

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

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WOODROW MORRISON - Testimony continued

moose were killed so we didn't go far enough into it to first 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 optimum size - a number of moose that would be necessary 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 what 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

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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 whitefish. We get them in the winter after freeze up and we get them in the spring during break 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 happen 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 somebody 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 recommend.

First, establish the population of the effected animals and the fish and of necessity 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 really know how many are killed. Set your 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 subsistence 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

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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 emergency 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 believe it's a statutory 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 Administrative 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 the management 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 in the 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 and I'll pack my game as far as anybody else. I don't think I have a right to be guaranteed 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 a regular job from 8 to 5 such as most of us I assume, here, 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 everyone's 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 what's 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 clearly 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 regulations 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 discovered, 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 trying 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 announcement of this hearing whether or now subsistence should be defined and of course there has been tremendous 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 background 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 a lot 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 to see exactly 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 ran 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 subsistence 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 extrapolate that figure in looking into the past that you know you hit basically into the economics of a culture and sometimes the damage can never be rectified 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 really 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 into 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 - and 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 existed 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 - alright 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 the citizen 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 bureaucracy 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 definition, 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 to protect.

I would suggest on this that before any legislation we come up with a definition but not 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 level 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 accurate than the federal government could produce or any of the conservationists could produce and I think with the strength of these commissions working through local government that the problem of subsistence and the priority use of the commodities that subsistence - 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 de-
partments to intercommunicate this information and come to you with
results, not with more problems. Because consistently your bureau-
acries 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 trying 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 the cake 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, indirectly 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 disciplines and try to interrelate these different deals and try to come up with a conclusion that was satisfying to me.

ANDY JIMMY - My name is Andy Jimmy from Minto - Mr. Chairman, Living off the land, 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 things 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 our 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's five times twenty-five. We've gone to other parts of the State of Alaska where the caribou herds 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 subsistence 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 recommend- ations 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 recoment 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 aroundy 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 and it's mainly because of subsistence that they are there. I know because I am a privileged person, 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 and I've not asked for help from the government to feed or cloth my children or myself. And the only thing that I'm asking as far as subsistence goes if you 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 the Sportsman's Game Preservation Association. And one 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 of different 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 a guess. We were going to get experts from the outside to study things, we've had quite a few experts up here in Alaska from 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 lived here to although one of the things that was brought up about the 25 fish in Kodiak and I hope I live long enough to see it sounds like limited entry - I don't think it's a fair and equitable situation where you've got a man 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 have 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 a few avenues that have to be really looked into. Like the man said he's proud he's a Eskimo.

My grandparents were from Lapland and I'm proud 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. I would have hunted them by dog sled or other ways I'm sure it wouldn't hurt them. To get a field count is very important and 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's a real good idea rather than 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, I do and I enjoy them, and I eat moose and by golly if I didn't get a moose I'd be pretty 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 resistance 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 views 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 severely 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 amount 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 satisfy. To take away traditional food is like taking the rice diet from the orient or maybe a better way to express how I feel about it is for example the politician 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 compatible. The State of Alaska through it's Governor, Legislature and 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.

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PUBLIC HEARING - ALASKA FEDERATION OF NATIVES, INC. CONVENTION

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 Committee 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 three 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 its annual meeting has had a series of workshops in three broad 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 our 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 questionnaires on those issues that 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 attended. 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 our 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 subsistence 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 been 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 the 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 an individual basis, my feeling, would be 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 a psychological feelings of going out and being on the land, the continued relationship to the land, 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 say 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 and if deprived and has caused alcoholism and other kind of disabling 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 corporations 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 forum 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 communications 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 establishing local autonomy. Thankyou very much.

CARL JACK - Thank you Mr. Cahirman. The delegated from the Association of Village Council Presidents during 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 period for rural Alaska to allow AVCP villagers to leagally harvest migratory birds

DOUG MOTIG -Testimony continued

DOUG MOTIG - for food in August before 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 Congress. 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 support State management only if Sports hunting is clearly restricted when and where it interferes with subsistence hunting of marine 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 legally and the State of Alaska contributes to the crisis in moose management by continually declaring that urban hunters have the same right to the limited moose resource as rural subsistence hunters. The elimination of a \$500. permit fee for the hunting of musk ox and the closure of musk 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 integral 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 Management Program, The formal cooperative arrangement between the federal land management and AVCP must exist. That 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 operation and maintenance of the project to insure continuation of Yupik lifestyle.

On CZM -that before initiating 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 government 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 information is best.

When the Government classifies its land and AVCP have full participation in the classification procedures. On interim conveyance, reconveyance and navigability. Reaffirm the decision of Energy Transportation Workshop that we have had to wait for the land rather than be forced 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 particularly sections dealing with easements and navigability. AVCP supports a definition of navigability that gives as much of the river beds to the State of Alaska so that villages can receive 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 future with or without the village participation. In 1977 unexpected fishing success was achieved 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 state 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 important 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 and 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 and the McKinley park extension. The Copper River region needs to have control over the results of the rules and the regulations 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, questionnaires and village visits where applicable. 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 responsibility 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. Training 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 and governors offices for a stronger political base.

Social issues need to be presented by a unified front of both

EVELYN PETE - Testimony continued

Evelyn 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 done 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 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 legislature 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, and education. There is a need to get younger people involved politically as well as socially and culturally.

