

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2

81 SCOMM 7 : INTERIM COMM. ON SUBSISTENCE 1977

of subsistence before we actually define what lands we're talking about that we're going to run into serious, serious problems, because when the Natives finally get their land, are they going to succumb to the pressures of the State to regulate? Is the Federal Government going to come in and try to regulate like they did in the Fairweather Grounds? The Federal Government in the North Pacific Marine Management Council tried to come in and try to regulate our Cape Fisheries as against the Department of Fish & Game. And if you look at the record the reason that Egan VS. Kake, VS. Angoon, BS. Metlakatla case came up was because the State wanted to regulate its own resources. And I'm not saying that the State is wrong in trying to regulate its own resources. I'm saying that I appreciate the State doing it, I just don't think its time. I would rather see Alaskans sit down and work these things out then to have some Washington D.C. Official come up and tell us what do do. Thats about it.

Representative Nels Anderson: Is there anyone else that would like to testify at this time?

George See: Mr. Chairman, my name is George See, Corporate Secretary of SeaAlaska. I would like to thank you for sending an invitations to SeaAlaska to participate and to attend your meeting this evening. Due to the short period of time we received our invitation that we have had not the time to prepare a statement that we wish. Mr. Borbridge has been travelling extensively and he will not be able to make this meeting tonight.

Representative Nels Anderson: Yes, we would be looking for your written comments on the issues of subsistence. Sealaska's viewpoints is going to be very valuable and we would like to consider it. Is there anyone else that would like to testify on the issues of subsistence. Well, if there is no one else we will take a very short break and see if anyone else is going to be coming and just take a short recess at this time.

Short Recess

Representative Nels Anderson: Okay, we'll call the meeting back to order.

Needless to say, we're a little dissappointed not more people came out. Quite possible we didn't advertise enough, but for those members that have just come in since we started, the Interim Committee on Subsistence is and has been holding hearing throughout the State of Alaska to collect peoples views on the issues of subsistence. And it's a subject that is going to be looked at very carefully at the 1978 Legislature. One of the reasons, as probably most of you know is that the State of Alaska's land holdings are going to be changing or who owns what is going to be changing dramatically and as these changes occur there is going to be conflict, inevitable conflict between who's going to be managing what and just exactly what private land holders are going to tolerate as far as land and fish resources that may reside in large pockets of private landholdings. The State of Alaska in turn will be selecting another 35 million acres of land which they will in turn own. Also under various D-2 land proposals, large tracts of land are going to be selected by the Federal Government and certain activities are going to be permitted within the withdrawals that are being proposed and certain activities are going to be permitted and some are not going to be permitted. What we're trying to determine is just what impact does subsistence have or subsistence activity have on the kinds of land management proposals that may come out of these deliberations as they occur as we move into the future. And our job as we define it, is that we're going to be taking a look at, a very close look at the compatibility of present and projected subsistence needs.

We are in the process of gathering data that has been generated by various Regional Corporations, non-profit Corporations throughout the State and they have been giving us some very vital information telling us just exactly what the total dependence of the people is on fish and game resources. One of the things that we know is that the State of Alaska has not enacted any (inaudible) of subsistence laws. To date, it's been a fragmented approach there has been really no real direction provided by the people to the Legislature or the Administration. The Administration does have a policy that they have incorporated, they have done this voluntary. Simply because they have voluntarily provided an approach to how subsistence activities occur simply means that if they decided at some point in the future not to do it anymore, then they have the administrative power to cease doing what they are

doing today. They do permit to a great extent a pretty liberal view of subsistence activities. However, as we have travelled throughout many parts of the State of Alaska right now, a lot of people in Rural Alaska especially are being prohibited from taking these resources any longer. One of the original or earlier statements that was made by one of our witnesses and something that we note, is that there is backlash that's coming all the way back from Washington D.C.. That people who are in authority back there and people who are in decision-making positions in the State of Alaska have a false impression on what the impact of the Alaska Native Claims Settlement Act is having on the income of Alaskan people who are living in Rural Alaska. The impact of the Alaska Native Claims Settlement Act has not been that dramatic and the continued dependence on fish and game resources for food is still going to be a primary concern that people in rural Alaska are going to have to count on from both the Federal Government and the State Government. They depend on this Committee to make sure that whatever information is available to show the State Government and the Federal Government that this dependence does exist that we want this information to be on the record so that the traditional use of fish and game resources is not shunted aside as we begin to compete with these resources for commercial purposes and recreation purposes and sports purposes. As Chairman of the Committee when I asked the Legislature to consider me for the subsistence I felt very strongly that the subsistence issue had not been adequately taken care of nor does it have any real place in the State Government and the studies that we have conducted, the research that have been conducted to date bears itself. We have reports that tell us exactly what the State of Alaska, how it uses subsistence and its place is pretty far down the ladder in areas of priority and we're going to try to turn this around and that is the intent of this committee.

If there isn't anybody else at this time that would like to testify it is my intent to adjourn this meeting and as I said earlier, we plan to go up to Barrow, we'll be up there Monday and that will be our final series of meetings that we have conducted throughout the State. We'll be taking whatever information that we collect and incorporate it into a final report which we will be submitting to the Legislative Staff draft several pieces of legislation that is going to be submitted

to the Legislative Council for introduction into the next Legislature. As they deal with the issues of subsistence, however the Committee does not take on the task of defining what subsistence means, because we have been asked by people that we met throughout the State to try to define the terms of subsistence at this time would have far more devastating effects than we probably could live with.

What we have come up with though is that there is strong feeling that the subsistence activities should be described, rather than defining the term itself. By defining subsistence activities it is very strongly felt by people throughout the State of Alaska that this kind of approach would not have the tendency of excluding people from access to resources that they need. On the other hand if we were to define the situation there is a great possibility that subsistence activities as we know them, could be excluded from those people or be excluded from utilizing those resources that they have grown to depend on and have taken without interference in the past.

Although we are moving very rapidly into the modern age and several communities in the State of Alaska this great stride forward in our communities in the State of Alaska are not moving at the same pace and the State of Alaska and the Federal Government as I view the comments made in other communities that the State of Alaska will have to insist that because of so many people use fish and game resources that belong to all the people, that subsistence is going to have to be considered very carefully, very deliberately and we have to make sure that we don't exclude people as they still use those resources. If there is anyone who would like to comment on some of the things that I've said or if they have any views on the issues of subsistence we would like to hear them at this time. If not, as I said during the Legislative session we will be taking up these issues and hope we will see you then and we have developed the position on the issues of subsistence we would certainly look forward to your testimony at that time.

And I would also like to invite you to write to our staff or submit your comments to the Legislature up at the Capitol there. When I come back down to Juneau I expect to be down here on January 1, I would be very happy to review your comments and meet with anyone at anytime to discuss

your viewpoints. I think its extremely important that the entire State of Alaska get together. To me, the issues of subsistence is not particularly a native issue, I think it's an issue that touches every household in the State of Alaska and I think that every person in the State of Alaska is going to have to grips with the issue, because I do know for a fact that it is not just people who rely to some extent on the land around them.

Amy See: May I make a comment (inaudible who was raised in (inaudible) village. I still have a family there that do make a living off the land and the entire family who do draw from the natural resources to get through the winter, take care of unemployment compensation and some of my family have absolutely no retirement. I think these people should be able to have crab pots, to catch a fish, collect herring eggs, shoot a deer or be able to shoot for his family. When I go back to visit weekends I take my children out on fishing trips in the summer time and we do trade at stores. A box of kleenex in most of those villages there are a \$1.05 to a \$1.15, meat counter is bad, they are black, refrozen, half-thawed refrozen hamburger no one wants, I usually go back to my brothers and say bring home a fish. I don't care to buy meat at the store and the prices are unreasonable. We have family in Tenakee, there are probably only two Alaska Native people there, but then there are alot of older people who are living on a small retirement stay there because of their health, for the baths and (inaudible). They have to be able to draw a fish or a crab or a herring egg, or a deer, or a bird as needed. I think this is an Alaskan problem and should be taken care of to each area's need by Alaskans, thank you.

Representative Nels Anderson: Thank you.

John Norton: My name is John Norton, from Haines, and I'd like to (inaudible) permits to older people of our State who are living on small pensions and who have found a deer, or a moose will help them get by, otherwise would face economic hardship. I would hope this commissions is able to study this, this program or this concept in developing and pay attention particularly for older people, both Native and white. And give them as much consideration as they can. In haines, now we have and ability for people to fish inthe Chilkat River. Chilkoot River has

been closed for some time and this year in particular we had a pretty good run in the Chilkoot and the people who have fished there years before. The Native people, particularly, have not been allowed to fish, subsistence fish in that river and there was an exception (inaudible) this year. I think if we have people (inaudible) \$50, and \$60,000, and it seems somewhat inequitable to those people who are not as well off to not be able to utilize those resources at least to some extent. I think that you should take cases like this and study them and you could compromise a little between all the use (inaudible) Commercial fishermen through their fisheries programs are getting better runs and they can afford to give some of these increases in their catches to the people in the area. (inaudible) that is the extent of my statement, thank you.

Representative Nels Anderson: Thank you very much, Mr. Norton.

Male in Audience: Let me ask a question.

Representative Nels Anderson: Yes, please.

Cliff Lobaugh: I've listened and this is a very confusing issue to me. I've read the park services subsistence policy and then the State, Keith Specking came back from Washington D.C. and just two of the non-profit native corporations, and the only piece of legislation I've seen so far has dealt with subsistence is HR-39 and since you're in the process you know, drafting legislation, you've probably reviewed that. I was wondering what's your feelings on that piece of legislation from a subsistence stand.

Representative Nels Anderson: Well, the Committee really has not taken any kind of position on any of the various D-2 land proposals that have been drafted. We had originally adopted that as one of our goals and objectives, but because we had not been able to address that, and simply because we have had so much work, we adopted six goals and objectives and that was one of them. Because we have not had the time, because gathering information, meeting with people, and trying to get people to grasp the issue of subsistence we haven't taken a look at D-2 legislation at all. I have, on my own reviewed the D-2 proposals as

several of those have been written and I've got some very strong feelings on whether or not they should be adopted, simply because there are a large number of people in the State of Alaska who think that the Federal Government ought not to adopt a policy that would exclude non-native people. Although the Federal Government has the authority to manage the resources on Federal lands in that manner, I think there are going to be an awful lot of people that are going to be excluded, and not just native people, or non-native people, but I think that both communities are going to be affected, inadequately.

Again, going back to an original statement that I made, we're going to have some very definite boundaries of who owns what. And, what the Federal Government will permit or prohibit from being done within their boundaries they are going to be adjacent to land that is going to belong to private land owners and also to the entire State of Alaska. And when are these differences going to be resolved on various land use policies. I would think that it would be a wise thing to do, is to have the State of Alaska try to bring the message back to the Federal Government. I'm only talking about my opinion, I'm not speaking for the Committee at this time. I'd like to say that I think the entire Alaskan community ought to try to control those resources themselves, rather than to ask the Federal Government to come in and impose on us, what they think is right on our behalf. I'll also then speak as a native person, which I am. I don't think that my likes are going to be excluded by Alaskan people. I have a great deal of faith in the wisdom of the people who have come up here from the lower 48 and I think that the very things that we enjoy up here, are those things that those people have been looking for and I don't think they are going to jeopardize or in any way threaten my well-being. So, I see, that within the D-2 land proposals a very definite threat on my personal (inaudible). Are there any other questions, or comments.

Robert Willard: Mr. Chairman, I just want to make one more comment. The utilization of the resources doesn't depend on income. You've lived up here for along time and I think Willie Hensley put it very straight. If he's working in Anchorage and somebody kills a whale in Kotzebue, he's going to have some on his table that evening.

Representative Nels Anderson: Quite frankly, there are a lot of people that make an awful lot of money in urban areas, and they do I know for a fact travel 100's of miles into the Bristol Bay area and they do take the moose and caribou for their tables and I do know that they make enough money just with their job to purchase, beef, from the stores and I tell you the selection in Anchorage is a lot better than what you just told us about. It's pretty good. My feeling is and I have a dual income as well, but to expect people not to have access to resources, especially when we know foreign people are coming in from out of State, from out of our country, coming in and exploiting our resources just for the antlers, for recreation so that they can take home a trophy. That's something, that people who really use the land can't understand, why are we allowing this, why are we allowing people to come in from Germany or Scotland or wherever just to get a moose, when we know that our moose population in many parts of the State are going down. And also, our caribou herds are going down. So there is a tremendous conflict there and also the competitive use for those resources just can't be permitted much longer.

Then, one of the things that we are going to look at very closely at is just to see whether or not we can stop this because we know that the headhunters are coming in and they are taking the moose and only taking the moose for the trophy. That's wrong. A lot of that meat is rotting out in the field and not being used, That's my feeling. Also the lower 48 people that come up. Are we going to allow the people from the lower 48 to come up and take our resources if the people in the State of Alaska are not getting enough at this time. And when, where do we draw the line and what information do we have available that would make it possible for the State of Alaska to make a judgment to say, we can't allow this to continue any longer. And live by it. I think we are getting a lot closer to that time than most of us realize. Any other questions, or comments that the public may have at this time? If not, I know it is cold out there and I know many of you may not have prepared for this evening's meeting, but I do appreciate your being here and again, if Mr. Schaeffer or myself, or Mrs. Larson can help you, if there is any other additional information you need, we will have our report formally submitted to the Legislative Council on January 7. We would like as many of you as can, to get a copy of that final report to

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to get an idea of what we come up with. Again, thank you very much and we appreciate your attention. This hearing is adjourned.



