

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86/2

76 SCOMM 7: INTERIM COMM. ON SUBSISTENCE 1977

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 those regions are more expert on what is happening in their area than somebody who would be on a statewide basis.

There is a feeling that sports hunting or sports usage of subsistence items should be based on need whether it be for physical things such as food and clothing, and cultural needs. There is a feeling that the hearing should be nearer to the people, out in the villages where people who utilize the subsistence lifestyle would have an opportunity to present their points of view and be able to do it without getting into large investment to travel to the larger communities. There was a feeling that the Alaska Department of Fish and Game Management and policies should 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 go 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.

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PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels Anderson, Jr.,
Chairman
Representative Leo Schaeffer, Jr.
Representative Sam Cotten

STAFF MEMBERS PRESENT:

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION:

NORTH SLOPE BOROUGH ASSEMBLY
BARROW, ALASKA

DATE: December 12, 1977
TIME: 7:30 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

<u>Name</u>	<u>Address</u>	<u>Organization</u>
Eben Hopson	Mayor, Barrow	North Slope Borough
Michael Jeffery	Box 309, Barrow	Barrow Office, ALSC
Eugene Brower	Box 492, Barrow	North Slope Borough
		Barrow Whaler
Morgan P. Soloman	Box 589, Barrow	Alaska State Human Commission
Eugene S. Lawn	Box 1586, Juneau	
Diane Baum	Box 607, Barrow	
Jonah Leavitt	Box 244, Barrow	North Slope Borough Hunter
Zachariah Alumalak	Box 135, Barrow	
Daniel T. Leavitt	Box 361, Barrow	Whaler
Morgan A. Sakeagak	Box 586, Barrow	
William Thomas	Box 106, Barrow	Arctic Slope Region- al Corporation

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JUNEAU ALASKA

Alaska State Legislature

House

INTERIM COMMITTEE ON SUBSISTENCE

Nels A. Anderson, Jr., Chairman

P. O. Box 234

Dillingham, AK 99576 Tel. 842-5970

DECEMBER 12, 1977 - BARROW PUBLIC HEARING

Representative Nels Anderson, introduction of panel. On my left is Representative Leo Schaeffer from Kobuk, on my right is Representative Sam Cotten from Eagle River, other members of the committee are Representative Billy Akers from Chuloonawick, Representative Steve Cowper from Fairbanks and Senator Pat Rodey from Anchorage. We are hoping we can get as many people as possible to testify tonight to the committee so the people of Barrow and hopefully from the surrounding villages want to give us their ideas about what subsistence means. There are three basic questions we're hoping people will address this evening, of course it's not necessary for people to restrict their comments to the three things that we'd like to hear about. But one is what, if anything, should be done by the State of Alaska in land and water use planning, when that kind of management policy is developed, what should the State of Alaska take into consideration. Two, should the term subsistence be defined and three, what should the State of Alaska do to protect subsistence.

We've been holding hearings throughout the State of Alaska, we've been receiving quite a response from various people with many different kinds of backgrounds, people who are commercial fishermen, people who are sports hunters, people who are sports fishermen and a great part of the testimony has come from people who are subsistence users of the land and waters of the State of Alaska. The basic purpose again, of our committee was to again, collect all the

views we possible could so that we could make a presentation to the State of Alaska and to the Federal Government on what changes there ought to be in Fish and Game, management structures, policies and regulations and investigate alternatives that are justified and propose legislation that may be required as a result of these investigations that we've conducted. I would at this time, like to as Representative Schaeffer if he has any opening comments and also Mr. Cotten and after they've made their opening remarks, I'd like to ask Mayor Hopson to lead us off in testimony.

Representative Leo Schaeffer: Thank you Mr. Chairman. It's always a pleasure to come to Barrow and I suppose I should apologise to the citizens for not being able to get here as often as I should although I just want to assure the people here that although I'm not here physically as often as I should be I'm here, for the most part, in spirit. So, thank you very much.

Representative Sam Cotten: Thank you Mr. Chairman. This is my first trip to Barrow as ah it's my first trip this summer to many places in western Alaska, I've lived in Alaska for 30 years and it's really been my first opportunity to tour the state, if you will, and especially in connection with this committee, to hear from the people that live in the outlying areas as to what their subsistence needs are and it's been a real education as well as a pleasure for me and I'm happy to be in Barrow. Thank you.

Representative Nels Anderson: Mr. Mayor, would you be so kind as to lead us off?

Eben Hopson: Where do you want me to sit? Here? Are we on tape or air or what do we do?

Representative Nels Anderson: I think we're on the air at this time, Mr.

Mayor, although I'm not possitive, I'm not exactly sure but I think we are on the air.

Eben Hopson: Mayor, Barrow. I don't have anything prepared, although I do have some comments as to the subsistence needs and particularly in the rural areas. I do have a copy of your notice for public hearing, the announcement, and a few questions you just mentioned. The ones that are generally asked at one of these hearings. As to question number one, I haven't been to heavily involved with consideration of any legislation dealing with D-2 although we have submitted some written testimony but depended mostly on the involvement of the Arctic Slope Regional Corporation to dealwith that matter, outside of presenting our own position with respect to how the complications should be handled with respect to D-2 lands. Aside from that, I would suggest that any consideration as to the classification, particularly on the D-2 legislation that classification that most fits particularly in the rural area, that would permit uninterrupted use by subsistence hunters be taken heavily into consideration at your discussion on how the classification ought to be considered on the D-2 legislation.

I might add that the word subsistence hunting and fishing, I think it's one term that has been more arbitrarily dealt with unjustifiably by the legislature itself, the administrators, the Fish and Game Board, the Fish and Game committees because if I recall correctly, in the year 1959 when subsistence was first inserted in the statutes of the State, the purposes for which it was used, was to permit those living in the rural areas to exercise their right to hunt particularly if they were low income people. That discription of the word subsistence as far as the administration of the state law is concerned, has

become very inadequate because the administrative bodies that deal with subsistence have continuously rejected the applications and used it only on those people that have low income. In other words, affording them the opportunity to hunt caribou, moose, fish and permitting the take based on the needs of those low income people. As I said earlier, that interpretation of the word subsistence is very inadequate and the classification of the D-2 legislation it's so hard to make sure that all kinds of subsistence hunting is permitted on those lands that are being under consideration for the purpose of classification under the D-2 legislation.

As to number two, the definition of subsistence, I have suggested to another group, the definition for the word subsistence it may apply to those people that have traditionally hunted for their meat supply. In other words, the personal application would prohibit me from using that because of my salary. I am an Eskimo, I was born an Eskimo and once an Eskimo, you're always an Eskimo. What does that mean? I need some native food to keep my body and my system going. That's the difference between what I'm about to say and the application of the word subsistence since statehood in 1959. It's applied to low-income people that the Fish and Game board recognizes as having the need to hunt. Let's see if I can make a better description of the word subsistence. A term was used in a court action recently that I think I would much rather use and have it inserted by the legislature to apply more adequately to all of the native people that need to hunt for their subsistence. The term used by the court in Fairbanks on a answer to a suit by the sports hunting with respect to the caribou moratorium and the limitation that was imposed last July. They suggested the use of the word, I think it was four words, "minimum maintenance of subsistence needs". It should be somehow engineered so that in your statutes that description of subsistence should be

inserted so that the application can be more widely used for all native people that have traditionally used native food for their sustenance, maintained their sustenance, which means, like I said a few minutes ago, an Eskimo known for his character as being a meat eater, we eat meat all the time and because of one person, an Eskimo who was growing up and lived utilizing caribou meat, whale meat, walrus meat, seal meat, you name it. Just because a guy, in one of his years happened to train himself so that he could earn a lot more money and escape the classification of the low income person, doesn't mean he's going to stop eating caribou meat, doesn't mean he's going to stop eating muktuk, like I said once an Eskimo, you're always an Eskimo. And the application of the word subsistence needs to be more described in a broader term to include what I just mentioned, and the suggested definition of the word subsistence is "minimum maintenance of sustenance needs." And that would apply more adequately to all of the native people that must hunt to sustain themselves and that is the reason why we have been fighting this whaling ban, making all kinds of trips to Washington, D.C. and just last week to Tokyo.

We're not staisfied, incidentally, with the results of that meeting but we have an opportunity to work to continue our fight and increase the products established by the IWC. I think that state's effort should be, I don't know, let me make this suggestion, you should probably suggest reorganizing the Alaska State Fish and Game Board. You might have already. You already have two committees, am I correct? One for commercial fishing and the other for hunting? One for fish and one for game, is that it? The board of Fisheries and the Board of GAmE. I want to suggest to you that perhaps you need a third body to deal with subsistence only because we're still subjects in the exercise of our subsistence needs, we're still being governed by somebody

that isn't necessarily involved in commercial hunting. When you take a bunch of fishermen from Kodiak, Bristol Bay, ha, ha, Mr. Chairman, southeastern Alaska, perhaps all the way to Unalakleet and Nome! What do they know about my subsistence hunting in Barrow, Nuiqsuk, Wainwright, Point Hope (inaudible) They don't know the first damn thing about it and that's why during this past year, particularly we have been suffering from moratorium of the taking of caribou last summer. Merely, because some stupid little jerk down there who claims to be a biologist for the Alaska Fish and Game suggested one time, that "My God, they've lost a hundred thousand caribou overnight! Last year there was two-hundred and forty thousand and now there's only a hundred fifty thousand, what happened to them?" Of course the immediate argument was that the Eskimos did an overkill. But, it never occurred. So, being subject to regulations by people, 99% of who is concerned has nothing to do with subsistence hunting. I think it's very bad. In other words, for a third group to be organized that must deal with subsistence hunting, not a bunch of commercial fishermen or some of these sports hunters that wanted to kill the animals whether there was too many out there or not but people that do not understand the need for subsistence hunting.

You might want to take that approach to your state legislature when you go back because again, your dealing with this whaling problem, the moratorium was imposed by 16 countries and that makes up the International Whaling Commission. Try to picture with the United States and it's not now involved in any commercial hunting and whaling. The newspaper release, if you read just a few days ago that came out of Tokyo saying that I angrily walked out of the IWC meeting is a fact. But let me explain to you. The hundred percent of the membership, including the United States chief delegate, had never even visited a whaling camp once. They don't know what whale hunting is all about

as far as we are concerned. Again, the reason for imposing the whale moratorium was because some scientist we kept, we landed 48 whales 2 years ago and at the same time there were 87 or 86 whales struck and lost and the consensus committee whose responsibility was to inform and keep the International Whaling Commission informed stated that these are facts and you must respond to them in some way. So the idea was to say that we'll impose a moratorium. That action is going to be challenged and we're about to file a jurisdiction or two against the IWC because we strongly feel that the IWC has no jurisdiction over subsistence hunting. The IWC was originally formed to control commercial fishing and has absolutely no authority to control subsistence hunting but they did it. Supposedly the IWC took for granted what they (inaudible) these figures are facts and you must respond to them. We repeatedly told them that these figures were too unreliable and that the honor of such figures as a strike in the (inaudible) part of the whaling country. And the method of collecting such information was very sketchy and we know exactly how they got that information. So I merely say, to inform you that again there was another incident where a group of people had absolutely no knowledge of why we hunt the bowhead whale, indeed imposed this moratorium and again our arguments for about three months last summer in July the Fish and Game Board arbitrarily against our own recommendations, imposed the moratorium on the caribou, so I'm suggesting to you that the approach you might take as to how the state might protect subsistence, what to you is subsistence, is by organizing another committee to deal with subsistence alone. And, of course one other area as far as land and water use qualities are concerned as is primary to do with what legislation you might go ahead and pursue with respect to D-2 lands and wherever possible that you imply that whatever the regulations may be for those segments of the population that need to exercise their right to. For subsistence hunting to be permitted at all times and I might add, subject to whatever controls this committee might

come up with respect to subsistence hunting. I'm not saying totally that you have to control subsistence hunting just for the sake of controlling it, I think what I'm saying and which we included in our statement with respect to the bowhead whale is that we don't have a real reliable scientific study I think it should go for both caribou and any other species that we normally hunt for our subsistence hunting. We want to be sure that in the regulations of all the animals, birds and everything else we regulate our management by a good scientific program and maintains that you know stays abreast of the modulation figures for caribou, walrus, seal, fish and everything. It can work.

You have to depend on in this instance like the International Whaling Commission but it doesn't have the slightest knowledge of why we hunt the bowhead whale in the first place and have them impose a moratorium on you is not a very easy pill to swallow. And they paid for some of our travel, the State Department and the Commerce Department but North Slope Borough ended up paying for most of our expenses and our travel to Tokyo and I think the State is going to pay for only about three tickets of the twelve that journeyed to Tokyo to make our presentation. So I think all I'm saying here is that we must get a better handle in the regulations of our subsistence hunting in the State. I don't know if you have any questions. I don't have a prepared statement or anything but I'll answer any questions you may have.

Representative Nels Anderson: Does anyone have any questions at this time?

Representative Sam Cotten: Well, this is the first time I've heard any of your reports on your trip to Japan so I'm real interested in what your next moves are going to be and you pretty clearly said, you know, that you were going to file a suit. I just wondered what sort of time table you were talking

and what the chances look like as far as a change in the IWC's position.

