

Alaska Board of Game

Nelchina Caribou and Bear Trapping Regulations

October 8-12, 2010

## **Advisory Committee Comment Index**

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AC1

**FAIRBANKS ADVISORY COMMITTEE COMMENTS  
BOARD OF GAME, OCTOBER 8 – 12**

The Fairbanks Fish & Game Advisory Committee (FAC) met on September 29, 2010 for the purpose of addressing and commenting on proposals related to Nelchina caribou hunting. Twelve of 15 members were present, a quorum was established, and discussion ensued regarding the individual proposals and the best overall management plan. FAC recognizes that the current regulatory and legal issues involving Nelchina caribou are likely too complex for the Board to simply adopt one of the published proposals. It is likely the Board will consider several of the ideas raised in the proposals, and based on public comments received prior to and during the meeting, will create a comprehensive Nelchina caribou management plan. A plan that is non-discriminatory, biologically sound, and administratively feasible.

Rather than simply focus on the immediate need for regulations for the winter hunt in 2010-2011, the FAC suggests that the Board instead adopt a comprehensive management plan that will 1) direct Nelchina caribou management for several more years, 2) will satisfy the concerns of most stakeholders, and 3) will be consistent with State law. In 1990 following the McDowell decision, the Attorney General's office advised the Board to ask "whether the existing subsistence hunt can be open to all Alaskan likely to desire to participate in that season without jeopardizing either sustained yield or a reasonable opportunity for those participants." (See, Exhibit B, pg. 4). If so, no Tier I or Tier II hunt was required.

In advice to the Board at that time, the Attorney General identified a continuum of subsistence hunts. The Nelchina hunt best fits the following description:

In the middle of the continuum are those situations in which the subsistence hunt must be restructured before everyone desiring to participate can, and it can be so restructured. The question then becomes whether the authorized season, bag limit, methods and means, etc., provide a "reasonable opportunity" or not. Each hunt in this category must be viewed as a matter of degree. Some situations will clearly constitute unreasonable opportunity – for example, a two day season restructured from a 40-day season would probably fall into that category. We would recommend that the Board put as high a priority as possible on addressing those situations which most clearly would not provide reasonable opportunity and convert those to Tier II. Other situations will be arguably on the reasonable side of the dividing line between reasonable and unreasonable opportunity. (See, Exhibit B, pg. 6-7).

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Because of FAC's extensive long-term involvement in developing and refining regulations affecting the Fortymile caribou herd, we believe that the best approach to managing the Nelchina caribou herd in the future is to follow the model established by the current Fortymile Herd Harvest Plan. A copy of the 2006-2012 Fortymile Caribou Herd Harvest Plan is attached to these comments as Exhibit A. This plan was modified by the Board in 2010 to successfully address issues involving over-harvest in the fall, 2009 season.

There are many similarities between the Fortymile and the Nelchina caribou herds. Both herds have 1) experienced dramatic population changes over the years, and both currently number approximately 45,000 animals, 2) both herds are managed under the State's intensive management (IM) law, 3) both herds are road accessible, 4) both herds are desired by large numbers of diverse Alaskans, 5) the ANS for Nelchina is 600 – 1,000, and the ANS for Fortymile is 350 – 400, and 6) the Nelchina harvest objective is 2,300, the Fortymile harvest objective is 850.

We have considered the following numbered proposals and have grouped them for comment based on the type of hunt plan they advocate.

#### **Proposals 1, 4, 8, 10, 12, 17, 19 and 30**

Drawing Permit: Though a drawing permit is attractive for many reasons, we currently oppose a general drawing at this time because the Board still considers this road accessible area a "subsistence area". Because of this, the Board must provide a "reasonable opportunity" to meet the Amount Necessary for Subsistence (ANS) of 600 – 1,000. Because the federal harvest is approximately 400 caribou, the remainder of the ANS should be provided for in the State hunt, and every Alaskan must have an opportunity to participate. A drawing hunt would deny an opportunity to those not drawn. The FAC has previously advocated for the Nelchina basin to be a "non-subsistence area." This would eliminate most problems with managing this hunt, and allow a drawing hunt open to all Alaskans on an equal basis. In 2008, the Board, in a split vote, decided that in the Nelchina basin "subsistence is a principal characteristic of the economy, culture and way of life in the area." AS 16.05.258(c). The Board could

use Proposal 30 as the springboard to make all (or part) of Unit 13 a non-subsistence area. It should call a joint Board meeting at the March 4 – 10 in-cycle meeting.

