

Subsistence Hunting ..

(Continued from Page 1)

commission in development of comprehensive land planning.

"Which has paramount importance to Alaska? There is no question that the right to live off the land and to subsist off the land must have the ultimate priority and that right must be protected," Sackett said.

"There are people living in Alaska who have no alternative choice but to make a living by killing the animals and using the furs and fishing the rivers in order to live. They have no alternatives because of the circumstances, whether it is a lack of education, or a lack of a cash economy, or the lack of an opportunity to make a living in an alternative method, these people must still live. And the only way that they can live is by living off the land," he added.

Sackett said a priority must be established. "Without question, the priority must be given to the subsistence hunter because his need is greater, far greater than that of a sports hunter who goes out for pleasure, or a commercial hunter who makes a living off the pleasures of others," he noted.

The Senate Resources Committee chairman, although he has introduced legislation to zone certain regions strictly for use by subsistence hunters, suggested that there were a number of methods by which subsistence protection could be ensured.

Aside from the zoning proposal, he said, other alternatives may be to give priority on the basis of residency in areas of heavy subsistence usage. Another method may be to qualify hunters on the basis of income levels.

Sackett indicated that there may be problems with the State of Alaska if the state's wildlife management program does not give subsistence usage a high priority in areas of limited resources. If the state does not protect subsistence users, and makes further mistakes in miscalculating sustained yield for different species, Sackett said it was likely the Federal Government would wish to resume jurisdiction.

In this event, he noted, it is likely that either no hunting at all would be permitted or only subsistence users, with qualification by ethnic race, would be permitted. It is probably unlikely that the state will resist proposals to ensure subsistence users be given priority.

Governor Egan, in testimony before congressional committees during hearings on the Native claims, assured the Congress that the state believed protection of subsistence hunters must be protected.

In testimony before the Subcommittee on Indian Affairs of the House Interior and Insular Affairs Committee, on May 4, 1971, Governor Egan stated, "In order to protect the way of life of those who wish to follow the traditional hunting and fishing economy, some lands must be set aside for the primary and exclusive use of such purposes so long as such lands are used for those purposes. In these areas there must be a right to veto development from the point of view of the people who follow it consistent with this way of life."

In response to questioning from Congressman Happy Camp of Oklahoma during those same

hearings, Governor Egan said, "But I think that on that subject (subsistence) that the past experience should prove to them (subsistence hunters and fishermen) that the state has an abiding interest in that need, and that it might very well be that in your legislation that it would specify and we will make every effort from the standpoint of the state to see that those subsistence uses are honored."

Although the governor has promised the state would protect subsistence users, some observers such as Sackett question the ability of the state to convert such a policy into actually sound resource management.

"If the State of Alaska continues to make drastic mistakes of identifying the level of sustained yield for different species of animals, and of continuing certain mismanagement programs that have occurred over the last 15 years, the Federal Government will be forced to take back jurisdiction over their lands. If and when they do, having looked at the management system of Fish and Game since we became a state, I do not blame them," Sackett said.

Another possibility, he observed, was contained within the report of the free conference committee to the Alaska Native Claims Settlement Act which stated, "...The Conference Committee, after careful consideration, believes that all Native interests in subsistence resource lands can and will be protected by the Secretary through the exercise of his existing withdrawal authority."

Yet another alternative, he continued, is an act of the Congress passed in 1960 which forbids trespass on Native-owned land for purposes of hunting and fishing.

If the state is unable to live up to its commitment to the Congress, Sackett again made the alternative perfectly clear: "Before Statehood, we were under the Fish and Wildlife Service, and as I recall, they had a very well-staffed, highly efficient management program, and Alaskans had absolutely no voice in management policies. Everything was out of Washington, D.C."

Other than Sackett, the seminar, which was chaired by LUP Commissioner James J. Hurley, heard presentations from Native regional corporation representatives, AFN president Roger Lang, legislators, Alaska Native Foundation general counsel John Havelock, state and federal officials, and environmentalists.

The seminar was scheduled to be continued through Wednesday. A spokesman for the LUPC said, "The seminar discussions will help provide a basis for commission recommendations on possible revisions in state and federal subsistence law and procedures. Topics to be dealt with in various panels include present management levels, alternatives for protecting subsistence uses, effect of the proposed Alaska Conservation Act of 1974 on the taking of fish and game resources, methods and means of subsistence needs, dimensions of the problem of subsistence, and policy questions on allocating land to subsistence use."