Eben Hopson: I'm not sure but we were delaing with this in Washington. We decided that it depends on how we felt at the Tokyo meeting as to whether we filed a juristictional suit or not. By ending up with a very small quota actually in itself lifts the moratorium now that we're under the quota system the quota system is totally inadequate, and I'll tell you why. Unless I meet with our whale commission say by March or maybe February and come up with the distribution of the twelve authorized takes (inaudible) situation could be that because St. Lawrence Island and Point Hope, Noatak and Kivalina start their whaling seasons two weeks before we do here. It's a possible chance that all the twelve may be taken by these four communities even before we send out our first crew in Barrow. Because there is a two week time period to go to Point Hope, usually when we hear somebody got a whale in Point Hope. It's going to be two weeks before it arrives here. So we could end up with that situation.

But as far as timing, ah, I need to consult with both Billy and Charles Edwardson, Jr. and our attorney in Washington, D.C. as to whether they agree with me that we should now file our jurisdictional suit. It's possible by asking for even a temporary judge on the quota because of their lack jurisdiction. We may be able to negotiate a little higher price with the Commerce Department with Interior support and negotiate a larger number without having to go through the IWC. The suit itself will challenge the authority of the IWC to impose the maratorium or a quota as far as our subsistence hunting is concerned. Even a temporary injunction agreed to by the court, we can negotiate for a higher number. So, I don't know exactly what the, as far as any legal action is concerned, what the time tables would be, but the next meeting

of the IWC is going to be in London, I think maybe in January, the latter part of January or February. If not the latter part of January it's going to be in February, the next regular meeting of IWC. So if I can get on the phone and get the consent of at least four people, our lawyers in Washington Charlie and Billy; of course, I've got both Arnold and Jacob Adams here so between the six of us we'll decide how soon we're going to file the jurisdictional law suit in an effort to improve the quota, the numbers that are being dealt with by the IWC. I really don't know exactly what the time tables...

Representative Sam Cotten: Yes, but how did they arrive at such a ridiculously low number, how did they arrive at that? Did they just pick it out of a hat or...?

Eben Hopson: Well, no, before we left for Tokyo the United States position came out. We got 30 and 15 that was the two figures we got. In other words, we can make a strike on 30 and land 15. That was the United States position and it turned out that they, we managed to talk to the U.S Delegation and managed to compromise that down to 18, it was 18. Then it struck me that was absolutely nothing to us but their position was 15 take and 30 struck, struck but lost. Which meant absolutely nothing to us, but we had to increase that by three from the United States position at 18 so they (inaudible) 18, we told them, we have stated in our position that we have minimized the terms used by the IWC which is to strike and land as far as the use of weapons are concerned. We have eliminated the reason to (inaudible) that was contributing to our struck and lost proposition by eliminating the (inaudible) method by which each crew claims the whale. Traditionally, if you shot a whale 30 feet away with a shoulder gun and later on some other crew puts a line on it you have a right to the whale. The first person who puts a bomb into that whale had a right to claim it. So

in our position, we eliminated that. You cannot use the shoulder gun unless you do it simultaneously with a shoulder gun or a harpoon. You must have a harpoon. The first person who puts a line on that whale, makes a strike, must have an immediate kill, or if he lets loose of his line and they float, someone else pick it up over there, the guy that put the line on it first claims the whale. We have eliminated this charge by the IWC that was ending up that a bunch of reckless young kids that want to use the shoulder guns for distance although they're not going to kill it. Just for the purpose of putting a bomb into the whale.

Representative Sam Cotten: When you say a shoulder gun, you didn't mean a rifle?

Eben Hopson: No, whale gun, bomb.

Representative Sam Cotten: Well, then there's no line on that.

Eben Hopson: No line on the shoulder gun bomb. You have to throw by hand the darting gun in order to put a line on it, that means a very close, very close distance. So we've eliminated this.

Representative Sam Cotten: Was there any other dealings with the other countries that were involved, the other 16 countries that make up this whaling commission?

Eben Hopson: I was hoping you wouldn't ask that but I will tell you that now. Of all the countries, Canada spearheaded the fight for a very low quota and they won out on three votes. Canada delegates, they wanted a quota of six for the whole native whale hunting community, I don't know why. But they had two

native advisors over in Tokyo, Sam Raddy and one other. But the instructions given to the Canadian delegate came from Trudeau and that son of a gun wouldn't listen to his native advisors, who were supporting us 100 percent. He wouldn't change. He not only did that, he was very vocal, and really talked against the Alaska Native for its higher quota. It was Canada and I think South Africa, two that were outspoken.

Surprisingly enough, the two countries that were our heavy supporters were Japan and Russia. Surprisingly enough, they supported us, voting for us each time. But, you see, in this vote, we needed 12 votes, they needed three quarters of the total commission in order to agree to the moratorium. In other words, this vote lifted the moratorium that was imposed by the Commission in July. So, we needed, in order to come up with an agreeable quota, we needed 12 votes. Now, the whole table changes around if the Commission wants to enforce another moratorium, or lower the number 12 down to a smaller figure, they are going to need 12 votes, not us, we will only need 4 of the 16 to block any effort to cut that down. But in this instance, we needed the three quarter vote, so we had problems. I'm not sure, the Netherlands, Canada, South Africa and I don't know, one other, I can't think of the other. There were four votes that were very much in doubt as to whether they would go along, and Canada lead the whole fight, all during the day. Does that answer your question Leo?

Representative Leo Schaeffer: It is surprising, you know. Especially coming from Canada, you'd think that they would lean more in our direction.

Eben Hopson: Yeah, well, Sam Raddy, you know Sam Raddy?

Representative Leo Schaeffer: I know Sam real well.

Eben Hopson: He wears those colored glasses, he's blind, you know. And there was another kid that took him to Tokyo. They were, as usual, they were 100% behind us, but the delegate himself, the voting delegate got his instructions from Trudeau, and there is no way that you could sledge him with a sledge hammer and he wouldn't change, that's what the situation.

Representative Leo Schaeffer: All those countries that make up this Whaling Commission, I think the United States is the only one that partakes in subsistence whaling, is that pretty much true?

Eben Hopson: Our information is that subsistence both in Japan and Russia.

Representative Leo Schaeffer: Oh, there is.

Eben Hopson: Yeah. As a matter of fact, Etok and Billy went to Hokaido on the day we left for home trying to make some observations as to exactly how Japan conducts its subsistence hunting. They have some. And I understand in Russia they hunt the real young, baby whale. Certain part of the year, when they are real small and tender. That's the only time that Russian whalers, subsistence whalers go out, otherwise I have no information that the bowhead whale is taken by the commercial whalers. There is some subsistence both in Japan and Russia. We're the one that historically kill the bowhead. When the United States abandoned its commercial whaling fleet, way back in 1926. There have never been any other whaling activities. That's the reason when you read the newspapers that I want the United States government to reject the quota and get out of IWC. We would be in a hell of a lot better shape because some of the information they were giving the commission, some countries as long as you not a member, a participating member, of the IWC, you can totally disregard

their regulations. And because the United States is a part of IWC, the IWC uses the United States as a vehicle to impose this moratorium on the Native subsistence hunters just because the United States is a member. That's the reason I suggested that we ought to pull out of IWC.

Representative Leo Schaeffer: How do they get into a position like this, are they appointed by the President of the United States, or how does that work?

Eben Hopson: No, no. I guess any country that wants to join the IWC, they can do so at any time. In our country the appointments are made, I think the appointments are made by the Commerce Department. There was a shift made, remember when I blasted off here that Dr. Aron, who agreed to this thing initially that he should be fired and everything else? Well, the situation was the enforcement director of NOAA, National Atmospheric Oceanic Administration was the enforcement director of NOAA became the official delegate for the United States, Richard Frank. Dr. Aron, who was in that position, became just advisor, status like we were, the three of us from Barrow. There is another guy, by the name of Tom Garret who was the Deputy Director, but both Garret and Aron made some real bad remarks about the Eskimo culture previously in Washington D.C., but they were also in Tokyo. But there was some shifting done and I'm under the impression that it was done by the Commerce Department. It might have been done by the State Department, I'm not sure. But, I don't know officially, exactly how you get involved in IWC. My impression is that any country is that any country may join IWC at any time. And that country appoints its own delegates, not by (inaudible)

Representative Nels Anderson: Sam, did you have any questions?

Representative Sam Cotten: I just had a general question as to what sort of support the State has given your cause here. Like right now the legislature isn't able to do anything here because we are out of session, but has the Hammond Administration been cooperative in your efforts?

Eben Hopson: Hammond's office by using Chuck Meacham, Chuch Meacham was over there, I think he was helpful. And also the State office, what's his name, the guy who holds the governors state office in Tokyo. He was also logistically helpful, with our needs over there. The cooperation was great. But (inaudible) to some extent the Washington delegation but the problem was the other 15 members of this delegation, who for no other reason, obviously, they want to show the United States a little lesson. They want to show what we can do to the United States and they did it. Arbitrarily, they went ahead and did it, so, although we had it lifted and I can go out and shove off next spring with the whaling crew without violating the moratorium, the quota system is very inadequate. We have some hope of improving that by working with the Commerce Department, if in fact, we're going to file this jurisdictional suit.

Representative Sam Cotten: I don't have any thing else.

Representative Leo Schaeffer: I just wanted to tell Eben, that any future endeavors as you might consider as far as filing a suit, I can't speak for the committee as a whole, I can speak on my own behalf, is that I'll support you 100% in whatever comes out, it will be whatever the people up here can live with.

Eben Hopson: The situation now, is I haven't coordinated with all the people

involved, but three weeks ago, we agreed if we don't fare too well in Tokyo, we'll go out and file this jurisdictional law suit. It just depends upon my coordination with the other guys.

Representative Nels Anderson: Eben, is there anything specifically that the legislature can do? Do you think, for instance, that a resolution coming from the legislature, asking the United States to withdraw from the IWC would be helpful or would that interfere with...

Eben Hopson: It wouldn't interfere Nels, but you want to understand that remark was made just a few hours after the IWC imposed this 12 quota and I was still hot under the collar when I made those remarks and I guess it needs to be thought out a little more before you follow through on my remarks over there. I was still hot under the collar when the press conference took place and I might have been out of order making that remark. We know that is a possibility. Although the United States may never agree to that. The United States Government has been used by the IWC to impose this moratorium merely because the United States government was a member of the IWC although for all intents and purposes, there is no commercial whaling in the United States.

Representative Nels Anderson: Well, if you'll recall, Leo and I did send a telegram to the President of the United States asking him to, at that time there was another argument going on, whether we should object, whether the United States should or should not object. I don't know what good that telegram did, but it did get some publicity. I felt rather helpless at the time, the session, the legislative session not being in session, there was very little I could do.

Eben Hopson: All of us suffered terrible setback when the United States Supreme Court rendered that ruling, that was one of the reasons we felt at that time, a couple weeks, about 10 days after the ruling we were called into the White House to talk to Mondale, and it turned out Andrus was there and to talk business because of the Supreme Court ruling against the objection that we were going to have the United States make. We felt at that time the instructions that were coming from the Vice President were alot stronger than what actually took place in Tokyo. They assured us that they wanted to change this whole thing so that all of us may end up either by doing away with the moratorium or come up with a quota that all of us could live with. That came from Vice President, and not exactly what the United States delegation did in Tokyo, so we have a reason to believe that we have the mechanism to do it with we might be in a position to work on this quota.

Representative Nels Anderson: Eben, can we go back for a moment to your suggestion on the Board of Subsistence? I personally think that is an excellent idea. It is something that I haven't considered. What I have considered though, and for your information and those others in the hearing audience, is that we have devised a piece of legislation that would create a Division of Subsistence in the Department of Fish and Game where you would not only have a Division of Commercial, Sports Fisheries, and Division of Game, but you would also have a Division of Subsistence that could go out and be totally responsible for gathering information as you suggested, rather than be relying on information that comes from commercial sources. You would have information coming from people like yourself and others where this information is far more in my opinion, valuable, than that which we have in the Department at this time because the subsistence user and the commercial user and sports user are all looking at different aspects of the utilization of fish and game. And, I think I would

like to pursue this, and ask you, if you would consider it a great deal further, put a little meat on the bone, so to speak and if you have any specific legislative suggestions, our Committee would be very happy to receive something of this nature and I think we'd like to push that as far we we could.

Eben Hopson: I want to make it a point to include that because we have on our schedule on the 3rd of January, here in the Borough, meeting with the Assembly and our advisors, and our lobbyist and we're going to come up with a legislative program for the North Slope Borough. We'll make it a point to include that in one of our recommendations.

Representative Nels Anderson: Thank you, that sounds like an excellent idea. I don't have any other comments, except that I think I would like to share with you that there are many people who feel that salary or income should not be used as a criteria for defining subsistence because there are many people throughout the State of Alaska who have grown up on foods that they really feel that they need and if they don't have access to these foods there's something missing that you can't buy in grocery.

Eben Hopson: I might add that I participated when this word subsistence was being applied for the first time in the Statutes of the State of Alaska. For while, it was satisfactory, we permitted those at that time to be able to hunt because they were in fact low income people. But as we went on and on I think we lived out the necessity for having this classification. If you're going to qualify for subsistence use and particularly after we organized the North Slope Borough it came out quite obvious that with the concerted effort by the Fish and Game Board, (inaudible) out different kind of limitations and moratoriums that I learned that the description of the word subsistence

the way it has been administered is very inadequate. I might have a suggestion here, but we might be able to pull out and introduce it for your legislation.

Representative Nels Anderson: Any other questions, or comments? From the committee members. If not, I'd like to thank you very much for taking the time, I know you've been travelling quite a bit and appreciate your comments and especially appreciate that suggestion of that Board of Subsistence. It should, I think be created.

