and cultural needs. There is a feeling that the hearing should be nearer to the people, out in the villages where people who utilize the subsistence lifestyle would have an opportunity to present their points of view and be able to do it without getting into large investment to travel to the larger communities. There was a feeling that the Alaska Department of Fish and Game Management and policies should chang. I will submit the rest of the points in writing on other issues.

BYRON MALLOT - That, Mr. Chairman concludes AFN"S formal testimony before I turn the chair over to you I'd like you to

BYRON MALLOT - indulge me for one minute that I do apologize to the moderators and the workshop recorders who worked so hard to get the written reports as you are all aware that AFN meeting happens once a year over a period of three days period we try to get as much meaningful kind of involvement. And as much meaningful kinds of information out to people and the people control the convention and every once in a while the best laid agenda of men andmice sometimes go a wry. I would like to thank the moderators and the workshop recorders for the fine work that they did I think the the process is and excellent one. I'm certain from what I've seen that the written reports AFN will prepare on the workshop process, the responce to the questionares will be very helpful both to legislators who are concerned with these issues, as evident here, as well as to the Natvie people themselves and to other government policy makers. I would like to extend particular thanks to Cliff Black and his staff for the work they've put into in and helping to make this part of the AFN Annual meeting a sucess. With that Mr. Chairman, that concludes AFN's testimony.

REPRESENTATIVE NELS ANDERSON - Thank you Mr. President. The comments that have been made have pretty much summarized those comments that have already been made to the committee in out travels however there's one unique difference is that there have been large groups of people discussing an issue and you've come toa consensus and have made this known to the Interim Committee on Subsistence. I'd like to also invite those people

REPRESENTATIVE NELS ANDERSON - to write their comments and send those comments to the Interim Committee on Subsistence, Box 234, Dillingham, Alaska 99576 or call our office at 842-5970.,if you have any comments, questions or critisms that you'd like to bring to our attntion. There's one thing that I've felt pretty badly about is that we've not been able to go out to the smaller villages as I would have liked to. I did ask for a substantially larger budget than I was given by the Legislative Council. Iasked for $100.000 at that time and I was given $40,400 and this of course limited the ability of the committee to travel to the small villages that I know are going to be substantially effected by D-2 legislation and whatever Fish and Game regulations that are going to be developed in behalf of the people in the future. We did not intend to ignore the smaller villages. We wanted to visit at least 25 smaller villages, we were critizied earlier on that we're going to go to the typical hearing villages such as Dillingham, Bethel, Kotzebue and Nome and that's essentially what we ended up doing and that was basically what we were able to do with the flexibility we had in our budget. So I would apologize to those smaller villages on behalf of the committee and I would say that if we had the necessary funds to do the traveling to the smaller villages, we would have done that.

Representative Cotten has joined up early on and I did not recognize him and in addition to Representative Cotten is Representative Al Osterback who is Chairman of the Resources Committee amd I felt that was exremely important that he be in attendance and listen to the comments because the legislation that the INterim Committee on Subsistence does draft will more than likely will to to his committee as a first committee so we don't have to

REPRESENTATIVE NELS ANDERSON-too much internal fighting so our rules committee Chairman can keep that in mind. Very briefly, I would like to outline some of the things that we are going to be doing in response to the testimony that we've heard through out the state- we've already drafted 4 pieces of proposed legislation. We are required by the rules of the legislative Council prior to the time that these proposed pieces of legislation are made public but essentially I'll summarize what they are -first one is that we are going to be changing some hunting seasons, in response to those communities that have stated that the hunting seasons are more they lean towards making things better for the sports hunter rather than subsistance hunters. We're going to be looking at subsistence fish and game quotas. We're going to be looking at subsistence fish and game quotas. We're going to see if we can increase those where it seems quite obvious to the casual observer that the numbers of fish that are allowed for Alaskan people to take for their use all winter long is too small.

We have already drafted a resolution asking the President of United States to direct the Secretary of State to allow the hunting of migratory birds in the springtime.

We have developed legislation that would regionalize the Fish and Game Boards with the full authority of each of the individual boards of Game and board of Fish.

We have created legislation that would create a division of Commercial Fisheries, Division of Sports Fisheries, Division of Gam, etc.

I also will be making a recommendation to the legislation

REPRESENTATIVE NELS ANDERSON - to the legislative Council and the full legislature that a standing subcommittee of Subsistence be established as a permenent standing subcommittee of the Resources Committee. We are also looking into the funding of the funding of the Department of Fish and Game. There was one comment made that stated - A critical statement made of the Department of Fish and Game - that a large amount of their revenues are derived from the sale of licenses. This in my mind indicates to me that the critism is logical and makes an awful lot of sense. What we will attempt to do is take the funds that are derived from licenses and their sale to go directly to the general fund and any funding for the management and development of regulations for Fish and Game and will be taken out of the General fund so that no special interest group will think that they have more say than any other group in the State of Alaska on how rules and regulations are going to be developed.

I want to congratulate and compliment those of you who have survived this long because I've been associated with Conventions since 1966 and it just amazes me that there are this many of you left. Thank you very much and this hearing is adjourned.

END OF TRANSCRIPT

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT

REPRESENTATIVE NELS ANDERSON
REPRESENTATIVE SAM COTTEN
REPRESENTATIVE JOE HAYS
REPRESENTATIVE LEO SCHAEFFER
REPRESENTATIVE AL OSTERBACK

STAFF MEMBERS PRESENT:

DOROTHY LARSON, STAFF ASSISTANT
ADELHEID HERMANN

PUBLIC HEARING LOCATION:

ALASKA FEDERATION OF NATIVES, INC. CONVENTION
WESTWARD HILTON HOTEL
ANCHORAGE, ALASKA

DATE: November 12,1977
TIME: 5:00 P.M.

TABLE OF CONTENTS

BYRON MALLOT.....1,

Representative Nels Anderson.....1,2

Betty Miller.....3,

Rosita Worl.....4,5

Doug Motig.....5,6,7

Carl Jack.....7,8,9,10,11

Evelyn.Pete.....11,12,13,14

Byron Mallot.....14,15,

Larry Edwards.....15,

Luke Titus.....15,16,17

Nelson Frank,.....17

Bill Wood 17,18,

Nick Lunde.....19,20,

Dorothy Pegan.....20,21

Peggy Woodly.....21,22

Charlie Johnson.....22,23

Ed Thomas.....23,24

Byron Mallot.....24,25,

Representative Nels Anderson.....25,26,27,28

BYRON MALLOT - Those workshop moderators that are going to give reports I will be calling on you. When I do call on you please come forward to one of the mikes to make your report. As we announced earlier all of the workshop reports will be made part of the subsistence hearing that Representative Nels Anderson and his members are holding throughout the State.

REPRESENTATIVE NELS ANDERSON - Thank you, Byron. I would like to ask the members of the subsistence Committee to come forward and join me up at the front here if they would. There's Representative Joe Hayes, who has been very patient along with myself and Representative Leo Schaeffer from Kotzebue, Why don't you guys get your tails up here so we can get this thing going. I don't know who else is back there. While the members of the Committee are coming forward I'd like to say that I appreciate the opportunity to be here - this thing has turned out to be something all together different than what I had anticipated in my little bush mind, but you'll have to forgive me for that. The Interim Committe on Subsistence, is a committee that was established by the Legislature this year. It was put together by my insistence because the State of Alaska, in my opinion does not really recognize the deep need for subsistence hunting, fishing and gathering activities in the State of Alaska. Members of the Interim Committee are Senator Pat Rodey, he is the only Senator that is serving on the Committee, Representative Steve Cowper, Representative William Akers, Representative Al Nakak, Representative Leo Schaeffer, Representative Joe Hayes, Representative Sam Cotten, who I think was in the area earlier and myself. I think possibly many of you already know the pur-

REPRESENTATIVE NELS ANDERSON-Testimony continued

Representative Nels Anderson - pose of the Committee. The Committee is to hear comments from the public in as many places as we can get to with a very limited budget to get the people's feelings throughout the State of Alaska on what they feel about subsistence. Questions that we ask are thre basically - 1) Should the term Subsistence be defined? 2) What do you feel about subsistence- what are your feelings about subsistence? 3) What should the State of Alaska do about protecting subsistence? At this time I'll officially call the Interim Committee Hearing to order and we'll begin to hear the presentations that the Alaska Federation of Natives has prepared.

BYRON MALLOT - Thank you, Mr. Chairman, members. We have during, and we do apologize for the length of time it took us this afternoon. We hope that you understand, I'm sure you did. The AFN, during it's annual meeting has had a series of workshops in three vroad areas but they relate to the overall question of Subsistence. They have to do with Native Culture and Lifestyle. The role of regional village and regional non-profit corporations and the whole role of State and local and federal governments, policy as they affect out lives. The entire convention comprising some 800 people actively participated in those workshops. The reports of each workshop will be done in writing and will be made available to you as well as the results of questionares on those issues thst were filled out by members of the annual meeting also. At this time Mr. Chairman I'd like to call on the recorders and moderators to give their reports.

BETTY MILLER - I'm a stock holder in Cook Inlet Region Corp. - I'm scared to death. We were told to give a synopsis of some of the things that we covered in our group and I think the feeling that I got from the groups I attended was first of all the Alaska Natives need to unite and to work as one unit toward one goal. If we don't do that everything that we've worked for - there will be no problem of subsistence because there will be no villages. That slowly the villages are going to go away because there is poor management and no communication between the villages and the regional corporation.

There are language barriers that are not being met. There is no communication between regional corporations and village corporations. This came out very strong in all of the meetings that I attded. I think that most of the people felt that villages can survive on subsistence but a cash flow into the villages enhances the life of the village - in other words some villages could just live on subsistence but money into the villages helps them in buying sugar or if the airplane doesn't make it to the village they don't have fuel to cook their food or whatever. I think that the thing we got out of most of the meetings was that we need to communicate more not only among ourselves but among people. It seems that what we are talking about, our problems are falling on deaf ears and I noticed that the president of Cook Inlet Region did leave as we were about to make ou presentation. I feel like on a meeting like this there should be stockholders, villagers, and regional corporations sitting down and talking together instead of being separated. Thank you.

ROSITA WORL - I did prepare a statement on Subsistence based on my two years of experience in the Arctic Slope and my own personal experiences as being raised in a subistence based economy. I will submit to you that statement,however, I would just like to give you a very brief account of what I view to be the important elements in Subsistence. The three elements are economics, social and cultural. The primary focus of subsistence has bben on the economic aspect in the harvest of resources and also on defining the boundaries within which those economic or subsistence activities occur. That's been the primary focus of all subsistence works and generally the subsistence legislation. It is my feeling that if legislation is to protect or insure the maintenance of subsistence then the other aspects of the social and cultural elements must be taken into consideration. And, in that respect, social aspects I'm talking about the organization of social relations in which the harvest is secured and in contemporary society that social relations encompasses a relationship between the actual activities, the person who is going out and also financial support. Now that might sound like economics but the relationship of social in that group of people go together to secure a subsistence harvest. There are two aspects to it- 1) Subsistence requires economic income or monetary income and that monetary income is secured in various ways either by ther person actively going out to work himself part time or else he may receive financial support from other members of his family or other members in his community and in return those resources are shared within the community and so to legislate on a individual basis, my feeling,would de detrimental to the survival of subsistence.

The other aspect of subsistence that must be considered in

ROSITA WORL - Testimony continued

legislation is cultural. The Athabascans case which was discussed today is a very good example of the Cultural values of Subsistence. Cultural is a very complex issue and it deals with apsychological feelings of going out and being on the land, the continued relationship to the lan, the manifestations of subsistence in your arts and in your oral tradition in your literature and those must all be considered. I guess the final statement that I would like to day is that the fate of subsistence today lies not so much in the hunter pursuing his game in the field but it lies on legislation that will either inhibit, or restrict his or her activities.

DOUG MOTIG - I've been accused of always being ready but that's not the truth. We discussed and agreed and recommended that the following:

Subsistence is a village way of life both for bodily well-being and spiritual, emotional well-being. Since being deprived of a subsistence way of life would cause death of a valuable culture and economically would be impossible to replace adn if deprived and has caused alcholism and other kind of disenabling activities. Education of the subsistence way of life should be keyed to the environment.

Utilizing Native people on the local level, There needs to be a more clearly defined set of duties for each corporation. And more important the corporation work cooperatively. We recommend communication between the corporations and people should be provided for. An ombudsman serves a role as a mediator, to

DOUG MOTIG - Testimony continued

communicate the business of the corporation and to communicate to the corporation of the people's wishes. The non-profit could probably serve this role better and we also recommend a directory, informational booklet be developed as to what and who is the Native serving corporation and that book be distributed to the village people. In the past the regional corporation have had self serving roles in terms of advocacy, they have as can be seen served the best interests of the whole. However, for better services to the local community the regional profit corporation should advocate more for human services since they have more available dollars and political clout. Alaska Federation of Natives, has in the past served as a form for general issues to be discussed at the Convention. This has provided for a better response to the people's needs on a village level. They have also served as advocates for the solutions to problems of village people. This activity should be continued with more provisions for effective communicaions to village people recognizing that villages are distinctly different and that we are living in a grace period of no taxes of heavy competitors in terms of economic viability we suggest a set of alternatives be drawn up to meet the future needs of the villages economically and action be taken to insure a stable economic base.

Two of the current bills facing the population of Alaska Natives directly are the D-2 Bill and Senate Bill 2046 concerning D-2 lands Bill it is the responsibility of the Secretary of Interior to respond to the subsistence issue by writing in to amend the Bill to address itself to the subsistence concerns in response to the Native way of life in Alaska utilizing face to

DOUG MOTIG - Testimony continued

Doug Motig - input and participation. Senate Bill 2046 does not allow for implementing the right to self - determination for local communities to become autonomous. There must be language in the Bill to insure the viability of local government control. Granted there are some communcations needed, there are some communities needed extra technical assistance. It is our position, that only way to insure self determination of Native peoples is to clearly assist with the intention of extablishing local autonomy. Thankyou very much.

CARL JACK - Thank you Mr. Cahirman. The delegated from the Association of Village Council Presidents furing the last two days have met as a group to establish the regions position. Since the convention here deals with an emphasis on subsistence we have reviewed the resolutions that hve been passed at the convention. I have submitted those resolutions to the resolutions to the Resolutions Commettee. We also have reviewed the results of the last conference that was sponsored by AVCP in August 4,5,6, in Bethel and I have been directed by the delegates to submit the results of the Conference. I will touch on the main importtant parts and will submit the results of the Conference. I will touch on the main important parts and will submit the written text to the Committee here. Fires on dealt with the Wildlife Management. The adoption of the Soviet U.S. Treaty on Migratory Birds that allowed for the Harvest of Migratory birds during the current closed season based on need. AVCP also supports an earlier opening of the September 1, full hunting periond for rural Alaska to allow AVCP villagers to leagally harvest migratory birds

DOUG MOTIG -Testimony continued

DOUG MOTIG - for food in August befor they leave the region in abundance prior to September. The retention of management of marine mammals by the Federal Government and the retention of the Native exemption as enacted by Conress. AVCP does not sup= port the State of Alaska obtaining management control for the ? State refuses to regulate game based on need of the rural Alaskan Subsistence hunters. AVCP would only supprt State management only if Sports huntins is clearly restricted when and where it inter- fers with subsistence hunting of maring mammals for food. The establishment of subsistence hunting zones for moose in the entire AVCP region, the elimination of all sports hunters. These hunters increase competition for the surplus moose and force rural villages to resort to illegal hunting during the closed periods to obtain meat for their families. Subsistence hunters must hunt leagally and the State of Alaska contributes to the crisis in moose management by continually declaring that urban hunters have the same tight to the limited moose resource as rural subsistence hunters. The eliminaion of a $500. permit fee for the hunting of musk ox and the closure of mush ox population to sports hunting when subsistence needs require all surplus musk oxen for local food.

On fisheries, that the subsistence way of life be linked to management of regional fisheries both within its rivers and the sea. AVCP desires that fishing of salmon stocks in the ocean by foreign countries must stop immediately. And that the Congress of the United States must take steps to recognize im- portance of management of fisheries as an important part of the management of AVCP land mass as an ecosystem That the AVCP be made an intregal part of the fisheries management program

DOUG MOTIG - Testimony continued

Doug Motig - of the Federal Government in the formal management arrangement as part of the regional Federal Land Manage= ment. Program, The formal cooperative arrangement between the federal land management and AVCP mush exist. Taht both the Federal and State governments. That the Federal Government must refrain from disturbing the land where the fish spawn and the animals live to protect the regions fisheries and wildlife. On OCS- that all studies be completed before the decision to lift the suspension on ocs (inaudible) and that these results be shared at Government expense be shared with the villages. That the village be informed how the information was obtained. That AVCP and it's villages have the power of local review prior to the initiation of studies while the studies are going on and in reviewing the studies. That AVCP be part of the management system of Federal decisions to lease OCS where and when leases occur and be involved in all decision making in the operaion and maintanence of the project to insure continuation of Yupik lifestyle.

On CZM -that befor intiating CZM in the AVCP region that AVCP be notified and be given the opportunity for recommendations for it is the people of AVCP who will suffer the hardships. That the Federal gevernment give money to AVCP to do the studies in education of the villages and that these funds not be given to outside groups. That AVCP wants preference in contracting for local people because we know the informaion is bes.

When the Government classifies its land and AVCP have full participation in the classification procedures. On interim conveyance, reconveyancem and navigibility. Reaffirm the descion of Energy Transportation Workshop that we have had to wait for the land rather than be forc ed into accepting easements and immediate

DOUG MOTIG - Testimony continued

DOUG MOTIG - conveyance. People are concerned with integrity of the land, and the subsistence problems that can accompany many easements. AVCP recognizes that the Alaska Native Claims Settlement Act is not as good as promised and that D-2 Bill might be able to correct some of the bad parts of the Settlement act particualarly sections dealing with easements and navigibility. AVCP supports a definition of navigibility that givess as much of the river beds to the State of Alaska so that villages can recieve high grounds. There was a special concern at the conference on the issue of hereing. In the eastern Bering Sea the herring is an im rtant subsistence fish to the coastal villages and will be an important commercial industry on the coast line in the furure with or without the village part icipation. In 1977 unexpected fishing success was acheieved in Togiak area by American Fisheries. The total of 3,200 metric tons was harvested in just 3 weeks and a full season in 1978 could net someplace between 6 or 7 thousand metric tons in the Togiak alone. The stat of Alaska supports the commercialization of herring as a renewable resource industry. AVCP does not support commercial fishing of herring but does encourage on the coast line to join with Bristol Bay villages to establish the rules for the state and the Federal Government on this fisheries. The rules that could protect subsistence by establishing registration for gear, tonnage quotas and mechanisms to insure village control and profit from any commercial herring fisheries. AVCP moved that the state and federal government must do a complete study of the eastern Bering Sea Herring Population for not less than 10 years and all inportant information must be made

DOUG MOTIG - Testimony continued

DOUG MOTIG - available to the coastal communities. This study would determine the spawning sequence, the areas of distributio, seasonal fluctuation, age, sex ratios, fisheries management conflicts as well as conflicts with set net tradional sites for subsistence harvests in Hooper Bay and Nelson Island Region. If the results of the studies so that commercial fishing of Herring would be detrimental to the subsistence harvests and commercial fishery closure should be extended to the agreed upon date. These are the most important parts that came from the Land Donference and as directed by the delegates, I submit them to you.

EVELYN PETE - Subsistence for hunting, the Copper River people have always depended on Subsistence fishing and hunting. All of the fish that we take is used to survive. When we kill an animal like a moose or a caribou we eat everything. We do not use the head for a trophy we eat most of it. We eat the stomach and all of the meat. We use the bones to tan the hide and we use the hide to make mocassins and coats. Our position on Subsistence fishing - now the sports fihermens cash economy to the state seems to be more important to the state than the subsistence fisherman. The Copper River people cannot survive without fish or game. The regulations won't work with us. We use all the present limit of 30 fish a year that the Fish and Game Department forces those who make over $5,000.00 a year to live on. We have to take a stand on this issue because without Fish and Game our people will die. We do not have a heavy

EVELYN PETE - Testimony continued

Evelyn Pete- cash economy and it is so cold in the winter that even big contractors an big pipeline companies have to close down so how can our people live then? They have to go back to our old way and get enough meat and fish to live during the winter months. D-2 will greatly effect the Copper River by the Wrangell proposed withdrawal, the Denali Withdrawal adn the McKinley park extension. The Copper River region needs to have control over the results of the rules and theregulations regarding D-2/

The AGTNA position of the roles of profit and non-profit corporations. There is a lack of communication between village corporations and the regional corporations which could be eased through use of correspondence, meeting of minutes of corporation minutes to shareholders of village corporations, telephone communications, questionares and village visits where applecable. There is a need of equalization of representation on the Board of Directors in some regions such as in the AHTNA region. Revitalization of the interests of the stockholders is essential. There exists the reponsibility of the stockholders to demand and secure information from the region. Regional boards could increase communications by sending a list of board members addresses to stockholders. Non-profit corporations need to inform stockholders of status of grants and contracts monthly. Traning for board members is needed. Nominated individuals need to be evaluated for qualifications and capabilities. Regional corporations should have representation of federal and/or state level dn governors offices for a stronger political base.

Social issues need to be presented by a unified front of both

EVELYN PETE - Testimony continued

Evely Pete - Profit and Non-Profit corporations. There is a need for two branches of AFN, one to continue to implement Alaska Native Claims Settlement Act and the other to meet individual needs and to provide technical assistance and support. In answer to how the village corporation could maintain the economic stability there is the need to keep ongoing costs to a minimum. In part this can be doe by using the resources of the regional corporation.

There is a need to increase interest in bi'lingualism in the home. Program should be developed to provide bilingual education for for young adults and/or parents who are not bilingual. Cultural activities should be continued to be stressed in school programs and to the school board.

AHTNA's position on government problems facing rural Alaska. There is a need for any elected representative to the legeislature or a lobbyist to represent the interests of the region. We hope the AFN could provide support and communication between the villages and the State government. There is a need to get Native people in key positions in industry, business, adn education. There is a need to get younger people involved politivally as well as socially and culturally.

The group wants no more transportation corridors across our lands unless we have conteol over commercial enterprises that are on teh corridors of the land. There should be education by rural Alasakans to help urban Alaskans understand the special problems of rural villages. These rural people would be chosen by rural people. State monies from teh surplus oil revenues should be used first

EVELYN PETE - Testimony continued

EVELYN PETE - of all to help rural areas in teh field of education, Health and industry. As this is accomplished excess monies could go to the permanent fund. There is a need for the state to provide more assistance in provideing plannning for all state programs and information on current and future state programs.

I'm going to take advantage of the floor and speak about another issue that we felt that should be brougt before you. We have been discussing all of the issues and making position known that are very important to all of us. But we haven't addressed the real issue that is before us and that is alcholism. Some of us can come to this convention and go to all the parties adn drink and know when it starts to hurt our lives then it's time to quit. Some of our people are here and observe us but they cannot draw that fine line and quit when it is hurting them because alcohol has taken control over their lives. We believe that we have in just getting together anmeeting Natives from all over our state, sharing ideas, problems, goals, objectives adn just being together. Alchol is a relatively new problem to Alaska Natives since the whit man has only been here around here 100 year with his booze. We should at least be aware of the dangers of alchol in our own lives and also be aware that people we represent are watching us and know alchol used without caution and self awareness is dangerous to all human beings.

BYRON MALLOT - I would like to ask in the interest of time and to the germaine to the Subsistence Hearing that those moderators

BYRON MALLOT - Testimony continued

BYRON MALLOT - that still have to report - report only the Subsistence sections verbally, the reports on the other sections will be placed in the written records.

LARRY EDWARDS - Mr. Presiden, I don't have any notes or anything on this subsistence living thing but I would like to point out the "In order for one way of life to live and one to die- In order to keep both ways of life for our people that it is essential that we better our fish and wild life laws. And I would like to see more Native input in there- they are the people that know more about our wildlife adn animals in this country. Also on the subject I'd like to see that the fish adn game board take action on that and not have so many board members from guides or know big game hunters and stuff like that. Also on the roads - I would like to see that they don't have so many roads in Alaska expecially if they are Native lands. I urge all the corporations to ban the roads.

LUKE TITUS -In our group defintion of subsistence. We came up with this definition-the utilization of ny renewable or non renewable resource by inhabitants of a region as directed by their native culture. Subsistence and culture go hand and hand the subsistence lifestyle is the way of excercising the traditional rights of the people. Take away those rights, you will practically kill the identity of the people. There are nine effective ways of dealing with this issue 1) Changes in the management scale and regulation of fish and ame to fit the native way of life as an example the setting of seasons for hunting to

LUKE TITUS - Testimony continued

LUKE TITUS - follow the rural area. 2) Set up fish and game management boards in each region to get more input and more control over the game and fish in order to address local issues. 3) Small game limit should be compativle with subsitence needs of the villages. Game management quota levels have historically been set for the sportsman hunter and not for the on going needs of a rural or regional area - examples - inequity and the ptarmigan quotas mentioned such as one that you have two ptarmigan tht can be caught - how will two ptarmigan feed a family of 10? When a sportsman hunter will be really happy to shoot two shotgun shells for two ptarmigan. That's a thing that we're talking about 4) Set up regional fish hatcheries to rehibilitate depleted fisheries resources 5) Where an area an area of subsistence may neighbor a wildlife reserve the native can be given first preference for utilizing that natural resource if it is a renewable resource 6) Rotate areas for hunting to control turnover of game each year an example 100 sq. miles used for hunting one year and the adjacent 100 sq. miles not used then the following year rotate to the area of use. 7) The native themselves should be made aware that a renewable resource will be depleteed without proper management. 8) Educate the general public recognition. I'll speak to this a person who is on subsistence hunting will take all the game - If I go out hunting I will eat the intestines of a moose before I do anything else where as someone from the city went out and caught the same moose they'll probable leave the intestines and some other

LUKE TITUS - Testimony

Luke Titus - part there of the meat. -Also 9) To educate the public about the Alaska Native Land Claims Settlement Act with due regard subsistence level of our native people. That is our report on Subsistence.

NELSON FRANK - Thank you Mr. Chairman. My group is terms of Native lifestyle and culture came up with the following conclusions. That cubsistence defined is a total way of life that includes cultural preservation as well as being economically feasible. The values that were discussed were as follows: The villages were started and exists because of th around subsistence lifestyles. Subsistence is seen as more valuable than a cash based economy and is still far more desirable and there is more honor in providing for your own family and taking responsibility for those in the village and far less degrading than accepting welfare. There was a discussion on the issue between subsistence and sport hunting and fishing with the conclusion that subsistence utilizes far more of the game and less abuse of the regulation and that the state provide more techinical assistance in balanceing out and protecting the subsistence aspect of the game versus the sports f.sherman and were given at the state stocks for sports fishing and very little is done for subsistence. Some of the other solutions were that the village lifestyle should be the sole responsibility of the villagers and that subsistence be incividually defined by each area reflecting its own unique needs and therefore formulatin its own regulations and that the state just provide technical assistance for that purpose.

BILL WOOD - Thank you, Mr. President, I would also like to thank

BILL WOOD - Testimony continued

Bill Wood-you for eliminating all of the testimony except subsistence. I was one of I think two people that was involved in moderating four or five different tables so my eight pages are now down to one. I would like to just summarize some of the statements on subsistence that have come from the four tables that I was moderating. Due to the lack of game resources villages are concerned about selling their land and thereby eliminating the billages. Eklutna was especifically concerned about this area. As far as the definition of subsistence is concerned most of the group felt that it should be defined in the context of rural and urban not in the context of Native adn non-Native the feeling was that politically this may allow for more non-Native during the coming years of reapportionment.

The profits should invest in the non renewabele resource as one of their priorities. For example, fish hatcheries. moose, caribou and deer ranching ets.. That all people should be allowed to subsistence hunt, trap and fish as long as chay don't abuse that privilege. The group agrees with some of the other groups testimony that has already been given on that area. They also stated that on a regional basis and in regional lands that maybe a portion of the hunting and fishing permits cost should be returned to that corporation in that area. A caution is that they should be careful when defining subsistence so as to take into account the culture, current lifestyle, and heritage of the areas that are involved. That the Native Corporations should have some say into the control of the subsistence activities in their area and on their land and finally that we would like to ask consideration that in the definition of subsistence that it be taken into account not only cash based economy but also those subsistence activities themselves.

NICK LUNDE - I have had the honor of being a moderator for two different groups. One from the remote villages and another from a group of students. I thought the contrast on what they chose to discuss was quite relevant. The first group being from the remote villages discussed the lifestyle as it was known over the years prior to the culture of the non-native peoples were brought into the State of Alaska and inpacted the manner in which they had to survive. For years they were able to get what they needed from whatever was available, essentially n t having to concern themselves with the presenvation of any kind of species as they were sufficient numbers available to them in their geographic location to survive withour any kind of diffi culty. What created the difficulty for them to survive was the influx of the commercialization of all the products. And the overuse by mechanized means such as being able to get to hunting and fishing with outboard motors, sonwmobiles, the use of firearms and these kinds of things So law had to be created which in turn limited their ability to secure life giving commodities such as birds, animals and fish. By having those kinds of things. so laws had to be created which in turn limited their ability to secure life giving commodities such as birds, animals and fish. By having those kins of elements reduced cerated the need for the modernized process of going out and earing a dollar and being able to buy something that in order to be able to supplant what was taken away by law.

The discussion went on to that being for a good long time and one of the end results for that discussion was that there is insufficient numbers of Natives that are required by the manner in which they survive being left out of the decision making process. Those individuals that are dependent on the commercialization for their livilihood. I believe the focus in was legislators that were

NICK LUNDE- brought in from locations from locations other than in the small communities. The store owners, the big game hunting guides, these kinds of individuals are the ones being used because of what they call "expert knowledge: on the various subject matter. What are not relied on is the localized expert knowledge and as such the local commuity individuals that rely on these things for survival are being eliminated from the controlling bodies that develop the laws and regulations.

From the students standpoint - the students happed to be a group from Barrow and very strongly in their minds was the Bow-head Whale situation and they talked about this for a consider-able period of time and recognized that in the generating of laws or thelimiting of any individual being able to take question came up was "What do we know about the elements that we are attempt-ing to control?" The laws themselves directly impact the species such as the Bowhead Whale those aren't what the law is aimed at burt the end result is that those laws also take away from the nutritional needs of the people that rely on them for basic life and also along with that are traditional cultural kinds of activities that occur after all of these thing have accomplished. So in the process of enacting laws we need to consider everything that goes into these kinds of things not just what is being regulated for teh mere sake of survival of one specific species that is such as whale, or seal, or moose, or caribou or anything of that type. They also went into the area of the discussion of enforcement but since this group is not interested in that I will just submit this in written form.

DOROTHY PEGAN - Thank you Mr. Chairman, most of my remarks will address what the groups I moderated felt were important for

DOROTHY PEGAN - village survival and not necessarily directly concerned with subsistence per se. So my remarks will be very brief. Most of the subsistence problems have been covered and I would just like to reiterate and solidify some remarks made a littler earlier. It was very strongly felt by the groups that I moderated that the villages must forget their differences and pull together in a cooperative to present a stronger and more unified voince in both State and Federal Legislators. And that whereas it is recognized that villages even close to each may wish to maintain different lifestyles, traditional and new and that both of these lifestyles should be allowed to exist and it is further recognized that regardless of lifestyle choosen there will be some degeree in each of reliance on both the traditional and the new and that both will face the same subsistence needs so should unify to protect their resource. It was recognized by the group that there are different subsistence needs for rural and urban areas and that although the needs of both should be met, these differences should be recognized. It was strongly felt that the regional fish and game boards should be empowered with regulatory powere for their region and not just be advisory boards and that special hunting regulations should be set up to restrict both the sports hunters who are going into the rural areas and taking the game and also the Urban Native population who apparently have enough mony to charter planes to go out into the rural areas and again deplete the game of the rural native Alaskans.

PEGGY WOODLY - I was asked to submit the summary presented by the groug at table 20 that Frank Peteerson moderated. The Alaska Native should be given preference. Welfare is no acceptable

PEGGY WOODLY- substitute for subsistence. In my life I would never have made it without subsistence fishing. There are too many registered guides in Alaska 1,722 today. Las year one guide brought 45 Swedes in and Air taxi and they got 40 moose. The people living there on subsistence can't stand that kind of competition. The new people coming up to Alaska are causing the wildlife habitat to shrink. It would be better that they didn't come. There are things that money can 't buy. I don't get the satisfaction eating the white man's food that I do from eating subsistence food. We don't want welfare. l welfare. My family never would have made it when I was a kid without subsistence food. The res of my report deals with other subjects.

CHARLIE JOHNSON - The Bering Straits Association met and took a position of a couple of items that we're discussing.

We view the road system as proposed by the State highway department as probably would be the biggest detriment to subsistence activity and would do more damage than any rules or regulations that the state legislature or any game board could come up with. You only have to go around Anchorage or Fairbanks to find that out and I thind those residents here would agree with me fully. We are completely opposed to the road that the State highway system is proposing to Nome from Fairbanks to Anchorage.

Secondly, we would also like to point out we would oppose the proposed regulations that the State fish and Game Board is suggesting that would put income requiement, the permit system, and all of those, We feel if this goes on pretty soon we'll have to report every Tom Cod that we take and we'll have to start counting those things so we don't break th law.

CHARLIE JOHNSON - Thirdly, we would like to see that the local board be franted some regulartory powers rather than just advisory. We know that the State is back there on this D-2 issue, proclaiming that it has all these local boards and it listens to these local boards and that it alone can really properly manage the resources of the State. We feel that if this is in fact true, then the local boards must have the regulatory powers that is now held by the one State Board. We feel that the one State Board has to compromise to satisfy for example Anchorage Sports Hunters requirements and compromise as the interest of the people in the bush, the Native people. We have to go (inaudible) miles in o one direction, 30 in another, adn 50 in another to take a moose, It was suggested by some local residents that perhaps the reason for that the tourist would have something besides Eskimos to look at. I think that has some basis. Another good example of that is that Brevig has a lot of moose but can't take that but they have to go someplace else quite a few miles and it's very difficult for the people of Brevig to hunt moosewithout breaking the law.

The last point we would like to bring up is that our board would like to suggest that the State Legislator strongly back the position of the Alaska Whalers and they also support the position taken by Governor Hammond that we be allowed to continue taking the whale.

ED THOMAS - Mr.President, on behalf of the table in which I was moderator, I would like to express a point of view and a consideration at future AFN, Conventions, that the time allotment for

ED THOMAS - for hearing the points of view of the individual tables be at a better time rather than at the end of the convention. Our table was very grateful for the opportunity to actively participate in the conference and make recommmendations but some of them I thought were very goo hut they won't be able to be heard and benefiting the rest of the Convention so our recommendation would be to have the hearing of the individual tables at a better time. The points of view from the people at the table were pretty much already covered here pertaining to subsistence use however there were a few other addtional considerations. The people at the table felt that the regiona profit,and non-profit corporations controlled by the Natives should take the initiative in developing or influenceing legislation with acess to D-2 lands. They feel that the people in those regions are more expert on what is happening in their area than somebody who would be on a statewide basis.

There is a feeling that sports hunting or sports usage of subsistence items should be based on need whether it be for physical things such as food and clothing, and cultural needs. There is a feeling that the hearing should be nearer to the people, out in the villages where people who utilize the subsistence lifestyle would have an opportunity to present their points of view and be able to do it without getting into large investment to travel to the larger communities. There was a feeling that the Alaska Department of Fish and Game Management and policies should chang. I will submit the rest of the points in writing on other issues.

BYRON MALLOT - That, Mr. Chairman concludes AFN"S formal testimony before I turn the chair over to you I'd like you to

BYRON MALLOT - indulge me for one minute that I do apologize to the moderators and the workshop recorders who worked so hard to get the written reports as you are all aware that AFN meeting happens once a year over a period of three days period we try to get as much meaningful kind of involvement. And as much meaningful kinds of information out to people and the people control the convention and every once in a while the best laid agenda of men andmice sometimes go a wry. I would like to thank the moderators and the workshop recorders for the fine work that they did I think the the process is and excellent one. I'm certain from what I've seen that the written reports AFN will prepare on the workshop process, the responce to the questionares will be very helpful both to legislators who are concerned with these issues, as evident here, as well as to the Natvie people themselves and to other government policy makers. I would like to extend particular thanks to Cliff Black and his staff for the work they've put into in and helping to make this part of the AFN Annual meeting a sucess. With that Mr. Chairman, that concludes AFN's testimony.

REPRESENTATIVE NELS ANDERSON - Thank you Mr. President. The comments that have been made have pretty much summarized those comments that have already been made to the committee in out travels however there's one unique difference is that there have been large groups of people discussing an issue and you've come toa consensus and have made this known to the Interim Committee on Subsistence. I'd like to also invite those people

REPRESENTATIVE NELS ANDERSON - to write their comments and send those comments to the Interim Committee on Subsistence, Box 234, Dillingham, Alaska 99576 or call our office at 842-5970.,if you have any comments, questions or critisms that you'd like to bring to our attntion. There's one thing that I've felt pretty badly about is that we've not been able to go out to the smaller villages as I would have liked to. I did ask for a substantially larger budget than I was given by the Legislative Council. Iasked for $100.000 at that time and I was given $40,400 and this of course limited the ability of the committee to travel to the small villages that I know are going to be substantially effected by D-2 legislation and whatever Fish and Game regulations that are going to be developed in behalf of the people in the future. We did not intend to ignore the smaller villages. We wanted to visit at least 25 smaller villages, we were critizied earlier on that we're going to go to the typical hearing villages such as Dillingham, Bethel, Kotzebue and Nome and that's essentially what we ended up doing and that was basically what we were able to do with the flexibility we had in our budget. So I would apologize to those smaller villages on behalf of the committee and I would say that if we had the necessary funds to do the traveling to the smaller villages, we would have done that.

Representative Cotten has joined up early on and I did not recognize him and in addition to Representative Cotten is Representative Al Osterback who is Chairman of the Resources Committee amd I felt that was exremely important that he be in attendance and listen to the comments because the legislation that the INterim Committee on Subsistence does draft will more than likely will to to his committee as a first committee so we don't have to

REPRESENTATIVE NELS ANDERSON-too much internal fighting so our rules committee Chairman can keep that in mind. Very briefly, I would like to outline some of the things that we are going to be doing in response to the testimony that we've heard through out the state- we've already drafted 4 pieces of proposed legislation. We are required by the rules of the legislative Council prior to the time that these proposed pieces of legislation are made public but essentially I'll summarize what they are -first one is that we are going to be changing some hunting seasons, in response to those communities that have stated that the hunting seasons are more they lean towards making things better for the sports hunter rather than subsistance hunters. We're going to be looking at subsistence fish and game quotas. We're going to be looking at subsistence fish and game quotas. We're going to see if we can increase those where it seems quite obvious to the casual observer that the numbers of fish that are allowed for Alaskan people to take for their use all winter long is too small.

We have already drafted a resolution asking the President of United States to direct the Secretary of State to allow the hunting of migratory birds in the springtime.

We have developed legislation that would regionalize the Fish and Game Boards with the full authority of each of the individual boards of Game and board of Fish.

We have created legislation that would create a division of Commercial Fisheries, Division of Sports Fisheries, Division of Gam, etc.

I also will be making a recommendation to the legislation

REPRESENTATIVE NELS ANDERSON - to the legislative Council and the full legislature that a standing subcommittee of Subsistence be established as a permenent standing subcommittee of the Resources Committee. We are also looking into the funding of the funding of the Department of Fish and Game. There was one comment made that stated - A critical statement made of the Department of Fish and Game - that a large amount of their revenues are derived from the sale of licenses. This in my mind indicates to me that the critism is logical and makes an awful lot of sense. What we will attempt to do is take the funds that are derived from licenses and their sale to go directly to the general fund and any funding for the management and development of regulations for Fish and Game and will be taken out of the General fund so that no special interest group will think that they have more say than any other group in the State of Alaska on how rules and regulations are going to be developed.

I want to congratulate and compliment those of you who have survived this long because I've been associated with Conventions since 1966 and it just amazes me that there are this many of you left. Thank you very much and this hearing is adjourned.

END OF TRANSCRIPT

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PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels Anderson, Jr.,
Chairman
Representative Leo Schaeffer, Jr.
Representative Sam Cotten

STAFF MEMBERS PRESENT:

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION:

NORTH SLOPE BOROUGH ASSEMBLY
BARROW, ALASKA

DATE: December 12, 1977
TIME: 7:30 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Eben Hopson	Mayor, Barrow	North Slope Borough
Michael Jeffery	Box 309, Barrow	Barrow Office, ALSC
Eugene Brower	Box 492, Barrow	North Slope Borough Barrow Whaler
Morgan P. Soloman	Box 589, Barrow	Alaska State Human Commission
Eugene S. Lawn	Box 1586, Juneau	
Diane Baum	Box 607, Barrow	
Jonah Leavitt	Box 244, Barrow	North Slope Borough Hunter
Zachariah Alumalak	Box 135, Barrow	
Daniel T. Leavitt	Box 361, Barrow	Whaler
Morgan A. Sakeagak	Box 586, Barrow	
William Thomas	Box 106, Barrow	Arctic Slope Regional Corporation

TABLE OF CONTENTS

			PAGE
1.	TESTIMONY OF	Eben Hopson, Mayor, Barrow.....	2
2.	TESTIMONY OF	William Thomas,Box 106, Barrow.....	19
3.	TESTIMONY OF	Daniel Leavitt, Box 361, Barrow.....	22
4.	TESTIMONY OF	Michael Jeffrey, Box 309, Barrow.....	25

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel. 842-5970

DECEMBER 12, 1977 - BARROW PUBLIC HEARING

Representative Nels Anderson, introduction of panel. On my left is Representative Leo Schaeffer from Kobuk, on my right is Representative Sam Cotten from Eagle River, other members of the committee are Representative Billy Akers from Chuloonawick, Representative Steve Cowper from Fairbanks and Senator Pat Rodey from Anchorage. We are hoping we can get as many people as possible to testify tonight to the committee so the people of Barrow and hopefully from the surrounding villages want to give us their ideas about what subsistence means. There are three basic questions we're hoping people will address this evening, of course it's not necessary for people to restrict their comments to the three things that we'd like to hear about. But one is what, if anything, should be done by the State of Alaska in land and water use planning, when that kind of management policy is developed, what should the State of Alaska take into consideration. Two, should the term subsistence be defined and three, what should the State of Alaska do to protect subsistence.

We've been holding hearings throughout the State of Alaska, we've been receiving quite a response from various people with many different kinds of backgrounds, people who are commercial fishermen, people who are sports hunters, people who are sports fishermen and a great part of the testimony has come from people who are subsistence users of the land and waters of the State of Alaska. The basic purpose again, of our committee was to again, collect all the

views we possible could so that we could make a presentation to the State of Alaska and to the Federal Government on what changes there ought to be in Fish and Game, management structures, policies and regulations and investigate alternatives that are justified and propose legislation that may be required as a result of these investigations that we've conducted. I would at this time, like to as Representative Schaeffer if he has any opening comments and also Mr. Cotten and after they've made their opening remarks, I'd like to ask Mayor Hopson to lead us off in testimony.

Representative Leo Schaeffer: Thank you Mr. Chairman. It's always a pleasure to come to Barrow and I suppose I should apologise to the citizens for not being able to get here as often as I should although I just want to assure the people here that although I'm not here physically as often as I should be I'm here, for the most part, in spirit. So, thank you very much.

Representative Sam Cotten: Thank you Mr. Chairman. This is my first trip to Barrow as ah it's my first trip this summer to many places in western Alaska, I've lived in Alaska for 30 years and it's really been my first opportunity to tour the state, if you will, and especially in connection with this committee, to hear from the people that live in the outlying areas as to what their subsistence needs are and it's been a real education as well as a pleasure for me and I'm happy to be in Barrow. Thank you.

Representative Nels Anderson: Mr. Mayor, would you be so kind as to lead us off?

Eben Hopson: Where do you want me to sit? Here? Are we on tape or air or what do we do?

Representative Nels Anderson: I think we're on the air at this time, Mr. Mayor, although I'm not possitive, I'm not exactly sure but I think we are on the air.

Eben Hopson: Mayor, Barrow. I don't have anything prepared, although I do have some comments as to the subsistence needs and particularly in the rural areas. I do have a copy of your notice for public hearing, the announcement, and a few questions you just mentioned. The ones that are generally asked at one of these hearings. As to question number one, I haven't been to heavily involved with consideration of any legislation dealing with D-2 although we have submitted some written testimony but depended mostly on the involvement of the Arctic Slope Regional Corporation to dealwith that matter, outside of presenting our own position with respect to how the complications should be handled with respect to D-2 lands. Aside from that, I would suggest that any consideration as to the classification, particularly on the D-2 legislation that classification that most fits particularly in the rural area, that would permit uninterrupted use by subsistence hunters be taken heavily into consideration at your discussion on how the classification ought to be considered on the D-2 legislation.

I might add that the word subsistence hunting and fishing, I think it's one term that has been more arbitrarily dealt with unjustifiably by the legislature itself, the administrators, the Fish and Game Board, the Fish and Game committees because if I recall correctly, in the year 1959 when subsistence was first inserted in the statutes of the State, the purposes for which it was used, was to permit those living in the rural areas to exercise their right to hunt particularly if they were low income people. That discription of the word subsistence as far as the administration of the state law is concerned, has

become bery inadequate because the administrative bodies that deal with subsistence have continously reputed the applications and used it only on those people that have low income. In other words, affording them the opportunity to hunt caribou, moose, fish and permitting the take based on the needs of those low income people. As I said earlier, that interpretation of the word subsistence is very inadequate and the classification of the D-2 legislation it's so hard to make sure that all kinds of subsistence hunting is permitted on those lands that are being under consideration for the purpose of classification under the D-2 legislation.

As to number two, the definition of subsistence, I have suggested to another group, the definition for the word subsistence it may apply to those people that have traditionally hunted for their meat supply. In other words, the personal application would prohibit me from using that because of my salary. I am an Eskimo, I was born an Eskimo and once an Eskimo, you're always an Eskimo. What does that mean? I need some native food to keep my body and my system going. That's the difference between what I'm about to say and the application of the word subsistence since statehood in 1959. It's applied to low-income people that the Fish and Game board recognizes as having the need to hunt. Let's see if I can make a better description of the word subsistence. A term was used in a court action recently that I think I would much rather use and have it inserted by the legislature to apply more adequately to all of the native people that need to hunt for their subsistence. The term used by the court in Fairbanks on a answer to a suit by the sports hunting with respect to the caribou moratorium and the limitation that was imposed last July. They suggested the use of the word, I think it was four words, "minimum maintenance of subsistence needs". It should be somehow engineered so that in your statutes that description of subsistence should be

inserted so that the application can be more widely used for all native people that have traditionally used native food for their sustenance, maintained their sustenance, which means, like I said a few minutes ago, an Eskimo known for his character as being a meat eater, we eat meat all the time and because of one person, an Eskimo who was growing up and lived utilizing caribou meat, whale meat, walrus meat, seal meat, you name it. Just because a guy, in one of his years happened to train himself so that he could earn a lot more money and escape the classification of the low income person, doesn't mean he's going to stop eating caribou meat, doesn't mean he's going to stop eating muktuk, like I said once an Eskimo, you're always an Eskimo. And the application of the word subsistence needs to be more described in a broader term to include what I just mentioned, and the suggested definition of the word subsistence is "minimum maintenance of sustenance needs." And that would apply more adequately to all of the native people that must hunt to sustain themselves and that is the reason why we have been fighting this whaling ban, making all kinds of trips to Washington, D.C. and just last week to Tokyo.

We're not staisfied, incidentally, with the results of that meeting but we have an opportunity to work to continue our fight and increase the products established by the IWC. I think that state's effort should be, I don't know, let me make this suggestion, you should probably suggest reorganizing the Alaska State Fish and Game Board. You might have already. You already have two committees, am I correct? One for commercial fishing and the other for hunting? One for fish and one for game, is that it? The board of Fisheries and the Board of GAme. I want to suggest to you that perhaps you need a third body to deal with subsistence only because we're still subjects in the exercise of our subsistence needs, we're still being governed by somebody

that isn't necessarily involved in commercial hunting. When you take a bunch of fishermen from Kodiak, Bristol Bay, ha, ha, Mr. Chairman, southeastern Alaska, perhaps all the way to Unakaleet and Nome! What do they know about my subsistence hunting in Barrow, Nuiqsuk, Wainwright, Point Hope (inaudilbe) They don't know the first damn thing about it and that's why during this past year, particularly we have been suffering from moratorium of the taking of caribou last summer. Merely, because some stupid little jerk down there who claims to be a biologist for the Alaska Fish and Game suggested one time, that "My God, they've lost a hundred thousand caribou overnight! Last year there was two-hundred and forty thousand and now there's only a hundred fifty thousand, what happened to them?" Of course the immediate argument was that the Eskimos did an overkill. But, it never occured. So, being subject to regulations by people, 99% of who is concerned has nothing to do with subsistence hunting. I think it's very bad. In other words, for a third group to be organized that must deal with subsistence hunting, not a bunch of commercial fishermen or some of these sports hunters that wanted to kill the animals whether there was too many out there or not but people that do not understand the need for subsistence hunting.

You might want to take that approach to your state legislature when you go back because again, your dealing with this whaling problem, the moratorium was imposed by 16 countries and that makes up the International Whaling Commission. Try to picture with the United States and it's not now involved in any commercial hunting and whaling. The newspaper release, if you read just a few days ago that cam out of Tokyo saying that I angrily walked out of the IWC meeting is a fact. But let me explain to you. The hundred percent of the membership, including the United States chief delegate, had never even visited a whaling camp once. They don't know what whale hunting is all about

as far as we are concerned. Again, the reason for imposing the whale moratorium was because some scientist we kept, we landed 48 whales 2 years ago and at the same time there were 87 or 86 whales struck and lost and the concensus committee whose responsibility was to inform and keep the International Whaling Commission informed stated that these are facts and you must respond to them in some way. So the ideas was to say that we'll impose a moratorium. That action is going to be challenged and we're about to file a jurisdiction or two against the IWC because we strongly feel that the IWC has no jurisdiction over subsistence hunting. The IWC was originally formed to control commercial fishing and has absolutely no authority to control subsistence hunting but they did it. Supposedly the IWC took for granted what they (inaudible) these figures are facts and you must respond to them. We repeatedly told them that these figures were too unreliable and that the honor of such figures as a strike in the (inaudible) part of the whaling country. And the method of collecting such information was very sketchy and we know exactly how they got that information. So I merely say, to inform you that again there was another incident where a group of people had absolutely no knowledge of why we hunt the bowhead whale, indeed imposed this moratorium and again our arguments for about three months last summer in July the Fish and Game Board arbitrarily against our own recommendations, imposed the moratorium on the caribou, so I'm suggesting to you that the approach you might take as to how the state might protect subsistence, what to you is subsistence, is by organizing another committee to deal with subsistence alone. And, of course one other area as far as land and water use qualities are concerned as is primary to do with what legislation you might go ahead and pursue with respect to D-2 lands and wherever possible that you imply that whatever the regulations may be for those segments of the population that need to exercise their right to. For subsistence hunting to permitted at all times and I might add, subject to whatever controls this committee might

come up with respect to subsistence hunting. I'm not saying totally that you have to control subsistence hunting just for the sake of controlling it, I think what I'm saying and which we included in our statement with respect to the bowhead whale is that we don't have a real reliable scientific study I think it should go for both caribou and any other species that we normally hunt for our subsistence hunting. We want to be sure that in the regulations of all the animals, birds and everything else we regulate our management by a good scientific program and maintains that you know stays abreast of the modulation figures for caribou, walrus, seal, fish and everyting. It can work.

You have to depend on in this instance like the International Whaling Commission but it doesn't have the slightest knowledge of why we hunt the bowhead whale in the first place and have them impose a moratorium on you is not a very easy pill to swallow. And they paid for some of our travel, the State Department and the Commerce Department but North Slope Borough ended up paying for most of our expenses and our travel to Tokyo and I think the State is going to pay for only about three tickets of the twelve that journeyed to Tokyo to make our presentation. So I think all I'm saying here is that we must get a better handle in the regulations of our subsistence hunting in the State. I don't know if you have any questions. I don't have a prepared statement or anything but I'll answer any questions you may have.

Representative Nels Anderson: Does anyone have any questions at this time?

Representative Sam Cotten: Well, this is the first time I've heard any of your reports on your trip to Japan so I'm real interested in what your next moves are going to be and you pretty clearly said, you know, that you were going to file a suit. I just wondered what sort of time table you were talking

and what the chances look like as far as a change in the IWC's position.

Eben Hopson: I'm not sure but we were delaing with this in Washington. We decided that it depends on how we felt at the Tokyo meeting as to whether we filed a juristictional suit or not. By ending up with a very small quota actually in itself lifts the moratorium now that we're under the quota system the quota system is totally inadequate, and I'll tell you why. Unless I meet with our whale commission say by March or maybe February and come up with the distribution of the twelve authorized takes (inaudible) situation could be that because St. Lawrence Island and Point Hope, Noatak and Kivalina start their whaling seasons two weeks before we do here. It's a possible chance that all the twelve may be taken by these four communities even before we send out our first crew in Barrow. Because there is a two week time period to go to Point Hope, usually when we hear somebody got a whale in Point Hope. It's going to be two weeks before it arrives here. So we could end up with that situation.

But as far as timing, ah, I need to consult with both Billy and Charles Edwardson, Jr. and our attorney in Washington, D.C. as to whether they agree with me that we should now file our jurisdictional suit. It's possible by asking for even a temporary judge on the quota because of their lack jurisdiction. We may be able to negotiate a little higher price with the Commerce Department with Interior support and negotiate a larger number without having to go through the IWC. The suit itself will challenge the authority of the IWC to impose the maratorium or a quota as far as our subsistence hunting is concerned. Even a temporary injunction agreed to by the court, we can negotiate for a higher number. So, I don't know exactly what the, as far as any legal action is concerned, what the time tables would be, but the next meeting

of the IWC is going to be in London, I think maybe in January, the latter part of January or February. If not the latter part of January it's going to be in February, the next regular meeting of IWC. So if I can get on the phone and get the co:sent of at least four people, our lawyers in Washington Charlie and Billy; of course, I've got both Arnold and Jacob Adams here so between the six of us we'll decide how soon we're going to file the jurisdictional law suit in an effort to improve the quota, the numbers that are being dealt with by the IWC. I really don't know exactly what the time tables...

Representative Sam Cotten: Yes, but how did they arrive at such a riciculously low number, how did they arrive at that? Did they just pick it out of a hat or...?

Eben Hopson: Well, no, before we left for Tokyo the United States position came out. We got 30 and 15 that was the two figures we got. In other words, we can make a strike on 30 and land 15. That was the United States position and it turned out that they, we managed totalk to the U.S Delegation and managed to compromise that down to 18, it was 18. Then it struck me that was absolutely nothing to us but their position was 15 take and 30 struck, struck but lost. Which meant absolutely nothing to us, but we had to increase that by three from the United States position at 18 so they (inaudible) 18, we told them, we have stated in our position that we have minimized the terms used by the IWC which is to strike and land as far as the use of weapons are concerned. We have eliminated the reason to (inaudible) that was contributing to our struck and lost proposition by eliminating the (inaudible) method by which each crew claims the whale. Traditionally, if you shot a whale 30 feet away with a shoulder gun and later on some other crew puts a line on it you have a right to the whale. The first person who puts a bomb into that whale had a right to claim it. So

in our position, we eliminated that. You cannot use the shoulder gun unless you do it simultaneaously with a shoulder gun or a harpoon. You must have a harpoon. The first person who puts a line on that whale, makes a strike, must have an immediate kill, or if he lets loose of his line and they float, someone else pick it up over there, the guy that put the line on it first claims the whale. We have eliminated this charge by the IWC that was ending up that a bunch of reckless young kids that want to use the shoulder guns for distance although they're not going to kill it. Just for the purpose of putting a bomb into the whale.

Representative Sam Cotten: When you say a shoulder gun, you didn't mean a rifle?

Eben Hopson: No, whale gun, bomb.

Representative Sam Cotten: Well, then there's no line on that.

Eben Hopson: No line on the shoulder gun bomb. You have to throw by hand the darting gun in order to put a line on it, that means a very close, very close distance. So we've eliminated this.

Representative Sam Cotten: Was there any other dealings with the other countries that were involved, the other 16 countries that make up this whaling commission?

Eben Hopson: I was hoping you wouldn't ask that but I will tell you that now. Of all the countries, Canada spearheaded the fight for a very low quota and they won out on three votes. Canada delegates, they wanted a quota of six for the whole native whale hunting community, I don't know why. But they had two

native advisors over in Tokyo, Sam Raddy and one other. But the instructions given to the Canadian delegate came from Trudeau and that son of a gun wouldn't listen to his native advisors, who were supporting us 100 percent. He wouldn't change. He not only di that, he was very vocal, and really talked against the Alaska Native for it's higher quota. It was Canada and I think South Africa, two that were outspoken.

Surprisingly enough, the two countries that were our heavy supporters were Japan and Russia. Surprisingly enough, they supported us, voting for us each time. But, you see, in this vote, we needed 12 votes, they needed three quarters of the total commission in order to agree to the moratorium. In other words, this vote lifted the moratorium that was imposed by the Commission in July. So, we needed, in order to come up with an agreeable quota, we needed 12 votes. Now, the whole table changes around if the Commission wants to enforce another moratorium, or lower the number 12 down to a smaller figure, they are going to need 12 votes, not us, we will only need 4 of the 16 to block any effort to cut that down. But in this instance, we needed the three quarter vote, so we had problems. I'm not sure, the Netherlands, Canada, South Africa and I don't know, one other, I can't think of the other. There were four votes that were very much in doubt as to whether they would go along, and Canada lead the whole fight, all during the day. Does that answer your question Leo?

Representative Leo Schaeffer: It is surprising, you know. Especially coming from Canada, you'd think that they would lean more in our direction.

Eben Hopson: Yeah, well, Sam Raddy, you know Sam Raddy?

Representative Leo Schaeffer: I know Sam real well.

Eben Hopson: He wears those colored glasses, he's blind, you know. And there was another kid that took him to Tokyo. They were, as usual, they were 100% behind us, but the delegate himself, the voting delegate got his instructions from Trudeau, and there is no way that you could sledge him with a sledge hammer and he wouldn't change, that's what the situation.

Representative Leo Schaeffer: All those countries that make up this Whaling Commission, I think the United States is the only one that partakes in subsistence whaling, is that pretty much true?

Eben Hopson: Our information is that subsistence both in Japan and Russia.

Representative Leo Schaeffer: Oh, there is.

Eben Hopson: Yeah. As a matter of fact, Etok and Billy went to Hokaido on the day we left for home trying to make some observations as to exactly how Japan conducts its subsistence hunting. They have some. And I understand in Russia they hunt the real young, baby whale. Certain part of the year, when they are real small and tender. That's the only time that Russian whalers, subsistence whalers go out, otherwise I have no information that the bowhead whale is taken by the commercial whalers. There is some subsistence both in Japan and Russia. We're the one that historically kill the bowhead. When the United States abandoned its commercial whaling fleet, way back in 1926. There have never been any other whaling activities. That's the reason when you read the newspapers that I want the United States government to reject the quota and get out of IWC. We would be in a hell of alot better shape because some of the information they were giving the commission, some countries as long as you not a member, a participating member, of the IWC, you can totally disregard

their regulations. And because the United States is a part of IWC, the IWC uses the United States as a vehicle to impose this moratorium on the Native subsistence hunters just because the United States is a member. That's the reason I suggested that we ought to pull out of IWC.

Representative Leo Schaeffer: How do they get into a position like this, are they appointed by the President of the United States, or how does that work?

Eben Hopson: No, no. I guess any country that wants to join the IWC, they can do so at any time. In our country the appointments are made, I think the appointments are made by the Commerce Department. There was a shift made, remember when I blasted off here that Dr. Aron, who agreed to this thing initially that he should be fired and everything else? Well, the situation was the enforcement director of NOAA, National Atmospheric Oceanic Administration was the enforcement director of NOAA became the official delegate for the United States, Richard Frank. Dr. Aron, who was in that position, became just advisor, status like we were, the three of us from Barrow. There is another guy, by the name of Tom Garret who was the Deputy Director, but both Garret and Aron made some real bad remarks about the Eskimo culture previously in Washington D.C., but they were also in Tokyo. But there was some shifting done and I'm under the impression that it was done by the Commerce Department. It might have been done by the State Department, I'm not sure. But, I don't know officially, exactly how you get involved in IWC. My impression is that any country is that any country may join IWC at any time. And that country appoints its own delegates, not by (inaudible)

Representative Nels Anderson: Sam, did you have any questions?

Representative Sam Cotten: I just had a general question as to what sort of support the State has given your cause here. Like right now the legislature isn't able to do anything here because we are out of session, but has the Hammond Administration been cooperative in your efforts?

Eben Hopson: Hammond's office by using Chuck Meacham, Chuch Meacham was over there, I think he was helpful. And also the State office, what's his name, the guy who holds the governors state office in Tokyo. He was also logistically helpful, with our needs over there. The cooperation was great. But (inaudible) to some extent the Washington delegation but the problem was the other 15 members of this delegation, who for no other reason, obviously, they want to show the United States a little lesson. They want to show what we can do to the United States and they did it. Arbitrarily, they went ahead and did it, so, although we had it lifted and I can go out and shove off next spring with the whaling crew without violating the moratorium, the quota system is very inadequate. We have some hope of improving that by working with the Commerce Department, if in fact, we're going to file this jurisdictional suit.

Representative Sam Cotten: I don't have any thing else.

Representative Leo Schaeffer: I just wanted to tell Eben, that any future endeavors as you might consider as far as filing a suit, I can't speak for the committee as a whole, I can speak on my own behalf, is that I'll support you 100% in whatever comes out, it will be whatever the people up here can live with.

Eben Hopson: The situation now, is I haven't coordinated with all the people

involved, but three weeks ago, we agreed if we don't fare too well in Tokyo, we'll go out and file this jurisdictional law suit. It just depends upon my coordination with the other guys.

Representative Nels Anderson: Eben, is there anything specifically that the legislature can do? Do you think, for instance, that a resolution coming from the legislature, asking the United States to withdraw from the IWC would be helpful or would that interfer with...

Eben Hopson: It wouldn't interfer Nels, but you want to understand that remark was made just a few hours after the IWC imposed this 12 quota and I was still hot under the collar when I made those remarks and I guess it needs to be thought out a little more before you follow through on my remarks over there. I was still hot under the collar when the press conference took place and I might have been out of order making that remark. We know that is a possibility. Although the United States may never agree to that. The United States Government has been used by the IWC to impose this moratorium merely because the United States government was a member of the IWC although for all intents and purposes, there is no commercial whaling in the United States.

Representative Nels Anderson: Well, if you'll recall, Leo and I did send a telegram to the President of the United States asking him to, at that time there was another argument going on, whether we should object, whether the United States should or should not object. I don't know what good that telegram did, but it did get some publicity. I felt rather helpless at the time, the session, the legislative session not being in session, there was very little I could do.

Eben Hopson: All of us suffered terrible setback when the United States Supreme Court rendered that ruling, that was one of the reasons we felt at that time, a couple weeks, about 10 days after the ruling we were called into the White House to talk to Mondale, and it turned out Andrus was there and to talk business because of the Supreme Court ruling against the objection that we were going to have the United States make. We felt at that time the instructions that were coming from the Vice President were alot stronger than what actually took place in Tokyo. They assured us that they wanted to change this whole thing so that all of us may end up either by doing away with the moratorium or come up with a quota that all of us could live with. That came from Vice President, and not exactly what the United States delegation did in Tokyo, so we have a reason to believe that we have the mechanism to do it with we might be in a position to work on this quota.

Representative Nels Anderson: Eben, can we go back for a moment to your suggestion on the Board of Subsistence? I personally think that is an excellent idea. It is something that I haven't considered. What I have considered though, and for your information and those others in the hearing audience, is that we have devised a piece of legislation that would create a Division of Subsistence in the Department of Fish and Game where you would not only have a Division of Commercial, Sports Fisheries, and Division of Game, but you would also have a Division of Subsistence that could go out and be totally responsible for gathering information as you suggested, rather than be relying on information that comes from commercial sources. You would have information coming from people like yourself and others where this information is far more in my opinion, valuable, than that which we have in the Department at this time because the subsistence user and the commercial user and sports user are all looking at different aspects of the utilization of fish and game. And, I think I would

like to pursue this, and ask you, if you would consider it a great deal further, put a little meat on the bone, so to speak and if you have any specific legislative suggestions, our Committee would be very happy to receive something of this nature and I think we'd like to push that as far we we could.

Eben Hopson: I want to make it a point to include that because we have on our schedule on the 3rd of January, here in the Borough, meeting with the Assembly and our advisors, and our lobbyist and we're going to come up with a legislative program for the North Slope Borough. We'll make it a point to include that in one of our recommendations.

Representative Nels Anderson: Thank you, that sounds like an excellent idea. I don't have any other comments, except that I think I would like to share with you that there are many people who feel that salary or income should not be used as a criteria for defining subsistence because there are many people throughout the State of Alaska who have grown up on foods that they really feel that they need and if they don't have access to these foods there's something missing that you can't buy in grocery.

Eben Hopson: I might add that I participated when this word subsistence was being applied for the first time in the Statutes of the State of Alaska. For while, it was satisfactory, we permitted those at that time to be able to hunt because they were in fact low income people. But as we went on and on I think we lived out the necessity for having this classification. If you're going to qualify for subsistence use and particularly after we organized the North Slope Borough it came out quite obvious that with the concerted effort by the Fish and Game Board, (inaudible) out different kind of limitations and moratoriums that I learned that the description of the word subsistence

the way it has been administered is very inadequate. I might have a suggestion here, but we might be able to pull out and introduce it for your legislation.

Representative Nels Anderson: Any other questions, or comments? From the committee members. If not, I'd like to thank you very much for taking the time, I know you've been travelling quite a bit and appreciate your comments and especially appreciate that suggestion of that Board of Subsistence. It should, I think be created.

Eben Hopson: I thank you for the opportunity and I wish I had a written statement to make, but I had forgetten about the dates, otherwise I would have had something prepared, but anyway thanks for the opportunity.

Representative Nels Anderson: Thank you. Do we have any one else who would like to testify at this time?

William Thomas: My name is William Thomas, and I'm with the Arctic Slope Regional Corporation. I'm here to send Jacob Adams' regrets, he's not able to be here because of a Board of Directors meeting,this evening, however, he would like me to say a few words regarding some of our feelings on subsistence but we will submit a refined and a more definitive statement to the State at a later date. ASRC has taken the lead in inserting corporate economic development in the regions, however this assertion for economic corporate development is not to be interpreted as demeaning or relinquishing the people of the Norths rights to continue in the lifestyle of their choosing. Well, that is our responsibility, we also recognize the responsibility to respect to allow people to continue that lifestyle, and to that end ASRC has pledged its support in all of its activities to maintaining the subsistence

lifestyle that truly reflects the needs of the people. ASRC has been critical in the past of the States role in game management and probably will continue to becritical, critical in a cooperative nature. And particularly critical of the State's management in the Northern Alaskan caribou herds. I'm sure what I'm saying here merely mirrors much of what Mayor Hopson already said. In the issue of D-2 and subsistence, ASRC recognizes and hopes that the State will recognize with it, that it is going to be a very difficult road in coming up with subsistence legislation out of that Congress that are going to meet the needs of the people throughout the State. We hope that the State can join with ASCR and the people of the north in trying to meet those needs.

In regards to the whaling, and I intend to be very brief here, ASRC is in full accord with the recommendations of the Alaskan Eskimo Whalling Commission which Jacob Adams is the Chairman, and we would ask the State to review those recommendations very carefully and that it could be done in conscience and in a cooperative spirit, the State endorse those openly. And the ASRC thinks that would be a positive step toward recognition of the Federal Government of the Alaskan Eskimo Whaling Commission. We think that it is very important that the issue of subsistence gets out of the international forum. The vagaries and the whims of the political maneuvering on an international level are too complex and too non-relevant on such a vital issue to the people of the north. Those are the major points that the ASRC would like to assert at this time and we intend to assert and amplify those assertions at a later date in writing.

Representative Nels Anderson: For your information, the Committee will be dissolved by the Legislative Council on January 7th. And, if we could get your comments in writing by that time, we'd certainly appreciate it because

we are preparing our, this is our last meeting in a series of many meetings we've had throughout the state and we will be taking whatever information we get and compliling it into a final report to the Legislative Council.

William Thomas: Thank you and thank you personally and ASRC thanks you for the opportunity for being here.

Representative Leo Schaeffer: I have one question. The Alaska Eskimo Whaling Commission regulations you were talking about. Where can we get a hold of these?

William Thomas: I can supply you with a copy of those regulations that were endorsed by the Commission, tomorrow. I assume you will be leaving on tomorrow's plane.

Representative Nels Anderson: Yes, we would like to have a copy of these. Any other questions or comments? Thank you very much. We appreciate your comments. Anybody else who would like to testify? Is there anybody else who would like to testify, Dorothy?

Dorothy Larson: I just passed the list around.

Representative Nels Anderson: You mean to tell me that Eben and Mr. Thomas have said it all for you?

Representative Sam Cotten: I would like to comment on Mr. Hopson's testimony. That was sure a wealth of information on the particular issue that's had the most publicity when talking about subsistence. I think it was very comprehensive and I certainly would be surprised if many people could add much to

Mr. Hopson's testimony.

Eugene Brower: Mr. Chairman, Mr. Leavitt here would like to give you a little story on the way of the Eskimos up here, if you'd like to hear it.

Representative Nels Anderson: Yes, we would very much like to hear it. Morgan, or someone, are you going to interpret?

Eugene Brower: Morgan can interpret.

Representative Nels Anderson: Okay, yes, we'd welcome it.

Daniel Leavitt: I won't talk about your life you talk about here. I never been to school. I suppose I'm the oldest here, I'm 60 years old. I have a brother over here who's more than 60 years but he's got little more than I have. I think Mr. Sakeagak can get all my words in Eskimo, I suppose.

Morgan Solomon: Well, not all of it. I'm a little rusty. Mr. Leavitt proceeds in the Inupiat language and Morgan Solomon translates his testimony below:

This man here was born here in Barrow in 1916. There were only two houses here in the village of Barrow. He was born where there was no doctors, no hospital quarters or anything that attempt to help his family, his wife or whatever. Since the time began he realized he is fighting for the (inaudible) subsistence hunting that has been (inaudible) ever since he can remember. Every since I was 10 years old I can remember that my family lived in hunting way of life. Looking forward to the day or the following day that they would have

something to eat in the way of hunting. Since the time he can remember he realized that the hunting was the only thing that kept them alive. And ever since that he was 16 years old trapping and whatever that he can remember that the laws that was before him made him suffer. And ever since he was 16 years old he can remember that on December 16 or 15 he can, he had to go ahead and put up his traps so that he could provide for his family with the little money he got from the trapping. He can remember and recall that trapping stopped around April 15 that he really had exceeded those days, he can recall that he will be picked up by the commissioners if he had broken that law. Then he knows that when this happens he know he had broken the law and that he must protect himself. And that from the time December 15 through the 15th of April if he had broken the law, what could he utilize to provide his family with. And then in doing so that he must go to a store where he can purchase line items like coffee, shells, tea, flour, whatever. If he didn't get those animals between those two days he must turn around and try to utilize something else to buy whatever he has to eat from December until the following winter.

During winter times he is allotted twenty shells and then with those twenty shells he had to provide his family with caribou, seal, ptarmigan or whatever. Without those shells you can't do nothing. During the summer time his dad had to take them out in the country to provide the family needs. Fishing hunting and whatever even though he knows the time is short. And up to this day the subsistence hunting style here is so critical that he can't do whatever he wants because he days are beginning to get short.

And then when the days are beginning to get longer around April, April 15 or somewhere around there, his father must travel many miles between Barrow

and the point wherever he is from to hunt whale. And then during that time his brother and him must go out whaling so that he can get a fair share of that whale that they catch for that season. And then during the whaling season the people that hunts whales must share with every catch they have, each boat having its share and sharing with the community. And then as far as he can remember he will never recall of any ways to shoot that whale ever since he can remember out hunting. Even the whale bones, the backbones, the rib cage, the whatever, is taken into the shore. And then every since he can recall, he knows that natives are never wasteful and that he is happy with that particular thing. And then he is happy that his father had given that privilege to him so that he can learn to hunt whatever he must get from the ocean. Every since he can remember there was six in his family and every traditional hunting thing he had learned from his father, he must carry on up until today. And he uses that traditional way of life up until today. And he doesn't work. And that he know the difference between an Eskimo's way of life and an non-native way of life. The non-native way of life is your lifestyle at present. Up to today he is saying that the Eskimo way of life, the traditional way of life, today is very critical and it hurts. The non-native way of life from an Eskimo's way of life is much harder. The native way of life is very hard because when you are looking towards an (inaudible) or approach you must be sure you follow the rules applied to that particular area. And up to today, he sees that when the government had taken away our caribou, and our whales, the native way of life is at turning point. And that he is a whale hunter up to today and that he can catch a whale whenever he wants to. And he would like to see that this traditional way of life, this way of hunting, he will continue it until he is 6 feet underground or whatever. He had seven boys and 1 stepdaughter. And up to today, his 6 sons are not what he was brought up to be, they don't know how to hunt to well. Up to today, he has

put his sons through school up to the 12th grade level and some of them had finished college and some are continuing. And then up to then since he had been giving the privilege to his kids to learn how to hunt. And then this way while he was not out on the ocean, they caught one whale.

And it whould be that we should continue to live our lifestyle just the way it is. He will continue to live his life under the traditional sytle as it is today. And he says that he will be the first person to be in jail or to be in prison if he should break the law. On the month of May he has prepared all his weapons, his boat and he is going out into the ocean. And that he would appreciate that you go ahead and utilize some of what he has said and he would really appreciate it.

Daniel Leavitt: Thank you.

Representative Nels Anderson: Thank you very much. Is there anyone else that would like to testify? If not, I would like to invite the people of Barrow and the surrounding villages of Barrow to write us a letter on how they feel about subsistence if they would like. I would like to invite any letters or testimony before January 7, 1978, because at that time the legislative council will wipe this committee out, so to speak, and hopefully by that time we'll receive more testimony from people in this area and other parts of the State of Alaska as well.

Michael Jeffrey: My area that I travel through is the entire North Slope Borough except for Point Hope. I'd just like to share with you, obviously you can see I'm not a person born in Barrow, I can't speak with the experience of Mr. Leavitt, Eben, Eben Hopson, or other people you've heard. The only

thing I can bring to you is to try and share with you some of the things that I've been hearing in some of the villages as I travelled over the last year and one point in particular, that hasn't been said tonight, that I think needs to be said, is the strong feeling that people have for local control. In other words, if you're going to have silly things that happen, take as an example, the village of Kaktovik, now the village of Kaktovik on the map over there on the wall is the one that's over there near Canada, on the far right, right by the Canadian boarder. As it happens, when the caribou hunt was stopped, they stopped it in Kaktovik also. Now, actually, the caribou that the village of Kaktovik hunts is not the western arctic herd, it's the Porcupine herd. The Porcupine herd comes in through Alaska and also over into Canada. The Porcupine herd is in great shape, it's very large, there's over a hundred thousand in that herd and yet the Statewide administration scooped up Kaktovik and included them in the same moratorium. They did, they were farsighted enough enough to open hunting in Kaktovik earlier than the other villages. But even then, they missed the boat. Because even then they opened the hunting, the Porcuping herd migrates up near Kaktovik and then it starts going back and I may have the month wrong, I think it's around in early August. The Fish and Game opened Kaktovik's hunting just as the herd was leaving or gone. Now that, I hope that they did not intend that, that it was simply a mistake and that next year they will take into account the particular circumstances of that village (inaudible)... But that's just an example of the problem that's going on that is lack of local control.

When you see tomorrow, as Bill Thomas was saying that he'll provide you with those Alaskan Eskimo Planning Commission regulations, you're going to see that those are very complete. Many of us that are here tonight were at the meeting here in Barrow when the Alaskan Eskimo Planning Commission and also

when those regulations were passed. It's a beautiful thing, it was packed, with whaling captains from all over the North Slope and also from St. Lawrence Island, down around Kotzebue, it was a statewide meeting. And they went through all these regulations and they drafted a different set and it was translated into Inupiat and people made their comments. It was obvious that this would be an effective thing. When the whaling hearings were held here in Barrow, the quesiton that was asked of me, I guess probably because I'm a lawyer, I guess, the hearing officer wanted to know, "Will it work, will it work, does it mean anyting, or is this kind of like public relations or something?" Well the point is, that it does mean something and it's the only thing that's going to work. In the early drafts of the Whaling Commission report, they pointed that out. It's cultural, it comes out of the culture of the people here. The captains regulating themselves. And that is the kind of thing, there's so many reasons for having multiple control. One is, that the people here have the knowledge, they have the knowledge of where the caribou are, or the status of the whales, they have the knowledge of how best to regulate it to keep the herd at a level where their own hunting can continue. And also, from the point of view of the culture of the people, that is the way it's going to be effective. Instead of having a bureaucrat coming in from outside, there's a lot of enforcement agents coming in.

There's a lot of feeling in the different villages that the State Department of Fish and Game is too new in the way it administers the regulations regarding hunting or mainly in the interests of the urban sports interest. There's a vague feeling that there needs to be more understanding and feeling for subsistence hunting. I think you all ovbiously recognize this. That's certainly the method that I would hope that you would hold with that would strengthen is local control. Now I know there are statutes that exist right

now for that. But you are aware that they're not working right now. For some reason or another. The legislature should look at that. Why aren't they working? Why argue if (inaudible). The only other think that I'd like to share with you is that when we were talking about a census, if I could just share with you the census of whaling. Rosita Worl did a study for Arctic Slope Social Economic Subsistence Complexes, which are a lot of big words, but it's a study that came out of her extensive experience up here on the slope where she lived for quite some time but she also brought here academic background. But she just says whaling is an expensive undertaking. As in the past, only the wealthy could amass a fortune to support a whaling crew. Then she lists, you know, snow maching - $2,000, a sled - $250, a tent - $200, camp equipment - $200, gas, food and bombs for the whaling $200, clothing $300, oovrik s-ins to make ikoomiat $300, skin sewing - $300, and the frame for the boat - $600. $6,150.00 and she says this is a minimum, a bare minimum, you having to support an average of 8 crew members for the 6 weeks whaling season. And that kind of underlines what Eben Hopson was saying earlier, and that is we must not put a monatary limit on the definition of subsistance. These days, subsistence could be expensive. But when you compare it to the price of the equivalent as your NANA Corporation studies have, when you figure out how many millions of dollars came into the economy of the NANA Region from (inaudible) they did the whole study, it's over there. It's obviously true of the North Slope also. I mean dollars and cents, itmakes sense, it is expensive, it takes cash and so you can't just limit to low-income people. It should be instead limited to areas. A wealthy person, say in Anaktuvik Pass, who might have got a fair amount of money in construction jobs or something, that still doesn't mean he has access as you well know, to adequate food supplies. It's just not there. If he can't go out hunting and supplement his diet that way, his family is going to be hungry. They're going to be eating hash. I

mean, when you go out to Anaktuvik, when I was out there during the caribou ban, I go to these village families. and what are they feeding their kids, they're feeding their kids T.V. dinners. Taking a T.V. dinner out of the oven, cans of hash and things like that and you know how expensive that is when you have 10 kids. A T.V. dinner is not only to start with is more expensive than they would be in Fairbanks or Anchorage and on top of that you've got 10 kids. But that was all they had. And so you know it's really important to look at the location of the places and define the subsistence needs in those terms rather than in terms of income. And I just, one last think, and that is, this is just beautiful and it's not off the point but it's, I don't know, it's a poem in the Tundra Times that was just out, but let me just share it with you, it says:

"An old man on the bank of the Yukon where it embraces the sea,
Stirring his cookpot fashioned from a 55 - gallon drum.

I'm nourished by the whale,
The flesh of the whale strengthens my flesh,
The blood of the whale sustains my blood,
The spirit of the whale runs with my spirit,
And I travel ever deeper to the sea of my beginning,
And laugh at the clouds to feel the song of the whale thunder and whisper in my heart,
Smiled in his wrinkles of great beauty,
His eyes soft and deep,
As all the ages, he silently sings."

Those kinds of feelings, although beautiful, I don't know who wrote that, someone named Tundra Voice, I don't know who it is but it's those kind not articulated that way perhaps that I'm feeling up here as a new person on the North Slope. But underneath all of this, underneath the feelings of the people here, actually are more in line of something like this. They're not simply shoulder guns, or harpoons and blood and things. It's more like this and that's the kind of feeling I'm beginning to appreciate up here and that's what you all are trying to protect. Anyway, it's just some comments.

Representative Nels Anderson: Thank you very much Michael, appreciate it. If there is no one else to testify at this time, all I want to say on behalf of the committee is that we appreciate all the work that people did put into having us here this evening, it may not have been the best nigh in December to hold the meeting but we do appreciate the comments that we did get. And I want to wish every whale hunter a successful catch.

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Female: Okay, this is just briefly--like I've summarized what everybody said in there--you know--should I come out with the names or just--everybody just recognize their comments.

On the definition for subsistence, first comment was it should be laid to low income users, and subsistence users should be considered those who hunt, trap and fish and use the products of that either to the extent of selling the skins or crafts made f~om it. The next one was thought subsistence was traditional hunting and fishing and maintaining the culture. Next was subsistence means enjoying the fruits of the land and being able to hunt and fish, and also this person pointed out that being a seasonal worker and the limited income, and even though they are employed a part of the year, they need that game to supplement their home as many people are seasonal workers here. He also pointed out that the welfare limit of $5,000 is too low and that it should be scaled and there is a lot of welfare families that are poor and live on a little over $5,000 a year.

The next comment was that subsistence should be limited to those not living in a cash economy. Next comment was that this man feels that he should be able to hunt and fish now the way he was able to do all his life, and his father before him, and his grandfather before him, before the white man and Fish and Game Department came. And he felt that Indians should be able to get just as much game and have just as much hunting rights as they had before. And he made a comment about the commercial fishing taking all of it, and then later another man came in and said basically the same kind of thing--that he doesn't feel--he feels he should be able to have all the rights that he's always had to the fish and game without it being regulated.

The next person said subsistence fishing should be based on income, and he doesn't like to see these tourists coming out from Anchorage and Fairbanks and going down to Chitna and getting all the fish that they have.

The next one was the feeling that subsistence is a combination of lifestyle and need--that regardless of income, the resources belong to everyone and to some extent, with some regulation, everybody should have a right to get fish and game.

Next one--subsistence means making a living off the land, traditional culture. There have to be some regulations, and it could be economics.

Next comment was that people who live in the city shouldn't be considered subsistence at all because they don't need subsistence. They've got their own programs in there. And that there's too

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Female: (continued) much waste going on of the caribou and moose. And that comment was mentioned throughout the discussion, and it was always aimed toward city people coming in and killing moose, caribou and leaving parts of it.

And the next comment was subsistence means what the word says--subsistence for sustaining life--and the word should be kept as simple as possible and other words should be used for when we're dealing with culture and things like that.

And then one person told a joke about natives use all the moose and caribou and, you know, every game they catch. And the hunters come into the area . . . There was another comment about city people wasting moose, and there was a lot of comments--a lot of anti-urban feeling.

And the last one was the Fish and Game Board doesn't care about --it's just quote/unquote--the Fish and Game Board doesn't care about the poor Indian. And they're out there in Juneau, or wherever they are, and they don't relate to the people that are subsistence livers.

Female: I would also just ask to tell us the tally of Question 2, and after lunch we'll discuss the reasons people answered it the way they did. This is the one that says, "Do you agree with the State policy which gives subsistence a priority over other consumptive uses?"

Female: There were 14 yeses, no no's, and three people said that they really didn't feel comfortable answering the question with the vagueness of the information.

Female: Okay. And then after lunch we can discuss why people answered it that way, and on to the one about which management plan you feel is the best for subsistence. . .

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Male: We're interest--we're not worried about down below--that cannery, or someplace down there. We're just interested in our own land and our area where we all live right here. We all live here together and we'd like to go hunting and this and that, and if it be here, we'd like to have something to say about it--not somebody down from someplace else. And I think the only way we can do it is to break up into smaller regions like Herc (?) said.

Female: Two people who are sort of in favor of the regionalization. Yes?

Female: This sounds agreeable, but does that mean there would be 12 regulations books? Or 7 regulations books? So that each region would have to print their own?

Female: No. It means that each region would have to have their own policies, but in terms of the regulations per se, the Board of Game and Board of Fisheries would have statewide authority, you know, to say that this region's regulations or this region's policies are in effect except where there was conflict, say, between two regions; and then they would have to arbitrate that.

Female: In implementing the regulations probably they would just adopt what was already in the regulation booklets, or would there be a great reform?

Female: It would depend on how the regional boards, you know, wrote it up, how they proposed it, what--I get the feeling that essentially what would happen would be that whatever the regional boards proposed would be the plan for that region unless there was some reason why it shouldn't be.

Female: The twelve regional areas that are along the guidelines about, you know, boundaries of the native corporation--that would give each region the power to stop moose season, or something like that, if the moose were being depleted, and not have to wait six months for it to be all gone and then stop it by the time it goes to the Fish and Game Board.

Female: That's right. They would have the--well, as I said earlier when we talked about options for the amount of authority under these boards, it's still unclear that they could--at the very least they could vote to do that. Now whether or not they'd actually have the enforcement authority to do that is unclear yet. At the very least they could say, "We want this stopped at such and such a time," and send that to the Board of Game or the Board of Fisheries, and the Board of Game or Board of Fisheries would have to have a reason for directing that, if they did. They would have to make a public statement as to why they did not comply with the regional board's wishes, if they didn't. So at the very, very least, what you would get would be--

Female: So you'd still be sending it to the Board of Fish and Game anyway--you couldn't have the power to stop it.

Female: No. One option, which I showed you earlier, is that you would be able to have the authority and the top option here to make the final decision, and that the Board of Game or Board of Fisheries could only override you in the event of conflict between regions. And then, as I said in the middle one, you

Female: (continued) could reject proposals that you didn't like, but you would have to pass all the others on to the Board of Game or Board of Fisheries for their final approval. So you would only have rejection powers in this middle one. The third one is just an advisory level where you just comment on all proposals, good and bad, and pass them all on, and again the Board of Game or Board of Fisheries would make all final decisions. So this one the regional boards are making the final decisions; this one they're just rejecting some bad ones and kind of weeding out what they feel are not good but passing on; this they're passing them all on but making comments on it.

Male: That's essentially what we have now.

Female: This third one--yes. That is essentially what is going on now, except that there is no regionalized structure to make comments, and you're getting comments from all over the state on an advisory basis, which a lot of times is kind of conflicting. It has no kind of coherent statement for the help of the resource unit. A lot of people feel that the regionalization wouldn't be good unless they had this much authority, however. So, that's some comment you can offer in your statement on whether or not you favor regionalization. Maybe you favor it conditionally, and that condition might be that you'd want them to have a lot of authority, or you'd want them to have a minimal amount of authority, or you'd want them to have the current amount of authority. Yes?

Male: I don't know--I think a lot of that authority should come from the regional area instead of, really, from this big Board because, like they said, we live in this area. We don't plan to move around or anything; we plan to stay here. And I think we're concerned enough to worry, and worry about the game and all the animals in the area.

Female: So that the regionalization for you would mean--

Male: Sure, you know, because I think it's really important for us to have these things, and I can't see going all the way up in the Fairbanks area to do some hunting. We can watch this place ourselves and work out some kind of way to control it instead of they control it down in Juneau. Because like, for instance, these people that are elected to this board coming out of the governor up there, it looks to me like it's a political thing there. One year you have Democrats; the next year you have Republicans. And we'd rather have the people here.

Male: In terms of the legislature having to ratify those board members, it's really not quite as much influenced by the governor as your (indistinguishable). I think the threat is much more the

Male: (continued) legislators' threat than it is the governor's in terms of those people being--a prime example being last March, April in Juneau where proposals for dealing with the area of subsistence, eight Fairbanks legislators stood up and threatened the Board of Fisheries, and two of those Board members are no longer there. In other words, when they were up for reconfirmation, they got eliminated because of legislators' threat, not the governor's threat. You know, I think the threat is much more at the legislative level than it is the governor's.

Male: But that's still a political body--

Male: Looking at the regional boundaries here seem to be covering the entire watersheds and, if we're trying to manage the fish, it has to manage the watershed. Now if you divide that up into regional corporations, are you going to have a regional corporation that is dominated by commercial fishing fighting against a regional corporation boundary--not the corporation but the boundary lines that are subsistence. Like this regional corporation in the Ahtna region is basically subsistence fishing whereas if you look at the regional corporation south of us, which is basically commercial fishing, is there going to be inner strife there because of the two different interests? Where this boundary managing the whole watershed might give a more unified benefit to the entire fishery.

Female: One viewpoint on that from the administration's point of view has been that the largeness of these regions has not (indistinguishable) but it is purposely created that way to make the conflicts resolve themselves at the regional level before they go on to the higher level--to the statewide level--so that it forces people who have different interests to come to some sort of conclusive idea among themselves on a regionalized level before it goes on. There is some support there. We'll take some more comments on the plan. How about--could we just have a show of hands as to how many people do favor the regionalization over the other, over the current plan? How many people think--

Male: Do you want to be more specific on that?

Female: Well--

Male: Do you mean this region what you have up here?

Female: Do I mean whether it's twelve regions or five? No, I would rather be kind of just vague about it because it's a matter of just the idea of breaking up the state into any regions--any number of regions, be it five or twelve, based on, you know, native things, has not been decided yet. And so it's just the idea in general of breaking it up or maintaining the present structure.

Male: Well, a comment on that. I couldn't vote on that because I would not vote for breaking it up and splitting up a watershed, but I

Male: (continued) would favor managing the watersheds. So by making a blanket statement, "We should chop it up," I think that would be very unrepresentative of many feelings.

Female: Then we should vote three ways, then, whether it was like this, or whether it was on regional corporation boundaries, or whether it's the same.

Male: That's gonna argue because what you're trying to say, you're trying to divide up the natives, or you're trying to split that other group on the end, so the majority wins. Just like I'm talking about Anchorage. They could outvote us any time.

Female: Uh, huh. I see what you're saying. What about the units as they're set up now?

Female: The twenty-six game management units?

Female: Right. What's wrong with that?

Female: There's nothing wrong with that. That's how it is, and that's how it will continue until it's changed.

Female: And this is what you're trying to---?

Female: No, this is what I'm trying to get a feeling for, whether or not the change--whether or not it's more favorable to take 26 game management units and--I don't know how the fisheries, you know, things are divided, but--however they're divided, and to put those together in some larger scheme so that--I don't know how many game management--how many game management units in this area.

Male: Two.

Female: Two. And so to take those two--

Female: You mean 11 and 13?

Female: Rather than have 11 and 13 be separate, it would be one management unit, then. Is that based on that kind of a line? Would that be two---

Male: That would be two with one exception--well, that includes parts of 20, part of 14, part of 16--

Female: So then we're talking about maybe six game management units--putting them together into one area. And whether or not making a plan for those six or seven game management units on one area-wide basis is preferable to having the current plan which has different regulations for each unit?

Male: I think--I believe this is it. The game of those areas are split up by the mountain ranges?

Male: Which, these? Or the game units?

Male: Well, the game that you're talking about right here--

Male: Pretty much except where the line runs north and south down to Cook Inlet there. There's no mountain range there. I don't know what they use--

Female: Well, now, you're talking about different game regulations for each game unit. Wouldn't you have the same thing under different regional---

Female: How are you going to get it straight if you're going to hunt moose in Unit 11 and hunt at the Ahtna regional corporation level? How are you going to get--it's pretty hard--

Female: It's fairly easy right now--to understand what's in the regulations.

Female: But if you add another--

Female: No problem at all. What I'm wondering is why they don't leave it as it is?

Female: Well, these boundaries--

Female: Well, that is an option. I think the main feeling on this is that there's been so much complaining about how it is right now, Federal managing appears to be very imminent because there has been so much complaining on how it exists today. I mean, it's so unsuccessful today. So therefore the Federal government is at a point where they're about to take over the management of everything, you know, because of all the number of complaints that subsistence is not maintained and that the animals are being threatened. Do you think that this group in general favors some regional concept? I mean it's really hard for me to say--I can't offer you anything more than this map and then Herb's idea, which is the AFN position, of going to the native boundaries. So they're two points on that. They're not the same, and they would have very different kinds of implications for you. But is that--even given those great differences and all the varying kinds of options, is that more preferable than continuing our present structure and hoping that the Federal government doesn't take it over. I don't know.

Male: I think that most people in this community right here are only interested in two areas. I believe that's Unit 13 and 11.

Female: But what if you were forced to deal with more than that? Would

Female: (continued) you be interested in having that much responsibility in management, or would you just rather leave it up to the State as it is right now?

Male: I'd rather leave it up to those people live in that area. That's where they live.

Male: Let's pose two votes: one vote saying, "leave it as it is or divide it up." And then vote on, "if it is to be divided up, what means should we divide it--either divide it into watersheds or the 13 regional corporations."

Female: Okay, that sounds really reasonable. Does everyone think that's a pretty reasonable question? Leave it as it is or divide it up. So let's try that for a vote.

Male: I was in a workshop--I guess, Herb?-- where they had this same meeting. We were talking about this regional concept; that's what we agreed on.

Female: You feel that dividing it up is better?

Male: You mean the twelve regions?

Female: Um, hmm.

Male: Yeah.

Female: Okay, let's have--can we just take a show of hands so I can take down some sort of numbers? How many people would like to leave it as it is right now and not do anything different than the way it is? Okay.

Female: Could I ask a question, please? You say the Federal government --there's a threat that the Federal government will take over our fish and game management. What areas have caused the problem? What is this issue about the Federal government?

Female: It's in the (d)(2) legislation, essentially--it's what is it. It's where the Federal government has been looking--as they came out this last summer--to take hearings on (d)(2)--the testimony that they received was testimony based on the use of the land, what people want to do with that land. And what they wanted to do--many people talked about maintaining a subsistence lifestyle on that land.

Male: Here, though, what everybody wanted to do was not have the (d)(2) bill.

Female: We did not want the (d)(2) bill.

Male: And one erroneous decision based upon another one doesn't make the first one right. I just wanted to get that said.

Female: You mean the (d)(2) and H.R. 39 bill just spawned this whole subsistence thing? Is that what it is?

Female: You mean in terms of the language? Yes. On the Federal level--is that what you're talking about?

Female: Well, evidently, it went to the highest offices--

Female: The thing that is probably the most clear--

Male: It's mainly AFN's position that when the land claims was passed, the section in the act which addressed--directed the Secretary of the Interior to protect subsistence rights to natives. And he's never done that. And so we've really pushed hard for this (d)(2) legislation to address the subsistence issue and protect the subsistence rights for the native people and the users in the state, knowing for a while that the State on its constitution cannot actually do that--protect one group of people over another one in the taking of fish and game resources. And so, it had to be a Federal mandate from Congress directing the State to take action on protecting the subsistence resources for its users. And in doing that, what we proposed was the regionalization of boards and the requirement for the directive to the State to provide a--mechanicsm to provide the protection for subsistence resources on Federal lands. That's where it's at right now.

Male: Could I ask one more question here? As far as the Federal government--as far as taking over some management--I think this also has very commercial fisheries implications as far as the limited entry position and is the State going to have the right to control its shellfish, bottomfish and salmon fisheries as it is done now (indistinguishable), or is this going to be turned over as Federal control over bottomfish in our continental shelf in Alaska? And I think this is some of the implications as far as Federal taking over. Is that correct or incorrect?

Female: I think that if the Federal government would want to take over the management of any kind of resources they are not currently managing that the State at some point or other would be in some sort of litigation to decide the authority to take over.

Male: Okay, is the State presently, through the Limited Entry Commission and the interim use permits, trying to establish historical rights in management for a court case so the Federal government cannot take over management.

Female: I have no idea. Do you know anything--?

Male: All the legislation does is require the State to provide some management system in protecting subsistence resources and natural resources. Now it supposes up to the Feds to determine whether

Male: (continued) that plan will meet the needs of subsistence users, and if it doesn't, then they'll probably have to step in to guard our own.

Male: I think this is half the story, but what faces commercial fishing---?

Male: I don't believe that the, you know, the bill he's talking about has significant implication in the offshore business. That's Federal management and another game. What the State's game plan is there I don't think any of us are really--you know--

Male: Okay, but this still has every bit to do with fish and game work, because they are presently controlling the fisheries--that's being spoken to as far as limited entry and negotiations with foreign fleets and harvesting bottomfish--

Male: Okay, right. But the thing he's talking about is strictly subsistence quality--that's the only thing that is spoken to there. So the three or four basic regions will be only speaking to subsistence. They won't be speaking to commercial fisheries and their regulation.

Male: It advised that it would be strictly subsistence, but it's not--uh--not clearly established, I mean, you know, given that people go down the road on legislation, it can be changed, that's just a matter of a few words of language, to change it from one to the other.

Male: Is it not possible what we'd be looking at here is not a choice between these two but rather a choice between what we have now alone and both of them--what we already have plus this. In other words, we'd have twice as many boards and--because you're not going to take over (indistinguishable) or (indistinguishable)--you're not about to manage the other resources. You may have priority over them, but once they are out, there's nothing in the subsistence boards, at least in the way you're trying to fit them in, that would allow you to regulate those. So somebody's got to regulate them.

Male: Right, the State's got the regulatory authority--

Male: These boundaries are specifically for subsistence. There's no commercial implications that these ballots can be used for?

Female: That's right. How many subsistence users are there in this State? And how many will there be if this subsistence thing goes through? And what is the definition?

Male: Oh, well, this permit to the Copper River--

(Four or five talking at once--indistinguishable)

Female: But if it is recognized the way it is then there will be many more

Female: (continued) subsistence users---

(Four or five talking--indistinguishable)

Male: Can we have a vote on the question?

Female: We're getting a little bit away from--we are getting a lot away from what we started to do on this last question. And it was proposed that we ask whether, you know, first of all, whether to divide or not divide, and then, secondly, how to divide if we were to regionalize. So I asked already whether anybody favored maintaining the current structure, which would call for not to divide, and I got no response on that. And so I'm assuming that people would like to divide, so let's have a show of hands on how many people favor dividing the state in some way. Okay, fourteen. And are there any who don't have an opinion, one way or the other? (None)

And now the question is--the question now remains whether or not you favor dividing it in larger regions approximately five, or at the maximum seven, regions in the state, or whether or not you favor dividing along regional corporation boundaries, which I believe are twelve. So let's go far first of all, how many people would like to divide in the bigger regions of either five to seven regions for management? Let's have a show of hands on that--the regionalization. One.

And how many people would favor dividing along regional corporation boundaries? Eleven. And how many have no opinion? Three.

Male: Didn't I tell you--I already tell you how this vote was going to come.

Female: I'd like to vote for 26 game management units--

Female: You want to vote to maintain the current structure, okay?

Female: No, but if we're gonna divide I'd like 26 game management units---

Male: This proposal is for subsistence only, is that correct? And, say, we'll have this system as far as subsistence is concerned, but we'll have to retain the old system of the advisory committees for other--for recreational and commercial?

Female: No, no. I've confused you somewhat. The zones are for subsistence, but the proposal of this is for everything--it's for all regulations--commercial, recreational and subsistence--so that the structure here is for all, but the zoning--like this--is for the subsistence plan, the development of a subsistence plan. So what this group has said is that they would like to see

Female: (continued) subsistence plans developed on a regional corporation basis with the regionalization concept going into effect.

Female: Isn't that what (?) was saying--that the Alaska native people are more--they qualify more for subsistence than any other peoples. They sort of quietly stated that. It seems to be kind of disturbing thought. If we get into kinda accepting that we're abdicating to the native management--they're managing it.

Female: Well, actually subsistence is not what we're voting on for all the regional--more or less more game management area. Isn't this what we're voting on? In fact, we're changing it from the twelve--the units--the game units--to regional game areas.

Male: No. You're saying we're reducing it from 26 to twelve game units? I don't think that's what we're trying to do.

Male: We're reducing 11 and 13, or 13 and 11, into one unit---

Male: --for subsistence policies, correct?

Female: No, we're--just what we're doing is instead of having one seven or however many regional boards they've got right now, we have twelve regional boards and each regional thing will take care of their area. That's the native corporation boundaries are being used because the white people have only been here a hundred years, you know. We've been living on our land. We don't go out and kill moose for the trophy and stuff like that. We eat everything--we eat the head, we eat the stomach, you know.

Female: If it does favor natives, I sure hope it does.

Female: I mean I'm not trying to make a race war out of it or nothing, but, you know, it's been there for, you know, thousands of years.

Female: One other comment on the whole question which this man right back here brought up and that is that when you move on, not to talk about subsistence but to talk about the commercial uses of the resource, you are in fact entering not only a national scale, a Federal scale, but an international scale. And I'm sure many of you followed say, for instance, the northern--I think it's called North Pacific Rim fisheries meeting that was in Anchorage not too long ago--the meeting with the Japanese and the other people taking of the resource. So it's not--the question of subsistence is not something--although management of it might be limited to a local area, the whole question of it versus commercial/recreational is not a local issue. It's a State issue; it's a Federal issue; it's an international issue. And that always has to be borne in mind when we're talking about how much resources can go how far. I thank you all for your comments and stuff. If anyone else would like to talk to Nancy about the permanent fund, she's out here, and she will be happy to outline for you.

Female: (continued) Carol Conroy can also give you a very elaborate discussion of the permanent fund.

And please return the tabloids, either by mail or you can leave them, if you filled one out. We want to be sure to take your comments back with us. And if you didn't fill out a blue card, please fill one out so you'll get a final report. These can be mailed in just by folding them and mailing them in, if you haven't had time to finish. Thank you.

(LAND DISCUSSIONS - Tape 3)

Male: .....I guess we can get started. I guess you all know her. My name is Tim, and I'm working with the Public Forum staff, going around the state holding meetings like this. The question we're dealing with here is land . . . (continuation of introductory remarks by Tim)

Herb: Well, I guess you know, in 1971 the Land Claims was passed and we got on our way with implementing it. And part of that settlement was 44 million acres of land to the natives of the State of Alaska. Our region contains about 18 million acres of land. It goes from Metaska Lake to Chitna up to Cantwell, and totally taking in the Copper River Basin. Out of our 18 million acres of land we're allowed a total entitlement, both region and villages total, will be 2 million acres--approximately 2 million acres. I think the latest deal on estimators is about a million six right now, but it's subject to change. The reason why it's subject to change is that the enrollment process is still going on. There's villages that still have been challenging the courts and haven't been certified yet. That makes the determination of how much land we will get percentage wise on a per capita basis. There's certain things that the village and regional corporations are required to do with the lands under the Act. One is . . . . (continuation of background of land claims act and history relating to Copper River Basin). . . . . .

Male: (Tim) (inserted statement about state administration activities and negotiations with federal government re (d)(2) lands; explanation of the Delta/Tok sale of thousand acres proposed for this next spring--)

Male: Well, that should be very good because if you get five acres back behind and then you have to get to it--an access--and somebody else has already got one or two and it's all crisscrossed up and you just can't get there--you walk through--you try to walk there, and you walk through somebody's yard and you don't like that--and you certainly need an access.

Male: Yeah--and I think the State will be providing that access, too. That was one of the things in this homesite bill we passed last--said that it had to have some sort of service connection through roads or, you know, it doesn't have to be within an organized borough but it does have to be within the service area, which means probably roads--

Male: I think maybe stateside around--on every section line there's actually a way to get into the area where maybe the section line would be across the lake or something but still there would be a way to get to the back part of the property.

Male: Was it worded "customary access and customary utilities for the area"?

Male: I don't think it was--I don't remember it being customary. I've only read the bill a couple of times, but I--it's vague--and what's happening now, Ted Smith, at the Division of Lands has been holding meetings and getting together a set of regulations that would just break out what this means, what service actually means--does service mean from a road, from a section line like this gentleman mentioned, or could it mean access via a State airport, perhaps. So it's not real clear, and those regulations will be coming out really shortly if they haven't already--I'm not real sure.

Male: This doesn't pertain to this area, but in other areas of the state, water is a very customary road. So is an area going to be eliminated because there's no feasible road to it when water is the customary transportation mode?

Male: No, not necessarily. That would be a good point to bring up at these regulations hearings is that you can't--if you've got navigable rivers--or the ocean--those should certainly be considered as service access anyway.

Male: You know on the state/federal land trade deal--I think it would be a really good deal--in the Tanana Valley right now I believe there's what--a $650,000 acre agricultural project underway where they're turning up the ground and make farms of 1700, 2000 acres, piece them up--and under the present (d)(2) deal, the way the (d)(2) deal is set up now, if it goes through the way Udall has it, it will grab about almost a third of that agricultural ground will go back under (d)(2)--

Male: --and this land right now, it's federal land--what was the designation that was put on it?

Male: Uhh-I don't really know--no, I don't know if it's state or federal, but anyway, I know the Soil Conservation Service, the one that has the farm plan and the one that made up this whole thing, I believe they probably have something like 2,000 acres

Male: (continued) already in the process of clearing right now, but I do believe the total acreage is something like 650,000 acres to be put into, probably, small farms, basically, roughly 2,000 acres. The land is up for lease; you lease only the agricultural rights to it. And there is a market for all the grain; it is to be a grain project. It's well suited there, but the way I understand it, the way the (d)(2) program is worded now, it will take up approximately one-third of that acreage. So if they can do some trading, I think it's a real good deal.

Male: There's another plan to put some agricultural land in that area--into farms next year on an auction block type of thing.

Male: I do believe that's probably the same project I'm referring to, but, again, all you buy is the agricultural rights. There's no way you can subdivide it--do this, do that, make something basically commercial out of it--it's gotta be kept in agriculture.

Male: That's strictly a State program, Lou?

Male: Yeah, I think so.

Male: From what information I have from the Department of Natural Resources, the total acreage in the state is somewhere around 365 million acres. Of that probably 200,000 acres is good for hardrock mining and not much else. They've identified in the whole state no more than like 15 million acres that would be considered really good intensive use for agriculture, for residential, for recreational development, for industrial development, what have you. I think within the state--the plans that the State has to date--let's say, not to date, but of the total percentage of land that the State will get--that 105 million acres, they've identified only about, I think, 5 million acres that will be suitable for farming or for residential, and a lot of that is around the existing communities already. This one, Fairbanks, Anchorage, on the Kenai Peninsula. There's some other things around those communities that a lot of people have been asking us about, and I haven't got the answers necessarily. But what they've been saying is that there's a hell of a lot of land in trust around communities--either mental health lands or university lands or public school--and they're held in trust so that they can be sold at some future date to help support mental health and public education and the university system, which have in and of themselves very little revenue-generating capabilities--by themselves. So I don't know really--I feel kind of embarrassed about this--but I don't really know what the amounts of State land are around here and what the designations are. I was trying to get some people who are in the Division to

Male: (continued) come over here, but---

Male: Generally, the State lands are in Tazlina and there are some in Copper Center, and there's some in Glennallen--right in Glennallen, almost--it's mostly State patented land. And from about ten miles towards Anchorage to Sheep Mountain is practically all State selected or patented lands.

Male: Oh, is that right? And that's--is that the roadway right out ----

Male: Um, hm. It goes clear back to Lake Louise.

Male: You said from where to where now?

Male: About ten miles towards Anchorage on the Glenn to generally Sheep Mountain is State selected lands.

Male: They cut quite a wide swath out through there---

Male: It goes clear down to Tazlina Lake and clear up to, oh, Lake Louise, Klausman(?) Lake, that area--State selected or patented. And practically all of the Tazlina area is State patented land.

Male: Where's Tazlina in relation to---?

Male: It's out about six miles--generally from where the Ahtna office is clear to Simpson Hill is all mostly State patented land--or private ownership.

Male: It's patented, then. So is there any special designation on that?

Male: There's a lot of university lands in this area that are usable for residential use, and in my dealings with them, is that it's harder than heck to get any kind of use of those lands, you know, because they have to be approved by the Board of Regents, and then the money--it has to be some kind of income-making--the use of it--such as the lease lands in Copper Center is all university land. And so they can't give a free use permit to extract gravel, they have to sell the gravel off it. And, as I understand, the money does go into a trust fund in the university.

Male: Isn't it correct that the university can't sell the ground--they can only lease it?

Male: That's right.

Male: But they may be able to sell the material off of it?--

Male: Yes, they have sold the material off of it--this one gravel pit up here at Six Mile I think is 106 --

Male: Yeah, well the gravel pit the pipeline used, too--

Male: What about the timber resource fund on the university lands? Would they--would it be sellable?

Male: I think they can sell it.

Male: I got a woodcutting permit from them--

Male: Uh, huh. It's pretty reasonable, too, I think, for timber--

Male: (indistinguishable)... State Division of Lands, Anchorage.

Male: Would there be enough resources to be able to make a small sawmill--make products--wood products available to this area--for building or anything like that--would there be enough timber to do that?

Male: Just in spots. Not enough---My permit is just for dead and down stuff. I can't have anything over 6" in diameter 4½ feet from the ground. You know, even if it's a big tree this big around if it's laying flat, you can't touch it. But if it's only 6" in diameter 4½ feet from the ground I can cut it--

Male: I'll be damned--that's interesting--

Male: No explanation..yeah, they told me at one time that they figured that maybe some of those big (indistinguishables) the eagles would nest, or roost in them or something. I mean that's kind of an absurd thing. The guy said well maybe that's what it is. But I don't know--you can't have a big tree if it's dead but you can have a little one.

Male: I think it's unfortunate--but you know, you can have a stack of big trees and you can say they're all dead even though you just cut them down.

Male: That's true, too.

Male: Then there's some more additional, I think, State patented land, that is around Gulkana Airport down to the junction of the Glenn and Richardson--that's all State patented in there.

Male: Yeah, that's a good chunk--it's all poor, though.

Male: Yeah, it's pretty poor land, but the State did sell of a lot of land in there in '73. They didn't provide for access, either, to

Male: (continued) those lands back--

Male: Was that--tell me what program--was that for leasing or sale?

Male: That land was sold.

Male: And all we got out of it was a bunch of realty sellings--

Male: Okay. Would those State lands that we've been talking about benefit this area at all? Would people be willing to commute that distance if they were able to get a nice chunk of land from the State? Are private land prices high enough that people would be looking for something perhaps under market value or on a lease type of situation from the State?

Male: With present land prices, sure. Three years ago--or four or five years ago before the pipeline went, why they were dirt cheap anyway. But now, anything that's in private ownership now is sky high. So if you can buy something under that, why, they're gonna grab it.

Male: There's a crying need for people who just want to build a house and to have a piece of land that they can call their own so that they can afford to put up a dwelling on it.

Male: Has the regional corporation made a policy on their land? Are they going to try to use some of it?

Male: We're open to any kind of options or suggestions for use of this land. We've already got offers for leasing some of our lands--small parcels--for business and for private homes. But we certainly will--I think that's why the plans that we have in mind is to sell and lease land.

Male: Are you going to sell it outright, or do you just want to--?

Male: It depends. Just depends. I think some of it could be sold, you know.

Male: Well, do you think that the primary need then for people in this area would be for small parcels for just a home, or for a single dwelling? Or would there be other needs as well? Is there a big demand, or a need for, say, agricultural lands, or---

Male: I think there will always be a need for agricultural land. If it's truly agricultural land, I think it should be kept in agriculture. You've got a utility ground, recreational grounds and

Male: (continued) that nature like, why, steep slopes--anything of this nature--why, the best use for it is recreation or homesites or anything you might want. But if it's really good soil, level ground, you got enough top soil, you're in an area where you got moisture content, or moisture, why--and it can be made into a farm ground, I think it should be made into farm ground, probably kept into farm ground. There again, I don't know whether you best lease it or sell it. If you sold it to a person and he found out he couldn't make a living, he'd probably sell it or subdivide it--and why not? And then you've got another village started or so--perhaps if it were leased under agricultural preference rights, you might say, it's very possible it will stay in agriculture. Someone will farm it even if it's in small tracts. On the other hand, if we got some steep hillsides out here, some rocky ground not suitable for farming, I think it's probably a good deal for it to be in recreation or whatever you might think.

Male: Is there much access to recreation areas here? I understood that this area is pretty much surrounded--you've got the Wrangells and so forth--and there's a lot of recreation potential here.