The group wants no more transportation corridors across our lands unless we have control over commercial enterprises that are on the corridors of the land. There should be education by rural Alaskans to help urban Alaskans understand the special problems of rural villages. These rural people would be chosen by rural people. State monies from the 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 brought 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 alcoholism. 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 rehabilitate 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 subsistence 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 technical 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 impacted 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 preservation of any kind of species as they were sufficient numbers available to them in their geographic location to survive without any kind of difficulty. 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, snowmobiles, 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 kinds of elements reduced created the need for the modernized process of going out and earning 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 livelihood. 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 community 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 happened to be a group from Barrow and very strongly in their minds was the Bowhead Whale situation and they talked about this for a considerable period of time and recognized that in the generating of laws or the limiting of any individual being able to take question came up was "What do we know about the elements that we are attempting to control?" The laws themselves directly impact the species such as the Bowhead Whale those aren't what the law is aimed at but 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 things 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 the 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 voice 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 chosen there will be some degree 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 powers 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 money 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 group at table 20 that Frank Peterson 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. Last 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. Welfare. My family never would have made it when I was a kid without subsistence food. The rest 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 think 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 requirement, 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 the law.

CHARLIE JOHNSON - Thirdly, we would like to see that the local board be franted some regularatory 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 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 recommendations but some of them I thought were very good 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 additional considerations. The people at the table felt that the regional profit, and non-profit corporations controlled by the Natives should take the initiative in developing or influencing legislation with access to D-2 lands. They feel that the people in these 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 change. 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 and mice 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 response to the questionnaires will be very helpful both to legislators who are concerned with these issues, as evident here, as well as to the Native 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 success. 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 our travels however there's one unique difference is that there have been large groups of people discussing an issue and you've come to a 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 criticisms that you'd like to bring to our attention. 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. I asked 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 criticized 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 and I felt that was extremely 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 subsistence 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 permanent 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 criticism 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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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.

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PUBLIC HEARING - ALASKA FEDERATION OF NATIVES, INC. CONVENTION

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 Committee 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 three 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 its annual meeting has had a series of workshops in three broad 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 our 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 questionnaires on those issues that 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 Cock 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 attended. 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 Cock Inlet Region did leave as we were about to make our 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 subsistence 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 been 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 the 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 an individual basis, my feeling, would be 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 psychological feelings of going out and being on the land, the continued relationship to the land, 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 say 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 and if deprived and has caused alcoholism and other kind of disabling 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 forum 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 communications 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 communications 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 establishing local autonomy. Thankyou very much.

CARL JACK - Thank you Mr. Cahirman. The delegated from the Association of Village Council Presidents during 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 important 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 period for rural Alaska to allow AVCP villagers to leagally harvest migratory birds

DOUG MOTIG -Testimony continued

DOUG MOTIG - for food in August before 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 Congress. 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 support State management only if Sports hunting is clearly restricted when and where it interferes with subsistence hunting of marine 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 legally and the State of Alaska contributes to the crisis in moose management by continually declaring that urban hunters have the same right to the limited moose resource as rural subsistence hunters. The elimination of a \$500. permit fee for the hunting of musk ox and the closure of musk 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 integral 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 Management Program, The formal cooperative arrangement between the federal land management and AVCP must exist. That 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 operation and maintenance of the project to insure continuation of Yupik lifestyle.

On CZM -that before initiating 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 government 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 information is best.

When the Government classifies its land and AVCP have full participation in the classification procedures. On interim conveyance, reconveyance and navigability. Reaffirm the decision of Energy Transportation Workshop that we have had to wait for the land rather than be forced 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 particularly sections dealing with easements and navigability. AVCP supports a definition of navigability that gives as much of the river beds to the State of Alaska so that villages can receive 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 future with or without the village participation. In 1977 unexpected fishing success was achieved 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 state 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 important 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 and 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 and the McKinley park extension. The Copper River region needs to have control over the results of the rules and the regulations 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, questionnaires and village visits where applicable. 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 responsibility 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. Training 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 and governors offices for a stronger political base.

Social issues need to be presented by a unified front of both

EVELYN PETE - Testimony continued

Evelyn 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 done 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 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 legislature 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, and education. There is a need to get younger people involved politically as well as socially and culturally.

The group wants no more transportation corridors across our lands unless we have control over commercial enterprises that are on the corridors of the land. There should be education by rural Alaskans to help urban Alaskans understand the special problems of rural villages. These rural people would be chosen by rural people. State monies from the surplus oil revenues should be used first

EVELYN PETE - Testimony continued

EVELYN PETE - of all to help rural areas in the 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 providing planning 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 brought before you. We have been discussing all of the issues and making positions known that are very important to all of us. But we haven't addressed the real issue that is before us and that is alcoholism. Some of us can come to this convention and go to all the parties and 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 a meeting of Natives from all over our state, sharing ideas, problems, goals, objectives and just being together. Alcohol is a relatively new problem to Alaska Natives since the white man has only been here around here 100 years with his booze. We should at least be aware of the dangers of alcohol in our own lives and also be aware that people we represent are watching us and know alcohol 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 germane 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 subsistence 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 technical 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 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 impacted 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 preservation of any kind of species as they were sufficient numbers available to them in their geographic location to survive without any kind of difficulty. 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, snowmobiles, 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 kinds of elements reduced created the need for the modernized process of going out and earning 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 livelihood. 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 community 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 happened 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 considerable period of time and recognized that in the generating of laws or the limiting of any individual being able to take question came up was "What do we know about the elements that we are attempting to control?" The laws themselves directly impact the species such as the Bowhead Whale those aren't what the law is aimed at but 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 things 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 the 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