Eben Hopson: I thank you for the opportunity and I wish I had a written statement to make, but I had forgotten about the dates, otherwise I would have had something prepared, but anyway thanks for the opportunity.

Representative Nels Anderson: Thank you. Do we have any one else who would like to testify at this time?

William Thomas: My name is William Thomas, and I'm with the Arctic Slope Regional Corporation. I'm here to send Jacob Adams' regrets, he's not able to be here because of a Board of Directors meeting, this evening, however, he would like me to say a few words regarding some of our feelings on subsistence but we will submit a refined and a more definitive statement to the State at a later date. ASRC has taken the lead in inserting corporate economic development in the regions, however this assertion for economic corporate development is not to be interpreted as demeaning or relinquishing the people of the North's rights to continue in the lifestyle of their choosing. Well, that is our responsibility, we also recognize the responsibility to respect to allow people to continue that lifestyle, and to that end ASRC has pledged its support in all of its activities to maintaining the subsistence

lifestyle that truly reflects the needs of the people. ASRC has been critical in the past of the States role in game management and probably will continue to be critical, critical in a cooperative nature. And particularly critical of the State's management in the Northern Alaskan caribou herds. I'm sure what I'm saying here merely mirrors much of what Mayor Hopson already said.

In the issue of D-2 and subsistence, ASRC recognizes and hopes that the State will recognize with it, that it is going to be a very difficult road in coming up with subsistence legislation out of that Congress that are going to meet the needs of the people throughout the State. We hope that the State can join with ASRC and the people of the north in trying to meet those needs.

In regards to the whaling, and I intend to be very brief here, ASRC is in full accord with the recommendations of the Alaskan Eskimo Whaling Commission which Jacob Adams is the Chairman, and we would ask the State to review those recommendations very carefully and that it could be done in conscience and in a cooperative spirit, the State endorse those openly. And the ASRC thinks that would be a positive step toward recognition of the Federal Government of the Alaskan Eskimo Whaling Commission. We think that it is very important that the issue of subsistence gets out of the international forum. The vagaries and the whims of the political maneuvering on an international level are too complex and too non-relevant on such a vital issue to the people of the north. Those are the major points that the ASRC would like to assert at this time and we intend to assert and amplify those assertions at a later date in writing.

Representative Nels Anderson: For your information, the Committee will be dissolved by the Legislative Council on January 7th. And, if we could get your comments in writing by that time, we'd certainly appreciate it because

we are preparing our, this is our last meeting in a series of many meetings we've had throughout the state and we will be taking whatever information we get and compiling it into a final report to the Legislative Council.

William Thomas: Thank you and thank you personally and ASRC thanks you for the opportunity for being here.

Representative Leo Schaeffer: I have one question. The Alaska Eskimo Whaling Commission regulations you were talking about. Where can we get a hold of these?

William Thomas: I can supply you with a copy of those regulations that were endorsed by the Commission, tomorrow. I assume you will be leaving on tomorrow's plane.

Representative Nels Anderson: Yes, we would like to have a copy of these. Any other questions or comments? Thank you very much. We appreciate your comments. Anybody else who would like to testify? Is there anybody else who would like to testify, Dorothy?

Dorothy Larson: I just passed the list around.

Representative Nels Anderson: You mean to tell me that Eben and Mr. Thomas have said it all for you?

Representative Sam Cotten: I would like to comment on Mr. Hopson's testimony. That was sure a wealth of information on the particular issue that's had the most publicity when talking about subsistence. I think it was very comprehensive and I certainly would be surprised if many people could add much to it.

Mr. Hopson's testimony.

Eugene Brower: Mr. Chairman, Mr. Leavitt here would like to give you a little story on the way of the Eskimos up here, if you'd like to hear it.

Representative Nels Anderson: Yes, we would very much like to hear it. Morgan, or someone, are you going to interpret?

Eugene Brower: Morgan can interpret.

Representative Nels Anderson: Okay, yes, we'd welcome it.

Daniel Leavitt: I won't talk about your life you talk about here. I never been to school. I suppose I'm the oldest here, I'm 60 years old. I have a brother over here who's more than 60 years but he's got little more than I have. I think Mr. Sakeagak can get all my words in Eskimo, I suppose.

Morgan Solomon: Well, not all of it. I'm a little rusty. Mr. Leavitt proceeds in the Inupiat language and Morgan Solomon translates his testimony below:

This man here was born here in Barrow in 1916. There were only two houses here in the village of Barrow. He was born where there was no doctors, no hospital quarters or anything that attempt to help his family, his wife or whatever. Since the time began he realized he is fighting for the (inaudible) subsistence hunting that has been (inaudible) ever since he can remember. Every since I was 10 years old I can remember that my family lived in hunting way of life. Looking forward to the day or the following day that they would have

something to eat in the way of hunting. Since the time he can remember he realized that the hunting was the only thing that kept them alive. And ever since that he was 16 years old trapping and whatever that he can remember that the laws that was before him made him suffer. And ever since he was 16 years old he can remember that on December 16 or 15 he can, he had to go ahead and put up his traps so that he could provide for his family with the little money he got from the trapping. He can remember and recall that trapping stopped around April 15 that he really had exceeded those days, he can recall that he will be picked up by the commissioners if he had broken that law. Then he knows that when this happens he know he had broken the law and that he must protect himself. And that from the time December 15 through the 15th of April if he had broken the law, what could he utilize to provide his family with. And then in doing so that he must go to a store where he can purchase line items like coffee, shells, tea, flour, whatever. If he didn't get those animals between those two days he must turn around and try to utilize something else to buy whatever he has to eat from December until the following winter.

During winter times he is allotted twenty shells and then with those twenty shells he had to provide his family with caribou, seal, ptarmigan or whatever. Without those shells you can't do nothing. During the summer time his dad had to take them out in the country to provide the family needs. Fishing hunting and whatever even though he knows the time is short. And up to this day the subsistence hunting style here is so critical that he can't do whatever he wants because he days are beginning to get short.

And then when the days are beginning to get longer around April, April 15 or somewhere around there, his father must travel many miles between Barrow

and the point wherever he is from to hunt whale. And then during that time his brother and him must go out whaling so that he can get a fair share of that whale that they catch for that season. And then during the whaling season the people that hunts whales must share with every catch they have, each boat having its share and sharing with the community. And then as far as he can remember he will never recall of any ways to shoot that whale ever since he can remember out hunting. Even the whale bones, the backbones, the rib cage, the whatever, is taken into the shore. And then every since he can recall, he knows that natives are never wasteful and that he is happy with that particular thing. And then he is happy that his father had given that privilege to him so that he can learn to hunt whatever he must get from the ocean. Every since he can remember there was six in his family and every traditional hunting thing he had learned from his father, he must carry on up until today. And he uses that traditional way of life up until today. And he doesn't work. And that he know the difference between an Eskimo's way of life and an non-native way of life. The non-native way of life is your lifestyle at present. Up to today he is saying that the Eskimo way of life, the traditional way of life, today is very critical and it hurts. The non-native way of life from an Eskimo's way of life is much harder. The native way of life is very hard because when you are looking towards an (inaudible) or approach you must be sure you follow the rules applied to that particular area. And up to today, he sees that when the government had taken away our caribou, and our whales, the native way of life is at turning point. And that he is a whale hunter up to today and that he can catch a whale whenever he wants to. And he would like to see that this traditional way of life, this way of hunting, he will continue it until he is 6 feet underground or whatever. He had seven boys and 1 stepdaughter. And up to today, his 6 sons are not what he was brought up to be, they don't know how to hunt to well. Up to today, he has

put his sons through school up to the 12th grade level and some of them had finished college and some are continuing. And then up to then since he had been giving the privilege to his kids to learn how to hunt. And then this way while he was not out on the ocean, they caught one whale.

And it would be that we should continue to live our lifestyle just the way it is. He will continue to live his life under the traditional style as it is today. And he says that he will be the first person to be in jail or to be in prison if he should break the law. On the month of May he has prepared all his weapons, his boat and he is going out into the ocean. And that he would appreciate that you go ahead and utilize some of what he has said and he would really appreciate it.

Daniel Leavitt: Thank you.

Representative Nels Anderson: Thank you very much. Is there anyone else that would like to testify? If not, I would like to invite the people of Barrow and the surrounding villages of Barrow to write us a letter on how they feel about subsistence if they would like. I would like to invite any letters or testimony before January 7, 1978, because at that time the legislative council will wipe this committee out, so to speak, and hopefully by that time we'll receive more testimony from people in this area and other parts of the State of Alaska as well.

Michael Jeffrey: My area that I travel through is the entire North Slope Borough except for Point Hope. I'd just like to share with you, obviously you can see I'm not a person born in Barrow, I can't speak with the experience of Mr. Leavitt, Eben, Eben Hopson, or other people you've heard. The only

thing I can bring to you is to try and share with you some of the things that I've been hearing in some of the villages as I travelled over the last year and one point in particular, that hasn't been said tonight, that I think needs to be said, is the strong feeling that people have for local control. In other words, if you're going to have silly things that happen, take as an example, the village of Kaktovik, now the village of Kaktovik on the map over there on the wall is the one that's over there near Canada, on the far right, right by the Canadian boarder. As it happens, when the caribou hunt was stopped, they stopped it in Kaktovik also. Now, actually, the caribou that the village of Kaktovik hunts is not the western arctic herd, it's the Porcupine herd. The Porcupine herd comes in through Alaska and also over into Canada. The Porcupine herd is in great shape, it's very large, there's over a hundred thousand in that herd and yet the Statewide administration scooped up Kaktovik and included them in the same moratorium. They did, they were farsighted enough enough to open hunting in Kaktovik earlier than the other villages. But even then, they missed the boat. Because even then they opened the hunting, the Porcupine herd migrates up near Kaktovik and then it starts going back and I may have the month wrong, I think it's around in early August. The Fish and Game opened Kaktovik's hunting just as the herd was leaving or gone. Now that, I hope that they did not intend that, that it was simply a mistake and that next year they will take into account the particular circumstances of that village (inaudible)... But that's just an example of the problem that's going on that is lack of local control.

When you see tomorrow, as Bill Thomas was saying that he'll provide you with those Alaskan Eskimo Planning Commission regulations, you're going to see that those are very complete. Many of us that are here tonight were at the meeting here in Barrow when the Alaskan Eskimo Planning Commission and also

when those regulations were passed. It's a beautiful thing, it was packed, with whaling captains from all over the North Slope and also from St. Lawrence Island, down around Kotzebue, it was a statewide meeting. And they went through all these regulations and they drafted a different set and it was translated into Inupiat and people made their comments. It was obvious that this would be an effective thing. When the whaling hearings were held here in Barrow, the question that was asked of me, I guess probably because I'm a lawyer, I guess, the hearing officer wanted to know, "Will it work, will it work, does it mean anything, or is this kind of like public relations or something?" Well the point is, that it does mean something and it's the only thing that's going to work. In the early drafts of the Whaling Commission report, they pointed that out. It's cultural, it comes out of the culture of the people here. The captains regulating themselves. And that is the kind of thing, there's so many reasons for having multiple control. One is, that the people here have the knowledge, they have the knowledge of where the caribou are, or the status of the whales, they have the knowledge of how best to regulate it to keep the herd at a level where their own hunting can continue. And also, from the point of view of the culture of the people, that is the way it's going to be effective. Instead of having a bureaucrat coming in from outside, there's a lot of enforcement agents coming in.

There's a lot of feeling in the different villages that the State Department of Fish and Game is too new in the way it administers the regulations regarding hunting or mainly in the interests of the urban sports interest. There's a vague feeling that there needs to be more understanding and feeling for subsistence hunting. I think you all obviously recognize this. That's certainly the method that I would hope that you would hold with that would strengthen is local control. Now I know there are statutes that exist right

now for that. But you are aware that they're not working right now. For some reason or another. The legislature should look at that. Why aren't they working? Why argue if (inaudible). The only other think that I'd like to share with you is that when we were talking about a census, if I could just share with you the census of whaling. Rosita Worl did a study for Arctic Slope Social Economic Subsistence Complexes, which are a lot of big words, but it's a study that came out of her extensive experience up here on the slope where she lived for quite some time but she also brought here academic background. But she just says whaling is an expensive undertaking. As in the past, only the wealthy could amass a fortune to support a whaling crew. Then she lists, you know, snow maching - \$2,000, a sled - \$250, a tent - \$200, camp equipment - \$200, gas, food and bombs for the whaling \$200, clothing \$300, oovrik s-ins to make ikoomiat \$300, skin sewing - \$300, and the frame for the boat - \$600. \$6,150.00 and she says this is a minimum, a bare minimum, you having to support an average of 8 crew members for the 6 weeks whaling season. And that kind of underlines what Eben Hopson was saying earlier, and that is we must not put a monatary limit on the definition of subsistance. These days, subsistence could be expensive. But when you compare it to the price of the equivalent as your NANA Corporation studies have, when you figure out how many millions of dollars came into the economy of the NANA Region from (inaudible) they did the whole study, it's over there. It's obviously true of the North Slope also. I mean dollars and cents, it makes sense, it is expensive, it takes cash and so you can't just limit to low-income people. It should be instead limited to areas. A wealthy person, say in Anaktuvik Pass, who might have got a fair amount of money in construction jobs or something, that still doesn't mean he has access as you well know, to adequate food supplies. It's just not there. If he can't go out hunting and supplement his diet that way, his family is going to be hungry. They're going to be eating hash. I

mean, when you go out to Anaktuvik, when I was out there during the caribou ban, I go to these village families. and what are they feeding their kids, they're feeding their kids T.V. dinners. Taking a T.V. dinner out of the oven, cans of hash and things like that and you know how expensive that is when you have 10 kids. A T.V. dinner is not only to start with is more expensive than they would be in Fairbanks or Anchorage and on top of that you've got 10 kids. But that was all they had. And so you know it's really important to look at the location of the places and define the subsistence needs in those terms rather than in terms of income. And I just, one last think, and that is, this is just beautiful and it's not off the point but it's, I don't know, it's a poem in the Tundra Times that was just out, but let me just share it with you, it says:

"An old man on the bank of the Yukon where it embraces the sea,
Stirring his cockpot fashioned from a 55 - gallon drum.

