

ALASKA LEGISLATIVE COUNCIL FILED / HOUSE FILED / 00 / 2

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as you and I do. They go where the soil is good, they'll wind up there. Sure there is some area that can stand it you know, that can take care of a good herd of moose year around. There is alot of area that cannot, you have to take that into consideration. Where there is wild fires you have to take that into consideration, you have to think about that it would take 5 to 6 maybe 7 years to get the moose back. Lot of places are left, but who's to measure? Your not measureing from one day to the next. The animals move as we move, where we can sustain ourselves. Okay, area is burned out they moved out of there, and you know it, or you should know it. They will move where the going is food. I cannot believe in inventory, simply because there is alot of areas that you can harvest, about two or three hundred bulls. This area won't be that way this area won't see about 20, 30 moose, you got to know that animals like ourselves go where we can sustain ourselves.

Representative Nels Anderson: We have already drafted a proposed piece of legislation that would regionalize the Fish and Game Board, so that there would not be, if its successful, and if it goes through the State of Alaska will have several regionalized boards instead of one State-wide Board. I don't know how that's going to apply in the Legislature, but it seems like about everybody is througjh (inaudible) people are saying that they want more control they would have a better handle on what's happening to them, rather than having outsiders outside of your area controlling what you do.

Question from Audience: Are you in the Legislature able to regionalize boards are you putting in that that the regional boards will have direct power to adapt a board.

Representative Nels Anderson: Right, the Regional Boards have the management,

regulatory power.

Question from the Audience: Can the Board veto the Regional Board?

Representative Nels Anderson: No.

Ronald Sam: Mr. Chairman, I for one am for the Regional Board, simple because the people in the Region knows better than anybody else. But what I want understood clearly at this time is that within the regions there are differences, look at Galena, look at Barrow there the only places with air bases and with guides and with authorization to take people out with airplanes. What about us in the middle? We see them airplanes flying around everyday. There are differences in the regions, but i back up the regional board all the way. With the understanding that they know that we're there, besides the placed that we can fly out, charter out, there are differences, way different. They've got the money I've seen to many foreign hunters and the ones that can afford it.

Alfred Atlla: I'd like to testify that just like you look at the map and Unit 24, well the laws are made for us already in that area. They tell us well you can hunt this time and you can hunt that time. Laws are already made. (inaudible) no matter what, if we have a say in that law, we have any say in that, just like that area, about saying that, instead of moose hunting season at a certain time they say that it is good for our area. And just like I said somebody came up with the idea of opening the season from November 1st to November 31st, that wasn't our idea, and I think I'm talking for the total of the whole people in the area.

Norm Yaeger: If you want to eliminate non-residents and foreigners and I'm sure any of the whites (inaudible) about 10,000 dollars, its the cheapest place in the world if you want to hunt. In Africa there is some people in (inaudible) sporting goods they paid \$10,000 or something to go down there and hunt, and they quit that and they are outlawing them to hunt, so apparently there is a way to regulate people from coming in.

Harvey Stranberg: As the law stands now Alaska residents do not need a guide to get their monthlygame, why not do away with the Alaska guiding, which is 90% of your areo hunting and all hunters.

Representative Nels Anderson: That would make some fur fly. We will definitely look into that one.

Harvey Stranberg: I can say that everybody is concerned about control, and with these bills you say they're going to declare regional boards to govern those areas. What is in there about control, who is going to be doing the control, the Fish and Game or detective people are they going to be the ones to control this area and ofncourse the regional rules. Also what is subsistence?

Roger Huntington: Mr. Chairman, that's the question I was going to comment on. Subsistence are at different levels. You know it, and many are aware of it, as does many of the body here. Subsistence is more than just eating, putting food on the table. Subsistence to me, is kind of the way of life and I also in some cases find that the way of life also applies to non-natives. And also goes reverse where some natives don't apply to that. But you know a lot of people make more money than other people and are in low income

brackets, you know I like to go out there and set a couple of rabbit snares and that means a hell of a lot to me. I prefer that lifestyle. I could hand out in Fairbanks or Anchorage and make a hell of a lot more, but I prefer this lifestyle.

Norm Yaeger: How come the State can't control our subsistence lifestyle with moose you know? Where the State can control the fish that come up (inaudible) River and Yukon that you have to so many years or something like that in order to buy commercial license, if the State can control that, I don't think it took money to do that. I think it took money from individuals to keep it like that for the money in order to control that. It seems to me that we are just going in a merry-go-around, pretty soon they'll be hunting moose with a satellite.

Representative Nels Anderson: I wanted to answer or try to answer some of those questions that were asked in the back there. What is subsistence? That is primarily why we are holding hearings, we are trying to find out how people feel about the term subsistence and it should be defined, and whether or not it should be defined, I don't know, that's why we are holding hearings throughout the State. I'm trying to find out in my own mind just exactly how we ought to approach this, and getting recommendations directly from you people is what I want.

Who is going to control? The way I envision this game board, this Fish and Game Board on the local level, and I do believe, since other suggestions in other parts of the State have been made, that the local people be given the authority to control, so that they know who is hunting, and where and what is being taken out and so forth, that idea is probably going to carry a lot more

weight than it has in the past. Because people weren't listening to us because we believe that that is the way it should be done. I heard it again tonight it's been stated over and over again in other hearings throughout the State. I think that idea is going to catch on. But as far as defining subsistence, like I said before, it's extremely difficult, it's not an easy job, the more I get into it, and we've been working with it, and the staff has been working with it on a daily basis now since almost since the session adjourned the first part of June and the more we get into it the more complex it becomes. The harder it gets to deal with the issue, because the thing that we are finding out that these gentlemen have pointed out and other people have stated that every area is so different that there is no way that you can define subsistence to fit the people in Bristol Bay and it's not going to fit in the Yukon area. You're not going to be able to define subsistence up in Barrow that's going to fit Cook Inlet and Kodiak. So it's going to have to be flexible, it's going to have to be regionalized and how it's defined, I think is going to have to be left to the people to define it for themselves, so that they are satisfied.

Believe it or not the rat race down in Juneau comes up with the strangest ideas even after they have heard the people speak. They still seem that they can't get the message right and do the right kind of job that you want them to do. I think the more that we get down to the local level and get people involved with this particular definition and enforcement and so forth, I think more people are going to be happy that way.

Ronald Sam: This is the first that we have ever been invited to any meeting of any sort, I mean we've been invited before, but they knew damn well we couldn't afford it. This is the first time that we have been invited, and I'd

like to hear what you have to say on regionalization, I see it in summer time, but I never see it in my letters or correspondence where we will soon be in the Northwest District but even if we are in the Northwest District from Yukon on up, or Fairbanks on up that still doesn't cover us. Like I say subsistence is different in every village. You cannot do it by regionalization alone, but that's a start. I just like to hear more on your creating board districts. Because if there is a new district created in Northwest, say from Yukon on up, or Fairbanks on up, we're in there, but we're totally different from them. Most of the people that will be representing us.

Representative Nels Anderson: Well, the proposed bill that we had the legislative Affairs draft for us has not been formally presented to the Legislature yet. We have to make, we have to present that to the Legislative Council and I think they will take it from there I suppose to be introduced by the Rules Committee to the Legislative Council on behalf of the Subsistence Committee. The details of it have not really been worked out yet. All we are talking about is the concept, we're talking about getting more control into your hands. How the region is going to handle your problem, talking about your differences from various parts, you know within the region. I don't know how that is going to be dwelt with, hopefully your problem is going to be satisfied. That's the best I can give you right now.

Alfred Attla: Mr. Chairman, I think we're all here for a reason, and that once you leave here, then you go to a meeting to another to collect our testimonies and try to find a way of the best subsistence living for us, is that so? Well, I think each and everyone of us here, right now, we all have a little area, we all have a small area. We all have a small village where we come from. I think the way I'm hearing it, should be not the way each Fish and Game put it,

just like each unit, but hearing from each village of which way the lifestyle might be. Each and everyone of our lifestyles might be different than other villages. Although we always take each others right sides. But just like what I said before, and hopefully you wrote it down, that is our lifestyle in our own area. And I think each other villages have they're own lifestyle. And I think that's the way it should be heard. Just like maybe they might be units, just like the Fish and Game put us, units of certain, certain and so and so, maybe a certain village con't stick in that unit.

Representative Steve Cowper: Mr. Chairman, you know when you get right down to it, I think what we're talking about is the local people versus people that come in from outside the region, is what we're talking about. You know, the one thing that people don't alot of the people in the cities don't understand is that alot of the villages, there is no such thing as a cash economy or really what's going on there. And most of the villages came into being because of this subsistence lifestyle, that's the reason the villages came into being, because of this subsistence lifestyle, that's the reason the villages were there to start with, and it's still the reason they're there, you have to recognize that. People in Anchorage, Fairbanks and Juneau have to recognize that fact, that if you take away the, if you don't make a special allowance for subsistence living that style of life is going to have to vanish. And I think you have to do it, you have to make allowances for subsistence hunting, and fishing and make a preference for it. I think you do. The question that we have to decide I think, pretty quick is how are we going to do it, and do it fairly to everybody concerned.

