Subsistence in Alaska:
with an
In-depth Look at the Upper Copper River Fishery

by
Mary B. McCormick

A Paper

submitted to
Oregon State University

in partial fulfillment of
the requirements for the
degree of

Master of Science

Presented February 7, 2003
Commencement June, 2003
ABSTRACT

Subsistence in Alaska:
with an
In-depth Look at the Upper Copper River Fishery

by

Mary B. McCormick
Oregon State University, 2003

Major Professor: Dr. Courtland Smith
Department: Marine Resources Management

Subsistence hunting and fishing in Alaska is a political, social, and cultural issue. Since statehood in 1959 the state of Alaska has managed fish and wildlife resources on all its lands. But because the state has been unable to come into compliance with federal regulations mandating a subsistence rural priority, the federal government (which owns about 60% of all Alaskan land) has taken over the management of subsistence on those lands: hunting and fishing management in 1991, and fishery management on many of the state's navigable waterways in 1999. This rural priority was written into a congressional act, the Alaska National Interest Lands Conservation Act (ANILCA) in 1980.

However the Alaska Constitution states that the resources are for the people for their "common use." Over the last 20 years the various administrations and legislatures have been unable and/or unwilling to make the change to a subsistence rural priority a legality. Dual management of the land and its fish and wildlife resources has been confusing, contentious, and potentially harmful to the resources. Including the navigable waterways in the dual management process adds migratory fish, including salmon, to the confusion of regulations, boundaries, and dual agendas. The rural priority also potentially eliminates subsistence access to important food resources for many Alaskans.

More than a thousand people hold subsistence permits to fish for salmon in the upper Copper River each summer. Only about one third of these are local, rural Alaskans. Since 1980 subsistence fishing in this area has been open to all Alaskan residents. But with the federal takeover of subsistence management in 1999 there is a possibility that the non-local fishers will be excluded from this fishery sometime in the future.

In 1999 I did a survey of the subsistence permit holders in the upper Copper River subsistence fishery to find out who the people are who use this fishery. I wanted to discover and record why they
fish there; how important both the fish and the fishing are to them; how they use the fish they catch; and what sort of people they and their families are. I also wanted to compare two groups of fishers who use the fishery, the local Copper Basin residents and the non-local (and sometimes non-rural) folks from places like Anchorage and Fairbanks, and from as far away as Barrow, Alaska. The results from the survey showed me that the two groups aren't really very different in their personal demographics or their love of fishing and Copper River salmon. And they also reaffirmed that the subsistence issue in Alaska and an equitable solution to the problem is very important to everyone.
Native Girl Dipnetting in Chitina, Alaska early 20th century
Photo courtesy of Geoff Bleakley, NPS

Plate 1
ACKNOWLEDGEMENTS

The author would like to thank the following people for their encouragement and help in writing this paper and completing this degree:

the members of my committee, Hal Weeks, Kurt Peters, and especially my major advisor, Court Smith, who stayed with it through many years;

the very helpful and friendly folks at the Alaska Department of Fish and Game (ADF&G), especially Tom Taube, Fishery Biologist in the Glennallen office and Bill Simeone in the Anchorage Subsistence office. Both were always around to answer any question I had;

Geoff Bleakley, Park Historian at Wrangell-St.Elias National Park and Preserve, who shared his wonderful collection of old photos with me;

Ken Roberson, former Fishery Biologist at ADF&G, who is a storehouse of knowledge about the Copper River fisheries;

and Lil Gilmore, for her help with the survey and her quiet support with this project over the years.
TABLE OF CONTENTS

Acknowledgements..........................................................................................................page iii
List of Tables and Figures..................................................................................................page v

Introduction.........................................................................................................................page 1
  The Subsistence Issue
  The Copper River Subsistence Fishery
  The Survey
Chapter 1.............................................................................................................................page 4
  Rural – Non-Rural Conflicts
  What is Subsistence?
  Subsistence in the Copper Basin
Chapter 2.............................................................................................................................page 17
  State Subsistence Legislation vs. Federal Subsistence Legislation
Chapter 3................................................................................................................................page 29
  Survey of the Copper River Subsistence Permit Holders
  Methods
  Results
  Discussion
Chapter 4................................................................................................................................page 52
  Conclusions
Bibliography............................................................................................................................page 55
Appendix A, Survey................................................................................................................page 57
Appendix B, Cover Letter........................................................................................................page 59
Appendix C, Modified Cover Letter......................................................................................page 60
Appendix D, Comments.............................................................................................................page 61
LIST OF TABLES AND FIGURES

Maps
Map 1, Map of Copper River Drainage.................................................................page 8
Map 2, Map of the Upper Copper Basin and Locations Where Subsistence Users
Live, 1998.................................................................page 37

Tables
Table 1, ADF&G Harvest and Permit Record, 1960-2001...............................page 15
Table 2, Timeline for Subsistence in Alaska....................................................page 31

Plates
Plate 1, Native Girl Dipnetting in Chitina..................................................page ii
INTRODUCTION

The Subsistence Issue

Subsistence is a subject that most Alaskans have heard a lot about. It has been a political issue since statehood, waning and waxing in the spotlight as the state government has grappled with how to resolve the difference between the state's and the federal government's mandates on how to manage Alaska's fish and game resources. There are still large tracts of federal land in Alaska (60% of the state). There were federal regulations and state regulations adopted in 1960, the year after Alaska became a state; in 1971 with the Alaska Native Claims Settlement Act (ANCSA); and in 1980 with the Alaska National Interests Land Claims Act (ANILCA) that set the two governments on differing pathways of resource management mandates.

At statehood, by agreement of both governments, resource management of all public land in Alaska was handed over to the state. A state constitutional amendment declared the natural resources for "common use" by the residents of the state. ANCSA made 1/9 of the state's land available for selection by Native corporations and individuals and extinguished all aboriginal hunting and fishing claims. ANILCA made subsistence taking of fish and wildlife resources on federal land a priority based on traditional dependence, local residence and the availability of the resource.

There is a direct conflict between the "common use" clause in the state's constitution and the subsistence priority of ANILCA that has not been resolved 42 years later. The state has made attempts to comply with ANILCA but none have been successful and the federal government has become more and more active in resource management on federal lands. Since most fish and game are migratory and move back and forth between state and federal land, the ramifications of federal management have the potential to reach beyond the borders of the national parks, preserves and refuges in Alaska.

The conflict is essentially a cultural one. The federal government is trying to protect the Alaska Natives' rights to hunt, fish and gather as a way of life. The Alaska Constitution is trying to protect equal rights to its natural resources for all Alaskans. Either the state constitution or ANILCA needs to be changed for the two governments to come to an agreement about resource management.
Ultimately the federal government has the final say in who will manage resources on federal land. It has given the state many years to come up with a solution to this problem and the state has failed to do so. Consequently, every year there has been more and more federal resource management. Chapter 1 discusses the political history of subsistence as it has vacillated between agreement and separation of resource management policies.

Chapter 1 also looks at cultural conflicts about subsistence. There are many arguments about the differences between how the Alaska Native people view and use subsistence and how the non-Native Alaskans do. Subsistence is an inherent part of the cultural heritage for the Natives, something that is part of who they are, as well as an economic necessity in some areas. For non-Native people, it is sometimes an economic choice and sometimes a lifestyle choice. But it is always a choice, of where to live and how to live.

Instead of proclaiming a Native priority for subsistence, the federal government resolved the wording by claiming a rural priority. So the subsistence issue in Alaska is a conflict between a rural priority and equal access for all.

The Copper River Subsistence Fishery

Salmon have provided subsistence food for the upper Copper River residents for centuries. Governmental regulations of these fish have been ongoing since the late 1800s. Chapter 2 discusses how regulations for this fishery have changed since 1960 and what this has meant to local residents of the Copper Basin. The population of the area has grown over the decades and more and more demand has been put on the fishery resources. Commercial fishers (in the Copper River delta) and sport fishermen, as well as subsistence users, all want part of the salmon harvest.

The patronage of the fishery has vacillated over the past 40 years as regulations have changed. There has been conflict between the local Athabascan Ahtna people and state resource management as their access to traditional fishing has diminished. There is a large national park in the middle of the Copper Basin and federal management has become first an issue and then a reality.

The Survey

I did this survey to help understand the potential effects of management and policy changes for the users of the upper Copper River subsistence fishery. I wanted to put together some baseline
data about who was using the fishery in the late 1990s, after a decade of it being open to all Alaskan residents. With the onset of federal management the demographics of its participants is bound to change and there will be some winners and some losers in the final decision of who can participate in this fishery. I thought it was important to document who these people were and who would be affected by these potential changes. Chapter 3 discusses the results of this survey.

Chapter 4 suggests some conclusions about how the issue should be resolved. It is hard to argue against equal access for all to natural resources but there is a difference between Native subsistence and non-Native subsistence that is real and needs to be considered when making and enforcing subsistence regulations.
CHAPTER 1

Rural – Non-Rural Conflicts

There has been conflict in the state of Alaska over subsistence for decades. It has taken many different forms: from political debates to lawsuits to protest marchers. The original seeds of conflict were sown when western civilization came in contact and clashed with the indigenous people in the land that was to become Alaska. But it was in the late 1950s when committees were formed to help guide the territorial government into statehood that the first half of the language of the conflict was put on paper. The other half came as part of a piece of federal legislation, the Alaska National Interest Lands Conservation Act (ANILCA) in 1980.

What is Subsistence?

There are two different ways to look at subsistence in Alaska: as an individual’s right to sustenance and as the right of a group to use subsistence to maintain its culture and traditions (Bryner, 1995, Morehouse, 1994). In common usage the word implies a low standard of living and a dependence on natural resources to sustain life. “Subsistence uses must, at the very least, include...hunting, fishing or gathering for the primary purpose of acquiring food” (Case, 1984). “Subsistence hunting and fishing...refers to hunting and fishing to provide necessary food” (Kancewick, 1991). This understanding of subsistence, as a means of achieving sustenance, is a popular one in Alaska. It applies to many non-Native Alaskan residents, as is evident in local newspaper coverage of the issue. And it is an important part of the way Alaska Natives see subsistence. In the rural areas the harsh climate and difficulties and cost of purchasing food from outside sources, the lack of employment, and its resulting lack of cash reserves make reliance on the local natural resources almost a necessity.

But when viewed within the context of Alaskan Native peoples' lives it takes on a different meaning. It is not just hunting and fishing but also includes berry picking, egg gathering, cutting and gathering firewood, and the harvesting of grasses and willows. Subsistence provides an abundance of food and other products and is regarded as essential to the well being of the individual and the Native group. It also provides a structure and continuity to their very existence and “encompasses a complex web of relationships that define and distinguish their traditional culture” (Bryner, 1995). It is a separate economic system that utilizes the shared labor of most of the inhabitants of the villages. As well as participating in the actual harvest event, equipment such as nets, boats, outboard motors, fishwheels, and snowmachines needs to be maintained and prepared for the hunting and fishing seasons. Once harvested, the game or fish or berries
need to be preserved and non-edible products such as clothing need to be made. Subsistence activities are shared by the family group and by the community, just as the harvest of fish or meat is shared. "For Alaska Natives, subsistence lies at the heart of culture, the truths that give meaning to human life of every kind. Subsistence enables the Native peoples to feel at one with their ancestors, at home in the present, confident in the future" (Berger, 1985).

Subsistence living, a marginal way of life to most, has no such connotation to the Native people of southeast Alaska. The relationship between the Native population and the resources of the land and the sea is so close that an entire culture is reflected.

The traditional law ...was passed from generation to generation intact, through the repetition of legends and observance of ceremonials, which were largely concerned, with the use of land, water, and the resources contained therein. Subsistence living was not only a way of life, but also a life-enriching process. Conservation and perpetuation of subsistence resources was part of that way of life, and was mandated by traditional law and custom.

Nelson Frank, Sitka, Alaska

Subsistence to us is...our spiritual way of life, our culture...

Gladys Derendorff, Huslia, Alaska in (Berger, 1985)

The Alaska Native Claims Settlement Act (ANCSA) of 1971 settled aboriginal land claims of the Alaska native people and at the same time extinguished all claims of aboriginal rights, including subsistence hunting and fishing on the remaining state and federal lands. But an accompanying conference committee report states that "The Conference Committee expects both the Secretary (of the Interior) and the State (of Alaska) to take any action necessary to protect the subsistence needs of the Natives" (S. Rpt. 92-581, 92nd Congress, 1st Session, December 14, 1971). The Alaska National Interest Lands Conservation Act (ANILCA), passed by Congress in 1980, was enacted in part to remedy the failure of the State of Alaska and the Secretary of Interior to protect Native subsistence. The act designated large tracts of federal land in Alaska for inclusion in the national conservation system and gave priority to subsistence hunting and fishing on federal land. It didn’t define subsistence but set out broad definitions for subsistence uses. They are objective and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles...
out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; for barter, or sharing; for personal or family consumption, and for customary trade.
(U.S.C. Title 16, Chapter 51, Subchapter II, § 3111)

But neither “rural” nor “traditional” were defined by this piece of legislation, leaving state and federal agencies, politicians, fishermen, resource managers and judicial systems to interpret them on their own. ANILCA was an attempt to strike a balance between protecting the subsistence way of life while avoiding the use of racial classifications to resolve land disputes (Bryner, 1995). But, although ANILCA does safeguard Natives’ rights to subsistence as a cultural necessity, it creates a conundrum by legislating that non-Native rural people are entitled to a subsistence preference and that Native non-rural residents are not entitled to this preference.

...the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Native and non-Native...is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence.
ANILCA, Sec. 801 in (Thornton, 1998)

The distinction between Alaska Native culture and non-Native culture, which was one of the main reasons for the enactment of ANILCA, is ignored.

