

Subsistence outcome still in doubt

by Bob Koweluk

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Spring subsistence hunts ranging from whale and seal hunts to fishing have begun in villages scattered throughout the state. But Natives living in the large urban areas may not even have the privilege of going sport fishing this summer.

For people living in the villages, there are few jobs and few stores with limited goods. The subsistence economy is more important than the cash economy. The subsistence activities in those villages is perhaps for many families what feeds and clothes them.

This spring, the subsistence law which favored the people living in the villages has been changed. The Alaska Supreme Court's Madison decision has opened up the subsistence issue once again. As the law stands now, anyone can "go subsistence hunting and fishing." That includes people living in the rural areas as well as urban areas such as Anchorage or Fairbanks.

For whatever reason, the various groups in favor of opening up their version of subsistence hunting and fishing seem to have put themselves into a box. The decision gives preference to subsistence fishermen taking a large catch; sports fishermen and commercial fishermen will be the first to be excluded from the fishing in order to give subsistence fishermen first preference. And for large urban areas such as Anchorage, this could mean no sport fishing for Native fishermen and for some one-quarter of a million non-Native people who flock to the major rivers and fishing areas offshore. The commercial fishing industry could collapse in areas open only to subsistence fishermen.

Many leaders statewide, both Native and non-Native, do not see this to be a problem for people in those rural areas which have access to the state's road system.

A food resource which people in rural areas and villages have depended upon for generations could be in jeopardy. Thousands of people who generally do not depend upon a subsistence economy for their livelihood threaten this food resource with depletion by their use of a limited renewable resource.

For large cities such as Fairbanks and Anchorage, there are many people, both Native and non-Native who have for years been happy with sport hunting or

fishing to get the wild game they wanted to eat. The bag limits for such animals such as salmon, trout, greyling, pike, moose, caribou, ducks, ptarmigan and others have been fairly distributed by considering the ratio of hunters to available wildlife within a given geographic region. These bag limits have also taken into consideration that the species maintain large enough populations so that they are not threatened with extinction.

A 1978 state law gave subsistence preference to those living in rural areas and in Alaska's villages. This law took into consideration people's access to jobs, their shipping costs for food and goods, and the local availability of food, whether from stores, or by hunting, fishing and other food-gathering activities.

This law also took into consideration the differing nutritional needs of people living in urban areas, and those who live in rural areas and villages which do not have access to the cities.

In 1978 the people of this state and the state government decided in favor of settling the subsistence dispute by deferring to people living in rural areas and villages because the urban areas had all the advantages: many food outlets; lower costs for foods, goods and services; a stronger cash economy because of larger population bases for taxation and a variety of other things that support cash economies of communities such as sea ports, rail hubs, being near a military base, etc.

At a news conference last week, Alaska Federation of Natives, Inc., clarified its position on legislation presently pending in the Alaska legislature to reverse the Alaska Supreme Court's Madison decision, and said that several outdoor groups must take responsibility for their actions if restrictions affect this summer's Cook Inlet sport fishing activities.

"You see, what happens under the Madison decision in areas where there is conflict (is that) subsistence takes precedence over everything else," Johnson said. "The law that was passed in 1978 and the subsistence act was widely supported by the voters of Anchorage and all of Alaska. We feel that the Madison decision is contrary to those two bills; we are letting it be known that the Alaska Federation of Natives is very supportive of the bill the Governor is attempting to have passed.



An Eskimo woman seining along the Kobuk River

photo by Robert Belous

The immediate effect, according to Johnson, will hit the residents of the Anchorage area and urban areas whose people live near areas where there is a heavy influx of fishermen. According to Johnson, the fishing issue does not presently affect the villages which are not readily accessible to people from the urban areas.

"And if there is no fishing in Anchorage and in Southcentral Alaska this summer, we have to blame it squarely on the people that are responsible for stopping it and that's the Alaska Outdoor Council. They're the ones that are blocking the subsistence legislation, and I think they are the ones that have to be held responsible for the actions they are now taking," Johnson said.

When asked by reporters why the Senate doesn't want to act on the legislation, Johnson replied, "I think probably some of the people in the Senate don't understand the real effect in the delay of the passage of this legislation, and I think the effect is really going to be felt in Anchorage."

Janie Leask, asked the same question, repeated much of what

Johnson said and added, "I believe there is an ulterior motive by the Outdoor Council in particular; they would like to see efforts to keep the subsistence law passed in 1982, thwarted. If their will was taken in the state, then they would take this to Washington D.C. to try to eliminate the subsistence preference entirely."

Johnson also said, "Basically, AFN is very supportive of the legislation the governor has put into the House. The bill retains subsistence regulations by turning it into law. These are the subsistence regulations which the sport fishing group is opposing. The real effect of that opposition is that the people of Anchorage may not be able to go sport fishing this coming summer, and we would not like to see that."

The legislation the Governor has introduced into the House is basically the same as the Board of Fish passed a couple of years ago; that would allow sport fishing for all people statewide including those in the Anchorage and Kenai Peninsula areas and allow subsistence fishing for people from outlying areas.

"We would like to see that bill that's in the House become law," Johnson said. "What the Governor's bill does is define the subsistence areas as the traditional subsistence areas. This is where the subsistence preference by law will be," Johnson said.

"In areas where there are conflicts over the fishery resource between sports fishermen, commercial fishermen and subsistence fishermen," Johnson said, the interpretation of Madison was that whether it happens in an urban area or not, the subsistence fishermen will take priority, and after the sport fisheries, and after that the commercial fisheries."

In other words, that subsistence preference would not apply to Anchorage because Anchorage is not a subsistence area. In areas not traditionally or presently reliant on subsistence fishing the Governor's bill would allow urban sportfishermen to continue fishing.

A point of interest: the Anchorage area overwhelmingly supported the subsistence preference in 1982.