Ronald Sam: I agree with you, so far, but you cannot fight progress. Maybe you can stall it, but you cannot fight it. Maybe everyone of us in this house

will be in the grave and it will be stalled that far, but you cannot fight progress. One day, we'll be sitting like you, and my friends in my community say there's progress and there is sentiment and our Government is represented. Okay, I know for a fact that reapportionment of our certain districts, governing districts is coming up, and you know that 65 out of maybe 100 representatives will come out of Anchorage. Now does this area have any bearing on that? They can vote it down anytime they want.

Representative Nels Anderson: Does what now?

Ronald Sam: This reapportionment thing.

Representative Nels Anderson: Have anything to do with what we're doing? No I wouldn't say so. You're right though, reapportionment is going to mean more urban Legislators, you are going to have more, the majority of the House and Senate will come from Anchorage alone.

Representative Sam Cotten: That doesn't, of course I'm from Anchorage, I represent Northeast Anchorage, that's about as rural as Anchorage gets. Most of the people from Anchorage I think, at least the people from the legislature are considered to be reasonable people. The few of us that do get a chance to get out and talk to people that claim they have a subsistence way of life I think they ought to appreciate it, just because the population of Anchorage may turn out to be the greater half of the population of Alaska, well the constitution requires that many Legislators come out of Anchorage that it's a one man vote deal. But it doesn't necessarily mean that they are going to vote you down, or vote against the subsistence way of life, and I think that even now, Nels will agree that many people from urban areas are very sympathetic towards

the question. And as Representative Cowper pointed out, we're trying to re-write down the ways that it will protect what most people now agree to be a subsistence way of life.

Representative Steve Cowper: Mr. Chairman what you're saying is right, but there is a transition period too. Maybe what we're saying is that if you have to make a preference for subsistence hunting and fishing now and we have to decide amongst those people who get some rights, then maybe we ought to go in terms of economic and the person who needs it the most ought to have first crack at it, maybe that's the way you go.

David Kwanberg: Mr. Chairman, I would say that that's not right because in Kaltag, going back to this fishing permit, there was a resident of Kaltak who wanted a permit and he worked on the Pipeline for a year or the year previous to that, he could not qualify for that permit, that seems to be the situation with the money the year before now he may be spending all his money building a new home or sending his kids to school or medical bills or what have you. But he wanted to live in Kaltag, that's his home and he wanted to fish but he could not qualify for a permit. And I don't think that's right either. You want to keep the outside hunters out of here, and protect a lifestyle for everybody in this room. (inaudible) that's how I'll enjoy it every year. Then you are going to have to set up a hundred mile limit around the area for the residents only, anybody in unit 21 can hunt unit 21, other people that come in here, perhaps sell them a permit for a thousand dollars or some fee or something then chop it off if there's not enough game. Go at it at that approach if you want to protect a lifestyle. People around Bethel, Point Barrow, keep them cottenpicking people out of here, because I don't go to Fairbanks and go hunting, why do they come down here? They hunt all they're game out, and

and come down here and hunt all our game out.

Representative Steve Cowper: That wasn't really what I was saying there. I was saying that if you had to choose among the people who would qualify as local residents.

Male in Audience: But who is going to qualify, because alot of people here make \$10,000 a year, \$20,000 a year, they can afford the beef, but they like to go out and hunt, they enjoy it.

Representative Steve Cowper: But you can't shoot 200 moose and you 400 people who qualify for subsistence users, whose going to get the 200 moose? People like me who work from a money standpoint?

Norm Yeager: Well if you keep the outsiders out and you shoot a few wolves here you'll have enough moose so we won't have that problem. We don't have that big a population at this time.

Representative Nels Anderson: You know we have a Limited Entry Program for fishing. They used several criteria's. They used economics, number of years they fished and soforth. That all weights into who gets a Limited Entry Permit. It seems to be that there is a way that we can probably get it through with some kind of permit process if we have to do that. That would probably be the way we'd do it. It works for the Limited Entry for fishing, it's good in court tests, it seems to be holding up. I don't know how much good its doing, but the law itself is sound.

Gerald Walker: Was talking about a person who had been fishing for years but

could not get a Limited Entry Permit.

Representative Nels Anderson: The same thing in Dillingham. I don't have a Limited Entry Permit, I've been fishing too, so I know that the law isn't perfect, and we're not here to talk about the Limited Entry anyway. That's a whole new bag of worms. I can't answer that because I don't know. I wish he could have a Limited Entry Permit. I wish I could have one too.

Another comment on Limited Entry. No name mentioned

Representative Nels Anderson: The Fish and Game doesn't have anything to do with it, it's the Limited Entry Commission that administers that program. I don't know, I can't answer that. I don't know what the Limited Entry Commission is going to do.

Roger Huntington: Nels before we get away from limited entry, as related to the moose in particular, you go into the limited entry concept. What he is saying could apply though. Where if you shot a moose 1977 this year and maybe you were gone for the past five years, maybe I was out somewhere, and I came back and I want to shoot a moose. I would still want that license, but under the present theory I'd be refused one under the present limited entry theory.

Representative Sam Cotten: Another thing on the limited entry they have a way, they can prove whether or not you fished, but because you sold fish tickets or had commercial gear license, whereas with subsistence, as you said people don't go out and write it down so it would be hard to prove if you did or did not.

Alfred Attla: I was born 1939 and I stated remembering maybe when I was three or four years old. My old man brought us down from all the way down the Yukon. Up until 1937 to 1958 he brought us down to go fishing. I can't get no commercial license right now. I'm not qualified, I'm not a qualified fisherman and my old man use to get more fish down here below (inaudible) I think than anybody else that use to get fish. And I'm not a fisherman, I couldn't get a commercial license.

Representative Nels Anderson: Yes, I was born in 1939, and I fished with my Dad all my younger years before I went into the service I don't have a Limited Entry Permit either. So I don't know what the answer is. But I would like to have one. Buy one I guess.

Male in Audience: I'll give you the answer for that, all you have to know is the right people.

Representative Nels Anderson: When I was in legislature I should have know the right people.

Male in Audience: Getting away from fishing the regionalized concept, is that pretty much favored by the other testimonies in the other areas.

Representative Nels Anderson: Yes.

Male in Audience: What about the urban areas?

Representative Nels Anderson: I don't know what they feel on that.

Representative Sam Cotten: I know, we had a meeting in Anchorage. Couple of the people have testified. They got into some of the details on some of it. They talked about some things like Caribou and so forth. Right in between areas, or fish down stream you know like down stream on the Yukon and say you can do all the fishing you want, then cut the fishing off to people up stream. Sometimes you run into problems like that where you can't give total control to the individual districts. Which is pretty obvious once you start thinking about it. On migrating animals. Also a lot of people feel that we'd like to have the State (inaudible) and if you just completely shut off all the outsiders say Washington or other States, the Federal Government might infringe upon the States ability to manage. So most people from the urban areas I'll say that have testified, they favor even the Sportsman Association. Those in Anchorage that testified, they favored the concept but felt that there was going to be some problems on the total regulatory powers that might be given to the districts.

Male in Audience: There was a meeting last week in which people from the Governor's office which tried to explain Regionalization. It seemed to me that there was something said at that meeting one of the things that most of the people agreed to. Was that the regions were too big and that it might be necessary to scale them down to the village size. You know it didn't make any sense out of regionalization. I think they pointed out like there were three different lifestyles in one region. There was a coastal, inland and a urban and there just doesn't seem to be any point.

Male in Audience: It was about three weeks back I got a letter back home about stopping mink and otters, because they were becoming non-existent. Mink was non-existent a long time ago. We see on mink track maybe about one every

three years. But maybe we see one to three, maybe they're existing now. We got to quit trapping I thought that was kind of crazy. And on otter, they eat up all our beaver and things like that. They were trying to outlaw that too. I think that was kind of crazy. somebody had an idea, it had nothing to do with our area it was some different area.

Representative Nels Anderson: I think it was Washington State, Oregon down in the wood area. All concerned, I don't think it's going to apply to Alaska it's not going to apply to us up here.

Charlie Rhea: Mr. Chairman, I'd like to make an announcement before you adjourn the meeting. And that is that there is a Galena Advisory Board meeting right after you get through. We can stay right here and have it.

Representative Nels Anderson: Are there any other comments on subsistence from the public? And if there aren't any comments then, what I'd like to do, if you think of anything else between now and January, Dorothy Larson will give you our address and we'd appreciate any letters or telegrams or anything else that you would like to share with us so we can use it as we try to approach this problem. And I would like to thank all of you for coming to the meeting here tonight. We really appreciate your statements and thank you very much for coming to the meeting.

