

# History of the Subsistence Hunting and Fishing Law

*(Editor's Note: This is the fifth and final installment of a history of the state subsistence hunting law as interpreted by Nunam Kitlutsisti. Nunam Kitlutsisti is the environmental arm of the Association of Village Council Presidents representing 56 Yupik Eskimo villages in the lower Yukon and Kuskokwim River area.)*

## THE HISTORY OF THE SUBSISTENCE HUNTING LAW 1975-1978

By Nunam Kitlutsisti

The Board, while saying in its public meeting that subsistence must be given the highest priority again refused to implement this priority due to the failure of the Division of Game to guarantee that adequate biological observations were made and proper reporting

forms were distributed in advance to the rural villages. The Board was once more showing disdain for rural subsistence users, and continued to contribute to the selling of Alaska's dwindling wildlife to the highest and most affluent bidders, thereby assisting in the destruction of the rural social and economic systems.

While the Board based its decision in part on the unavailability of harvest tickets, it failed to investigate the reasons for this. The villages have very few license vendors. Chronic problems of getting licenses, harvest tickets, harvest reports and the booklets of hunting and trapping regulations exist through the present time. These are documented

in the local Fish and Game Advisory Board minutes where complaints against the failure of the State to supply forms in a timely manner often causes the villagers to face the necessity of hunting with the possibility of facing criminal charges for not having the proper certification due to lack of forms.

In the case in point, the villages of Russian Mission and Mountain Village on the Lower Yukon complained that licenses, harvest tickets and harvest reports were not in the area. The license distributor in Mountain Village stated that he had called on three occasions to the Division of Licensing, Department of Revenue during the summer, asking for forms, and was guaranteed that forms

would be on the way promptly.

Again in early August, calls were made to the same Department and requests were made that the forms be mailed out. The local Fish and Game office was also called about the missing forms.

At one of the local Fish and Game Advisory Board meetings in Russian Mission on Sept. 13, 1977, many villagers were awaiting hunting tickets, harvest reports and big game licenses. None arrived. It was necessary to charter to obtain big game license tickets so the hunters could proceed further upriver into the moose hunting areas legally.

The hunters missed up to five days of the abbreviated hunting season as a result of the dereliction of the Division of Game and the Division of Licensing.

### Proposed Amendments To Subsistence Hunting Law

Seeing the problems in the legislation as discussed above, the AVCP has proposed amendments to the subsistence hunting law. These proposals which are before the legislature at this time would eliminate the problems of not being able to barter the subsistence hunted game and allow it to be used by the extended family.

However, the major changes which are proposed would force the Division of Game to make adequate studies of the game populations and competition for

the resource within the area proposed. It is felt that this is necessary as the Division had the tools to determine if the game population is adequate to support the subsistence hunters and their villages. The final changes would force the Board of Game to make its decision based on standards which it would be held to. Presently, the Board can accept or reject proposals at its discretion without any controls.

### Conclusion

The 1975 and 1976 Alaska legislatures created a law providing for the creation of subsistence hunting areas. The intent of the legislatures was simply to provide for the needs of the subsistence hunters and their villages.

As this law moved from the legislative stage to the regulatory stage, its intent has been ignored and the prospect of having regulations promulgated pursuant to it appear, at best, remote. The law has provided the Board of Game and the Division of Game the ability to put in action its stated priority for subsistence hunting.

It is obvious that the Board and the Division are not willing to make this commitment. As the Board and the Division are not meeting the needs of rural Alaskans, they should not be able to point to this act as evidence of their good faith.