Male: Oh, I think the Copper River Basin is probably one of the most terrific recreational areas you might say--when you want to go hunting, fishing, snowmobiling--whatever it is--with all the lakes, the streams, the works--I think it's probably the best in the state of Alaska. It's accessible.

Male: During winter months.

Male: Yeah, and then again, there's some good agricultural ground around here.

Male: Has that been---?

Male: There's generally good agriculture land down in the King Lake area. It's under village selection now, preferential selections. The only other agricultural lands that I know of is in McCarthy--McCarthy road area--and that is State patented or State selected.

Male: From my observation, the biggest problem--agricultural problem--there's just no water.

Male: Not--in Kenney Lake, there's no water, but near McCarthy, I think, there's a possibility there.

Male: You have the Copper River flowing by but for an individual it's inaccessible to a water supply--a joint venture it could be feasible but for an individual thing--

Male: That's at the Kenney Lake?

Male: Like in most sites where, if you're talking about large scale irrigation--a private individual on a small tract--you know, there's just no possible way.

Male: That's true.

Male: Across the Copper River, of course, its inaccessible. I've never been over there myself to--I've never even taken a boat across the Copper River to explore the area, but, I don't know--what that land, how is this classified? They claim that it's agricultural land, parts of it.

Male: Yeah, it is. It's under village selection, practically all of it. It's just a belt that runs generally from King Lake up (?) through Gulkona--on the other side of the river.

Male: Well, how many miles toward--up through the Shattuck(?) country would that belt take in--just a few sections or is it--

Male: Oh, I think it's a fair size--it's probably about five or six miles wide.

Male: Well, of course, in miles (indistinguishable) there's 40 or 50--that's boats--beyond that--there must be lots of pretty flat, pretty desirable land.

Male: If you'll notice in the spring, though, as it rises in elevation the snow covers it in little ponds. Got ice on it pretty late in the spring and pretty early in the fall, so far as agricultural ground up on that slope in the Wrangells, it becomes a bit limited.

Male: Well, there's uh--what about instead of large, let's say, large 2,000 acre tracts for agriculture, is there--I mean it seems maybe more logical that--like myself I have a 20 x 30 foot garden that, you know, just keeps me in frozen vegetables for the winter. Would that be something that the people from this area would favor--with small tracts like that?

Male: Oh, I'm sure they would do it.

Male: But would there be a problem of getting--say, like on the Kenney Lake site--would there be a problem of getting the water even on individual small plots like that?

Male: Yeah, most of it--on their wells.

Male: One thing you have, though, when you're in the valley here and

Male: (continued) you got the mountains around, why, you get a pretty good set of rainfalls. When you lay out in the wide open flats--they're no mountains there--there's not those clouds, then you don't get any rainfall. And I don't know whether they're really short on moisture in this area or not.

Male: Well, in our annual precipitation there's only about ten inches.

Male: Is that right?

Male: Yeah, that's pretty dry.

Male: That's Copper Center and that's speaking of (indistinguishable) of ten inches. I know to get my garden to grow last year--

Male: When I was over in the Bethel area earlier this year, talking to the non-profit corporation over there, they're starting on using some of their money to start hydroponics and, of course, they're some places over there that are good for just out-and-out farming.

(end of tape)

(Proceed to Page 22)

Male: ... we're working too hard on trying to get our land in the first place. One thing at a time.

Male: I think that's something anyone can do if you got a basically controlled environment. Might take a few bucks but you can do it. You can ward off the frost--you'd have it under cover.

Male: Is there really a market, though, for the large-scale vegetable type agriculture in this area? You talk about thousands of acres of grain; you can put it in a truck and you can ship it anywhere in the world. But is there a substantial market in Alaska for agriculture in Copper Center? I mean in this valley? They can grow a much better and easier crop in Palmer, in that area. I just don't see that there's economic stimulation for large scale farming for this type of crop in this area.

Male: Well, being on a road area, maybe it wouldn't be all that expensive to ship it to Fairbanks--you know, fresh tomatoes or that kind of thing. I don't know. You might have a point.

Male: Do you think that in this area we can, say, have pots of tomatoes? I doubt if we could ship them from here. Our costs--that's expensive--you could ship them to Seattle--

Male: Like Seattle--uh--this big project was planned for Big Delta--why not all this grain? They definitely say that they have a market for every pound of grain they can produce--Japan--provided they can produce enough. They don't want 100 bags or nothin' like this, but they'll buy thousands of tons of grain. They want it.

Male: You think overall, then, that the largest need for people in this area would be for someplace to build a home? What do you think?

Male: I think ground for homes is something that many people are looking for, ground for small businesses, uh--but these people that are going to be living in these homes and businesses, there has to be some means for them to support themselves, too. You just can't have homes and no cash flow--

Male: So that would almost eliminate the wilderness idea--the homesteading type of idea, where people are removed entirely from community where there's a source of income?

Male: No, I wouldn't say that.

Male: Not necessarily? There might be a percentage of people who would want to live that way--more or less a subsistence lifestyle of --you're just hunting game or living away from the community where they get into town maybe once every couple months or something. There'd be a substantial number of people that you know of that would be interested in that kind of land use?

Male: Substantial in percentage form, I would have to say no. But there are many people I've talked to that would like to participate in that activity. But if you're talking about a state--are you talking about a policy for this area or are you talking about a statewide policy?

Male: Well, for the most part, today here, we're talking about for this area. I talked to a fellow on--we had a t.v. show in Anchorage on subsistence, and we got a call from a fellow who's been living in the Wrangells for twenty years doing just that. You know, a nice sized log cabin and he traps and hunts and is raising a family and doing just wonderfully. And he wants to continue to do that. So it sounds like maybe there's some other people who would like to join him.

Male: Well, I think, say, if you put up 2,000 acres here in 5-acre tracts, they wouldn't last ten days. They'd every one be taken up. You bet. Maybe not all by people who want to live that type life, but there's going to be somebody--they'll all be grabbed up. And there are a lot of people who want that type living. Lots of them. I'm doing it myself--right now. I own property down in Palmer--got a farm down there. But I also live up here at Tatalina Lake--got a 5-acre tract, and I'd much sooner be there than I would down there in the ratrace.

Male: Do you think 5 acres is enough for a subsistence type life, though?

Male: Uh--it isn't really a subsistence type deal. I do trap, I fish, all like that, but I have to go somewhere else in the summer months to make a living so I can live there.

Male: This 1500-foot elevation here at Glennallen makes it a little bit of a hassle to raise your cabbages and stuff. They'll freeze down in June, they'll have frost in June, frost every month sometimes. Pretty discouraging to them to think about raising this garden stuff. Although I've tried it myself, I raised cabbages this year. Most years I raised a real good carrot--crop of carrots. I've raised a hundred pounds, maybe hundred and fifty pounds of carrots. They just grow wonderfully, but you gotta know how to plant them on a raised surface to keep them away from the cold ground or they won't grow long. They'll just settle down in cold ground and won't grow. And you have to learn how to raise the stuff.

Male: There is one more think on these small tracts. We'll say from five to ten acres on up. If they are on agricultural ground, you'll be surprised what you can raise on that if it's in an agricultural area. And what--you'd be surprised what these small tracts may contribute to--what you'd say--the other man keep eating, too--the family-sized farm--160 acres--is basically on the way out. To go out here and buy 160 acres now, to develop it,

Male: (continued) put machinery, buildings, what not--the whole works on it--get it up into production. I would guess that you're going to have upward of $500,000 in it--that's machinery, buildings, turning, the developing, the whole doggone thing. And why would a person do that when I can go out here and make $12-$14 an hour with nothing but an investment in nothing but a lunchbox. So that family-sized farm deal is gone. There's gonna be a big corporation or there's gonna be some guy here that's got five acres that's working somehwere for his livelihood and he's got this extra acreage for a hobby farm. And he's going to contribute something to food and fiber for his neighbor that lives in the city. He--people are getting tired of city life, and it's one --uh--if they can get out of the city, they're really one more form of government. They get out here and they find out that they can actually live here basically cheaper. They don't have the monthly assessments for sewer, water, garbage and this thing--they can live here cheaper. And then they find that if they can produce some produce on that--sell it to some stores, sell it to the neighbors, what not, that place is likely paying for itself, in a sense. Probably putting a few dollars in his pocket plus his own groceries--some of his groceries. So, I don't know. I think that eventually, I believe that the small hobby farmer is going to be contributing a great deal toward producing food probably for man here on earth--eventually. Because the family sized farm is gone. It's either going to be a big corporate thing or it's going to be just a little bitty hobby farm that's going to be producing it. The family sized deal, 160 acres, is out. They just can't make her any more.

Female: I agree with that, and I would like to see larger small tracts instead of 2½ to 5 acres, like 15 or 20, where you've really got some room to do something. Not a real large scale, but you've got enough to work with.

Male: For that very idea--for small tract farming? Taking care of a communal type of situation--three or four groups of families in the area?

Female: Well--for 15 or 20 acres, just one family.

Male: Just one family.

Female: Yeah.

Male: With a little bit of planning and some ambition, you can do a great deal on 10, 15 or 20 acres--you'd be surprised.

Male: Yeah, I was really surprised. I just have a small plot; the few vegetables I do grow supplies winter vegetables for myself and another family that lives in the same area. I was surprised.

Male: Is--this is a little bit off the subject--but I got to thinking about storage. If something like a small scale farming thing did get going, is electricity cheap enough now that you could have a fairly good size community freezer or packing plant or something like that?

Female: Electricity is not too cheap.

Male: What we need is a power plant.

Male: It's not cheap--the rates were just raised the first of November.

Male: What did it raise to?

Male: I don't know but it's going to be raised with a chance to pay it back if they charge too much.

Male: Okay, what it sounds like then that perhaps the major desire for people of this area would be for providing small to medium sized tracts for--that would be near existing communities--and some emphasis on agricultural use on a small scale for individual families. --And small businesses--you mentioned small businesses earlier. What kind of small businesses do you think would be feasible right now for this area? Something like guiding or recreation-oriented, or would it be something different?

Male: I didn't have any comment to that.

Male: Would anybody like to see the lands that either the native corporations get or the State has in this area kept in trust, which means just leave it for some other future generation to make the decision on what the use of that should be?

Female: I think that's really important that some percentage be left in trust.

Male: Okay, do you feel that the proximity of Federal lands that will be in (d)(2) classification will satisfy that need or do you think that the State needs to look at providing some land for the future.

Female: I think the State should provide some.

Male: Anybody else have some thoughts on that?

Male: I think that the land that will be patented to the native corporations--that it would be wise for the State to reserve some of their land until it's observed what the native corporations are going to do with their land, so there will be an alternative in the future.

Male: There is in the (d)(2) legislation that AFN has requested and statewide support for is a trust--land trust--Alaska trust--land trust--and everyone, including the State, has the opportunity to put their lands in this trust. And part of that is that it still can be used like public land but it is not subject to taxation.

Male: That would be like a--

Male: ---and you couldn't take it all out at once. You'd take it out at a percent rate.

Male: So it would be like a consortium of all land owners kinda pooling?

Male: Yeah.

Male: Well, I feel that there should probably be some land--a limited amount--put in trust; however, if there is some renewable resources on that, they should also be used.

Male: Kinda getting back to that multiple use concept that, uh--

Male: Very much so, yeah. I hate to see a great big tree sit there and die, lay down, fall down and rot, and don't use it. They could cut that tree and plant another one in its place. But there's other renewable resources on there, also. But I think the resources should be used if they're renewable, and they could set some aside, but no terrific acreage. A reasonable amount of acreage--let's put it that way.

Male: Well, let's put it in perspective a little bit. If there was say, say, for every thousand acres that the State had to put into use of some sort, what would be your recommendation for a percentage of that thousand acres that should be held in trust of some sort? Do you have any estimation?

Male: Just a roundhouse figure, it would be 10%. Now I may be way, way out in left field, I don't know. But it's just a figure off the top of my head.

Male: Actually the problem would depend on how much land the State got.

Male: True.

Male: The larger the amount perhaps the larger the percentage?

Male: Um, hm.

Male: In Scandinavia, like Norway, their latitude runs through this part of Alaska here--it's about the same--and it's pretty heavily populated with people, you know, the people are--population is increasing, why, probably in another ten or 15 years there's going to be many more people that will want to be living in, say, the Delta area. It's a lower elevation, and, say, it's agriculture

Male: (continued) possibilities is greater than this 1500-foot elevation we have here. And there's gonna be just a lot of demand for land because these people are going to spread out and they're going to be just clamoring for maybe 15, 20 acres to call their own or develop or farm. And this is going to be within the next ten or fifteen or twenty years. There's going to be a great change in the overall picture.

Male: That bring up kind of an interesting question. Let's say, for a hypothetical case, the State had a thousand acres to open up here right away like they're planning on doing up in Delta. There's a--especially if they let it go at a lower price,that acts as kind of an incentive for people to move into that area, in a way. Do you see that as being a problem for the Copper Center area of encouraging people from, say, Anchorage, who can't find adequate space there to move out to this area? Would that be a hindrance or a help to the types of service that you can provide those people, or would you rather see that acreage first go to residents of this area and then perhaps think about inviting people from other parts of the state to come and live?

Male: What mechanism can we use--I mean, how can you have a sale and limit it to people in this area?

Male: I'm not sure you can. What I'm looking for, actually, is just some ideas that you would have on growth of your community. In other words, if you open it up to all state residents, which I guess is a constitutional demand, how do you feel about that in terms of increasing the population in this area by another hundred families? Do you think offhand that that would help the economy or that it would hinder the government to providing a bigger school, more roads, more sewer and water? Do you have any ideas about that--about the potential growth in this area and what opening up more lands--cheap lands--would do for that concept of growth? I'm just kinda curious.

Male: It could work two ways. If you had a big land sale and a bunch of them moved in here and there's no work available, they're going to end up on welfare rolls. However, if you got some guy down there brings a lot of beans up with him, it can be a shot in the arm. So--kind of a bummer--hard to tell.

Male: Yeah.

Male: I would doubt very much that anyone with any green stuff to amount to anything would actually move out of where he's at. He'd probably end up being on the welfare rolls.

Male: That's true. I mean if they do open up land like that, I don't think it would be any outsiders moving in...cause there's not that many jobs around.

Male: I think if you open it up to small subdivision, I think you'd probably get mostly local people. Like I say, there's a lot of families---

Male: What is the--I've dealt with the State in trying to get land in this area, and it's virtually impossible to do it on a negotiated basis. They want to (indistinguishable) for sale. The last sale we had was about four or five years ago now--and I think it will be five years ago in June--and prior to that it was about that long. And if the State is going to be letting land go in the area in five-year increments, then this past five years that certainly doesn't reflect the economic growth of the area. That's a bit inconsistent.

Male: The only thing I can tell you about State plans for this area is from talking to those folks at the Division of Lands, and they said that they are looking at a homesite program here again. But that could mean two years from now.

Male: It could mean five years.

Male: It could mean five years from now. So--the other possibility--and again this is a long shot--would be trading some of those trust lands for--opening up the trust lands by trading them across the board for other State lands in the state that would be further away from communities that would be held in trust. So you take a thousand acres that's inaccessible at this point and a thousand acres here, that's right now got university classification, and you swap uses, so that this land here opens up to some community uses. And that's something they're looking at, also, but again, that may be three or five or ten years away.

Male: Looking at it from the university standpoint, why would the university want to give up more valuable land for land out in the boondocks?

Male: Well, they might not want to give up more valuable land. It would have to be a comparable swap, and it might mean the thousand acres here would be swapped for 20,000 acres somewhere else. It would have to be comparable or exceeding value to warrant their giving up that chunk of valuable land around the community, but it seems as it perhaps that's not the university's decision, but your decision and my decision and how we relate those needs to the State--people who are making those decisions.

Male: My understanding of it is that it's <u>not</u> my decision--it <u>is</u> the university's decision.

Male: Well, let's say, for example--that's true. And I think that's a real problem with communities in rural areas where the State--the university has lands--is that they don't participate in development or recognize the needs of the local communities. They have large chunks of land that could be made available to different types of uses. One problem we had was sanitary land fill.

Male: (continued) And you couldn't get use of any of those university lands that were suitable for sanitary land fill. They would not let it go one bit.

Male: Well, these may be liberal thinkers that I'm talking to in Anchorage, but they are thinking of that concept. So perhaps--

Male: Well, I think definitely, I think---with some descriptions that I think you should get rid of the university lands and turn it over to the State Department of Natural Resources. The university does not participate in the local community--

Male: They sure don't.

Male: --and they own large chunks of, you know, valuable property.

Female: They own a lot of land out here, Herb?

Male: Oh, yeah--yeah. Not at Tok--not a whole lot--but very valuable land right in the community--Copper Center--

Male: They could only select land that had been surveyed--only logical land that had been surveyed--known that's valuable and had been surveyed.

Male: Well, that's the kind of information we're looking for. You know--substantial things that if people in Copper Center get together and say they want the university to start thinking about the community but they're--they've got land around--and start thinking about getting rid of it or trading it so that the people can use it. Those are the kinds of things we're looking for--

Male: I don't think those two are the only alternatives. I think their lease program is adequate as long as it's used. But I believe the function of the land is to support the university. If it's sitting there and not leased, it's not bringing in any cash.

Male: And I guess as far as the program goes--it would make little difference as far as I'm concerned if the university were to lease its lands now and be putting that money into a savings acount of some sort, making interest off it, but that interest would be far less than the interest that they're getting because of the accumulating land price. The leases are only 55-year leases, and some shorter than that. So they're looking at the re-evaluation of the land; they're looking at half-century increments. And I don't think that for an institution of that tenure that that's outrageous at all--I think that that's quite reasonable. There's a lot of people that are upset with that--they're State people, naturally--who are thinking that that 55-year lease is unreasonable from State revenue prospective. In other words, they wouldn't be

Male: (continued) realizing nearly the amount of money from leases off those lands as they would if it were re-evaluated on a yearly basis or on a five-year basis, because they figure, well, if they set up a price now that's market value and the first time they can re-evaluate that is 55 years from now, that 55 years from now people will be paying X amount of money for that lease, that is totally unrealistic when you take a look at the per acre price for that. From the consumer it's a great deal.

Male: Okay, then you're saying that the government and the State bureaucracy is setting up the program to fend inflation, into supporting and expecting that there will be inflated prices in the area and they want to stay on the bandwagon rather than trying to set up a program that would enable the local government and the local economy to become more stable, because if prices remain the same, this is anti-inflationary.

Male: Yeah, I see what you mean. They're looking at it strictly from a viewpoint of--well, if the university lands are set up to make money and they put them out on a 55-year lease, they'll be making money, but it won't be keeping up with inflation. And, so I'm sure, I think that you've got a good point there--that perhaps they're not looking at it so much from the standpoint of--"hey, we've got people there and we've got a community there that really needs this. Let's not worry so much about the revenue to the university system--rather, let's take a look at the community needs and opt for using the land for the people instead of worrying about the bucks for the university. That's interesting.

Male: I'm not limiting that just to the university--or mental health or any state lands. The State lands, from what I can see on how they've portioned out State lands, it's very much on a real estate agency outlook. It's not on a land use outlook--and very inflationary with respect to--definitely--a land sale.

Male: Well, this leased land, like you said university land, I don't know how it works but, say, within the last five years, if you leased a five-acre tract or something and built your home on it and you was geared up with whatever that lease started out say five years ago, down on the Kenai the Forest Service is very flexible. I have--still have a Forest Service lot down there, and I started out with it twenty years ago at $5.00 a year. Now, and I got my bill in the mail just a couple of days ago, it's just around $700 that they're charging me now because they're plowing the snow on the roads in the winter, and there is electricity in the area. But that's been very flexible. They're keeping up with inflation, I tell you, on the Forest Service lots. I just wonder what's happening to the university tract. Don't they charge more to take in more money because of inflation, even if it's a 55-year lease? It won't be the same amount they

Male: (continued) charged five years ago in the next ten years if it's according to the Forest Service lots. They'll hang right on up there--

Male: I think right now there's a big hassle about that, and I think it was generated last year about some State and university ground that the Teamsters' built on in Anchorage--land hassle about increasing rates after you've established capital improvements on the land. And I think right now that there's a program where you can refile and you can get 25 years' frozen payments. But it's still in development. I think any basic answer on that question is still in the hands of the politicians.

Male: Still kinda uh--yeah, right. True. Well, based on this discussion, does anyone have a feeling for whether State lands, when they become available, should be leased or sold outright, and if they're leased, should it be short term leases or should it be long term frozen leases like you're talking about? --kind of address that second word.

Male: Well, I'll go in NIC(?) if it's small tracts, it should be sold. If it's large tracts, very possible lease it. At least on agricultural ground, on the larger tracts. That would keep it in agriculture that way. On the smaller tracts, I would say cash sales. There's a great deal of pride in ownership. You do more with it if you own it rather than lease it. That is my opinion.

Male: And in conjunction with that, if you're going to lease it, I would think long term leases would be far better than short term. Long term I would define as 50 years, 55 years.

Female: Is that with an option to re-evaluate it every five, ten, twenty years? (end of tape)

Male: ---zoning and because title seems to be more desirable to these people. Then they've also got leases on, you know, not for real property but for agricultural purposes and stuff like that, which would allow the use of the land for grazing, shore fishery use, timber, material or water, allow the use of the land or resources without conveying title. And you can't exclude other uses from that. So, what do you think? Do you still think that private ownership would be more logical in small parcels?

Male: On small parcels, anyway. Really, I haven't decided on the big, but I don't know. I look at everything through the agricultural end of things, so as far as subdivisions and all this sort of thing or small businesses, well, I can say very little. But we're going to run out of agricultural ground some day.

Male: (continued) I can look right down here in the Matanuska Valley right now. I've lived there for over forty years, and from what I saw when I first came here, boy, to what it is now--it's really a bedroom city for the city of Anchorage. Boy, I mean it. That whole new Parks Highway has only been through there a matter of--what?--eight or ten years--buildings and subdivisions from the junction clear to Willow. And a lot of that is primary agriculture ground--real good stuff. Some of it has never actually been put into farming, it hasn't even been cleared off, but it's still good farm ground. Some of it was old farms that--what the heck, why farm it when I can sell it and retire? We'll subdivide it--so we're gonna run out of farm ground. I still think the 5-acre farmers or hobby farmers are going to be providing a great deal of our land in years to come.

Male: Well, that's very evident there in the Palmer area. You see nice fields that would raise very good hay ground and you could cut bales of hay on it. Here they're putting in foundation footings and going into building because the taxes are so great they can't sell that bale of hay and get any return off of it. And they got to get a bigger return because the taxes are too great.

Male: Okay, how does everybody feel about that third part of the question. Who of any of the list that we've got there should be getting some sort of subsidy for that State land? Should anyone be getting it at lower than market price? Should people, let's say, who intend to use it for agriculture be given some sort of a financial incentive to do agriculture?

Male: That's a tough one.

Male: Well, it's just like a dry season. If you had agricultural land and it was so dry nothing grew, why, if you couldn't have a little break on the cost, why, you'd be obliged to go into bankruptcy. You just wouldn't make it that year.

Male: How about giving price breaks to people who don't own land, based on a residency thing, people who've lived here longer should get a higher break on price--

Male: I'll take that one to task. I don't feel that it should be determined on who owns land because I worked in a lot of pieces of ground. I feel I should not be limited to participating in State programs that makes land available to anybody in the state.

Male: So even though someone, say, from Anchorage who owned some commercial property downtown and has got an income, say, a

Male: (continued) hotel on it or something, they should have as much right to any of these parcels of State land that we're talking about as the guy who's been here for twenty years and doesn't own a piece of property but is looking for a place to retire?

Male: Okay, that's one extreme, and the other extreme is a person that owns two acres of ground out in the middle of nowhere and wants another piece of ground somewhere else. That's the other extreme, and why should that person be precluded.

Male: Right, that's true. So you can't really differentiate between how much land and how wealthy a person is--it would have to be equal across the board--is what you're saying.

Male: That's not what I'm saying. It's how can you say that the person that owns the commercial property, and you say "if he owns other land." Now you're putting him in the same bracket as the person who owns one or two acres somewhere else. Now how are you going to differentiate if you're putting everybody in one class--they own other land--that's what it says right here--all right, you're covering a lot of ground and I think very unjustly.

Male: You think that there should be--or you're a cating classification?

Male: No, I--if you start classifying it, what are you going to do? You break it down if you own land worth $10,000, you can't participate? I guess it would be very unmanageable.

Male: Okay--so we shouldn't even consider that option?

Male: In my opinion--no.

Male: Okay.

Male: I'll go along with that.

Male: Do you think that any of these others are bad options? Do you think people with low incomes should be considered? Or people with farms? Or people who want to become--who want to start farming? Or people who are loggers, or people who are fishermen, or--should any special interest get less than the full price of the land?

Male: When you're saying full price, is this, like the lease program for the farm ground that the State is leasing--well, I think in one of the brochures I've looked at they say this ground is being leased at a very reasonable rate. Well, now, this is in the lease program. Now in the outright selling of the land,

Male: (continued) are you saying that this ground should be sold at less than the market price? And how are you going to do this? Is this going to be labeled "This is worth X amount of dollars, and you can buy it for this"? But if it goes to public auction, well----

Male: Well, that's what they're talking about. Perhaps a public auction isn't the best way to do it because, as you mentioned before and it's really true, that by putting it up for auction you're putting the State in the real estate business. And when it does go to auction, many times the price that's finally settled upon for that piece of land is higher than the assessed value, because I think they start off at assessed value and then work their way up. So this would have to be a new kind of a program that looks at the potential of the land--let's say, take farmers, for example--take a look at the land and decide that it's best for agricultural use, and, because you're not going to have it for subdivision, the assessed value would be much lower than market value, market price. And so yet you would be selling it for a use at a lower price.

Male: I think with an auction sale, the guy with the money and the one with the most backing or financing behind him would be the land owner where you and I probably wouldn't even be able to get in the bid. It's sure not--the State may make more money that way, but as far as the little guy wanting a chunk of ground, he might as well forget it.

Male: That's exactly the way it is. I've been to land auctions, and I've bid on acreages up to where I figured I'd let it go. Well, somebody with more money and more cash on hand, why, he just keeps on bidding and he gets it.

Male: Well, can anybody think of a more equitable system? Perhaps either through sale or through auction--I'm sorry--either through sale or through lease? Would there be a more equitable way that would sidestep the problem of the guy with the most money gets the best piece--to assure that little people, the little guy, gets a chunk of land? Can you think of any equitable method that perhaps we could relate to the State--get them thinking about it in other terms?

Male: That'd take a terrific amount of screening, wouldn't it? You gotta do some accounting and the whole cottonpickin' works and have to fill out a financial statement and--boy--I don't think any one is more entitled to it than one person than the other, really.

Male: Well, let's say, under lease option, it's almost like on a first

Male: (continued) come first served, then, which would then make it equitable for everybody. If it's on a sale thing, it may depend--I mean, under our present system--it may depend on who has the most bucks in their pocket.at the time.

Male: I don't think that's at all true. On a lease--you bid on how much you'll pay for a lease.

Male: Is that right?

Male: You don't bid on "I'm gonna pay $10,000 to have this lease." You bid on how much you'll pay annually for that lease.

Male: Okay, yeah, you're right--

Male: What I was thinking of was the homesite type of thing where you've got subdivided pieces of land--uh--and you apply for that piece, you know, for any one piece. Everyone, then, under that application, if you can afford the $10 application, is looked upon as equal, and when you have competition for the same piece under that system, they talk about first come first served basis. But, okay--

Male: They also talk about seniority--

Male: Yeah, exactly--

Male: Well, first come first served may be first in the state but not first in application. See?

Male: Yeah, first in the state as well as--no, okay, first in the state, that's right. So you don't think that anyone should get a price break? Does everybody feel that way?

Male: Well, I think it's unclear in my mind what you're asking. You say, "No one should get a price break." Say the ground is zoned agricultural--should this land be sold at less than fair market value? What is determining fair market value? Because if you took and subdivided that land, you'd be getting X amount of dollars from this, so by putting it in agricultural ground you are already lowering the price because you can't compete in the (indistinguishable) development area anyway, so then the free market value on what agricultural ground is worth, doesn't that automatically discount its value?

Male: I'm not sure I got that last part.

Male: Uh, okay. If you're zoning a piece of ground for X use, and this use is not the most valuable use of that land as far as what you could get in cash out of it, aren't you automatically devaluating the land in that respect rather than having to appraise a price on the ground for that use and then evaluating it again on a percentage basis?

Male: Yeah, I think you would be.

Male: So is that what you're asking in this question?

Male: I think in a way, yes. Because if you say, for example, if you check No. 1, farmers, that would, then, advocate that process which you just mentioned. That would tell the State farmers need land that they can't afford under the current land market values, so that would say to the State, "Find out where the agricultural land is, look at it in terms of agricultural values rather than subdivided value, and sell it or lease it to the farmer at that rate rather than at the accelerated rate for subdivisions.

Male: Well, is that how you interpret this question? Just--I want an opinion from someone else?

Male: Well, I think that's the angle--that you---at agriculture rate--uhh--that the farmers might be able to handle it, but as a subdivision, why, they couldn't. So they'd put near have to have some kind of a break.

Male: Right, okay. I think what this question is asking is a little confusing. Uh, you take the farmers, we just went through that, what it would mean if the State would have to do to put land into farmers' ownership. You take a look at the next one--"people with low incomes". What would the State have to do to put land into ownership of people with low incomes? First off, they'd have to have a screening process which would say, "If you make over $5,000 a year, you do not--you cannot--apply for this land." Then they would also have to find the land in an area where these people with low incomes--this is all hypothetical--but each of these options has inherent in it something that the State would have to do to favor that group. The agricultural land--it means not subdividing it, and selling it at agricultural rights--keeping the rights inherent in that land. People with low incomes, it would have to be a somewhat different process, just as with loggers, anything else. Each would tell the State--let's say everybody who came out to the Public Forum felt that people who've lived here in Alaska a long time should get land cheaper than people who had been here less than three years or something like that. That would mean that they would have to revise the constitution to some extent to get around the constitutional problem of everybody is equal under the eyes of the law. Then they would have to make available some land, probably near a community, let's say, that low income people alone could file for it and live on. And it would have to be at a decelerated rate. So what this question is asking is do you think that the State should pursue any program that would allow any of these groups of people here to get land lower in price than what you and I would pay for it.

Male: Personally, I don't think so. No matter--you go through all those and somehow or other you're going to be showing partiality. You went out here and made something of yourself, you've got yourself a pretty good little income coming in--$6,000--low income is classed as five--you can't buy a chunk at the reduced price. Uh--no matter which way you look through here, if there's any differential in the price, you're gonna be showing some partiality somewhere. Just 'cause some guy's a bum and maybe boozin' down here in the corner bar and he don't have a dime to his name--he can go out and buy a chunk and I can't. It don't make sense. If he does buy a chunk, he pays a lot less price than I do, so it's gonna be awful hard to go through that without showing partiality one way or another.

Male: Okay, although we did-----go ahead.

Male: You said that--your final statement in that was "than you and I can pay for it." Again, that confuses the issue. If you're going to designate ground for farming, then what I should be able to pay for that ground for farming--but by designating as farming ground, the price will be less. And I do favor that policy.

Male: Okay. I was just going to say it seems as if what we're saying here is that if you put a specific use on that land, either mining, or lumber or agriculture, then, yes--keep the integrity of the land, keep it classified and use it for that, and let the person lease it or buy it at a reduced rate--reduced meaning lower than subdivision cost.

Male: Fair market value for that use.

Male: Right, okay, fair market value for that use--that's a good way of saying it.

Male: Right, I'll go along with you.

Male: And what you were saying was that other than those specified uses, people should not be chosen on the basis of their longevity of residency or on their income or on their color or creed or anything else?

Male: Right--it's all equal as persons.

Male: The program now that--where limited entry's evolved to--now that ground there on these lots has been proposed on preferential rights--people over twenty years--and they have a different formula for them obtaining ground. I don't disagree with this policy. I find this policy, on that tract level--you're talking five to ten to twenty acres--on that level I find that applicable, but on that level competing for farm ground, where you're talking

Male: (continued) about many thousands of acres, then I see it's not applicable. So--I--a general policy there, I think it has to be broken down a little bit on what the ground is going to be used for, and what programs you're involving. I have a lot of empathy for the program on the selections right now as far as the open entry or the State homesteads. Now, I do think there should be a greater opportunity, though, for the ground to be selected by the people participating in it. You were saying, "This is the ground, these are the lots." Fine, but before this ground is selected and these lots are subdivided, I think there should be a more equitable and an avenue for people who are interested in this area to participate in how this ground should be split up and where these lots should be. I can think of many areas where I personally participate, and I've also seen ground split up by bureaucracies that, after they've split it up, the ground is virtually useless for the intentions of the people participating.

Male: That's a really good point. It brings to mind a program that's going on in Southeast Alaska and a little bit in Southcentral but not very much with the National Forest people--the Chugach and the Tongass National Forests surround a lot of communities in Southeast. And under the Statehood Act those communities are due X amount of land for community expansion. The program that the Department of Natural Resources is doing, which sounds a lot like what you're advocating, is having a team of people that work for the Department of Natural Resources go into each community and ask the community people where are the lands around your community that you would like to use. You know, they've got maps of the whole area. They've got outlines of where the State lands, or where the boundaries are, and so forth. They ask the people, "What do you want to use the land for, and where do you want the land to be?"--and then take that back and they work with the National Forest people to work out some sort of a deal so that the people actually do have some input into that use--

Male: To take that one step further, you're asking for a group to say to the State, "This is how we want to use this land." I also think that there should be--if you want to put it on a form where you draw a map and say, "This chunk of land right here." It's a specific chunk of land--I would be interested in if this could come up under your homestead selection and when you're surveying this out that there could be a consideration that this piece be laid out in such a manner. And if enough people made their applications prior to the survey, the surveyors, or whoever's chopping up the ground, will have the input of the people. And

Male: (continued) obviously there's going to be some controversy and some people that won't be satisfied. I think the end product could work out to be more satisfactory, and there might be areas chosen one or two plots two miles away from another plot, so you're not looking at strictly people having to move into 5-acre subdivisions rather than 5-acre lots spread out a little bit on the State ground. And this could also be worked into your access problem and everything else. If a plot here two miles away from another plot--if there's going to be access there and to lots in the future, they're going to be filled in, they still have the option of providing access to areas around or through that ground.

Male: Okay, that's good--that's a good suggestion.

Male: I'd like to ask a question. Did any of you attend that land use thing that happened here not too long ago--that town meeting thing?

Male: I attended it.

Male: Okay, would you mind running over for me what was discussed at that and what some of the suggestions were out of that? Does that relate at all to what we're talking about today?

Male: Well, the town meeting--it covered--

Female: Didn't it have more to do with community and political organizations, I think?

Male: Are you talking about the town meeting or are you talking about the Forest Service thing---which one?

Male: Okay---I guess I'm talking about the Forest Service--yeah.

Male: The town meeting wasn't too much about the land--

Male: Okay, the Wrangell Mountains study was--they came through last month.

Male: There was a meeting at (indistinguishable) and a meeting at King Lake and there was a meeting at Klaune (??). I didn't go to any of the meetings--generally, they're--land use auctions is what they wanted to get a consensus on, and to see if there was any changes from last year's input on the study.

Male: Okay--and that was--?

Male: I don't think there was anything too specific on the study--

Male: Who was it that conducted those? Not the person, perhaps, but the agency.

Male: It's the Forest Service man out of Anchorage--

Male: They were tied in with the university some way--

Male: Yeah, they contracted with the university to do the coordinating and writing of the--

Male: Does anybody else have any comments or questions that we could throw around?

Male: Yeah--I think a number of ten percent was brought up of what the State should reserve. I don't agree with that number just as 10%. I think if the State has excellent ground in an area, and they're going to be disbursing it over a number of years, a percentage of the ground should be let out at each disbursal--that percentage could be made available. And in doing it in this manner, that would automatically reserve the balance for in the future, and this would, I think, enable a reasonable development of the ground in the area, knowing that so much ground would be available. And this would make an automatic percentage reserve left, and whatever is left--if that's the first offerings, they offer--this would be a maximum amount they could offer rather than a mandate of how much they shall offer.

Male: So that if they had a thousand-acre tract, you would advocate perhaps letting go of a third of that this year, wait a few years and decide what to do with another third of that at that time?

Male: Um,hmm--a third I think is--if you're talking about a thousand-acre tract in an area, fine--but if you're talking about all the State lands in a region, a third is too great--

Male: Too great--okay--yeah.

Female: When you're talking about this thousand-acre tract or something like that, would that be just let out for use as homesites or agriculture, or does that include the land that would go into the park system or--

Male: Well, the thousand acre figure is just hypothetical, of course, and I'm using that because that's the one area that they do have a tangible plan for up in the Delta area. It's just a small self-contained, all-in-one-piece thousand acres they have identified for residential use. That doesn't, then mean that if in this area that the total number of acres that's in State ownership were to be broken up and sold or leased, that-there's a good chance that some of it would end up with a certain classification like agriculture or that--you know--there would be a lot of different things that could happen with that. It wouldn't all be one thing or the other.

Female: Okay--how about--like we were talking about putting lands in trust and letting so much go every five years or something. Those lands

Female: (continued) that are in trust--would that include the parks, State parks, and--

Male: I would assume so--I could be wrong in that--I would assume that would be right. But that would mean that every time a meeting came up to decide what to do with that, it would have to be decided at that time how much you wanted to save for a park or something. Or they would have to do it differently and identify from the very beginning what of the total amount of State land there is, what part--identifying what parts would be saved ultimately for parks.

Male: What I think is that they need to do is to do regional planning throughout the state. Take a region like the Copper River Basin as one unit and see what they have in all types of land uses and do an investigation on the type of lands that are available--agriculture, residential, you know--start doing regional planning is what you have to do where the--like the State does now is go out and sell some property out in Glennallen because we don't want it and just go do it.

Male: --and they don't have any involvement with the region.

Male: They might sell out a whole bunch of good farmlands for commercial, and then when they do need farmlands then they won't have them.

Male: Yeah--and I think the university has the capability of doing that--at least doing an initial study on the types of soil and capabilities of the land on a regional basis.

Male: And, also, in doing this it would be very beneficial to the people and the native organizations to participate in this so that everybody's heading in the same direction.

Male: Yeah--I'm not sure that this effort isn't being done at this time. I was talking with John Dolnak(?), and he said that they are doing that for this region. I'm not sure that the State hasn't also done similar programs--classifying programs--for this area. But I'm not an expert on it, so I don't really know what they've done, or if they've done, but I will check on that. -- Do you think that if the State adopted your suggestion that they come out here and spend, oh, let's say, a week traveling throughout the area, having meetings like this to get the people to come out and identify the area that they think would be good for residential, the areas that would be good for agriculture, do you think that that would be productive for this community? Do you think people would respond to that? What I'm getting at is that a lot of towns are getting really burned out on public meetings. They just see meetings and meetings without any results. So I'm wondering--do you think that public meeting kind of a concept would work if you're asking people to make a decision on the lands around the community?

Male: I think that goes with good planning. Whatever the ground is best--or the property is best suited for, that's what it should be used for. And incidentally, your Soil Conservation Service, which is part of the U.S. Department of Agriculture, has soil samples and things of this nature over just darn near all of this area. They can take a look at an area for us and tell you which is suitable for agriculture and which is not, which is sitting on real bum permafrost, which is gravel bars and like that--and they can tell you things like that. And they can probably even make recommendations, but I don't know--and I'm sure they'd be glad to do it.

Male: I think a better--if the State is going to have a sale in that area with the regional planning in mind and have more opportunity for individual public input rather than meeting public input. I think they would probably get a feeling of people who want to be participating in the activity rather than just trying to get a consensus of a group of people sitting in a room.

Male: How would you define individual as opposed to a meeting? Having someone like myself just spend two or three weeks in the area just meeting people in the store or post office and in the lodge, at the school, just talking to people on a one-to-one basis?

Male: I would think--well, that might be productive, but that wasn't what I had in mind. If you're going to sell a thousand acres in this area, make it known to the people that the State is intending to sell a thousand acres in the area--and what ground, with the zoning that you people have decided, should be available? And, also, just because you've decided the ground should be used in that manner, the State bureaucracy--that that should not be final--that there should be a time to challenge that before the ground is actually marketed.

Male: An advertisement of some sort in the paper and also, maybe, set up an office out here where we--where people could plan to participate--look at the map--

Male: So first, maybe even before the advertisement, just say there's a need for selling a thousand acres in the valley and you want people's input on where a thousand should be sold.

Male: So first you want them to announce that they're thinking about selling or leasing or whatever X amount of land. They come out here and spend the better part of a week, let's say, finding out what--where the land should come from and what its use should be--taking that back, deciding how much acreage is going to be sold and where and for what use--coming back to the

Male: (continued) community for another week with their amended plan---

Male: Sounds like it would be a good idea--

Male: When you get done with the final product, you have about two or three meetings and finalize it.

Male: Yeah, by that time everybody in the community would have heard about it and be pretty familiar with the uses, the sizes-- okay, well, that's good. Thank you very much.

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Governor Jay Hammond:

It is a great pleasure to be back in Dillingham after too long an absence. I'd like to say to anybody that I may have passed on the street or in the halls and appeared to have failed to recognize that I am not, as some might presume, afflicted with that political shortcoming--an inability to remember names at all. I never forget names. I do have some other problems, and that was brought home to me here awhile back when a fellow got off the plane at King Salmon and said, "Hi, Jay, how are you?" And he noticed my blank look of non-recognition, he says, "You forgot my name, didn't you?" I said, "The heck I did; I just can't place your face." So he went off mumbling to himself.

But I do appreciate the opportunity to kick off the public forum. I regret that I was not here last year when the public forum appeared in town. I have great confidence in the public forum as a means of providing a two-way communications channel between the people and their government. It's an idea I had, actually, long before I assumed this office, and I determined that, if I were in the position to do so, would create some sort of an improved communications process that, with the departure of the old practice of those of us in government too often telling the people what's best for them rather than asking to find out what their needs and desires really were. Now I know that to some that suggests a lack of direction--perhaps indecision, and so forth--but I think it's evident, with all the monumental issues confronting us these days, complex and traumatic to the degree they are, it obligates that unless the public knows what's fully going on and those of us in public office as your hired hands, so to speak, communicate with you and we work together toward common objectives, we'll find that one group or another may end up on the outside with their nose pressed to the glass while some people end up with great benefits and others find themselves short changed.

I might, as a brief departure before getting into the public forum, respond to something Freeman had asked me. He said, "You've got a lot of people guessing as to what your political plans are." And I was about to tell him that I had been approached by somebody from the press the other day who asked me if I planned to run again, and I told him it depended upon the state of my health, family circumstances, and the availability of acceptable alternative candidates. He said, "Do you have any health problems?" I said, "No, but after four years of this business I may not be fit to be anything but governor." I don't know. To bring that even more dramatically home to roost, a fellow from Togiak I ran into in town here some months

10-25-77

ago came up to me and he says, "You've got old!" And I said, "If you think it's bad from the outside looking in, you ought to see it from the inside looking out." It really is an interesting and provocative job, and it's certainly a privilege to have been the governor of this state for the past three years; and I frankly find that the public forum process is one of the things that add to the stimulation and privilege of being governor. I frankly have been heartened by what I think is a common segment of goals--or a common listing of goals--that seems to prevail throughout Alaska no matter where one goes. You hear a lot of talk from extremist factions, a lot of charges of preservationists or ulter-developers, etc., but I find that Alaskans in general have essentially the same common objectives. I'm very much heartened by that.

I think we all agree and are willing to play our role as a national energy provider, and I think we all wish to utilize and develop our natural resources, but to do so in such a way as to retain those qualities of life that make Alaska, to most of us, the only place on earth we'd care to live.

The public forum last year provided us with a number of interesting bits and pieces of information. I suspect that somebody else will go into them in more detail. We asked questions as to what the public wished to do with their oil wealth, how they thought those monies should be expended, whether they believed that more should go into a permanent fund--and incidentally, the permanent fund was another long term goal of mine that I am pleased is now in the pattern, which will provide a sort of savings account to assure that we leave some legacy of that oil wealth to our children. The earnings from that fund should be what is used to provide for ongoing day-by-day government expenses instead of what we have done in past years--and that is to become dangerously dependent upon one time capital--what I call nest egg--oil wealth dollars. In other words, in the past every time we needed another five hundred bodies on the state payroll or another expansion of state services, we'd sell a lease in the Lower Cook Inlet or somewhere else and use those monies to expand state government. And that's a very dangerous practice. It's rather like an individual who might receive an inheritance from his great aunt of say $50,000, and while it's appropriate to use those monies to fix the roof of his house or to repair the driveway or do something of that nature, to expand and double the size of his house to the extent that he could no longer pay for the household expenses of heat and light, etc., from his ongoing income but must dip ever deeper into the remnants of that inheritance to pay those costs, evidence what will happen when you run out of that inheritance and you don't have incoming revenues to provide for those types of governmental expenses.

The State of Alaska, much to my dismay, quite frankly, had gotten itself into a position where we were paying our day-by-day expenses from lease monies, royalty monies, one-time-only dollars, to the extent that 61% of our day-by-day costs were being paid for by that source. We had locked onto taxes that were set back in the 1960's, and instead of going to the people and saying, "Do you want these programs badly enough to permit us to extract some tax monies to pay for them," we simply fed in painlessly this lease money, royalty monies--that's where your $900 million went. To give you some dramatic examples of what happened, in 1969 we took in through gas taxes, gasoline taxes, highway taxes, enough money to more than maintain our highways to the extent that they were maintained then, and actually were $600,000 in the black that year. We are now $37 million a year in the red in exceeding what we take in from highway taxes with the amount of money we expend for highway maintenance--day-to-day ongoing yearly maintenance costs that should be paid for with ongoing income. Similarly, the ferry system was subsidized to the tune of something like I think $500 thousand in 1965--I can't remember the figures exactly. We are now subsidizing that $18 million a year. Air fields are being subsidized $23 million a year. We are spending so much more money in per capita services than we are taking in in per capita income, unless we do something about it we are going to find the roof will fall in on our kids, if not ourselves, in the near future.

Now, when I first uncovered these data, I frankly hoped somebody would point out where I was wrong--say "You're all wet, you've overlooked this, and this is something you haven't taken into consideration." Instead, I have not found anybody that's looked at all that data that doesn't say, "You're exactly right. Something has to be done about it."

What can you do about it? The first thing we've done about it is create that permanent fund, which removes at least a portion of those royalty bonus lease purchase monies from the capability of those of us in public office to simply feed them painlessly into government expansion. The public forum last year evidenced that the public, which I think many times more quickly grasp some of these things than do those of us in public office--the public was determined that even a greater amount than the 25% constitutionally obligated lease monies and royalty monies go into the permanent fund. They felt that those monies, the earnings from our non-renewable resources, should go into enhancing and rehabilitating our renewable resources--fisheries and agriculture. Accordingly, we have expanded substantially programs involving agricultural or fisheries rehabilitation and enhancement.

Similarly, they felt that education was perhaps the primary public service to be rendered by the State. Certainly it's a constitutionally

mandated obligation of the State. We are intent upon trying to meet that obligation. Right now we're not doing it in an equitable manner at all. We are totally out of conformity with the constitutional obligation that says you shall fund education on par for all throughout the state. We provide some with education at an entirely different level and cost than we do others. We are trying to remedy that by expanding the so-called foundation program and by providing a more precise definition of what constitutes basic needs.

But all of these things were issues addressed by the public forum in which the public spoke out loudly and clearly. One of the questions I had asked informally at the public forums was simply this: how many in the room felt that we should expand state government by feeding in one more dollar of that finite--what I call nest egg--wealth. And almost unanimously everyone would say, "No." They didn't want government funded from that source. When they found that we were currently obligated to put some $500 million a year of such capital wealth into funding current state government costs, they were aghast. The only way that we can back off from plowing that sort of money, which is what I term our children's legacy, into funding government is to supplant it with earnings, perchance from a permanent fund investment or from appropriate taxes. Last year I tried to dramatize the point that we were certainly willing to provide services, but I was not going to increase that 61% dependency on inappropriate monies but would ask that, if somebody aspired to have new services provided, that we be provided as well with new recurrent income-engendering devices, be they taxes or more money into the permanent fund earning income.

Of course, that pronouncement to the legislature was like handing them a gun pointed at my head, because all that would have to happen was to expand the programs without providing the new revenues; and that, of course, is what happened, and in the wake of that, I was obligated to contain that 61% and keep it from increasing. I was obligated to veto something like $30 million from the budget, which certainly is most unpleasant and an action which I'm sure affronted everybody in this room to some degree or other. So--my point being simply this: we can't have it both ways. If the public does not want to put more of that nest egg lease wealth into expanding government, we must then provide other revenues, or either cut the cost of per capita government--per capita cost of government--to the point that we can meet it with those recurrent revenues. We are a long way from that point

answers that some will. For example, if you ask somebody if you favor an increase in taxes, naturally they'll say "no." But if you ask somebody if they prefer to have services reduced as an alternative that throws a different kicker into the equasion. I can give you a prime example of how, without all the data at your command, it's easy without full information to make assumptions and pronouncements. I am going to depart a little bit from the public forum because it's the first chance I've had to convey to you in Dillingham something that we've seen in the way of data regarding an issue which I know was most controversial here in Bristol Bay. Let me ask you if--I'm sure--if you were to be asked offhand if you favored say a limited entry program for fisheries that would increase revenues to the State, that would reduce the amount of gear in the water to a manageable level, that would assure appropriate and adequate escapement, that virtually doubled the collective percentage take of the fishery by resident Alaskan fishermen and was totally legal, and did not require the type of limited entry program we now have structured in the statute, I suspect that most people would say, "Hey, that sounds great!" But, believe it or not, you had it. You actually had a program that did all those things--increased the revenues to the State, cut the gear in the water by 60%, increased the resident percentage of the pay day collectively from 43% to 75%, was totally legal, and treated everybody exactly the same, and it was rejected. It was rejected because of certain elements that were more immediately apparent that the people found repugnant. I'm talking about the sliding gear scale in pooling, which was a peculiar and difficult thing for people to understand. I'm not suggesting that was a good thing or bad thing. I'm simply saying there was much confusion in the public mind, and it's unfortunate that the whole issue could not have been explored,, laid out, so that people could really determine what was in their long term best interest. All of these questions have two sides to them, and one of the most interesting things I think you'll find is that when you plow into them, that what may appear black and white initially ends up as a rather unusual shade of gray. And, if we can focus in and distill those shades of gray down to some meaningful end product, there then can be a directive from you to those of us in public office as to what sort of legislation or administrative approach truly meets what you conclude to be the broad public interest, and that's what we want to find out, and that's wherein I see the public forum as providing a monumental benefit to Alaskans. I'm hopeful, frankly, that whether I'm in office any time in the future or not, that we will have conditioned in the wake of the public forum efforts of this administration--we will have conditioned the public to demand the sort of input that the public forum can provide.

But the public forum will succeed or flounder only if you see at the end of the line some meaningful hard decision or end product that

causes you to conclude that somebody out there is listening. Thank you very much.

Thank you, Governor. I'd like to take this opportunity to introduce the City people that I see here present. Mr. Dave Carlson, one of our City Councilmen, sitting here. I see Mr. Jim Bingman, another of our Councilmen. I see a third one that we have here. He's a Councilman tonight, but there's an election tomorrow, so we don't know whether he's going to be a Councilman tomorrow, but that's Duane Bell standing over in the corner. Our City Manager, Mr. Gordon Ryan. I see Mr. Harvey Samuelson sitting up there who is President of the Bristol Bay Native Corporation. And I'd like to introduce to you Miss Nancy Blunck, who is going to be the moderator for the public forum. Nancy.

Nancy Blunck: Can you all hear me? It's a little bit high here. My name is Nancy Blunck. I'm from Anchorage. This is my first time in Dillingham, though I've spent quite a bit of time in the bush, most of that in the Yukon/Kuskokwim area, and though it was raining when I came in this afternoon, it's really a pretty place with all the trees turning fall colors. And I'm really glad to be here tonight.

I'd like to introduce a couple of people. Bill Luria is one of our resource people here tonight. If you'd just raise your hand. These are some of the people that can answer questions that you've got. Sue Green, over in the black and white striped shirt by the wall over here. There are two resource people here tonight from Fish and Game who can answer some questions, perhaps on the management and the way Fish and Game operates. And Adelaide Herman is over here. She's working on the Interim Legislative Committee on Subsistence, and when we get into discussing the issue of subsistence, she'll have a report to give on what that Committee has heard so far in the meetings that they've been holding statewide on subsistence.

I'd like to just tell you how we're planning to structure the evening tonight. As the people were coming in I heard comments like, "Ah-oh! it looks like school," and things like that. People sitting around tables and small group discussions. The reason we decided to do that is that if only one person speaks at a time then that means--we counted--there's about 104 people here tonight--and if one person talks, 103 other people have to sit and wait their turn. And so the reason for the small groups is one person can talk and only seven others have to wait their turn.

There's two main issues that we're going to discuss tonight. The permanent fund is the first one, and subsistence is the second one. And what I'd like to do is spend about an hour and fifteen minutes on each issue, and we'll begin by giving a brief presentation. You can kind of read over there on the easel. I'll be very brief--about ten minutes. There will be a chance for you to ask questions about the permanent fund, and then we'll spend about a half an hour in discussions at the small group tables.

There's a questionnaire in that tabloid that Freeman is holding up. Each one of you has a copy of that in that yellow packet in front of you, and if anyone sitting over on the bleachers wants to get copies of them, we've got them. I'm just not sure where they are. I think they're on the table over here--yeah. There's a questionnaire on the back page of that tabloid, and it's something for each individual to fill out. The questions that the small groups will be discussing are going to be a bit different than the questions that are in the tabloid. We'd prefer if you'd fill that questionnaire out tonight and hand it in to us, but if you want to take it home, it is postmarked so that you can fill it out and send it in and we'll get it in our office.

The last part of the discussion on the permanent fund will be a chance for each of the small groups at the tables to report back to the large group what that table discussed in answering the questions, and weestimate that will take about twenty minutes.

Are there any questions on how we're planning to spend the next three hours? Okay, then I'll just go ahead and start with the presentation on the permanent fund. If I step away from the mike, will it still pick up what I'm saying? (certain indistinguishable comments about operating the equipment)

In the last statewide election where you elected your legislators last year, there was an issue on the ballot relating to the permanent fund. It was an amendment to revise the constitution of the State of Alaska, and it passed 9 to 1. It's really not very often that there is an amendment to revise the constitution, so that doesn't happen very often. But the other thing that was sort of amazing was how largely the amendment passed. The thing probably that we can draw from that is that whatever it was people were voting for--like I might have been thinking one thing when I voted for the permanent fund, and you might have been thinking another thing. But, whatever it was, it was really clear the people of Alaska wanted it. And so, what I'd like to do to kind of explain this whole process is over here on this big long sheet against the wall--back here when we voted on this in November, the legislature then in the first part of 1977

session had before them the problem--at least the beginning of the problem--of writing the legislation for the permanent fund. And the main things that they were trying to decide is--was called the investment strategy, that is, where to invest the money from the permanent fund, the size of the fund--how large should it be? The law as it's written now says that at least 25% of certain monies goes into the fund, but it's written so that you could include anywhere from 25% to 100%. And the last thing the legislature has to decide is who's going to manage the whole thing. When the legislature gets together this January 15, that's when the decisions are going to be made. They are going to be weighing all of the bills, and they're going to be making a decision on it. The main players in this whole thing are the Governor and the administration as one, the House Committee on the Permanent Fund is another, and the Senate Committee on the Permanent Fund is another. In terms of the--in other words, the Governor and the administration submitted two bills last legislature that are already in existence about the permanent fund, the House Committee will be submitting one, the Senate Committee will be submitting one, and, as you all know, those will not be the four final bills. I'm sure there will be many other bills submitted and discussed. But the decision will be made this legislative session.

Kind of where we are tonight--and what we're going to spend time on tonight--is right here: helping to find solutions to these questions and beginning to evaluate these solutions. The only two bills that we've got to discuss tonight are the two that were submitted by the Governor and the administration. For purposes of discussion tonight, they're called House Bill 298 and 300. They are fairly similar; there's not a lot of big differences, and we're going to tell you a little bit about those bills as well as we're going to tell you what we heard people saying at the public forum last year statewide and what we heard people saying in Dillingham about the permanent fund.

Are there any questions on this right now? Feel free to ask questions throughout this whole thing. The information can be confusing, and any time anyone's got a question, just raise your hand and we'll answer it. No questions right now, huh? Okay.

There's five really important things to remember, and they're just keys. I think if you'll look on Page 6 of your tabloid in the bottom lefthand corner in bold print are these five keys, and so you can refer to them during your discussion, or you can refer to the graphic on the wall.

The first thing is that at least 25% of certain oil and gas monies goes into the permanent fund. That can change and can be anywhere

between 25% and 100%.

The second thing to remember is that only certain monies--certain mineral monies--go into it. Not all of the monies are eligible for going into the permanent fund. I think royalties is in there--I don't have mine in front of me--bonuses and royalties are--

(inserted correction from male "leases, bonuses--")

leases, bonuses and royalties are the key ones that might speak to people--

(inserted comment from male "no severance taxes")

no severance taxes.

The third item that's important to remember is that the principal can be invested but you can't spend it. You can't give it away; it has to be invested, and it has to make money.

And then the last thing is that the interest that the State makes off of the principal goes into the general fund and that can be spent. And over here are some examples of what I just said. For instance, if the State put $250 million into a savings account, that's called the principal, and that's the part that can be invested. If it makes 7% interest in one year, it would make $17.5 million; over five years it would make $87.5 million. This cannot be spent; that has to be invested, and it has to make money. The interest that comes off of the investment we can spend.

And here's another example. For instance, if the permanent fund made a loan to a community for a dock, and it was a $100,000 loan and it was at 6% interest, the earnings for one year would be $6,000. The $100,000 could not be spent; the $6,000 could be spent.

Those are two different examples that say what you can spend and what you can't spend. Any questions?

Question: (female) $250 million is for one year? That's what you're expecting--or what is expected in that permanent fund?

Nancy Blunck: The amount that we expect in the next seven years is about $1.3 billion.

Question: (female) Okay. If we can't spend that principal, what happens to that-like billion dollars. I hear that Texas has a problem with having too--such a big surplus--supposed to be a billion dollar surplus--you know, how come, and why is that a problem, and what are we going to do with our billion dollars?

Nancy Blunck: In answer to the question, "What are you going to do with the billion dollars?"--is the billion dollars would be invested. One of the things we're going to do tonight is discuss the ways in which it could be invested.

Comment: (female) I know but--with that principal--what I'm sort of thinking of--I just came back from a meeting where we were talking about facilities--like Dillingham wants a building to put in a theater and put in classroom space for a university and a whole pile of stuff. We're looking toward a bond issue, but there's a question why we can't get money from permanent fund for something like that, which would be permanent, it's for people, it will always be there for people, and couldn't--you know--in something like that--what's going to be done with a billion dollars sitting only making money, and it's going to be more than a billion. I don't know what the--

Nancy Blunck: The example you gave of a community facility is possible under the permanent fund on a loan basis to a community. In other words, Dillingham, or any community, could apply for a loan at an interest rate. The money would have to be repaid back with interest, but loans for community facilities and community development is one of the possible investments. Does that answer the question, Dorothy?

Dorothy: Sort of. I still don't--that could be--oh, I don't know how many billion dollars plus the interest which will be used, but it---

Nancy Blunck: It keeps sitting there making money. The interest that we make off of it can be spent directly.

Gov. Hammond: Could I comment on that, Dorothy? It should be pointed out that this--the billion and a half you talked about respectively is only one quarter. You're gonna have $4.5 billion over here that could be used for the sorts of capital improvements you're talking about that will have no permanent fund lock on them. But you mentioned about if we're going to have oil flowing for twenty years, aren't we going to have such a tremendous revenue locked up that should otherwise and could otherwise be working? Let me tell you a little frightening statistic that we have plotted out that shows that the annual average increase in government growth since statehood was 22% per year, and if that continued until 1985, it means that come 1985 we'll have approximately one billion less coming in from our revenues from oil and all sources than the size of state government, if we don't do something to curb that. So the presumption that we're going to be up to our hips in oil wealth is really not only premature but perhaps not as assured as some would think. I find this everywhere I go. I go back to Washington. Everybody thinks the State of Alaska is filthy rich. You don't need any help--you've got all the monies in the world. Again, another little frightening statistic you should be aware of is that we are currently obliged, and have been for the past

two years, to borrow $200 million a year on future revenues, so unless we do something, that's the sort of thing that leads to these $30 million worth of vetoes and some of these things that I don't like having to be the bad guy and talk about, but that are so necessary for the public to understand or we are not going to have that tremendous windfall. We've got to, I think, appropriately put something aside for a permanent fund and also at the same time curb this constant expansion of government. But to do it, somebody's gotta say no for me. But you do have three-quarters of those monies that will not be locked up that could be used for the sorts of things Dorothy's talking about.

Question: (female) Well, for instance, the $87.5 million that's the interest there, what is the guidelines for spending that? How is that going to be spent?

Nancy Brunck: As the law is written now, it goes into the general fund, and the general fund is--that's where the State gets its money to operate. In other words, the guidelines on it are the same as the legislative money that gets spent every year.

Question: (female) This is only for the support of government, then? It does not go into the state communities or cities or things like that?

Gov. Hammond: Well, we're very-----that is, of course--revenue sharing going to communities is a government expense, now totalling what--(Sue, can you tell me?)--nine, twelve, fifteen million a year

Sue Green: Closer to fifteen, but I don't recall.

Gov. Hammond: Same thing for education purposes. We're at $452 million, I think, education purposes. That's government, but it's monies that are sent out to the municipalities and school districts.

Nancy Brunck: Did that answer the question? Okay.

Gov. Hammond: Government isn't all bad.

Nancy Brunck: Yes (acknowledging a question).

Question: (male) Are there any provisions to protect our principal against annual inflation? (rest is indistinguishable)

Gov. Hammond: Well, that, of course, is a very serious consideration and it's one that's hopefully addressed in the manner in which you invest it--to hopefully accrue revenues that reflect an inflationary increase because you're right--if you keep just that amount in ten years from now dollars it will be worth --what?-- 50% of what it is now in buying power at the rate of current inflation. So that's a very real concern. That's one of the issues that the permanent fund investment council--and one of the reasons why they're asking the public how and what you want done with those monies.

Nancy Brunck: Yes (acknowledging a question).

Question: (male) Is there now a provision, Governor, to maintain a certain amount off of the interest to assure that the principal maintains its current value?

Gov. Hammond: I think that idea has been proposed, and it may well be structured into the final legislation. This is one of the arguments--that very inflationary thing--we know that the price of oil theoretically will increase with inflation. Then the question becomes: are we better off then leaving those revenues, that capital wealth, in the ground where it's reflecting an inflationary increase, or are we better off translating it into dollars now which are going to erode under inflation. That's one of the reasons why, frankly, I am not of the opinion that we should garbage out all of our leases right now and get it all translated into dollars because of that. But then somebody comes along--like a Milton Friedman--who tells you that his prediction is that the OPEC nations are going to come unspooled and the price of oil may cut in half. So, you know, these are the inponderables that we're dealing with that are really interesting, to say the least.

Nancy Brunck: Are there other questions? Here's the result of the Dillingham discussions on the permanent fund from last year. It's really interesting at the first annual Alaska Public Forum meeting there were about twenty or twenty-five people here, and those people were in two different groups. The first group in terms of their priority for investing the permanent fund was to save it, and the second priority--it kind of went hand in hand--loans to communities for the kind of thing Dorothy was talking about and loans for renewable resource industries. They went together. Those of you who are here tonight who were there last year might remember this.

The second group, they had the same priorities but they just reversed them. The first one was loans for renewable resource industries, the second one was saving, and the third one was a very interesting comment to me--that they wanted--no matter what it was--they wanted strict guidelines so the politicians didn't get carried away with this.

I'm going to flip this chart, but during the discussion, if you want to refer back to it, just let me know and we'll tape it on the wall. These are very similar to what people said statewide. In fact, what people said statewide was--what we heard people saying--was the exact thing we heard people saying here in Dillingham last year.

These are the statewide results from the public forum. The first one, the most important thing statewide including the urban areas, was loans for developing the renewable resource industries.

Second of importance was saving it.

Third in importance was loans for community development, and the least important were loans for other kinds of industrial development.

What I'm going to do is I'm going to go through each of these four categories, and I'm going to tell you more specifically what it was we heard people saying about each of these categories last year. Because I didn't want to write so small it's on different pages, but if you want to refer back to any of them, just let me know.

In terms of renewable resources, which was the most important, we heard people saying the four traditional kinds of industries: fisheries, timber, agriculture and subsistence-related activities. Fisheries were really important here in the Bristol Bay area and Southeastern, in Kodiak, in the north, and in the Yukon/Kuskokwim area.

Timber was important in Southeast.

Agriculture was important in the Mat Valley and the Copper River Valley and a little bit in the interior.

Subsistence-related activities, like reindeer herding--we heard that being spoken of in the north in the Kotzebue area. In Anchorage and some of the urban areas, people also mentioned tourism as a renewable resource and developing alternative energy sources as renewable resources, but they were not heard as often as these other top four right here.

The second thing that people were very concerned with was saving the money, and the two things we heard were they wanted it made in safe investments and they wanted some kind of steady return on the money.

Actually on the questionnaire last year, the five categories were renewable resources, save it, loans to individuals, loans to communities, and other industrial development. As people discussed this in small groups, they combined two of those things. They combined loans for individuals, and they combined that with loans for communities. And so what we did this year in telling you what people said last year was we put that all under one category and we called it community development, and it includes loans for community facilities like fire halls or community halls, loans for utilities in small communities--electricity, sewer, and water are some examples that people gave--personal loans for housing, and personal loans for

small businesses. And the one thing that was very clear was the desire for loans for communities held true throughout Alaska regardless of the size of the community. People in Anchorage and the larger cities spoke of it, and people in places where there were about 100 in villages also spoke of it.

The last category that was the least favored by people was other industrial development, and that meaning any other form of economic development besides renewable resources. And that did rank low.

This is--I want to describe to you the two bills that were introduced in the legislature last year, and I want to tell you what it is they're proposing the investments be. And I want to also say the public forum tonight is not trying to tell you these are the best bills. That's not what we're saying at all. It's the only bills that are available for you to look at right now, and we want you to know what's beginning to happen with the bills so that whenever you hear "permanent fund" you perk up your ears and you say, "Is it going the way we want it to be going?" And if it is, let your legislator know and your governor know. And if it's not, let your legislator know and let the Governor know. Because the decisions will be made this January, and though these aren't the final bills, these are the first two that have come out, and future ones may be close to it or may be very different.

The one thing about House Bills 298 and 300--the most important thing that that bill expresses is saving it, and that part is matching what we heard people saying last year. The way the bill's written is it says at least 40% of the money will be invested to save it, which means somewhere between 40% and 100% of the permanent fund could be invested in this category. And the kinds of things it means are investment grade securities, and those, I think, would mean a steady return and a safe investment.

The other two categories that these bills have--they're both listed as No. 2 here. That's because they're both treated the same way. Somewhere between 0 and 30% of the money could go into economic development, and somewhere between 0 and 30% of the money could go into community development.

Community development, as defined in those bills, is pretty much the way we heard people at the public forum talking about. It includes loans for community development, it includes loans for owner-occupied homes, and it would include money for public corporations like ASHA or AHFC, which are housing--concerned with housing. The main difference lies right here in the 0 to 30% that goes into economic development. It's defined as going to "profitmaking private enterprise." Small business loans are included in this category. And the main difference is it could include money for renewable

resources, but there's no stated emphasis written into the bills. In other words, if money goes to renewable resources, it would come from this category, but there's no clear emphasis written into the bills to the extent that we heard people asking for it last year.

The other thing to keep in mind about this is, for instance, if 70% of the money went in to save it, that means 30% is left and it could all go into economic development and none here; it could all go into community development, and none here; it could all go into saving it with investments grade securities and nothing in either one of these categories. The point is, of course, the people--the group of people--who are managing the whole thing have a great deal of choice and flexibility in deciding within this formula of where the investments go. And I wanted to point that out to you as one of the things about that bill. This is a lot of flexibility, and some really important decisions will be made by the people who are managing it.

Question: (male) Who are these people managing it?

Nancy Brunck: It isn't decided yet who's managing it. That's one of the issues that will be decided. These bills address it in a certain way, and perhaps you could best answer that question.

Gov. Hammond: Yes. That has not been decided. It's been suggested all the way from a "hiring-the-best-management-consultants-imaginable to giving you a piece of the action and let you manage your share as you saw fit--perhaps through a proxy vote or something--all between those two extremes is how it could conceivably be managed. One thing that should be made clear, and I'm not sure it has been, is the distinction between the capital itself--the monies that go into the fund--and the interest. When you're talking about the monies being used for community development, loans, etc., you're talking about the capital, I believe, and not the interest, the earnings. And that's one of the things that the public forum did not clearly resolve last year, unfortunately. They talked about should a portion of the oil wealth go into this, that or the other thing. They didn't distinguish between the oil wealth itself, the capital and the earnings. There are some who conclude that maybe the earnings should be treated entirely different--perhaps some sort of call it a dividend, tax reduction, or what have you be passed on to the citizens with that earning. Or, of course, in my view, it should appropriately go into supplanting the capital wealth we are now using for ongoing day-to-day expenses till that's satisfied. But I think that's the major

distinction that has to be made when you think about how do you think these monies ought to be used--whether they're earnings or whether it's the income capital wealth.

Nancy Brunck: Did that answer your question? Yes?

Question: (male) There are two bills mentioned. What is the difference between the two--they're both house bills.

Nancy Brunck: The differences are really pretty small, ugh--let's see if I can think of some.

Gov. Hammond: The names of the authors are essentially. This commonly occurs. The administration will put in a bill, and the legislature will also put in a bill.

Nancy Brunck: For instance, one of the differences is--I think the first bill describes an investment committee of seven people appointed by the governor. The second bill says that group is appointed by the governor and approved by the legislature. So that's one of the differences.

(male) There really isn't much difference?

Nancy Brunck: This is the same--how much goes into save it, and how much goes here, and how much goes here--those are the same. The other thing that these two bills says is that 50%--it raises oil from 25--a minimum of 25--to 50% of certain oil and gas monies will go into the permanent fund. But both of those bills make the same change.

Question: (female) Can you say what will happen to the interest from--?

Nancy Brunck: They both go into the general fund.

Question: (male) I have a question. Are we going to be asked to make a decision based on the distinctions that you have there--the one, two, three.

Nancy Brunck: Actually, what we're going to do is let you decide what distinctions you want to make on each category yourselves and, through a process, come up with what percentages each group might recommend going into each category

Question: (male) Well, okay, because I have a problem with the distinctions here because there seems to be another distinction which is important in all this issue, and that is the--it seems to be an item--it would

occur to me when we were talking about the example of the $100,000 loan and 6% interest that the example you were using was one in which, if I'm not mistaken, that very example is one in which a municipality such as Dillingham, where the municipality owns that dock,....the experience to be able to raise that money through tax-free municipal bonds which is a powerful incentive, of course, for - in the money market - for investors to invest in that direction because of the tax-free aspect of it which would not be an incentive for the permanent fund because the permanent fund doesn't pay taxes anyway. At least I don't think so.

And so it seems to me that it might be - a very important thing to make a distinction and maybe we should consider whether or not we should maybe not spend the permanent fund money in ways - or invest permanent fund money in ways in which it would compete with the tax-free bond market in which we would be able to raise the money from that direction.

The reason that's important is that in our example there we are talking about 6% interest and interest of that nature and even lower which can't be found in the tax-free bond market because of the fact that it's tax free. There's no point in us investing money at 6% or lower interest in competition with tax-free investors when we're not getting the benefit of the tax-free aspect of it and they would. It would be better, it seems to me, that municipalities would go ahead and borrow their money from the market where they're anxious to loan it because of the tax incentive and for the state, then, to go ahead and invest our money at higher interest in areas in which they aren't competing with the money-market that would have that tax incentive. Is that clear?

Gov. Hammond: Well, no. That would certainly be correct in those instances where the municipality had the capability of floating those types of bond issues. I couldn't agree more, but I think you touched on a very important and significant point, and it's one that, you know--for example--if you're going to provide somebody a lower interest loan than what they can get at the market rate, and use your monies to do that, it gives me a loan that gives me a couple of cuts in the percentage of interest rate, you are in essence giving me a dividend, and that's one of the major questions that I think should be resolved--whether or not, let's say, that we took the earnings of the permanent fund and said, as many request, "Okay, let's cut taxes." Let's say we eliminated the income tax.

There's a tremendous distinction between, for example, what--well, let's say what my good friend Bob Hatchen would receive in the way of a "dividend" compared to somebody who may have $5,000 a year income. He would receive virtually nothing, and the individual who had made the tremendous amount of income would get a windfall dividend. Some of us are concerned that at least a portion of those earnings be distributed equally so that everybody gets a piece of the action--not just those fortunate enough to make big income, not just those fortunate enough to receive a low interest loan, or something of that nature. And that's one of the things I'd like the public forum concern themselves with. For example, you could give people a tax cut, but maybe it should be a tax credit that everybody got exactly the same instead of somebody saving thousands of dollars and somebody saving tens and doing it on your money. But the same thing with the municipal governments. If you give a municipality a really good deal--say, gave them money for two or three percentage points--then that means that everybody else in the state is in essence subsidizing that. That's one of the things that came through clearly in the public forum. People would say: "Hmmh. We want to see industrial development and we want to see renewable resources enhanced." But then I'd say, "Do you want them enhanced if it means that you've got to subsidize it from monies that belong at least in part to you?" Well, that was a different story, and I think that when you talk about industrial development--for example, I've been charged and accused of being opposed to growth and development. Let me tell you--I favor true economic growth, but I disfavor subsidized uneconomic growth, and that, unfortunately, is what you can do if you're not very careful in the manner in which you use these monies. You can massively subsidize some enterprise and make anything in Alaska fly--you could grow melons on Mt. McKinley if you're willing to subsidize it enough--build a road up there, warp a gas flight line around there to heat up the greenhouses, pay 'em teamsters' wages and give them a guaranteed market. Man, somebody'd love you, and this guy is doing wonderful things for the economy, but it would be on your money, subsidized, and this is one of the major concerns we have to be careful of when we talk about using either the capital or the interest. How can we give everybody some sort of piece of the action?

Nancy Brunck: Are there other questions? We're ready to start working in the small groups. I'd like to just encourage those of you who were sitting in the back on the bleachers if you'd join us and put down your ideas on paper, too. It's really important that everyone have a chance to say what's important to them, where they'd like to see the money going, and why. And there's a whole empty table up here with Freeman and myself, and if you want to join us, we'd be glad to have you.

The staff from the Public Forum are going to be handing out large sheets of paper now and markers, and I'd like each table to just take a couple of minutes and choose or vote somebody to be the recorder. And the job of that person is--find someone who writes really clearly--and ask them to keep a record on the large sheet of paper of every single thing every person says at that table. The reason for that is that's the only record we've got of what you're saying in your small groups tonight.

Table No. 2: (male) -----our No. 2 table here. Two of us thought that we should save 50% of the money in the permanent fund. Some thought that was too much. There's 25 and there's--let's see--there's three of us who thought we should save 50% permanently, and some thought 25 was enough. Another one thought 50% of the money should go into renewable resources, meaning such things as fisheries rehabilitation and exploration for minerals and exploiting them if any is found and it becomes feasible to develop, and also power sources to be looked into, such as dams and windpower, and solar power was mentioned. And, incidentally, I believe somebody is experimenting with solar power here in Dillingham now. Personally, I think we don't have enough sunshine here to make it amount to anything, but, anyway, here's one person who has the opinion that we should spend, of the 50% investment policy, spend as much of it--I mean the 50% that would be put in the permanent fund--should be invested in Alaska as long as it is considered a safe investment. And by that they meant such things as helping Alaska banks and other solid enterprises. I don't think anyone meant that they should make a lot of loans that probably will never be repaid, though. But, anyway, here's another person who thought 40% should go into communities to develop cultural things, and I suppose, improve roads and docks and everything like that. And everyone agreed that a good percentage should be spent in renewable resources. And that, as I mentioned a minute ago, would be the fisheries and exploring possibly herring fisheries if people wanted, and everything like that, to make a good safe livelihood for those who are engaged in fishing. Now, I believe that's about the size of it, and I want to commend the person who wrote these things down. They're quite intelligible, I think. Thank you.

Nancy Brunck: Thank you. The next group back here.

(female) Well, we kind of hashed over this thing for quite a while trying to sort out which monies exactly we were talking about. The first thing immediately that came to our mind was renewable resources as the immediate answer, so we put that as No. 1 without a doubt, and we were talking about salmon hatcheries, and timber, and

reindeer herding and things like this, and then suddenly it was decided that these things aren't really a sure thing as far as guarding that money. They're not really for sure, and if you had a salmon hatchery, you know, you're going to feed all these little fish and turn them loose, and who knows what kind of return you're going to get on them. So we kind of decided, then, with that in mind, that maybe we shouldn't in fact make that the No. 1 priority as far as return, a really safe return on the money, so we gave that only 10%. We really did prefer to save 50% of it, and in fact one of us was very thrifty and wanted to save 75% of it. Primarily, the reason was because we wanted to be absolutely sure there was some left. We didn't want it gambled in high risk, or even low risk or any risk at all. We wanted to make sure there was money there that was at absolutely no risk.

Then we were quite concerned with community development next. That seemed to be--paving roads, the fire department, docks, water and sewer, public buildings, and maybe a theater like Dorothy mentioned--things to better our town and our lives here. If we're making this our home, you know--don't we want a paved road some day?

And then last of all we decided that economic and industrial development might be the next sure thing as far as the good the money can do, primarily maybe going with large industry, or something like that, who would be more likely to repay the money that we've got out--or the resources we have, whether it be timber, whether it be fish, something like that. But we really did want to save an awful lot of it.

Nancy Brunck: What about the table over here in the corner? Are you ready to give your report?

(male) There you can see our paper doesn't have quite so many hen scratches on it as the others, and we don't necessarily agree with some of the things that we've heard. We felt that renewable resources was the No. 1 category, and primarily, I think, because of the possibility of a double return on a renewable resource. There is the gamble that the fish you put in the stream might not come back, and there might be several places where this happens, but the places where they do come back are going to be a tremendous gain, not only in just the project itself but in the fishermen, and in the--all the rest of the development that goes with it. As far as the saving it category was concerned, we hashed it about quite a bit and thought that a very small percentage should be saved in the sense that most of the safe loans that we are aware of are outside the state, and if the

money is going to go outside the state to work for others, just for the percentage of interest that we can get for it, we can do better than that.

Community development--there was a very strong sense of distrust, because of the fiasco we've seen in housing and several other projects that have come and gone. There was a mention of the possibility of development of things like hospitals, hydroelectric power, this sort of thing, that would definitely benefit everyone, not necessarily concentrating on cultural things that might benefit a small group, but things that would benefit everyone.

Economic and industrial development we didn't get into. We ran out of time. We felt it would be necessary to invest some of the money in this category, but it would have to be done very, very carefully. Like the Governor mentioned, it would be awfully easy to benefit, through low interest loans, any one area where other areas would be left lacking. Consequently, people would feel as though their toes were stepped on, and there would be---this category leaves open an awful lot of political meddling, and if the State gets involved in loaning money to industrial development, we find industry courting politics and creating problems that are unnecessary.

Nancy Brunck: Thank you. What about this table right here?

(female): When we started to prioritize, we also started out with renewable resources as our first priority. And as we got to talking, we decided that we'd better save some money as a sure thing. We feel that renewable resources are really very important, and when we were talking about it, we were talking about fisheries and hatcheries, but also investigating utilization of fish that aren't used at this time, like bottom fish. We talked about timber, but we didn't feel it was very applicable to our area at all. You know, we were thinking more in terms of the entire state. We talked about the need to preserve habitat for game and for fur bearing animals as being very important, such as not destroying beaver dams. Then there was an awful lot of discussion about tourism as a renewable resource, and the table was really, really----we spent a lot of time talking about was tourism a renewable resource or not. Some people felt that it was, and a lot of people felt that it wasn't and that it wasn't worth it for the misuse of the game, and that it also didn't bring the capital into the community, that people were hit-and-run type tourists, that they come in on the Wien and go off on a small plane and go over to one of the lodges that doesn't belong to someone in the region and that they would be gone and that

the money would never actually come into the community.

We really didn't know exactly how we were going to save the money. We decided that 65% of it should be saved, but that there really, really should be a strong input from the people on how the interest would be used. We want to see the interest used for these things that we didn't leave the initial permanent fund--expend the permanent fund money on. We ended up leaving 20% for renewable resources and 15% for community development. We put nothing down for economic and industrial development from the State.

At first we had small business loans and boat and fishing gear loans under community development. Then we changed it over to economic or industrial development. I think there's still some feeling about which is it--you know, is it really economic or industrial development or is it really a thing that will benefit the community.

Nancy Brunck: Thank you. Is this group here ready to give their report?

(male): We picked renewable resources as our No. 1 priority, because this is the economic base for this area. The whole area is based on renewable resources. We thought that commercial fishing, hydroelectric power, the timber industry(developed at some future date or sometime), herring fisheries, and hunting and sport fishing would be the kind of the main points to look at here--not necessarily in that order. The commercial fishery should probably be No. 1 on this because it is a multi-million dollar industry in this area, so it would be the key to our future growth here.

For saving it, we think it should be put in safe investments, primarily Alaska banks, so that Alaska can benefit from the capital Whether the banks turn around and re-invest the money in the Lower 48, at least they will be benefiting from their interest that they charge and the money would stay here in Alaska in that manner. We thought that 25% of it should be put there.

For community development, we need electricity for the villages, possibly hydroelectric power generated maybe on Grant Lake on the falls there, and transportation--better airports, possibly roads, ferry system, barge system in here, better port facilities. Community centers--places where people can meet so we don't have to meet in the high school gymnasium like this--and where we can have community college courses taught, possibly day care center, and a mental health clinic and along with all this, a detox center, a place where the--for older people.

For economic and other development, we put that way down the list--industrial development, because there is mining here and there is a possibility of timber in the area but at this time it is not

economically feasible to export it or to get it out. So we thought that was only worth about 10%.Thank you.

Nancy Brunck: Thank you. Is the next table ready? --- Could one of you give the report? Is the next table ready to give a report?

(male): We were really confused when we started out. We weren't really sure what we were doing, and that is reflected in what we wrote down here. We started out talking about renewable resources, and we asked the question, "Why is renewable resources important?" We decided that the reason was because it provided a recurring benefit and something for the future, something for our children. Then we asked the question, "What should we spend the money on?" And one of our people raised the issue that--several of the people in our group raised the issue--that it should be the money should be spent not only on -- we started talking immediately in terms of the fishery as being the thing that we were interested in in terms of renewable resource, and the point was made that we should not only spend the money on development, exemplified by hatcheries, but also on harvesting, money there to be spent on such things as boat loans and other things dealing with harvesting of the fishery. Both are important was the point that was being made.

Then we moved on to saving the money, and we didn't really deal with that too much. We asked the question, "How important is that?" And we really never answered it.

We moved on to community development, and we talked about that. We gave a lot of examples of what we thought that meant--remodeling schools, housing, somebody said schools again, roads, sanitation, communications, recreation, public health, airports--those are all things that we meant by community development.

And then we moved on and we talked about economic or industrial development, and again we talked about what we thought that meant--alternate industries for areas in which there was a high dependency on only one industry, this area being an example of that. We thought that it was a healthy thing if money was to be invested in industrial development, it should be emphasized on alternate industries to diversify the economic base of an area. Examples of that for this area being possibly tourism, hatchery feed production industry, fish by-product uses--what do we do with some of the things that are wasted from the fish. Maybe an industry could be developed around that. Light, high technology manufacturing--things which were

manufactured but which were small and therefore didn't depend on or weren't affected by the high transportation costs to a great degree. Most of their value was concentrated in small packages A lot of things in high technology are like that--electronics, a prime example.

Other things--transportation, such as boats, scows, air taxis and ferries were mentioned, and other small businesses. And then we started talking about, "Okay, what's our priority here in percentages?" And we couldn't really find a starting point, so we proposed--we started it by going, "Okay, well, let's just take 25% for each one and then argue about it." And we started arguing about it, and we finally decided that the thing we couldn't buy on that was that we really didn't think 25% belonged down here in industrial development. And we said, "Well, okay, what should it be then?" And we said--and we finally agreed, "Well, 10%." Okay, what do we do with the 15%, and it ended up up here--that this is what we really cared about,--renewable resources. And that's how we ended up with 40%, 25, 25, which we just kind of left alone and ended up with 10% here, and we've got our justification here. The 15% from industrial development went to renewable resources, because industrial development has the historic ability to raise money from private sources and therefore wouldn't need the money to come from this source as this one--renewable resources.

Nancy Brunck: Thank you. What about the group back here?

(male): This was redrafted--couldn't read the first one.

Renewable resources, 30%, and we're going to save 40. We assume this is going to be invested, this 40%, into safe investments. 20% community development; 10% for economic or other industrial development.

A lot of the reasons that were expressed under renewable resources we agree with. One area of concern that was not mentioned is that in fisheries, for example, we got a hatchery out here at Lake Nagavagaluk, as we all know, Snake Lake. There was a substantial amount of money plowed into a road, plowed into the facility, and and then you know they never did put the guts inside of it. For some reason, we think that's wrong--that if you're going to conceive this kind of program on the front end, then you ought to have monies budgeted--maybe this is not possible, but there should be some way whereby there is ongoing money available, so that the thing finally does get operational. I mean, to pull out the power plant, for instance, and to put in a smaller one, just to maintain the building doesn't make a lot of sense.

We have listed a number of things under renewable resources in the order of importance. One was fishery, the other was hydro-electric power, reindeer husbandry or herding, timber, geothermal energy. This may be remote at this time, although this area does have some potential for farming. Under water, the comment on water was, "When the pipeline is through pushing oil or gas to the South 48, we want to sell water." It's not that unreasonable. I mean they're starting to haul icebergs, they're talking about selling icebergs, let's sell water. We've got lots of it.

Community development--the big concern was with the kids. Emphasis was in recreation. In the wintertime, we think a swimming pool is a good idea. It's been an idea around here for a long time; it's never happened. Park, playground, got started this year; needs to be improved. Youth center, maybe skiing in the winter.

Under community development--sewer and water. It's been an ongoing thing since I've been here since 1965. Some of us pay taxes; we don't get the services. For some reason, I don't think that's right. That should be improved, including electrification for some of these people who are starting to move out further from town, and the cost for those who are not alongside of the road is really prohibitive. Housing is an ongoing program. It's being worked out; we just can't keep up.

Economic development--oil and gas, including the uplands, which is State land, native lands, as well as OCS.

Recreation, tourism, mining. That's it.

Nancy Brunck: Thank you, and I think a woman from that one table is going to give a report.

(female): Basically we came up with about what the rest of you have come up with. No. 1 priority was fisheries as a renewable resource. Bio-socio-economic studies, salmon, herring hatcheries, and we gave that 60%.

Under community development we came up with things like community center, a multipurpose building. Also, in addition to that, a community college classroom facility--a separate facility. Standard of living improvements, which would involve housing, sewer, water; larger facilities and staff in the employment place. Alcohol treatment was also listed under that. That was given 30%.

As industrial development we listed airports, airport facilities, roads, improvement in the roads, eventually a paved road, and that we assigned 10%.

Savings--we put 10%, and that was a low priority, also. So basically, we emphasized fisheries and renewable resources, as you did.

Nancy Brunck: Is there any table that we left out for giving a small group report? I think I got them all. Okay, Governor do you want to make any quick comments before we go on to the next issue tonight?

Gov. Hammond: Only that again I would point out that there are three sources of revenue that we are dealing with, and it gets a little easy to confuse them. One of them, of course, being the 25% of royalties and bonuses that have to go into the permanent fund; the 75% of those monies, along with the current income taxes, etc., which can be used for all sorts of programs, anything and, of course, the interest, which could be used, could go back to the permanent fund. But my concerns are--I noticed, for example, it was mentioned that save it translates in the minds of many to invest it, as it appropriately should, but we really are talking about an obligation to invest; whether we put it into renewable resources or economic and industrial development we are really talking about an investment. And the question really should be: do you want to use the monies for renewable resources or economic development or any of these other programs in a manner which in essence subsidizes them. For example, we can pour massive amounts of money into enhancing the fishery, and unless there's a return that the rest of those who don't engage in the fishery see by way of either a dividend or a tax accumulation to the State, which provides them with some benefits from that, they are going to less than entranced with the idea of taking a massive amount of that money and putting it into something that they don't see a piece of the action from.

Similarly, within economic development and industrial development. I think the important thing is again to distinguish between subsidized and non-subsidized development. Like we'd all like to see a great deal of money, whether you're a fisherman or not, go into renewable resource enhancement and expansion as long as it returns as the permanent fund is required to do some sort of an investment that everybody sees some benefits from. Now, you might think that "Well, all industrial development does that automatically." That used to be the presumption in the state of Alaska. We used to say, "Hmm, come on up here, put a pulp plant in Southeastern Alaska, and we'll not charge you any taxes for the first ten years because we all know it does good things--provides jobs, provides revenues to the State." But what did we find out? We found out that more

people came up than the jobs made available, thus increasing rather than decreasing your unemployment in some places, that the amount of new revenues that the State got didn't offset the cost of providing the new services for those new bodies that came up here, so actually we went backwards instead of forwards. Now, unless we do certain things, either change our tax structure or reduce those per capita costs of government, we almost assure that what new industrial development we have in the state of Alaska is going to cost the rest of the citizens of the state more than they receive in the way of benefits.

Let me explain why that's the case. Right now it costs us--the State $1750 a year--two years ago, rather--it costs $1750 a year to provide for the services for everybody in Alaska. But we only took in $1065. And worse, 60% of that $1065--or I mean of that $1750--came from bonuses and royalties, etc. I know I'm throwing too many figures at you in a hurry, but my point being simply that you don't automatically improve the businesslike condition of the state of Alaska for everybody by throwing money into any of these programs unless you're sure that you get some return from whatever you do with those monies that gives you a safe investment. Now, some people have asked, "How much are the people of Alaska are going to tolerate us to put in fisheries enhancement and rehabilitation?" We, incidentally, just passed a $30 million bond issue to do that. That's great, from the fisherman's point of view. But let me tell you this. There isn't anybody in this room, including me, that pays enough in the way of state taxes to offset his current costs of services the State provides for us. So, with that thought in mind, you'd better be very careful about just automatically assuming that industrial or economic development, or even fishery expansion, unless it translates into benefits for the people now here, is necessarily going to be a good business deal. And that's why I have said repeatedly, time and again, that I'm not interested in bringing more people up here until we've done something with these monies to bring the people already here on up. Everybody--merchants, etc. that prosper as the numbers of people in Alaska grow--they don't like that kind of talk because they like to see, of course, increased population. And that's fine with me as long as it doesn't require a subsidization from these monies. But my point being, do you want to deal with economic development, industrial development, renewable resource enhancement, unless it returns something in the way of a dividend to all the citizens of the state. And sometimes you'll

find that these enterprises, and sometimes you'll find they won't. But I think we have to be very careful and bear in mind that we're going to run into great difficulty as fishermen if we ask for more and more monies to go into enhancing fisheries and the rest of the people who don't engage in fisheries find out that it's costing them because it's diminishing the amounts of money that they can use for their various interests and programs. So I think that ought to be the bottom line--that it pay some sort of return, a dividend, to the citizens of the state.

(female): Out of all the allowable revenues, what percent is actually--does Alaska receive--under leases and royalties? What percent are we talking about?

Gov. Hammond: Right now about $500 million of the total $840 million that is going into government--about $500 million is coming from severance taxes, royalties and bonuses.

(female): So that's about 60-65%?

Gov. Hammond: Yes.

(female): And do you see it increasing or decreasing?

Gov. Hammond: Well, it will increase, of course, as oil starts flowing. Now, mind you, when I say--$200 million of that is a borrowing on future revenues. Severance taxes--not royalties and bonuses--but severance tax. So what I'm saying is $500 million is coming from oil, but only about $150 million from the royalties and bonuses and lease monies earnings that you're talking about that would go into the permanent fund.

Nancy Brunck: I'd like to point out that on the questionnaire on the last page the question the Governor just brought up is there, so be sure you fill it out. And the question is, "If you were voting for renewable resource industries, would you still vote for that even if the money earned was less than the money that could be earned from other investments?" And that is somewhat addressing the question that the Governor brought out, and I just want to remind you again that I don't mind at all if you fill this out while I'm talking. That's just fine with me. It's on the last page, and the permanent fund questions are right at the bottom, and subsistence is above it. And there's two other issues that we aren't talking about tonight, but that we would really appreciate if you filled out and turned in before you left. I'd like to go on to the last issue tonight, that is subsistence. We really don't have a presentation on it per se. I can tell you why we're here discussing it tonight, and we have someone who is ready to describe what the Fish and Game management structure is.

But the most important part of tonight is for everyone to answer two questions. One is, "What are the problems that you see with the Fish and Game management structure?" And the second part is, "What are the solutions you suggest to those problems?"

The one thing I do want to tell you is why we're talking about it tonight. We're here talking about it because the Governor asked us to. He has made a commitment on the part of the State of Alaska to giving subsistence priority whenever the fish or the game resources are threatened. In other words, in fact subsistence has been given a priority in the past. It's just that people say it's not been reflected. It's been a State policy to give it priority, but in reality that just isn't happening. And I believe the Governor is recognizing that, and he is asking you to identify what are some of the specific problem areas that you with experience with the management structure of Fish and Game. Another reason, by the way, that we are discussing subsistence is because those people who were at the public forum last year brought it up over and over again. We tried discussing land, and people talked about subsistence. We discussed oil and gas, and they talked about subsistence. It was a very vital concern in the north-and in the southwest were the two regions in particular where it came up last year. And, in fact, I guess people were suggesting that subsistence itself should be a public forum issue. And so that's the second reason why we're discussing it here tonight.

I want to mention that there is a special legislative interim committee on subsistence. That's chaired by Nels Andersen. He is not able to be with us here tonight because he's in Glennallen with a meeting on subsistence tonight, and he'll be in Fairbanks tomorrow and Nenana the next day. There's a member of his staff that's here, and perhaps during the report-out session--or is now the time you want to do that, Adelaide? She's going to give a report on what that committee has heard at the meetings that they've been going to statewide on subsistence. Is now the time that you'd like to do that?

Adelaide Herman: The Interim Committee on Subsistence was established by the legislature during the past session. The committee is made up of eight members. The Chairman is Representative Nels Andersen, Jr. of Dillingham, and if you want a list of the others I have it. And the staff includes Joe Guthrie in Juneau, who is the staff attorney, George Uttermo, the research assistant, and Dorothy Larson, the staff assistant, and I'm the secretary.

The goals of the committee are (1) to seek a consensus on subsistence by a collection of available data and information and hold hearings

throughout the state; (2) review state law regarding subsistence and attempt to determine extent of implementation of subsistence zoning under state statutes; (3) to attempt to quantify the amount of food taken from the land; (4) review subsistence activities within lands under federal jurisdiction; and (5) to attempt to define subsistence as it relates to Alaskans throughout the state.

The first meeting/hearing was held in Dillingham on August 9th, and the second was held in Kipnuk. Nels Andersen, Jr. and Dorothy Larson of Dillingham and Rep. Billie Akers of Chuloonawik attended the meeting. A total of 28 coastal villages, representing four Western Alaska Fish and Game advisory boards, met in Kipnuk September 3, 1977, to discuss herring, walrus, water fowl, subsistence, and D-2. The third hearings were held in Kotzebue and Nome. The people in Kotzebue were testifying at the bowhead whale hearings before our hearings, and we will use much of what was said during the bowhead whale hearings because it is what we are looking for in our testimony.

The next meetings are being held tonight in Glennallen, and from there the committee members will go to Fairbanks and Nenana. And then I have the list of the remainder of the meetings, and if you want that, I could give that to you later. And some of the concerns the people expressed were walrus head hunting. It came out in the Kipnuk meeting that the people object to being blamed for headless walrus that washed ashore. They say there is no way to prove that a village person would waste walrus just for the walrus ivory. In the October issue of the Alaska magazine there is an article titled "Ivory Hunting Alaska Style" where two men openly admit they fly around looking for walrus so they can get the ivory. These people were not village people and were collecting the ivory for commercial gain. The blame for this type of activity does not belong with the local people, who use the entire walrus for food as well as ivory.

The second concern was the herring fishery. This is a big issue in the Bristol Bay area. One question I have is, "Will subsistence needs be met before the commercial taking of herring?" Right now the Fish and Game have no regulations for the commercial taking of herring in most areas, and there seems to be little knowledge of how big that fishery is. The main take has been by subsistence users. Recently the commercial fishermen have realized the potential of commercial harvest of herring. During the Kipnuk meeting on September 3rd, the people voted unanimously to prohibit any commercial herring fishing along the western coast of Alaska until biological and socio-economic data is developed to make sound management decisions. And the Nushigak Advisory Board--their decisions were. When the people, Togiak north, wanted the herring fishery closed completely to commercial fishing, and (2) the Naknek/Dillingham areas wanted subsistence needs met first and open to commercial fishing with the exception of using gillnets only. And the Kodiak and Petersburg seiners want to continue fishing

but would like biological studies done so as not to kill the fisheries.

In the Kotzebue area one concern was that the people don't want to exchange subsistence resources for welfare or food stamps. One older lady mentioned she stopped using welfare because she saw it made her people lazy. There is strong feeling against welfare. You can imagine what would happen if all of a sudden a hunting and fishing village turned to welfare or food stamps. They would lose their sense of unity; there would be no purpose for a village. One native man in his testimony said, "Native people cannot eat money during long, cold winters. Stocks in the stores go quickly, and kids cannot eat money, either. Great dependence in Lower 48 to grow things like corn and beef. Here the land is frozen and we cannot raise things so people must depend upon subsistence foods." And this testimony was taken from the August 20th issue of Tundra Drums.

People are concerned that decisions on how they use subsistence resources are not only overseen by the State and Federal governments but are also of international concern. There was a decision made to ban bowhead whale hunting worldwide at the International Whaling Commission Conference in Australia. This was because of commercial taking of whale by countries to make perfume, etc. However, the decision affects the subsistence taking of whale by Alaska natives as well, and as far as I know, they had no voice at this conference. People are concerned that this type of thing may happen again.

Since the Committee started in July, they have found they are getting into a lot more than planned. They're involved in trying to change the Fish and Game regulations to more fit the needs of people and to recommend a new funding source for the Alaska Department of Fish and Game, which now depends heavily upon the sale of fishing and hunting licenses for funding. Also, there is some talk of creating a Subsistence Division by the Department of Fish and Game, to be staffed by a game biologist and a fish biologist and support staff. This is just in the stage of a feasibility study now.

The Committee expects to use the testimony gathered to make recommendations to the legislature, possibly present some draft legislation to the legislature in January. We are gathering data on subsistence harvest throughout the state and will analyze maps showing areas of subsistence use during the various seasons of the year. Since I have the chance tonight, I would like to invite the people of Bristol Bay and other regions to write to us at:

The Subsistence Committee
P. O. Box 234
Dillingham
Phone 842-5970

Please voice your opinions and educate the outsiders on how you use your land and what your subsistence needs are. Everything these days seems to be in the national interest. Well, I feel we are a part of the nation and we should tell people what our interests are like, and it is important that we be able to hunt and fish and this needs to be known before someone else decides that it is more important to develop whatever the State and Federal government want to do with the land.

Nancy Brunck: Thank you. Over here is the first question for the night. From your point of view, what are the problems of the present structure of Fish and Game?

The second part of that question is going to be: What do you suggest should be changed? How can local involvement be increased? And list all the actions you can think of to give more priority to subsistence.

Before you start on that, we thought it would be helpful if we described the way that Fish and Game is presently structured. Can you see over at this table? You might want to just walk around to the back just for this part of the presentation so you can see it.

(male): I'm not quite sure how I got talked into presenting the organization of Fish and Game, but I did, somehow. I'd like to quickly just run through what the basic structure of the Department is, and, when I am finished, possibly the Governor would comment on some proposals that both the administration and the department itself have been considering in terms of options to what exists presently. Generally the Department is broken into two main functions: the management side is the side where the Commissioner sits, and the regulatory side is the side where the Board of Fish and the Board of Game are located. From what I've been able to gather from the organizational structure of Fish and Game, people in Alaska seem to rub shoulders with Fish and Game people at three different locations: (1) on the management side, where field representatives and research people are working in local communities and regions, where local communities exist. On the regulatory side there are 53 to 55 advisory committees statewide, and there are a number of individual members spread throughout the state who represent local communities and regions. And I know there are numbers here locally

both on the advisory committee that represents the area and on the Board of Fish and Game. And then, also, on the regulatory side, the enforcement side, the Department of Public Safety has a responsibility in the area of fish and game for protection of the resource. And that's one other area where the people seem to come in contact with Fish and Game, not necessarily the best area to come in contact but certainly one where contact is made.

Just quickly running down, then, the various responsibilities. Below the Commissioner are his divisions within the Department, the Division of Sport Fishery, Division of Commercial Fisheries, Division of Game, and the Division of Fisheries Rehabilitation.

Below the divisions are the regional supervisors, and below the supervisors are the field representatives in each of the regions.

On the regulatory side you have the Board of Fish, as I have mentioned, and the Board of Game, and directly responsible to these boards are the 53 advisory committees represented statewide. And then, of course, on the enforcement side you have the Commissioner of Public Safety and the Division of Fish and Game Protection. So that is, very generally, what the management structure is, so are there any questions?

Gov. Hammond: Thank you, (indistinguishable). I had requested that subsistence be an issue brought before the public forum because it's one, as Nancy said, they bring up at every public forum meeting. And it poses some very difficult problems, first, because the State of Alaska constitution says that the game resources and fish resources of the state belong to the people of the state--equally. It doesn't say that any group, class, color, race creed, or what have you, is more equal than any other. Because of that, it's difficult to simply structure something that by law accommodates the subsistence user. That difficulty is compounded by the fact that nobody has ever been able to come up with a definition of the word "subsistence." It's kinda like, in my view, the word "pornography." Nobody can define it, and we all know it when we see it. The difficulty of determining whether or not one is a subsistence user, though--let me cite some examples. Is a subsistence user an individual who necessarily requires that particular animal or fish to feed himself, or--for example, we found in Barrow (I was in Barrow here a few weeks ago) it was equally important for the people of Barrow to hunt whale because of the cultural aspects as it was to sustain themselves insofar as the food substance was concerned. Very, very important--far more important to get the whale even, in the view of some, than it was necessarily to consume the whale. Similarly, is an individual who may be working for one of the native corporations and earning a substantial salary but still desiring to go out and

obtain a great deal of subsistence off the land, truly a subsistence user compared perhaps to a destitute non-resident who might come up here and need a food substance to simply sustain himself? These are the questions that pose very great problems in coming up with a definition of subsistence, and something that has not yet been resolved. The best definition I've been able to come up with for subsistence is that which sustains one, both body and soul. That bowhead whale hunter in Barrow's existence is diminished substantially, even though he may survive with welfare and food stamps and so forth,-if he can't go whale hunting, it removes a major portion of significance from his life. So what have we tried to do over the years to assure that subsistence is the priority use? We have structured into state policies that subsistence shall be, when there is a matter of deficient fish and game resources, that subsistence be the No. 1 priority. Also, I've tried some years ago to provide more meaningful input from the local levels, who are best able to determine what they think is appropriately a subsistence use than perhaps some fish and game board that meets once or twice a year in some far off spot. I was responsible for the establishment of the advisory committees. Quite frankly, that has not satisfied the local residents adequately. The advisory committees have performed a function, but too often they feel that their recommendations are ignored or overlooked. In an effort to upgrade that assurance that the local people have substantially more say in the promulgation of fish and game regulations, I drew up some years ago a so-called satellite, or regional fish and game board system, which would have divided the state into some twelve regions and provided each of them with their own fish and game board that would promulgate regulations that could only be overriden if they were deemed by a member of each of these twelve boards to be (1) either at odds with some conservation or (2) broad public interest. Frankly, I think, in the light of developing circumstances, the demand for improved subsistence utilization and prioritization, it obligates us to pull down off the shelf all sorts of proposals and take another look at them. I've done that with the satellite board proposal. We have discussed it with some of the various interest groups, villagers throughout the state of Alaska, and frankly, that's one of the main things that I would like to have the public forum consider: whether or not they believe that some sort of regionalization of a board system that perhaps would say, for example, that maybe you divide the state into five major regions and have within each of those regions five or six sub-regions from which some individual who lives in that region would have to come

to sit on a regional board, and they would then deal with the herring or determine the methods and means of bag limits, the seasons, and so forth; and only if those were deemed to be at odds with strong conservation or again broad public interest--because the constitution, mind you, says that those resources belong to everybody, and we can't, through some regulatory device, say that nobody except the people in Bristol Bay can use them, but you can through seasons and bag limits and methods and means better accommodate the people who live here perhaps than someone who lives someplace else--now my question would be whether or not a regional board system of that nature or an expansion of the existing advisory system or maybe an entire new system that we haven't even thought of would more appropriately deal with that whole issue of now only subsistence but the utilization of all those resources. I can tell you that we are taking another look at the satellite system, and we're requesting input and will have some proposals that we will float out to the public; and I want to emphasize that these are only proposals, that we're exploring this as a means of better addressing this question. And, unfortunately, the word "explore" all too often translates in people's minds as "endorsement," and as soon as you put something out on paper you realize what this idiot is proposing to do to us, and all that sort of thing. So I would ask you to bear in mind that these are proposals that we're exploring and that we want to do it in company with the people. Let me tell you that already some of my sportsman friends and guides in Anchorage are very distressed with this proposal of mine which would permit the locals a substantially say. But I think it's the only way we can assure that subsistence is sustained and that the people are satisfied that they're having a more meaningful say in this whole issue of management of your fish and game resources. So I don't know what the questions on the public forum will address and whether or not they'll deal that specifically with regional or satellite boards, but I would like you to consider that approach to the problem.

Nancy Brunck: Thank you, Governor. Certainly, when you get into discussing solutions to the problems, that's a very appropriate time to discuss the regional board concept that he just very briefly outlined. As you discuss, I want to let you know that there are several people here tonight that can help answer questions. There are some advisory committee members, whose names these are--there's three people: David Nanalook, Frank Woods and Andy Golia -- is that correct?--those three names who I understand are members of the advisory committee.

(male): Frank Woods — -------(indistinguishable)---organization that was formed last November in Bethel, and we was talking about the resources we have and we decided to call ourselves the Subsistence Resource Council. We're statewide, we represent each region, we've got probably 28 members statewide, and we've been fighting this issue for the last two years. We finally decided that instead of calling us a committee or (?) liaison or RuralCap, that we wanted to form into something that people would recognize as a resource council. That's what we're talking about. We're not just talking about animals; we're talking about people. And I really wanted to say something, but that's all right. I could clear up a lot of things that maybe Adelaide was saying, and also Hammond, but I don't know if we have the time for it. I don't know.

Nancy Brunck: — What we could do is let that be a part of the small group report after people have had a chance to discuss. Would you be willing to do that?

(male): Frank Woods — It don't really matter. A lot of things would have to be cleared up when we talk about subsistence, and you've got to get both sides of the coin before you start talking about the subject.

Nancy Brunck: — My main concern---I don't mind letting you have some time right now--my main concern is that each of the small groups also have time. Would you be able to say what you wanted to say in a couple of minutes?

(male): — Sure.

Nancy Brunck: — Come on up.

(male): Frank Woods — What Hammond was talking about, I agree with it. And I think what he was talking about was cooperative management. If I'm wrong, he can correct me. A year and a half ago we talked about the state divided into so many what you call regions. Our problem is--the big question is how to define subsistence. Then you talk about a big state. We've got twelve regional corporations. Now we know that it's not functional to have twelve what you'd call either a state board or to have twelve individuals like you should have twelve---all your different areas will have one representation to sit on the state board. What we're talking about is what you call cooperative management between the local people, between the State, between the Federal government, to make the decision as to what happens within this area. The people that come from this area--

what we would like to decide is if they sit on our board when a decision is made on either D-2 or rules and regulations that affects that area, I surely, in the fact, wouldn't want to be sitting here in Dillingham and decide what happens up in Nana. Same with the Federal government--rules and regulations that are set with the State and Federal government--have made rules and regulations for the whole state and they have made it for a whole. They have never set down and made rules and regulations based to fit this area. Part of our state rules and regulations are like that.

I agree with Hammond. We've got knocked down for two years trying to talk about this thing. What you call the urban people has been opposing us. We're talking about rural people. If you talk about our Subsistence Resource Council, which will be the local people here--okay, let's say that we've got five--five that will sit on the board. This group that represents Nana might have eleven guys on that committee. That committee here will decide who they're gonna pick to represent that area on the state board. That's why I say in order to make something function, that control has to come from locals, which is the villages up. It shouldn't come from the State down to the villages. And I think that's what we are deciding here: what is subsistence? Who gets to use it? I can't go up there and tell Lyle Smith he's not a subsistence user. We've got to be able to sit down and decide what are we going to do with it. And the only thing is we came up after two years--at least we hope it will work--with what you call cooperative management. And it's a really touchy situation. You get knocked on from all different areas--the State, the Federal government, the Sierra Club, you name it. So it's a very tough situation. After two years we came down to what you call cooperative management. That's all I've got.

Nancy Brunck: Thank you, Frank. Why don't you just go ahead and start in your discussions in your small groups, and when you do get to the point of discussing what are some of the solutions you'd suggest, we'd like to add that you discuss the regional board concept in your small groups and make any comments about that. And we've got an excellent resource here tonight if you've got any questions on it. Does anyone have any questions right now? There are also some Fish and Game people here if you've got specific questions for them. Have at it.

Okay, on Question No. 1, which is "From your point of view, what are the problems with the present structure of Fish and Game?" --and we thought that funding was a primary problem with Fish and Game. No. 1, we need an area game biologist for Bristol Bay. We don't have any game biologist in this area. We had one apparently promised,

you might say, for the area, and it disappeared somewhere. And we need funding to continue the char program. They went up there and impounded 5,000 dolly varden, Arctic char, whichever you want to call them, and by that think they possibly should have saved a million more salmon to go out to the sea. And we should realize a couple hundred thousand out of that returning. We need more money for counting towers because many fish spawn on the Nushagak, the Mulchatna and the Nuyakuk Rivers, and they are not counted. At this time the towers have been dropped and they're not counted. And I believe there's also a tower been cut out on the Branch River.

And we need more money for stock separation program. They're starting to examine the scales off salmon and hopefully they can tell where the individual salmon are spawning. And by that, the management people can go out here in the bay and take scale samples off the salmon, and if they have enough salmon, say in the Wood River Lake system and the salmon in the bay are those which are going to the Nushagak, they can shut down the bay and let those salmon through. Or if they are salmon that are coming up to the Wood River Lake system, why they can open up the fisheries some more, even though the Nushagak does not have its escapement, or the Kvichak, or the Naknek, or whichever system it is.

And on the herring fishery, we know virtually nothing about the herring in this area--where they come from, whether the same ones come to this area to spawn, what percentage of the stock, their parent stock, we can harvest and still maintain a fishery. We need the beluga program reinstated to keep the belugas out of our migrating smolt and returning salmon after they get inside the bay area here. And that's what we think about Fish and Game.

And on the second question, what do we suggest should be changed?--we think that the local advisory committee should be less advisory and more regulatory. They should have more say in what goes on in this area than they do now. They don't have any. They can just advise. And by having more regulatory power, that would give more priority to subsistence. We could realize greater control on the subsistence, and we also need, in addition to the local committees, we need board representation from each management unit on both fish and game boards. Thank you.

Nancy Brunck: I just want to note the other thing it says up there in question No. 2--What do you suggest should be changed? The funding source changed--less dependence on the sale of licenses and fees and more money--the suggestion is from the permanent fund. I think the idea

is trying to find alternate sources of funding for Fish and Game. Is that correct? Okay, thank you for that report. Whose report is this one right here? Would someone from this group come up and give this report? Is this the table right here? What about this one?