Persons unable to attend the seminar were invited to present opinions in writing to the LUPC, 733 W. Fourth Ave. in Anchorage.

At press time, the only presentation available to the Tundra Times was that of Senator Sackett. Tundra Times Juneau Correspondent Margie Bauman was in attendance at the seminar and will file a report for the Feb. 13 issue of the Tundra Times.

State, City Disclaim Responsibility - What Rights for Eskimo Village?

By MARILYN RICHARDS

Is the state of Alaska breaking its own laws?

Under the Alaska Statutes (Title 18 Sec. 18.80.210) Article 4 dealing with civil rights states: "The opportunity to obtain employment, public accommodations, housing accommodations and property without discrimination because of sex, race, religion, color or national origin is a civil right."

What are housing accommodations? Is it the right to rent regardless who you are or the right to live in a house with necessary accommodations like water and sewer facilities?

The people in Eskimo Village in Fairbanks do not have plumbing and sewer facilities. These people were brought down to Fairbanks from Barrow and thereabouts to work on the Alaska State Railroads' construction during World War II. Now there are only six families left in Eskimo Village, located at 26th and Lathrop Streets.

There are few families but their plight is enormous. They also only have one phone to share between them. A few years ago, before the phone, a child of one of the families was lost. The people did not have enough time to phone the police to begin searching and after their futile search attempts the child was found frozen to death.

The land the people are living on was given to them through Native land allotments and therefore not taxable by the City of Fairbanks. The city claims that it does not receive any taxes from Eskimo Village since it is not an assessment district and therefore cannot provide city funds for the installation of the plumbing facilities in the village. It has provided planning services though.

The pumps, water and sewer lines are in but the villagers through an agreement signed with the Public Health Service, the BIA, the City of Fairbanks, and the Department of Environmental Health and Conservation would be responsible for the installation of plumbing.

The Public Health Service office in Anchorage reportedly has \$40,000 in funds but cannot release them until further requirements by the villagers are met.

The Association of Interior Eskimos, according to its president John Heffle has contacted members of the local Plumbers Union and Army officials of Ft. Winwright for their help but was unsuccessful. Heads of the households are elderly and poor and cannot afford to hire plumbers. They are in the process of soliciting volunteer plumbers for the project.

Tom Snapp, editor of the All-Alaska Weekly and campaigner for the Village, said two volunteers have contacted his office but they are not bona fide licensed plumbers. Snapp did not know if they had started on the work, but a call to the village's one phone said they did not.

Also in the statutes (under water, air, and environmental conservation A.S. 46.03.10) it

Boarding ...

(Continued from page 6)

ments can be made through such changes as increased local control and more school staff. But these types of changes will not end the damage done to village children, because the damage is done primarily through a total system which separates children from their families at a critical development period and places them in unhealthy environments for growing up.

states, "It is the policy of the state to conserve, improve, and protect its natural resources and environment and control water, land, and air pollution in order to enhance the health, safety, and welfare of the people of the state and their over-all economic and social well being."

"It is the policy of the state to improve and coordinate the environmental plans, functions, powers, and programs of the state, in cooperation with the federal government, regions, local governments and other public and private organizations and concerned individuals and to develop and manage the basic resources of water, land and air to the end that the state may fulfill its responsibility as trustee of the environment for the present and future generations."

The Village Safe Water Act (sec. 46.07.010.) states, "It is the purpose of this chapter to establish a program designed to provide safe water and hygienic sewage disposal facilities in villages in the state."

Section 20 states: "The commissioner shall institute and carry out a program to provide the installation of such safe water and hygienic sewage disposal facilities in villages in the state as are necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village."

Dr. Max Brewer, Commissioner of Environmental Health and Conservation, had signed the agreement with the Eskimo Villagers that they install their own plumbing. Is that legal when the statute clearly states the commissioner shall provide a program to provide installation but the agreement states the villagers have to do it themselves?

Does Eskimo Village qualify as a village under the Village Safe Water Act if it is in the Fairbanks city limits though the city claims it is out of its jurisdiction. Even the Department of Health and Social Services, Public Safety, and Public Works did not enter the picture.

Letters From Here and There

(Continued from Page 2)

one person such as Mr. Howard Hughes has.

Now to me it seems that the A.N.C.S.A. is more of a challenge than a settlement to Alaskan Natives. Only the courageous, the skillful, etc. among the Native groups will succeed. Let us hope that the A.N.C.S.A. is not another "Flop of the Century" next to Comet Kahoutek.