This is not to say that non-Natives do not engage in what they perceive to be subsistence – the taking of fish and game for personal sustenance. This is also not to say that there are not families who have chosen to live this way for perhaps three generations or that there are not individual non-Natives who have come to identify themselves with this minimalist way of life, finding in it a zen sort of richness. But it is to say that Native subsistence and non-Native subsistence are not the same thing.
(Kancewick, 1991)

By avoiding the use of race as a land status classification, which would have fulfilled Congress’s original intent (and as a federal law enacted under Congress’s plenary power over Indian affairs may have been immune to attack under the Alaska Constitution), the “rural residency” clause in ANILCA opened it up to constitutional scrutiny based on violation of Alaska’s “common usage” regulation (Bryner, 1995). State management of natural resources in Alaska is dependent on
compliance with ANILCA but the Alaska Constitution, approved by territorial voters in 1956, reserves fish and wildlife in their natural state to the people for their "common use."

This complicated and incomplete legislation is at the heart of Alaska's subsistence controversy. State fish and game regulations have seesawed back and forth as they have followed changing state legislation that forced compliance with either the Alaska Constitution or ANILCA.

Subsistence in the Copper Basin

The Copper Basin is located in south central Alaska, about 200 miles west of the Canadian border, 250 miles south of Fairbanks, 200 miles east of Anchorage, and 100 miles north of Valdez (see Figure 1). The headwaters of the Copper River come from the Wrangell and St. Elias Mountains in the east, the Alaska Range in the north, the Talkeetna Mountains in the west, and the Chugach Mountains in the south. It flows approximately 290 miles in a southerly direction, emptying into the Gulf of Alaska about 50 miles east of Cordova. The watershed drains an area of 24,200 mi² (Brabets, 1997) and consists of many small communities with a combined population of 3120 (U.S. Census, 2000). Most of these communities are connected by road. Wrangell-St. Elias National Park and Preserve, which at 13 million acres is the largest national park in the country, occupies a large area within the basin. The Copper River forms part of the park's boundary and approximately three quarters of the designated park/preserve drains south and west into the Copper River watershed. The river is swift, moving at an average of 7 mph and is wide, meandering and braided for the majority of its length. Over the millennia glaciers, at one time or another, have covered almost the entire basin. Now they cover approximately 18%. The lower Copper River transports 69 million tons of suspended sediment each year, most of which is glacial material (Brabets, 1997).

The Copper Basin is rich in natural resources and is home to the Ahtna Athabascan people. Archeological evidence places their arrival here around 1000 years ago (Workman, 1976). There is little firm evidence on earlier prehistory of the Ahtna, but Athabascan language studies by James Kari suggest that they have lived in the Copper River drainage for at least 2000 years (Kari, 1985). Dorothy Shinn, director of Ahtna Heritage Foundation and local Native elder, stated that their traditions say they have been here since time immemorial. Their semi-nomadic lifestyle revolved around hunting and fishing, and the Copper River and its tributaries were a rich source of food. Three species of salmon migrate every summer to spawning grounds in tributaries of the upper Copper River area: sockeye or red salmon, *Oncorhynchus nerka*, silver or coho salmon, *Oncorhynchus kisutch*, and chinook or king salmon, *Oncorhynchus tshawytscha*. The sockeye salmon are the most numerous. The salmon (usually) arrived in abundance each year and much
time during the summer months was occupied with catching and preserving the fish.

First contact with the western world occurred in the latter part of the 18th century and the early part of the 19th century as Russian trappers and traders moved northward from the coastal areas into the interior. Contact was made, and direct trading established, but attempts at Russian expansion were not very successful. A fort was established near the present day village of Chitina in 1819. Trade between the Russians and the Ahtna was limited mainly to luxury items such as tea, tobacco, glass beads and ribbons. Traditional subsistence activities continued to supply the Athabascans in this area with the majority of their needs and their life style was not altered as much as that of Native groups with greater contact. This outpost was closed in the 1850s as relations between the Ahtna and the Russians deteriorated (Workman, 1976, de Laguna, 1981 and Simeone, 1982).

Alaska was purchased by the United States in 1867 and in 1885 Lieutenant Henry Allen of the U.S. Army led the first successful exploratory trip up the Copper River. The gold rush in the Klondike in 1898-1899 brought thousands of prospectors into the area and there were two more military exploratory and rescue expeditions into the Copper Basin around the turn of the century. A telegraph line connecting Valdez and Fairbanks became the Richardson Highway in 1905, used at first by horse-drawn vehicles and, after 1927, by automobiles (de Laguna, 1981 and Simeone, 1982). In the early part of the century a rich copper ore deposit was discovered in the Wrangell Mountains near present day McCarthy. In 1911 a railroad was built between the Kennecott Mines and Cordova, following the Chitina and Copper Rivers for most of its length. The Glenn Highway, which connects the Copper Basin to Anchorage, was completed during World War II as was the Alaska Highway (Alcan) which connects Alaska, and the Copper Basin, to the rest of the United States and to Canada.

A commercial salmon fishery developed at the mouth of the Copper River around the turn of the century. Prior to 1915 the average commercial harvest was approximately 250,000 sockeye. This amount had little effect on the yearly salmon migration up the Copper River. But in 1915 the United States government, which regulates commercial fishing, allowed expansion into the river, and commercial salmon traps were introduced into the local waters. Several canneries were built along a 55 mile stretch up river from the delta and the commercial harvest jumped to 653,402 salmon in 1915. In 1919 1,253,129 salmon were taken commercially and this severely affected the Native subsistence harvest further upstream. Regulatory changes were adopted as early as 1918 but stocks were still depressed in 1921 and commercial fishing was suspended in September of that year.
An agent from the Bureau of Fisheries, Shirley Baker, was sent into the upper Copper River area to assess recovery rates of the salmon run. His report is the earliest known survey of salmon fishing in this area. It stated that there were between 164 and 174 fishwheel operators (probably individuals and families who shared fishwheels) in the upper Copper Basin between the Chitina area and the Slana River. A total of 22,793 sockeye salmon and 2,146 chinook salmon were harvested. Only four of the fishermen were non-Native. The per capita harvest numbered slightly over 272 pounds. Moose and caribou stocks were also being depleted by the changes taking place in Ahtna lands, and by the end of this decade, the health of the Ahtna people had been seriously affected by disease, change in dietary habits, and starvation.

Using data from a 1973 study done by Gordon Hewes, Bill Simeone estimated the number of salmon needed annually by pre-contact Native people at around 1200 lbs. per capita. In an interview with James Kari, local Native elder, Katie John, gave a different estimate. She said that her family of five or six needed a minimum of 2,000 salmon to sustain them throughout the year during the early part of the 20th century. The current average weight of a processed Copper River sockeye is three pounds, which would put her minimum yearly requirement at 1000-1200 lbs. per person. This is a far cry from the average of 272 unprocessed lbs. of salmon caught by each fishwheel operator in the Copper Basin in 1921 (Simeone and Fall, 1996 and Simeone and Kari, 2002).

Regulations eased the threat of starvation, but the availability of natural resources in the Copper Basin never resumed the abundance of earlier years. Since then there have been several different factors affecting accessibility and availability of fish and game and the Ahtna’s subsistence lifestyle has been threatened and changed. The opening of the Glenn Highway during World War II brought an influx of non-Native people and a permanent cash economy into the area. Many of these newcomers in the Copper Basin were competition for the resources; much of the land fell into private hands which limited access to former fishing sites; there was an increase in the availability of other sources of food; the building of highways and roads relocated many traditional Ahtna villages and households onto the road system; and the regulations set by the federal, and later state governments, put harvest restrictions on everyone using the resources and land.

During the 19th century the Ahtna used fish traps and dip nets to harvest salmon in the Copper River and its tributaries. Both of these were constructed from willow branches and spruce roots. The traps were baskets that were set into weirs that spanned small streams where the salmon spawned. The dipnets had long handles and were operated from rocks along the edges of the
river or from platforms built out over the water. In 1797 a Russian explorer who was probably in the Chitina area wrote:

The livelihood from the Copper River is red fish which come from the sea during the month of June, and they catch in nets bound with animal sinews onto a hoop, and dry the yukola on racks; fresh fish they sour in pits, they heat heads and intestines with stones in wooden troughs...

Dimitrii Tarkhanov in (Simeone and Kari, 2002)

As non-Native people moved into the basin they adopted the methods that the Ahtna used to catch salmon. During the early part of the 20th century, the fishwheel was introduced into the upper Copper River area and the way of harvesting salmon changed.

Sometime in the village we use ciisi, [dipnet] and after fishwheel start everybody don't use basket no more. Jim McKinley tell me about Frank Carroll, he went to Fort Yukon you know, from Copper Center. He went down there and he see fishwheel over there. He draw on the paper how he make that wheel. Then he bring 'em back and Frank Carroll make a fish wheel. That where he start he say. Jim McKinley told me about it around 1911 or 1912. He say that white man show him, and then Copper River start from there.

Bell Joe in (Simeone and Kari, 2002)

The introduction of the fishwheel into local fishing practices allowed everyone to harvest large numbers of fish with much less work and time involved than was possible with the traps and dipnets. Records kept by the U.S. Bureau of Fisheries in the 1940s and 1950s show that about "100 individuals and families, mostly of Indian origin" of the Copper Basin caught approximately 5,000 sockeye salmon each year (Simeone and Fall, 1996). A more extensive survey in 1958 reported that 30 fishwheels harvested around 13,000 sockeye and chinook salmon.

Alaska became a state in 1959 and the Alaska Department of Fish and Game (ADF&G) took over fish and game management on both state and federal lands. At this time the federal government owned 95% of the land in Alaska. In 1960 permits, which were limited to households earning less than $4,000, were required to fish in the subsistence fishery in the Copper Basin. This regulation was dropped the following year, but those with low incomes were allowed a much higher bag limit, 200 fish for a single person and 500 for a family. Fishwheels and dipnets were the only gear types allowed and harvests were limited to 20 salmon for a single person and 40 for a family, unless the household had a limited income. Up until 1964 the subsistence fishery's geographical
limits extended from Haley Creek (seven miles downstream of Chitina) upstream to Mentasta Lake and Batzulnetas and included streams and tributaries of the Copper River (see Figure 1.) A subsistence fisher could get a permit to fish with either a dipnet or a fishwheel. During the 1960 season subsistence permits were limited to those earning less than $4,000 per year. In 1961 this regulation was eliminated and anyone could get a subsistence permit. In 1964 all the tributary streams of the Copper River were closed to subsistence fishing, as was the main channel above the community of Slana. Other regulations defining gear types, seasonal harvest limits, and fishery boundaries were established. Local Ahtna Athabascans were opposed to the regulations that limited where and when they could fish and how much they could harvest. They also wanted a voice in the decision making process.

The majority of our Indian people don't have deep freezes, therefore our main dependable storage food is dried, smoked, salted and canned fish. Believe it or not – one person can eat as much as two fish a day, whether fresh or otherwise. So please permit us to get as much as we need. As you know, we don't take or waste any fish or game like so many sport fishermen and hunters do. We are God-abiding citizen people. And I don't believe the whole Copper River tribe will get as much fish in a whole season in Copper River as the commercial fishermen would get in one day.

Markle F. Ewan Sr., in a letter written to the Alaska Department of Fish and Game in 1964 in (Simeone, 1998)

We, the following citizens of the Copper Center and Gulkana area, are greatly concerned and upset by the fact that the State Fish and Game Department has seen fit to stop our people from fishing by fishwheel for subsistence fish.

Not only have we been cut down on the numbers of fish we can catch, but over the years, people of this area are not even contacted or asked their opinions. This leads all of us to believe the state does not care what we think, or how the people of the Copper River Basin are to live if they are not allowed to catch these fish for their livelihood [as] in the past.

This is our means of protesting this stopping of our fishing rights, and to notify your office we, the native people of this area, hope you will change this before it's too late.
This is also to notify your office that we, the citizens of Copper Center Area, will be putting our fishwheels in on the first of June as we have in the past.

Harry Johns in a letter to ADF&G in 1966 in (Simeone, 1998)

During the 60s the number of people using the upper Copper River subsistence fishery grew rapidly (see Table 1). The trans-Alaska pipeline, which parallels the Richardson Highway through the Copper Basin, was built during the mid-1970s. Its construction brought thousands of new people into Alaska, many of whom came into the Copper Basin, as well as employment opportunities for local residents. Fish runs were poor and the steady increase of permits issued and fish caught during the 1960s slowed down.

In 1977 two separate subdistricts were created in the upper Copper River subsistence fishery. The Glennallen subdistrict extended from the bridge at Chitina northward to the confluence of the Slana River. This area was open to either gear type. The Chitina subdistrict extended downstream seven miles from the bridge at Chitina to Haley Creek. This area was for dipnetting only. The limit for dipnetters in the Chitina subdistrict dropped to 30 for a family and 15 for a person living alone.

In 1978 the state legislature passed its first subsistence statute which provided a priority for subsistence over other uses of fish and wildlife. That year the run was so poor ADF&G closed both subdistricts during the week, only leaving them open on weekends. It reasoned that more fish were caught during the week than on weekends. The local Native community objected, saying this closure favored non-basin residents. When four Ahtna elders tried to fish during the week, they were arrested and their fishwheels locked up.

In 1980 ANILCA was passed in Congress dividing much of the remainder of federal lands in Alaska into national parks and preserves. Wrangell-St. Elias National Park and Preserve was created out of 13 million acres in the eastern portion of the Copper Basin, bordering the Copper River for approximately 150 miles. This piece of legislation also mandated a rural priority for subsistence users on federal lands in the state. In 1984 the state Board of Fish grappled with the terminology of "customary and traditional use" for the subsistence fisheries and developed criteria for identifying which fish stocks supported these:

1. A long term, consistent pattern of use
2. A use pattern recurring in specific seasons
3. Efficient and economical methods and means of harvest
4. Traditional areas of use
5. Means of handling, preparing, preserving and storing have been traditionally used by past generations
6. Handing down of knowledge of fishing from generation to generation
7. Sharing of products of the harvest
8. Dependence upon a wide variety of fish and game resources

(Simeone and Fall, 1996)

The state Board concluded that only the Glennallen subdistrict met these criteria. Consequently the Glennallen subdistrict remained a subsistence fishery and the Chitina subdistrict became a "personal use" fishery. The Board's reasoning behind denying subsistence classification to the Chitina subdistrict was that the majority of people who used it had to travel long distances for small harvests. It had developed primarily since the 1960s, and many of its users were short term.