(male): I came late this evening, so I didn't really get into the swing of things, and we had a small group. What we're saying here basically is that the thrust of the Fish and Game management historically has been sportsman-oriented. It's been developed by people who want to control the fishery for the sake of the big game hunters and the sports fishermen, and this is a valuable industry in Alaska. And yet, for the people who live out in the boonies like we do, it seems like there should be more emphasis on the subsistence part of it, so what we're saying is that Fish and Game is sportsman-oriented and regulations are politically developed, and some examples would be when you go to take fish for subsistence, if you're hungry, however you can take that fish would be fair game. If it's a net, or a triple-barbed hook, or a string of them--whatever it takes to get that fish to supply food for you and your family should be fair game. And if a person is going out for sport, then you can start talking about fishing with a single-barbed hook or a hook with no barb on it, or maybe a plug with no eyes, or something, you know, to make it a little more difficult so that it is more fun and more sportsmanlike, and all this. But when it comes to subsistence, when a man needs to eat something, or he needs food for his family, he should be able to take it. So we're saying that would be kind of an answer to No. 1.

For saying an answer to No. 2, solutions--the priorities should be switched around. The priority should go for game and resource--if we could make it a little broader than just game--game and resource management utilization should be prioritized first for subsistence, or local need, it might be termed, second for commercial, and third for sports. And to define subsistence more narrowly--to define it as a personal, immediate family use. This gets away from the broad idea of somebody under the guise of subsistence taking a lot more than he and his family need and using it for other purposes. Then for the taking of that immediate and personal family use subsistence, relax the restrictions on that kind of hunting and fishing.

Nancy Brunck: Thank you very much. Is this report from your table? This one right here, the second one. Go ahead and bring it on up and tape it up on the wall. I'm just reading some of the things on this,

and I'd like to find the group that did it. There's some really good ideas up there. Whose is this right here?

(male): The first one that we addressed was the problem with the current structure, and the first one under that was that decisions are made by urban outsiders, not enough local input. For instance the marine mammal protection act, and the moratorium and the waiver of the walrus issues to the State of Alaska from the Federal government, or the U. S. Fish and Wildlife Service. The hearings for that issue were taken up at Barrow and at Bethel, and I feel, and I think that there was no representation from the Bristol Bay region. After the moratorium and the waiver issue took place, the State of Alaska immediately made a blanket decision closure for Unit 17 on down for the closure of walrus taking.

And then, secondly, the Fish and Game licensing structure is selling the renewable resources to outsiders. The license fee should not go to Fish and Game and Fish and Wildlife does not enforce sports, and then the hunting regulations are not in compliance with our rural ways of life. For instance, you can take--when I look at my father's old records when he was a licensing officer, I look at the regulation book back in 1965. Unit 17 used to be open for a whole month for moose hunting, and now it's only ten days. And those ten days are centered within the rutting season. And another one which is going to affect in the future our renewable resources and the fisheries resources, the beaver hunting season has been closed for the past two years. And I just went out just a couple weeks ago up to our region in the (indistinguishable). There are a lot of beaver dams and a lot of beavers, and still no word from the Board of Game on the opening. This is another portion of the subsistence life style and another economic benefit to the rural villages in Alaska.

Nancy Brunck: Thank you, David. Which group does this one belong to? Would someone come up from there?

(male): The first question we had, I think, was what do you suggest change should be made? Normally, just a figure of speech, it should be the structure. What David was talking about is exactly what's happening in our area. He talked about the beaver situation. Since 1974 it is closed. They said within two years we'll have it back open again. Last spring we approached Fish and Game and talked about this situation. We showed them where all the beaver dam is. They're all over the place. They're up the sloughs; they're up the creeks--you name it. They say that we have to make a comparison that has to relate to 1968. Okay, this week or next week they're

going to find out, say, that they're going to make a study on it whether the beaver will be open or closed. So about a half hour later they come back and say that the decision has already been made. For 1978 and part of 1979 it's gonna be closed in the lower Nushagak. I'm wondering, when I talk about changing the management, if we had a local input--and the study itself proved that the beaver season should be open--that's what I say about management. If we had some kind of input--we know that the game is out there, but they don't believe us. And that's what I talk about local controls--the State and the Federal government working together to get the problem done and start planning what's going on in the state.

We have Fish and Game local supervisors should work together closely with the policy board. We're talking about with local control State and Federal government. The local supervisors within your geographical area will work closely with the policy board. Naturally, they'll have to, because they're within their geographical area.

Access to information--we'll get a lot of information, like the advisory board we have now, there's a lot of information that's not really there. They're still seeking for information. The only people that have information is the State or Federal government.

And it says the policy board which will be combined of all the three different agencies should work closely with the local supervisors. That also ties in with what you call management.

We have a lot of problems. We have problems between--conflicts between fishing/hunting, and we find out certain species are being depleted. We wonder why. We live here. You look at the State record, you'll find out that we are the minority of the people. When rules and regulations are made, it is the urban people, or the people that are in Anchorage, Fairbanks, you name it. On the same token, by being the minority people, we are the majority land users of the State, but we have no input.

When we talked about zoning, we're talking about either subsistence zones, D-2 zones, it looked pretty funny if we had a park here that said we can subsist within that park or area. If there's some old lady taking a picture of a ptarmigan in the springtime when they come down from the mountains and you come by with your snowmachine, or even skis, or whatever you've got to get there, and you shoot it in front of her, you could see the conflict. When you talk about zoning, we're talking about the game that we

have. They migrate; they move. We know that. The State knows that. So what I'm trying to say is that when you manage the resource is that you follow the game. Like one area will be open for subsistence. Maybe the next year it won't be, or the fall time it won't be, because the game is gonna be gone. Then it's an ideal situation for visitors.

We talked about orientation. We have orientation on the pipeline. They have programs to orient you how the environment is, the people, the conditions, and you name it. But we don't have anything for sports fishers that's coming from Anchorage outside and orient them how our lifestyle is, or anything like that. We don't have a program like that. So they just come in whether we like it or not.

And the last issue, I think, was how should you put as a priority on subsistence. I mentioned before that we are the majority land users of this state, and I think and honestly feel that it is a very high priority, and the subsistence should dominate over commercial and also sport. Thank you.

Nancy Brunck: Thank you, Frank. Would someone from this group come up and give their report?

(female): I don't know how we did about answering the questions like they are, but this is what we talked about.

One problem with Fish and Game is that people don't know how they operate, why the regulations are like they are. Maybe it's because they come down from the Feds, I don't know. But there's not very good p.r. between people and Fish and Game.

We talked about native culture and life style--things like hunting in the spring and harvesting fish and drying fish. And we thought Fish and Game regulations should be clearly stated. They're hard to understand.

We need local representation, and the problem is the advisory board is only advisory, and that's not good enough. There's not enough control--that the structure of Fish and Game discourages immediate action. We talked about the conflict between commercial and subsistence fishing, the problem with Fish and Game funding source coming from--well, we weren't sure--probably permits, tags and fines. We wondered what the difference was between the revenues Fish and Game gets and their expenditures. We had a discussion about what people want. Do they want subsistence, or do

they want conveniences--whether you can have both--subsistence life style and development, or do you have to make compromises. We didn't come to any conclusions; we just talked about that.

But we do think--some people were thinking that people who don't live a subsistence life style should be the ones to buy the licenses, and the people who live subsistence shouldn't have to.

We talked about the beaver and things like that, as far as the difference between what Fish and Game and the local people feel is enough game, you know, as far as being able to go out and get some. And that there wasn't equal enforcement of the law--that for local involvement, maybe the people in the villages could be trained to do studies of animals in their area--like with the beaver, since they're already there and they know what's happening.

Kind of over all, we kinda thought Fish and Game was a mystery to us.

Nancy Brunck: Thank you. Which table had this report? Would someone come up and give a report. I think that's the last table. Have you given yours back there?

(male): The first thing I guess we started off with was our point of view on the present management structure, and we sort of got into a number of the other questions as we went down, too, but I think we sort of stuck to the structure initially. For the first part, I guess our main problem, as we saw it, was that the Fish and Game Department seems to hire a lot of outsiders who don't seem to understand the environment and the cultural aspects. That causes a lot of clashes right there. I don't need to reiterate that. I think we have said it many times over, and we see it in the papers, and it's all over.

The other thing is that the management seems to be run out of Anchorage and Juneau, and various agencies like that, and we need local control similar to the regional education attendance areas. Getting it down to where the people are at, decentralizing programs and having local authority making decision powers right at the local level, because we're the ones that have to live with that and have to abide by our own decisions. If we mess things up, I mean that's it forever, and I think we know the consequences of that and have ways of dealing with our own. We feel like we

should hire local people to work with Fish and Game and provide career ladders so that they can provide management and enforcement as necessary by the local boards--so that this management and enforcement again is down at the local level. We know that many of our people aren't educated--quote, unquote--with the degrees to qualify themselves for the jobs that we have right now, and, as a result, very few native people are applying for any of the Fish and Game positions--at least the higher-up positions where they really count. We felt that there should be something to allow local management to set management areas or boundaries depending upon the plentifulness of game and fish and changes in migratory patterns--have that again--that local decision-making power right down at the local level. If Region 17, one area is good and another area is bad, close down one area, open another area--these types of things. We didn't feel there was enough flexibility as it is right now. We're not too well aware of all these sort of things, but at least from our own perceptions.

We feel that the management structure should get out of the Department of Public Safety. We don't want cops and all those things all over out there. Everyone we see one--if somebody died, or somebody shot someone, or something's happened--and it's got a bad taint to it. We want Fish and Game separated. There's no place for the Department of Public Safety with the Department of Fish and Game. And that there, I guess a guy could go on a half hour worth of examples and problems that we've been having there, but we feel very, very strongly about that as a structural change.

The management now seems to cater to sports fishermen and head hunters. As an example, one of the consultants I was working with, I told him what I would like him to do is find me a very, very good likeness of a white man's head down below somewhere, and I wanted it put on a frame and I didn't care what it would cost, but I wanted to donate that type of thing to each of the different spots where head hunters come in--like King Salmon, Dillingham, Iliamna--and say, "This is the last head hunter who left all the meat behind and came out with a head. He lost his own." Something of that sort. But it's really a problem, regardless of the laws, and wanton waste things and stuff like that, it still happens.

Fish and Game officers--and we heard a number of things and we couldn't quite agree, so we put "allegedly" search fishing boats without warrants for fish and game and illegal equipment. And

this also goes into rumors about searching homes and stuff like that, and it causes a lot of problems. You hear about people going hundreds of miles away, getting game, and they're only a couple of miles away from home, a plane lands, takes away their snow-go, all their equipment and everything, and he's out for subsistence. But you have other head hunters out who only bring back maybe a hindquarter and a head and they say, "Gee, thanks, we got a couple thousand dollars out of you," which is really nothing.

More problems--we feel that more time should be spent on education about fish and game rather than enforcement. If we're going to get people involved in that area--and we feel more of our people should be--we need education in the schools at the primary and at the secondary level by law enforcement officers and others who are around here, because they know more about it than anybody.

By removing from PUblic Safety, the stigma of the Fish and Game will be minimized and will hopefully allow more local involvement. Again, that came up as we were going into, I believe, the second question about what do you suggest should be changed, how can local involvement be increased, and list all the actions you think would help prioritize subsistence. Again, establish local boards. It's the very, very key, we feel. Give more priority to subsistence. Raise the license fee for outsiders to a very high level. I understand they're getting something like five grand for a lion now. We could probably up our moose to about ten grand, and stuff like that, and maybe we'll have enough game around for subsistence and enough for our grandchildren. If you have problems with something, and you want to still allow them to come, even if you raise it to fifty grand, you'll still have those rich buggars comin' up here when they fly Lear jets up here--

---most local input. All along we kept hittin' up local input. We were intrigued with the idea of cooperative management; we feel that's very, very necessary. We understand laws are necessary, but regulations interpret laws, and regulations should be made by those people that are most affected, and not by somebody again away who thinks they know the law.

Permitting subsistence in areas that are at times close to sports fishing or hunting so that a way of life may be preserved. Again I think it pretty well explains itself, but again, allowing subsistence hunting to prevail over regular hunting and fishing, especially when game gets down to below maximum sustained yield areas. And using clearer language in Fish and Game regulations, so that all people can understand regulations, not just those who

speak legalese. That's a problem I always brought out. Things are too sophisticated, and even if you did understand, we still may not necessarily follow the law. That's always a problem. Like they say you can't hunt in the spring. Well, the game's plentiful in the spring, so you go out and hunt. They're not necessarily plentiful at other times, so that's something I don't think you'll ever stop. And you hear about the people in Barrow are going to go out whale hunting regardless of what the law says. They've always done it; they always will do it. So rather than making something illegal you should adapt it to the situation at hand, knowing that they're going to do it anyway, and trying to make things less severe and more applicable to the area, and making it more difficult to the people outside, like seasons when people should be back to work, not during the summers and stuff like that, when kids are going back to school. A lot of those sorts of things can be, and are, I think, already being implemented to a lesser degree.

Weigh each violation individually so that human factors are considered. It's very difficult when you set up a law that's set up for the whole state or for the whole nation. It does not consider a lot of times the individual circumstances that often warrant one to break a law because they need that game just to survive. They need that food. And I think many of our game officers, at least in the past, at times, have been very good with kind of looking the other way; but lately we have more of a crop of people--these cops, I guess they are, playing Fish and Game guys that are out there that are playing right stictly by the letter, and that causes a lot of problems. And some unfortunate circumstances could arise because of that, because they're not being flexible enough.

Need native subsistence user on all levels of boards. We feel that if people were native subsistence users on the different levels of boards, whether they be Fish and Game, local boards, or wherever, that they can keep hammering home that point and let people not forget that there are subsistence users, and it's needed, and even though it isn't defined, they know because they are subsistence users, and they could tell these other people they don't know what they're talking about. And as we proceed to try to explain how one exists, or subsists, or whatever you want to call it, that is the paramount thing, I think, out in all of Alaska--rural Alaska.

And I guess that's all we had.

Nancy Brunck: Thank you. Have you given your report over here at this table? I think that's the last report we have.

(male): Okay. The No. 1 question, what was it--from our point of view what problems exist? To make it short and sweet, it looks like education is one problem and enforcement is the other. We run into problems where enforcement officers are in a village attempting to enforce the law and trying to explain to violators why they can't do this or why they can't do that. And either through ignorance, or the fact they just don't care, people don't seem to understand that they can't go up the river and net all the fish out of the holes and still have fish three or four years later.

The problem of p.r. was brought up, and the problem of the policeman picture of the game enforcement officer was brought up. And, as an air taxi pilot, I personally have seen a lot of Fish and Game people go out in the field, attempting to enforce the law, and running into a stone wall where the local villagers have made absolutely no attempt to assist them--made no attempt to understand or to care simply because the man was a policeman out to arrest one of their own for what they feel wasn't a law that applied to them. So I think the idea of education beginning in the schools and right out to the village of the fact that we are all citizens of the same country and that the laws apply to us all, not just to the few that pay the taxes and are educated or who care. The education process has got to be completed right from the ground up so that everybody understands. I've seen people that say, "Well, the fish have gone up the river every year for generations and generations, and we've gone out here and taken these fish this way ever since time began and they're still here today, and we just can't understand why there are fewer and fewer fish." And the law enforcement officer says, "Well, you can't go up there, and if you do, we're going to fine you, or we're going to punish you,"or whatever is necessary. And then the conflict arises, so education is really important.

And then the other thing that's important, as we saw it, was enforcement. During our peak fishing seasons it's not at all uncommon to have several fishing boats outside the line, especially when weather conditions make it tough for the enforcement people to watch everybody, or after dark up the river. It would pay, I think--or we thought it would pay--if there were enough enforcement people to cover. If there was a man put up the river and left there--if there was people covering the line all the time--not just out there once in a while making a spot check, but there all the time. If we're going to draw line and say nobody can fish beyond

that line, we can't say, "well, nobody can fish beyond that line," when the man's looking, and nobody can fish beyond that line anytime. It has to be for everybody. That is the way we addressed question No. 1.

And No. 2--the same problem. How do you suggest change? Well, we suggest stronger enforcement of what we've got. If you don't like what we've got, then change it. But we have to live with what we've got right now, and we have to enforce it if we're going to try to make it work.

Consistent and tough penalties--we find a lot of inconsistencies in different places. If a man violates a particular law in Naknek and the same law in Dillingham, one man will get a slap on the hand and the other guy goes to the pokey. The thing has got to be put together so that if a guy goes over the line, he knows what he's going to get, and then he gets it if he gets caught.

On the second part, we believe that the advisory system as we have now is a good thing and is working but that it has got to be expanded. I believe that here in Dillingham all of the villages within this district were invited to participate in the local advisory. Some of them did; some of them didn't. It's possible that some didn't because they really didn't understand what they were being invited to. It's back to the education process again.

As far as the actions that could be taken to give more priority to subsistence, we are back to the problem of definition again. If you can't define "subsistence," how can you give priority to it? If you can say, "This man is a subsistence hunter because he's got to have this fish or this game in order to subsist or to live through the winter," then you can say, "Okay, this man can be identified either through the possibility of some kind of a simple state licensing system that says this man has got a subsistence license which allows him to go out and take his fish or this game any time of the year, any manner necessary, as long as its strictly for his use and is necessary. If it isn't necessary--if the man is out here making $35,000 a year fishing, then he isn't a subsistence hunter, whether he thinks so or not.

That's all we have.

Nancy Brunck: Okay, thank you.

(male): I'd like to respond

(male): Talking about what these gentlemen have already been saying, as a 45-year resident of the Dillingham area, when our Governor was here some years ago, as compared to the game, say, the moose down the coast area, there's only about 10% of the moose down in that area now that there was when you were here. And it goes back to--well, having hunted down there for some 35 years, in 35 years we've had to leave one moose. Now there's a law that says that we should not leave--we cannot leave the meat there. In 35 years we've had to leave one moose there because a three-week fog and rain came in and it was soured when we got back there. And you go over to Naknek and you see hundreds of horns come through every fall, and you don't see any meat coming with it. And yet they want us to abide the rules, and it just doesn't make sense.

We're talking about subsistence again. Subsistence means different things to different people in different areas. Now I go up in villages and work. You go into a village, I dare say that there isn't a Fish and Game man that eats moose three times a day. And I've been in many of the homes where you moose and rice for breakfast, moose and rice for dinner, moose and rice for supper, and you have that day after day until that moose is gone. I like this. Subsistence should be No. 1 priority.

Nancy Brunck: Thank you for all the time that you've spent tonight. There isn't another table left, is there? Oh, no--there is.

(male): One of the problems with structure of Fish and Game, we talked about it before. Our table thought funding was a major problem and that what was needed was a long term base.

Second, we supported the regional board that people talked about here, although some words were local boards.

Third, we need more followup from local input. If the regional board thing is implemented, the local input will automatically happen.

Priority--subsistence over commercial and recreational or sports fishing. And one thing that no one wants to talk about which I thought was important because it has been expressed to me on numerous occasions by many native people, and it has to do with snow machines, and we recognize that the snow machine is necessary in subsistence hunting. However, we don't know what effect it has on the game, and we kinda thought that maybe a statewide

impact study should be done on it to see what the impact is and make the information available.

Under 2, a lot of the things that we have here under 1 are interrelated with 2. What we suggest should be changed: the advisory boards need more power, perhaps regional or local board system is the way to do it.

Nancy Brunck: Thank you very much. It's really late, and I just want to tell you thanks for staying this late and sharing your ideas with us. I hope that they have been helpful for you to listen to tonight, Governor, and part of what our job is now that you've spent the time writing all your ideas on the paper is, it is our job now to go translate it and put it into the report that goes directly to the Governor. And I'll just turn the meeting over to the Governor to say a few words in closing.

Gov. Hammond: All I'm going to do is close it, believe me. I realize the hour is late. I want to express my appreciation for your patience and attendance and input. I think there's been a lot of significant comment made. I recall Frank's mentioning the cooperative--necessity for cooperative regulatory fish and game management. I had this called directly to my attention in Barrow here just recently where it is very evident, as somebody else has said, that they're going to continue to hunt whales in Barrow regardless what any International Whaling Convention comes up with in all probability. Now what do you do, Federal government? Send in the troops to preclude this from happening. I can just see that. But I think by sitting down--we sat down with something like a hundred Barrow whaling captains--not Barrow, but northern village whaling captains--and they recognized the need to improve the method by which they took whales. Some of the villages lost a number of whales because of certain methods that most of the whaling captains agreed were inappropriate. But by eliminating those types of methods without taking additional whales than they actually use now, they can continue that whaling culture from here on in. And I think through that cooperation between the Federal, State and local people, we can work out a system that meets everybody's concern, but without it we will fall flat on our faces--no question about it.

One of the concerns I have is in regard to if you go into a regional board system. In my view, my proposal of some years ago, the so-called satellite board, had a system whereby the State was divided into regions, and then they would be entitled--each region--to so many advisory committees. And then instead of the Governor

selecting somebody who's going to tell you what the fish and game regulations are going to be, permitting the most democratic process imaginable to occur, in which the advisory boards would select somebody to serve in their regional board, and they in turn would select, by election at the local level, or what have you, somebody to represent them on the master board level. Frankly, I much prefer that. I think you people should select who is your best representative in the realm of fish and game management. I'd like you to consider that as an alternative to the present system, which simply has somebody selected for you to represent your interest. Sure, we ask you who you may prefer, but I think it far preferable that you in essence determine who you want to have represent you. Then you've only got yourselves to blame if you don't attend the meetings, if you don't select the people you want, rather than blaming me. And I much prefer that.

But I came here primarily to listen. I've probably talked too much already, and I should mention to you something that I've told other public forums. And that is that I recognize now that one can get in a lot of trouble by talking when he should be listening. I had this brought home dramatically to me when I put the call in to then Governor Carter before he was inaugurated. I had my secretary place that call, and she announced on the intercom that the Governor was on the telephone. So I picked it up and I said, "Governor, or is it Mr. President Elect, or just what does protocal dictate I call you?" The answer came back, "You can call me the operator. I'll go get the Governor for you."

So, as I say, I'd better sit down and shut up, and I want again to express my thanks for your input and look forward to seeing you again.

SCOMM

#7:6

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson Jr., Chairman
Representative Steve Cowper
Representative Joe Hayes
Senator Patrick Rodey

STAFF MEMBERS PRESENT:

Dorothy M. Larson, Staff Assistant

PUBLIC HEARING LOCATION:

FAIRBANKS, ALASKA
USO BUILDING

DATE: Tuesday, October 4, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Jim Kowalsky	1895 Pioneer Way, Fairbanks	Friends of the Earth
Richard Stern	3824 Birch Lane, Fairbanks	
T. Stell Nauman	2311 Palos Verdes Eagle River	NPS
Samuel Demientieff	1725 Cottonwood, Fairbanks	Tanana Chiefs Conference
Bob Rogers	Box 224, Fairbanks	Self
Chris Anderson	200 Well Street, Fairbanks	Self
George Matz	1895 Pioneer Way, Fairbanks	Fairbanks Enviornment Center
Jim Kubanyi	20 Timberland Dr., Fairbanks	Self
David G. Kelleyhouse	1300 College Road, Fairbanks	Alaska Department of Fish and Game
Carole Yazzie	#39 Chena Pump Rd., Fairbanks	Deloycheet, Inc.
Bud Wiese	1426 2nd Ave., Fairbanks	Interior Wildlife Association
Marian Hao	Box 867, Fairbanks	Interested citizen
Dave Snarski	Box 10, Ester	Alaska Conservation Society
Jonathan Solomon	Box 98, Fort Yukon	Gwitchyea Zhee Corp.
Mark Baumgartner	6 Mile Farmers Loop,	Self
R. Clar	72883, Fairbanks	Self
Alfred M. Fabian	Box 776, Fairbanks	Self
E. Carlson	Box 2741, Fairbanks	Self
A. M. Swarner	312 5th Ave.	Self and is on Advisory Committee to Fairbanks
Fred M. Anderson	1300 College Rd., Fairbanks	Alaska Department of Fish and Game
Harold Gillam	104 2nd Ave., Fairbanks	Self
John Wright	ACWRU U of A, Fairbanks	Self
Moris Samuelson	631 Noyes St.	Self
Keith Samuelson	631 Noyes St.	Self
Mary E. Binkley	Box G - Fairbanks	Self
Hardy M. Smith	Box 5153 North Pole	Self
Geoff Kennedy	1089 Park Drive	Self
Tom Scarborough	Fairbanks	Tanana Valley Sportman's Association

TABLE OF CONTENTS PAGE

1.	TESTIMONY OF	Harold Gillam, 104 2nd Ave., Fairbanks.....	3
2.	TESTIMONY OF	Jim Kowalsky, 1895 Pioneer Way, Fairbanks.....	9
3.	TESTIMONY OF	Alfred Fabian, Box 776, Fairbanks.....	14
4.	TESTIMONY OF	Bud Wiese, 1426 2nd Ave., Fairbanks.....	18
5.	TESTIMONY OF	Samuel Demientieff, 1725 Cottonwood, Fairbanks..	37
6.	TESTIMONY OF	George Matz, 1895 Pioneer Way, Fairbanks.....	40
7.	TESTIMONY OF	Hardy Smith, Box 5153 North Pole.....	53
8.	TESTIMONY OF	Dan Rodey.....	57
9.	TESTIMONY OF	Mrs. Samuelsen.....	58
10.	TESTIMONY OF	Tom Scarborough, Fairbanks.....	64
11.	TESTIMONY OF	Rosita Worl.....	67
12.	TESTIMONY OF	Gene Carlson,.....	73
13.	TESTIMONY OF	Dave Snarski, Box 10, Ester.....	78
14.	TESTIMONY OF	Marian Hao, Box 867, Fairbanks.....	80
15.	TESTIMONY OF	Chris Anderson, 200 Well Street, Fairbanks.....	87
16.	TESTIMONY OF	David Hawthorne.....	87
17.	TESTIMONY OF	Mary E. Binkley, Box G - Fairbanks.....	90
18.	TESTIMONY OF	Jonathan Solomon, Box 98, Fort Yukon.....	91
19.	TESTIMONY OF	Moses Samuelson, 631 Noyes St.....	93
20.	TESTIMONY OF	David G. Kelleyhouse, 1300 College Rd. Fairbanks	94
21.	TESTIMONY OF	A.M. Swarner, 312 5th Ave.....	95
22.	TESTIMONY OF	T. Stell Nauman, 2311 Palos Verdes, Eagle River.	96

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel: 842-5970

OCTOBER 4, 1977 - FAIRBANKS PUBLIC HEARING

Representative Nels Anderson called the Subsistence meeting to order at this time. For those of you that may not know me, my name is Nels Anderson, I represent District 16, I come from Dillingham, Alaska, and I would like to at this time introduce people on the panel with me. To my immediate right is Representative Joe Hayes from Anchorage; Representative Steve Cowper I think most of you know, and sitting at the end of the table is Dorothy Larson our Staff Assistant. At this time I would like to very briefly state the purpose of our meeting tonight, and maybe before we get into that I would like to acknowledge our Representatives that we have here and have them make introductory statements or whatever they wish to state to the public at this time.

Representative Joe Hayes: Nothing in particular, I am just happy to be here, I enjoy being on this Committee. I think it serves a very useful and timely purpose, particularly when we are faced with the present D-2 Legislation and I am very interested in hearing your testimonies here this evening.

Representative Steve Cowper: I have nothing to say.

Representative Nels Anderson: We may as well get right into it, I think

most people know the purpose of our meeting is and to be brief, our goals for the study on subsistence this year is to make sure that the hunting, fishing and gathering activities of Alaska'a residence are guaranteed and protected by not only State Law, but Federal Law and I think that most people know that Representative Cowper and Representative Hayes are both on the D-2 Steering Committee for the State of Alaska and they are going to be making statements to the Federal Government in the State of Washington at a later time, and any comments that the public can give us regarding subsistence, how they feel about it, whether or not the term subsistence ought to be defined and what the State ought to do about protecting subsistence in Legislative activity are our concern. We would like to know how you feel about that and what you think we ought to do about those particular issues. Another use that is becoming more and more evident and that is the subsistence use of our resources, and in our State we have very few rules and regulations that guarantee or in any way regulate the subsistence take of any of our fish and game resourced in the State of Alaska. I think probably the only resources that we have at this time that has any kind of regulation is the Salmon fishery and there are alot of other resources that we are looking at now. The purpose of our Committee is to take a look at the rules and regulations that exist today to see whether or not they fit with the Alaskan lifestyle, and if they don't what we should do to make sure that lifestyle is protected, and to make absolutely sure that Federal Legislation does not pre-empt or in anyway preclude subsistence hunting and fishing of any of the resources that the State of Alaska has within its boundries.

At this time, I would like, if the public does not mind, and I would

beg them to defer to the Chairman's wish that Mr. Gillam be the first to testify this evening, he does have another committment tonight, but I would like if people have a public statement to make either in writing or orally, we are going to be recording statements and they will be entered into public record and any statement that is made will be taken into consideration in our deliberations in the Legislature in 1978.

Mr. Harold Gillam, Mayor: Representative Anderson, I appreciate your allowing me to speak first. The item of subsistence is becoming more so than before and somewhat being given little more emphasis than it should be. I think the partial solution to the problem is a little bit simpler than we think, as I mentioned before in one of the Congressional hearings I think that Subsistence hunting and fishing can be handled better on a variable bag limit than any other way, in other words somebody around the North Slope as until just these last few years did not have a viable source of income or had a greater dependency on subsistence hunting and fishing, and because of no roads and limited access the variable bag limit in the particular area was appropriate. More of the villages that have a greater demand on the wild life for subsistence I think can be better serviced by the variable bag limit, and then around the more populated areas a lesser bag amount. I believe that subsistence should be just that, if you need the game for subsistence then you should be allowed that game.

I disagree very strongly with how some of the subsistence hunting and fishing, primarily fishing has evolved that subsistence under the guides of subsistence fishing some people have been using it as a commercial game, and this I think is wrong. I heard more stories from the Fish and

Wildlife, one man down the Yukon River some 40,000 fish under the subsistence fishing allocation and the only thing he was doing was stripping the fish through the throat and wasting the rest of it. Of course this was the failure of the Fish and Game to prosecute that individual for want and waste. I think that individual should have been, but I think that anytime you do define subsistence that it should be individuals own use and or a minor amount for whoever friends he's got, but nothing on the magnitude say 40,000 fish that amount is commercial. I don't believe that subsistence should be based, as Congressman Seiberling pointed out, on a racial bases, I don't. I think that is completely wrong. If man needs the use of a wild life it doesn't make any difference what his color is or what his background is, if he needs subsistence off the land then he needs that just as much as the other person. I don't think it should be on a racial bases in fact I think that is completely wrong. I was very distressed with Congressman Seiberling and Morris Udall's statement that they would write into the new D-2 Legislation of subsistence on a racial bases. I made the charges before the Congresses that this is some of the height of hypocrisy. We in the Fairbanks area, we just ran into the small problem which I just hope does not evolve in the future years. The Fairbanks district, the Tanana River the only one with sufficient game decided that after the commercial limit of fish was taken that they would also close the subsistence fishing. The commercial limit was set arbitrarily in the Tanana Valley of 15,000 fish, which is a ridiculously low number of fish to be taken in this particular area because that did extend down below Manley Hot Springs because that took in quite a few fish wheels. More commercial fishermen in the local area down in the Manley, Nenana area with the upshot that the commercial fishermen in the immediate Fairbanks area only got just a, I

think, a total of less than 20 days of fishing through the whole summer of actual fishing before they were shut off. And the subsistence fishermen, this was the only area that the rule applied that they would cut off the subsistence the same time they cut off the commercial. Also the subsistence fishing was cut off. I have raised protest of this to the Governor and to the Fish and Game and they say they think there isn't anything they can do about it this year. I'd hope that they would at least extend it, the season, since it was a banner year run for all fish this year.

We had a strong run of silvers and I was hoping they would extend the season for the next couple of weeks anyway, but apparently that's not going to happen. But I do hope that is not the policy in the future years, that commercial fishing should be, if you are going to issue a commercial license that man should be entitled to catch as many fish as commercial fishermen anywhere else.

Subsistence, they did place a limit of fish in this particular area, of 75 fish per individual. I have no quarrel with the limitation placed on that. I have no quarrel with the variable bag dependent upon the area that you are in. In fact I would say in the Fairbanks area, 75 fish is a reasonable area. Probably down in the lower Yukon if they are still running dogs, they might use a thousand fish. In essence, that is my testimony.

Representative Nels Anderson: Thanks, Mr. Gillam. Mr. Cowper do you have any questions, comments?

Representative Steve Cowper: Yeah, Harold, if I take it you do not have any problem with the subsistence preference, but the definition is what's in question, okay.

Mr. Harold Gillam: No, I don't have any quarrel at all with the need for subsistence. In fact, I think that Alaskans should be entitled the first use of their land.

Representative Nels Anderson: Mr. Hayes, do you have any questions?

Representatives Joe Hayes: No, I don't have any questions.

Representative Nels Anderson: Mr. Gillam, I would just like to get just a little bit more clarification on the variable bag limit. Could you just give me a little bit more of an idea of what you're shooting at, when you make that proposition, please.

Mr. Harold Gillam: Well, like I said, probably the best example is right here in subsistence fishing. The allocation is 75 fish per subsistence license. Well, in another area there are no limitations. Now, I do think that there should be some reasonable limitations. This is where the 40,000 fish figure came from, where an area had no limitations whatsoever. There should be, I mean that there should be a reasonable limitation. Like I said if a person is dependent upon his circumstances, if he needs he's running dogs, he is going to need 1000 fish, 1500 fish to feed the dogs through the winter. I have no quarrel with that whatsoever. I do have a quarrel when a guy takes 10,000 fish, 40,000 fish and starts in under the

guise of subsistence. And then sells it commercial, or wastes the product, and just strips the fish of the roe. Now I think that's wrong. If a man wants to use it, I don't care how much game he takes himself, if he has got the full use of that game and no waste. I have no quarrel.

Representative Nels Anderson: Another question that I would have; you stated that you requested some kind of action from the Governor and the Commissioner of the Fish and Game. You had made a request, would you elaborate a little more on that please?

Mr. Harold Gillam: Okay, this is on the arbitrary limit of cutting off the commercial fisheries after the commercial fishery had taken 15,000 fish in this particular area. In the Fairbanks area, I'll define the Fairbanks area as the area above the Wood River. The Wood River comes into the Tanana about 20 miles above Nenana. But in this particular area, probably from Wood River up subsistence hunting, pardon me, subsistence fishing also ceased at the same time as commercial fishing ceased. The area below the Wood River but still in the Tanana drainage subsistence fishing was still allowed to go on. I felt that the 15,000 fish since this was a banner run of fish this year was arbitrarily set to low because that was set a year ago when they were anticipating a smaller harvest of fish.

The fishing ended here on September 4th, very early here and so I had appealed to both the Governor and the Commissioner of Fish and Game to examine this thing, which I felt was a grave injustice to the people of Fairbanks area. They did and felt it was too late to do anything about it this year. I do disagree I think there was time they could have opened

the season up. They did not wish to use emergency regulations to open the season up but didn't do any irrepairable damage. To me it was just a matter ofinjustice more than anything else. 15,0CO fish per the number of commercial fishermen in this particular area was unreasonable just way to low.

Representative Nels Anderson: What was the Governor's response?

Mr. Harold Gillam: Well the Governor's response was correct in that he said he did not want to use his influence in Fish and Game matters. And he referred me to Mr. Skoog and I did talk to Mr. Skoog. And I think Mr. Skoog will be an excellent Fish and Game man I am very much impressed with him. To say that he did give me complete satisfaction at this point and time I am not going to try and say that but I do think this is an injustice and should be corrected.

Representative Nels Anderson: I would like to introduce Senator Pat Rody from Anchorage. He's also a member of our subsistence committee. Senator do you have any comments to make or questions to ask of Mr. Gillam?

Senator Patrick Rodey: Not at this time, Mr. Chairman I have know Harold for a long time and I chance to talk to him about these things(?).

Representative Nels Anderson: Are there any other questions from the Committee? If not than Mr. Gillam thank you.

Mr. Harold Gillam: Representative Anderson, I thank you very much for your

courtsey to hear me first.

Representative Nels Anderson: There is I think a piece of paper going around, could that be circulated around the public so that we can have more names added to of those people who wish to testify or at least let people know that they were here. We would be more than happy to hear from someone else at this time if they would like to make a statement to the committee to come up to the table here and make a statement at this time.

Mr. Jim Kowalsky: Mr. Chairman, I am also supposed to be somewhere else at this time. Mr. Chairman, members of the committee my name is Jim Kowalsky. I am a field representative for Friends of the Earth. I thought I should come to this hearing not certainly as a person who is involved in subsistence in terms of the practice or certainly not to speak for such users. But instead to share with you some of the legal or analysis that we have prepared to use in the so called D-2 negotiations if you might call them that which are going on now in Congress. So I thought I would just like to summarize them for you. And I'll leave the document with you, it is rather lengthy I'm not sure if you would want it printed in the hearing record or not at least you may wish to have it in your files I have, would like to submit Mr. Chairman, for the record, a brief summary of what is in that document and from that summary I will further summarize, to make it short, the analysis that is entitled "Legal Issues and Federal Protection for Subsistence on the Proposed National Interest Lands", which is prepared for us by Dennis Kelso, who at the time was a graduating Harvard Law student. Who is now working for the State Supreme Court. I should mention also that it I think, I would like to recommend you that if you wish

to hear from him and he of course can best speak to his own analysis, I think it would be appropriate because of the potential conflicts of interest and so forth. In his case clerking for the Chief Justice of the State Supreme Court. You might wish to make a request of the Supreme Court Chief Justice at some future time if you are going to be considering something in more detail. I am sure that he would be happy to work with you. The paper addresses four broad categories of these issues: First, of all treaty constraints on subsistence policies; secondly, constitutional basis of Federal power over biotic resources on Federal lands; third, constitutional permissability of the Federal granting priority to subsistence users; and fourth, statutory management boundaries for existing administrative agencies. And to really pare this summary down he has concluded that in his review of the legal issues surrounding Federal protections of subsistence that there are four crucial factors which must be included in any serious attempt to address this question. First of all, management by the most appropriate agency; secondly, clear priority for subsistence relative to other consumptive uses and third, meaningful participation of subsistence users in shaping regulations and last or fourth, flexibility of the subsistence management design. Now I will - the paper deals, the analysis deals primarily with Federal issues but I heard you say Mr. Chairman your interested in the entire picture. He does also address to a lesser extent and in less detail the authority of the State of Alaska to grant subsistence priority. He discusses these questions and I'll just tell you what they are, the limits enclosed by the constitution of Alaska; Alaska Statutes dealing with subsistence; State Administrative Agencies and Subsistence Policy; and I'll just read you a very brief conclusion of that discussion, from the paper itself. He says the Alaska

Constitution provides ample flexibility for creating a clear preference for subsistence use of renewable resources. Today, however, the Legislature has dealt only with pieces of the problem but it has delegated broad authority to the board of Fisheries and of Game and to the Department of Fish and Game. This authority has been exercised to manage, for subsistence use and to declare the Departments position that subsistence is the highest beneficial use of Fish and Game resources. At the present this management approach is adequate but as competing demands for use of the resources increase the adequacy of administrative preference unsupported by a legislative statement of priority he feels will be threatened. And continuing "for purposes of the present analysis it is most significant that the State of Alaska has constitutional operating space for development of subsistence policy. Full cooperation and participation with the Federal Government in Management of the national interest lands is possible through both legislative and administrative action and State authority can thus be exercised in concert with federal powers in coordinated search to a wise Alaskan subsistence policy.

I was quoting from Mr. Kelso's conclusions on the discussion on the authorities on the State of Alaska which grants us priority. Then there is a summary of the Federal and States subsistence policy limits. I won't read that but I think that it is very important in terms of mixing the two authorities, Federal and State, and particularily I call your attention on page 121 to the suggested criteria for evaluating policy proposals. I should say that this was prepared in anticipation of a rather substantial discussion over this question which is going on, of course, at this very moment in the House Interior Committee. Then if I may submit both of these

for the record. Put a rubber band around the big one here.

Representative Nels Anderson: We appreciate it Mr. Kowalsky.

Mr. Jim Kowalsky: It's not in very good shape I apologize for that but let me just conclude than by making some informal suggestions on what the State legislature might do. First of all, I think and I'm sure Mr. Chariman and your colleagues are aware that one thing I think needs to be done is to piece together a complete picture on the State legislative level I have thus addressed that earlier; number two I think this is important enough to bring up here and to press, and that is I think that the State legislature should make a vastly greater effort to insure protection for sensitive landscapes and habitats to keep them productive. I think so often we get in a mesh involved sometimes in an emotional way over management, competition for management, management authority, regulations and so forth that we really forget that the basic fundamental thing as neccessary as the landscape.

And I'm sure you will agree, I hope you would, that subsistence users, in particular, and certainly other users of fish and wildlife and biotic resources are extremely vulnerable to resource depletion resulting from other consumptive uses of land, such resource development which results in habitat destruction. And what I'm suggesting is I really think looking at it from a functionary working for a national organization whether you like it or not there is a great deal of decision making to be going on at the national level particularily in Congress and I think the State legislature might help the State to change its image. I think we've seen some private organizations

which have toured the country asking the nation to support less protection not more. I'm not sure if I may, Mr. Cowper, pose the question of what the legislative steering council on D-2 would do but I think there is an image there that needs to be portrayed that the Alaskans are sincerely interested in protecting sensitive habitat because, again, it is the basis for production of wildlife and other sources that are vital to subsistence use. We have a national controversy raging right now which is in many ways extremely unfortunate over the bowhead whale. And then, thirdly, and lastly, I would suggest that there be a very strong emphasis if I could suggest this on educational programs. They might be arranged in this manner: First of all, to tell the story of subsistence needs perhaps to the States very rapidly growing urban population; what are the personal needs; what are the landscape needs for example. And, to also make that story available to the nations's urban population who have almost no knowlwedge at all if any about these kind of uses of animals and other natural products. Secondly under a educational program I think the legislature might think about identifying more clearly the limits of the resource and what more efficient means for less wasteful harvests for the users themselves might be, or at least help them to or work with them to help identify these aspects of the harvest itself. Lastly, I think this is extremely important to involve those very knowledgeable local people who are directly involved in subsistence activities in some sort of on going research program to determine the needs, determing the range and the habitat requirements, the carrying capacity and the harvest capacity of the resource, involvement of the local people. That sort of a three prong educational approach which perhaps your committee might consider.

In closing, I'd like to thank you for letting me give you these views and this material and would certainly like to be around to assist in the deliberations in Congress which are going on now and will probably continue throughout most of next year. Thank you very much.

Representative Nels Anderson: Thank you, Mr. Kowalsky. Are there any questions from the members of the committee? Mr. Cowper, how are feeling? Mr. Hayes?

Representative Joe Hayes: None, Mr. Chairman.

Representative Nels Anderson I don't have any questions at this time but I would like to accept that report. Thank you Mr. Kowalsky. I note in the audience is Representative Sarah, somebody, Smith back there. Would you like to join us up here? You would be more than welcome. Are there enough chairs for people back there if not I'm sure accommodations can be made for people to be comfortable. Is there anyone else who would like to make a statement to the committee at this time on their views on subsistence?

Mr. Al Fabian: Yeah, I would like to talk a little bit here.

Representative Nels Anderson: Would you give us your name first?

Mr. All Fabian: Yeah, my name is Al Fabian. Born and raised here in Fairbanks. And a half breed. My mom was born in Rampart. It's 10 years now since I've been going back and forth to Rampart now where my mom lives. I've been learning how to fish. I learned the technique of building a wheel during

the summer, and in back 1975 and 1976 I bought license, commerical license. But I didn't sell enough fish there to keep the license according to Fish and Game. I mean I (inaudible) subsistence fishing. Since I just got through subsistence fishing I feel I got the right to fish over here since I was born and raised here. But 75 fish, that is not enough to make (inaudible) thats not enough. Besides the closing of the subsistence it was open on Monday and closed on Wednesday night, 6 o'clock. Now if I ain't got a greezer to keep the fish I catch than I'm storing out of nothing. 75 fish I think it should be open again for people that, because in Rampart I could probably be able to keep fish now where it is cold enough to keep. But they got no limit over there. Subsistence there is you catch as many as you want, as long as you use them and have a good purpose to use them, but over here, there is nothing. I feel that the 75 fish limit should be knocked off for people that have been fishing and have records of fishing. I feel my self that if they close it here, that will be the strong hold and next will be Nenana and on down the river. Where are we going to go? Get a big boat like the other guys and go out in the ocean? Put out a six mile net when all we got is a 100 ft. maybe a 12 foot wide wheel? Which is like taking a squat in a doggone big river. The fish just don't go in one spot. You can tell that there's people all over the river catching fish. I just don't feel that's right that we be discriminated over here because this is Fairbanks. This is just like any other village as far as I'm concerned. Just that we got more business over here.

Representative Nels Anderson: Is that it? I've got a question. What was the open season again?

Mr. Alfred M. Fabian: When they opened the commercial I mean the subsistence fishing they opened it on a Monday and on Wednesday at 6:00 o'clock they had it shut down and that was it for the whole goldarn year.

_____: That was the second opening of the commercial and the commerical and subsistence when hand and hand this year.

Representative Nels Anderson: What is your name?

Robert Clay: Robert Clay and excuse me for interrupting.

Representative Nels Anderson: To your knowledge that was the only opening?

Mr. Alfred Fabian: That was it. That was it man. They never opened it again and that was late August I'm pretty sure. I don't got the dates but I would have dates but I didn't know about the meeting until yesterday. I called the Tanana Chiefs to see what kind of representation they had down in Juneau at present.

Representative Nels Anderson: Well basically you feel that the 75 fish is not enough? You would like to see it increased?

Mr. Alfred Fabian: That is not enough. Yeah, I'd like to see it increased.

Representative Nels Anderson: By what amount would you like to see it increased?

Mr. Alfred Fabian: I don't want no limit at all because chances is when you put your goldurn wheel or net in there thats like a gamble. You don't know if you have it at the right eddy. You might have put the net where all you catch is drift and thats going to pick the net up. Then again you might hit a spot where you will have a fish in every goldurn hole. You know your gambelling all the time. You put a wheel in you never know when the daughter-in-law is going to come down and wipe the whole wheel out. And it takes time to build a wheel and it takes money too. I'm not the richest person in Alaska thats for sure. I can't afford no fancy stuff. But I don't like to be messed over neither.

Representative Nels Anderson: Thank you. Any questions or comments?

_____: Mr. Fabian, what did Fish and Game tell you was the reason for that low a number? Did they just tell you there wasn't enough fish or what?

Mr. Alfred Fabian: 75 they figure thats enough for any family over here. And you get five king. Thats all that is it. The one I asked earlier about that was just talking and he said he thinks that is to much himself that limited amount here, but thats not enough. People eat fish just besides just Friday.

Representative Nels Anderson: Mr. Hayes do you have any questions or comments at this time?

Representative Joe Hayes: No I don't think so.

Representative Nels Anderson: Mr. Fabian thank you very much for your comments. We appreciate it. Is there anyone else who would like to testify at this time?

Mr. Bud Wiese: I represent the Interior Wildlife Association of Alaska. I came here mainly to listen and see what the other bookings were going to be. But in connection with the idea that you wanted additional information also we did bring copies of testimony that we gave to Keith Specking. I thought there were going to be three people here so I brought three copies of the information that we have to Keith Specking on the problems with king netting in Alaska. Also I brought three copies of a more or less news item we send out to our members dated August 20th in which we marked two areas where we made comment on the subsistence in the subsistence hunting regions in Alaska. You may be interested to know we have been working on this problem. And than there are some comments I would like to make here. Also I only got three copies.

This is dated October 4th, from the Interior Wildlife placed to be considered for Fish and Wildlife Management. To perpetuate the resources of first priority there simply not enough fish and game for the present and future needs for the population of Alaska. We feel that the population of Alaska has exploded and will continue to grow and the rate that the fish and game is not going to sufficient for unlimited use. In other words its going to have to be managed as to what it can stand to take and not unlimited like we have in the past, because of the population growth in the past and in the future. And also along the same lines these numbers of animals and fish that we have had in the past are no longer secluded by transportation.

With the airplane, the snowmachine and the new river boats there isn't a place in Alaska that can be left out discarded as not being harvested. Its all being harvested and I don't care what part your talking about. Weather does not stop people, the rain will no longer stop them and distance does not stop them. Second, we don't favor subsistence is the final. We figure it is not the final. We've tried to work on it we've walked the floor. We believe that anybody trying to define subsistence is just wasting our time. Subsistence, as far as we are concerned was the life style of Alaska. And about the time of the pipeline this era of Alaska passed. Population has caused the subsistence style of living in Alaska to be an era of the past. There probably is no true subsistence residents in Alaska living 100% subsistence way right today. We feel that is a thing of the past. Subsistence living especially 100%. Subsistence is being used as a means of commerical use and or welfare. As it was brought up earlier that we heard a report with nothing to substantiate it that subsistence in the Yukon that the fish were stripped of the roe the fish were left to spoil in the river and the roe was set to use commercially. Ivory off from the walrus in the Bering Sea is being used commercially the animal itself was left in the sea to rot. But the ivory was used commercially. Now earlier, after the Western Arctic caribou herd was found to be pretty well depleted the Fish and Game tried to use this as a welfare for the communities up there. And that was nullified by the courts when the system they were using. So as I say for subsistence to use as a commerical use or welfare use I think that this is wrong. You must find some other way if we're going to use subsistence.

Subsistence - definiation should not be attempted along ethnic lines.

The State constitution prevents this. And I think this is a very very strong point we must defend even against the Congress of the United States. I think they have ideas that they should violate this but I don't think we should allow it. Because it is going to leave problems that will probably never be settled. In or out of courts either way. Another one, the game laws must be enforced. And I'm sure that you people are aware as we are the enforcement is extremely weak and the public and the courts do not support our enforcement efforts, of our law people who are in the field. I gave a list of the infractions those that are brought to court and are finded and their absolutely ridiculous. The violations could be for an officer to make an arrest spend the time to write up the report, which would probably take him days to do, all the red tape, and the guy goes to court gets fined $50.00 with $25.00 suspended. I think this is ridiculous. If we are going to get any teeth in our laws we're to have to get some enforcement and get the backing of the public to help get some enforcement and I think the courts are going to have to start putting some fines on the people who violate these laws to make them draw their attention. Right now it behoves somebody to violate these laws because your not going to get hurt enough with that kind of fine.

Representative Nels Anderson: Thank you Mr. Wiese. Mr. Cowper do you have any comments or Mr. Wiese at this time?

Representative Steve Cowper: Yeah. There's a whole lot to what you say there about the enforcement. I've watched that over a period of over 10 years or so and its always been tough to get a conviction and once you got a conviction it was really tough to really punish for the violation. There

maybe some ways that we can improve that. Something that I would like to ask you, suppose, lets assume that game and number of game is shrinking up and you have to make some sort of priorities. You have to figure out what the allowable harvest is and create some preference as to the harvest? How do you think we ought to handle that? Do you think it ought to be handled on the basis , geographical basis? You think the local residents of the area, of the management area we'll say, should have the preference on the taking? How would you handle it if you had that problem to wrestle with?

Mr. Bud Wiese: Well legally the game belongs to the people of the United States. So I feel that legally everybody is entitled to them. Now I go along with the concept of management and as I said earlier that game is the first priority. Perpetuation of the game. So if we have an area, as I say transportation is no longer a problem and if you try to make it into a certain area and going to limit it to the people in that area than you are getting into the more ethnic group and your giving them priorities to that resource. And your denying the equal rights of everybody else that has liberty to that. I go along with the concept of the Fish and Game in that you have a resource in an area you control it by two things. One by limit and another is by length of season. And I think your first one, one of them is length of season and if you have to shorten your length of season so far than your limit has to drop and you still have to go further than you have to go to the permit system. I don't feel you can only shorten the season just so far than you have to go to the permit system and on the resident against non-resident I don't want to make any comment cause I just don't feel I studied it enough. I do know one problem that is coming along this line, we're getting alien hunters that are coming from Europe

that are moving in enmasse. It's multiplying by numbers that people don't even realize. We don't have the figures but we hope to get them in the very near future. And will be able to make more definite comments on this. But we do know this that they are multiplying at a rate that people can't believe.

Representative Steve Cowper: Well, lets take it another step further. What if the law were to set up priorities of use, don't you suppose that those hunters from other countries ought to be the first ones to get cut off?

Mr. Bud Wiese: This is right; the alien should first because the game belongs to the people of the United States.

Representative Steve Cowper: Okay, now would you prioritize, let's leave aside subsistence for the minute, would you prioritize between commercial fishermen and sports fishermen.

Mr. Bud Wiese: I've not studied that I wouldn't want to make a comment. I've never taken that up with my directors of the organization or other people.

Representative Steve Cowper: Okay, thank you.

Participant in Audience: What have you studied?

Representative Steve Cowper: Pardon?

Participant: What have you studied here?

Representative Steve Cowper: Well the management of the game itself, the resources part as the

Participant: How can you make these statements that you make without having actually

Representative Nels Anderson: Escuse me, excuse me, what is your name?

Marian Hao: My name is Marian Hao and I'm from Fairbanks.

Representative Nels Anderson: Okay, you know if you'd like to take this up later with the gentlemen, thats your priviledge, but I think that possibly members of the committee would like to possibly ask the same questions to him and

Marian Hao: I'm sorry.

Representative Nels Anderson: That's okay but if you don't mind we would like to carry the ball from here. Steve do you have any other comments?

Representative Steve Cowper: No, no thank you.

Representative Nels Anderson: Mr. Hayes?

Representative Joe Hayes: Just to carry what Steve started a little further.

If you don't think foriegn hunters should be cut off what about giving the situation of diminishing supply. What about ah, do you feel people from other states should be cut off before Alaskan residents?

Mr. Bud Wiese: I don't think you're allowed to do it legally. In the (inaudible) belongs to everybody. The resource belongs to everybody in the United States. Now we have in certain areas been allowed 50-50 against residents, or 60-40 in certain items. Some places I guess it's even been 90-10. 10% residents ah, I mean 10% non-residents and 90% residents on permit basis. This may change and how far we can go with it I don't know constitutionally. But the (inaudible) of the resources belong to the people of the United States. As far as commercial versus sports, I don't, as far as fish, salmon I believe the fish they are talking about. I do know that or feel,

The Sports fishing of people are the people I have not discussed this with. This particular item that's why I hate to comment upon it. But my personal feeling is that the sports fishermen are allowed a take of salmon. As to what the resource can stand. In other words, I don't believe you should shut off the sports fisherman completely for the commercial fisherman. Nor, do I believe you should cut the commercial fisherman clean off for the sports fisherman. There's got to be a balance there, I'm not much of a salmon fisherman, except at Chitna. I do believe I like to go down there and have for over 25 years now. I started in the early 50's, going to Chitna, we do every year, religiously. But outside of that I'm not much of a salmon man, I have not studied the commerical aspects of salmon I don't know anything of the management of the salmon itself. I'm talking

mainly of the game. The moose, caribou, the bear, the (inaudible) and so forth of the interior of Alaska, where I have spent the last 36 years.

Representative Joe Hayes: In other words, you don't feel that the people that are attempting to live the subsistence life style, either 100% or 50%, should have any greater right to the game than somebody from Seattle? Is that what you're saying? Or you just don't think the law

Mr. Bud Wiese: I would like to say yes. But knowing that the game belongs to everybody, than I don't believe that anybody has subsisted, as far as the production of meat, and berries, off of Alaska, than anyone in our family. We haven't bought meat for over 30 years. And we harvest a lot of berries every year. I'd like to continue that style of life, but I don't feel that I have 100% right on that over anybody in the United States. I believe we have to give a percentage to them.

Representative Nels Anderson: Mr. Hayes.

Representative Joe Hayes: I just think that this more than - I think the difference is that in your particular case you have the option of living off game or going down to the store. And your talking about the extreme side of subsistence is, the head waters of some rivers, where there is no local store.

Mr. Bud Wiese: Don't you believe that our welfare program today is so, when I mean welfare, its always have been for our people. That there should be no people hungry today? Unless they do by their own choice. I can go

hungry for going out here in some isolated area where there is very little or no game and not take any food with me, depend on the game in the area, and not be able to get any, I'd get pretty skinny. I believe, with the transportation, that we have today, with the economics that we have today, and knowing our welfare program, what little I've know of them, I don't think there is any excuse for anybody to starve unless it's still, its just completely stupidity that they haven't contacted one of the agencies to help them.

Representative Nels Anderson: Mr. Hayes.

Representative Joe Hayes: Bud, you've got five tough questions here. Four of them we can't deal with next session, we're not going to settle. But one of them, one of the questions we can deal with. I hope you'll talk to some of the representatives from Fairbanks and help them, through your organization. We have a (inaudible) with the administration in tightening up enforcement laws. I've had a bill in with the special Fish and Game prosecuter for three years now. And Fairbanks delegation were very good. About supporting a different approach to enforcement, one that is going to be meaningful and I hope your organization will continue to do something. Because this is the one thing we can do and do it right and we can do it soon. And I think that most of us admit that the enforcement system now is inadequate.

Mr. Bud Wiese: We have another tragic problem as you know, we have tackled in the last couple of years, the last few years. We've been organized, if you have followed some of the stuff we have forwarded to you, in the last

several years.

Representative Joe Hayes: I still would like to see your organization can do.

Mr. Bud Wiese: Yeah, we keep you pretty well posted I think. Yeah, and we are just getting into the enforcement deal that was just brought up. That it is a problem and we decided to take some action on but we haven't channeled our efforts and we're going to have to get a hold of somebody to more or less give us some guidance of which way to push on it. Because we don't have anybody in our organization that is legally available that does have the knowledge to help us you know, to channel our efforts so we got to get somebody to give us some lead as to which way to go of what we want to do to accomplish this move.

Representative Joe Hayes: A lot of tough questions that can't be dealt with on a short term basis. Fish and Game is full of very tough issues. But enforcement is one that can be dealt with now on a perhaps a more rational and more timely basis than perhaps many other issues.

Mr. Bud Wiese: We told us. We didn't feel it was so much the enforcement issues and the fines that are levied for those violations that are caught. That we feel this is more deterrant you know. A guy goes out here and gets caught snagging salmon or an over limit of gear, fine him $50.00 and $25.00 suspended, well what can you lose? You know, you don't lose anything. And I think it's a disgrace to the officers themselves and deterrant for them to make anymore arrests because of the hours they have to spend just

to write up the paper work. I know it's fantastic and yet the guy who does the violation gets off scott free even if he pleads guilty he figures he doesn't lose anything. I think this is the problem, I think legislature I personnaly feel we got to lay down that if a guy gets caught fishing without a license he gets find $150.00 and spend a night in jail. And the judge doesn't have a thing to say on that. I think that is the kind of things were going to have to lay down to get some teeth in our laws. Is it legal to lets lay down the criteria for what the crime is and fine him and place him in jail. And the judge has no discretion as to what to change that. And then you can listen to the people and if you listen to the judge is going to say its a $50.00 fine with $25.00 or $30.00 suspended. Put some teeth into it.

Representative Joe Hayes: I think you can see us approach (inaudible) probably enact next session we would be enacting a drunk driving law with a mandantory sentence.

Mr. Bud Wiese: Well I think that is what your going to have to do here.

Representative Joe Hayes: I think it will be studied before it's application before the State.

Mr. Bud Wiese: In one other area, along the same lines, now this is personal, I haven't had a chance to talk to the others yet I feel that the biologists, or anybody in the Department should be deputized to make arrests. Give them a basic training course on how to arrest people and be allowed to make the arrests. Because they are the ones in the field. We don't have enough people in the field, even those kind of people not just the

enforcement people.

Representative Joe Hayes: No more questions Mr. Chairman.

Mr. Bud Wiese: Mr. Chairman, I might observe that biologists in the field biologist very often are deputized for those very reasons you are talking about. They don't like to be called that maybe thats the reason they - Well if they have a sincere belief in what they are doing, and in their jobs, I think this would be part of their program.

Representative Steve Cowper: I guess what I just said is they would prefer not to be enforcement agents. But they are all deputized. They have to take a five day enforcement course or something like that but most of them are.

Mr. Bud Wiese: Well I didn't know that.

Representative Nels Anderson: Mr. Wiese please take a seat I have some questions for you. Other members have any further questions? Mr. Wiese I take exception at some of the comments that you made. You made reference to the walrus on the west coast of Alaska I believe. You stated that walrus have been taken only for commercial purposes.

Mr. Bud Wiese: I didn't say only. If I did I'm wrong. I said there was a lot of them taken for ivory only.

Representative Nels Anderson: Well I attended the meeting with the central

region Fish and Game advisory board on September 3rd in Kipnuk. Have you ever been to Kipnuk?

Mr. Bud Wiese: No, I've been over on the west coast fairly close to them.

Representative Nels Anderson: Well Kipnuk is miles from Anchorage, which is how far from Fairbanks, anyway it's a long ways. And now those people are a little bit tired of people blaming them for the taking of walrus for commerical purposes only. Apparently you don't know those people very well. I'm sure you don't know those people at all. But they take walrus. And they take it for the meat. I'm not done yet. And they see walrus drifting up to the beach without heads. Okay, now they are tired of being blamed for that. Now who is doing it?

Mr. Bud Wiese: Well I don't know but

Representative Nels Anderson: Who is doing it?

Mr. Bud Wiese: I believe the report of one party flew the coast over there and counted over 900 carcasas on the beach with the heads off, with the tusks cut off. Not even dug out.

Representative Nels Anderson: Who's doing it?

Mr. Bud Wiese: I don't know.

Representative Nels Anderson: Okay, If anyone has any idea who is doing this and it goes back to your question of enforcement, you know, we've got

to have more people out there to find out who is doing this because those people are getting sick and tired of being blamed for that activity. It is illegal.

Mr. Bud Wiese: Yeah, for your information I'm on the guide board. I'm not a guide. I'm a non-guide that serves on the Alaska Guide and Licensing Guide Control Board. I've been on it now for three or four years. This is where I get a lot of this information. People from Savoonga and Gambell the (something) brought in and talked to other people from that area who we are trying to help become guides so they can guide clients in that area

Representative Nels Anderson: Well I understand that. Now on your piece of paper here you have given to us, you have concerned sportsman. Now what in you opinion is a sportsman? What is that?

Mr. Bud Wiese: This is a man that goes out and gives fair chase to game. And he buys a hunting license, he pays his share for the management of game. This is a sportman.

Representative Nels Anderson: Okay what does he do with the meat?

Mr. Bud Wiese: I would say he would utilize it. And I would, and I just wrote a note to the fellow that is with me, Walter Henderson, Charles Graves, (Ulmer Smithney?) We wrote to Alberta to find out what they have and their law reads "It is prohibited to leave edible meat in the field or to allow it to be lost or spoiled." This prohibited by law. And I am getting tired of people coming in go up in the hills, kill a sheep, 25 miles back in and the y come out with the horns and the (inaubible).

They say the bear got them, the rest of them. As I said I've killed game up here for 35 years now. And bear have yet to get a piece of my meat. They may some day and I know it does happen. I don't leave meat. You go into these walk-in areas. We went in there a few years ago, there was a ram, shot right through the chest, he couldn't have gone 30 yards. But he was (inaudible) on one side. It was a walk-in area. No one even took the time to dress him out. The next year Harley went in there, on the day of (inaudible) it was a walk in. He went in with a tractor, he and his buddy, they loaded up enough meat they couldn't even eat it all, while they were in there. Meat picked up right along the trail. I don't believe those guys are sportsmen.

Representative Nels Anderson: I'm very much aware of the wanton waste around as I was the author of that legislation. That put more teeth into that particular weak enforcement area and the one thing I wanted to get at was the moose season in the peninsula in units 17 and 9. September 10 through September 20. You know what happens to moose around September. They go into the rutt.

Mr. Bud Wiese: Right.

Representative Nels Anderson: What happens to the meat?

Mr. Bud Wiese: Well, I've killed, we have the same here, I've killed moose up to the last day of September, that have been with many cows, and I've been very careful. I've skinned them, remove the hide, taken them home and hung them for two or three weeks and its been very good.

Representative Nels Anderson: Well most of the reports that I get, that season that we got in those units are designed for sports hunters. Not the subsistence hunters, the meat eaters. Because when the moose goes into the rutt that meat stinks.

Mr. Bud Wiese: Well you've killed different moose than I have. I've killed

Representative Nels Anderson: I'm telling you what the people tell me back there in my district.

Mr. Bud Wiese: The hide stinks. You've got to use care in removing the hide. The caribou is a different animal.

Representative Nels Anderson: That may be the case. I'm telling you that it's your word against theirs, and those people live out there and they aren't going to touch that meat. Now what we've got to try to do is to accomodate not only the meat hunter but the sport hunter too. And I think the sport hunter has a pretty good, a lot of (inaudible) influence in the legislature.

Mr Bud Wiese: In other words your going to try to regulate the use of the product rather than the taking of it.

Representative Nels Anderson: Well to regulate the season so the meat hunter is satisfied with that meat, when he catches it.

Mr. Bud Wiese: What is the season out there?

Representative Nels Anderson: It's September 10th to September 20th.

Mr. Bud Wiese: Well most of them right up in this area are just slightly entering into the rutt before the 20th of September.

Representative Nels Anderson: Well the end of August is when the moose go into the rutt in the Bay.

Mr. Bud Wiese: They start, yeah, But they aren't actually

Representative Nels Anderson: By September 10 that meat stinks and I am aware of that.

Mr. Bud Wiese: Well you have different moose down there than we have up here.

Representative Nels Anderson: We might have. Their a little bit more agressive.

Mr. Bud Wiese: I can varify what I have said right here. Many people have killed moose. There are probably people sitting here in the audience who can varify what I say.

Representative Nels Anderson: Okay, I want to go to another section of your presentation where you stated it would be waste of time for us to try to define subsistence. And I would like to state that the committee agrees with your assessment. I think that is correct because in September I prepared a full session legislative report for my constitutants. This was done in

September and I would like to read it to you. "We hope to define subsistence as it relates to Alaskans throughout the State. Arguments against defining subsistence are that subsistence values and uses vary greatly across the state and that any attempt to define subsistence in the same way throughout the State will greatly undermine subsistence hunting and fishing in every region of the State." And my belief, I haven't sold it to the committee yet, but that is my personal assessment. I think that - I think that we are on the same track. Going to the subsistence, you say, was a life style. I think to a degree you are correct. I think that there are people in rural Alaska that still heavily dependent on the resources of the land and the waters. They are greatly dependent on those resources. And you may not agree. But there is one thing you don't understand. When a person comes from Kipnuk or some other village, they don't have acess to all the services you are referring to. They don't have telephones, they can't get on an airplane and just hop on a plane. They don't have scheduled air service. They have to charter they have to get to those agencies that exist in Bethel and other places of the State. And they don't get that kind of service that you think is available. Their not getting it. And those people need that meat, to survive. Now you may not agree, but I'm telling you just exactly what I feel about this. That's the way it is.

Mr. Bud Wiese: Well maybe you can answer my question on this. Like the caribou now. That western caribou herd continues to decline, and that meat is not available to those people, what is going to happen? What happened to the people in Anaktuvik last year when a lot of caribou was in that area? And the people there never got a caribou?

Representative Nels Anderson: That's an interesting proposition because last year the Department of Fish and Game said there was 34,000 caribou. Now they up'ed that to 75,000. For some reason the herd increased dramatically. Twofold, but what happened there? I don't know what happened. I don't think the Department of Fish and Game knows what went on up there.

Mr. Bud Wiese: I don't know. I think we have to many people behind the desk and not enough people out in the field.

Representative Nels Anderson: I agree with you basically. Okay going back to the other thing, the enforcement aspect of this. I agree with you that enforcement efforts are weak. But, there is one thing I would like to share with you and the public is that I am getting pretty tired of people using the Department of Fish and Game as whipping boys. We're not supporting those people, as much as we should be. You know where their money comes from don't you. They sell our fish and our game. They sell our moose and caribou and our bears. And the money they get from licenses they sell is matched with Federal funds. Okay, so if they don't go out and sell enough caribou, moose and bear their not going to get enough money to get their payroll. Okay, then we have to start dipping into the general funds to start supporting these people. So to kick them around, it's not going to help to kick them around.

Mr. Bud Wiese: Well, enforcement is not being supported now by the game licenses.

Representative Nels Anderson: I don't know where the money supposed to be coming from but I

Mr. Bud Wiese: That comes out from the general funds. Because it's under the Department of Public Safety now.

Representative Nels Anderson: But a good portion of the money from management and other purposes comes from the sale of licenses.

Mr. Bud Wiese: All of it does.

Representative Nels Anderson: Okay.

Mr. Bud Wiese: And this is why I think you should get money from the general fund for the Department of Fish and Game because they are allowing people other than the sportsman and the subsistence uses, but the people that buy the license, to help manage this game and their not convicting, ah, putting one penny towards the management of it. Even the trapping license money doesn't go toward the management of game but yet our Department of Fish and Game are paying for it.

Representative Nels Anderson: I agree with you. That's a good point.

Mr. Bud Wiese: Your paying for it. I'm paying for it. If the trapping license go into the general fund they use it for something else.

Representative Nels Anderson: Any other questions or comments, gentlemen? Thank you very much Mr. Wiese. Anybody else at this time?

Sam Demientieff: Chairman Anderson and committee members. My name is Sam

Demientieff. I was born at Holy Cross, Alaska and raised in Fairbanks. I am presently employeed with the Tanana Chiefs Conference Corporation. I am a former member of the Alaska State Board of Fisheries. And I only say this because I fully realize and don't envy you in your job in hoping to define subsistence for all those concerned. When I first heard the word subsistence, which was many years ago, it was used along with the phrase "Living off the land". During those years, which was during the 1940's, there was not as many people as there are now. During those years, your job of defining subsistence, would have been a lot easier because the pioneers, we're the remanents, of the miners and explorers of Alaska that stated in Alaska. These early newcomers to Alaska found natives, in the most part, friendly and subsisting off the land. Many pioneers today, living all over the State, would have to testify to the fact that the native people were than sole subsistence users of land when they got here. Native people are a passive type people to a certain extent. Having trust in one's word. But the native people are now realizing that all words, bills, or just about any dealings with almost anyone has to be carefully scrutinized. Native people in Alaska'a bush areas are not at this moment being are now at the moment being told of people, agencies, projects seeking Federal groups, associations, boards and committees. That are trying to help them one way or another. The subsistence life style is a constant time consuming and continuing process. But the native people are finding out in order to live within each populations and regulated life styles that they have to listen and try to cooperate with all agencies, boards etc. I think I safely say that the native people are more than willing to live with cooperative management of fish and game, wildlife, renewable resources. But are now confused by so many different agencies that take care of these different

projects. If subsistence could be under one agency this would help a great deal. In defining subsistence itself I know that anyone here that has lived for some years in Alaska knows its the native that lives the true meaning of subsistence. Hunting, trapping, snaring, devising any means to get food to live and using 100% of what he got. Subsistence is a way of life. It is as much alive today as working for wages or going into business is a way of life for others. You cannot come out to say "we're going to phase out business" because it is a thing that was born so many years ago. The same pertains to subsistence. It must be protected. It is as natural as self preservation. Or an animals own instinct. Subsistence is a natural heritage of traditional life style used by any native of a region or country. Traditional life styles encompasses the use of fish, game, plants, just about anything that could be captured or harvest for personal need or for in Alaska survival. I'm leaving you copies of testimonies given to other agencies or boards by Al Ketsler, president of Tanana Chiefs. And others. Thank you.

Representative Nels Anderson: Thank you Mr. Demientieff. Mr. Cowper do you have any questions?

Representative Steve Cowper: No, Mr. Chairman.

Representative Nels Anderson: Mr. Hayes.

Representative Joe Hayes: No, Mr. Chairman.

Representative Nels Anderson: Thank you very much

George Matz: I'm Executive Director for the Fairbanks Environmental Center. I just heard about this hearing and I just wrote down a few notes in an outline I'd like to speak from. I'd like to begin by first giving some Center policies related to subsistence. And I might say, the Center, ever since is formation in 1971 has been very concerned about the protection of subsistence rights and has played a very active role from that point to the day the bullhead whale issue has been taken up. A lead I think in terms of environmental groups to try and protect the bullhead whale. The subsistence rights of the bullhead whale. But our general policies are as follows: First of all we believe the subsistence harvest should not exceed the carrying capacity of a region. And I think there is probably a general agreement on that. Furthermore, we think that subsistence users should be given preference over other consumptive users. In other words subsistence should be a preference over sports hunting or trophy hunting. Non-consumptive users rights, to a resource, should be co-equal to the consumptive users. We don't think that the non-consumptive and consumptive subsistence rights can co-exist. Subsistence regulations should involve subsistence users, such as regional boards. Now in the HR 39 the Udall D2 bill you were supporting the idea of regional subsistence boards. And more recently we have seen that Governor Hammond has come up with satellite fish and game boards. And I'm not really sure of the details on this but we generally support the idea of grass roots approach and the getting the subsistence people directly involved in the regulations that effect them. In terms of preference we feel the State rather than the Federal agencies should have principal responsible for subsistence regulations. And we feel that subsistence rights should be available to non-natives as well as natives. And in fact if you go into some villages you see kind of a cross culturization. You see some non-native who are, habits and I've even seen an accent that is

is almost indistinguishable from natives. And maybe facial characteristics.

But Mayor Gillam earlier mentioned that there shouldn't be a racial definition for subsistence. And I tend to agree with that but I also have sat in with arguments with lawyers about just how you define this. The distinction between racial and on-racial. Especially with Federal legislation. And I have also tend to agree with Congressman Siberling when he says maybe racial distinction is the best thing to do to avoid a court challenge. A legal challenge because of the Federal trust responsibility. So, though a lot of us don't like to think of racial distinction between these things I think we also have to realize that it is in the United States Constitution that there is a Federal Trust responsibility to natives and its on that basis that I think it derives its comments. So its, you know, his concern is standing the court challenge. Our Center policies also feel because of the carrying capacity is limited and because of the number of people who want to live with subsistence life style keeps increasing, in fact, I guess, the carrying capacity is decreasing its inevidable that were going to have some kind of qualifications of who can have the right to subsistence and who can't. I know, particularily in the villages, people don't like to think of the thought of qualifications but I think reality is such that this may happen. I think, lets see it was mentioned that the ah the, your committee is interested in thoughts regarding the definition of subsistence. Now implicitly, if you have followed occassions you are defining subsistence. Also, I, these qualifications should be dynamic because subsistence, like any life style, changes and adapts to the circumstances to the world around it. So, it shouldn't be locked into something rigid because I think it would really work against

the protection of subsistence rights. But I think if you had these, if you had qualifications with tours set up, ah, to tie up to what ever the carrying capacity is in circumstances in a regional area. People in a region in a strong voice would say just how these were established. That (inaudible) you are defining subsistence. I'd like to make a few recommendations. One, we felt that State legislation is needed to clearly give preference to subsistence users over other comsumptive users. And as Jim Kowalsky was indicating, I think that this perhaps the biggest problem on the State level. We see in the Department of Fish and Game that there is some kind of interest in terms of giving preference to the subsistence user. But I think that the administrative discretion not that cut by state statutes. And I think it's created problems on the national level because we ah in the D2 hearings, in Fairbanks, we essentially heard the Siberling committee say "well if the State can't give preference to subsistence it will be imposed on the Federal basis". I think the State legislature also needs to recognize that subsistence is closely tied into the protection of habitat. And, in this regards the, I think that there needs to be stronger legislation to protect critical habitat. Especially species that are important to subsistence use.

Another recommendation I would like to make is that in regards to qualifications that the Department of Fish and Game conduct a census holding village meetings throughout the State. Finding out just what would be acceptable to these people. What different criteria would be workable. In that line, the Center replied to the Fish and Game (wildlife management) plans we had a lengthly letter which was sent to Commissioner Skoog. And in there we recommended a few criteria which might be considered for qualifications. Here again I'd like to emphasise that this is only for

consideration because we don't really feel that we know enough about this or really qualify to say that these should be qualifications. Their really pointed out as suggestions. But one of them would be the subsistence user must demonstrate a commitment to a life style rather than merely speaking from experience. One of the fears we have is say someone from Southern California comes up here and has romantic ideas of what subsistence is and like to go out to the bush and live a subsistence life style, Spend a year out there. Builds a log cabin, shoot a lot of game, find its pretty monotonious and finds it doesn't have the same excitement as California did. And that's not the thing for him and leaves. Were, in fact at the Enfironmental Center we get a lot of people, especially through the summer, coming through saying that I just come here from California and I would like to go out and live in the bush and live a frontier life style. I'm very apprehensive about that because to many have romantical ideals about what that is. And I think that if they did go out there they would degrade the carrying capacity and find that it it not what they really want and go back to the urban or suburban area or something like that. So I think the people who are allowed the subsistence right have to demonstrate a committment to this life style and not to be just an experience or a trip. I think the people also, the subsistence user must also demonstrate need. The amount of fish and game allowed a subsistence user should be based on the size and family to be supported. The amount of cash income. The cost of living for the area. A subsistence user must be at least a five year resident of the respective subsistence region or be an Alaskan native. A subsistence user must use an efficient means of take. Captial or energy intensive means of take such as for instance airplanes are not consistent to the committment with subsistence. Now, (inaudible) definition of subsistence.

One thing that has been mentioned quite a bit has been the, is the income. And subsistence is a subsititute for cash. I think one thing to which has not been really recognized is that subsistence as a life style is a low (inaudible) life style. Now if your familiar with physics, you know that the conversion of energy to work you have certain amount ways that is (inaubible) And our realization of shortages of resources, in this world, we become more and more aware of concerned with (inaubile) or waste or inefficient uses of energy. Whether that be the (inaubilbe) or someother type of resource. I think in terms of the justification why subsistence should exist and also just where it fits into National interest. It should be realized that the low (inaudible) life style. And by that definition it means that it be counter to the practice to have energy intensive means of take or (inaudible) too. In terms of recommendation. It was earlier mentioned that the funding for the Department of Fish and Game should be broader than just the licenses or the (inaudible). We fully support that. In fact what we would like to recommend is that the permanent fund be used to support fish and wildlife and habitat studies. To improve the base line data so we know what the carrying capacity is so that we make decisions based on knowledge rather than guesses. Avoid situations like last summer with the caribou, western arctic herd. Or this past summer with the bowhead whale.

Now in the permanent fund it has two conditions. It's that the money be spent on renewable resources and also there's a return on investment. And I think that money spent on base line data. Environmental studies on fish and wildlife habitat can meet those criteria. A lot of it is based on just how you determine what is a return. I think if you use a broad definition and consider a return in the sense that the State would be saving money by not being in a situation of not having to provide welfare

services and things like that. The state can be returned. So if you look at the social cost you can define it as such. At the permanent fund hearing that was held here, I guess, about a month ago, I brought this up. And it was said that well you know this base line environmental studies or base line date really weren't consistent with permanent fund ideals. But afterwards I looked at where the origin of the permanent fund came from and its to protect the Alaskan lifestyle. So it seems to me that this kind of studies are more consistent with the use of the permanent fund than to develop say petrochemical industries. Petrochemical industries are not consistent with Alaskan life style and never has been a petrochemical industry here until recently.

As a final recommendation I'd like to suggest that the State get more directly invloved in the bowhead whale situation. I was at the hearing in Barrow and Governor Hammond expressed great concern for this and but he also seemed to emply that this was a Federal problem or international problem. Which is mostly true. But I think the State must also do its part. There's a lot of work, a lot of studies needed to determine just what are the - what could be justified quota for bowhead whale. I think if the state would help out the Inupiat in doing some of these studies. They are very concerned. They realize the importance of the bowhead whale, and the continuation of their culture. And proposed studies which I think are quite sophisticated but the cost would exceed the amount of money they have available. So they are looking for funding they are looking to the Federal government. But I think it would be appropriate if the State would really, if they are interested in protecting subsistence, to see what they could do in supporting the kind of work needed here. I think the bowhead whale situation is especially critical because I can't think of any

more ideal case of just what is subsistence? I mean if one animal, as a species, is probably the highest priority, the highest importance of any species. And the eskimos on the coastal areas so much of a great percentage of their culture, and the effort and the protien is based on the bowhead whale. It's different than other areas such as the interior where protien could be moose or possible caribou or salmon or things like that. And so it's also the villages on the arctic ocean coast there are less, happen with the culture lines also. So I think there is no better case for protecting subsistence than protecting the bowhead whale. Making sure that both the whale and the eskimo culture continues. In that regards I present a testimony in Barrow and I brought a copy which I would like to give to the committee and it gives some of the policies, some of the Center policies and the reason why we felt it was the position of the United States here should object to the International Whaling Commission ban on the subsistence hunting of the bowhead whale. It might give you some insight to the thinking of the environmental center. Well that's about all that I've got. If you have any questions I'd be glad to answer them.

Representative Nels Anderson: Mr. Cowper?

Representative Steve Cowper: George, you know none of this is a problem until there's ah, and I'm speaking of things like subsistence, subsistence use vs other uses, fish and game, none of it becomes a problem until there's a shortage. Because everybody's got plenty until then. Okay, when there's a shortage you've got to figure what to do with it. Alright, you've got to have to say your going to take only a certain number of animals or fish or whatever it is. Who gets to take them? Is it more fair to say well first 600 caribou

no matter who takes them. Is that fair? Does that give unfair advantage to a person say with an airplane or a person who happens to live in the area? Or is it more fair to give a preference to people who actually live in a game management area? Or adjacent to it. Is that more fair? And if there is anything left over people from other parts of the state can come in. I don't know. That's the sort of thing the D-2 council is wrestling with and we're going to take that stuff to Washington next month. And so, you know, there real hard answers we're looking for. How do you solve this business of fish and game preference? And you know we're going to take something with us to Washington we're not going to go there with an empty sack. And we're going to come up with some kind of solution. I'm not prepared to say what it is right now because this in one of the purposes of Mr. Anderson's committee here. But...

Mr. George Matz: This is the type of question the Center has been debating apparently for years. And in fact are now coming up with their reply to the wildlife management plans that thought about this carefully. And we felt that in terms of preferences what has priorities, subsistence should be first. And there were a lot of philosophical reasons behind that. Just as a type of life style, decentralized self sufficient life style. Becomes a tremendous amount of value to this country because a philosophical basis I think one of the problems we're in urban areas and everything is too much centralization. To much people depending on somebody else doing something for them. I think the importance of this protecting people who want to be self sufficient are more important than people who like to hunt for sport.

Representative Steve Cowper: Is a guy who works here in Fairbanks and makes

$20,000 grand a year on construction, goes out and shoots a moose every year and has done that for 20 years, is he a subsistence user? What's the difference between him and a person who lives in the rural area and makes $20,000 a year and goes out and gets a moose every year?

Mr. George Matz: A number of options available. Where you live and type of life style. A person that lives here has more options than a person who lives in the Yukon Flats or something like that. I think, now its been mentioned that you can't define subsistence. But I don't -- In one sense it's hard to do it. But you can't avoid not doing it because you end up with qualifications. And like I mentioned when you have qualifications implicity you have to have to find it. The trick is to have it flexible so that is can adapt to change in circumstances.

Representative Steve Cowper: You say, now I'm -- I don't mean to you look like I have some pre-conceived notions about this because I don't. The question is more than academic I tell you. You say the person in urban area has more options. Well what are the options? What can a guy do? Why can he do more than the person in the rural area and has a job making $20,000 a year? He may even drive a cab or something?

Mr. George Matz: Well the options are more than what's listed in the want ads. The options are in terms of skills and ability to adapt to urban areas. And things like that and that all enters into it. So you know you have to look at if from the qualitative values as much as quantitative. Quantitative being things such as number of jobs being available or cash income.

Representative Steve Cowper: My observation is more friction has occurred when hunters or fishermen from outside the area, now it might be, outside of a particular geographical location in Alaska or it might be people from Pennsylvania or Texas or people coming up here shooting the animals. Or it might be these foreign hunters people are talking about. But my observation is there is more friction along those lines based on geographical or people coming in from other areas than there is any other. Now, I don't know if that means we can give preferences or recommend preferences. for people living in an given geographical area or not. But it's certainly one option that we have.

Mr. Sam Demientieff: In fact that has been done. I understand that around the Grayling area, Yukon River, that the Advisory Game Board has asked for restricted access. To avoid the competition, I guess, essentially between the subsistence and the sport hunter. So there's no (inaudible) allowed. I'm not sure that is true. Maybe somebody else will try to understand it. That area of the Yukon River has restricted access. Which in essence gives favoritism to the people that live there.

Representative Steve Cowper: Okay, thank you.

Representative Nels Anderson: Mr. Hayes? Yes sir?

Dave Kelleyhouse: I'm with the Department of Fish and Game. And I would like to clarify George's last statement. Indeed there were regulations imposed this last year. We made two special management areas. Kalskag (and Paradise) on the Yukon River. To control harvest by out of the area hunters. But, and this was in favor of the Athabascans living along that

stretch, I'd like to point out that it was the sports hunters primarily that were being kept out of the area. Indeed it was more native hunters out of Bethel, chartering out of Bethel, hunting Athabascan country. So now we have a situation, you know, both of them are essentially subsistence type people. It's just there are very few moose down river. And these, and this was the main bulk of people coming in. And this was why the special management areas were established. I just wanted to clarify it wasn't sport hunting per se.

Representative Nels Anderson: Thank you.

Male Participant in Audience: That's an interesting piece of information. And I think it all the more points out that you really end up with qualifications. Now you got two subsistence users. Apparently one of them, one group, has problems with their carrying capacity necessary getting their necessary food. So which subsistence user is more justified than the other.

Representative Steve Cowper: Who does the game belong to? The guy who lives in the area or the people of the United States?

_____: People who live in the area I'd say.

Representative Nels Anderson: Mr. Hayes do you have any comments or questions?

Representative Joe Hayes: Yes, you mentioned in reference to subsistence the incompatibility of consumptive and non-comsumptive.

Mr. George Matz: Not incompatibility. If I did I was mistaken. And I think I was really making reference to the fish and wildlife management plans where they said we're going to have non-consumptive uses in special areas. You know, national parks and a few isolated places in Alaska. And when a fraction feels that non-consumptive uses of game occurs, essentially where recreation occurs, when your canoeing and you see a moose or something that's an enjoyable scene so you've got to recognize that non-consumptive uses occur throughout Alaska and although there can be conflict with consumptive uses for the most part there aren't.

Representative Nels Anderson: Mr. Hayes?

Representative Joe Hayes: Mr. Chairman. George, you indirectly gave us a very comprehensive definition of subsistence. And did a good job at it. You talk of the need for flexibility. On one hand we realize it's necessary to have the opinion and expertise of local people living right in the area and know the area, on the other hand it is necessary to have the biological expertise to the people within the department that are trained and acknowledgable in that they have done a good job. But these two things conflict a great deal, because it is not always easy to arrive at how we're going to determine the flexibility of the course of the subsistence area. How would you recommend that the state handle local input versus the need for biological information determined wasn't proficient, how can you work together, this is one of the biggest harms that I see.

Mr. George Matz: That's a good question, I think there may be conflicts but we can properly manage that should be compatable. I think the professional fish and game manager as a difference type of expertise than some who live

in the villages and who are subsistance users. Subsistence users are also the experts, but with a different background who tends to more (inaudible) For instance the Western Arctic Herd, someone who lives in the village doesn't really have an understanding of the total population of Western Arctic Herd of the migration routes of what past they go through or anything else. It's very familiar with certain aspects in terms of especially his region and the person who works for fish and game tends to have a more broader overview, he knows what the total populations are. I think that both types of perspectives are needed and what we have to do is find a way where subsistence users will generally tend to be pretty keen in making ovservations and know what the habits of these animals are, can be combined with the professional knowledge from fish and game or from fish and wildlife service. And so that these are compatible and (inaudible), rather than working against each other. Though that is required that both sides restrict the knowledge of the other side and talking to bioligists and a lot of subsistence users, I think its missing. I think this computer has distressed the biologists and biologists has a lack of faith or crediability to confuse her.

Hardy M. Smith: Members of the committee and ladies and gentlemen. I'm Hardy Smith. I flew in the Ladd Airforce Base in 1952 and been here most of the time since. I've been a big game guy guide most of that time. Most of you know the supreme court ruled last year in 1976 that the big game animals of American and Federal territory belonged to the American people, not to the guide license or the control board or Alaska Department of Fish and Game. And people at Barter Island were islanded many years, many of them subsistence entirely owned fishing and hunting and many of the children came to school hungry. That one meal a day from Department of Agriculture

prepared by Issac Icoochick's wife was the only meal they had so there was no absenteeism. The Supulu's and Wilson's many of these people depend quite heavily on subsistence hunting and there in the prime spot. They could go up with there sno-go on the Hola-Hola River and in no river you can get twenty dall sheep, the game is plentyful. They tell me that with a hundred people, hunting these animals if there ever is a depletion and they'll have to kind of cut this back, but at the present time I wouldn't care if there wasn't any. They have transportation, they've got sno-go's and they can get there in an hour, if they want to go way back in the mountains its ten hours. Transporation Fel-Air Point Barrow, Joe Felder brings people into the Changler river and I don't know what he gets, but the going rate for a moose up there is $2,500.00. How many eskimos in Point Barrow can pay this, many can't. Sure they got 2 million dollars each from the Federal Government in land and money, but most of it hasn't filtered down in the village, a good bit of it hasn't. Many of those people are just as poor as they have ever been. And there isn't as many moose or caribou around or a bear are in that area. They got to get down to the Colville River.

Linda Spain told me some time ago on Dr. Gold's V-line program would I do away with all these tags, permits, lotteries, drawings, and just have a season's length. If there isn't any moose close the season. If you get thousands of them, you can lengthen the season. Even last year you can go up on unit 26c, Barter Island, and one guy could shoot 5,000 caribou legally, and when I protested to shoot out on a Colville river to Governor Hammond's T.V. program last year right away we'll get to the enforcement people. They're not doing their job. My opinion, enforcements are doing their job 110%, they'll get you when you didn't do anything. This guide

licensing control board I've opposed that from the beginning. I ask few of the gentlemen, there's one guide in two million acres for his exclusive guiding area in the middle of the Arctic National Wildlife Refuge. Since the Supreme Court ruled these animals belong to the American People, that means me and Steve, (inaudible) Lyle Carlson, and Chuck Grey. Chuck Grey is one of the greatest conservationist there ever was, he use to come to Barter Island for every year to take one Polar Bear and go home. Right now a guide can go from Colville river and shoot 5,000 moose if he can find them, there is no limit. If you got that many hunters or permits. The season is open for three more months. Perhaps we could limit these guides to a thousand moose or hundred or five or one. In other words if the native's of Barrow can't get enough moose to haul back to Point Barrow, this game is being decimated. It's being shot out on the Colville river and I object to this as an American, as an Alaskan. I think we should limit the season and limit each guide's to say five moose, if he can't make a commercial enterprise to hold the five moose plan, that's 5 x 2,500 dollars, then he should go out of business. Lynn Castle has bough out Bill Woggleman years ago when the Woodriver over here and has a very good going business. I admire the man - he's going out and going after the walrus. The mortorium shut him down, he went to Washington, they got it going again and I understand from talking to him, he gets a little money out of this. He doesn't make a great amount. The natives get some out of that from helping quide these people and they get the majority of the meat. So I think that this guiding can work for everybody if it's handled like that and that's the way it should be. In November I went down to Anchorage and watched the guide licensing and control board cutting up the primary's of Alaska and assigning it to guide's and I stood up and objected to this as being illegal and unethical the Federal Constitution says you can set up a monopoly. We do

this with lights and heat and with power and we also control the rate. Gentlemen, that's it, if you any questions here?

Representative Steve Cowper: Hardy, how long is that guide system been set up has it been since statehood, or is it something we entered.

Mr. Hardy Smith: Began to guide in 1954 and not guiding continously since then, 1968 I had to get registered if somebody went down to Juneau and then everybody's got to get registered so I had a bad time. I got my registered license.

Representative Steve Cowper: When did they start parcelling out the areas in 1968? Well most people don't even know, I don't. I saw very little in the papers. My brother called me when he came down from the Colville River area and said, "look there having a meeting in Anchorage go out and find out what's going on. I went out and read the law and they don't have to notify the guy's there parcelling this out and I received no notification. The period areas they say is this would control the game population, I don't see it because there is no limit on what the guy can do. I know Chuck Grey is a game conservationist he'll take one sheep and one moose, but he can go in a take 25 moose out of the Colville river if he's registered in that area, or 5,000. The game conservation has to come from the Alaska Department of Fish and Game as Linda Spain says from controlling the season, one day to ten days. If we don't the bids are going to take over like they did with the seal mammals. They want to do that already. One more point, I talked to the Governor's assistant and he said Governor Hammond does not have the power to fire anybody in here except his commissioners, he can fire them. Jim Brooks quit and we lost a good man in my unit,

but that man didn't have the power to go down and fire any of his people, now when the Feds ran this state as far as Fish and Game are concerned, they did a good jot of it. They weren't many people that is as what we see it, population explosion to had a game population (inaudible) is wiped out. Why? There is many reasons if we could transfer the Alaska Department of Fish and Game to ethopia to where they have open season on game wardens. We would have a better control on the system here, well we can't do that the Feds can.

Dan Rodey: First of all I would like to make a few comments, I am a guide, and I do guide on the Colville river, and in regards to comments Mr. Smith made that didn't pertain in anyway whatsoever to this topic here, all guides were issued to registered a letter and did have the opportunity to attend and take part in this very equitable sharing and no way did it in any form be tracked to many type of quote subsistence takes forcement hunting or anything else. So thats a personal problem that Mr. Smith has. I would like to make a few comments and it deals with this whole undefined thing subsistence hunting, since only one person has made an attempt to define it. I would like to offer some caution in the future. I'm afraid were going to be forced into a definition and whether it's flexible or inflexible it is merely rhetaric, but I'm sure that one will have to come up with the pending Legislature, I can see no way out of it. With that in mind I can only look to the people of Alaska, and look at the changing life style, look at the income, look at the source's of revenue, and the services in goods that all people receive native or non-native alike if we are forced into some type of definition to define subsistence, then I think we are in a very-very tragic position, because I'm sure if you take

any person in Alaska, and even today look at the services he receives and put a monitoring value on that, you would play a very difficult time trying to say that he is subsistance and quotes lives off the land. We don't, but I would like to say we do. And it's a fact we don't. I'd like to use perhaps Anatuvik Pass, the village of Anaktuvik, as a good example, last year there was almost no caribou take from the village, yet people subsisted very well. I've been in and around Anaktuvik for quite a number of years. I believe every person in the village and I'm acquainted with the hunting and fishing of the area. Daily flights from Bettles, from Fairbanks food is brought in, this year I can't estimate the how many charters that Frontier Airlines and other flight services have made to take the natives out to Chandle Lake and other places to take them hunting and fishing. I would find this really difficult to say this is a subsistence life style. You have seen the disappearing the sled dog, replaced by the iron dog sno-machine all these things are pointing to the case economy and I don't believe that we can even, there may be a few isolated pockets of subsistence related individuals, but it won't last. It can't last more then a few years at best so I'll just throw this caution that anything that is done in regards to subsistence definition in the long run, will be tracked from all the people of Alaska. And particularily the bush residents. So I was hoping to make this the shortest comments.

Representative Nels Anderson: Mr. Cowper, any questions?

Representative Steve Cowper: No, Mr. Chairman.

Mrs. Samuelsen: Of Fairbanks. I have questions concerning our subsistence fishing in Fairbanks. Am I coming to right board? Close enough. I'd

like to know why can't subsistence fish up here. You want to know why what? Why we can't subsistent fish, we were cut off from (inaudible) we couldn't subsistent fish at all. Then we went to someplace and then they told us that we have to go below the Woodriver and we have children in school and we can't afford to go down out of town for fishing. We fished for three days commercial fishing and they told us to go below Woodriver to do our subsistence fishing.

Representative Nels Anderson: I'm going to answer you with a question. Did you ask the Department of Fish and Game them why you couldn't fish?

Mrs. Samuelsen: They said that it was cut off from Juneau or somewhere and that we can't go below the Woodriver.

Representative Nels Anderson: It came from Juneau?

Mrs. Samuelsen: That is what they told us out at fish and game.

Representative Nels Anderson: This office in Fairbanks?

Mrs. Samuelsen: Yes.

Representative Nels Anderson: I really can't answer the question, why, you were not allowed and Im quite sure.

Mrs. Samuelsen: And no one was allowed to subsistence fish up here. And we fish commercially for three and a half days of the year and we like to put up our fall fish for our subsistence fishing, can it and smoke it,

we pickle it and we freeze it and we pay as much money as the other fisherman do.

Representative Nels Anderson: Was it only this year or was it last year, too?

Mrs. Samuelsen: No last year we got to subsistent fish, but we also had to have a wheel built and it cost us $500.00 and it was through the end of the year. Or it was at the end of the fishing season.

Representative Nels Anderson: The only thing I can see try to find out for you, I don't have the answer no. I don't know if there is any people here that are from the Fish and Game know that might be able to answer the question, but I don't have the answer.

David G. Kelleyhouse: I'm with the Game Division. Earlier, Fred Anderson from Commercial Fisheries was in the back of the room. I don't see him now. But you could call the office tomorrow and ask for Mr. Fred Anderson for an explanation.

Mrs. Samuelsen: Well we've been over there and we were told we could not fish. We fished three days and at 6 o'clock they told us our wheel goes off at noon. We've been over there hoping we could have a meeting where we could subsistence fish but they said we cannot just go down below Woodriver. Were eligible below Woodriver. And we cannot go down there.

Representative Nels Anderson: Well I'd like to find out why you were not

allowed to do this. How can I get in touch with you. Do you have a phone number where we can reach you?

David Kellyhouse: Yes we do.

Representative Nels Anderson: Can you give it to us please.

David Kellyhouse: 456-6195

Representative Nels Anderson: Well I'll tell you what I'll do. I'll call this Mr. Anderson tomorrow and try to find out, you know, you weren't allowed to do this.

Mr. David Kellyhouse: Well they say we are in sub-district, I don't know, from Nenana, Manley to Fairbanks. But they say the quota has been caught. And it takes a week for our fish to come up from Nenana and we're just automatically cut off. And like way down on the Yukon they caught their quota a long time ago and even for commercial fishing it is cut off way before you know, we get it. And we spend as much money as they do. I can't see why we aren't allowed to fish just like the other people. We live on our fish.

Representative Nels Anderson: Well, Mrs. Samuelson, like I said I will call the Department and try to find out why they are doing this, you know, and I will call you back and try to give you some kind of an answer.

Mrs. Samuelsen: There are not only us there are several families in Fairbanks. Not only the natives but there are whites that depend on it also.

Because they ask us if we have fish. And also we are only allowed 75 fish for the year. And you cannot do all that we like to do with our 75 fish you know. We dry them, we smoke them, we freeze them, we can them, we kipper them. We make salt bellies. And my family is a native family who likes fish and who likes to buy it. Salmon strips and dry fish at $10.00 per pound. We can't afford it. We bought some from Tanana but to get it up here on the airplane it cost us $10.50 more. And we can't afford that. My husband is retired. He works on the pipeline but he has to come back to keep our commercial license, what do you call it, free working? And that is for when there is no pipeline and he is to old to go working on the pipeline. And also he has fished all his life. For as long as I know him and that for 16 years. One year he didn't fish that was in 1974. And we went to Doyon, and they finally gave us our permit. Or we each wrote down to Juneau and we were fined $25.00 or something for late entry or something like that. And I can't see that.

Representative Nels Anderson: Neither can I. Do you have any other comments you would like to make Bob? Steve you have any other questions? Mr. Hayes?

Gene Carlson: I would like to, I can probably answer that question in part. Member of the fishery advisory committee. So we've taken up this issue with the Department locally. And the problem comes in that a year ago they attached the subsistence fishing to the closing of the commercial fishery. And this was only for sub-unit 6. Now what happens is when they get their quota of 15,000 fish and if it happens in one day. The subsistence fishing is cut off. The logic behind this was potential use of the sale of subsistence use caught salmon roe. Their trying to regulate on the

basis its a non traditional fishery. And the population the way it is potential devistation of the resource, I guess. So that was the answer I got from the Department and we did try to get it reopened. As Mayor Gillam stated earlier we did try to get it reopened and they didn't see it fit to do this. But we have offered to work with the Department in coming up with a better system in doing this for next year.

Representative Steve Cowper: Gene, excuse me, Gene do you think is that problem going to go away say if subsistence sale of salmon roe no longer allowed. You know it keeps going along a year at a time.

Gene Carlson: Well, all I can give you is an personal opinion of the problem that I think is a tragedy we ever passed the law that allowed the sale of the subsistence slamon roe.

Representative Steve Cowper: Okay

Gene Carlson: I feel bad that we have to waste one resource to save another one, of potential uses.

Representative Steve Cowper: Okay, leave aside that if that law lapses, which it threatens to do, about every year. If that law lapses do you think the problem that led to this sudden cut of subsistence fishing in this area would that problem be solved?

Gene Carlson: No, I personally think it was a quise of which it was done. I think someone doesn't like this fishery because its a non-traditional fishery and I don't believe that was the real reason behind it at all.

Representative Steve Cowper: Okay, that's kind of what I was getting at.

Representative Nels Anderson: You've got the floor sir.

Mr. Tom Scarborough: I'm president of the Tanana Sportsman Association. You're familiar with a year ago the Arctic caribou. TSA took the inititive to protect the caribou resource. And the second thing there was to prevent the Department of Fish and Game going in there to and become a welfare agency. Our basic reason for this is we read the Alaska constitution and say where the Department of Fish and Game belongs to all Alaskans and we didn't feel they should be allowed to run certain groups on some basis and needs. That litigation is still pending and is now before the Alaskan Supreme Court. One interesting aspect of this is that some native organizations are being represented by Alaska Legal Services. I would like to question if this is entirely legal or not. It appears to me that the North Slope Borough for one can afford to hire their own attorney rather than the tax payer pay for it. And if you have any interest in that you can look into it and see why we tax payers are paying for this service. But that is apparently the case. That's all I have to say. People who wrote up the draft, I think it's HR 39 I think it's Senate Bill 1500 are aware of the provisions and lack of constitution on restrictions for subsistence. Here's a copy of it. These are applying to all the people of Alaska. They had intended to circumvent this lack of constitution with HR 39 which I think is totally incorrect. The resource cannot be alloted to one ethnic group or on an ecomomic basis. Discouraging to some other group. The resource belongs to all of us and got to be allowed to the best interest of all the people. The only definition I have found on subsistence hunting, and that's my main expertise I guess,

is section 1605-257 which your probably familiar with. There it says, "subsistence hunting means taking of big game animals by a state resident for food or clothing for family or personal use." Now, maybe you can probably come up with a better definition and fishing will probably be added in there. If you go much further you're going to find all kinds of restraints from the Alaska constitution. Now, you have two types of subsistence. Mainly, what everybody has been talking about has referred to subsistence as a (inaudible). That's a very short term use. Maybe it's already passed. There's very few subsistence users in Alaska. There might be some in Southeast, living on the coast. But I don't think there is any place else. The types of subsistence you really have to deal with is also psychological. The psychological need for subsistence. That's the type we're going to have to deal with in the future and the urban resident probably has a bigger need for this than the rural resident that lives with it every day. I'm not sure how you're going to cope with this but this is the type of subsistence that the (inaubible) play. Mental need to get back to what your ancestors did possibly. Their cultural way of life. That doesn't necessarily mean you have to take and eat the big game. I do think you're going to have to deal with some type of definition of subsistence. I don't see how this is going to get anyplace unless you have some concept to work within. And with that you're going to have to define what is modern day subsistence or are you going to define it on a level 10 years or 20 years ago? If you're going to discuss it at that level, HR 39 discuss it as of 1971., December of 1971.

The reason for this, is the modern day hunter and fisherman is very different today than he was 10 years ago. Particularily 20 years ago. And now with the modern snow machine we've got modern air access, modern car

fleet, modern fish net. And this can go on. I think of all of this the first consideration is going to have to be the resource itself. That's number one priority, the protection of the resource. Alaska Constitutional restraints will have to be observed when you start making priorities on what your going to have to do with that resource. The best interest of the wildlife owners are also going to have to be taken into account. And you know that the urban residents as well as the rural residents own that wildlife. Both their interests are going to have to be protected. None of your efforts on this subsistence issue will be any benefit unless you protect that resource. Part of that protection is going to have to be enforcement. Now, I'm not so sure that our enforcement division is doing all that bad a job right now. I think the biggest failure is probably in penalities put out by the court system. The second problem is the non-enforcement by the Feds. Particularily on waterfowl and marine mammals. They have a long history in this and particularly rural people of the State have learned that in all likely hood they won't be bothered. So I would like to recommend that you consider an educational program statewide starting at the elementary level to start education our young people on the proper use of the resources. Than maybe in a few years they will start to understand why we use management techniques. Sportsmen have asked for this for some time and no action has been taken. Unless an educational program is started particularily in some areas in the bush, we're not going to get anywhere. You can pass all the laws you want. And no way are they going to enforce them. Because there is no way you're going to convict somebody say in the bush area where his peers have to be selected as is jury. The legal (inaudible) is all ready aware of this.

I noticed in the paper when, where you're talking about hunting, the

department enforcement are well aware of where they are hunting and where they hunt from and are able to manage this. The Department of Fish and Game except commercial fish that's down the tunnel. Enforcement would greatly appreciate having somebody help them with this task funding the Department. However, I think you'll find the Sportsmen have a pretty good track record. You won't find any place the resource has been depleted by sportsmen. There may be other reasons. Not only fishing resource but I think if you look back on the record, nation wide, you will find this to be true. Nels also said the game is for sale. I don't think that this is quite true. Maybe some people have looked at it that way. But a lot of these funds are used for non-fish and game. They manage falcons, song birds and a few other things like this. Obviously, the Department is probably against the people who pay the salary and need them the most. And maybe this is why they want to get their salary some other way. Also, we have a little argument with the State about 25¢ license. People who buy those license don't pay their fair share either. Somebody else has to pay their way. And I suspect that the majority, I suspect that, they put out 5,000 of these last year and I don't know how they distribute that. They probably equally from Fairbanks, Anchorage and the bush. I think you'll find that the sportsman know - they pretty good - (inaudible) We were putting up red flags in the Western Arctic Caribou herd - 1973, we were ignored. We did the same thing on moose, in (inaudible) and we were ignored, but we were telling the Department and the Board of Game that problems were occuring. Nothing happened until there was a crises. We've got a lot of crisis in management right now, maybe that can be corrected. A good example of animal (inaudible) for sale would be Dall sheep, and that's the only animal we have got the same number as we had 10 years ago. We have an equal chance to get Dall sheep as we did 10

years ago. I can't think of any other animal in the State right off.

Rosita Worl: My name is Rosita Worl, I've been up on the North Slope for the past 2 years doing scientific investigation on the political development of the North Slope Inupiats. Part of my work led me to an investigation of the traditional political elite of the area which involve the whaling comples. From there, I developed a further study into subsistence. I want to set your mind at ease right now, I'm not going to try to define subsistence however, I will try to bring to you some of the variables that I think are important in the consideration of subsistence. I'd like to say first of all, that I agree with Mr. Wiese of the Interior Wildlife Association, that subsistence is not a welfare system, and that subsistence should be based on a natural, increment level. The occupation of Alaska by Alaska Natives has been based on the harvest of it's natural resources and therefore it's within their interests to insure the continued use, the continued availability of it's resources and I think that this is present in the minds of people on a very conscious level, so I see no conflict within that idea, however I do disagree that subsistence is at an end. And in fact my work within the last two years has shown that subsistence is a viable activity within the rural Alaska. I do want to say that I think that many of us are of the popular misconceptions that have stemmed from a social scientific thought and that was that there is a movement from a subsistence base to a cash resource economy. My work has shown that there is a interrelationship not a unilineal progression at all. But there is an interrelationship between the old and the new and that subsistence activity is as viable today as it was in the past. And I think my definition or my understanding of subsistenct is well founded in the policy that our Congress adopted within

the National Environmental Act, whereby they recognized, whereby Congress recognized that economic activiites, that industrial expansion occurs within the social and cultural context and so the United States adopted a mandate to protect it's cultural and social environment. Just as comparably, subsistence occurs within a social and cultural context.

I just want to briefly define the aspects of subsistence. I said there's social, cultural and there's economics. Most of the focus has been on economics. Economic insofar as legislative regulations of land access or regulation on the resources. Today, we have a third element within the economic aspect and that is a relationship with a cash economy. It's true that there is no subsistence that exist without a use of some cash. In my work I found that this is where we enter into the social aspect of subsistence. I have found that there are three basic functions within the social elements. You have your subsistence harvester, your person who is actually going out, very active and obtaining the subsistence. You have your subsistence user, those who are recipients of subsistence products and those can include the subsistence harvester, and also people who are not able to go out and get the subsistence products themsleves. Very forcefully, that includes your elderly and your aging. Then the third aspect, it could be a person or just a function, is your financial cash or your financial support. Sometimes it is the man that earns who earns $20,000 who is supporting subsistence activities and this is where the difference you know that I see that between the person that is making $20,000 in Fairbanks and the person who is earning $20,000 in the bush. The bush, I have found the person who is earning $20,000 by most standards, he should be a middle income person, but when you look at the kind of - way of life that he has he seems like he is very poor. When you begin to

look at it you find out that this man who is earning $20,000 is supporting other kinds of subsistence activities. The subsistence products that are obtained are distributed throughout the community so that's his social, that is your social welfare system. The man is providing the cash either for his hunting partner or maybe part for his own activities. The subsistence products are then in turn redistributed around the community and often it goes beyond the community. I think within the North Slope we can demonstrate very concretely, that subsistence products are shipped from Barrow to Point Hope, Point Hope down to the Kobuk area. For the last two years, if it hadn't been for the interrelationship between the communities, I think you would have had some villages that were starving within the Interior and I'm specifically talking about Anaktuvuk Pass. The North Slope people gathered together and they did ship some of the marine mammals and resources that they had obtained into Anaktuvuk. So there's this kind of distribution and the sharing that is very real, that is part of the cultural system. I would also submit and probably it's not a criticism against the State but your welfare system is not working in the bush. It is not available in the bush. It is not the stupidity of the client that he is not able to obtain welfare or welfare products. It's because it's just not available in the bush. And I think that was really demonstrated in our caribou crises in the North Slope. The North Slope would have liked to have declared it a disaster, it was a disaster, and because of the efforts from the North Slope they were able to get a minor food stamp program up there, which I understand is not going to be available any longer. I'm not too clear on the administrative set up and how they are doing it but I know that the bush area is not being served by your social services, and believe me it is not the stupidity of the recipients.

The cultural aspects of subsistence is really difficult to define but it is I think people living in the Fairbanks area are probably the most close to what is the cultural relationship. Somebody talked about it as a pyschological relationship. There is a very special relationship between the subsistence person, be it the user, the harvester or the supporter. There is a very speical relationship between those persons and their environment and their resources. To some of you, it may be manifested in the arts, the symbolic relationship, but nevertheless, it's as real as some of the symbolic, religious objects that many western religions have. So, it is very difficult to define, but there is a very special relationship. I would like to recommend that the State recognize that subsistence is a cultural heritage, just as our resources are a natural heritage, and I think that we could do that by adopting the format of the National Environmental Policy Act. And, also I think the State has adopted the State Fish and Game has adopted a very liberal definition of subsistence. The policy statement is not in effect, but I think it is a useful beginning for you. I think that the State has already enacted legislation that favors special interests. I'm not going to go into the details, but my understanding of your limited entry concept where persons get points and they are able to go out and get their permit. I think if we can adopt a priority system and the final thing that I wanted to say about the State is that the attention should not only be the carrying capacity of the study of animals itself, I think there are other things happening out there in the environment out there in the bush where you're finding the resources and there are some changes that are occurring right now to the habitat which may be detrimental to the resources itself.

I think the game management report is negligent in glossing over those

kinds of impact. They talk about probable or future impacts of certain kinds of development. I have a feeling and I can't document it scientifically but I've been up around there to know there have been changes there to the environment and I think some of the focus of the state should be to find out what's happening to our environment that's affecting the natural resource.

Representative Steve Cowper: Well, I'd like to commend you for a very helpful and articulate statement. I would like to just speaking personally, I have an awful hard time with a notion that people who traditionally been subsistence users ought to go on welfare, I have a hard time with that one. I think there's more life in clipping one of those stamps or whatever that is. There's more to the subsistence lifestyle than meat on the table too. One of the congressmen who came up with the Congressional Subcommittee on the D-2 Legislation suggested in his opinion subsistence hunting and fishing was no longer necessary because of the food stamp program. I thought that was an interesting comment, I disagree with it very heartily.