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

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

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

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

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

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

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

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

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

Male:  
(continued)

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

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

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

Male:

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

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

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

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

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

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

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

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

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

Female: Are you on the local advisory council?

Male: Yes.

Female: Have you met lately?

Male: No.

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

Male: Our advisory committee can sit down now.

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Male:

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

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

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

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

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

Female:

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

Male:

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

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

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

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

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

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

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

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

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

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

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

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

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

Female: No. It is uh--

Male: --just interest money.

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

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

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

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Governor

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

Governor  
cont.

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

Governor  
cont.

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

Governor  
cont.

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

Governor  
cont.

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

Yes.

male

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

Governor

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

male

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

Governor

What did you say? Is there any...

male

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

Governor

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

Governor  
cont.

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

male

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

Governor

In some areas there are, yes.

Yes. (acknowledging a question)

male

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

Governor

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

Governor  
cont.

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

male

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

Governor

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

Bob

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

Governor

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

female

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

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

Governor What do you mean, the taxes?

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

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

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

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

Governor  
cont.

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

Yes. (acknowledging a question)

male

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

Governor

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

male

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

Governor

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

male

I'd be interested in using it.

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

O.K.

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

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PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE  
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT

Representative Nels A. Anderson, Jr.,  
Chairman  
Representative Steve Cowper

STAFF PRESENT

Dorothy Larson, Staff Assistant

PUBLIC HEARING LOCATION

Glenallen High School  
Glenallen, Alaska

Date            October 3, 1977

Time            7:00 P.M.



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

Glennallen Public Hearing - October 3, 1977

<u>Name</u>	<u>Address</u>	<u>Organization</u>
Bill Joe	Chistochina	
Chuck McMahan	Gakona	
Steven John	Chistochina	
Ken Roberson	Glennallen	AK. Dept. Of Fish & Game
Francis Hunt, Jr.	Copper Center	
Frances Hibble	Kenny Lake	Kenny Lake Community League
John F. Goertz	Kenny Lake	
Sterling Eide	Glennallen	AK. Dept. of Fish & Game
Bud J. Carlson	Cantwell	
Maggie Oliver	1250 Friendly Lane Anchorage, Alaska	Cantwell - Yedatene Na Corporation
Helen Geisert	9831 Tolsona Cr. Anchorage, Alaska	Chitina Native Corp.
Christine Yazzie	Box 233 Glennallen, Alaska	
Millie Buck	Box 206 Glennallen, Alaska	
Wilson Justin	Mile 34, Tok, City of Gakona 99586	
Lee Adlen	Box 285, Glennallen	
Clara (Billie) Peters	Chistochina - 37 mi. Tok Cutoff, Gakona, AK.	
Joe Roach		
Sam Agaier	Gakona	
Ruth B. Taylor	Box 49/Mile 182 1/2 Glenn Highway, Glennallen	
Patricia Hunt	Kenny Lake via Copper Center	



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

### GLENNALLEN PUBLIC HEARING

October 3, 1977

Representative Nels Anderson - We'll call the meeting to order, those of you that don't know me, my name is Nels A. Anderson from the House of Representatives and the Chairman on the Interim Committee on Subsistence. To my left is Representative Steve Cowper, Chairman of the State House Finance Committee and also a member of the Interim Committee on Subsistence. Our Staff Assistant is Dorothy Larson. We came in from Anchorage today, and we did hopefully publicize the meeting.

I would just very briefly like to get into what the meeting is all about. Our goal our specific goal is to find out from the people how they feel about the term subsistence and how subsistence ought to be regulated in the State of Alaska. We'd like to know how you feel about subsistence, whether or not you feel subsistence ought to be termed subsistence and how it ought to be defined and what the State should do to protect subsistence. We formed the Committee, the Legislative Council formed the Committee, and authorized us to travel throughout the various parts of the State, we've already held hearings in Dillingham, Kipnuk, Nome and Kotzebue and after this hearing we will be holding hearings tomorrow night in Nenana and then we will be holding other hearings in Anchorage during the AFN, INC. Convention

and also Barrow in December.

At this time I would like to ask Representative Steve Cowper if he has any comments at this time. (Not audible)

Representative Steve Cowper - Yes, I would like to add one thing. I will have to go back to Washington and tell the Congressmen what the people in Alaska want of the D-2 hearings, of course there is a lot to that. But one of the things that Congress is going to take on, is the definition of subsistence. They said and made it clear they will make a subsistence preference on Federal Lands, so it's useful to me to find out what you think, people who are subsistence users or not. Where you hunt, how much you take, whether they are in conflict with sports hunting and fishing so we can find out what kind of conflicts there are so we can try to iron things out. So I may fire a question or two from time to time after a testimony which would relate to the D-2 Bill. Thank you.

Representative Nels Anderson - At this time we'd like to invite the people, public to testify and give your views on the issue of subsistence. Is there anyone at this time that would like to stand up and testify?"

Christine Yazzie - "I would first like to thank the Committee and its members for this opportunity to speak on behalf of AHTNA, INC. and also those of AHTNA's shareholders. My name is Christine Yazzie, Acting President of AHTNA, Inc. In its own way, the question of subsistence and subsistence usage will probably be just as important an issue as the Land Claims Settlement Act. First of all, we do support the Alaska

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Christine Yazzie's testimony con't.

Federation of Natives proposed ammendments to H.R.39, more commonly known as the Udall Bill in regards to subsistence and protection thereof. These ammendments, although still further subject to further modification when deemed necessary proposes to in essence that continued subsistence usage be recognized and protected on Native Lands, and on the Public Lands of Alaska by Alaskan Natives and other Alaska residents.

We feel that subsistence must be recognized as a major cog in the past, present, and future cycles of our heritage. Subsistence stands today as in the past, our way, our life and our culture. To view subsistence as a commodity in light of the Land Claims Settlement Act of 1971 to be alternately traded or devalued as one would common shares of stock, is to our way ot thinking and particularly those of our elders almost uncomprehensible. Subsistence is anchored in our lifestyle. It is rooted in our traditions and our communities. Many people, I am sure, would like to take the attitude that when the Settlement Act was passed on December 18, 1971, subsistence was surgically removed from our way of life, cleanly, effortlessly and painlessly, this was not the case.

In a memorandum prepared by Stewart L. Udall in July 1977 entitled, "The Alaska Natives and Their Subsistence Rights: A discussion of the constitutional questions." Mr. Udall quite aptly made the following points: and I quote, "When Congress passed the Alaska Native Claims Settlement Act to settle the aboriginal land claims of the Alaska Natives, it directed the Secretary of Interior to take affirmative steps to protect the existing subsistence activities of the Alaska

Natives on the federally owned lands of Alaska. The legislature history of Alaska Native Claims Settlement Act reveals that it was also anticipated that the State of Alaska could and would assist the Secretary in evolving policies which would likewise protect the subsistence activities of Natives on the lands granted to the State under the Alaska Statehood Act." Unquote.

While specific recommendations and/or legal analysis of the complexities of the subsistence issue is beyond the scope of this statement of policy, AHTNA feels that several points should be commented on..

(1) The question has been asked, should subsistence be taken into consideration when land and water use policies are developed?

AHTNA feels that the question of subsistence and the development of land and water use policies are on the whole, entirely dependent on sound management of environmental and other ecological considerations; therefore, our response is Yes.

(2) Should Subsistence be defined?

AHTNA's position on this question is in the words of AFN's proposed ammendment to the Udall Bill Sec. 702 (g) and (h). Sec. (g) "Subsistence Uses" include those customary and traditional uses made of renewable resources for food, shelter, material, fuel, clothing, tools, transportation, and for the production and selling of traditional articles of handcrafts and clothing. Sec. (h) "Subsistence Lands" include all public lands the subject of subsistence uses prior to December 18, 1971. AHTNA feels that for the purposes of this statement, further comments on subsistence definitions would only serve to confuse and cloud the issue at hand.

(3) What should the State do about protecting subsistence uses? AHTNA feels that this question can best be met by referring to the recent caribou permit system introduced into our region this last hunting season. AHTNA feels that the mandate provided by Congress in enacting the Land Claims Settlement Act precludes a permit drawing system whereby a subsistence user may or may not draw a permit to hunt for caribou. This system, we feel, is incompatible and conflicts with previous and contemporary discussions concerning subsistence interpretations. We feel that no basis can be found to include subsistence uses on the same level as another person who may be utilizing all terrain vehicles or aircraft planes in the pursuit of their "use of natural subsistence resources." Therefore, AHTNA strongly objects to any permit system introduced in our region without adequate provision recognizing subsistence and useage thereof.

In conclusion, AHTNA feels that the repercussions arising from the misplacement of subsistence values today will have its effect on many more generations than is comfortable to think about."

Representative Nels Anderson - I have a question in referrence to all terrain vehicles or aircraft planes. Could you be specific on how that would be controlled?"