JUNEAU ALASKA

Alaska State Legislature

House

INTERIM COMMITTEE ON SUBSISTENCE

NELS A. ANDERSON, JR., CHAIRMAN

P.O. Box 234 • 842-5970

Dillingham, Alaska 99576

Testimony of Jan Douglas Burgess from Hydaburg, Alaska

I'm from down southeastern Alaska and I've been fishing for all my life and I've experienced just about all of the economic development of the herring. I've watched how it all started. Last time we picked herring eggs was in 1967. That was Commercial Harvest and they paid us up to \$1.50 a lb. and that was mostly the native profit. That was the small man on the totem pole. He cleared the money and then it got more developed and then the purse seiners started off something like only 3 boats. Now there is something like 30 boats. The herring pickers are cut out and just the purse seiners are in there reaping all the profits. When I came up here to Togiak to pick herring eggs I seen it all, cause I picked home this spring - I picked herring eggs and I watched them fish and I noticed how new the development is up here. I guess it's supposed to be the first year for purse seining and when we first went out there we heard all these stories about fish and game is going to be there to enforce everything to make sure that the herring business is controlled. They talked about closing everything down if things got out of line with the Japs. You hear these people that tell these stories they say that people that say they rot the herring to take the eggs out - they don't know what they're talking about - that's against the law. But that happened this year in 1977 even after it was outlawed. I seen it all happening there and I never seen one fish and game manager down there in the five days I was there. I see those fish getting rotted on the beach by the tons. The Japs are there on the beach personally working - we took pictures of them and everything.

Back to the purse seining how it kills the herring off and cuts out the small picker, the native picker. Through the years he is going to get cut out too, because the purse seiners are going to take all of it and theres not going to be enough for commercial harvest. But they have have a different operation up here, they have spotters smaller purse seiners, but they have charters flying around up there and they let them exactly know when to let her go and they wrap them up and they get their packer and they just re-lay it back and forth, seven days a week to that Korean boat across the boarder, and its all happening there, and you hear all that talk that the Fish and Game says about how the Japs are killing off our fisheries, and thats really just as much American involvement you know.

The Marine Mammel Act - When they make their hauls, they can't miss all the seals and everything because they're all there, they just wrap them up, they just kill them they get so plugged with fish sometime.

I'm Douglas Burgess from Hydaburg, Alaska, I've been fishing for 15 years and this is my first year fishing up in Bristol Bay, but I really feel bitter toward the Fish & Game, because its really a sin because they tell about the fish thats getting killed off all our salmon - but down to the herring business and how its developed its going to happen the same way up here, because it happened there already, and it use to be that the Bay used to turn white from all the spaun for miles and miles now when the herring spaun now you can't even set up branch

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Jan Douglas Burgess's testimony con't.

The Japs were not seinging at all, they were on the beach, they were rotting the herring, they weren't buying at all, they were on the beach they would let them stink for five or six days big tons, just as big as this room, stink boy! And they hire out some people and pull the heads off and pull the eggs out, half of them are milk. I'd gladly testify, I was over there with Burt Reamy from Pilot Point, and Richard Clark from Clarks Point, we were all over there we took pictures for proof of the Japs down on the beach, so if they ever want to really see that its not true theres proof there. But like we picked eight and ten years ago the last time, and now were can't pick anymore, but the last time we picked they paid us up to a \$1.50 a pound we only got to pick for twenty minutes, here its 5 days 7 days a week you could pick twenty-four hours a day and the price difference, they paid \$1.50 to us and up here they only paid \$.35, and they sell herring eggs for \$15.00 a pound.

This would really - if that New Subsistence Committee they just formed, if they could experience these things that are really happening it would just fit right in.

file in
D-2 (Linda)

My name is Mark Jacobs Jr., first Vice-President of the Tlingit and Haida Indians of Alaska Central Council and a shareholder in the Shee Atika Corporation. I am a full blood Tlingit Indian and a patriotic American. I am deeply concerned about the strength and lobbying power of the environmentalists and conservation groups. Though their purposes are necessary and very commendable, there seems to be no stopping point in their efforts to halt economic growth. They are forcing upon us new governmental policies that are dangerous and that are deteriorating the American system of law. They are, I believe, the cause of a lion's share of inflation. I believe the destruction of our economic system, by severely limiting the multiple use concept with the passing of severe bureaucratic regulations without regard for economic needs is a dangerous governmental power. I believe in a well organized management of resources, with local participation of concerned citizens, rather than economic strangulation by some heartless bureaucratic agency located in some distant office.

My main concern as a shareholder of Shee Atika Corporation is the land selection rights provided in the Alaska Native Claims Settlement Act, especially land selections on Admiralty Island. There has been enough dragging of the bureaucratic feet in implementing of this land transfer to the Native Corporations, due to some objections of the Angoon group. I only hope that the D-2 legislation will not hamper or further delay the land transfers. Although Shee Atika has met every legal requirement in the Act, the Secretary of the Interior chose to honor the objections of Angoon. As I see it, the Secretary recognizes the aboriginal claims of the Kootznoowoo Corporation in spite of the Act clearly stating that all aboriginal claims are hereby extinguished. If the Secretary's recognition of Angoon's objection is held as valid, then the real aboriginal Indian laws should apply. There are many aboriginal Angoon Indians living in Sitka and Juneau and enrolled to Shee Atika of Sitka and Goldbelt of

There are several other areas of concern such as minerals, access and right of way, private lands and rights which I am sure will be adequately addressed by others concerned. Due to the many (hundreds) that will testify, I shall close.

I wish to thank the committee for this opportunity to present my personal views.

Enclosure for refferance Native foods.



tingit and haida indians of alaska



TESTIMONY OF RAYMOND E. PADDOCK, JR.,
PRESIDENT, CENTRAL COUNCIL OF TLINGIT
AND HAIDA INDIANS OF ALASKA, JULY 7,
1977, OVERSIGHT-ALASKA LANDS COMMITTEE
HEARINGS, JOHN F. SEIBERLING, CHAIRMAN

MR. CHAIRMAN, MY NAME IS RAYMOND E. PADDOCK, JR.
I AM PRESIDENT OF THE CENTRAL COUNCIL OF TLINGIT & HAIDA INDIANS
OF ALASKA, A FEDERALLY RECOGNIZED INDIAN TRIBE. AS SUCH, IT
IS THE RESPONSIBILITY OF THE CENTRAL COUNCIL TO ADDRESS ALL OF
THE SOCIAL AND ECONOMIC NEEDS OF OUR PEOPLE.

IN THE RELATIVELY SHORT LIFE OF THE COUNCIL WE HAVE
BEEN ABLE TO ACCOMPLISH A NUMBER OF GAINS. THIS INCLUDES A
HOUSING AUTHORITY THAT HAS BUILT SOME 400 UNITS OF HOUSING IN
SOUTHEAST ALASKA, A DIVISION OF MANPOWER THAT IS ASSISTING THE
UNEMPLOYED THROUGH VARIOUS CETA PROGRAMS, A CONTRACT WITH THE
BUREAU OF INDIAN AFFAIRS THAT DELIVERS EDUCATIONAL PROGRAMS,
SOCIAL SERVICE AND WELFARE PROGRAMS, A CREDIT UNION THAT ASSISTS
IN ESTABLISHING CREDIT AND SAVINGS AND LOAN PROGRAMS, AND A
HEALTH CORPORATION THAT IS JUST GETTING STARTED, BUT WILL BE
ADDRESSING THE HEALTH NEEDS OF OUR PEOPLE. ALL OF THIS HAS
BEEN DONE IN SPITE OF BEING PRE-OCCUPIED IN TRYING TO IMPLEMENT
THE ALASKA NATIVE CLAIMS SETTLEMENT ACT (ANCSA).

THROUGHOUT ALL OF THE DEVELOPMENT OF THESE VARIOUS
PROGRAMS, AND THE DELIVERY SYSTEMS THAT THE CENTRAL COUNCIL
IS INVOLVED IN, THERE HAS BEEN A MISSING INGREDIENT. THAT IS
A VIABLE AND STABLE ECONOMIC BASE. IT IS ONE THING FOR THE
FEDERAL GOVERNMENT TO POUR DOLLARS INTO VARIOUS PROGRAMS TO
ASSIST PEOPLE, BUT THE BASIC GOAL OF ALL OF THESE FEDERAL
DOLLARS SHOULD BE TO ESTABLISH AN ECONOMIC BASE THAT MAKES
THESE OTHER PROGRAMS UNNECESSARY.

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WHEN THE ANCSA WAS PASSED, MANY OF US BELIEVED THAT WAS THE TOOL WE NEEDED TO ESTABLISH OUR OWN ECONOMY. NOW, WITH THE INTRODUCTION OF VARIOUS BILLS IN CONGRESS THAT IN EFFECT WOULD UNDERMINE THE IMPLEMENTATION OF ANCSA, WE ARE INCREASINGLY FRUSTRATED THAT WE MAY NOT ESTABLISH THAT DESIRED ECONOMIC BASE.

I WOULD LIKE TO SUPPLY THE COMMITTEE WITH A FEW FIGURES WHICH SHOULD CLEARLY DEMONSTRATE THE SCOPE OF THE PROBLEMS WE ARE TRYING TO ADDRESS. THERE ARE APPROXIMATELY 16,000 TLINGITS AND HAIDAS, 12,000 RESIDING IN SOUTHEAST ALASKA, WHICH IS THE AREA SERVICED BY OUR CONTRACTS. IN 1976 OUR GENERAL ASSISTANCE WELFARE PAYMENTS TO THE NEEDY AMOUNTED TO APPROXIMATELY \$424,000.00. IN 1977 THE BUDGET AMOUNT IS APPROXIMATELY \$520,000.00. THE INCREASE WAS ANTICIPATED BECAUSE OF THE REDUCTION OF ACTIVITY ON THE ALASKA PIPELINE. SOME 900 PIPELINE RELATED JOBS WERE PROVIDED TO NATIVE PEOPLE FROM SOUTHEAST ALASKA DURING THE PIPELINE ACTIVITY. HOWEVER, THAT IS NOW COMPLETED. A GAS PIPELINE, IF AND WHEN IT IS BUILT, WILL NOT PROVIDE MORE THAN ONE-HALF THE JOB OPPORTUNITIES AS DID THE OIL PIPELINE. IN ADDITION, THE LEGISLATION AUTHORIZING THE CONSTRUCTION OF THE OIL PIPELINE CONTAINED DEFINITE PROVISIONS FOR EMPLOYMENT OF ALASKA NATIVES. THERE ARE NO SUCH GUARANTEES OF WHICH WE ARE AWARE WHICH WILL APPLY TO THE GAS PIPELINE.

FURTHERMORE, IT IS NOT THE POLICY OF THE CENTRAL COUNCIL TO ENCOURAGE EMPLOYMENT SITUATIONS WHICH DIVIDE FAMILIES. THE SOCIAL CONDITIONS CAUSED BY FAMILY DIVISION SUCH AS THE OIL PIPELINE EMPLOYMENT RAISED OTHER PROBLEMS. MOST OF THE NATIVE PEOPLE EMPLOYED ON THE PIPELINE WERE YOUNG, SINGLE

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PERSONS WHO COULD AFFORD TO BE AWAY FROM HOME. BUT IN THOSE SITUATIONS WHERE HEADS OF HOUSEHOLD HAD TO GO TO THE PIPELINE TO SEEK EMPLOYMENT SIMPLY TO HOLD THEIR FAMILY TOGETHER, THE SOCIAL CONDITIONS THAT AROSE WERE NOT WORTH THE EFFORT IN OUR OPINION.

IT SHOULD BE REMEMBERED THAT THE BUDGET WE ARE TALKING ABOUT IS A BIA BUDGET, AND DOES NOT REFLECT THE TOTAL NEEDS OF THE STATE, BUT IS MERELY A SUPPLEMENT TO THE RESPONSIBILITY THE STATE ALREADY HAS. BETWEEN US, THE STATE AND BIA, THROUGH OUR CONTRACT, WE ARE STILL NOT ABLE TO TOTALLY ADDRESS THE GENERAL ASSISTANCE AND WELFARE NEEDS OF OUR PEOPLE. IN 1976 WE ASSISTED SOME 730 CASES. OUR BUDGET FOR 1977 IS FOR AN ESTIMATED 750 CASES. THIS DOES NOT INCLUDE OLD AGE ASSISTANCE AND SOCIAL SECURITY, WHICH ARE STATE AND FEDERAL RESPONSIBILITIES.

I WOULD LIKE TO SUBMIT FOR THE RECORD SEVERAL DOCUMENTS WHICH REFLECT THE UNEMPLOYMENT CONDITIONS OF THE NATIVE PEOPLE IN SOUTHEAST ALASKA. THIS DOCUMENT WAS PREPARED BY THE BIA, AND I WILL READ FROM THE REPORT FOR THE MONTH OF MARCH, 1977. THE TOTAL NATIVE LABOR FORCE IDENTIFIED IN SOUTHEAST ALASKA, 16 YEARS AND OVER, IS 7,725 PEOPLE. THE TOTAL UNEMPLOYMENT IS 60.3%, OR 3,317. OF THOSE THAT WERE WORKING AT THE TIME OF THE SURVEY, 479 WERE EARNING AT A RATE OF \$5,000.00 OR MORE PER YEAR, WITH THE REMAINING 2,513 EARNING AT A RATE OF LESS THAN \$5,000.00 PER YEAR.

MR. CHAIRMAN, THESE STATISTICS ARE APPALLING. IF ANY ONE OF THE COMMITTEE MEMBERS OR ANY OTHER CONGRESSMAN FOR THAT MATTER, HAD TO GO BACK AND FACE HIS CONSTITUENCY WITH UNEMPLOYMENT RATES EVEN HALF OF WHAT I HAVE BROUGHT OUT HERE,

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HE SIMPLY WOULD NOT BE RETURNED TO OFFICE. IT SHOULD BE NOTED THAT AT THE TIME THIS REPORT WAS MADE, UNEMPLOYMENT WAS HIGHEST BECAUSE OF THE PRIMARILY SEASONAL WORK IN THE STATE OF ALASKA. BUT WE HAVE OTHER STATISTICS THAT SHOW THAT EVEN UNDER THE BEST CONDITIONS, DURING THE SUMMER MONTHS, THE NATIVE PEOPLE OF SOUTHEAST ALASKA SUFFER AN UNEMPLOYMENT RATE OF OVER 40%.

