



Mabel Walton of Noatak cuts salmon on the banks of the Noatak River. Ballot Measure Number Seven, if passed, would end Alaska's subsistence priority under state law, giving sportsmen and commercial fishermen equal access to fish and game with rural residents in any time of shortage.

PHOTO BY BILL HESS

Subsistence: Pro & Con

Repeal would

By Paul Jenkins
The Associated Press

Backers of the state's priority subsistence law say its repeal would crush a fragile link with Alaska's past, severing a lifeline that has kept a primitive culture afloat in a sea of change.

Those fighting to retain the law stress its importance to cultural and nutritional needs and warn its repeal would open the door to federal interference in the management of many of the state's fish and game

resources.

Governors past and present, members of the state's congressional delegation, business and union leaders, and key figures of the Native community are among the legion of vocal supporters.

For some rural Alaskans, living off the land by net and by gun is a matter of economics. For others it's a vital tie to the past, a way of keeping a culture alive.

Former Gov. Bill Egan says
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Law is discriminatory

By Paul Jenkins
The Associated Press

Those who would repeal Alaska's priority subsistence hunting and fishing law get right to the point. They say — as often and as loudly as they can — that it's unnecessary, unfair and unconstitutional.

They are every bit as vehement in their opposition as those they call "the other side." That means rural residents. As the law now stands, no urban dweller can qualify as a subsistence user.

Much of the dispute stems from sharp differences of opinion as to what constitutes subsistence. Opponents of the law don't see why the urban dweller who feeds his family on fish and game shouldn't have the same opportunity to hunt and fish as rural residents.

"When a guy out there in the Bush can feed his dogs before I feed my child at the dinner table — that's got to stop," says Dave Stancliff, Anchorage coordinator for
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Subsistence: Pro & Con

Repeal means 'anarchy'

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repeal of the law would have far-reaching implications in rural Alaska.

"It would eat into the hard core of the cultural background and present-day culture of not only the Natives, but the non-Natives as well," he says. "If more could visit these villages, most would get a different idea that there is a culture going on out there that we should be proud of."

The crux of the fight? Urban hunters and fishermen are ranging farther afield in search of fish and game, and many Bush residents fear Mother Nature's larder at some future point may not hold enough for everyone.

"We believe that the current state law should be retained because it provides all Alaskans with an equal opportunity to live off the land, which is an option only available in Alaska," says Native banker Willie Hensley.

"We believe the proponents of the initiative are intent on destroying a way of life which has served as the foundation from which all Alaska history has sprung."

Gov. Jay Hammond puts it this way: "It's terribly unfortunate. It's one of the most regrettable and debilitating things to hit the state."

Another opponent, Sen. Ted Stevens, fears "anarchy" if the law is repealed. Congressman Don Young says dumping the law "would be disastrous for the state."

Clem Tillion, Hammond's Director of the Office of International Fisheries and External Affairs, says he could support the repeal of the current law, but is against the ballot question because it also would set in place the Alaska Anti-Discrimination Hunting, Fishing and Trapping Act.

The act would prohibit any kind of discrimination in the allocation of wildlife resources.

"That absolutely violates the agreement with the federal government," he says. "The passing of it may vent somebody's spleen, but it's like shooting at someone from the other side of your head."

Alaskans for Sensible Game Management, an organization headed by Hensley, is in the forefront of the fight to defeat the ballot measure to be voted on Nov. 2.

The group has gathered about \$150,000 — much of it from Native corporations — and assembled a "Blue Ribbon Committee" to fight the repeal.

The group's coordinator, Anchorage Assemblywoman Jane Anvik, says a voter registration drive is under way in remote areas, and an educational campaign aimed at wooing



An Eskimo seal hunter watches as the leads open on Norton Sound's ice pack during the spring hunt. Farther west the great bowhead whales were making their way north. Whaling is one subsistence activity that is not threatened by the subsistence law repeal but which has been mentioned prominently as being unfair by those wishing to repeal

votes in Alaska's urban areas, where about 85 percent of the state's residents live, is on tap.

Alaska Federation of Natives lobbyist Sam Kito — instrumental in the passage of both state and federal subsistence legislation — says that before its over, those fighting the repeal may have to ante up as much as \$500,000 trying to get their point across.

"That would allow us to continue telling the story for rural lifestyles, continue to inform people about the choice of lifestyles and the continuing of a lifestyle that has existed in the past," he said.

Foes of the law say it is unconstitutional, unfair to urban residents and unneeded. They claim rural Alaskans — for the most part — have joined the 20th-century economy, complete with access to grocery stores, high-powered rifles, motorboats and planes for hunting.

To this, Kito counters:

"I'd say they don't understand economics very well, or they're blind to it. Income in the villages is probably 20 percent of what the income is in the urban community. The cost of living is substantially higher out there."

"I think when you pay \$2.50 for a gallon of gas you know that. The people live in a harsher environment and the amount of money that it takes for them to live there is extreme."

A University of Alaska report on subsistence users on Alaska's North Slope in the late 1970s says that while their income increased during boom construction years, 98

percent of the households consumed fish and game, and that 45 percent received half or more of their food from those sources.

"Inupiat household incomes would have to quadruple before they could in themselves support the way of life followed by most Americans," it says.