(Not audible)

Representative Steve Cowper - Well, yes I believe (not audible) launched a plan whether subsistence use or the taking of animals which eree not traditionally taken, or by subsistence users over a period of years. Specifically, I didn't know about caribou, how the caribou fit

in this area (not audible). And I don't know whether the people in this region for instance, shoot sheep traditionally for subsistence use or not. You feel that all animals should be included under the subsistence overall.

Participant in Audience - I think that you have to draw a line somewhere sooner or later. (not audible).

Representative Nels Anderson - Is there anyone else at this time that would like to give their comments on subsistence. It doesn't have to be in writing, it can be an oral presentation.

Francis Hunt, Jr. - My name is Francis Hunt, Jr. I live in the Kenny Lake area and have lived in Alaska for most of my life. Work in this area is largely seasonal and many people depend on trapping for income during the winter months. I derive a large portion of my income from trapping and have done so for over 12 years. I have put a lot of effort into cutting trails and building cabins and feel it is unfair that this land is now to be put into a D-2 Classification or turned over to Native Corporations who can keep me from using my trails. I feel the law should stipulate that valid prior users of the land should be allowed to continue without harrassment.

Alaska's game laws adequately protect the animals against over trapping and it would be unwise for a number of reasons to outlaw trapping - both subsistence and non-subsistence. In addition to losing an important economic base, such a move would push more people toward a confirming, inactive dependent life style. And it is bad for all of us when anyone is forced to give up independence and self-reliance.

Representative Nels Anderson - Can I have your name again, please?

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Francis Hunt, Jr.'s testimony con't.

Francis Hunt, Jr. - Junior Hunt.

Nels Anderson - Junior Hunt?

Francis Hunt Jr. - Yes

Representative Nels Anderson - Do you have any questions, Steve?

Representative Steve Cowper - Well, yeah. Now you've been, you're like a lot of people in Alaska in that you work seasonally, and you come back in the winter and do some trapping, to try to make ends meet is that it?

Francis Hunt, Jr. - Yes, that's what I do, yes. I do my trapping (inaudible) and it is a great portion of my income.

Representative Steve Cowper - I tell you, I don't know what to do. (inaudible) Trapping, I haven't given it much thought. But I suspect that we will just move you into the same spot as other subsistence uses according to the federal definition, I suspect that you will be included, and your trapping would be allowed. I would like to comment on one thing as far as the regional corporations are concerned. You understand that's, (inaudible), land is really the corporations. It will be when title is granted. When it finally goes down to them. That's another thing we find is, to get that land parcelled out to see if we can't get some patents. BLM has moved pretty slow about it. You know that land is owned financially, I suppose like any private owner, you would have to get permission of the land owner in order to use the land.

Francis Hunt, Jr. - The vastness of the land is something else we've been (inaudible) with. It's unreal.

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Francis Hunt, Jr.'s testimony con't.

Representative Steve Cowper - Well, never the less, I do thing that something could be worked out after everybody knows who owns what. That's part of the problem right there.

Francis Hunt, Jr. - (inaudible) all the cabins that I have, the work and the effort I have put in, cabins I have...

Wilson Justin - The Act does recognize pre-existing use.

Francis Hunt, Jr. - It does.

Wilson Justin - The Act in (inaudible) does recognize prior usage. Also, the (inaudible) crossing Native owned lands is one of the biggest fumbling blocks (inaudible). Easements (inaudible). Defining easements has taken a lot (inaudible) if you thing everybody in the country (inaudible) that constitutes a public easement. Where your trap-line rund, I don't know. Whether it's on Native lands or State selections or D-2 lands.

Francis Hunt, Jr. - Most of my trapline is on Native lands in this area.

Wilson Justin! - I'm not familiar with where your trapline is. As far as your cabin, and fishing sites, there are provisions protecting them. As far as your trapline, I couldn't (inaudible) we'd have to probably work it out on our own. As a private land owner and a person that wants to continue his subsistence (inaudible).

Participant in Audience - ....providing it's registered.

Wilson Justin - Yes, that's very true.

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Francis Hunt, Jr.'s testimony con't.

Participant in Audience - I have one myself. It has to be registered you have to register it with the (inaudible), easements board (inaudible).

Wilson Justin - ...trespass with the Bureau of Land Management. They don't have the personnel to check up on these. (inaudible)

Francis Hunt, Jr. - What happens if we don't work something out? You know, if (inaudible) way over my head. What will I do?

Wilson Justin - All I can say is, go see the Assistant Land Planner (inaudible) go to the Board. People that make the policy that we work by and that's for AHTNA, Inc. and also maybe you're in the village corporations land, which means that you'll have to appear before the appropriate village corporation. They dictate the policies and I and the rest of the staff have to carry them out. (inaudible)

Representative Nels Anderson - I really don't think that there is very much that we can do about this, what's going to be happening on regional corporation lands, what we're trying to find out is on the Committee is what kind of accommodations can be made taking into consideration some of the things that you are referring to, trapping on State lands. Whether or not some type of an agreement could be reached with the federal government that where we can cooperatively manage land and also in cooperation with the regional corporations that have large tracts of lands that are going to be in their possession. There is legislation that is already on the books that does allow the State of Alaska to get into cooperative land and water use management needs, and, hopefully some of the questions that you have raised can be satisfied through that legislation. What I'm trying to say is that

some of the problems that you've identified tonight are out of the jurisdiction of the Committee. As a private land owner versus another individual, (inaudible), The State of Alaska will at some point in time is going to have some 103 million acres of land to manage and we want to know what the people of the State of Alaska and what their thoughts and feelings are about the term subsistence on that land and whether or not we should exert out influence on federal (inaudible) in agreement with the regional corporation land owners who (inaudible) do have 40 million plus acres of land in their possession. We want to make sure that the conflicts that are going to arise and be (inaudible) as much as possible. And hopefully, at this time, the discussion we can prevent a lot of bruised feelings and prevent a lot of hard feelings from developing and getting out of hand. I do know that there are (inaudible) getting tensed up now with a lot of the land now getting ready to be transferred to regional corporations and people are wondering what the regional corporations well, what are the regional corporations going to be doing with their land? And have they developed land use, water use management policy? To my knowledge, I don't think any regional corporation has anything in black and white yet. And that doesn't say, also, (inaudible) I think that the regional corporations are very much concerned on the (inaudible) subsistence, goes without saying. Another thing is, I'm sure that they don't want renewable resources that are going to develop on their lands to be abused including themselves. Do you have any other comments that you'd like to make at this time? Is there anyone else who would like to give their comments on the issue of subsistence?

Helen Geisert - I serve on AHTNA Regional Board. To me, I don't call

it subsistence hunting, it's our way of life. Three fourths of our Native people cannot afford to go into a store and buy meat. When we go out hunting it is not just for our immediate families, we have old people in our villages that we hunt for. Everybody shares the meat that we get. Not just ourselves. If we're not allowed to hunt, there's many people that are going to go to the welfare agencies. (inaudible) This year when we flew around we spotted three caribou in the whole Copper Valley, and that was it. (inaudible) If you don't know somebody in Fish and Game you didn't get a permit. There were a lot of people that didn't know that there was just 750 permits given out, there is a lot of outside people that come in there that can afford to have guides to take them out and can afford to take planes to fly them around to find them, and they are just slowly disappearing.

Representative Nels Anderson - The reason you said there was no publicity on permits being issued (inaudible).

Helen Geisert - All the time that I talked to a girl at Fish & Game and she said there was a letter written and I asked where the letter was written to and she didn't know. So, I don't know where the letter was written to. Like this 70 year old woman down there that does hunt for herself and she wasn't able to get one.

Participant from Audience - It's the same way from where I live, I haven't got a moose or caribou either one this year.

Representative Steve Cowper - For my information, where is the caribou migrate around here?

Participant from Audience - They come right around Glennallen here years ago they would come right around the Kenny Lake area and three or four years ago I seen four or five and I was out hunting this year I found some old horns right up on top of the hill. They migrated way up in (inaudible). But they tell me that when they had a fire through here in '29 - '30, the caribou quit migrating clear that way. (inaudible)

Representative Steve Cowper - Traditionally what has been the subsistence use of the animals here, caribou, you mentioned hasn't been seen for quite awhile, so what else?

Participant from Audience - Moose, beaver trapping, muskrat, porcuping, squirrels.

Representative Steve Cowper - Has there been anybody to count the number of subsistence users or anything like that? I guess Fish & Game would probably keep count of the subsistence permits is there anybody that would know how many people who are in this village can't get subsistence permits.

Participant from Audience - We had a study done by (inaudible) he came up with some figures. (inaudible).

Representative Steve Cowper - This is a little off the subject, but I'd like to have a little information if you have it, what does AHTNA view the proposals made by the Secretary of Interior on the D-2?