IN SUMMATION, MR. CHAIRMAN, THE VARIOUS BILLS THAT YOUR COMMITTEE WILL CONSIDER THIS YEAR ARE LAND RELATED BILLS ACCORDING TO SECTION 17 (D) 2 OF ANCSA. BUT WE ARE HERE TO TESTIFY ON BEHALF OF PEOPLE. WE HAVE ALREADY POINTED OUT THAT WE HAVE SEVERE SOCIAL PROBLEMS AND IT IS ONLY THROUGH IMPLEMENTATION OF ANCSA AS IT WAS INTENDED TO BE THAT WE FEEL WE CAN RESOLVE OUR SOCIAL AND ECONOMIC CONDITION. THE BILLS BEING PRESENTED NOW BEFORE CONGRESS SHOULD TAKE THESE FACTS INTO CONSIDERATION AS A PRIORITY BEFORE JUDGMENT IS MADE ON WHAT IS TO BECOME OF THE STATE OF ALASKA.

THANK YOU.

REPORT OF LABOR FORCE

Data are for March (month) 1977 (year) 1/

Year 1977	State Alaska	
	MALE <u>2/</u>	FEMALE <u>3/</u>
Total	12,262	6,0
<u>A</u> Total Resident Indian Population (b/c excluding d)		
<u>a</u> Within the reservation		
<u>c</u> Adjacent to the reservation (in Okla., Indians in former reservation areas)		
<u>d</u> Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)		
<u>3/</u> Total under 16 years of age included on line "A"	4,537	2,160 2,37
RESIDENT INDIAN POPULATION OF WORKING AGE		
(16 years old and over) <u>4/</u>		
<u>F</u> Total 16 years and Over (A minus e)	7,725	4,094 3,6
<u>g</u> 16 - 24 years	2,330	1,328 1,0
<u>h</u> 25 - 34 "	1,962	981 9
<u>i</u> 35 - 44 "	1,594	828 7
<u>j</u> 45 - 64 "	1,594	828 7
<u>k</u> 65 years and over	245	129 1
<u>7/</u> Not in Labor Force (16 Years and Over), <u>5/</u>		
Total (u + o + p + q)	2,226	802 1,4
<u>n</u> Students (16 years and over, including those away at school)	822	427 3
<u>o</u> Men, physically or mentally disabled, retired, institutionalized, etc.	410	410
<u>p</u> Women for whom no child-care substitutes are available	497	497
<u>q</u> Women, housewives, physically or mentally disabled, institutionalized, etc. <u>6/</u>	497	497
<u>R</u> Potential Labor Force (16 yrs. and Over) (F minus M)	5,499	3,299 2,20
<u>S</u> Employed, Total (t + u)	2,182	1,319 86
<u>t</u> Employed, earning \$5,000 or more a year (all jobs)	479	407 7
<u>u</u> Employed, earning less than \$5,000 a year (all jobs)	1,703	912 79
<u>V</u> Not employed (R minus S) <u>7/</u> Rate: 60.3	3,317	1,957 1,36
<u>W</u> Of these, persons actively seeking work	497	362 13

Prepared by

ATTACHMENT: Superintendent's Evaluation o

Area Director

Superintendent

Area

Approval Date

Agency

Approval Date



TLINGIT AND HAIDA INDIANS OF ALASKA



Memorandum

To: Ray Paddock, Jr.
President

Date: July 6, 1977

From: Terry Pegues, Director
Manpower Division

Subject: Unemployment Data

Here are B.I.A. "Reports of Labor Force" for March 1975 and 1976. Please note that the periods covered reflect employment generated by the pipeline and that the increase in the pipeline workforce, which peaked in 1976, is also reflected in this data.

Also attached is a letter from the Area Programs and Environmental Coordinator, Juneau Area Office, Bureau of Indian Affairs, which attests to the accuracy of our data.

Encl: AS:st

TLINGIT & HAIDA INDIANS OF ALASKA

REPORT OF LABOR FORCE

Data are for March (month) 1976 (year)

Year	State	
	Alaska	
1976	MALE	FEMALE
Total	5818	5485
Total		
Within the reservation		
Adjacent to the reservation (in Okla., Indians in former reservation areas)		
Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)		
Total under 16 years of age included on line "A"	1905	2000
RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over)		
Total 16 years and Over (A minus e)	7398	3485
16 - 24 years	2492	1126
25 - 34 "	1799	885
35 - 44 "	1346	639
45 - 64 "	1435	687
65 years and over	326	148
Not in Labor Force (16 Years and Over), Total (n + o + p + q)	2133	1392
Students (16 years and over, including those away at school)	803	398
Men, physically or mentally disabled, retired, institutionalized, etc.	336	
Women for whom no child-care substitutes are available	495	495
Women, housewives, physically or mentally disabled, institutionalized, etc.	499	499
Potential Labor Force (16 yrs. and Over) (F minus M)	5265	2093
Employed, Total (t + u)	3053	1185
Employed, earning \$5,000 or more a year (all jobs)	704	112
Employed, earning less than \$5,000 a year (all jobs)	2349	1073
Not employed (R minus S) (.42%)	2212	908
Of these, persons actively seeking work	450	105

Prepared by _____

Area Director _____

Area _____

Approval Date _____

ATTACHMENT: Superintendent's Evaluation of Data

Superintendent _____

Agency _____

Approval Date _____

REPORT OF LABOR FORCE

Data are for _____ (month) 1975 (year)

Year **1975** State **Alaska**

Total MALE FEMALE

Total Resident Indian Population (b+c excluding d)		10985	5646	5339
Within the reservation				
Adjacent to the reservation (in Okla., Indians in former reservation areas				
Other Indians, not included in labor force data (In California rural parts of counties with reservations or rancherias)				
Total under 16 years of age included on line "A"		4018	1955	2063
RESIDENT INDIAN POPULATION OF WORKING AGE (16 years old and over)				
Total 16 years and Over (A minus e)		6967	3691	3276
16 - 24 years		2081	1164	917
25 - 34 "		1799	914	885
35 - 44 "		1346	707	639
45 - 64 "		1415	728	687
65 years and over		326	178	148
Not in Labor Force (16 Years and Over), Total (n + o + p + q)		2064	716	1348
Students (16 years and over, including those away at school)		773	395	378
Men, physically or mentally disabled, retired, institutionalized, etc.		321	321	
Women for whom no child-care substitutes are available		471		471
Women, housewives, physically or mentally disabled, institutionalized, etc.		499		499
Potential Labor Force (16 yrs. and Over) (F minus M)		4903	2975	1928
Employed, Total (t + u)		2709	1628	1081
Employed, earning \$5,000 or more a year (all jobs)		531	445	86
Employed, earning less than \$5,000 a year (all jobs)		2178	1183	995
Not employed (R minus S)		4194	1347	847
Of these, persons actively seeking work		449	342	107

Prepared by _____

ATTACHMENT: Superintendent's Evaluation of Data

Area Director _____

Superintendent _____

Area _____

Approval Date _____

Agency _____

Approval Date _____
71



UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS
Juneau Area Office
P. O. Box 3-8000
Juneau, Alaska 99802

February 8, 1977

TO WHOM IT MAY CONCERN:

It is my opinion that the BIA Report of Labor Force for the SE Agency is the most current and accurate report available on Indian Unemployment for March/April 1976. The Native population is the same as that served by the Tlingit & Haida Central Council.

Furthermore, I believe the unemployment rate for Native people served by THCC is currently higher than reported last year primarily due to (1) the declining impact of the Trans Alyeska pipeline and (2) the net natural rate of increase in population.

As an economist and Program Planner for BIA's Native services, I have closely observed the reports on employment and unemployment in Rural and Native or Village Alaska since 1953.

For the past 15 years it has been my responsibility to collect, analyze and coordinate Native population, income and employment statistics and reports for the Juneau Area Office (State) Alaska. State-wide and nation-wide it is BIA's major report on this subject since 1966.

I shall be pleased to answer any further questions concerning this report or subject, generally,

H. P. Gazaway
Area Programs & Environmental Coordinator

December 5, 1977

Nel A. Anderson Jr., Chairman
Interim Committee on Subsistence
Box 234
Dillingham, Alaska 99576

Dear Mr. Anderson:

My name is Karen Moore I am a Tlingit from Klawock. I have worked in the lower 48 as a dietician, but I have returned to Klawock to stay.

My title now is City Coordinator but I am writting this letter as statement of my own personal opinion.

I belive our policy makers from the large population centers don't seem to realize the absolute necessity of subs'tance type food in many geographic areas of Alaska, including many sections of southeastern.

Among the native population of Alaska even though times are beginning to change, there is still a very real economic as well as traditional and cultral need for subsistence food.

I believe at all times especially when land use and water policy is being developed or sports use or commerical regulation of subsistence items is being considered that subsistence use should have top priority and be allowed in the amount necessary for the size of the family and their traditional use.

With this type of regulation there should be substantial penalties for any type of dervision of subsistence food to any commerical outlet.

There will be many people for years to come, who will still be forced to live at least a semi-subsistence type of living.

It would seem very unjust to put these people outside the law.

I feel strongly about this and intend to show other people this letter and if they agree with me they can also sign this letter.

Sincerely,

Karen Moore

Box 81
Klawock, Alaska 99925

Copies to:
Governor Hammond
Ray Paddock, T.&H. President
Frank-O Williams, ANB President
Ketchikan Daily News
Robert Ziegler, Senator

Linda Low, Director Seacap

12-5-17

Mary M. Jackson	Klawock, Ak
Victoria Peratrovich	J. H. president (Local)
Joanne Rickson	Klawock
Ilina M. Peratrovich	"
Frances Dundas	"
Ronald Macasait	"
Faye L. Keene	"
Henrietta J. Smith	"
Marvin J. George	Fire dept. secretary
Joe Wilson	
Arlene Buey	
Al P. Macasait Sr.	Mayor City of Klawock
Clwood Thomas	"
Esther Rasmus	"
Victor Hanson	"
Lonnie McNeill	"
Henry McNeill	"
Sine McNeill	"
Raymond G. Merrill	"
Henrietta J. Kato	Asst. School Sec.
Sonja Arman	"
Robert Arman	"
Ronald C. Arman	"
Rudolph Smith Sr.	"
Joan Smith	"
Harriet McNeill	"
Joe McNeill	"
Robert W. George	"

12-5-77

	Klawock, AK
Diane George	"
Nelen Keene	"
Ann Kennedy	"
Peter Keene	"
Mrs Ruby Smith	"
John Perkins Smith	"
Harvey Smith	"
David Amiskitts Esq	"
Rose Charles	"
John Charles Jr	"
Dowey Skan Jr.	Box 34 Klawock, Alaska
Sally A. Skan	Box 34 Klawock, Alaska
Lulu Bergeron	"
Richard Buzyn	"
James L. Thomas	public safety officer
Nana R. Thomas	"
Danny Kennedy	"
Leola Jackson Sr.	"
Robert Kennedy	"
Evelyn Williams	Klawock, Alaska

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

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

PUBLIC HEARING TESTIMONY

BY THE ALASKA STATE LEGISLATURE
INTERIM COMMITTEE ON SUBSISTENCE

COMMITTEE MEMBERS PRESENT:

Representative Nels A. Anderson Jr., Chairman
Representative Joe Hayes
Representative Steve Cowper
Senator Kay Poland

STAFF MEMBERS PRESENT:

Dorothy M. Larson, Staff Assistant

PUBLIC HEARING LOCATION:

KODIAK, ALASKA
KODIAK BOROUGH ASSEMBLY

DATE: Monday, October 17, 1977
TIME: 7:00 P.M.

THOSE REGISTERED IN ATTENDANCE AT PUBLIC HEARING

<u>Name</u>	<u>Address</u>	<u>Organization</u>
Charles Naughton	733 W. 4th Ave., Suite 400, Anchorage	F/S LUPC
David "Stick" Morrison	Box 571, Kodiak	
George Binder	Box 172, Kodiak	
William Donaldson	Box 591, Kodiak	
Jack Wick	Box 746, Kodiak	President, Kodiak
Fred F. Zharoff	Box 405, Kodiak	
Yvonne Zharoff	Box 405, Kodiak	
Dick Wamser	Box 351, Kodiak	
Bob Worl	3407 Seppala Dr., Anchorage	
Jack Christiansen	Box 108, Old Harbor	
Iver Malutin	Box 525, Kodiak	
Larr Matfay	Box 2, Old Harbor	
Gust Rastopsoff	Larsen Bay, Ak.	
Thomas D. Peterson	Box 172, Kodiak	
Janet Wente	Box 2791, Kodiak	
Karl Armstrong	Box 631, Kodiak	Kodiak Is. Conser. Society
Wayne Marshall	Box 571, Kodiak	
Bill Hartman	Box 733, Kodiak	
Ron Brockman	Box 95, Kodiak	
Sylvia Barnes	General Delivery, Kodiak	
Pete Olsen	Box 485, Kodiak	
Bill Berestoff	Box 2196, Kodiak	
Gene Sundberg	Box 746, Kodiak	
Frank Peterson	Box 172, Kodiak	KANA

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** Written Position Paper from the Alaska Conservation
Society, LIFE STYLES, SUBSISTENCE AND HUNTING
December 1976



JUNEAU ALASKA

Alaska State Legislature

House

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

OCTOBER 17, 1977 - KODIAK PUBLIC HEARING

Representative Nels Anderson stated that he would like to introduce members of the panel that are up here with me; On my immediate right is Representative Joe Hayes from Anchorage, on my left is Steve Cowper from Fairbanks. We have been conducting hearings from throughout the State of Alaska trying to get an estimation of what the peoples feelings are about the subject of subsistence. Its an issue, its a word that has not yet been legally defined, there have been no primitives of any kind put around it. Every person that I have spoken to in previous meetings throughout the State, that every individual has their particular feelings about what the subject of subsistence means to them.

What we are trying to determine is what action we need to take, and the reason why there is this kind of interest in the Legislatures, because the land ownership pattern of the State of Alaska is changing dramatically. There is going to be 40 million plus acres of land in private land ownership through the Alaska Native Claims Settlement Act, the State of Alaska will receive, hopefully in our lifetimes 103 million acres of land and then the Federal Government will have its land that it will be managing.