State Rep. Al Adams, D-Kotzebue, estimates that in some villages subsistence food accounts for as much as 75 percent of the food stocks.

"The percentage increases as you move farther into the remote regions," he says. "You, living in Anchorage, can go to the store and get chicken and rice — we can't."

Critics also claim the subsistence law is a subterfuge for Native corporations and rural residents to create their own game preserves, eventually locking out sportsmen as both urban and rural populations swell.

"I simply am puzzled, really, to try to grasp it and understand it because I find no evidence of something like that happening," says state Sen. Nels Anderson of Dillingham, who as a state representative led the fight for the priority law.

"If somebody can show me that this is in fact the case, then there's certainly cause for concern," adds Anderson, one of the founders of Alaskans for Sensible Game Management.

is written today, appears to be a valid, sensible way of allocating resources at the time that fish and game re-

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Law unnecessary

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Alaskans for Equal Fishing and Hunting Rights, the group spearheading the repeal effort.

And he says the Alaska Constitution backs him up, citing Section 3, Article VIII: "Whenever occurring in the natural state, fish, wildlife and waters are reserved to the people for common use."

Opponents of the 1978 law say it also takes the management of the state's fish and wildlife from the hands of professionals and gives it to judges.

Despite charges that they are dividing the state and inviting a federal takeover of fish and game management on U.S. lands in Alaska. They want legitimate subsistence needs met through regulation, rather than law.

They say the boards of Fish and Game have and could continue to adequately protect subsistence needs in rural Alaska through a variety of tailor-made regulatory mechanisms, such as restricted modes of transportation, lengthy seasons, late openings and more liberal bag limits in rural areas.

Besides repealing the subsistence law they are seeking adoption of the Alaska Anti-Discrimination Hunting, Fishing and Trapping Act, which would give all state residents equal access to fish and game.

"The current law is totally discriminatory," says state Rep. Ramona Barnes, an Anchorage Republican who un-

successfully led a heated legislative fight to amend the existing statute.

"You can in fact make \$100,000 a year and qualify for subsistence, but the people who live in Anchorage, Fairbanks, Juneau and Ketchikan are excluded from using those same resources if they make \$10 a year," says Mrs. Barnes, whose husband is a big game hunting guide.

Other supporters of the repeal include two out of three gubernatorial candidates, current and past state lawmakers and many members of the fish and wildlife management community.

Republican gubernatorial candidate Tom Fink strongly opposed the subsistence priority state law as he trampled Lt. Gov. Terry Miller in the recent primary election.

"I would say it's a divisive issue, but I think the 1978 law is divisive," says Fink.

Fink's upset victory over Miller — a supporter of the state statute — caused considerable speculation over how much of a role his opposition to the law played in his victory.

"I'm opposed to it because it unnecessarily divides the state in a very arbitrary manner in an area where we had no problem prior to 1978," says Dick Randolph, the Libertarian candidate for governor. "I think that the law . . . is unconstitutional and its arbitrariness is extremely unfortunate."

While opponents of the repeal effort claim it would force Interior Secretary James Watt to take over subsistence hunting and fishing management on the federal government's vast holdings in Alaska, his recent visit to Anchorage left many wondering.

While he said he must uphold provisions in the Alaska National Interest Lands Conservation Act mandating subsistence rights on federal lands, he also met with Fink and said he supports Fink's candidacy.

"We'll be able to work something out," Watt said. "We're not going to move in here with marshals and the National Guard."

Fink says Watt supports local control of fish and game resources and "in my opinion he wouldn't do any more than he had to do."

Stancliff's group and the Fairbanks-based Citizens for Equal Hunting and Fishing Rights are steering the drive against the statute.

They've gathered about \$100,000 — mostly in small individual contributions, but Stancliff says it will take about \$300,000 to win the hearts and minds of the electorate.

"We don't have many heavyweights. We don't have any contributors from large corporations, and don't expect to receive any," he says.

"We're really grassroots."

The organizations plan to offer brochures, and rely heavily on speakers, and on radio, television and newspaper ads in their campaign.

Priorities set to avoid disaster

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sources get down to the point where you have to make some real hard choices about who can benefit.

"The biggest objection I have to this initiative process is that we really haven't sat down and talked to those people who object strenuously and said, 'Okay, where would you like to see changes, and why? What is the justification for change?'"

Instead of talking or challenging regulations in court, he says the law's foes are "stepping right into the gauntlet" with the initiative.

"I think the reason why those people who are object-

ing won't go that route is that they believe very strongly that they couldn't win," he says.

"This law hasn't really changed anything drastically, except that now there is a recognized user group out there that has equal status with commercial and sports interests, that's all," Anderson says.

Adams says the law's provisions are an attempt to set priorities before an influx of urban hunters and fishermen can threaten the subsistence lifestyle.

"I think it's a good law," he says.

Kito says since the law has been on the books, its provisions never have been invoked, that there is enough fish and

game for everyone. But he says when the crunch comes, those who for years have lived off the land should be able to continue that lifestyle.

"You're seeing the same thing that is happening in those villages happening on the Kenai River, where you have the people that live in the area of the Kenai saying, 'What you have to do . . . is throw the guides off the river, because the guides are bringing too many people in here and they're causing too much pressure on that resource,'" he says.

"So I think that whatever happens out there in the villages is going to happen in the urban environment too."