Senator Pat Rodey: Rosita, in determinging how we're going to manage subsistence as been proposed with income be used as a guideline. Do you favor a one to one relationship between income and some subsistence right whatever that might be and if not what relationship should there be between income and subsistence rights.

Rosita Worl: I think if you regulate based on income, then you're going to regulate subsistence out of existence because just my research on the

North Slope and within Southeast, my own personal experience in southeast and my knowledge of other areas is that it is your Umialik, your rich man who is an important person in providing access to subsistence harvests so if you should say that a man is earning $20,000, it was really demonstrated last year what happened with the caribou when permits were granted on need. As it turned out, permits were granted to people who often didn't have the means to go out and get the caribou so they in turn had to conscript someone who had the money to go out and get the caribou for him and then that in turn was distributed to the families. So your unit can't be to individuals. That's my personal opinion - that if you legislate subsistence on individual basis then you're going to legislate it out of existence. It's a social activity.

Senator Pat Rodey: Do you favor any use whatsoever on income as a criteria for subsistence rights. Does it have a role.

Rosita Worl: Well, I think that would have to be qualified, you know, I certainly couldn't say that a man who is living in Fairbanks or a Native person who is living in Fairbanks making $50,000 - that he should be able to go like a sportsman, I think it needs to be qualified. I think at this point, I go along with the concept, local determination, they know who are the subsistence contributors.

Mr. Bud Wiese: Mr. Chairman, I think her paper was excellent and I'd like to have her make a letter, in the form of a letter or something that I could get a copy of it for the board and for myself.

Representative Nels Anderson: This will be transcribed and we could make a

copy of this available to you.

Mr. Bud Wiese: What would I have to do to get this.

Representative Nels Anderson: Just get your name and address and we'll ship it to you.

Mr. Gene Carlson: My name is Gene Carlson, I live in Fairbanks, and I came here with no prepared testimony (inaudible) So if I confuse you think nothing of it cause I'm already confused. First, I would like to say that I definetly believe in subsistence not perhaps as the people in the bush do because I really think things are changing so that the same need is not there. At least at the magnitude that it was before. But I believe in subsistence not on a traditional or cultural basis. I think we're all Alaskans and many of us came here for the same reasons that the Natives like living here. We came here perhaps to live off the land. The need isn't as great for one as the other. I have a tremendous need. I go to Chitina every year to get my subsistence fish. I have as much need for that for my family as anybody else. I wouldn't starve without it, that's true, but neither would anybody else I don't believe.

I'd like to first go back to a question somebody posed about prioritizing the management of the resource. I don't think you can just speak to the Fish and Game both because they're totally different. In the fishing industry, I would prioritize management in that the commercial industry should be the first to be managed down. And I say that because it has by far the greatest potential of devastating the resource. For another reason, that the resource of the State are according to the constitution, they're I

forget what the exact words are, for the common people. I think in the fishing industry you would have to start with the commercial industry. To say that the commercial industry should be allowed 95% and the rest of the people 5% - to me is absurd, I can't even believe that.

Definition of subsistence, I could live with the word subsistence. The only time I've run into a problem with that is when I talk to the Board of Fisheries and they are the ones who seem to have a problem with the word. For the simple reason they want to use the definition. They want to use the word for traditional or cultural purposes. They're doing here in Fairbanks, this isn't a traditional fishery therefore the people in Fairbanks aren't entitled to it. And I think that's totally out of line. Which brings to mind a thing that legislatively can be done perhaps. I don't know, maybe it'll have to be done by intiative or something. I don't believe in the new concepts of regional boards than at any time of the history of Fish and Game management in the State of Alaska. On the other hand, the way it is right now with the Governor appointing all of the members of the board we ended up with a commercial Fish Board. We didn't have a fisheries board, we had a commerical Fish Board. Therefore, the subsistence user has not a chance, the sport fisherman, who also eats his fish, so that to a degree is subsistence he hasn't a chance. You couldn't go talk to those people, it is like talking to a wall, unless you had a commercial interest. What could be done about that? There could be legislation passed that would perhaps mandate that the Governor could not appoint a majority of commercially interested people to a State Board or commission. This would seem to me to take care of the problem. Then you would not have this lopsided monopoly on any board that is supposed to serve the entire public of Alaska. So, to me, that is one of the most important

things that needs to be done. And I'm not quite sure how it's going to get done but I do believe that's the first priority. Now, and I don't say this with malice, it's simply that my belief in what the Native Land Claims settlement Act was all about - the intent was to make all things equal, to make Native Alaskans equal with non-Native Americans and everybody equal as Americans, not black Americans, not white Americans, not Native Americans, but Americans. Therefore, they, in the claims, for what they got for this equality, the right , the cultural and traditional right were given up - not that they can't continue some of their traditional lifestyles because they can, but the traditional and cultural rights to the game and the resources of the State were given up for this equality and I believe fully that their desire was to be an equal part in the American society. So, and it states in there that these were given up. So I believe that was the intent and I don't understand why we continue with this ethnic lines of distinction, I think that that is a wrong thing to do. I came here of my own free will to the State of Alaska, that doesn't make me any better than somebody that lives here by accident of birth because he was born here but certainly, I think, I feel, that it entitles me to more than a one-quarter Alaskan Native that has never seen the State of Alaska. They live in New York City of Pennsylvania or someplace and have never seen the State of Alaska. But that isn't the way it is. We're supposed to all be equal. The first priority, I think I would have to go back to what you manage game for? You first manage it for the resource itself, I believe. The lady said that's not true, but if you don't everybody ends up with nothing. If you don't give first consideration for the game population.

One other thing the legislature could do and here again we're back to

protection. I put in a proposal to the Board of Game and Board of Fish a couple of years ago that went no where, and rightfully so, because it is a legislative thing and that is to make, first, redefine what is wanton waste, not that I intend to waste that animal when I shot him or something else but and make wanton waste a felony charge. Not a misdeameanor that's punishable by a slap on the hand if we're; and this applies to everybody, this applies to subsistence users, sport users, commercial users. So in the event that you have a year, I can't recall the year when the commercial fishing industry goes out and rapes the resource. Why millions and millions of fish more than the canneries can take and they rot and they go dump them back in the ocean. That's wanton waste as far as I'm concerned. They had no business to start with, if the canneries couldn't accept them. And this is their responsibility to know. Not just go out and rape the resource and then waste them. So I think this should be made a felony charge and this will have to be legislatively done. Then we have to have the protection to back it up. I've been told it would be a waste of time to make it a felony charge cause you can't prosecute anyway, so true. But we don't stop trying to prosecute just because some people get off the hook. Otherwise we'll just open the jail cells and turn everybody lose. One feller earlier said that you should have to be an Alaskan resident for five years or be an Alaskan Native. I just think that, that is the most ridiculous statement I have ever heard. For the simple reason like these to think that a one-quarter Alaska Native that's never seen the State of Alaska, back to that again, should have the right to come back here and because he's Alaska Native go out here to subsistence life style is beyond me. I can't cope with that. To me that makes no sense whatsoever. We're all Alaskans and I think subsistence can be regulated, not defined, but regulated so it doesn't have to go out of

existence. I've heard tell of some areas where they have no limits. I disagree with the no limit life style, I can't even say how much. We go to Chitina and the criteria down there is for the head of the household you're allowed, it changes each year, but we'll say 20 salmon, a family person is allowed 40 salmon. This is for anybody, any Alaskan, a resident Alaskan, who is down there dipping. For the other people that have the need, an honest welfare, I'll throw that term out because we've heard it hashed over enough tonight, an honest need for more salmon than that. They have established a higher limit to them. I disagree with the limit they've established because I don't think that anybody could eat 500 salmon in one year. When I think of subsistence I think of what you're going to eat, I don't agree with feeding it to dogs. So but the limit could be based on a reasonable edibility situation. Can this family of 10 people eat 250 salmon in a year, 300 salmon in a year, there could be some criteria such as this established that would set limits and take away this nonsense of being allowed to go take, I heard a figure of 40,000 salmon, by one individual that was selling salmon roe, now I tell you it takes a lot for me to cope with anybody catching 40,000 salmon. Maybe they did, I really can't say, but if you're catching more than you can eat then you're either selling them or your're taking the roe and selling the roe and in that case you're throwing the salmon back in so I don't understand how anybody could know if they caught 40,000 salmon, we do know that it's happening. If you had a good limit, that wouldn't happen and here again I believe that the board should make these determinations. I don't like legislative intervention in the fish and game matters anymore than absolutley necessary and that's only when the board is not being responsive to public needs. One more thing, I don't believe in geographical qualifications either. I don't believe that you can say that, if I believe

that I would have to say that people of Chitina or Cordova could say that I can't go down there and catch my fish. I don't believe that at all. If you ever established that, you would say that any village at the mouth of the river could set their own regulations, they have first crack at all the fish. They could take them all which happens to a degree right now but I think we'll get around that eventually so there will be a fair distribution of all the fish. So I really don't think that geographical qualifications will be meaningful at all. That's all I have to say.

Mr. Dave Snarski: My name is Dave Snarski and I'm here representing Alaska Conservation Society. With the Chairman's permission I have several copies of testimony said at other hearings that I would like to submit. And also a statement from a person that couldn't be here tonight. In the interest of making things move along a little faster, I have a policy paper on lifestyle, subsistence hunting and the D-2 lands. I just would like to read the summary (inaudible). The broad specturm of lifestyles practiced by Alaskans contributes to it's uniqueness among the 50 states and adds diversity to American society at large. Within this spectrum there is an array of Alaskan and subsistence lifestyles that consists of a complex mixture of traditionally and traditionally non-native elements. There is therefore no rational or fair basis for defining an Alaskan nor a subsistence lifestyle. Hunting, fishing, trapping, gathering of natural foods are pursuits that figure prominently in virtually the whole specturm of Alaska lifestyle, however, there are (inaudible) with respect to these pursuits, a single individual which often exploits living resources for different reasons at different times. Consequently, attempts distinguish among commerical, subsistence, and recreational hunting and fishing, trapping or gathering as practiced by many Alaskans have been unsucessful. Different

lifestyles have different impacts on land use and resources. Alaska lifestyles and subsistence uses, in particular are less disruptive and less destructive than any other lifestyle and uses. Subsistence uses are a natural part of Alaska's wild country and should be provided for on national interest lands except set aside as national Parks or National Monuments. Other line management such as park reserves or refuges are more compatible to subsistence uses and natural resources. Land in Alaska is being divided into smaller and smaller parcels under variety of ownerships resulting in (inaudible) of management goals and policies. This trend is generally incompatible with the conditions (inaudible) for many lifestyles in Alaska, could lead to the destruction of these lifestyles and the integrity existing ecosystems. An on precedent of the level of coordination and cooperation among federal, State and private use will be needed to overcome this trend. The wildlife population and the habitats they depend upon do not have boundaries that coincide with the existing Federal, State and private lands nor those lands proposed for inclusions in the four systems, Section 17 (d)(2) of the Alaska Native Claims Settlement Act. For this reason, as well as the fact that legally and historically the State of Alaska has had the responsibility for wildlife management, The Alaska Conservation Society believes that the basic existing regulatory regime of hunting, trapping, and fishing is most appropriate properly conserved and protected issue in Alaska. However, since Federal agencies have legal responsibilities under existing national laws and international treaties and have now and will have in the future management habitat responsibilities continuing federal and State coordination and cooperation. ACS appreciates the opportunity.

Representative Nels Anderson: I have a question. You made reference to a

recommendation, national parks and so forth, and I'm not really quite sure what you were; what was your intent.

Mr. Dave Snarski: The society feels that National Parks, as National Parks, should be closed to hunting.

Marion Hao: My name is Marion Hao, I've been a resident of Fairbanks on and off for the past eight years, working and going to school. I came here mainly tonight as an interested citizen and learn what Fairbanks residents would have to say about the topic of discussion. And I decided I wanted to come forth and say what I have to say. I'll attempt to be organized about what I'm going to share with you, however I did not come with any prepared statement. And maybe wanted to come forth and add a personal good (inaudible) To show that when you talk about subsistence, you talk about those rural areas that you are really dealing with human beings and this will attempt to show that you just cannot catagorize any one people into one area and I felt there were some statements tonight that tend to be blanket statements and also what I have t say hopefully will perhaps add a little bit of understanding. People that make blanket statements tend to show lack of understanding and experience and any time a blanket statements are made it is unfair at all. This is going to be personal so that have an appreciation for what it's like to say for subsistence wise.

I was born and raised in St. Lawerence Island, Savoonga. I came away from the Island to go to school and I have decided to live in the mainland for my own interests. Anyway, subsistence living has been really a personal way of life with me. I don't think I would be - well, St. Lawerence Island has always been traditionally a very ocean harvested area but also

people depend very heavily on the walrus, that was the main staple, back there when you were talking about staples, you usually talking about potatoes orrice, but to me when I think about stapel, I think about walrus. I grew up on the walrus, not until I started going to school did I realize that there were foods that were foreign to the area. We were served lunches that were, at that time, were very unfamiliar like vegetables, meats that were different. When you talk about subsistence, I've heard people say that it's just undefinable, that it's all pyschological, I thought perhaps that's what I've heard tonight. Okay, when you talk about subsistence, you're talking about seasons, you're talking about the knowledge acquired in going about this subsistence living, you're talking about land, you're talking about knowledge of the land. The way I grew up was very traditional in that, when men did the hunting, the women stayed at home. They were the ones that did the gathering and the utilizing. We seemed to make these subsistence statements about subsistence hunters that seem to have negative thoughts about the rural area. I would have more respect for what they say if they would realize what really takes place out there. The language, the whole process of it all. When the men go out hunting, they have, they know the weather, they have to know the ocean, the movements. You go out, not on any day, if you just happen to feel like going out hunting the walrus in just one day, it just doesn't happen that way, you have to read the skies, try to read how the weather is going to be like for the day. By the way sometimes you come across so that I could be understood but when I get nervous and try to come in such a way that I perspire, I get all jumbled up so you have to be patient with me.

Anyway, and the movements of the water, the ice, it's all interrelated with what subsistence hunting is, you know, when you go out and you're getting

into lead that is bad for that day, you could get stranded out there for days. Okay, I'm trying to bring that there is an appreciate, there can be an appreciation of all the world of subsistence hunting is. I'm trying to explain this not with acquired knowledge myself, although I've lived around it, it was not available to me. So when you talk about subsistence hunting you talk about acquired knowledge over years, acquired language, acquired understanding and close appreciation of nature. Okay, when you're talking about hunting the walrus, you're talking about the movements of the walrus, you're talking about appreciation of nature because it is something that is not predictable. To talk about the complexity of it all, with the different language say in the area that I cam from where the language if it were defined into the English language would very easily be termed technical, very technical. So I think those are important to realize.

When you talk about subsistence hunting you're talking about seasons, okay, you talk about walrus which is the main food of the Island but you supplement the main staple seasonally with like during the fall it's bird hunting time, all kinds of birds, adn some seal hunting, and during the winter, there is also hunting at the ice. Okay, you have to know areas of the ice, I understand by looking at the ice you know which areas are eaiser to cut through, in other words the thickness of the ice. You acquire that knowledge by going out, okay, during the winter there is seal hunting also through the ice, and during the spring is walrus hunting again, and whale hunting, by the way up there north country, St. Lawerence Island including, the ice does not go away until June. Okay, the snow and the ice does not go away until June. During the spring, the later part of the spring we do egg gathering, where you have to climb and comb the cliffs around the Island, certain parts of the island, so when you're talking about subsistence hunting

you're talking about the seasons also. Away from the ocean, the land you talk about greens, all kind of greens, that are picked and preserved for the winter and then the berries, I grew up with my grandparents so I'll never forget going out every spring from morning until about 5 o'clock going with my grandmother every day during the spring to gather greens and berries preserved for the winter.

Incidentally, we did have a store where the ship came once a year with supplies from the outside. Incidentally, these were the kinds of food mainly canned or dried hardly any fresh stuff. The store still now is a Co-op store, where the men, whoever does use the tusks of the walrus, the ivory, they carve it to a saleable item in exchange for goods in the store. It is mainly fuel or shells or whatever for their guns. Those go mainly for help in the hunt. The can goods are kind of side dishes that are like dessert or special that add to the traditional foc [illegible]e I say the way that I grew up was very traditional and where the food even today, the main food, is the walrus and the meats and all the others that I mentioned.

The very first time I was going to go off the island, I realized how different it was from that little world because my parents started training me how to eat these other kinds of food that I was not aware of. For the first time I realized that they really cared for me, because they were taking the time to train me how to eat these other kinds of foods. They started buying these can goods, that we normally do not eat from the store, like beets and green beans and so on, all of a sudden I realized that things were not always how it was it back home, you know. They said because I would have to go away for awhile to the mainland, to the hospital, that I would have to live off of their food for awhile, and I would have to learn

to like it. That would be the food that would be the food that would be available at that place that I was going to. It was kind of frightening because it was all so different and when I came to the mainland at the hospital, that little bit of training that I received at home was not enough because for the first time I ate foods I never liked. To show how much difference I had to resort to, you know common foods like bananas, like eating a banana for the first time it always stays with me the memory. You know, such strange food you know, as a child, it is kind of dramatic so I tried very hard, and because of these foods that we were eating during that time, at the mainland were different, we tried very hard to like them, to learn to like them and we were not aware at this time that a lot of Americans did not eat all that they were given. We would feel so guilty, and that they would look down on us, so we would struggle through a tray full of food, hospital food, you should remember. We were always taught to eat all that we were given, we would struggle through all of this tray full of hospital food. Whenever we didn't like anything, like trying to say the banana for the first time, because it was so new and because that we thought the rest of America ate all that they were given, not liking the food that you have tasted for the first time, you just could not see struggling through finishing it. Like the banana, we would wrap up what food that was left, wrap in paper towels and throw in a can and you talk about conservation and that one gentleman said well, conservation should be taught in the shcools and I wonder whether he realized that maybe it should be, if he supposing teaching conservation in the schools, then it should start from waste of food that America does.

Anyway, what I'm attempting to do is; okay, it is a personal side to political issues, we tend to forget that there is really, that you're really

dealing with human issues. There is a human side to every issue. I also realize a lot of times especially when all of Alaska is becoming very political and that with every issue the groups of the people that are heard that are the ones that are more vocal, more articulate, they have the power to be heard and I wanted to try to add some different viewpoints that would remind us of that we really dealing with people and I'm not sure if I'm coming across all that real. but.

And during the years that I've lived in Fairbanks I've tried to observe the actions, where the people have to say, I have noticed how it's such a big issue for people to be Alaskans come election time, especially in Fairbanks. I noticed how it so very important that the person is an Alaskan. I've lived here for how many years, and I'm an Alaskan. Therefore it is something special, it gets almost to the point where being an Alaskan means you're a special somebody, who is especially understanding, and especially kind in all matters. It gets almost down to that tone. But I've also noticed where those people that say this will turn around and try to make a difference between themselves and the rest of Alaska including the rural areas and those groups of people that are termed Alaska Natives. They say everything is equal, we're all Alaskans but there's a lot of those that are quick to make a difference between Alaskans and Alaskan Natives. Sometimes it gets to the point where it doesn't seem fair because there's always that difference and sometimes there are perhaps, there are remarks made that are a little bit different than the viewpoints that are used to being heard. Then perhaps, there could be a better understanding of that even with all of the parents' differences that what really comes down to it, you know. You're all feeling with (inaudible) This is what I think I'm trying to say, I'm not sure what kind of (inaudible) arriving at but I

realize that in a very awkward way, I'm trying to come across and try to show that dealing with issues people that (inaudible) try to make generalizations in the long run, you're not really being fair about it. If people are going to make statements, I believe there has to be firsthand experience and understanding before statements are made which are directed at a group or an area or say Ethnic groups, that there is never ever one definition that can be directed at these groups or areas. I guess that's how I...

Representative Joe Hayes: I just like to say that I appreciate your sharing your experiences with us, I certainly gained some insight into subsistence living based on what you told us about your experience and I think you came across very well. I got your message.

Marion Hao: Like Mr. Wiese tonight, I think mentioned his name, was very proud that he had not bought any meat the years that he has lived in Alaska. And this shows the intelligence and adaptability of people. Okay, when people talk of how subsistence, there's some people that mentioned, subsistence living is no longer here, if that is the case then maybe somebody should go around try to educate these people who are living a subsistence lifestyle which goes into the area of eating certain kinds of foods being used to eating certain kinds of foods and if there is no longer subsistence lifestyle then somebody should go around teaching these different people how to start eating foods that are what the general Americans eat and that would be a little touchy area because I've heard stories from long ago, say like the language used to be discouraged. It seems like that kind of touches into that area. Maybe somebody should be appointed to go around to the villages and how to acquire tastes for big macs, say. When you are talking

about these things like you're talking about - you know people.

Mr. Chris Anderson: My comments are also unprepared and short due to the lateness of the hour, I have to go to work tomorrow for subsistence. These comments, I just jotted down here during the last couple of hours and some of the major comments that I have to make is that on subsistence itself, I really don't think that it should be defined at this time, or probably not defined at all. For the simple reasons of everybody has got their own definition, every association or whatever has their own definition of subsistence and it is also an impossible task. I'm pretty sure a lot of the people that take different issues and different sides of the big issue of subsistence you know, (inaudible) at this point in time, because of the subsistence term with that definition is being used, or whatever guidelines or bills or legislation that comes about. I also think that the Federal government and also the State government should get together somehow in a meeting, (inaudible) if necessary, to find out, to set some guidelines that will be the same on some of the D-2 land some of the private lands, you know the state is going to (inaudible) Enforcement is very important, it is also necessary to help data collection. I do think that enforcement is a priority (inaudible). If enforcement does its job, I think you'll find out just exactly what's happening. For those of you who have any comments.

Mr. David Hawthorne: I'm working on this subsistence study in the National Petroleum Reserve on the North Slope that is mandated by Section 105 (c) of the National Petroleum Reserve Act and I just wanted to share some

of my perceptions of the definition if subsistence. In a completely, unofficial way, because that's something that I'm kinda pounding my head against the wall on too. I kind of got a feeling that if people from Alaska don't have some sort of at least, vague definition that somebody from D.C. is going to have a definition one of these days, that may not as good as what (inaudible) One of my feeling is that in consideration of defining subsistence in terms of Natives is a viable alternative, not Native in a racial sense, not saying you know, let me see your genealogy. But, Native in terms of people who are involved in a culture that is a hunting culture, whatever their genetic background. The reason I say this is because in my work in Nuiqsuk this summer and previous work in other places in the Arctic. The guy from the village who's, (inaudible) from a particular point who goes across the tundra looking for something. There's a lot of stuff up there. When I first went to the Arctic and looked, it was kind of white, and there were rocks sticking out, there just didn't seem to be a whole lot, but there are stories, there's graves, sodhouses, and there's a whole bunch of things that a lot people don't appreciate. I think that's a type of land use that is much more intensive than outsiders and I think that some analysis or some thought about that. You know, the fact that they use it more intensively because there's a lot of stuff there that the people from the outside don't see. Also, for cultural reasons, you know, the history is not something that's remote from the villages, because there all those tings out there. The history is out there, it's not in a book. You know you can go out and look at the history because you can go across the river from Nuiqsuk and see or (inaudible) various villages and you know get a million stories.

There's a couple of things that I think will have to, that everybody's

going to have to be very careful of defining subsistence. That's defining in economic terms and in technological terms. The thing about the Native people, in the Arctic, that I see, is that they have become very admired by people all over the world for their ability to adapt. They continued to adapt over the last 100 years, coming in contact with people from Europe and America, as any smart person would. I think that if we have a definition based on income, on technology that would eventually favor hunting activities by non-Native people who are dropouts from their own society or who are rejecting their own society, who are going out to live for romantic reasons. The thing that I have was struck by, or have always been struck by is that subsistence is not a steady thing today to people. It's not a recreation, it's not a game, you know, as it is a game for some person who comes from Los Angeles buys the dog feed and (inaudible) across the tundra. You know, even if he does it for 30 years I think there's a different perception of what's going on and I think that we have to think about that and we have to realize that subsistence system and subsistence conflicts in the villages are so perceptive and are very adaptive, people. They use snow-mobiles almost exclusively it doesn't make sense and if I think people are penalized for doing something that makes sense people that use the land to play games well for aesthetic reasons, are eventually going to have the upper hand for land use. Just a couple of my perceptions on the history of the North Slope might be relevent of what I am talking about. There's this notion that there's a subsistence economy, and there's a cash economy and the good old days, people you know were real subsistors and now they've been corrupted because they have snow-mobiles and they have access to cash. I think if we look at least on the Arctic Slope over the last hundred years, we see that there's been definite dual economy, there has been cash components, there has been subsistence components in the economy.

In 1860, the whalers came, there was thousands of people from Boston in whaling ships that wintered over on Barter Island, Hershel Island. Native people were involved with this. They traded, they got money, they ordered from Sears Catalogs, for goods that they wanted and also they got guns, at first it was (inaudible) Muskets. This was an adaptation that made good sense, so people did it. So the subsistence complex changed as it had 1200 A.D. when the Tuna Culture invented whaling. Okay, then whaling decreased, (inaudible) people got a hold of high powered rifles which worked better than muskets, they made sense, so they used them, because they're smart people. Also, because they had high powered rifles, they could start using bigger dog teams, which is not a precontact generalization. Pre-contact, much more than post-contact. There's this whole notion that the trapping era on the North Slope was the "Good old Days". Well, it wasn't. It was the result (inaudible) how many people were out to make money by getting (inaudible) they had to have a lot of dogs, they had to shoot a lot of game to feed their dogs. In fact they were using a lot more resources than (inaudible) When wage labor was introduced people could have more outboard motors, they could have snow-mobiles, they continued to get the things that they've always needed but it was more effecient and a lot of people could spend less time on the land. The need didn't decrease but the time on the land decreased because the harvest was made effecient and here again people are smart. Why should a guy down in Washington, where I'm from, sell his combine and go back to his horses. I think, it's real analagous, I don't think, in setting up a definition of a people who are adapted, to be analyzed because they aren't living in a way that is aesthetically pleasing to the people who like to buy postcards in Alaska.

Mary Binkley: Thank you very much Mr. Chairman and members. I'm Mary

Binkley, I'm here, I'm not a fisherman. I'm here to speak for friends of ours on the Tanana River and this very local area who are friends and many are Athabascans. But it's a non-ethnic problem here and it has been mentioned earlier in the evening by I think by Mayor Gillam earlier, and also my Mr. Samuelson, and it just concerns this local discrimination possibly against the fisherman in this area. There are regulations in the booklet put out by the Board of Fish and Game that says that very definite limits and very small numbers of salmon that are allowed to be caught in this area. And then in the subsistence fishing there was a new regulation that was just added last year and I think that what Mrs. Samuelsen was referring to, it's on page 17 of the book. The restirctions, and it's number 15, which says, in section 6 (c) of Sub-district 6, which is north of the Wood River, between here and Nenana on the Tanana, salmon may not be taken following the closure of the commercial salmon fishing season and so that means as soon as the commercial fishing season is over, there is no subsistence fishing. The people in this district just got to fish a very few days and further down the river, maybe 40 miles from here. They were allowed to catch unlimited amounts of subsistence fish. So the fishermen in this area feel that it's very unfair to have put that in and most of them were not even aware of it, when it was added last year and I think it was added at the suggestion of the local Fish and Game Division here. So I just wanted to get it in the records, and I have nothing to do myself with fishing other than we operate a tour boat that goes down river and we have known many of these people for years, one party for 28 years and he has always fished, depended on it for a lot of income for himself plus his own personal use.

Mr. Jonathan Soloman: My name is Jonathan Solomon I'm from the Yukon Flats.

The Committee - looking at a definition of subsistence and prioritizing regional game hunting areas and this sort of thing are inclined to forget that our fore father in the State of Alaska has divided the State of Alaska in game management, a long time ago. Longer than (inaudible) exists between the (inaudible) of billages and the regions of the natives in Alaska. The boundary lines of the Eskimo people, the Interior Indians, the Tlingits, the Aleuts, has been defined by the Native people before the whiteman ever came. In looking toward regions of subsist ice areas, the committee should look toward the Native people, the older people that are still alive, that tell us these things that people are there. And this is where when you want to define game management boundary lines, the committee should look toward the rural people and their elders. Because in the Yukon Flats, and other areas, they seem to know about these things because I've heard it from my grandfathers, my father, my father heard from hi grandfather, and his fathers. Even the boundary lines between the villages in the Yukon Flat, where there was 11 villages, the boundary line, the subsistence resource where each village was defined in the Yukon Flats, defined by mountain, defined by a river, and still today we respect those those boundary lines. We don't hunt moose in the Beaver area, we don't hunt moose in the Circle area, we don't hunt moose on the boundaries of the Arctic Venetie Reservation. In Fort Yukon, something about our own boundary lines? We got (inaudible) respect for the boundary lines today because we were told it was by our fathers and their fathers. To prioritize game management in the State of Alaska is no problem. In defining subsistence and saying that you'll define it on resource available to the people living in a cash economy. I worked as the Mayor of Fort Yukon, I worked as a President of Gwitchyan Zhee Corporation, which is under the Land Claims and I worked for (inaudible) which is the Three G's, which

is the non-profit arm of the Yukon villages. I worked for three different outfits and I made $19,000 a year. In saying, if you look at it on paper, and I could call it kids, I've got 8 kids altogether but right now only 5 at home, the rest are on their own. In saying, if the income ofmine, saying that is sufficient, that I do not need subsistence to survive. It was brought up tonight on that, Mr. Cowper touched, and a fellow from North Slope also touched on it, which is right. My activities and the money I make to support my wife's subsistence activities and my father-in-laws' subsistence activities of Arctic Village and my grandfathers' subsistence activities up at Central Mountain? From Venetie these are the people support. Because they have no cash economy to support their activit es. But (inaudible) they would not be eligible because of subsistence papers if you try to define subsistence on a resource or a cash economy of the person individually.

Mr. Moses Samuelson: My name is Moses Samuelson, I would like one of you fellows to take this put this proposal, when they asked us to put them in so. Like Mrs. Binkleysaid in this section - regulation 15 - put that down so they could take it off. Justification is here we should be allowed to fish subsistence after commercial fishing is closed, in fairness, same rules as in Subsection 6 and 6(b) should apply to subsection 6 (c) which is Manley and Nenana. And this other one I put on, subsistence wording applied (inaudible) subsection quotas for each subsection of subsection 6 rather than single subdistrict quota. Justification: This would allow each subsection to harvest a fair portion of the salmon. Like to have one of you maybe take this.

Representative Nels Anderson: I don't know what we can do with these, I

believe there is some kind of a deadline. Have you already sent this in?

Moses Samuelson: This is just a copy I have made. I thought I better bring it down here and leave it here with you.

Mr. David Kelleyhouse: I have not notes. I just would urge the legislature to try to resolve the whole subsistence thing in as fair a method as possible to avoid any further polarization for the people in this State along racial lines. I think the whole thing started when everything was fine as long as nobody had a claim on any of the resources, it was just kind of a low population, productive situation until people pressures and economic systems grew to the point where people started grabbing what they could and staking claims around it and this last ditch effort to utilize, and get your fair of resources, seems to have polarized just about everybody in the room and I think one thing that the legislature should try to keep in mind, I realize that there are many sociological, cultural, these kinds of problems here and a lot at stake but as a biologist, I hope, all my integrity intact, I would urge everyone to try and keep the resource itselt, utmost. Because everybody in here would, took the time to comment, and the committee itself realized that the importance of the resource is to try to accomdate every special use (inaudible) as a biologist, I can guarantee you, if you lose the resource base, and your popularity and your seats, my job, (inaudible) because the resource fell on it's nose and really it's in your hands right now. You have the power. Perhaps to reach a solution, to accommdate social pressures. Biologists hold the data on the population level, or the activity of the population. and to a large of an extent as possible. I would like to see the regulatory, the fine regulatory mechanism, left up to the State. So that under guidelines, of course, because of the social pressures, but

have the State set those harvest quotas and have all the groups involved, the Alaska Federation of Natives, and everybody involved in this whole question, realize that the integrity of the resource itself is what's at stake and try to get along as Alaskans instead of trying to break up in small warm groups for instance, don't like to see conventionalism.

A. M. Swarner: I'm A. M. Swarner, I've lived here for last February 27th. I was here 40 years. It won't take me long, there's several things I want to say. Repeat that subsistence to death. Everybody has their own definition and it means something different to everyone else and I think (inaudible) I wish Mr. Smith were here, if he thinks for a minute that those Feds can manage our game, if they do like they did our musk ox. Boy, get rid of those Feds leave it up to the State. Those Feds are too far away, we've got to stay with our own. Our State's got to manage our own game, (inaudible) it might be crammed down our necks but we should never accept it. Last year at the caribou hearings, I talked to a man from up North and I said to him, "I was told that there was stacks of caribou that went to waste, I think if it had not been for the snow machine we would still have plenty of caribou. I sad to him, "is this true that there were stacks of caribou that went to waste. He put his eyes to the ground and he said I'm sorry to say and I'm ashamed and he said yes. I think we as people have got to stop and figure how much we can eat and not take more than we can eat. I think this a thing that has happened in the past, that people didn't figure how much they could eat, if they were there, they didn't count, they wronged a bunch and I'm sure that this has happened in the past, but that day is gone. We have got to start, can I eat 50 fish? Can I eat 70 fish, or whatever. I say if you use it, it's not wasted buy maybe the time has come when we can't even take what we need to use. But one thing that I want to say to everyone

in here - we're divided enough, let's whatever we do don't divide. "lets unite". Everyone, color, white, everybody we're all human. And lets unite that's my main thing.

Stell Nauman: Mr. Chariman, I waited until last because I'm not from Fairbanks. I happen to be up here for meetings and saw your notice and attended. I'm from Eagle River. But I thought that it might be worth giving you a few comments that have both been already mentioned trying to bring into some sort of order and also to bring in a few things that have not been mentioned yet. One of the primary things that I think that needs to be brought out in this whole discussion of subsistence what you're really talking about, I think, is providing something more than the existing sport, hunting, fishing regulations with (inaudible). I think if you look at why are these not adequately providing for the needs, particularly in the bush you'll see that there are broader dimensions at work. One is your user population is increasing, this is one area that could be worked on to help provide additional resources for those who are more dependent upon them. Your game tends to be decreasing, im many of the species, and in some of the areas across the State so that additional funding from the State Legislature for Alaska Department of Fish and Game, the research program to this sort of thing, particularly in the fish, where we know they can influence good populations increases in new runs, would be beneficial. The other thing is habitat loss, and this is effecting your game, and the availability of resources to the increasing user population and this is happening for a number of reasons. I'm not just talking simply of the loss of habitat due to the industrialization taking the land out of use but to other things such as putting it into different classifications where it cannot be used. Tapping it with road systems, which would create additional pressure from more

urban groups. All of these things taken together are causing today, I think, great concern, in many parts of the State, for doing something to provide for subsistence.

It was interesting sitting and listening tonight, because although nobody really wanted to define subsistence, everybody was able to talk about it in one way or another. It's being phased out, it's tradition, it's cultural, it's not phasing out, I think as it has been stated. Everybody tends to have a definition in their own minds and one of the reasons you get so many definitions is that if you break it down into some of the components elements you'll see that, I think, most of them are continuems. You have a basic continuem where a person over here, on this end seombody who would be theoretically 100% dependent upon subsistence resource, he would be (naudible) a subsistence user. At the other end of the continuem you would have the visitor from Germany, who comes in wanting to take his antlers back and he'll gladly give the meat to the guide. Okay, he is obviously not a subsistence user. Now it's the in-between area where you're having difficulties in drawing a line and saying from here to here is subsistence and from here to here it's not. And this same continuem idea goes on where do you draw the line on income, low income, high income. Options, where do you draw it on the continuem of few options to many options. Traditions, is it a deep tradition, long set cultural based or is it a fairly recent, a guy that's been hunting for 4 years and wants to keep on hunting for years. Dependence, is it a tremendous deep dependence or is it. I'd rather kill a moose than go or is it on a racial basis. You have the 100% pure Native who lives in Alaska all the way up to various degrees of inter mixing to a pur white who lives outside perhaps. These are all the contingents, as to legislators, you're going to have to deal with and ap-

approaching a dfinition.

Another thing that I think that is a generalization that subsistence resource use, the use of those subsistence resources carries across the State regardless of what you call subsistence , those resources are used in differing degrees and differing ways in the various areas of the State. The Seward Peninsula use is very different from the use Admiralty Island so any definition or policy you develop has to take into account the very diverse regional difference. You also have to take into account the legal constraints obviously the State Constitution, the existing State and Law regulationa, I can't remember which, on subsistence, which simply states that the subsistence is the taking and use of wildlife for personal or family use. ANCSA, Federal Law is involved, the Constitution, Federal ability to for Native groups. Also you have the State and Federal agency mandates which have to be considered. The fish and Wildlife Service can do certain things in areas and it cannot do certain things in these areas. Precedence of the court, it's something that hasn't been mentioned and I think it's critical and in that report which is very excellent, by Kelso he goes into this in very detail, pointing out that the existing precedent on the word subsistence is normally related not to Wildlife and (inaudible) Okay, if this goes to litigation and you do not have a definition then the courts are likely to fall back on (inaudible) this inappropriate definition and not do what you would have them do as legislators. Another point that needs to be brought out more clearly I think is that some game is resident, is in the resident area. Your ground Squirrels or something, tend to stay in one place, on the other hand you have certain categories. Intensity, to simply use some sort of special permit issued to individuals and not go the full council, board route.

I would prefer personnaly, to see that the overall state's management of game and fish being left with the State as a cohesive manager. But the state would have to have the responsibility of coordinating their management with these other agencies, Federal and State to insure that their policies don't violate the agency mandates. And, also to adequately provide for these special subsistence needs. Apparently, there's some accord that has been achieved between the Secretary of the Interior and the Governor on this. Because the new Andrus proposal appears to do this. The definition has to be flexible. Because as it has been pointed out, that subsistence is changed, it's jut the way of adapting to the land and that adaptation will alter both the techniques, species used as game cycles change, areas used as the cycles change. So it has to be flexible enough so that it can change over time, which means in general, definition. And I think as biologists has emphasized and I think, everybody else would, the most important thing is that you have to protect the resource base. Because without the resource base, you have neither the resource nor subsistence.

Representative Nels Anderson: Thank you very much. I really appreciate your comments. Obviously, you have given this a lot of thought and we can use your comments.

Unidentified Male: I wanted to say to our biologist that I think, that possibly we can, our streams can, produce more fish but they may have to have more money for the spawning at the head of the streams. I think we can produce more fish than that, I think the streams will feed more fish than what are there.

Undentified Male: I would like to make one extra comment on that. There was a comment made tonight (inaudible) about the ability exists to produce more fish, I guess the insinuation was that game biologists could not produce more game and that's a fallacy. I would like to take this opportunity to (inaudible) the possibility does exist to produce more game in the State, particularly if we could convince the Federal Government to go back to the natural fire regime in this State. (inaudible) high moose productivity produced in the 1040's to the middle 1960's. And it's only been since these fires have been knocked down to an average of close to 2 million acres a year down to less than an average of less than a million acres closer to a half million acres a year that our moose herds have been in the state of decline. Don't overlook the possibility of putting a little money into habitat improvement, or a little influence on the Federal Government. To allow the (inaudible) to do what it does best up here in the summer time, that's burn. So, think about that, and also increace the resource base, and decrease the amount of conflict over the allocation.

Representative Nels Anderson: Thank you. Are there any more comments? Or is there anyone else who would like to testify at this time? If not, thank you very, very much for coming to the meeting tonight. We appreciate it and this meeting is adjourned.

ALASKA CONSERVATION SOCIETY
National Interest Lands
Position Paper
Life Styles, Subsistence, Hunting and 17(d)(2) Lands

December 1976

SUMMARY

The broad spectrum of life styles practiced by Alaskans contributes to its' uniqueness among the fifty states and adds diversity to American society at large. Within this spectrum, there is an array of "Alaskan" and "Subsistence" life styles that consist of a complex mixture of traditionally native, traditionally non-native elements. THERE IS, THEREFORE, NO RATIONAL NOR FAIR BASIS FOR DEFINING AN ALASKAN NOR A SUBSISTENCE LIFE STYLE.

Hunting, fishing, trapping and gathering of natural foods are pursuits that figure prominently in virtually the whole spectrum of Alaskan life styles. However, there are continua with respect to these pursuits,; a single individual often exploits living resources for different reasons at different times. CONSEQUENTLY, ATTEMPTS TO DISTINGUISH AMONG COMMERCIAL, SUBSISTENCE, AND RECREATIONAL HUNTING, FISHING, TRAPPING OR GATHERING AS PRACTICED BY MANY ALASKANS, HAVE BEEN UNSUCCESSFUL.

Different life styles have different impacts on land use and its resources. Many Alaskan life styles, and subsistence uses in particular, are less disruptive and less destructive than many other types of life styles and uses. Subsistence uses are a natural part of Alaskan wild country and should be provided for on National Interest Lands except those set aside as National Parks or National Monuments. Other land management categories, such as preserves or refuges, are more compatible with subsistence uses of natural resources.

Land in Alaska is being divided into smaller and smaller parcels under a variety of ownerships resulting in a proliferation of management goals and policies. This trend is generally incompatible with the conditions required for many life styles in Alaska and could lead to the destruction of these lifestyles and the integrity of existing ecosystems. An unprecedented level of coordination and cooperation among federal, state and private groups will be needed to overcome this trend. Fish and Wildlife populations and the habitats they depend upon do not have boundaries that coincide with existing federal, state and private lands nor those lands proposed for inclusion in the four systems under ANCSA 17 (d)(2). For this reason as well as the fact that legally (Statehood Act) and historically the State of Alaska has had the responsibility for wildlife management, the ALASKA CONSERVATION SOCIETY BELIEVES THAT THE BASIC EXISTING REGULATORY REGIME FOR HUNTING, TRAPPING AND FISHING IS MOST APPROPRIATE TO PROPERLY CONSERVE AND PROTECT FISH AND WILDLIFE IN ALASKA, AND TO PROVIDE THE MECHANISMS FOR ALLOCATION OF RESOURCE USES.

However, since federal agencies have legal responsibilities under existing national laws and international treaties and have now and will have in the future management habitat responsibilities, continuing federal and state coordination and cooperation will be needed.

LIFE STYLES, SUBSISTENCE, AND HUNTING

In Alaska there is a broad spectrum of life styles that have developed from many different cultural roots. This spectrum ranges from life styles derived from hunter-gatherer economies, whose social organization and cultural patterns were shaped largely by the biological and physical environment in which they evolved, to those derived primarily from western-industrial economies, whose social organization and cultural patterns have evolved in directions that lead to the separation of the individual from direct ties and experience with the land and its resources. Indeed, it is this very mix of life styles found in this spectrum that contributes to Alaska's uniqueness among the fifty states. THAT ALASKA CONSERVATION SOCIETY CONSIDERS THAT THIS DIVERSITY OF LIFE STYLES IS AN ASSET TO ALASKA AND AMERICAN SOCIETY AT LARGE.

There are three important qualities to this spectrum of life styles that are relevant to decisions regarding the disposition of d-2 lands and the agencies that will manage them. Each of these qualities can be visualized as a continuum. They are 1) a dependency continuum with direct use of local resources at one end and dependence upon distant resources or their products at the other; 2) an energy consumption continuum characterized by labor intensive acquisition of resources at one end and at the other end, highly mechanized acquisition, processing and transportation of resources and; 3) a psychological continuum ranging from a feeling of self-sufficiency and independence at one end to a feeling of less self-sufficiency and greater dependence on others for basic needs at the other end.

A full discussion of the ramifications of these qualities of life styles with regard to land use and resource management in Alaska is beyond the scope of this position paper. The most important feature to recognize is that DIFFERENT LIFE STYLES HAVE VERY DIFFERENT IMPACTS ON LAND AND ITS RESOURCES.

Subsistence:

Within the existing, broad spectrum of life styles there is an array of "Alaskan" life styles including many so-called "subsistence" life styles. Subsistence life styles are a complex mixture of traditionally native, traditionally non-native, and completely new elements that vary tremendously from place to place, from one individual to another and from year to year. For these and other reasons, WE BELIEVE IT IS

IMPOSSIBLE TO DEVELOP A SIMPLE, RIGOROUS DEFINITION OF SUBSISTENCE. However, there are still many people who depend greatly upon natural resources in order to make a living; there are also many for whom subsistence living is culturally the way of life. Of necessity or by choice, they live off the land. To a great degree - they subsist. Activities in support of these life styles include hunting, fishing, trapping, and gathering traditional wild foods and other organic materials. Of necessity, practioners of subsistence life styles live in areas of low human population density. Historically and throughout Alaska, hunting and gathering societies were distributed at low densities as mandated by the productivity and characteristics of the ecosystems of which they were a part. Furthermore, to be successful at subsistence living, they must have the dedication, knowledge and skills, which in essence make them "professionals" at hunting, fishing and trapping.

The Alaska Conservation Society supports the concept of subsistence use of natural resources by Alaskans for the following reasons.

1. There are strong cultural affinities for subsistence living among natives and non-natives, even though the basis for these affinities differs.

2. The existence of viable subsistence life styles provides our society at large with an added and positive element of diversity, which enriches both subsistence users and others.

3. Subsistence life styles, properly pursued, are environmentally less disruptive and less distructive than life styles associated with modern agrarian or industrial societies. Regulated and controlled, subsistence activities can be an ecologically sound means of supporting people in rural Alaska.

4. Subsistence use remains an economic necessity for many rural Alaskans.

5. Subsistence use has always been a natural part of true wilderness, contrary to todays popular notion of wilderness as "...a place where animals live, but people only visit."

Hunting:

Hunting, fishing and trapping are pursuits that figure prominently in virtually the whole spectrum of Alaskan life styles. However, given the current "mobility" of individuals with respect to life styles, some people are often involved in the exploitation of living resources for different reasons at different times. Similarily, the use of a given species can, at different times, be for different purposes by the same person. This is true with respect to hunting, trapping and fishing. For these and other reasons, attempts to distinguish among

commercial-sport-subsistence fishing or subsistence-sport-trophy hunting as practiced by many Alaskans have been unsuccessful. The material, physical and psychological rewards of these pursuits are all of importance; the degree of each depending on circumstances.

Although fishes and fishing are of great importance, and the factors affecting fish populations and aquatic habitats are, in a broad sense, quite similar to those affecting birds and mammals, the question of fishing does not currently engender the kind of debate that hunting and trapping do. Current attention within Alaska and nationally is focused on the issue of hunting.

Hunting wild game is a pursuit as old as mankind; in fact, hunting was crucial to man's evolutionary development. However, in modern life, relatively few people are confronted with the necessity of hunting or gathering food, nor with the reality that their life depends upon the death of other living things. Hunting brings this relationship into sharp focus, and emphasizes man's need for a more responsible attitude toward other species and their habitat.

Because of the contributions of hunting to Alaskan life styles through its physical and psychological challenges and rewards, we believe that hunting in its various forms should be provided for in land dedication and management. We consider hunting to be very important among the array of potential wildland uses. Again, a continuum exists between the extremes of hunting as a dominant desirable use of wildlands in some circumstances to those situations, such as national parks and monuments, within which it is neither desirable nor compatible with other important uses.

However, if hunting is to survive as a positive element, some hard realities must be recognized and reckoned with.

1. Biological productivity. The basic long-term productivity of Alaskan lands is low, and the abundance of plants and animals varies dramatically over any period of years. Hunting and other wildland uses must be regulated in accord with these basic principles, or neither the wildland uses nor the wildland resources will survive in a healthy condition.

2. Human Population Density. For subsistence life styles with a high direct dependence on hunting and gathering to be perpetuated, low densities of users in relation to resources must be maintained. In the past, availability of resources limited human numbers, but today many constraints on human population have been removed. Therefore, regulations are necessary to insure that increased human use does not damage wildland resources.

3. Modern Technology. Technology has increased the efficiency of all

hunters. Imporperly employed, this technology has and will continue to have detrimental effects on wildlife and its habitat. Regulation of methods and means will continue to be a necessity.

In relation to disposition of d-2 lands, it is clear that hunting, trapping, fishing and many other consumptive uses are unlikely to be compatible with the management policies and philosophies of national parks and monuments. Where hunting is to be permitted, we recommend that other land management categories be established (e.g. preserves, refuges) which also provide appropriate watershed, habitat and wildlife protection.

Although we feel that hunting should not be permitted in parks and monuments, hunting should be permitted in all other federal land categories subject to appropriate regulations and controls.

We believe that the basic existing regulatory regime for hunting, trapping and fishing is most appropriate to properly conserve and protect fish and wildlife in Alaska, and to provide the mechanisms for allocation of resouce use among various users. Legally and historically the State of Alaska has had the responsibility for wildlife management. This management is based on the state's constitutional directive that resouce allocation should not be based on place of residence, race or level of cash income. We believe that to properly regulate the entire spectrum of hunting, trapping and fishing uses effectively and equitably, state regulation promulgated and effected with federal coordination and cooperation is the most appropriate scheme. Because federally legislated fish and wildlife management regulations would deal with only portions of the management complex in Alaska, and because Federal legislation would be a more static scheme applied to a necessarily dynamic management situation, we oppose Federal legislation as the sole or major regulatory mechanism effecting wildlife management on National Interest Lands in Alaska.

The management of habitats will require the cooperation of all "landowners". Land in Alaska is being divided into smaller and smaller parcels under a variety of ownerships thereby resulting in a proliferation of management goals and policies. This trend is generally incompatible with the conditions required for many of the existing life styles in Alaska and will lead to the destruction of these life styles and the integrity of existing ecosystems unless a new and imaginitive approach to land and resource management is adopted, one that can over come the inherent deficiencies of an uncoordinated mosiac of land ownership and management policies. To achieve coordination of land use and resource management in accord with the policy stated above will require an unprecedented level of cooperation and agreement among federal, state and private groups. The new and permanent Joint Federal-State Land Commission, as proposed by the ACS, will serve an essential role in achieving this cooperation.



Alaska Conservation Society

Incorporated in 1960

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Testimony of the Alaska Conservation Society
on HR 39, Alaska National Interest Lands Conservation Act
House Subcommittee on General Oversight and Alaska Lands
Fairbanks, Alaska August 20, 1977

Mr. Chairman, my name is Herbert R. Melchior, I am Vice President of the Alaska Conservation Society, a volunteer group of 900 Alaskan and 200 non-Alaskan members. Since its formation in 1960, the Society has worked hard to secure the wise use of renewable and non-renewable resources; and the protection and preservation of the scenic, scientific, recreation, wildlife and wilderness values of Alaska. My testimony today supports HR 39 as the best vehicle for bringing the Alaska National Interest Lands issue before the people of America.

HR 39 addresses many issues of great importance to Alaska and Alaskans, to the Nation and its people. However, we feel that some of these issues are either inadequately or improperly dealt with in the present form of the Bill. Since the basic goals of HR 39, the identification and protection of federal wildlands, has been frequently praised by many previous speakers, I feel the Alaska Conservation Society's contribution will be most constructive by concentrating on those sections we feel need to be changed or need our special support.

Because fish and wildlife populations move across the artificial and often arbitrary land boundaries established by humans, and because the Statehood Act, ANCSA, and future legislation, such as HR 39, is dividing up the habitats of many species and placing them into different land management systems - systems with different goals and objectives - we feel it is absolutely essential that Congress devise a means to achieve and give legislative support to a higher level of cooperation than has existed among private, local government, state and federal land management groups. We feel Section 708 (a) of HR 39 does not go far enough. It is not sufficient to simply authorize agencies to enter into cooperative agreements. A catalyst is needed with the authority

to bring agencies and groups together. The effort needs to be coordinated and timely. This means that people must be given this specific job to do and budget to do it with. We can not rely upon agencies and groups to initiate the process. Too often cooperative efforts are given low priority - subservient to internal agency affairs - no budget or simply lip service. I can think of no better way to insure the demise of Alaska's fish and wildlife populations than to treat cooperation among land managers, who in effect control the health of habitats, in a casual - you are authorized to do it - manner. To reiterate: it is essential that legislation establish mechanisms to 1) serve as a catalyst; 2) insure coordination of the effort and 3) perhaps even to serve as arbiter when strong conflicting interests are present.

The mechanism must involve real people and have a real budget - perhaps even monies to pay part of the salary of agency representatives and private individuals so the excuse can't be made that the money is not available to support work on cooperative land management.

This committee should consider legislative ways of insuring that the process is undertaken and that it works, first by mandating that agencies cooperate in the endeavor and second by inserting language into the Bill that with holds money from the agency unless it actively participates.

Private groups can be given tax incentives to participate and the State Legislature should pass appropriate legislation to insure the participation of state agencies.

As envisioned here, this is NOT a fifth system nor is it a device to erode the basic management responsibilities of each agency - it simply insures that they cooperate in a serious and effective manner to maintain healthy habitats for fish and wildlife.

As written, Section 701 (a), (b) and (c), which deal with subsistence uses of d-2 lands and wildlife management, are unacceptable and in conflict with the positions adopted by the Alaska Conservation Society's Board of Directors.

The broad spectrum of life styles practiced by Alaskans contributes to its' uniqueness among the fifty states and adds diversity to American society at large. Within this spectrum, there is an array of "Alaskan" and "Subsistence" life styles that consist of dynamic complex mixture of traditionally native, traditionally non-native elements. Therefore, we believe there is no rational nor fair basis for rigidly defining subsistence life.

Although we believe it is impossible to develop a simple, rigorous definition of subsistence, we recognize there are still many people who

depend greatly upon natural resources in order to make a living; there are also many for whom subsistence living is culturally the way of life. Of necessaity or by choice, they live off the land. To a great degree, they subsist. Activities in support of these life styles include hunting, fishing, trapping and gathering traditional wild foods and other organic materials. Of necessity, practioners of subsistence life styles liv in areas of low human population density. Historically and throughout Alaska, hunting and gathering societies were distributed at low densities as mandated by the productivity and characteristics of the ecosystems of which they were a part. Furthermore, to be successful at subsistence living, they must have the dedication, knowledge and skills, which in essence make them "professionals" at hunting, fishing and trapping.

The Alaska Conservation Society supports the concept of subsistence use of natural resources by all Alaskans for the following reasons.

1. There are strong cultural affinities for subsistence living among natives and non-Natives, even though the bases for these affinities differ.

2. The existence of a viable subsistence life style provides our society at large with an added and positive element of diversity, which enriches both subsistence users and others.

3. Subsistence life styles, properly pursued, are environmentally less disruptive and less destructive than life styles associated with modern agrarian or industrial societies. Regulated and controlled, subsistence activities can be an ecologically sound means of supporting people in rural Alaska.

4. Subsistence use remains an economic necessity for many rural Alaskans.

5. Subsistence use has always been a natural part of true wilderness, contrary to todays popular notion of wilderness as "...a place where animals live, but people only visit ", as similarly expressed in the Wilderness Act.

Therefore, if the legislation that evolves from these hearings addresses the question of subsistence wildlife harvests, several principles should be followed:

a) Native shubsistence uses, where these have contemporary validity, should be firmly protected; however, non-Native subsistence uses, which meet the same tests of validity, should be given equal protection. Subsistence should not be defined in law on a racial basis.

b) Subsistence should be the highest priority of human harvests of food species whenever resources are too scarce to meet all demands. This policy must be implemented by a government body responsible to all citizens of Alaska, not by a body composed exclusively of subsistence users themselves.

c) Neither subsistence, sport, commercial, nor scientific uses of fish and wildlife should be permitted to jeopardize the welfare of the resources themselves.

From the things I have already said it must be clear that we do not support the game management and regulatory scheme embodied in Section 701 (a) and (b) which places these activities under the Secretary of Interior on federal lands (that is d-2 and adjacent lands) but leaves these activities for the State on State and private lands. Furthermore, this partitioning of responsibility and authority only applies to subsistence activities and not to other resource uses. What a monster of confusion this will create. It will be bad for resources as well as for those who use and depend upon them. From an ecological point of view, this scheme is unrealistic and shows a lack of understanding of the historical behavior of fish and wildlife populations at northern latitudes and of the functions of northern ecosystems. Let me try to briefly explain this statement.

There are several very important aspects to northern ecosystems that should be taken into consideration before deciding on such a course of action as suggested in HR 39. These are:

1. Major fluctuations in abundance have been shown for essentially every species of fish, bird, and mammal that has been studied for any length of time, or for which estimates of numbers exists. These fluctuations are usually not synchronous among species and the periodicity and magnitude of the fluctuations have been generally unpredictable. This applies to both those species harvested by humans and those that are not. Even plant resources, such as berry crops and tree seed production undergo marked fluctuations.

2. Coupled with this, many species - several of considerable importance to rural Alaskan in particular - make major shifts in location; some seasonally, some on a more semi-permanent basi basis, such as some of the herds of caribou in Alaska that have shifted their range or herds that have broken up into smaller units, each going its own way. These shifts in space have also been unpredictable but could be caused by the natural degradation of range by such factors as fire, unusual snow conditions or simply over-grazing or over-browsing by the animals themselves.

For example, the lightning-caused tundra fires of this summer have very likely destroyed much caribou winter range in northwestern Alaska. The lichens that caribou utilize in winter, will take 20 to 40 years to recover after a fire, (the period depending on many factors affecting their growth), so caribou will have to seek winter forage outside these burned areas.

3. Both wild predators and humans depending on animal resources must be able to seek out and acquire the resources where they are irrespective of politically or arbitrarily drawn legal boundaries.

4. The productivity of plants and animals at northern latitudes is generally much less than for ecologically equivalent species in the lower 48. For example, Vermont, with an area of about 9000 square miles has about 250,000 white tail deer or about 28 per square mile while the range of the Western Arctic Caribou Herd of about 140,000 square miles, supported at its peak population about 240-250,000 caribou or less than 2 per square mile.

The importance of understanding these attributes of northern ecosystems is that with large numerical changes occurring over time and space in a relatively unpredictable manner, fixed boundaries for the management and regulation of fish and wildlife are inappropriate and ecologically unsound. Thus the concept of establishing "subsistence management zones" on federal lands is unsound and unworkable. It is true that the present State system involves the establishment of fish and game management units and that bag limits and seasons are established for each but this is a flexible system carried out statewide and based on the existing conditions of the resources. It readily undergoes revision each year.

How would the subsistence management zone work in practice? Would the boundaries change as the resources fluctuate in space? What happens to the constitution of the subsistence board if the boundaries change? Are boundary changes made when one species changes its place of habitation? When two species change? How would this system interact with the state's responsibility on state and private lands and for non-subsistence users, such as recreational hunters and fishermen who also have a valid interest in our living resources?

The Alaska Conservation Society believes the satisfactory resolution to these questions is to delete Section 701 (a) and (b) and to reaffirm Section 6 (e) of the Alaska Statehood Act (PL 85-508) which entrusted the administration, management, and conservation of the fish and wildlife resources to the state, to quote the Act, "in the broad national interest."

The Alaska Conservation Society strongly supports Title V of HR 39 which designates the US Fish and Wildlife Service as primary manager of National Petroleum Reserve, Alaska formerly known as Pet 4.

The Alaska Conservation Society requested this action in 1975 before PL 94-258 (National Petroleum Reserves Act of 1976) was passed and subsequently, we have asked three Secretaries of Interior, including Secretary Andrus, to designate the USFWS as manager, but to no avail.

And why have we put such effort in this? 1) Because NPR-Alaska is the largest block of de facto wilderness in the United States and also the largest block of land remaining under one jurisdiction in Alaska. 2) It possesses a great variety of renewable resources of great value to the nation and the people of Alaska. It includes important breeding grounds for millions of waterfowl and several species of shore birds; it includes the calving grounds of the Western Arctic Caribou Herd. 3) The USFWS has been conducting biological studies and surveys in the area for decades and therefore has in Alaska a cadre of biologists who know the area and understand some of the special qualities of northern tundra ecosystems and 4) this same Service, which manages the Kenai Moose Range, has individuals in Alaska who have worked with the oil and gas industry and therefore could work with this industry during the exploration of NPR-Alaska mandated by Congress in PL 94-258.

However, these are not the only reasons why we bring this information to your attention. As recently as last month three geologists from the US Geological Survey reported in Survey Circular 751-B that, and I quote:

> "From results of the 1944-53 Pet 4 exploration program, recent investigations, and the extension of eastern North Slope (primarily Prudhoe Bay) data westward, a preliminary judgement can be made of the probability of the occurrence of Prudhoe Bay-type hydrocarbon accumulations in NPR-4...
>
> Evaluation of the regional geology of northern Alaska suggests that the unique combination of geological and geochemical elements resulting in the Prudhoe Bay field is not likely to be repeated in NPR-4...
>
> Assessment of the critical geological-geochemical factors suggests that the recoverable resource may be even smaller than the 5 billion barrels of liquid hydrocarbons and 14.3 trillion cubic feet of natural gas estimated by the FEA in 1976 and are likely to be distributed in a number of small a accumulations rather than a few giant fields."

In addition, we understand that a recent estimate indicates that half of the estimated oil and gas in NPR-4 would be used just to extract what is there.

Given this information, we feel it is even more important now to have management of this area in the hands of the agency most likely to protect the true, long term values of the region.

Before closing, I would like to refer you to the testimony given in Washington, DC to your committee on April 21, 1977 by the president of the Alaska Conservation Society. That testimony covered briefly the Society's position on other important issues embodied in this legislation. In particular I would bring to your attention our strong hope that final d-2 legislation will contain provisions for new wilderness areas in Southeast Alaska, as provided by HR 39. As our chapter members in Ketchikan, Petersburg, Sitka and Juneau have testified, Congressional action is urgently needed to protect these green and turquoise jewels of Alaskan landscape.

Time does not permit comment on other important subjects inherent in the complex legislation before you. The Alaska Conservation Society is happy to place its knowledge and insights at the disposal of this Committee throughout the coming discussion of the national interest lands in Alaska

Thank you very much for the opportunity to testify here today. Please include these comments as part of the formal hearing record.

POLICY REGARDING SUBSISTENCE ACTIVITIES AND SPORT HUNTING ON NATIONAL INTEREST LANDS

Executive Committee
Alaska Chapter of the Sierra Club

WHEREAS, the Executive Committee of the Alaska Chapter of the Sierra Club recognizes that habitat in Alaska for wild game species is changing rapidly and the carrying capacity for game in Alaska's wilderness lands, including but not limited to National Interest Lands, is becoming limited to such an extent that future management of these lands should be subject to certain priorities, and

WHEREAS, with regard to National Interest Lands proposed for inclusion into the "four systems" federal parklands in Alaska, wildlife and other wilderness resources must be managed so as to preserve these resources in as natural a state as possible, protecting the processes and cycles inherent in nature, and

WHEREAS, with this primary management policy in mind, the National Interest Lands should be managed so as to, when practicable, provide for the maintenance of the livelihood of persons conducting subsistence activities on National Interest Lands and provide for the enjoyment of recreational hunters on these lands, but only in light of the primary responsibility of protecting the viability of species and maintenance of the resource base throughout the National Interest Lands, and

WHEREAS, because one of the principal goals in the establishment of National Parks and Monuments in Alaska is to establish and re-establish undisturbed biological systems so that the public can enjoy such areas without disturbances associated with hunting, the Executive Committee concludes that sport hunting should not be authorized in National Parks and Monuments in Alaska,

NOW THEREFORE, the Executive Committee adopts the following policy regarding subsistence activities and sport hunting on National Interest Lands, for consideration and possible inclusion into relevant National Interest Lands proposals for Alaska.

1. Definitions.

(a) "National Interest Lands" shall refer to all lands proposed for inclusion into the "four systems" federal parklands categories for Alaska pursuant to Section 17(d)(2) of the Alaska Native Claims Settlement Act, i.e. National Parks and Monuments, National Wildlife Refuges, National Wild and Scenic Rivers, and National Forests, which shall be the subject of this Policy.

(b) "Secretary" or "Secretaries" shall refer to the Secretary of the Interior or the Secretary of Agriculture, or both, and where the context so permits their respective delegates, representatives and agencies charged with the administration of the National Interest Lands. Where overlapping or contiguous jurisdiction exists between various departments and agencies charged with the administration of the National Interest Lands, which could make the implementation of this Policy with regard to subsistence activities cumbersome or duplicative, these departments or agencies shall form a cooperative framework of administration to carry out the purposes of this Policy regarding subsistence activities on National Interest Lands.

2. Policy Regarding Subsistence Activities on National Interest Lands.

Local residents in the vicinity of National Interest Lands who exercised and continue to exercise customary, consistent and traditional use of subsistence resources in said lands at the time of the passage of the Alaska Native Claims Settlement Act, and their direct descendants, shall be permitted to continue subsistence activities on these National Interest Lands so long as it is necessary to supply their primary needs of food, shelter materials, firewood, clothing, and traditional handicrafts and so long as it is consistent with the sound management of these resources.

3. Regulation of Subsistence Activities.

(a) Local Regulatory Subsistence Boards. After consultation with local residents and state agencies exercising legislative jurisdiction affecting subsistence resources, the Secretary or Secretaries shall designate "Subsistence Management Areas" in the various geographical areas where subsistence activities have customarily taken place in National Interest Lands, without regard to administrative boundaries established for these lands. The Secretary or Secretaries responsible for the administration of these Subsistence Management Areas shall then establish local "Regulatory Subsistence Boards," which shall review and approve permit applications for subsistence activities within their Subsistence Management Area in accordance with criteria and procedures for the management of these resources promulgated after a public hearing by the Secretary or Secretaries charged with the administration of the lands comprising each Subsistence Management Area. These Regulatory Subsistence Boards shall also advise the responsible Secretary or Secretaries on matters of concern to local subsistence permittees and other residents within their Subsistence Management Area.

(b) Responsibility of the Secretary. The Secretary or Secretaries exercising proprietary jurisdiction over lands containing subsistence resources within these Subsistence Management Areas shall retain the responsibility to enforce, review and, where necessary, overrule decisions made by the Regulatory Subsistence Boards. Any permit applicant, Regulatory Subsistence Board member, state agency or member thereof, administrator of applicable National Interest Lands unit, or any other concerned citizen may appeal the decision of a Regulatory Subsistence Board to the Secretary or Secretaries responsible and, after appropriate notice, may appeal any action, decision or management policy taken by the Secretary or Secretaries to the appropriate federal district court, all without regard to the amount or issue in controversy.

(c) Overall Management Policy for Subsistence Areas. Use of these National Interest Lands for primary subsistence needs will in all cases be given preference over other competing uses in a Subsistence Management Area. When a resource cannot support all demands upon it of where limitations imposed by the Secretary or Secretaries fail to adequately relieve pressure on a failing resource, the Secretary or Secretaries responsible for the resource shall curtail subsistence uses of that resource to the extent necessary to protect the viability of the species and otherwise restore and preserve wilderness and wildlife in the Subsistence Management Area.

4. Policy Regarding Sport Hunting in National Interest Lands.

It is recognized that sport hunting provides a physically and emotionally rewarding outdoor experience for some persons and, so long as consistent with sound management policies, shall be permitted in National Interest Lands not subject to the jurisdiction of the National Park Service as Parks or Monuments, but only after the reasonable requirements of subsistence hunting are met.

5. Regulation of Sport Hunting.

Access for sport hunting shall be authorized by the Secretary charged with the administration of each unit of the National Interest Lands when, after a full evaluation, it is determined that there is an adequate resource. The Secretary shall regulate the means of sport hunting in a manner not to jeopardize the viability of wildlife or habitat in the hunt area, taking into account the demands of subsistence activities and existing wilderness values in the area. In all cases the

principles of "fair chase" shall apply. Federal permits for sport hunting shall be administered in conjunction with state agencies exercising legislative jurisdiction affecting these resources in developing annual statewide hunting regulations but, in any event, such permits will not be awarded unless the Secretary determines there are adequate state and federal regulatory facilities and personnel in the field to ensure the enforcement of the rules of the hunt.

NORTH POLE, ALASKA

4 OCTOBER, 1977

HONORABLE NELS ANDERSON,

DILLINGHAM, ALASKA

WE THANK YOU FOR LISTENING TO ALASKA CITIZENS. USUALLY THE STATE EMPLOYEES GIVE THE POEPLE OF ALASKA THE BRUSH OFF. COMMERCIALIZE OUR BIG GAME BY CUTTING ALL THE BEST OF ALASKA INTO EGA(EXCLUSIVE GUIDE AREAS)? BUFFALO ON THE GREA T PLAINS WENT THE SAME WAY. MEN, WOMEN, CHIDREN (SAVAGES?) STARVED FOR THIS DELIBERATE GOVERNMENT POLICY. "YES", U.S. GOVERNMENT said "NO.", DECENT PEOPLE said

GUIDING IS REALLY A STRONG UNION FOR THE EXCLUSIVE BENEFIT OF A FEW GUIDES. THE UNION, GLCB, (GUIDE LICENSING AND CONTROL BOARD) CAN EXCLUDE ANY DISSIDENT GUIDE, AND HAVE DONE SO. GLCB IS A SHAME AND A DISGRACE TO THE NAME OF ALASKA.

ART FIELDS, A NATIVE OF KOTZEBUE, BORN IN CANDLE, ROSE UP AND PROTESTED GLCB IN NOVEMBER, 1976.

FEW NATIVES WERE GIVEN EGA. Why? No one knows the land and animals as the native of 15,000 years.

NO NATIVES WERE GIVEN EGA IN THE NOVEMBER, 1976 GIVEAWAY.

IF THE US SUPREME COURT IS CORRECT IN RULING GAME ANIMALS ON FEDERAL LAND BELONG TO ALL THE AMERICAN POEPLE, WHY DOES GLCB COMMERCIAL THE CHOICE HUNTING AREAS SO THAT THE ANIMALS CAN BE SOLD BY BIG GAME GUIDES? Can the average villager charter a cessna 206 to go hunting?

KAKTOVIK, (BARTER ISLAND) CHILDREN SOMETIMES COME TO SCHOOL HUNGRY WHEN HUNTING IS BAD. BUT 2,000,000 ACRES EGA WAS GIVEN TO ONE COMMERCIAL GUIDE IN THE KAKTOVIK, ARCTIC NATIONAL WILDLIFE AREA.

Shame on GLCB and us Alaskans who stand by and see our state desecrated, our game slaughtered, our children neglected.

Keep working NELS! Best Wishes. Harder

BOX 5153
NORTH POLE, ALASKA
15 DECEMBER, 1976

HONORABLE JAY HAMMOND,
GOVERNOR OF ALASKA
JUNEAU, ALASKA

GREAT LAUGHING CHARLIE BROWN! (GL&CB) A MAJOR PORTION OF THE PRISTINE AREAS OF THE BROOKS RANGE WILDERNESS AND NORTH SLOPE TUNDRA AND HILLS WERE GIVEN AWAY SUNDAY 12 AND MONDAY 13 DECEMBER, 1976, IN ANCHORAGE BY THE GUIDE LICENSING AND CONTROL BOARD(GL&CB) TO COMMERCIAL ALASKA GUIDES FOR THEIR EXCLUSIVE GUIDING AREA.(EGA) NATIVE ART FIELDS OF KOTZEBUE FOUND ALL DEAF EARS FOR HIS VIGOUROUS PROTEST TO GL&CB. ONE GUIDE STATED HE HAD NEVER GUIDED IN THE LARGE NOATAK RIVER AREA HE WAS GIVEN. ONE GUIDE WAS GIVEN TWO MILLION(YES 2,000,000) ACRES NEAR THE CANNING RIVER AND NEEDED MORE. ANOTHER TWO MILLION ACRE EGA INCLUDES THE KAKTOVIK BARTER ISLAND NATIVE VILLAGE SUBSISTANCE HUNTING AREA AND A MAJOR PORTION OF THE ARCTIC NATIONAL WILDLIFE REFUGE.WERE THE KAKTOVIK PEOPLE CONSULTED PRIOR TO MAKING THEIR SUBSISTANCE HUNTING GROUNDS FOR AN EGA? DID THE SEVEN TANIC GLCB BOARD MEMBERS INSURE NATIVE REPRESENTATION? OR NATIVE ALASKAN AWARENESS OF THE GIVEAWAY?
GEORGE AND NORA AHGIAK HAVE FOR MANY YEARS WINTERED ON THE SUNNY HULU HULU RIVER, FIFTY MILES SOUTH OF KAKTOVIK AND THE BEAUFORT SEA COAST SEVERE WINDS. AT OLD MAN CREEK, THE SPARKLING HULU HULU WATERS EXIT THE BROOKS RANGE PEAKS, FLOWING NORTH TO JOIN THE ARCTIC OCEAN. THE FROZEN RIVER SURFACE FURNISHES A SUPERHIGHWAY FROM THEIR CAMP IN WINTER TO KAKTOVIK. THE EVER FLOWING WATER UNDERNEATH THE ICE CONTAINS FISH YEAR ROUND. THE ARCTIC HILLS ABOUND IN SHEEP, WOLF, MOOSE, CARIBOU, ARCTIC HARE, AND PTARMIGAN. I HAVE MANY TIMES ENJOYED HOT COFFEE AND EATEN WITH THE AHGIAKS IN THEIR TENT,SETTING ON A CARIBOU SKIN. A SMALL YUKON STOVE DEVOURS WILLOW TWIGS, WARMS THE TENT, HEATS THE COFFEE.. AND COOKS THE FOOD. THE AHGIAKS STAVE OFF HUNGER IN THE MOST BEAUTIFUL OF WILDERNESSES BY SUBSISTANCE HUNTING AND FISHING. ONE XMAS, THE WOLVES SURROUNDED THEIR DOG AND ATE HIM. ANOTHER TIME NORA BROKE ALL HER RIBS AND I FLEW HER OUT TO CATCH THE WIEN PLANE. THE BRIGHT SUNNY ALPINE MEADOWS, SET AMONG BLUE ICY PEAKS OF THE BROOKS RANGE, FRAMED BY AN AZUR BLUE SKY,REPRESENTS MANKINDS LAST PRISTINE PRIMITIVE UNCONTAMINATED AREA ON THE EARTH. THE TANGY ARCTIC AIR IS REFRESHING TO BREATHE, AND THE PURE ICE WATER DELICIOUS TO DRINK. THE SILENCE OF THE BUSH IS BROKEN ONLY BY THE WIND, THE CRACK OF ICE, BUBBLING WATER, AND THE SWISH OF A ZOOMING FLOCK OF PTARMIGAN.
GOVERNOR HAMMOND, SHALL YOU AND I ALLOW THE COMMERCIALIZATION AND DESTRUCTION OF THE LAST CLEAN, PURE, UNCONTAMINATED AND BEAUTIFUL WILDERNESS ON THE EARTH? DOES A GUIDE NEED TWO MILLION ACRES PRIVATE EGA? IN THE ARCTIC WILDLIFE REFUGE OR ANY PART OF THE BROOKS RANGE? IN THE NATIVES LAST GOOD SUBSISTANCE HUNTING AREA? WERE THE NATIVES IN KAKTOVIK, BARROW AND KOTZEBUE CONSULTED AND OFFERED PRIVATE EGA?OR WERE THEY IGNORED LIKE ART FIELDS?
BIG HONCHO ADFG SHOULD GET OFF HIS CHAIR IN JUNEAU, ASCERTAIN THE FACTS, AND NOT LET THE JAY HAMOND ADMINISTRATION BE LULLED INTO SUCH AN ALASKA WATERGATE THAT THE FEDS AGAIN NEED TO EVALUATE OUR FAILURES AND ASSIST US IN ALASKAWITH FURTHER FEDERAL FIFTEEN YEAR MORATORIUMS.
WITH MY BEST WISHES TO YOU, ALL ALASKANS, AND ALL AMERICANS,

Hardy M. Smith

HARDY MARVIN SMITH
BOX 5153,
NORTH POLE, ALASKA 99705
PHONE: 907 488 6653 ANYTIME

BOX 5153
NORTH POLE, ALASKA
MON 13 DEC 1976

SUBJECT: DIVESTURE BY GL&CB OF ARCTIC ALASKA GUIDES PROPRIATARY INTEREST.
TO WHOM IT MAY CONCERN

ALASKA STATUTES DO NOT REQUIRE PRIOR NOTIFICATION OF INTENT TO PUNCH AN ALASKA GUIDE IN THE NOSE: OR TO DIVIDE UP HIS LEGALLY LICENSED GUIDING AREA AMONG OTHER GUIDES. BUT THE ACTION ;IF TAKEN, COULD BE ILLEGAL UNDER COMMON LAW. THE GUIDE LICENSE AND CONTROL BOARDS FAILURE TO ASSURE THEMSELVES OF RECEIPT BY ALL GUIDES OF NOTIFICATION, WHILE IN ITSELF, NOT ILLEGAL, DOESN*T JUSTIFYTHE GL & CB OTHER POSSIBLE ILLEGAL ACTOON.
ALASKA STATUTES AND STARE DECISIS MAY NOT DEFINE A GUIDES AREA OF PROPRIATARY INTEREST. BUT COMMON LAW PERHAPS DOES JUST THAT. THE AMERICAN COURTS HAVE CONSISTANTLY RULED THAT A PERSON HOLDING, USING, ENJOYING, ECT, ANYTHING IN NOTORIOUS ADVERSE POSSESSION OVER A LONG PERIOD OF TIME, ACQUIRES A PROPRIATARY INTEREST OF WHICH HE CANNOT BE DIVTED WITHOUT JUST AND DUE PROCESS OF LAW.
TO ABSIGN SOME GUIDES TWO MILLION ACRES OF EXCLUSIVEGUIDE AREA WHILE EXCLUDING FIVE OTHER ARCTIC GUIDES WITH A COMBINED TOTAL OF ABOUT 100 YEARS ALASKA GUIDING EXPERIENCE COULD BE DEEMED AS ACTION UNETHICAL AND ILLEGAL BY THE ALASKA GUIDE AICENSING AND CONTROL BOARD.

THE TECHNICALITY OF A 1 NOVEMBER, 1976, CUT OFF DATE FOR ALASKA GUIDES FILING FOR EXCLUSIVE GUIDE AREAS (SET BY GL&CB) COULD BE INSIGNIFICANT IN VIEW OF GL&CBS FAILURE TO ASSURE THEMSELVES THAT EVERY ALASKA GUIDE CONCERNED RECEIVED NOTIFICATION OF THE IMPENDING CUTTING OF THE NORTH SLOPE, UNIT 26, AREA INTO EXCLUSIVE GUIDING AREAS.

ON MONDAY, 13 BECEMBER, I VERBALLY AND PUBLICALLY ADVISED THE GL&CB THAT THEIR ACTION TAKEN ADVERSE TO AN ALASKA GUIDES PROPRIATARY INTEREST IS CONSIDERED BY SOME TO BE ILLEGAL.

THE GL&CB COULD BEAR THE RESPONSIBILITY, COLLECTIVELY AND OR INDIVIDUALLY, FOR THE DAMAGE CAUSED BY THEM TO A GUIDES PROPRIATARY INTEREST.

I THINK MOST OF US APPRECIATE THE GL&CBS LONG AND TIRESOME AND PERHAPS THANKLESS EFFORTS IN WHAT THEY CONSTRUE TO BE IN THE BEST INTEREST OF ALASKA AND ALASKANS.

BUT IT WOULD BE A TERRIBLE WASTE OF THE HARD WORKING, UNDERPAID GL&CB MEMBERS TIME TO HAVE THEIR ACTIONS COME TO NAUGHT BY HAVING THE ALASKA COURTS RULE THEIR ACTIONS ILLEGAL.

MY SINCERE THANKS TO ALL FOR YOUR BEST EFFORTS FOR A BETTER ALASKA FOR ALL ALASKANS.

Hardy M Smith.

HARDY MARVIN SMITH
ARCTIC ALASKA AIRGUIDE
ALASKA PILOT 23 YEARS.
BOX 5153,
NORTH POLE, ALASKA 99705

PHONE: 907 488 6653

BY [redacted]

AN OUTSTANDING COLLECTION OF ELEVEN SHORT STORIES BY CHUCK KEIM.
CHANGE: SET AMONG THE HILLS, MOUNTAINS, STREAMS, AND CABINS OF ALASKA, A FRONTIER CONFRONTATION BETWEEN AN OLD MAN AND A LITTLE GIRL AND HER HOMESTEADING FAMILY, ON HIS DECEASED PARTNERS LAND. THE OLD MANS RESENTMENT SOFTENS WHEN THE LITTLE GIRL AND HER MOTHER SAVE HIS LIFE. YOULL READ THIS ONE AGAIN.
THE MAN WHO DECLARED WAR ON RUSSIA: AN ANCIENT ALEUTS GUN BATTLE WITH A RUSSIAN SUBMARINE IN ALASKA WATERS. IT MIGHT NOT BE ALL FICTION.
WHERE CAN WE GO: AN ALASKA PILOT IS VAPORIZED TOGETHER WITH A HERD OF ALASKA CARIBOU IN A NUCLEAR HOLOCAUST. NOT ALL THAT FAR FETCHED, ITS POSSIBLE.
POINT OF VIEW: AN ESKIMO HUNTER IN DIRE NEED OF FOOD STALKS A CARIBOU HERD UNTIL A PLANE LOAD OF TOURISTS STAMPEED THEM. ALL THE ESKIMO HUNTER GETS FOR HIS LONG HUNGRY HUNT IS AN EMPTY GUN AND AN EMPTY STOMACH.
GRAND RIDE INTO TOMORROW: A CHEECACKO SNOMACHINE OPERATOR RIDES TO HIS DOOM IN THE FROZEN ARCTIC WILDERNESS WHEN HIS GAS LINE DEVELOPS A LEAK.
COMING OF AGE: A COMING OF AGE HUNT IN ALASKA FOR HIS SON, THE FATHER LETS A A WOUNDED BEAR DIE SLOWLY RATHER THAN LET HIS SON "WASTE A SECOND BULLET".. BUT THE FATHER BECOMES EDUCATED WHEN HIS SONS "SECOND BULLET" SAVES THE FATHER FROM ANOTHER BEAR THE FATHER ONLY WOUNDED. MAY GENERATE ANTI HUNTER SENTIMENT.
JOE TEBENKOFS GUNBOAT: CHUCK KEIM BRINGS TO REAL LIFE TODAYS REAL ALASKA WAR OF SHOOTING AGAINST FOREIGN VESSELS INTRUDING IN ALASKA FISHING WATERS. WHEN "OFFICIALS" FAIL TO ACT, AN OLD ALEUT TAKES EFFECTIVE ACTION TO PROTECT HIS VILLAGES FISHING WATERS WITH A CANNON MOUNTED ON HIS BOAT.
CITY FOLK: AN INDIAN GIRL LOOKS ASKANCE AT A PROPOSED OIL PIPELINE, VETOES IT, AND RECOMMENDS MONEY TO REHABILITATE CITY FOLK FOR A RETURN TO THE BUSH.
TO HELP CELEBRATE CHRISTMAS: THE TRUCK DRIVER SPILLS A LOAD OF TOYS DESTINED FOR A REMOTE NATIVE VILLAGE. BUT HE FINDS THE VILLAGE MORALE HIGH BECAUSE OF THEIR NEW VILLAGE, WITH NEW HOMES, CHURCH, ROADS, ECT. XMAS CAROLS ABOUND.
RED AND WHITE OUT OF THE BLUE: AN OUTSIDE HUNTER AND HIS ALASKA GUIDES CHASE A BEAR UNTIL IT VOMITS, THEN SHOOT THE BEAR ONLY TO WOUND IT SO THEY CAN GET A PICTURE OF A LIVE BEAR BARING ITS TEETH. THEN THEY CUT OUT THE BEARS TONGUE FOR A BETTER PICTURE YET. THIS STORY MAY DISMAY THE READER, AND PERHAPS GENERATE SOME SENTIMENT AGAINST ALASKA GUIDES AND HUNTERS.
UNDER THE SKIN: ALASKANS OF AFRICAN, ESKIMO, AND CAUCASIAN DESCENT STRIVE TO MITIGATE THE CAUCASIANS FAUX PAS IN WRECKING AN AIR CUSHION MACHINE. THE THE BROKEN LEGGED CAUCASIAN DRIVER LOSES SOME OF HIS PREJUDICE WHEN HIS TWO "UNDER THE SKIN" FELLOW ALASKANS PREPARE TO RESCUE HIM FROM THE FROZEN ARCTIC.
"CHUCK" KEIM, ALASKAN, COLLEGE PROFESSOR, CONSERVATIONIST, AUTHOR, AND FRIEND OF ALL MANKIND, HAS AN ESPECIAL SOFT HEART FOR THE UNDERDOG, BE IT PERSON, RACE, ETHNIC GROUP, OR AN ANIMAL IN ALASKA. ALASKANA FICTION? NOT AT ALL. MANY REAL LIFE PARALLELS EXHIST IN ALASKAS CITY AND BUSH COUNTRY FOR ALL OF CHUCK KEIMS STORIES. CHUCK MAKES YOU SUFFER PAIN AND EXPERIENCE JOY UNDER ALASKA SKYS, AS YOU IDENTIFY WITH HIS REALISTICALLY BELEAVABLE PEOPLE AND ANIMALS OF ALASKAS FROZEN WINTERS AND FLOWERING SUMMERS. A THRILLING "MUST READ" FOR BOTH CHEECHACKOS AND SOURDOUGHS, HUNTERS AND ANTI HUNTERS. THE TOURIST WOULD DO WELL TO GET OFF THE BEATEN TRACK AND SEE THE ALASKA THAT ALASKAN CHUCK KEIM SO WELL CONVEYS THRU THE MEDIUM OF WRITING.

BOOK REVIEW BY
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ARCTIC ALASKA AIRGUIDE
HARDY MARVIN SMITH
BOX 5153,
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15 DECEMBER, 1976

ART FIELDS,
GUIDE NUMBER ONE,
KOTZEBUE, ALASKA

DEAR ART,

WHEN A MAN IS UP TO HIS WAIST IN ALLIGATORS, IT REALLY DOES MY HEART GOOD TO HAVE A MAN, ALL ALONE, LIKE YOU, STAND UP IN A HOSTILE CROWD, AND HELP DEFEND OUR ALASKA HERITAGE.

ALBERT EISTEIN ONCE SAID OF ALBERT SCHWEITZER, THE JUNGLE DOCTOR,"THERE IN THIS WICKED WORLD OF OURS, GOES A GREAT MAN". WELL, O.J. AND I THINK THE SAME THING OF YOU.YOU WERE A LONE GREAT VOICE DISSENTING THE GUIDE LICENSE& CONTROL BOARDS GREAT GIVEAWAY OF THE ALASKA NATIVES HUNTING AREAS SINCE TIME IMMEMORIAL.

THE GL&CB WERE ILLEGALLY GIVING AWAY PROPERTY RIGHTS THEY DONT OWN, AND THEREFORE HAD NO LEGAL RIGHT TO GIVE AWAY, THE HUNTING AREAS AROUND THE NATIVE VILLAGES.

MEL COOLEY, THE MISSIONARY IN KAKTOVIK, ONCE TOLD ME THE 40 CHILDREN IN THE VILLAGE OFTEN CAME TO SCHOOL HUNGRY WHEN THE HUNTING WAS BAD. SO NOW EVEN, MANY FAMILIES LIKE THE SOPLU, WILSON,KILLBEAR, ALLAN, AKOOTCHIKS, BROWER, AHGIAK, TIKLUK AND MANY OTHER OLD TIME KAKTOVIK_BARTER ISLAND FAMALIES MAY FIND THEY NO LONGER HAVE A PLACE TO HUNT.

ON 13 DECEMBER, 1976, THE GREAT GL&CB GAVE TWO MILLION ACRES(YES, 2,000,000 acres, believe it or not)OF THE KAKTOVIK SUBSISTANCE HUNTING AREA, INCLUDING MOST OF THE ARCTIC NATIONAL WILFLIFE REFUGE, TO ONE REGISTERED GUIDE, NEWLY ARRIVED IN THE AREA, TO COMMERCIALLY EXPLOIT AND SELL OFF THEANIMALS TO THE HIGHEST RICH OUTSIDE TANIC HUNTER BIDDER.

THE BEST KEPT SECRET OF THE YEAR MAY WELL BE THE GREAT GLCB GIVEAWAY. YOU KNOW FEW NATIVES KNEW ABOUT IT. CERTAINLY THE LOWER 49 STATES HAD NOT MUCH TIME TO STUDY THE PLAN AND REACT. HOW MANY NATIVE GUIDES WERE GIVEN EXCLUSIVE GUIDE AREAS(EGA) BY THE 7 TANIC GLCB BOARD MEMBERS? KOTZEBUE, BARROW, BARTER ISLAND, KAKTOVIK, MAY WELL BE ON THE THRESHHOLD OF THE EXTINCTION OF THOUSANDS OF YEARS OF SUBSISTANCE HUNTING, WITH THE SWAN SONG SUNG BY THE ROAR OF THE MOTORS OF SNOW MACHINES AND PLANES.

ART, THANKS AGAIN FOR PULLING THE JACKELS OFF ME. AND PERSEVERE IN PROTECTING THE INTERESTS OFKOTZEBUE AND ALL NATIVE PEOPLES. THE TIME IS LATE. THE DANAGE IS DONE. THE BROOKS RANGE IS CARVED UP IN EGA.

Hardy M. Smith

HARDY MARVIN SMITH
PHONE 907 488 6653

500 POLAR BEARS CHOKED BY ADF&G NYLON COLLARS

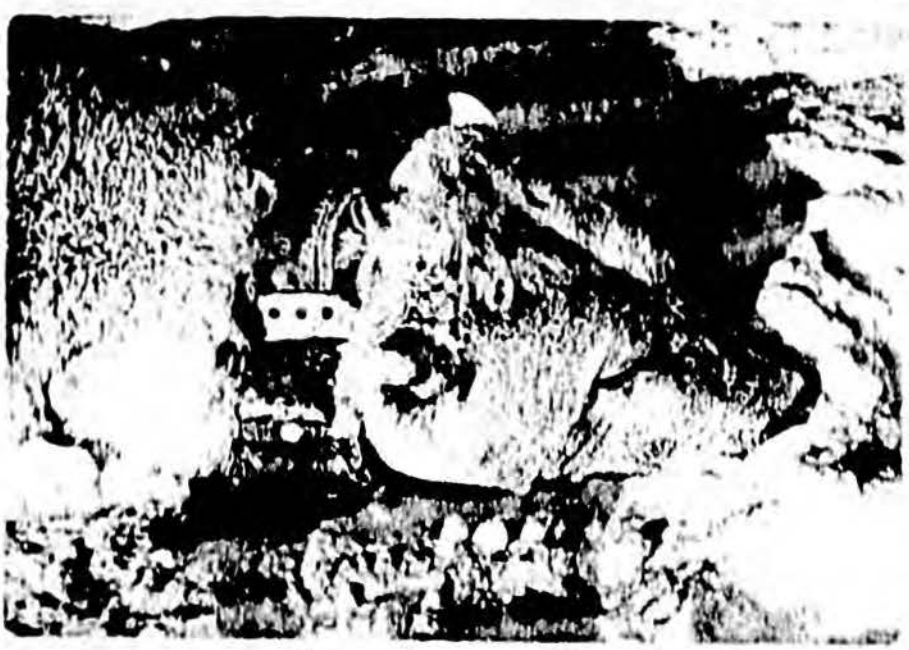
USING HELICOPTERS, ALASKA DEPARTMENT OF FISH AND GAME SHOT 500 POLAR BEARS AND PUT 8 POUND RADIO COLLARS ON THEM. THEN THE POLAR BEARS WERE SET FREE TO TRY TO SURVIVE ON THE FROZEN BEAUFORT SEA UNDER AN IMPOSSIBLE HANDICAP. (REFERENCE H.J. 1179 26 JULY 72, PAGE16.)THESE HEAVY NYLON COLLARS CHOKED THE POLAR BEARS, RUBBED THE BEAR FUR DOWN TO BARE FLESH, AND HAMPERED THE BEARS EATING. A BIG GAME GUIDE PHOTOGRAPHED THIS SICK POLAR BEAR, WEARING AN ADF&G COLLAR,ABOUT 100 MILES NORTH OF BARTER ISLAND, ALASKA.THE BEAR WAS SICK AND EMACIATED, AND COULD USE ONLY HIS FRONT LEGS,HIS HIND LEGS TRAILING HELPLESSLY BEHIND HIM. THIS SHIVERING SICK BEAR WAS MINUS THE NORMAL 4 INCH LAYER OF FAT BETWEEN FUR AND ANIMAL, THUS HAD NO INSULATION LAYER TO PROTECT HIM FROM THE COLD IN SWIMMING ACROSS THE EVER 29° SALT WATER LEADS. TAXPAYERS MONEY IS BEING WASTED BY ADF&G IN HELICOPTER HARRASSMENT OF POLAR BEARS, WOLVES, MOOSE, CARIBOU, ECT. HOW WOULD YOU LIKE TO HAVE AN ADF&G CHOPTER SWOOP DOWN, SHOOT YOU IN THE BACK, REMOVE ONE OF YOUR TEETH, AND GIVE YOU AN 8 POUND COLLAR TO WEAR FOR THE REST OF YOUR LIFE?

FROZEN BEAUFORT SEA → NORTH OF ALASKA



GUIDE AND POLAR BEAR





NYLON COLLAR CHOKING AND COMPRESSING POLAR BEARS FUR, CAUSING STARVATION, TERROR, AND EMACIATION OF BEAR.

BOX 5153
NORTH POLE, ALASKA
27 JANUARY, 1976

SUBJECT: SCAPEWOLVES

TO : WHOM IT MAY CONCERN

CHOP! CHOP! CHOP! BANG! BANG! BANG! ITS JUST OUR FRIENDLY FAIRBANKS FUR FIN AND FEATHERS AGENTS, DEMONSTRATING THEIR COMPTENCE IN USING TAXPAYERS MONEY TO SLAUGHTER THOSE 30 FOOT TALL MOOSE EATING WOLVES AGAIN. OUR BIBLICAL ANCESTERS USED GOATS AND AN ALTER TO LET THE BLOOD FLOW AT LITTLE TAXPAYER COST. A RUSSIAN INNOVATION, USING CHOPPERS TO MURDER THE POOR INNOCENT WOLF WHO IS JUST TRYING TO MAKE A LIVING FOR HIS WIFE AND CHILDREN PUPS. BUT A BIG PUP IS CHOPPER BAIT TOO, AND CAN YOU ASCERTAIN SEX FROM A WHIRLEY BIRD WHEN THE EXHAUSTED WOLF IS RUNNING, SWEATING, AND PANTING AT 30 MILES PER HOUR? SHAME ON FISH AND GAME!. LETS TRANSFER THE FISH AND GAME DEPARTMENT TO ANGOLA WHERE THEY CAN DISTINGUISH THEMSELVES.

WHATS THE ACTION ALL ABOUT? WELL, IN 1964, MY BROTHER OWNED THE ONLY SUPER CUB AT BRADLEYS SKY RANCH AIRPORT IN NORTH POLE, ALASKA. I TOOK THREE SMALL CHILDREN IN IT, ONE AT A TIME, ACROSS THE TANANA RIVER, LANDED ON A SMALL FROZEN LAKE, AND LET THE CHILD SHOOT A BIG BULL MOOSE. EACH CHILD HELPED LOAD UP MR MOOSE, AND MANY FAMALIES HAD WINTER MEAT.

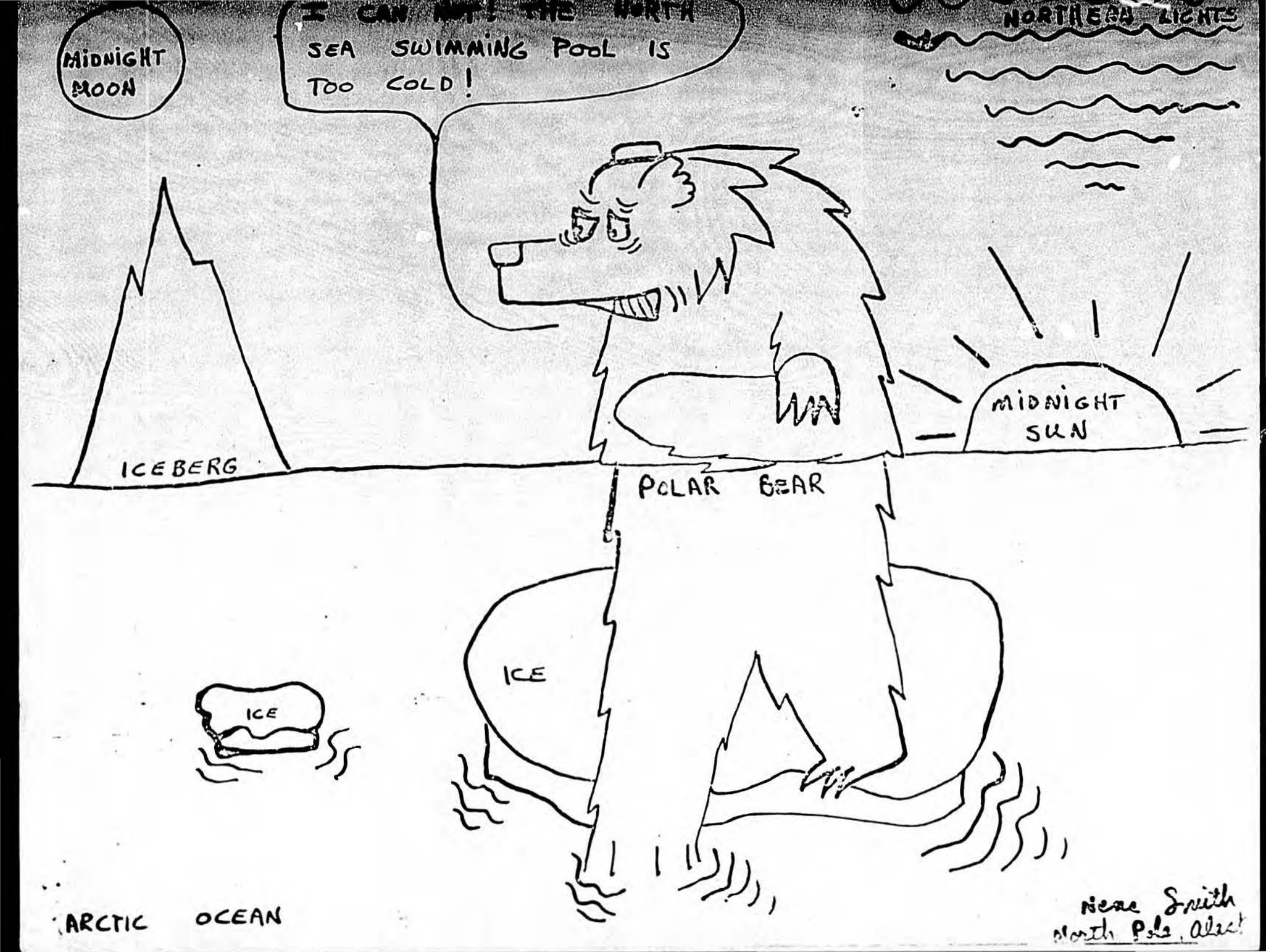
I ADVISED THE BIG HONCHO, FAIRBANKS FUR FIN AND FEATHERS THAT SOMEDAY NORTH POLE MIGHT HAVE 25 AIRPLANES, AND FAIRBANKS EVEN MORE, WITH A DEVASTATING EFFECT ON THE TANANA VALLEY MOOSE POPULATION, BIG HONCHO SITTING BEHIND A BIG POLISHED DESK WITH POLISHED SHOES ON TOP OF IT, ADVISED ME THAT EACH YEAR THEY COUNTED ALL ALASKA MOOSE, LEMMINGS, AND MOSQUITOES, AND ALWAYS KNEW THE EXACT NUMBER AT ANY TIME. NO PROBLEM.

SUDDENLY 11 YEARS LATER FAIRBANKS FUR FIN AND FEATHERS FIND FEW MOOSE ABOUT.(I KNOW ONE GUIDE WHO TOOK 18 MOOSE IN ONE YEAR). BUT WHO TO BLAME FOR ZPG OR ZERO POPULATION OF MOOSE? BUILD AN ALTER AND SACRIFICE A GUIDE AND A MOOSE TOGETHER? OF COURSE! BETTER STILL, CREATE SCAPEWOLVES AND GET $75,000.00 TAXPAYERS MONEY, AND PAY TRIPLE F AND BEST FRIENDS $500.00 PER DAY TO RIDE AROUND IN AIRPLANES AND LOOK FOR SCAPEWOLVES. THE COURTS HALTED THIS FOOLISH IDEA. NOW THE RUSSIAN IMPORTED IDEA OF SLAUGHTERING WOLVES WITH A CHOPPER IS BEING USED. WE MAY LOSE A FEW CHOPPERS, AGENTS, AND MILLIONS OF TAXPAYERS DOLLARS, BUT WE WILL GET A FEW WOLF SKINS AT $100,000,00 PER COPY. KEEP WORKING, AMERICAN TAXPAYER, YOUR DOLLARS WILL KEEP THE WOLF FROM YOUR DOOR.

TRIPPLE F SHOT 500 POLAR BEARS IN THE POPO, AND PUT NYLON COLLARS ON THEM AND LET 300 POLAR BEARS GET AWAY, TO CHOKE AND STARVE TO DEATH . (REFERENCE HJ 1179, OF WHICH I RECEIVED A COPY FROM NICK BEGICH). AFTER THE FAIRBANKS NEWSMINER PUBLISHED A PICTURE OF A STARVING POLAR BEAR I PHOTOGRAPHED, TRIPPLE F HAULED ME INTO THE COURTS AND TRIED ME ON A FAKE CHARGE. THEY OFFERED TO DISMISS THE TRIAL IF THE NEWSMINER KILLED THE STARVING POLAR BEAR STORY. AND HOW MANY STARVING POLAR BEARS ROAM THE PACK ICE TODAY WITH NYLON COLLARS? HAVE YOU HEARD THE STORY OF THE AIRPLANE MID-AIR COLLISION WITH A POLAR BEAR? ALASKA DEPARTMENT OF FISH AND GAME WILL LIVE IN HISTORY FOR THE FAMOUS ANIMAL SLAUGHTER. THE FEDERAL GOVERNMENT TOOK OVER A MISMANAGED POLAR BEAR PROGRAM-WOLVES TO BE NEXT?

Hardy M. Smith

HARDY M. SMITH, ALASKA PILOT 23 YEARS


MIDNIGHT MOON
I CAN NOT! THE NORTH SEA SWIMMING POOL IS TOO COLD!
NORTHERN LIGHTS
ICEBERG
POLAR BEAR
MIDNIGHT SUN
ICE
ICE
ARCTIC OCEAN
Near Smith
North Pole, Alaska

Interior Wildlife Association of Alaska

Conservation: Wise USE of Resources

PHONE (907) 452-3788 • BOX 60255 • FAIRBANKS, ALASKA 99701

BOARD OF DIRECTORS:

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H. C. "Bud" Wiese, Treas.
William G. Stroecker
Richard A. Burley
William I. Waugaman
Charles L. Gray

October 4, 1977

SUBSISTENCE HUNTING AND FISHING

Points to consider for Fish and Game Management:

1. To perpetuate the resource is first priority.

   There simply is not enough fish and game for present and future needs.

2. Subsistence is not definable.

   We believe your committee is wasting your time in attempting to come up with a definition that will hold up.

3. Subsistence was a lifestyle.

   This is a past era in Alaska. There are probably no true subsistence residents in Alaska living a 100% subsistence lifestyle. "Subsistence" is being used to mean "commercial use" and/or "welfare".

4. "Subsistence" definition should not be attempted along ethnic lines. (The State Constitution prevents it!)

5. Game laws must be enforced.

   Enforcement efforts are weak. Public and the courts do not support enforcement efforts.

[redacted] 465-3703 Keith Specking Pouch A

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Charles L. Gray

August 1, 1977

PROBLEMS WITH THE GAME DEPARTMENT

(Department's motto seems to be: Zero Game!)

Interior Wildlife is made up of a group of six Directors and 600+ sustaining members. Board member's Alaska residence ranges from 22 years to life. All are active hunters. Three are or have been guides; one is a master guide. One is presently on the Fairbanks Advisory Committee to the Department of Fish and Game; one formerly served six years. Two have served in the legislature. One member is on the Game Board.

We recognize that some of these problems are not strictly Department problems. Some are legislative, but they all relate to game management problems.

We believe that the removal of Commissioner Brooks paves the way for meaningful changes in Department policy and improvement of morale within the Department.

(Items listed here are not necessarily in order of importance.)

* * *

1. Start managing game, not just people.

   a. Expand predator control to other areas where people depend on moose and caribou. All of interior Alaska is a disaster and nothing is being done about it except in 20A and the feeble attempt in the northwestern arctic.

      Predator control has been very effective in 20A. Calf survival now excellent.

   b. Seasons and limits have been too long. Though there are signs of over-reaction now (Forty-Mile moose closure), seasons were left too long and cow seasons were left in long after the decline was obvious to all but the department personnel. (EXAMPLE: Two moose allowed on the Nowitna as recently as two years ago).

2. Get department personnel into the field to manage by counts and observations <u>not</u> harvest tickets and tags.

   a. People don't report accurately on harvest tickets.

   b. Too much money is spent on tabulating and computer time; re-

sults often not available for 12 - 18 months.

c. Department personnel takes vacations during hunting seasons. Wolf biologist Bob Stephenson took month vacation during wolf control operation in Unit 20 two years ago.

3. Listen to the public.

a. Interior Alaska public started warning Department of predator problem in fall 1967 (Fairbanks Advisory Committee meeting, Gene Miller home, recorded meeting. Frank Jones regional manager). By 1972, protests were loud and long (first edition Alaska Wildlife Digest). Department didn't do anything until 1975.

b. Biologists do not give hunting public credit for making worthwhile observations.

c. During most recent Game Board meeting, the Board adopted less than 5% of proposals submitted by public and Advisory Committees; 95% was Commissioner and Department suggestions.

4. Be ready for legal action.

a. Takes Department and Attorney General's office too long to go into action when legal action needed.

b. For two years in a row, State should have been represented in Washington D.C. when important cases came up between preservationists and Department of Interior. One judge said so. Alaska's case was not properly presented by lawyers who have never been here. (First case, Unit 20A; second, Northwest Arctic Caribou). Negligence so gross, it seems deliberate.

c. Should fire half dozen biologists and hire a couple good lawyers. Northwest arctic predator control is so screwed up between Alaska and Washington D.C. court that it may never be resolved.

5. Little tangible results from large professional staff.

a. Approximately fifty professional employees north of Alaska Range and we can't figure out what they do. Conditions couldn't be worse if there were none. All efforts should be directed to the moose problem, but they tell us they don't have time or money to establish count and control areas outside of 20A. (We believe they are afraid of what would be revealed).

b. Fairbanks staff very casual about work. Common to call for someone and find they aren't in until 9 or 10:00 a.m. (especially in winter), or leave early. No one seems to know where or when anyone will appear. This has been common for several years.

6. Department personnel should be allowed to speak out.

a. Brooks throttled underlings so completely that it took a departing

employee of the Fairbanks office to blow the whistle on the Unit 20A mess on a radio show.

b. It took a member of the Guide Board (Chuck Keim) to alert the public about the northwest arctic caribou problem (wasteful harvest by natives and predator problem). Also to encourage a disgruntled and dedicated employee (Jim Davis) to stay on the job and not quit department.

7. Game Board members should be elected by holders of hunting and fishing licenses. (Perhaps should be called "Wildlife Conservation Permit").

a. Would force the preservationists to contribute something instead of BS to wildlife management.

b. Public would have more say about direction board takes.

c. Board needs a full time manager to carry out their directives when board is not in session. Commissioners (who act as Board's agent) carry out studies and directives they agree with, ignore others, change minutes to suit themselves.

d. Investigator Specking should talk with Ivan Thorall, former board member, regarding Department problems. Ivan has unusual insight regarding fish and game problems. (Presently lives most of the time at Chisana).

8. Subsistence Hunting: Legislature and Department should recognize that there is no longer any true subsistence hunting in Alaska; that a definition is not possible; and that all citizens should be treated equal under the U.S. Constitution in allocating available game to Alaska residents.

9. Enforcement: There is presently virtually no rapport or coordination between Department personnel and enforcement agents.

a. Investigate feasibility of putting them back together again.

b. Enforcement has bad public relations. Prosecutes minor cases to the hilt. Misses important things.

(EXAMPLE: Fishing without license or untagged animal in camp may net a court appearance. However, enforcement ignoring present caribou take in arctic, apparently to avoid encounter with natives. Also work diligently to catch wolf hunters for feds while state in court trying to clear way for issuing aerial wolf hunting permits).

c. Could Department personnel act as enforcement agents during hunting season? Hunters seldom ever checked in field. Enforcement people practically unknown in villages. (Except few where they are stationed).

10. Department personnel make no effort to learn from history, know-

ledgeable of old-timers. There is a lot of worthwhile information in the writings of Allen, Leffinwell, Swatka, Dall and many others. (DEPARTMENT OPINION: None but a trained biologist has the ability to put observations into proper prospective).

11. Under present system of submitting proposals for game law changes, the public does not have any way of countering Department's proposals. (SOLUTION: Require Department to publish their proposals <u>before</u> public deadline).

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ALASKA D-2 CONGRESSIONAL HEARING

Fairbanks, Alaska
August 20, 1977

Mr. Chairman, Mr. Udall, my name is Charles Gray and today I'm representing the Interior Wildlife Association, a group of 600 conservationists, as a director and as its executive secretary.

We resent the way the federal government is attempting to back out of the statehood contract, particularly in areas of land availability for selection, duration of selection period, and state management of fish and game. I won't belabor all these points because others are sure to do so. Our concern in mainly with the latter.

Our organization has a number of deep concerns over H.R. 39. Like many Alaskans, we find not only specific details of the bill objectionable, but we dislike most the general philosophy behind it. This is a philosophy that the federal government is assumed to be the best manager of Alaska's lands, wildlife, economy and people. We see no reason why most of the public domain in Alaska should not remain, for the time being, under Bureau of Land Management control, especially at the BLM passes from a custodial agency to one of manager under the recently passed Organic Act.

In our experience with wildlife management in Alaska, the federal government has not shown us it cares as much as we do for either the wildlife or the sportsmen who live here. We've seen Congress pass the Marine Mammals Act of 1972, in spite of all professional testimony at Congressional hearings that it was unnecessary. This bureaucratic blunder not only cost millions of unnecessary dollars, but left Alaskan Native hunters free of limits which brought about an increase in the harvest of the very animals Congress told us it wanted to protect. Did you know that the take of polar bears increased under the Act and that formerly protected sows and cubs have become the major portion of animals taken? And did you know that the federal government had to contract with the state for much of the expertise to conduct the studies required by the Act?

It took a law suit by our organization, pegged on a secret federal agreement to give away 40 state-owned muskoxen to the Russians, to correct a long-standing game management atrocity on Nunivak Island. Federal inertia at high levels in the Interior Department was holding up necessary herd composition adjustment long recommended by state and low-eschelon federal managers. Our suit forced Interior officials to agree to a management plan which has resulted in a more balanced herd, better winter calf survival, a new source of income for the Native inhabitants of the island, and a chance for sportsmen to collect a rare trophy animal.

More recently we've seen increased federal efforts to interfere with the state's attempts to correct other problems in the wildlife community. These take the form of withholding wildlife funds, and problems in federal courts connected with such newly passed federal legislation as the BLM Organic Act and the National Environmental Policy Act. In one of these cases, a quarter million caribou in northwestern Alaska has been reduced to 60,000 animals and the state has been thwarted in their attempts to manage this herd upon whom 10,000 Natives depend because of suits pegged on federal legislation by preservation groups.

Specifically, H.R. 39 bothers us for these reasons:

The Bill generally increases the authority of the federal Fish and Wildlife Service in Alaska, which will lead to increasing conflicts with the state over game management and a resulting lower efficiency of that management. Fish and Wildlife officials told Alaskans here last March in a public meeting that they were already gearing up to take on the additional responsibilities they expected from this Congress. We feel strongly that no matter what disposition is made of the land, all fish and game management should continue to be in the hands of the state of Alaska, as it has traditionally been in all the other states.

H.R. 39 also attempts to address the question of subsistence hunting rights, with predictably dismal results. We submit that subsistence hunting is not definable. Sen. Stevens' bill does not attempt to do so, either. There are few, if any, true subsistence hunters in the state. Any attempt to allocate game use along ethnic lines is sure to end up in court.