In order to avoid the future conflicts we're trying to make a determination of what peoples feelings are about hunting, fishing and gathering rights that they feel they have at this time, and what should the State and Federal Government do to protect these activities. We do know through testimonies in other parts of the State that there is a definite interest in the subject of subsistence and that there is a strong feeling that subsistence has got to be protected.

I hope that the purpose of the Committee has already been brought to your attention and that some of you may be prepared to give us your thoughts on the subject. At this time I would like to ask if any members of the panel have specific comments that they would like to make at this time, as we go on as people testify, members of the panel will be questioning you on occasion to clarify points that you have made, but we are asking for as many comments as you can possibly can, either verbally or in writing. If you feel tonight that you are not prepared to make a statement we ask you to please contact us, Dorothy Larson will give you our address and we ask that you write your comments on the subject at a later time and mail it to us prior to January of 1978.

Representative Hayes do you have any comments at this time?

Representative Hayes: No thank you Nels, I don't have any specific comments, other than to say that I am happy to be back in Kodiak again this evening and am looking forward to the testimonies that we receive here.

Representative Cowper: Thank you Mr. Chairman, I'm wearing a couple of hats tonight, not only as a member of the subsistence committee but as the Chairman D-2 Steering Council for the State and as most of you know that legislation will cover all the federal lands now in the State of Alaska. Congress wants to make a subsistence preference on those lands and how they are going to do it they sure don't know and that's one of the reasons why we're here. One of the main reasons for holding these hearings is to determine what you think we ought to do, if there's a shortage of fish or game in a given area - who should have the preference? Should subsistence users have the preference - should commercial users have the preference? What about sports hunters and fishermen? The question doesn't arise until there is a shortage of fish or game. We want to be sure that what we do is in line with what people in Alaska think. That's sort - they're the questions that we're looking for answers here tonight.

Representative Nels Anderson: Thank you Mr. Cowper. Senator Poland do you have any comments?

Senator Kay Poland: Just that, as you know from being a former Chairman of resources we've never been able to get a real definition of subsistence and I'm hoping that this committee will be able to give us something on that because there is going to be so much coming up on land disposal before the committees that a definition will be a tremendous help.

Representative Nels Anderson: Thank you very much Senator Poland. At this time then we'll ask people who would like to testify to come forward and sit here and we are recording your comments - if your comments are not in writing, we will transcribe these comments and each comment that is made will be taken into consideration and if there are any suggestions that you may have for the committee that you feel is important for us to consider the floor is open.

Charles Naughton: I don't want to do into any lengthy - with respect to subsistence I don't have anything prepared, however I would like to respond to Senator Poland's request to have a definition of subsistence and would like to say that I think that in terms of the people that it would be very detrimental to define in law any definition of subsistence.

Representative Steve Cowper: Suppose there were only a certain number of salmon (inaudible), that could be taken from given drainage systems around here - who do you think should have the preference? Suppose you could only take a thousand fish from a certain stream. Who do you think should get preference to those thousand fish?

Charles Naughton: I could answer that question in a number of ways. Not being sarcastic - I could remember when I could hike over the hills and I could spear a salmon from Pillar Creek and I could remember when I could go down to Menashka - those streams are without salmon now - not because of subsistence users, but because of the ignorance and the lack of municipal management and so I'm answering your question that way and I would like you to redirect your question.

Representative Steve Cowper: Well, O.K. regardless of who is at fault for this - assuming you have to set a quota for harvest - who gets first crack at it? - This is the question that we are addressing. If you have to limit the take of salmon, moose, caribou.

Charles Naughton: I can answer that question and understanding what your are saying. But I would like for the record that it be emphasized that a lot of these problems are not a result of subsistence users but the result of lack if municipal and state management of our resources and I cannot say that I feel a monetary system should be used. The people here and the people in Kotzebue and the people in Barrow and the people in Hoonah are fishery oriented people and I do not think that because of the increase of people from the states that they should lose the right to live the way that they have lived and sports fishing is fine, but why should someone because of law - because there are more sports fisherman lose the right to live the way that they have lived just because someone else comes up from the States.

Representative Steve Cowper: Just to make it clear where I stand on the thing I think that if you have to prioritize, you should go with local subsistence users.

David "Stick" Morrison: I have been a resident of Alaska for about 11 years now and I just have a comment or more or less an answer to the question that you gave to Charlie and I agree with Charlie an awful lot there but I just sort of like to answer the question in my own way - when you asked the question if you had a thousand fish, who would get priority? I don't think it should be just the people who have been living that way all they're life - I think it should be for the people that are mainly in need - not only natives but non-natives - there are many people around the state that do to financial situations cannot afford to provide for their families maybe the way they should go, therefore they use subsistence to go out and obtain what they need without going to a store or something like that - who wants to pay 4 or 5 dollars for a little filet of salmon you find in the store, when you could go out and get it right down in the stream and I think it should be for the people that are in need not only for the people that have done this all their lives. I've known many that have been in this

situation, but could just as well go down to the store but they choose well, we'll go get our subsistence license and get salmon and we can eat that way. But I think a lot of people that can afford to go out and get these things not only in a store but can't get a commercial fishing license or don't qualify for limited entry, things like this - I think the people in need is the ones to get priority - if there is a shortage. I mean I respect game laws and like if there is a species in the process of being wiped out - yes it should be banned - it should be built back up - I agree with that - I don't believe in wiping something out. If the person - this is how he lives by - and I'm taking this personally also because this is how I live - again - the person in need of it should be the one to get it.

Representative Joe Hayes: Mr. Naughton mentioned that he didn't think that there should be a definition of subsistence - that we should try to shy away from that - do you have any feeling on that? Do you think that there should be a definition for subsistence? You probably have your own idea on what definition should be but do you think that this committee or that possibly some of the federal legislation - federal or state should try to come up with a definition for subsistence that would meet some criteria you have mentioned - you sort of put a definition on it that you say that people in need ought to get first shot at any limited resource - what's your thinking about definition?

David Morrison: Well, I think it's kind of hard really to sit down and I don't envy you in the coming Legislature to define subsistence even with all the input of everyone else because it's just - it seems to me that it is awful difficult and I don't think I can answer you directly because it would just take to long and I probably would just be going around and around in circles but it is very hard to define the word subsistence.

Representative Joe Hayes: But if we could define it do you think we should?

David Morrison: Yes, I do.

Bill Donaldson: The Board of Directors of the Alaska Conservation society prepared a position paper on subsistence - I'm not sure if you have been presented with this or not. ** See Table of Contents.

Representative Steve Cowper: Bill you mentioned something about subsistence use being traditionally associated with areas with relatively low population density which brings something to mind which we've considered from time to time that would be approach by which the preferences in a given area, let's say in a fish and game management area, would be the local people - do you think that is a valid concept?

Bill Donaldson: I think so, in general. I think once you get away from an isolated area you probably reduce your dependency on strictly subsistence type living - I think that's what the point was addressing but I think subsistence is basically a traditional type thing and if there is a cutoff point it probably should go to the traditional user of the resource.

Representative Steve Cowper: Do you think geographical distinction is valid one?

Bill Donaldson: I think in a case where you have a limited resource I do. I think geographical distinction is very valuable.

Representative Steve Cowper: How about if you have to set up priorities and I realize that much of this might not apply in this area. If you have to set up priorities within that given group - what about economic distinctions if you have to do that? Do you think that's valid - In other words do you think that the law ought to say for instance if there is you could take two hundred caribou from a given herd do you think the top priority should be to people that don't have an income and work down from there?

Bill Donaldson: It is hard to measure how important subsistence may be to an individual who has traditionally hunted for this species all his life and even though he may be rather well off economically - you know how do you measure closing him off from a caribou hunter or traditional fishing stream - what that might do to him psychologically

and I think this is something you gentlemen have to grope with although ranking subsistence uses on, on economical basis is one tool you do have. If you have a very limited resource you may be forced to approach it in this manner, but I do think that if you can get any kind of a measure on how important a traditional use of game or fisheries is to a person that would be also legitimate basis for you now letting you continue in the resource or letting somebody else get it. But I don't think this is a black & white issue and I think alot of consideration needs to be given to the traditional use of the resource now what it may mean to a person's former and future lifestyle not only his pocketbook.

Ivar Malutin: I have been a resident of Kodiak for 40 years and Alaska. In hearing these comments on subsistence - it upsets me - I have been subsistence hunting and fishing all my life. Just to give you a little example of what's happening in Kodiak, we fished out at Knome Bay and out at the Mission and out at Buskin and this area close by the town and as time went on as Kodiak has increased in population with the sports fisherman coming in they moved us out of areas - they moved us out of Knome Bay and they moved us out of the Mission. We had been getting dolly vardens in the spring of the year when they would first come in - okay they closed off our prime area to dolly varden which was the Mission Beach, no longer can we get the dolly varden in the spring because the sports fisherman want to get them so we just sit back and watch. Now that was also our prime silver salmon area and we were moved out of there so now we were out at the Buskin Rivers and listening to the Alaska Department of Fish and Game, Sports fishing department with their statistics - they have a real good record - they tell me that there are no 800 subsistence permits this year as opposed to maybe 200 last year and 100 the year before or just roughly those figures I may not be correct exactly, but, to give you an example of what's happening - I have went and applied for a subsistence permit again this year on April the 11th, mind you, a month before any fish come to Kodiak and already I was number 28 for a subsistence permit - before the fish were even here. I don't know who these users are. I was getting permits from day 1 when there wasn't any permits, and now it kind of bothers me. I have had some fantastic years fishing and I have had some fantistic years working and to me that salmon means exactly

the same - every single year - I heard the conservationists here and I agree with some of the things they say and I disagree with some of the other things they say. To me, if they take away subsistence from me - penalize me because I make or have a good season. I think it's wrong and if they give me something because I have a poor season I think that's wrong too. A lot of things are going to my mind - it upsets me every time I get into these things.

Representative Nels Anderson: Mr. Malutin - I think there is an awful lot of people in the state that feel the way you do and the reason why we feel that the state has to take a leadership role in this is that we're faced with a possibility that when Mr. Udall get done with his bill on D-2 lands that there is a significant chance that either the Carter Administration or the Congress in some way will jeopardize our access to fish, game, birds, and whatever else subsistence activities we engage ourselves in up in Alaska but I really hope that you will give us more thought and if you have more ideas now we ask you to share them with us and the door isn't closed if something else were to come to you. We ask you again to write us a letter and give us your views on this because you did say something that was significant no matter how good the work was no matter how much money you had, the salmon still meant the same to you and I think that's a significant statement to because a lot of other people have said that too no matter how much money you had you felt you still had to have that salmon.

Ivar Malutin: In closing, a salmon to me is not just to go out get a fish on the end of a line because I have never had a sports fishing license - I don't go out and buy an expensive rod and reel because if I take my gill netter seine and I go out and get one or two or whatever needs - and we eat the heads - we can make a good meal out of the heads. We can make a good meal out of the eggs, we can make a meal out of the milt, we dray the, we salt them, we can them, we smoke them, we freeze them. To put a regulations to really cut us down from using these things is going to be really detrimental - I could see it coming - I hate to see it coming but I think it will be detrimental.

Representative Joe Hayes: I wanted to clarify something you said

initially - you said the number of subsistence permits is declining?
No, increasing.

Ivar Malutin: The numbers are registered there at Fish & Game. What I did say was that - when the first permits came out there might have been 10 permits, 15 permits - it was gradually going up hill and this year there were 800 permits issued.

Representative Joe Hayes: I take it that there may be some people who are now getting subsistence permits who traditionally did not subsistence on fish - that were traditionally not subsistence fisherman - I mean there must be people who are now coming to the State maybe that have just been here a few years.

Ivar Malutin: For a fact I can say that.

Representative Joe Hayes: So this increase from 200 to 800 - some people are going it for some other reason than you are doing it for - maybe just for the experience of being a subsistence fisherman or living off the land which in fact they don't really need it or at least it doesn't have the same meaning.

Representative Steve Cowper: When you said Fish and Game moved the subsistence users out of Mill Bay - How did they do that - did they tell you can't use your nets there anymore or what did they do?

Ivar Malutin: To correct the record - I don't think I said the Fish and Game moved us out of an area - I think it's moved by the influx of sports fishermen. An interested party that outweighs the subsistence people like myself. I think it's more of a political move.

Representative Steve Cowper: In other words, were the sports fishermen taking so many fish that there weren't enough left over for the subsistence user.

Ivar Malutin: That's not it at all - they have an area and we have been fishing in this area I think before the sports fisherman even came around all of a sudden it's a real close accessible area and they want

it so they just flat put it into regulation and absolutely no subsistence fishing in the area, sports fishing only.

Representative Steve Cowper: Well, who is doing this? Is Fish and Game doing this?

Ivar Malutin: It's on the subsistence permits. Right. They indicate the closed areas to subsistence on the permits. The regulations are enforced by the troopers. (inaudible talking)

Representative Nels Anderson: I don't know what the background is either but I do know that the Board of Fish & Game is going to be meeting in December and they have been soliciting comments and one good one could have been for you to make a proposal to the Board of Fish & Game that you would like to see that area reopened to subsistence users again because, it seems to make an awful lot of sense I can't understand why that kind of a regulation would be made totally disregarding the local people for the sake of sports fishermen that doesn't make any sense to me at all.

Male in Audience: I would think to Ivar, that the local people could bring this to the Kodiak Advisory Board and get them to back up a request like that because when you have as many putting in for subsistence licenses as we do here it certainly is a voice that should be listened too.

Ivar Malutin: Okay, to go a little further than what we were talking about one of the recommendations at the Advisory Board meeting by the Department of Fish & Game Sports Fisheries Department was to close this entire area (inaudible) to subsistence fishing. This is one of the recommendations that was not brought on the table because they would not accept it at the meeting.

Representative Nels Anderson: Before I take any questions from people that have already gave their presentation I would like to ask other members who have not spoken to come forward please.