I'm nourished by the whale,
The flesh of the whale strengthens my flesh,
The blood of the whale sustains my blood,
The spirit of the whale runs with my spirit,
And I travel ever deeper to the sea of my beginning,
And laugh at the clouds to feel the song of the whale thunder and whisper in
my heart,
Smiled in his wrinkles of great beauty,
His eyes soft and deep,
As all the ages, he silently sings."

Those kinds of feelings, although beautiful, I don't know who wrote that, someone named Tundra Voice, I don't know who it is but it's those kind not articulated that way perhaps that I'm feeling up here as a new person on the North Slope. But underneath all of this, underneath the feelings of the people here, actually are more in line of something like this. They're not simply shoulder guns, or harpoons and blood and things. It's more like this and that's the kind of feeling I'm beginning to appreciate up here and that's what you all are trying to protect. Anyway, it's just some comments.

Representative Nels Anderson: Thank you very much Michael, appreciate it.

If there is no one else to testify at this time, all I want to say on behalf of the committee is that we appreciate all the work that people did put into having us here this evening, it may not have been the best night in December to hold the meeting but we do appreciate the comments that we did get. And I want to wish every whale hunter a successful catch.

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

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

Female:

Okay, this is just briefly--like I've summarized what everybody said in there--you know--should I come out with the names or just--everybody just recognize their comments.

On the definition for subsistence, first comment was it should be laid to low income users, and subsistence users should be considered those who hunt, trap and fish and use the products of that either to the extent of selling the skins or crafts made from it. The next one was thought subsistence was traditional hunting and fishing and maintaining the culture. Next was subsistence means enjoying the fruits of the land and being able to hunt and fish, and also this person pointed out that being a seasonal worker and the limited income, and even though they are employed a part of the year, they need that game to supplement their home as many people are seasonal workers here. He also pointed out that the welfare limit of \$5,000 is too low and that it should be scaled and there is a lot of welfare families that are poor and live on a little over \$5,000 a year.

The next comment was that subsistence should be limited to those not living in a cash economy. Next comment was that this man feels that he should be able to hunt and fish now the way he was able to do all his life, and his father before him, and his grandfather before him, before the white man and Fish and Game Department came. And he felt that Indians should be able to get just as much game and have just as much hunting rights as they had before. And he made a comment about the commercial fishing taking all of it, and then later another man came in and said basically the same kind of thing--that he doesn't feel--he feels he should be able to have all the rights that he's always had to the fish and game without it being regulated.

The next person said subsistence fishing should be based on income, and he doesn't like to see these tourists coming out from Anchorage and Fairbanks and going down to Chitna and getting all the fish that they have.

The next one was the feeling that subsistence is a combination of lifestyle and need--that regardless of income, the resources belong to everyone and to some extent, with some regulation, everybody should have a right to get fish and game.

Next one--subsistence means making a living off the land, traditional culture. There have to be some regulations, and it could be economics.

Next comment was that people who live in the city shouldn't be considered subsistence at all because they don't need subsistence. They've got their own programs in there. And that there's too

Female: much waste going on of the caribou and moose. And that comment
(continued) was mentioned throughout the discussion, and it was always
aimed toward city people coming in and killing moose, caribou
and leaving parts of it.

And the next comment was subsistence means what the word says--
subsistence for sustaining life--and the word should be kept
as simple as possible and other words should be used for when
we're dealing with culture and things like that.

And then one person told a joke about natives use all the moose
and caribou and, you know, every game they catch. And the
hunters come into the area . . . There was another comment
about city people wasting moose, and there was a lot of comments--
a lot of anti-urban feeling.

And the last one was the Fish and Game Board doesn't care about
--it's just quote/unquote--the Fish and Game Board doesn't care
about the poor Indian. And they're out there in Juneau, or
wherever they are, and they don't relate to the people that
are subsistence livers.

Female: I would also just ask to tell us the tally of Question 2, and
after lunch we'll discuss the reasons people answered it the
way they did. This is the one that says, "Do you agree with the
State policy which gives subsistence a priority over other
consumptive uses?"

Female: There were 14 yeses, no no's, and three people said that they
really didn't feel comfortable answering the question with
the vagueness of the information.

Female: Okay. And then after lunch we can discuss why people answered
it that way, and on to the one about which management plan you
feel is the best for subsistence. . .

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Male: We're interest--we're not worried about down below--that cannery,
or someplace down there. We're just interested in our own land
and our area where we all live right here. We all live here
together and we'd like to go hunting and this and that, and if
it be here, we'd like to have something to say about it--not
somebody down from someplace else. And I think the only way
we can do it is to break up into smaller regions like Herc (?)
said.

Female: Two people who are sort of in favor of the regionalization.
Yes?

Female: This sounds agreeable, but does that mean there would be 12 regulations books? Or 7 regulations books? So that each region would have to print their own?

Female: No. It means that each region would have to have their own policies, but in terms of the regulations per se, the Board of Game and Board of Fisheries would have statewide authority, you know, to say that this region's regulations or this region's policies are in effect except where there was conflict, say, between two regions; and then they would have to arbitrate that.

Female: In implementing the regulations probably they would just adopt what was already in the regulation booklets, or would there be a great reform?

Female: It would depend on how the regional boards, you know, wrote it up, how they proposed it, what--I get the feeling that essentially what would happen would be that whatever the regional boards proposed would be the plan for that region unless there was some reason why it shouldn't be.

Female: The twelve regional areas that are along the guidelines about, you know, boundaries of the native corporation--that would give each region the power to stop moose season, or something like that, if the moose were being depleted, and not have to wait six months for it to be all gone and then stop it by the time it goes to the Fish and Game Board.

Female: That's right. They would have the--well, as I said earlier when we talked about options for the amount of authority under these boards, it's still unclear that they could--at the very least they could vote to do that. Now whether or not they'd actually have the enforcement authority to do that is unclear yet. At the very least they could say, "We want this stopped at such and such a time," and send that to the Board of Game or the Board of Fisheries, and the Board of Game or Board of Fisheries would have to have a reason for directing that, if they did. They would have to make a public statement as to why they did not comply with the regional board's wishes, if they didn't. So at the very, very least, what you would get would be--

Female: So you'd still be sending it to the Board of Fish and Game anyway--you couldn't have the power to stop it.

Female: No. One option, which I showed you earlier, is that you would be able to have the authority and the top option here to make the final decision, and that the Board of Game or Board of Fisheries could only override you in the event of conflict between regions. And then, as I said in the middle one, you

- Female:
(continued) could reject proposals that you didn't like, but you would have to pass all the others on to the Board of Game or Board of Fisheries for their final approval. So you would only have rejection powers in this middle one. The third one is just an advisory level where you just comment on all proposals, good and bad, and pass them all on, and again the Board of Game or Board of Fisheries would make all final decisions. So this one the regional boards are making the final decisions; this one they're just rejecting some bad ones and kind of weeding out what they feel are not good but passing on; this they're passing them all on but making comments on it.
- Male: That's essentially what we have now.
- Female: This third one--yes. That is essentially what is going on now, except that there is no regionalized structure to make comments, and you're getting comments from all over the state on an advisory basis, which a lot of times is kind of conflicting. It has no kind of coherent statement for the help of the resource unit. A lot of people feel that the regionalization wouldn't be good unless they had this much authority, however. So, that's some comment you can offer in your statement on whether or not you favor regionalization. Maybe you favor it conditionally, and that condition might be that you'd want them to have a lot of authority, or you'd want them to have a minimal amount of authority, or you'd want them to have the current amount of authority. Yes?
- Male: I don't know--I think a lot of that authority should come from the regional area instead of, really, from this big Board because, like they said, we live in this area. We don't plan to move around or anything; we plan to stay here. And I think we're concerned enough to worry, and worry about the game and all the animals in the area.
- Female: So that the regionalization for you would mean--
- Male: Sure, you know, because I think it's really important for us to have these things, and I can't see going all the way up in the Fairbanks area to do some hunting. We can watch this place ourselves and work out some kind of way to control it instead of they control it down in Juneau. Because like, for instance, these people that are elected to this board coming out of the governor up there, it looks to me like it's a political thing there. One year you have Democrats; the next year you have Republicans. And we'd rather have the people here.
- Male: In terms of the legislature having to ratify those board members, it's really not quite as much influenced by the governor as your (indistinguishable). I think the threat is much more the

- Male: legislators' threat than it is the governor's in terms of those people being--a prime example being last March, April in Juneau where proposals for dealing with the area of subsistence, eight Fairbanks legislators stood up and threatened the Board of Fisheries, and two of those Board members are no longer there. In other words, when they were up for reconfirmation, they got eliminated because of legislators' threat, not the governor's threat. You know, I think the threat is much more at the legislative level than it is the governor's.
- (continued)
- Male: But that's still a political body--
- Male: Looking at the regional boundaries here seem to be covering the entire watersheds and, if we're trying to manage the fish, it has to manage the watershed. Now if you divide that up into regional corporations, are you going to have a regional corporation that is dominated by commercial fishing fighting against a regional corporation boundary--not the corporation but the boundary lines that are subsistence. Like this regional corporation in the Ahtna region is basically subsistence fishing whereas if you look at the regional corporation south of us, which is basically commercial fishing, is there going to be inner strife there because of the two different interests? Where this boundary managing the whole watershed might give a more unified benefit to the entire fishery.
- Female: One viewpoint on that from the administration's point of view has been that the largeness of these regions has not (indistinguishable) but it is purposely created that way to make the conflicts resolve themselves at the regional level before they go on to the higher level--to the statewide level--so that it forces people who have different interests to come to some sort of conclusive idea among themselves on a regionalized level before it goes on. There is some support there. We'll take some more comments on the plan. How about--could we just have a show of hands as to how many people do favor the regionalization over the other, over the current plan? How many people think--
- Male: Do you want to be more specific on that?
- Female: Well--
- Male: Do you mean this region what you have up here?
- Female: Do I mean whether it's twelve regions or five? No, I would rather be kind of just vague about it because it's a matter of just the idea of breaking up the state into any regions--any number of regions, be it five or twelve, based on, you know, native things, has not been decided yet. And so it's just the idea in general of breaking it up or maintaining the present structure.
- Male: Well, a comment on that. I couldn't vote on that because I would not vote for breaking it up and splitting up a watershed, but I

Male: would favor managing the watersheds. So by making a blanket
(continued) statement, "We should chop it up," I think that would be very
unrepresentative of many feelings.

Female: Then we should vote three ways, then, whether it was like this,
or whether it was on regional corporation boundaries, or whether
it's the same.

Male: That's gonna argue because what you're trying to say, you're
trying to divide up the natives, or you're trying to split that
other group on the end, so the majority wins. Just like I'm
talking about Anchorage. They could outvote us any time.

Female: Uh, huh. I see what you're saying. What about the units as
they're set up now?

Female: The twenty-six game management units?

Female: Right. What's wrong with that?

Female: There's nothing wrong with that. That's how it is, and that's
how it will continue until it's changed.

Female: And this is what you're trying to---?

Female: No, this is what I'm trying to get a feeling for, whether or not
the change--whether or not it's more favorable to take 26 game
management units and--I don't know how the fisheries, you know,
things are divided, but--however they're divided, and to put
those together in some larger scheme so that--I don't know how
many game management--how many game management units in this
area.

Male: Two.

Female: Two. And so to take those two--

Female: You mean 11 and 13?

Female: Rather than have 11 and 13 be separate, it would be one management
unit, then. Is that based on that kind of a line? Would that be
two---

Male: That would be two with one exception--well, that includes parts of
20, part of 14, part of 16--

Female: So then we're talking about maybe six game management units--
putting them together into one area. And whether or not making a
plan for those six or seven game management units on one area-wide
basis is preferable to having the current plan which has different
regulations for each unit?

- Male: I think--I believe this is it. The game of those areas are split up by the mountain ranges?
- Male: Which, these? Or the game units?
- Male: Well, the game that you're talking about right here--
- Male: Pretty much except where the line runs north and south down to Cook Inlet there. There's no mountain range there. I don't know what they use--
- Female: Well, now, you're talking about different game regulations for each game unit. Wouldn't you have the same thing under different regional---
- Female: How are you going to get it straight if you're going to hunt moose in Unit 11 and hunt at the Ahtna regional corporation level? How are you going to get--it's pretty hard--
- Female: It's fairly easy right now--to understand what's in the regulations.
- Female: But if you add another--
- Female: No problem at all. What I'm wondering is why they don't leave it as it is?
- Female: Well, these boundaries--
- Female: Well, that is an option. I think the main feeling on this is that there's been so much complaining about how it is right now, Federal managing appears to be very imminent because there has been so much complaining on how it exists today. I mean, it's so unsuccessful today. So therefore the Federal government is at a point where they're about to take over the management of everything, you know, because of all the number of complaints that subsistence is not maintained and that the animals are being threatened. Do you think that this group in general favors some regional concept? I mean it's really hard for me to say--I can't offer you anything more than this map and then Herb's idea, which is the AFN position, of going to the native boundaries. So they're two points on that. They're not the same, and they would have very different kinds of implications for you. But is that--even given those great differences and all the varying kinds of options, is that more preferable than continuing our present structure and hoping that the Federal government doesn't take it over. I don't know.
- Male: I think that most people in this community right here are only interested in two areas. I believe that's Unit 13 and 11.
- Female: But what if you were forced to deal with more than that? Would

Female: you be interested in having that much responsibility in
(continued) management, or would you just rather leave it up to the State
as it is right now?