Section 701(a) sets up regional boards to advise the Secretary of Interior on subsistence hunting in the new federal withdrawals. Subsistence hunting should not be broken off from any other types of hunting management. The land areas covered by your proposals already have advisory committees to the state Department of Fish and Game, and it would be foolish to create more boards handling a portion of their concerns on the federal level.

The state has built a system of local advisory fish and game committees working with the Department of Fish and Game, with the committees largely free of political interference. While the Department's record has not been perfect, and our organization has in the past been a harsh critic of its leadership over certain issues, we feel that even if the state management were to drop to a small fraction of its current performance, they would still be better than federal game management. A division of responsibilities between the federal and state departments would be even worse.

Section 701(c) limits subsistence rights to those exercising such rights before passage of the Alaska Native Claims Settlement Act six years ago, and to their descendants. We dislike this provision also, because it seems aimed at phasing out one of the more traditional and rewarding lifestyles in the North. We call your attention to the Alaska Native Claims Act, Section 4, paragraph B, which states that aborigonal rights to fish and game are extinguished by the Act.

We do not feel this is the proper time to address the complex issue of subsistence hunting and fishing rights. It's a touchy question we in Alaska are only beginning to wrestle with, and it should not be lumped in with a gigantic wilderness proposal with enough problems of its own.

(Over)

In this Bill you seek to create many millions of acres of wilderness areas with the backing of the people in the Lower 48 who have never seen Alaska, will quite probably never see it and want only the value of knowing the land exists somewhere in a protected wilderness state. Well, a lot of people in the smaller states also see Alaska as a place where one can go out into the wilderness to build a cabin and live by hunting and trapping — it's not a lifestyle that many will try, but like your own supporters it's important to them to know that it exists. Of all the changes in Alaska you say you want to prevent, this provision of your Bill would be the worst change.

Title Six of H.R. 39 puts 146 million acres of Alaska under the National Wilderness Preservation System, including some of Alaska's favorite Brooks Range and Wrangell Mountains hunting areas where aircraft provide the only practical access. We feel quite strongly that any wilderness designation in Alaska should guarantee continued use of aircraft and riverboats, and should allow construction of cabins by those Alaskans who have traditionally had a very small impact on these areas.

The wilderness which survives today has lived through decades of aircraft landings, cabin building, motorboats and dog sleds. Indeed, you may fly for hours without locating scars from the by-gone mining days. (It is somewhat of a paradox that the willows on old dredge tailings are often the best winter moose range around). Alaskans annually obtain ten to fifteen million pounds of high quality protein from moose, caribou, Dall sheep, mountain goat, deer, bison and elk. The ecological costs of this production, from a relatively undisturbed and often protected habitat are minuscule when compared to similar production of beef, pork and poultry in the conterminus states where extensive use of pesticides, herbicides and petrochemicals are standard procedures and necessary adjuncts to successful farming. There is no reason why your so-called protection against development should extend all the way down to our most basic pursuits.

In closing, Mr. Chairman, let me say that again we find this proposal of yours mighty hard to take. It goes against the grain of everything which makes Alaska home for us and our families, and it leaves a lot of questions unanswered about who is going to restrain your agents from their own environmental disasters. Your withdrawals are too large, they affect Alaskans too deeply, they give land management to federal agencies with dismal track records and they tie Alaska forever to an outmoded land controls which we should be trying to scrap, not increase.

Thank you for your time.

* * * * * *

Rep. Seiberling's reply to this and similar requests from other sportsmen's groups can be summarized as follows: The Native's aborigonal subsistence rights to fish and game were extinguished by the Native Claims Act, but replaced by legislation in the Act whereby Natives are guaranteed subsistence privileges on federal lands. When asked how Congress can justify this in the face of other recent anti-discrimination and equal rights laws, he pulled out a copy of the U.S. Constitution and read a section where the Congress has the right to make treaties with Indians. This, he said, was the basis for extending further subsistence rights to Alaska Natives under ANCA, aside from the 44 million acres they will privately hold.

Several times during the hearing Sieberling indicated there is a good chance the state will maintain control of fish and game on federal lands (to do otherwise, Congress would raise the ire of all the western states', but with strings attached. One such string, he said, would be that the Native subsistence rights be protected.

Seiberling further indicated that trapping would fall into the same category as hunting — Native subsistence rights would be honored first, and only if there is a surplus would non-natives be allowed to trap or hunt on federal land. He persistently ignored examples pointed out to him whereby there are some white residents that live a more subsistence livelihood than do some native people. He also said it was not necessary to be able to define "subsistence" in order to legislate it.

While it was obvious that Seiberling was openly hostile to witnesses that did not favor the Udall Bill (HR 39), and was on less of a fact-finding mission than he was a propaganda spreading mission, it remains to be seen if he is on firm legal ground in his contentions about Native subsistence rights. Interior Wildlife will be active in this area to the limit of our (financial) ability. Non-native hunting and trapping in Alaska is only a hair's breath from extinction!

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   Enforcement efforts are weak. Public and the courts do not support enforcement efforts.

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

Chairman Anderson and Committee Members, my name is Samuel S. Demientieff. I was born at Holy Cross, Alaska and raised in Fairbanks.

I am employed presently with the Tanana Chiefs Conference, Inc. I am a former member of the Alaska State Board of Fisheries . . I only say this because I fully realize and do not envy you in your job on hoping to define subsistence for all that are concerned.

When I first heard the word "subsistence" which was many years ago, it was used along with the phrase "living off of the land". During those years, which was during the 1940's, there were not as many people as there are now.

During those years, your job in defining subsistence would have been a lot easier because the pioneers were the remnants of early miners and explorers of Alaska that stayed in Alaska. These early newcomers to Alaska found the natives, in the most part friendly and . . . subsisting off of the land.

Many pioneers living today all over the state would have to testify to the fact that the native people were then sole subsistence users of the land when they got here.

The native people are a passive type people to a certain extent, having trust in ones word. But the native people now are realizing that all words, bills or just about any dealings with almost anyone now has to be carefully scrutinized. Native people in Alaska's bush areas are at this moment being told of agencies, projects, state and federal groups, associations, boards and committees that are trying to help them, one way or another. The subsistence life style is a constant time consuming and continuing process, but the native people are finding out that in order to live with increased populations and regulated lifestyles, that they have to listen and try to cooperate with all the agencies, boards, etc.

I think I can safely say that the native people are more than willing to live with cooperative management of Fish and Game, Wildlife, Renewable Resources, but are now confused by so many different agencies that take care of these. If subsistence could be under one agency, this would help a great deal. In

defining subsistence itself, I know that anyone here that has lived for some years in Alaska knows it is the natives that lived the true meaning of subsistence, hunting, trapping, snaring, devising any means to get food to live and using 100% of what he got.

Subsistence is a way of life that is as much alive today as working for wages or going into business is a way of life for others. You cannot come out and say "we're going to phase out business" because it is a thing that was born so many years ago. The same pertains to subsistence. It must be protected. It is as natural as self-preservation or an animal's own instincts.

Subsistence is a natural heritage of traditional lifestyles used by any native or a region or country. Traditional life-styles encompasses the use of fish, game, plants, just about anything that could be captured or harvested for personal need, or for Alaska . . . Survival.

I am leaving with you copies of testimonies given to other agencies and boards by Al Ketzler, President of the Tanana Chiefs and others.

Thank you.

Fbks. Hearing

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

September 13, 1977

George Watt

The Honorable John Seiberling
Chairman, House Subcommittee
on General Oversight and
Alaska Lands
1225 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Seiberling,

To substantiate and reaffirm my testimony before your subcommittee on August 20, 1977 here in Fairbanks, I respectfully submit this statement for the record.

Tanana Chiefs Conference is the recognized tribal governing body representing the Alaskan Natives of the Tanana Chiefs Conference region of Alaska. Proposed federal legislation in regard to section 17-d2 of the Alaska Native Claims Settlement Act directly affects the land and life style of the people in our region, particularly in regard to provisions regulating subsistence. It is principally in this respect that I wish to comment.

Alaskan Natives have developed cultural skills and values based upon subsistence which have contributed to the self-sufficiency, self-determination, and perpetuation as a cultural people. The definition of subsistence should emphasize "traditional use", since it is this concept that refers to a heritage where available resources provide all materials necessary for sustenance as well as ceremony. One can safely say that traditional use deals with hunting and fishing skills or prowness which have evolved to cope with Alaska's harsh environment in order to maintain one's life culture through subsistence. Thus, the definition of subsistence must bear it's true meaning: That it is vital to life as well as a life style.

To assure that essential Native rights to subsistence are provided and protected, certain provisions of proposed legislation on "d-2" must be adjusted. Eligibility requirements of subsistence users will require adequate guidelines. For example, the unity of Native villages could be seriously threatened by the brevity and incompleteness of present guidelines. In HR 39, Section 701(c), the proposed subsistence governing boards set up to determine subsistence users may interpret "primarily and directly dependant for the mainstay of their livelihood" overly restrictively, resulting in a division of the village into users and non-users, and could conceivably create disenchantment among villages, distrust, and eventual downfall of village leadership. A village unit must remain a unified village unit, and not be subjected to stringent individual subsistence requirements. In section 701(a)

of HR 39, the provision that "Secretaries of Interior and Agriculture may publish regulations governing subsistence users" further threatens villages with limitation or loss of a subsistence life style. Specific provisions regarding subsistence should be decided and implemented in the final bill, with Native interests assured, rather than the inclusion of vague generalities which leave Native subsistence rights on unsure ground.

It becomes especially significant to protect Native culture through current "d-2" proposals in light of certain policies in the State of Alaska Constitution, specifically:

> Article VIII, Section 3, provides, "Whenever occuring in their natural state, fish, wildlife and waters are reserved to the people for common use."
>
> Article VII, Section 17: "Laws and regulations governing the use of or disposal of natural resources shall apply equally to all persons..."

It would appear that under the Alaskan constitution, the State of Alaska is powerless to set up special subsistence rights for Alaskan Natives.

In regard to proposed limitation of subsistence in certain areas, particularly under the Wilderness Act classification, I would like to quote a statement made by Steward L. Udall in "The Alaskan Natives and their Subsistence Rights: A Discussion of the Constitution Questions" in July 1977:

> It is beyond argument that the U. S. Congress has the power to set up a resources management regimen for the Alaskan Natives, and confirm their right to subsist on the public lands of Alaska owned by the people of the United States. Congress derives its authority to regulate "commerce with the Indian tribes," and the treaty making power of the President confers similar authority. The federal trust responsibility over all American Indians has evolved out of the exercise of these Constitutional powers...

Since the Congress has plenary authority to regulate "commerce with" the Indian tribes, it should have plenary authority to protect the Alaskan Native Cultures, which rely so heavily on subsistence for cultural survival. Therefore, subsistence should be permitted on all national lands, irrespective of national designation or classification.

Assurance that resource populations will not be depleted is essential. A reduction in availability of a subsistence resource to a Native village would seriously limit the self-sufficiency of a people who depend on little else. The old ploy of moving the village to take advantage of sufficient game populations is no longer possible due to surrounding boundaries of adjacent landowners including national, state, regional and neighboring village ownership. The village must remain within its

afforded boundaries and harvest resources in a limited area. The taking of game and fish by outside interests in adjacent public land could seriously deplete the reserve of animal resources; especially in realization of additional loss due to extreme climatic conditions which periodically cause population declines. Harvest of wild game by sport hunters in lands adjacent to village selection must be closely supervised and limited. Sport hunting on Native lands must be prohibited to non-owners.

To assure equitability and continuity of regulations governing wildlife populations and harvests, a single agency should be responsible for all phases of wildlife management. It is preferable this agency be at the federal level, or at the least, be a joint federal-state organization, and provide full control over all Alaskan lands. This would assure consideration of all interests.

Finally, Mr. Chairman, I would like to address the economic viewpoint toward subsistence. For most Native Alaskans, subsistence hunting and fishing is a vital source of livelihood Economic analysis shows that in most small Alaskan villages, there are limited sources of cash income and there is little foreseeable prospect that this situation will change significantly according to the Federal-State Land Use Planning Commission.

Besides economic considerations, food gathering, i.e. hunting, fishing, picking greens or berries involves time and work. If subsistence is lessened, it will increase idleness and depending on other sources (notably state and federal programs). This defeats the federal policy of self-determination and contributes to creating a welfare state.

I sincerely hope you will take consideration of my comments in the final subsistence provision in the "d-2" issue. I appreciate this opportunity of representing the Native Alaskans in the Tanana Chiefs Conference Region.

Respectfully,

TANANA CHIEFS CONFERENCE, INC.

Alfred R. Ketzler
President

ARK/srb

cc: Senator Mike Gravel
Senator Ted Stevens
Congressman Don Young

Fbks hearing

REGULATION PROPOSAL FORM
Alaska Department of Fish and Game

Proposal Concerns:
GAME DIVISION ____
SPORT FISH DIVISION ____
COMMERCIAL FISH DIVISION ✓

Regulation book page No. ____

5 AAC (Alaska Administrative Code) No.:
5 AAC. 03.990 (15)

Objective: Add new regulation ____
Delete regulation ✓
Amend existing regulation ____

Area(s) affected: Y 6 C

Suggested wording (append if lengthy) ____

Justification: I feel we should be allowed to fish subsistence after Commercial fishing is closed. In fairness same rules as in sub. section 6A and 6B should be applied to sub-section 6C.

Submitted by:
Moses Samuelson
631 Noyes St.
FAIRBANKS, ALASKA 99701
Representing:
Moses Samuelson
631 Noyes St
Phone #.: 456-6195

AYK Meeting

REGULATION PROPOSAL FORM
Alaska Department of Fish and Game

Proposal Concerns:
GAME DIVISION ___
SPORT FISH DIVISION ___
COMMERCIAL FISH DIVISION ✓

Submitted by:
Moses Samuelson
631 Noyes St.
Fairbanks Alaska

Regulation book page No. ___

5-AAC (Alaska Administrative Code) No.:
5AAC 03.360 (1) E

Representing:
Moses Samuelson
631 Noyes St

Objective: Add new regulation ___
Delete regulation ___
Amend existing regulation ✓

Phone #.: 456-6195

Area(s) affected: Y6C

Suggested wording (append if lengthy) Set Subsection quotas for each subsection of subdistrict 6 Rather then a single subdistrict quota

Justification: This would allow each subsection to harvest a fair portion of the salmon

Fbks Hearing

FAIRBANKS ENVIRONMENTAL CENTER
1895 Pioneer Way
Fairbanks, Alaska 99701
(907) 479-3684

Hearing on

International Whaling Commission's Deletion of Native Exemption for the Subsistence Harvest of Bowhead Whales.

September 12, 1977 Barrow, Alaska

Testimony by

George Matz

Introduction

My name is George Matz. I am the executive director for the Fairbanks Environmental Center. The Center is a non-profit organization dedicated to the protection of the Alaskan environment and traditional lifestyles through education and action. We have about 250 members, most who reside in the interior of Alaska.

Center Policies

Before commenting on the DEIS, I would like to describe a few Center policies relevant to this issue.

The Center believes that protection of Alaska's traditional lifestyles, both Native and non-Native, can be consistent with protecting Alaska's magnificent environment. Although there are numerous lifestyles which may be considered traditional to Alaska, Native subsistence cultures are certainly some of the more important (Attachment I, Rural Newsletter). Subsistence is vitally dependent on viable and productive ecosystems. If subsistence practices abuse these ecosystems, the viability of subsistence is also abused. Those who are committed to a subsistence lifestyle know this.

Regarding the taking of fish and wildlife, the Center supports giving the subsistence user preference over other consumptive users. Other consumptive users, such as sport hunters and commercial whalers, have more options available for an economic livelihood. Also, they tend not to have cultural bonds to hunting or fishing and to be more resource-intensive in their pursuits.

Our Position

We have carefully read the draft EIS, several other documents, talked to a number of agency people, and I have come to Barrow a few days before the hearing in order to get a first hand account of the Inupiat attitudes. Our conclusion is that, although we agree with the concerns for the bowhead whale as expressed by the IWC, we cannot accept their resolution to prohibit subsistence taking by Alaska's Eskimos. In fact, we consider their resolution to be counter-productive to their goals to protect the bowhead. Also, we view the resolution as being capricious and excessive.

Since we have only two options to consider in this issue, to object or not to object, the Center has no alternative but to urge our delegate to the IWC to object to their resolution to delete the Native exemption for the subsistence harvest of bowhead whales. But taking this position mandates that the federal government seriously and effectively respond to IWC questions regarding the status of the bowhead whale. Also, the Inupiat must seriously and effectively impose self-regulation to insure that their harvest allows for a sustained recruitment of bowhead whales. These two actions are conditional to our position. We are confident, however, that each can be achieved expeditiously. After many talks with whalers during the past few days, I am especially confident that the Inupiat are very concerned, have a good understanding of the issue, and will effectively respond.

Reasons

We would like to present some detailed reasons which support the position just stated. These are as follows:

1. The IWC resolution to prohibit a subsistence harvest of the bowhead whale eliminates a number of intermediate and logical options. It appears as if the IWC is saying that protection of the bowhead stock and subsistence culture is mutually exclusive. We find this capricious and cannot accept that a choice must be made between the two. Only a precursory or one-sided view of the situation could lead to such a conclusion. If anything, the whale and subsistence are mutually dependent.

2. The intent of the International Convention for the Regulation of Whaling is to regulate commercial whaling.. In addressing subsistence whaling, the IWC has exceeded their authority. Not only is this excessive but it conflicts with the U.S. Constitution. Our Constitution provides Native Americans (including Eskimos) with a federal trust responsibility. This trust responsibility protects subsistence rights.

Since no valid treaty can contradict or compromise the U.S. Constitution, on this basis a lone, the U.S. delegate has no alternative but object to their resolution. Attachment II, part of a study entitled " Legal Issues in Federal Protection for Subsistence on the Proposed National Interest Lands ", authored by Dennis Kelso and assisted by both the Fairbanks Environmental Center and Friends of the Earth, supports this statement.

3.. The crux of the issue is whether or not the recovery of the bowhead population is endangered. Information in the DEIS, and opinions of the whalers, indicate that for many years the bowhead stock has been slowly recovering from earlier commercial exploitation. However, a recent increase in the number of whaling crews, with a greater number of whales struck and killed but lost, may jeopordize the recruitment of the bowhead. But the solution to such a problem is not to set a zero quota. Not only is this an excessive and unprecedented action, but it is counter-productive.

A zero quota forecloses a much needed opportunity to develop a bowhead whale management plan which will insure that the stock recovers, that the habitat is protected, and that a resonable subsistence harvest continues.

Without a subsistence harvest, there will be insuffecient incentives to obtain baseline data regarding the bowhead and its habitat. Then, we submit, the gteatest threat to the bowhead will be oil and gas exploration and development in the Arctic Ocean. Then, as with the caribou, we will one day find that despite the assurances of the oil companies, that the integrity of the bowhead habitat has been severely damaged and its populations headed into a long-term decline.

In regards to developing a sophisticated management plan for the bowhead whale, I have had an opportunity this weekend to review an excellent proposal written by the Inupiat which would provide much of the baseline data that is needed to protect the bowhead. This proposal relies on a mix of whalers knowledge and soohisticated technology for data gathering. The Inupiat are so committed to this goal that the Arctic Slope Regional Corporation stockholders have agreed to have their 1976 dividends, which exceeds $300,000, devoted entirely to help pay for this study. To me, this indicates that the Inupiat are very sincere in attempting to find resonable answers to problems that do exist.

4. The Center contends that the IWC resolution contradicts the Carter Administration's National Energy Plan. Subsistence lifestyles, as any lifestyle, requires the consumption of energy to survive. However, subsistence is a low-entropy lifestyle and more consistent with the goals of the National Energy Plan than any other that is acceptable to those who live it. If subsistence activities are prohibited, more energy-intensive substitutes must be provided. Food which is processed, packaged, and shipped to Arctic village consumers requires much more energy than village efforts to be self-sufficient via subsistence.

To be consistent with the National Energy Plan, it seems that the U.S. should be encouraging, not restricting, subsistence. Of the 10 principles of the National Energy Plan, the following are relevant to protecting subsistence cultures:

- The U.S. must reduce its vulnerability to potentially devastating supply interruptions (self-sufficiency).

- The cornerstone of the National Energy Policy is that the growth of energy demand must be refrained through conservation and improved energy efficiency (low-entropy lifestyle).

- Both energy producers and consumers are entitled to reasonable certainty as to government policy (IWC resolution is especially pertinent to this principle).

- The use of nonconventional sources of energy must be vigorously expanded (decentralized, self-sufficient lifestyles such as subsistence).

It would be contradicting the National Energy Policy for the U.S. not to object to the IWC decision.

Recommendations

In addition to objecting to the IWC resolution, we urge the federal government to provide funds for the proposal being submitted by the Inupiat.

Also, we encourage the state of Alaska to devote a portion of the Permanent Fund to bowhead whale studies. The Permanent Fund is to be used for the development of renewable resources which offer an acceptable return. We think both criteria can be met when used for bowhead whale studies, particularily when social costs are factored into the return equation.

We thank you for this opportunity. We are appreciative that you have come to Alaska to receive public input to this decision which is so very important to the Arctic and its people.

6/24/77 Fbks. hearing

A PROPOSAL FOR THE REGULATION OF FISHING, HUNTING AND TRAPPING AND IMPROVED COOPERATION AMONG LAND MANAGEMENT GROUPS IN ALASKA WITH FEDERAL, STATE AND PRIVATE PARTICIPATION

by

Herbert R. Melchior
SR Box 20140
Fairbanks, Alaska 99701

INTRODUCTION

The major goals of this proposal are: (1) to develop a mechanism that assures State management of its fish and wildlife resources (except for migratory birds, etc. already under federal regulation) while (2) providing for a balance of Federal, State and private interests in the regulation of fishing, hunting and trapping so that individual, State, and national interests are taken into account in the decision making process that allocates these resources and (3) provide a mechanism to increase the level of cooperation among land (habitat) management groups without eroding the basic management responsibilities of the groups. (i.e., agencies, native corporations and private land owners will manage their land but under scrutiny and subject to public pressure to do so in a manner that does not do violence to fish and wildlife habitat. Since, in general, healthy habitats essentially equal healthy environmental conditions, the process, if it works, will help keep all of Alaska in an environmentally healthy condition.)

THE PROPOSAL

I. (a) The State will designate up to 12 Fish, Wildlife and Habitat Regions. The geographic boundaries of each region will be based upon ecological criteria that may include but are not limited to the following: climatic patterns, natural landscape features such as drainages, shorelines, and mountain divides; natural vegetation types; patterns of animal species distribution and movements; types and patterns of human renewable resource use.

The State may change the boundaries of the Fish, Wildlife and Habitat Regions from time to time as conditions change provided that ecological criteria are used to justify the changes and provided

that the State consult with the Secretary and hold public meetings in the areas affected by the proposed changes to advise the public on the reasons for the change and receive public comment on the proposed changes.

REGIONAL BOARDS

(b)(1) A Fish, Wildlife and Habitat Board will be established for each Region. Each Regional Fish, Wildlife and Habitat Board will be comprised of representatives of Federal and State Agencies, Native Village and Regional Corporations and private citizens who are permanent residents of the regions as follows: one representative from each Federal land management agency that manages land within the Region, appointed by the Secretary of the appropriate department or his designee; one representative from the Alaska Department of Fish and Game and one representative from the Alaska Department of Natural Resources, each appointed by the appropriate Commissioner or his designee; one representative from each Native Regional Corporation with ~~population~~ corporation land within the region, appointed bythe President of the corporation or his deignee; two representatives from Native Village Corporations with corporation land within the Region elected by the Presidents of the Village Coporations;and four citizens-at-large who are permanent recidents of the Region and who are not employed by a Federal or State land management agency or by a Village or Regional Corporation, appointed by the Governor of the State such that two of the citizen-at-large representatives shall be from a city, village or other political subdividion whose total population is less than one half of that of the largest city or village within the Region and the other two citizen- at- large representatives shall be from a city, village, or political subdivision whose total population is greater than one half that of the largest city or village within the Region.

[COMMENT: The rationale for this composition is to insure input from and have the perspective of different sectors of society without establishing a board that could be easily dominated by any one sector.]

REGIONAL BOARD FUNCTIONS

(2)(A) Regional Fish,Wildlife and Habitat Boards shall review hunting, fishing, and trapping regulations recommended for their Region by the Alaska Department of Fish and Game; make modifications of these recommendations as deemed necessary; adopt regulations and transmit these adopted regulations to the State Fish, Wildlife and Habitat Board.

(B) Regional Boards shall review land management policies and practices within their region as these relate to fish and wildlife habitat. Regional Boards ~~may~~ shall recommend changes in these policies or practices if the Board finds that continuation of these policies or practices are likely to jeopardize wildlife habitat or populations. Furthermore, Regional Boards may recommend the establishment of cooperative agreements between land management agencies, corporations or private landowners if the Board finds that such agreements are likely to protect or enhance wildlife habitat or populations. Regional Boards shall transmit their recommendations on land management policies and practices and cooperative agreements to the State Fish, Wildlife and Habitat Board and to the appropriate agencies, corporations and landowners that might be affected by the recommendations.

(C) Regional Boards, or authorized subcommittees or membeers, may hold hearings, take testimony, receive evidence, or seek information needed to carry out the functions of this section.

(D) Each department or agency of the State or Federal Governments having jurisdiction over lands within ~~the~~ a Region are authorized and directed to furnish to the Regional Board , upon request, such information as the Board deems necessary to carry out its func tions.

(3) Each Regional Fish, Wildlife and Habitat Board shall elect from among its members, a representative to the State Fish, Wildlife and Habitat Board.

STATE BOARD

(c)(1) The State Fish, Wildlife, and Habitat Board will be comprised of one representative from each Regional Fish, Wildlife and Habitat Board.

(2) The State Board shall have the power to -

(A) appoint and fix compensation of such staff as it deems necessary to carry out its functions

(B) procure temporary and intermittent services

(C) hold hearings, take testimony, or receive evidence needed to carry out its functions

(3) Each department or agency of the State or Federal Governments having jurisdiction over lands within the State or having management over fish, wildlife populations are authorized and directed to furnish to the State Board, upon request, such information as the

Board deems necessary to carry out its functions.

STATE BOARD FUNCTIONS

(4) The State Fish, Wildlife and Habitat Board shall -

(A) review the hunting, fishing and trapping regulations recommended by each Regional Board and shall adopt and promulgate these rgulations unless, after review, the State Board finds that such adoption might lead to unacceptable depletion or degradation of a resource within the Region, within adjacent Regions or in the State as a whole. If regulations recommended by a Regional Board are not adopted as presented to the State Board, it may make changes in the regualtions before adopting and promulgating such regulations.

(B) review the recommendations of Regional Boards relating to land management policies and practices affecting fish and wildlife habitat, may make recommendations of their own, and shall transmit, at least once a year, all recommendations , inculding seriously considered alternatives, to the heads of the appropriate land management agencies, corpporations or private landowners as appropriate, to other authorities as they deem necessary and make them available to the public in the form of an Annual Report.

GENERAL COMMENTS

(1) This proposal is based upon the following assumptions:

(a) Fish and wildlife populations are inseparable from their habitats, therefore healthy habitats are essential for healthy populations. (This is so obvious that it shouldn't have to be mentioned, yet evidence from hearings, newspaper articles etc. indicate many people still don't understand or wish to acknowledge this principle).

(b) Healthy habitats alone do not insure healthy populations, so carefully considered control of harvesting is necessary.

(c) Healthy habitats and careful regulation of harvests also do not insure healthy populations but these are the two major factors amenable to human influence.

General Comments con't

(2) If this basic concept is found acceptable, a number of details need to be added to insure it works. These include:

(a) Length of appointments - perhaps 5 years ?

(b) Method of filling vacancies - perhaps same as original ?

(c) Compensation & reimbursement for Board Members

(d) Basic funding for the whole system - 50:50 State & Federal would seem fair; allocation of funds to State vs Regional Boards needs to be considered

(e) Selection of Chairmen of Boards - election by Board members ? or appointment by outside authority ?

(f) Guidelines for conducting the business of the Boards

(3) Because this plan calls for participation by both Federal and State Governments, I assume that if the plan were included in a Federal law, that the State Legislature would have to pass concurring legislation and make changes in existing State Statutes that govern and provide authority for our present system of fish and game regulation, i.e. Fish and Game Boards. Since Federal legislators will want to cover the situation that could arise of the State did not passing appropriate legislation in a timely fashion, the Federal law may need something akin to a revertment clause, such as " If the State Legislature fails to pass concurring legislation within _____ years, management and regualtion of fish and wildlife population on Federal lands will be accomplished by the U. S. Fish and Wildlife Service."

(4) Finally, the proposal as presented here needs considerable polishing to reach final form. However, I felt it was more important to get the concept out and circulating to see if it represented (a) and improvement in the existing system which separates fish and game regulation from any meaningful concern for habitat and land management, and (b) represents an acceptable compromise between the existing system, which many people find objectionable, and the other extreme that is proposed in HR 39, which I personally feel will lead to disaster, if passed.

M E M O R A N D U M

TO: Frederick P. Baker

FROM: Ella Anagick E.A.

DATE: August 17, 1977

SUBJECT: D-2

Introduction

Subsistence to the Alaskan Native is vitally important to his culture, his way of life and to his sense of well being. This statement is repeated so often that it can lose content and/or meaning. To the Alaskan Native, subsistence is part of life. To many Eskimos, Indians and Aleuts, the thought of not being able to hunt or fish is very threatening, for that's the only way of life many know how to live. The Alaskan Natives have developed cultural skills and values based upon subsistence which have contributed to the self-sufficiency, self-determination, and perpetuation as a cultural people. Subsistence must be maintained at present levels (for Alaskan Natives) to preserve and nourish the unique spirit of the Alaskan Native cultures.

Definitions

To define subsistence in narrow terms would defeat the purpose of maintaining subsistence by creating inflexible regulations or standards based on that possible legal definition. Section 701(c) of H.R. 39 basically states that "people who continue to exercise customary, consistent and traditional use of subsistence resources in the national interest lands...and their direct descendants, shall be permitted to continue subsistence activities...if they are primarily and directly

dependent for the mainstay of their livelihood..." Although research has not revealed the specific meaning of the terms, "customary, consistent or continual use," the attempted definition of "traditional use" may shed light on the context in which these terms are used. Dennis Kelso's, Legal Issues in Federal Protection for Subsistence on the Proposed National Interest Lands, December, 1976, at page 136 states:

> traditional use suggests a link to cultural heritage which goes farther toward limiting such uses to Natives than any of the present national interest lands proposals.

Moreover, " 'traditional' presumably bears some relationship to historical and cultural use patterns..." One can safely infer that "customary" or "traditional use" deal with hunting and fishing skills or prowess, which have evolved to cope with Alaska's harsh environment in order to maintain one's life, culture, etc., through subsistence.

The closest legal definition of "direct descendants" is contained in 25 U.S.C.S. § 371, which deals with the descent of land. Basically the section (along with section 348) states:

> For purpose of determining the descent of land to the heirs of any deceased Indian..., whenever any male or female Indian shall have co-habited together as husband and wife according to custom and manner of Indian life, the issue...shall be a legitimate issue...

"Issue" in the layman's language, generically, is offspring or children. So "direct descendants" would be equated to offspring or children of those "people who continue to exercise customary, consistent and traditional uses of subsistence resources..."

dependent for the mainstay of their livelihood..." Although research has not revealed the specific meaning of the terms, "customary, consistent or continual use," the attempted definition of "traditional use" may shed light on the context in which these terms are used. Dennis Kelso's, Legal Issues in Federal Protection for Subsistence on the Proposed National Interest Lands, December, 1976, at page 136 states:

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"Issue" in the layman's language, generically, is offspring or children. So "direct descendants" would be equated to offspring or children of those "people who continue to exercise customary, consistent and traditional uses of subsistence resources..."

However, it is important to keep in mind the need for a flexible definition or meaning for subsistence: one which is too rigid will undoubtedly influence the regulations created to maintain subsistence. Furthermore, in ANCSA, Section 4(b) states:

> All aboriginal titles...based on use and occupancy...and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished.

This action will be discussed further, infra; however, with respect to subsistence on national interest lands, the term subsistence should be given a flexible content to meet § 4(b).

Various definitions have been given along policy guidelines by different agencies. In Report of Conference on Subsistence Use of Fish and Game, Federal-State Land Use Planning Commission, dated 1/11/74, page 6,

> The consensus was that no single definition could be achieved, but that by viewing subsistence use on a continuum, first priority should be given to "subsistence uses"; listing the species and its abundance area by area as governing supply, and the need measured by (a) degree of dependence, (b) residency, and (c) means of taking.

Moreover, consensus was also apparently reached that (1) to sustain life was highest priority followed by (2) to sustain a lifestyle.

Furthermore, in Commission Policy on Subsistence, attached to a letter dated 2/2/77 to Cecil Andrus, Secretary of Interior from Walter B. Parker, the Commission's policy regarding wildlife management and subsistence is stated as follows:

> (a) The primary objective in fish and wildlife management should remain the preservation of healthy populations of wild life species; (b) State and Federal policy... should recognize subsistence taking as a preferred beneficial use...(c) definition of subsistence based on local residency and (d) subsistence should be controlled through State game regulations, utilizing a permit system when necessary.

Furthermore, the General Policy Statement from the Alaska Game Management Policies has stated:

> The Department recognizes that some of the people of the state are substantially dependent on wildlife for sustenance. In areas where people are primarily dependent on game for sustenance the Department will provide for liberal seasons and bag limits, within the limitation of maximum sustained yield.

Furthermore, at page 4, "direct domestic utilization of fish and game is still vital to the existence of many rural some urban citizens...home consumption of fish and game tends to preserve cultures...Accordingly, it is assigned the highest priority among beneficial uses..."

The State of Alaska, through Sec. 16.05.257 Subsistence Hunting Regulations of the Alaska Statutes has stated:

> 4(b)(1) "subsistence hunting" means the taking of game animals by a state resident for food or clothing for personal or immediate family use.

However, with respect to the foregoing, a note of caution is advised. State Senator John Sackett from the Tanana Chiefs Region has come up against this "outward support" for subsistence uses which seems to be a reluctance to take the necessary steps to really protect these activities. He said he had heard all kinds of comments of concern about the

subsistence problem and that it was a priority need and they had the support of all the administration in this area. He termed this "a lot of lip service." State Land Use Planning Responsibilities, Does One Way of Life Have to Die So Another Can Live? By Yupiktak Bista, page 31.

In Draft Policy Guidelines, Subsistence Uses of New National Park Service Areas in Alaska, dated 4/12/77, by Robert Belous, Park Planner and T. Stell Newman, Ph.D., at page 8,

> For the purposes of these policy guidelines, "subsistence" is comprised of the taking of customary and traditional wild foods and other renewable biological resources from the lands and waters for personal or family consumption. Customary trade or barter... is consistent with the intent of this policy.

At page 6, "Qualification for various subsistence activities will be on the basis of local residency and customary and consistent past useage as determined by a Subsistence Resource Council comprised of local subsistence users. Such qualification will not be dependent upon...role or ethnic origins. Note that this is a preliminary draft subject to change.

AFN's "tentative" position may be:

> AFN believes subsistence administration should be conducted at a local/regional level by subsistence users, assisted by knowledgeable governmental agencies providing management data. Ultimate authority over subsistence management would be vested with the appropriate Federal Cabinet officer. (Page 2, untitled draft).

Note that the definition of subsistence is intricately intertwined with some of the policy guidelines adopted for subsistence purposes.

Constitutional Issues

Equal Protection Clause.

The State of Alaska is using the Equal Protection Clause against federal legislation which would classify Alaskan Natives as the sole beneficiaries of the proposed d-2 subsistence legislation. The Alaska Constitution provides:

(a) Article VIII, Section 3, provides, "Whenever occuring in their natural state, fish, wildlife and waters are reserved to the people for common use."
(b) Article VII, Section 17: "Laws and regulations governing the use of or disposal of natural resources shall apply equally to all persons..."
(c) Article I Section 1: "that all persons are equal and are entitled to equal rights..."

Letter to Byron Mallot, AFN President, dated May 26, 1977 from Herb Cavallera. Under the Alaskan Constitution, the State of Alaska is powerless to set up special subsistence rights for Alaskan Natives.

Basically, the Equal Protection Doctrine has two sets of standards: 1) a rational basis (for the classification) relating to a reasonable governmental objective and,

2) if it is a suspect classification or a fundamental interest is involved, then the court uses the strict scrutiny test: here there is a heavy burden on the one proposing the classification to show a compelling state interest.

The State of Alaska is using the suspect classification i.e. if the federal government passes (d-2) legislation favoring

Alaskan Natives, then it can be inferred that it is based on race, which is a suspect classification. However, there is a fallacy in this argument, which will be discussed, infra. Nevertheless, the State of Alaska is also using Section 2 of ANCSA to buttress its argument, i.e.

> the settlement should be accomplished ... without establishing any permanent racially defined institutions, rights, privileges or obligations without creating a lengthy wardship or trusteeship.

The State of Alaska in using the Equal Protection Doctrine with respect to the natural resources of wildlife and fish and game, is concerned with maintaining "equality" between subsistence users, sports hunters or commercial users: unless, subsistence use by Native peoples (or other state residents) is given top priority on d-2 or state lands.

Although ANCSA extinguishes "any aboriginal hunting or fishing rights that may have existed", the conference committee report directs the Secretary and the State to take any action necessary to protect the subsistence needs. As a result, Interior formulated a policy covering the lands it administers allowing traditional subsistence uses of the resources until it is shown it is no longer necessary for human survival. The policy permits appropriate agencies to limit subsistence activities when there is a progressive reduction in animal or plant ecosystems...Further, this policy provides a basis for the d-2 proposals relating to subsistence. Summary of the Conference on Taking Fish and

Game Resources to Meet Subsistence Needs, page 9, Federal-State Land Use Planning Commission for Alaska, Juneau 2/5-6/74.

Furthermore, in The Alaska Natives and Their Subsistence Rights: A Discussion of the Constitution Questions, prepared by Steward L. Udall, 7/77, at page 9:

> It is beyond argument that the U.S. Congress has the power to set up a resource management regimen for the Alaskan Natives and confirm their right to subsist on the public lands of Alaska owned by the people of the United States. Congress derives its authority over Natives from two sources. Article I, § 8, clause 3 of the U.S. Constitution gives Congress plenary authority to regulate "commerce with the Indian tribes," and the treaty making power of the President confers similar authority. The federal trust responsibility over all American Indians has evolved out of the exercise of these Constitutional powers...

Since the Congress has plenary authority to regulate "commerce with" the Indian tribes, it should have plenary authority to protect the Alaskan Native Cultures, which rely so heavily on subsistence for cultural survival.

With respect to the State's Equal Protection argument, case law states:

> As long as the special treatment can be tied rationally to the fulfillment of Congress' unique obligation toward the Indians, such legislative judgments will not be disturbed.
> Morton v Moncari, 417 U.S. 525 (1974)

Moreover, in U.S. v Antelope, _____ U.S. _____ (1977) the court said:

> The decisions of the court leave no doubt that federal legislation with respect to Indian tribes, although relating to Indians as such, is not based upon impermissible racial classification. Classification expressly singling out Indians, as such, as subjects of legislation is provided for in the Constitution and supported by the ensuing history of the Federal Government's relations with Indians.

So the State's Equal Protection argument based upon "race" cannot stand.

AFN's position with respect to the Amendments Proposed by the AFN in Section 703 (c)(1) is probably the most practical approach to take. Section 703(c)(1) states:

> ...the right to engage in subsistence uses is given a) on Native lands and on subsistence lands to Alaska Natives and their direct descendants; and
> b) on subsistence lands to any non-Native permanent resident of a Subsistence Management Zone, and their direct descendants.

This approach serves a dual purpose: i) it accomodates the position taken by the State of Alaska as required by the Alaskan Constitution and, ii) it dispels the argument of the State based on ANCSA, Section 2,

> the settlement should be accomplished... without establishing any permanent racially defined institutions, rights, privileges, or obligations...

and the State of Alaska's Equal Protection argument based upon "race."

With respect to the d-2 issue of subsistence on public lands, the court in Kleppe v New Mexico, 96 S ct. 2285 (1976) states:

> Complete power that Congress has over public lands under property clause necessarily includes power to regulate and protect wildlife living there, state law notwithstanding.

Although federal jurisdiction or authority is paramount on public lands like d-2, case law does not seem to reveal whether this same (federal) authority can be exercised on state owned wilderness areas. The AFN's approach (in section 703(d)) seems to be the most sensible way of coping with possible splits of authority on the Federal-State level, by creating Cooperative Management Board(s). Instead of having the federal agencies managing public d-2 lands and the State of Alaska managing its own wilderness areas, a single agency is the most practical solution. AFN seems to adopt this position.

Fundamental Rights

Aside from this (Equal Protection) argument, one can look at the Alaskan Native cultural lifestyles as granting to Alaskan Natives a fundamental right to live their lives as they have always done. This fundamental right should be protected under the clause, "to regulate commerce with the Indian tribes"; this in itself will further the federal policy of Indian self-determination and meet one of the requirements of Section 2 of ANCSA:

> without creating a lengthy wardship or trusteeship.

Naturally, intricately intertwined with preserving the Alaskan Native Cultures is subsistence and the right to continue to use subsistence as before. However, the courts have held that the taking of fish and wildlife resources is not an inherent right of individuals. Geer v State of Connecticut 161 U.S. 519 (1896), stated in Legal Issues in Federal Protection for Subsistence on the Proposed National Interest Lands, page 78, Dennis Kelso, 12/76. Note the reasoning, it's not "an inherent right of individuals", but it may be an inherent right of a culture, where the right to live within the culture is a fundamental right. This argument is further buttressed by:

> It was a similar need to live the way they wanted to live that brought some of the first pilgrims to North America. The colonists founded the U.S. on the principle of a person's right to maintain his identity; his freedom of speech and religion; his life, liberty and pursuit of happiness in his own ways.

Relating this principle to the subsistence way of life, Attorney Robert Goldberg once said:

> It seems to me that through the years, if the U.S. has stood for anything, it is the right of cultures to express themselves as they wish, absent some compelling state interest to the contrary. My own view is that far from being a melting pot, the U.S....has allowed many diverse cultures to maintain their cultural identity.
>
> It seems to me that this is a right that is fundamental, so fundamental that it was one that was not enumerated in the Constitution, but reserved to the people.

Does One Way of Life Have to Die so Another Can Live? By Yupiktak Bista, page 7.

Economic Considerations

Very briefly, "...the economic value of subsistence to rural Alaskans living near the proposed national interest lands provides another basis for concluding that Congress' grant of subsistence preference is an appropriate step in fulfilling the government's special trust obligations. For thousands of years, Alaska Natives have achieved economic self-sufficiency through subsistence...Congress could certainly conclude that proper exercise of trust responsibility requires preferential treatment of Native subsistence users whose economic self-sufficiency will be thereby enhanced. Legal Issues, by Dennis Kelso, 12/76, page 105.

Moreover, for many Alaskans, particularly, ... Native Alaskans, subsistence hunting and fishing is a vital source of livelihood. Economic analysis shows that in most small Alaskan villages, there are limited sources of cash income and there is little foreseeable prospect that this situation will change significantly...Issues of Land Use and Management, Recommendations for a (d)(2) Division Joint Federal-State Land Use Planning Commission for Alaska, May, 1977.

Besides economic considerations, food gathering i.e. hunting, fishing, picking greens or berries involves time and work. If subsistence is lessened it will increase idleness and dependency on other sources (notably state or federal). This will defeat the federal policy of Indian self-determination

and contribute to creating the situation of a welfare state.

Dennis Kelso, Legal Issues, page 88, stated:

> Congress might conclude that avoiding economic and cultural disruption by allowing continued subsistence could prevent added burdens to state and federal social assistance programs.

The Federal-State jurisdiction issue has been considered very briefly, supra, supporting the establishment of a single agency to regulate "subsistence."

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels Anderson, Jr.,
Chairman
Representative Steve Cowper
Representative Sam Cotten

STAFF MEMBERS PRESENT:

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION:

COMMUNITY HALL
GALENA, ALASKA

DATE: November 12, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Harold Semaken	Box 115, Galena	
Russ Griffin	Box 237	
Norm Yaeger	Box 188, Galena	
Ivan B. Sipary	Nulato, Alaska	
Edger Nollner Jr.	Box 44, Galena	
Goodwin J. Semaken	Kaltag, Alaska	
Sanders Cleaver	Galena	
Bruce Barber	Box 128, Galena	
Harvey Stranberg	Box 109, Galena	
Nicholas J. Grimaldi	Box 208, Galena	
JoAnn Grimaldi	Box 208, Galena	
Margaret Hegarty	Fairbanks	
Jo Meacham	S.R. 50914, Fairbanks	
Roger Huntington	Galena	
Al Yatlin	1519 Alaska Way, Fairbanks	
Bergman Moses	Galena	
Alfred Attla	Huges	
Ronald Sam	Allakaket	
Alfred Evan	Galena	
Robert Thurmond	Galena	
Roland Quimby	Box 155, Galena	
Bill Demoski	Box 11, Galena	
John Starn	Box 21, Galena	
Harry Pitka	Box 21 Galena	
Marjorie Attla	Box 136, Galena	
Lorraine Vent	Box 51, Galena	
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TABLE OF CONTENTS

1. TESTIMONY OF Roger Huntington.....Page 2
2. TESTIMONY OF Ronald Sam.....Page 3
3. TESTIMONY OF Alfred Attla.....Page 4
4. TESTIMONY OF Norm Yaeger.....Page 6
5. TESTIMONY OF David Kwanberg.....Page 7
6. TESTIMONY OF Charlie Rhea.....Page 8
7. TESTIMONY OF Ivan Sipary.....Page 9
8. TESTIMONY OF Harvey Stranberg.....Page 20
9. TESTIMONY OF Gerald Walker.....Page 27
10. TESTIMONY OF Sam Dementieff (tape inaudible)

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel. 842-5970

NOVEMBER 21, 1977 - GALENA PUBLIC HEARING

Representative Nels Anderson: Introduction of Panel. To my left is Representative Steve Cowper from Fairbanks, and to my immediate left is Representative Samuel Cotten from Eagle River, and our Staff Assistant is Dorothy Larson from Dillingham. The purpose of our Committee is to, as you know already is to try to find out what you people think about subsistence, how you feel about subsistence, whether or not the State of Alaska should try to define what subsistence is and also to get your views on what the State of Alaska should do about protecting subsistence and the reason why we're here is that we decided earlier or right after the legislative session adjourned is that we would try to get to as many places as we could in Alaska and to find out what the people feel about the subsistence issue. We've been traveling throughout the State we have about 8 to 10 hearings so far. We've got about two more to go, we're going to be meeting in Juneau next month and also up in Barrow and that will conclude our hearings for this year. But we are looking for comments from you people on the issues of subsistence and we would invite anyone that would like to give their views to come up forward and go ahead and give your comments for the purpose of the committee using those comments as we take a look at the State of Alaska ought to treat the issue of subsistence. So if you would like, anyone, would like to come forward and start it going there we could begin at any time. We don't need anything written, just your verbal comments would be enough, and what we will do is transcribe them and have them put into the record.

Roger Huntington: One of the things as a citizen of Galena, also the natives in the area, even myself on being informed my capacity with the native group find it hard to define subsistence. And alot of times here at Galena and the surrounding villages when you talk about subsistence, immediately moose come to mind, thats most valuable to us, and thats what we're threatend with and the continuence to hunt moose and we feel that we are being attacked by non-natives, and coming in like they are taking our moose so maybe what we might be looking for is rules or laws stating only us can hunt you know they have for us and what not. You got a community like say Fairbanks they have their meat supply there. We have ours up here in our woods. Thank you.

Representative Steve Cowper: Mr. Chairmam one of the things that I might try to clarify a couple of things here. I am the Chairman of the D-2 Council and I'm running back and forth to Washington on the D-2 Legislation now pending there. Now one of the things that Congress is going to do on the Federal Lands, they are going to create a preference for subsistence use on these lands. In order to do that they are going to have to define it some way. Now maybe they can leave the definition loose and open and let it be set by some kind subsistence board that's something they suggested, but that's one of the things that you might address in Washington. If the Congress should define subsistence, it's quite (inaudible) as to whether or not we should adopt it here in the State and what kind of preferences ought to be created for subsistence if any. You know with game getting scarce, somebody has to quite hunting. It's getting to be just about that simple and so what we're trying to do is figure whether we should create classes of users and make preferences, in other words for different types of people. So this is one of the things we need to get into here. I think we are talking about

Federal Legislation which it applies to Federal Lands State Legislation which applies to State lands.

Ronald Sam: Yes, I would like to have the area committee to state, Mr. Steven, whether you are making it for State purposes in subsistince.

Representative Nels Anderson: Yes this is for the State of Alaska. What is your name please? Do you have any comments to make the subsistence issue at all?

Ronald Sam: Yes, one that the State like the 50 states, each and everyone is different. We have in our State lots of natural resources and renewable resources.

Representative Nels Anderson: What do you feel should be done about protecting subsistence, do you have any ideas on that and what the State of Alaska should be doing?

Ronald Sam: Now I think that you are looking for a definition of subsistence and I don't think you will find the definition. There is about three to four hundred (inaudible) in the State, there is no way that you can define one to satisfy better laws, State law and be right, there's no way. Everyone of our areas are different.

Representative Nels Anderson: I'll go along with that, I'll agree with that. We are finding it really, really difficult to, or I'm finding it extremely difficult to.

Ronald Sam: I don't think this is a time and place to define subsistence.

Representative Nels Anderson: What about describing subsistence activitities? Like what people do describe what people do.

Ronal Sam: No use telling that either, people know what we are doing already.

Representative Steve Cowper: I'd like to ask you a question, when you get into a chore affair somebody has to work on it. If you don't define subsistence user what do you think about creating a preference from the people that live in the area. You wouldn't have to define subsistence, just anybody who lives in the area gets first crack at it, gets it's limit, and then if there is enough resources to go around for the people in the area, then you can.

Ronald Sam: Yes I go along with that, but at the same time you are opening it up to wide open. There (inaudible) and the resources won't make it around.

Question from Audience: What do you use for subsistence hunting? Do you just walk out do you use planes, what do you use?

_____: Boat, snowgo and dog teams.

Alfred Attla: Yes, you were talking about breaking things into catagories. I think we the people are already broken into catagories. And I think it should be broken into that. But people up river they got place to hunt, we got place to hunt, even if it's they're area we got a place to hunt. They got their play if they want to play. My father worked for a living since he was born, he didn't work for anybody. He worked for a living, he raised

ll of us, some of us kids are out hunting, hunting and trapping. He went all the way from Allakaket, he came down to Hughes, he tried that area. And finally he found hunting grounds. He found hunting grounds, but that was not good enough yet, that was this (inaubilbe) he had to come all the way down to Titook all the way down to the Yukon to go fishing, in order to get fish and things like that for the family. But you can't do that no more. We can't come down here and say well we havt to take them home by commercial license. My old man went down Yukon River and fished there all his life, and if I come down here and try to buy a commercial license I couldn't do it. I think we woucl be broken into catagories, make our own adivisory committee.

Question from Audience: Village of (inaudible). Can I ask you a question there, you are saying these catagories for subsistence, what are you trying to tell us? Are you trying to break us into catagories, for subsistence hunting or for sports hunting?

Representative Nels Anderson: This is an idea Steve has been asking various people on, Steve would be a better one to ask on that.

Representative Steve Cowper: It's just an idea, I'm just trying to see what the people think of it. We haven't gotten any place with it.

Ronald Sam: I think that sooner or later maybe catagories is not the right term, but I believe sooner or later you have to look into what is a village and what is a city. Lot of our villages are second class cities, as such, under the State Law, but there still not urban type like Galena and Anchorage. you have to make the decision on what the people think, these are what you have to look for not what they use, because I seen to many guys come up and

taken alot of our game.

Norm Yaeger: I'm in air taxi business here, and it's my thought that you are trying to protect the subsistence hunting here and in order to do so you have to know what you have available for game out there to begin with. Number one, you have five thousand moose in a certain area, how many can you harvest out of that five thousand, before you start to decline. And in the present system you can get 3 thousand hunters come in here in a season, they can be local they can hunt with boats, snow machines, airplanes, they can be from foreign countries, Anchorage and Fairbanks. But you got no control on how many game is being taken per season. You have no idea what is taken out of this area, so all of suddend, three years later all your moose are gone and everybody is up in arms and screaming at each other. They are condeming the airplane, or condeming everybody, snow machines, but you have no control over it. So in order to protect the subsistence hunting for the local people here, which is the name of the game, you have to keep some of the outsiders out if you do not have enough game to sustain an acceptable level so there is enough here for everybody to get the game that they want. And at this time the State has no system accept for filling out that little tag and that's voluntary more or less. In Hawaii for instance it's very controlled, people check into a certain area, they shoot their game and they check out in that area. The State knows exactly what's being harvested. The game is a natural resource, some should be harvested by some means, but if too much is harvested, the local people can't get their game that's not right. But there is no protection at this time, like if a lot of hunters come up here next year, and they all get a moose, bang they're all gone. There is no protection at this time.

Representative Steve Cowper: That's exactly what we are talking about in other

when we talk about creating a local preference it means it is not enough to go around to people from outside, from other countries and even from Anchorage and Fairbanks they don't get to shoot them. That's what we are talking about.

Ronald Sam: Okay how big is Hawaii? Yeah, in Hawaii you can say 20 acres for pinapple and 20 acres for tourists. Okay up here we got more than that. You better know that. You can bring (inaudible) up here, right that's alright (inaudible) down there, you got to shoot them again the thing, you got to draw a ticket for that, we don't want that up here. We damn sure don't want that up here. Right now there doing that on the Delta area, it's not right. You do that and the caribou and moose sooner or later we got another area, Hawaiian area. We would like to keep it that way. We don't want to see that around here. Down there you can say, okay you have 20 acres of game area.

David Kwanberg: My interest in the discussion is building a place in the bush down the South of Kaltag. I first became aware of the pressure of hunting down there when people in the area would stop by my place and talk about their experience with plane hunters and some of them told me that there were alot of abuses from airplane hunters and down where they are used to hunting, and there were people coming in from other areas, hunting in the areas where they had been accustomed to hunting. Well I have friends in Kaltag and I like being in the area and I wouldn't like seeing it turn in a dessert, so I tried to work it out in my own head. The thing that finally made sense to me was that to make two restrictions in say for Kaltag in the flats area. One was to outlaw all the aero hunting, airplanes were spotting for pursuit or for carrying out any of these outlawed periods. People who have boats simply can't compete with them. The other would be to limit hunting rights in the area on residence basis. The flats area is used by people from Grayling all the way into

(inaudible) and some people from Galena go down there too. It's a huge area and it seems to be able to support quite a few villages, but it can't do it when people are coming in from citites and far away places. Those two things make sense to me, outlaw the areo hunting from the area, and restrict hunting right on the residents basis. So I started to do the same thing that Steve is doing and that was to talk to people about it and I've heard the same stories, Galena, Hughes, and up in Kiana. There are people who are accustomed to taking their life off the land and the animals that they are accustomed to taking are being, sometimes they are slaughtered and left and other times they are being killed and taken out, by people who may have a freezer full of beef back in the city. It doesn't make sense to me. I don't pretend that an increase in the population in the villages are not going to do anything to the game eventually, it seems to me that there is a much better chance for people living here to have some control over their future, given a break by those kind of restrictions to begin with.

Charlie Rhea: Mr. Chairman, I'm Charlie Rhea from Galena. I think that the problem here is the people are mixing subsistence with long tradition. These guys have been here for years and years and have done what they had to do to surive and have supported their families and I have to go along with the gentlemen just said about outside people coming in here with airplanes, this one of the big problems in this area is they got rules against flying planes and shooting in the same day and all this, but it still happens. And it needs a little control. But if you start talking about who is going to be able to hunt these animals, if it's just a person who lives off the land or just goes out and works 6 months out of the year he still has the same right its his tradition that they are fighting for also, and they should be included in the same light as the subsistence fella. The big problem that they have right now

in this area is too much outside hunting and you cannot support it, that's the way I personnaly see it. Thank you.

Alfred Attla: Yeah, like the guy that was speaking before that, like (inaudible) folk what it is, is the lack of control. Lack of Fish and Game control, just like right now you can fly down from Youth and you can find a dead moose about nine miles below Youth. You can find a dead moose, and you can be sure that the game that no native would leave right there. You go about 18 miles below there and there is moose hanging up right now, right today, there is moose hanging up right there. Moose be hanging up, maybe the airplane hunters didn't have enough gas to come back and get it, and maybe they have another one some place else. That's a total waste, but that is the lack of State control. Us income tax people, that pay income tax, we should get better rights than that.

Ivan Sipary: Yes I would like comment going back on what some of these people say, like the gentlemen down there. When some of us only work six months of the year, maybe some of the local people prefer working six months out of the year, but out in those smaller villages out of the Galena area, I bet you find that the majority of the people barely work 3 months out of the year, because some of them have a good year, so when everyone went firehunting at least 40 days. But that's just one good year. That's suppose to be a good year for us, and then the rest of the year we have to make it on subsistence. It's not only moose it's trapping beaver and hunting, trapping fishing is the same thing.

Representative Steve Cowper: Mr. Chairman, let me toss something out, you know, it can reply to if they want. What if you created subsistence zones

will say, and what you did was you said, that anybody that came into that area would have to take game or fish or whatever and use the same way people in the area did. In other words you, if your hunting moose with an airplane, then they could do it, but if you didn't do it, and you hunted them in a boat then that's the way, that's the only way they can do it, what if you did that?

Male in Audience: Then you would find that there would be a hell of alot more people that can afford boats then the rest of the village people, that would use planes. Same way...

Norm Yeager: The issue seems to be between airplanes and boats. I fly around myself and there is not that many airplanes taking people hunting. I'm not saying it's not, I fly hunters out and drop them off, I don't spot any game they hunt on foot and all the meat we get, we give to the people in town here. Now I'm not saying that's right all the time, but I didn't kill the moose myself, because somebody else shot it, because they wanted the cottenpicken horns, and I'm not saying that's right. But the moose did not get wasted, it got harvested, if there is not enough of them out there, that's not right. But these people were dropped off where people with boats cannot hunt. Now there is alot of hunting pressure going up river by boats it's not all airplanes in this area and there not all resident people hunting by boats. They are killing the moose on the rivers by folks that are not residents and they do not subsistence hunting for the local people who are shut off by boats, snow machines, or airplanes, you have the same problems. The airplane is not really the key issue here, you are trying to protect subsistence hunting and some local people here, Native people and they have an airplane and they hunt with an airplane or have hunted with an airplane and some use boats.

I want to respond to this thing about boats. There was a fella I heard about in Fairbanks who took his boat down the mouth of the Yukon River and driftnetted down there and made $25,000 on fish in just a couple of weeks. Now that's no limitation if you've got enough money, you can boat right into an area and take it all out with you. It just wouldn't work that way.

Ronald Sam: What I'm trying to say is these guys that take people out to lakes in acceptance to moose, you are right, but by the time you are hunting for trophy animals, trophy moose, you damn right, then travel through the country. They stop and catch one and go by it, you know? Sooner or later they will go where they are accessable to us, and because he land to where we can't get to him, doesn't mean the animals won't stay in one place when they are running. And the ones he take out are the trophy hunters. We'll find them travelling pretty soon, they don't stay one place.

Roger Huntington: First of all, I want to ask: remember the legislation back and forward the 50 mile radius zone or whatever it was. What is the legality on this as far as what it constitutes now?

Representative Nels Anderson: I don't know how that turned out, this was 72 or '73 I think.

Question: What was the proposition?

Roger Huntington: The proposition was there was a radium around each village, 50 miles. Under that context maybe expand the area a little more and local residents especially.

Representative Nels Anderson: Well in the other places we've been most of the people have said basically what you are saying already from all over the State. They are saying that there is not enough Fish and Game control, not enough protection. Not enough enforcement. Okay, that's one thing. They want us to stop foreign people from coming in to the State and taking out just the horns and leaving the meat, wasting the meat. They want not only to curtail areo hunting, but there is some areas thinking about stopping snow machine hunting. I don't know how people are going to take to that, but you know that is going to be kind of a drastic measure to take. The thing that is happening in the State of Alaska now, and I think most of you know this, is the people have access to high speed boats now, they've got better rifles, they have a growing population and you got the declining in the game population. And what we're trying to figure out is trying to decide how in the world are we going to handle the situation, okay. We know we can get rid of the foreigns', I don't think there would be any problem concerning the local residents, and I think what we are dealing with, as far as my particular goal is at that if the game population gets down to a point we have to make a decision, the person that has the number one preferential rights to that game should be people that live in the area. That's my particular feeling but not only mine it's being born out by people who are testifying throughout the State of Alaska.

Alfred Attla: Yeah, in my own opinion I think the biggest problem is to try and get control, just like we might have a lot of hunters from each village, well those people hunt everywhere and every year, during the time of harvest every one hunt in the village. You don't have to worry about controlling us, we are out there to get our moose or whatever, but outside hunters, theres no way, so far the State hasn't done a darn thing as far as I'm con

concerned as far as controlling them. Airplane hunters is what I'm talking about. They're not controlled, they are simply out of control. Say just like me if I had a hundred thousand dollars, you couldn't control my hundred thousand dollars no way. I'll just go out and get a moose, even behind your back I'll get a moose. The State got to put up more money or something like that and put or hire somebody in the village, hire two or three people in the village to control the area. Control the area with boats, if they do that and they get paid, that's just like subsistence hunting for them or for myself or for anybody. Otherwise there is going to be control.

Roger Huntington: You know there seems to be a lot of laws on the books right now that are supposedly there to prevent people getting moose to easily with an airplane, but if we were to put another law that says you couldn't hunt with an airplane within a 50 mile radius of the villages, would that be effective, would the State be able to regulate that without having, certainly if you put enough people out here to enforce, if you put a small army out here to enforce you could stop them from airplane hunting, but is it possible to put another law, and say no hunting with airplanes.

Representative Sam Cotten: Let them airplane hunt, but put more enforcement?

Representative Nels Anderson: Sir could you say that again, did you say let them airplane hunt?

Member of Committee: Let them airplane hunt, but what's more important?

Dave Kwanberg: It seems to me that not very long ago the people up Koyukuk thought of maybe a simple solution of alot of airplane hunters, and that was

to shoot the planes down. What is being said here is the people in the villages are ultimatley responsible for the food resources,and it seems to me that if you say to them, look airplane hunters are not allowed in here and you have the power of enforcement, one way or another that enforcement will be carried out. I would just spell that out.

Norm Yaeberg: I'd like to say is you're going back to Kaltag tomorrow on a plane and someone shoots you down, how are they going to know that if you are hunters or just going home.

Dave Kwanberg: No, I'm not saying that everyone go out and shoot them. The other things that come to mind. The second thing, is to underline what this fella said over here and that is the argument that hunters were let down in areas that are inaccessable to airplanes (inaudible) because the animals in that area are part of total game population that's available to people in the area, and sooner or later like the man said they are going to be available. They're going to come around. And beside that people who hunt in boats do get out of the obats and go inland a long ways, and alot of the hunters, for instance down in the Kwiou area get put down right near the slough where boats can get too if you were hunting right in there. The third thing is if it is decided that there are to be subsistence areas, or subsistence villages it seems to me important too that the Fish and Game consult with the villages as to where the area should be, and not simply say a 50 mile radius. For example, up there at Kiana, the people are being faced with the prospect of some kind of National Park going on both sides of the river for many miles up river and they're trying to get one mile on each side of the river so they continue to fish and hunting up there. They are having a hell of a time with the Federal Government, but they don't nned a 50 mile radius as much as they

one mile cooridor on both sides of the river. If subsistence zoning is the way to go, check with the villages as to where the zone is going to be, don't just plop a circle around it.

Representative Nels Anderson: Five petitions, since we got the law passed, I think it was 1975 to create subsistence zones there have been five petitions for five subsistence zones and there have been turned down by the Department of Fish and Game for some reason. I've got a letter in here somewhere where they sites some kind of reason why they are not going to enfore those. One of the things that we're suppose to be doing is to get the answer from the Department of Fish and GAme and see why they can't do it, because the law is there, and by the way that's the law that Jimmy Huntington put it and got passed when he was down there and that was his work and we expanded on it after he left. I think that that's moving in the right direction, somehow we can't get the thing in operation for some reason the Department of Fish and Game are dragging their heels.

Ronald Sam: I would like to say that airplane game hunting do with out, drop it seriously, at this time there is no way you can enforce it and there is no more than I can, and you know it and I know it, no matter which way we go there is no way we can eforce it at all. I'd like to see that, you understand it right now, no matter which way you go, subsistence hunting you never satisfy everybody, what I'd like to see is that subsistence be defined for certain areas, and you'd have to go to each and every village and define them if they arey urban before you do anything, you know that you can't enforce this no more that I can.

Gerald Walker: It seems to be a serious doubt in everybodies mind, which will

exist you know for the next couple of years. I think to myself that (inaudible) Not much moose here, not much moose there, not much fish here, and not much fish there. The way of life is changing all the time, for instance the food in the stores, you can go and get a T.V. dinner anytime you want (inaudible) Now everybody is fighting over this and that, can I take this or can I take that. (inaudible) I cannot get a moose anymore and there's no more of that and as a matter of fact over the years(inaudible). There is no more moose in the area no more moose in that area, the population is growing every area and the means of transportation is getting better.

Alfred Attla: Up in our area this is (enaudible) Moose season for us use to be as big as our subsistence, use to be from August 20th to September 30th. Lately, we been talking aboutit, and somehow we got it to where we want it. From September 10th to September 30th, which gives us 20 days that's all. Then somebody came up with the idea to open up the season again from November 1st to November 31st. And in the home area we don't want no bull moose from November 1st to November 31st. Heck they're so damn dried up now, they're so damn dried up like me, you wouldn't want to eat me? But still there are hunters out there right now, they're not out there for the meatn, there out there for the antlers. If the antlers didn't fall off yet. That's not our season, I though that was hell, just like they say in unit 24, unit 24 would cover a lot of area, probably cover alot of villages too. Maybe each village can have they're own unit. In fact, like they're own season. They shorten it as much as they can, cause heck I can catch them without a season anytime I want too, and you guys wouldn't know the difference. That's my subsistence hunting, but I won't waste it.

Norm Yaeger: I would like to add a word on that. He is absolutely right on

on that. Right now if you want to go out and get a moose for meat, you have to shoot a cow, so if that cow is pregnant you are shooting more calves for next year. You are not properly harvesting the game as solitary. I have a party now, I don't make it a habit to haul hunters out, it's not my business but occasionally I get a request for it. And there is some people that want to go out tomorrow or today and I won't agree with them, they are going to shoot a raunchy old bull just for the horns, it's not right. If they want meant, which they don't even want, they just want to go hunting, they would have to shoot a cow then you have two less calves to hunting next year.

Roger Huntington: One of the things that I think that we ought to dwell on, as (inaudible) made a good point as far as inventory of what we got. Utilization, every year the State gets a permit and if you get one of these permits I don't understand what they put on them, the white people or non-residents are trained to use these permits, as where the local native people are not using permits. (inaudible) It could be up 50% or more permit hunters are non-local people, so then you can't comment on as to how many moose are killed on the State count, you will find out as a result of my theory, that most of these killed were from non-local people. When you go out hunting you don't take envelopes pensils.

Ronald Sam: I, for one, will not stand for inventory. Can you control your wild fires? Apparently BLM cannot. Can you control your wildlife? Apparently we cannot, cause when there is wild fire around that can burn 250,000 acres, if you think that does leave anything in one certain area, you're wrong. We up at Allakaket area didn't see to many moose for a good many years, cause we had 700,000 acres burned. You cannot control the elements no more than you can enforce the laws. And they will go where they can eat and survive, just

as you and I do. They go where the soil is good, they'll wind up there. Sure there is some area that can stand it you know, that can take care of a good herd of moose year around. There is alot of area that cannot, you have to take that into consideration. Where there is wild fires you have to take that into consideration, you have to think about that it would take 5 to 6 maybe 7 years to get the moose back. Lot of places are left, but who's to measure? Your not measureing from one day to the next. The animals move as we move, where we can sustain ourselves. Okay, area is burned out they moved out of there, and you know it, or you should know it. They will move where the going is food. I cannot believe in inventory, simply because there is alot of areas that you can harvest, about two or three hundred bulls. Theis area won't be that way this area won't see about 20, 30 moose, you got to know that animals like ourselves go where we can sustain outselves.

Representative Nels Anderson: We have already drafted a proposed piece of legislation that would regionalize the Fish and Game Board, so that there would not be, if its successful, and if it goes through the State of Alaska will have several regionalized boards instead of one State-wide Board. I don't know how that's going to apply in the Legislature, but it seems like about everybody is througjh (inaudible) people are saying that they want more control they would have a better handle on what's happening to them, rather than having outsiders outside of your area controlling what you do.

Question from Audience: Are you in the Legislature able to regionalize boards are you putting in that that the regional boards will have direct power to adapt a board.

Representative Nels Anderson: Right, the Regional Boards have the management,

regulatory power.

Question from the Audience: Can the Board veto the Regional Board?

Representative Nels Anderson: No.

Ronald Sam: Mr. Chairman, I for one am for the Regional Board, simple because the people in the Region knows better than anybody else. But what I want understood clearly at this time is that within the regions there are differences, look at Galena, look at Barrow there the only places with air bases and with guides and with authorization to take people out with airplanes. What about us in the middle? We see them airplanes flying around everyday. There are differences in the regions, but i back up the regional board all the way. With the understanding that they know that we're there, besides the placed that we can fly out, charter out, there are differences, way different. They've got the money I've seen to many foreign hunters and the ones that can affort it.

Alfred Attla: I'd like to testify that just like you look at the map and Unit 24, well the laws are made for us already in that area. They tell us well you can hunt this time and you can hunt that time. Laws are already made. (inaudible) no matter what, if we have a say in that law, we have any say in that, just like that area, about saying that, instead of moose hunting season at a certain time they say that it is good for our area. And just like I said somebody came up with the idea of opening the season from November 1st to November 31st, that wasn't our idea, and I think I'm talking for the total of the whole people in the area.

Norm Yaeger: If you want to eliminate non-residents and foreigners and I'm sure any of the whites (inaudible) about 10,000 dollars, its the cheapest place in the world if you want to hunt. In Africa there is some people in (inaudible) sporting goods they paid $10,000 or something to go down there and hunt, and they quit that and they are outlawing them to hunt, so apparently there is a way to regulate people from coming in.

Harvey Stranberg: As the law stands now Alaska residents do not need a guide to get their monthlygame, why not do away with the Alaska guiding, which is 90% of your areo hunting and all hunters.

Representative Nels Anderson: That would make some fur fly. We will definitely look into that one.

Harvey Stranberg: I can say that everybody is concerned about control, and with these bills you say they're going to declare regional boards to govern those areas. What is in there about control, who is going to be doing the control, the Fish and Game or detective people are they going to be the ones to control this area and ofncourse the regional rules. Also what is subsistence?

Roger Huntington: Mr. Chairman, that's the question I was going to comment on. Subsistence are at different levels. You know it, and many are aware of it, as does many of the body here. Subsistence is more than just eating, putting food on the table. Subsistence to me, is kind of the way of life and I also in some cases find that the way of life also applies to non-natives. And also goes reverse where some natives don't apply to that. But you know a lot of people make more money than other people and are in low income

brackets, you know I like to go out there and set a couple of rabbit snares and that means a hell of a lot to me. I prefer that lifestyle. I could hand out in Fairbanks or Anchorage and make a hell of a lot more, but I prefer this lifestyle.

Norm Yaeger: How come the State can't control our subsistence lifestyle with moose you know? Where the State can control the fish that come up (inaudible) River and Yukon that you have to so many years or something like that in order to buy commercial license, if the State can control that, I don't think it took money to do that. I think it took money from individuals to keep it like that for the money in order to control that. It seems to me that we are just going in a merry-go-around, pretty soon they'll be hunting moose with a satallite.

Representative Nels Anderson: I wanted to answer or try to answer some of those questions that were asked in the back there. What is subsistence? That is primarily why we are holding hearings, we are trying to find out how people feel about the term subsistence and it should be defined, and whether or not it should be defined, I don't know, that's why we are holding hearings throughout the State. I'm trying to find out in my own mind just exactly how we ought to approach this, and getting recommendations directly from you people is what I want.

Who is going to control? The way I envision this game board, this Fish and Game Board on the local level, and I do believe, since other suggestions in other parts of the State have been made, that the local people be given the authority to control, so that they know who is hunting, and where and what is being taken out and so forth, that idea is probably going to carry a lot more

weight than it has in the past. Because people weren't listening to us because we believe that that is the way it should be done. I heard it again tonight it's been stated over and over again in other hearings throughout the State. I think that idea is going to catch on. But as far as defining subsistence, like I said before, it's extremely difficutl, it's not an easy job, the more I get into it, and we've been working with it, and the staff has been working with it on a daily basis now since almost since the session adjourned the first part of June and the more we get into it the more complex it becomes. The harder it gets to deal with the issue, because the thing that we are ginding out that these gentlemen have pointed out and other people have stated that every area is so different that there is no way that you can define subsistence to fit the people in Bristol Bay and it's not going to fit in the Yukon area. You're not going to be able to define subsistence up in Barrow that's going to fit Cook Inlet and Kodiak. So it's going to have to be flexible, it's going to have to be regionalized and how it's defined, I think is going to have to be left to the people to define it for themselves, so that they are satisified.

Believe it or not the rat race down in Juneau comes up with the strangest ideas even after they have heard the people speak. They still seem that they can't get the message right and do the right kind of job that you want them to do. I think the more that we get down to the local level and get people involved with this particular definition and enforcement and soforth, I think more people are going to be happy that way.

Ronald Sam: This is the first that we have ever been invited to any meeting of any sort, I mean we've been invited before, but they knew damn well we couldn't affort it. This is the first time that we have been invited, and I'd

like to hear what you have to say on regionalization, I see it in summer time, but I never see it in my letters or correspondence where we will soon be in the Northwest District but even if we are in the Northwest District from Yukon on up, or Fairbanks on up that still doesn't cover us. Like i say subsistence is different in every village. You cannot do it by regionalization alone, but thats a start. I just like to hear more on your creating board districts. Because if there is a new district created in Northwest, say from Yukon on uo, or Fairbanks on up, we're in there, but we're totally different from them. Most of the people that will be representating us.

Representative Nels Anderson: Well, the proposed bill that we had the legislative Affairs draft for us has not been formally presented to the Legislature yet. We have to make, we have to present that to the Legislative Council and I think they will take it from there I suppose to be introduced by the Rules Committee to the Legislative Council on behalf of the Subsistence Committee. The details of it have not really been worked out yet. All we are talking about is the concept, we're talking about getting more control into your hands. How the region is going to handle you problem, talking about your differences from various parts, you know within the region. I don't know how that is going to be dwelt with, hopefully your problem is going to be satisfied. That's the best I can give you right now.

Alfred Attla: Mr. Chairman, I think we're all here for a reason, and that once you leave here, then you go to a meeting to another to collect our testimonies and try to find a way of the best subsistence living for us, is that so? Well, I think each and everyone of us here,right now, we all have a little area, we all have a small area. We all have a small village where we come from. I think the way I'm hearing ti, should be not the way each Fish and Game put it,

just like each unit, but hearing from each village of which way the lifestyle might be. Each and everyone of our lifestyles might be different than other villages. Although we always take each others right sides. But just like what I said before, and hopefully you wrote it down, that is our lifestyle in our own area. And I think each other villages have they're own lifestyle. And I think that's the way it should be heard. Just like maybe they might be units, just like the Fish and Game put us, units of certain, certain and so and so, maybe a certain village con't stick in that unit.

Representative Steve Cowper: Mr. Chairman, you know when you get right down to it, I think what we're talking about is the local people versus people that come in from outside the region, is what we're talking about. You know, the one thing that people don't alot of the people in the cities don't understand is that alot of the villages, there is no such thing as a cash economy or really what's going on there. And most of the villages came into being because of this subsistence lifestyle, that's the reason the villages came into being, because of this subsistence lifestyle, that's the reason the villages were there to start with, and it's still the reason they're there, you have to recognize that. People in Anchorage, Fairbanks and Juneau have to recognize that fact, that if you take away the, if you don't make a special allowance for subsistence living that style of life is going to have to vanish. And I think you have to do it, you have to make allowances for subsistence hunting, and fishing and make a preference for it. I think you do. The question that we have to decide I think, pretty quick is how are we going to do it, and do it fairly to everybody concerned.

Ronald Sam: I agree with you, so far, but you cannot fight progress. Maybe you can stall it, but you cannot fight it. Maybe everyone of us in this house

will be in the grave and it will be stalled that far, but you cannot fight progress. One day, we'll be sitting like you, and my friends in my community say there's progress and there is sentiment and our Government is represented. Okay, I know for a fact that reapportionment of our certain districts, governing districts is coming up, and you know that 65 our of maybe 100 representatives will come out of Anchorage. Now does this area have any bearing on that? They can vote it down anytime they want.

Representative Nels Anderson: Does what now?

Ronald Sam: This reapportionment thing.

Representative Nels Anderson: Have anything to do with what we're doing? No I wouldn't say so. You're right though, reapportionment is going to mean more urban Legislators, you are going to have more, the majority of the House and Senate will come from Anchorage alone.

Representative Sam Cotten: That doesn't, of course I'm from Anchorage, I represent Northeast Anchorage, that's about as rural as Anchorage gets. Most of the people from Anchorage I think, at least the people from the legislature are considered to be reasonable people. The few of us that do get a chance to get out and talk to people that claim they have a subsistence way of life I think they ought to appreciate it, just because the population of Anchorage may turn out to be the greater half of the population of Alaska, well the constitution requires that many Legislators come out of Anchorage that it's a one man vote deal. But it doesn't necessarily mean that they are going to vote you down, or vote against the subsistence way of life, and I think that even now, Nels will agree that many people from urban areas are very sympathetic towards

the question. And as Representative Cowper pointed out, we're trying to re-write down the ways that it will protect what most people now agree to be a subsistence way of life.

Representative Steve Cowper: Mr. Chairman what you're saying is right, but there is a transition period too. Maybe what we're saying is that if you have to make a preference for subsistence hunting and fishing now and we have to decide amongst those people who get some rights, then maybe we ought to go in terms of economic and the person who needs it the most ought to have first crack at it, maybe that's the way you go.

David Kwanberg: Mr. Chairman, I would say that that's not right because in Kaltag, going back to this fishing permit, there was a resident of Kaltak who wanted a permit and he worked on the Pipeline for a year or the year previous to that, he could not qualify for that permit, that seems to be the situation with the money the year before now he may be spending all his money building a new home or sending his kids to school or medical bills or what have you. But he wanted to live in Kaltag, that's his home and he wanted to fish but he could not qualify for a permit. And I don't think that's right either. You want to keep the outside hunters out of here, and protect a lifestyle for everybody in this room. (inaudible) that's how I'll enjoy it every year. Then you are going to have to set up a hundred mile limit around the area for the residents only, anybody in unit 21 can hunt unit 21, other people that come in here, perhaps sell them a permit for a thousand dollars or some fee or something then chop it off if there's not enough game. Go at it at that approach if you want to protect a lifestyle. People around Bethel, Point Barrow, keep them cottenpicking people out of here, because I don't go to Fairbanks and go hunting, why do they come down here? They hunt all they're game out, and

and come down here and hunt all our game out.

Representative Steve Cowper: That wasn't really what I was saying there. I was saying that if you had to choose among the people who would qualify as local residents.

Male in Audience: But who is going to qualify, because alot of people here make $10,000 a year, $20,000 a year, they can afford the beef, but they like to go out and hunt, they enjoy it.

Representative Steve Cowper: But you can't shoot 200 moose and you 400 people who qualify for subsistence users, whose going to get the 200 moose? People like me who work from a money standpoint?

Norm Yeager: Well if you keep the outsiders out and you shoot a few wolves here you'll have enough moose so we won't have that problem. We don't have that big a population at this time.

Representative Nels Anderson: You know we have a Limited Entry Program for fishing. They used several critera's. They used economics, number of years they fished and soforth. That all weights into who gets a Limited Entry Permit. It seems to be that there is a way that we can probably get it through with some kind of permit process if we have to do that. That would probably be the way we'd do it. It works for the Limited Entry for fishing, it's good in court tests, it seems to be holding up. I don't know how much good its doing, but the law itself is sound.

Gerald Walker: Was talking about a person who had been fishing for years but

could not get a Limited Entry Permit.

Representative Nels Anderson: The same thing in Dillingham. I don't have a Limited Entry Permit, I've been fishing too, so I know that the law isn't perfect, and we're not here to talk about the Limited Entry anyway. That's a whole new bag of worms. I can't answer that because I don't know. I wish he could have a Limited Entry Permit. I wish I could have one too.

Another comment on Limited Entry. No name mentioned

Representative Nels Anderson: The Fish and Game doesn't have anything to do with it, it's the Limited Entry Commission that administors that program. I don't know, I can't answer that. I don't know what the Limited Entry Commission is going to do.

Roger Huntington: Nels before we get away from limited entry, as related to the moose in particular, you go into the limited entry concept. What he is saying could apply though. Where if you shot a moose 1977 this year and maybe you were gone for the past five years, maybe I was out somewhere, and I came back and I want to shoot a moose. I would still want that license, but under the present theory I'd be refused one under the present limited entry theory.

Representative Sam Cotten: Another thing on the limited entry they have a way, they can prove whether or not you fished, but because you sold fish tickets or had commercial gear license, whereas with subsistence, as you said people don't go out and write it down so it would be hard to prove if you did or did not.

Alfred Attla: I was born 1939 and I stated remembering maybe when I was three or four years old. May old many brought us down from all the way down the Yukon. Up until 1937 to 1958 he brought us down to go fishing. I can't get no commercial license right now. I'm not qualified, I'm not a qualifed fisherman and my old man use to get more fish down here below (inaudible0 I think than anybody else that use to get fish. And I'm not a fisherman, I couldn't get a commercial license.

Representative Nels Anderson: Yes, I was born in 1939, and I fished with my Dad all my younger years before I went into the service I don't have a Limited Entry Permit either. So I don't know what the answer is. But I would like to have one. Buy one I guess.

Male in Audience: I'll give you the answer for that, all you have to know is the right people.

Representative Nels Anderson: When I was in legislature I should have know the right people.

Male in Audience: Getting away from fishing the regionalized concept, is that pretty much favored by the other testimonies in the other areas.

Representative Nels Anderson: Yes.

Male in Audience: What about the urban areas?

Representative Nels Anderson: I don't know what they feel on that.

Representative Sam Cotten: I know, we had a meeting in Anchorage. Couple of the people have testified. They got into some of the details on some of it. They talked about some things like Caribou and soforth. Right in between areas, or fish down stream you know like down stream on the Yukon and say you can do all the fishing you want, then cut the fishing off to people up stream. Sometimes you run into problems like that where you can't give total control to the individual districts. Which is pretty obvious once yoy start thinking about it. On mibrating animals. Also alot of people feel that we'd like to have the State (inaudible) and if you just completely shut off all the outsiders say Washington or other States, the Federal Government might enfringe upon the States ability to manage. So most people from the urban areas I'll say that have testified, they favor even the Sportsman Association. Those in Anchorage that testified, they favored the concept but felt that there was going to be some problems on the total regulatory powers that might be given to the districts.

Male in Audience: There was a meeting last week in which people from the Governor's office which tried to explain Regionalization. It seemed to me that there was something said at that meeting one of the things that most of the people agreed to. Was that the regions were too big and that it might be necessary to scale them down to the village size. You know it didn't make any sense out of regionalization. I think they pointed out like there were three different lifestyles in one region. There was a coastal, inland and a urban and there just doesn't seem to be any point.

Male in Audience: It was about three weeks back I got a letter back home about stopping mink and otters, because they were becoming non-existent. Mink was non-existent a long time ago. We see on mink track maybe about one every

three years. But maybe we see one to three, maybe they-re exisiting now. We got to quit trapping I though that was kind of crazy. And on otter, they eat up all our beaver and things like that. They were trying to outlaw that too. I think that was kind of crazy. somebody had an idea, it had nothing to do with our area it was some different area.

Representative Nels Anderson: I think it was Washington State, Oregon down in the wood area. All concerned, I don't think it's going to apply to Alaska it's not going to apply to us up here.

Charlie Rhea: Mr. Chairman, I'd like to make an announcement before you adjourn the meeting. And that is that there is a Galena Advisory Board meeting right after you get through. We can stay right here and have it.

Representative Nels Anderson: Are there any other comments on subsistence from the public? And if there aren't any comments then, what I'd like to do, if you think of anything else between now and January, Dorothy Larson will give you our address and we'd appreciate any letters or telegrams or anything else that you would like to share with us so we can use it as we try to approach this problem. And I would like to thank all of you for coming to the meeting here tonight. We really appreciate your statements and thank you very much for coming to the meeting.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

ALASKA PUBLIC FORUM
GALENA WORKSHOP
November 17, 1977

(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

Male: (continued) training on how to make the policies; that possibly the 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.

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

Male: (continued) to all, it is a spiritual type of experience and it is a 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 regulations 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.

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).

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, tha 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 solicite 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 concensus 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 exisitng, 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 perameters 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 exisitng 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 comform 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

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.

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.

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).

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT

Representative Nels A. Anderson, Jr.,
Chairman
Representative Steve Cowper

STAFF PRESENT

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION

Glenallen High School
Glenallen, Alaska

Date October 3, 1977

Time 7:00 P.M.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel: 842-5970

Glennallen Public Hearing - October 3, 1977

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Bill Joe	Chistochina	
Chuck McMahan	Gakona	
Steven John	Chistochina	
Ken Roberson	Glennallen	AK. Dept.Of Fish & Game
Francis Hunt, Jr.	Copper Center	
Frances Hibble	Kenny Lake	Kenny Lake Community League
John F. Goertz	Kenny Lake	
Sterling Eide	Glennallen	AK. Dept.of Fish & Game
Bud J. Carlson	Cantwell	
Maggie Oliver	1250 Friendly Lane Anchorage, Alaska	Cantwell - Yedatene Na Corporation
Helen Geisert	9831 Tolsona Cr. Anchorage, Alaska	Chitina Native Corp.
Christine Yazzie	Box 233 Glennallen, Alaska	
Millie Buck	Box 206 Glennallen, Alaska	
Wilson Justin	Mile 34, Tok, City of Gakona 99586	
Lee Adlen	Box 285, Glennallen	
Clara (Billie) Peters	Chistochina - 37 mi. Tok Cutoff, Gakona, AK.	
Joe Roach		
Sam Agaier	Gakona	
Ruth B. Taylor	Box 49/Mile 182 1/2 Glenn Highway, Glennallen	
Patricia Hunt	Kenny Lake via Copper Center	

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GLENNALLEN PUBLIC HEARING

October 3, 1977

Representative Nels Anderson - We'll call the meeting to order, those of you that don't know me, my name is Nels A. Anderson from the House of Representatives and the Chairman on the Interim Committee on Subsistence. To my left is Representative Steve Cowper, Chairman of the State House Finance Committee and also a member of the Int rim Committee on Subsistence. Our Staff Assistant is Dorothy Larson. We came in from Anchorage today, and we did hopefully publicize the meeting.

I would just very briefly like to get into what the meeting is all about. Our goal our specific goal is to find our from the people how they feel about the term subsistence and how subsistence ought to be regulated in the State of Alaska. We'd like to know how you feel about subsistence, whether or not you feel subsistence ought to be termed subsistence and how it ought to be defined and what the State should do to protect subsistence. We formed the Committee, the Legislative Council formed the Committee, and authorized us to travel throughout the various parts of the State, we've already held hearings in Dillingham, Kipnuk, Nome and Kotzebue and after this hearing we will be holding hearings tomorrow night in Nenana and then we will be holding other hearings in Anchorage during the AFN,INC. Convention

and also Barrow in December.

At this time I would like to ask Representative Steve Cowper if he has any comments at this time. (Not audible)

Representative Steve Cowper - Yes, I would like to add one thing. I will have to go back to Washington and tell the Congressmen what the people in Alaska want of the D-2 hearings, of course there is a lot to that. But one of the things that Congress is going to take on, is the definition of subsistence. They said and made it clear they will make a subsistence preference on Federal Lands, so it's useful to me to find out what you think, people who are subsistence users or not. Where you hunt, how much you take, whether they are in conflict with sports hunting and fishing so we can find out what kind of conflicts there are so we can try to iron things out. So I may fire a question or two from time to time after a testimony which would relate to the D-2 Bill. Thank you.

Representative Nels Anderson - At this time we'd like to invite the people, public to testify and give your views on the issue of subsistence. Is there anyone at this time that would like to stand u! and testify?"

Christine Yazzie - "I would first like to thank the Committee and its members for this opportunity to speak on behalf of AHTNA,INC. and also those of AHTNA's shareholders. My name is Christine Yazzie, Acting President of AHTNA, Inc. In its own way, the question of subsistence and subsistence usage will probably be just as important an issue as the Land Claims Settlement Act. First of all, we do support the Alaska

Federation of Natives proposed ammendments to H.R.39, more commonly known as the Udall Bill in regards to subsistence and protection thereof. These ammendments, although still further subject to further modification when deemed necessary proposes to in essense that continued subsistence usage be recognized and protected on Native Lands, and on the Public Lands of Alaska by Alaskan Natives and other Alaska residents.

We feel that subsistence must be recognized as a major cog in the past, present, and future cycles of our heritage. Subsistence stands today as in the past, our way, our life and our culture. To view subsistence as a commodity in light of the Land Claims Settlement Act of 1971 to be alternately traded or devalued as one would common shares of stock, is to our way ot thinking and particularly those of our elders almost uncomprehensible. Subsistence is anchored in our lifestyle. It is rooted in our traditions and our communities. Many people, I am sure, would like to take the attitude that when the Settlement Act was passed on December 18, 1971, subsistence was surgically removed from our way of life, cleanly, effortlessly and painlessly, this was not the case.

In a memorandum prepared by Stewart L. Udall in July 1977 entitled, "The Alaska Natives and Their Subsistence Rights: A discussion of the constitutional questions." Mr. Udall quite aptly made the following points: and I quote, "When Congress passed the Alaska Native Claims Settlement Act to settle the aboriginal land claims of the Alaska Natives, it directed the Secretary of Interior to take affirmative steps to protect the existing subsistence activities of the Alaska

Natives on the federally owned lands of Alaska. The legislature history of Alaska Native Claims Settlement Act reveals that it was also anticipated that the State of Alaska could and would assist the Secretary in evolving policies which would likewise protect the subsistence activities of Natives on the lands granted to the State under the Alaska Statehood Act." Unquote.

While specific recommendations and/or legal analysis of the complexities of the subsistence issue is beyond the scope of this statement of policy, AHTNA feels that several points should be commented on..

(1) The question has been asked, should subsistence be taken into consideration when land and water use policies are developed? AHTNA feels that the question of subsistence and the development of land and water use policies are on the whole, entirely dependent on sound management of environmental and other ecological considerations; therefore, our response is Yes.

(2) Should Subsistence be defined?

AHTNA's position on this question is in the words of AFN's proposed ammendment to the Udall Bill Sec. 702 (g) and (h). Sec. (g) "Subsistence Uses" include those customary and traditional uses made of renewable resources for food, shelter, material, fuel, clothing, tools, transportation, and for the production and selling of traditional articles of handcrafts and clothing. Sec. (h) "Subsistence Lands" include all public lands the subject of subsistence uses prior to December 18, 1971. AHTNA feels that for the purposes of this statement, further comments on subsistence definitions would only serve to confuse and cloud the issue at hand.

(3) What should the State do about protecting subsistence uses? AHTNA feels that this question can best be met by referring to the recent caribou permit system introduced into our region this last hunting season. AHTNA feels that the mandate provided by Congress in enacting the Land Claims Settlement Act precludes a permit drawing system whereby a sussistence user may or may not draw a permit to hunt for caribou. This system, we feel, is incompatible and conflicts with previous and contemporary discussions concerning subsistence interpretations. We feel that no basis can be found to include subsistence uses on the same level an another person who may be utilizing all terrain vehicles or aircraft planes in the pursuit of their "use of natural subsistence resources." Therefore, AHTNA strongly objects to any permit system introduced in our region without adequate provision recognizing subsistence and useage thereof.

In conclusion, AHTNA feels that the repercussions arising from the misplacement of subsistence values today will have its effect on many more generations than is comfortable to think about."

Representative Nels Anderson - I have a question in referrence to all terrain vehicles or aircraft planes. Could you be specific on how that would be controlled?"

(Not audible)

Representative Steve Cowper - Well, yes I believe (not audible) launched a plan whether subsistence use or the taking of animals which eree not traditionally taken, or by subsistence users over a period of years. Specifically, I didn't know about caribou, how the caribou fit

in this area (not audible). And I don't know whether the people in this region for instance, shoot sheep traditionally for subsistence use or not. You feel that all animals should be included under the subsistence overall.

Participant in Audience - I think that you have to draw a line somewhere sooner or later. (not audible).

Representative Nels Anderson - Is there anyone else at this time that would like to give their comments on subsistence. It doesn't have to be in writing, it can be an oral presentation.

Francis Hunt, Jr. - My name is Francis Hunt, Jr. I live in the Kenny Lake area and have lived in Alaska for most of my life. Work in this area is largely seasonal and many people depend on trapping for income during the winter months. I derive a large portion of my income from trapping and have done so for over 12 years. I have put a lot of effort into cutting trails and building cabins and feel it is unfair that this land is now to be put into a D-2 Classification or turned over to Native Corporations who can keep me from using my trails. I feel the law should stipulate that valid prior users of the land should be allowed to continue without harrassment.

Alaska's game laws adequately protect the animals against over trapping and it would be unwise for a number of reasons to outlaw trapping - both subsistence and non-subsistence. In addition to losing an important economic base, such a move would push more people toward a confirming, inactive dependent life style. And it is bad for all of us when anyone is forced to give up independence and self-reliance.

Representative Nels Anderson - Can I have your name again, please?

Francis Hunt, Jr. - Junior Hunt.

Nels Anderson - Junior Hunt?

Francis Hunt Jr. - Yes

Representative Nels Anderson - Do you have any questions, Steve?

Representative Steve Cowper - Well, yeah. Now you've been, you're like a lot of people in Alaska in that you work seasonally, and you come back in the winter and do some trapping, to try to make ends meet is that it?

Francis Hunt, Jr. - Yes, that's what I do, yes. I do my trapping (inaudible) and it is a great portion of my income.

Representative Steve Cowper - I tell you, I don't know what to do. (inaudible) Trapping, I haven't given it much thought. But I suspect that we will just move you into the same spot as other subsistence uses according to the federal definition, I suspect that you will be included, and your trapping would be allowed. I would like to comment on one thing as far as the regional corporations are concerned. You understand that's, (inaudible), land is really the corporations. It will be when title is granted. When it finally goes down to them. That's another thing we find is, to get that land parcelled out to see if we can't get some patents. BLM has moved pretty slow about it. You know that land is owned financially, I suppose like any private owner, you would have to get permission of the land owner in order to use the land.

Francis Hunt,Jr. - The vastness of the land is something else we've been (inaudible) with. It's unreal.

Representative Steve Cowper - Well, never the less, I do thing that something could be worked out after everybody knows who owns what. That's part of the problem right there.

Francis Hunt, Jr. - (inaudible) all the cabins that I have, the work and the effort I have put in, cabins I have...

Wilson Justin - The Act does recognize pre-existing use.

Francis Hunt, Jr. - It does.

Wilson Justin - The Act in (inaudible) does recognize prior usage. Also, the (inaudible) crossing Native owned lands is one of the biggest fumbling blocks (inaudible). Easements (inaudible). Defining easements has taken a lot (inaudible) if you thing everybody in the country (inaudible) that constitutes a public easement. Where your trap-line rund, I don't know. Whether it's on Native lands or State selections or D-2 lands.

Francis Hunt, Jr. - Most of my trapline is on Native lands in this area.

Wilson Justin - I'm not familiar with where your trapline is. As far as your cabin, and fishing sites, there are provisions protecting them. As far as your trapline, I couldn't (inaudible) we'd have to probably work it out on our own. As a private land owner and a person that wants to continue his subsistence (inaudible).

Participant in Audience - ....providing it's registered.

Wilson Justin - Yes, that's very true.

Participant in Audience - I have one myself. It has to be registered you have to register it with the (inaudible), easements board (inaudible).

Wilson Justin - ...trespass with the Bureau of Land Management. They don't have the personnel to check up on these. (inaudible)

Francis Hunt, Jr. - What happens if we don't work something out? You know, if (inaudible) way over my head. What will I do?

Wilson Justin - All I can say is, go see the Assistant Land Planner (inaudible) go to the Board. People that make the policy that we work by and that's for AHTNA, Inc. and also maybe you're in the village corporations land, which means that you'll have to appear before the appropriate village corporation. The dictate the policies and I and the rest of the staff have to carry them out. (inaudible)

Representative Nels Anderson - I really don't think that there is very much that we can do about this, what's going to be happening on regional corporation lands, What we're trying to find out is on the Committee is what kind of accomodations can be made taking into consideration some of the things that you are referring to, trapping on State lands. Whether or not some type of an agreement could be reached with the federal government that where we can cooperatively manage land and also in cooperation with the regional corporations that have large tracts of lands that are going to be in their possession. There is legislation that is already on the books that does allow the State of Alaska to get into cooperative land and water use management needs, and, hopefully some of the questions that you have raised can be satisfied through that legislation. What I'm trying to say is that

some of the problems that you've identified tonight are out of the jurisdiction of the Committee. As a private land owner versus another individual, (inaudible), The State of Alaska will at some point in time is going to have some 103 million acres of land to manage and we want to know what the people of the State of Alaska and what their thoughts and feelings are about the term subsistence on that land and whether or not we should exert out influence on federal (inaudible) in agreement with the regional corporation land owners who (inaudible) do have 40 million plus acres of land in their possession. We want to make sure that the conflicts that are going to arise and be (inaudible) as much as possible. And hopefully, at this time, the discussion we can prevent a lot of bruised feelings and prevent a lot of hard feelings from developing and getting out of hand. I do know that there are (inaudible) getting tensed up now with a lot of the land now getting ready to be transferred to regional corporations and people are wondering what the regional corporations well, what are the regional corporations going to be doing with their land? And have they developed land use, water use management policy? To my knowledge, I don't think any regional corporation has anything in black and white yet. And that doesn't say, also, (inaudible) I think that the regional corporations are very much concerned on the (inaudible) subsistence, goes without saying. Another thing is, I'm sure that they don't want renewable resources that are going to develop on their lands to be abused including themselves. Do you have any other comments that you'd like to make at this time? Is there anyone else who would like to give their comments on the issue of subsistence?

Helen Geisert - I serve on AHTNA Regional Board. To me, I don't call

it subsistence hunting, it's our way of life. Three fourths of our Native people cannot afford to go into a store and buy meat. When we go out hunting it is not just for our immediate families, we have old people in our villages that we hunt for. Everybody shares the meat that we get. Not just ourselves. If we're not allowed to hunt, there's many people that are going to go to the welfare agencies. (inaudible) This year when we flew around we spotted three caribou in the whole Copper Valley, and that was it. (inaudible) If you don't know somebody in Fish and Game you didn't get a permit. There were a lot of people that didn't know that there was just 750 permits given out, there is a lot of outside people that come in there that can afford to have guides to take them out and can afford to take planes to fly them around to find them, and they are just slowly disappearing.

Representative Nels Anderson - The reason you said there was no publicity on permits being issued (inaudible).

Helen Geisert - All the time that I talked to a girl at Fish & Game and she said there was a letter written and I asked where the letter was written to and she didn't know. So, I don't know where the letter was written to. Like this 70 year old woman down there that does hunt for herself and she wasn't able to get one.

Participant from Audience - It's the same way from where I live, I haven't got a moose or caribou either one this year.

Representative Steve Cowper - For my information, where is the caribou migrate around here?

Participant from Audience - They come right around Glennallen here years ago they would come right around the Kenny Lake area and three or four years ago I seen four or five and I was out hunting this year I found some old horns right up on top of the hill. They migrated way up in (inaudible). But they tell me that when they had a fire through here in '29 - '30, the caribou quit migrating clear that way. (inaudible)

Representative Steve Cowper - Traditionally what has been the subsistence use of the animals here, caribou, you mentioned hasn't been seen for quite awhile, so what else?

Participant from Audience - Moose, beaver trapping, muskrat, porcuping, squirrels.

Representative Steve Cowper - Has there been anybody to count the number of subsistence users or anything like that? I guess Fish & Game would probably keep count of the subsistence permits is there anybody that would know how many people who are in this village can't get subsistence permits.

Participant from Audience - We had a study done by (inaudible) he came up with some figures. (inaudible).

Representative Steve Cowper - This is a little off the subject, but I'd like to have a little information if you have it, what does AHTNA view the proposals made by the Secretary of Interior on the D-2?

Wilson Justin - The Andrus Bill? So far we are more predisposed to HR-39 because the proposed ammendments to that Bill. The one fact of Andrus looks kind of good right now is that it will be less the total acreage about 91 million acres than the D-2, which may be a factor

that's more wider accepted later on, but at this point we're still proposed ammendments to HR-39.

Representative Nels Anderson - Is there anyone else that would like to make a statement at this time to the Committee on Subsistence?

Maggie Oliver - I'm Maggie Oliver from Cantwell, Yedatene Na Corporation. On behalf of the shareholders and also for myself.

I call myself a subsistence hunter, not because I need it, but because my Mother and my Grandmother need it. My Mother is 63 years old and my Grandmother is 82. They no longer can go out and hunt like they used to, to take care of us until we grew up. So, now, I in turn take care of our families. But, if my Grandmother got a caribou permit and she tried to shoot it, well, we might as well throw it away. It's got to be issued to a person that will go get it for her. This is one thing on a permit that bothers me. Now, at Cantwell, out of 64 Natives, we all live and apply because we got to think that there is only going to be 750 of them given out and we can't afford $5.00 to send it off if we're not going to get it. There was only two Natives that got it, but they had to go 30 miles up the Denali, five or six miles off of the Denali to a cabin to get it.

I went moose hunting this year as a sportsman, I didn't get, in fact, I went camping for five days and while I was out there I got one down and had to go out and get help to bring it in. I hiked out 2-1/2 miles to get help, came bac, got my moose out, hung it up, and while I was gone about a three hour period, there were five caribou hunters that had military tags, from one of the bases here with a Texas plate. In the period I was gone, they took and stole all the tenderloin right off the moose. Sportshunting is just, well it ruins the subsistence hunting for your lower income people, not just the Natives, all the lower income people. One's that live on retirement, some on social security, and with the prices of meat, my Mother lives on Social

Security and welfare, she can't afford beef. I think it's vitally important that we protect our subsistence hunting rights not just for ourselves, but for all those income people that need it.

There's got to be a way to get permits and stuff to the low income people, there's this guy that had a caribou permit out there and he had an all terrain vehicle and trucking right by me, stopped and said, "I'm going caribou hunting." I said, "Oh, you got a permit?" He said, "Yes, I got a permit." I thought, well heck, he can afford a $6,000.00 vehicle, why don't he just go buy beef? And there are people up there that need the meat, and if there are 10,000 people and at $5.00, that's $50,000.00 that the people pay to try to get a permit. What happened to the rest of it, do they give the money back?

Representative Nels Anderson: I think the State keeps it.

Maggie Oliver: Yeh, to the people that need it, like our elderly people, that might even hold them over for the winter. I think our subsistence hunting (inaudible) is our cultural way of life.

Representative Steve Cowper: What do you suggest we do about (inaudible), for the people that can't actually physically do the actual hunting, the elderly people, somebody has got to go out and do it for them. (Inaudible) I don't know where you draw the line, Maggie.

Sam Agaier: My name is Sam Agaier, I'm from Gakona, I know that there is alot of bad problems that we are faced with the game. Some of them, I'm sure that I'm not knowledgeable with. Fish and Game people that work with them know some angles that we out in the street don't know. But, there are some things about it that are stacked against it. For one thing, there is no question that subsistence hunting

improves the quality of life up here in the Valley. Most of us can survive without a moose or a caribou. We can get along without them, but there is no question, that we would live better if we could get our moose and our caribou and our sheep. And yet, in the effort to increase the game or preserve the game, or whatevever the philosophy that is being followed right now. The hunting seasons and bag hunters well, not so much bag hunters, but the seasons are kind of being stacked against the people in the Valley there who aren't you might say (inaudible) most of the Natives and quite a few of us Whites, don't have swamp buggies, track vehicles, airplanes, all the rest of the equipment, therefore, you give us a season three weeks long in the middle of September and you've done the minimum of two things. Stack the season against us, one. You give us a time of the year when the hunting grounds are almost impassable unless you have thousands and thousands of dollars worth of equipment, which means the stream of cars, trucks and trailers coming out of Anchorage and Fairbanks and this continual stream of airplanes overhead. All of which are representing thousands of dollars worth of investments of folks that are sports hunters, maybe not all are sports hunters, but anyone that can afford that kind of equipment obviously isn't worrying about what he's going to roast for dinner or not. Now, you take the people out here, in September, most of us are trying to get ready for winter. Alot of us came out here in the woods because we don't want the pressures of the city. And, therefore, we accept less services and some inconveniences and it also means we have to put in more time getting in our wood and getting things ready for winter time. September is the worst possible month to take a week off to swag through the swamps on foot looking for a moose that probably isn't there anyhow. We need a season that gives us the same break as these people who have the thousands of dollars worth of equipment have. I have a $200.00 snow machine, give me some snow on the ground, during the season and I've got just a good a chance as anyone else of getting back out there in 20 miles of brush, find a moose, packing it out the trail. I'm not

saying I have to run around in the woods to find me a good trail, but let me get out in the woods, give me a chance.

I can't walk 14 miles out in the woods, shoot a moose, and then pack it out. I can walk 14 miles, I can walk alot further than that, but packing the moose out is something else. I can find a very small area right along side of the roads and the very beginning of a trail and along side of the river. Now, I'm not sure that there's an answer to the problem.

I don't know exactly why we have a season when we have it. I'm sure there are alot of factors that I'm not aware of, but it certainly weight sheavily against me and my neighbors both, Indian and White, who can't afford to compete with these hunters who have all of this equipment. I know several people in my neighborhood that do have equipment, most if not all of them did get a moose. I also know most of the ones that don't have all this equipment and of all the ones in the Gakona area that don't possess all this equipment, only, I know of only one that got a moose, and that was Nick (inaudible), and you might say he got it through accident. There are a few who stroll up the highway during the season in September, there aren't very many, most of them are still on the high ground. I think the Fish and Game people here will agree with that, they're still coming down in the earlier part of September or middle part of September and there aren't too many who cross the road, except the one who lives by FAA. And he'll probably live forever. But the rest of them are out there quite a distance in. We can't compete with the people who have all the expensive equipment and if they have all this equipment they probably don't have the same subsitence situation we have. Thank you.

Representative Nels Anderson: Is there a hunting and fishing Fish and Game Advisory Board here?

Sam Agaier: Yes, there is.

Representative Nels Anderson: Who's the Chairman of that?

Sam Agaier: Which one? There are three of the here. (Inaudible)

Representative Nels Anderson: The reason that I asked about the hunting and fishing Advisory Board is whether or not the problems that you identified have been brought to their attention, whether or not you made a recommendation to them to bring to the Game Board so that the seasons can be changed to accommodate you. Have you done that?

Sam Agaier: Firstly, no, the ideals which I have laid before did not meet with the ideas that have been discussed before here in the Valley among people and also some members of the Advisory Board. So, I'm sure that they have been brought up there also. The reason why they haven't been acted upon or not, I have never been told just exactly why the season is what is is or why they chose those particular days. I imagine there is a reason for it, but I haven't heard what they are, but the idea, but they are just not mine. They're ideas I'm sure that are in many of the minds right in this room right now, the things that I discussed among some of us continuously every year. For some of us several years.

Representative Nels Anderson: You probably know that most of the information that we have gathered so far from the other places that we've held hearings, Dillingham, Kipnuk, Nome, Kotzebue that basically what you people have said are the very same things that have been said already to this Committee so what we're hearing tonight is not new either. We have heard the same thing and what we're trying to figure out, it's quite possible that some areas in the State will come with the solution that we're looking for. To be very honest I don't have an answer yet, I really don't know. All we know is that we've got an awful lot of problems and conflict.

Up in the Nome area, they have entire different geography, they have the coast line. (Mr. Anderson drew a diagram on the blackboard) Say, this is fifty miles here, and there is another 50 miles here and they in 30 miles like this. There is no hunting permitted here in this area. From this point, fifty miles up this way and fifty miles up this way, 30 miles in there is no hunting. You can hunt out here. Okay, what that does to the local people is that they, the local people what you're talking about. They don't have equipment either. But the people that have the money now, they have a road system, you know from the old mining trails and people that can afford a $6,000, $7,000 four wheel drive vehicle, which you need to get out there to this mine over here are people that have the money, but really they can afford to go out and buy a roast at the grocery store. There is a small little village here where the people have moved from an island out there, Gambell. People who need that moose, but can't get because they can't afford the vehicles. You know they are in the same rat hole as you people, too. I don't know what we're going to do about that. But, as we get this kind of information, we are going to have to bring it to the attention of the State Legislature and make very definite proposals on how we can change these things so that people who rely on the game resources for food will have a better opportunity of getting it. Now, I'm certainly all for that, and certainly in favor, but to be very blunt, we are going to be needing some very specific recommendations from individuals and of course, your comments are going to be useful to me.

I honestly didn't know that there was a 750 permit quota established in this area. I really didn't know that. I am also very disturbed to hear that there was obviously not radio publicity centered around that activity either. I mean that is going to have to be corrected. But it seems to me there has got to be better ways of getting that information out. Is there anyone else at this time?

Sterling Eide: Sterling Eide, Glenallen, Alaska Department of Fish and Game. First, there is two press releases related to the (inaudible) system and the Anchorage office put in about four to five other. In addition to that a little over 1/3 was to local system in getting people also in the newspapers two different times. Messages for people who wish to come in and apply for their caribou permits. The number 750 is not (inaudible), there is an additional 150 (inaudible). It brings up the question that I would like to ask someone. If you have over 3,000 hunters and had 750 permits, a quota of 500 animals to kill, how does one go about stopping them?

Maggie Olive: I can see that side of it too, like I said earlier there are so many of us that didn't know about the permits and alot of them didn't get one. We were told later that they were given out in June. (Discussion by participants in audience that was not audible.)

Representative Nels Anderson: How many are using only (inaudible) permits in this area. Are you the only person?

Participant from Audience: No, I'm not the only person, there are two of us in this area. (Assume this person is a Fish and Game person)

Representative Nels Anderson: And you monitor the activities of 3,000 hunters? his is a game biologist?

Sterling Eide: This is a game management biologist, we also have 5-6 enforcement officers who would be in the same general area.

Representative Nels Anderson: You asked me a question earlier, on how could you restate your question?

Sterling Eide: Sure, we have a usual 3,000 hunters that wish to obtain caribou (inaudible) and we have an allowable harvest of 500 caribou. How do you go about limiting it without going through something like permits? The idea of allowing the caribou herd to grow, (inaudible).

Representative Nels Anderson: You have to forgive me, I'm just totally ignorant, of asking you a question you can't give me the answer, okay, what I'm trying to find out, was there a healthy herd in this area at one time? And if there was, what happened to it?

Sterling Eide: At one time there was 60,000 caribou in this area.

Representative Nels Anderson: What year are you talking about?

Sterling Eide: 1963, after approximately about 1971 we had a fairly large movement of caribou from the area and a large winter harvest of caribou, and the next census, that was done, which was done in 1972, it said that in the neighborhood of perhaps 10,000 caribou. That's when they did away with the late seasons, snowmachine use, to actually 15 days in the summer. Since that time, the caribou herd has been building, and it might be 20,000 and it will probably be there in 2 or 3 years, if the things continue to go as they have been. If we do not keep the caribou herd on permit or at least limit the harvest, pretty soon we will not see 20,000 caribou and the harvest per year will be much less than it is now.

Representative Nels Anderson: What is the present estimate that is harvested?

Sterling Eide: At the present rate, we are attempting to harvest no more than 500 a year.

Representative Nels Anderson: What is the present state of the, your estimate of the numbers of the herds now?