Jack Wick: My name is Jack Wick, I apologize to the committee that I

do not have a prepared statement at this time, but I will submit one. Just like to make a few comments to the committee that I think might be some that you find useful and that if you have heard a person testify that they would not like subsistence defined and you have heard a person testify that they would like to see subsistence defined. I think that we've indicated in other hearings that we've had that subsistence is a major concern to people in Alaska both for the lifestyle, heritage, low income people and some people who just want to live that way. My concern is not who gets it or when there are several alternatives to - I should say it's the worst possible situation where you have to say we only have this many and you're going to get your share. I think basically I'd like to see a program developed whereby there will be enough. My concern stands for the fact that when you define something or legislate something there are many gray areas. To give you a good example of a piece of legislation that was passed by Congress - I can't remember what year, I always use this one as an example, it's legislation regarding oil spill. The tankers were going (inaudible) creating large oil spills. So they created legislation to stop that and now you have a case where the ordinary fisherman who has a 32 foot boat who has to go out at night to pump his fuel case he gets the same fine as a tanker. That's the problem with subsistence - if it isn't legislated correctly, instead of solving the problem you make people unlawful. Instead of law abiding people who live in rural areas - you'll find people who don't follow the letter of the law simply because it isn't right. That's my major concern. As far as the issues that have been presented today of course I think subsistence should be a major consideration not only because of the fact that people do subsistence. Subsistence has been treated very - people take it for granted - If you went to Larson Bay for example, and you ask somebody - Do you subsist during the winter time? My answer would be, I guess so. They live that way all their life and they just never put a handle on it. They hunt ducks - it's just a natural way to live but when you start defining it and you take different areas of the State, different lifestyles, me for example, I would subsist as much as I could if I had the time. I grew up on salmon, smoked salmon and it's really difficult to get in Kodiak. I think the biggest problem that we have to face is to solve the gray areas and combine lifestyles and culture and me.

Also you have to face the fact, (inaudible) basically, we discussed fisheries but there are other issues, I don't know why it seems weird but we have on the island here, a herd of reindeer that have no seasons, no limits and you can go hunting them anytime of the year and they have managed to survive. As far as I know, they're not in a critical stage or extinction or they are not overpopulated, but I bet if you put a limit on them two years ago and a season you would have a heck of a time finding them now. So I don't know what the answers are. I'm just going to give you some general comments. As far as subsistence locally, I think it's the same problem you find in all areas of the state, you have the Alaska Department of Fish and Game, Commercial Division, you have the Sports Fish Division, and subsistence just falls within the trap. I think you should develop a subsistence division - somebody to look at the figures from a subsistence point of view, instead of looking at it from the Fish & Game point of view and saying well, we've got guys out here sports fishing and subsistence users and commercial users that are infringing on their rights. You should have somebody saying well, we've got subsistence fishermen out here and we've got some guys with poles slopped in the water and we've got commercial users among (inaudible) subsistence - somewhere there's (inaudible) I remember when I was kid, why native people thought non-native people were dumb. Because there was a nice brand new beach seine, right there on the beach and here's a guy out there catching them one at a time. Nobody sport fished when I was a kid. You have different lifestyles and they have to somehow come together but I think the key to it that we have to look at it from a subsistence point of view.

Representative Nels Anderson: I agree with you by the way that we do need a division on subsistence and I have asked Legislative Affairs to draft legislation for the Committee. The Committee doesn't know that yet but it will be brought up on November 11th for their consideration and I'm hoping that, that legislation will be ready for the review then (inaudible).

George Binder: My name is George Binder - I have more questions than I have answers. I think if you asked me to define a giraffe and I told you I would rather describe it. I think maybe you've got the same predicament as subsistence lifestyle. I think it needs to be described

and described in terms of the particular areas and if you try run a general definition through which will cover all areas then you'll wind up with something that backfires but the thing that bothers me is why this panel exists in other words that if you pass a law which gives preferential treatment to certain citizens isn't that unconstitutional according to the State of Alaska?

Representative Steve Cowper: I think that in my opinion that in fact you can have preferences. I do not think that you can do it on a racial basis - we would be opposed to that in any event but I think you can create classes of users, both on federal and state lands. There are people who disagree with me, I guess we'll have to see.

George Binder: It would have to be decided then by the Supreme Court of Alaska. It seems to be that there really is a question existing and I thought perhaps you were trying to get around that by creating subsistence zoning. I thought you were perhaps trying to expand the zoning laws to include this concept - and maybe I'm wrong.

Representative Nels Anderson: Well, we have on the books - we do have in the Department of Fish and Game the authority to create these subsistence zones after a petition has been signed by 100 residents of the area where they feel that a subsistence zone ought to be created. There have been five requests at this time and one of those requests have been honored.

George Binder: What subsistence will mean in that sense is quite different than the subsistence that is talked about in the Udall Bill. He talks about subsistence, and subsistence management zoning. It seems to me that he's talking more about a lifestyle and not so much about income supplement. It seems to me that, that's your point is income supplement rather than preserving an ancient type of lifestyle. Is that true?

Representative Nels Anderson: No, that isn't correct. I don't think that we really settled on any one aspect of which way to approach the question on how we are going to deal with the subject at least I haven't yet. I'm not certain that I want to look at subsistence legally, I

don't know if that's going to be correct. I think your suggestion of describing subsistence and putting general parameters around the activity has some merit. I'm not going to look at subsistence from a total economic point of view. I think some of the suggestions that have been made throughout the State regarding lifestyle, culture, (inaudible) all the way into what we attempt to do, but I do believe that this committee has to do something that has a specific charge from the Legislative Council and we've got to address the situation.

Representative Steve Cowper: I think what we're talking about relates more to a lifestyle with the people who voluntarily adopted it than anything else but if there's not enough to go around within that group what we're talking about is economics. You break it down.

George Binder: I think the Udall Bill certainly arranges them in the order of preference of subsistence user, then the commercial user, then the sportsman, then the non-consumptive user - something like that. He certainly gives all kinds of preferential treatment to the subsistence user and doesn't avoid the word Native. In an interview he said very strongly that he is trying desparately to preserve these ancient lifestyles, that is what he wants to do.

Representative Steve Cowper: I believe that Udall is determined to keep a subsistence preference (inaudible) and I don't know of very many people who are arguing with me. I'll put it that way. Of course this committee has gone further than that, we need to adopt some sort of policy on the State lands, too. Or lands on which the State has jurisdiction. So, we go a little further as far as the information we're seeking than the Udall Bill.

George Binder: Harvesting the salmon which is a big part of subsistence is done completely in State waters - it's under State control. So the question is where does the Federal government fit in there? In other words what - they can't guarantee the people who have a subsistence lifestyle a quantity of salmon because it's under the control of the State.

Gene Sundberg: I have a brief statement for the committee. I'm Vice-

president in charge of land for the Koniag Regional Corporation. My statement will be brief but basic, and I use the word basic because you know and I know that for the Eskimo, Indians as we of the Aleut race subsistence is basic. We all subsist in this life one way or another but in Alaska due to the harshness of the land and the sea it is more noticable. We live in areas that are inaccessible, some areas that don't have no stores others whose residents are scattered and villages, that travel with the herd or follow the sea mammals and there are many more reasons that you will hear on this tour of hearings. But the reason you are hearing this in others testimonies is because they want to tell you that in order for any of them to live through any of the above mentioned reasons, they must live off the land and sea, they must. Nobody but themselves is going to drop by and feed them. They have few jobs to provide them with case and food. Village life is a poor life, but I'm sure they tell you it's a good self-rewarding life. You and I like the way we're living too. It's our choice - people live the way they want to in most cases. And in those cases they must have the right to live their lives in the traditional manner that they used too. They shouldn't be told that they cannot hunt and fish for the food that keeps them alive now and that has kept them alive for centuries. And should keep them alive for centuries more. And why are they being told because the resource is being depleted. The resource is near distinction, that they must call a 10 year moratorium in order to increase the stock, that you may only kill a few in order to preserve the species.

Why all the absurd reasoning - simply because somebody in the regulatory agencies made some bad mistakes in years past. Now the natives and subsistence users must suffer - why should their food and livelihood's now challenged and possibly taken away because certain agencies gave away their resources without thinking of the native concern. This point has been proven time and time again.

We all remember water fowl problem at Barrow. The recent caribou count difference. The walrus, the seal and the other day, the bowhead whale. The same agencies are trying to take away all the subsistence resources. The fisheries of the State are in trouble - who is to blame? Who's responsible? Mr. Chairman, I say that it isn't the Indian, the Eskimo,

or the Aleut. You'll remember them as the original environmentalists who certainly wouldn't bite the hand that feeds them. The answer lies with the people who manage these resources and the mistakes they made in years past and continue to make in our time. It's about time these problem areas are recognized and we put people on our local State and National Boards who are cognizant of the problems of the subsistence users and recognize that the people who rely on the land and sea for their food, clothing and shelter are also guaranteed their happiness in life and liberty by allowing their traditional heritage of the hunting and fishing process.

Representative Steve Cowper: Gene, do you think that the local Fish and Game Boards have really had the authority to bend the rules some?

Gene Sundberg: More things at the local level, it gets a lot more input from the users of the area and it sure makes a lot more people happier.

Representative Steve Cowper: Do you see any, and I don't know the answer to this, potential or conflict between subsistence users and commercial fishermen: Is there any conflict here in general - is it a problem?

Gene Sundberg: I'm not sure - I'm not a commercial fisherman - I am a sport fisherman and as far as I'm concerned there hasn't been a conflict between myself and a commercial fisherman. I've known of cases that I've heard about that there is definite areas of conflict and I'm sure that a lot of the commercial fisherman can relate those to you - I'm sure there's some here.

Representative Steve Cowper: I'm interested primarily in conflict that might exist between subsistence users and commercial fishermen. I think everybody who has testified in hearings throughout the state, just about everybody has noticed the conflict between subsistence users and sport. I just wondered since there was such a large commercial enterprise of fishing in Kodiak I just wondered if there were any conflicts there.

Gene Sundberg: Nothing that has been brought to the public that I'm

aware of. I know there - Mr. Malutin - I know he related some differences at one of the other hearings that of course I didn't attend and possibly he could come back and relay those to you or any of the other fishermen.

Karl Armstrong: I would like to testify first for the Kodiak Island Conservation Society and in doing so endorse what has been testified to by Mr. Sundberg and then I would like to speak for myself as an individual. I'm old enough to recall catching salmon and what is now used as a sewer in downtown Kodiak - that was the silver salmon stream and that was the silver salmon stream for the residents of the village of Kodiak. I recall being able to fish for Salmon trout (inaudible) at Mission Beach and that was closed off. I recall being able to catch Salmon at Mill Bay and that was closed off. I can recall even the days when we were able to catch Silver Salmon in what we call now Mission Lake, and the creek that feeds it and Potato Patch Lake and the creek that feeds it. Those are virtually sewers today. In just the last month I watched two more creeks die, one of them is known as Menashka River and the other is known as Pillar Creek through mismanagement, through a disregard for the resources, through a total lack of concern on the part of the Department of Fish & Game and other agencies of the State and Federal Government. I lay the blame on the State and Federal agencies. I feel that there should be rehabilitation of these creeks and that there should be damages paid to the people that depended upon those creeks. I think that the time has got to end in this area when official agencies are closing their eyes and doing absolutely nothing to carry out the duties that they were created for. What good is Fish and Game if there is no Fish and Game. What good is any of these agencies they don't seek and they don't hear and they don't do anything about it - the destruction - the absolute total destruction of a salmon run or the trout run into creeks where they have taken or permitted to be taken all of the water. They spend all summer chasing people away from taking the salmon properly so that are going up stream. I don't know how many dollars were spent to protect those streams for the salmon to run through them. At the end of the spawning season they close their eyes and they don't see that all the water has disappeared because of the lack of planning, the lack of concern for this resource. It just doesn't make good sense. It's an ecological disaster that needs to be corrected. The

silver salmon streams played an important role in the lives of all the people in this area when it was a smaller village, when it was a smaller town than it is and even today there is no reason why that creek that runs through the middle of town, it still runs through the middle of town, but it's used as a sewer, literally, they confined it inside of this big, round concrete, conduits and it racesthrough town - it's an "improvement" not. It could have been handled properly, it could have been channeled during the urban renewal. It could have been on top of the town, it could be producing salmon today but nobody cared and none of the agencies whose job it is to take care of those things did anything to take care of it. We've had 16 years go by and they still haven't done anything about it. We wouldn't have subsistence problems in the Kodiak area if these of all these streams which seemed to be producing salmon for us. At least in regards to salmon.

I wanted to protest before the Committee and urge that the committee consider those aspects of salmon that I had described here and in this concern for subsistence and subsistence users that they try to do something to insure that there is going to be rehabilitation of these creeks and that there will be adequate protection in the future to see that these disasters do not reoccur. If I were to list - I have been a subsistence fisherman, I have been a commercial fisherman, and I have been a sports fisherman and I believe from time to time am one or the other or all three. If I were to list them in order of importance, I have no doubt in my mind that I would list them 1) Subsistence, and by that I mean people who traditional make salmon, if that's what they're talking about, a main staple in their diet, 2) the commercial fisherman, because that is a way people make their living, and also obtain food for their families and 3) sports fisherman - I don't feel like it's a crime to Sports Fish - I enjoy it. I don't think that sports fishermen should be given some sort of exalted position. I think it is the least important of the three uses if there are only three uses.

Representative Joe Hayes: I've got a comment. I certainly (inaudible) and your sentiments that something should be done about rehabilitation and going a little further on that on the streams your speaking of - you mentioned some of them being used probably for sewage discharge and carrying the fluid out to the tidewater or whatever, but why are the

streams you mentioned earlier are drying up - The problem you mentioned isn't all the Alaska Department of Fish and Game - goes into overall broad management of our State and our Resources, I'm talking in terms of water being a resource. What is the problem as far as you let the fish go upstream and spawn but there's not enough water or there's not the right kind of water.