Male: I'd rather leave it up to those people live in that area.
That's where they live.

Male: Let's pose two votes: one vote saying, "leave it as it is
or divide it up." And then vote on, "if it is to be divided
up, what means should we divide it--either divide it into
watersheds or the 13 regional corporations."

Female: Okay, that sounds really reasonable. Does everyone think that's
a pretty reasonable question? Leave it as it is or divide it
up. So let's try that for a vote.

Male: I was in a workshop--I guess, Herb?-- where they had this
same meeting. We were talking about this regional concept;
that's what we agreed on.

Female: You feel that dividing it up is better?

Male: You mean the twelve regions?

Female: Um, hmm.

Male: Yeah.

Female: Okay, let's have--can we just take a show of hands so I can
take down some sort of numbers? How many people would like to
leave it as it is right now and not do anything different than
the way it is? Okay.

Female: Could I ask a question, please? You say the Federal government
--there's a threat that the Federal government will take over our
fish and game management. What areas have caused the problem?
What is this issue about the Federal government?

Female: It's in the (d)(2) legislation, essentially--it's what is it.
It's where the Federal government has been looking--as they came
out this last summer--to take hearings on (d)(2)--the testimony
that they received was testimony based on the use of the land,
what people want to do with that land. And what they wanted to
do--many people talked about maintaining a subsistence lifestyle
on that land.

Male: Here, though, what everybody wanted to do was not have the (d)(2)
bill.

Female: We did not want the (d)(2) bill.

- Male: And one erroneous decision based upon another one doesn't make the first one right. I just wanted to get that said.
- Female: You mean the (d) (2) and H.R. 39 bill just spawned this whole subsistence thing? Is that what it is?
- Female: You mean in terms of the language? Yes. On the Federal level-- is that what you're talking about?
- Female: Well, evidently, it went to the highest offices--
- Female: The thing that is probably the most clear--
- Male: It's mainly AFN's position that when the land claims was passed, the section in the act which addressed--directed the Secretary of the Interior to protect subsistence rights to natives. And he's never done that. And so we've really pushed hard for this (d) (2) legislation to address the subsistence issue and protect the subsistence rights for the native people and the users in the state, knowing for a while that the State on its constitution cannot actually do that--protect one group of people over another one in the taking of fish and game resources. And so, it had to be a Federal mandate from Congress directing the State to take action on protecting the subsistence resources for its users. And in doing that, what we proposed was the regionalization of boards and the requirement for the directive to the State to provide a--mechanism to provide the protection for subsistence resources on Federal lands. That's where it's at right now.
- Male: Could I ask one more question here? As far as the Federal government--as far as taking over some management--I think this also has very commercial fisheries implications as far as the limited entry position and is the State going to have the right to control its shellfish, bottomfish and salmon fisheries as it is done now (indistinguishable), or is this going to be turned over as Federal control over bottomfish in our continental shelf in Alaska? And I think this is some of the implications as far as Federal taking over. Is that correct or incorrect?
- Female: I think that if the Federal government would want to take over the management of any kind of resources they are not currently managing that the State at some point or other would be in some sort of litigation to decide the authority to take over.
- Male: Okay, is the State presently, through the Limited Entry Commission and the interim use permits, trying to establish historical rights in management for a court case so the Federal government cannot take over management.
- Female: I have no idea. Do you know anything--?
- Male: All the legislation does is require the State to provide some management system in protecting subsistence resources and natural resources. Now it supposes up to the Feds to determine whether

- Male: that plan will meet the needs of subsistence users, and if it
(continued) doesn't, then they'll probably have to step in to guard our
own.
- Male: I think this is half the story, but what faces commercial
fishing---?
- Male: I don't believe that the, you know, the bill he's talking about
has significant implication in the offshore business. That's
Federal management and another game. What the State's game plan
is there I don't think any of us are really--you know--
- Male: Okay, but this still has every bit to do with fish and game
work, because they are presently controlling the fisheries--
that's being spoken to as far as limited entry and negotiations
with foreign fleets and harvesting bottomfish--
- Male: Okay, right. But the thing he's talking about is strictly sub-
sistence quality--that's the only thing that is spoken to there.
So the three or four basic regions will be only speaking to
subsistence. They won't be speaking to commercial fisheries
and their regulation.
- Male: It advised that it would be strictly subsistence, but it's not--
uh--not clearly established, I mean, you know, given that people
go down the road on legislation, it can be changed, that's just
a matter of a few words of language, to change it from one to
the other.
- Male: Is it not possible what we'd be looking at here is not a choice
between these two but rather a choice between what we have now
alone and both of them--what we already have plus this. In other
words, we'd have twice as many boards and--because you're not
going to take over (indistinguishable) or (indistinguishable)--
you're not about to manage the other resources. You may have
priority over them, but once they are out, there's nothing in
the subsistence boards, at least in the way you're trying to
fit them in, that would allow you to regulate those. So somebody's
got to regulate them.
- Male: Right, the State's got the regulatory authority--
- Male: These boundaries are specifically for subsistence. There's no
commercial implications that these ballots can be used for?
- Female: That's right. How many subsistence users are there in this
State? And how many will there be if this subsistence thing goes
through? And what is the definition?
- Male: Oh, well, this permit to the Copper River--

(Four or five talking at once--indistinguishable)
- Female: But if it is recognized the way it is then there will be many more

Female: subsistence users---
(continued)

(Four or five talking--indistinguishable)

Male: Can we have a vote on the question?

Female: We're getting a little bit away from--we are getting a lot away from what we started to do on this last question. And it was proposed that we ask whether, you know, first of all, whether to divide or not divide, and then, secondly, how to divide if we were to regionalize. So I asked already whether anybody favored maintaining the current structure, which would call for not to divide, and I got no response on that. And so I'm assuming that people would like to divide, so let's have a show of hands on how many people favor dividing the state in some way. Okay, fourteen. And are there any who don't have an opinion, one way or the other? (None)

And now the question is--the question now remains whether or not you favor dividing it in larger regions approximately five, or at the maximum seven, regions in the state, or whether or not you favor dividing along regional corporation boundaries, which I believe are twelve. So let's go far first of all, how many people would like to divide in the bigger regions of either five to seven regions for management? Let's have a show of hands on that--the regionalization. One.

And how many people would favor dividing along regional corporation boundaries? Eleven. And how many have no opinion? Three.

Male: Didn't I tell you--I already tell you how this vote was going to come.

Female: I'd like to vote for 26 game management units--

Female: You want to vote to maintain the current structure, okay?

Female: No, but if we're gonna divide I'd like 26 game management units---

Male: This proposal is for subsistence only, is that correct? And, say, we'll have this system as far as subsistence is concerned, but we'll have to retain the old system of the advisory committees for other--for recreational and commercial?

Female: No, no. I've confused you somewhat. The zones are for subsistence, but the proposal of this is for everything--it's for all regulations--commercial, recreational and subsistence--so that the structure here is for all, but the zoning--like this--is for the subsistence plan, the development of a subsistence plan. So what this group has said is that they would like to see

Female: subsistence plans developed on a regional corporation basis
(continued) with the regionalization concept going into effect.

Female: Isn't that what (?) was saying--that the Alaska native people are more--they qualify more for subsistence than any other peoples. They sort of quietly stated that. It seems to be kind of disturbing thought. If we get into kinda accepting that we're abdicating to the native management--they're managing it.

Female: Well, actually subsistence is not what we're voting on for all the regional--more or less more game management area. Isn't this what we're voting on? In fact, we're changing it from the twelve--the units--the game units--to regional game areas.

Male: No. You're saying we're reducing it from 26 to twelve game units? I don't think that's what we're trying to do.

Male: We're reducing 11 and 13, or 13 and 11, into one unit---

Male: --for subsistence policies, correct?

Female: No, we're--just what we're doing is instead of having one seven or however many regional boards they've got right now, we have twelve regional boards and each regional thing will take care of their area. That's the native corporation boundaries are being used because the white people have only been here a hundred years, you know. We've been living on our land. We don't go out and kill moose for the trophy and stuff like that. We eat everything--we eat the head, we eat the stomach, you know.

Female: If it does favor natives, I sure hope it does.

Female: I mean I'm not trying to make a race war out of it or nothing, but, you know, it's been there for, you know, thousands of years.

Female: One other comment on the whole question which this man right back here brought up and that is that when you move on, not to talk about subsistence but to talk about the commercial uses of the resource, you are in fact entering not only a national scale, a Federal scale, but an international scale. And I'm sure many of you followed say, for instance, the northern--I think it's called North Pacific Rim fisheries meeting that was in Anchorage not too long ago--the meeting with the Japanese and the other people taking of the resource. So it's not--the question of subsistence is not something--although management of it might be limited to a local area, the whole question of it versus commercial/recreational is not a local issue. It's a State issue; it's a Federal issue; it's an international issue. And that always has to be borne in mind when we're talking about how much resources can go how far. I thank you all for your comments and stuff. If anyone else would like to talk to Nancy about the permanent fund, she's out here, and she will be happy to outline for you.

Female: Carol Conroy can also give you a very elaborate discussion of
(continued) the permanent fund.

And please return the tabloids, either by mail or you can leave them, if you filled one out. We want to be sure to take your comments back with us. And if you didn't fill out a blue card, please fill one out so you'll get a final report. These can be mailed in just by folding them and mailing them in, if you haven't had time to finish. Thank you.

(LAND DISCUSSIONS - Tape 3)

Male: I guess we can get started. I guess you all know her. My name is Tim, and I'm working with the Public Forum staff, going around the state holding meetings like this. The question we're dealing with here is land . . . (continuation of introductory remarks by Tim)

Herb: Well, I guess you know, in 1971 the Land Claims was passed and we got on our way with implementing it. And part of that settlement was 44 million acres of land to the natives of the State of Alaska. Our region contains about 18 million acres of land. It goes from Metaska Lake to Chitna up to Cantwell, and totally taking in the Copper River Basin. Out of our 18 million acres of land we're allowed a total entitlement, both region and villages total, will be 2 million acres--approximately 2 million acres. I think the latest deal on estimators is about a million six right now, but it's subject to change. The reason why it's subject to change is that the enrollment process is still going on. There's villages that still have been challenging the courts and haven't been certified yet. That makes the determination of how much land we will get percentage wise on a per capita basis. There's certain things that the village and regional corporations are required to do with the lands under the Act. One is (continuation of background of land claims act and history relating to Copper River Basin).

Male: (Tim) (inserted statement about state administration activities and negotiations with federal government re (d)(2) lands; explanation of the Delta/Tok sale of thousand acres proposed for this next spring--)

Male: Well, that should be very good because if you get five acres back behind and then you have to get to it--an access--and somebody else has already got one or two and it's all crisscrossed up and you just can't get there--you walk through--you try to walk there, and you walk through somebody's yard and you don't like that--and you certainly need an access.