There was another rapid expansion of the fishery in the early 80s (see Table 1). From 1980 to 1984 four different classes of fishing permits were issued in the upper Copper Basin subsistence fishery. Eligibility was based on age, income, historical use of the fishery, residency, household size and employment. In 1983 99.0% of the dipnet permits were issued to non-local residents (Simeone and Fall, 1996). After 1984 the personal use fishery in the Chitina subdistrict remained open to any Alaska resident i.e., a person who had resided in Alaska for at least one year. Legal participants in the subsistence fishery in the Glennallen subdistrict continued to vacillate as the state's legislated regulations about subsistence fluctuated. In 1985 the subsistence fishery was open to any Alaska resident. From 1986 to 1989 it was restricted to local rural residents. From 1990 to the present, state subsistence fisheries have been open to all Alaska residents. This prompted another surge in participation and harvest in the subsistence fishery in the early 1990s (see Figure 2). In 2000 after vigorous lobbying from a stakeholder group of dipnetters from Fairbanks, the Board of Fish changed the status of the "personal use" fishery in the Chitina subdistrict back to a subsistence fishery. Harvest limits stayed the same, as did the opening and closing times for the fishery.

The federal government became involved in management of the Copper River subsistence fishery in October 1999 when the Departments of Interior and Agriculture expanded their jurisdiction under Title VIII of ANILCA to include subsistence fisheries management on inland navigable waters within or adjacent to federal conservation units. In the Copper Basin federal subsistence permits were available for the first time during the 2001 season when they were issued as a variation of the state permit. In 2002 a separate federal permit was issued. Three
### Table 1

<table>
<thead>
<tr>
<th>Year</th>
<th>Subsistence</th>
<th>Personal Use</th>
<th>Est. Total</th>
<th>Escapement</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td># of Permits</td>
<td>Est. Harvest</td>
<td># of Permits</td>
<td>Harvest</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>58</td>
<td>8,803</td>
<td></td>
<td>8,803</td>
<td></td>
</tr>
<tr>
<td>1961</td>
<td>366</td>
<td>18,206</td>
<td></td>
<td>18,206</td>
<td></td>
</tr>
<tr>
<td>1962</td>
<td>552</td>
<td>18,486</td>
<td></td>
<td>18,486</td>
<td></td>
</tr>
<tr>
<td>1963</td>
<td>624</td>
<td>18,287</td>
<td></td>
<td>18,287</td>
<td></td>
</tr>
<tr>
<td>1964</td>
<td>952</td>
<td>16,340</td>
<td></td>
<td>16,340</td>
<td></td>
</tr>
<tr>
<td>1965</td>
<td>1,125</td>
<td>16,818</td>
<td></td>
<td>16,818</td>
<td></td>
</tr>
<tr>
<td>1966</td>
<td>1,270</td>
<td>21,896</td>
<td></td>
<td>21,896</td>
<td></td>
</tr>
<tr>
<td>1967</td>
<td>1,320</td>
<td>19,007</td>
<td></td>
<td>19,007</td>
<td></td>
</tr>
<tr>
<td>1968</td>
<td>1,378</td>
<td>21,383</td>
<td></td>
<td>21,383</td>
<td></td>
</tr>
<tr>
<td>1969</td>
<td>1,582</td>
<td>29,266</td>
<td></td>
<td>29,266</td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>3,487</td>
<td>42,757</td>
<td></td>
<td>42,757</td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>4,542</td>
<td>48,449</td>
<td></td>
<td>48,449</td>
<td></td>
</tr>
<tr>
<td>1972</td>
<td>3,690</td>
<td>32,468</td>
<td></td>
<td>32,468</td>
<td></td>
</tr>
<tr>
<td>1973</td>
<td>4,145</td>
<td>29,248</td>
<td></td>
<td>29,248</td>
<td></td>
</tr>
<tr>
<td>1974</td>
<td>3,593</td>
<td>26,001</td>
<td></td>
<td>26,001</td>
<td>673,371</td>
</tr>
<tr>
<td>1975</td>
<td>2,802</td>
<td>15,357</td>
<td></td>
<td>15,357</td>
<td>408,833</td>
</tr>
<tr>
<td>1976</td>
<td>2,963</td>
<td>23,623</td>
<td></td>
<td>23,623</td>
<td>1,008,574</td>
</tr>
<tr>
<td>1977</td>
<td>4,066</td>
<td>45,208</td>
<td></td>
<td>45,208</td>
<td>1,764,389</td>
</tr>
<tr>
<td>1978</td>
<td>3,705</td>
<td>28,715</td>
<td></td>
<td>28,715</td>
<td>107,001</td>
</tr>
<tr>
<td>1979</td>
<td>3,200</td>
<td>37,585</td>
<td></td>
<td>37,585</td>
<td>237,173</td>
</tr>
<tr>
<td>1980</td>
<td>3,203</td>
<td>35,100</td>
<td></td>
<td>35,100</td>
<td>276,538</td>
</tr>
<tr>
<td>1981</td>
<td>4,078</td>
<td>68,687</td>
<td></td>
<td>68,687</td>
<td>535,263</td>
</tr>
<tr>
<td>1982</td>
<td>6,090</td>
<td>109,726</td>
<td></td>
<td>109,726</td>
<td>467,306</td>
</tr>
<tr>
<td>1983</td>
<td>7,541</td>
<td>118,734</td>
<td></td>
<td>118,734</td>
<td>545,724</td>
</tr>
<tr>
<td>1984</td>
<td>562</td>
<td>28,631</td>
<td>5,415</td>
<td>50,734</td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>4,686</td>
<td>64,164</td>
<td>6</td>
<td>32,586</td>
<td></td>
</tr>
<tr>
<td>1986</td>
<td>375</td>
<td>28,423</td>
<td>4,031</td>
<td>44,047</td>
<td></td>
</tr>
</tbody>
</table>

Table continued on next page

---

1. From 1960 to 1983 both the Glennallen and Chitina subdistricts were considered subsistence fisheries. From 1984 on only the Glennallen subdistrict was a subsistence fishery.
2. In 1984 the Chitina subdistrict became a personal use fishery with different harvest limits and different regulations.
3. This includes all sockeye, chinook and coho salmon harvested and recorded in the subsistence fishery.
4. Escapement is measured by a sonar counter in Miles Lake, upstream of the delta and 90 miles downstream of Chitina.
5. This includes the total number of sockeye, chinook and coho salmon harvested commercially in saltwater in the Copper River district of Prince William Sound.
6. No data available.
Table 1 continued

<table>
<thead>
<tr>
<th>Year</th>
<th>Subsistence # of Permits</th>
<th>Subsistence Est. Harvest</th>
<th>Personal Use # of Permits</th>
<th>Personal Use Est. Harvest</th>
<th>Est. Total Harvest</th>
<th>Escapement Commercial Harvest</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>431</td>
<td>34,142</td>
<td>4,245</td>
<td>46,908</td>
<td>81,050</td>
<td>483,478</td>
</tr>
<tr>
<td>1988</td>
<td>416</td>
<td>30,755</td>
<td>4,251</td>
<td>45,855</td>
<td>76,610</td>
<td>488,398</td>
</tr>
<tr>
<td>1989</td>
<td>386</td>
<td>29,308</td>
<td>4,582</td>
<td>58,941</td>
<td>88,249</td>
<td>607,797</td>
</tr>
<tr>
<td>1990</td>
<td>406</td>
<td>32,524</td>
<td>5,689</td>
<td>70,812</td>
<td>103,336</td>
<td>581,859</td>
</tr>
<tr>
<td>1991</td>
<td>712</td>
<td>41,205</td>
<td>6,222</td>
<td>85,059</td>
<td>126,264</td>
<td>579,435</td>
</tr>
<tr>
<td>1992</td>
<td>655</td>
<td>47,095</td>
<td>6,385</td>
<td>91,683</td>
<td>138,778</td>
<td>601,952</td>
</tr>
<tr>
<td>1993</td>
<td>773</td>
<td>54,854</td>
<td>7,914</td>
<td>97,767</td>
<td>152,621</td>
<td>833,877</td>
</tr>
<tr>
<td>1994</td>
<td>970</td>
<td>70,391</td>
<td>7,061</td>
<td>99,822</td>
<td>170,213</td>
<td>715,577</td>
</tr>
<tr>
<td>1995</td>
<td>858</td>
<td>55,323</td>
<td>6,760</td>
<td>88,617</td>
<td>143,940</td>
<td>599,215</td>
</tr>
<tr>
<td>1996</td>
<td>850</td>
<td>54,290</td>
<td>7,198</td>
<td>102,108</td>
<td>156,398</td>
<td>906,867</td>
</tr>
<tr>
<td>1997</td>
<td>1,133</td>
<td>85,951</td>
<td>9,086</td>
<td>154,349</td>
<td>240,300</td>
<td>1,148,079</td>
</tr>
<tr>
<td>1998</td>
<td>1,010</td>
<td>66,951</td>
<td>10,006</td>
<td>146,075</td>
<td>213,082</td>
<td>866,957</td>
</tr>
<tr>
<td>1999</td>
<td>1,102</td>
<td>82,119</td>
<td>9,943</td>
<td>149,779</td>
<td>231,898</td>
<td>848,921</td>
</tr>
<tr>
<td>2000</td>
<td>1,253</td>
<td>64,885</td>
<td>8,151</td>
<td>114,681</td>
<td>179,836</td>
<td>587,592</td>
</tr>
<tr>
<td>2001</td>
<td>1,240</td>
<td>87,268</td>
<td>9,463</td>
<td>144,749</td>
<td>232,017</td>
<td>833,569</td>
</tr>
</tbody>
</table>

Commercial harvest data taken from Johnson, 2002.
Escapement data taken from Alaska Department of Fish and Game, 2003.
Subsistence and personal use data taken from Ashe, 2002.
hundred thirty two federal permits were issued this summer. Federal regulations were initially the same as the state regulations. Changes between the two fisheries are slowly taking place and included the following for the 2002 season:

1. There are two separate federal subsistence subdistricts, Glennallen and Chitina. The state has a subsistence fishery in the Glennallen subdistrict and a limited subsistence fishery in the Chitina subdistrict. The geographical boundaries of the Glennallen and Chitina subdistricts are the same whether they are federal or state.

2. Fishwheels, dipnets and rod and reel are legal gear types in either of the federal subdistricts. The state allows fishwheels or dipnets in the Glennallen subdistrict and only dipnets in the Chitina subdistrict.

3. The federal permit opens the season on May 15; the state subsistence fishery in the Glennallen subdistrict opens on June 1; and the opening of the state subsistence fishery in the Chitina subdistrict depends on escapement numbers.

4. Harvest limits for both federal subdistricts are up to 200 salmon for a household of one person and up to 500 salmon for a household of more than one. This is the same for the state fishery in the Glennallen subdistrict, but in the Chitina subdistrict 15 and 30 salmon respectively are the limits.

5. The federal permit is issued only to residents of local communities. Eligibility for the permits is based on traditional use of the two subdistricts by individual communities. Residents of some communities are eligible for subsistence permits in both subdistricts and can be issued a permit for both. State permits for both subdistricts are available to all Alaska residents. However, the permit for the Glennallen subdistrict is free and the permit for the Chitina subdistrict costs $25.

6. A local resident that lives in a community that is eligible (by historical and traditional fishing patterns) to fish in both federal subdistricts can get permits to fish in both areas. The state allows a household to hold only one permit each season.
7. The federal permit users clip the anal fin off each salmon after capture to mark it as a subsistence-caught fish. The state permit users cut both lobes of the caudal fin.

Dual management of the fishery has caused some confusion in the Copper Basin. As yet the differences between the federal and state management policies are not major. Non-local Alaska residents who are not permitted to fish in the federal Copper Basin fishery are still allowed to fish in either of the state's subdistricts. The salmon runs in the Copper River have been strong since the mid-70s and the rural priority that the federal government recognizes has not been put to the test. If a shortage of fish does happen, and subsistence harvests of rural residents anywhere in the upper Copper River drainage are at risk, the federal government has the authority to close down or curtail commercial, sport and non-rural subsistence fisheries affecting those harvests.
Chapter 2

State Subsistence Legislation vs. Federal Subsistence Legislation

The subsistence way of life is essential for the physical and cultural survival of Alaska Natives. Most of the two hundred small Native villages in Alaska are located on or near the shores of a river or a lake, or located on the coast of the North Pacific or Arctic Ocean. The proximity to water is no accident and reflects the dependence of Natives on the harvest of fish stocks for sustenance and the basis of their traditional way of life. In many Native villages and other bush communities fresh meat, fish and produce are unavailable except through the subsistence harvest (Native American Rights Fund Web Site, 1995).

According to ADF&G statistics, rural residents harvest 34-40 million pounds of food annually for subsistence uses and most of that harvest is fish, approximately 60% by weight. During the 1990s rural residents harvested 375 lbs. of wild food per person per year and urban residents harvested 22 lbs. The subsistence harvest in rural areas represents approximately 2% of the fish and game harvested annually in Alaska. Commercial fisheries harvest take 97% and sport fishing and hunting harvest about 1% (Wolfe, 2002).

The government's fiduciary duty to Native Americans is a principle of federal Indian law. This duty extends to fishing and hunting rights. It recognizes a special responsibility to all Native American tribes to protect their welfare and culture. The state of Alaska primarily recognizes a general responsibility for the welfare of all its citizens. These differences translate into state management focusing on subsistence as the gathering of food while federal regulations are mainly about the cultural aspects of subsistence (Kancewick, 1991).