### **Proposals 17, 20 and 21**

#### Local preference

This is illegal.

### **Proposals 18 and 24**

Rotational Tier I or rotational drawing: This is the next best solution to a registration hunt. The drawback is it would limit subsistence users to, at best, one caribou every four years. Although the Board previously has found that non-AHTNA users only needed one caribou every four years, the court has struck that finding.

AHTNA village residents can harvest two caribou a year under liberal federal seasons. If non-federally qualified users agreed to a 1 caribou in every 4 year limit, and the Board made a finding supported by actual evidence, a rotational drawing is possible and legally defensible. This proposal is fair to all and would treat all urban Alaskans equally. Rural residents could still harvest two caribou every year under federal rules.

### **Proposal 26**

This would restore a community harvest hunt for those AHTNA residents who wanted someone else to legally fill their Tier I, Tier II, drawing, or registration tag.

The Community Harvest Statute only legitimizes "party hunting". The court has held the Community Harvest Statute cannot be used to provide a residence based preference. By the Department's own assessment, the 2009 AHTNA CHP was an administrative disaster. (See, Exhibit C, ADF&G Report to the Board). The Board needs to abandon its CHP experiment.

### **Proposal 27**

This ADF&G proposal would either extend or replace the currently planned winter Tier II unit.

The proposal assumes (wrongfully) that a Tier II hunt needs to be implemented. A special subsistence only hunt is not required when 1) the harvestable surplus exceeds the ANS and 2) the Board makes the requisite finding that the existing federal hunt, combined with a rotational Tier I general harvest or registration hunt, provides "a normally diligent subsistence user with an opportunity that provides a reasonable expectation of success". If the Board extends its emergency authorization, a Tier II hunt this winter (despite lack of public comment and other requirements of the Administrative procedures Act), it will be more difficult to get out of it next year, or ever, and the Board will have unnecessarily continued to perpetuate the most controversial hunt in the state. We urge the Board to get rid of Tier II and switch immediately to a registration hunt. If the herd crashes and the harvestable surplus falls below the ANS, then, and only then, will Tier II have to be revived.

The Board has recently made these necessary "reasonable opportunity" findings with 1) the Minto moose hunt (eliminating Tier II because harvestable surplus exceeds ANS), 2) the Fortymile caribou hunt (registration fall and winter hunt combined with additional federal opportunity satisfied the "reasonable opportunity" test), and 3) Unit 13 moose. In 2009, this Board found that a harvest of 735 moose in an area with an ANS of 600 justified both elimination of the Tier II moose hunt **and** a non-resident season. The Board needs to be consistent in applying criteria to remove a hunt from Tier II.

Statewide, the Board has consistently found "reasonable opportunity" when the harvest exceeds ANS. The Nelchina caribou should be no exception.

**THE NELCHINA SHOULD BE A REGISTRATION HUNT**

The FAC unanimously approved these written comments and the recommendation for a registration hunt modeled after the successful Fortymile registration hunt.

Currently, the Nelchina herd is estimated at 45,000 animals, 5,000 animals above the high end of its current population objective. According to ADF&G, a minimum of 1,500 bulls and 800 cows should be taken during the 2010-2011 hunting season. With a population of 5,000 animals above the previous population objective, and with a previous harvest objective of 800 animals based on a population estimate of any 31,000

animals, 5,800 Nelchina caribou (5,000 above the population objective, plus 800 animals comprising the previous harvest objective) could be harvested while keeping the herd within the population objective and carefully managing growth with a cow harvest.