Sterling Eide: This spring we counted 14,000 animals and the bulls are not in that category. (Inaudible)

Representative Nels Anderson: In your opinion, do you think you have enough support in the administration. Do you think you have enough staff to do the work that you have to do. Or are you understaffed, are you presently adequately staffed?

Sterling Eide: You're asking a bureaucratic question.

Representative Steve Cowper: We're the only people that get to do that.

Sterling Eide: In this area, we're really fortunate, in addition to myself and the other game managers, we have a considerable amount of research going on and last year we were very lucky in getting the Enforcement Division to come in and help out and put in a heavy amount of effort in this area. So, I would say that last year, we received assistance from the administration way out of proportion of what any other area in the State had.

Representative Nels Anderson: Steve, do you have any other comments?

Representative Steve Cowper: I would like to discern a couple of things that have remained (inaudible) ever since we started these hearings. One of them is that the subsistence lifestyle is a whole lot more than just a great big meat locker. Its in the frame of mind that the people voluntarily got, and it involves a whole lot more than just an existence. (Inaudible) It's not a matter of putting a piece of meat on the table, it involves a lifestyle and it should be recognized. And, it also all boils down with the people, in sort of a contes. between the people with the

kind of lifestyle and the urban hunters who have gotten alot richer in the past few years on account of the pipeline and other things and alot of vehicles, airplanes, and other sorts of things, too. I can tell you that there are fewer moose around Fairbanks since '70's or so, I think that all the snow vehicles have pretty much wiped them all out, so, somewhere somebody is going to have to make some policy decisions as to who goes first.

Portion of the tape inaudible at this point.

Representative Steve Cowper: Certainly, the definition of subsistence is in dispute, but one thing is clear, (inaudible). It may depend on as much a location on where you live than anything else. Perhaps some economic factors will enter into it.

Portion of tape inaudible.

Joe Roach: I'm Joe Roach, and live about 30 miles south of here. One of the things that I would not like to see as a criteria for subsistence hunting is whether a person is on welfare or not. There are years when my total income doesn't exceed but about $4,000.00. I've never been on welfare in my life. I have seen some of them earn $11,000 to $12,000 then jump on welfare and end up paying a subsistence permit and they denied me. (Inaudible) When I came to Alaska about 11 years ago, you were allowed to hunt up to 3 caribou. I remember right here in this room, approximately 10 years ago, meetings that were held, where people tried to talk to the Fish and Game, the management people. It came to reducing that 3 limit to 2 limit. (Inaudible) Thank you.

Representative Nels Anderson: Thank you. I really can't answer that on why the reduced caribou. But anyway, many realize throughout the State that there have been some deficiencies in management. But, there is one thing that I would like to point

out to the public. I've been one of those who have been extremely critical of the Department of Fish and Game, not because of their what appeared to be an insensitive attitude toward their jobs, but I've stopped that now. Because I am beginning to realize that some of the problems that have occurred have been outside their domain of jurisdiction. These people that are managing our fish and game, for the most part are people who are extremely dedicated and they really do care. One of the things that I've found is that these people have not been given the proper financial suppport of the people in Alaska. Now, the Department of Fish and Game, in the Game Division, they get their money from selling moose and caribou licenses to the ousiders, foreigners, and what is left that we give them from our hunting and fishing licenses, that money is put into a fund and then federal money is matched to it and that's where they get alot of their money to operate. As a matter of fact, that's where they get all their money to operate. So, we got to take a look at that. In the past, although I may have offeneded a few people here, but in the past the game guides have a (inaudible) big game in the State of Alaska. They have a game advisory board right now up in the Nome, Kotzebue area. They segment certain hunting areas and they are exclusively one game guide's domain. No other game guide can go there and hunt. Okay, the Fish and Game can't do anything about that, now for some reason with the game guides, with their influence, they can be able to get laws passed effectively themselves. And, I don't think that they care that much about subsistence. Okay, that another thing. I want to share with you tonight, if there is no one else that cares to testify tonight.

Ken Roberson: I just want to put one thing in here, you talked exclusively about game. I'm curious if anyone has any thoughts about fish. I'm in the fish business with Fish and Game, on the subsistence partof it and I'd just be curious in hearing them as I'm well sure you are. Just a thought.

Participant from Audience: I had a subsistence fish net this year, and I was only allowed 30 fish. I want to know why, when I have I'd say approximately 40 people in my family that would eat thirty fish and that's in just one setting. Why is it just 30 fish?

Ken Roberson: If your gross income is greater than $500.00.

Participant from Audience: Why do they take my husband's gross income, when I applied for the fish permit?

Ken Roberson: Okay, it would be joined as family and has been for some time. I hope you gentlemen are aware I specifically am putting together a report on the subsistence fishing to the Board of Fisheries in December with a management option and they will alter with present circumstances. We recognize that there are some weaknesses based on income status, use style and I'm sure you gentlemen have read all that in the Department of Fish and Game Board of subsistence policies. It has all the options how they're used is something else. And we have been directed by the Board to prepare a document and hopefully, they will respond to these specifically. (Inaudible) (A question was asked to Mr. Roberson that was concerning sports fishing, most of it was inaudible) If we define a certain unit as subsistence and it raises less question and comments here as a result. But, we've got things to do, and a ways to go in defining who is a subsistence user and when they can and where. The answer is not easy. I hope you fellas, I'm sure you are aware at this point and hope we can get as many answers as we have questions.

Representative Nels Anderson: Well, I tell you, I had alot of bright ideas when I started out on this thing and they have rapidly disappeared. Okay, on the fishing (inaudible) on trying to evaluate the capability of present projected subsistence needs, past subsistence needs as well. And one thing that we know, okay, you take

a look at the fish regulations, in the herring fishery all it says is one sentence referring to the fishing, the fishing of herring, and right now there is going to be a massive commercial effort being organized now (inaudible) to Western Alaska herring fishery. I attended a Fish and Game Advisory Board meeting, two meetings, two nights in a row and stayed up until 2:00 in the morning, trying to decide how in the world we were going to regulate the commercial take. And, one of the things I kind of fished for awhile if the understanding is going to be a commercial harvest, but what about the subsistence? You know they just couldn't get it into their heads when (inaudible). Well, take a look at the salmon eggs, there are very definite provisions of taking salmon for subsistence purposes on certain conditions. And, I said, why don't we start to develop some method of taking of herring for subsistence because the figures that we have indicated that about 600 ton of herring are taken a year by residents of Alaska along the West Coast. That's from Bristol Bay along up to Norton Sound, all the way up to Kotzebue, and passed beyond that. So, what we finally decided to do, the Department of Fish and Game is going to submit a proposal to the Board of Fisheries and say 6,000 ton of herring are going to be allowed to be caught, and the first 1,000 will be allocated for subsistence purposes. And like you say, you don't look at grayling as a sport fish, you look at it as something to eat and its meat for the table. Well, that's one of the things that we are going to be making proposals, legislatively or through the Board of Fish to get some of these definitions redefined so that there is some allocation made for subsistence purposes. We have to do that. And we have to (inaudible) your confidence and I know you said it very seriously, but there are alot of people that feel about it the same way you do. I know you get alot of sports fishermen really upset, and we have alot of sports fishermen in this State. I don't know how many we've got now, but about 4 or 5 years ago, we had 85,0000 of those people running around. And they contributed an awful lot of money

into the State treasury and they feel as though they have alot of say about what happens to them in developing the rules and regulations and how certain fish are taken. But it isn't their exclusive right and I think that you people who have a subsistence requirement ought to be provided a legitimate access to that resource as well. That's one of our goals we want to take a very good close look at that, not only at grayling but other resources that may be used for sports purposes that we should make allocations for subsistence purposes. I just want to make a very brief comment about a Fish and Game policy that I received in Dillingham on the 9th of August, the new Commissioner of Fish and Game, Mr. Ron Skoog attended that meeting and gave to me a policy statement that the Department of Fish and Game has devised. And, I don't believe has been implemented and I wanted to share it with you, read it to you. This is a Fish and Game paper and it was prepared about 1973 but it was signed by Mr. Skoog about the 9th of August and the title on top of the page is entitled "Subsistence". (Attached to this testimony is a copy of that paper)

Representative Nels Anderson: But, John Schaeffer, up in Kotzebue, who was the Executive Vice President for the NANA Corporation doesn't (inaudible) that, because of pressure that he's got from his people, because he is getting a large salary, he just doesn't know what to do. He doesn't want to be hassled by them all. So, there are people that are responding alot of different ways, but there are alot of people, too, that have made money that still want to go out and hunt and fish and there is no way that we can replace the taste of moose or caribou or any of the Native foods that you've grown up with that you just have to have.

And one of the problems that we're having right now is that we're going to be wrestling with in the Legislature is how we are going to define that feeling you know, how do

you legislate prejudice, you know that's not going to go away. People have made penalties and rules on discrimination, but you can't (inaudible) and our attitudes and when I say our attitudes, I speak of us, Native persons, the attitudes of Native people toward s Native foods is a pretty strong feeling. How do you legislate that? I know that there are alot of non-Native people who have come up to this country and have become accustomed to Native food and learned to like it and are living a very harsh life, that is their privilege of taking of that subsistence resources. I just thought it was interesting and I think what I'll do is have Dorothy Larson make a copy of this and send it to the Ahtna Corporation if you don't have it you could study it and perhaps make modifications to it or come up with your own definitions of subsistence, but I am asking people at this point in time to give us your ideas specific ideas of what you would like to see us do. Even the Department of Fish and Game personnel would have alot of valuable information that they could share with us. I know that there are some very strict rules, bureaucratic rules on (inaudible) of what you can or annot say, I've got a good area biologist in Bristol Bay, a guy by the name of Mike Nelson. But he won't come to me even if his life depended upon it for any help from the Legislature. He goes through the chain of command. It's real unfortunate that it works that way, but I guess that's how you keep the boys in line. Is there anyone else?

A portion of the tape inaudible.

Representative Nels Anderson: I just learned of this at a meeting in Dillingham. Fish and Game Advisory Board made a report to a group that called otter and lynx and there was one other are being considered on being put on the endangered list. They are apparently endangered in the Lower 48, now I don't know about Alaska, but.

Participant in Audience: There is no way in the world that they are on the endangered species up here.

Representative Nels Anderson: I really don't know, I certainly don't approve of the Lower 48, if there, if it's their desire to put that animal on the endangered list let them go ahead, but leave us alone. I think we're okay. Are we okay with the mink and the lynx in this country.

Fish and Game Participant: We are by our law here in Alaska. (Some discussion by the participants in the audience.)

John Goertz: John Goertz, Kenny Lake. I would like to say a few words about subsistence fishing. Salmon Fishing. I fished a river every year up there, in fact, I've got the same spot for the last five years. I think its real good and I'd like to see it stay, but they sure need more enforcement out there, the people are allowed permits so many fish, which is good, need alot more enforcement out there, infact, I know some of you and three years ago they had some little girl out there that was real good. It kept everybody in line. But, this year and last year, both there was nobody, they had a few enforcement officers. Sure, but they need more help, and that subsistence fishing is a real good thing. But they need a little more help out there to keep them in line.

Participant in Audience: It is not the quality of the folks, it is the number. (Inaudible)

Representative Nels Anderson: Do these people have the enforcement authority?

Fish and Game Participant: Yes, there most in the past, it was handed out automatically. Now it is where they have to go through an eight hour course. (Inaudible)

Representative Nels Anderson: Are there any other comments on hunting and fishing? Birds, migratory birds, anything else?

Participant in Audience: With the 500 caribou to be taken this year, why couldn't half of them be given to subsistence hunters, whether they live on social security or whether they be Native, White or whatever? So that it would give each person a chance?

Representative Nels Anderson: Well, I certainly don't have any objections to suggestions just that I told you earlier that I attended Fish and Game Advisory Board meeting, they were taking up suggestions (inaudible). It seems to me that that would be a legitimate proposal to make for their consideration. I don't know what the deadline that's being established nor whether its being passed or not.

Fish and Game Participant: Usually the deadline is about February 10 or something like that.

Representative Nels Anderson: My suggestion when the time comes when they make the announcement asking for suggestions on how to allocate the 500 allowable take then your suggestion was that 250 be allocated to certain groups then the other 250 for sports. And I think its something that the Board will consider. And those of you should make an effort to put in a suggestion in that nature. Then, if you could get your advisory board to make a similar suggestion, you would probably have a little bit more power. You ought to try that. Did you have something else, I think I cut you off or I recognized somebody else.

Participant in Audience: Earlier, I was going to ask Mr. Cowper if the Federal government with the D-2 legislation where they made certain areas subsistence

(inaudible) and where they directed that certain types of access would be better along rivers for subsistence use than other. Whether or not they defined in anyway what subsistence was and who these users would be and is anybody here taken a look at this at all?

Representative Steve Cowper: The original proposal set up the articles of subsistence board policies on subsistence users who would say, or try to establish the use. The answer to that is that they don't know what they're doing and they're waiting for people in Alaska to get together on some kind of acceptable plan. (Inaudible) the Alaska Coalition, which you know, they do have an awful lot of information, they didn't have much on subsistence. So we could use alot of improvement. So whatever is in HR-39 (inaudible) I might add to that Regional Fish and Game Boards, that concept is going to be strengthened I think just by virtually every piece of legislation, every regional fish and game board is going to be very powerful in this State, at least that's the way I see it. Hopefully, if we have cooperative fish and game management we could (inaudible) into subsistence purposes those regional fish and game boards would name not only the State and privately owned lands, but also the federal lands.

Representative Nels Anderson: If there any other questions or comments or statements that you would like to make at this time? I would just like to take your attention Steve, and I'm sure that you already know that that Governor Hammond has made it known that he is pushing very strongly I guess for the Department of Fish and Game Boards be broken down into regional areas for this coming legislature. At least he has let this be known to several legislators that this is his intent. And, that he is actively looking for support from the Legislature to accomplish this. In other words, there would not be statewide Fish and Game Boards, or statewide game boards

or statewide fish boards, it would be broken down into regions. Like the Bristol Bay area would have their own Fish and Game Board and they would elect or would have appointed their own board members, in the Kotzebue areas, same thing, the Arctic Slope, Northwest, the Interior, this area, we would have regional boards, that's the concept the Governor Hammond had brought to my attention. Of course, we have planned to ask to have such legislation asked wasn't successful because Governor Hammond was opposed to it, but now I think he has a little change of heart and D-2 I think has (inaudible) into it and the election year is coming up, so you might as well take that into consideration. Is there anything else?

Participant in Audience: I'd just like to mention this area would fall under (inaudible) million acres, (inaudible) so we not only want locally, but (inaudible) so we may not benefit from this five sections or (inaudible)

Representative Nels Anderson: Well, if there is nothing else, I would like to thank the people that showed up to the meeting tonight, I really appreciate it. And, I am hoping that we will be able to do something positive with the information that we received tonight and in December we will be taking all the accounts that we received throughout the State, analyze those and we will be making included making all this information available to the Legislative Council for introduction to the next Legislature, proposals and that you people feel strongly about and we share this information with you and hopefully to have the final report drafted sometime in January and as soon as this is completed by the Legislative Council will have shared with people that, at least with regional representatives and the Department of Fish and Game, I'm sure will get copies of what we have come up with, and again thank you very much and if there is nothing else, I will adjourn the meeting with your community on subsistence. Thank you very much.

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Fish & Game Paper
Prepared about 1973
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SUBSISTENCE

The Department of Fish and Game's role is to assure a resource base that can be exploited which, of necessity, requires our assistance in working with the public and the Board to develop a regulatory framework that meets the legitimate subsistence need of the people.

DEFINITION:

1. Subsistence Utilization - the exploitation of renewable resources for individual, family, or local consumption by people whose location, culture, and/or income make them dependent upon these resources for a substantial part of their food supply.

2. Subsistence - the exploitation of renewable resources for personal use

PROBLEM:

Subsistence involves:

1. The biological productivity of the exploited resources

2. The development of a legal framework--constitutional, statutory, and regulatory--under which the exploitation can take place

3. The political realities of the present situation

DEPARTMENT STRATEGY:

1. The Department of Fish and Game has and shall continue to recognize legitimate subsistence utilization of resources as a priority use.

2. Regulation governing legitimate subsistence utilization shall continue to be based on the biological productivity of the resource in concert with the public need.

3. The Department must realize that the regional and village corporation have the responsibility to insure that subsistence requirements are satisfied to the greatest extent possible by their judicious selection of land under the Alaska Native Land Claims Settlement Act.

   a. This is based on the fact that the natives have the right to select 40 million acres of land under the act and they have the right to retain that land for their exclusive use within the state's regulatory framework.

b) We must recognize, however, that the intent of Congress was that subsistence needs shall be met on public lands as well. The Native leaders are aware of this and that is basically what they are fighting for.

2 c) Also, we must recognize that the loss of 40 million acres to public use is not in the public's interest.

(4.) The Department must immediately open up communications with both the Regional and Village corporations.

5. The Commissioner's Office must establish the Department "position" to govern the conduct of the liason group as they meet with the corporation.

a) We will not drop on the corporation "en masse" but will instead send our most knowledgeable one or two people to meet with the corporations.

b) Our basic position will consist of the following:

1. Legitimate subsistence utilization will be conducted within the framework of maximum sustained yield.

2. Our past record shows that, to date, we have provided for legitimate subsistence use. We do, however, recognize that competition between other users and subsistence is now a real (as opposed to imagined) problem and we are willing to support reasonable regulations that will reduce this conflict.

3. We recognize the native rights as private land owners; however, we must inform them that "exclusive use" will still be subject to state regulation in order to provide for an orderly harvest and adequate reproductive stocks.

4. Exclusive use foreclosed the opportunity for the natives to use these resources in revenue generating programs.

We must meet with the corporations and listen to their position. We should strive to have them define legitimate subsistence use.

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Definition from Title 16 16.05.940(17).

"Subsistence fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources for personal use and not for sale or barter, with gill net, seine, fish wheel, long line, or other means defined by the Board".

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PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson, Jr., Chairman
Representative Leo Schaeffer

STAFF MEMBERS PRESENT:

Dorothy M. Larson, Staff Assistant

PUBLIC HEARING LOCATION:

JUNEAU, ALASKA
ANB HALL

DATE: Friday, December 9, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Mr. & Mrs. George See	RR6-6074, Juneau	Sealaska Corp.
Robert Willard	155 David # 222	Tlinqitt Haida Central Council
John P. Norton	Box 582, Haines	
Vic White	P.O. Box 449	SEACAP
Cliff Lobaugh	Box 2633, Juneau 99802	Sierra Club
J.E. Leisu	Switzer Village	Southeast Alaska Empire
Harold Howard	Box 156, Douglas 99824	
Peter Williams	382 Village Street	ANB

TABLE OF CONTENTS

PAGE

1. Testimony of....Robert Willard..... 2
2. Testimony of....Amy See..... 9
3. Testimony of....John Norton..... 9
4. Testimony of....Cliff Lobaugh..... 10

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

DECEMBER 9, 1977 - JUNEAU PUBLIC HEARING

Representative Nels Anderson: We'll call the meeting on subsistence to order. For those of you who do not know me, my name is Nels Anderson I'm Chairman of the Intermim Committee on Subsistence and to my left is Representative Leo Scheffer from Kobuk and our Staff Assistant, Dorothy Larson, is from Dillingham. As most of you probably know already the Interim Committee on Subsistence was created just before this last Session ended. The reason for our existence is, to collect as many of these as we possibly can on the subject of subsistence to determine what the State of Alaska should do defining or describing subsistence activities and making a recommenation to the Legislature on what the State of Alaska should do about protecting the subsistence activities with the State of Alaska. We also felt the State of Alaska is going through some major land transfer changes and as the land begins to change hands a goodly portion of it moves into State control and the Federal control, that there are going to be some conflicts in how Alaska's resources are going to be managed. As that process is continuing however, there are some very definite State needs that must be recognized and one of those, at least my belief is the issue of subsistence.

We have been holding hearings throughout the State of Alaska, we're just about to conclude our meetings with this meeting and one final meeting in Barrow which will be held on Monday. That will conclude our hearings at that time and we will prepare a report to the Legislature, which will be submitted to the Legislative Council on January 7, 1978. And not only that there are several pieces of legislation that will hopefully will be acted on in the 1978 Legislature. If there are no further comments from myself and Mr. Schaffer wishes to comment, and if there are witnesses that may like to tell the Committee what they think is

important about the issues of subsistence.

Robert Willard: Mr. Chairman, my name is Robert Willard and I'm from Angoon. I've read the accounts and activities of the Committee regarding subsistence and sports fishing. My immediate reaction which I think is in the best interest of the residents of Angoon, which depend on fishing and hunting, not for sports or trophy, is that until such time as the Federal Government completes the intent of the Alaska Native Claims Settlement Act conveyances of land, complete the transfer of lands that the State, that the Legislature should become heavily involved in the interpretation of what constitutes subsistence use and hunting. Its inconceivable to me that there would be any deviation of the aboriginal rights of the Alaska Natives to go hunting and fishing as against taking for sports or other purposes. But taking of fish and game by Alaska Natives in the rural areas was because it was necessary for diet (inaudible). And yet, the Alaska Department of Fish and Game would allow a sports fisherman, as an example, as against commercial fisherman as they did in Cook Inlet. I think you will recall in 1971 or 1972 when the Department regulated commercial fishermen along Cook Inlet who were mostly Alaska Natives.

It appears to me that the problem that we're running into is that Alaska Natives use of our own resources are being over-regulated. Are being regulated out of the use and take of what has been traditional to us. Now see subsistence is something that we have always used not because its traditional but because its nutritional to our people. The problem that I run into now is that the State now conceives to try to regulate or legislate the resources that's available to our people that use it that we're going to run into some serious problems after the lands have been conveyed to the State and also to the Regional Corporation's established through the Alaska Native Claims Settlement Act and also the Village Corporations. I don't think that the use of our resources have been abused by the villages. There are various accounts that the abuse of our resources that are available by non-natives, trophy hunters. Well its a known fact that Alaska Native people use everything that get (inaudible). Thank you.

Representative Nels Anderson: Basically, what you've told us dovetails

with comments that were made in other parts of the State. There is a great deal of concern in the State of Alaska. (inaudible) not able at this time to really (inaudible) any further kind of regulatory authority because first of all I really don't think they understand. At least the Department of Fish & Game, in my opinion does not understand the full utilization of our resources and the way the resources are being used. I do appreciate the comments and know you have given them alot of thought.

The other thing is that the Alaskan Native people are going through, and I think that you are well aware of it by your comments is that there is a feeling throughout the non-native community in the State of Alaska but also out in the lower 48, they think that the Alaska people are a rich people, a very rich people now and they don't need to depend on th e land as much as they used to in the past, which is a real false impression that has been stirring up and has largely dominated the thinking of non-native people and those people who are in authority that may have some regulatory authority over how lands and waters can be used in the State. I think that this is a false impression and I see many years before we actually see some real dramatic results from the passage of the Lands Claims Settlement Act. The point that you made, again, I think is extremely important that the Federal Government yet has not lived up with the terms with the Claims Act, the land has not been conveyed as you pointed out and the money that was supposedly to be for compensation for lands taken has not yet been realized, there still will be some yet to be conveyed to the Alaska Native people. I think that has to be emphasized over and over.

Robert Willard: Mr. Chairman, if I might just elaborate a little bit more on the commercialization. It was just, I would guess just 10 or 15 years ago that people would snicker at the Alaska Natives in Southeast particularly about the herring role. Herring eggs. Now it's overly regulated to the point that our people can't even get a ticket, or excuse the language, goddam permit. They can't go down to the beach and pick clams, gumboots or whatever without first a permit from the Government. They did that in my estimation is only to stop us from taking them further, commercially, (inaudible) and that is what is beginning to concern me is that if we get too involved now in regulations

of subsistence before we actually define what lands we're talking about that we're going to run into serious, serious problems, because when the Natives finally get their land, are they going to succumb to the pressures of the State to regulate? Is the Federal Government going to come in and try to regulate like they did in the Fairweather Grounds? The Federal Government in the North Pacific Marine Management Council tried to come in and try to regulate our Cape Fisheries as against the Department of Fish & Game. And if you look at the record the reason that Egan VS. Kake, VS. Angoon, BS. Metlakatla case came up was because the State wanted to regulate its own resources. And I'm not saying that the State is wrong in trying to regulate its own resources. I'm saying that I appreciate the State doing it, I just don't chink its time. I would rather see Alaskans sit down and work these things out then to have some Washington D.C. Official come up and tell us what do do. Thats about it.

Representative Nels Anderson: Is there anyone else that would like to testify at this time?

George See: Mr. Chairman, my name is George See, Corporate Secretary of SeaAlaska. I would like to thank you for sending an invitations to SeaAlaska to participate and to attend your meeting this evening. Due to the short period of time we received our invitation that we have had not the time to prepare a statement that we wish. Mr. Borbridge has been travelling extensively and he will not be able to make this meeting tonight.

Representative Nels Anderson: Yes, we would be looking for your written comments on the issues of subsistence. Sealaska's viewpoints is going to be very valuable and we would like to consider it. Is there anyone else that would like to testify on the issues of subsistence. Well, if there is no one else we will take a very short break and see if anyone else is going to be coming and just take a short recess at this time.

Short Recess

Representative Nels Anderson: Okay, we'll call the meeting back to order.

Needless to say, we're a little dissappointed not more people came out. Quite possible we didn't advertise enough, but for those members that have just come in since we started, the Interim Committee on Subsistence is and has been holding hearing throughout the State of Alaska to collect peoples views on the issues of subsistence. And it's a subject that is going to be looked at very carefully at the 1978 Legislature. One of the reasons, as probably most of you know is that the State of Alaska's land holdings are going to be changing or who owns what is going to be changing dramatically and as these changes occur there is going to be conflict, inevitable conflict between who's going to be managing what and just exactly what private land holders are going to tolerate as far as land and fish resources that may reside in large pockets of private landholdings. The State of Alaska in turn will be selecting another 35 million acres of land which they will in turn own. Also under various D-2 land proposals, large tracts of land are going to be selected by the Federal Government and certain activities are going to be permitted within the withdrawals that are being proposed and certain activities are going to be permitted and some are not going to be permitted. What we're trying to determine is just what impact does subsistence have or subsistence activity have on the kinds of land management proposals that may come out of these deliberations as they occur as we move into the future. And our job as we define it, is that we're going to be taking a look at, a very close look at the compatibility of present and projected subsistence needs.

We are in the process of gathering data that has been generated by various Regional Corporations, non-profit Corporations throughout the State and they have been giving us some very vital information telling us just exactly what the total dependence of the people is on fish and game resources. One of the things that we know is that the State of Alaska has not enacted any (inaudible) of subsistence laws. To date, it's been a fragmented approach there has been really no real direction provided by the people to the Legislature or the Administration. The Administration does have a policy that they have incorporated, they have done this voluntary. Simply because they have voluntarily provided an approach to how subsistence activities occur simply means that if they decided at some point in the future not to do it anymore, then they have the administrative power to cease doing what they are

doing today. They do permit to a great extent a pretty liberal view of subsistence activities. However, as we have travelled throughout many parts of the State of Alaska right now, alot of people in Rural Alaska especially are being prohibited from taking these resources any longer. One of the original or earlier statements that was made by one of our witnesses and something that we note, is that there is backlash that's coming all the way back from Washington D.C.. That people who are in authority back there and people who are in decision-making positions in the State of Alaska have a false impression on what the impact of the Alaska Native Claims Settlement Act is having on the income of Alaskan people who are living in Rural Alaska. The impact of the Alaska Native Claims Settlement Act has not been that dramatic and the continued dependence on fish and game resources for food is still going to be a primary concern that people in rural Alaska are going to have to count on from both the Federal Government and the State Government. They depend on this Committee to make sure that whatever information is available to show the State Government and the Federal Government that this dependence does exist that we want this information to be on the record so that the traditional use of fish and game resources is not shunted aside as we begin to compete with these resources for commercial purposes and recreation purposes and sports purposes. As Chairman of the Committee when I asked the Legislature to consider me for the subsistence I felt very strongly that the subsistence issue had not been adequately taken care of nor does it have any real place in the State Government and the studies that we have conducted, the research that have been conducted to date bears itself. We have reports that tell us exactly what the State of Alaska, how is uses subsistence and its place is pretty far down the ladder in areas of priority and we're going to try to turn this around and that is the intent of this committee.

If there isn't anybody else at this time that would like to testify it is my intent to adjourn this meeting and as I said earlier, we plan to go up to Barrow, we'll be up there Monday and that will be our final series of meetings that we have conducted throughout the State. We'll be taking whatever information that we collect and incorporate it into a final report which we will be submitting to the Legislative Staff draft several pieces of legislation that is going to be submitted

to the Legislative Council for introduction into the next Legislature. As they deal with the issues of subsistence, however the Committee does not take on the task of defining what subsistence means, because we have been asked by people that we met throughout the State to try to define the terms of subsistence at this time would have far more devastating effects than we probably could live with.

What we have come up with though is that there is strong feeling that the subsistence activities should be described, rather than defining the term itself. By defining subsistence activities it is very strongly felt by people throughout the State of Alaska that this kind of approach would not have the tendency of excluding people from access to resources that they need. On the other hand if we were to defind the situation there is a great possibility that subsistence activities as we know them, could be excluded from those people or be excluded from utilizing those resources that they have grown to depend on and have taken without interference in the past.

Although we are moving very rapidly into the modern age and several communities in the State of Alaska this great stride forward in our communities in the State of Alaska are not moving at the same pace and the State of Alaska and the Federal Government as I view the comments made in other communities that the State of Alaska will have to insist that because of so many people use fish and game resources that belong to all the people, that subsistence is going to have to be considered very carefully, very deliberately and we have to make sure that we don't exclude people as they still use those resources. If there is anyone who would like to comment on some of the things that I've said or if they have any views on the issues of subsistence we would like to hear them at this time. If not, as I said during the Legislative session we will be taking up these issues and hope we will see you then and we have developed the position on the issues of subsistence we would certainly look forward to your testimony at that time.

And I would also like to invite you to write to our staff or submit your comments to the Legislature up at the Capitol there. When I come back down to Juneau I expect to be down here on January 1, I would be very happy to review your comments and meet with anyone at anytime to discuss

your viewpoints. I think its extremely important that the entire State of Alaska get together. To me, the issues of subsistence is not particularly a native issue, I think it's an issue that touches every household in the State of Alaska and I think that every person in the State of Alaska is going to have to grips with the issue, because I do know for a fact that it is not just people who rely to some extent on the land around them.

Amy See: May I make a comment (inaudible who was raised in (inaudible) village. I still have a family there that do make a living off the land and the entire family who do draw from the natural resources to get through the winter, take care of unemployment compensation and some of my family have absolutely no retirement. I think these people should be able to have crab pots, to catch a fish, collect herring eggs, shoot a deer or be able to shoot for his family. When I go back to visit weekends I take my children out on fishing trips in the summer time and we do trade at stores. A box of kleenex in most of those villages there are a $1.05 to a $1.15, meat counter is bad, they are black, refrozen, half-thawed refrozen hamburger no one wants, I usually go back to my brothers and say bring home a fish. I don't care to buy meat at the store and the prices are unreasonable. We have family in Tenakee, there are probably only two Alaska Native people there, but then there are alot of older people who are living on a small retirement stay there because of their health, for the baths and (inaudible). They have to be able to draw a fish or a crab or a herring egg, or a deer, or a bird as needed. I think this is an Alaskan problem and should be taken care of to each area's need by Alaskans, thank you.

Representative Nels Anderson: Thank you.

John Norton: My name is John Norton, from Haines, and I'd like to (inaudible) permits to older people of our State who are living on small pensions and who have found a deer, or a moose will help them get by, otherwise would face economic hardship. I would hope this commissions is able to study this, this program or this concept in developing and pay attention particularly for older people, both Native and white. And give them as much consideration as they can. In haines, now we have and ability for people to fish in the Chilkat River. Chilkoot River has

been closed for some time and this year in particular we had a pretty good run in the Chilkoot and the people who have fished there years before. The Native people, particularly, have not been allowed to fish, subsistence fish in that river and there was an exception (inaudible) this year. I think if we have people (inaudible) $50, and $60,000, and it seems somewhat inequitable to those people who are not as well off to not be able to utilize those resources at least to some extent. I think that you should take cases like this and study them and you could compromise a little between all the use (inaudilbe) Commercial fishermen through their fisheries programs are getting better runs and they can afford to give some of these increases in their catches to the people in the area. (inaudible) that is the extent of my statement, thank you.

Representative Nels Anderson: Thank you very much, Mr. Norton.

Male in Audience: Let me ask a question.

Representative Nels Anderson: Yes, please.

Cliff Lobaugh: I've listened and this is a very confusing issue to me. I've read the park services subsistence policy and then the State, Keith Specking came back from Washington D.C. and just two of the non-profit native corporations, and the only peice of legislation I've seen so far has dealt with subsistence is HR-39 and since you're in the process you know, drafting legislation, you've probably reviewed that. I was wondering what's your feelings on that piece of legislation from a subsistence stand.

Representative Nels Anderson: Well, the Committee really has not taken any kind of position on any of the various D-2 land proposals that have been drafted. We had originally adopted that as one of our goals and objectives, but because we had not been able to address that, and simply because we have had so much work, we adopted six goals and objectives and that was one of them. Because we have not had the time, because gathering information, meeting with people, and trying to get people to grasp the issue of subsistence we haven't taken a look at D-2 legislation at all. I have, on my own reviewed the D-2 proposals as

several of those have been written and I've got some very strong feelings on whether or not they should be adopted, simply because there are a large number of people in the State of Alaska who think that the Federal Government ought not to adopt a policy that would exclude non-native people. Although the Federal Government has the authority to manage the resources on Federal lands in that manner, I think there are going to be an awful lot of people that are going to be excluded, and not just native people, or non-native people, but I think that both communities are going to be affected, inadequately.

Again, going back to an original statement that I made, we're going to have some very definite boundaries of who owns what. And, what the Federal Government will permit or prohibit from being done within their boundaries they are going to be adjacent to land that is going to belong to private land owners and also to the entire State of Alaska. And when are these differences going to be resolved on various land use policies. I would think that it would be a wise thing to do, is to have the State of Alaska try to bring the message back to the Federal Government. I'm only talking about my opinion, I'm not speaking for the Committee at this time. I'd like to say that I think the entire Alaskan community ought to try to control those resources themselves, rather than to ask the Federal Government to come in and impose on us, what they think is right on our behalf. I'll also then speak as a native person, which I am. I don't think that my likes are going to be excluded by Alaskan people. I have a great deal of faith in the wisdom of the people who have come up here from the lower 48 and I think that the very things that we enjoy up here, are those things that those people have been looking for and I don't think they are going to jeopardize or in any way threaten my well-being. So, I see, that within the D-2 land proposals a very definite threat on my personal (inaudible). Are there any other questions, or comments.

Robert Willard: Mr. Chairman, I just want to make one more comment. The utilization of the resources doesn't depend on income. You've lived up here for along time and I think Willie Hensley put it very straight. If he's working in Anchorage and somebody kills a whale in Kotzebue, he's going to have some on his table that evening.

Representative Nels Anderson: Quite frankly, there are alot of people that make an awful lot of money in urban areas, and they do I know for a fact travel 100's of miles into the Bristol Bay area and they do take the moose and caribou for their tables and I do know that they make enough money just with their job to purchase, beef, from the stores and I tell you the selection in Anchorage is alot better than what you just told us about. It's pretty good. My feeling is and I have a dual income as well, but to expect people not to have access to resources, especially when we know foreign people are coming in from out of State, from out of our country, coming in and exploiting our resources just for the antlers, for recreation so that they can take home a trophy. That's something, that people who really use the land can't understand, why are we allowing this, why are we allowing people to come in from Germany or Scotland or wherever just to get a moose, when we know that our moose population in many parts of the State are going down. And also, our caribou herds are going down. So there is a tremendous conflict there and also the competitive use for those resources just can't be permitted much longer.

Then, one of the things that we are going to look at very closely at is just to see whether or not we can stop this because we know that the headhunters are coming in and they are taking the moose and only taking the moose for the trophy. That's wrong. Alot of that meat is rotting out in the field and not being used, That's my feeling. Also the lower 48 people that come up. Are we going to allow the people from the lower 48 to come up and take our resources if the people in the State of Alaska are not getting enough at this time. And when, where do we draw the line and what information do we have available that would make it possible for the State of Alaska to make a judgment to say, we can't allow this to continue any longer. And live by it. I think we are getting alot closer to that time than most of us realize. Any other questions, or comments that the public may have at this time? If not, I know it is cold out there and I know many of you may not have prepared for this evening's meeting, but I do appreciate your being here and again, if Mr. Schaeffer or myself, or Mrs. Larson can help you, if there is any other additional information you need, we will have our report formally submitted to the Legislative Council on January 7. We would like as many of you as can, to get a copy of that final report to

to get an idea of what we come up with. Again, thank you very much and we appreciate your attention. This hearing is adjourned.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

Testimony of Jan Douglas Burgess from Hydaburg, Alaska

I'm from down southeastern Alaska and I've been fishing for all my life and I've experienced just about all of the economic development of the herring. I've watched how it all started. Last time we picked herring eggs was in 1967. That was Commercial Harvest and they paid us up to $1.50 a lb. and that was mostly the native profit. That was the small man on the totem pole. He cleared the money and then it got more developed and then the purse seiners started off something like only 3 boats. Now there is something like 30 boats. The herring pickers are cut out and just the purse seiners are in there reaping all the profits. When I came up here to Togiak to pick herring eggs I seen it all, cause I picked home this spring - I picked herring eggs and I watched them fish and I noticed how new the development is up here. I guess it's supposed to be the first year for purse seining and when we first went out there we heard all these stories about fish and game is going to be there to enforce everything to make sure that the herring business is controlled. They talked about closing everything down if things got out of line with the Japs. You hear these people that tell these stories they say that people that say they rot the herring to take the eggs out - they don't know what they're talking about - that's against the law. But that happened this year in 1977 even after it was outlawed. I seen it all happening there and I never seen one fish and game manager down there in the five days I was there. I see those fish getting rotted on the beach by the tons. The Japs are there on the beach personally working - we took pictures of them and everything.

Back to the purse seining how it kills the herring off and cuts out the small picker, the native picker. Through the years he is going to get cut out too, because the purse seiners are going to take all of it and theres not going to be enough for commercial harvest. But they have have a different operation up here, they have spotters smaller purse seiners, but they have charters flying around up there and they let them exactly know when to let her go and they wrap them up and they get their packer and they just re-lay it back and forth, seven days a week to that Korean boat across the boarder, and its all happening there, and you hear all that talk that the Fish and Game says about how the Japs are killing off our fisheries, and thats really just as much American involvement you know.

The Marine Mammel Act - When they make their hauls, they can't miss all the seals and everything because they're all there, they just wrap them up, they just kill them they get so plugged with fish sometime.

I'm Douglas Burgess from Hydaburg, Alaska, I've been fishing for 15 years and this is my first year fishing up in Bristol Bay, but I really feel bitter toward the Fish & Game, because its really a sin because they tell about the fish thats getting killed off all our salmon - but down to the herring business and how its developed its going to happen the same way up here, because it happened there already, and it use to be that the Bay used to turn white from all the spaun for miles and miles now when the herring spaun now you can't even set up branch

Jan Douglas Burgess's testimony con't.

The Japs were not seinging at all, they were on the beach, they were rotting the herring, they weren't buying at all, they were on the beach they would let them stink for five or six days big tons, just as big as this room, stink boy! And they hire out some people and pull the heads off and pull the eggs out, half of them are milk. I'd gladly testify, I was over there with Burt Reamy from Pilot Point, and Richard Clark from Clarks Point, we were all over there we took pictures for proof of the Japs down on the beach, so if they ever want to really see that its not true theres proof there. But like we picked eight and ten years ago the last time, and now were can't pick anymore, but the last time we picked they paid us up to a $1.50 a pound we only got to pick for twenty minutes, here its 5 days 7 days a week you could pick twenty-four hours a day and the price difference, they paid $1.50 to us and up here they only paid $.35, and they sell herring eggs for $15.00 a pound.

This would really - if that New Subsistence Committee they just formed, if they could experience these things that are really happening it would just fit right in.

D-2 Lands

My name is Mark Jacobs Jr.,first Vice-President of the Tlingit and Haida Indians of Alaska Central Council and a shareholder in the Shee Atika Corporation. I am a full blood Tlingit Indian and a patriotic American. I am deeply concerned about the strength and lobbying power of the environmentalists and convervation groups. Though their purposes are necessary and very commendable, there seems to be no stopping point in their efforts to halt economic growth. They are forcing upon us new governmental policies that are dangerous and that are deteriorating the American system of law. They are, I believe, the cause of a lion's share of inflation. I believe the destruction of our economic system, by severely limiting the multiple use concept with the passing of severe bureaucratic regulations without regard for economic needs is a dangerous governmental power. I believe in a well organized management of resources, with local participation of concerned citizens, rather than economic strangulation by some heartless bureaucratic agency located in some distant office.

My main concern as a shareholder of Shee Atika Corporation is the land selection rights provided in the Alaska Native Claims Settlement Act, especially land selections on Admiralty Island. There has been enough dragging of the bureaucratic feet in implementing of this land transfer to the Native Corporations, due to some objections of the Angoon group. I only hope that the D-2 legislation will not hamper or further delay the land transfers. Although Shee Atika has met every legal requirement in the Act, the Secretary of the Interior chose to honor the objections of Angoon. As I see it, the Secretary recognizes the aboriginal claims of the Kootznoowoo Corporation in spite of the Act clearly stating that all aboriginal claims are hereby extinguished. If the Secretary's recognition of Angoon's objection is held as valid, then the real aboriginal Indian laws should apply. There are many aboriginal Angoon Indians living in Sitka and Juneau and enrolled to Shee Atika of Sitka and Goldbelt of

There are several other areas of concern such as minerals, access and right of way, private lands and rights which I am sure will be adequately addressed by others concerned. Due to the many (hundreds) that will testify, I shall close.

I wish to thank the committee for this opportunity to present my personal views.

Enclosure for refferance Native foods.



tlingit and haida indians of alaska



TESTIMONY OF RAYMOND E. PADDOCK, JR., PRESIDENT, CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIANS OF ALASKA, JULY 7, 1977, OVERSIGHT-ALASKA LANDS COMMITTEE HEARINGS, JOHN F. SEIBERLING, CHAIRMAN

MR. CHAIRMAN, MY NAME IS RAYMOND E. PADDOCK, JR. I AM PRESIDENT OF THE CENTRAL COUNCIL OF TLINGIT & HAIDA INDIANS OF ALASKA, A FEDERALLY RECOGNIZED INDIAN TRIBE. AS SUCH, IT IS THE RESPONSIBILITY OF THE CENTRAL COUNCIL TO ADDRESS ALL OF THE SOCIAL AND ECONOMIC NEEDS OF OUR PEOPLE.

IN THE RELATIVELY SHORT LIFE OF THE COUNCIL WE HAVE BEEN ABLE TO ACCOMPLISH A NUMBER OF GAINS. THIS INCLUDES A HOUSING AUTHORITY THAT HAS BUILT SOME 400 UNITS OF HOUSING IN SOUTHEAST ALASKA, A DIVISION OF MANPOWER THAT IS ASSISTING THE UNEMPLOYED THROUGH VARIOUS CETA PROGRAMS, A CONTRACT WITH THE BUREAU OF INDIAN AFFAIRS THAT DELIVERS EDUCATIONAL PROGRAMS, SOCIAL SERVICE AND WELFARE PROGRAMS, A CREDIT UNION THAT ASSISTS IN ESTABLISHING CREDIT AND SAVINGS AND LOAN PROGRAMS, AND A HEALTH CORPORATION THAT IS JUST GETTING STARTED, BUT WILL BE ADDRESSING THE HEALTH NEEDS OF OUR PEOPLE. ALL OF THIS HAS BEEN DONE IN SPITE OF BEING PRE-OCCUPIED IN TRYING TO IMPLEMENT THE ALASKA NATIVE CLAIMS SETTLEMENT ACT (ANCSA).

THROUGHOUT ALL OF THE DEVELOPMENT OF THESE VARIOUS PROGRAMS, AND THE DELIVERY SYSTEMS THAT THE CENTRAL COUNCIL IS INVOLVED IN, THERE HAS BEEN A MISSING INGREDIENT. THAT IS A VIABLE AND STABLE ECONOMIC BASE. IT IS ONE THING FOR THE FEDERAL GOVERNMENT TO POUR DOLLARS INTO VARIOUS PROGRAMS TO ASSIST PEOPLE, BUT THE BASIC GOAL OF ALL OF THESE FEDERAL DOLLARS SHOULD BE TO ESTABLISH AN ECONOMIC BASE THAT MAKES THESE OTHER PROGRAMS UNNECESSARY.

WHEN THE AINCSA WAS PASSED, MANY OF US BELIEVED THAT WAS THE TOOL WE NEEDED TO ESTABLISH OUR OWN ECONOMY. NOW, WITH THE INTRODUCTION OF VARIOUS BILLS IN CONGRESS THAT IN EFFECT WOULD UNDERMINE THE IMPLEMENTATION OF ANCSA, WE ARE INCREASINGLY FRUSTRATED THAT WE MAY NOT ESTABLISH THAT DESIRED ECONOMIC BASE.

I WOULD LIKE TO SUPPLY THE COMMITTEE WITH A FEW FIGURES WHICH SHOULD CLEARLY DEMONSTRATE THE SCOPE OF THE PROBLEMS WE ARE TRYING TO ADDRESS. THERE ARE APPROXIMATELY 16,000 TLINGITS AND HAIDAS, 12,000 RESIDING IN SOUTHEAST ALASKA, WHICH IS THE AREA SERVICED BY OUR CONTRACTS. IN 1976 OUR GENERAL ASSISTANCE WELFARE PAYMENTS TO THE NEEDY AMOUNTED TO APPROXIMATELY $424,000.00. IN 1977 THE BUDGET AMOUNT IS APPROXIMATELY $520,000.00. THE INCREASE WAS ANTICIPATED BECAUSE OF THE REDUCTION OF ACTIVITY ON THE ALASKA PIPELINE. SOME 900 PIPELINE RELATED JOBS WERE PROVIDED TO NATIVE PEOPLE FROM SOUTHEAST ALASKA DURING THE PIPELINE ACTIVITY. HOWEVER, THAT IS NOW COMPLETED. A GAS PIPELINE, IF AND WHEN IT IS BUILT, WILL NOT PROVIDE MORE THAN ONE-HALF THE JOB OPPORTUNITIES AS DID THE OIL PIPELINE. IN ADDITION, THE LEGISLATION AUTHORIZING THE CONSTRUCTION OF THE OIL PIPELINE CONTAINED DEFINITE PROVISIONS FOR EMPLOYMENT OF ALASKA NATIVES. THERE ARE NO SUCH GUARANTEES OF WHICH WE ARE AWARE WHICH WILL APPLY TO THE GAS PIPELINE.

FURTHERMORE, IT IS NOT THE POLICY OF THE CENTRAL COUNCIL TO ENCOURAGE EMPLOYMENT SITUATIONS WHICH DIVIDE FAMILIES. THE SOCIAL CONDITIONS CAUSED BY FAMILY DIVISION SUCH AS THE OIL PIPELINE EMPLOYMENT RAISED OTHER PROBLEMS. MOST OF THE NATIVE PEOPLE EMPLOYED ON THE PIPELINE WERE YOUNG, SINGLE

PERSONS WHO COULD AFFORD TO BE AWAY FROM HOME. BUT IN THOSE SITUATIONS WHERE HEADS OF HOUSEHOLD HAD TO GO TO THE PIPELINE TO SEEK EMPLOYMENT SIMPLY TO HOLD THEIR FAMILY TOGETHER, THE SOCIAL CONDITIONS THAT AROSE WERE NOT WORTH THE EFFORT IN OUR OPINION.

IT SHOULD BE REMEMBERED THAT THE BUDGET WE ARE TALKING ABOUT IS A BIA BUDGET, AND DOES NOT REFLECT THE TOTAL NEEDS OF THE STATE, BUT IS MERELY A SUPPLEMENT TO THE RESPONSIBILITY THE STATE ALREADY HAS. BETWEEN US, THE STATE AND BIA, THROUGH OUR CONTRACT, WE ARE STILL NOT ABLE TO TOTALLY ADDRESS THE GENERAL ASSISTANCE AND WELFARE NEEDS OF OUR PEOPLE. IN 1976 WE ASSISTED SOME 730 CASES. OUR BUDGET FOR 1977 IS FOR AN ESTIMATED 750 CASES. THIS DOES NOT INCLUDE OLD AGE ASSISTANCE AND SOCIAL SECURITY, WHICH ARE STATE AND FEDERAL RESPONSIBILITIES.

I WOULD LIKE TO SUBMIT FOR THE RECORD SEVERAL DOCUMENTS WHICH REFLECT THE UNEMPLOYMENT CONDITIONS OF THE NATIVE PEOPLE IN SOUTHEAST ALASKA. THIS DOCUMENT WAS PREPARED BY THE BIA, AND I WILL READ FROM THE REPORT FOR THE MONTH OF MARCH, 1977. THE TOTAL NATIVE LABOR FORCE IDENTIFIED IN SOUTHEAST ALASKA, 16 YEARS AND OVER, IS 7,725 PEOPLE. THE TOTAL UNEMPLOYMENT IS 60.3%, OR 3,317. OF THOSE THAT WERE WORKING AT THE TIME OF THE SURVEY, 479 WERE EARNING AT A RATE OF $5,000.00 OR MORE PER YEAR, WITH THE REMAINING 2,513 EARNING AT A RATE OF LESS THAN $5,000.00 PER YEAR.

MR. CHAIRMAN, THESE STATISTICS ARE APPALLING. IF ANY ONE OF THE COMMITTEE MEMBERS OR ANY OTHER CONGRESSMAN FOR THAT MATTER, HAD TO GO BACK AND FACE HIS CONSTITUENCY WITH UNEMPLOYMENT RATES EVEN HALF OF WHAT I HAVE BROUGHT OUT HERE,

HE SIMPLY WOULD NOT BE RETURNED TO OFFICE. IT SHOULD BE NOTED THAT AT THE TIME THIS REPORT WAS MADE, UNEMPLOYMENT WAS HIGHEST BECAUSE OF THE PRIMARILY SEASONAL WORK IN THE STATE OF ALASKA. BUT WE HAVE OTHER STATISTICS THAT SHOW THAT EVEN UNDER THE BEST CONDITIONS, DURING THE SUMMER MONTHS, THE NATIVE PEOPLE OF SOUTHEAST ALASKA SUFFER AN UNEMPLOYMENT RATE OF OVER 40%.

IN SUMMATION, MR. CHAIRMAN, THE VARIOUS BILLS THAT YOUR COMMITTEE WILL CONSIDER THIS YEAR ARE LAND RELATED BILLS ACCORDING TO SECTION 17 (D) 2 OF ANCSA. BUT WE ARE HERE TO TESTIFY ON BEHALF OF PEOPLE. WE HAVE ALREADY POINTED OUT THAT WE HAVE SEVERE SOCIAL PROBLEMS AND IT IS ONLY THROUGH IMPLEMENTATION OF ANCSA AS IT WAS INTENDED TO BE THAT WE FEEL WE CAN RESOLVE OUR SOCIAL AND ECONOMIC CONDITION. THE BILLS BEING PRESENTED NOW BEFORE CONGRESS SHOULD TAKE THESE FACTS INTO CONSIDERATION AS A PRIORITY BEFORE JUDGMENT IS MADE ON WHAT IS TO BECOME OF THE STATE OF ALASKA.

THANK YOU.

REPORT OF LABOR FORCE
Data are for March (month) 1977 (year) 1/

	Year 1977	State Alaska	
	Total	MALE 2/	
A Total Resident Indian Population (see exclusions d)	12,262	6,254	6,0
a Within the reservation			
c Adjacent to the reservation (in Okla., Indians in former reservation areas			
d Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)			
e Total under 16 years of age included on line "A" 3/	4,537	2,160	2,37
RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over) 4/			
F Total 16 years and Over (A minus e)	7,725	4,094	3,6
g 16 - 24 years	2,330	1,328	1,0
h 25 - 34 "	1,962	981	9
i 35 - 44 "	1,594	828	7
j 45 - 64 "	1,594	828	7
k 65 years and over	245	129	1
M Not in Labor Force (16 Years and Over), 5/ Total (n + o + p + q)	2,226	802	1,4
n Students (16 years and over, including those away at school)	822	427	3
o Men, physically or mentally disabled, retired, institutionalized, etc.	410	410	
p Women for whom no child-care substitutes are available	497		4
q Women, housewives, physically or mentally disabled, institutionalized, etc. 6/	497		4
R Potential Labor Force (16 yrs. and Over) (F minus M)	5,499	3,299	2,2
S Employed, Total (t + u)	2,182	1,319	86
t Employed, earning $5,000 or more a year (all jobs)	479	407	7
u Employed, earning less than $5,000 a year (all jobs)	1,703	912	7
V Not employed (R minus S) 7/ Rate: 60.3	3,317	1,957	1,36
w Of these, persons actively seeking work	497	362	13

Prepared by

ATTACHMENT: Superintendent's Evaluation o

Area Director

Superintendent

Area | Approval Date | Agency | Approval Dat



tlingit and haida indians of alaska



Memorandum

To: Ray Paddock, Jr.
President

Date: July 6, 1977

From: Terry Pegues, Director
Manpower Division

Subject: Unemployment Data

Here are B.I.A. "Reports of Labor Force" for March 1975 and 1976. Please note that the periods covered reflect employment generated by the pipeline and that the increase in the pipeline workforce, which peaked in 1976, is also reflected in this data.

Also attached is a letter from the Area Programs and Environmental Coordinator, Juneau Area Office, Bureau of Indian Affairs, which attests to the accuracy of our data.

Encl: AS:st

REPORT OF LABOR FORCE Data are for March (month) 1976 (year)	Year 1976	State Alaska	
	Total	MALE	FEMALE
Total Resident Indian Population (b+c excluding d)	11303	5818	5485
Within the reservation	"		
Adjacent to the reservation (in Okla., Indians in former reservation areas			
Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)			
Total under 16 years of age included on line "A"	3905	1905	2000
RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over)			
Total 16 years and Over (A minus e)	7398	3913	3485
16 - 24 years	2492	1366	1126
25 - 34 "	1799	914	885
35 - 44 "	1346	707	639
45 - 64 "	1435	748	687
65 years and over	326	178	148
Not in Labor Force (16 Years and Over), Total (n + o + p + q)	2133	741	1392
Students (16 years and over, including those away at school)	803	405	398
Men, physically or mentally disabled, retired, institutionalized, etc.	336	336	
Women for whom no child-care substitutes are available	495		495
Women, housewives, physically or mentally disabled, institutionalized, etc.	499		499
Potential Labor Force (16 Yrs. and Over)(F minus M	5265	3172	2093
Employed, Total (t + u)	3053	1868	1185
Employed, earning $5,000 or more a year (all jobs)	704	592	112
Employed, earning less than $5,000 a year (all jobs)	2349	1276	1073
Not employed (R minus S) .....(42%).....	2212	1304	908
Of these, persons actively seeking work	450	345	105

Prepared by

ATTACHMENT: Superintendent's Evaluation of Dat

Area Director

Superintendent

Area	Approval Date	Agency	Approval Date

REPORT OF LABOR FORCE Data are for _____(month) 1975 (year)	Year 1975	State Alaska	
	Total	MALE	FEMALE
Total Resident Indian Population (b+c excluding d)	10985	5646	5339
b Within the reservation			
c Adjacent to the reservation (in Okla., Indians in former reservation areas			
d Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)			
e Total under 16 years of age included on line "A"	4018	1955	2063
RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over)			
F Total 16 years and Over (A minus e)	6967	3691	3276
g 16 - 24 years	2081	1164	917
h 25 - 34 "	1799	914	885
i 35 - 44 "	1346	707	639
j 45 - 64 "	1415	728	687
k 65 years and over	326	178	148
m Not in Labor Force (16 Years and Over), Total (n + o + p + q)	2064	716	1348
n Students (16 years and over, including those away at school)	773	395	378
o Men, physically or mentally disabled, retired, institutionalized, etc.	321	321	
p Women for whom no child-care substitutes are available	471		471
q Women, housewives, physically or mentally disabled, institutionalized, etc.	499		499
R Potential Labor Force (16 yrs. and Over) (F minus M)	4903	2975	1928
S Employed, Total (t + u)	2709	1628	1081
t Employed, earning $5,000 or more a year (all jobs)	531	445	86
u Employed, earning less than $5,000 a year (all jobs)	[illegible]	1183	995
V Not employed (R minus S) 44.7%	2194	1347	847
w Of these, persons actively seeking work	449	342	107

Prepared by

ATTACHMENT: Superintendent's Evaluation of Dat

Area Director

Superintendent

Area	Approval Date	Agency	Approval Date

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS
Juneau Area Office
P. O. Box 3-8000
Juneau, Alaska 99802

February 8, 1977

TO WHOM IT MAY CONCERN:

It is my opinion that the BIA Report of Labor Force for the SE Agency is the most current and accurate report available on Indian Unemployment for March/April 1976. The Native population is the same as that served by the Tlingit & Haida Central Council.

Furthermore, I believe the unemployment rate for Native people served by THCC is currently higher than reported last year primarily due to (1) the declining impact of the Trans Alyeska pipeline and (2) the net natural rate of increase in population.

As an economist and Program Planner for BIA's Native services, I have closely observed the reports on employment and unemployment in Rural and Native or Village Alaska since 1953.

For the past 15 years it has been my responsibility to collect, analyze and coordinate Native population, income and employment statistics and reports for the Juneau Area Office (State) Alaska. State-wide and nation-wide it is BIA's major report on this subject since 1966.

I shall be pleased to answer any further questions concerning this report or subject, generally,

H P. Gazaway
Area Programs & Environmental Coordinator

December 5, 1977

Mel A. Anderson Jr., Chairman
Interim Committee on Subsistance
Box 234
Dillingham, Alaska 99576

Dear Mr. Anderson:

My name is Karen Moore I am a Tlingit from Klawock. I have worked in the lower 48 as a dietician, but I have returned to Klawock to stay.

My title now is City Coordinator but I am writting this letter as statement of my own personal opinion.

I belive our policy makers from the large population centers don't seem to realize the absolute necessity of subsistance type food in many geographic areas of Alaska, including many sections of souteastern.

Among the native population of Alaska even though times are beginning to change, there is still a very real economic as well as traditional and cultral need for subsistance food.

I believe at all times especially when land use and water policy is being developed or sports use or commerical regulation of subsistance items is being considered that subsistance use should have top priorty and be allowed in the amount necessary for the size of the family and their traditional use.

With this type of regulation there should be substantial penalities for any type of dervision of subsistance food to any commerical outlet.

There will be many people for years to come, who will still be forced to live at least a semi-subsistance type of living.

It would seem very unjust to put these people outside the law.

I feel strongly about this and intend to show other people this letter and if they agree with me they can also sign this letter.

Sincerely,

Karen Moore
Box 81
Klawock, Alaska 99925

Copies to:
Governor Hammond
Ray Paddock, T.&H. President
Frank-O Williams, ANB President
Ketchikan Daily News
Robert Ziegler, Senator

Linda Low, Director Seacap

12-5-77

Klawock, Ak

Mary M. Jackson — F&H president (local)
Delores Peratrovich — Klawock
Joanne Nickerson — "
Irina M. Peratrovich — "
Frances Dundas — "
Ronald Macasaet — "
Faye L. Keene — "
Henrietta C. Smith — "
Marvin J. George — Fire dept. secretary
Jeff Nickerson
Arlene Buoy
Alf Macasaet Sr. — Mayor City of Klawock
Elwood Thomas — "
Esther Rasmus — "
Victor Hanson — "
Lonnie McNeill — "
Henry McNeill — "
Sine McNeill — "
Raymond J. McNeill — "
Henrietta J. Kato — Asst. School Sec. — "
Sonja Armour — "
Robert Armour — "
Ronald C. Armour — "
Rudolph Smith Sr. — "
Joan Smith — "
Harriet McNeill — "
Joe McNeill — "
Robert W. George Jr. — "

12-5-77

		Klawock, Ak
Diane George		"
Helen Keene		"
Ann Kennedy		"
Peter Keene		"
Mrs Ruby Smith		"
John Perling Smith		"
Harvey Smith		"
David Annuskitten Sr.		"
Rose Bales		"
John Charles Jr.		"
Dowey Skan Jr.	Box 34	Klawock, Alaska
Sally A. Skan	Box 34	Klawock, Alaska
Ruth Bergeron		"
Richard Bergeron		"
James L. Thomas	public safety officer	
Dana R. Thomas		"
Danny Kennedy		"
Leroy Jackson Sr.		"
John Kennedy		"
Evelyn Williams		Klawock, Alaska

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson Jr., Chairman
Representative Joe Hayes
Representative Steve Cowper
Senator Kay Poland

STAFF MEMBERS PRESENT:

Dorothy M. Larson, Staff Assistant

PUBLIC HEARING LOCATION:

KODIAK, ALASKA
KODIAK BOROUGH ASSEMBLY

DATE: Monday, October 17, 1977
TIME: 7:00 P.M.

THOSE REGISTERD IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Charles Naughton	733 W. 4th Ave., Suite 400, Anchorage	F/S LUPC
David "Stick" Morrison	Bos 571, Kodiak	
George Binder	Box 172, Kodiak	
William Donaldson	Box 591, Kodiak	
Jack Wick	Box 746, Kodiak	President, Koniag
Fred F. Zharoff	Box 405, Kodiak	
Yvonne Zharoff	Box 405, Kodiak	
Dick Wamser	Box 351, Kodiak	
Bob Worl	3407 Seppala Dr., Anchorage	
Jack Christiansen	Box 108, Old Harbor	
Iver Malutin	Box 525, Kodiak	
Larr Matfay	Box 2, Old Harbor	
Gust Rastopsoff	Larsen Bay, Ak.	
Thomas D. Peterson	Box 172, Kodiak	
Janet Wente	Box 2791, Kodiak	
Karl Armstrong	Box 631, Kodiak	Kodiak Is. Conser. Society
Wayne Marshall	Box 571, Kodiak	
Bill Hartman	Box 733, Kodiak	
Ron Brockman	Box 95, Kodiak	
Sylvia Barnes	General Delivery, Kodiak	
Pete Olsen	Box 485, Kodiak	
Bill Berestoff	Box 2196, Kodiak	
Gene Sundberg	Box 746, Kodiak	
Frank Peterson	Box 172, Kodiak	KANA

TABLE OF CONTENTS PAGE

1. Testimony of....Charles Naughton..... 3
2. Testimony of....David "Stick" Morrison..... 4
3. Testimony of....Bill Donaldson..... 6
4. Testimony of....Ivar Malutin..... 7
5. Testimony of....Jack Wick..... 10
6. Testimony of....George Binder..... 12
7. Testimony of....Gene Sundberg..... 14
8. Testimony of....Karl Armstrong..... 17
9. Testimony of....Frank Peterson, KANA Ex., Director.. 21
10. Testimony of....Dick Wamser..... 25
11. Testimony of....Pete Olson..... 26
12. Testimony of....Fred Zharoff..... 28
13. Testimony of....Male in Audience..... 29
14. Testimony of....Jack Christenson..... 31
15. Testimony of....Larry Matfay..... 31

** Written Position Paper from the Alaska Conservation Society, LIFE STYLES, SUBSISTENCE AND HUNTING December 1976

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

OCTOBER 17, 1977 - KODIAK PUBLIC HEARING

Representative Nels Anderson stated that he would like to introduce members of the panel that are up here with me; On my immediate right is Representative Joe Hayes from Anchorage, on my left is Steve Cowper from Fairbanks. We have been conducting hearings from throughout the State of Alaska trying to get an estimation of what the peoples feelings are about the subject of subsistence. Its an issue, its a word that has not yet been legally defined, there have been no primitives of any kind put around it. Every person that I have spoken to in previous meetings throughout the State, that every individual has their particular feelings about what the subject of subsistence means to them.

What we are trying to determine is what action we need to take, and the reason why there is this kind of interest in the Legislatures, because the land ownership pattern of the State of Alaska is changing dramatically. There is going to be 40 million plus acres of land in private land ownership through the Alaska Native Claims Settlement Act, the State of Alaska will receive, hopefully in our lifetimes 103 million acres of land and then the Federal Government will have its land that it will be managing.

In order to avoid the future conflicts we're trying to make a determination of what peoples feelings are about hunting, fishing and gathering rights that they feel they have at this time, and what should the State and Federal Government do to protect these activities. We do know through testimonies in other parts of the State that there is a definite interest in the subject of subsistence and that there is a strong feeling that subsistence has got to be protected.

I hope that the purpose of the Committee has already been brought to your attention and that some of you may be prepared to give us your thoughts on the subject. At this time I would like to ask if any members of the panel have specific comments that they would like to make at this time, as we go on as people testify, members of the panel will be questioning you on occasion to clarify points that you have made, but we are asking for as many comments as you can possibly can, either veribly or in writing. If you feel tonight that you are not prepared to make a statement we ask you to please contact us, Dorothy Larson will give you our address and we ask that you write your comments on the subject at a later time and mail it to us prior to January of 1978.
Representative Hayes do you have any comments at this time?

Representative Hayes: No thank you Nels, I don't have any specific comments, other than to say that I am happy to be back in Kodiak again this evening and am looking forward to the testimonies that we receive here.

Representative Cowper: Thank you Mr. Chairman, I'm wearing a couple of hats tonight, not only as a member of the subsistence committee but as the Chairman D-2 Steering Council for the State and as most of you know that legislation will cover all the federal lands now in the State of Alaska. Congress wants to make a subsistence preference on those lands and how they are going to do it they sure don't know and that's one of the reasons why we're here. One of the main reasons for holding these hearings is to determine what you think we ought to do, if there's a shortage of fish or game in a given area - who should have the preference? Should subsistence users have the preference - should commercial users have the preference? What about sports hunters and fishermen? The question doesn't arise until there is a shortage of fish or game. We want to be sure that what we do is in line with what people in Alaska think. That's sort - they're the questions that we're looking for answers here tonight.

Representative Nels Anderson: Thank you Mr. Cowper. Senator Poland do you have any comments?

Senator Kay Poland: Just that, as you know from being a former Chairman of resources we've never been able to get a real definition of subsistence and I'm hoping that this committee will be able to give us something on that because there is going to be so much coming up on land disposal before the committees that a definition will be a tremendous help.

Representative Nels Anderson: Thank you very much Senator Poland. At this time then we'll ask people who would like to testify to come forward and sit here and we are recording your comments - if your comments are not in writing, we will transcribe these comments and each comment that is made will be taken into consideration and if there are any suggestions that you may have for the committee that you feel is important fo us to consider the floor is open.

Charles Naughton: I don't want to do into any lengthy - with respect to subsistence I don't have anything prepared, however I would like to respond to Senator Polands request to have a definition of subsistence and would like to say that I think that in terms of the people that it would be very detrimental to define in law any definition of subsistence.

Representative Steve Cowper: Suppose there were only a certain number of salmon (inaudible), that could be taken from given drainage systems around here - who do you think should have the preference? Suppose you could only take a thousand fish from a certain stream. Who do you think should get preference to those thousand fish?

Charles Naughton: I could answer that question in a number of ways. Not being sarcastic - I could remember when I could hike over the hills and I could spear a salmon from Pillar Creek and I could remember when I could go down to Menashka - those streams are without salmon now - not because of subsistence users, but because of the ignorance and the lack of municipal management ans so I'm answering your question that way and I would like you to redirect your question.

Representative Steve Cowper: Well, O.K. regardless of who is at fault for this - assuming you have to set a quota for harvest - who gets first crack at it? - This is the question that we are addressing. If you have to limit the take of salmon, moose, caribou.

Charles Naughton: I can answer that question and understanding what your are saying. But I would like for the record that it be emphasized that a lot of these problems are not a result of subsistence users but the result of lack if municipal and state management of our resources and I cannot say that I feel a monetary system should be used. The people here and the people in Kotzebue and the people in Barrow and the people in Hoonah are fishery oriented people and I do not think that because of the increase of people from the states that they should lose the right to live the way that they have lived and sports fishing is fine, but why should someone because of law - because there are more sports fisherman lose the right to live the way that they have lived just because someone else comes up from the States.

Representative Steve Cowper: Just to make it clear where I stand on the thing I think that if you have to prioritize, you should go with local subsistence users.

David "Stick" Morrison: I have been a resident of Alaska for about 11 years now and I just have a comment or more or less an answer to the question that you gave to Charlie and I agree with Charlie an awful lot there but I just sort of like to answer the question in my own way - when you asked the question if you had a thousand fish, who would get priority? I don't think it should be just the people who have been living that way all they're life - I think it should be for the people that are mainly in need - not only natives but non-natives - there are many people around the state that do to financial situations cannot afford to provide for their families maybe the way they should go, therefore they use subsistence to go out and obtain what they need without going to a store or something like that - who wants to pay 4 or 5 dollars for a little filet of salmon you find in the store, when you could go out and get it right down in the stream and I think it should be for the people that are in need not only for the people that have done this all their lives. I've known many that have been in this

situation, but could just as well go down to the store but they choose well, we'll go get our subsistence license and get salmon and we can eat that way. But I think a lot of people that can afford to go out and get these things not only in a store but can't get a commercial fishing license or don't qualify for limited entry, things like this - I think the people in need is the ones to get priority - if there is a shortage. I mean I respect game laws and like if there is a species in the process of being wiped out - yes it should be banned - it should be built back up - I agree with that - I don't believe in wiping something out. If the person - this is how he lives by - and I'm taking this personally also because this is how I live - again - the person in need of it should be the one to get it.

Representative Joe Hayes: Mr. Naughton mentioned that he didn't think that there should be a definition of subsistence - that we should try to shy away from that - do you have any feeling on that? Do you think that there should be a definition for subsistence? You probably have your own idea on what definition should be but do you think that this committee or that possibly some of the federal legislation - federal or state should try to come up with a definition for subsistence that would meet some criteria you have mentioned - you sort of put a definition on it that you say that people in need ought to get first shot at any limited resource - what's your thinking about definition?

David Morrison: Well, I think it's kind of hard really to sit down and I don't envy you in the coming Legislature to define subsistence even with all the input of everyone else because it's just - it seems to me that it is awful difficult and I don't think I can answer you directly because it would just take to long and I probably would just be going around and around in circles but it is very hard to define the word subsistence.

Representative Joe Hayes: But if we could define it do you think we should?

David Morrison: Yes, I do.

Bill Donaldson: The Board of Directors of the Alaska Conservation society prepared a position paper on subsistence - I'm not sure if you have been presented with this or not. ** See Table of Contents.

Representative Steve Cowper: Bill you mentioned something about subsistence use being traditionally associated with areas with relatively low population density which brings something to mind which we've considered from time to time that would be approach by which the preferences in a given area, let's say in a fish and game management area, would be the local people - do you think that is a valid concept?

Bill Donaldson: I think so, in general. I think once you get away from an isolated area you probably reduce your dependency on strictly subsistence type living - I thnik that's what the point was addressing but I think subsistence is basically a traditional type thing and if there is a cutoff point it probably should go to the traditional user of the resource.

Representative Steve Cowper: Do you think geographical distinction is valid one?

Bill Donaldson: I think in a case where you have a limited resource I do. I think geographical distinction is very valuable.

Representative Steve Cowper: How about if you have to set up priorities and I realize that much of this might not apply in this area. If you have to set up priorities within that given group - what about economic distinctions if you have to do that? Do you think that's valid - In other words do you think that the law ought to say for instance if there is you could take two hundred caribou from a given herd do you think the top priority should be to people that don't have an income and work down from there?

Bill Donaldson: It is hard to measure how important subsistence may be to an individual who has traditionally hunted for this species all his life and even though he may be rather well off ecoromically - you know how do you measure closing him off from a caribou hunter or traditional fiching stream - what that might do to him pyschologically

and I think this is something you gentlemen have to grope with although ranking subsistence uses on, on economical basis is one tool you do have. If you have a very limited resource you may be forced to approach it in this manner, but I do think that if you can get any kind of a measure on how important a traditional use of game or fisheries is to a person that would be also legitimate basis for you now letting you continue in the resource or letting somebody else get it. But I don't think this is a black & white issue and I think alot of consideration needs to be given to the traditional use of the resource now what it may mean to a person's former and future lifestyle not only his pocketbook.

Ivar Malutin: I have been a resident of Kodiak for 40 years and Alaska. In hearing these comments on subsistence - it upsets me - I have been subsistence hunting and fishing all my life. Just to give you a little example of what's happening in Kodiak, we fished out at Knome Bay and out at the Mission and out at Buskin and this area close by the town and as time went on as Kodiak has increased in population with the sports fisherman coming in they moved us out of areas - they moved us out of Knome Bay and they moved us out of the Mission. We had been getting dolly vardens in the spring of the year when they would first come in - okay they closed off our prime area to dolly varden which was the Mission Beach, no longer can we get the dolly varden in the spring because the sports fisherman want to get them so we just sit back and watch. Now that was also our prime silver salmon area and we were moved out of there so now we were out at the Buskin Rivers and listening to the Alaska Department of Fish and Game, Sports fishing department with their statistics - they have a real good record - they tell me that there are no 800 subsistence permits this year as opposed to maybe 200 last year and 100 the year before or just roughly those figures I may not be correct exactly, but, to give you an example of what's happening - I have went and applied for a subsistence permit again this year on April the 11th, mind you, a month before any fish come to Kodiak and already I was number 28 for a subsistence permit - before the fish were even here. I don't know who these users are. I was getting permits from day 1 when there wasn't any permits, and now it kind of bothers me. I have had some fantastic years fishing and I have had some fantistic years working and to me that salmon means exactly

the same - every single year - I heard the conservationists here and I agree with some of the things they say and I disagree with some of the other things they say. To me, if they take away subsistence from me - penalize me because I make or have a good season. I think it's wrong and if they give me something because I have a poor season I think that's wrong too. A lot of things are going to my mind - it upsets me every time I get into these things.

Representative Nels Anderson: Mr. Malutin - I think there is an awful lot of people in the state that feel the way you do and the reason why we feel that the state has to take a leadership role in this is that we're faced with a possibility that when Mr. Udall get done with his bill on D-2 lands that there is a significant chance that either the Carter Administration or the Congress in some way will jeoparidize our access to fish, game, birds, and whatever else subsistence activities we engage ourselves in up in Alaska but I really hope that you will give us more thought and if you have more ideas now we ask you to share them with us and the door isn't closed if something else were to come to you. We ask you again to write us a letter and give us your views on this because you did say something that was significant no matter how good the work was no matter how much money you had, the salmon still meant the same to you and I think that's a significant statement to because a lot of other people have said that too no matter how much money you had you felt you still had to have that salmon.

Ivar Malutin: In closing, a salmon to me is not just to go out get a fish on the end of a line because I have never had a sports fishing license - I don't go out and buy an expensive rod and reel becasue if I take my gill netter seine and I go out and get one or two or whatever needs - and we eat the heads - we can make a good meal out of the heads. We can make a good meal out ot the eggs, we can make a meal out of the milt, we dray the, we salt them, we can them, we smoke them, we freeze them. To put a regulations to really cut us down from using these things is going to be really detrimental - I could see it coming - I hate to see it coming but I think it will be detrimental.

Representative Joe Hayes: I wanted to clarify something you said

initially - you said the number of subsistence permits is declining? No, increasing.

Ivar Malutin: The numbers are registered there at Fish & Game. What I did say was that - when the first permits came out there might have been 10 permits, 15 permits - it was gradually going up hill and this year there were 800 permits issued.

Representative Joe Hayes: I take it that there may be some people who are now getting subsistence permits who traditionally did not subsistence on fish - that were traditionally not subsistence fisherman - I mean there must be people who are now coming to the State maybe that have just been here a few years.

Ivar Malutin: For a fact I can say that.

Representative Joe Hayes: So this increase from 200 to 800 - some people are going it for some other reason than you are doing it for - maybe just for the experience of being a subsistence fisherman or living off the land which in fact they don't really need it or at least it doesn't have the same meaning.

Representative Steve Cowper: When you said Fish and Game moved the subsistence users out of Mill Bay - How did they do that - did they tell you can't use your nets there anymore or what did they do?

Ivar Malutin: To correct the record - I don't think I said the Fish and Game moved us out of an area - I think it's moved by the influx of sports fishermen. An interested party that outweighs the subsistence people like myself. I think it's more of a political move.

Representative Steve Cowper: In other words, were the sports fishermen taking so many fish that there weren't enough left over for the subsistence user.

Ivar Malutin: That's not it at all - they have an area and we have been fishing in this area I think before the sports fisherman even came around all of a sudden it's a real close accessible area and they want

it so they just flat put it into regulation and absolutely no subsistence fishing in the area, sports fishing only.

Representative Steve Cowper: Well, who is doing this? Is Fish and Game doing this?

Ivar Malutin: It's on the subsistence permits. Right. They indicate the closed areas to subsistence on the permits. The regulations are enforced by the troopers. (inaudible talking)

Representative Nels Anderson: I don't know what the background is either but I do know that the Board of Fish & Game is going to be meeting in December and they have been soliciting comments and one good one could have been for you to make a proposal to the Board of Fish & Game that you would like to see that area reopened to subsistence users again because, it seems to make an awful lot of sense I can't understand why that kind of a regulation would be made totally disregarding the local people for the sake of sports fishermen that doesn't make any sense to me at all.

Male in Audience: I would think to Ivar, that the local people could bring this to the Kodiak Advisory Board and get them to back up a request like that because when you have as many putting in for subsistence licenses as we do here it certainly is a voice that should be listened too.

Ivar Malutin: Okay, to go a little further than what we were talking about one of the recommendations at the Advisory Board meeting by the Department of Fish & Game Sports Fisheries Department was to close this entire area (inaudible) to subsistence fishing. This is one of the recommendations that was not brought on the table because they would not accept it at the meeting.

Representative Nels Anderson: Before I take any questions from people that have already gave their presentation I would like to ask other members who have not spoken to come forward please.

Jack Wick: My name is Jack Wick, I apologize to the committee that I

do not have a prepared statement at this time, but I will submit one. Just like to make a few comments to the committee that I think might be some that you find useful and that if you have heard a person testify that they would not like subsistence defined and you have heard a person testify that they would like to see subsistence defined. I think that we've indicated in other hearings that we've had that subsistence is a major concern to people in Alaska both for the lifestyle, heritage, low income people and some people who just want to live that way. My concern is not who gets it or when there are several alternatives to - I should say it's the worst possible situation where you have to say we only have this many and you're going to get your share. I think basically I'd like to see a program developed whereby there will be enough. My concern stands for the fact that when you define something or legislate something there are many gray areas. To give you a good example of a piece of legislation that was passed by Congress - I can't remember what year, I always use this one as an example, It's legislation regarding oil spill. The tankers were going (inaudible) creating large oil spills. So they created legislation to stop that and now you have a case where the ordinary fisherman who has a 32 foot boat who has to to out at night to pump his fuel case he gets the same fine as a tanker. That's the problem with subsistence - if it isn't legislated correctly, instead of solving the problem you make people unlawful. Instead of law abiding people who live in rural areas - you'll find people who don't follow the letter of the law simply becasue it isn't right. That's my major concern. As far as the issues that have been presented today of course I think subsistence should be a major consideration not only because of the fact that people do subsistence. Subsistence has been treated very - people take it for granted - If you went to Larson Bay for example, and you ask somebody - Do you subsist during the winter time? My answer would be, I guess so. They live that way all their life and they just never put a handle on it. They hunt ducks - it's just a natural way to live but when you start defining it and you take different areas of the State, different lifestyles, me for example, I would subsist as much as I could if I had the time. I grew up on salmon, smoked salmon and it's really difficult to get in Kodiak. I think the biggest problem that we have to face is to solve the gray areas and combine lifestyles and culture and me.

Also you have to face the fact, (inaudible) basically, we discussed fisheries but there are other issues, I don't know whey it seems weird but we have on the island here, a herd of reindeer that have no seasons, no limits and you can go hunting them anytime of the year and they have managed to servive. As far as I know, they're not in a critical stage or extinction or they are not overpopulated, but I bet if you put a limit on them two years ago and a season you would have a heck of a time finding them now. So I don't know what the answers are. I'm just going to give you some general comments. As far as subsistence locally, I think it's the same problem you find in all areas of the state, you have the Alaska Department of Fish and Game, Commercial Division, you have the Sports Fish Division, and subsistence just falls within the trap. I think you should develop a subsistence division - somebody to look at the figures from a subsistence point of view, instead of looking at it from the Fish & Game point of view and saying well, we've go guys out here sports fishing and subsistence users and commercial users that re infringing on their rights. You should have somebody saying well, we've got subsistence fishermen out here and we've got some guys with poles slopped in the water and we've got commercial users among (inaudible) subsistence - somewhere there's (inaudible) I remember when I was kid, why native people thought non-native people were dumb. Because there was a nice brand new beach seine, right there on the beach and here's a guy out there catching them one at a time. Nobody sport fished when I was a kid. You have different lifestyles and they have to somehow come together but I think the key to it that we have to look at it from a subsistence point of view.

Representative Nels Anderson: I agree with you by the way that we do need a division on subsistence and I have asked Legislative Affairs to draft legislation for the Committee. The Committee doesn't know that yet but it will be brought up on November 11th for their consideration and I'm hoping that, that legislation will be ready for the review then (inaudible).

George Binder: My name is George Binder - I have more questions than I have answers. I think if you asked me to define a giraffe and I told you I would rather describe it. I think maybe you've got the same predicament as subsistence lifestyle. I think it needs to be described

and described in terms of the particular areas and if you try run a general definition through which will cover all areas then you'll wind up with something that backfires but the thing that bothers me is why this panel exists in other words that if you pass a law which gives preferential treatment to certain citizens isn't that unconstitutional according to the State of Alaska?

Representative Steve Cowper: I think that in my opinion that in fact you can have preferences. I do not think that you can do it on a racial basis - we would be opposed to that in any event but I think you can create classes of users, both on federal and state lands. There are people who disagree with me, I guess we'll have to see.

George Binder: It would have to be decided then by the Supreme Court of Alaska. It seems to be that there really is a question existing and I thought perhaps you were trying to get around that by creating subsistence soning. I thought you were perhaps trying to expand the zoning laws to include this concept - and maybe I'm wrong.

Representative Nels Anderson: Well, we have on the books - we do have in the Department of Fish and Game the authority to create these subsistence zones after a petition has been signed by 100 residents of the area where they feel that a subsistence zone ought to be created. There have been five requests at this time and one of those requests have been honored.

George Binder: What subsistence will mean in that sense is quite different than the subsistence that is talked about in the Udall Bill. He talks about subsistence, and subsistence management zoning. It seems to me that he's talking more about a lifestyle and not so much about income supplement. It seems to me that, that's your point is income supplement rather than preserving an ancient type of lifestyle. Is that true?

Representative Nels Anderson: No, that isn't correct. I don't think that we really settled on any one aspect of which way to approach the question on how we are going to deal with the subject at least I haven't yet. I'm not certain that I want to look at subsistence legally, I

don't know if that's going to be correct. I think your suggestion of describing subsistence and putting general parameters around the activity has some merit. I'm not going to look at subsistence from a total economic point of view. I think some of the suggestions that have been made throughout the State regarding lifestyle, culture, (inaudible) all the way into what we attempt to do, but I do believe that this committee has to do something that has a specific charge from the Legislative Council and we've got to address the situation.

Representative Steve Cowper: I think what we're talking about relates more to a lifestyle with the people who voluntarily adopted it than anything else but if there's not enough to go around within that group what we're talking about is economics. You break it down.

George Binder: I think the Udall Bill certainly arranges them in the order of preference of subsistence user, then the commerical user, then the sportsman, then the non-consumptive user - something like that. He certainly gives all kinds of preferential treatment to the subsistence user and doesn't avoid the word Native. In an interview he said very strongly that he is trying desparately to preserve these ancient life-styles, that is what he wants to do.

Representative Steve Cowper: I believe that Udall is determined to keep a subsistence preference (inaudible) and I don't know of very many people who are arguing with me. I'll put it that way. Of course this committee has gone further than that, we need to adopt some sort of policy on the State lands, too. Or lands on which the State has jurisdiction. So, we go a little further as far as the information we're seeking than the Udall Bill.

George Binder: Harvesting the salmon which is a big part of subsistence is done completely in State waters - it's under State control. So the question is where does the Federal government fit in there? In other words what - they can't guarantee the people who have a subsistence lifestyle a quantity of salmon because it's under the control of the State.

Gene Sundberg: I have a brief statement for the committee. I'm Vice-

president in charge of land for the Koniag Regional Corporation. My statement will be brief but basic, and I use the word basic because you know and I know that for the Eskimo, Indians as we of the Aleut race subsistence is basic. We all subsist in this life one way or another but in Alaska due to the harshness of the land and the sea it is more noticable. We live in areas that are inacessable, some areas that don't have no stores others whose residents are scattered and villages, that travel with the herd or follow the sea mammals and there are many more reasons that you will hear on this tour of hearings. But the reason you are hearing this in others testimonies is because they want to tell you that in order for any of them to live through any of the above mentioned reasons, they must live off the land and sea, they must. Nobody but themselves is going to drop by and feed them. They have few jobs to provide them with case and food. Village life is a poor life, but I'm sure they tell you it's a good self-rewarding life. You and I like the way we're living too. It's our choice - people live the way they want to in most cases. And in those cases they must have the right to live their lives in the traditional manner that they used too. They shouldn't be told that they cannot hunt and fish for the food that keeps them alive now and that has kept them alive for centuries. And should keep them alive for centuries more. And why are they being told because the resource is being depleted. The resource is near distinction, that they must call a 10 year moratorium in order to increase the stock, that you may only kill a few in order to preserve the species.

Why all the absurd reasoning - simply because somebody in the regulatory agencies made some bad mistakes in years past. Now the natives and subsistence users must suffer - why should their food and livelihood's now challenged and possibly taken away because certain agencies gave away their resources without thinking of the native concern. This point has been proven time and time again.

We all remember water fowl problem at Barrow. The recent caribou count difference. The walrus, the seal and the other day, the bowhead whale. The same agencies are trying to take away all the subsistence resources. The fisheries of the State are in trouble - who is to blame? Who's responsible? Mr. Chairman, I say that it isn't the Indian, the Eskimo,

or the Aleut. You'll remember them as the original environmentalists who certainly wouldn't bite the hand that fees them. The answer lies with the people who manage these resources and the mistakes they made in years past and continue to make in our time. It's about time these problem areas are recognized and we put people on our local State and National Boards who are cognizan? of the problems of the subsistence users and recognize that the people who rely on the land and sea for their food, clothing and shelter are also guaranteed their happiness in life and liberty by allowing their traditional heritage of the hunting and fishing process.

Representative Steve Cowper: Gene, do you think that the local Fish and Game Boards have really had the authority to bend the rules some?

Gene Sundberg: More things at the local level, it gets a lot more input from the users of the area and it sure makes a lot more people happier.

Representative Steve Cowper: Do you see any, and I don't know the answer to this, potential or conflict between subsistence users and commercial fishermen: Is there any conflict here in general - is it a problem?

Gene Sundberg: I'm not sure - I'm not a commercial fisherman - I am a sport fisherman and as far as I'm concerned there hasn't been a conflict between myself and a commercial fisherman. I've known of cases that I've heard about that there is definite areas of conflict and I'm sure that a lot of the commercial fisherman can relate those to you - I'm sure there's some here.

Representative Steve Cowper: I'm interested primarily in conflict that might exist between subsistence users and commercial fishermen. I think everybody who has testified in hearings throughout the state, just about everybody has noticed the conflict between subsistence users and sport. I just wondered since there was such a large commercial enterprise of fishing in Kodiak I just wondered if there were any conflicts there.

Gene Sundberg: Nothing that has been brought to the public that I'm

aware of. I know there - Mr. Malutin - I know he related some differences at one of the other hearings that of course I didn't attend and possibly he could come back and relay those to you or oany of the other fishermen.

Karl Armstrong: I would like to testify first for the Kodiak Island Conservation Society and in doing so endorse what has been testified to by Mr. Sundberg and then I would like to speak for myself as an individual. I'm old enough to recall catching salmon and what is now used as a sewer in downtown Kodiak - that was the silver salmon stream and that was the silver salmon stream for the residents of the village of Kodiak. I recall being able to fish for Salmon trout (inaudible) at Mission Beach and that was closed off. I recall being able to catch Salmon at Mill Bay and that was closed off. I can recall even the days when we were able to catch Silver Salmon in what we call now Mission Lake, and the creek that feeds it and Potato Patch Lake and the creek that feeds it. Those are virtually sewers today. In just the last month I watched two more creeks die, one of them is known as Menashka River and the other is known as Pillar Creek through mismanagment, through a disregard for the resources, through a total lack of concern on the part of the Department of Fish & Game and other agencies of the State and Federal Government. I lay the blame on the State and Federal agencies. I feel that there should be rehabilitation of these creeks and that there should be damages paid to the people that depended upon those creeks. I think that the time has got to end in this area when official agencies are closing their eyes and doing absolutely nothing to carry out the duties that they were created for. What good is Fish and Game if there is no Fish and Game. What good is any of these agencies they don't seek and they don't hear and they don't do anything about it - the destruction - the absolute total destruction of a salmon run or the trout run into creeks where they have taken or permitted to be taken all of the water. They spend all summer chasing people away from taking the salmon properly so that are going up stream. I don't know how many dollars were spent to protect those streams for the salmon to run through them. At the end of the spawning season they close their eyes and they don't see that all the water has dissappeared because of the lack of planning, the lack of concern for this resource. It just doesn't make good sense. It's an ecological disaster that needs to be corrected. The

silver salmon streams played an important role in the lives of all the people in this area when it was a smaller village, when it was a smaller town than it is and even today there is no reason why that creek that runs through the middle of town, it still runs through the middle of town, but it's used as a sewer, literally, they confined it inside of this big, round concrete, conduits and it racesthrough town - it's an "improvement" not. It could have been handled properly, it could have been channeled during the urban renewal. It could have been on top of the town, it could be producing salmon today but nobody cared and none of the agencies whose job it is to take care of those things did anything to take care of it. We've had 16 years go by and they still haven't done anything about it. We wouldn't have subsistence problems in the Kodiak area if these of all these streams which seemed to be producing salmon for us. At least in regards to salmon.

I wanted to protest before the Committee and urge that the committee consider those aspects of salmon that I had described here and in this concern for subsistence and subsistence users that they try to do something to insure that there is going to be rehabilitation of these creeks and that there will be adequate protection in the future to see that these disasters do not reoccur. If I were to list - I have been a subsistence fisherman, I have been a commercial fisherman, and I have been a sports fisherman and I believe from time to time am one or the other or all three. If I were to list them in order of importance, I have no doubt in my mind that I would list them 1) Subsistence, and by that I mean people who traditional make salmon, if that's what they're talking about, a main staple in their diet, 2) the commercial fisherman, because that is a way people make their living, and also obtain food for their families and 3) sports fisherman - I don't feel like it's a crime to Sports Fish - I enjoy it. I don't think that sports fishermen should be given some sort of exalted position. I think it is the least important of the three uses if there are only three uses.

Representative Joe Hayes: I;ve got a comment. I certainly (inaudible) and your sentiments that something should be done about rehabilitation and going a little further on that on the streams your speaking of - you mentioned some of them being used probably for sewage discharge and carrying the fluid out to the tidewater or whatever, but why are the

streams you mentioned earlier are drying up - The problem you mentioned isn't all the Alaska Department of Fish and Game - goes into overall broad management of our State and our Resources, I'm talking in terms of water being a resource. What is the problem as far as you let the fish go upstream and spawn but there's not enough water or there's not the right kind of water.

Karl Armstrong: There's not enough water, Sir, because they build dams. They make value judgements, apparently, and they decide that the water is more important used in some other place, than it is to keep salmon eggs alive or the salmon or the trout that are in the streams. I'm not suggesting that the water isn't needed somewhere else. I'm suggesting that very strongly I believe, in heart and soul, that there's a way that there has to be a way to use the water resource that you show that you are an intelligent specie of life yourself. It doesn't make good sense to kill off two salmon streams, utterly and completely, and lets say that using it to provide water for the salmon canneries. Now how much sense does that make to the salmon canner? And it will make less sense to the salmon fisherman. It's just a senseless destruction of a resource. The tradedy of it is, and I've mentioned this, I think, before, I have watched as we have had the "protection" effort, if you wish to call it that, grow from a couple of men, to god knows how many they have in those buildings downtown now. I don't believe that the protection effort is better, I think it's probably worse than it has ever been. At least back in the days when there was only two portecting the resource they managed to keep from killing off whole runs of salmon, and because of this, this is my personal opinion, and I would endorse and I realize that you are a State group and you probably don't agree with this. But my personal opinion is that until the State of Alaska demonstrates that it has the sense and the capability to handle these resources properly, that we must return to Federal control of Fish and Game in the State of Alaska. Because right here in the community of Kodiak there's a shameful disregard for the resource. There's an inexcuseable disregard and concern for the people who depend on that resource. I don't like Federal control anymore than I like State control. I like local control. But I don't know that we have the ability to protect these resources either. But I do know, I have been here when the federals controlled these resources, and believe me they did a much

better job than the State of Alaska is doing today. And they did it with far fewer people, they did it with two people while like the State of Alaska is spending, I don't know how much money. I don't know how many people are employed down there but they are not getting the job done and it needs to be looked at and it needs to be looked at by this committee from a subsistence standpoint. Why, how long are you going to tolerate this - I don't mean to be abusive or accusatory perhaps I'm trying to be accusatory, only for the purpose of trying to induce you to do something.

Representative Nels Anderson: Well, Karl your points are well taken. And you're not the only one that has taken a stance and throwing some mighty huge stones at the Department of Fish and Game and I'm not going to apologize for their past mistakes nor am I going to be their defender as a member of this committee. I realize that they have made some serious mistakes in the past, this has been pointed out in other areas of the State - in Fairbanks, Glennallen, Nenana, Nome, Kotzebue. There is just absolutely no way this committee could ignore the fact that the Department has been accused of incompetence and what recommendations that will result from this criticism is unknown at this time. I don't know what recommendation we are going to make. I think it would be rather drastic to make the recommendation to return control to the Feds because I fear that prospect mightily. But we have to consider the fact that you have stated what you've said. There is merit in what you have said and we are going to have to discuss that in committee and make a recommendation to the legislature on what we must do to try to correct the situation.

Representative Steve Cowper: Karl, I've got to know what happened to those two rivers we've knocked all around besides I still don't know what happened to them Menashka and the other one.

Karl Armstrong: They just diverted all the water out of them.

Steve Cowper: They just built dams, or what?

Karl Armstrong Well, the way I put it was that there were a bunch of Japanese owned seafood processing plants that needed water. So they

took all the water from our creeks and put it into the Japanese seafood processing plants and killed all our salmon.

Frank Peterson, KANA Executive Director: Mr. Chairman I would like to invite several people who insisted on developing this testimony, I would like to ask them to come up and sit behind me for physical or moral support - Ivar Malutin, Larry Matfay, Old Harbor, Gust Rastopsoff, Larson Bay and Arthur Panamaroff from Karluk, if he's here. Mr. Chairman, members of the Interim Committee on Subsistence and guest my name is Frank R. Peterson, president of the Kodiak Area Native Association. I would like to read parts of the testimony, the highlights parts of the testimony. On behalf of the officers, directors and Staff of the Kodiak Area Native Association I wish to express my appreciation for this opportunity to present testimony regarding subsistence in the Kodiak area. Sitting with me today to continue discussing and learning about subsistence are Mr. Ivar Malutin, Kodiak, Larry Maffay of Old Harbor, Lester Stopsoff from Larson Bay, and Arthur Panamaroff of Karluk. Other participants who were involved in discussing subsistence prior to this day are Nick Peterson, Wayne Marshall, Bob Worl, Emil Christensen, Walter Stanley, Lois Stover, Martha Matfay, Senafont Zeedar, Matt Jamin, Janet Wente, and Fred Zharoff.

I wish to commend the committee on its efforts and undertaking to address the issue of subsistence. In reviewing the committee's letter announcing these public hearings today, we found outselves unable to respond or to react to the stated goals of this committee. In regard to the specific questions the committee is seeking public comment on, it was our consensus that we are presently unable to repsond completely enough to adequately express and represent the views of the people in our village communities, without adequate time and cash resource with which to gather and collect such information from the village people. Since the issue of subsistence has not been collectively nor publicly discussed or addressed here in the Kodiak area before, we have determined not to respond to the questions posed by the committee without adequate research and discussion with those who would be directly affected by any control on subsistence.

However, in our discussions concerning subsistence, we have come up with

some comments and statements of concern on subsistence which we think should be reviewed and included in the committee's report of findings and recommendations to the 1978 session of the Legislature:

Laws are generally predicated on the assumption that the cast economy exists everywhere in the State, urban, and rural alike! Just as it does in places like Anchorage, Kodiak or Fairbanks. This is not so in our villages.

A national concern every year is the percentage rate of unemployment, whereby anything above seven percentile unemployment rate is an issue of grave national concern! In the village the unemployment rate, for the majority of eligible workers, is 70% to 90%! What is referred to as subsistence here is and has been a natural activity for all or most Native people in the Kodiak areas. In the villages, the law of the empty stomach prevails over any other law.

There is a saying that applies here as well as in other coastal villages, "when the tide is out, the table is set..."

We present the following discussion regarding the issue of subsistence for your information and review:

AREAS OF CONCERN FOR "SUBSISTENCE"

Definitions set too tight on limitations - it should be descriptive and qualitative in scope.

Economics of Subsistence

Subsistence, as we understand it, is oriented towards pursuing/acquiring Natural Resources for food, clothing, shelter, fuel, utilitarian items, and arts and crafts.

Aboriginally Native people were dependant solely on an exchange, or barter economy; trading foods, tools, clothing or raw materials with others, so that natural resources were well distributed. Mondern times have seen some addition of cash to this system for purchase of equipment

and transportation but it is still a traditional system and the person who accepts cash for a share of a subsistence resources makes no profit since no amount is charged for time, labor, and often equipment use such as snow machine, boat and even charter flight costs. The money received seldom if ever, covers these costs. Therefore, the Native economic exchange of goods and food, is not solely dollar oriented.

There is no direct relation between cash income and need for subsistence foods. Some places, cash serves only to supplement what we can obtain from the seand and land. To replace the foods we get would be more expensive than the cash we have left over from fishing.

Social-Aspects of Subsistence

The social structure of a Native group or tribe is tied up in the organization for subsistence. It is not something that one person does alone, but he depends on help from family or frieds, sometimes, even from other communitites. Subsistence, as we know it, is a cooperative, community and group oriented affair.

The distribution of subsistence resources is the same; it goes to family, friends and those in need. Much of this aspect of subsistence is tied to traditions as old as a group's history.

The organization for subsistence has three types of people involved:

1. Harvesters - who actually go after the resource.
2. Users - who receive the bounty?
3. Cash providers - who may support activities of harvesters with cash services, equipment, in exchange for a share of the resources.

Cultural Values of Subsistence

This aspect is often founded in antiquity and has a continued, modified over time, to the present day. Kinship based activity, sharing between families and communities are examples of this.

Food preferences, choices of occupation, and choice of a place to live one's life are other examples of cultural influences which also relate to subsistence. It is the total relationship of group to their chosen environment and its resources - the way people fee. It is often difficult to put into words. These things are often called a "cultural heritage." Certain subsistence activities provide status in the community and family and self-esteem. It effects the way people feel about themselves. The expectations they have learned from parents and grandparents.

Certain methods of exploiting resources for subsistence are cultural. Feelings about spiritual life of animals, winds and the land and their expression and enhancement in songs, sories and artwork are expressions of the importance of subsistence. These areas are seldom clearly understood or easily articulated but are vital to a cultural way of life. The National Environmental Protection Act of 1969 recognizes the social, cultural, psychological and economic importance of subsistence to Native life.

You have a number of specific question that I will not ask. We've responded to a certain comments and certain press coverage related to subsistence and we had additional questions that I will ask of the committee that is part of our testimony.

In concluding, we appreciate your efforts in addressing this very important issue of subsistence. We hope you understand our reluctance to respond to your specific questions at this time, and that this committee would consider our request for financial resources adequate to generate the answers to the questions you raise, from Native people here in the city, as well as in the village. We estimate that a period up to one year would be adequate to develop a more specific statement regarding subsistence in the Kodiak area. We would request that recommendations and legislation you propose will have built in to them ways to consider our future recommendations and to amend any laws which apply. Thank you.

Representative Steve Cowper: You said a lot of very important things, I think perhaps the most important is simply that there is not a cash

economy in most small villages. I think it's something that the people of the Congress, never did understand until they acturally came to Alaska and went into some of the villages of the State and I think perhaps some of them at least do understand that. We got such comments, by Congressmen from back east someplace, one of them said well, I thought all natives were rich now. The Claims Act is been an Act that, of course nobody bothered to tell him that not much has come down yet. Had another one in Maryland - You don't need subsistence hunting and fishing anymore because you're eligible for food stamps. So you know that people like that trip through Alaska is a real education.

Dick Wamser: I don't have a statement either, I've been out of town for awhile and I think just about everything has been said here that can be said. It goes around subsistence considerably and there is a lot of questions and statements and I can't help but agree with every single one of them that has been made concerning subsistence. I'm a commercial fisherman at times. The last couple of years I've been working in town so I don't really depend on subsistence in any way shape or form anymore I used to like hunting, I used to go sports fishing, I've done a little bit but it's been quite awhile since I've done all of them. I think that my opinion should be stated here because really there's really three, perhaps four different types of uses of the resources, the fish and game resources. The first obviously to me anyway is the subsistence should be defined if it can be defined. I never thought of it before but it's something that a person's life may depend on. Very close to that is their personal use, which is a habit. Which primarily here is the traditional use of the fish rather than the game. The fish is the most important here and it always has been. The third use would be commercial - a person whose livelihood in general depends on it since more and more people are being required to change to the cash economy. The last and definitely the least important, would be sports which is the killing and fishing for the fun of it. I was born here over in Afognak Island, which is one of the nicer areas around. Hunting is a nice thing. The last few years the only thing I've done is for sport. I think it's much less important and that's the main point I wanted to state of my opinion. There's a real big difference there, it's been talked about as subsistence is personal use. Personal use is nice, I like to smoke a few fish even though at times I could go down

and buy some, but most of the times it's not very good (the commercial variety). There's many other interpretations of subsistence, not interpretations of subsistence, rather but precedence of sports over subsistence which really, I think, is the question that is coming more and more to the forefront all the time is that it would be extremely unjust and it's something that you can't legislate a person's way of life or his livelihood or his right to even live. It's only that kind of thing that causes disrespect for the law cause when a person gets down to a point where he can't live he's going to say heck with the Law. He's going to try to live as much as he can. I don't think we need anymore of that - there's a great deal of that in this country today and the control issue is something that can only be done locally. It's proved for years that bureaucrats in distant locations are never going to effectively answer the problems. They have the so called Advisory Boards and various things of that sort but the majority of the times that's exactly what they are - advisory - this function should be brought right down, not only in fishing but in almost in every other issue to local control not just advice - local control by the people who are most directly affected.

Pete Olson: I was born and raised in Alaska. I guess I spent over a month in the so-called United States. I have this distinction that many people don't have that after I was three years, Congress was nice enough to have me become a citizen of the United States that's pretty nice of them. You, I don't know your name but you mentioned something that Congressmen think that we are rich people now. I'll tell you a little secret - we're spending all of our money on lawyers trying to get back what they say is ours so the rich Natives are only by-products of the lawyers. They're the ones who's getting the money. What is subsistence? This is what I've been hearing for so long. Whenever I try to do something or anyone tries to do something everybody is saying well, listen I've got my rights. I've always tried to live with that policy well, I've got rights - you have some too. But nobody said anything about or aborigianl rights that we had that the people that were born here and raised here - that they could have something to say about their lifestyles. Our lifestyle has been forced through socitey to change, with your lifestyle your culture changes. It can't help but do it.

Along the coast, the people lived on fish, that was their primary food. Slowly now we see it taken from us. One time I would go out here, I never had to go to anybody and tell them how many fish I want get - I went got X number of fish. My wife and I would can them, smoke them, salt them and if we had any that we could not use we did not throw it away. We gave it to somebody that could use it. We believed in that.

You look at the history, not only of Alaska but you look at the history of all of the United States - you could never say that the Indian killed off any game, any fish, it has always been the people that come in behind them. Not only took the resource but took the land as well, fenced them in. You say well, where does this lead us then. What should we do about it? I believe the Natives should be entitled to his rights that he had that from the time of his forefathers. We see right now today, look at the walrus now they want to cut the subsistence for the Natives there to put that into a sports fishing, a game animal. Now why should they be allowed to do that? Why should anyone be allowed to change a man's culture, a man's way of life, forcefully. If there's enough for game, fine, if there's not then cut the game out and let the Native people have enough to live on. We see the whale, the Native, the Eskimo never killed off the whale, he never made it an endangered species, but when it comes down to it he's the one that goes hungry. He sits down at the table with no food for him or his children. Why? Because somebody in Washington says look at these other foreign countries have the right to some of that fish and now who is left out. The people, right here, right in Alaska. This has been the way of the land ever since the pilgrims come - taking from somebody and not utilizing it. I don't have to tell any of you what happened to the buffalo. I don't have to tell you what happened to the whale. I don't have to tell you what happened to the sea otter. You know all of that. Not once has it ever been a Native, the Indian, or the Eskimo. Yet, when it comes time to put food on the table who is the one that goes hungry, because of somebody else's mistake? I don't believe the Native , Indian, Aleut, Eskimo should be penalized for this. I believe the people should be penalized that create this problem. I've got no objection when they start infringing on my lifestyle, my way of life, my culture that was here before they come. If they want to come up here and make a living, let them come up to make a living I got no objection to it. You can

look around Homer, Kenai area, look at the moose now. At one time there was moose anywhere there - it was not the Native that done that. Yet where did the penalty go? Right back to the Native. This is all I have to say and I hope it will merit something because this is the way it has been ever since time began. I just hope one thing that there has been a saying with your bureaucrats, with your governments that they have the habit of shooting the bull, passing the buck, and making million copies of it - I hope you don't do that.

Fred Zharoff: Mr. Chairman, memebers of the Interim Committee on Subsistence, Senator Poland, I have been a resident of the area for 30 years and I haven't really put that much thought into the concept of susbsistence. I always thought of it as something that was available if there was a need to use it and I guess the more that vou reallv think about it, particularly those areas on the mainland that they have reached areas that have reached critical stages. I suppose in Pt. Hope they have their problems, Anaktuvak Pass they have their problems and I think Kodiak will eventually have thei problems.

The main source of subsistence here, I would imagine centers pretty much around fishing industry and there was a question raised earlier about does this reaaly effect the commercial fisherman as opposed to the subsistence fisherman? We have certain regulations there that do not allow subsistence fishing during commercial season. Yet if you look at the intake there at subsistence as opposed to many of the projected runs we may be talking at the outset of maybe 5,000 fish maybe more as opposed to a run from anywhere from 3 million to 12 million fish so presently I don't forsee this as a problem but I would like to charge the committee there to in their evaluation of writing a definiton for subsistence which I feel there reallv isn't one. One that you can come up with an adequate definition that would satisfy everyone. You take into consideration people in different localities. You talk about advisory boards making decisions that is going to ultimately effect people in that locality. We have an advisory board here locally that has tried to make decisions that effect the people of Larson Bay and Karluk limiting their subsistence of Steelhead. I don't understand why we have to allow something like this to continue. People over there depend on this. Now this is their livelihood through the winter

time. Sure they're eligible for food stamps. Yes, there's a store but what do you do in February when you haven't had a mail plane or a boat for the last three months and you've had the opportunity to obtain your fish in August and September and yet you were not allowed to do this. Who is going to come along and bring you the staples that you need? I think this is something that should be taken into consideration. Mr. Cowper mentioned there that (Inaudible). I don't want to address it totally to villagers as totally subsistence people. There are other people also that depend on subsistence and I think their need should be taken into consideration as well. To sit here and arbitrarily make a decision that affects somebody that you have never seen, that you are not familiar with their lifestyle I think is totally wrong. I think that if they wish to make a decision such as this that they should go out there and live on what is available and then come back and make a decision. And see if they can actually live with it.

Another interesting, and you brought up I suppose as a possible solution and I'll just reat it. Suggest that perhaps an immediate answer to solve this problem of subsistence would be parallel to the immediate to our commercial fishing problem which is the limited entry. That subsistence be based on a "limited entry." That limited entry permits be issued for subsistence be it fisheries, be it hunting or whatever. With basic criteria based upon years of residence. Lifetime residents getting enough points automatically. Not any discrimination whatsoever, lifetime residence. Suppose we start with a limited number of permits as was suggested. I suppose to be determined by a limited entry commission of some sort based on subsistence. I don't envy you of making a decision, I don't envy you of going back (inaudible) your task is probably just beginning.

Male in Audience: I think there's a great deal of merit to this. That it may come to this because certainly there are difference not only in a lifestyle but where you live that make subsistence absolutely vital and essential and if the permits keep increasing such as Ivar mentioned jumping up to 800 in this community and when you see people in the cities get permits and fly to some of these areas and infringe on their game and fish that people there need to live off there is a problem.

Representative Joe Hayes: I would like to follow up and make a comment on what they said regarding comment that Representative Cowper said. Yes, we did have a lot of people up here from U.S. Congress and they've got a look at Alaska that maybe was a real eyeopener for them and maybe it's helped a lot in some of the changes you were hearing about in the Udall Bill and so forth. And just to follow up on what he said and I certainly agree is that this is a big state and we have 60 people in the legislature and I'm one of the 60 people and I've been around a little bit more than most and not as much as some and I think that we really have a responsibility on the State level to try to see more of this State, this big country. There's a real difference from Southeastern to the North Slope and I understood you correctly, I think that was what you were toughing on, is that we're making decisions on the state level that is effecting the lives of people about which we know very little and then whatever limitations we can, make a go for outselves we should try to become more familiar, and I certainly will support that and I'm trying to do that myself. I hope that others do also because we really need the insight into the problems outside of Anchorage, Fairbanks, Kodiak to solve some of these problems to everybodies satisfaction.

Fred Zharoff: Mr. Chairman, my reflection there was not the intent to make the legislators aware of the problems throughout the state, but rather the people there that are ultimately responsible for the final decision making that they not let pressure groups or people with influence or certain interests steer their judgement from what they actually know or assume to be right for the people that have to survive on this and then submit proposals for regulation change there that benefit their pressure groups. This is my concern. Mr. Malutin, I think when he mentioned there that he had been forced out of several areas. Karluk is a fantastic river for fishing and my goodness just the other week here we had a celebrity come here just to fish the Karluk. Does this mean we close down all of the Karluk River just for people that can afford to fish there? Do we close it all the way down for subsistence just to reserve that little bit of fish there for people that can afford to come in? This is my concern. I think it's probably the concern of many people particularly those that have to survive on what is there. They cannot leave their villages to travel

for 3 or 4 weeks at a time to obtain all the other fish there that they need 10 miles away from their villages when the fish is coming right next door - it doesn't seem right.

Jack Christenson: I'm from Old Harbor. I'm from a big family - 19. My Dad never did have a job working anyplace, but fishing and that's all he did. I think if we didn't have no fish to go fishing for, but to (inaudible) during the fall season and to have somebody to come and say you stay out of there because we want to sports fish. I don't see any reason for them to come in and say that we cannot get our limit of fish. We limit our fish, we don't go in there and wipe out the whole thing. I imagine, if everybody from down south or wherever they come from got up here and (inaudible) streams, I'm not saying they are, but that's our livelihood right now - I don't do nothing but fish ca' .e I was taught that and my Dad taught me that with the rest of our family.

My whole family fishes and my father did. If I had my permit and I have to take it to the stream everytime I went up there and there is somebody saying you lost your permit you can't go in there and I'm going to say there is no way you can chase me out of the stream I've been going up there for 24 years. I love fishing, I love going up there to see them fish. When I was a kid, and I still do it now, I dry my own fish, I split it, I do everything I want with my fish but I don't waste it. That's one thing I want to say is that my Mom and Dad raised 19 kids in that time there was no jobs in Old Harbor and all we had was fish, clams anything from the ocean. My Mom doesn't like canned food or anything right now and she's still alive, my Dad passed away, the rest of my family is still living in Old Harbor and that's a lot of what we depend on is fish. That's all I have to say.