The first subsistence law in Alaska was legislated by the federal government during territorial days. It was the basis for most subsistence hunting from 1925 until 1960 and stated that

...any Indian or Eskimo, prospector, or traveler [can] take animals, birds, or game fishes during the closed season when he is in the need of food.

(State of Alaska, 2002)

When Alaska became a state in 1959, one of the main arguments for statehood was that the new state could manage fish and wildlife on both the state and federal lands in Alaska. At the time about 95% of all the land in the state was federal. In 1960 authority for management of fish and game in the state was transferred to the new state government. The state's constitution, approved by the territorial voters in 1956, reserves fish and wildlife in their natural state to the
people for "common use". The state of Alaska views subsistence as a taking of a natural resource, and as something that all citizens of the state should be entitled to engage in on an equal opportunity basis (by constitutional statute). But at the same time the federal government promised to uphold traditional native fishing and hunting rights.

The authors of the state's constitution struggled with the Natives' rights issue. On the road to statehood an effort was made during the writing of the constitution to treat the Native people of the state fairly but not single them out as a separate class. During a discussion of the Committee on Resources about an amendment granting land titles to Natives, John McNees stated, "We must make provision for these people who have made such a contribution to our civilization". In further discussion about this proposal another committee member, Edward Davis stated that "In my opinion this proposed section...would be setting up one group of our citizens...against the rest". Another committee member, George Sundborg, commenting on this amendment wanted to replace the words "Indians, Aleuts or Eskimos" with "Alaskans". He goes on to say that if the amendment was adopted without this change the convention would be

setting...[Natives] aside as a class forever...I contend that that is wrong and that we should not have it in our constitution...We should have a constitution here which applies to all men equally.
(Bowkett, 1989)

There were increasing land and rights conflicts between the Alaskan Natives and the federal and state governments after statehood. As part of the statehood settlement Alaska was given the right to select 103 million acres of federal land. At a meeting of the Tanana chiefs in Fairbanks, Alaska, June 24-26, 1962, the chiefs stated "We are no longer secure on the land which had been ours for centuries. New laws make it hard for us to hunt for food when we need it. We must buy food and there are not enough jobs for our people" (Hunt, 1976). Three major recommendations were made by the chiefs at this meeting:

1. We, the Indians of the Athabascan villages, join the Inupiat in their request that the Interior Department immediately withdraw from the public domain in Alaska tracts of land around all Native villages, pending the establishment of reservations for those which want them or other settlement of Alaska Native claims which also want them or other settlement of Alaska Native claims which also will give the Natives full land, hunting and mineral rights.
2. All villages should be truthfully informed how aboriginal land and hunting rights can be protected by the Interior Department without restricting the Natives’ freedom as citizens; and all villages which wish to do so should be allowed to apply for a reservation with full mineral and hunting rights.

3. In the absence of any determination or litigation of the Congress of the United States, relative to the lands in question, and in the absence of definitive instruction of the Congress of the United States; we submit that the rentals and royalties, primarily to oil and gas, should be held in escrow pending the determination by Congress, or the courts.

(Hunt, 1976)

Many different factors led up to the Alaska Native Claims Settlement Act (ANCISA) of 1971. The civil rights acts of the 1950s and 60s along with the women's rights activists of the late 60s sensitized Americans to the plight of minorities in the United States. And there was increasing importance of wilderness and environmental concerns including the Wilderness Act of 1964 and the National Environmental Policy Act of 1970. The state government's selections of acreage under the statehood grant conflicted with Native claims and speeded political awareness. And in 1968 the Atlantic-Richfield Company (Arco) discovered huge oil deposits in Prudhoe Bay. It soon became apparent that a pipeline was needed to transport the oil from the northernmost part of the state to the port of Valdez in the south and that this pipeline would have to cross lands claimed by Natives. The necessity of moving the oil from field to market resulted in a sustained and energetic effort to resolve the Native claims. An unlikely coalition of interest groups, each with its own agenda and goals, worked together to solve this issue: the oil companies, the state of Alaska, various environmental organizations, the Natives, Congress, and the executive branch of the federal government (Naske, 1987).

ANCISA accomplished several things among which are the following.

It settled all Native land claims by conveying $962.5 million to native corporations.

Forty-four million acres (1/9 or 11% of the state's land) was made available for selection by Alaska Natives (both individuals and corporations).

Twelve Native regional corporations were established to be stewards of the land and money.
Another part of ANCSA stated that:

All aboriginal titles, if any, and claims of aboriginal title in Alaska based on use and occupancy, including submerged land underneath all water areas, both inland and offshore, and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished.

(ANCSA in White, 1994)

As part of ANCSA the Natives agreed to the extinguishment of all claims of aboriginal rights, including subsistence hunting and fishing on the remaining state and federal lands.

In deliberations leading up to ANCSA, the U.S. Congress acknowledged the importance of subsistence hunting and fishing to Alaska Natives, but provided no specific protection. In the mid-1970s it began working on legislation that would protect traditional subsistence uses on federal land in Alaska.

Anticipating this, the Alaskan legislature established the state's first subsistence priority, and in 1978 they passed a law stating that subsistence uses would be given preference over other uses such as recreational and commercial fishing in times of shortage (Ch. 151 SLA 1987). Subsistence was defined as "customary and traditional uses" of fish and game for specific purposes such as food. But the law did not say who should get such rights, leaving that decision up to the state Fish and Game Boards.

In 1980 Congress passed the Alaska National Interest Lands Conservation Act (ANILCA). This act created 104 million acres of new national parks, preserves and refuges and it expanded and consolidated the Refuge System in Alaska into 16 federal refuges totaling 77 million acres. ANILCA set out regulations and provisions for management of these refuges and the national parks in the state. Title VIII of ANILCA provided that

the taking on public lands of fish and wildlife for non-wasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes...such priority shall be implemented through appropriate limitations based on the application of the following material: (1) customary and direct dependence upon the populations as the mainstay of livelihood (2) local residence (3) the availability of alternative resources.

(U.S.C. Title 16, Chapter 51, Subchapter II, § 3114)
ANILCA set out broad definitions for subsistence uses. They are

customary and traditional uses by rural Alaska residents of wild, renewable
resources for direct personal or family consumption as food, shelter, fuel,
clothing, tools, or transportation; for the making and selling of handicraft articles
out of nonedible byproducts of fish and wildlife resources taken for personal or
family consumption; for barter, or sharing; for personal or family consumption;
and for customary trade.

ANILCA in (White, 1994)

Congress realized that ANCSA did not transfer enough land to the Natives to maintain
subsistence activities. So it included complex provisions in ANILCA to ensure the continuation of
the subsistence life-style. This act established a rural preference for subsistence hunting and
fishing on federal lands but failed to adequately define such terms as "rural", "customary and
traditional", and "customary trade." It also said that if the state failed to recognize and enforce
this preference, the law required that the federal government take over management of fish and
wildlife on these lands.

We must never forget that subsistence is a Native issue. The form of the
preference in federal law may be rural, but if the only people living in rural Alaska
had been a few thousand non-Native homesteaders, miners and modern-day
sourdoughs, there never would have been any Title VIII of ANILCA. It was
enacted for the protection of Natives. They are what this is all about.

John Shively, Anchorage in (Irwin, 1994)

In 1982 the joint Boards of Game and Fish in Alaska adopted regulations that defined rural
resident preference, achieved consistency with ANILCA, and retained management of all uses of
fish and game across the state (5 AAC 99.010). However instead of amending the 1978 law to
include a rural preference, the state legislature merely adopted regulations that defined
subsistence uses as "uses by rural residents". The same year a statewide ballot initiative to
repeal the state subsistence law failed.

It didn't take long for someone to file suit against these regulations. In the Madison decision in
1985, the Alaska Supreme Court struck down the rural priority regulation as inconsistent with the
1978 subsistence law. This case involved several fishermen from the Kenai Peninsula, an area
about 100 miles south of Anchorage. The population base around Kenai was large enough for it
to be designated 'non-rural' and under the rural subsistence regulation, these fishermen (non-
Native) were not allowed to fish at their traditional setnet sites. With this decision Alaska was left without a rural preference and was no longer in compliance with ANILCA and the Department of Interior threatened to take over the management of subsistence on federal lands.

In 1986 the state passed a new subsistence law, this time with a rural preference expressed in a statute (Ch. 52 SLA 1986: AS 16.05.90). Rural was defined as an area in which noncommercial, customary and traditional use of fish and game is a principal characteristic of the economy. Once again people on the Kenai Peninsula sued because the non-rural designation prevented them from using their traditional fishing rights. This time it was members of an Athabascan tribe, the Kenaitzes. They claimed that the state's definition of “rural” conflicted with ANILCA's definition. In 1989 after being rejected by a federal district court, a federal appellate court ruled that there was a difference in definitions.

Again the state law was inconsistent. This time Alaska hoped that Congress would amend ANILCA to bring it into line with the 1986 Alaskan law. However the state did agree to allow the Kenaitzes to use their traditional fisheries.

There was not statewide support of Alaska's rural preference law. Opponents of the law, especially urban sportsmen, complained that the whole scheme was unfair, that it violated the "common use" clause in the Alaska constitution. This clause guaranteed broad public access to wildlife and prohibited the state from granting exclusive privileges to take fish and game, and required that laws governing the use of natural resources be uniformly applied to similarly situated persons. They pointed out that, under the new regulations, it was possible for a school superintendent in a remote Alaskan village who made $80,000 a year and who had no hunting and fishing experience to get subsistence rights, while an Alaskan Native who lived in Anchorage or Fairbanks making much less money was denied these rights.

In 1989 in the McDowell decision, the Alaska Supreme Court struck down the rural priority that was at the heart of the second subsistence law saying that the rural provision was unconstitutional and discriminatory. The court delayed the effect of its decision so that the state would have some time to make the changes that would bring them back into compliance with ANILCA and preserve its statewide management of subsistence. In 1990 Governor Steve Cowper called a special legislative session seeking a constitutional amendment to allow a rural preference. The proposal failed, by one vote in the House, to get the required two-thirds majority.

With the state out of compliance with ANILCA, the federal government took over management of
subsistence hunting and fishing on federal public lands (60% of all lands in the state) (Native-L, 1991). At first the federal agencies, mainly BLM and the National Park Service, continued to use the current Alaskan regulations that applied to these lands. But they soon adopted rules that were different. In 1991 a Federal Subsistence Board was established and began adopting permanent regulations.

There was a lot of concern from the state regulators about this dual management. Most of it arose from real and potential public confusion about boundaries between federal and state managed areas. The division of Alaska's land has resulted in an often-confusing patchwork of ownership. It is sometimes difficult to draw rational boundary lines. Various natural resources have been divided by mixed ownership, but wildlife, which requires extensive habitat regions, pays no attention to land ownership. There was also confusion about two different, and sometimes conflicting, sets of hunting and fishing regulations and about duplicated research and enforcement efforts. When the federal agencies started talking about extending their jurisdiction beyond federal lands to ensure subsistence harvest of migrating game, the state began to get worried.

In 1991 Governor Walter Hickel appointed a subsistence advisory group charged with drafting a new subsistence statute that would comply with the state constitution. Their bill, which presumed that residents of small communities would automatically meet specified subsistence criteria and established that urban residents would have to apply for subsistence on an individual basis, did not pass, nor did several other subsistence bills during that legislative session.

With the McDowell ruling in 1989, subsistence was open to all Alaskan residents, i.e. anyone who had lived in the state for the previous twelve months, on non-federal lands and also on the state's navigable waters which it had always managed. In 1992 a subsistence bill was passed that made this a state law. Again there were many people who objected to this ruling, mainly Natives and commercial fishermen who didn't want more people qualifying for the subsistence priority. And there were more lawsuits.

In 1994 in the Katie John decision, the federal courts ruled that fishing on navigable waters flowing through nationally protected parks and refuges is also subject to federal regulation under ANILCA. Katie John, 70, and Doris Charles, 83, were Athabascan elders who claimed that state rules improperly barred them from using their traditional Copper River fish camp. State officials banned subsistence fishing in the area claimed by the Natives as their traditional hunting and fishing grounds but fishing was permitted further downstream (Berliner, 1995). This was an ongoing conflict that started in 1984 when the two elders submitted a proposal requesting the
Board of Fisheries to open their historic fishing village of Batzulnetas in the upper reaches of the Copper River to subsistence fishing. "All we ever wanted was to catch fish" said Katie John in 1995 when told that her name was well known by Washington, D.C. powerbrokers (Native American Rights Fund, 1995).

This ruling gave the Interior Department power to reduce the commercial and sport fisheries on the river if they interfered with subsistence catches. In 1996 the federal government announced plans to assume fishing authority under the Katie John decision. The implementation of this management change was blocked for two years by Senator Ted Stevens, R-Alaska, (a position that was backed by proponents of the commercial fisheries in the state and of states' and individuals' rights). Stevens used a moratorium on federal spending to block any management change. This postponement was enacted in order to give the state an opportunity to submit a constitutional amendment and statutory changes for approval by the voters.

In 1997 with federal takeover of subsistence fisheries' management on the state's navigable waters imminent, Governor Tony Knowles assembled a task force to construct a viable solution to the problem. Task force members were Governor Knowles, Lieutenant Governor Fran Ulmer, former Governor Jay Hammond, Senate President Mike Miller, House Speaker Gail Phillips, Alaska Permanent Fund Corporation executive director Byron Mallott, and former Attorney General Charlie Cole. Their proposal needed to bring the state into compliance with the provisions set forth in ANILCA and also needed to be acceptable to the people of the state. It had two primary goals: 1) to ensure effective state authority over fish and game management on all lands and waters of Alaska and 2) to recognize the paramount importance of the subsistence way of life to Alaskans.

