

## **Subsistence in Alaska Timeline**

Time Immemorial to 1725

Prior to Vitus Bering setting sail for the North Pacific Ocean the first inhabitants of Alaska's coastal and interior regions such as Inupiaq, Saint Lawrence Island Yupik, Yu'pik, Aleut, Eyak, Athapaskan, Tlingit, Haida, Tsimpshian, and the closely related indigenous people of Siberia lived difficult lives using long-established methods of hunting and gathering that involved spiritual, cultural, physical and language adaptations that were well suited to the remoteness of the land and their mobile existence. Very quickly the indigenous inhabitants made use of new found technologies borrowed or traded from explorers, whalers, or miners and incorporated them into their subsistence livelihoods. To this day many first time technologies that were first incorporated into Native life are still used with little or no modern changes such as in marine mammal hunting of the bowhead whale, beluga, minke whale, walrus and seals that are characteristic of the Bering Strait Region. traditional foods were aged, dried, boiled, roasted, eaten raw, stored in oil and/or a variety of grass or wood containers and collected for times during the winter when the summer's bounty migrated south or went into winter reclusion. This era was and is a time that is not too distant in the memories, stories, livelihoods and language of today's Alaska Native people.

1743

The Aleutian Islands become an area of intensive Russian occupation and Aleuts became indoctrinated as Russian citizens. Intensive sea otter harvests for the pelts nearly destroys the North Pacific population with Aleut hunters providing much of the labor often under terms of slavery.

1792

Russian government establishes first Alaskan game law, an edict that prohibits Alaska Natives from possessing or taking sea otters.

1804

Alexander Baranof establishes trading post in Sitka solidifying the Russian occupation of the territory of Alaska.

1848

Commercial whaling begins in Alaska. Commercial whalers sought the bowhead whale which provided oil and baleen for industry. Following many years of commercial exploitation the world's bowhead whale population becomes depleted drastically affecting the relationship Alaska Native people enjoyed with the whale. In addition to whales, commercial whalers targeted walrus for its ivory and oil which likewise depleted the world's pacific walrus population.

1867

The United States purchases Alaska from Russia for a price of \$7 million. Due to the remoteness of the Alaskan territory enforcement is difficult and the U.S. did not enact any substantial wildlife laws until the next century. Alaska Natives were still not part of the regular citizenry, they could not vote, could not own land, and were discriminated against, a practice that formally continued well into the next century. The territorial government was inadequately equipped to deal with the growing natural resource industry that boomed in the Alaskan territory and the Federal bureaucracies that were several thousand miles away enacting laws that did not take into account Alaskan concerns.

1878

Disease and Famine depopulate a good portion of Saint Lawrence Island, home to the Saint Lawrence Island Yupik. St. Lawrence Island closer to Siberia than Alaska is a large island approximately 100 miles long by 30 miles wide has been refuge to island Natives that were and continue to be heavily dependent on the bounty of the ocean. Previous years of commercial whaling decimated the populations of marine mammals on which they survived, coupled with disease many tribes lose entire populations.

1902

The Alaska Game Law is enacted primarily to control the growing practice of trophy hunting in Alaska.

1916

The Convention for the Protection of Migratory Birds took place between Canada and the United States with formal agreements to come later with Mexico, Japan and the Soviet Union. The convention treaties and eventual Acts closed the season to the harvest of migratory birds from March 10 to September 1. The Bering Strait region and most other areas of the State have traditionally harvested migratory birds as well as their eggs for subsistence purposes during that time.

1918

The worldwide flu epidemic of this year wipes out many Native people across the Bering Strait region; significant portions of the adult Native population dies. While the worldwide population also experiences the epidemic, Native people in the Bering Strait region experience severe consequences with entire villages dying off in some areas.

1920

Commercial whaling era ends. Alaska Native subsistence whalers began a new era of subsistence whaling using technologies borrowed from commercial whaling such as the bomb which made subsistence whaling practices more efficient with quicker killings; as opposed to lances which caused death by hemorrhage and did not always secure animals after being harpooned as their strength and

ability to navigate heavy ice cover meant some animals escaped. Alaska Native people still strongly practiced rituals and held to many traditional methodologies in the pursuit of the whale.

1925

The Alaska Game Law is amended and requires licenses for resident sport hunting and the Alaska Game Commission was formed. Alaska Natives were exempt from purchasing licenses.

1959

Alaska becomes a state. Following the State convention during the years 1955-1956, 50 delegates met and drafted the Alaska constitution in Fairbanks. Some original sections of the constitution included clauses that discriminated against Natives such as requirements to speak or write the English language. At this time many influential Native people could not speak the English language a feature of Alaska Native people that existed very strongly until the early 1970's. Alaska's Constitution is unique in that a section is wholly devoted to Alaska's natural resources of minerals, fish and wildlife IN THAT ORDER. The most explicit sections of the constitution are concerned with minerals, while the most important fish and wildlife issues are still being heavily and severely litigated to this day due to the enigmatic wording of those sections. Whereas, with fishing one parochial section of the constitution applies to the Alaskan response of Federal fish management that occurred during the days preceding statehood in which the fishery was dominated by Seattle based fishermen and quasi privately managed fishing and fishing sites.

1960

The joint Board of Fish and Game is formed and adopts regulations regarding subsistence fishing.

