

# History of the Subsistence Hunting and fishing law — Part Three

*(Editor's Note: This is part three of a four part 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 Norman A. Cohen

### Joint Boards of Fish and Game Subsistence hearing at Bethel February-March, 1978.

Facing continuing criticism that the Board of Game avoided rural audiences when doing its business of supervising the regulation of the State's allocation of fish and game, the joint boards voted to go to Bethel to hold a rural meeting on the issue of subsistence fishing permits, reorganization of the advisory board system as proposed by Gov. Jay Hammond, and to develop a more thorough understanding of the rural perspective on subsistence.

The Board determined that it would hold four days of hearings in Bethel, February 27-March 2, 1978. This was the first time the entire boards had journeyed to a rural-regional center in the history of the State.

The Association of Village Council Presidents (AVCP) reciprocated by seeking funds to assist the village leaders to travel to Bethel. AVCP had produced a seminar in advance of the joint boards meeting to assure that the village leaders would be cognizant of the issues on the boards' agenda and familiar with the discussion techniques employed at State public meetings.

In addition to the AVCP, over 30 additional rural villages attended, at times, over 200 rural leaders from western Alaska were in attendance at

the pre-meeting seminar and the joint board meeting.

The gist of the rural program was that decentralization should start immediately and that the State's mechanism for regulating fish and game was archaic and assisted in the decline of wild-life populations. The major concern of the delegates present was that the Boards had developed a system of making decisions that discriminated against the rural subsistence dweller.

The rural person could not participate in the formal decision-making process through lack of adequate information, funding or representation on the voting boards and due to language difficulties was excluded from being involved in the discussions themselves in advance of the decision-making.

### Proposals Made to the Board of Game, 1978

Realizing that the 1977 action by the Board of Game creating controlled use areas in portions of Game Management Units 21 and 18 was not stemming the influx of recreational and trophy hunters, five new proposals were made to the Board in 1978.

These proposals include the enlarging of one of the controlled-use areas, designating these areas as subsistence hunting areas and the creation of a new subsistence hunting area. The justification for changing the controlled-use areas into subsistence hunting areas was that there continues to be competition from those people not dependent on the resource for basic protein needs.

The justification for the expansion of the areas was that there had been a tremendous increase in the amount of hunting in those areas because of the continued availability of using an airplane and because subsistence hunters in those areas were facing increased difficulty in obtaining the moose that is the mainstay of their families' winter diet.

Further it was stated that those people who are able to

afford an airplane have easier access to the moose hunting areas while those who are forced to travel by boat do not have an equal opportunity to hunt.

When the proposed regulations were distributed to interested parties, two of the three subsistence hunting area proposals were eliminated. While one of the subsistence hunting area proposals was included, the Director of the Division of Game explained that it was not possible to make subsistence hunting regulation proposals during 1978. He further stated that the proposals that he had received were very confusing and therefore he did not include them.

As it was pointed out to the director that the law states that petitions asking for subsistence hunting areas shall be considered at the next annual meeting of the Board of Game and that the proposals were not unduly confusing, the Commissioner of Fish and Game stated that he would do everything that he could to make sure that the proposals not included in the proposal booklet were considered at the next board meeting.

Pursuant to the act, public

hearings were held on these proposals in various locations in Game Management Units 18, 19 and 21. As to the new controlled-use zone in Game Management Unit 18, the Division biologist failed to determine the exact locations of the new area before holding public hearings.

At the ninth public hearing to review the proposals by the sub-regional fish and game advisory boards at the village level, the department's game biologist was corrected on her description of the proposed zones. Several public meetings, however, were noteworthy for their discussions.

The Bethel public hearing on one of the proposed controlled-use and hunting areas was attended by both Bethel sports hunters and subsistence leaders. The main conflict involved the influx of sports and recreational hunters from urban centers like Bethel, Aniak and Anchorage, and foreigners from the Scandinavian countries into this area. The villagers proclaimed that the more affluent airplane hunters were depleting the resource, forcing the villages to resort to out-of-season snow machine hunting to feed their families.

Where once a villager would spend up to one month to catch a moose by boat, now the airplanes were used to locate available moose during the open season and the boat hunter went home empty. When the families required food, the vil-

lage hunter, without other resources would now face criminal charges for illegal hunting by snow machine to catch his moose often out of season, coupling his illegal take of moose with his legal harvest of fur mammals whose fur he would sell to raise monies for gasoline and home heating oil purchases.

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