The task force's final proposal tied a proposed state constitutional amendment allowing a rural preference to proposed changes in state statutes and in ANILCA. The constitutional amendment would 'permit but not require' the Alaska legislature to grant a subsistence priority based on place of residence. Simultaneously state statutes would be amended to create a rural subsistence priority. These statutes and the ANILCA amendments would become effective only if the constitutional amendment was passed. Some of the state statutory amendments were:

The Alaska Fish and Game statues will be amended to grant a subsistence priority to rural residents.

The Boards of Fisheries and Game will have the power to change community classifications from rural to non-rural or vice versa as the communities change.
They will clarify the definitions of rural, customary trade and customary and traditional.

They will make clear that the subsistence priority is a reasonable opportunity to take, not a guarantee of taking.

And they will revise the subsistence management system, including adding a state regional subsistence council system.

Some of the proposed ANILCA amendments were:

The definition of the term ‘rural’ as ‘a community or area substantially dependent on fish and game for nutritional and other subsistence uses.

The definition of ‘customary and traditional’ to make clear that the priority is a reasonable opportunity to take, not a guarantee of taking.

The definition of ‘customary trade’ so that subsistence taking of fish and game cannot become a commercial enterprise.

Title VIII will be amended to make it clear that the state manages subsistence on all lands and waters, whether federal, state, or private.

The Secretary of the Interior cannot interfere with state regulations.

The definition of federal public lands will be clarified to ensure that it excludes all private state lands.

(Knowles, 1997)

The collective purpose of these amendments was to make clear that the state had full management authority and that it was in compliance with ANILCA.

When the task force members traveled around the state explaining and promoting their plan, the reactions were not positive. While the writers of the proposal maintained that it brought the state into compliance while giving it time to draw up a subsistence plan of its own, some critics said that the deal tied the state’s hands, forcing it to adopt a discriminatory law. Native leaders were concerned that the tradeoff would eliminate some of the protection of Native subsistence now in
federal law. Urban residents didn't like it because it excluded them from any subsistence rights. Sports and commercial fishermen didn't like anything that would add more, unknown regulations to the management of their fisheries.

In 1998 after two specially called sessions, the Alaska Legislature failed to agree on the Task Force Proposal. They even failed to agree to allow a proposed constitutional amendment (to change the "common use" clause to a rural priority) on the general election ballot in November 1998. A month before the federal takeover was to take place on December 1, 1998 the Alaskan Congressional team of Senator Ted Stevens, Senator Frank Murkowski, and Representative Don Young again used their influence in Washington and were able to get the takeover postponed for yet another year.

In 1999 during another special session called by Governor Tony Knowles, the Alaska House of Representatives approved a rural-priority constitutional amendment by the required two-thirds vote, but the measure failed by two votes in the Senate. On October 1, 1999 the Katie John decision was implemented and federal fishery management on the state's navigable waterways passing through federal land began.

In 2000 dual management of many of the state's fisheries began. The federal subsistence board, which was established in 1989 at the beginning of federal management of hunting on federal lands, took on the additional responsibilities of the fisheries.

Since then most of these fisheries have been under joint management. When there are plenty of fish, the regulatory differences are minimal. But in times of shortage, as in the Yukon River salmon fishery in 2001 and 2002, federal regulations can and did shut down sport and commercial fishing so subsistence fishers along the length of the river could harvest their catch.

In 2001 the Ninth Circuit Court upheld an appeal to the Katie John decision and Governor Knowles announced that he would drop further appeals to the U. S. Supreme Court. John and other Native people throughout the state celebrated. Knowles said:

I have concluded that further litigation in the Katie John case would not be in the best interest of Alaska...tonight we are celebrating a woman who, with great quiet dignity and steely determination, has made a difference for her family, for thousands of families across Alaska...By her determination, it is my hope that the State of Alaska never again will fight the subsistence rights of Alaskans.

(Anchorage Daily News, 2001)
Katie John said:

Me and Tony, we used to fight, fight, fight...Today we are good friends, no more fight.
(Anchorage Daily News, 2001)

In both 2001 and 2002 Governor Knowles appointed special panels composed of 40 business, political, Native and religious leaders to author an amendment that would change the constitution to support a rural priority. They proposed changes and the legislature ignored them. Also in 2001 and 2002 he called special sessions of the state lawmakers to put an amendment before voters to change the constitution in favor of rural subsistence priority. During both of these sessions the issue of subsistence was ignored (Chambers, 2001).

After the first state subsistence law in 1978 and the adoption of ANILCA in 1980, every change to the system has been caused by a court decision, and the courts have rejected everything that the state has done to try and change its subsistence laws. Litigation has cost the state millions of dollars. Sooner or later there will be no more time available to enable the state the time to draw up its own subsistence regulations.

This subsistence issue has evolved into more than its original intent of providing some security for the Native people of Alaska in regards to their traditional hunting and fishing rights. The lines are not as strongly drawn now between rural Alaska Natives and urban Alaskan non-Natives. Not all Native people live in rural villages now, and there are many rural residents who are non-Native. The commercial and sport fisheries have very influential lobbyists and lots of funding. Alaskans (both Native and non-Native) are suspicious of what they see as federal government interference with their “rights”.

But many of the people in the state want to be able to vote on the issue. In May 2002 a proposition was put before the voters in Anchorage, the largest community in Alaska. Nearly three out of four voted yes on the advisory question that urged state lawmakers to put a constitutional amendment on subsistence before voters in the November statewide election (Manning, 2002). Several state senators said the advisory council would carry little weight in Juneau. There was no amendment on subsistence on the November 2002 ballot.

In May 2002 there was the first congressional hearing on subsistence in nearly a decade. In this oversight hearing Senator Frank Murkowski (R-Alaska) disagreed with several Alaska Native leaders on whether or not Congress should get involved again in Alaska’s subsistence debate.
Murkowski said that rural amendments of the state constitution should be linked to:

changes that would restrict commercial exchanges of subsistence-caught fish,
clarify how much advantage subsistence gives, and reduce the reach of federal
courts in overseeing an eventual state law.

The Native leaders stated that Congress should not touch the existing federal law. But they were divided about state management. While hoping for an amendment that would change the constitution to mandate a rural priority for subsistence, many of the Native leaders were skeptical about a return to state resource management. Their argument was that the state system in the past has routinely ignored the tribal hunting and fishing concerns and that it has had twenty years to live up to its side of the agreement and failed to do so. Most thought that federal law was written with Native concerns in mind (Kizzia, 2002).

Frank Murkowski was elected governor of Alaska in November 2002. In the past he has said that he supports amending the state constitution to allow a rural priority for subsistence but that Congress also must amend federal laws governing subsistence issues.

Clearly, we need a subsistence solution that does not discriminate or divide the people of Alaska on the basis of race or culture.

Frank Murkowski in (Kizzia, 2002)

As during previous administrations, it may be the legislature that is the primary impediment to solving the subsistence issue.
Table 2

Timeline for Subsistence in Alaska

1925 First Subsistence Law Enacted
- “...any Indian or Eskimo, prospector or traveler, can take animals, birds or game fishes during the closed season when he is in need of food.”

1959 Alaska Becomes a State
- State takes over management of natural resources on all public lands
- Amendment in state constitution reserves fish and wildlife in their natural state for the people in Alaska for their “common use”
- Federal government promises to uphold traditional Native hunting and fishing rights

1971 Alaska Native Claims Settlement Act (ANCSA)
- Sets up 12 Native corporations to be stewards of land and money
- Conveys $960 million to Native corporations
- Makes 44 million acres of land available for selection by Native corporations and individuals
- Native people agree to the extinguishment of all claims of aboriginal rights, including subsistence hunting and fishing on state and federal lands

1978 First State Subsistence Law
- Alaska passes a law stating that subsistence uses would be given a priority over other uses in times of shortage
- Subsistence defined as “customary and traditional” uses of game and fish

1980 Alaska National Interest Lands Conservation Act (ANILCA)
- Creates 104 million acres of new national parks, preserves and refuges
- Sets out regulations and provisions for their management, mandating that the state maintain a rural priority for subsistence or forfeit management of subsistence on public lands

1982 State Achieves Consistency with ANILCA
- State Boards of Game and Fish adopt regulation defining “customary and traditional” uses of game and fish are rural uses
- Consistency with ANILCA is achieved

1985 Alaska Supreme Court Strikes Down Rural Resident Preference
- Court finding rules that this regulation is unconstitutional and discriminatory
- State is out of compliance with ANILCA

1986 New State Subsistence Law Enacted
- New law limits subsistence to rural residents
- Rural is defined in the statute as an area where the “...customary and traditional use of fish or game...is a principal characteristic of the economy...”

1989 Alaska Supreme Court Decides Against the Rural Preference
- Rural preference is unconstitutional and discriminatory
- Place of residence may not be used as a method of exclusion
- State is out of compliance with ANILCA

1990 Governor Calls Special Session
- Governor Steve Cowper seeks a constitutional amendment allowing a rural preference for subsistence
- This proposal fails to get the necessary 2/3 majority
- New federal subsistence board established

1994 Another Subsistence Lawsuit is Filed Against the State of Alaska
- Federal courts rule that navigable waterways flowing within or adjacent to federal lands are also subject to federal regulation

1995-1999 Alaska’s Senators Block Implementation of Management Change
- Senators Stevens and Murkowski delay federal takeover of management of state’s waterways allowing more time for the state to solve the issue
- Governor Tony Knowles appoints task force, asks for constitutional changes, calls special legislative sessions, introduces subsistence legislation
- State legislature fails to act on any subsistence legislation

2000 Dual Management of State’s Navigable Waterways Begins
- State and federal resource managers begin to coordinate dual management policies and practices
CHAPTER 3

Survey of the Copper River Subsistence Permit Holders, Methods, Results and Discussion

This survey was conducted during the late summer and fall of 1999. This was a period of change in the Copper River subsistence fishery. It was the last summer that the state had total control over all the subsistence fisheries statewide. In October 1999 after 40 years of management by the state of Alaska, the federal government began management of subsistence fisheries in waterways adjacent to or within federal lands in the state, including this fishery. Their proposed and potential management policies could change the makeup of subsistence users on the river.

During the summer of 1999 no one knew exactly who was going to be able to use the fishery in the future, or how soon the changes would come. My intention, when I put together the survey, was to find out who the Copper River subsistence users were, before some of them were potentially excluded. I also wanted to see if there were any differences in the demographics, lifestyles and personal resources between the subsistence fishers who lived in the Copper Basin and those who lived outside the Copper Basin. Since the 1999 fishing season was still in progress when I started the survey, I used the 1998 list of subsistence permit holders from the Alaska Department of Fish and Game.

The survey consisted of 20 questions (see Appendix A) that fell into two categories: information about the user’s participation in the fishery and personal questions about the user. It took less than 20 minutes to complete. A cover letter (see Appendix B) explained who I was and why I was doing the survey. A total of 1009 surveys (there were 1010 permit holders in the ADF&G file but one person had died and I did not send one to his family) were sent by U.S. mail in August and September. In the packet I also included a self-addressed and stamped return envelope. By late November I had received 390 completed questionnaires and 57 that were returned by the post office as “undeliverable”. After slightly modifying the cover letter (see Appendix C), I sent a second mailing of 572 surveys to the permit holders who had received but not answered the original mailout. From this mailing another 147 surveys were returned, as well as 28 more that were “undeliverable” by the post office. Most of the surveys were returned within a few weeks of the mail-outs, but they continued to trickle in throughout the winter. The last one arrived in April 2000. I received a total of 537 out of 923 delivered surveys (one individual had applied for two permits), 58% of the reachable permit holders from that year. Although I would have preferred a better return rate, I was satisfied that these had enough information to give a decent profile of the 1998 Copper River dipnet fishers.
A lower percentage of the folks who live outside the Copper Basin returned their surveys (63% of the Copper Basin residents returned their permits vs. 55% of non-local permit holders). And within the Copper Basin the response from Native households was lower than that from non-native households (34% vs. 68%)

The returned surveys were entered into an Excel spreadsheet with a column for each answer on the survey. A “1” was entered for each answer that was marked. Most of the questions were multiple choice ones in which I supplied a variety of answers for the permit holder to choose from (several of the questions could be marked with more than one answer). There were also two fill-in-the-blank questions and three multiple choice that had an extra fill-in-the-blank question soliciting more information. When writing the survey I tried to make things as easy and self-explanatory as possible. A simple analysis was done on the survey and comparisons were made between local and non-local users of the fishery.

In the cover letter, I also asked for comments and received them from 65 participants. These varied in their content and length, but I was very pleased with the time and effort that was spent writing them. Some were only a sentence or two. There were a couple that took up an entire page, and one person sent me $20.00 to help with postage. Also many people took the time to explain or elaborate on their answers or lack of answers. An example of this is the reason one person gave for not answering the question about income, “I don’t feel comfortable with this question. We are retired and I don’t feel that it has anything to do with our subsistence.” Subsistence is a very sensitive cultural and political issue in Alaska. It was obvious that many people using the fishery take an intense interest in what is happening to it.

Four of the surveys were returned without any of the questions answered. Two of these said they had moved out of state and were no longer using the fishery. One indicated that he was suspicious of me and of my motives and had never heard of me (see Appendix D). One composed bogus answers for all of the questions. I included these in my total count of returned questionnaires and in my analysis because the responders had taken the time to send them back to me and thus, participated in the survey. There was also one that was returned that was obviously a Xeroxed copy of the survey, which I did not include.

Results

One of the reasons that I conducted this survey was to establish some baseline data about who was using the fishery prior to potential changes in the usage regulations. The survey questions ask the permit holders a variety of questions aimed at establishing these data. Another reason
was to see if there was any difference in the demographics between the local rural subsistence fishers and the fishermen who traveled long distances to participate as subsistence users far from their homes. The following set of figures is the result of that comparison. There are also corresponding charts for these figures.