- Male: Yeah--and I think the State will be providing that access, too. That was one of the things in this homesite bill we passed last--said that it had to have some sort of service connection through roads or, you know, it doesn't have to be within an organized borough but it does have to be within the service area, which means probably roads--
- Male: I think maybe stateside around--on every section line there's actually a way to get into the area where maybe the section line would be across the lake or something but still there would be a way to get to the back part of the property.
- Male: Was it worded "customary access and customary utilities for the area"?
- Male: I don't think it was--I don't remember it being customary. I've only read the bill a couple of times, but I--it's vague--and what's happening now, Ted Smith, at the Division of Lands has been holding meetings and getting together a set of regulations that would just break out what this means, what service actually means--does service mean from a road, from a section line like this gentleman mentioned, or could it mean access via a State airport, perhaps. So it's not real clear, and those regulations will be coming out really shortly if they haven't already--I'm not real sure.
- Male: This doesn't pertain to this area, but in other areas of the state, water is a very customary road. So is an area going to be eliminated because there's no feasible road to it when water is the customary transportation mode?
- Male: No, not necessarily. That would be a good point to bring up at these regulations hearings is that you can't--if you've got navigable rivers--or the ocean--those should certainly be considered as service access anyway.
- Male: You know on the state/federal land trade deal--I think it would be a really good deal--in the Tanana Valley right now I believe there's what--a \$650,000 acre agricultural project underway where they're turning up the ground and make farms of 1700, 2000 acres, piece them up--and under the present (d)(2) deal, the way the (d)(2) deal is set up now, if it goes through the way Udall has it, it will grab about almost a third of that agricultural ground will go back under (d)(2)--
- Male: --and this land right now, it's federal land--what was the designation that was put on it?
- Male: Uhh-I don't really know--no, I don't know if it's state or federal, but anyway, I know the Soil Conservation Service, the one that has the farm plan and the one that made up this whole thing, I believe they probably have something like 2,000 acres

- Male:
(continued) already in the process of clearing right now, but I do believe the total acreage is something like 650,000 acres to be put into, probably, small farms, basically, roughly 2,000 acres. The land is up for lease; you lease only the agricultural rights to it. And there is a market for all the grain; it is to be a grain project. It's well suited there, but the way I understand it, the way the (d) (2) program is worded now, it will take up approximately one-third of that acreage. So if they can do some trading, I think it's a real good deal.
- Male: There's another plan to put some agricultural land in that area--into farms next year on an auction block type of thing.
- Male: I do believe that's probably the same project I'm referring to, but, again, all you buy is the agricultural rights. There's no way you can subdivide it--do this, do that, make something basically commercial out of it--it's gotta be kept in agriculture.
- Male: That's strictly a State program, Lou?
- Male: Yeah, I think so.
- Male: From what information I have from the Department of Natural Resources, the total acreage in the state is somewhere around 365 million acres. Of that probably 200,000 acres is good for hardrock mining and not much else. They've identified in the whole state no more than like 15 million acres that would be considered really good intensive use for agriculture, for residential, for recreational development, for industrial development, what have you. I think within the state--the plans that the State has to date--let's say, not to date, but of the total percentage of land that the State will get--that 105 million acres, they've identified only about, I think, 5 million acres that will be suitable for farming or for residential, and a lot of that is around the existing communities already. This one, Fairbanks, Anchorage, on the Kenai Peninsula. There's some other things around those communities that a lot of people have been asking us about, and I haven't got the answers necessarily. But what they've been saying is that there's a hell of a lot of land in trust around communities--either mental health lands or university lands or public school--and they're held in trust so that they can be sold at some future date to help support mental health and public education and the university system, which have in and of themselves very little revenue-generating capabilities--by themselves. So I don't know really--I feel kind of embarrassed about this--but I don't really know what the amounts of State land are around here and what the designations are. I was trying to get some people who are in the Division to

Male: come over here, but---
(continued)

Male: Generally, the State lands are in Tazlina and there are some in Copper Center, and there's some in Glennallen--right in Glennallen, almost--it's mostly State patented land. And from about ten miles towards Anchorage to Sheep Mountain is practically all State selected or patented lands.

Male: Oh, is that right? And that's--is that the roadway right out ----

Male: Um, hm. It goes clear back to Lake Louise.

Male: You said from where to where now?

Male: About ten miles towards Anchorage on the Glenn to generally Sheep Mountain is State selected lands.

Male: They cut quite a wide swath out through there---

Male: It goes clear down to Tazlina Lake and clear up to, oh, Lake Louise, Klausman(?) Lake, that area--State selected or patented. And practically all of the Tazlina area is State patented land.

Male: Where's Tazlina in relation to---?

Male: It's out about six miles--generally from where the Ahtna office is clear to Simpson Hill is all mostly State patented land--or private ownership.

Male: It's patented, then. So is there any special designation on that?

Male: There's a lot of university lands in this area that are usable for residential use, and in my dealings with them, is that it's harder than heck to get any kind of use of those lands, you know, because they have to be approved by the Board of Regents, and then the money--it has to be some kind of income-making--the use of it--such as the lease lands in Copper Center is all university land. And so they can't give a free use permit to extract gravel, they have to sell the gravel off it. And, as I understand, the money does go into a trust fund in the university.

Male: Isn't it correct that the university can't sell the ground--they can only lease it?

Male: That's right.

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- Male: But they may be able to sell the material off of it?--
- Male: Yes, they have sold the material off of it--this one gravel pit up here at Six Mile I think is 106 --
- Male: Yeah, well the gravel pit the pipeline used, too--
- Male: What about the timber resource fund on the university lands? Would they--would it be sellable?
- Male: I think they can sell it.
- Male: I got a woodcutting permit from them--
- Male: Uh, huh. It's pretty reasonable, too, I think, for timber--
- Male: (indistinguishable)... State Division of Lands, Anchorage.
- Male: Would there be enough resources to be able to make a small sawmill--make products--wood products available to this area--for building or anything like that--would there be enough timber to do that?
- Male: Just in spots. Not enough---My permit is just for dead and down stuff. I can't have anything over 6" in diameter 4½ feet from the ground. You know, even if it's a big tree this big around if it's laying flat, you can't touch it. But if it's only 6" in diameter 4½ feet from the ground I can cut it--
- Male: I'll be damned--that's interesting--
- Male: No explanation..yeah, they told me at one time that they figured that maybe some of those big (indistinguishables) the eagles would nest, or roost in them or something. I mean that's kind of an absurd thing. The guy said well maybe that's what it is. But I don't know--you can't have a big tree if it's dead but you can have a little one.
- Male: I think it's unfortunate--but you know, you can have a stack of big trees and you can say they're all dead even though you just cut them down.
- Male: That's true, too.
- Male: Then there's some more additional, I think, State patented land, that is around Gulkana Airport down to the junction of the Glenn and Richardson--that's all State patented in there.
- Male: Yeah, that's a good chunk--it's all poor, though.
- Male: Yeah, it's pretty poor land, but the State did sell of a lot of land in there in '73. They didn't provide for access, either, to

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Male: those lands back--
(continued)

Male: Was that--tell me what program--was that for leasing or sale?

Male: That land was sold.

Male: And all we got out of it was a bunch of realty sellings--

Male: Okay. Would those State lands that we've been talking about benefit this area at all? Would people be willing to commute that distance if they were able to get a nice chunk of land from the State? Are private land prices high enough that people would be looking for something perhaps under market value or on a lease type of situation from the State?

Male: With present land prices, sure. Three years ago--or four or five years ago before the pipeline went, why they were dirt cheap anyway. But now, anything that's in private ownership now is sky high. So if you can buy something under that, why, they're gonna grab it.

Male: There's a crying need for people who just want to build a house and to have a piece of land that they can call their own so that they can afford to put up a dwelling on it.

Male: Has the regional corporation made a policy on their land? Are they going to try to use some of it?

Male: We're open to any kind of options or suggestions for use of this land. We've already got offers for leasing some of our lands--small parcels--for business and for private homes. But we certainly will--I think that's why the plans that we have in mind is to sell and lease land.

Male: Are you going to sell it outright, or do you just want to--?

Male: It depends. Just depends. I think some of it could be sold, you know.

Male: Well, do you think that the primary need then for people in this area would be for small parcels for just a home, or for a single dwelling? Or would there be other needs as well? Is there a big demand, or a need for, say, agricultural lands, or---

Male: I think there will always be a need for agricultural land. If it's truly agricultural land, I think it should be kept in agriculture. You've got a utility ground, recreational grounds and

- Male: (continued) that nature like, why, steep slopes--anything of this nature--why, the best use for it is recreation or homesites or anything you might want. But if it's really good soil, level ground, you got enough top soil, you're in an area where you got moisture content, or moisture, why--and it can be made into a farm ground, I think it should be made into farm ground, probably kept into farm ground. There again, I don't know whether you best lease it or sell it. If you sold it to a person and he found out he couldn't make a living, he'd probably sell it or subdivide it--and why not? And then you've got another village started or so--perhaps if it were leased under agricultural preference rights, you might say, it's very possible it will stay in agriculture. Someone will farm it even if it's in small tracts. On the other hand, if we got some steep hillsides out here, some rocky ground not suitable for farming, I think it's probably a good deal for it to be in recreation or whatever you might think.
- Male: Is there much access to recreation areas here? I understood that this area is pretty much surrounded--you've got the Wrangells and so forth--and there's a lot of recreation potential here.
- Male: Oh, I think the Copper River Basin is probably one of the most terrific recreational areas you might say--when you want to go hunting, fishing, snowmobiling--whatever it is--with all the lakes, the streams, the works--I think it's probably the best in the state of Alaska. It's accessible.
- Male: During winter months.
- Male: Yeah, and then again, there's some good agricultural ground around here.
- Male: Has that been---
- Male: There's generally good agriculture land down in the King Lake area. It's under village selection now, preferential selections. The only other agricultural lands that I know of is in McCarthy--McCarthy road area--and that is State patented or State selected.
- Male: From my observation, the biggest problem--agricultural problem--there's just no water.
- Male: Not--in Kenney Lake, there's no water, but near McCarthy, I think, there's a possibility there.
- Male: You have the Copper River flowing by but for an individual it's inaccessible to a water supply--a joint venture it could be feasible but for an individual thing--
- Male: That's at the Kenney Lake?

- Male: Like in most sites where, if you're talking about large scale irrigation--a private individual on a small tract--you know, there's just no possible way.
- Male: That's true.
- Male: Across the Copper River, of course, it's inaccessible. I've never been over there myself to--I've never even taken a boat across the Copper River to explore the area, but, I don't know--what that land, how is this classified? They claim that it's agricultural land, parts of it.
- Male: Yeah, it is. It's under village selection, practically all of it. It's just a belt that runs generally from King Lake up (?) through Gulkona--on the other side of the river.
- Male: Well, how many miles toward--up through the Shattuck(?) country would that belt take in--just a few sections or is it--
- Male: Oh, I think it's a fair size--it's probably about five or six miles wide.
- Male: Well, of course, in miles (indistinguishable) there's 40 or 50--that's boats--beyond that--there must be lots of pretty flat, pretty desirable land.
- Male: If you'll notice in the spring, though, as it rises in elevation the snow covers it in little ponds. Got ice on it pretty late in the spring and pretty early in the fall, so far as agricultural ground up on that slope in the Wrangells, it becomes a bit limited.
- Male: Well, there's uh--what about instead of large, let's say, large 2,000 acre tracts for agriculture, is there--I mean it seems maybe more logical that--like myself I have a 20 x 30 foot garden that, you know, just keeps me in frozen vegetables for the winter. Would that be something that the people from this area would favor--with small tracts like that?
- Male: Oh, I'm sure they would do it.
- Male: But would there be a problem of getting--say, like on the Kenney Lake site--would there be a problem of getting the water even on individual small plots like that?
- Male: Yeah, most of it--on their wells.
- Male: One thing you have, though, when you're in the valley here and

Male: you got the mountains around, why, you get a pretty good set
(continued) of rainfalls. When you lay out in the wide open flats--they're
no mountains there--there's not those clouds, then you don't
get any rainfall. And I don't know whether they're really
short on moisture in this area or not.

Male: Well, in our annual precipitation there's only about ten
inches.

Male: Is that right?

Male: Yeah, that's pretty dry.

Male: That's Copper Center and that's speaking of (indistinguishable)
of ten inches. I know to get my garden to grow last year--

Male: When I was over in the Bethel area earlier this year, talking to
the non-profit corporation over there, they're starting on using
some of their money to start hydroponics and, of course, they're
some places over there that are good for just out-and-out farming.

(end of tape)

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- Male: ... we're working too hard on trying to get our land in the first place. One thing at a time.
- Male: I think that's something anyone can do if you got a basically controlled environment. Might take a few bucks but you can do it. You can ward off the frost--you'd have it under cover.
- Male: Is there really a market, though, for the large-scale vegetable type agriculture in this area? You talk about thousands of acres of grain; you can put it in a truck and you can ship it anywhere in the world. But is there a substantial market in Alaska for agriculture in Copper Center? I mean in this valley? They can grow a much better and easier crop in Palmer, in that area. I just don't see that there's economic stimulation for large scale farming for this type of crop in this area.
- Male: Well, being on a road area, maybe it wouldn't be all that expensive to ship it to Fairbanks--you know, fresh tomatoes or that kind of thing. I don't know. You might have a point.
- Male: Do you think that in this area we can, say, have pots of tomatoes? I doubt if we could ship them from here. Our costs--that's expensive--you could ship them to Seattle--
- Male: Like Seattle--uh--this big project was planned for Big Delta--why not all this grain? They definitely say that they have a market for every pound of grain they can produce--Japan--provided they can produce enough. They don't want 100 bags or nothin' like this, but they'll buy thousands of tons of grain. They want it.
- Male: You think overall, then, that the largest need for people in this area would be for someplace to build a home? What do you think?
- Male: I think ground for homes is something that many people are looking for, ground for small businesses, uh--but these people that are going to be living in these homes and businesses, there has to be some means for them to support themselves, too. You just can't have homes and no cash flow--
- Male: So that would almost eliminate the wilderness idea--the home--steading type of idea, where people are removed entirely from community where there's a source of income?
- Male: No, I wouldn't say that.
- Male: Not necessarily? There might be a percentage of people who would want to live that way--more or less a subsistence lifestyle of --you're just hunting game or living away from the community where they get into town maybe once every couple months or something. There'd be a substantial number of people that you know of that would be interested in that kind of land use?