1961

In Barrow on the North Slope of Alaska one of the first Native community protests took place. The State of Alaska meant to enforce the provisions of the 1918 Migratory Bird treaty Act closed season from March 10 to September 1 of each year and began issuing citations. In response the residents of Barrow each presented a duck that they had shot to the local Alaska Department of Fish and Game (ADF&G) enforcement agent. This incident is popularly called the Barrow "Duck In". Subsequently, the State of Alaska sought provisions in which Native people could take migratory birds and their eggs during the closed season.

1968

Oil was discovered on the North Slope of Alaska leading to the Alaska Native Claims Settlement Act (ANCSA). A land freeze was implemented clouding the historical uses that Alaska Native people enjoyed.

1971

The Alaska Native Claims Settlement Act (ANCSA) is passed. That landmark settlement extinguished aboriginal claim to Alaska and any aboriginal hunting or fishing rights. Settlement entitlements to Alaska Native people amounted to around \$946 million to establish regional and village corporations and around 44 million acres of land to be held in trust.

1972

The Marine Mammal Protection Act (MMPA) is passed. In response to commercial fishing and whaling practices that led to a drastic decline in the world's whale populations a moratorium was established on the taking of marine mammals. An exemption was made for Alaska Native people living on the coast. Alaska Natives enjoy exclusive use exemptions of whales, walrus, seals, polar bear and sea otter under the mandates of the MMPA. Subsistence whale harvests became strictly regulated and clearly defines the communities in Alaska that can participate and the quotas allotted to the respective villages. All other marine mammal subsistence harvest for walrus, polar bears, seals, and sea otter is loosely regulated, there are no seasons and bag limits. The harvest must be non-wasteful and will become strictly regulated if those populations become depleted. It should be strongly noted that even after 30+ years of loose regulations the population of walrus, polar bear, and sea otter appear to be doing quite well and perhaps fully recovered.

1973

The joint Board of Fish and Game adopts subsistence priority.

1977

The world's bowhead population is estimated by the International Whaling Commission (IWC) to be between 800 and 2000. A tremendous effort on the part of Alaska Native whalers with the formation of the Alaska Eskimo Whaling Commission (AEWC) to battle the IWC's efforts to ban all hunting of the bowhead whale began. Numerous court battles and demonstrations came about as the significance of IWC's efforts reach very deep into the most revered subsistence activity.

1978

The State of Alaska adopts its own Subsistence Law. The Division of Subsistence is created to study and document subsistence uses.

1980

The Alaska National Interest Lands Conservation Act (ANILCA) is passed. ANILCA another landmark federal act pertaining to subsistence in Alaska establishes new parks and refuges tipping the majority of ownership approximately 60% of Alaska to the Federal government and providing a section specifically to

subsistence and establishing a priority for subsistence on federal lands. Federal subsistence management was delegated to the state on federal lands so long as the subsistence priority was in practice.

1989

McDowell v. State of Alaska. The McDowell lawsuit filed in 1983 and the court's decision the same year was a major set back for rural subsistence users but paved the way for urban residents who were not provided a subsistence preference. The equal access clause of the Alaska constitution was the major legal argument that deemed the 1978 subsistence law unconstitutional. As a result the federal government took over management of game on federal lands in 1990 under the review of other court decisions but primarily in Madison v. Alaska Department of Fish and Game and Bobby v. State of Alaska, under the authority of ANILCA. The federal government establishes the Federal Subsistence Board and forms Regional Advisory Councils. The state still managed fisheries on federal lands within Alaska. The Federal Government directs the state to make a constitutional amendment that conforms to ANILCA or fisheries management on Federal waters will revert to the Federal Government.

1990

Katie John, et. al. v. State of Alaska. This landmark case opens the door to federal management on navigable waters. A positive finding in the case would mean that new regulations would need to be adopted to account for expanded federal fisheries.

1997

Native Subsistence whalers from Wainwright land a whale with an ancient harpoon tip made from slate embedded in its blubber. Such documented recoveries began in 1981 and continued to this year with harpoon heads made of metal and ivory, jade and slate being recovered. The recovered slate harpoon tip from the Wainwright whale is estimated to have been made around 1860-1890, putting the age of the Wainwright whale possibly over 137 years. The harpoon point that was recovered is of the style used by Native people as far south as Little Diomedede Island. Siberian hunters may have been using similar metal and ivory points into the 1960's. It has long been thought that whales live to "old" age. No one knows for certain how long whales can live. Baleen studies give us a clue but only a glimpse of twenty years or so; like human hair or nails the ends of baleen break off or abrade away.

1999

The federal government takes over fisheries management on federal waters in Alaska under the provisions of ANILCA. ANILCA provides for a rural subsistence preference and prior to the McDowell decision the State of Alaska had regulations for the rural subsistence priority. The McDowell decision found the rural preference unconstitutional and U.S. Congress gave the State of Alaska time to adopt regulations that would allow for the rural subsistence preference. A rural subsistence preference could only be provided for with a constitutional amendment that would allow rural residents a priority. No such

amendment occurred and consequently federal subsistence fishery management was transferred to the federal government.

2000

The Alaska Migratory Bird Co-Management Council is formed. The council, comprised of twelve Native representatives, one Federal and one State representative are tasked with the issue of developing spring and summer migratory bird subsistence regulations for the closed season. The efforts of the Native Migratory Bird Working Group in the previous years led to its formation. [Click here for information about the Kawerak, Inc. Migratory Bird Program.](#)

The U.S. Court of Appeals upheld the ruling in *Katie John, et. al. v. State of Alaska*. This court case is representative of a long standing battle between the federal and state government and affects the balance of management authority of fisheries. As a result the federal subsistence priority applies to navigable waters within Alaska.