Question 15 (Where do you live?) was used to develop the two subsets: the subsistence users who live in the Copper Basin and those who live outside its boundaries. The map on the following page shows the geographical extent of Alaskan residents who use the upper Copper River subsistence fisheries (Map 2). Question 6 (If you own a fishwheel, how many permit holders other than you use it each year?) was not a question that created a useful comparison between the two subsets of fishers, so I did not include it here. Question 11 (What percentage of your yearly food supply is the salmon harvested from this fishery?) was the most poorly written and confusing one on the questionnaire. People answered it in a variety of ways, saying that the salmon constituted from 1 to 99% of their yearly food supply. Since there was no equitable way to compare the answers, I disregarded this question. Some of the comments about this question were

- How are we to come up with this?
- That's difficult to estimate.
- Unanswerable.
- Don't know.
- 50% of protean (sic).
- We eat salmon once each week, plus smoke some.
- 100% of my fish food supply.
- How do you determine that?
- 30-40% of all the fish we eat is salmon.
- 50% meat wise.
Question 1. Why do you fish subsistence?

This was a question that could have multiple answers. Other than the answer "There is a subsistence fishery near my home," the answers between the two subsets were pretty similar. The largest gap was 12 percentage points on the answer "It is a cheap source of food," where this answer was more important to the folks in the Copper Basin than it was to those who live elsewhere (66% vs. 54). It was more a tradition for the local folks by 11 percentage points (62 vs. 51%); 2% fewer locals said they need a large amount of fish to make it each year (38% vs. 40); 7% more of the local people said they fished subsistence because it was an easy way to harvest fish (48 vs. 41); and 11% fewer Copper Basin residents see it as a form of recreation/entertainment/sport (24 vs. 35%) than do fishers who live elsewhere.

Comments about this question were:

- How about [including as an answer] a good source of quality food!!
- I subsistence fish for the purpose of getting fish – bring them back home and give them to people who can’t go fishing (old people etc).
- [I subsistence fish] do (sic) too (sic) health problems – mainly the wife- it doesn’t give me much chance to fish w/hook and line- I wet a line once in 2 yrs now!
- Sometimes its (sic) cheap and sometimes its (sic) not. [Subsistence fishing promotes] good mental health!
- We like fresh fish.
- It is a cheap source of food in a sense. It takes work to produce. It has become a tradition. It is a great form of satisfaction through the amount of hard work it takes.
- Good not cheap.
- It is convenient – out my back door. [Subsistence fishing] builds good relationships with neighbors.
- It is not easy or cheap to maintain a fishwheel.
- Cause I can't catch them by rod and reel.

Question 2: HOW LONG HAVE YOU BEEN USING THE SUBSISTENCE FISHERY?

This question showed a big difference between the two subsets. Sixty-six percent of the local residents said they had used the Copper Basin subsistence fishery for more than ten years, as opposed to 39% of the non-locals. The differences between the two groups were pretty similar for both the “1-5 years” and “5-10 years” answers with 17% picking both these in the local group.
and 31 and 26% respectively choosing these from the non-local group. No Copper Basin respondents said that is was the first time they had used the fishery, 3% of those living elsewhere were first-time users.

Comments were
- All my life. I am 65.
- 1st permit 1982.
- Thru (sic) various regulation changes.

**Question 3:** What method of subsistence fishing do you use in the Copper Basin?

I received multiple answers for this question because some of the subsistence fishermen have changed their gear type over the years (they can only use one method each year). Fishwheels seem to be the gear of choice for the Copper Basin folks. Ninety-three percent of local fishermen have used fishwheels and only 17% have used dipnets. Seventy-three percent of those living elsewhere have used fishwheels and 45% have used dipnets.

Comments on this question were
- Lose wheel some years and don’t get another built in time for next so [use] dip[net] then.
- Both – on different years tho (sic).
• Would like to build fishwheel.
• In different years I have done each.
• Would go more often but had a few bad years.

Question 4: IF YOU USE A DIPNET, DO YOU

<table>
<thead>
<tr>
<th>Method</th>
<th>Copper basin respondents (n=41)</th>
<th>Respondents living outside the Copper basin (n=135)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dipnet from a boat</td>
<td>11</td>
<td>13</td>
</tr>
<tr>
<td>Dipnet from shore</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>Travel by boat and then dipnet from shore</td>
<td>24</td>
<td>28</td>
</tr>
</tbody>
</table>

Question 4: If you use a dipnet, do you
1. dipnet from a boat?
2. dipnet from shore?
3. travel by boat and then dipnet from shore?

There were multiple answers to this question. The majority of both groups dipnet from the shore: 95% of the local users and 85% of the non-local users. More people who live out of the area use boats, 24% dipnet from them and 28% use them to get to their dipnetting spot on the shore, as opposed to 11% and 13% respectively of the local users.

Comments about this question include
• Every year can be different.
• Just one time dipnetting – is too hard for a old man.
Question 5: If you use a fishwheel, do you

1. own the wheel?
2. use someone else's wheel?

More fishermen from both subsets use someone else's fishwheel: 74% of the Copper Basin residents and 80% of the non-locals. Twenty-six percent of the former own their wheels, as do 20% of the latter. (Fishwheels can be used by an unlimited number of people, but they cannot be rented.)

Comments on this question were

- Most time[s] part owner-builder with others, sometimes [I] borrow
- [I don't own a wheel] now, I am 85 yrs of age...[I use] my son's.
- Will be building one.
- This depends on how low I am on salmon and how good the run is.
- We do both on alternate year[s].
- [We are] building our own.
- [The wheel is] mission owned- SEND International of Alaska.
- I would like to build a fishwheel because dipnetting is getting to be to[o] much work, I am not so young and tough anymore.
Question 7: On average how many days during the year do you actively fish in the subsistence fishery?

Not surprisingly there was a higher percentage of local people than non-locals who used the wheel for more days each summer (22% as opposed to 4% used it for "more than 20 days"), and a higher percent of non-locals used it for 5 days or less (50% for the non-locals vs. 38% of the locals). Of the other categories, 22% of the local and 28% of the non-local fishermen used the fishery for 5-10 days; 18% local and 17% non-local fishermen used it for 10-20 days.

Comments about this question were

- [More than 20 days] if fish aren't plentiful.
- Depends on how fishing is.
- Would go more often but had a few bad years.
Question 8: On average how many subsistence salmon do you catch each year (all species)?

Both groups followed the same pattern when answering this question. There weren’t really significant differences (more than seven percentage points) between them for any of the categories. Six percent local and 10% non-local fishers catch 0-20 subsistence salmon each year; 26% local and 33% non-local catch 20-50 each year; 34% vs. 31% catch 50-100 each year; 24 vs. 17% catch 100-200; 6 vs. 8% catch 200-300; 2% vs. 3% catch 300-400; 4% local fishers vs. 1% non-locals catch 400-500 subsistence salmon each year.

Comments about this question were

- Usually about 500, but last ten yrs. 120 fish.
- We shoot for 200-250.
**Question 9:** On average how many subsistence salmon do you and the others in your household use for food each year?

Again there wasn't a significant difference between the answers of the two subsets (this time the greatest gap was 9 percentage points). In the 0-20 category it was 7% from the Copper Basin vs. 6% of the non-Copper Basin respondents; 30% vs. 39% in the 20-50 category; 32 vs. 28% use 50-100 subsistence salmon each year; 21% vs. 15% in the 100-200 category; 6 vs. 9% use 200-300; 1% vs. 2% used 300-400; and 4 vs. 1% use 400 or more fish each year.

Comments for this question include

- All are human food. Waste parts are used for trap bait. No dogs anymore now.
Question 10: How important is the salmon you harvest from this Copper River subsistence fishery to the well being of your household?

Forty percent of the Copper Basin fishermen said it is very important as opposed to 31% of the non-local users; 56% said it was important vs. 62%; and 5% of both groups called it not very important.

Comments written for this question were
- Really helps on food bill and our health.
- Big part of our diet.
- We can always survive. It just puts pressure on a different resource.
- Important for a healthy economical diet!!!!
- Important [for] food, recreation, family project (preservation and harvesting).
- We have always canned fish to last until next year.
**Question 12: HOW MANY PEOPLE LIVE IN YOUR HOUSEHOLD?**

The average number of people living in each household in the Copper Basin is 3. Outside of the Copper Basin the average number of people living in each household is 3.3.

Comments were

- 2 people, 67 yrs old and 69 yrs old.
- Lots of immediate family participate in all activities.
- 6 kids, 5 grandchildren.
- 2 now, did raise 5 kids on these fish in the past.
Question 13: How do you preserve the salmon you catch?

This was a question with multiple answers; thus the percentages add to more than 100. There wasn’t a significant difference between the two groups; each followed the same pattern of usage. Between the Copper Basin and non-Copper Basin households: 89% vs. 93% freeze their salmon, 78% vs. 72% can their salmon, 23% vs. 15% dry their salmon, and 77% vs. 83% smoke their salmon.

Comments for this question include
- We also salt our fish.
- Dry fish is a very important daily diet for us.
- We care for our fish, can them in jars so as to have fish from year to year.
- We used to do it all.
- Salt and pickle.
Questions 14: If there are other things that you do with the salmon you catch other than eating them in your household, what are they?

The greatest difference between the two groups occurred in the “feed them to pets” category, which 14% of the Copper Basin households do and only 4% of those living outside of the Copper Basin do. There was much similarity between the groups for the other categories: 79% vs. 84% give them away to other family members, 51% vs. 53% give them away to friends, 0.7% vs. 0% throw some away at the end of the year, 5% vs. 9% do something else with them (the “other” category). Other uses of the salmon harvest include compost scraps, food for sled dogs at end of year, meals when visiting, potlatches, give to needy people, use carcasses on trapline, waste for dog food, food bank, churches, use when entertaining, elderly people, subsistence trading.

Comments for this question were

- [We give] very little [to friends] only to help people out when in need.
- None ever goes to waiste [sic].
- [We give] about 7% to old and/or disabled.
- None of these [answers] – no waste.
- All used for food purposes.
- I have heard the state law forbids this.
- [We use them] at BBQs with [friends] or holidays.
- [We give] a few [to friends] maybe 10-20 fish” “[feed a few to pets] at end of year – time for new salmon.
• Nothing gets thrown away. If we have extra in the spring we smoke it.
• We waste none.
• Others eat with me at times, but [none] given away.
• I eat them all (no waste here).
• 5% to neighbor’s pets at end of year.
• Adult children love getting them.
• It is common for me to bring fish to share when I visit someone.
• [We] feed them to pets if to[o] far freezer burnt.
• [We] feed to dog team what is undesirable for human consumption.
• We also provide fish and other food in care packages to people outside our family
• I eat it all and share when people come over.
• We only take what we use. All is smoked and then pressure cooked/canned. We are always out at end of May.
• [We give] maybe 4-5 to old Alaskan and disable[d] persons.
• Only subsistence harvest allows for use of salmon as trapping bait. I use only about 4 or 5 salmon per year for trapping bait, a small piece is all that’s needed if its hidden from the birds.

Question 16: How long does it take you to get to your fishing site on the Copper River?

![Graph showing the average number of minutes it takes to get from home to fishing site for respondents (n=206) and respondents living outside of Copper basin (n=286).](image)

**Question 16: How** long does it take you to get to your fishing site on the Copper River?
For this question there was the predictably large difference of an average of 26 minutes for the local fishers and 4 hours and 22 minutes for the non-local fishers.

Comments for this question include

- …still have property [in the Copper Basin] and had to move because of health and age, lived up there 46 yrs and been in Ak. 50 years.
- 15 minutes from our cabin, 2 hours from our home.
- 4 hours from Anchorage and I stay there till I get my fish.

Question 17: ARE YOU, OR IS ANYONE IN YOUR HOUSEHOLD, A MEMBER OF ONE OF THE NATIVE ALASKAN GROUPS (ATHABASCAN, ESKIMO, ALEUT, EYAK, OR ONE OF THE SOUTHEASTERN TRIBES)?

![Bar chart showing the percentage of respondents]

**Question 17: Are you, or is anyone in your household, a member of one of the native Alaskan groups (Athabascan, Eskimo, Eyak, or one of the southeastern tribes)?**

There was almost no difference between the answers of the local and non-local fishermen for this question: 85% local people said no as did 86% of the non-local people.

Comments were

- Why don’t you ask if anyone is a[n] Alaskan or a[n] American?
- One foster child is a Native.
- No, American Indian.
- No but an Apache.
- Even other groups have a traditional need.
The two groups gave similar answers to this question, other than in the second category of $10,000-20,000 but overall the percentage of local users was higher in the bottom two-income groups and lower in the top four income groups. Thirteen percent of the local households earned $0-10,000 per year as did 11% of the non-local households; for the $10,000-20,000 category it was 18% vs. 7%; 25% vs. 29% in the $20,000-30,000 category; 11% vs. 13% in the $30,000-40,000 category; 11% vs. 13% in the $30,000-40,000 category; 18 vs. 19% in the $40,000-50,000 category; and 16 vs. 20% at the “more than $50,000” category.

Comments about this question include

- I don’t feel comfortable with this question. We are retired and I don’t feel that it has anything to do with our subsistence.
- Our yearly income does not enter into this, that is getting too personal.
- When calculating income one should add up all benefits such as food stamps, assistance, medical paid and all which comes in to a household. We accepted no assistance of any kind.
- None of your business.
- $20,000-30,000 last 9.5 years, more than $50,000 last 6 months.
- [This is a] wrong question.

**Question 19:** What is the age of the person in your family who usually does most of the fishing in the fishery?

This question had a couple of multiple answers. There was a slightly lower percentage of Copper Basin respondents in the under 20 group (1% vs. 4%), in the 20-40 age group (17% vs. 20%), and in the “over 60” age group (23 vs. 26%) than non-Copper Basin respondents. The only category where there was a higher percentage of Copper Basin fishermen was in the 40-60 age group (60% local vs. 51% non-local).