Wilson Justin - The Andrus Bill? So far we are more predisposed to HR-39 because the proposed ammendments to that Bill. The one fact of Andrus looks kind of good right now is that it will be less the total acreage about 91 million acres than the D-2, which may be a factor

that's more wider accepted later on, but at this point we're still proposed ammendments to HR-39.

Representative Nels Anderson - Is there anyone else that would like to make a statement at this time to the Committee on Subsistence?

Maggie Oliver - I'm Maggie Oliver from Cantwell, Yedatene Na Corporation. On behalf of the shareholders and also for myself.

I call myself a subsistence hunter, not because I need it, but because my Mother and my Grandmother need it. My Mother is 63 years old and my Grandmother is 82. They no longer can go out and hunt like they used to, to take care of us until we grew up. So, now, I in turn take care of our families. But, if my Grandmother got a caribou permit and she tried to shoot it, well, we might as well throw it away. It's got to be issued to a person that will go get it for her. This is one thing on a permit that bothers me. Now, at Cantwell, out of 64 Natives, we all live and apply because we got to think that there is only going to be 750 of them given out and we can't afford \$5.00 to send it off if we're not going to get it. There was only two Natives that got it, but they had to go 30 miles up the Denali, five or six miles off of the Denali to a cabin to get it.

I went moose hunting this year as a sportsman, I didn't get, in fact, I went camping for five days and while I was out there I got one down and had to go out and get help to bring it in. I hiked out 2-1/2 miles to get help, came bac, got my moose out, hung it up, and while I was gone about a three hour period, there were five caribou hunters that had military tags, from one of the bases here with a Texas plate. In the period I was gone, they took and stole all the tenderloin right off the moose. Sportshunting is just, well it ruins the subsistence hunting for your lower income people, not just the Natives, all the lower income people. One's that live on retirement, some on social security, and with the prices of meat, my Mother lives on Social

Security and welfare, she can't afford beef. I think it's vitally important that we protect our subsistence hunting rights not just for ourselves, but for all those income people that need it.

There's got to be a way to get permits and stuff to the low income people, there's this guy that had a caribou permit out there and he had an all terrain vehicle and trucking right by me, stopped and said, "I'm going caribou hunting." I said, "Oh, you got a permit?" He said, "Yes, I got a permit." I thought, well heck, he can afford a \$6,000.00 vehicle, why don't he just go buy beef? And there are people up there that need the meat, and if there are 10,000 people and at \$5.00, that's \$50,000.00 that the people pay to try to get a permit. What happened to the rest of it, do they give the money back?

Representative Nels Anderson: I think the State keeps it.

Maggie Oliver: Yeh, to the people that need it, like our elderly people, that might even hold them over for the winter. I think our subsistence hunting (inaudible) is our cultural way of life.

Representative Steve Cowper: What do you suggest we do about (inaudible), for the people that can't actually physically do the actual hunting, the elderly people, somebody has got to go out and do it for them. (Inaudible) I don't know where you draw the line, Maggie.

Sam Agaier: My name is Sam Agaier, I'm from Gakona, I know that there is alot of bad problems that we are faced with the game. Some of them, I'm sure that I'm not knowledgeable with. Fish and Game people that work with them know some angles that we out in the street don't know. But, there are some things about it that are stacked against it. For one thing, there is no question that subsistence hunting

improves the quality of life up here in the Valley. Most of us can survive without a moose or a caribou. We can get along without them, but there is no question, that we would live better if we could get our moose and our caribou and our sheep. And yet, in the effort to increase the game or preserve the game, or whatever the philosophy that is being followed right now. The hunting seasons and bag hunters well, not so much bag hunters, but the seasons are kind of being stacked against the people in the Valley there who aren't you might say (inaudible) most of the Natives and quite a few of us Whites, don't have swamp buggies, track vehicles, airplanes, all the rest of the equipment, therefore, you give us a season three weeks long in the middle of September and you've done the minimum of two things. Stack the season against us, one. You give us a time of the year when the hunting grounds are almost impassable unless you have thousands and thousands of dollars worth of equipment, which means the stream of cars, trucks and trailers coming out of Anchorage and Fairbanks and this continual stream of airplanes overhead. All of which are representing thousands of dollars worth of investments of folks that are sports hunters, maybe not all are sports hunters, but anyone that can afford that kind of equipment obviously isn't worrying about what he's going to roast for dinner or not. Now, you take the people out here, in September, most of us are trying to get ready for winter. A lot of us came out here in the woods because we don't want the pressures of the city. And, therefore, we accept less services and some inconveniences and it also means we have to put in more time getting in our wood and getting things ready for winter time. September is the worst possible month to take a week off to swag through the swamps on foot looking for a moose that probably isn't there anyhow. We need a season that gives us the same break as these people who have the thousands of dollars worth of equipment have. I have a \$200.00 snow machine, give me some snow on the ground, during the season and I've got just a good a chance as anyone else of getting back out there in 20 miles of brush, find a moose, packing it out the trail. I'm not

saying I have to run around in the woods to find me a good trail, but let me get out in the woods, give me a chance.

I can't walk 14 miles out in the woods, shoot a moose, and then pack it out. I can walk 14 miles, I can walk alot further than that, but packing the moose out is something else. I can find a very small area right along side of the roads and the very beginning of a trail and along side of the river. Now, I'm not sure that there's an answer to the problem.

I don't know exactly why we have a season when we have it. I'm sure there are alot of factors that I'm not aware of, but it certainly weight sheavily against me and my neighbors both, Indian and White, who can't afford to compete with these hunters who have all of this equipment. I know several people in my neighborhood that do have equipment, most if not all of them did get a moose. I also know most of the ones that don't have all this equipment and of all the ones in the Gakona area that don't possess all this equipment, only, I know of only one that got a moose, and that was Nick (inaudible), and you might say he got it through accident. There are a few who stroll up the highway during the season in September, there aren't very many, most of them are still on the high ground. I think the Fish and Game people here will agree with that, they're still coming down in the earlier part of September or middle part of September and there aren't too many who cross the road, except the one who lives by FAA. And he'll probably live forever. But the rest of them are out there quite a distance in. We can't compete with the people who have all the expensive equipment and if they have all this equipment they probably don't have the same subsitence situation we have. Thank you.

Representative Nels Anderson: Is there a hunting and fishing Fish and Game Advisory Board here?

Sam Agaier: Yes, there is.

Representative Nels Anderson: Who's the Chairman of that?

Sam Agaier: Which one? There are three of the here. (Inaudible)

Representative Nels Anderson: The reason that I asked about the hunting and fishing Advisory Board is whether or not the problems that you identified have been brought to their attention, whether or not you made a recommendation to them to bring to the Game Board so that the seasons can be changed to accommodate you. Have you done that?

Sam Agaier: Firstly, no, the ideals which I have laid before did not meet with the ideas that have been discussed before here in the Valley among people and also some members of the Advisory Board. So, I'm sure that they have been brought up there also. The reason why they haven't been acted upon or not, I have never been told just exactly why the season is what is is or why they chose those particular days. I imagine there is a reason for it, but I haven't heard what they are, but the idea, but they are just not mine. They're ideas I'm sure that are in many of the minds right in this room right now, the things that I discussed among some of us continuously every year. For some of us several years.

Representative Nels Anderson: You probably know that most of the information that we have gathered so far from the other places that we've held hearings, Dillingham, Kipnuk, Nome, Kotzebue that basically what you people have said are the very same things that have been said already to this Committee so what we're hearing tonight is not new either. We have heard the same thing and what we're trying to figure out, it's quite possible that some areas in the State will come with the solution that we're looking for. To be very honest I don't have an answer yet, I really don't know. All we know is that we've got an awful lot of problems and conflict.

Up in the Nome area, they have entire different geography, they have the coast line. (Mr. Anderson drew a diagram on the blackboard) Say, this is fifty miles here, and there is another 50 miles here and they in 30 miles like this. There is no hunting permitted here in this area. From this point, fifty miles up this way and fifty miles up this way, 30 miles in there is no hunting. You can hunt out here. Okay, what that does to the local people is that they, the local people what you're talking about. They don't have equipment either. But the people that have the money now, they have a road system, you know from the old mining trails and people that can afford a \$6,000, \$7,000 four wheel drive vehicle, which you need to get out there to this mine over here are people that have the money, but really they can afford to go out and buy a roast at the grocery store. There is a small little village here where the people have moved from an island out there, Gambell. People who need that moose, but can't get because they can't afford the vehicles. You know they are in the same rat hole as you people, too. I don't know what we're going to do about that. But, as we get this kind of information, we are going to have to bring it to the attention of the State Legislature and make very definite proposals on how we can change these things so that people who rely on the game resources for food will have a better opportunity of getting it. Now, I'm certainly all for that, and certainly in favor, but to be very blunt, we are going to be needing some very specific recommendations from individuals and of course, your comments are going to be useful to me.