Karl Armstrong: There's not enough water, Sir, because they build dams. They make value judgements, apparently, and they decide that the water is more important used in some other place, than it is to keep salmon eggs alive or the salmon or the trout that are in the streams. I'm not suggesting that the water isn't needed somewhere else. I'm suggesting that very strongly I believe, in heart and soul, that there's a way that there has to be a way to use the water resource that you show that you are an intelligent specie of life yourself. It doesn't make good sense to kill off two salmon streams, utterly and completely, and lets say that using it to provide water for the salmon canneries. Now how much sense does that make to the salmon canner? And it will make less sense to the salmon fisherman. It's just a senseless destruction of a resource. The tradedy of it is, and I've mentioned this, I think, before, I have watched as we have had the "protection" effort, if you wish to call it that, grow from a couple of men, to god knows how many they have in those buildings downtown now. I don't believe that the protection effort is better, I think it's probably worse than it has ever been. At least back in the days when there was only two portecting the resource they managed to keep from killing off whole runs of salmon, and because of this, this is my personal opinion, and I would endorse and I realize that you are a State group and you probably don't agree with this. But my personal opinion is that until the State of Alaska demonstrates that it has the sense and the capability to handle these resources properly, that we must return to Federal control of Fish and Game in the State of Alaska. Because right here in the community of Kodiak there's a shameful disregard for the resource. There's an inexcuseable disregard and concern for the people who depend on that resource. I don't like Federal control anymore than I like State control. I like local control. But I don't know that we have the ability to protect these resources either. But I do know, I have been here when the federals controlled these resources, and believe me they did a much

better job than the State of Alaska is doing today. And they did it with far fewer people, they did it with two people while like the State of Alaska is spending, I don't know how much money. I don't know how many people are employed down there but they are not getting the job done and it needs to be looked at and it needs to be looked at by this committee from a subsistence standpoint. Why, how long are you going to tolerate this - I don't mean to be abusive or accusatory perhaps I'm trying to be accusatory, only for the purpose of trying to induce you to do something.

Representative Nels Anderson: Well, Karl your points are well taken. And your not the only one that has taken a stance and throwing some mighty huge stones at the Department of Fish and Game and I'm not going to apologize for their past mistakes nor am I going to be their defender as a member of this committee. I realize that they have made some serious mistakes in the past, this has been pointed out in other areas of the State - in Fairbanks, Glennallen, Nenana, Nome, Kotzebue. There is just absolutely no way this committee could ignore the fact that the Department has been accused of incompetence and what recommendations that will result from this criticism is unknown at this time. I don't know what recommendation we are going to make. I think it would be rather drastic to make the recommendation to return control to the Feds because I fear that prospect mightily. But we have to consider the fact that you have stated what you've said. There is merit in what you have said and we are going to have to discuss that in committee and make a recommendation to the legislature on what we must do to try to correct the situation.

Representative Steve Cowper: Karl, I've got to know what happened to those two rivers we've knocked all around besides I still don't know what happened to them Menashka and the other one.

Karl Armstrong: They just diverted all the water out of them.

Steve Cowper: They just built dams, or what?

Karl Armstrong: Well, the way I put it was that there were a bunch of Japanese owned seafood processing plants that needed water. So they

took all the water from our creeks and put it into the Japanese seafood processing plants and killed all our salmon.

Frank Peterson, KANA Executive Director: Mr. Chairman I would like to invite several people who insisted on developing this testimony, I would like to ask them to come up and sit behind me for physical or moral support - Ivar Malutin, Larry Matfay, Old Harbor, Gust Rastopsoff, Larson Bay and Arthur Panamaroff from Karluk, if he's here. Mr. Chairman, members of the Interim Committee on Subsistence and guest my name is Frank R. Peterson, president of the Kodiak Area Native Association. I would like to read parts of the testimony, the highlights parts of the testimony. On behalf of the officers, directors and Staff of the Kodiak Area Native Association I wish to express my appreciation for this opportunity to present testimony regarding subsistence in the Kodiak area. Sitting with me today to continue discussing and learning about subsistence are Mr. Ivar Malutin, Kodiak, Larry Maffay of Old Harbor, Lester Stopsoff from Larson Bay, and Arthur Panamaroff of Karluk. Other participants who were involved in discussing subsistence prior to this day are Nick Peterson, Wayne Marshall, Bob Worl, Emil Christensen, Walter Stanley, Lois Stover, Martha Matfay, Senafont Zeedar, Matt Jamin, Janet Wente, and Fred Zharoff.

I wish to commend the committee on its efforts and undertaking to address the issue of subsistence. In reviewing the committee's letter announcing these public hearings today, we found ourselves unable to respond or to react to the stated goals of this committee. In regard to the specific questions the committee is seeking public comment on, it was our consensus that we are presently unable to respond completely enough to adequately express and represent the views of the people in our village communities, without adequate time and cash resource with which to gather and collect such information from the village people. Since the issue of subsistence has not been collectively nor publicly discussed or addressed here in the Kodiak area before, we have determined not to respond to the questions posed by the committee without adequate research and discussion with those who would be directly affected by any control on subsistence.

However, in our discussions concerning subsistence, we have come up with

some comments and statements of concern on subsistence which we think should be reviewed and included in the committee's report of findings and recommendations to the 1978 session of the Legislature:

Laws are generally predicated on the assumption that the cash economy exists everywhere in the State, urban, and rural alike! Just as it does in places like Anchorage, Kodiak or Fairbanks. This is not so in our villages.

A national concern every year is the percentage rate of unemployment, whereby anything above seven percent unemployment rate is an issue of grave national concern! In the village the unemployment rate, for the majority of eligible workers, is 70% to 90%! What is referred to as subsistence here is and has been a natural activity for all or most Native people in the Kodiak areas. In the villages, the law of the empty stomach prevails over any other law.

There is a saying that applies here as well as in other coastal villages, "when the tide is out, the table is set..."

We present the following discussion regarding the issue of subsistence for your information and review:

AREAS OF CONCERN FOR "SUBSISTENCE"

Definitions set too tight on limitations - it should be descriptive and qualitative in scope.

Economics of Subsistence

Subsistence, as we understand it, is oriented towards pursuing/acquiring Natural Resources for food, clothing, shelter, fuel, utilitarian items, and arts and crafts.

Aboriginally Native people were dependant solely on an exchange, or barter economy; trading foods, tools, clothing or raw materials with others, so that natural resources were well distributed. Modern times have seen some addition of cash to this system for purchase of equipment

and transportation but it is still a traditional system and the person who accepts cash for a share of a subsistence resources makes no profit since no amount is charged for time, labor, and often equipment use such as snow machine, boat and even charter flight costs. The money received seldom if ever, covers these costs. Therefore, the Native economic exchange of goods and food, is not solely dollar oriented.

There is no direct relation between cash income and need for subsistence foods. Some places, cash serves only to supplement what we can obtain from the seand and land. To replace the foods we get would be more expensive than the cash we have left over from fishing.

Social-Aspects of Subsistence

The social structure of a Native group or tribe is tied up in the organization for subsistence. It is not something that one person does alone, but he depends on help from family or frieds, sometimes, even from other communitites. Subsistence, as we know it, is a cooperative, community and group oriented affair.

The distribution of subsistence resources is the same; it goes to family, friends and those in need. Much of this aspect of subsistence is tied to traditions as old as a group's history.

The organization for subsistence has three types of people involved:

1. Harvesters - who actually go after the resource.
2. Users - who receive the bounty?
3. Cash providers - who may support activities of harvesters with cash services, equipment, in exchange for a share of the resources.

Cultural Values of Subsistence

This aspect is often founded in antiquity and has a continued, modified over time, to the present day. Kinship based activity, sharing between families and communities are examples of this.

Food preferences, choices of occupation, and choice of a place to live one's life are other examples of cultural influences which also relate to subsistence. It is the total relationship of group to their chosen environment and its resources - the way people feel. It is often difficult to put into words. These things are often called a "cultural heritage." Certain subsistence activities provide status in the community and family and self-esteem. It effects the way people feel about themselves. The expectations they have learned from parents and grandparents.

Certain methods of exploiting resources for subsistence are cultural. Feelings about spiritual life of animals, winds and the land and their expression and enhancement in songs, stories and artwork are expressions of the importance of subsistence. These areas are seldom clearly understood or easily articulated but are vital to a cultural way of life. The National Environmental Protection Act of 1969 recognizes the social, cultural, psychological and economic importance of subsistence to Native life.

You have a number of specific questions that I will not ask. We've responded to a certain comments and certain press coverage related to subsistence and we had additional questions that I will ask of the committee that is part of our testimony.

In concluding, we appreciate your efforts in addressing this very important issue of subsistence. We hope you understand our reluctance to respond to your specific questions at this time, and that this committee would consider our request for financial resources adequate to generate the answers to the questions you raise, from Native people here in the city, as well as in the village. We estimate that a period up to one year would be adequate to develop a more specific statement regarding subsistence in the Kodiak area. We would request that recommendations and legislation you propose will have built in to them ways to consider our future recommendations and to amend any laws which apply. Thank you.

Representative Steve Cowper: You said a lot of very important things, I think perhaps the most important is simply that there is not a cash

economy in most small villages. I think it's something that the people of the Congress, never did understand until they actually came to Alaska and went into some of the villages of the State and I think perhaps some of them at least do understand that. We got such comments, by Congressmen from back east someplace, one of them said well, I thought all natives were rich now. The Claims Act is been an Act that, of course nobody bothered to tell him that not much has come down yet. Had another one in Maryland - You don't need subsistence hunting and fishing anymore because you're eligible for food stamps. So you know that people like that trip through Alaska is a real education.

Dick Wamser: I don't have a statement either, I've been out of town for awhile and I think just about everything has been said here that can be said. It goes around subsistence considerably and there is a lot of questions and statements and I can't help but agree with every single one of them that has been made concerning subsistence. I'm a commercial fisherman at times. The last couple of years I've been working in town so I don't really depend on subsistence in any way shape or form anymore I used to like hunting, I used to go sports fishing, I've done a little bit but it's been quite awhile since I've done all of them. I think that my opinion should be stated here because really there's really three, perhaps four different types of uses of the resources, the fish and game resources. The first obviously to me anyway is the subsistence should be defined if it can be defined. I never thought of it before but it's something that a person's life may depend on. Very close to that is their personal use, which is a habit. Which primarily here is the traditional use of the fish rather than the game. The fish is the most important here and it always has been. The third use would be commercial - a person whose livelihood in general depends on it since more and more people are being required to change to the cash economy. The last and definitely the least important, would be sports which is the killing and fishing for the fun of it. I was born here over in Afognak Island, which is one of the nicer areas around. Hunting is a nice thing. The last few years the only thing I've done is for sport. I think it's much less important and that's the main point I wanted to state of my opinion. There's a real big difference there, it's been talked about as subsistence is personal use. Personal use is nice, I like to smoke a few fish even though at times I could go down

and buy some, but most of the times it's not very good (the commercial variety). There's many other interpretations of subsistence, not interpretations of subsistence, rather but precedence of sports over subsistence which really, I think, is the question that is coming more and more to the forefront all the time is that it would be extremely unjust and it's something that you can't legislate a person's way of life or his livelihood or his right to even live. It's only that kind of thing that causes disrespect for the law cause when a person gets down to a point where he can't live he's going to say heck with the Law. He's going to try to live as much as he can. I don't think we need anymore of that - there's a great deal of that in this country today and the control issue is something that can only be done locally. It's proved for years that bureaucrats in distant locations are never going to effectively answer the problems. They have the so called Advisory Boards and various things of that sort but the majority of the times that's exactly what they are - advisory - this function should be brought right down, not only in fishing but in almost in every other issue to local control not just advice - local control by the people who are most directly affected.

Pete Olson: I was born and raised in Alaska. I guess I spent over a month in the so-called United States. I have this distinction that many people don't have that after I was three years, Congress was nice enough to have me become a citizen of the United States that's pretty nice of them. You, I don't know your name but you mentioned something that Congressmen think that we are rich people now. I'll tell you a little secret - we're spending all of our money on lawyers trying to get back what they say is ours so the rich Natives are only by-products of the lawyers. They're the ones who's getting the money. What is subsistence? This is what I've been hearing for so long. Whenever I try to do something or anyone tries to do something everybody is saying well, listen I've got my rights. I've always tried to live with that policy well, I've got rights - you have some too. But nobody said anything about or aboriginal rights that we had that the people that were born here and raised here - that they could have something to say about their lifestyles. Our lifestyle has been forced through socitey to change, with your lifestyle your culture changes. It can't help but do it.

Along the coast, the people lived on fish, that was their primary food. Slowly now we see it taken from us. One time I would go out here, I never had to go to anybody and tell them how many fish I want get - I went got X number of fish. My wife and I would can them, smoke them, salt them and if we had any that we could not use we did not throw it away. We gave it to somebody that could use it. We believed in that.

You look at the history, not only of Alaska but you look at the history of all of the United States - you could never say that the Indian killed off any game, any fish, it has always been the people that come in behind them. Not only took the resource but took the land as well, fenced them in. You say well, where does this lead us then. What should we do about it? I believe the Natives should be entitled to his rights that he had that from the time of his forefathers. We see right now today, look at the walrus now they want to cut the subsistence for the Natives there to put that into a sports fishing, a game animal. Now why should they be allowed to do that? Why should anyone be allowed to change a man's culture, a man's way of life, forcefully. If there's enough for game, fine, if there's not then cut the game out and let the Native people have enough to live on. We see the whale, the Native, the Eskimo never killed off the whale, he never made it an endangered species, but when it comes down to it he's the one that goes hungry. He sits down at the table with no food for him or his children. Why? Because somebody in Washington says look at these other foreign countries have the right to some of that fish and now who is left out. The people, right here, right in Alaska. This has been the way of the land ever since the pilgrims come - taking from somebody and not utilizing it. I don't have to tell any of you what happened to the buffalo. I don't have to tell you what happened to the whale. I don't have to tell you what happened to the sea otter. You know all of that. Not once has it ever been a Native, the Indian, or the Eskimo. Yet, when it comes time to put food on the table who is the one that goes hungry, because of somebody else's mistake? I don't believe the Native, Indian, Aleut, Eskimo should be penalized for this. I believe the people should be penalized that create this problem. I've got no objection when they start infringing on my lifestyle, my way of life, my culture that was here before they come. If they want to come up here and make a living, let them come up to make a living I got no objection to it. You can

look around Homer, Kenai area, look at the moose now. At one time there was moose anywhere there - it was not the Native that done that. Yet where did the penalty go? Right back to the Native. This is all I have to say and I hope it will merit something because this is the way it has been ever since time began. I just hope one thing that there has been a saying with your bureaucrats, with your governments that they have the habit of shooting the bull, passing the buck, and making million copies of it - I hope you don't do that.