Comments were
- 27 year old, 52 year old, 90 year old, 89 year old.
- Father and sons
**Question 20:** How many family members generally help with catching and preserving the salmon caught here?

There was great similarity between the two groups on this question. Twenty-one percent from the Copper Basin vs. 20% outside of the basin said “1 person”; 47% vs. 44% said “2 people”; 30 vs. 33% said “3-6 people”; 3% from both groups said “more than 6”.

Comments about this question were

- We had a family of 6 but they have grown up and left home.
- It's a family assembly line.

In a general analysis of all the data I found that 270 people have been using the subsistence fishery for more than 10 years and the majority of these have been using it for more than 20 years. The average number of years of subsistence usage for this category was 27 years. There were seventeen people who have used the subsistence fishery for 50 or more years and two fishermen have been using it for 70 years.

**Data Analysis and Discussion**

There were some general trends that emerged from this survey. Most people use the fishery because it is an inexpensive source of food, it is a traditional way for them to harvest food, and it
is an easy way to harvest food. The majority of them have been fishing in the Copper River subsistence fishery for more than ten years. They use a fishwheel instead of a dipnet and do not own the wheel they are using. They share use of the wheel with five or fewer other fishers. Of those who dipnet, most do it from shore, without the aid of a boat. They fish in the subsistence fishery for 5 days or less and harvest 50 or fewer fish each year, which is about the same number of salmon that they eat each year. The average Copper River sockeye salmon weighs approximately 6 lbs round weight. Depending on what proportion of the fish is kept and used, 50 to 60 salmon would provide 300 lbs. of food per household each year: the head and entrails weigh approximately 1 pound, but if the fish is filleted the proportions would be different. These subsistence salmon are important to the well being of their households, making up approximately 24% of their yearly food supply. Most of them freeze, smoke, and can their salmon and share their harvest with family and friends. Almost half live in the Copper Basin, a fifth live in the Anchorage area, and the rest come from the Fairbanks area, the Matanuska-Susitna Valley, the Kenai Peninsula and several other locations throughout the state. One seventh are part of one of the native Alaskan groups. Their households consist of 3.2 people and they spend an average of two hours and 43 minutes driving to the fishery. They came from all income levels, with the most coming from $20,000-30,000 per year range, followed by the $40,000 and up ranges. The majority are between 40 and 60 years of age and are helped with catching and preserving their harvest by one other person.

Other than questions/answers that were based on location differences (such as ‘How long does it take you to get to your fishing site on the Copper River?’) there were many more similarities between these two groups than differences. The dissimilarities that stand out with a spread of more than 10% are:

- More Copper Basin subsistence users use the fishery because it is a cheap source of food. (66% vs. 54%) More non-Basin residents use the fishery as a form of recreation, entertainment or sport. (35% vs. 24%)
- Many more of the Copper Basin fishermen have been using the fishery for more than ten years. (66% vs. 39%) More non-local fishermen have used the fishery for 1 – 5 years. (31% vs. 17%)
- More Copper Basin respondents use a fishwheel (93% vs. 73%), and more non-local folks use dipnets (45% vs. 17%).
- Non-local fishers are more likely to use boats when subsistence fishing here. Twenty-four percent vs. 11% said they dipnetted from a boat and 28% vs. 13% travel by boat to their dipnetting site on the shore.
• Local fishermen are more likely to fish for more than 20 days (22% vs. 4%) and non-locals are more likely to fish for 5 days or less (50% vs. 38).
• Copper Basin respondents feed more of their subsistence fish to their pets. (14% vs. 4%)
• There were a higher number of local households in the $10,000-20,000 income bracket at the lower end of the scale (18 vs. 79%).

But for the most part both groups followed the same patterns of usage and demographics.

One thing that seems evident is that subsistence fishing, and in particular this subsistence fishery, is important to the people who use it. When asked on the survey how important these subsistence salmon were to the well-being of their families (question 10), only five percent of both user groups said they could easily get by without them. There were a large number of people who took the time to either explain or elaborate on their responses or to comment about other aspects of subsistence. Many of the comments indicated that this issue was something that they worried and cared about. None of the questions or responses in the survey itself took a side in the federal vs. state management or rural priority vs. common use debates but a few responders wrote their own feelings on the issues.

I like subsistence fishing – it's Alaska, why change it. If we change Alaska like the lower 48 we might as well move back there.

Anyway I don't want them to change anything or take this away from us. I have been doing this for 5 years. If the feds take it over people from other states will be telling us what to do. Think of this – a guy from California or where ever will hear that we can do this [and] he will say - I can[n't] so why should they.

Those that truly need to subsist should, those who use the resource wisely should be able to do so. Those in need should be supported but not as a privileged class.

I was born and raised in Alaska. My grandfather came here in the 40s. The Natives should not have any more rights than me. Alaska was bought from Russia by the United States. We all own this land and the fish and game.

Using the subsistence fishery should be restricted to local rural folks as per ANILCA!
Thank you for the survey. I hope the information provided will help you achieve and sustain a useful fishery in the Copper River for years to come! For my part, I truly appreciate what the state of Alaska is able to do for its citizens. I am very grateful for the privilege of fishing for so useful and tasty a fish as the Copper River red and an occasional king. May you use this information to the benefit of us all.

Another concern of many of the responders was to indicate that none of the fish they caught in the Copper River subsistence fishery go to waste. Many also indicated that they shared their fish with people who weren't able to fish for themselves.
Chapter 4

Conclusions

It is obvious that Alaskans are concerned about subsistence, whether they view it as a political and cultural issue or whether they use it to provide food for themselves. At times over the past 50 years subsistence has been highly visible and contentious, at other times it has been simmering on the back burner, waiting for the next lawsuit to bring it forward again. Some prominent politicians use it as a platform for campaigning, some wish it would just go away.

But it doesn't seem to be an issue that will resolve itself. With the inclusion of federal management in many of the freshwater fisheries in the state and with a governor who wanted to resolve it once and for all, the subject of subsistence has been prominently in the media for the past 8 years, and particularly for the past 4 years.

Governor Tony Knowles tried very hard to force the state legislators to come up with a solution to this issue. Over the years he appointed several commissions and committees to find an answer. But the state legislature has not been interested in putting any of these possible solutions on their agenda. Since the solutions each committee has put together are based on a rural priority of some sort, and since the current feelings of the electorate run towards approving a rural priority, one can only assume that this is not the answer that the legislators favor. A new governor takes the office in December 2002. No one knows if this will be a prominent issue with him or not, or on which side of the issue he will ally himself.

Given the strictures of ANILCA and the commitment that the federal government has (at least for most of the last century) to protecting native American culture, it doesn't seem likely that it will listen to any congressional changes that don't comply with a rural priority. The Federal Subsistence Board has approved some changes in federal subsistence regulations (they are currently making decisions about the sale of subsistence-caught fish) but the rural preference does not seem open to negotiation.

But something does need to be decided. For the past two years the salmon runs in western Alaska have been poor and it is only a matter of time until this happens to the cycle of salmon returning to the Copper River. Whether its cause is the weather, overharvesting, habitat changes or long-term climatic differences, the abundance of fish will vary. When this happens, the federal regulators have the authority to close both the commercial and sport fisheries if the local subsistence users are not getting enough fish to harvest. They also have the authority to close
the state subsistence fisheries which allow any Alaskan resident to participate in subsistence, and restrict subsistence fishing to the rural communities.

Before this happens a settlement needs to be reached in Alaska about subsistence. The authors of the Alaska Constitution had a valid and noble perspective that allowed all to have equal access to the state's bounteous resources. Allowing harvest privileges to one group over another was not a good way to embark on the journey into statehood. Fairness and equality are something we think is a basic premise of being American.

But historically we have not always been fair with the Native American people. And there is a difference between Native and non-Native cultures when it comes to subsistence. Non-Native subsistence lifestyles, no matter how important they are to the individuals and families, are an adopted lifestyle. They can be extremely important and define a way of life. They may be traditional and generational. But they are made by a conscious choice. The following is a comment made by a responder to the survey:

I hope your intention is not to limit subsistence fishing only to people of Native origin. My family and I, although only 10.5 year residents of Ak. have lived a nomad, semi-subsistence life style throughout the U.S. I have raised my family on wild meat from the goodness of the earth from Virginia to Montana and now Alaska. Less than 10% of our meat for the last 25 years was ever bought in a grocery store. Why Alaska Natives get such preferential treatment? Because it is their way of life! It has also been my way of life for many, many years, it is my misfortune it took me until the age of 33 to discover the freedom and bounty matched only by the harshness and hardships of this great state.

Subsistence for the Alaska Native people is not a choice. It is part of who they are; part of who their parents and grandparents are. It is part of what defines them as a culture, as a group, as a family, as an individual.

The great law of culture is to let one become what they were created to be. Let me be an Inupiat with the freedom to hunt, to fish, to trap, and to whale as my forefathers did in past centuries.
Delbert Rexford, Barrow in (Berger, 1985)

These differences should be seen and acknowledged when deciding the subsistence issue.
I worked in the upper Copper River subsistence fishery for 10 years and know many of the people who use it, both local and non-local. Most of people who fish there are very passionate and sincere about subsistence and its importance in their lives. The majority of subsistence fishers in this fishery are non-Native and are non-local. Some are economically deprived but the majority are not. Most have been using the fishery for multiple seasons. It would be very difficult to decide who amongst them should be allowed to fish and who is not allowed.

But resource shortages are going to occur and it will be much better to have a regulatory mechanism in place that will deal with these shortages fairly, and allow the people who have the strongest needs to harvest first. The cultural needs of the Alaska Native people top this list and right now a rural priority seems to be the most equitable way to make this happen.
BIBLIOGRAPHY


Appendix A

Survey
INSTRUCTIONS: If there is more than one answer to a question, please check all the appropriate boxes.

SURVEY QUESTIONS

1. Why do you fish subsistence?
   - There is a subsistence fishery near my home.
   - It is a cheap source of food.
   - It is a tradition for my family and me.
   - We/I need a large amount of fish to make it each year.
   - It is an easy way to harvest fish.
   - It is a form of recreation/entertainment/sport.

2. How long have you been using the subsistence fishery?
   - This is the first time.
   - 1 – 5 years
   - 5 – 10 years
   - more than 10 years

3. What method of subsistence fishing do you use in the Copper River?
   - fishwheel
   - dipnet

4. If you dipnet, do you
   - dipnet from a boat?
   - dipnet from shore?
   - travel by boat and then dipnet from shore?

5. If you use a fishwheel, do you
   - own the wheel?
   - use someone else's wheel?

6. If you own a fishwheel, how many permit holders other than you use it each year (on average)?
   - none
   - 1 – 5
   - more than 10

7. On average how many days during the year do you actively fish in the subsistence fishery?
   - 1 – 5
   - 5 – 10
   - more than 20

8. On average how many subsistence salmon do you catch each year (all species)?
   - 0 – 20
   - 20 – 50
   - 50 – 100
   - 200 – 300
   - 300 – 400
   - 400 – 500

9. On average how many salmon do you and the others in your household use for food each year?
   - 0 – 20
   - 20 – 50
   - 50 – 100
   - 200 – 300
   - 300 – 400
   - 400 – 500
10. How important is the salmon you harvest from the Copper River subsistence fishery to the well-being of your household?

_____ very important (I/we need it to survive the year)
_____ important
_____ not very important (I/we could easily get by without it)

11. What percentage of your yearly food supply is the salmon harvested from this fishery?

_____%

12. How many people live in your household? _____

13. How do you preserve the salmon you catch?

_____ freeze  _____ can
_____ dry  _____ smoke

14. If there are other things you do with the salmon you catch other than eating them in your household, what are they? (please give percentage amounts if possible)

_____ give them away to family
_____ give them away to friends
_____ throw them away at the end of the year
_____ feed them to pets
_____ other

What?______________________________

15. Where do you live?

_____ in the Copper Basin
_____ in the Anchorage area
_____ in the Fairbanks area
_____ in the Mat-Su valley
_____ in the Kenai peninsula
_____ elsewhere in Alaska

Where?______________________________

16. How long does it take you to get to your fishing site on the Copper River?

_____ minutes  _____ hours

17. Are you or is anyone in your household a member of one of the native Alaskan groups (Athabascan, Eskimo, Aleut, Eyak or one of the southeastern tribes)?

_____ yes  _____ no

18. What is your average yearly income?

_____ $0 – 10,000  _____ $10,000 – 20,000
_____ $20,000 – 30,000  _____ $30,000 – 40,000
_____ $40,000 – 50,000  _____ more than $50,000

19. What is the age of the person in your family who usually does most of the fishing in this fishery?

_____ under 20  _____ 20 – 40
_____ 40 – 60  _____ over 60

20. How many family members generally help with catching & preserving the salmon caught here?

_____ 1 person  _____ 2 people
_____ 3 – 6 people  _____ more than 6
Appendix B

Cover Letter
Dear Upper Copper River Subsistence Users,

As you are aware, subsistence fishing in Alaska is facing some major changes this fall. For over ten years this fishery has been open to anyone who is an Alaskan resident and many of you, both local and non-local, have been fishing subsistence in the Copper Basin for that long – or longer. But after October 1, 1999, there will probably be some restrictions on who will be able to use this fishery. Most likely it will be limited to rural Alaskans.

I have been living in Alaska since 1973 and in the Copper Basin since 1988. I have worked in the Chitina fishery every summer but one since 1990. I have fished in the subsistence and the personal use fisheries on the Copper River and have seen changes in both during my years here. My current graduate studies at Oregon State University are focused on the Alaska subsistence issue in general and what it means to the upper Copper River subsistence fishermen in particular.

Discussion about subsistence has been deep and strong for many years – it is a very political subject. There are lots of annual statistics about how many fish are caught here, but there is very little information either about the folks who fish here – the people who rely on this fishery for food, for continuity of traditional lifestyles, for entertainment and fun – or about why they fish here. This is something that is important, and that may be forgotten in the politics of subsistence. I would like to ask your help in answering the question: who are the subsistence fishers in the Copper River Basin? I think it is an important question that needs to be answered before the fishery changes.