I honestly didn't know that there was a 750 permit quota established in this area. I really didn't know that. I am also very disturbed to hear that there was obviously not radio publicity centered around that activity either. I mean that is going to have to be corrected. But it seems to me there has got to be better ways of getting that information out. Is there anyone else at this time?

Sterling Eide: Sterling Eide, Glenallen, Alaska Department of Fish and Game. First, there is two press releases related to the (inaudible) system and the Anchorage office put in about four to five other. In addition to that a little over 1/3 was to local system in getting people also in the newspapers two different times. Messages for people who wish to come in and apply for their caribou permits. The number 750 is not (inaudible), there is an additional 150 (inaudible). It brings up the question that I would like to ask someone. If you have over 3,000 hunters and had 750 permits, a quota of 500 animals to kill, how does one go about stopping them?

Maggie Olive: I can see that side of it too, like I said earlier there are so many of us that didn't know about the permits and alot of them didn't get one. We were told later that they were given out in June. (Discussion by participants in audience that was not audible.)

Representative Nels Anderson: How many are using only (inaudible) permits in this area. Are you the only person?

Participant from Audience: No, I'm not the only person, there are two of us in this area. (Assume this person is a Fish and Game person)

Representative Nels Anderson: And you monitor the activities of 3,000 hunters? his is a game biologist?

Sterling Eide: This is a game management biologist, we also have 5-6 enforcement officers who would be in the same general area.

Representative Nels Anderson: You asked me a question earlier, on how could you restate your question?

Sterling Eide: Sure, we have a usual 3,000 hunters that wish to obtain caribou (inaudible) and we have an allowable harvest of 500 caribou. How do you go about limiting it without going through something like permits? The idea of allowing the caribou herd to grow, (inaudible).

Representative Nels Anderson: You have to forgive me, I'm just totally ignorant, of asking you a question you can't give me the answer, okay, what I'm trying to find out, was there a healthy herd in this area at one time? And if there was, what happened to it?

Sterling Eide: At one time there was 60,000 caribou in this area.

Representative Nels Anderson: What year are you talking about?

Sterling Eide: 1963, after approximately about 1971 we had a fairly large movement of caribou from the area and a large winter harvest of caribou, and the next census, that was done, which was done in 1972, it said that in the neighborhood of perhaps 10,000 caribou. That's when they did away with the late seasons, snowmachine use, to actually 15 days in the summer. Since that time, the caribou herd has been building, and it might be 20,000 and it will probably be there in 2 or 3 years, if the things continue to go as they have been. If we do not keep the caribou herd on permit or at least limit the harvest, pretty soon we will not see 20,000 caribou and the harvest per year will be much less than it is now.

Representative Nels Anderson: What is the present estimate that is harvested?

Sterling Eide: At the present rate, we are attempting to harvest no more than 500 a year.

Representative Nels Anderson: What is the present state of the, your estimate of the numbers of the herds now?

Sterling Eide: This spring we counted 14,000 animals and the bulls are not in that category. (Inaudible)

Representative Nels Anderson: In your opinion, do you think you have enough support in the administration. Do you think you have enough staff to do the work that you have to do. Or are you understaffed, are you presently adequately staffed?

Sterling Eide: You're asking a bureaucratic question.

Representative Steve Cowper: We're the only people that get to do that.

Sterling Eide: In this area, we're really fortunate, in addition to myself and the other game managers, we have a considerable amount of research going on and last year we were very lucky in getting the Enforcement Division to come in and help out and put in a heavy amount of effort in this area. So, I would say that last year, we received assistance from the administration way out of proportion of what any other area in the State had.

Representative Nels Anderson: Steve, do you have any other comments?

Representative Steve Cowper: I would like to discern a couple of things that have remained (inaudible) ever since we started these hearings. One of them is that the subsistence lifestyle is a whole lot more than just a great big meat locker. Its in the frame of mind that the people voluntarily got, and it involves a whole lot more than just an existence. (Inaudible) It's not a matter of putting a piece of meat on the table, it involves a lifestyle and it should be recognized. And, it also all boils down with the people, in sort of a contest between the people with the

kind of lifestyle and the urban hunters who have gotten a lot richer in the past few years on account of the pipeline and other things and a lot of vehicles, airplanes, and other sorts of things, too. I can tell you that there are fewer moose around Fairbanks since '70's or so, I think that all the snow vehicles have pretty much wiped them all out, so, somewhere somebody is going to have to make some policy decisions as to who goes first.

Portion of the tape inaudible at this point.

Representative Steve Cowper: Certainly, the definition of subsistence is in dispute, but one thing is clear, (inaudible). It may depend on as much a location on where you live than anything else. Perhaps some economic factors will enter into it.

Portion of tape inaudible.

Joe Roach: I'm Joe Roach, and live about 30 miles south of here. One of the things that I would not like to see as a criteria for subsistence hunting is whether a person is on welfare or not. There are years when my total income doesn't exceed but about \$4,000.00. I've never been on welfare in my life. I have seen some of them earn \$11,000 to \$12,000 then jump on welfare and end up paying a subsistence permit and they denied me. (Inaudible) When I came to Alaska about 11 years ago, you were allowed to hunt up to 3 caribou. I remember right here in this room, approximately 10 years ago, meetings that were held, where people tried to talk to the Fish and Game, the management people. It came to reducing that 3 limit to 2 limit. (Inaudible)  
Thank you.

Representative Nels Anderson: Thank you. I really can't answer that on why the reduced caribou. But anyway, many realize throughout the State that there have been some deficiencies in management. But, there is one thing that I would like to point

out to the public. I've been one of those who have been extremely critical of the Department of Fish and Game, not because of their what appeared to be an insensitive attitude toward their jobs, but I've stopped that now. Because I am beginning to realize that some of the problems that have occurred have been outside their domain of jurisdiction. These people that are managing our fish and game, for the most part are people who are extremely dedicated and they really do care. One of the things that I've found is that these people have not been given the proper financial support of the people in Alaska. Now, the Department of Fish and Game, in the Game Division, they get their money from selling moose and caribou licenses to the outsiders, foreigners, and what is left that we give them from our hunting and fishing licenses, that money is put into a fund and then federal money is matched to it and that's where they get alot of their money to operate. As a matter of fact, that's where they get all their money to operate. So, we got to take a look at that. In the past, although I may have offeneded a few people here, but in the past the game guides have a (inaudible) big game in the State of Alaska. They have a game advisory board right now up in the Nome, Kotzebue area. They segment certain hunting areas and they are exclusively one game guide's domain. No other game guide can go there and hunt. Okay, the Fish and Game can't do anything about that, now for some reason with the game guides, with their influence, they can be able to get laws passed effectively themselves. And, I don't think that they care that much about subsistence. Okay, that another thing. I want to share with you tonight, if there is no one else that cares to testify tonight.

Ken Roberson: I just want to put one thing in here, you talked exclusively about game. I'm curious if anyone has any thoughts about fish. I'm in the fish business with Fish and Game, on the subsistence part of it and I'd just be curious in hearing them as I'm well sure you are. Just a thought.

Participant from Audience: I had a subsistence fish net this year, and I was only allowed 30 fish. I want to know why, when I have I'd say approximately 40 people in my family that would eat thirty fish and that's in just one setting. Why is it just 30 fish?

Ken Roberson: If your gross income is greater than \$500.00.

Participant from Audience: Why do they take my husband's gross income, when I applied for the fish permit?

Ken Roberson: Okay, it would be joined as family and has been for some time. I hope you gentlemen are aware I specifically am putting together a report on the subsistence fishing to the Board of Fisheries in December with a management option and they will alter with present circumstances. We recognize that there are some weaknesses based on income status, use style and I'm sure you gentlemen have read all that in the Department of Fish and Game Board of subsistence policies. It has all the options how they're used is something else. And we have been directed by the Board to prepare a document and hopefully, they will respond to these specifically. (Inaudible) (A question was asked to Mr. Roberson that was concerning sports fishing, most of it was inaudible) If we define a certain unit as subsistence and it raises less question and comments here as a result. But, we've got things to do, and a ways to go in defining who is a subsistence user and when they can and where. The answer is not easy. I hope you fellas, I'm sure you are aware at this point and hope we can get as many answers as we have questions.