Fred Zharoff: Mr. Chairman, members of the Interim Committee on Subsistence, Senator Poland, I have been a resident of the area for 30 years and I haven't really put that much thought into the concept of subsistence. I always thought of it as something that was available if there was a need to use it and I guess the more that you really think about it, particularly those areas on the mainland that they have reached areas that have reached critical stages. I suppose in Pt. Hope they have their problems, Anaktuvak Pass they have their problems and I think Kodiak will eventually have their problems.

The main source of subsistence here, I would imagine centers pretty much around fishing industry and there was a question raised earlier about does this really effect the commercial fisherman as opposed to the subsistence fisherman? We have certain regulations there that do not allow subsistence fishing during commercial season. Yet if you look at the intake there at subsistence as opposed to many of the projected runs we may be talking at the outset of maybe 5,000 fish maybe more as opposed to a run from anywhere from 3 million to 12 million fish so presently I don't foresee this as a problem but I would like to charge the committee there to in their evaluation of writing a definition for subsistence which I feel there really isn't one. One that you can come up with an adequate definition that would satisfy everyone. You take into consideration people in different localities. You talk about advisory boards making decisions that is going to ultimately effect people in that locality. We have an advisory board here locally that has tried to make decisions that effect the people of Larson Bay and Karluk limiting their subsistence of Steelhead. I don't understand why we have to allow something like this to continue. People over there depend on this. Now this is their livelihood through the winter

time. Sure they're eligible for food stamps. Yes, there's a store but what do you do in February when you haven't had a mail plane or a boat for the last three months and you've had the opportunity to obtain your fish in August and September and yet you were not allowed to do this. Who is going to come along and bring you the staples that you need? I think this is something that should be taken into consideration. Mr. Cowper mentioned there that (Inaudible). I don't want to address it totally to villagers as totally subsistence people. There are other people also that depend on subsistence and I think their need should be taken into consideration as well. To sit here and arbitrarily make a decision that affects somebody that you have never seen, that you are not familiar with their lifestyle I think is totally wrong. I think that if they wish to make a decision such as this that they should go out there and live on what is available and then come back and make a decision. And see if they can actually live with it.

Another interesting, and you brought up I suppose as a possible solution and I'll just react to it. Suggest that perhaps an immediate answer to solve this problem of subsistence would be parallel to the immediate to our commercial fishing problem which is the limited entry. That subsistence be based on a "limited entry." That limited entry permits be issued for subsistence be it fisheries, be it hunting or whatever. With basic criteria based upon years of residence. Lifetime residents getting enough points automatically. Not any discrimination whatsoever, lifetime residence. Suppose we start with a limited number of permits as was suggested. I suppose to be determined by a limited entry commission of some sort based on subsistence. I don't envy you of making a decision, I don't envy you of going back (inaudible) your task is probably just beginning.

Male in Audience: I think there's a great deal of merit to this. That it may come to this because certainly there are difference not only in a lifestyle but where you live that make subsistence absolutely vital and essential and if the permits keep increasing such as Ivar mentioned jumping up to 800 in this community and when you see people in the cities get permits and fly to some of these areas and infringe on their game and fish that people there need to live off there is a problem.

Representative Joe Hayes: I would like to follow up and make a comment on what they said regarding comment that Representative Cowper said. Yes, we did have a lot of people up here from U.S. Congress and they've got a look at Alaska that maybe was a real eyeopener for them and maybe it's helped a lot in some of the changes you were hearing about in the Udall Bill and so forth. And just to follow up on what he said and I certainly agree is that this is a big state and we have 60 people in the legislature and I'm one of the 60 people and I've been around a little bit more than most and not as much as some and I think that we really have a responsibility on the State level to try to see more of this State, this big country. There's a real difference from Southeastern to the North Slope and I understood you correctly, I think that was what you were toughing on, is that we're making decisions on the state level that is effecting the lives of people about which we know very little and then whatever limitations we can, make a go for ourselves we should try to become more familiar, and I certainly will support that and I'm trying to do that myself. I hope that others do also because we really need the insight into the problems outside of Anchorage, Fairbanks, Kodiak to solve some of these problems to everybody's satisfaction.

Fred Zharoff: Mr. Chairman, my reflection there was not the intent to make the legislators aware of the problems throughout the state, but rather the people there that are ultimately responsible for the final decision making that they not let pressure groups or people with influence or certain interests steer their judgement from what they actually know or assume to be right for the people that have to survive on this and then submit proposals for regulation change there that benefit their pressure groups. This is my concern. Mr. Malutin, I think when he mentioned there that he had been forced out of several areas. Karluk is a fantastic river for fishing and my goodness just the other week here we had a celebrity come here just to fish the Karluk. Does this mean we close down all of the Karluk River just for people that can afford to fish there? Do we close it all the way down for subsistence just to reserve that little bit of fish there for people that can afford to come in? This is my concern. I think it's probably the concern of many people particularly those that have to survive on what is there. They cannot leave their villages to travel

for 3 or 4 weeks at a time to obtain all the other fish there that they need 10 miles away from their villages when the fish is coming right next door - it doesn't seem right.

Jack Christenson: I'm from Old Harbor. I'm from a big family - 19. My Dad never did have a job working anyplace, but fishing and that's all he did. I think if we didn't have no fish to go fishing for, but to (inaudible) during the fall season and to have somebody to come and say you stay out of there because we want to sports fish. I don't see any reason for them to come in and say that we cannot get our limit of fish. We limit our fish, we don't go in there and wipe out the whole thing. I imagine, if everybody from down south or wherever they come from got up here and (inaudible) streams, I'm not saying they are, but that's our livelihood right now - I don't do nothing but fish cause I was taught that and my Dad taught me that with the rest of our family.

My whole family fishes and my father did. If I had my permit and I have to take it to the stream everytime I went up there and there is somebody saying you lost your permit you can't go in there and I'm going to say there is no way you can chase me out of the stream I've been going up there for 24 years. I love fishing, I love going up there to see them fish. When I was a kid, and I still do it now, I dry my own fish, I split it, I do everything I want with my fish but I don't waste it. That's one thing I want to say is that my Mom and Dad raised 19 kids in that time there was no jobs in Old Harbor and all we had was fish, clams anything from the ocean. My Mom doesn't like canned food or anything right now and she's still alive, my Dad passed away, the rest of my family is still living in Old Harbor and that's a lot of what we depend on is fish. That's all I have to say.

Larry Matfay: I was born in Ahkiok, but I live in Old Harbor. I'm only 70. My school days are really poor I didn't put too much school in. I've been out with my dad in a Kayak. (Inaudible) he like Kayak better. He used to go sea otter hunting. He used to go up in Olga Bay - early fish come there. We split those fish too. Everybody pick them up and dry them. And they won't take anymore. Then in the middle of the summer they move down a ways and split more fish - dog salmon. Then they move again (inaudible) whole bunch of them and they die you know.

I eat even raw fish - some places we don't have no stoves to cook our salmon. Up in the lakes we eat raw fish. Of course we cook the meat. I like whale (inaudible) I don't get it down here anymore. I used to there used to be whaler here before - one guy used to go out in a Kayak down in Alitak and in Old Harbor. You don't see anymore around here now one or two. (inaudible sentences) eggs, we dry eggs, salmon eggs. (More inaudible sentences). I ate them myself and dry them. (More inaudible sentences) They are good - dried eggs. We're limited on 25 fish. My wife's 25 fish - we split fish - even my grand kids 6 years old now split fish. (More inaudible sentences) I hang them up and dry them. I got 14 grandchildren, all blue-eyed and red headed. (Inaudible sentences) I taught them how to do this even out of the sea - I showed them how to get stuff out of the sea like the tide goes out and you get clams. I eat raw clams, I eat sea eggs, I eat raw octopus, and all the kelp. (More inaudible sentences) even if I have 25 fish home I'm going to take all those with me cause I know there's some up there. I hope they don't drop it - because all our kids in Old Harbor from the beginning eat fish and animals. (More inaudible sentences) bear, seal, sea lion, (more inaudible sentences) One time I had to (inaudible.)

Representative Nels Anderson: There's some people that wanted to make some comments and if there's no one else wanting to testify we will let people make comments and questions that you may have.

David Morrison: I would just like to make an addition to Mr. Malutin's testimony on the number of subsistence permits that have been issued. I think one of the main reasons why there have been so many permits every year is that there just about freely given. The only question that I have ever been asked when I've gone to apply is - Did you turn in the record from last year? If you said yes and then they give it to you. I think there should be more strength in regulation to obtain such permits. Because I've known many people that have just gone out well, I'm going to go subsistence fishing. I'm going to go get my permit and I'm going to go out and get so many fish and get my picture taken and I'm going to give them away - they don't even use them - they don't even like fish, but yet they'll go out and get a subsistence fishing license. I don't think this is right. Every year more and

and more of the areas are just closed down. Every year there's new additions - you have to go further and further away to get anything and me personally I don't have any means of going further and further away - I don't own a boat, don't own a skiff, I couldn't go - I'd have to be right now off shore and they've just closed down so many of the areas that you just can't do that anymore. That's about all I have to say.

Representative Joe Hayes: Mr. Matfay mentioned that in Old Harbor - the way I understood him was that there are 25 fish per person. Is that the way it is all over the area?

David Morrison: Yes, it is in Kodiak. That's the only place I've ever subsistence fished before. It's 25 fish per person in town.

Representative Joe Hayes: Is that enough for a family?

David Morrison: No. I only have maybe 40 fish this year and of those 40 I think I have nine left in the freezer right now and that's not even getting me into the winter. One reason I didn't get my quota is the means the access to get out. The reason being that more and more areas are being closed down.

Representative Nels Anderson: If there is no one else. I know it's getting late and again I would like to remind people that if you did not make your statement tonight and those of you that may come in contact with people tell them to please get in touch with us. Write to us in Juneau or to the Subsistence Committee in Dillingham, and we will take your testimony and comments and letters into consideration as we take a close look at the subject that we're trying to wrestle with now again if you would like, Dorothy Larson, our Staff Assistant, could give you our address and you could write to us if you have some other ideas that we did not express this evening. I would like to thank all of you that did appear tonight and thank those of you who did share your thoughts with us. We deeply appreciate your taking the time to attend this meeting. Adjourned.

^{difficult}
~~IMPOSSIBLE~~ TO DEVELOP A SIMPLE, RIGOROUS DEFINITION OF SUBSISTENCE. However, there are still many people who depend greatly upon natural resources in order to make a living; there are also many for whom subsistence living is culturally the way of life. Of necessity or by choice, they live off the land. To a great degree - they subsist. Activities in support of these life styles include hunting, fishing, trapping, and gathering traditional wild foods and other organic materials. Of necessity, practitioners of subsistence life styles live in areas of low human population density. Historically and throughout Alaska, hunting and gathering societies were distributed at low densities as mandated by the productivity and characteristics of the ecosystems of which they were a part. Furthermore, to be successful at subsistence living, they must have the dedication, knowledge and skills, which in essence make them "professionals" at hunting, fishing and trapping.

The Alaska Conservation Society supports the concept of subsistence use of natural resources by Alaskans for the following reasons.

1. There are strong cultural affinities for subsistence living among natives and non-natives, even though the basis for these affinities differs.
2. The existence of viable subsistence life styles provides our society at large with an added and positive element of diversity, which enriches both subsistence users and others.
3. Subsistence life styles, properly pursued, are environmentally less disruptive and less destructive than life styles associated with modern agrarian or industrial societies. Regulated and controlled, subsistence activities can be an ecologically sound means of supporting people in rural Alaska.
4. Subsistence use remains an economic necessity for many rural Alaskans.
5. Subsistence use has always been a natural part of true wilderness, contrary to today's popular notion of wilderness as "...a place where animals live, but people only visit."

Hunting:

Hunting, fishing and trapping are pursuits that figure prominently in virtually the whole spectrum of Alaskan life styles. However, given the current "mobility" of individuals with respect to life styles, some people are often involved in the exploitation of living resources for different reasons at different times. Similarly, the use of a given species can, at different times, be for different purposes by the same person. This is true with respect to hunting, trapping and fishing. For these and other reasons, attempts to distinguish among

commercial-sport-subsistence fishing or subsistence-sport-trophy hunting as practiced by many Alaskans have been unsuccessful. The material, physical and psychological rewards of these pursuits are all of importance; the degree of each depending on circumstances.

Although fishes and fishing are of great importance, and the factors affecting fish populations and aquatic habitats are, in a broad sense, quite similar to those affecting birds and mammals, the question of fishing does not currently engender the kind of debate that hunting and trapping do. Current attention within Alaska and nationally is focused on the issue of hunting.

Hunting wild game is a pursuit as old as mankind; in fact, hunting was crucial to man's evolutionary development. However, in modern life, relatively few people are confronted with the necessity of hunting or gathering food, nor with the reality that their life depends upon the death of other living things. Hunting brings this relationship into sharp focus, and emphasizes man's need for a more responsible attitude toward other species and their habitat.

Because of the contributions of hunting to Alaskan life styles through its physical and psychological challenges and rewards, we believe that hunting in its various forms should be provided for in land dedication and management. We consider hunting to be very important among the array of potential wildland uses. Again, a continuum exists between the extremes of hunting as a dominant desirable use of wildlands in some circumstances to those situations, such as national parks and monuments, within which it is neither desirable nor compatible with other important uses.