Larry Matfay: I was born in Ahkiok, but I live in Old Harbor. I'm only 70. My school days are really poor I didn't put too much school in. I've been out with my dad in a Kayak. (Inaudible) he like Kayak better. He used to go sea otter hunting. He used to go up in Olga Bay - early fish come there. We split those fish too. Everybody pick them up and dry them. And they won't take anymore. Then in the middle of the summer they move down a ways and split more fish - dog salmon. Then they move again (inaudible) whole bunch of them and they die you know.

I eat eaven raw fish - some places we don't have no stoves to cook our salmon. Up in the lakes we eat raw fish. Of sourse we cook the meat. I like whale (inaudible) I don't get it down here anymore. I used to there used to be whaler here before - one guy used to go out in a Kayak down in Alitak and in Old Harbor. You don't see anymore around here now one or two. (inaudible sentences) eggs, we dry eggs, salmon eggs. (More inaudible sentences). I ate them myself and dry them. (More inaudible sentences) They are good - dried eggs. We're limited on 25 fish. My wife's 25 fish - we split fish - even my grand kids 6 years old now split fish. (More inaudilbe sentences) I hang them up and dry them. I got 14 grandchildren, all blue-eyed and red headed. (Inaudible sentences) I taught them how to do this even out of the sea - I shoed them how to get stuff out of the sea like the tide goes out and you get clams. I eat raw clams, I eat sea eggs, I eat raw octopus, and all the kelp. (More inaudible sentences) even if I have 25 fish home I'm going to take all those with me cause I know there's some up there. I hope they don't drop it - because all our kids in Old Harbor from the beginning eat fish and animals. (More inaudible sentences) bear, seal, sea lion, (more inaudible sentences)One time I had to (inaudible.)

Representative Nels Anderson: There's some people that wanted to make some comments and if there's no one else wanting to testify we will let people make comments and questions that you may have.

David Morrison: I would just like to make an addition to Mr. Malutin's testimony on the number of subsistence permits that have been issued. I think one of the main reasons why there have been so many permits every year is that there just about freely given. The only question that I have ever been asked when I've gone to apply is - Did you turn in the record from last year? If you said yes and then they give it to you. I think there should be more strength in regulation to obtain such permits. Because I've known many people that have just gone out well, I'm going to go subsistence fishing. I'm going to go get my permit and I'm going to go out and get so many fish and get my picture taken and I'm going to give them away - they don't even use them - they don't even like fish, but yet they'll go out and get a subsistence fishing license. I don't think this is right. Every year more and

and more of the areas are just closed down. Every year there's new additions - you have to go further and further away to get anything and me personally I don't have any means of going further and further away - I don't own a boat, don't own a skiff, I couldn't go - I'd have to be right now off shore and they've just closed down so many of the areas that you just can't do that anymore. That's about all I have to say.

Representative Joe Hayes: Mr. Matfay mentioned that in Old Harbor - the way I understood him was that there are 25 fish per person. Is that the way it is all over the area?

David Morrison: Yes, it is in Kodiak. That's the only place I've ever subsistence fished before. It's 25 fish per person in town.

Representative Joe Hayes: Is that enough for a family?

David Morrison: No. I only have maybe 40 fish this year and of those 40 I think I have nine left in the freezer right now and that's not even getting me into the winter. One reason I didn't get my quota is the means the access to get out. The reason being that more and more areas are being closed down.

Representative Nels Anderson: If there is no one else. I know it's getting late and again I would like to remind people that if you did not make your statement tonight and those of you that may come in contact with people tell them to please get in touch with us. Write to us in Juneau or to the Subsistence Committee in Dillingham, and we will take your testimony and comments and letters into consideration as we take a close look at the subject that we're trying to wrestle with now again if you would like, Dorothy Larson, our Staff Assistant, could give you our address and you could write to us if you have some other ideas that we did not express this evening. I would like to thank all of you that did appear tonight and thank those of you who did share your thoughts with us. We deeply appreciate your taking the time to attend this meeting. Adjourned.

~~IMPOSSIBLE~~ difficult TO DEVELOP A SIMPLE, RIGOROUS DEFINITION OF SUBSISTENCE. ~~However~~, there are still many people who depend greatly upon natural resources in order to make a living; there are also many for whom subsistence living is culturally the way of life. Of necessity or by choice, they live off the land. To a great degree - they subsist. Activities in support of these life styles include hunting, fishing, trapping, and gathering traditional wild foods and other organic materials. Of necessity, practioners of subsistence life styles live in areas of low human population density. Historically and throughout Alaska, hunting and gathering societies were distributed at low densities as mandated by the productivity and characteristics of the ecosystems of which they were a part. Furthermore, to be successful at subsistence living, they must have the dedication, knowledge and skills, which in essence make them "professionals" at hunting, fishing and trapping.

The Alaska Conservation Society supports the concept of subsistence use of natural resources by Alaskans for the following reasons.

1. There are strong cultural affinities for subsistence living among natives and non-natives, even though the basis for these affinities differs.

2. The existence of viable subsistence life styles provides our society at large with an added and positive element of diversity, which enriches both subsistence users and others.

3. Subsistence life styles, properly pursued, are environmentally less disruptive and less distructive than life styles associated with modern agrarian or industrial societies. Regulated and controlled, subsistence activities can be an ecologically sound means of supporting people in rural Alaska.

4. Subsistence use remains an economic necessity for many rural Alaskans.

5. Subsistence use has always been a natural part of true wilderness, contrary to todays popular notion of wilderness as "...a place where animals live, but people only visit."

Hunting:

Hunting, fishing and trapping are pursuits that figure prominently in virtually the whole spectrum of Alaskan life styles. However, given the current "mobility" of individuals with respect to life styles, some people are often involved in the exploitation of living resources for different reasons at different times. Similarily, the use of a given species can, at different times, be for different purposes by the same person. This is true with respect to hunting, trapping and fishing. For these and other reasons, attempts to distinguish among

commercial-sport-subsistence fishing or subsistence-sport-trophy hunting as practiced by many Alaskans have been unsuccessful. The material, physical and psychological rewards of these pursuits are all of importance; the degree of each depending on circumstances.

Although fishes and fishing are of great importance, and the factors affecting fish populations and aquatic habitats are, in a broad sense, quite similar to those affecting birds and mammals, the question of fishing does not currently engender the kind of debate that hunting and trapping do. Current attention within Alaska and nationally is focused on the issue of hunting.

Hunting wild game is a pursuit as old as mankind; in fact, hunting was crucial to man's evolutionary development. However, in modern life, relatively few people are confronted with the necessity of hunting or gathering food, nor with the reality that their life depends upon the death of other living things. Hunting brings this relationship into sharp focus, and emphasizes man's need for a more responsible attitude toward other species and their habitat.

Because of the contributions of hunting to Alaskan life styles through its physical and psychological challenges and rewards, we believe that hunting in its various forms should be provided for in land dedication and management. We consider hunting to be very important among the array of potential wildland uses. Again, a continuum exists between the extremes of hunting as a dominant desirable use of wildlands in some circumstances to those situations, such as national parks and monuments, within which it is neither desirable nor compatible with other important uses.

However, if hunting is to survive as a positive element, some hard realities must be recognized and reckoned with.

1. Biological productivity. The basic long-term productivity of Alaskan lands is low, and the abundance of plants and animals varies dramatically over any period of years. Hunting and other wildland uses must be regulated in accord with these basic principles, or neither the wildland uses nor the wildland resources will survive in a healthy condition.

2. Human Population Density. For subsistence life styles with a high direct dependence on hunting and gathering to be perpetuated, low densities of users in relation to resources must be maintained. In the past, availability of resources limited human numbers, but today many constraints on human population have been removed. Therefore, regulations are necessary to insure that increased human use does not damage wildland resources.

3. Modern Technology. Technology has increased the efficiency of all

ON LAND AND ITS RESOURCES.

Subsistence:

Within the existing, broad spectrum of life styles there is an array of "Alaskan" life styles including many so-called "subsistence" life styles. Subsistence life styles are a complex mixture of traditionally native, traditionally non-native, and completely new elements that vary tremendously from place to place, from one individual to another and from year to year. For these and other reasons, WE BELIEVE IT IS

KODIAK AREA NATIVE ASSOCIATION

BOX 172
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STATEMENT OF THE
KODIAK AREA NATIVE ASSOCIATION
ON SUBSISTENCE
FOR THE INTERIM COMMITTEE ON SUBSISTENCE

October 17, 1977

Mr. Chairman, members of the Interim Committee on Subsistence, and guests:
My name is Frank R. Peterson, President of KANA,
On behalf of the officers, directors and staff of the Kodiak Area Native Association, I wish to express our appreciation for this opportunity to present testimony regarding subsistence in the Kodiak area.

Sitting with me today to continue discussing and learning about subsistence are Messrs., Iver Malutin of Kodiak, Larry Matfay of Old Harbor, Gust Rastopsoff of Larsen Bay, Arthur Panamaroff of Karluk. Other participants who were involved in discussing subsistence prior to this day are: Nick Peterson, Wayne Marshall, Bob Worl, Emil Christiansen, Walter Stanley, Lois Stover, Martha Matfay, Senafont Zeedar, Matt Jamin, Janet Wente, and Fred Zharoff.

I wish to commend the committee on its efforts and undertaking to address the issue of subsistence. In review ing the committee's letter announcing these public hearings today, we found ourselves unable to respond or to reach to the stated goals of this committee. In regard to the specific questions the committee is seeking public comment on, it was our consensus that we are presently unable to respond completely enough to adequately express and represent the views of the people in our village communities, without adequate time and cash resource with which to gather and collect such information from the village people. Since the issue of subsistence has not been collectively nor publicly discussed or addressed here in the Kodiak area before, we have determined not to respond to the

to the questions posed by the committee without adequate research and discussion with those who would be directly affected by any control on subsistence.

However, in our discussions concerning subsistence, we have come up with some comments and statements of concern on subsistence which we think should be reviewed and included in the committee's report of findings and recommendations to the 1978 session of the Legislature:

Laws are generally predicated on the assumption that the cash economy exists everywhere in the State, urban and rural alike! Just as it does in places like Anchorage, Kodiak or Fairbanks. This is not so in our villages.

A national concern every year is the percentage rate of unemployment, whereby anything above seven percentile unemployment rate is an issue of grave national concern! In the village the unemployment rate, for the majority of eligible workers, is 70% to 90%! What is referred to as subsistence here is and has been a natural activity for all or most Native people in the Kodiak areas. In the villages, the law of the empty stomach prevails over any other law.

There is a saying that applies here as well as in other coastal villages that, "when the tide is out, the table is set..."

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There is no direct relation between cash income and need for subsistence foods. Some places, cash serves only to supplement what we can obtain from the sea and land. To replace the foods we get would be more expensive than the cash we have left over from fishing.

Socio-economics of Subsistence Social Aspects of Subsistence

The social structure of a Native group or tribe is tied up in the organization for subsistence. It is not something that one person does alone, but he depends on help from family or friends, sometimes, even from other communities. Subsistence, as we know it, is a cooperative, community and group oriented affair.

The distribution of subsistence resources is the same; it goes to family, friends and those in need. Much of this aspect of subsistence is tied to traditions as old as a group's history.

The organization for subsistence has three types of people involved:

1. Harvesters - who actually go after the resource.
2. Users - who receive the bounty?
3. Cash providers - who may support activities of harvesters with cash

services, equipment, in exchange for a share of the resources.

Cultural Values of Subsistence

This aspect is often founded in antiquity and has continued, modified over time, to the present day. Kinship based activity, sharing between families and communities are examples of this.

Food preferences, choices of occupation, and choice of a place to live one's life are other examples of cultural influences which also relate to subsistence. It is the total relationship of a group to their chosen environment and its resources - the way people feel. It is often difficult to put into words. These things are often called a "cultural heritage." Certain subsistence activities provide status in the community and family and self-esteem. It effects the way people feel about themselves. The expectations they have learned from parents and grandparents.

Certain methods of exploiting resources for subsistence are cultural. Feelings about spiritual life of animals, winds and the land and their expression and enhancement in songs, stories and artwork are expressions of the importance of subsistence. These areas are seldom clearly understood or easily articulated but are vital to a cultural way of life.

The National Environmental Protection Act of 1969 recognizes the social, cultural, psychological and economic importance of subsistence to Native life.

We ask these questions of the Interim Committee on Subsistence:

1) Why are they having a hearing in Kodiak?
2) What regulations or suggestions does the State have on subsistence?
3) No one has ever discussed subsistence before, especially in the Villages.
4) Do we have to be so limited in our use that we can't feed visiting

family and friends?

5) Is the State considering on how much someone can earn and still do subsistence hunting & fishing?

6) Will there be subsistence zones? Who will set up and control subsistence zones? Will they be regional or community, or statewide?

7) Will people be restricted by these?

8) Fish is the major concern regarding subsistence. What kind of rules is the State considering concerning subsistence fishing? Some people in town don't really need the fish but they fill their permits. Sometimes things happen to the catch such as rain ruins drying fish, and those who need them can't go out and get another limit. Most Native people in the villages don't understand the present way of regulations and only know to take what they need, when they need it.

9) Reindeer - 600-700of them, why keep the season open? Or are they caribou? We used to herd them and now the herders are gone and instead of being available to us when we need them, they are not regulated and are declining in numbers.

In most Native homes you don't always know how many people will be eating meals (four to a dozen or more). It's easy to go through a hind quarter of deer at a meal. During social events (bingo, church suppers, etc.) more meat is put out. The whole community shares in these events. Some families could easily use a whole deer or more a week.

10) Generally, people don't really pay much attention to this sharing of food because they never had to explain it until now. If sub-

sistence is tightly controlled and regulated, will these important social and family uses of subsistence foods have to end?

Some people are concerned about listing the foods they eat and the amounts. We could get locked up with having only so much of certian things based on a few statements and this doesn't take into consideration that needs can be different from year to year.

11) What happens when there is a conflict between commercial use and subsistence use? In Southeast Alaska seaweed and herring roe and fish have all been restricted. Caribou in the North and moose and fish in the Interior are other examples. Now the Eskimos are facing total restriction of their Bowhead whale hunting. In 1971 or 2 the Federal government took control of all sea mammals but Native subsistence use was protected. Now the State has taken control again and there may be new restrictions based on the sportsman's needs, for use of these species.

General Comments and Reactions to Press Coverage on Subsistence

* Welfare should NEVER be considered as an alternative to subsistence!
* "Subsistence is a dead or dying way of life", is not true. It shows no understanding of tradition and change and the strength of culture.
* "There are very few subsistence users in the State..." True only if subsistence is strictly defined on the basis of cash use as a supplement.
* "The number one priority should be the protection of the resource", is meant to say only for guides and sportsman, claiming a prior right over those who have always depended on the game for their livelihood.
* Cash is used more like a subsistence resource in rural Native communities, it supports a wider circle of people and is often distributed based on need or social obligation when it is available. It is a tool to use, not an end goal as in the Non-Native society.

MORE QUESTIONS

1) Subsistence Zoning viewed as important:

what will be the time frame for establishing zones?

what will be the method of setting boundaries?

who will set regulations within zones? how?

who will enforce? regulate? manage?

village people whould have a strong voice in these matters

fear that boundaries may be restrictive and unchanging.

2) Resources:

protected for present subsistence use

managed for future generations and subsistence use

conflict between sports, commercial, and subsistence users - who has priority?

what subsistence resources do we have to worry about?

3) Permits:

the right to a subsistence permit may be lost if a person doesn't turn permits in each time with harvest information from the last year

subsistence seasons are not always based on need or Native life style, but, as in the case of caribou, on the seasons for sport hunting

4) Right to subsistence hunting/fishing:

could be lost on the basis of income

not based on pounds of resource catalogued

not based on a determined dollar value of resource

not tied to "minimal nutritional needs"

5) Definition of Subsistence:

fear of restrictive definitions

not well understood within the Native community and time is needed to discuss and think about this

money should be made available to KANA so that informaion and discussion could occur at the village level

"We don't understand definitions, or rules, and regulations in the village. We only understand to go and get what we need."

fear that commercial involvement will lock people out of subsistence use

6) Regulations:

presently more oriented to sportsmans needs, than to subsistence needs

In concluding, we appreciate your efforts in addressing this very important issue of subsistence. We hope you understand our reluctance to respond to your specific questions at this time, and that this committee would consider our request for financial resources adequate to generate the answers to the questions you raise, from Native people here in the city, as well as in the villages. We estimate that a period up to one year would be adequate to develop a more specific statement regarding subsistence in the Kodiak area. We would request that recommendations and legislation you propose will have built in to them ways to consider our future recommendations and to amend any laws which apply.

Thank you.

1b

% General Delivery
Kodiak, Alaska 99615
October 7, 1977

Nels A. Anderson, Chairman
Interim Committee on Subsistence
Box 234
Bellingham, Alaska 99576

Dear Mr. Anderson:

I have read recently of your activities on behalf of the subsistence lifestyle in Alaska. I notice that you are proposing "subsistence zoning" under Alaska statutes. This is similar to the terminology in the Udall Bill Title VII, Sec. 701(a) where it talks about "subsistence management zones". In neither case can I find the use of the word "Native" applied in these attempts to protect the subsistence way of life in Alaska.

But according to the paper, "The Alaska Natives and Their Subsistence Rights: A Discussion of the Constitutional Questions", written by former Secy. of the Interior Stewart L. Udall for the Alaska Federation of Natives, he claims that "the Alaska legislature cannot grant meaningful subsistence rights to the Alaska Natives "because to do so would violate the State's Constitution. He claims that only the Congress "has the authority to set up a subsistence system giving preference to the Natives" and that this would not be in violation of the U.S. Constitution. If this is true what is the value of your State Committee on Subsistence?

Very truly yours,

George Snider

My name is Gene Sundberg.
I am the Vice President in charge
of Land for the Koniag Regional
Native Corporation. My statement
will be brief, but basic, and I
use the word basic because, you
know and I know, that for the
Eskimos, Indians and we, of
the Aleut race, subsistence
is basic.
We all subsist in this life one
way or another, but in Alaska,
due to the harshness of the
land and sea, it is more
noticeable. We live in areas
that are inaccessible, done in
ones that have no stores, & thus

whose residents are scattered,
villages that travel with the
herd or follow the sea mammals,
and there are many more reasons
that I'm sure you will hear on
this tour of hearings. But the
reason that you are hearing this
and others, testimonies, is because
they want to tell you that in order
for them to live through any of
the above mentioned reasons, they
must live off the land and sea.
They must. Nobody, but themselves
are going to drop by and feed
them. They have few jobs to
provide them with cash for fuel.
Village life is a pure life, but

Inuit would tell you, it's a good self rewarding life. You and I like the way we're living, too. It's our choice. People live the way they want to, in most cases. And in those cases they must have the right to live their lives in the traditional manner that they are used to. They shouldn't be told that they cannot hunt and fish for the food that keeps them alive now, and has kept them alive for centuries, and should keep them alive for centuries more. And why are they being told? Because the resource is being depleted? The resource is

near extinction? That they must call a 10 year moratorium in order to increase the stock? That you may only kill a few in order ~~to~~ to preserve a certain species? Why all the absurd reasoning? Simply, Because somebody in the regulatory agencies made some bad mistakes in years past. And now the Natives and subsistence users must suffer. Why should they ~~have~~ have their food and livelyhoods now be challenged and possibly taken away because certain agencies gave away the resource without thinking of the Native concern.

This point has been proven time and time again. We all remember the wildfowl problem at Barrow, the recent caribou count difference, the Walrus, Seal and the other day the Bowhead whale. Those same agencies are trying to take away all the subsistence resources. The fisheries of the State are in trouble. Who's to blame?? Who's responsible? Mr. Chairman, I say it isn't the Eskimo, Indian or Aleut. I will remember them as the original environmentalist, who certainly wouldn't bite the hand, that feeds them.

The answer lies with the people who manage these resources, and the mistakes they made in years past and continue to make in our time. Its about time these problem areas are recognized and we put people on our local, state and national boards, who are cognizant of the problems of the subsistence users and recognize that the people who rely on the land & sea for their food, clothing & shelter are also guaranteed their happiness in life & liberty by allowing their traditional heritage of the hunting & fishing lifestyle.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT

Representative Nels A. Anderson, Jr.,
Chairman
Representative Steve Cowper
Senator Pat Rodey

STAFF PRESENT

Adelheid Herrmann

PUBLIC HEARING LOCATION

NANA Regional Corporation Museum
Kotzebue, Alaska

Date September 16, 1977
Time 3 00 P.M.

TABLE OF CONTENTS PAGE

1. TESTIMONY OF John Schaeffer, Kotzebue..... 2
2. TESTIMONY OF Lena Sours, Kotzebue..... 15
3. TESTIMONY OF Willie Goodwin, Kotzebue..... 17
4. TESTIMONY OF Keith Lawton..... 21
5. TESTIMONY OF Fletcher Gregg,Sr.,Kotzebue..... 24
6. TESTIMONY OF Elvira Downey, Kotzebue..... 28
7. TESTIMONY OF Levi Kowunna, Point Hope..... 29
8. TESTIMONY OF Judith Allen, Kotzebue..... 30
9. TESTIMONY OF Robert Newlin, Kotzebue..... 32
10. STATEMENT OF Marty Strauss,(Mauneluk).....attached..

Alaska State Legislature
House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel: 842-5970

September 16, 1977 - KOTZEBUE PUBLIC HEARING

Representative Nels A. Anderson, Jr., Chairman, called the Interim Committee on Subsistence to order at this time and made a very brief statement. I know that you people have been having alot of meetings up here lately, and I know that subsistence got lost in the whaling hearings. But, we do want to hear whatever comments people may have at this time. Mr. Anderson introduced himself, Pat Rodey and Steve Cowper and Adelheid Herrmann, Secretary.

Representative Steve Cowper One of the reasons we want to hear the people on subsistence is that on the D-2 Hearings on the bill in Washington. I'm involved in trying to put across the Alaska viewpoint in Washington and we are going to make every effort to make sure that D-2 law takes care of subsistence rights on federal land and in order to do that, we have to know what those subsistence needs are and that is one of the main reasons for this hearing today.

John Schaeffer - President of NANA I'd like to make a few comments on what my idea of subsistence is and explain why it cannot be defined to any great degree and try to give you my perception of what is involved in subsistence.

Subsistence, I feel if anything, is a style of living in the State of Alaska and it has to be perceived as such if it's going to be regulated

for the benefit of those citizens in the State that want to live this kind of a lifestyle. The Eskimo people have a little bit more involvement than just the lifestyle and we have tried to show it here in our museum and I think in the whaling hearings that have gone on this has been brought out and it's more a part of the spiritual part of our culture that we have had in the past we feel a closer tie to the land, to the animals, the game that live on the land and provide for our survival. That is the only difference between how the Natives perceive a subsistence lifestyle and the non-Natives and I'm not sure that there's that great difference. I think we look at as being a little closer because we have had 100 years to change from our old culture to the new one and our ties are a little closer to using the land, whereas, non-Natives have 200 years to change in the U. S. and that is the only difference.

The subsistence consists of the use of natural resources by the people in the State of Alaska - it is not a Native issue. We have many non-Native subsistence users. The degree of use may be more - where you can define on racial lines because the bulk of the Natives in the State live in the rural areas where the resources are more available and more necessary for survival. The non-Natives who live in Anchorage or Fairbanks and who move from other states up here to be in an area where it is a little bit more open, more wilderness where they can go out and hunt and utilize wild game are just as much subsistence users as the Natives are, maybe they can get by without it. We have got to

differentiate the subsistence user from the big game trophy hunter. We have a few of those in Alaska, but not many, most of those come from other states and other parts of the world. I'm not talking about these people. They are a different class, they are a different taker.

They may, in some cases, be subsistence users, too, although it is very difficult to transport wild game meat from Alaska to Germany to Mexico City or someplace like that. So most of them couldn't or it isn't practical for them to be subsistence users. Subsistence from what we can see is a use of resources and not just game. Although game, because it is harder to manage is what we look at the most. It's the use in some cases, up here, of the furs of the animals that are trapped to take care of the people when other resources are not available so trapping even is a part of the subsistence lifestyle. It takes you out in the country that we, Alaskans, love so much.

The regulation of subsistence is no different than the regulation on any other game species or any other use as far as I can see. It is a matter more of need. Who needs it the most when a population of species is down? Where there are so many users, you have to regulate it. It's not a matter of regulating color, this is a problem with regulation that people in the State of Alaska have because in the rural area, the greatest user is Native. They tend to look at subsistence use as a Native issue, it is not a Native issue. We have tried to maintain that and the problem is that with this kind of attitude is that we start defining things on racial lines and it is unconstitutional for the State government to regulate on the basis

of race. You can't do it, the feds can do it. And when the State starts to pressure us on racial lines, we have no alternative than to go to the federal government for protection. This is why we worked so hard to get subsistence regulations into D-2 management from a practical standpoint. The management of all game resources in the State should be handled by the State government. We know that. But the State has been unwilling, up to this point, to regulate subsistence use on the basis of need. They want to define it on racial lines.

All the incidents, and I can go over them, that have occurred have been along these lines (racial lines) and it is not necessary. I don't care what you say or what anybody says, it is not necessary in my mind to regulate the game in such a way that the office worker in Anchorage gets the same use of game as somebody who is living out in the bush who has no job that I feel requires it more. The State can, I believe, manage subsistence properly if it does two things. If the Department would dig out the old resolution on priority use of game resources for subsistence that the Fish and Game Board several years ago passed, which was well-written. I think it hit the nail on the head. As soon as it was passed, they threw it in the trash can and if they can find it, they ought to dig it back up and use it as a policy. I think the Board of Fish and Game saw that the problem, the need as it existed and they passed a very fine resolution. The trouble is the Administration of the Department of Fish and Game did not take it into consideration as far as management of game resources. That would work.

The other thing is that the way the Fish and Game Department is structured and where it is located, and the way that we handle the formulation of regulations and the management is a little lopsided. Several years ago the guides became a very powerful lobbying force in the State and they mai ained that political power. They have been able to put pressure on the State and the Fish and Game Department so that the regulations are in their favor and no one else's which means that our game is regulated for the benefit of outside hunters and fisherman. Our whole funding structure is based the same way, I understand. The Fish and Game Department even if they might be sympathetic to what I'm talking about that the game should be managed for the use of the people of Alaska can't do it because their bucks are coming from outside license fees and permits and they have got to look to that.

Our society is set up so that all of us tend to have some respect if not total respect for where the dollars come from and this is true with the Fish and Game Department. Their reliance on these outside dollars is enormous and it tends to dictate the way they manage the game. I think that has to be changed, they should not have to be reliant on one source of income because through the guide organizations, and this income from out of state, they are able to influence the Department of Fish and Game too greatly. That shoul be cut off first of all.

The other thing is that the people of the State need to have a bigger say in what is going on. We tried that with the cooperation of Fish

and Game last year when we had the problem with the Western Arctic caribou herd. After months of name-calling and dirt-throwing, where the Department of Fish and Game blamed the Eskimos for the depletion of the herd and we blamed them for mismanagement. Then, we all blamed the wolves. We finally sat down, and say, hey, let's quit throwing mud at each other and come up with a solution. They felt that they could not discriminate on the basis of need and we said, okay, let us do it and in effect, they turned the authority to issue permits over to the local community and of course, a court decision was made that this was unconstitutional which I don't believe is right because the judge acted on wrong information. The point I want to make is that we need more local input from the local areas. The one way to do this is to delegate some of this authority for management of the game resources to the local level. I know it's not possible to get any further than on a regional basis but I think that is a step in the right direction. It's going to be necessary in order to work with these new parks and refuges that are being formed under the D-2 legislation because all the trend is to regionalize the game management on these parks and refuges. It's going to be done by the federal government and in order for the state to interface with that, they are going to have to do it too.

I think it's going to be forced on us if the legislature doesn't take the initiative and do it ahead of time. If you do it early on I think it will solve a lot of problems. The last comment I want to make is on the attitude of the Department of Fish and Game - their attitude is that subsistence is a Native problem and if they

didn't have this attitude I think we could get along very well even with the system as it exists today but they choose to make it a recial issue and we will continue to have problems if their attitude continues in this direction. It's not going to help anybody, right now we have this year some very powerful U.S. Congressmen on our problem and they are willing to take some of the regulatory management powers of the State away as far as federal lands are concerned. Which I don't think is good for the State in the long run and we're supporting that because of the attitude of the Department of Fish and Game. If they want to make it racial, then we have only one recourse and that is to go to the one body in the U.S. that can regulate on a racial basis for our own protection. I don't think we are talking about just protecting the Native peoples' lifestyle. We're talking about protecting the lifestyle of the people - a lot of the people of the state of Alaska and it should be viewed this way. That's it."

Representative Nels Anderson - "Steve Cowper has a question."

Representative Steve Cowper - Asked about the Fish and Game regulation - when it was and who was on the Board? How can I find it?

John Schaeffer - The Department of Fish and Game should have it. It was prior to when the Fish and Game Board was divided."

Representative Steve Cowper - "How would you feel about the subsistence use priority written into legislation based on a locality. In other words, local subsistence users get priority as to use of fish

and game in their area and you would define subsistence somehow so it evolves around a lifestyle for people who depend on the fish and game for food would receive a priority. Do you think it would work?"

John Schaeffer - "Well, I think that was the intent of the policy statement that was approved by the Board of Fish and Game was if the resource needed to be regulated because of the size of the species going down so that all the users could not continue to use it with very little regulation then it got to the point where you have too many users and not enough - you've got 400 hunters and only 200 caribou could be taken then you would have to break that down and it would be on the basis of need. The head hunter, the trophy hunter getting the lowest priority."

Senator Pat Rodey - "In regard to funding, you mentioned this as a crucial issue in the Department, how might we move away from this problem?"

John Schaeffer - I'm not that familiar with the way the funding works but your licenses and fees should go right to the general fund and not be earmarked for use by the Department of Fish and Game."

Senator Pat Rodey - "One other question. It has been mentioned that Fish and Game should be a title 26 organization much like the Department of Education and free of political interference. It has been kicked around in Juneau, as you know."

John Schaeffer - Well, that happens, and I think our state is probably better than other states as far as political influence on

John Schaeffer's testimony cont.

running the Departments - we're much more free than other states because we're young. I don't think we need to put anyone free of political influence because this is one process where the people can get something in if the bureaucracy falls down on its face. I don't like to see the legislature regulating say, for instance, cow moose. That has nothing to do with management but what it points out is that the Department is not doing their job. The legislature steps in - I think this is a good part of the political process that has made America what it is.

If the game is managed properly you're going to have a lot of scientists working for the Department of Fish and Game who are going to be concerned about the biology or zoology or whatever they're are interested in - unfortunately these people but blind-folders on themselves when they are doing these things and they look at only one aspect of what that species means to the detriment of others. I'm not saying that there's anything wrong with these people - it's true of all of us when we're concerned with one thing, we let other things go and sometimes the scientific type can get pretty powerful - these scientific types - the technicians and very impractical and then that is when it is necessary for people like you in the legislature to step in and straighten them out."

Representative Nels Anderson - Well, John, I have a couple of observations and I wanted to share some of the ideas that have been cropping up from other parts of the State. I think that just about every place that I have been, Dillingham, we had a hearing and a

hearing in Kipnuk and basically the people are saying what you are and I wanted to ask you a question and it is one that one of the people in Kipnuk brought out - He said that because of the ANCSA the Federal people in Washington and a lot of people in our state itself in the Administration think that the shareholders of regional corporations are rich and this for some reason is having a sort of negative affect that is contributing to what you said that the Department of Fish and Game has an attitude that the subsistence problem is a Native problem but then what contributes to that thinking is people are saying well you're a shareholder and you have all this land, etc....Do you have any observations on that?

John Schaeffer - "Well, I think that is a misconception that has been cleared up by many people over the years. The first time people started looking at a billion dollar settlement I think this may have been true but since then there has been enough press and conversation about this that it shouldn't be anymore cause they know how much money the people have gotten from this settlement. In our case here most corporations that are rural based the land has no value except for subsistence which brings no money in so the value is in the use of the natural resource and not in the monetary sense. But it does propose some problems for a few people, I'm sure for instance myself because I'm a spokesman for continued subsistence use of resources. I get a lot of flack from people, some of my own stockholders some from non-stockholders about me being a corporate official with a good steady job and a good income, and, what am I doing taking these resources that other people that I say need it more are having trouble getting, and what I did was

stop hunting..that's contrary to my lifestyle - I grew up a hunter, too, but in order to continue to speak for the subsistence hunter, I quit hunting. I just won't hunt. And I think they're right there is a lot more people who need it more than I do..they can't afford it - they can't afford not to do without the resource. We can talk about figures and we have had studies made that where they have tried to put a dollar value on a pound of caribou meat and it's just not replaceable at this time unless you change the whole life-style and I don't think - I know our people don't want to change than much. The people in the rest of the State don't want to change their lifestyle either. What we have to do is bring the management of these resources around to fit the needs of the people of the State."

Representative Nels Anderson - "You know, John, the kind of work that we're doing now is that we're beginning to, at least I am as Chairman of the Committee, beginning to realize that subsistence is shaking out a lot of ways of doing things in the State that I think that people had some idea that we did have some problems but we didn't quite know how to resolve it so this year when the Interim Committee on Subsistence was created and supported by the Legislative Council this is in as far as I know, is the first time we will take on the word subsistence. One of the things I told you about yesterday that I got kicked around on was the attempt to try to define subsistence and one of the first guys that took me on was Willie. To try to define it I have to come to the conclusion based on conversation with guys like yourself and Willie and other people throughout the State is that, to attempt to define the word is going to be a self-

defeating excercise. But we are getting into things that the State of Alaska has failed to really recognize. One is the funding policy for the State of Alaska - I really believe that has to be looked into but it's coming out in hearing people talking about subsistence and it's all interrelated - bringing the authority back to the local people - management authority down closer to the local level. That is beginning to filter out.

The administration as I said yesterday, the administration is recognizing that they have to bring back the management authority down because we're never going to straighten this thing out if you're going to have one person down in Juneau making all the decisions. The attitude problem is something that I think has been prevalent in a lot of minds but has never been articulated like you just did. That attitude has to change, I don't know how we're going to change it but I think talking about it I think we're going to be able to make those people realize that we don't like it and there are a lot of people that feel very strongly about that and I think your idea of getting the subsistence policy that was developed in 1973 reactivated as a real policy of that the Department of Fish and Game uses I think we've got to make sure that they do that and what you have told us in line what we have been hearing throughout the State and it seems to be a commonality of the feeling or purpose on this.

John Schaeffer - It can't be any other way Nels, because like I say, the subsistence issue is not a Native issue. It's a statewide issue, the people in Anchorage and Fairbanks are subsistence users too. This is why it's so hard to define - you can't define it.

The corporate executive in Anchorage that needs to go out and get his moose every year because that is why he quit his job in some other state and moved up here and every year he goes out and gets that moose and has a moose burger sometime dueing the year and invites friends over for moose is just as much a subsistence user as Bob Yule who is a non-native who lives out here and lives off of the land throughout the year and has no employment who uses subsistence totally throughout the year and the other some of them native people who do the same thing. There are no racial lines unless you want to make them racial. You can't define subsistence as this, you have to utilize game resources 50% of the year. What you're going to do is start excluding a lot of people in the State who are subsistence users. We have to define subsistence user only generally and as a priority for use over other things that we can define fairly well - head hunters and that type of thing. When it's necessary to reduce the take. Other things they keep trying to throw in - the use of airplanes, that type of thing. I think that is a separate issue. It is a method of take and that can be handled bery easily by the Fish and Game if they want to do it. It gets to be difficult when they start throwing it in on a racial basis - most of the pilots are non-native - so they make that anti-airplane hunting is a Native issue. It's not."

Representative Nels Anderson - One other comment - "When the legislature steps in and starts making management decisions you know there's something wrong someplace because I really hesitate to pass laws that say you can't hunt moose or you can't do this but sometimes it becomes necessary, we've got a situation right not in

Bristol Bay down in the Peninsula where our moose season starts on September 10th because on September 10th the moose are getting wild and gamey and I think that's what a sports hunter wants, he wants a real wild animal to go after - to go after him so he gets some sport out of it and thrill. But that moose that they killed is not worth eating and it is my intent this year that if the department doesn't do something about that situation, changing that season to August sometime, I intend to enter some legislation to change that season."

John Schaeffer - "This is why I think you shouldn't make the Department of Fish and Game an autonomous organization because it's things like that and it's this dependence on outside funds from the sports hunter so that they regulate by the influence of these outside hunters. This regulating for outside hunters as opposed to someone else causes a lot of wasted meat. This is the type of thing that if the subsistence user in the state being Native or non-Native is the prime user that will benefit from the management of the game resources and the Department of Fish and Game regulates for that purpose then we wouldn't have this problem. It's only when they don't take this attitude the legislature needs to step in. I don't think the problem is when you do it it takes so long to come back and change that legislation which may be detriment to that particular species. If the whole attitude of the Department of Fish and Game is wrong and we can't change it then I think the legislature might as well make a whole bunch of laws and regulate the game because you're not going to do it any worse than they are."

Representative Steve Cowper left to go to the Budget and Audit meeting.

John Schaeffer - This is an important issue to the people in this area because we have nothing else to go on. Most people depend very heavily on the game resources and if they didn't have it they would have to go on welfare because there is no other alternative. We keep our welfare rolls down mainly because the people are able to use our limited fish and game resources that are available."

Lena Sours - (translated by Robert Newlin) - "She was raised and taught how to preserve the meat and whatever greens that grew off this land. The meat of the seal, the oogruk, the Beluga have always been preserved and put in seal pokes - that was the best way that these were preserved. This type of preserving resists the heat - it gets put in oil and it lasts longer. The furs and the sinews of all animals were dried and used by the natives.

When she grew up there were no caribou in the Kotzebue area. The men had to go way up into Noatak to hunt for caribou. The caribou that they caught were all used and dried up and packed into, or taken back. The skins and the sinew were saved for winter clothing. All other fur bearing animals were taken for the same reasons which were also used for clothing. There was no cloth or other fabrics being used by the natives - only the skins were used for clothing at that time. There were no other activities outside of hunting at that time. They worked very hard and had no time for recreation or other type of things during the gathering time..Most of their time was spent in hunting and putting away these resources that they use.

And now she says that times have changed. These have been reversed now from subsistence to the present economy - she says that even the

fish, the catching of fish, has changed - the fish are now regulated by Fish and Game. If a person had license the fish and game would restrict this person from subsistence fishing so there is a conflict in problem that she sees. Other than fish and game, ducks has also been regulated by Fish and Game, also the bears are being restricted being taken by the natives. She said she seen in her camp, lots of bear. Bear tracks or bear droppings and she said after she left her camp a bear had gone into her cabin. She has a report that her things have been torn up on the Noatak just up the river. The thing she complains is that these bears aren't allowed to be shot by natives even the natives know that these bears are dangerous and kind of a nuisance ih camps. She say in order to get a bear, a native has to purchase a $25.00 tag first so the natives have resisted getting these bears because of this regulation.

Game was used by natives at all times, the fish, the game and she mentions squirrels, muskrats and all the fur-bearing animals were being used by natives. She couldn't understand why Fish and Game are saying that these game are not scarce. She says lots of people are using the staple goods they can buy from the store now, supplementing the Native food. She say that there are lots of physically fit people here in Kotzebue which have lots of food stamps which they purchase or which are granted. This spring she was contacted by the welfare people, she purchased food stamps for one month. She only had these food stamps for one month and she discontinued getting the food stamps because she was paying more for the food stamps than these physically fit people who are just lazy or have been buying booze and trying to get the food stamps for free this is why she discontinued her food stamps. Other people have the

same feeling now about people who are doing nothing in the village and are asking the other people for meat and food. These people have resisted giving the lazy people the meat or food.

She also stated that her feeling that getting one caribou....It will not last long - at the most one or two months. One moose per hunter or per family will go quite a ways but there are people who would come in and ask for meat and being a Native she has had bad feelings if she refuse to give a little anyway. So she gives a little anyway even knowing that these people who have made lots of money and use most of that money to buy alcohol which is a problem in Kotzebue as she stated. She stated that if it wasn't for misuse of alcohol some people would real fine and lots of money to buy food with. This is a problem. She thanks you very much for letting her testify.

Marty Strauss - Working with Mauneluk since last October as an environmental planner, most of my work has been dealing with socio-biological impact due to growth. His statement is attached.....

Willie Goodwin - "I was born and raised here in Kotzebue and I apologize for not having a written statement but I do have a few comments that I would like to bring out on the issue. I don't have a definition for the word subsistence although I practice or I do participate in the subsistence that we have here in the region - from the sea and from the land.

Yesterday's comments will bring out the importance of the whale and the sea mammals that the people use. Some of the comments that were brought out about the resources of the land. However, there

were some comments that were not brought out like cooperative management concept, the state actions resource management for instance, the crash of the caribou herd. Always the state reacted after the fact - then they had some reactions after something happened. They said they had not money to study the caribou which is not true because part of the plan for the resources of the whole state is the legislature which you are part of which allocates money for that purpose and as I see it, it was an oversight on their part for not watching the caribou in the first place.

The federal concerns that we have now, The D-2 lands, whether or not the Feds or the Congress is debating and the Federal Government whether or not to leave that in State control on the Federal lands their resource management. As John pointed out as long as we continue to get the treatment we have from the State, we here at the N.W. would push for Federal control of the resources. Right now the activities that have taken place - fishing in the Noatak, the seining that they do now - there's a lot of people up along the Noatak River. They're hunting caribou, they're fishing, hunting moose. We're in a position now where we are in competition for these resources. By competition, I mean the head hunter, the big game hunter, the guy that has an airplane vs. the people that go out with a boat. Take myself for example, I went up the Kobuk River to hunt but I had to spend about $200.00 to go up there and come back to get a moose. I still didn't see any caribou. I think that through regulations of acessability these subsistence issue could be eased or the needs could be met by the people. They would have an equal chance to get the resource if the accessabiiity regulations were a little bit stricter.

In the cooperative management concept we have made all of our land selections already - all the natives - there's some native allotments that are scattered throughout the State that have to be taken into consideration when the State or Federal governments start to make their management concepts for certain parcels of land for State parks, Federal parks, wildlife refuges for the natives themselves when they start to make their own regulations to fit their peoples' needs. We have to keep in mind that the resources don't know or they don't have any idea of where the boundaries are - they just come marching right across. Take the caribou - they start from Pet 4, they go through the proposed Noatak Ecological Range, they cross the Kobuk Valley National Monument, through the proposed Selawik Wildlife Refuge and in between there is all of our lands - the native lands (native allotments or some of our selections). Our village or regional corporation selections that are within the migration paths of the caribou. The feds know even though the state has control of the resources now they have to take into consideration our land because the same resources use the same habitat which is our lands or native allotments. We have a lot of problems with the Department of Fish and Game. That concludes my statement - if you have any questions."

Representative Nels Anderson - You mentioned accessability - In what context are you saying it - are you saying that we ought to be a little bit more restrictive in controling methods we use in getting into an area.?"

Willie Goodwin - "That, plus the airplanes - it took me a whole day

to go up there. Airplanes - Fish and Game can't be all over at once enforcing the law that you can't fly and shoot the same day."

Representative Nels Anderson - Willie, is it true that guides have created exclusive areas for themselves that map out the line very carefully and don't allow any other person to go in and hunt in that area?"

Willie Goodwin - That's true. Here in the N.W. there's some guides that have mapped out their own areas that we've never even heard of or seen. Large areas outside of Kotzebue that have been claimed by these guides from Anchorage or Fairbanks areas."

Representative Nels Anderson - One of the earlier comments made by Lena Sours was she was saying that she felt that because of the additional restrictions that were being places on people that its getting harder and harder for local people to go out and get or have access to where the meat is. Is that what she was referring to - could this be a problem?"

Willie Goodwin - I'm not too sure - I wasn't here to hear her questions or her points but it probably would have an effect on the subsistence because the guides do have a powerful lobbying force - they could make it tough for us down in Juneau.

Representative Nels Anderson - On the cooperative management deal - as you know we did develop that legislation with your help down there and it did pass the Senate, House and was signed into our statutes. And we do now have the capability of cooperatively managing lands within the State of Alaska in cooperation with the

Federal government, regional cooperations, villages and private individuals. And we've got the system all set up now and all we have to do is get the state to establish some kind of a management policy so that we can take into consideration things like you've been talking about migration of our game, fish, birds - they do use a lot of land and they do go through several jurisdictions - federal, state and private land holdings. It seems to me that we are going to have to diffuse this very intense feeling of that people are getting about competing uses. How are we going to establish the strata of use? Who are going to be the ones to have access to the fish and game? The way it is right now as I indicated earlier down in my part of the country, the Fish and Game regulates the taking of moose to suit the interest of sport hunters and September 10th is when the season is open and this is when the meat starts to get pretty gamey and I don't like it."

Keith Lawton - I'm a representative of the Episcopal Church and the Arctic Coast for the Episcopal Diocese of Alaska. My concern is one that involves the difficulties between subsistence hunting and sports hunting on the one hand and also the great number of pressures that are being placed upon the culture of the people of thsi area. It may well be that the question of subsistence hunting is but one of many pressures being put upon these people for many different kinds of reasons by many different kinds of groups.

First let me address the question of subsistence hunting or sports hunting. I have lived in Alaska for 8 years and those years were split up by a number of years that I spent on the East Coast. I was able to see when I lived at Point Hope between 1959 - 1965,

the affects of guides who brought game hunters, head hunters up from the lower 48 states who were in competition with the people who used in entirety such an animal as a polar bear whereas the game hunter usually if they are feeling in a pretty good mood might make an extra trip out on the ice to bring back some of the meat for some of the old people in the village. The questions of morals and ethnics which is one of the points of views that I approach things from, it's my opinion that the people who use the game in an entirety stand a much better position before any bars of justice that the universe might have or that nature might bestow. They stand in a much better position than the game hunter who takes a trophy head and leaves the rest of the game on the ground to rot. I have heard trophy hunters make statements that they imply to me that they feel badly about the fact that people who hunt for subsistence sometimes get the trophy head. There by making it impossible for those heads to be secured by those clients of the guides You have people in competition here for a given number of animals of any given species and this is a part of the tension the people in this area are also beset by very high prices for meat. You can go down to the stores here in Kotzebue and pay $4.10 for a few pieces of chicken. Sometimes that over a long period of time works a great hardship on people who do not have access to good jobs over long periods of time. It would seem to me that some ot the people that would be against subsistence hunting would be people who be in a food processing business.

I think you have a lot of things operating in this area of sub-

sistense hunting. There is a syndrome or state of mind that exists in the U.S. and many other places in the world that stands over against the hunter. The person who hunts for their meat - there are many people who would rather think of a human being going to the store and buying food that is being raised for being killed, being processed, being packaged, wrapped up in cellophane and delivered to the grocery store or supermarket thereby to be picked up by an individual who is not a hunter, who is somehow more sophisticated, they might think or stand in some kind of frame or stature than the person who hunts for their meat. I think from the point of view of ethics and morals and maybe one of philosophy and theology there is a sickness involved when people think that if they separate themselves from sacrifice of life that has to take place when someone pulls a trigger and shoots an animal and has to gut it and skin it and has to bring it to their own table...if people are so of a mind that they think that they separate themselves by that by picking up something that has been packaged and cellophaned and processed by someone else, they fool themselves. I have many statements in mind about many people and not just vegetarians who seem to look down upon a person who is a hunter - who hunts for their meat. And to provide their own life by their own hand wherever they may hunt.

I also see over the number of years and that is only 8 that I have been in Alaska, attempts by many different people to move the native culture as well as other people who might live on the land and move them physically off the land. I have lived in Point Hope in the 60's and one of the programs of the Atomic Energy Commission at that

time was to move the people from Point Hope to some other place - they offered places as far away as California and Hawaii as enticements to get people to leave that area. Because the Atomic Energy Commission at that time wanted to make a harbor to test the use of atomic energy for development. Then you have all radio active debris and fall out and over pressure problems and would create a real problem for the people who are as close as Oogataruk Creek as Point Hope was. But there would also be many other interests who would want to move the people from the land and I think this has already been brought out. This area is great in mineral resources and one of the ways people want to have access to mineral resources - have access to mineral resources is to move the people from the land who own the land or to move them by many different kinds of pressures one way or another so such resources fall into the hands literally of people who have money and the power and access to the ways of development for their own purposes. Part of what I see is the problem that is involved in this whole question of subsistence hunting is power struggles that are between cultures and between peoples who hunt for their meat, that is their life and their food and from where I stand one of the ways that this question can be perhaps not solved but at least helped, for for some of those people who can in federal government, city government and state government to try to approach this whole question on a moral and ethical basis and I thank you for the opportunity to speak today."

Fletcher Gregg, Sr. - From Kotzebue - I have lived nearly most of my life here. As long as you're talking about caribou, moose,

seal,. When I was a little boy we used to be down at Cape Lawson- Pappy used to hunt seal - I go with him. He have to crawl on the ice to hunt seal and I stay with the dogs. When he get a seal I go over with the dogs and we load the seal on the sled. We would be hunting during the day sometimes 6, 8, 10 - just from the top of the ice. Sometimes we get young seals too. And those young seals-the skins we have use for them as seal skin pants. They are waterproof and don't get wet most of the time when you crawl on the ice. They make water mukluks out of them too. Bearded seal they use those for mukluk bottoms. When I was a boy we were raised on seal meat, fish, we'd have seal meat for breakfast, have seal broth, soup, stays longer than whiteman food and you don't get cold because there is blood on that broth. Sometimes we had little hot cakes with it. Mama would skin the seal and sometimes she makes pokes so she can store the blubber into that poke. Dried seal meat or oogruk meat they put them in the poke with the seal oil. That's good - good nutrition. I start in to hunt seal myself too. That's the way we lived when I was a boy - hardly any whiteman's clothes - seal skin mukluks, seal skin pants - no rubber boots. Mama used reindeer sinew for making parkas, mukluks and pants.

After seal hunting we usually go down to Sadie Creek, that's our fishing camp, we get salmon there, dry the fish and sell them to stores for dog feed because there's no snow machines or vehicles when I was a boy - they use dogs and sleds. They use dogs when there is no wind - they use dogs to pull the boat with long line. After fishing we used to go to school when school starts. Kotzebue

has a lot of reindeer in them days. Now the reindeer is gone for awhile until the Caribou came. Then we use caribou skin - the mattress and the meat for our food and the sinews we saved for sewing the back and legs. Caribou legs for mukluks and the hide they made into mukluk soles too - they're warm. They use all of that for subsistence. Now a days one caribou is not enough for a big family for winter use. My wife use to say if you get 12 caribou that's enough for our winter use. That was after we get snow machines. Before we used to get a little more because we use them for dog feed too. The skin once we use for dog feed - the dogs eat the bone and all. Save the head, cook the heads - it makes good broth so does the meat. There was hardly any moose them days- there would be a few strays around and they were closed - no moose hunting then later on when moose were starting to get numerous then the season opened for us and we can get one. Store away and some dried makes good jerky. They don't waste anything - like I said yesterday.

On the waterfowl - they used to come to me sometimes if they can get waterfowl - I said I have no authority but if you if you really get hungry you can get waterfowl - a few for the family - and don't let Fish and Game know about it - cause you got it for your family and don't spread it around - keep it to yourself, that way you won't get into trouble if you keep it to yourself. Sometimes one would come around - Fletcher, I want to talk for a minuter, if you'll keep it secret. I say sure I'll keep it secret. I've got geese and few ducks for you here because you good to us. I accept this and tell no one. That was while Alaska was territorial. Same way

when Alaska became a state - I do the same thing. Sometimes I go out with Fish and Game when I was working for the State as a Magistrate. I had no trouble with the boys they're all good boys. No complaints - I don't know what they get but they keep it to themselves. I guess I advised them not to spread it around but the family got to eat. You get tired of one kind of food. You got to have a little change. Native don't get more than what they should anyhow. They eat, after they when they're satisfied they don't bother with it but when they first came that's the time they get them and I get my share once in awhile. I was Magistrate I take food when it is given to me - it's just like bribing. Nowadays we've got to have something - we've got to have a little more than one caribou per year. If we can get it probably 11 or so would be all right for big family because meat and the chicken and the turkey they are expensive around here. Over $2.00 a pound and we don't have that kind of money to buy meat.

Representative Nels Anderson - I really thank you for taking time to let us know how you feel because this is basically what we're looking for and it's important to us to let you know how we feel and it is also important I think and I really am glad that you shared some of the history of how things used to be and how things are changing now and I think a lot of people don't understand especially in Anchorage and Fairbanks and I know in Washington, D.C. they don't understand that we don't have a lot of money and that the meat and the game and the fish and the birds, ducks, geese and so forth are needed to keep us alive. It's not a game, it's simply survival and when people try to take this away from us, it really

hurts and the same thing with the whaling problem - that is really a terrible thing and I think the people are going to put up a strong fight and try to get the International Whaling Commission to change their minds and allow the Eskimo people to continue to take whale cause that's the only right thing to do. I'm hoping that this committee will be able to convince at least out state that we have to take another look at what we are trying to do as we manage our fish and game and try to make sure that the people who live off the land have a better opportunity of using the fish and game."

Elvira Downey - From Kotzebue - I've been listening at home to the radio and decided to come down and talk about caribou too because we raised with caribou meat and I don't know how to talk about it but ever we were little kids we start eating caribou. I have large family raised with caribou meat, raised with caribou clothing. I have heard about these meetings about Caribou first time I heard about it I wanted to come down and talk about it because we can't live without caribou. One caribou is not enough for the family, the big family, because I have to cook a big large pot of caribou soup. One caribou don't last about a week in my family as long as I had caribou meat and seal oil my kids won't starve. I was telling the game warden's secretary that when I don't eat caribou in a year, I think I'm sickly now because we were raised with caribou. I think caribou is part of my blood. Since they stop us hunting from caribou I don't see my family eat good no more. We were raised eating caribou even though we were up at Noatak as long as we have caribou meat and seal oil my kids won't starve. Even if they don't have milk, cereal or some kind of

groceries. And we want our kids to be healthy too. And when they get sick I'm always worried about them so I want them to eat good. Since they stopped us from hunting caribou we didn't have much to eat at home. They don't like to eat fish. They're not used to eating fish even if we have lots of fish. I want to talk about caribou a little bit that's why I come down here - I know all the villages, if they had transportation to come down here for this meeting I know they would but I know we're not Eskimos that make money to fly around or anything mostly when they stop us from buying caribou. It's so hard for us Eskimos maybe will just have to start eating mouse pretty soon. Because it's the only one that have no law now. They're stopping us from eating everything, hunting everything. We want our family to be happy and to be healthy and caribou and seal oil are our only health. I could live with caribou and seal oil even if I don't have groceries like sugar, coffee, tea, rice - I could live with only caribou and seal oil.

Senator Pat Rodey - The point Mrs. Downey made is very important because we realize that whiteman food isn't good for us let alone good for anybody else and I think it's a very important point that you made that we do need to preserve traditional lifestyles and diets especially and I wish that we in Anchorage could get back to some of the traditional diets.

Levi Kowunna - I'm from Point Hope and I'm going to bring out my opinions too. I was living in Point Hope this summer and worked up there. When I was up there I went on a trip to Cape Lisbourne,

walked up there and walked back and it took us about 8 days altogether. During that time we saw a lot of game, even saw 13 moose all at one time and I don't see that very much but there it was, 13 moose altogether and they usually run in packs. There was a lot of caribou - we lived off the land - all kinds of game up there. Everyday we saw something - everyday we saw caribou. Climb a mountain and there's caribou over there. Even there's a lot of whales - one day we saw about 80 whales. They try to stop us and they can't do it. That's all my opinion.

Judith Allen - Living here in Kotzebue formerly from Noatak. I'm a housewife and I took up bilingual-bicultural teaching last year. Right now I'm unemployed because of bilingual funds being held. I'm very interested in teaching our children about Eskimo background and the language. This is my first plea to our government to please help us get our language back after all they are the ones who took it from us, the Eskimo race. Last year was the first time here in Kotzebue we had a bilingual program. To me it has been both wonderful for little children and the teacher. I could say this because when I meet my little students on the street they say Hi and they ask me are you going to teach us more Eskimo words? This always encourages me to keep on going.

Another think I want to say today is about subsistence fishing and hunting. I never believe Fish and Game wardens when they say there's no fish and caribou. I say this because ever since I'm born to this world we never lack of fish and meat except for weather conditions. And I've heard Oral stories from our oldest people while they were alive a long time ago they had hard times. That

some of the first Eskimo starve to death. They go from land to land - follow the seasons - like winter is for caribou, spring is for hunting seal, fall time is for fish, summer is for preparing and preserving what you gather in the summer. This is Noatak people's way of life where I was raised. Nobody likes to waste anything and they work very hard in spring and summer getting ready for winter. But when the rules are there it's not much fun and we get headache when the fish and game tell us we can't fish or hunt caribou. About caribou - I strongly feel that each Eskimo needs to feed on it. Last year in 1975 up to 1977 - it was tough for us - families with big families - I tried to buy reindeer from NANA but they said they didn't have any to sell. We buy beef meat sometimes from stores but it doesn't fill up the Eskimo's stomach either forgetting the price. Even though my husband works I had to get food stamps last year because doesn't cover up our needs at home. So expensive in grocery stores just to buy supper for nine people each day without caribou sometimes I pay $30.00. I'd like to say some things about whaling too. Also I've been listening to peoples testimony too, on the radio - they really say the truth. I'm glad and I'm proud of those people that testified yesterday and today. They really have dignity for themselves. I do understand the struggles like you heard them say in their testimonies. They are telling the truty. The people really work hard to get their whale because that's the biggest mammal we have up here - whenever somebody get a whale from Point Hope, Kivalina, Point Barrow, even at St. Lawrence Island we always really rejoice in our own river villages because we know we'll get to eat that

good stuff again. Even though we've never watched them hunt it. Most of us never watched them hunt it. We always really rejoice over it sometimes we hug each others, that's how much we like to eat Bowhead whale. The person that said in one of the testimonies, I want to pull for her - "When our creator made us he also gave us those animals to feed us." That's so true cause nobody hunt them to get rich or for selfish gain, they get them only for survival and I say this too - they get them only for survival. I've been thinking too when I read on newspaper that the whaling might be banned those people down there somewhere in the Legislature sure don't know what they're talking about. They don't know what they're doing to us Northwest Alaska people. I also remember my little students - what am I going to teach them now? If that banning of the whale - if they keep it up or ban it up here especially because the Bowhead Whale is the greatest animal to teach with. Not only to get it but it makes the Eskimo heart very happy. That's all I have to say and I thank you for this opportunity."

Robert Newlin - I'm from Noorvik. Most of the time I live in Kotzebue - not because of choice but because of making a little money so I can feed my family too. I'm in favor of continuation of subsistence used by natives in the region, on all public and Native lands. Our lands were used by our Native people physically for economical and cultural uses. I've heard stories from the older people prior to the coming of the Western society saying - In evenings the older people would tell stories to the younger group where the best hunting grounds were, how the best ways to dry up their catch. The best meant to preserve their meat - if they were

out on long hunting trips like they used to in them earlier days. People used to go out from Kobuk - walk onto the heads or over the Brooks Range to get skin and meat for their families. Whatever they dry up they pack home. Whatever excess meat they get they would store it underground under rocks and come back in the winter and pick that meat up. These are the things that were taught in the Kazigis. These people were the best conservatives people. They were real concerned that this game - whatever game was in the region was taken rightfully with no waste. I guess doing this and teaching the people in these kazigis was the only means of passing the information to the younger generation. The older people had no written history on their native culture and then the whiteman came and kids start going to school. In the schools the children were restricted from talking their own language which kind of wipes out the culture and the teaching that was done prior to these white people. Like what Mrs. Allen said she taught bilingual and language last year. This brings back some cultural things that was passed on by out ancestors and I'm pretty sure that whe was involved in preserving how the old folk and preserved their catch. This type of thing and I'm pretty sure that there was some teaching - that some of this Native culture was on conversation type which the natives now that they see that are misused. The reason for misuse is primarily to the ways that the government and federal agencies drafted up these regulations cause there was no involvement in the natives in drawing up these regulations but with a new cooperative management if the federal and state should select land outside our native

selections. If the natives were involved in drawing up some guidelines on regional level because the state regulations are now drawn up statewide although they are designated for certain areas but like the old people we should get them involved in this cooperative management levels. We do have a lot of designated D-2 lands within our region like Willie said Kobuk, Noatak, the Krusenstern, the Selawik, all the lands outside our regional selections are designated for D-2 selections. I am real happy that if we should get involved in part in management and drafting the guidelines or whatever within these lands. These lands have always been used by our people or by us. We do know that the Noatak people hunt towards upper Noatak, right now and this area is also designated as National lands.

Also we know that all the lands between Ambler and Kiana is designated as part of Federal lands. And these areas are the best land that natives subsist on. We would like to see some language written that these natives be allowed to subsist on these lands. We know that Krusenstern is a very important area because every spring natives from Noatak and Kotzebue spend spring time over there hunting for ooguk and seal for their winter uses. Not only for their winter uses but for all native uses in the region because like I said in my little speech yesterday that all fish, meat, greens and berries, are used by natives with seal oil regardless of how they prepare it. It is part of their diet. It is really important that Krusenstern is open to native hunting because everybody in the region share the catch of these people that hunt in that area. We either trade with the people down here or it's passed on to their

relatives in the other villages which do not get the seal oil. A lot of the seal oil is not traded, it is given - as a native way of sharing their catch with their relatives. This has always been done. There are some techniques that will be lost if this cultural bilingual thing is being stopped because we would like to have our kids being taught of our history also conserving the wildlife within the region. This is part of it. I'm glad we have come up with this museum here, it's part of the history and part of the teaching that these kids come here to see. See the program - I'm pretty sure they have gotten something out of it. When we opened this museum, kids were the first to see this program and I'm really proud of that.

Marty Strauss - I'd like to take the opportunity to supplement the question you had as far as management versus development. With the industrial and subsistence problem colliding with each other. One answer that you had a very good start on was State Natural Resources Planning and Research - Dave Hansen's division has developed an inventory and it's available - a report of the different uses, forest mineral deposits of the land inventory of the state and if this if overlayed by the different subsistence uses that Robert just mentioned of the different areas, I believe then you could come up with tools to start making logical decisions for management versus development.

Adjourned at 12:30.....

Dear Sir,

Please find enclosed a typed copy of my testimony given in Kotzebue on September 16, 1977

Sincerely
Marty Strauss
Environmental
Planner

BX 256, Maunaluk
Kotzebue, AK 99752
Ph 907-442-3311

SUBSISTENCE MUST SURVIVE

"Get off this land its mine! Well how did you get this land?' My Grandfather. How did he get it? He fought for it! Well then I will fight you for it." -Carl Sandbourgh.

I wish to take this time to address the problem of subsistence. In the short time I have been here I have discovered this word, subsistence, impossible for an outsider to truly understand. The closest meaning I have as an outsider now living here, is the ability to live off the land.

I have seen this ability in my travels throughout the world's four corners, Arizona, South America, North Africa; the Sudan in Africa and now here, being destroyed in the name of economic development. This is not the first place where energy hungry cultures destroy another culture due to purposely or absently overlooking the needs and life-style of the people now living in the area development is to take place. I am not antidevelopment as my title to some denotes, (Environmentalist), but instead believe in controlled growth. There is no reason to rape the land.

Today Alaska subsistence users are viewing the D-2, issue, mineral exploration, economic development, etc., as threats to their lifestyle. The people have the right to feel this way after past events and the treatment by the government, whether its State of Federal. Rural Alaska is treated like a crown colony being exploited by the mother country.

When a food shortage occurs in this area due to depleting of the natural resource base it cannot be replenished with food stamps. The

stores in rural Alaska do not have the inventory capacity to have the food to be bought. This is caused both by the lack of ready cash and high prices of shipping and food.

The modern world views Alaska as the treasure house of minerals and open land it lost due to its blind industrial economic growth. In its attempt to satisfy its hunger for energy and open recreation land it is also destroying in culture. I question how many people from outside of Alaska will use the Federal lands.

I believe the need for parks is necessary but must not be allowed to destroy a vital part of life, subsistence, here without adequately replacing it. The same problem occurs when minerals and energy development occurs. As the modern world continues to encroach the amount of game for food is restricted; whether it is artificial or natural, with no viable alternative in its place.

Industrial development in this area is not that far away. Several news releases have announced findings of coal on the land; Outer Continental Shelf Oil and Gas Exploration may take place within 7 years and the State has planned ~~running~~ roads throughout this area. Presently they are doing the surveying work to start construction on these roads. The energy hungry world could build these roads in 5-10 years to get at these minerals. Yet few rural Alaskans are aware that such an action is going on that will totally upset their lives.

The trade for one resource for another, human culture vs. minerals, must not be allowed. But it is sad, like other places I have been, as

long as Alaska is a crown colony it will continue.

My last point is that of the price of energy to heat homes here. We, the outside world, have taken a low energy society and created a high energy dependent one. Yet they pay the highest prices in the country even though it is here the energy fuel come from. When requesting funds for research and development to creat alternatives I am told Alaska does not have enough people to justify the high costs of research. I question this!

~~Marty Strauss~~
~~Environmental Planner~~

— Marty Strauss
Environmental Planner

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels Anderson, Jr.,
Chairman
Representative Steve Cowper

STAFF MEMBERS PRESENT:

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION:

GEORGE HALL
NENANA, ALASKA

DATE: Octover 5, 1977
TIME: 6:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address
Winnie Charlie	Nenana
Eli Charlie	Nenana
Colleen Loard	Nenana
Paul Esau	Nenana
Mary Demientieff	Nenana
Daniel Bettis	Nenana
Paul George	Nenana
Joe Williams	Nenana
John C. Gonsazles	Box 320, Clear
Andrew P. Souders	Box 43, Clear
Lawrence A Persley	Nenana
Steve Matthew	1st & Hall Doyon Bldg, Fairbanks
Walter Lord	Box 83, Nenana
Richard Ketzler	Box 23, Nenana
Larry Ketzler	Box 23, Nenana
Victor Lord	Nenana
Henry Ketzler	Box 35, Nenana
Mitch Demientieff	Nenana
Cathy Demientieff	Nenana
Jeff Kennedy	Fairbanks

TABLE OF CONTENTS

1. TESTIMONY OF Mitch Demientieff.....Page 2
2. TESTIMONY OF Lawrence A. Persley.....Page 11
3. TESTIMONY OF Ron Nusinginya.....Page 14
4. TESTIMONY OF Andrew Souders.....Page 15
5. TESTIMONY OF Chris Anderson.....Page 17
6. TESTIMONY OF Steve Matthew.....Page 18
7. TESTIMONY OF Mary Demientieff.....Page 21
8. TESTIMONY OF Joe Williams.....Page 28
9. TESTIMONY OF Jeff Kennedy.....Page 34

NOTE: Mitch Demientieff testifed at the Anchorage Public Hearing on November 10, 1977 changing some of his previous testimony noted in this transcript.

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel. 842-5970

OCTOBER 5, 1977 - NENANA PUBLIC HEARING

Representative Nels Anderson: We'll call the Interim Committee to order at this time and for those of you who don't know me my name is Nels Anderson, I'm Chairman for the Committee on Subsistence for the State Legislature and Rrepresentative Steve Cowper from Fairbanks is also on the Committee and we hoped that other members of the Legislature would be here with us tonight but apparently they had last minute changes of plans so they departed the Fairbanks area and went down to Anchorage. But we are here and we are soliciting comments and your feelings about the term subsistence, we would like to know whether or not the term subsistence should or should not be defined. And if it is to be defined, how should it be defined. We would like to know what your feelings are about the term subsistence, about hunting, fishing and gathering activiites and we would also like to know what you think about what the State should do about protecting subsistence hunting and fishing. We have held several hearings around the State and we're hoping that people of Nenana will give us your views.

This may have been a bad time to hold a meeting but if it is a bad time then if people couldn't make it because of subsistence activities then of course we can't blame people for not being here but we would encourage people to let us know how you feel through your representative from the area or write the committee a letter and let us know by letter how you feel about the term because every comment is going to be extremenly important and we are going to

be needing your views on this subject. I'd like to at this time ask Representative Cowper if he has any comments before we take our first statement.

Representative Steve Cowper: No comment, Mr. Chairman, except to note that I'm working with the D-2 Legislation in Washington also, so we of course the Federal U. S. Congress is in the process of making a subsistence preference on Federal lands so they've got a problem defining it too.

Representative Nels Anderson: And to my immediate is Dorothy Larson, she is our Staff Assistant for our Committee on Subsistence. Mitch if you would like to start us off we would appreciate it.

Mitch Demientieff: First, I would like to thank you for coming and having the hearing here to give a few of us a (inaudible) opportunity to speak on subsistence and you are correct in realizing that this is a very heavy subsistence time of the year and I know that there a lot of people who are out hunting, people are busy pulling up fish wheels and things of this nature and I'm sure that this has something to do with the light turnout although I don't think that it's - the turnout would be representative of the people in Nenana's concern for the continuation of a subsistence lifestyle.

I think it's, first I would like to address the issue of definition of subsistence, I don't know realisticly of the feasibility of the State of Alaska or Congress defining subsistence. It's a funny thing, but I think it's a very conscienctious thing at the same time. Let me speak for myself personally, last year I didn't go to work until November, I think of last year and during that time I was very heavily involved with subsistence activities. I got my share of moose, my share of fish and up until the time that I went

in November of 1976 and I worked through August of 1976 during that period of time I didn't hardly catch any fish to speak of. What I could working full time in Fairbanks, 60 miles away, and barely enough to feed dogs and I was mostly feeding them commercial feed at that time which having a job I could afford and did during that time I harvested no meat whatsoever, no moose meat, no caribou, no bear no nothing. The only subsistence foods that I had during that time were what other people essentially gave me from their activities. During August of this year I left my place of employment in Fairbanks returning to Nenana and immediately began fishing and you know getting meat and everything of that nature. So I think if you were to define a subsistence person, for my case personally it would be difficult to do because of the fact that I'm capable of going away, if I should choose to go away to seek employment, that's a very hard thing for myself to do, since who the hell wants to leave home to go to work, you shouldn't have to leave home to go to work. When I'm just as capable of earning a living at home here. Essentially that's what I do when I'm home, I harvest subsistence. There was some concern, maybe it's just been talk around town, but several people have mentioned to me that one of the things that was happening in the State, like I say there may not be any truth to this concern, there may not be I'm not sure.

But there was some concern that people in the State were taking a position that rurla people on highways systems have no need for subsistence activities. To this I would like to address a portion of my statement. I think that it would be safe to say that people on highways. The highways system itself have as a whole people have a less dependency as opposed to someone not on a highway or is not on a main transportation system, I think there is a less dependency because of the fact that there are other areas of

employment, businesses would support of a highway system here, truck restaurants, everything that goes with a highway and plus the fact that as far as Nenana is concerned we do alot of freighting out of here, in the summer months there is a lot of things happening in the Nenana area. So I would say as a whole the people in Nenana have a less dependence on subsistence than do let's say somebody in Juslia or some of the remote areas in Alaska. But that does not mean we are not dependent on subsistence. A great number of people here work seasonally and a significant number of us are not able to gain employment at all. Thus those people that do have the need to live subsistence lifestyle are very dependent on subsistence lifestyle as anybody in Alaska. Towards, that's the comment I would like to make towards the stories that Iheard that there was going to be some curtailing of subsistence activities along highway systems. It would hurt us just as much as it would hurt anybody in the State if subsistence activities were curtailed in this area.

We do run into a number of subsistence problems in the State. I talked to Representative Cowper earlier in the day. One of the things that we're most concerned about is with respect to fishing. Right now today we have reached our subsistence egg quota which I understand is set by the Legislature and therefore the people in Nenana are deprived of a source of income. Now, I think that in some parts of the State, and I don't want to address myself to that, at all too much, in some parts of the State I have heard that there is some waste of salmon, people catching the salmon, taking the eggs out and throwing the salmon away. I don't know if there is any truth to that kind of a rumor or not. But I have heard stories, but until I see something for myself and I've never seen anything like that happen, I just don't pay any attention to it but even if it does happen in other areas it does not happon the Tanana River. Nenana, we haven't seen it happen here,

we just don't do that. Those people who fish, some people have stopped fishing for now. They've gotten fish that they need, they pulled up their wheel, I doubt that it has anything to do with the us reaching our salmon roe quota. I'm not sure on the poundage or anything but I just know we have reached our quota.

Now todya, I'm fishing yet, I still have the wheel turning in the river, I'm catching eggs and those eggs are going into the dog pot. Our prices this fall were $2.50 a lb. for those eggs, money that I could use in support of my going out and harvesting those fish and we do run into significant expenses. Outboard motors, are up near $1,500, river boats are about the same price. The cost of gas is out of sight, so is oil. All the different little breakdowns you have, everything else that you got to have, you got to have cable, you got ot have this, you got to have that for your fishing operation. I've got a smoke house down there that I can't afford to put roofing on. You just need a million things to gather these fish in. I think it's very tragic that we woudl have this opportunity to have an income from those fish while we're catching them and keeping the fish for our own use for subsistence purposes, I think it;s very tragic that we'll be deprived of that source of income. Now like I say, I've heard that some people waste but we just haven't seen that around here at all. I don't think that we'll ever see that if a limit for subsistence roe was taken off I don't think we'd ever see anybody fishing just for the eggs and throwing the fish away. It just won't happen. That is a great concern of among people who are fishing in Nenana. I think when it comes down to subsistence hunting, it's damn hard problem for us to deal with here in Nenana.

There are but maybe 2 or 3 people manage to get a moose. I think that

this kind of a thing has really hurt us heavily now. Part of the problem I think is that is also comes from fishing, the same time you're hunting you're going to be fishing. September 1 through the 10th is our season and it just happens to be when the fish are here as well and you can't fishing is a full time job by itself and so is hunting. There was a time you could jump in your car and take ride out to Clear area toward Healy and go out in the morning or in the evening after work or after you take care of fish or before you take care of fish or whatever and you would have a very good chance of getting or running into a moose, moose were plentiful here 10 to 15 years ago. But now your chances of doing that are really astronomical with the amount of traffic with the new highway system. It's damn near impossible to tet a moose using that kind of hunting so really you got togo hunting to get a moose and even if you do your competition is so overwhelming that it is virtually when you get down to prime hunting areas Tolzona River that area, ther's virtually a hunting camp on every bend in the river and Tolzana River has a lot of bends.

You got airboats zipping through inches of water, airplanes zipping around, I think they had an airplane collison down there in Minto this fall, this hunting season. Somebody was out hunting and they ran into a charter outfit over near Minto somewhere. I understand down in the (inaudible)??? River two hunting boats collided- that's how busy. They ought to have turn singles or traffic lights on the river, if traffic is going to be that great. You chuckle about it, it no laughing matter. It is a very serious matter because of the fact that now we're faced with a few fish to get through the winter, but no meat. What kind of a situation is that going to cause 10 to 15 years ago, just about everybody got a moose now hardly anybody is getting a moose. It's about turned around

Completely the number of people that used to not get a moose was just those people that didn't hunt now everybody is hunting and nobody is getting anything. I think it's completely turned around. I think this is really going to cause some problems now.

I know that the legislature and different people around, the decision making people that have the authority to make decisions in Juneau and Washington are heavily pressured to provide opportunities for sports hunters and things of this nature. Well, we've seen our share of that. You know there is no reason fro me to run through all the stories of people coming out with the horns and all that sort of thing. Because those things happen and everybody knows they happen. But getting down to it how does it impact us it impacts very significantly. We have to go through the winter with no meat, what are we going to do? We look to the legislature for some leadership in this respect. I think if that is would be totally unrealistic for us to take a position at well - subsistence is the only form that game should be allowed to be taken in Alaska, it's very unrealistic. We know it is not going to happen, case in point: the caribou situation that developed last winter and Tanana Valley Sportsmen took it to court and the Board of Game was shot down on a subsistence stand that they had taken, a very qutty stand by the Board of Game. But I think that the important, not too much that we try to classify subsistence in terms of limiting it to areas on basis of well, this area is more remote they are more heavily dependent on subsistence. If there are people in Anchorage or Fairbanks who are dependent on subsistence for their lifestyle they ought to have the same opportunities as somebody in a more remote part of the State. I think that it is very important that the Legislature seriously prioritize in some manner and I have no suggestions to offer, that

activities be the number one priority in the taking of a limited resource. The game and the fish in the State of Alaska. Right now this is the first year after commercial season, after the commercial fishing season closed that we got 5 or 6 days this year, we're limited on our subsistence fishing to five days a week. It's the first year, and frankly it was a surprise to me when after commercial closed. Then I was fishing my wheel and then Saturday at 6 o'clock everybody's heading out to close down their wheel and I said what's going on, what are you guys closing down your wheels for? Everybody says well, we've got to close down, we're only fishing subsistence 5 days a week, that was a very big surprise to me because I just never lived with that. Before, we always fished subsistence 7 days a week. We're just getting run out of our lifestyle around here and I think whatever the legislature does they ought to prioritize those people who truly depend on subsistence in the establishing of any quotas or stipulations or legislation that deals with subsistence. I think I'd like to take this occasion and give everybody else a chance to talk.

Representative Nels Anderson: I have a question or two. Okay, you've made some general suggestions on what we ought to do and I think I can understand what you're saying but I'm not quite sure if I understood what you were saying that there were people that were saying that residents who live on the highway system don't need subsistence? I haven't heard that.

Mitch Demientieff: Well, there was some talk going around, it may have been some rumor cooked up because this meeting was coming to town to hold these hearings. But, like I say, if there is an issue with the State, I wanted to comment to it. If it's not an issue with the Committee then just disregard that portion of my testimony.

Representative Nels Anderson: Just to set your mind at ease. It is not an issue of the Committee, at least I speak for myself, I don't know about other committee members. There were some suggestions made last night at the Fairbanks hearing that there is no need for subsistence period. Just across the board throughout the State but the statement wasn't directed to residents who lived along the highway. That did come through pretty clear last night from a couple of individuals.

Mitch Demientieff: I read some of those comments in the paper last night. I just don't know how the hell they make it here if they live here and didn't have a job. I don't know. I say when I'm working in Fairbanks, I've got a job, I can see for myself personally that there is no use for me out harvesting a limited resource. So when I'm here and I don't have a job, if I didn't participate in subsistence activities, hunting, fishing whatever there's just no way I couldmake it. I'd be I suppose on welfare rolls or something I jus don't see perhaps people have that attitude, switch places with us who depend on subsistence. That they'd have a more clearer, broader outlook at this. And I'd say I've the outlook. If I was there I could see where I wouldn't need it but still I could see where other people would. I think that is a very closed view of an issue. And a very closed one sided view.

Representative Nels Anderson: I think members of the committee are at least those that have been traveling extensively with the committee are beginning to understand that point a lot more now. There isn't only one way of life like Anchorage or Fairbanks people have confined to that area. Don't I think understand beyond what their experience, how far that experience takes them. So there are different sides of the story and I think our committee is beginning to grasp that. But I want to get back to another point that you raised regard-

ing the pressure that the legislature is under by the lobbying force of the sports interest. It is a true statement that you make, that there is a tremendous organized effort on the part of game guides and so forth to make sure that the allocations and access to the resource is fairly much guaranteed by legislation that has been passed by both bodies and also approved by the administration.

Just for your information, you probably already know this, that in the Kotzebue area there are large tracts of land that are exclusive hunting areas for game guides. No other game guides can go in and hunt. I don't think they deny access to meat hunters and so forth but just the idea that they have created exclusive areas it's quite interesting as far as I'm concerned so your statement that the legislature is under pressure by sports hunters interests is true and it is valid statement.

Mitch Demientieff: I think further on that point. That's why I say I think it is important that the committee come to rural as well as urban Alaska because the opportunities for subsistence people to have the money to afford themselves to travel into Fairbanks to attend a hearing are remote at best our chance of haveing a mechanism to voice our opinions. We're heavily dependent on our regional Native organizations. Those of us who are Native. Those of us who are non-native I suppose are even more hard to get the subsistence issue across. So I commend the committee for coming to Nenana to allow us to express our opinions

Representative Nels Anderson: For those of you who came in a little late. My name is Nels Anderson, and I'm Chairman for the Committee on Subsistence. I'm the Representative from Dillingham, in Bristol Bay and with me is Re-

presentative Steve Cowper from Fairbanks. I don't know if the hour was wrong or if the time we picked for the hearing was wrong but I'm pleased that you are able to be here and I appreciate Mitch making this statement but we would like as many people that would like to at least to come forward and make their feelings known about the issue of subsistence.

Lawrence A. Persley: My name is Lawrence Persley. I've lived here for 5 years and 6 years in Fairbanks before that. As far as a definition of subsistence, in my book, being non-native and all, if a person is going to eat it, by god, it's subsistence. I'm sure that the Native people who are losing their lifestyle have a quite legitimate disagreement with that deal but none-the-less. But like you say that is my view of subsistence and when the legislature takes a different view I'm afraid that I'll be a poacher instead of a subsistence hunter or fisherman, and like I say that is one persons' point of view. As far as solutions, I can think of a bunch of those. As far as the Fish and Game Departments methods of dertermining the avialable resources, it's ridiculous in my book. Like in 1969 we had a little letter that went to everybody up on the slope with a hunting license that said you can't shoot moose anymore because there were only 50 of them in the North Slope. And there were 50 of them 120 miles of Sagwon. They go over and they want to fly a grid pattern or whatever, you don't fly a pattern to hunt for moose on the slope, because the moose hide down in the river banks in the willows. And they come out and fly out in a pattern instead of flying right over the rivers and gullies and they are not going to find anyting and they come up with these figures that are just totally unrealistic. I don't really know how they figure available resources on fish but that as far as I'm concerned could be settled by throwing the big boats from Seattle out of the State. There again you have immensley powerful lobbyists to buck on an issue like that. (inaudible)

is rather gigantic but I can't see a 50 ton commercial boat coming from out of State and telling a person that he can't eat salmon. In the State of Alaska and that just doesn't really strike me as being fair at all. And also on a Federal level, if this has anything to do with the federal level. That 200 mile limit is the worst shaft job that the American fishermen took . A lot of people get a surprised look on their face, in by-gone days they couldn't fish within fifteen miles and they faced a very stiff penalty for doing so now they can legally apply for a permit and fish right straight up to the beach and they pay a (inaudible) per ton and when they're shipping in fish at 50 cents a pound from Taiwan and they're paying $50 a ton, if it's $5,000 a ton they can still undersell the American fisherman, ther's no American fisherman as Mitch said with the cost of gear and operation they could never compete with Taiwan fish. It just can't be done. Nobody can go around selling fish at 50 cents a pound.

Now these things to me are the, well, I don't say the cure-all but I think they go a long way toward rectifying the problem with the subsistenct fishermen. Like I say get the foreign and the out-of-state commercial interests. Let them sacrifice some of their catch for what's going to go in somebodies belly. The last issue of Alaska Magazine is something everybody outht to read. The articles on Barrow. What they are eating now. What they have available now. It would really make a person leary about going to Barrow, I wouldn't want to be on your committee going to Barrow, you might get some rather hot remarks up there.

I think that is basically what I wanted to say, is to regear the amounts that the people can catch and also the State Government with their giant royalty nest egg now, historically governments have found fantastic ways to

burn money. They want to burn money and burn moeny in the Fish and Game Department then let them field 10,000 fish and night life officers, by god, let them go our and skin these rascals that are taking horns, the sports hunters. Just dump the sporting entirely, anybody that doesn't pack the meat out should be skinned right where he's standing. Now if they want to control Fish and Game or game in particular control the sport hunter and that's about the total of what I've given.

Rrepresentative Steve Cowper: I 'm well aware of the business of wasting meat just by ways (inaudible) I remember about 10 years ago I tried a case down here in Nenana. I was a prosecutor in those days for wasting meat and people said you'll never get a conviction down here for wasting meat before the local jury and all that sort of stuff. The jury was out for four minutes and the person was convicted so you know I know a lot of people feel that way.

What we're talking about here is setting up priorities of classes of users. We don't have to worry about it if there's plenty of fish and game. When things start getting short, who is going to take the game? Who are we going to allow to have preference. Well, the Federal Government on their lands which is of course is almost 150 million acres, it's more than that as a matter of fact, about 225. They have already set up in the Udall bill a subsistence preference on those lands and one of the reasons why we're holding this meeting is to find out how people feel about setting up a subsistence preference in the same way on State land and among other things. If they're only able to harvest 2,000 fish in a certain area, who should get it, the people in that area? Should it be subsistence users outside, no matter where they come from or should it be any sort of users within that area. That's the kind of questions we're going to be looking at. Whether it should be

broken down in terms of priorities onto geographical basis, whether it ought to be broken down on an economic basis where a person works part of theyear maybe he shouldn't be able to harvest as many fish as a person who doesn't work at all. These are the sorts of things that we have to talk about, you know that we've got to decide here to?

Lawrence Persley: Well, it does explain some things that I wondered about and like I said from my personal standpoint the guys that eat it should be the ones to get fish and I realize that they're going to try to get the entire quota which as I also said you know that they're a powerful interests. The (inaudible) oup for one so it's rather unrealistic in some ways but by god when I think about feeding my kid my wife it's not very unrealistic. I'd rather (inaudible)

Ron Nusinginya: My name is Ron Nusinginya. I think the subsistence living should be granted because it was the way of life before time (inaudible) I guess. I'm just a human being born and raised in Barrow, where things are really rough. How I managed to live 58 years going on 59 that should be considered. The subsistence living was from my side long time ago. Arnold Brower in Alaska Magazine said "bowhead whaling has been going on from ever since he could remember, ever since I could remember." Now they say that whale is getting depleted. So, therefore, what the people up at Barrow take is for their - for years. Okay, now they're getting depleted so there's got to be other people hunting those whales. Now for other subsistence living I got a mother in law over 80 years old, she has subsistence living for 80 some years, okay, moose during the winter, fish during the summer, and what is being depleted is being commercialized. Why, I don't have nothing against the commercial fisherman, that's his way of living. I'm lucky enough to get

a job sometimes and most of the time I live off the store, beef, the whole thing. But my way of diet is like my mother-in-law, I like a change. I like a little bit of moose meant, a little bit of fish, ducks, whatever. But I still think that we the people that were born and raised in Alaska should have little bit of a chance should have a little bit of subsistence hunting.

Representative Steve Cowper: Mr. Nusinginya, I went to the Bowhead hearings in Kotzebue, and I think you're exactly right, the people of northwestern Alaska, who have hunted whale for I don't know how many years, are being asked to pay for the excesses of the so called advanced countries. I think you're exactly right.

Andrew Souders: I'm Andy Souders from Clear. I've been in the area for approximately 12 years. I would be considered a sport hunter. What subsistence hunting and fishing is to my mind should be on an (inaudible) I don't see anyone bringing in $30 or $40 thousand a year being allowed subsistence rights regardless of their race or whatever. I don't think anyone will argue with that. As far as the sport hunting, the Sportsmans Club at Clear, I petitioned Fish and Game in 1970 or 1972 to close the cow season in the area and to restrict hunting within (inaudible) I admit the State is large enough they don't have enough people they can't afford enough people to properly (inaudible) the State. They should pay attention to local input. Our club has sent several people down to Juneau to testify. Their testimony was ignored completely, regulations were written and they pretty well favor one particular guide in Fairbanks. I don't want to see the sport hunting take all the blame which isn't really the sports hunting, because mostly a sports hunter will take out the meat if they can carry it and it is useable. They also may bring a horn out or a rack or whatever. But they will and I guess that in

general will bring out and they should (inaudible) and definitely prosecute heavily anyone that wastes any meat. Basically, thats all I have to say.

Representative Nels Anderson: Well, Mr. Souders you mentioned something about the Fish and Game, and you state that, is it correct when I heard you say that you feel they are guilty of mismanagement.

Andrew Souders: To a great extent they've been late on all their regulations and restricting the hunting, they've done it with the caribou herd, they've done it with the moose.

Representative Nels Anderson: Do you have any idea why this might be the case? Why they are late, always behind?

Andrew Souders: I think a little bit of it is the size of the State and the personnel they have and the budget they have and also I think a good bit of it is that there's too much political influence.

Representative Nels Anderson: Okay, when you say this, I understand the size of the state and the number of personnel, do you feel there aren't enough personnel to enforce or to go out.

Andrew Souders: For the size of the State I don't see how they can economically afford to get enough coverage on the proper game management without taking local input and paying attention to them. This has been going on since I've been up here, it's not any recent administration or anything else.

Representative Steve Cowper: Yeah, Mr. Souders, if you were going to manage

some population of fish lets say or some animal and you had an area that the animal went he maybe migrated, maybe it's a caribou and he migrates from this place to this place through the years and you discover you have to limit the harvest now how do you think should get precedence if you can say only harvest 600 animals. Do you think the people living right in the area should get precedence? Do you think everybody in the state should have the same chance. How do you think that ought to work?

Andrew Souders: That is a rather tough question. My personal feelings would be if it has to be restricted to give the people in the immediate area a preference.

Chris Anderson: I was born and raised in Fairbanks, and lived there for all my life essentially. Speaking today as a private citizen for the concerned, I testified briefly last night at the hearing in Fairbanks and I'd also like to spend a very brief time just for the record. And that point is something that I read in the Fairbanks Daily News Miner, I believe about a month ago. It was an article dealing with subsistence and I think it centered around the problems that the caribou herds up in the Northwest and Anuktuvik Pass and this and that. Very briefly, what that article said was, it centered around a quote from a nutritionist that is in the Fairbanks area, and what the nutritionist said was that it is very possible for subsistence users or people that live in the rural areas that do eat caribou and live off the marine mamals and things of this sort, to have a very good diet, a very nutritous diet and if something happens where they do have to change their diet, buying hamburgers, big macs or whatever, (inaudible) that could be very damaging to their metabolism, to their diet. I would like to enter that into the record and if possible I would like to have the Committee take a look or

even talk to, this certain nutritionist to get some more information concerning diets and nutrition and things of this sort.

Representative Nels Anderson: Do you have the name of the person?

Chris Anderson: Margariete Stetson.

Representative Nels Anderson: And where does she work?

Chris Anderson: She's in Fairbanks. She works for the University of Alaska Extension service.

Representative Nels Anderson: That's one aspect that was brought out in Nome, I believe by one of the people that worked in the Health Corporation that there is a direct relationship between people that live in rural communities who use moose, caribou, seal, walrus, and whatever and apparently there is some kind of a not only a physiclogical breakdown if there's a sudden switch to another diet but there's also a pyschological problem experience as well. I think that was brought out last night. A gal named Marian Hao made a statement.

Steve Matthew: First of all I'd like to express my gratitude for you being here. My name is Steve Matthew, I'm associated with Tanana Chiefs Health authority. I seem to get carried away with words so I though I better write down what I'm going to say. I'm here primarily to speak about the health related (inaudible) I've been traveling, first of all I must say to you whay my job is in Tanana Chiefs. I'm a village laison officer with Tanana Chiefs Health. Consequently, I've been traveling these last two weeks soliciting

resolutions for Health Authority to contract with the Federal Government under 638 (inaudible) I've been hearing the Native people in our area saying there's not enough control. There's not enough local control of the game. First of all, migratory birds. Birds, that's okay if you're going to give Alaskans a fair chance but migratory birds are only allowed to be shot there between September 1 and thereafter. Adn we all know that they go down south and the Mexican Government and the Canadian Government do not have no control over it. We have laws with those two special government. In fact the Mexican Governemtn allows migratory birds to be put on their market year round and why couldn't we get our birds, migrating north in the Spring to be allowed to be killed by Indians and Eskimos and whites, whoever wants those birds in the spring instead of after September 1. They're not here after that.

And secondly, the moose, now I'm getting away from my written testimony. I drove between Anchorage and Fairbanks one time about two year ago. That last 100 miles toward Anchorage I counted 17 cow moose not one bull did I see in the 17 Now those guys that want to to to college to say that we're going to regulate yourmoose and save all the cows for no bull to service them. That's uncalled for. I mean, you can save all the cows in the world but you're not going to reproduce if there is no bull to service them. 17 cow moose, I saw and not one bull, all cows. That's not very good management. I just heard over the radio just recently, yesterday really, they finally discovered that brown bear and bear especially to moose calves. Well, Indians knew that for 2,000 years. If they just utilize the Indian knowledge of game management our game management would be superb now but just because we don't have a PH.D. in back of our name they think that's wrong. They think that's absolutely ridiculous to have some uneducated Indian on the board and that's where they're making their mistake. Indians knew that bears were predators

of cows and calves especially in the spring. Just as much as wolves. Christ, they asked us 200 years ago we would have told them that. And you know with my other two jobs, I wouldn't say the figure I make, but I make, but I make a pretty good wage but I still can't hold my head above water. Above flooding with bills and my wife she makes $16,000 a year. Both of us, you take in Fort Yukon, I was over there for the last couple of weeks and you know what is costs? I went into this one person's house my really good friend. And do you know what I saw? And you people talk about subsistence. $14.74 for 3 lbs. of coffee and they don't work. And you know another thing I saw two years ago. I'm pretty well acquainted with welfare because a lot of my clients were welfare recipients and in this one (inaudible) he bragged to me about making $22,000 that year clear and this one woman (my grandchild in Indian) she said to me, she says no I would rather not fool around with that food stamp. It's not worth it to save $11.00 and this guy who made $23,000 bucks was getting them for nothing. This is where you people got to clamp down on those people that taking advantage of those old people like that. Those old people are the ones that are the backbone of this country and there's so many laws that's forgetting that.

Another thing subsistence hunting, well, I told you I been on the road for the last two weeks, but I was down Koyukuk, and three years ago there was one Swedish resident that came to Koyukuk (inaudible) Last year there was two. This year there was 15. And only one of those Swedes could speak english. Now there needs to be some control there.

You know as far as I'm concerned what needs to be done, drastic measures, anybody that makes over $15,000 dollars shouldn't have a hunting license. And restrict the moose population altogether, if we're going to have moose another

50 years from now. We blame the wolves, we blame everybody else, but I did not hear anybody blaming us, humans. We're the worst son of guns, in the whole damn country. I'm associated with pretty prominent people, doctors and stuff and one of my doctor friends told me, that you know when I was hunting, he said this is an educated man, I shot my own dog, I said what you mean, you shot your own dog? He said, this was a brush shot, he said, I heard the brush moving, so I shot. And he shot his own lab. Now, this kind of instance we got to prosecute them buggars.

Representative Nels Anderson: The reason why we would like to ask for your statements is that we're going to need some help in drafting legislation and your views on what we ought to do would be helpful.

Mary Demientieff: My name is Mary Demientieff, and I work for the Tanana Chiefs as the health aide for the Native people in Nenana. Let me go back, not a few hundred years ago, but about 50 when I lived down at Holy Cross with my husband. And we fished and we hunted, that was our way of life. In the spring, my husband would go out hunting beaver, he got his limit of beaver, came home, paid his bills, got enough food to last through the summer then we went fishing. Now, the best part was we could get as much fish as we wanted, there was no wasting, we made our fish wheels and if our neighbor was not able to set up his own fish wheel, everybody helped, we just helped each other. Without pay, and when our wheels were overloaded with fish, what we couldn't handle ourselves, we gave to the neighbors who didn't have much in his fish wheel. This was our way of life, we help each other. There was no laws in those days as to how much fish you could catch. I remember one summer we caught over 300 salmon by nets and 18,000 dog fish by fish wheel and we cut every bit of it. Every bit of the fish, regardless of what it was, we put it away, we dried the heads, the tails,

the eggs, everything, and we had - my husband took care of about 80 or 90 dogs, they belonged to the mail man.

In those days, you know, there was no airplanes and the mail was brought from one village to the other by dog team and he took care of all those dogs in the summer time. I think it was $4 or $5 a dog for the whole month. After the fish was all dried, we sold what we couldn't use to the storekeepers and they in turn gave it to us in groceries. Then in the fall time we loaded our boats and went up the Iditirod River and we stayed there all winter, we fished and we hunted and we trapped. My husband trapped. I never did any trapping, I never went behind the dog team in my life, but I helped, in my own way. I raised nine children, of course when they were school age, we had to move back to Holy Cross. We never known among my own people, down at Holy Cross and even here at Nenana, I've never known the people to waste any part of the meat, the head even was boiled and made into head cheese, the meat was put into, if they had freezers, if they were well off they put the meat into freezers or they ied the meat or they bottled it, canned it, there was nothing wasted.

Now, I've sons that go out hunting in the fall time, they go out and they come back and they say - Mom, you know what we seen out there? There's a moose out there at such and such a place and the best parts of the meat, are taken perhaps the horns or the hind quarters or perhaps the front, and all the rest is left there and that's not the first time. That happened several times already. Right now, of course, I don't fish or hunt, but the people here in Nenana and elsewhere, they have to pay for that to have a fish permit, which I don't know how much that fish wheel permit is, they have to have a boat permit, they have to have a permit to go commercial fishing. Now, they have to catch only so much

fish for their own use. It's not like years ago, when you could go out and catch your own fish, get what you want and leave the rest. Why are the laws made so confusing for people now, at least for the Native people. They don't even make enough out of fishing during the summer months to take care of their families during the winter time. That's all I have to say.

Representative Steve Cowper: I would like to ask you a question, I've been asking some of the other witnesses here, if you've only got a certain number of fish or animals that you can harvest - who do you think should have the preference? In other words, who do you think should have the animal?

Mary Demientieff: Well, there are alot of people who make alot of money, who have year round jobs. I think, to me, the ones who have part time jobs or no jobs at all, or people who have large families even if they are working. This would give them a little more money you know, for their families to take care of them. Because coffee, sugar, anything you buy from the stores is sky high right now to what it was 50 years ago. And I've lived in Nenana since 1945 and I've seen the price of food go sky high and every bit of that money goes into paying for something.

Representative Steve Cowper: And you know something about the price of groceries in Holy Cross, too?

Mary Demientieff: Yes, we used to buy one pound can of butter, they had no margarine in those days, and it was $1.25 and tea was $.75 and I guess coffee was a little bit higher and flour was $7.00 and 50 lbs.of sugar was $8.00. And everybody used coffee in those days, but, of course, we didn't have grocery stores,

we had grocery stores, but there was no baked goods in the stores, there was no baked bread or cookies or anything. We made our own at home. We baked our own bread and made our own cookies and there was no meat in the stores, either, like pork chops, ham, all that fancy food we eat today. The trouble right now, you wonder why alot of our children are sick, because they don't eat the right kinds of foods. The food right now is all bought in the stores where if the parents were able to go out and hunt moose and catch all the fish that they want, put it away the way they should, the children would grow up strong, their bodies would be strong and they wouldn't get sick all the time. Now this continually sore throats and colds and pneumonia and I don't know what not right here in Nenana, right at the present time. I think it's due to their diet.

Steve Matthew: I would like to say a couple of more words in regard to your question. On who do you think should be allowed to fish. I know there's some people on the Yukon River that take advantage of limitation of fishing for profit and I think, I really don't know what control can be enforced. But on the profit part, I really don't know how to control that, but I really think that Mrs. Demientieff said that subsistence limitation should be lifted because this is my primary concern, for the health of our people. I've seen up in Anaktuvik, I've seen up in Arctic Village, I've seen in Rampart, everybody is talking about subsistence limitation. They can't get enough fish to carry them over through the winter and believe you me, that there is those people out there that live there that have nothing else on their diet. Sometimes in the winter months and they are just lean, lean months, is fish and rice. If our regulations are going to restrict their fishing that means that they are just going to have rice. They're not going to have protein, nothing in it. I really think that if your committee should have any impact to lift those subsistence limitations because

I know our people in the Tanana Chiefs Region have to have that lifted, otherwise, they are going to go hungry.

Representative Nels Anderson: We hope that we'll be able to give the Department of Fish and Game a little bit more direction when it comes to the development of regulations regarding subsistence because I do know for a fact that only in the salmon industry is there some real effort to take into consideration the subsistence use of salmon. We're right now in the process or I should say the State of Alaska is now in the process of defining rules and regulations regarding the take of herring on a commercial basis. There are no rules and regulations now that control access to the herring along the westcoast of Alaska and last year, I think they took something like 1,240 ton of herring out of the Togiak area. People there are really concerned because they're thinking if there's this kind of take on an annual basis, that, that resource is going to disappear in a relatively short period of time. One of the things that we've tried to do and I think that we are going to be successful is that in the development of the herring fishery since there is no really big commercial history of fish taking of herring along the coast of Alaska, but the first allocation shall be for the taking of subsistence for subsistence purposes. We have found in the information that we have developed through research of Fish and Game records and other information that people take approximately, and this is only the recorded take of herring. And it's something like 600 ton of herring on an annual basis on the westcoast of Alaska. That's the sizable amount of protein and so I think that what we're going to be able to do is to allow first allocation - the proposal that's going to be made by the Department of Fish and Game - they are going to say, okay, for commercial activity, you are going to be allowed to take 6,000 tons of herring,

the first 1,000 tons of herring will be allocated to subsistence purposes. We are going to try to have impact in making sure that these kinds of considerations are made.

I wanted to share with you something that I learned, or the Committee learned in Glenallen. She mentioned that she doesn't look at grayling like a sports fish. She looks at it as food on the table and in their area, they are allowed only five per person, I believe, but she was saying that she had a big family, four or five kids and five grayling just doesn't cut it. The people need more. These are the kinds of things we want to hear from you. If you feel like you said, Steve, that there are some unfair limitations placed on people because they need more and we have to know about this, so we can make recommendations to the Department of Fish andGame, the Boards of Fish and the Board of Game to let them know that people, that people in the rural areas and in the State of Alaska, generally, are not being fairly treated and that allocations ought to be more liberally granted than they are now. Is there anyone else at this time who would like to make a statement for the Committee?

Male Participant: May I comment again on Mr. Matthew's and Mr. (inaudible) on Fish and Game licenses that the funds should be put in the general fund like everything is. I run around with a 40 horse Mercury and these Fish and Game have two 50's. It should be put on the general fund like everything else.

Representative Nels Anderson: Well, I get your point and I read you loud and clear. One of the things that I'm going to hopefully get the Co mmittee to adopt for recommendation to the Legislative Council is that we're going to make a recommendation that the sports licenses and the game tags and so forth are not put into - put into a separate fund and matched with federal funds. We're

going to try, at least, I'm going to make an effort to make sure the Department of Fish and Game has their budget taken out of the General Fund so that they are not overly swayed by sports interests. Because I do know, that there is a great deal of pressure applied by the sports interest. I'm not saying that by my statement I'm not trying to alienate sports hunters. I do know that they have tried without success to get the Department of Fish and Game to change their way of management. They'venot been successful in doing so. I'm also aware of the fact that there have been citizens on the local level have been trying to tell the Department of Fish and Game that some of their activiites have not been correct and because the Department of Fish and Game hasn't adopted the local people's expertise. That we have all suffered and our game and fish resources have declines dramatically. And it's made it harder for all of us to go out and get what we need.

Male Participant: Can you tell me or tell us how, the Governor appoints the Board of Fish and Game? The regulatory boards?

Representative Nels Anderson: The Department of Fish and Game and the appointment of their board members, they've got two boards. We've got a Board of Fish, and a Board of Game. Now, these people that are appointed by the Governor, of course, he uses local representatives from my area. He'll listen to the Senator from that area. And representatives from all over the State. The sportsman's associations will have a say. Every special interest group has an opportunity to write a letter to the Governor and say, okay, we'd like to have this person appointed and we would like you to (inaudible) nominate people and have them appointed to these boards, in other words people in Bristol Bay would have their

own Board of Fish and Game, what you people up here have to do to maintain what you need for your take and so forth would have nothing to do with what we do down in Bristol Bay. And, quite frankly, I'm not satisfied with the amount of voice we don't have on the existing Boards of Fish and Game. I'd like to have another member, or one member on the Board of Game, too, so that our voice could be heard a little bit louder, but it isn't. I'm not satisfied with the status quo, I want to see it with the local people involved.

Steve Matthew: I would like to say one more thing real quick. Regarding what you talk about herring. Half of us in the northern part here don't know what the herring is. I do because I ate damn thing down in Edgecumb so damn long, tired of it. This is what I'm trying to say, you're controlling herring and we're trying to control moose. Up in Anaktuvik and Arctic Village, they're trying to control caribou. I went up there two weeks ago, it's in my statement there, I was up in Arctic Village and the people say and the news media says that all those people up there are wasting caribou. They are not - I was up there and they got about 15 caribou that one day, but everything on that one caribou was used. Only things I can say they wasted was a couple of skins, that's all. They threw it over trees where they'll pick up later. (Inaudible) Cripes, they even eat the marrow, (inaudible). It never rots because it never thaws out. You can go up there nine months later and eat the marrow and it's like its been killed yesterday. So, there's nobody that's wasting the caribou up there. The game biologists go up there and they want a big story, sure you say that.

Joe Williams: My name is Joe Williams, I'm from Nenana, I've been here all my life. There is one thing I would like to substantiate and this was the word

that Steve said in accordance with the people in the lower Kuskokwim area and the lower Yukon with the people that had come in, the outside people, I had a chance to be in Huslia the other day and there were 15 people that had come from out of the country, could not speak the language, and were strictly sports hunters. This is their right. We do have alot of economic pressures, there is alot of sportsmen that do make livings. We're not trying to keep someone from making a living in the State. There are regulations in the sporting industry that are pretty strict. I'm sure in the future it's going to be even worse. This is just a matter of regulatory power that what's going to stand up first. Do we need the money, or do we need the people that are subsistence type in this category. One of the things that your Committee might ake up is a firm stand. A definite firm stand on the definition of subsistence, I would sure hate to be in your boots, for sure. There was a Fish Board meeting in this town and they tried to come up with a solution on how many fish were actually here and they don't know. To this day, I wouldn't hesitate to say that they still don't know. Through electronic gear and the rest of it, information is just not available. Our fall runs here have been great. One year they are down, to go into the whole international fisheries program, it's just absurd because we're looking at it on a strictly local level. You try to tell them the international program and people have been fishing for years, it's a lost program. Getting back to the reason you're here and the prioritizing of who should or who shouldn't get a definite view. I believe in the aboriginal right of the people that are here, with older people coming first, no doubt. Giving them almost carte blanc to subsistence rights, taking in there an economic and a physical standpoint of view. There's people that are 45, 50 years old, they're not going to be here much longer, how much are they going to actually take if they're making only $6,000 a year?

The younger people that are coming up, they're subsistence users. I hate to say it, but, there is going to be alot of people on welfare. It's just a matter of you're going to have to make a priority, it's coming. And it's just a matter of who is going to get it first. Like you said, this is the main reason that you're here and it's just definite view and I really don't have that much else to say. There's so many conflicts of interest when you get into sportsman and the rest of it - subsistence itself. It just should be defined and there is going to be alot of people tromped on. Alot of people with hurt feelings, but it has to be defined and kept up.

Representative Nels Anderson: Joe, I've got just two comments on your statement. I just want to read to you something that I had written to my constituents in the Bay. I'll just read it verbatim. We had hoped to define subsistence as it relates to Alaskans throughout the State. Arguments against defining subsistence are: "That subsistence values and uses vary greatly across the State and that any attempt to define subsistence in the say way throughout the State will greatly undermine subsistence hunting and fishing in every region of the State." And, in this point in time, at this point of history, I'll tell you I'm not too comfortable with the suggestion you are mking that this Committee take a firm stand on the definition of subsistence. I think what we've got to do after hearing the comments that we've heard already is to try to put into language that approximates what people like yourself have been saying and throw back out to the public and see whether or not a general definition of subsistence would be satisfactory, but I'd just really, to be very frank, really afraid of the prospect of just saying, okay, this is it.

Joe Williams: At a certain point in time, which is coming shortly, I don't know whether you really agree with it or not, there's going to be a point that most game hunting is going to be limited to a very few people. And this is why I say that something has to be specifically done. This is to at least maybe you won't end up with 50% of the peopoe that now come under the general subsistence ruling, but there will be the other 50% and like I say, this doesn't meat the rule first by age, aboriginal rights, means of income. Ten years from now, if they cut it off from everybody, fair is fair, because when these people, the older people, especially, that have brought us up in this country have lived their lifestyle the way they see fit have wanted to go fishing, hunting, trapping, more power to them. We should give them carte blanc. Whatever they want. I have been very proud to be a member of this STate, and I've been here all my life and been proud to see thatolder people have been well taken care of, in general. There are specific instances, that we shouldn't be very proud, but in general, we've been very considerate to the older generation and this I'd like to see carried on and this is why I say specifically protect the rights of the older people.

Mitch Demientieff: One more point that I think that I would like to address tonight. In my earlier testimony I didn't deal too much on specifics the first time because I was just trying to get the hearing going and trying to make general comments. Through the meeting, through the reading in the papers of the nature of the hearings, particularly, the one held in Fairbanks last night and I know the issue goes one and one, of different conflicts of interest, different areas of interest, different pressures put on people when it comes to regulating fish and game. I think that there is one universal stand. I think

that this Committee could have some influence in leading a charge of this nature. I think that a real study has to be done on the current management of the Department of Fish and Game. Everybody that I know of has their own particular story of the incompetency of the Department of Fish and Game. The kinds of things that they do, last year, I was involved with the caribou issue of the Western Arctic herd working with the people on the Koyukuk River, Allakaket, Alatna, Hughes and Huslia. I went over and did a personal study on the dependency as an issue. Whether or not the people on the Koyukuk River should be allowed to participate in the taking of the 3,000 subsistence quota allotted for the caribou taken out of the Western Arctic her.

I went over and did a personal study on the dependency of caribou as opposed to the availability of moose and what the dependency breakdown is. I can't recall, it's been a year, I can't recall the exact numbers, but there was a December meeting of the Board of Game. Caribou (inaudible) and on record of that meeting there are the figures I laid out and meeting prior to that one held in September in Fairbanks by the Board of Game in that meeting, the Department laid out alot of their figures on the dependency of different people on moose and on caribou. But, I would wager that I got within five moose and five caribou on the whole Koyukuk River of what people had taken in three years prior to December of 1976. I know I did. I went from house to house, person to person, somebody would say, well, last three years, last year I didn't get any moose. You mean to tell me you lived here all last year and you didn't take any moose? The guy says, well, I did get two. Well, I know that got moose, I know that they need to get moose, I know that they can't make it if they didn't get moose or caribou or fish and bears. I know they can't make it, there's just no way, what are they going to eat? So, I got the figures, I say within five moose,

five caribou in three years time of what was taken out of there and I computed it in, the Department personnel was giving testimony to the Board on the usage, well, we estimate, the Department biologist estimates X number of caribou were taken in the fall and spring hunting season of 1975. They were estimations and they readily admitted they said that these are department estimations. Supposedly, theoretically, these are supposed to be ball park figures, in the neighborhood, in the vicinity, a thousand moose were taken, those, of course, aren't the figures. They weren't even close, on no counts, no particular year were they close to estimating the actual take and yet when it comes time for the decision to be made by the Board of Game, they used their staff's data and it was incorrect in that particular instance. And, I know that countless people throughout the State, the Department is continually responding to a crisis situation.

The gentleman from Clear said that there were some problems and there are problems. They're constantly responding to crisis situations as opposed to managing to prevent those crisis situations. And, I think that there is one thing that this Committee should do is take a look at the management practices of those department personnel. There's just no way that any university in the world can teach department personnel to manage the game, if when they get their degrees and go to work they can't even come up with ball park figures of what the actual take is, or how many are in there. The way they compute on what the escapement is on salmon, is for instance, which is always an issue with us here on the river. They go into the spawning grounds, fly over, take a look, there must be a 100 fish down there, I can see - clear water streams when they're spawning, there must be a 100 fish down there, and there's their estimation, that's

how they get their figures and they are incorrect and they are making decisions that affect our lives, daily, on those fly over type of things that are just totally out of perspective. There is one thing this Committee should do (inaudible) they ought to take a look at the kinds of things that the department is doing and where taxpayer's dollars are going in support of that department. Because we're frankly getting ripped off, and anything to do in that line would be time and effort well spent.

Jeff Kennedy - My name is Jeff Kennedy and I live in Fairbanks and I would like to make a comment, and Mitch or somebody else may correct me, but it's something that Mitch brought up in the beginning, should there be a way of looking at subsistence hunting and shouldn't people be allotted different quotas or different priorities if they live in a rural area that's connected to the highway. It seems to me that somebody who lives in the rural area connected to a highway has a unique problem because other people can come into their neighborhoods and shoot the fish and game very easily that the people in that area could normally get. It seems to me there should be a higher priority not a lower priority for people who live in the rural areas and are connected by highways. Correct me, if I'm wrong.