In March, 2010, this Board established the amount necessary for subsistence at 600 – 1,000 caribou, with 600 in the State harvest and 400 in the federal harvest. In the fall, 2009 – winter, 2010 season, only 428 caribou were harvested in the State hunt, 127 in the AHTNA Community Harvest Hunt, 277 in the Tier I lottery hunt, and 348 caribou were harvested in the Federal Subsistence Hunt for a total harvest of 776. This low harvest, combined with very low relative participation rates in the CHP hunt, likely contributed to the increase in the herd's size. It is clear that the Nelchina herd can sustain a much higher harvest than previously provided, and a maximum sustainable harvest is mandated by the IM.

Just as it does for Fortymile caribou, the Board can provide a "reasonable opportunity" for subsistence harvest through a closely monitored fall and winter registration hunt. AS 16.05.258(f) defines a reasonable opportunity as "...opportunity that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking of fish or game." When adopting the Fortymile hunt plan, the Board found the required reasonable opportunity was provided with a registration hunt, particularly when the State hunt was considered in combination with the federal subsistence opportunity. The Fortymile permit is a joint Federal/State permit. This means the Federal Subsistence managers agree that the State hunt provides a reasonable opportunity for federally recognized (rural) users, even with its delayed August 29 opener and rapid closure (authority). In the Nelchina Basin, the Federal season lasts several months longer than the State season and the limit is two caribou per person. If the Board is still inclined to separately consider the needs of the AHTNA communities and what constitutes "reasonable opportunity" for them, it should know that 413 hunters signed up for the extremely liberal Community Harvest hunt and they only harvested 81 caribou. The Board can never provide a guaranteed harvest to any subsistence user, and a fall and winter registration hunt to harvest 2,300 caribou provides "reasonable opportunity".

Enhanced predator control efforts in the Nelchina area, combined with a relatively low level of human harvest, have contributed to the growth of this herd. We believe the Board should take another look at the population objective, and if appropriate, modify the number upward to a high end of 50,000 animals.

The Board should to revisit the current population objective at its meeting. The IM law requires this. Doing so would open up more management options, while reducing the level of conflicts among competing user groups and reducing the opportunity for judicial challenges.

Initially, the Nelchina registration hunt could be separated into three zones, again modeled after the Fortymile plan. Zone 1 could encompass the Parks Highway/Glenn Highway road accessible areas, Zone 2 could be comprised of the remote areas, and Zone 3 could be bordered by the Richardson and Denali Highways. Just as in the Fortymile country, Zones 1 and 3 could be expected to have high participation levels, particularly in the fall hunt. Zone 2 could likely remain open throughout the fall season without risk of over-harvest.

A short fall season opportunity in Zones 1 and 3, mandated prompt reporting, combined with emergency early closure authority for managers, and a much longer opportunity in Zone 2, could provide for the orderly and fairly distributed harvest of some of these surplus animals. A reasonable opportunity for subsistence would certainly be satisfied, because even residents of the eight AHTNA villages would have significant opportunity to 1) harvest Nelchina caribou in any zone during the fall season, 2) throughout federal lands during the lengthy federal season, and 3) during the State winter season.

After the fall harvest quota is met, the State season would close until the winter hunt. AHTNA residents could continue hunting on their Federal permits. The winter hunt could again be divided into zones under the same zones, or different zones depending on traditional herd movements and an extended winter hunt could be held based on historically low participation levels, and a decreased risk of over-harvest.

The FAC firmly believes, based on the successful implementation of the Fortymile plan, that the decades long problems with the Nelchina caribou hunt can be addressed by abandoning the divisive and controversial Tier II hunts and managing the

hunt similar to the Fortymile hunt. The strongest opposition is likely to come from AHTNA, Inc., who will continue to promote a discriminatory community residence harvest preference. As long as the Board does not forget that 1) there are thousands of surplus Nelchina caribou that should be harvested under the IM law, 2) that the ANS is only 600 – 1,000, and that 3) a reasonable opportunity for subsistence users is provided for with a combination of State and federal hunts, the Board should recognize that it can, and should, manage the Nelchina hunt as a registration hunt rather than under a Tier I, Tier II, or CHP regime.