Sincerely yours,
Paul Rookok
President

Rights-of-Way

Federal-State
Land Use Planning Commission
For Alaska
733 W. Fourth Ave., Suite 400
Anchorage, Alaska 99501
Jan. 31, 1974

Mr. Harold Sparck
P.O. Box 267
Bethel, Alaska 99559

Dear Harold:

Thank you for sending me a copy of your letter of Jan. 23 to Mr. Silcock. I appreciate learning of the views of the Association of Village Council Presidents.

With regard to role of the Land Use Planning Commission, and your statement that the commission has not consulted Native peoples regarding road construction, you should know that the commission will be conducting a series of public hearings in Alaska, during the month of April regarding road requirements. Further, the commission has authorized its staff to meet informally with every village making application under regulations pursuant to the Alaska Native Claims Settlement Act for the conveyance of fee simple estates. In such informal contacts, the commission will seek to inform village leaders regarding rights-of-way sought by federal or state agencies and, in return, to learn from the village leadership how such requests are perceived. This process has already been brought back to the commission, after consultation, in a couple of sample instances, and with very good result.

In addition, the commission retains transcripts of its exhaustive hearings in 1973 that were conducted concerning the D-2 lands. Much of the testimony we received gives us information about local perceptions of transportation.

To date, the commission has not submitted to federal or state governments any recommendations regarding any corridor or route, precisely because the process of consultation with the Native peoples, and other concerned Alaskans, is incomplete.

You can be sure that the views of the Association of Village Council Presidents will be retained for my reference when we consider the transportation issues affecting the Lower Yukon-Kuskokwim basins.

With best wishes, I remain
Sincerely,
Joe P. Josephson
State Co-Chairman Designee

cc: Tundra Times
NANA
Doyon, Ltd.
Bering Straights Native Corp.

LEGAL NOTICE

INVITATION FOR BIDS

STATE OF ALASKA

DEPARTMENT OF HIGHWAYS

Sealed bids in single copy for furnishing all labor, materials and equipment, and performing all work on Project S-0547(12) & F-031-2(33), Northern Lights Couplet described herein, will be received until 2:00 p.m., prevailing time, March 21, 1974 in the Commissioner's Office, Department of Highways, Island Center Building, Douglas, Alaska.

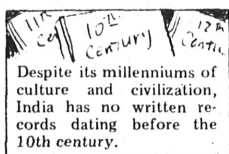
This project will consist of grading, drainage, hot asphalt surfacing, illumination and signalization, and construction of three pedestrian overcrossings along Northern Lights Boulevard in Anchorage, Alaska.

Principal items of work consist of the following: 90,000 cubic yards of common excavation and 70,000 cubic yards of muck excavation; 178,000 tons of selected material; 52,000 tons of crushed aggregate base; 66,000 tons of subbase A; 25,200 tons of hot asphalt pavement of 670 tons of asphalt cement; 6,500 linear feet of 18" reinforced concrete pipe, 4,700 linear feet of 12" pipe conduit, 2,100 linear feet of 18" pipe conduit, 3,450 and 3,900 linear feet of 24" and 30" pipe conduit respectively; 8,400 linear feet of 6" chain link fence; 25,000 square yards of bituminous sidewalk; 6,600 tons of bed course material; 48,000 linear feet of type I curb and gutter; 1,450 square feet of standard signs; 1,540,000 square feet of seeding; 1,220,000 square feet of top soil; 300 linear feet of 2" interconnect conduit; 15,100 linear feet of 12 pair interconnect signal cable, 2,500 linear feet of 25 pair interconnect signal cable, and 9,600 linear feet of 3" interconnect signal conduit; traffic signal and highway lighting systems complete, lump sum, all required; three pedestrian overcrossings, lump sum all required and miscellaneous items of work.

All work shall be completed in 315 calendar days.

Plans and specifications may be obtained by all who have a bona fide need for them for bidding purposes from the Chief Road Design Engineer, P.O. Box 1467, Juneau, Alaska 99801 at a charge of \$10.00 for each assembly. Plans may be examined at Department of Highway Offices in Anchorage, Fairbanks, Valdez.

B. A. Campbell
Commissioner of Highways
Pub.: Feb. 6, 13, & 20, 1974



Despite its millenniums of culture and civilization, India has no written records dating before the 10th century.