

Rural users get priority in time of game, fish shortage

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After two-and-one-half years of haggling and public debate, the state Board of Fish and Game established the criteria for a subsistence priority in the state of Alaska. The board then took less than three hours to define a key part of that priority.

Their definition has been heralded by those in favor and opposed to subsistence as a step in the right direction — for a number of reasons. Those supporting subsistence, with a few exceptions, see the regulations as another step to fulfilling the state and federal requirements for a subsistence users category in the state.

Those opposing the subsistence priority law feel that the regulations will pound another nail in the subsistence "coffin," by creating another outpouring of anti-subsistence feelings from urban areas.

The regulations which were the subject of so much debate and emotion state that persons living in "rural" Alaska will be allowed to take fish or game before sports or commercial hunters or fishermen if there is not enough fish or game to be taken by all groups of users.

Their decision was made after Jim Rearden, from Homer, changed his opposition to the regulations and said he
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Definition of 'rural' rushed through hearing

would support the subsistence category rather than having federal government come in to manage the game and fishing on all federal lands and possibly some state lands.

Department of Interior under secretary Bill Horn told the boards on Monday morning that the federal government was required to enforce the provision of the Alaska National Interests Lands Act that stated that a subsistence user category be maintained in the state for rural residents.

He also cautioned, upon questioning, that the federal

government also might manage some non-federal lands to assure that subsistence fishing catches are large enough to care for subsistence needs, even if those catches would come from state and not federal lands.

Rearden, who had been a main opponent of the law, told the board he would rather see a subsistence law on the books than see the federal government come to the state and mismanage the resource, as he said it did prior to the turning over the management to the state.

Sam Kito, a member of the

Alaska Federation of Natives Subsistence Committee, said he felt the regulations are "a first step in a short term resolution to the problem that will only be resolved at the (election) polls."

Kito predicted that the approval of the regulations will be helpful to defeat the anti-subsistence movement because they will show the voters of the state that a subsistence priority can be in effect without harming people.

Kito stressed the fact that the priority only goes into effect when there is a shortage of fish or game.

He cited the state's bumper crop year in fish and said there will be no need to limit fishing in any area because of that.

After passing the regulation, fisheries board member Griffith Quinton from Anchorage proposed a definition of rural that is almost certain to be challenged.

That definition states that a rural community is one within a borough government which has more than 7,000 people in the borough and is connected by a road system.

Boroughs meeting that definition include Anchorage, Fairbanks, Kenai Peninsula, Juneau, Kodiak and Sitka and the Matanuska-Susitna boroughs.

Karl Armstrong, from Kodiak, a Koniag Inc., board member, said he hadn't seen the definition or investigated the implications but when told that Kodiak might be considered a non-rural community, said he felt the possible inclusion unfair.

Armstrong said that although fishermen on Kodiak are fairly wealthy and earn livings "in the six figures," most of the people living on the island live true subsistence lifestyles.

The village of Kodiak has a population of about 4,500, said Armstrong, who said all other villages on the island are not connected by roads.

But even the people living in Kodiak the village, depend greatly on subsistence. "They can, they dry, they salt, they smoke the fish and they freeze the fish. This would be a real hardship," he said.

However, just as Kito was predicting, the regulations will help support the subsistence law, anti-subsistence advocates were predicting the exact opposite.

Tom Scarborough, director of the Alaska Sportsman's council in Fairbanks and an anti-subsistence advocate, just shook his head with a big

smile and said he felt the regulations would drive many urban people over the edge to vote to repeal the law.

Scarborough said he expected a lawsuit challenging the regulations before the November ballot and he laughingly told a fish and game employee that he "would like to see you defend that one in court . . . you'll never do it."

One aspect of the definition that might cause some problem is that no public comment was taken directly on the definition of rural and no study was conducted before approving the definition.

And, although the regulation will be up for public comment at the Joint Board's December meeting a challenge could still come on the grounds that the board was "arbitrary and capricious" in choosing the number 7,000 as a rural cutoff. U.S. census figures define rural as less than 2,500.

The vote on the population figures also came in the middle of a discussion by Dennis Kelso of the Fish and Game Juneau Subsistence office about some specific drawbacks to the regulation.

Kelso cited the village of Tyonek, on the west side of Cook Inlet as a potential problem.

Kelso said that Tyonek is in the Kenai Borough which isn't classed as a subsistence borough under the regulation but, because Tyonek isn't connected by a road system, it would remain as a subsistence village.

However, Kelso warned, the Beluga coal fields will soon have a road cut to them and that road system could be near enough Tyonek to cause the village to lose its subsistence classification. No spokesman for the village could be contacted.

As Kelso was about to discuss more potential problems, Jim Rearden called for a vote and that call was granted.