The Board must find that a registration hunt open for all Alaskans, AHTNA or non-AHTNA, “provides a normally diligent participant with a reasonable expectation of success of taking a Nelchina caribou”. This regulation change would 1) comply with all Alaska statutes, court decisions, and most importantly, the Constitution, 2) establish a mechanism for easily increasing or decreasing harvest depending on current population estimates, and 3) provide a predictable hunting opportunity for all Alaskans on an equal basis. A closely monitored hunt would limit the opportunity for over-harvest and keep the herd size stable.

If the Board does not believe a fall and winter State registration hunt, combined with a seasonal long federal hunt, still does not provide a reasonably diligent participant with a reasonable opportunity to harvest the Nelchina caribou, the FAC believes it should implement a rotational Tier I drawing available to all Alaskans equally. Tier II hunts are inherently divisive and discriminatory, and the court did **not** require the Board to reinstate Tier II.

AS 16.05.258(4) is the only legal mechanism for instituting a Tier II hunt. To get to Tier II, the Board first must find “...the harvestable portion of the stock or population is not sufficient to provide a reasonable opportunity for subsistence uses.” With an ANS of 600 - 1,000 animals from a herd that has exceeded its population objective by at least 5,000, and on which the State is proposing a minimum harvest of 2,300 animals, the Board cannot legitimately make this prerequisite finding, and cannot legally distinguish among individual Alaskans on a Tier II level. In 2009, the Board eliminated Tier II for Unit 13 moose after finding that the harvest (735) was well above the 300 – 600 ANS range. With a minimum recommended caribou harvest more than two times the upper



end of the ANS range, the Board needs to be consistent and eliminate this perennial problematic Tier II hunt.

At the October, 2010 meeting, the Board will be presented with the most up-to-date information on the fall, 2010 harvest. Based on that information, it must enact regulations for the winter, 2011 hunt. The court's decision unfortunately has apparently been interpreted by the Department (or the Attorney General) to require the Board to institute another Tier II hunt, however, we believe that if the Board made the appropriate findings as to 1) the "reasonable opportunity" for subsistence being offered, and 2) that the current harvestable surplus greatly exceeds ANS, then a registration hunt could occur this winter. A hunt that could remain open to all Alaskans equally until the harvest objective was met.

If the Board is concerned that too many Alaskans would register and participate there are a number of alternatives available to the Board including 1) a delayed fall opener, 2) limited access provisions, or 3) no individual may be issued more than one caribou registration permit at any time during the season.

The public in general would approve of this hunt, diligent subsistence users would get their meat, and no special interest group could convince a court that the hunt was discriminatory and illegal under the common use clauses of our State Constitution.

Respectfully submitted,

Fairbanks Advisory Committee

# FORTY MILE CARIBOU HERD HARVEST PLAN 2006-2012



This plan was developed by a coalition of the, Fairbanks, Upper Tanana/Fortymile, Central, Delta Junction, and Eagle Advisory Committees and the Eastern Interior Regional Subsistence Advisory Council in cooperation with Yukon Fish and Wildlife Management Board, Yukon Department of Environment, Yukon First Nations and the Alaska Department of Fish and Game.

Adopted by the Board of Game in March 2006  
Endorsed by the Federal Subsistence Board in May 2006