- Male: Substantial in percentage form, I would have to say no. But there are many people I've talked to that would like to participate in that activity. But if you're talking about a state--are you talking about a policy for this area or are you talking about a statewide policy?
- Male: Well, for the most part, today here, we're talking about for this area. I talked to a fellow on--we had a t.v. show in Anchorage on subsistence, and we got a call from a fellow who's been living in the Wrangells for twenty years doing just that. You know, a nice sized log cabin and he traps and hunts and is raising a family and doing just wonderfully. And he wants to continue to do that. So it sounds like maybe there's some other people who would like to join him.
- Male: Well, I think, say, if you put up 2,000 acres here in 5-acre tracts, they wouldn't last ten days. They'd every one be taken up. You bet. Maybe not all by people who want to live that type life, but there's going to be somebody--they'll all be grabbed up. And there are a lot of people who want that type living. Lots of them. I'm doing it myself--right now. I own property down in Palmer--got a farm down there. But I also live up here at Tatalina Lake--got a 5-acre tract, and I'd much sooner be there than I would down there in the ratrace.
- Male: Do you think 5 acres is enough for a subsistence type life, though?
- Male: Uh--it isn't really a subsistence type deal. I do trap, I fish, all like that, but I have to go somewhere else in the summer months to make a living so I can live there.
- Male: This 1500-foot elevation here at Glennallen makes it a little bit of a hassle to raise your cabbages and stuff. They'll freeze down in June, they'll have frost in June, frost every month sometimes. Pretty discouraging to them to think about raising this garden stuff. Although I've tried it myself, I raised cabbages this year. Most years I raised a real good carrot--crop of carrots. I've raised a hundred pounds, maybe hundred and fifty pounds of carrots. They just grow wonderfully, but you gotta know how to plant them on a raised surface to keep them away from the cold ground or they won't grow long. They'll just settle down in cold ground and won't grow. And you have to learn how to raise the stuff.
- Male: There is one more think on these small tracts. We'll say from five to ten acres on up. If they are on agricultural ground, you'll be surprised what you can raise on that if it's in an agricultural area. And what--you'd be surprised what these small tracts may contribute to--what you'd say--the other man keep eating, too--the family-sized farm--160 acres--is basically on the way out. To go out here and buy 160 acres now, to develop it,

Male:
(continued)

put machinery, buildings, what not--the whole works on it--get it up into production. I would guess that you're going to have upward of \$500,000 in it--that's machinery, buildings, turning, the developing, the whole doggone thing. And why would a person do that when I can go out here and make \$12-\$14 an hour with nothing but an investment in nothing but a lunchbox. So that family-sized farm deal is gone. There's gonna be a big corporation or there's gonna be some guy here that's got fiye acres that's working somewhere for his livelihood and he's got this extra acreage for a hobby farm. And he's going to contribute something to food and fiber for his neighbor that lives in the city. He--people are getting tired of city life, and it's one --uh--if they can get out of the city, they're really one more form of government. They get out here and they find out that they can actually live here basically cheaper. They don't have the monthly assessments for sewer, water, garbage and this thing--they can live here cheaper. And then they find that if they can produce some produce on that--sell it to some stores, sell it to the neighbors, what not, that place is likely paying for itself, in a sense. Probably putting a few dollars in his pocket plus his own groceries--some of his groceries. So, I don't know. I think that eventually, I believe that the small hobby farmer is going to be contributing a great deal toward producing food probably for man here on earth--eventually. Because the family sized farm is gone. It's either going to be a big corporate thing or it's going to be just a little bitty hobby farm that's going to be producing it. The family sized deal, 160 acres, is out. They just can't make her any more.

Female: I agree with that, and I would like to see larger small tracts instead of 2½ to 5 acres, like 15 or 20, where you've really got some room to do something. Not a real large scale, but you've got enough to work with.

Male: For that very idea--for small tract farming? Taking care of a communal type of situation--three or four groups of families in the area?

Female: Well--for 15 or 20 acres, just one family.

Male: Just one family.

Female: Yeah.

Male: With a little bit of planning and some ambition, you can do a great deal on 10, 15 or 20 acres--you'd be surprised.

Male: Yeah, I was really surprised. I just have a small plot; the few vegetables I do grow supplies winter vegetables for myself and another family that lives in the same area. I was surprised.

- Male: Is--this is a little bit off the subject--but I got to thinking about storage. If something like a small scale farming thing did get going, is electricity cheap enough now that you could have a fairly good size community freezer or packing plant or something like that?
- Female: Electricity is not too cheap.
- Male: What we need is a power plant.
- Male: It's not cheap--the rates were just raised the first of November.
- Male: What did it raise to?
- Male: I don't know but it's going to be raised with a chance to pay it back if they charge too much.
- Male: Okay, what it sounds like then that perhaps the major desire for people of this area would be for providing small to medium sized tracts for--that would be near existing communities--and some emphasis on agricultural use on a small scale for individual families. --And small businesses--you mentioned small businesses earlier. What kind of small businesses do you think would be feasible right now for this area? Something like guiding or recreation-oriented, or would it be something different?
- Male: I didn't have any comment to that.
- Male: Would anybody like to see the lands that either the native corporations get or the State has in this area kept in trust, which means just leave it for some other future generation to make the decision on what the use of that should be?
- Female: I think that's really important that some percentage be left in trust.
- Male: Okay, do you feel that the proximity of Federal lands that will be in (d)(2) classification will satisfy that need or do you think that the State needs to look at providing some land for the future.
- Female: I think the State should provide some.
- Male: Anybody else have some thoughts on that?
- Male: I think that the land that will be patented to the native corporations--that it would be wise for the State to reserve some of their land until it's observed what the native corporations are going to do with their land, so there will be an alternative in the future.

Male: There is in the (d) (2) legislation that AFN has requested and statewide support for is a trust--land trust--Alaska trust--land trust--and everyone, including the State, has the opportunity to put their lands in this trust. And part of that is that it still can be used like public land but it is not subject to taxation.

Male: That would be like a--

Male: ---and you couldn't take it all out at once. You'd take it out at a percent rate.

Male: So it would be like a consortium of all land owners kinda pooling?

Male: Yeah.

Male: Well, I feel that there should probably be some land--a limited amount--put in trust; however, if there is some renewable resources on that, they should also be used.

Male: Kinda getting back to that multiple use concept that, uh--

Male: Very much so, yeah. I hate to see a great big tree sit there and die, lay down, fall down and rot, and don't use it. They could cut that tree and plant another one in its place. But there's other renewable resources on there, also. But I think the resources should be used if they're renewable, and they could set some aside, but no terrific acreage. A reasonable amount of acreage--let's put it that way.

Male: Well, let's put it in perspective a little bit. If there was say, say, for every thousand acres that the State had to put into use of some sort, what would be your recommendation for a percentage of that thousand acres that should be held in trust of some sort? Do you have any estimation?

Male: Just a roundhouse figure, it would be 10%. Now I may be way, way out in left field, I don't know. But it's just a figure off the top of my head.

Male: Actually the problem would depend on how much land the State got.

Male: True.

Male: The larger the amount perhaps the larger the percentage?

Male: Um, hm.

Male: In Scandinavia, like Norway, their latitude runs through this part of Alaska here--it's about the same--and it's pretty heavily populated with people, you know, the people are--population is increasing, why, probably in another ten or 15 years there's going to be many more people that will want to be living in, say, the Delta area. It's a lower elevation, and, say, it's agriculture

Male: possibilities is greater than this 1500-foot elevation we
(continued) have here. And there's gonna be just a lot of demand for land because these people are going to spread out and they're going to be just clamoring for maybe 15, 20 acres to call their own or develop or farm. And this is going to be within the next ten or fifteen or twenty years. There's going to be a great change in the overall picture.

Male: That bring up kind of an interesting question. Let's say, for a hypothetical case, the State had a thousand acres to open up here right away like they're planning on doing up in Delta. There's a--especially if they let it go at a lower price, that acts as kind of an incentive for people to move into that area, in a way. Do you see that as being a problem for the Copper Center area of encouraging people from, say, Anchorage, who can't find adequate space there to move out to this area? Would that be a hindrance or a help to the types of service that you can provide those people, or would you rather see that acreage first go to residents of this area and then perhaps think about inviting people from other parts of the state to come and live?

Male: What mechanism can we use--I mean, how can you have a sale and limit it to people in this area?

Male: I'm not sure you can. What I'm looking for, actually, is just some ideas that you would have on growth of your community. In other words, if you open it up to all state residents, which I guess is a constitutional demand, how do you feel about that in terms of increasing the population in this area by another hundred families? Do you think offhand that that would help the economy or that it would hinder the government to providing a bigger school, more roads, more sewer and water? Do you have any ideas about that--about the potential growth in this area and what opening up more lands--cheap lands--would do for that concept of growth? I'm just kinda curious.

Male: It could work two ways. If you had a big land sale and a bunch of them moved in here and there's no work available, they're going to end up on welfare rolls. However, if you got some guy down there brings a lot of beans up with him, it can be a shot in the arm. So--kind of a bummer--hard to tell.

Male: Yeah.

Male: I would doubt very much that anyone with any green stuff to amount to anything would actually move out of where he's at. He'd probably end up being on the welfare rolls.

Male: That's true. I mean if they do open up land like that, I don't think it would be any outsiders moving in...cause there's not that many jobs around.

- Male: I think if you open it up to small subdivision, I think you'd probably get mostly local people. Like I say, there's a lot of families---
- Male: What is the--I've dealt with the State in trying to get land in this area, and it's virtually impossible to do it on a negotiated basis. They want to (indistinguishable) for sale. The last sale we had was about four or five years ago now--and I think it will be five years ago in June--and prior to that it was about that long. And if the State is going to be letting land go in the area in five-year increments, then this past five years that certainly doesn't reflect the economic growth of the area. That's a bit inconsistent.
- Male: The only thing I can tell you about State plans for this area is from talking to those folks at the Division of Lands, and they said that they are looking at a homesite program here again. But that could mean two years from now.
- Male: It could mean five years.
- Male: It could mean five years from now. So--the other possibility--and again this is a long shot--would be trading some of those trust lands for--opening up the trust lands by trading them across the board for other State lands in the state that would be further away from communities that would be held in trust. So you take a thousand acres that's inaccessible at this point and a thousand acres here, that's right now got university classification, and you swap uses, so that this land here opens up to some community uses. And that's something they're looking at, also, but again, that may be three or five or ten years away.
- Male: Looking at it from the university standpoint, why would the university want to give up more valuable land for land out in the boondocks?
- Male: Well, they might not want to give up more valuable land. It would have to be a comparable swap, and it might mean the thousand acres here would be swapped for 20,000 acres somewhere else. It would have to be comparable or exceeding value to warrant their giving up that chunk of valuable land around the community, but it seems as it perhaps that's not the university's decision, but your decision and my decision and how we relate those needs to the State--people who are making those decisions.
- Male: My understanding of it is that it's not my decision--it is the university's decision.
- Male: Well, let's say, for example--that's true. And I think that's a real problem with communities in rural areas where the State--the university has lands--is that they don't participate in development or recognize the needs of the local communities. They have large chunks of land that could be made available to different types of uses. One problem we had was sanitary land fill.

- Male:
(continued) And you couldn't get use of any of those university lands that were suitable for sanitary land fill. They would not let it go one bit.
- Male: Well, these may be liberal thinkers that I'm talking to in Anchorage, but they are thinking of that concept. So perhaps--
- Male: Well, I think definitely, I think---with some descriptions that I think you should get rid of the university lands and turn it over to the State Department of Natural Resources. The university does not participate in the local community--
- Male: They sure don't.
- Male: --and they own large chunks of, you know, valuable property.
- Female: They own a lot of land out here, Herb?
- Male: Oh, yeah--yeah. Not at Tok--not a whole lot--but very valuable land right in the community--Copper Center--
- Male: They could only select land that had been surveyed--only logical land that had been surveyed--known that's valuable and had been surveyed.
- Male: Well, that's the kind of information we're looking for. You know--substantial things that if people in Copper Center get together and say they want the university to start thinking about the community but they're--they've got land around--and start thinking about getting rid of it or trading it so that the people can use it. Those are the kinds of things we're looking for--
- Male: I don't think those two are the only alternatives. I think their lease program is adequate as long as it's used. But I believe the function of the land is to support the university. If it's sitting there and not leased, it's not bringing in any cash.
- Male: And I guess as far as the program goes--it would make little difference as far as I'm concerned if the university were to lease its lands now and be putting that money into a savings account of some sort, making interest off it, but that interest would be far less than the interest that they're getting because of the accumulating land price. The leases are only 55-year leases, and some shorter than that. So they're looking at the re-evaluation of the land; they're looking at half-century increments. And I don't think that for an institution of that tenure that that's outrageous at all--I think that that's quite reasonable. There's a lot of people that are upset with that--they're State people, naturally--who are thinking that that 55-year lease is unreasonable from State revenue prospective. In other words, they wouldn't be

Male:
(continued)

realizing nearly the amount of money from leases off those lands as they would if it were re-evaluated on a yearly basis or on a five-year basis, because they figure, well, if they set up a price now that's market value and the first time they can re-evaluate that is 55 years from now, that 55 years from now people will be paying X amount of money for that lease, that is totally unrealistic when you take a look at the per acre price for that. From the consumer it's a great deal.

Male:

Okay, then you're saying that the government and the State bureaucracy is setting up the program to fend inflation, into supporting and expecting that there will be inflated prices in the area and they want to stay on the bandwagon rather than trying to set up a program that would enable the local government and the local economy to become more stable, because if prices remain the same, this is anti-inflationary.

Male:

Yeah, I see what you mean. They're looking at it strictly from a viewpoint of--well, if the university lands are set up to make money and they put them out on a 55-year lease, they'll be making money, but it won't be keeping up with inflation. And, so I'm sure, I think that you've got a good point there--that perhaps they're not looking at it so much from the standpoint of--"hey, we've got people there and we've got a community there that really needs this. Let's not worry so much about the revenue to the university system--rather, let's take a look at the community needs and opt for using the land for the people instead of worrying about the bucks for the university. That's interesting.

Male:

I'm not limiting that just to the university--or mental health or any state lands. The State lands, from what I can see on how they've portioned out State lands, it's very much on a real estate agency outlook. It's not on a land use outlook--and very inflationary with respect to--definitely--a land sale.