Representative Nels Anderson: Well, I tell you, I had alot of bright ideas when I started out on this thing and they have rapidly disappeared. Okay, on the fishing (inaudible) on trying to evaluate the capability of present projected subsistence needs, past subsistence needs as well. And one thing that we know, okay, you take

a look at the fish regulations, in the herring fishery all it says is one sentence referring to the fishing, the fishing of herring, and right now there is going to be a massive commercial effort being organized now (inaudible) to Western Alaska herring fishery. I attended a Fish and Game Advisory Board meeting, two meetings, two nights in a row and stayed up until 2:00 in the morning, trying to decide how in the world we were going to regulate the commercial take. And, one of the things I kind of fished for awhile if the understanding is going to be a commercial harvest, but what about the subsistence? You know they just couldn't get it into their heads when (inaudible). Well, take a look at the salmon eggs, there are very definite provisions of taking salmon for subsistence purposes on certain conditions. And, I said, why don't we start to develop some method of taking of herring for subsistence because the figures that we have indicated that about 600 ton of herring are taken a year by residents of Alaska along the West Coast. That's from Bristol Bay along up to Norton Sound, all the way up to Kotzebue, and passed beyond that. So, what we finally decided to do, the Department of Fish and Game is going to submit a proposal to the Board of Fisheries and say 6,000 ton of herring are going to be allowed to be caught, and the first 1,000 will be allocated for subsistence purposes. And like you say, you don't look at grayling as a sport fish, you look at it as something to eat and its meat for the table. Well, that's one of the things that we are going to be making proposals, legislatively or through the Board of Fish to get some of these definitions redefined so that there is some allocation made for subsistence purposes. We have to do that. And we have to (inaudible) your confidence and I know you said it very seriously, but there are a lot of people that feel about it the same way you do. I know you get a lot of sports fishermen really upset, and we have a lot of sports fishermen in this State. I don't know how many we've got now, but about 4 or 5 years ago, we had 85,000 of those people running around. And they contributed an awful lot of money

into the State treasury and they feel as though they have a lot of say about what happens to them in developing the rules and regulations and how certain fish are taken. But it isn't their exclusive right and I think that you people who have a subsistence requirement ought to be provided a legitimate access to that resource as well. That's one of our goals we want to take a very good close look at that, not only at grayling but other resources that may be used for sports purposes that we should make allocations for subsistence purposes. I just want to make a very brief comment about a Fish and Game policy that I received in Dillingham on the 9th of August, the new Commissioner of Fish and Game, Mr. Ron Skoog attended that meeting and gave to me a policy statement that the Department of Fish and Game has devised. And, I don't believe has been implemented and I wanted to share it with you, read it to you. This is a Fish and Game paper and it was prepared about 1973 but it was signed by Mr. Skoog about the 9th of August and the title on top of the page is entitled "Subsistence". (Attached to this testimony is a copy of that paper)

Representative Nels Anderson: But, John Schaeffer, up in Kotzebue, who was the Executive Vice President for the NANA Corporation doesn't (inaudible) that, because of pressure that he's got from his people, because he is getting a large salary, he just doesn't know what to do. He doesn't want to be hassled by them all. So, there are people that are responding a lot of different ways, but there are a lot of people, too, that have made money that still want to go out and hunt and fish and there is no way that we can replace the taste of moose or caribou or any of the Native foods that you've grown up with that you just have to have.

And one of the problems that we're having right now is that we're going to be wrestling with in the Legislature is how we are going to define that feeling you know, how do

you legislate prejudice, you know that's not going to go away. People have made penalties and rules on discrimination, but you can't (inaudible) and our attitudes and when I say our attitudes, I speak of us, Native persons, the attitudes of Native people toward s Native foods is a pretty strong feeling. How do you legislate that? I know that there are alot of non-Native people who have come up to this country and have become accustomed to Native food and learned to like it and are living a very harsh life, that is their privilege of taking of that subsistence resources. I just thought it was interesting and I think what I'll do is have Dorothy Larson make a copy of this and send it to the Ahtna Corporation if you don't have it you could study it and perhaps make modifications to it or come up with your own definitions of subsistence, but I am asking people at this point in time to give us your ideas specific ideas of what you would like to see us do. Even the Department of Fish and Game personnel would have alot of valuable information that they could share with us. I know that there are some very strict rules, bureaucratic rules on (inaudible) of what you can or annot say, I've got a good area biologist in Bristol Bay, a guy by the name of Mike Nelson. But he won't come to me even if his life depended upon it for any help from the Legislature. He goes through the chain of command. It's real unfortunate that it works that way, but I guess that's how you keep the boys in line. Is there anyone else?

A portion of the tape inaudible.

Representative Nels Anderson: I just learned of this at a meeting in Dillingham. Fish and Game Advisory Board made a report to a group that called otter and lynx and there was one other are being considered on being put on the endangered list. They are apparently endangered in the Lower 48, now I don't know about Alaska, but.

Participant in Audience: There is no way in the world that they are on the endangered species up here.

Representative Nels Anderson: I really don't know, I certainly don't approve of the Lower 48, if there, if it's their desire to put that animal on the endangered list let them go ahead, but leave us alone. I think we're okay. Are we okay with the mink and the lynx in this country.

Fish and Game Participant: We are by our law here in Alaska. (Some discussion by the participants in the audience.)

John Goertz: John Goertz, Kenny Lake. I would like to say a few words about subsistence fishing. Salmon Fishing. I fished a river every year up there, in fact, I've got the same spot for the last five years. I think its real good and I'd like to see it stay, but they sure need more enforcement out there, the people are allowed permits so many fish, which is good, need alot more enforcement out there, infact, I know some of you and three years ago they had some little girl out there that was real good. It kept everybody in line. But, this year and last year, both there was nobody, they had a few enforcement officers. Sure, but they need more help, and that subsistence fishing is a real good thing. But they need a little more help out there to keep them in line.

Participant in Audience: It is not the quality of the folks, it is the number.  
(Inaudible)

Representative Nels Anderson: Do these people have the enforcement authority?

Fish and Game Participant: Yes, there most in the past, it was handed out automatically. Now it is where they have to go through an eight hour course. (Inaudible)

Representative Nels Anderson: Are there any other comments on hunting and fishing? Birds, migratory birds, anything else?

Participant in Audience: With the 500 caribou to be taken this year, why couldn't half of them be given to subsistence hunters, whether they live on social security or whether they be Native, White or whatever? So that it would give each person a chance?

Representative Nels Anderson: Well, I certainly don't have any objections to suggestions just that I told you earlier that I attended Fish and Game Advisory Board meeting, they were taking up suggestions (inaudible). It seems to me that that would be a legitimate proposal to make for their consideration. I don't know what the deadline that's being established nor whether its being passed or not.

Fish and Game Participant: Usually the deadline is about February 10 or something like that.

Representative Nels Anderson: My suggestion when the time comes when they make the announcement asking for suggestions on how to allocate the 500 allowable take then your suggestion was that 250 be allocated to certain groups then the other 250 for sports. And I think its something that the Board will consider. And those of you should make an effort to put in a suggestion in that nature. Then, if you could get your advisory board to make a similar suggestion, you would probably have a little bit more power. You ought to try that. Did you have something else, I think I cut you off or I recognized somebody else.

Participant in Audience: Earlier, I was going to ask Mr. Cowper if the Federal government with the D-2 legislation where they made certain areas subsistence

(inaudible) and where they directed that certain types of access would be better along rivers for subsistence use than other. Whether or not they defined in anyway what subsistence was and who these users would be and is anybody here taken a look at this at all?

Representative Steve Cowper: The original proposal set up the articles of subsistence board policies on subsistence users who would say, or try to establish the use. The answer to that is that they don't know what they're doing and they're waiting for people in Alaska to get together on some kind of acceptable plan. (Inaudible) the Alaska Coalition, which you know, they do have an awful lot of information, they didn't have much on subsistence. So we could use a lot of improvement. So whatever is in HR-39 (inaudible) I might add to that Regional Fish and Game Boards, that concept is going to be strengthened I think just by virtually every piece of legislation, every regional fish and game board is going to be very powerful in this State, at least that's the way I see it. Hopefully, if we have cooperative fish and game management we could (inaudible) into subsistence purposes those regional fish and game boards would name not only the State and privately owned lands, but also the federal lands.

Representative Nels Anderson: If there any other questions or comments or statements that you would like to make at this time? I would just like to take your attention Steve, and I'm sure that you already know that that Governor Hammond has made it known that he is pushing very strongly I guess for the Department of Fish and Game Boards be broken down into regional areas for this coming legislature. At least he has let this be known to several legislators that this is his intent. And, that he is actively looking for support from the Legislature to accomplish this. In other words, there would not be statewide Fish and Game Boards, or statewide game boards

or statewide fish boards, it would be broken down into regions. Like the Bristol Bay area would have their own Fish and Game Board and they would elect or would have appointed their own board members, in the Kotzebue areas, same thing, the Arctic Slope, Northwest, the Interior, this area, we would have regional boards, that's the concept the Governor Hammond had brought to my attention. Of course, we have planned to ask to have such legislation asked wasn't successful because Governor Hammond was opposed to it, but now I think he has a little change of heart and D-2 I think has (inaudible) into it and the election year is coming up, so you might as well take that into consideration. Is there anything else?