Representative Nels Anderson: I would just like to thank you people for coming down and having a chance to hear your views and give us a chance to give us a few of ours if there is anything specific that any of us or the rest of us maybe we could talk on a one to one basis, if you might be around for a little while after this meeting. It's getting closer into the evening.

Well, thank you all very much. I'm not really here to tell you what I feel about subsistence. I think most of you that know me, I have a tremendous feeling

for the people, the land, the resources, and I'm very much interested in hearing your comments and even if there are those of you who may not have expressed yourself this evening, I would invite you to write to members of the Committee or to myself if you'd like to put your thoughts in the form of writing. I want to stress very strongly though, that we do need your comments. Because the issue of subsistence is not going to go away. It is being considered in Congress, it is going to be considered in Juneau, and any comments that substantiates some of the statements that have already been made that will help us create and develop legislation that would not abuse your feelings about the issue would be very helpful to us. And we'll continue to solicit your statements as times goes on. I'd like to thank all of you again for coming and if there is any way that we can help, I would ask that Dorothy make it know what our address is and also urge you to communicate with your senators and representatives and let them know how you feel. If there are no other comments, then, the Committee on Subsistence is adjourned.

Tanana Hearing

Testimony of Steve Matthew

Miss Karen Perdue and myself have been travelling around the villages here in the interior Tanana Chiefs Conference area - Doyon Region lately. Our main purpose was: for Karen, discussing the possibility of relocating or replacing the Tanana Hospital; my travelling was primarily for the Resolution of 638, i.e. soliciting 638 Resolutions from the village because of the fact that they defined a village tribal area in Alaska as a village corporation to go along with what they did in the Lower '48.

What I'm primarily here to speak about would be health-related in the sense that the moose population and the moose production areas. This morning as I rode to town I heard a very interesting discovery as far as the State Management of Wildlife is concerned. They finally discovered the fact that brown bears are as big a predators on moose as wolves are. If they only asked us first inhabitants of Alaska this question we would have given them the answer 200 years ago. When they first came to Alaska we would have told them that brown bears are predators to moose - they kill the calves all the time. That's understandable. And yet now they come to us and ask us "What is subsistence?" What is subsistence? Me, I make $26,000.00 a year and that's not enough to pay my tax. My wife makes another $16,000.00 a year. With all this money we barely keep our heads above water. And they want to ask us what subsistence is. Subsistence

in my opinion would be to subsist off the land that you are living on. To live off this land year in and year out requires a lot. First of all, your family needs to be there when you need to work. I'll switch from here to Anaktuvuk Pass and Arctic Village. Those two villages have been under fire for a long time because of the fact that they kill caribou and live off of them. But if you go into those villages you will very seldom see anybody wasting caribou meat. I know that you people will say that it is not true because it has been proven otherwise - how about down in Minto Flats where they kill a moose and drop the whole thing and just cut off a horn. Us consumers never hear about those things. You never hear about all the slaughter that the army people do out on the caribou range. You never hear about those things. The only thing you hear about is Indians and Eskimos slaughtering these animals - slaughter them - that's all they say. It's not true. Everything we take, every part of the animal is used. More so in Anaktuvuk and Arctic Village; those two villages really depend on caribou. For one to sit back and say from this chair that Anaktuvuk and Arctic Village kill caribou for nothing and are wasteful, well, that's a bunch of hogwash. I have talked to these people, I've listened to them, I've met with them, and anything they kill is meant for the table and is used.

In the interior my father once paid my mother's way to Fairbanks for an operation and then paid her way back. This was before the Great White Father came in with all his beautiful money

and spoiled the Indian people. It took the Great White Father 70 years to do the Indian people wrong by taking away his dignity. Tell him, he didn't have to work, all he has to do is fill out this little piece of paper and the Great White Father will take care of him. Now the tide is turned and the Great White Father wants to renig on all his promises so he's telling this little Indian man "You better get your ass on the ball and go to work." If the Great White Father was so concerned thirty years ago about screwing up everybody, I would suggest that he be as concerned to try to help them get back on their feet. What I mean by that is subsistence hunting is extremely related to the Health of the Indian people in their villages. If one person says that it is not, I'd really like to talk to them. Now this is not my usual kind of speech, but I really think that the Indian people should start putting their foot down and say, "Now, this is it. This is the only way we will accept the hunting regulations."

In the last two weeks I was down in Koyukuk. Three years ago there was one Swedish citizen who came to hunt in the Koyukuk basin. Last year there were three. This year there were fifteen Swedes. Now if you take into consideration that moose population are controlled by wolves, bear, and the one predator Man, do you think he would survive without a really workable solution presented? I know all these guys with all their Ph.D.'s

and all their game management certificates are all well and good, but the Indian knew that the brown bear was one of the main causes of decreased moose population 200 years ago and the White man just found out about it day before yesterday. I think there's a need there that needs to be communicated. Utilize the old Indian knowledge of game management, instead of all this hogwash. I guess Jay Hammond wouldn't like that.

Thank you.

What did I see in the last few weeks. Areas of uncontrolled game mangagnent. In the sence, meaning of uncontrolled, ~~would~~ be population growth. It has been taken for granted, in past years, that wolfs have always been the predisisor of moose.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.



PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson Jr.,
Chairman

STAFF MEMBERS PRESENT

Adelheid Herrmann

PUBLIC HEARING LOCATION:

NOME ELEMENTARY SCHOOL

DATE: September, 17, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Helen M. Fagerctrom	Nome	Interested Resident
Dan Thomas	Nome	Interested Resident
Teresa Sockpealuk	Nome	Interested Resident
Duane Oozeva	Gambell, Alaska	Interested Resident
Franklin Kanimgak	Gambell, Alaska	Interested Resident
Gerald Trigg	Nome	Interested Resident
Mark A. Hoelskin	Nome	KNOM Radio
Nanci Millheisler	Box 1127, Nome	Interested Resident
Brenda Johnson	Nome	Resident
Charles Johnson	Nome	
Perry Mendenhall	Box 1141, Nome	Citizen-Native
Nancy Mendenhall	Box 1141, Nome	Interested Citizen & Norton Sound Health Corporation
Esther Bourdon	Nome	Interested Resident
Rita Hukill	Nome	Interested Resident
Nick Wongittilin	Nome	Interested Resident

TABLE OF CONTENTS

			PAGE
1.	TESTIMONY OF	Gerald Trigg, Nome	4
2.	TESTIMONY OF	Duane Oozeva,Gambell, Alaska	7
3.	TESTIMONY OF	Charles Johnson, Nome	9
4.	TESTIMONY OF	Perry Mendenhall, Box 1141, Nome	10
5.	TESTIMONY OF	Dan Thomas, Nome	16
6.	TESTIMONY OF	Nick Wongittilin, Nome	17
7.	TESTIMONY OF	Nancy Mendenhall, Box 1141, Nome	18
8.	TESTIMONY OF	Teresa Sockpealuk	21

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
Nels A. Anderson, Jr., Chairman
P. O. Box 234
Dillingham, AK 99576 Tel: 842-5970

SEPTEMBER 17, 1977 - NOME PUBLIC HEARING

Representative Nels Anderson called the Interim Committee to order at this time. For those people that don't know me my name is Nels Anderson. I'm in the House of Representatives and I chair the Committee on Subsistence. It was a committee that was created in the late part of the last session. I think most of you know that I went through a pretty tough time getting re-elected into the house again. I was kicked out and had to run again. One of the things that has been of tremendous interest to me as an individual legislator is that the changing land patterns of the State of Alaska are creating some conflicts in competitive uses for our natural renewable resources. I felt it was necessary for the State of Alaska to begin to look at the term subsistence and what it may or may not mean to people who use fish, game berries, ducks and geese, sea mammals and so forth throughtout the State of Alaska. The reason why that I felt it was important is that with the D-2 issue we have a very aggressive national group of legislators such as Mr. Udall and Mr. Seiberling who are wanting to create instant wilderness. The kind of wilderness that they are talking about is not going to permit people to move in and to conduct the kind of traditional cultural activities that have been in existence for hundreds even thousands of years in many parts of our state. One of the things that we are trying to do is get as many views as we can on the subject by holding hearings throughout the State and reviewing available information on the issue. I would like for the record

to apologize for our very obvious lack of ability to really drum up the support that we should of in advance of this meeting. I take full responsibilty for that. There is no one really responsible for the kind of problem that we have right now because the public does not know that we're here obviously because of the small number of people that are here. Again, I would like you to know that I take full responsibily for that but nevertheless we are here and we have spent State money coming up here. If there is anyone in the audience that would like to say something about the issue of subsistence I would appreciate it. In addition to that the cause now people are going to be upset because they are going to know that we were here. We do want to give people an opportunity to let us know how they feel by mail.

If there is enough strong feeling for this subject and if there are enough people that think the Committee ought to return to Nome to hear the people on the subject I would be more than happy and willing to entertain another proposed time. We do have a limited budget and a stiff schedule but I think that if there were enough people that think that they should have had something to say about the issue I'm sure that we could come up with the money in the budget to come back up here.

We are going to be traveling to Nenana, Fairbanks, Copper Center, Kodiak. We're holding a full scale hearing in Anchorage during the convention on November 10th, 11th and 12th. The convention theme this year is "Subsistence" and the entire convention is going to be a hearing on Subsistence. I have been given the go ahead by the AFN to do just that since there are going to be so many people in Anchorage at that time we felt that since there are going to be so many people in Anchorage at that time we felt that would be an

opportune time to discuss the subject with as many people as possible and we can get down there from all over the State of Alaska so hopefully we will be able to get views that we may have missed. We plan to go to Galena, Juneau and plan to go up to Barrow in December. So we do have a pretty tight schedule and I will repeat that our budget was severly limited. My original amount that I had on the budget was a budget that would have given the Committee more staff and more of an opportunity to study the subject legally and look at it from a legal point of view and ecomomic point of view. We were not able to do that.

I have a staff assistant working with me primarily gathering information that is available throughout the State at this time. I have also Adelheid Herrmann who is our secretary. Originally our budget presentation to the Council was $100,000 dollars and that was cut to $90,000 and right at the very end our budget was cut to $40,400 and most of that money is going into a travel budget.

We had 8 members on the Committee and they have given me the authority to hold all the hearing at the places that I indicated because the money would not allow them to do so. There are going to hearings in other parts of the state but the full committee will not be present. That just kind of gives you an idea and a background on what the Interim Committee on Subsistence is all about. What we may finally present to the legislature at this point in time is an open question, there is really no way of predicting what our ultimate position or legislative presentation will be to the Legislative Council. Our basic aim though is to try to find out how subsistence contributes to the rural lifestyle in as many places as we can get to. The floor is open at this time for anyone that would like to give us their thoughts on

the subject.

Gerald Trigg: I want to thank you for coming to the area and I think the issue that we are addressing here is of importance to the area especially with the D-2 land in question. With the ever increasing cost of living we in the Bering Straights are need to continue subsistence living; hunting and fishing. Also not only the poor be allowed to hunt and fish for subsistence needs even though income has risen over the years so has medical care, food, insurance, new cars, homes; all aspects of life. Our subsistence needs are greater in rural northern areas because we don't have access to grounds that which would enable us to grow part of our needs. We do not have the access to lower cost of food that is found in other areas of the State. We have always been dependent on fish and game. Instead of decreasing our subsistence needs thanks to a higher standard of living, we are more dependent on subsistence hunting and fishing. It is important that subsistence areas not be decreased by D-2 with the increasing population and the increase in traffic the D-2 area. If subsistence is not approved will bring about a considerable hardship to the people in the Bering Straits area. We also need cooperative efforts by the Fish and Game agencies to assist the area in attaining our needs. I don't know if you have any questions.

Representative Nels Anderson: Jerry I just have a comment or two. I'm not sure what you mean by a more cooperative effort. Are you saying that people in the local area should have more of a say in fish and game management matters?

Gerald Trigg: I think I would like to say that's the case but we do have a Fish and Game Advisory Board. I 'm not a part of it nor have I attended their

meetings but there are a lot of things happening in our area that are brought about by the Department of Fish and Game that I personally don't agree with. Specifically speaking, the area surrounding Nome was, we were stopped from moose hunting within a 50 mile radius of the area. Walrus hunting has been an issue in the area for the last two to three years. One that will serve us in the very near future is the migratory birds. Fishing is another one that will serve us in the very neat future unless the effect of the 200 mile limit will have a better effect. Basically what I'm trying to get at is that we need to have the fish and game possibly assist us in setting up some fish hatcheries in this area. We're getting into the fishing more and more in this area and we don't want to happen in our area what happened in the Southeast there for awhile where the fishing industry went down for awhile until these fish hatcheries came about. There have been a few issues in the area where we had very little assistance from the Department. I don't have any information here with me now to back this, but in our office we do have information regarding this.

Representative Nels Anderson: One of the common complaints that we have been getting throughout the State is that the Department of Fish and Game, because of it's location in Juneau, because of it's inaccessability people don't get to express their feelings on what they ought to be going. And also that I did support the creation of these fish and game advisory boards, they still don't have enough authority.

Gerald Trigg: They don't have no authority! whatsoever. Like with the local one it is strictly people from Nome. They have no one from the outlying areas represented on the council. That's one of the problems.

Representative Nels Anderson: Another thing that people have been saying too that some of the fish and game advisory groups are dominated by special interest groups like guides for instance.

Gerald Trigg: One thing with the fish and game industry in the State of Alaska is one of our major resources yet it is my feeling that the legislature treats it very lightly and it's shown by the small budget that it operates from. Anytime I make inquires this is one of the answers I get is that we don't have the money - we don't have the budget to do what's right.

Representative Nels Anderson: I think you are basically correct there and one of the things that I was going to get at a little later but you have hit on a problem. The Department of Fish and Game is funded by selling licenses as most of you know so that means our moose and our caribou to non-resident people or foreign people for $200.00 or whatever a bear tag is or caribou tag or moose tag or whatever, our fish and game are for sale and the Department of Fish and Game depends primarily on that source of income for their budget and that in turn is matched by the Federal Government. One of the things is that I intend to do as a recommendation is to have the administration look at the funding policy at the present time and try to make some changes to try to get the money from the general fund like every department of the State does so that these people are not stuck year after year to go out and sell all the licenses they can and at the same time not getting enough money to provide the management programs to properly protect the fish and game of the State of Alaska. It seems to be a problem we have identified and I think it is something we are going to have to work on. One other thing that I have noticed is that the favorite pastime of most politicians including myself, until about six months ago is that we wanted to make the Department

the "Whipping Boy" and basically the reason they have been the whipping boy is because they have not had the money and it has been the politician's fault and to a large degree the public's fault. They have a lot of inbred funding policy problems that make the situation as it is and I know longer am in the camp anymore. I'm more in line with trying to refine the funding process so that those people will have those kinds of funds that will properly manage those resources in the State.

Gerald Trigg: In conclusion I would like to mention that I belong with three organizations, the local Chamber of Commerce, the Arctic Native Brotherhood and the Nome Eskimo Community and we would all welcome the opportunity in the near future whether by mail or by having you return to the area. We would all welcome the opportunity to present testimony on the issue as you stated earlier we had little, very little notice of it and I'm sure they would appreciate it on saying something of such and important matter.

Representative Nels Anderson: Mr. Trigg, I'd like to, if I could after we get done with the formal hearing, to get together with you and discuss my itinerary and if it looks like there's a possibility of my returning I think I would like to do that and perhaps I could do a better job in getting a little bit more publicity out. The critiscm is well taken.

Duane Ozeeva: I'm from the village of Gambell. It's about 200 miles from here. To me subsistence is not just a word - it's a lifestyle. It's a way of life to us. Out in the outlying villages we just don't have a grocery store like the one you've got here in Nome. From the majority of our food we get by hunting marine mammals in the village of Gambell. Since I grew up from 1948 to present time all this has been taken away from us piece by piece through regulations

and legislation which effects us as a culture as a people that live there and yet we do not get any representation when they are formulating the laws that affects us as such and that I see very little of even now.

Like Jerry Trigg said the representation like the advisory board on the Department of Fish and Game is mostly formulated by the residents of Nome even though some of them may have lived in a village at one time or another still their view points are different than how we see subsistence. So I'd like to see more of that representation if they ever do come up with something new, that would be more beneficial to both the villages and the regional centers. The definition of subsistence from what I've heard and what I've read there is no clear cut definition on subsistence that is compatible to us, the people, the State of Alaska, and the Federal Government. These need to be studies with everyone thinking on the same level of subsistence. That's all I have for now.

Representative Nels Anderson: Duane, before you leave, I met with the Governor in Juneau about 12 days ago and he was talking about some of the things that were a great concern to him and I think you are absoulutely right in that in the formulation policy, rules and regulations for the most part are not done at the local level. The Fish and Game Advisory Boards are just that. That's all they are. They aren't policy making boards. Going back to what Governor Hammond said that it is his intent to work very hard to create fish and game boards at the local level rather than have a statewide Fish and Game Board trying to manage all over the state with only 7 people. It's his idea now to try to develop legislation that will be a let Fish and Game boards out closer to the local areas. And in making sure that villages such as yours have representation on those Fish and Game Boards and these boards would have

the authority to make the rules and regulations on how things are done in those specific regions and we would have a Fish and Game Board created in Bristol Bay and how we ran things down there would be our business and how you guys did things up in your area would be your business and we wouldn't interfere.

Duane Ozeeva: That I would very much like to see!

Representative Nels Anderson: Again, that's something the Governor advised me that he'd like to do and he did at that time ask for his assistance.

Charles Johnson: I'm the Executive Vice President of Kawerak the non-profit association here. My statement is not totally prepared but it is an personal rather than an official, organizational opinion because Caleb Pungowi who is our president would have to give that on behalf of our organization. Duane Ozeeva is one of our board members and would therefore be more abley to give an opinion. My comments are related to coming events that have been publicized and relates to the State Highway Departments plans on building a highway connecting Anchorage, Fairbanks, Bethel, Nome, Kotzebue and Barrow and that event will have greater impact than any rules or regulations on our subsistence living. You only have to look at all the areas around Anchorage and Fairbanks that are now accessable by road and the hunting and fishing there has been totally wiped out. You can look along the pipeline route. It's not just the pipeline itself that have cut down the availability of caribou it's the access to the urban centers. The people from the urban centers can go out and hunt.

If we allow that road to be built between here and Anchorage it will totally wipe out the game. It will wipe it out, out here cause we're pictured

as a place where Eskimo and Native people can live off the land we're pictured more as a sportsmans paradise. If we are accessable by road we then will have all our fishing and hunting taken away regardless of the rules and regulations. This is as far as I understand has been planned by the State Department of Highways. Perhaps out of those general funds. The development of the highway system is not compatible with the preservation of our lifestyle and our hunting and fishing. That's the only comment I have.

Representative Nels Anderson: Thank you very much. That opens up a whole new ball game. I honestly had not taken that proposed highway system into consideration. I would assume that the Interim Committee on Subsistence would have to adopt a position on that particular concern of yours.

Charlie Johnson: Well, my personal position is that the highway system should not be built.

Representative Nels Anderson: That's what I'm saying. The committee should adopt that position and as Chairman of the committee I will make that proposal to other members and hope that we could adopt that resolution of your concern; that we not have the road system.

Perry Mendenhall: I'm in favor of subsistence in the villages and those that have grown up with it and lived as a native such as seal oil, blubber and the greens even the greens, the berries are subsistence. The sea mammals that exist along the coast and all the fish within the lakes, streams and oceans have been sustaining the Eskimo for thousands of years and now that we're under the whiteman's system all of a sudden they want to cut us off from this type of lifestyle and means of diet. They are cutting it off by their laws and

regulations but at this time they have no means to replace it economically, socially. Villages that traded among each other developed because of trading of dry fish and seal oil. The trading of black meat and berries between various villages. Like even today on Shishmaref we have to write in order to get black meat; the best quality type of black meat. If we want dry fish we have to write to Teller. We trade or buy.

Being that I've grown up in Nome doesn't mean that I don't appreciate some of the whiteman's food that I eat but I see that the whiteman supplement my diet. When I was growing up and when I came back from college the first thing I wanted was my native food. There's a lot of people that have never left the villages that have grown up and have never been as educated That's their life, that's all they know. I feel instead of just being an advisory board for subsistence there should be a completely native board that has full control on subsistence and plus the fish and game controls the laws and the regulations in the State. Of course it would have to vary from region to region because each region they sort of have a different means of subsistence. A lot of people feel we have been killing off the bowhead whales but there hasn't been blubber, muktuk around like there was last year just enough to get a lot of the people by on. They take their own live in there hands when they go out after the whales, walrus and oorguks and even the little harbor seals. When they go out there in their plywood boat or skin boat, a lot of times we had to forage over the ice because we got caught in the ice. Trying to make coffee for two hours on the whiteman's stove that don't work is something else out there. It gets hectic out there. I've hunted out on the ice with friend of mine in town here and realize the danger that they face. They look at and accept it as a means of live like our ancestors have but I feel that the subsistence food that we have is our main-

stay of diet in a way and it will take a long time for the whiteman's food to take a hold and dominate most of the diet of our people in our villages. If you go to any big cities in Alaska you will find the Eskimos requesting their native foods. Because they are hungry for it they want it, that's the way they grew up. There in the big cities not because of choice but because they were trained and sent away and they got used to living out there but still they have that desire for subsistence. Maybe even Ad wanted here native food while she was attending the University. They say that the whiteman's food is the mainstay, but it can't be out in the villages because it is pretty expensive in the villages even the meat. One pound of meat, I don't know how they make that one pound of meat stretch but it is expensive. Maybe just to cut the diet to make it a little bit different once in awhile. Kind of identify that they're within the system and maybe the hunting wasn't that good and they were forced to go to that store.

They also depend on the ivory on the walrus that were caught for commercial value. The whiteman has created this commercial value on the ivory artifacts and ivory carvings and it is good in some ways because it helps alot of Eskimo carvers maintain their living by carving, out in the villages and even in Anchorage and Fairbanks. Subsistence hunting even with permits it's kind of a late coming thing to the Natives. Why they have to buy permits for catching crab, fish things like that. Before they never had to do this. No one jumped on them for catching crab and fish. Today you have to buy $.25 or some kind of nominal fee for a permit to show that you're a subsistence hunter or fisherman. It's kind of wiping a culture out by having to pay for it. They probably reluctantly buy this just to stay within the law even though they don't like to buy the permits. There is a lot of other things that need to be remedied pertaining to subsistence. It seems like the majority of votes

comes from the urban centers and the rural votes that are in Juneau cannot really carry subsistence it seems that the urban votes could the rural votes in Juneau even if there are a lot of testimonies and sayings on subsistence. I feel that this is a misrepresentation on this subject of subsistence and laws and regulations pertaining to subsistence. When the whiteman wants to do some hunting or trapping on their own without as a means of living they don't really go after him. They go after the Native that does all the hunting and trapping all their life but when the whiteman goes and he makes noise about it they leave him alone maybe because he knows the law a little bit better. There is probably different courses of misunderstanding and courses of reading the law as you might say.

Representative Nels Anderson: Thank you for your comments. I would like to go back to what you were saying about the State of Alaska at this time has no means to replace the loss of any kind of subsistence hunting or fishing. Could you expand on that just a little.

Perry Mendenhall: With the laws and regulations thats been written and revised that would in a way inhibit or prohibit subsistence living or hunting like caribou, Sea Mammal Act and fishing as well. If they are saying no, you can't really depend on subsistence you can't go out as much as you can to do subsistence. That's the way that the Native family has lived most of their life and all of a sudden you said no. How is that person going to make a living. Since he hasn't been trained to or indoctrinated to go in an urban situtation to make a living. What type of training or economic system that would take the place of subsistence.

Representative Nels Anderson: Has this area done any kind of survey about what

the family dependence is on the land?

Perry Mendenhall: In fact I wrote a letter to the local newspapers here and stated that there was no such survey done in this area. Fish and Game never did say that they did such a survey. In Nome or in the outlying villages that depended upon subsistence. Nels, the reason why I asked this Perry is that in Bristol Bay and several of our villages and I think throughout the whole region that we have more or less documented by surveys what people do take off the land. The number of ducks and geese and ptarmigan, how many pounds of berries are picked a year, moose harvested, walrus and it's kind of added up and it's really astounding how much dependence there is on the land it seems to me that it might be a worthwhile effort. I wish that it could be done here and every village on the people that depend on Native food and subsistence life. Even though a lot of people have been identified as Eskimo families here this is a part that goes living off the land. Some of them find seasonal work but that's not enough to carry them through so they have to depend on subsistence.

Representative Nels Anderson: Well, I think everybody that lives out in rural Alaska is effected because anyone that lives out in rural Alaska i going to have to depend somewhat on the land and I see it not only being restricted to Native people. It's going to be non-native people too. That do use moose and do use berries, they get their fish.

Perry Mendenhall: It seems like to the restriction that 30 miles up the road and 50 miles to the west of us and 52 miles to the east of us is closed to moose hunting and I know there is a lot of family's in town that don't have the means to go outside these boundaries to hunt moose. I have been taking

some of my friends out to get moose too.

Representative Nels Anderson: Perry, was this created by the Advisory Board or did the Department of Fish and Game that created that.

Perry Mendenhall: I don't know how the Department of Fish and Game came to making these boundaries.

Representative Nels Anderson: What year did this happen?

Perry Mendenhall: Just this year. Nobody knew where the boundaries were going to be until moose season was open. Nobody knew about boundaries at all. I don't see how some of the people here that don't have vehicles or means of transporting themselves outside the boundaries.

Representative Nels Anderson: Was there any notice?

Perry Mendenhall: I don't believe there was any notice. They wanted the tourists to see the moose close to town was the rumor. So even though there's moose walking out at Dry Creek which is about 1 mile away or around Nome-Beltz, which is about 5 miles away and up around Snake River which is about 5 or 10 miles away they can't really get moose. But even though there's moose around in those areas the people can't get them because of no means to. Last year they didn't get many moose close to Nome anyway maybe about 10.

Representative Nels Anderson: Is the Department of Fish and Game represented here now? Has anyone asked them why they did that?

Dan Thomas: I'd kind of just like to add onto what Perry said concerning the access depending on what your economic level is. People that don't have enough money to have a four wheel drive are put at a great disadvantage as far as moose hunting is concerned around here cause that makes it a lot easier to get out to where the moose are and to bring them back in. And the people who aren't making as much money are going to be more economically dependent on the moose, meat, just because they aren't able to buy meat in the stores. If anything is going to be restricted, if there have to be restrictions made because of over hunting or to let the moose population to recover. It should be restricted on the upper income level. The people who are making the most money should be restricted first and allow the lower income level to hunt. Like rather than restricting everybody to 30 and 50 miles away from Nome maybe restrict everybody who makes over $10,000 and let the other people to continue to hunt closer to Nome where they have access to that area. To make it pay attention to the economic level of the people involved rather than making blanket restrictions.

Representative Nels Anderson: How do you see some program like this being worked out?

Dan Thomas: Just, well, with the advisory board they would know about the situation around Nome and just seems that all you need is a little sensitivity to what's going on. Just make a restricted area without thinking about what affect it will have on the people involved. Right now you have to have a car and be able to get all the way out of town to get moose so only the people that have the cars and you just about have to have a 4-wheel drive and that's a little bit expensive up here to get a moose and unless you have a friend with 4-wheel drive.

I had one other comment about fishing and that is that I worked with Fish and Game here this summer and subsistence fishing was supposed to have priority over commercial fishing so that if anybody that anybody was going to be restricted it would be the commercial that was knocked out first but the way worked out the commercial fishing was going on for a couple of weeks or a month before subsistence fishing really started and the catches were so heavy compared to previous years that it was restricted down from 4 days a week to 2 days a week. Just about when subsistence was going to start so it ended up that the commercial had been fishing for about 4 days a week for quite some time and all of a sudden the subsistence was laid down on this 2 day a week thing. So who is getting priority? The commercial fishing was. It wasn't done on purpose. It just happened to work out that way. And so I think they should just be more cautious on how much they let the commercial catch. Realizing that the subsistence people are going to be fishing later in the year.

Nick Wongitillon: I'm not good speak English. Different island, dialect. I'm growing up in Gambell. I stay in Gambell. I stay in a Eskimo house and I use the Eskimo food mostly walrus and whale, fish. I am hunter too. Before, walrus hunter, we mostly eat walrus and the whale. I think Eskimo mostly like the walrus and whale. Even the little ones we can feed them walrus and whale. If we eat something like that in the store, whiteman food, food very expensive. We see we are liked by some but...if we stay on the island. We hunting, get whale for the Eskimo and right now I'm thinking myself that we like walrus and how can I get it, I can eat any kind but mostly I like walrus and whale.

Representative Nels Anderson: I'm really glad that you told us that because

like I said earlier, that people that live in Anchorage, Fairbanks, the bigger cities, the lower 48 they don't understand what or how you feel and the only way they are going to know is if you tell us and we'll try to tell other people so they understand.

Nancy Mendenhall: I'm a citizen of Nome and a mother of five and I also work for Norton Sound Regional Health Corporation. I just want to talk briefly on the nutrional needs and our concern for the health of the people of the region. I think that as that as the people's capability of hunting goes down they will have to substitute other foods and with a limited income and the cost of living here which is probably 2/3 over the cost of food in Anchorage that most families are in a real bind if they can't get out and get subsistence foods. As their nutrional condition goes down then their health care needs go up and we are really aware of this at Norton Sound where we don't just want to cure disease and so we want to help people live better in the first place so they don't get sick and don't get diseased. We spend a lot of time talking and planning about how to improve the health status of the people of the region and I think it's really strongly connected with the food they are eating and I think we all know that if you have a limited income and that if you're trying to buy food that you end up cutting down your protien and and your fresh stuff especially here in Nome and the only fresh meat that you can afford to buy now would be hamburger and chicken. We use to have reindeer in the stores, we don't even have reindeer anymore so if a family is cut off from their source of hunting and fishing they are really going to get cut down on their protien and again the same thing with their fresh vegatables that to buy the fresh produce at the local store is difficult for most families and unless they are getting fresh greens and berries their vitamins and minerals are going to go way down.

Some people just don't take this seriously and they say nobody in Nome really uses subsistence food anymore. This is a fiction, but not a fiction. I know that in my family if we had to buy all our food, it would be $700 or $800 a month. Even though we have a good income in our family with 2 people working we still use a lot of subsistence food, and count on them whereas if I go around and visit people and many families that I visit in Nome I never see any store bought food on their tables or in their cupboards except for staples. They'll buy coffee, sugar and flour that are staples but there are many homes and families where I've never seen what you call commercial meat. They always use subsistence meat. It's very, very important part of their diet. If their ability to get this food goes down and their earning power doesn't go up I know they are going to be more and more dependent on welfare and food stamps and so on to supplement their diet and their diet is going to get poorer and poorer and I don't need to tell you that the diet has gone down hill when you look at the dental needs and problems.

As far as health needs to you can see that dental is number one. But there are other ways that it is going down hill besides dental that you can't see as well as dental but there are other ways that the health status goes down when the nutrional needs go down.

In the villages a lot of the stores don't have the things we are talking about like commercial meat, and fresh produce there are very few native stores in the villages that carry that kind of thing only in the larger richer villages. In the smaller ones the only thing the local store will carry will be the staples like coffee, sugar and flour and when I go to the villages I see that the only kind of meat that people have to provide is the native meat is the subsistence meat and fish. They are especially dependent in the villages but

I don't think they realize how dependent they are in Nome too. I think it would be a very good idea that a survey was done in Nome I think they would find out there is a lot more importance in these subsistence foods than people are willing to admit.

Representative Nels Anderson: I brought that up earlier with I don't know who I asked whether or not there had been a survey conducted and the reason why there was such an emphasis on conducting a survey down in the Aleknagik area where I live was that the State of Alaska was extremely interested in a Wood River-Tikchik State park and they were going to prohitit any more subsistence activities in the boundaries of something like 1.4 million acres of land and we tried to think of all kinds of ways of why this shouldn't be done and we figured the best way would be to look at the people's diets and try to find out where the food came from. We conducted a survey and it was impressive to see what the dependence was with the berries, number of pounds harvested every year, the fish, game, greens whatever and it came right Bristol Bay Native Association and they conducted that survey. I don't recall where they got their money from, but it called our attention to another aspect of subsistence. Another think that you have more or less more clearly emphazied in my mind is that there is a direct relationship between the nutrional intake and subsistence that if one reduces something else has got to come in and replace it. This then causes and increases in welfare and food stamps. Then the nutrional intake quality is another part of that whole question. Is that intake the replacement necessary to maintain a healthy diet for the people. I didn't get that. All this was going around in my mind but I wanted to state to you that you did put the meat and I feel a little bit more clear on that and I can argue a little bit more aggressively and knowledgeably. I do want to thank you for your comment.

Teresa Sockpealuk: I'm originally from Shaktoolik or at heart I'll always be from Shaktoolik. I believe in subsistence and I'm 100% for it. I'll give you a rough estimate for a total home expenses in a village like if you want to live comfortably. Just on the home expenses along, my family $1059 a month just on home expenses alone that includes food, stove oil, groceries, light bill and accesories and house payments. The rural people are - like if they don't get subsistence they have to turn to welfare or food stamps. I think that when a guy has to turn himself to food stamps he lowers himself to a level where he doesn't care anymore then he starts drinking and he doesn't give a damn then he doesn't become a man anymore to his family.

Representative Nels Anderson: There's something beyond what we're talking about. There's a very definite feeling of pride and dignity that a reduction in subsistence lifestyle there is a erosion of how a people feel about themselves. We're trying to figure how in the world we're going to deal with that but it comes through every time we sit down and talk with people that people really feel strongly about this and they can't find the right words. How are we going to deal with in the legislature.

Teresa Sockpealuk: I think there's a lot of mental anguish if subsistence was taken away totally from them like already walrus hunting might be taken away and the bowhead whale.

Perry Mendenhall: I would like to comment on the hearing here tonight and I sort of feel like there would be a lot more people here if both the radio stations KICY and KNOM had been able to broadcast it on a daily basis on news time and during noon news and even put it on Ptarmigan Telegraph because that's when a lot of native people listen to it I believe that we would have had a

better turnout tonight and I also understand that our local representative is on the same committee that you are serving on and wonder why he has not been able to notify the public of this hearing so they would have been able to participate in this hearing perserving their own subsistence right and culture and we need more local control on subsistence.

"NOME IRA POSITION PAPER"

Topic: "Subsistences"

October 1977

Villages started and exist because of"subsistence living" and it is a way of life up here. Even our Eskimo legends state that it is to be such. It is a traditional and a cultural heritage to live off the land, for each season has a harvest time, whether it is for berries, greens, sea mammals, ducks, birds, caribou, fur bearing animals, etc....and this practice does vary from area to area. What has existed for thousands of years, can't be changed overnight, even under the Alaska Native Land Claims Settlement Act or new State laws. Our way of life satisfies one's body, mind and soul. But we are entrapped into new ways and strange laws, snarled many times over, until now our subsistence way of life is endangered.

Before going on with further comments on "subsistence ", we would like to mention Secretary of Interior Andrus's remarks on subsistence: Secretary Andrus stated that in rural Alaska "change from the subsistence to the cash economy has not only been rapid, its been relentless". "...There is a need to recognize legitimate subsistence uses in Alaska...."

The population of Nome consists of approximately 80% or more natives. We know that the majority of their income is low and that unemployment/welfare is high. And that the cost of living in Nome is approximately 165% of Anchorage and 198% of Seattle. The Northwest area of Alaska has the highest cost of living in the State; and the welfare checks/assistances do not go far for living, especially if they have families. Reasons For Subsistence Rights:

1. There should be a subsistence survey conducted in rural Alaska to determine dependency upon native foods due to diet customs and cultural health standards. This survey would show the people who depend upon it fully, partially or not at all. This survey would show subsistence rights is essential and should not be mismanaged by the State.
2. Commercial foods are not totally acceptable by natives due to cultural, high cost and health reasons.
3. Subsistence living or dependency is not a political issue, but a means for most of our native people's existence from season to season, day to day, year to year.
4. Subsistence supplement welfare and BIA assistances. If subsistence rights are taken away or mismanaged, welfare needs/demands would increase.
5. Unemployment and high inflation costs (for living) encourages a subsistence dependency and life style.
6. Due to high cost of living, subsistence dependency should not be restricted because of income, race or life style.
7. State should fund a local control committee (meetings, travel, etc.) to regulate the State Fish and Game's activities in the local area (i.e. Northwest region). That the local control committee will not be just a advisory group, but have the power to control the local State Fish and Game management and to set regulations within the area, concerning subsistences hunting and fishing, commercial fishing, sport hunting and fishing, and to make recommendations to the Government.

8. Closure areas around Nome provide hardship on low income people (i.e. moose hunting, etc.)

9. Subsistence fishing should not be regulated along with commercial fishing, to the point that commercial fishing is favored rather than subsistence fishing. Subsistence fishing should be top priority...on all species of fish.

10. Due to the increase of commercial fishing, fish hatcheries should be developed and encouraged, then implemented as soon as possible to ensure subsistence and commercial fishing. (State funded)

11. No State development or assistances (grants/technical assistances) on the economic/social level have been seen in our area, which would encourage tourism, fisning industries, land and resource development, etc. Investments like this by the State would help alleviate the unemployment/welfare rate in this area somewhat.

12. Urban politicians tend to regulate rural subsistence life and dependency by limiting Fish and Game allocations.

13. Hearings on Sea Mammals should be conducted in the areas concerned rather than in Anchorage, Fairbanks or Juneau urban centers. Not very many rural people could afford to make it to the hearings conducted in Anchorage area...(sea mammals). If there is to be hearings on moose or caribou for example, our area would like to be included . Sea Mammal hearing should be conducted in coastal areas where the people depend upon sea mammals for subsistences.

14. State parks, d-2 lands.should take into consideration subsistence hunting and fishing and not to mismanage subsistence rights through new regulations or prohibiting use of such lands for subsistence use.

Even the name given to us by the Indian people and now known throughout the world means "raw meat eaters" and the name is "ESKIMO". Eskimos are subsistence hunters and fisherman.

The State should help preserve one of the minority ethnic groups in the world through proper management on subsistence rights. The State should see that subsistence is a means for existing in rural Alaska, and that provisions should be considered for keeping it.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson, Jr., Chairman
Representative Al Makak

STAFF MEMBERS PRESENT:

Adelheid Herrmann, Secretary

PUBLIC HEARING LOCATION:

NOME, ALASKA
KING ISLAND COMMUNITY CENTER

DATE: Thursday, October 27, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Charlie Kowchee	General Delivery	Kawerak
Ralph Kowchee	P.O. Box, Nome	
Mark A. Hoelsken	P.O. Box 988, Nome	KNOM Radio
George Dan, Sr.	General Delivery, Stebbins	
Dan Thomas	Box 1141, Nome	NSHC
Henry Adams	Koyuk, Alaska	Kawerak
John Waghiyi, Sr.	Box 174, Nome	
Della Waghiyi	Box 174, Nome	
Evan Schubert	Box 277, Nome	
Tomi Schubert	Box 277, Nome	Student
Carolyn Schubert	Box 277, Nome	Council Native Corporation
Little Sisters of Jesus	Box 845, Nome	
Charles M. Kokuluk	Box 297, Nome	King Island IRA
Agatha Kokuluk	Box 297, Nome	
Thomas J. Ellanna	Box 148, Nome	King Island IRA & Kawerak, Inc.
Jeanette Martin	Box 966, Nome	NSHC
Heinrich Springer	Box 352, Nome	
Ronald Davena	Bos 113, Nome	
Bertha Wilkalkia	Box 419, Nome	
Herbert Wilkalkia	Box 419, Nome	
Harold Ahmasuk, Sr.	Box 729, Nome	
Wesley Ahmasuk	Box 729, Nome	
Ellie Kulukhon	Box 219, Nome	
Bessie Moses	Box 814, Nome	
John Jemewouk	General Delivery, Elim	Elim IRA Council
Caleb Pungowiyi	Box 1013, Nome	Kawerak, Inc.
Mina Pungowiyi	Box 1013, Nome	
Nanci Mill heisler	Box 1127, Nome	
Chuck Blem	Box 788, Nome	
Jacob Ahwinona	Box 746, Nome	
Vernon Kugzruk	Box 833, Nome	
Mike Willoya	Nome	
Perry Mendenhall	Box 1141, Nome	Nome IRA Village
Jackie Wilson	Box 219, Nome	Ault Basic Ed.
Richard Miller	Box 905, Nome	Situasuak Native Corporation
Charles Fagerstrom	Box 946, Nome	
Ralph Willoya	Golovin	
Elmer Seetot, Sr.	Brevig Mission	
Jenny Alowa	Box 1007, Nome	Individual
Bill Dann	Box 966, Nome	NSHC
Aaron Simon	White Mountain 99784	
Andrew Daniels	Elim, Alaska 99739	IRA Council-Elim
Roger Seetot	Nome, Alaska	
Ruth Wright	Nome, Alaska	
Tersa Smith	528 W. 5th Ave., Anch. 99501	State Affairs Commission
Frances Binford	Box 771, Nome	Housewife
Sue Matthenis	Box 811, Nome	
David Rooeng	2747 W. 42nd Place, Anch.	Counsel, State Affairs. Comm.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

Name	Address	Organization
Jeff Kowchee	Nome, Alaska	
Bernard Kasgnoc	Box 39, Nome	
Brenda Johnson	Nome, Alaska	
Truman Johnson	Nome, Alaska	
Nicole Johnson	Nome, Alaka	
Alfred S. Sahlin	Box 758, Nome	Sitnasusauk
J.J. Pullock	Box 206, Nome	King Island

TABLE OF CONTENTS PAGE

1. Testimony of....George Dan, Stebbins..... 1
2. Testimony of....Emma Willoya..... 4
3. Testimony of....Tommi Schubert..... 8
4. Testimony of....Eddie Schubert..... 8
5. Testimony of....Evan Schubert..... 8
6. Testimony of....Caleg Pungowiyi..... 8
7. Testimony of....Ralph Willoya..... 10
8. Testimony of....Vernon Kugzruk..... 11
9. Testimony of....Perry Mendenhall..... 13
10. Testimony of....Henry Adams..... 15
11. Testimony of....Richard Miller..... 16
12. Testimony of....Roger Seetot..... 18
13. Testimony of....Elmer Seetot, Sr., Brevig Mission..... 18
14. Testimony of....Ellie Kulukhon..... 20
15. Testimony of....Wesley Ahmasuk..... 20
16. Testimony of....Aaron Simon..... 20
17. Testimony of....Jenny Alowa..... 21
18. Testimony of....Jacob Ahwinona..... 22
19. Testimony of....Bill Dann..... 23
20. Testimony of....Tereasa Sockpealak from Shaktoolik.... 25
21. Testimony of....Jeanette Martin..... 25
22. Testimony of....Sue Mathenis..... 27
23. Testimony of....John Larson..... 28
24. Testimony of....Tom Ellanna..... 30
25. Testimony of....Dan Thomas..... 31
26. Testimony of....Carolyn Schubert..... 32
27. Testimony of....John Wahiyi, Sr..... 34
28. Testimony of....Alfred S. Sahlin..... 35
29. Testimony of....Dan Karmun..... 35
30. Testimony of....Ressie Moses..... 37
31. Testimony of....Della Wahiyi..... 39

Alaska State Legislature

House

JUNEAU ALASKA

INTERIM COMMITTEE ON SUBSISTENCE
NELS A. ANDERSON, JR., CHAIRMAN
P.O. Box 234 • 842-5970
Dillingham, Alaska 99576

OCTOBER 17, 1977 - NOME PUBLIC HEARING

George Dan, Stebbins: Our feelings have to be respected before you listen to politicians, I know a lot of people have feelings. Something came up as to what we should talk about, only by verbal our feelings how this is concerned. They listen to the radio whats going on in the village alot of them be attacking to our people our way of life. People mentioned white man, suppose to live off money instead of boat our subsistence way of life, and little income we get, if you want me to talk about it from way back I could, but to make it real brief I see those changes now to us. Way back I was six years old I can remember I buy flour for $2.50 a 60 lb. flour, now you buy 50 lb. for $35.00. You see the difference how are climbing up in the money new standard of living. But more often now, we leave out subsistence. We can't afford to buy feef meat. The lawmakers, they try to standardize their own, they can't do this. Up here our climate is so different, what we get is seasonal and in one month certain game we can catch, now December is a good time to get Tom Cod meat, November, January they be gone. The rest of them is no good. Walrus come in Spring.

Our living catching food for our potential is so different than living in the United States, that what I like to see is lawmaking on a fish for our subsistence way of life separate from alot bigger control to BIA control. BIA has alot longer experience better Government than a living standard way of life. Alot of things that we get for living we work for it, we never get paid for it. They don't pay us to get dues, Federal Government don't pay us to get dues. But Federal Government is very fair to us. From my background they put in Fish and Wildlife Organization to govern the fish so people in the local village under IRA they control the village. When and IRA man come and say don't pollute the beach, the people respect it, they do that because the

the Federal Government organized it to get good control. Fish and Game is overdoing it now. They are hurting people in subsistence catch. Instead of hurting Japanese and other Countries, Japanese catch so many herring they wipe out the herring. Back home your lucky if you get two or three herring strings catch in Spring time and alot of things happening other than that. Fish they catch in high seas the commercial fishing is getting little bit lower and lower all the time. The commercial fishing is open for so many days and so much catches the Fish and Game control that. They get so many that even if we try to subsistence catch that when we put out the net no subsistence catch is allowed.

Alot of things I want to talk about including I got a lot of experience on the road, oil, economic development on our land. This our way of life is turning. You think about it for a minute seriously, you guys are try to make a law. If you try to make a road from Fairbanks to Seattle to Nome you going to open the way to catch our game and they are going to wipe them out. Alot of people is rich from outside, they can travel this is open for a way for people to come into our area to take our game, moose and everything they put a four lane highway and the moose disappear, kill our birds whatever they can kill. It would be easier for them to come and kill than going to Saint Lawrence Island if their was roads. Another thing that I am going to change my subject on that is the sea, the oceanside. I try to think about it not only for me and my people that I live with. They're going to give up oil from sea mammal and sea birds whatever you call it, and small people come and their scared of game. They should be strong and protected locally, village IRA control. They know what game is in, in certain time to hunt, how much they can take. And I know the State Representatives do what they do, but they are not doing enough for us.

Looking at the whale people need any kind of ffod extract oil for their shortening like we use lard or some places butter. They use meat for protein. This is not a National law what I understand this applies to this country whaling country. Why don't you set aside law and put BIA control or IRA control in the village to make local limited sets for their own subsistence. Thats what makes easier cooperative work between Federal, State and local. All the fish management control to the local

residents they make good resolution on how they should manage their own resources the State make a law for the whole area and wipe out from plain to plain it doesn't sound sick to me it should be limited to Senators how they got Land Claims Settlement Act, Regional Corporation benefits, Corporation areas.

And up to Barter Island the whaling hunting should be based on to them for their own benefits put a limit to where they can survive on, and bears and so forth. And check how much they can collect for their own resources and from the back history, you know they might limit to about 10 to 30 polar hide and whale that can take care of them a whole winter for the next season, that should be limited to them cause walrus on St. Lawerence Island use them for their own food. That should be based on what the people are getting for their own food. Back home we get 10, 12, maybe 13 walrus if we're lucky, but alot of them need extra food and certain other regulations should be based on higher control by the Federal Government control. State control they put to much restirction, people live on for their own subsistence from way back before Alaska become State. Thats my really feeling right now. We can control ourselves we are strong enough to make decisions. Our code of catch fishing taken and the Federal Government take study it and leave it up to us so we won't kill all or overkill. There are two other things I don't like, oil development in Norton Sound and road connected to State highway to Anchorage and Fairbanks keep it away. Will keep us our own management, I don't mind development of road for getting to places other than water if they put that road into Anchorage, and Fairbanks it opens slaughter for our own things, this my feeling and I would like to make clear to anybody. I was in the Army long time, we living in money economy, and we living in subsistence both sides I was glad to get letter from (inaudible) to attend this meeting I need some lot of backing so we can live like this its going to take long time to develop people to cities, like Anchorage, Fairbanks are big cities who live on money, money, money economy. I worked in the city and you can't spend one week off or two or three days off and get paid for what you been doing, but every move you make you have to pay. We can get wood instead of getting warm and something happens we can still survive. We know how to live on it. But to not practice this so our younger people to education could live like us, they can live under snow, sod houses or they can

dry up after they run into water. They should be taught so our way of life can be kept up. It come to me who really try to take control of our living standard way of life. The State or the Federal Government we got Land Claims Settlement its not doing really functioning, State seem to get more power, the Federal Government seem to lacing to Governmenting on village interest on native interests, but they put more money, but they want to get rid of it schools, BIA Schools to State so State can take care of it. I put my limit to this once I know maybe somebody want to testimony show concern for our own benefit.

Emma Willoya: I have lived in Alaska all my life, born in the Northern part of Alaska but raised in a mission, and the rest of my living has been down in this area of Alaska around Nome. In order to give my children education schooling. I understand that this is a subsistence meeting and as I have gone up in years I think alot of this subsistence as I understand it getting what food you can with not a lot of surplus, thats the way I understand subsistence. Now we older people, we lived off the country, raised our children trying to show them the way we had to live off the country and as we were reindeer harpooners when we were young. Our children did not have that provision to be supplied with reindeer because rules and regulations changed everything in the years of the twenties. But we survived, we kept up with the hunting of the food as they came in seasonally now what I mean is and you all know it too in the winter time you have certain amount of reindeer meat you can get a hold of it or buy it now years ago when we owned reindeer we could kill our own earmarked reindeer, dress it and have it for food, but not these latter years. Theres alot of reindeer owners that had to take it the same way as I did in my family then after the winter was shortening and the days were getting longer they had to look forward to something else. As it came seasonally. Probably ptarmigan and rabbit maybe something else from the ocean like crab or seal, because it was the time that they could be taken, they don't stay all the year around, and so as the days got longer and the ground thawed out to help them with their food like the white people use turnips or onions or lettuce, we use greens like the willow leaf and all the different kinds of greens that grow.

Then as the summer went on came on approaching we think of our fish. Now our fish hunting for fish is much different than when we use seasons

years ago, now we have to follow laws in order to have something put aside for our families and still teach our families how to get it, how to prepare it and put it away for future use, what I mean by that, suppose there was a air raid and pretty soon it might happen we got to have something put aside, we keep it put aside for future uses, then as the summer wears out there is a different kind, fishes, birds that come along and we don't have a whole pile of place to put away this food we don't have refrigerators, frozen ice boxes we had to prepare it a certain way. We plucked the ducks, dry them up a little to cook them and put them away in oil to preserve it for something maybe next week if we had nothing. We'd have that, so we took our food seasonally thats what I mean not a whole pile right now, but we take enough to put away feed on it and be well and strong. And our children same time showing them how to prepare it.

Then as the birds went by, because there is no more they went to lay their eggs somewhere else we can't run after them, we let them go by, we look for something else, follow and return. We get our fish, we dry it, we put it away, so that's the way we live year after year. We might get seal we put it away work on it put away the oil, dry the meat, put that away. If they did not do that years ago, you wouldn't see us here, not one of us would be alive. But we learned it and we learned to take care of it and we have to teach our kids to take care of it too, because you never know what might happen if they don't have the food. They call that famine, starvation, you might work for money and earn lots of money but if that money is gone, you got no meat put away, some kind of meat, some kind of fish your children is going to go hungry, very hungry; they got to learn how to take care of it and learn how to catch it now, not next year, but right now while we're living. And so on in that way they try to hunt what they need when they see it, same way with the walrus and the white whale they can't get whole lot of it in one week to put away for next year, they have to take certain portion and its getting more restirctied now, more than ever, pretty soon there will be no more ivory carving, you go to buy it or dig in the ground to look for it.

In the fall its the same way it comes seasonally according to the month, every month has different types of something to hunt if we are

going to run out of this, we hunt to get something else cause that month is going to bring something else for us to hunt and teach our children. Lots of these people know that and they prepare for the future so there won't be no starving and another thing is that they get a bigger portion that they couldn't handle they know when they see their neighbors don't have very much, because maybe their not very strong to to hunt, maybe their sickly, maybe they have no tools to get something, they help them out, they just don't look at them they help them out, they just don't look at them and let them starve, share with them what they got and that's the way they survive. But things are getting limited more and more, so we got to be ready for it and prepare whatever we can, even if we follow how much we're suppose to take, we got to save it and prepare it and put away for future use. Long time ago during the war they said, if you have tanks, big drums with good tight cover on it put some food away in case of something, in case of war, in case of air-raid. You have that put away, you have nothing else, you got that what you put away. Many many years ago they didn't have their tanks or wooden barrels to put away their food, they used seal pokes, the skins of animals. They learned to take care of their food, and that has been passed on to the children now, so they have a chance according to the months that bring in the food they'll have something ahead to munch on and keep alive. Right now they have help with guns with shells to go hunting. Our forefathers didn't have that, they had their bows and arrows and spears of course. I remember one of the elder ladies that use to talk to many years ago, she survived three famines, they even save heads still on the spring in order to have something to munch or soak and make soup. We don't need to have that, but still we have the chance to put it away according to the season.

Now it's coming towards fall, we have another type to hunt up, like the white whale, and I hope we can all the time keep that in mind put away and store away for they can be dried and preserved in different ways also. The Natives learned that put away things in different ways and they always try to save their oil, seal oil. Years ago the seal oil was a very important food. They used it as a food, they used it as a light, electirc light, not only that they used it like stove oil, they cooked all their food, heat. They used it for different ways before the white man ever knew about it. They have to learn that, they had

to help themselves in different ways and tl.ats why they survived. Lots of people say where did the Eskimo people come from, but you the Eskimo came just the same like all those other people when they built that tower of Babel in Europe, God sent all kinds of languages. I wouldn't understand the Siberian, so I don't walk across to Alaska, and the Siberians walked over on the Russian lands. The Russians they walked up to Russia, because they couldn't understand somebody else. That's what survival is, they had to go where they could survive and build up that's why there is Eskimos now from Point Barrow to way down as far as Alaska is long and they learned to prepare their food in different ways. They're not all alike, but they survived and I hope that everybody understands that the more you try to help yourself and follow the instructions the more you take care of your families and help out. Then you can show the white people how they can survive if they go no canned meat, nothing come in the boat, airplane, they too, can fish and chew on and live side by side with the Eskimos. I wanted to come to this meeting very much because it talks about subsistence. It means that you can help yourself and you can survive even though you're not a millionare. You don't have to be rich to live through tough life. We had quite a few reindeer when it was taken away and you were't allowed to kill your own earmarked reindeer, ti was tough. Tough with nine chrildren, what were they going to eat when the meat was gone? We got to teach our chrildren how to live, we just got to teach them, teach them where the rivers are where you can get. I know one time when this one good hunter went up the river to fish and they wanted a good school of it because they liked to hang up alot, they came down with nothing, down the river. My husband had died and I took my children, let's take our turn, we went up and we got a whole school of it, not enough to share with the people who didn't get any. I would like to let everybody know that don't ever be afraid to get your food its the right time to get it, its not wrong to go help yourself out of the country, you let them people who look after the papers and books let them know you get it. They have these permits now and they stamp them, but you know that they cannot let you suffer if you have nothing and you are trying to keep yourself alive. People come first, human beings come first for survival. We got to learn to help ourselves. Don't be lazy. White peopole don't tell us to be lazy, they want us to learn to work, same way with the food. If you or we need that food then get it.

That's the time to get it. It was sent on this earth for people to survive, but use it in the right way. I hope you all understand that you should never be afraid to help and take care of your children by showing them how to help themselves to hunt for that one way of living a good life you don't have to be rich to do it. But live in the right way and God will give you long days of life. I thank you.

Tommi Schubert: I'm twelve years old and I come to Alaska. I love to go set traps before school and check the traps later and see if we caught anything. And if we did catch anything we would bring it home and skin to dry. After they are dry they are tanned and then we give them to our Grandma and she either makes them into parkas or hats. I also like to fish so we can eat the fish for lunch or supper, and I also help my Mom cut and dry the fish for the winter. We eat the dried fish with seal oil at my Grandmas house or our house and really enjoy it very much.

Eddie Schubert: My name is Eddie Schubert and I am a resident of Council, I'm fifteen years old and I have been hunting, fishing and trapping ever since I don't know when. I enjoy hunting, trapping and fishing very much and we use everything I catch. I enjoy eating my catch because its better than store bought meat. I'd very much like to continue to do these and hope I'll always be able to do so.

Evan Schubert: Hello my name is Evan Schubert and I am theirteen years old. I'm from Council, Alaska. I like to hunt and fish very much. I've been doing it so long I can't remeber when I first started. Also I would like to keep on doing it because my whole family like to eat whatever I catch and my Grandma also like to use the fur for making clothing. In the winter I would rather be eating moose meat than beef, because moose meat I think is better tasting.

Caleb Pungowiyi: President of Kawerak, Inc., and first of all I want to thank the Committee for this opportunity to testify and also holding additional hearings so that more people from this area can be heard on this important issue.

One of the questions that the Committee asked was that should subsistence

be defined? I think that word has already had a definition and what this Committee is seeking is the definition for subsistence use and who is the subsistence user. One of the unfortunate things about the word subsistence is the continued connection with the Native lifestyle and culture. Although the Alaska Native people are the primary people involved with subsistence use, the anti-native backlash because the Alaska Native Claims Settlement Act and the Marine-Mammal Protection Act has made subsistence an emotional, racial, and a political issue. I don't believe that one has to work for clothing or use bows and arrows to qualify as a subsistence user, as there are other people that will be much more articulate than me in terms that define what those uses are and who the people are that use those resources. The Committee did come up with a different issue based on the inquiries that people from around the State to come up with the necessary action that you would be taking to protect the resource for subsistence use.

The Fish and Game and other National Renewable resources should definately be taken into consideration on lands and water policy use or in essence like OCS Development - large land developments or transportation systems. One of our major concerns on subsistence resources in the State on transportation plan for expansion of highway systems. Although there has been constant opposition connecting Nome area to Fairbanks Alaska, those bullheaded people in the Transportation Department seem to think that such transportation network is necessary. We are concerned that if such a highway system is developed it will increase our local population and increase access to the natural resources, increase trespasses on native lands, all in which in turn will lead to the deduction of the resources. For example, in this area here locally, we have one road that connects to another village, namely Teller. And the Department of Transportation turns about the developing plans connecting roads all the way to the States. There will be economic activity that the people in those communities will benefit from such a development, anybody in this area knows that there has been little, if any, economic development in Teller, even though it is connected to Nome. Those few villages that are in essence directly connected to the highway to Teller probably have more problems than any other village in this area, therefore, the highway system is not really that beneficial to the people and it only has increased the access of the people in Nome

to the resource that are within the vicinity of those villages and myself included for that matter.

The State of Alaska should definitely take steps to protect subsistence use and the resources that are primarily used for subsistence. The current Fish & Game regulations are primarily to enhance management control, not so much in terms of developing the resources or anything like that, rather to control the people that use these resources. The much publicized Fish & Game Advisory Boards are not working because they are not involving the village people, and finally for lack of funds, because they don't have funds to hire their own staff. They use the Fish & Game personnel as a primary personnel to work with advisory boards defeats the system of their adiviory boards. They should have their own staff that would research and collect data independent of the Department of Fish & Game, so that the advisory boards can make independent recommendations to the Fish & Game Board.

One more thing in reference to the whale ban, although this does not connect or I guess in some way has affected this committee. I have talked to a number of people from the whale ban and also what impact it would have on them and what their response is now that the Government of the United States has not decided to oppose the ban. The majority of the people that I have talked to have indicated that they will go ahead and hunt whales this spring, and I myself will support their position, because I don't believe that the Government or the Conservationists realize the importance or the happenings that take place with the whale and the catching of the whale, it is an event that is beyond the definition in the English translation. It involves not only the villages that catches the whale, but the people in that area as well. And again I want to thank the Committee for this opportunity and I hope that everything that is heard in these hearings will be taken into consideration.

Ralph Willoya - Golovin: One of our Representatives from the State is here, and I believe to my knowledge for our own people here in Alaska and as I live here and I noticed that we are unfairly on this subsistence. What we talk about is when we live here in the past years and I believe when I live with my mother for many years and its a long time and that is on subsistence. And I believe that when we talk about subsistence we

we don't have to worry and ask for any need of welfare, and when we have subsistence we have to break down and go out and get it and thats the truth about subsistence. But I live through that too long and many have to live through that today. I have enjoyed and that is subsistence to me. Today I made only about $4,500.00 and that isn't enough to survive me. I went out, might say yesterday I went out and get my game through the fall, through the winter, I got my game through the fall and through the winter I go out and get I give my own Grandpa who couldn't hunt I give my whatever it was that was my subsistence to them people and so to tell each and everyone of you that I love to hunt and when I leave here I will do it I know they try to stop me, but they better not or I'm sorry to say I will not say anything again. The laws of today, I live to the laws, its not anybody's but their laws, and I don't think that anything that we ever do, because when we think, when we feel that there is something that is not there we'll move over there, just because it provides us more and all we try is to help ourselves and we come back again maybe few years again. Bur survival means alot to me. Thank you.

Vernon Kugzruk: I'm from Nome, I guess very briefly I would like to testify on some of the issues that might be coming up. And there are few things attempting to find the definition for subsistence. All the fresh and salt water fishes should be included in the subsistence, including crabs and shrimp and also all the ducks that come to this area, the geese, the crane, the ptarmigan and so forth. Now on something about the ducks, I noticed that just this last fall the season of duck and geese, cranes and so forth opened very late for instance the crane season opened by that time the crane were gone and I hope this panel can recommend to the Fish & Game Board whenever such issues of subsistence is taken up elsewhere that something should be made as far as the opening of like say cranes. It should be opened earlier because they mature very fast and they're full grown by at least the middle of August. They mature the same time as ptarmigan and ptarmigan is open the 15th or the 20th of August.

And also I'm sure that subsistence users will be required to use or consume just about all the meat of the catch, but some care in the developing, this definition should be taken because such taking of wolves,

foxes and wolverines and soforth, the meat is not eaten, these are taken for they're fur for garments and soforth, and also last summer I think that every subsistence fishermen was required to document or make out some type of documentation of what they caught, where they caught it and how many they caught. Now we have many elderly people in our area, I'm talking about the Teller area up in the Kupshook area for alot of them cannot even read, write, very minimal and these people are being required to document whatever they caught. I think that subsistence users should not be required, however helpful that may be, should be on a voluntary basis.

In the event that the development of our offshores course around the country and somewhere, should there be taken that minimum amount of activity due to some type of development of our lands and offshore and soforth. And also I am hoping I think as many are that the definition of subsistence living is not to be drafted or by certain conservationist groups outside of our immediate area, which I mean is Alaska. I'm saying that making sure that people from California or somewhere do not write the definition of subsistence I think you as the panel and the Legislature of Alaska is in a better position of making at least recommendations to the United States Government of making definitions for subsistence.

Finally, I think I would like to state my position on the bowhead whales. I feel quite comfortable, and quite happy that wherever the bowhead whales are used and hunted for subsistence purposes I am very glad that they will continue to hunt these despite the position that the United States Government is taking on the bowhead whales. I think that there is a conflict of interest such as those people, like for instance in the Point Barrow area on down to the Saint Lawarence Island area they have been trained from boyhood times from the time that they are walking to train to get these mammals, because they are very important, that is their livelihood. Now where the conflict comes in, the United States Government says that you can't do that, now this like wasting twenty or thirty years of training to get these type animals for livelihood. And thank you very much.

Perry Mendenhall: From the IRA Village Council, and have been asked to write up a paper, position paper on the topic of subsistence for October 27th subsistence hearing. I would like to thank you for this opportunity for presenting this position, and again to thank you for coming back up here to listen to the people that have come to this hearing and have presented their positions as well. Villages started and existed because of subsistence living and it is the way of life up here. Even our Eskimo Legends state that it is to be such, it is a traditional and cultural heritage to live off the land for each season has a harvest time whether it is for berries, greens, sea mammals, ducks, birds, caribou, fur bearing animals, etc., and this practice does vary from area to area. What has existed for thousands of years can't be changed over night, even under the Alaska Native Claims Settlement Act or new state laws. Our way of life satisfies one's body, mind, soul. But we are entrapped into new ways and strange laws, snared many times over and 'til now our subsistence way of life is dangered.

Before going on with further comments on subsistence we would like to mention Secretary of Interior's remarks on subsistence. Secretary stated that rural Alaska changed from subsistence to the cash economy has not only been rapid, its been relentless. There is a need to recognize legitimate subsistence uses in Alaska.

The population of Nome consists of approximately 80% or more natives we know that the majority of their income is low and that unemployment and welfare is high, and that the cost of living in Nome is approximately 165% that of Anchorage, 198% of Seattle. The Northwest area of Alaska has the highest cost of living in the State and the welfare checks assistence do not go far for living, especially if they have families. Reasons for subsistence rights, there should be a subsistence survey conducted in rural Alaska to determine the dependency upon native foods due to diet customs and cultural health standards. This survey would show the people who depend upon it fully, commercially or not at all. This survey would show subsistence rights is essential and should not be mismanaged by the State. Commercial foods are not totally accepted by natives due to cultural, high cost of health reasons. Subsistence living or dependency is not a political issue, but a means for most of our native people existence from season to season, day to day, year to

year. Subsistence supplements, welfare and BIA assistence, subsistence rights are taken away or mismanaged welfare needs demands would increase. Unemployment and inflation costs for living encourges of subsistence dependency and lifestyle. Due to high cost of living subsistence dependency should not be restricted because of income, race or life-style.

State should fund a local control committee, this would be meeting travel, and etc. to regulate the State Fish & Game activities in the local area, like in the Northwest Region. That the local control committee will not be just an advisory group, but have the power to control the local State Fish & Game Management and to set regulations within the area concerning subsistence, hunting and fishing, commercial fishing, sport hunting and fishing and to make recommendations to the Government. Closed ares around Nome provide hardship on low income people, like in moose hunting.

Subsistence fishing should not be reulated along with commercial fishing to the point that commercial fishing is favored rather than subsistence fishing, subsistence fishing should be top priority on all species of fish. Due to the increase of commercial fishing fish hatcheries should be developed and encourged and implremented as soon as possible to ensure subsistence and commercial fishing which is State funded. No State development or subsistence through grants or technical assistence on the economical social level have been seen in our area which would encourage tourism, fishing industries, land, and resource development, etc.. Investments like this by the State would help elevate unemployment welfare rates in this area somewhat. Urban politicians tend to regulate rule subsistence life and dependency by limitied Fish & Game allocations.

Hearings on sea mammals should be conducted in the areas concerned rather than in Anchorage, Fairbanks or Juneau urban centers. Not very many rural people could afford to make it to the hearings conducted in the Anchorage area which is concerning the sea mammal. If there is to be hearings on caribou or moose for example our area would like to be included, probably then make regulations for Fairbanks, Anchorage and Juneau area. Sea mammal hearings should be conducted in coastal areas

where people depend on sea mammals for subsistence. State Parkd, D-2 lands should take into consideration subsistence hunting and fishing and not to mismanage subsistence right through new regulations or prohibiting use of such lands for subsistence use. Even the name given to us by the Indian people now known throughout the world means raw meat eater, and the name is Eskimo. Eskimos are susbsistence hunters and fishermen. The state should help preserve one of the minority ethnic groups in the world through proper management ans subsistence rights. The State should see that subisistence is the means for existing in rural Alaska and that provisions should be considered for keeping it. Thank you.

Representative Nels Anderson: I'd like a little more explanation on your point number eight, could you elaborate just a little on that?

Perry Mendenhall: The first part of the paper it stated that Alaska Natives in Nome are 80% alot of them are low income and perhaps can't even afford a car and to get out to hunt moose that has limitations closure areas like around Nome. Like 50 miles toward Teller, 50 miles towards Council area and 30 miles up towards Samuel Lake area. I believe alot of the local people don't have the means to go out there for moose hunting, and these closure areas seem to be set by Fish & Game without consulting local people and that the local people should be consulted on these closure areas around the Nome area, whether its dealing with moose, or fishing or whatever, sea mammals, hunting seals, walrus that due to closure areas local people should be consulted before they are slapped with a large closure area, which prohibits low income people and especially Natives in Nome for hunting moose.

Henry Adams: Frm Koyuk, Alaska. Since the beginning of Land Claims Settlement Act, the word subsistence finally came up, and I think it was during the Settlement Act or before that, the word subsistence was kind of altered some way during that time or before the Land Claims Settlement Act. Before right after World War II we had, the United States had about 750 million acres in the United States and in Alaska we had 230 million acres to roam in not counting the ocean, Natives of Alaska and since the Land Claims Settlement Act, as we went along more game regulations were imposed on us and I don't know who make those

game laws, but there seem to be no representatives from each village or from one such village, I don't know who picks game management out, but the game proposals they make or the game management proposals to legislation are not doing us any good as time goes along. I think it would be very good for all natives of Alaska could make a stay all they could on the game regulations because us we go along, we will be deprived of our subsistence way of living anyway, so right now these Land Claims Settlement Act don't make us all rich only about 20% of the people that live in Alaska are employed by these Corporations and you don't hardly get no money from these Land Claims Settlement Act. I think that this word subsistence is more like survival of the smartest or the more highly educated at the present erra. The real meaning of subsistence as Mrs. Willoya stated before was the real meaning of subsistence to us Alaskans and thats about all I could say.

Richard Miller: President of Situasauk Native Corporation. Mr Chairman first of all we'd like to thank you for this opportunity given to this Corporation of 2,043 stockholders to submit this testimony concerning this important issue. The definition of subsistence by Webster defines it as; subsistence is the condition of remaining in existence, a means of subsiding is a source or means of updating the necessities of life or livelihood. For subsistence users it is a time or a season, we've learned from our Ancestors how to hunt the dick and the geese, when to catch the fish, when to harvest the berries, eggs, roots, and greens. There is a distance feeling that is undescribable when you speak to subsistence users on what it means. It is an activity we perform because we have to its a part of our daily life. Our Ancestors have lived in what others would consider a hostile setting, largely because they possessed the skills which enable them to make wise use of the richer way of renewable resources which surround them, out of necessity. Our Ancestors developed intimate ties with the land, sea, and wildlife and all resources were used sufficiently. Today in rural Alaska these living patterns are still dominate. The lives of individuals are closely in tune with the land, sea and its promises and limitations. For our people subsistence rights involve far more than the normal outdoor recreation, the right to hunt and fish and gather food on the land or sea, which is very vital to our way of life.

When Congress passed the Alaska Native Claims Settlement Act to settle or aboriginal Land Claims of the Alaska Natives, it directed the Secretary of Interior to take affirmative steps to protect the existing subsistence activities of the Alaska Natives on Federally owned lands in Alaska. It was also anticipated that State of Alaska could and would assist the Secretary of Interior involving policies, likewise protect the subsistence activity of the Natives and the land granted to the State under the Alaska Statehood Act and the Alaska Native Claims Settlement Act. The subsistence question is a very complicated one, where it involves Federal and State laws and policies as well as the growing demand from non-natives who are interested in increasing their consumption of Alaska's renewable resources. The boundaries of subsistence areas should be determined according to trends and use as well as consideration of migrations, habitats and etc..

Administrative policies regarding subsistence rights is not sufficient protection, only Legislation can furnish us with the surge upon subsistence rights which our lives depends. The principal owners the Federal, State and Native Corporations should coordinate their approaches to land use development, game management and other matters which will be affective subsistence users. Affirmative action must be taken now by State and Federal Government to give priority and protection to subsistence use and allowing our subsistence use areas or zones. Legislations for the protection of subsistence uses should bind State and Federal Agencies. The Legislative procedure in evaluating the potential impact of land use decisions upon future subsistence uses should have public input and hearings in the village or communities most immediately affected before any decisions are made.

Sport hunting is a concern to all Alaskans and further the people that visit Alaska. Game animals do beong to all people whether Native or Non-Native, but the relationship of native to game animals is vastly diverse from the relationship of non-Natives to game animals. Subsistence hunting has persisted as essential for Natives' very existence. The sports hunter has only one concern and that is to take a trophy. A suggested solution is to allow a limited number of large game animals to be taken by a sportshunter, and the remainder to be preserved for the Native subsistence hunter under a wise game management plan. Statistics

substantiate the fact that the only economic economy employment in Alaskan villages is subsistence hunting, fishing and berry collecting. To jeoperdize these activities is to induce immediate genocide to a rapid vanishing race of God's people. Thank you.

Roger Seetot: I'm Eskimo, (talking in the native tongue) You have failed to ask the people what they want to know. I don't need to fish and hunting I'm Eskimo, I eat Eskimo food, what you want to know ask the people, don't let them talk their bashful people -(native words). You as the panel I can talk, you from Kotzebue, right? I'm talking for Eskimos, I'm Eskimo I would like to represent all of you, because I'm Eskimo. Subsistence food applies to all people, when you are out in the country you have to eat something to stay alive and thats what subsistence food is, so theres anybody here that want to ask the panel what it could be in Eskimo or what I will try to translate it as best as I can. Subsistence is a means of getting food to stay alive. Before the white man came along, we go out and catch our own food no matter if we have to dig through the ice, snare them or how, but that's the way we got it, that was subsistence. But is there anybody in the audience that want to ask how we live subsistence. Before I could'nt even speak Eskimo it was to tough for me I grew up with my Grandpa and Grandma I couldn't even speak Eskimo, I mean white man language. So I said to myself I'm going to go to school and I did in school and now I don't have to do to much subsistence because I worked but I still miss that Eskimo food that I grew up with, (stated a bunch of native dishes) everything and thats what they are trying to take away from us. They won't take it away from us I don't think so. It's just a matter of you know, there's people out in the audience that want to respond to what I'm talking about instead of just what other people have to say I'd appreciate it, just ask the Panel what they think about hearing like this. Thats what its for. Don't just sit there and just listen to what other people have to say, ask questions. Anybody? Thats all I have to say. Thank you.

Elmer Seetot, Sr., Brevig Mission: Well lets begin with that 1918 flu. I lost my father. We had a hard time. Really day by day sometimes I never eat my supper because I had no father to feed me, because I had mother, my mother don't hunt, so therefore, we are talking about sub-

sistence hunting right now, thats what this means this meeting is. Eskimos could live by subsistence hunting. Well that 1918 flu had affected 58 year olds that are living right now between 62. Because ask of you when you are 12 years old you don't know much about hunting. In 1930 I was 12 years old and the things have improved little after President Roosevelt was elected because there was a new deal. We had a hard depression, years I remember, before President Roosevelt was elected. There was no welfare and theres hardly any clothing for those who had no father. Well they was (native word) in those days because they never changed clothes, but after that the world was changing little bit. Little by little and therefore the younger generation take it a little easier after President Roosevelt was elected. When President Roosevelt was elected I was working for 50¢ an hour I was under age to alright but that help me alot, the first time I ever make a rich and therefore I promised myself sometimes when I don't eat supper that I'm going to be hunter. I tried to learn how to be hunter took but I never get my rifle until I was almost 16 years old, and I can take care of myself when I 25-30, rifle, well I caught 6 fox it don't pay much alright, $25.00 I think but it helped me alot and we're talking about subistence hunting. And I get to learn how to hunt. I'm not a game Biologist by hunting, but you know how to kill animals and how to stop them and then I get to know how to get by subsistence hunting. And then when I'm old enough to work, I work when I was 16 years. $2.00 a day. $60.00 a month. Well I never quit because I remember the days when I go to sleep without any supper at all, because I have supper at all, because I have nothing to eat I cannot go the Care Center or anything, and I'll promise myself to take care of myself. Then from that time for when I get 16 I been working hard all my life only time I get is welfare when I broke my arm. I don't really broke my arm, but its split here for two months, thats the only time I get money out of the Bureau of Indian Affairs. There were Indain Alaska Reindeer Service at that time too, because I was able to work at that time they give me the best highest welfare I could get until I get well. So I don't want to take much time because there are some to there, I just want to bring that what we have meeting for that subsistence hunting is, because subsistence hunting have taken care of me from those who can hunt and fill my stomach when I cannot hunt. Thank you.

Ellie Kulukhon: My name is Ellie Kulukhon I'm from Saint Lawrence Island, I'm an old woman. I known ever sine I was a girl I hope our Government doesn't have mistake, if they try to cut it off everything that we try to eat, because if they do whatever the people testimony about this sea mammal, black whale whatever it will, Native of United States will be more expensive on Government because right now real strongly we still everybody eating living by the Eskimo food, if something happen, we will be like some other places. Viet Nam people, help from Government they don't have much money to spend for like white people does. And also most everyone of them in Saint Lawrence Island people live on walrus, seal, whale meat I hope the Government keep the freedom for even for our generation which is everybody proud about that freedom. In this days something happened to us which is really useful try to cut it out for the Native, so I been thinking about we have God also our Government knows that we are not only speaking to the Government or anybody because they listen to us. Thats all.

Wesley Ahmasuk: My name is Wesly Ahmasuk, I'd like to come here and say that I love to hunt. Seem like they are charging us $15.00 for a license and they turn around and tell us we can't go hunting, well I guess if you get caught out there hunting without a license you get a fine or else its like to me their giving us the soup spoon but not the soup. Its hardly fair, but I'm just trying to say that I think the United States Government is very wrong with this whale hunting and course the Natives are going to go against it, but no telling where they're going to stop. I guess last year they had little phamplets on walrus hunting, when we came back in they said that if we want to fill it out why you could fill it out and tell us how many walrus you got, but I guess this spring of our understanding that we have to tell exactly how many we got. I would just like to say that those environmentalists wherever they are at, I, if they jump in the boat and go out to see how we get it I guess they would have a little different outlook on it. Then I don't think they would want to come along. That's all I have to say.

Aaron Simon: My name is Aaron Simon from White Mountain. I just want to speak up for I think Mrs. Willoya adn Mendenhall spoke up for us, but then since I didn't hear very much from the speaker from the

audience over here. But then all what I heard is that the men folks are for themselves for their subsistence, whereas they didn't speak for the women folks. Maybe the women alright, in line of berry picking there's alot of times I heard in villages they speak about they want to go pick some berries, but then they, which is subsistence alright and then on the other hand they are afraid to go out and pick berries because on account of too many bears in the area. Now if the Fish & Game and or the panel of you here now could update the opening seasons of bear hunting, which is open at what now, the 10th or 15th of May, if they could start it up to the 1st of May or the 15th of April the women folks or the men folks go out and kill the bears off, and the women would have more chance to pick berries and put away. Now the way it is now, the bear season is open the 10th or 15th of May there so many bears around this area now, which is on the mens side for hunting. Where I live, the women folks for picking the berries for their subsistence, but alot of times they are afraid to go out and pick their berries or put their greens away and if the Fish & Game could go out and get the bears and cure the hide, eat the meat or whatever, and the women folks could go out and pick the berries or whatever they want to put away. Thats all I have to say.

Jenny Alowa: My name is Jenny Alowa I'm from Saint Lawrence Island and I live here in Nome now. I have been involved with High School students for the past three years and a bilingual - bicultural teacher. And its been a thrill for me to be able to share ideas and the high school students share their ideas with me, and many years ago alot of these students or when these students were small the teachers use to tell them you can't speak Eskimo and now alot of the Enupiat students around here can understand but cannot speak and alot on Saint Lawrence Islanders do speak and understand and coming from students point of view, they are really into the native way of thinking and they're really into exercising their way of thinking. For instance, like with respect with elders, and lot of these high school students are back in their villages like (she names four to five villages) and when we think about when we talk about subsistence for instance, first of all the ladies will associate themselves to subsistence, okay it's man's world, we can't handle it we're not allowed to go hunt. We talk about berry picking and green picking and on the other hand, the maile students who hardly spoke

in the classes, you can tell they are ready to go out, instead of talking about it, they are ready to go out into the wilderness or be out in the boat and just seeing these real things, and there are so many things I want to get into myself and some of these students will say; we don't learn how to cut a seal or we don't want to learn how to make pockets out sattelite T.V., which is out in some of the villages, Savoonga and Gambell, for instance. Lot of us still live in two worlds and myself for instance, but the greatest memory is our past, what we have right now and lot of these students will say sure its nice to be able to go dance or get into clothes and do these things, but you know white man's world has no culture and we do, we have all these things like tradition most of the girls can still sew and we have respect and we have a meaningful way of life and sometimes I sympathize with the high school students, we are talking about non-native high school students, they don't have much to talk about. I guess thats where I'm coming from. I really think that subsistence does have so many interpretations, and one way is with the young people and I think right now the young people have, are going through their identity crisis. They know who they are, its just a matter of motivating them and think that our next generation I, there is so many things going on right with bilingual, bicultural hearings, subsistence and I can imagine what is going through they're heads and subsistence has so many interpretations, and thats my interpretation of subsistence. Thank you.

Jacob Ahwinona: I'm Jacob Ahwinona and I'm originally from White Mountain, but I moved here and lived here the last 25 years. I did some subsistence living, since I was knee high. Now subsistence living is getting heard. We've go rules and regulations, who's regulating them, the Department of Fish & Game. The Department of Fish & Game has an advisory board here in town that I know for a fact, cause there's members in there that haven't seen a front side of a gun, and thats for a fact, why? What does the Department of Fish & Game give the reasons why they don't have representation from villages, which villages, they don't have any money they can't afford to go out there and get representations from the bush villages. Now, we've got big Corporations now, the Native Corporations, it would be a worth while benefit to make donations just to send one native from the outlying villages or one from every village, they could do it if they want too,

and send them here and make out the regulations, who make the regulations? The advisory board advises the Fish & Game right here in town. I never hear any representations from outlying villages, nothing. I've called them, I've asked them why they don't have representation from the villages, they can't afford it. Thats their excuse, thats all baloney!

Now the regulations on subsistence hunting, like the opening season of bears, okay, I heard from these person here awhile ago, I find a bear myself, now the regulations are too far back to late. May, that's too late, that isn't the time to hunt bears, who makes those regulations? The Fish & Game, thats all baloney! I know when to hunt them bears, every Native here knows when to hunt them bears and the advisory boards that are down there, which have never seen the side of a gun, how the hell do they know when it is time to hunt bear. Everybody better wake up here, or you guys better do something about it, everybody is afraid to say anything, why? Well those guys up there they're going to do it thatls all baloney!, you should have your two cents worth, if I'm going to say my two cents work, why can't you. Anyhow we got rules and regulations now the Fish & Game slapped down on us, okay you can't hunt migratory birds now, heck we got those birds since I was that high, and I ate them too. And I'll be dammed if they are going to stop me from shooting now if I want to eat it, cause I've eatin it since I was that high. And then its like taking butter away from a white man over there, okay you can't eat that butter until May, why would he say that? That would be the same way, you can't hunt that, you can't eat it. Pretty soon they'll come by here, pretty soon they'll go back, and who's going to kill it? Some sports hunter out there is going to kill it, instead of me, and me going hungry out there in that 30 below weather out there. Somebody better do something on the game regulations up here or anybody speak up.

Representative Nels Anderson: This is why we're here, to listen.

Jacob Ahwinona: Thats right, thats the truth, I know for a fact that the advisory board down here never seen a front side of a gun and thats all baloney! Thank you.

Bill Dann: I'm Executive Director of the Norton Sound Health Corporation

here in Nome. Our Corporation currently has responsibility for providing comprehensive health services to 62 residences of this region. We were founded in 1970, and since that time have been active in development of health services in the area. During that period there have been incredible changes in the way of life in this region not the least of which is the increasing control upon the subsistence way of life, continued by the majority of the residences of the area. The topic of these hearings are incredibility broad, I don't pretend to have any knowledge of sea mammal populations or other matters vital to your charge. My purpose in coming before you is to outline some of the effects we have seen of the decline in viability of the subsistence way of life for the population of this area.

Our Corporation has operated a family conseling and mental health services program for about three years, today this Department comprises of a staff of 12 throughout the region and a considerable budget. This effort is maintained because of the extent of the family and individual mental and emotional problems constitutes the major health problem of the region. The current suicide rate for this area is more than six times the national average and 1972 and 1973 was better than ten times the national average. Sucide gestures are common although good data is not currently available. Alcoholism is a problem; is well documented expecially when viewed as a causal factor in accidental deaths which are the leading causes of death in this area. Juvenile deliquency has long been a problem and is becoming increasingly so in the villages. The current active case load of our family services is about 185 with the total of over 700 active patients have been involved in the program over the past years. In our patient contacts, phycoligists on our staff report that a lack of sense of selfworth of unemployed males of the region has played a significient role in the problem seen.

In our view, the inability of an Eskimo hunter to continue to providing for his family utilizes skills perfected over thousands of years constitutes unemployment and roots of family problems. Research in urban America is repeat of evidence that loss of employment for the head of household contribures to the decline of the family structure, alcohol abuse, child neglect and other problems, unfortunately research of the similar nature for the Alaska Native population is limited. The Barrow

study which was done in 1969 and 1970 showed a direct plank of a sense of inability to control of ones environment and the change that was rapid with increasing mental health problems with that population. Essentially Eskimos of this and other regions are being coerced into a pace of cultural change with it be likened hundreds of years of natural cultural evolution compressed into a ten year period. It is unrealistic to expect such an evolution without significent problems.

Traditional Eskimo culture is structured around hunting activity to eliminate or significantly restirct that activity serves to impede the normal family structure, especially when there is no prospects of meaningful employment to restore a sense of selfworth. Lack of time structuring around hunting activity contribute significiently to the social problems that we see. Loss of subsistence has in the past and will continue to be a major factor in the increasing cost of health care in this area. The return on investment dollars to deal with this problem is unknown at best and yet resources can in good conscience be put into other more valuable effort. These costs must be weighed in your consideration of the subsistence issue. And I would also like to read a testimony of one of our staff members who couldn't be here tonight, this is from:

Tereasa Sockpealak from Shaktoolik: My statement on my views of subsistence as I see it affecting the family way of life. I personally feel that depriving a head of household from hunting various types of subsistence is detrimental to a man's cultural environment. If subsistence such as the sea mammal is totally taken away from the Native's environment, the hierarchy that is depriving the Natives to hunt sea mammal is being disrespectful, since he is taking away the Natives freedom of choice to remain in his born environment. The hunters skills are therefore taken away by means of which he supported his family. A native that knew just subsistence skills will not automatically jump into another skill. The native that survived by subsistence will feel degrated and it is degrating when a capable man is forced to apply for food stamps, BIA and Welfare. Thank you.

Jeanette Martin: Representative Anderson from the Legislature, thank you for coming and hearing us again. My name is Jeanette Martin, I am

Director of Health Care Services for Norton Sound Health Corporation and in that position I speak for the Corporation. We are vitally concerned with any issue that will affect the health status of the people in this Region. Subsistence activities are vital in obtaining adequate food, especially in the villages, but also in Nome.

I would like to quote from the 2-C Studies a reprot of Federal Programs for Alaska Natives. I quote subsistence activities is therefore most important in those regions made up of entirely villages, it accounts for half or more of family food for 70% of families in the Eskimo Region. Even in non-native places more than a quarter native residents are getting at least half of their food by subsistence and the most of the rest only report a little rather than none. Further documentation has been provided in the 1974 consumer profile of people in the Bering Straits Region prepared for the Norton Sound Health Corporation. On page 134 on that profile it reads, 87.4% of residence indicate that they eat alot of native food. The results of eliminating or unrealistic curtailing subsistence activity will impact adversly on the nutritionaly status of those who already have limited financial resources. I would like to review with you the consequences of a lower nutritional status to the help of an individual. Meat is the main source of protein and iron on a subsistence dependent diet, if amounts of these consumed is not sufficient the individual will succumb to more health problems than he would if he were well nourished. For example, infant mortality rate is an universal indicator of health status. The leading cause of infant death is premature birth which is directly linked to the health status of the mother. In 1975, the infant mortality rate for the Alaska Native population was 18.9 per 100 thousand births. These statistics have been obtained from the U.S. National Standard of Health Statistics. Another universial indicator of health status is the incidence of iron defiency anemia. I would like to again quote from a draft of the Health Systems Agency Plan published August 1, 1977, for the Southcentral Healthplanning and Development Agency of which this area is considered a part. I quote, "the incidence of iron deficients anemia particularly among Alaska Natives is a cause for concern. A summary of research done in the State concludes of the 2,234 Alaska Natives tested 13% were anemic, the highest rate occurs among those 16 years and over at 21% and children under the age of six which is 19%, while there is debate over the significence of

of the low hemoglobin levels. Research has linked low levels with increase frequency of serious illnesses increase the susceptibility to infection on expectant lower body weight in children and decrease the attentiveness in learning ability, a problem which hampers good nutrition in Southcentral Alaska is the high price of retail foods. The high prices are especially pronounced in rural and bush areas." If we look for alternate sources of iron and protein rather than the food obtained from subsistence, the picture looks dim, since financial resources and cash are limited, those individuals will depend on cheap food, those high in sugar and other carbohydrates, as a result the protein component of the diet will be of poor quality and incomplete, this cannot but aggravate an already substandard health status. In addition the actual availability of alternate sources of high quality protein is in question.

Most village stores have limited capital for inventory investments which limit the types and amounts of foods they have available for sale. In closing, I would like to emphasize that the needs of the people dependent on subsistence activity for the major portion of their diet, need your consideration in any further legislation or regulation. Thank you.

Sue Mathenis: Hello, my name is Sue Mathenis and I'm a resident of Nome. I hunt and I fish, but I never take more than I can eat. 'm not a subsistence hunter, because I draw income elsewhere. I th ık that Mrs. Willoya has painted the perfect picture of a subsistence hunter and I think that those people should be allowed to maintain their subsistence hunting. The reason that I'm here is because I also feel that there are alot of people that are taking animals not under subsistence conditions, and this I don't think we can stand. I specifically referring to the walrus harvest, I can give you a definate number in 1976, there were 738 walrus taken from the village of Diomede, the total equivalent of thirty six walrus were returned the rest were allowed to sink into the ocean. This was done under the quise of subsistence hunting, I don't think it was subsistence hunting, I don't think these people should go without food, they all should have what they need to eat, but I think that if they are hunting in conditions other than subsistence hunting it should be recogniaed. I want you to come up with a definition that is realistic of what subsistence hunting is.

People who derive of more than 50% of their food from animals should be considered subsistence hunters, but I think that there are alot of people in this audience who have come to testify on subsistence hunting, I counted 47 people, there were a total of 9 people out of that 47 who were wearing clothing that was from animals. The rest were all wearing store bought clothes. This is an indication that they are mixing two worlds and I think that if they want to be subsistence hunters, they should have the right, and should be able to hunt when they can get seasonally when they can get the food. But if they are deriving income elsewhere are they are hunting for more than they can eat, then they are not subsistence hunters and they should be recognized for that. Mrs. Willoya told all of us beautifully what the subsistence hunter is, but the main point she made was that they did not take surplus, in her own words they did not take surplus. I think that there is a lot of surplus hunting that is going on and I think that it should be recognized it is not subsistence hunting, its commercial hunting.

For the record I would like to say that I agree with the Government in the ruling that they made on the bowhead whales, only because we don't exactly know what the situation is with the bowhead whales. It's like if you don't know what bank balance you don't continue to write checks. Wait until you find out what your balance is then you know how much you can spend. I think that we ought to halt any bowhead killing, while we can figure out how many whales there really are, and if there are enough for true subsistence hunters, then I mean people taking whales that they need to eat, then I think they should be allowed too. I hope that (inaudible) meeting in December will allow a certain quota for the hunters in the Northern part of Alaska I think that people should recognize that we've got to act now what is subsistence hunting and define it very carefully, I think it should be related to the individuals ability to consume the meat. Thank you.

John Larson: My name is John Larson I'd like to address a little bit to the issues that were raised by the last speaker. I have a little different feeling about the harvest of the walrus. And perhaps if this committee is going to be trying to establish a definition for subsistence you ought to also take into consideration of carving definiton, that a person who is taking walrus, taking the tusks, carving those tusks

to produce income to feed his family or to cloth his family, or better his families standard of living and thereby staying off welfare, staying away from the relief that he does not want to get because he doesn't earn it, then I think that that is an important valuable function of subsistence hunting. One of the first kind of educational experiences that I had up here was in going out and catching fish in the lower 48, where I was brought up, we use to cut the heads and throw away the innards, the eggs, etc., but when you watch an Eskimo take a fish, he normally will save that part. If he would look at me and say you're wasting, becasue I throw away the heads, I throw away the eggs, I throw away valuable parts in his culture, and I do the same thing when I take a moose, I don't take the liver, kidneys, I don't keep the stomach. I've seen Eskimo hunters on Saint Lawrence Island butcher walrus in 1973 when I lived out there. The first walruses that come by everything is taken the stomach, the innards of the stomach, the small intestines, the liver, the heart, all of the meat surrounding the animal is taken, there isn't anything that is thrown away, that's wated, and yet when I go out and hunt a moose and I discard some of those internals, nobody in the white world in the Caucaisan who's written the definition of ways, would accuse me of wasting something, because I threw those parts away. Just last week I participated in a moose kill and I didn't keep the hoofs, and a carver told me, gee If you would have brought those hoofs back, I could have made some money by making something out of those, and I didn't realize that. In his mind I'm wasting because I'm throwing something away that is valuable to him, or perhaps also in your definition you should consider the Eskimo viewpoint, the subsistence hunter's viewpoint of what waste is, rather than having an Anglosaxon's definition. On a moose it would probably be a certain joint below on the leg, that that could be discarded, that the hide could be discarded. And Fish & Game would not prosecute somebody for that. On the fish, the Fish & Game is probably going to accuse somebody of wasting if they throw away the head, if they don't save the eggs. But those are the things the Eskimo would say. And maybe on other animals it would be different.

If they have a good year and they get lots of walrus, lots of walrus are coming by and there is some guy that has five or six kids at home that he wants to stay off welfare, he has a meat supply that is in the

freezer already or in the old icebox type of thing from the walrus. And he wants to take those tusks because he knows that he can make five or six hundred dollars out of carving. Now is that waste, or is that waste from an anglosaxon stand point. Perhaps, to the Eskimo it's not wasted. I think we have to know how many animals there are before we accuse anybody of wasting. The bowhead whale sure seems to be a hot issue, because the Eskimo says we don't know how many whales here are out there. I think there is alot of agreement on that. Stopping us from hunting even though you don't know that we are hurting a resource. The same feelings were expressed last year on Saint Lawrence Island regarding walrus. People the hunters the people that have been with walrus most of their lives, know that there are alot of animals left last year. And they felt upset for the quota that was established on the communities without real input from members of the community, and without any real relationship between the quota that was established and the number of animals in the herd. Those are just some of the things that I've observed in the short time that I have been here. I'm certainly not an expert on subsistence, my brother-in-law on Saint Lawrence Island they keep reminding me that I'm still a beginner, that I haven't quite reached the first grade yet on subsistence. Thats true, I think when if you're making a definiton that you have to encourage the members of the legislature who are Caucaisan, who don't know anything about the bush, to look at it from the viewpoint and the people that live out there, and try to look at it not only the idea of subsistence encompassing an entire lifestyle, which means the carving, which means all of the by-products of the animal, but also the idea of waste what is waste to one group of people is not necessary a waste to another group. Thank you.

Tom Ellanna: IRA Council of King Island which is located in Nome. Our main food sources as King Islanders were sea mammals hunters in which we subsidized. To my knowledge of what is going on here is trying to determine the definition of subsistence. I think the way I feel, which would reflect alot of people, of say my people, the definition of subsistence is to provide food on the table. And of course somebody said earlier that the quoting of the number of walrus taken by the Islanders and yet only so much meat taken back. She's saying that the people are a bunch of headhunters, but again those headhunters to some of us might

be to take the ivory back to bring food to the table for the people of our families. But before trying to five you a definition of subsistence hunter, I would like to remind you that free contact of what man's rules and regulations all the Eskimos, throughout Alaska alwasy have been conservationists in their own ways of never to deplete their sources of game, whenever something is going lower, they go to another game to help bring food to their communities. And to take subsistence hunting away from these people up here, you would be depriving them of their aboriginal rights as subsistence hunters, and which in turn make them culturally deprived. What am I? Am I going to be able to make it on cash income all the time? No. you just can't do it, of my people here, the King Islanders, now residing here in Nome, there is approximately 280 King Islanders living here in Nome, and of those 280 people there is approximately 75% of those people still subsistence hunters. What I'm saying that these people are still going out and bring the wild game into their homes, as their main source of food, so trying to define subsistence, would be very hard, subsistence can be defined not just by Native people, I know a few other than native people that do subsidize on wild game. So you cannot place it on ethnic groups and I wish that whomever and whenever they are going to decide on the definition of subsistence would take into the consideration of local people. Thank you.

Dan Thomas: My name is Dan Thomas, and I'd like to say that what we have here is Fish & Game have been hired they're job is to protect our resources so that we don't have the problem of a species going extinct or being overhunted or overfished. And the problem that we have right now is that because of the lack of knowledge that the Fish & Game does have of exactly what the populations are, we have them being over cautious and they will admit that. We are being over cautious because once you over hunt a population of fish or animals it takes its real hard for them to come back once they are overhunted or overfished in certain degrees and thats what they are doing with the bowhead is, well I'm not quite sure whats going on there, but they have to worry about that if it does get hunted down to a certain level it won't come back. Because it will have been overhunted to the point it might take a hundred years for the population to recover. So my suggestion is that that the State put a whole bunch of funds into research on the part of

Fish & Game and just really get going that so they do know what the exact situation is so that they know what they are doing with the game management, instead of being overly cautious. The people get the shaft is what happens because the Fish & Game is over cautious, when the people are dependent on subsistence and stuff.

This coming summer Commercial Fisheries here in Nome is going to start a tagging they are going to tag fish so that they know where they are going, like one of the issues this summer was, that they didn't know where the fish was going and sure there is alot of fish, but maybe they're going somewhere else, so if we catch them here they might not make it were they are going somewhere else so we'd have lots of fish but someone else down the line if the fish are migrating along the coast is going to have problems. So they are going to be getting some research going, but I think that the, its unrealistic to expect the Government to say its alright, go ahead catch all you want, its unrealistic because there are strong forces of conservationism and nobody wants I mean even subsistence people don't want the population of animals that they are dependent on go extinct. So I would strongly urge the State to really get hopping and put alot of manpower into research and just see exactly what the situation is so that they can do a better job. Thank you.

Carolyn Schubert: I'm Carolyn Schubert and was born and raised on the Fish River, which is about 70 miles to the East of here. My earliest memories were those of life at fish camp and on the river, hunting and fishing, collecting berries and greens and we worked hard all these subsistence hunting and fishing activities by our families from the time that we were very very young. And we always felt a closeness to the land because of the way we were raised. And after we were forced to move to Nome from our village we always wanted to go back to that way of life that we had, hunting fishing and living off the land. After I graduated from High School we moved to Anchorage and I lived there for fourteen years where two of my three children were born, and to the extent possible I began teaching my children those hunting, and fishing and collecting activities that I have been taught. We have lived in the village of Council for four years where my whole family have participated in hunting, and fishing, and food gathering activities and these

activities haven't been limited to the male members in our family. My daughter and go hunting and fishing and collecting greens and we all hunt and fish and work together too. Keep that lifestyle and my children came to testify because they were very concerned about that, they want to continue hunting and fishing and living off the land. Its interesting for me now to see how many restrictions are being placed on subsistence hunting and fishing activities. Not just by the State, but by the Federal Government. I remember when I went to Anchorage in 1961, there were thousands and thousands of caribou that use to migrate accross the Glenn Highway up near Eureka, which is about 110 miles from Anchorage. And during that time I remember that State allowed hunters to get five caribou each and Anchorage has always had a large population base. You can imagine what that did to the caribou. The last time I went down the Glenn Highway I never saw a caribou at the time that from 1961 to 1965 you could see thousands on the highway and the Fish & Game Department can't blame the Natives for killing off all the caribou in the Eureka area. The native people from the Northwestern part of Alaska were not the ones who were down there taking all that game. And yet now they put so much restrictions and put a quota on the number of caribou that the people can take from the herds in Northwestern Alaska and somthing else that I'm concerned about is an issue they were talking about tonight, the bear hunting season. The Fish & Game man that I talked to today said that in this area depending on the weather is good between April 15 and April 30 and yet the bear hunting season doesn't open until May 10 and it goes until May 25th. And last year there were Native hunters from the village of White Mountain that were cited for taking bear out of season. They took the bear out of season when the bear first come out which is when they are in prime condition and the native people know when that is which is when they first come out. According to the man from Fish and Game its usually the male that comes out first and the female with the cubs stay inside until its a little bit warmer. So I don't know maybe the Fish & Game Department are worried that the Native hunters will be taking the females and the young ones, but according to what the Fish & Game man said today when I talked to him, he said its not the females that come out first its the males. And with the respect to the migratory hunting season, I was down in the State of Washington earlier this month, and a place called Brewster, Washington, they have

hunting season from October 15th until the end of January, and they can take ducks and geese and there is alot of ducks and geese that winter there according to my cousin and her husband and their families that live there. So those birds are available to be hunted by the non-natives that live down in Washington during that time. And yet here in Alaska we can't have a Spring hunt and by the time we are allowed a fall hunt, in some instances the migratory birds don't pass over those same areas they came through in the Spring. So in the fall time in some areas up here they don't get any birds unless in the Spring time. And I think that that should be changed. And it really hurt me to know that here where the ducks and geese wintering in this place down in Washington and those non-native people who don't have to depend on them for food, but for just a recreational activity has access to them and our people are denied that in the spring time when they are here. Thank you.

John Wahiyi, Sr.,: I'm origionally from Savoonga, Alaska, and now in Nome for ten years. I am sorry I'm not very educated to speak English. I grew up with my elderly families and they all have died now. I am not educated, our parents took us out hunting ever since we were small boys, so we can learn how to hunt. So we can hunt to get food for our livelihood. Thats why I'm not educated, I learn how to hunt since I was small boy. I'm strictly critic to this subsistence limitation why? We have our own subsistence limitation, the weather, Mother nature gave us subsistence limitation. Everything we hunt is limited by the weather. Since I've been in Nome I been fishing, subsistence fishing. For the last three years or so they gave us times, limits to do subsistence fishing. In order to do some fishing we fish on time limit. When the weather is calm at times we couldn't fish due to the limitation of the time limit. Most of the times when the wind is blowing, the season is open for us to fish, so we couldn't hunt. There is subsistence limitation given by our Mother Nature thats the way we have been since we were born. We were provided, but we can get, and theres no limit on everyting that we were suppose to have. Us Eskimos were given enough animals to hunt to survive with, God provide everything that we can take, but as yet now, Fish & Game Board try and limit everything that we have to survive with. Fish and Game Board limits the hunting in every Region. Like every boundary, people can hunt. Fish & Game, local Fish & Game limits moose hunting and give us

boundary limits of their own here in Nome. Why not they give us open season from the time we go out instead of 50 miles, 30 miles, for instance this month is real short limit. And alot of person are not able to get their moose. It will be ending of this end of the money. Every weekend, who of us are employed to out every weekend to hunt moose in order to get food for our families, we couldn't afford steaks, meat from the stores, even though we are employed we cannot afford due to the high living costs in NOme. We try and still hunt for our own food. Every weekend I myself try and go out hunting, that the only time I hunt for my own food right now. I'm employed five days a week like any other people, only time I can hunt is weekends. But still the Mother Nature limits us, some weekends we can't go out hunting so we couldn't get what we wanted to get. I am glad you people come and get our viewpoints from each person. I thank you.

Alfred S. Sahlin: My name is Alfred Sahlin, I'd like to mention the fact that our people here in Nome and our surrounding areas are seasonal hunters. Primarily the hunting seasons starts in the winter and earlier spring for seal. This brings to them their meat. From that season they get their oil, their dried meat and their fresh meat. The next season is fish. Fish arrive in July and there is not much else to hunt thats what they depend on then. From the seal they get the oil and preserve to (inaudible) after that they get the berries. Then after that season comes again the seal its a cycle by the season. They must hunt. Now the way it is now, we are getting more restirctions on hunting which is holding them down in their way of life.

I'm not much of a hunter myself, but I know many of my friends and relatives are. And what hurts is the fact that this game is available for them here, but the Fish & Game they say no hunting you can't do that, you got to have a license. You can't hunt within your own native selection of lands, such as Sitnasusauk land. We can't hunt moose around here for 50 miles that wasy and 32 miles north. What hurts is the fact that, thats one restriction already, since the Native Land Claims Act and its going to get more the way its going, it could. Thank you.

Dan Karmun: Live in Nome. To have people come here to hear the

community out, I think that thats the only logical way to do today is to get yourself hear. You know I feel kind of proud as an Eskimo perhaps you can speak for the Aleuts and the Indians if they're the only ones that know the definition of subsistence. I think that its up to us to tell the others what it means. I think subsistence here is just getting to come to light to many, that are not aware of what our life-style is.

I was kind of alarmed at the D-2 hearings when the word subsistence, you know seem to come everytime there is a testimony and they can't find out what the definition is. I think we as a people who have been living here in Alaska have lived with it worked with it, depend on it, and its going to be a source of dependence to come. I think if we can tell the others, perhaps subsistence will one day mean the survival of the human race. Because we know how to live subsistence and live on the land, sea, and air. I think we have been accused of wandering on our livelihood, but to me as I see it people thats been living in hardest environment and learning how to survive are the best educated people, they learn to take care of their own resources and wildlife. I think if this could be put across then I think that this will be a means of letting the people allowed to subsistence this land.

I've been fortunate enough to travel about the different communities that are whaling communities which is Barrow, Point Hope, Gambell. I gained alot of respect from these different people from different lands on their art of survival. And this is something that others don't comprehend the dangers they go through trying to provide for their families, even at times giving up their lives to get whale to provide for the community. And there is arguments that there is alot of waste in whaling and again issues that others don't realize that they face, even in my community when we are out seal hunting in the fall time I think when you realize how you live in the seas and on the ice, when the ice begin to form and move about, just like a vulture, and I'm sure every hunter will not hang around there if he's got animals that he's killed and loses them because of Mother Nature working against them and this is something they don't realize. I think alot of our whalers face that same problem when they lose some of their whales because of Mother Nature working against the people that hunt these things. Growing up in

a community where perhaps our own State Government somtime is negligent in if not involving the local people in the many aspects of our way of living. I remember workin up in the mines in the (inaudible), there use to be several gold dredges running in that river and making the river just smuggy all the way down about 20 miles to the mouth of it. I remember how the fish use to come up in just thousands and hundreds, and today we find the restrictions saying that mining is harmful to these fish.

I think if they take a little time and involve the citizens of each community, and I think they would learn alot, and thats been the trouble with our Federal Government, our State Government, not involving the people in each community. Granted that these people have alot of degrees, but sometimes those degrees don't mean a thing when you don't involve the people in the different locations. And thats been our big problem is trying to educate the other people on what our environment is and hopefully with your involvment in hearing all these communities that you will stress to the people that get the local people involved in any of their efforts in trying to arrive at the safe level of hunting or trying to place restriction. I think we suffer more than they help us, sometime by not involving the people of different communities. I think this brings about a lot of ways, I know for a fact that during State Engineer when up to survey to build an airport, went out to a place that was just soggy, not trying to ask the people where would be the best place to build an airport, not even taking the time to do that. I think that has been our big problem not involving people in these things that they are trying to set laws to and for the people. I hope this will be stressed strongly and I'm sure there is people in every community that are willing to get out and teach others in how they lived for years. I can say I'm proud that we've learned to live up to this day and if they want to learn something they better start getting out and ask the people in these different communities for these laws that are against us more than help us. Thank you.

Ressie Moses: I'm glad you folks are here to talk to us, but us elderly people were not as old as Emma Willoya, but like her we've been told to put away whatever we can find, so it won't go to waste, cause our parents and grandparents told us the winters are long. Before we moved

to Nome we were at Shishmaref and then before I remember to well they moved us to (inaudible) something like 1912. In order that we would be able to understand and talk the English language. Our folks didn't say yes or no in English if some white people talk to them, no answer, thats the reason why there are no airplanes, we didn't go by boat. The way my folks told me they took us by a dog team, take our skin boat a half a day ahead of our travelling time, that would be about in April cause where we come from, Shishmaref get it starts to get warm, so they make plans and they took us up so we would know how to talk English and understand white people ways and that way we can learn what is good and what is not good for us. I've been listen, when I can, I come to listen when people are going to talk I so glad Emma tell us about old times living. If I was in her place, couldn't see, I wouldn't know how I would do. I'm so proud of her, she is willing to help anybody if she listen to people who ask thats why those things that I was going to come and tell few things she told them I was come to and someone motion me to come and say a little about our way of living. Now with the hunting now that my old man is crippled he turned 78 last week, he couldn't go out with the hunters anymore, so from the ways of Eskimo living from way back all the people told their children and their grandchildren they half to respect the elderly people that was way before white people come along. That way they would be helping them and when the older people was glad and happy that they got their share they always tell them how to do things in way of fishing and hunting and thats why the Eskimo survive even though out language wasn't a written one. They didn't forget it, and they didn't let us forget it. I remember since second world war time when the youngers start to forget it, because our teachers on Shishmaref told them not to talk it during the recess around the school year, thats where the big mistake come from. They should have listen to the older people they talk in Eskimo and tell them what to do tell them what they have to learn in order to make living and survive.

Even though from way back everything was hard they didn't have no rifle or ammunition they had bow and arrow and spears and now that and the boys were taught to learn how to make arrows from their fathers if their grandfather is living. Now like I said James coulnd't hunt anymore he was in plane crash in 53 coming back from Bristol Bay fishing August 14, so as the years go by his health failed him so many times he

had to be sent down to Anchorage hospital but all the while he was gone they, the hunters always bring us our share from what they learned from their ancestors. I'm so proud they didn't forget about it. I'm so glad to hear about these talks tonight, because some Eskimos don't even know how to understand to much yet, but us that can talk Eskimo when they as' can explain it in our language and that way they learned it. If some elderly people that come that didn't understand to well in English talking they wouldn't know what they are talking about unless they learned in school tow of them might use in place that they called Husky. They don't have that anymore, they had it from the word so that the younger people could understand about young girls making garments, and boys learned to hunt. But seem to listening we have these community, I'm glad the young people have time they can come and get together and ask questions when the older people are around and so I want to thank Emma, cause what I was going to say Emma had told them to the people here. But whoever tell us its the right thing to do, we always try to do what they tell us to do. But when we know they tell us anything that is going to be harmful to us, cause everything thats given to us I put away in freezer so it won't get no freezer burn, and I'm thankful to all the Nome hunters and people that have been good to us. I just want to thank you folks.

Della Wahiyi: I'm Della Wahiyi originally from Saint Lawrence Island. Moved here 10 years ago. We are still eating Eskimo food. We are still getting some from Saint Lawrence Island. They send us some food walrus meat, seal meat, whale meat, which we couldn't eat them even we are living in different city. Like my husband said we couldn't afford to buy steaks or other food from the store, because they are high priced and alot of time when the people come from other villages and stay with us, the very next day they kind of miss their native food. I remember one time a little boy was coming for ENT, I was fixing the stew for the lunch, he came around and asked me what are you fixing for the lunch? and I said I'm fixing the stew meat from the store, that was the beef meat, and he was saying when I go back I'm going to eat all I want from the Eskimo food. Thats how we will miss, when we are going to have limited hunting from our native food. The other thing I've been wanting to see in this testimony is our Government is trying to limit the food that is good for our health or the skins that are

more dependable then the rubberized from other clothing, which we use for our men for their hunting for the winter or for the waterproof clothing.

I wish the Government would give the money research for the other things that are harmful for our lives, besides they're trying to limit our useful items and the food, which we've been living ever since we've been born. We have been placed on this earth with the food that we should be eating. When we are living in this two cultures, like white and Eskimo sometimes we confuse, especially with our young people. They kind of forget nowadays how to make skins, because they think they get lot of orders and hard work. That is fading away and its still readily useful for us. I even saved a small peice of white leather skin or dyed skin so it could still be useful when I make into things I'm trying to sell to earn money. Just like a small piece of ivory that could be carved and sell it so we could get something from the store. Most of us are not rich, but we are hard working people that we try to earn besides someone employed in our family. So what I've been thinking and while I'm hearing for these people who are give testimony, I'd like to get in front and speak as best I could a little bit of what we are or what we've been living or how we've been living. Alot of times or taught by our parents to share our foods especially with the people with those that can't get any. Each are habit whenever we get something that more than what we get, we always share with the other people. Even ever since we moved here I liked to share the Eskimo food with the other people. Once in awhile I even share with the elderly people, senior citizens people and white people who have lunches everyday and have Eskimo food on Fridays. They appreciate it very much and with the people who I share it they appreciate it. Thank you.