The answers you provide are strictly confidential. Your responses will be combined with others and summarized. The number on the questionnaire is only for mailing purposes and will be removed upon return receipt. The questions should take you less than ten minutes to answer. Please answer them as accurately as possible.

Thank you for your time and help. I appreciate your cooperation. Please feel free to add any other comments you have about subsistence in general or the Copper River subsistence fishery at the end of the survey. If you would like to contact me about the survey, I can be reached at the address on the envelope.

Molly McCormick
Marine Resources Management
OSU
Appendix C

Modified Cover Letter
Dear Upper Copper River Subsistence Users,

A month and a half ago you received a survey about your participation in the Copper River subsistence fishery. Response to the questionnaire was good. But to make it truly representative of the people who have been using the fishery in past years and to make the study useful, I would really like to hear from as many people as possible. I haven’t yet heard from you and would like to ask you to reconsider your decision not to complete and return the survey. I realize that some of you may not have fished subsistence last year, but I would still like to hear from you.

As you are aware, subsistence fishing in Alaska is facing some major changes this fall. For over ten years this fishery has been open to anyone who is an Alaskan resident and many of you, both local and non-local, have been fishing subsistence in the Copper Basin for that long – or longer. But after October 1, 1999, there will probably be some restrictions on who will be able to use this fishery. Most likely it will be limited to rural Alaskans.

I have been living in Alaska since 1973 and in the Copper Basin since 1988. I have worked in the Chitina fishery every summer but one since 1990. I have fished in the subsistence and the personal use fisheries on the Copper River and have seen changes in both during my years here. My current graduate studies at Oregon State University are focused on the Alaska subsistence issue in general and what it means to the upper Copper River subsistence fishermen in particular.

Discussion about subsistence has been deep and strong for many years – it is a very political subject. There are lots of annual statistics about how many fish are caught here, but there is very little information either about the folks who fish here – the people who rely on this fishery for food, for continuity of traditional lifestyles, for entertainment and fun – or about why they fish here. This is something that is important, and that may be forgotten in the politics of subsistence. I would like to ask your help in answering the question: who are the subsistence fishers in the Copper River Basin? I think it is an important question that needs to be answered before the fishery changes.

The answers you provide are strictly confidential. Your responses will be combined with others and summarized. The number on the questionnaire is only for mailing purposes and will be removed upon return receipt. The questions should take you less than ten minutes to answer. Please answer them as accurately as possible.

Thank you for your time and help. I appreciate your cooperation. Please feel free to add any other comments you have about subsistence in general or the Copper River subsistence fishery at the end of the survey. If you would like to contact me about the survey, I can be reached at the address on the envelope.

Molly McCormick
Marine Resources Management
OSU
Comments

First mailing

∞ According to State Constitution everyone has equal access to fish and game. I think it's a bad deal to keep anyone from fishing because of where they live.

∞ I, name withheld, landed in Gakona and Glennallen area in May 16, 1950 and I was 20 yrs. old and raised my family and had business in the area and lived there in G-Allen 46 yrs.

∞ I am partial to eating salmon because it contains a large amt. of Omega 3 oil which is very good for heart, health etc.

∞ Thanks. I would be interested in your final stats. As you know, I am involved in subs. issues within WRST. HOTISSUE IN OCTOBER. Best of luck.

∞ I believe very strongly that God placed the fish here for all to use, not just rural people. Many rural people have a greater income than many urbanites.

∞ We take only what we need.

∞ The fishwheel was introduced to Alaska in 1910 in Fbks. area by people from down below – the fishwheel was not a Alaska Native invention.

∞ I hope it is limited to rural Alaskans, or Native Alaskans.

∞ I sure would like a copy of your completed results! Thanks.

∞ We used to subsistence fish in Homer for salmon and can’t do it anymore.

∞ Every year can be different. Lose wheel some years and don’t get another built in time.

∞ I subsistence fish for the purpose of getting fish – bring them back home and give them to people who can’t go fishing (old people, etc)

∞ I have heard the state law forbids [using the fish for other things besides eating them in the fisher’s household]

∞ Thank you for your interest in this fishery. I have been a resident of the state since 1950 and fished the Copper River since 1968. Hopefully your interest, work and survey will lead to the continuation of the fishing privilege.

∞ I was born and raised in Alaska. My grandfather came here in the 40s. The Natives should not have any more rights than me. Alaska was bought from Russia by the United States. We all own this land and the fish and game.

∞ When calculating income one should add up all benefits such as food stamps, assistance, medical paid and all which comes into a household. We accepted no assistance of any kind.

∞ I have to compliment you on your choice of subjects for graduate work. It’s a very important issue facing all Alaskans. Here’s my story: My parents raised five kids in Alaska on an air force budget. Ever since I can recall we fished the Copper River and tried to limit out. We also hunted and fished other high harvest fisheries, no boat, 4-wheelers……on foot, family style. Born and raised in Alaska I’m not in one of the native Alaska groups yet I’m surely not a native of anywhere else. I began commercial fishing in western Alaska in 1985 at age 17 and continued to do so until 1998, May to September, bringing home about 60 salmon
per year. An injury ended my fishing career. In 1998 I fished the Copper with a friend's wheel (30 fish), appalled when I received the permit for up to 500 fish as opposed to 30 for my parents and only 3 if I were "sport-fishing". Life long Alaskans sport fish for salmon for all the same reasons lined out in question 1 of the survey. Anyway – I was just handed a permit for 500 fish, what a joke! My family and I could only use about 60 reds/year, 500 for us is just ridiculous, as is 3 per day – definitely a flawed system. This summer my family with my parents (in their 70s) dipnetted and had the times of our lives. There is always a great sense of well-being on the road back from Chitina.

I use the subsistence fishery due to health problems – mainly the wife. It doesn't give me much chance to fish with hook and line – I wet a line once in 2 yrs. now!

I am a fishing guide – we need similar surveys for sportfish, ie value to Alaska Natives. Please advise.

I am not Native – some of my family is however, but there has never been a time that me or my family has not relied on some of the ocean fish to live on.

I would like to see the 500 fish permits ceased, and changed to 200 fish permits. It is the time of snow machines and not dog teams. Also a 200 fish permit would allow more people to fish for the same amount of fish.

Sport fishing is during peak work opportunity. Our subsistence use has been of caribou, moose, salmon and berries. The past few years caribou and moose meat has not been available to us (we were not successful in hunting efforts). College and medical expenses have been high.

We choose to “subsist” on fish and game. It is much harder work than buying our food at the store but it is part of who we are as Alaskans! "Subsistence" should be based on past utilization. My permits and licenses from past years prove how I have depended on fish/game. Please help us?

It will not be right to stop us from using this fishwheel just because we live in the Fairbanks area and are not Native. We are Alaskans and we do not live in the city limits.

Thank you for your concerns. We don't believe the federal government should intrude further into the life-style we live and choose. State regulations of subsistence should be a state decision – period!

The gentleman who used my fishwheel this last summer was from Wasilla, bad judgement on my part. These fish were transported to Nevada and sold as fresh Alaska salmon. Never again will I allow my fishwheel to be used by new friends or so called friends.

I get some [salmon] for other people outside my family that need fish and can't do it themselves.....Some people depend or plan on us giving them some fish.....We can always survive [without subsistence fish]. It just puts pressure on a different resource.

Have been pleading with the governor and legislators to settle our subsistence issues with no success – please help.

I don't work anymore – disability now. It's hard to pay bills. Everything – oil, gas, food – gone up. Car costs, doctors, medication. Wow!

I'm still eating last year's catch, so I didn't fish this year. I answered this on the basis of what I did last year. Good luck
Copper River reds are the best salmon. We do not consume any other salmon from around the state.

[Salmon] are important for a healthy economical diet!!

Please note that the address for (name withheld) is now Finland just in case of any future mailings. We thoroughly enjoyed the chance to use the fishwheel of an Athabascan friend of ours in Glennallen. Best wishes.

I feel very privileged to be able to use the resource as I have. I realize all good things must come to an end. That scares me. Subsistence issues, Native land access changes, abuse of the resources by some (guides included) – where are they headed? I would be very interested in seeing your results of this survey if at all possible. Thank you.

Although I have not subsistence fished as often as I would have liked – now that I am retired I hope to do more. Also – I was born and raised in Alaska and wild game has always been my family’s diet. Thanks.

Sorry for the delay in getting this back to you. I had misplaced this. I found it in my glove box. Thanks for the work.

Using the subsistence fishery should be restricted to local rural folks as per ANILCA!

Thank you for the survey. I hope the information provided will help you achieve and sustain a useful fishery in the Copper River for years to come! For my part, I truly appreciate what the state of Alaska is able to do for its citizens. I am very grateful for the privilege of fishing for so useful and tasty a fish as the Copper River red and an occasional king. May you use this information to the benefit of us all.

[Copper River salmon have a] higher oil content – better fish than [from] anywhere else to eat.

I hope your intention is not to limit subsistence fishing only to people of Native origin. My family and I, although only 10.5 year residents of Ak. have lived a nomad, semi-subsistence life style throughout the U.S. I have raised my family on wild meat from the goodness of the earth from Virginia to Montana and now Alaska. Less than 10% of our meat for the last 25 years was ever bought in a grocery store. Why Alaska Natives get such preferential treatment? Because it is their way of life! It has also been my way of life for many, many years, it is my misfortune it took me until the age of 33 to discover the freedom and bounty match only by the harshness and hardships of this great state.

[I fish subsistence because I am] handicapped

Some years after bad flooding at Chitina I have tried to locate my wheel upstream. It was a nightmare trying to find legal access to the Copper as far north as Chistochina. I am 75 years old, and I must use the fishwheel. If I didn't do it my family would be without fish. It reminds me of the old chief at Chitina. We have dipnetted way back since 1965.

I have only fished on subsistence permit for two years – however I have fished Chitina each of the 25 yr. in Alaska and have always considered it subsistence!

Years ago we had our own fishwheel. In those years salmon and moose or caribou was the only meat we had to eat in the winter and we relied heavily on it. Through the years we have dipped and used others' wheels. For the last 10 years we have been retired and living in Chitina. We do not need the fish for economic reasons, we can afford to buy fish, and would
do so but it is traditional with us to use the Copper River fishery and hope we will always be able to do so.

∞ We have not been very lucky as the Copper goes, [the river moves] up and down each day as much as 2 feet or more. When the Tazlina [River] flooded the Copper, we lost our wheel and 50 feet of our river front. We lost another 15 feet or so this year. It keeps cutting into the bank – sometimes a foot a day when it’s high. We caught only 1 king this year and the reds seemed to be small.

∞ Those that truly need to subsist should, those who use the resource wisely should be able to do so. Those in need should be supported but not as a privileged class.

∞ Would go more often but had a few bad years.

∞ This is a very, very important part of my life. It deserves much study and discussion.

∞ I would like to build a fishwheel because dipnetting is getting to be too much work. I am not so young and tough anymore.

∞ Help for your stamp fund (accompanied by $20)

∞ We did not fish subsistence this year. There was a problem with the wheel.

∞ I’m diabetic and have other health problems. I cannot eat meats out of store [like] beef, pork, chicken – fish does me best. [It is also good for] arthritis, ulcers and other health problems that control eating habits.

∞ It is the best thing that the state has done for me. I am disabled. I can’t get around to fish with a pole or dipnet anymore, but I can go to the fishwheel and sit and catch my fish. Thank God for that. I hope this questionnaire will help. I think you’re doing a great job. Keep it up.

∞ I depend on salmon and moose to survive.

Second mailing

∞ Sorry for not getting back to you. I did not get the first survey. Anyway I don’t want them to change anything or take this away from us. I have been doing this for 5 years. If the feds take it over people from other states will be telling us what to do. Think of this – a guy from California or where ever will hear that we can do this [and] he will say - I can[n’t] so why should they. Most people won’t understand unless they have seen. Anyway take care and good luck for the winter.

∞ I trade salmon (Copper River reds) for moose, caribou, halibut, clothes, survival gear, etc. I am a subsistence farmer, fisherman (Prince William Sound kelper), boat builder, senior citizen, long time resident.

∞ One thing we don’t do is waste fish like some people, especially military and sportsmen.

∞ ***You do not state who pays your salary – state or federal? I’ve been here 50 yrs. and have never heard of you?? You evidently are not aware of the federal government’s intent to take control of the fishing in Alaska. Also the F & W [ADF&G] have all the records you need on this matter. Many residents don’t know who you are or your agenda??

∞ I like subsistence fishing – it’s Alaska, why change it. If we change Alaska like the lower 48 we might as well move back there. Thank you.
We depend on the subsistence because we [eat] fish more than meat.

I lost the first questionnaire that you sent!

Sorry. I misplaced this and just now found it. Subsistence is very important to me and my family and my many neighbors who fish also. [It] provides food for the winter.

I hope this fishery continues for my son and his sons to come.

I have not been for a couple of years. I have not had any time. We have moved and I have a new employer.

Moved to Texas, didn’t fish this year.

I hope this helps. An additional note – I’m handicapped.

We only take what we use. All is smoked and then pressure cooked [and] canned. We are always out [of fish] at end of May.

At age 71 it is the only way I can get fish

Thank you for your persistence. Sorry this response is too late for your study. I do hope it can assist in resolving the subsistence issue. Our family had a tradition of harvesting the land before they moved to Alaska. As one of nine born here; growing up – subsistence was all that was possible – money or no money. As an adult, I have participated in subsistence activities wherever I have lived. Subsistence is not a geographic issue (anymore). Subsistence is not an economic issue (anymore). Subsistence is one of family tradition and it is not an individual endeavor. Maybe a group permit/sharing custom could be recognized.

I also received $20, one religious flyer, one business card, and a copy of a fisher’s subsistence permit.