Participant in Audience: I'd just like to mention this area would fall under (inaudible) million acres, (inaudible) so we not only want locally, but (inaudible) so we may not benefit from this five sections or (inaudible)

Representative Nels Anderson: Well, if there is nothing else, I would like to thank the people that showed up to the meeting tonight, I really appreciate it. And, I am hoping that we will be able to do something positive with the information that we received tonight and in December we will be taking all the accounts that we received throughout the State, analyze those and we will be making included making all this information available to the Legislative Council for introduction to the next Legislature, proposals and that you people feel strongly about and we share this information with you and hopefully to have the final report drafted sometime in January and as soon as this is completed by the Legislative Council will have shared with people that, at least with regional representatives and the Department of Fish and Game, I'm sure will get copies of what we have come up with, and again thank you very much and if there is nothing else, I will adjourn the meeting with your community on subsistence. Thank you very much.

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// SUBSISTENCE

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

DEFINITION:

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

PROBLEM:

Subsistence involves:

1. The biological productivity of the exploited resources
2. The development of a legal framework--constitutional, statutory, and regulatory--under which the exploitation can take place
3. The political realities of the present situation

DEPARTMENT STRATEGY:

1. The Department of Fish and Game has and shall continue to recognize legitimate subsistence utilization of resources as a priority use.
2. Regulation governing legitimate subsistence utilization shall continue to be based on the biological productivity of the resource in concert with the public need.
3. The Department must realize that the regional and village corporation have the responsibility to insure that subsistence requirements are satisfied to the greatest extent possible by their judicious selection of land under the Alaska Native Land Claims Settlement Act.
  - a. This is based on the fact that the natives have the right to select 40 million acres of land under the act and they have the right to use that land for their exclusive use within the state's regulatory framework.

- b) We must recognize, however, that the intent of Congress was that subsistence needs shall be met on public lands as well. The Native leaders are aware of this and that is basically what they are fighting for.
- 2. c) Also, we must recognize that the loss of 40 million acres to public use is not in the public's interest.
- 4. The Department must immediately open up communications with both the Regional and Village corporations.
- 5. The Commissioner's Office must establish the Department "position" to govern the conduct of the liaison group as they meet with the corporation.
  - a) We will not drop on the corporation "en masse" but will instead send our most knowledgeable one or two people to meet with the corporations.
  - b) Our basic position will consist of the following:
    1. Legitimate subsistence utilization will be conducted within the framework of maximum sustained yield.
    2. Our past record shows that, to date, we have provided for legitimate subsistence use. We do, however, recognize that competition between other users and subsistence is now a real (as opposed to imagined) problem and we are willing to support reasonable regulations that will reduce this conflict.
    3. We recognize the native rights as private land owners; however, we must inform them that "exclusive use" will still be subject to state regulation in order to provide for an orderly harvest and adequate reproductive stocks.
    4. Exclusive use foreclosed the opportunity for the natives to use these resources in revenue generating programs.

We must meet with the corporations and listen to their position. We should strive to have them define legitimate subsistence use.

\* \* \* \* \*

Definition from Title 16 16.05.940(17).

"Subsistence fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources for personal use and not for sale or barter, with gill net, seine, fish wheel, long line, or other means defined by the Board."

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PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE  
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson, Jr., Chairman  
Representative Leo Schaeffer

STAFF MEMBERS PRESENT:

Dorothy M. Larson, Staff Assistant

PUBLIC HEARING LOCATION:

JUNEAU, ALASKA  
ANB HALL

DATE: Friday, December 9, 1977  
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

<u>Name</u>	<u>Address</u>	<u>Organization</u>
Mr. & Mrs. George See Robert Willard	RR6-6074, Juneau 155 David # 222	Sealaska Corp. Tlingitt Haida Central Council
John P. Norton Vic White Cliff Lobaugh J.E. Leisu	Box 582, Haines P.O. Box 449 Bcx 2633, Juneau 99802 Switzer Village	SEACAP Sierra Club Southeast Alaska Empire
Harold Howard Peter Williams	Box 156, Douglas 99824 382 Village Street	ANB

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JUNEAU ALASKA

# Alaska State Legislature

## House

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

DECEMBER 9, 1977 - JUNEAU PUBLIC HEARING

Representative Nels Anderson: We'll call the meeting on subsistence to order. For those of you who do not know me, my name is Nels Anderson I'm Chairman of the Interim Committee on Subsistence and to my left is Representative Leo Scheffer from Kobuk and our Staff Assistant, Dorothy Larson, is from Dillingham. As most of you probably know already the Interim Committee on Subsistence was created just before this last Session ended. The reason for our existence is, to collect as many of these as we possibly can on the subject of subsistence to determine what the State of Alaska should do defining or describing subsistence activities and making a recommendation to the Legislature on what the State of Alaska should do about protecting the subsistence activities with the State of Alaska. We also felt the State of Alaska is going through some major land transfer changes and as the land begins to change hands a goodly portion of it moves into State control and the Federal control, that there are going to be some conflicts in how Alaska's resources are going to be managed. As that process is continuing however, there are some very definite State needs that must be recognized and one of those, at least my belief is the issue of subsistence.

We have been holding hearings throughout the State of Alaska, we're just about to conclude our meetings with this meeting and one final meeting in Barrow which will be held on Monday. That will conclude our hearings at that time and we will prepare a report to the Legislature, which will be submitted to the Legislative Council on January 7, 1978. And not only that there are several pieces of legislation that will hopefully will be acted on in the 1978 Legislature. If there are no further comments from myself and Mr. Schaffer wishes to comment, and if there are witnesses that may like to tell the Committee what they think is

important about the issues of subsistence.

Robert Willard: Mr. Chairman, my name is Robert Willard and I'm from Angoon. I've read the accounts and activities of the Committee regarding subsistence and sports fishing. My immediate reaction which I think is in the best interest of the residents of Angoon, which depend on fishing and hunting, not for sports or trophy, is that until such time as the Federal Government completes the intent of the Alaska Native Claims Settlement Act conveyances of land, complete the transfer of lands that the State, that the Legislature should become heavily involved in the interpretation of what constitutes subsistence use and hunting. Its inconceivable to me that there would be any deviation of the aboriginal rights of the Alaska Natives to go hunting and fishing as against taking for sports or other purposes. But taking of fish and game by Alaska Natives in the rural areas was because it was necessary for diet (inaudible). And yet, the Alaska Department of Fish and Game would allow a sports fisherman, as an example, as against commercial fisherman as they did in Cook Inlet. I think you will recall in 1971 or 1972 when the Department regulated commercial fishermen along Cook Inlet who were mostly Alaska Natives.

It appears to me that the problem that we're running into is that Alaska Natives use of our own resources are being over-regulated. Are being regulated out of the use and take of what has been traditional to us. Now see subsistence is something that we have always used not because its traditional but because its nutritional to our people. The problem that I run into now is that the State now conceives to try to regulate or legislate the resources that's available to our people that use it that we're going to run into some serious problems after the lands have been conveyed to the State and also to the Regional Corporation's established through the Alaska Native Claims Settlement Act and also the Village Corporations. I don't think that the use of our resources have been abused by the villages. There are various accounts that the abuse of our resources that are available by non-natives, trophy hunters. Well its a known fact that Alaska Native people use everything that get (inaudible). Thank you.

Representative Nels Anderson: Basically, what you've told us dovetails

with comments that were made in other parts of the State. There is a great deal of concern in the State of Alaska. (inaudible) not able at this time to really (inaudible) any further kind of regulatory authority because first of all I really don't think they understand. At least the Department of Fish & Game, in my opinion does not understand the full utilization of our resources and the way the resources are being used. I do appreciate the comments and know you have given them alot of thought.

The other thing is that the Alaskan Native people are going through, and I think that you are well aware of it by your comments is that there is a feeling throughout the non-native community in the State of Alaska but also out in the lower 48, they think that the Alaska people are a rich people, a very rich people now and they don't need to depend on the land as much as they used to in the past, which is a real false impression that has been stirring up and has largely dominated the thinking of non-native people and those people who are in authority that may have some regulatory authority over how lands and waters can be used in the State. I think that this is a false impression and I see many years before we actually see some real dramatic results from the passage of the Lands Claims Settlement Act. The point that you made, again, I think is extremely important that the Federal Government yet has not lived up with the terms with the Claims Act, the land has not been conveyed as you pointed out and the money that was supposedly to be for compensation for lands taken has not yet been realized, there still will be some yet to be conveyed to the Alaska Native people. I think that has to be emphasized over and over.

Robert Willard: Mr. Chairman, if I might just elaborate a little bit more on the commercialization. It was just, I would guess just 10 or 15 years ago that people would snicker at the Alaska Natives in Southeast particularly about the herring roe. Herring eggs. Now it's overly regulated to the point that our people can't even get a ticket, or excuse the language, goddam permit. They can't go down to the beach and pick clams, gumboots or whatever without first a permit from the Government. They did that in my estimation is only to stop us from taking them further, commercially, (inaudible) and that is what is beginning to concern me is that if we get too involved now in regulations