However, if hunting is to survive as a positive element, some hard realities must be recognized and reckoned with.

1. Biological productivity. The basic long-term productivity of Alaskan lands is low, and the abundance of plants and animals varies dramatically over any period of years. Hunting and other wildland uses must be regulated in accord with these basic principles, or neither the wildland uses nor the wildland resources will survive in a healthy condition.
2. Human Population Density. For subsistence life styles with a high direct dependence on hunting and gathering to be perpetuated, low densities of users in relation to resources must be maintained. In the past, availability of resources limited human numbers, but today many constraints on human population have been removed. Therefore, regulations are necessary to insure that increased human use does not damage wildland resources.
3. Modern Technology. Technology has increased the efficiency of all

ON LAND AND ITS RESOURCES.

Subsistence:

Within the existing, broad spectrum of life styles there is an array of "Alaskan" life styles including many so-called "subsistence" life styles. Subsistence life styles are a complex mixture of traditionally native, traditionally non-native, and completely new elements that vary tremendously from place to place, from one individual to another and from year to year. For these and other reasons, WE BELIEVE IT IS

KODIAK AREA NATIVE ASSOCIATION

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STATEMENT OF THE
KODIAK AREA NATIVE ASSOCIATION
ON SUBSISTENCE
FOR THE INTERIM COMMITTEE ON SUBSISTENCE

October 17, 1977

Mr. Chairman, members of the Interim Committee on Subsistence, and guests:
My name is Frank R. Peterson, President of KANA,
On behalf of the officers, directors and staff of the Kodiak

Area Native Association, I wish to express our appreciation for this opportunity to present testimony regarding subsistence in the Kodiak area.

Sitting with me today to continue discussing and learning about subsistence are Messrs., Iver Malutin of Kodiak, Larry Matfay of Old Harbor, Gust Rastopsoff of Larsen Bay, Arthur Panamaroff of Karluk. Other participants who were involved in discussing subsistence prior to this day are: Nick Peterson, Wayne Marshall, Bob Worl, Emil Christiansen, Walter Stanley, Lois Stover, Martha Matfay, Senafont Zeedar, Matt Jamin, Janet Wente, and Fred Zharoff.

I wish to commend the committee on its efforts and undertaking to address the issue of subsistence. In reviewing the committee's letter announcing these public hearings today, we found ourselves unable to respond or to react to the stated goals of this committee. In regard to the specific questions the committee is seeking public comment on, it was our consensus that we are presently unable to respond completely enough to adequately express and represent the views of the people in our village communities, without adequate time and cash resource with which to gather and collect such information from the village people. Since the issue of subsistence has not been collectively nor publicly discussed or addressed here in the Kodiak area before, we have determined not to respond to the

to the questions posed by the committee without adequate research and discussion with those who would be directly affected by any control on subsistence.

However, in our discussions concerning subsistence, we have come up with some comments and statements of concern on subsistence which we think should be reviewed and included in the committee's report of findings and recommendations to the 1978 session of the Legislature:

Laws are generally predicated on the assumption that the cash economy exists everywhere in the State, urban and rural alike! Just as it does in places like Anchorage, Kodiak or Fairbanks. This is not so in our villages.

A national concern every year is the percentage rate of unemployment, whereby anything above seven percent unemployment rate is an issue of grave national concern! In the village the unemployment rate, for the majority of eligible workers, is 70% to 90%! What is referred to as subsistence here is and has been a natural activity for all or most Native people in the Kodiak areas. In the villages, the law of the empty stomach prevails over any other law.

There is a saying that applies here as well as in other coastal villages that, "when the tide is out, the table is set..."

We present the following discussion regarding the issue of subsistence for your information and review:

AREAS OF CONCERN FOR "SUBSISTENCE"

Definitions set too tight on limitations - it should be descriptive and qualitative in scope.

Economics of Subsistence

Subsistence, as we understand it, is oriented towards pursuing/acquiring

Natural Resources for food, clothing, shelter, fuel, utilitarian items, and arts and crafts.

Aboriginally Native people were dependant solely on an exchange, or barter economy; trading foods, tools, clothing or raw materials with others, so that natural resources were well distributed. Modern times have seen some addition of cash to this system for purchase of equipment and transportation but it is still a traditional system and the person who accepts cash for a share of a subsistence resources makes no profit since no amount is charged for time, labor, and often equipment use such as snow machine, boat and even charter flight costs. The money received seldom, if ever, covers these costs. Therefore, the Native economic exchange of goods and food, is not solely dollar oriented.

There is no direct relation between cash income and need for subsistence foods. Some places, cash serves only to supplement what we can obtain from the sea and land. To replace the foods we get would be more expensive than the cash we have left over from fishing.

Socio-economics of Subsistence

Social Aspects of Subsistence

The social structure of a Native group or tribe is tied up in the organization for subsistence. It is not something that one person does alone, but he depends on help from family or friends, sometimes, even from other communities. Subsistence, as we know it, is a cooperative, community and group oriented affair.

The distribution of subsistence resources is the same; it goes to family, friends and those in need. Much of this aspect of subsistence is tied to traditions as old as a group's history.

The organization for subsistence has three types of people involved:

1. Harvesters - who actually go after the resource.
2. Users - who receive the bounty?
3. Cash providers - who may support activities of harvesters with cash

services, equipment, in exchange for a share of the resources.

Cultural Values of Subsistence

This aspect is often founded in antiquity and has continued, modified over time, to the present day. Kinship based activity, sharing between families and communities are examples of this.

Food preferences, choices of occupation, and choice of a place to live one's life are other examples of cultural influences which also relate to subsistence. It is the total relationship of a group to their chosen environment and its resources - the way people feel. It is often difficult to put into words. These things are often called a "cultural heritage." Certain subsistence activities provide status in the community and family and self-esteem. It effects the way people feel about themselves. The expectations they have learned from parents and grandparents.

Certain methods of exploiting resources for subsistence are cultural. Feelings about spiritual life of animals, winds and the land and their expression and enhancement in songs, stories and artwork are expressions of the importance of subsistence. These areas are seldom clearly understood or easily articulated but are vital to a cultural way of life.

The National Environmental Protection Act of 1969 recognizes the social, cultural, psychological and economic importance of subsistence to Native life.

We ask these questions of the Interim Committee on Subsistence:

- 1) Why are they having a hearing in Kodiak?
- 2) What regulations or suggestions does the State have on subsistence?
- 3) No one has ever discussed subsistence before, especially in the Villages.
- 4) Do we have to be so limited in our use that we can't feed visiting

family and friends?

- 5) Is the State considering on how much someone can earn and still do subsistence hunting & fishing?
- 6) Will there be subsistence zones? Who will set up and control subsistence zones? Will they be regional or community, or state-wide?
- 7) Will people be restricted by these?
- 8) Fish is the major concern regarding subsistence. What kind of rules is the State considering concerning subsistence fishing? Some people in town don't really need the fish but they fill their permits. Sometimes things happen to the catch such as rain ruins drying fish, and those who need them can't go out and get another limit. Most Native people in the villages don't understand the present way of regulations and only know to take what they need, when they need it.
- 9) Reindeer - 600-700 of them, why keep the season open? Or are they caribou? We used to herd them and now the herders are gone and instead of being available to us when we need them, they are not regulated and are declining in numbers.

In most Native homes you don't always know how many people will be eating meals (four to a dozen or more). It's easy to go through a hind quarter of deer at a meal. During social events (bingo, church suppers, etc.) more meat is put out. The whole community shares in these events. Some families could easily use a whole deer or more a week.

- 10) Generally, people don't really pay much attention to this sharing of food because they never had to explain it until now. If sub-

sistence is tightly controlled and regulated, will these important social and family uses of subsistence foods have to end? Some people are concerned about listing the foods they eat and the amounts. We could get locked up with having only so much of certain things based on a few statements and this doesn't take into consideration that needs can be different from year to year.

- 11) What happens when there is a conflict between commercial use and subsistence use? In Southeast Alaska seaweed and herring roe and fish have all been restricted. Caribou in the North and moose and fish in the Interior are other examples. Now the Eskimos are facing total restriction of their Bowhead whale hunting. In 1971 or 2 the Federal government took control of all sea mammals but Native subsistence use was protected. Now the State has taken control again and there may be new restrictions based on the sportsman's needs, for use of these species.

General Comments and Reactions to Press Coverage on Subsistence

- * Welfare should NEVER be considered as an alternative to subsistence!
- * "Subsistence is a dead or dying way of life", is not true. It shows no understanding of tradition and change and the strength of culture.
- * "There are very few subsistence users in the State..." True only if subsistence is strictly defined on the basis of cash use as a supplement.
- * "The number one priority should be the protection of the resource", is meant to say only for guides and sportsman, claiming a prior right over those who have always depended on the game for their livelihood.
- * Cash is used more like a subsistence resource in rural Native communities, it supports a wider circle of people and is often distributed based on need or social obligation when it is available. It is a tool to use, not an end goal as in the Non-Native society.

MORE QUESTIONS

1) Subsistence Zoning viewed as important:

what will be the time frame for establishing zones?

what will be the method of setting boundaries?

who will set regulations within zones? how?

who will enforce? regulate? manage?

village people would have a strong voice in these matters

fear that boundaries may be restrictive and unchanging.

2) Resources:

protected for present subsistence use.

managed for future generations and subsistence use

conflict between sports, commercial, and subsistence users - who has priority?

what subsistence resources do we have to worry about?

3) Permits:

the right to a subsistence permit may be lost if a person doesn't turn permits in each time with harvest information from the last year

subsistence seasons are not always based on need or Native life style, but, as in the case of caribou, on the seasons for sport hunting

4) Right to subsistence hunting/fishing:

could be lost on the basis of income

not based on pounds of resource catalogued

not based on a determined dollar value of resource

not tied to "minimal nutritional needs"

5) Definition of Subsistence:

fear of restrictive definitions

not well understood within the Native community and time is needed to discuss and think about this

money should be made available to KANA so that information and discussion could occur at the village level

"We don't understand definitions, or rules, and regulations in the village. We only understand to go and get what we need."

fear that commercial involvement will lock people out of subsistence use

6) Regulations:

presently more oriented to sportsmans needs, than to subsistence needs

In concluding, we appreciate your efforts in addressing this very important issue of subsistence. We hope you understand our reluctance to respond to your specific questions at this time, and that this committee would consider our request for financial resources adequate to generate the answers to the questions you raise; from Native people here in the city, as well as in the villages. We estimate that a period up to one year would be adequate to develop a more specific statement regarding subsistence in the Kodiak area. We would request that recommendations and legislation you propose will have built in to them ways to consider our future recommendations and to amend any laws which apply.

Thank you.

1b

90 General Delivery
Kodiak, Alaska 99615
October 7, 1977

Nels A. Anderson, Chairman
Interim Committee on Subsistence
Box 234
Ellingsham, Alaska 99576

Dear Mr. Anderson:

I have read recently of your activities on behalf of the subsistence lifestyle in Alaska. I notice that you are proposing "subsistence zoning" under Alaska statutes. This is similar to the terminology in the Udall Bill Title VII, Sec. 701 (a) where it talks about "subsistence management zones". In neither case can I find the use of the word "Native" applied in these attempts to protect the subsistence way of life in Alaska.

But according to the paper, "The Alaska Natives and Their Subsistence Rights: A Discussion of the Constitutional Questions", written by former Secy. of the Interior Stewart L. Udall for the Alaska Federation of Natives, he claims that "the Alaska legislature cannot grant meaningful subsistence rights to the Alaska Natives" because to do so would violate the State's Constitution. He claims that only the Congress "has the authority to set up a subsistence system giving preference to the Natives" and that this would not be a violation of the U.S. Constitution. If this is true what is the value of your State Committee on Subsistence?

Very truly yours,

George Brider

My name is Gene Sundberg.
I am the Vice President in charge
of Fund for the Koyuk Regional
Native Corporation. My statement
will be brief, but basic, and I
use the word basic because, you
know and I know, that for the
Eskimos, Indians, and we, of
the Aleut race, subsistence
is basic.

We all subsist in this life one
way or another, but in Alaska,
due to the harshness of the
land and sea, it is more
noticeable. We live in areas
that are inaccessible, some in
areas that have no stores, others

whose residents are scattered,
villages that travel with the
herd or follow the sea mammals,
and there are many more reasons
that I'm sure you will hear on
this tour of hearings. But the
reason that you are hearing this
and others, testimonies, is because
they want to tell you that in order
for them to live through any of
the above mentioned reasons, they
must live off the land and sea.

They must. Nobody, but themselves
are going to drop by and feed
them. They have few jobs to
provide them with cash for food.
Village life is a poor life, but

I'm sure they'd tell you, it's a good self-rewarding life. You and I like the way we're living, too. It's our choice. People live the way they want to, in most cases. And in those cases they must have the right to live their lives in the traditional manner that they are used to. They shouldn't be told that they cannot hunt and fish for the food that keeps them alive, now, and has kept them alive for centuries, and should keep them alive for centuries more. And why are they being told? Because the resource is being depleted? The resource is

near extinction? That they must
call a 10 year moratorium in order
to increase the stock? That you
may only kill a few in order
~~to~~ to preserve a certain species?
Why all the absurd reasoning?

Simply, because somebody in the regulatory
agencies made some bad mistakes
in years past. And now the
Natives and subsistence users
must suffer. Why should they
~~not~~ have their food and lively-
hoods now ~~be~~ challenged
and possibly taken away because
certain agencies gave away the
resource without thinking of
the Native concern.

This point has been proven
time and time again. We all
remember the willful problem
at Barrow, the recent caribou
count difference, the Walrus,
Seal and the other day the
Bowhead whale. These same agencies
are trying to take away all the
subsistence resources. The
fisheries of the State are in
trouble. Who's to blame??

Who's responsible? Mr. Chairman,
I say it isn't the Eskimo, Indian
or Aleut. You'll remember them
as the original environmentalist,
who certainly wouldn't bite the
hand that feeds them.