

Walrus hunting may be exempted

By LAURY ROBERTS

The likelihood that hunting of walrus by Alaskan Natives may soon be exempt from state regulation, has officials wondering how the use of tusk ivory can be managed.

The 1972 Marine Mammal Protection Act imposed a moratorium on walrus hunting, but allowed Natives to continue to take a certain number of walrus for the purposes of subsistence and creating handicrafts. The law also permitted the state to petition the federal government—which it did immediately—to regain management authority.

During the past three years of state control, coastal villages were allotted walrus on a quota basis, totalling 2,300 animals per year. This was recently raised to the federal limit of 3,000. Ivory was initially regulated by a permit system for the buyer and seller.

After requests from villagers, the Alaska Board of Game a year ago replaced the permit system with a tagging method. Now, once the tusk has been sealed, there is no restriction on how the owner may dispose of it.

This month a U.S. District Court judge denied a motion to dismiss a case filed by Alaska Legal Services challenging the state's authority to regulate Native take of walrus. The case stems from the arrest of two Togiak residents who allegedly illegally hunted walrus on sanctuary islands in Bristol Bay. The hunters were never prosecuted, however.

While the lawsuit still is technically unresolved, the opinion in the denial for dismissal, which acknowledges the Native exemption from regulation, likely will be issued as a final judgement.

"We've proved our case, the judge agrees. Only the procedural steps are left," said Don Clocksin, chief counsel for Alaska Legal Services. "We're not willing to wait. Walrus time is now. We'll insist on immediate action from the feds."

The order has left state officials in a quandary over the ivory question. "I didn't read into the decision that state management of ivory is preempted," said Greg Cook, executive director of the Board of Game. "Can the use of ivory and the taking of walrus

be separated?" Cook's comments came during a meeting last week among representatives from several state departments.

Much ivory leaves the state in the hands of "outside" firms which fly into villages and drop a lot of cash. Without the former permit system in effect there is ready enticement for a black market ivory trade.

"There will be a greater black market and less ivory for carving under an open process and no regulation at all," said Ron Somerville, Game Division director for the Alaska Department of Fish and Game (ADF&G).

While Assistant Attorney General, Liza Fussner, said there would be no "immediate imposition" of the court decision, Clocksin told officials, "This group of people will have absolutely no authority over what you're talking about."

The group agreed to refer the dilemma to the Alaska Walrus Commission, comprised of representatives from six whaling villages who first convened the panel last summer in Gambell. The commission was expected to consider the ivory trade question at its April 24 meeting in Nome.

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