Male:

Well, this leased land, like you said university land, I don't know how it works but, say, within the last five years, if you leased a five-acre tract or something and built your home on it and you was geared up with whatever that lease started out say five years ago, down on the Kenai the Forest Service is very flexible. I have--still have a Forest Service lot down there, and I started out with it twenty years ago at \$5.00 a year. Now, and I got my bill in the mail just a couple of days ago, it's just around \$700 that they're charging me now because they're plowing the snow on the roads in the winter, and there is electricity in the area. But that's been very flexible. They're keeping up with inflation, I tell you, on the Forest Service lots. I just wonder what's happening to the university tract. Don't they charge more to take in more money because of inflation, even if it's a 55-year lease? It won't be the same amount they

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Male: charged five years ago in the next ten years if it's according
(continued) to the Forest Service lots. They'll hang right on up there--

Male: I think right now there's a big hassle about that, and I think
it was generated last year about some State and university
ground that the Teamsters' built on in Anchorage--land hassle
about increasing rates after you've established capital improve-
ments on the land. And I think right now that there's a
program where you can refile and you can get 25 years'
frozen payments. But it's still in development. I think any
basic answer on that question is still in the hands of the
politicians.

Male: Still kinda uh--yeah, right. True. Well, based on this dis-
cussion, does anyone have a feeling for whether State lands,
when they become available, should be leased or sold outright,
and if they're leased, should it be short term leases or should
it be long term frozen leases like you're talking about?
--kind of address that second word.

Male: Well, I'll go in NIC(?) if it's small tracts, it should be sold.
If it's large tracts, very possible lease it. At least on
agricultural ground, on the larger tracts. That would keep it
in agriculture that way. On the smaller tracts, I would say
cash sales. There's a great deal of pride in ownership. You
do more with it if you own it rather than lease it. That is my
opinion.

Male: And in conjunction with that, if you're going to lease it, I
would think long term leases would be far better than short term.
Long term I would define as 50 years, 55 years.

Female: Is that with an option to re-evaluate it every five, ten,
twenty years? (end of tape)

Male: ---zoning and because title seems to be more desirable to these
people. Then they've also got leases on, you know, not for
real property but for agricultural purposes and stuff like that,
which would allow the use of the land for grazing, shore
fishery use, timber, material or water, allow the use of the
land or resources without conveying title. And you can't
exclude other uses from that. So, what do you think? Do you
still think that private ownership would be more logical in
small parcels?

Male: On small parcels, anyway. Really, I haven't decided on the big,
but I don't know. I look at everything through the agricul-
tural end of things, so as far as subdivisions and all this
sort of thing or small businesses, well, I can say very little.
But we're going to run out of agricultural ground some day.

- Male:
(continued) I can look right down here in the Matanuska Valley right now. I've lived there for over forty years, and from what I saw when I first came here, boy, to what it is now--it's really a bedroom city for the city of Anchorage. Boy, I mean it. That whole new Parks Highway has only been through there a matter of--what?--eight or ten years--buildings and subdivisions from the junction clear to Willow. And a lot of that is primary agriculture ground--real good stuff. Some of it has never actually been put into farming, it hasn't even been cleared off, but it's still good farm ground. Some of it was old farms that--what the heck, why farm it when I can sell it and retire? We'll subdivide it--so we're gonna run out of farm ground. I still think the 5-acre farmers or hobby farmers are going to be providing a great deal of our land in years to come.
- Male: Well, that's very evident there in the Palmer area. You see nice fields that would raise very good hay ground and you could cut bales of hay on it. Here they're putting in foundation footings and going into building because the taxes are so great they can't sell that bale of hay and get any return off of it. And they got to get a bigger return because the taxes are too great.
- Male: Okay, how does everybody feel about that third part of the question. Who of any of the list that we've got there should be getting some sort of subsidy for that State land? Should anyone be getting it at lower than market price? Should people, let's say, who intend to use it for agriculture be given some sort of a financial incentive to do agriculture?
- Male: That's a tough one.
- Male: Well, it's just like a dry season. If you had agricultural land and it was so dry nothing grew, why, if you couldn't have a little break on the cost, why, you'd be obliged to go into bankruptcy. You just wouldn't make it that year.
- Male: How about giving price breaks to people who don't own land, based on a residency thing, people who've lived here longer should get a higher break on price--
- Male: I'll take that one to task. I don't feel that it should be determined on who owns land because I worked in a lot of pieces of ground. I feel I should not be limited to participating in State programs that makes land available to anybody in the state.
- Male: So even though someone, say, from Anchorage who owned some commercial property downtown and has got an income, say, a

- Male:
(continued) hotel on it or something, they should have as much right to any of these parcels of State land that we're talking about as the guy who's been here for twenty years and doesn't own a piece of property but is looking for a place to retire?
- Male: Okay, that's one extreme, and the other extreme is a person that owns two acres of ground out in the middle of nowhere and wants another piece of ground somewhere else. That's the other extreme, and why should that person be precluded.
- Male: Right, that's true. So you can't really differentiate between how much land and how wealthy a person is--it would have to be equal across the board--is what you're saying.
- Male: That's not what I'm saying. It's how can you say that the person that owns the commercial property, and you say "if he owns other land." Now you're putting him in the same bracket as the person who owns one or two acres somewhere else. Now how are you going to differentiate if you're putting everybody in one class--they own other land--that's what it says right here--all right, you're covering a lot of ground and I think very unjustly.
- Male: You think that there should be--or you're a cating classification?
- Male: No, I--if you start classifying it, what are you going to do? You break it down if you own land worth \$10,000, you can't participate? I guess it would be very unmanageable.
- Male: Okay--so we shouldn't even consider that option?
- Male: In my opinion--no.
- Male: Okay.
- Male: I'll go along with that.
- Male: Do you think that any of these others are bad options? Do you think people with low incomes should be considered? Or people with farms? Or people who want to become--who want to start farming? Or people who are loggers, or people who are fishermen, or--should any special interest get less than the full price of the land?
- Male: When you're saying full price, is this, like the lease program for the farm ground that the State is leasing--well, I think in one of the brochures I've looked at they say this ground is being leased at a very reasonable rate. Well, now, this is in the lease program. Now in the outright selling of the land,

- Male: are you saying that this ground should be sold at less than
(continued) the market price? And how are you going to do this? Is this
going to be labeled "This is worth X amount of dollars, and
you can buy it for this"? But if it goes to public auction,
well----
- Male: Well, that's what they're talking about. Perhaps a public
auction isn't the best way to do it because, as you mentioned
before and it's really true, that by putting it up for auction
you're putting the State in the real estate business. And
when it does go to auction, many times the price that's finally
settled upon for that piece of land is higher than the assessed
value, because I think they start off at assessed value and then
work their way up. So this would have to be a new kind of a
program that looks at the potential of the land--let's say,
take farmers, for example--take a look at the land and decide
that it's best for agricultural use, and, because you're not
going to have it for subdivision, the assessed value would be
much lower than market value, market price. And so yet you
would be selling it for a use at a lower price.
- Male: I think with an auction sale, the guy with the money and the one
with the most backing or financing behind him would be the
land owner where you and I probably wouldn't even be able to get
in the bid. It's sure not--the State may make more money that
way, but as far as the little guy wanting a chunk of ground, he
might as well forget it.
- Male: That's exactly the way it is. I've been to land auctions, and
I've bid on acreages up to where I figured I'd let it go. Well,
somebody with more money and more cash on hand, why, he just
keeps on bidding and he gets it.
- Male: Well, can anybody think of a more equitable system? Perhaps
either through sale or through auction--I'm sorry--either
through sale or through lease? Would there be a more equitable
way that would sidestep the problem of the guy with the most
money gets the best piece--to assure that little people, the
little guy, gets a chunk of land? Can you think of any equitable
method that perhaps we could relate to the State--get them
thinking about it in other terms?
- Male: That'd take a terrific amount of screening, wouldn't it?
You gotta do some accounting and the whole cottonpickin' works
and have to fill out a financial statement and--boy--I don't
think any one is more entitled to it than one person than the
other, really.
- Male: Well, let's say, under lease option, it's almost like on a first

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- Male:
(continued) come first served, then, which would then make it equitable for everybody. If it's on a sale thing, it may depend--I mean, under our present system--it may depend on who has the most bucks in their pocket at the time.
- Male: I don't think that's at all true. On a lease--you bid on how much you'll pay for a lease.
- Male: Is that right?
- Male: You don't bid on "I'm gonna pay \$10,000 to have this lease." You bid on how much you'll pay annually for that lease.
- Male: Okay, yeah, you're right--
- Male: What I was thinking of was the homesite type of thing where you've got subdivided pieces of land--uh--and you apply for that piece, you know, for any one piece. Everyone, then, under that application, if you can afford the \$10 application, is looked upon as equal, and when you have competition for the same piece under that system, they talk about first come first served basis. But, okay--
- Male: They also talk about seniority--
- Male: Yeah, exactly--
- Male: Well, first come first served may be first in the state but not first in application. See?
- Male: Yeah, first in the state as well as--no, okay, first in the state, that's right. So you don't think that anyone should get a price break? Does everybody feel that way?
- Male: Well, I think it's unclear in my mind what you're asking. You say, "No one should get a price break." Say the ground is zoned agricultural--should this land be sold at less than fair market value? What is determining fair market value? Because if you took and subdivided that land, you'd be getting X amount of dollars from this, so by putting it in agricultural ground you are already lowering the price because you can't compete in the (indistinguishable) development area anyway, so then the free market value on what agricultural ground is worth, doesn't that automatically discount its value?
- Male: I'm not sure I got that last part.
- Male: Uh, okay. If you're zoning a piece of ground for X use, and this use is not the most valuable use of that land as far as what you could get in cash out of it, aren't you automatically devaluing the land in that respect rather than having to appraise a price on the ground for that use and then evaluating it again on a percentage basis?

Male: Yeah, I think you would be.

Male: So is that what you're asking in this question?

Male: I think in a way, yes. Because if you say, for example, if you check No. 1, farmers, that would, then, advocate that process which you just mentioned. That would tell the State farmers need land that they can't afford under the current land market values, so that would say to the State, "Find out where the agricultural land is, look at it in terms of agricultural values rather than subdivided value, and sell it or lease it to the farmer at that rate rather than at the accelerated rate for subdivisions.

Male: Well, is that how you interpret this question? Just--I want an opinion from someone else?

Male: Well, I think that's the angle--that you---at agriculture rate--uhh--that the farmers might be able to handle it, but as a subdivision, why, they couldn't. So they'd put near have to have some kind of a break.

Male: Right, okay. I think what this question is asking is a little confusing. Uh, you take the farmers, we just went through that, what it would mean if the State would have to do to put land into farmers' ownership. You take a look at the next one--"people with low incomes". What would the State have to do to put land into ownership of people with low incomes? First off, they'd have to have a screening process which would say, "If you make over \$5,000 a year, you do not--you cannot--apply for this land." Then they would also have to find the land in an area where these people with low incomes--this is all hypothetical--but each of these options has inherent in it something that the State would have to do to favor that group. The agricultural land--it means not subdividing it, and selling it at agricultural rights--keeping the rights inherent in that land. People with low incomes, it would have to be a somewhat different process, just as with loggers, anything else. Each would tell the State--let's say everybody who came out to the Public Forum felt that people who've lived here in Alaska a long time should get land cheaper than people who had been here less than three years or something like that. That would mean that they would have to revise the constitution to some extent to get around the constitutional problem of everybody is equal under the eyes of the law. Then they would have to make available some land, probably near a community, let's say, that low income people alone could file for it and live on. And it would have to be at a decelerated rate. So what this question is asking is do you think that the State should pursue any program that would allow any of these groups of people here to get land lower in price than what you and I would pay for it.

- Male: Personally, I don't think so. No matter--you go through all those and somehow or other you're going to be showing partiality. You went out here and made something of yourself, you've got yourself a pretty good little income coming in--\$6,000--low income is classed as five--you can't buy a chunk at the reduced price. Uh--no matter which way you look through here, if there's any differential in the price, you're gonna be showing some partiality somewhere. Just 'cause some guy's a bum and maybe boozin' down here in the corner bar and he don't have a dime to his name--he can go out and buy a chunk and I can't. It don't make sense. If he does buy a chunk, he pays a lot less price than I do, so it's gonna be awful hard to go through that without showing partiality one way or another.
- Male: Okay, although we did----go ahead.
- Male: You said that--your final statement in that was "than you and I can pay for it." Again, that confuses the issue. If you're going to designate ground for farming, then what I should be able to pay for that ground for farming--but by designating as farming ground, the price will be less. And I do favor that policy.
- Male: Okay. I was just going to say it seems as if what we're saying here is that if you put a specific use on that land, either mining, or lumber or agriculture, then, yes--keep the integrity of the land, keep it classified and use it for that, and let the person lease it or buy it at a reduced rate--reduced meaning lower than subdivision cost.
- Male: Fair market value for that use.
- Male: Right, okay, fair market value for that use--that's a good way of saying it.
- Male: Right, I'll go along with you.
- Male: And what you were saying was that other than those specified uses, people should not be chosen on the basis of their longevity of residency or on their income or on their color or creed or anything else?
- Male: Right--it's all equal as persons.
- Male: The program now that--where limited entry's evolved to--now that ground there on these lots has been proposed on preferential rights--people over twenty years--and they have a different formula for them obtaining ground. I don't disagree with this policy. I find this policy, on that tract level--you're talking five to ten to twenty acres--on that level I find that applicable, but on that level competing for farm ground, where you're talking