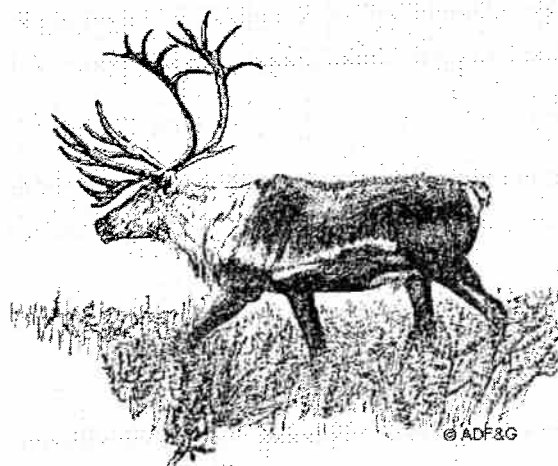


## INTRODUCTION

This plan has been developed as a guide for managing harvest of the Fortymile Caribou Herd (FCH) in Alaska from 2006 through 2012. This plan retains many of the provisions of the first harvest plan for Fortymile caribou that guided harvest of the herd between 2001 and 2005. As was the case with the previous plan, the Fortymile Caribou Herd Harvest Plan 2006–2012 (“Harvest Plan”) was developed by representatives from the Central, Delta Junction, Eagle, Fairbanks and Upper Tanana/Fortymile State Fish and Game Advisory Committees (F&GACs), and the Eastern Interior Regional Advisory Council (EIRAC). Important contributions were added by participants from the Yukon Fish and Wildlife Management Board, the Yukon Department of Environment and Yukon First Nations. The Alaska Department of Fish and Game Division of Wildlife Conservation provided support in developing the plan.

The Harvest Plan includes recommended actions and regulations governing overall herd harvest levels, allocation of harvest between Alaska and Yukon and between different areas in Alaska, and harvest management options (permits, seasons, bag limits, methods and means). It also includes other information to help guide future decisions regarding harvest of Fortymile caribou, including herd history and historic harvest data. The Harvest Plan was developed in the spring and summer of 2005 for review by the involved advisory committees, the EIRAC and the public during fall 2005. The Alaska Board of Game (BOG) endorsed the plan at its meeting in March 2006 and the Federal Subsistence Board (FSB) passed a resolution in support of the plan in May 2006.

The specifics of managing the Yukon FCH harvest allocation will be developed by the Yukon Fish and Wildlife Management Board, the Yukon Department of Environment and Yukon First Nations.



## BACKGROUND

### FORTY MILE CARIBOU HERD PLANNING

The Fortymile Caribou Herd Management Plan ("Management Plan") was completed in October 1995 by the Fortymile Caribou Herd Planning Team. The primary purpose of the Management Plan was to help restore the FCH to its former range and abundance. It addressed many aspects of herd management and included provisions to reduce caribou mortality by decreasing harvest and by implementing a non-lethal predator control program. The plan provided a guide to management of the FCH from 1995 through 2000. During that time harvest of Fortymile caribou was limited to a quota of 150 bulls per year.

In 1999, with the herd increasing in size and the Fortymile Caribou Herd Management Plan soon to expire, several state fish and game advisory committees began a cooperative effort to develop a framework for expanding opportunities to harvest the herd. This initial harvest plan provided for increasing the harvest quota from 150 bulls per year to 2-3% of the estimated population size and allowed for annual quota increases if the herd grew by 10% or more in the previous year. ADF&G conducted periodic photo census counts and modeled annual population trends to estimate herd population size and growth rate. The Alaska BOG endorsed the 2001-2006 Harvest Plan and adopted new FCH hunting regulations in March 2000. The FSB approved the plan and revised regulations later that spring.

In the winter of 2004-2005, with the 2001-2006 Harvest Plan nearing its end and in order to produce an update within the BOG's two-year meeting cycle, the involved advisory committees began reviewing information on FCH population status and harvest and generating ideas for a *new* harvest plan. On July 7, 2005, representatives of the Delta Junction, Eagle, Fairbanks and Upper Tanana/Fortymile Advisory Committees (Central Advisory Committee was unable to attend), the EIRAC, the Yukon Fish and Wildlife Management Board, Yukon Department of Environment and the T'rondeĥ Hwĕchĥin First Nation, met in Tok to discuss the FCH population and harvest and seek agreement on recommendations to be included in an updated harvest plan. Staff from Alaska Department of Fish and Game, Divisions of Wildlife Conservation and Subsistence, the Bureau of Land Management, the Tetlin National Wildlife Refuge and the National Park Service provided technical support for this meeting.

Participants in the July 7 meeting reached agreement on the basic provisions of the draft plan which were circulated for review and comment by the F&GACs, EIRAC and the general public. The key points that emerged from the meeting that are a basis for this Harvest Plan include:

- The FCH, with the latest population estimate at 40,000 (2005) down from 43,375 (2003), has not grown as rapidly as envisioned in the initial harvest management plan.

- The group reaffirmed the commitment to support growth of the FCH so that it will continue to expand into its historic range in both Alaska and the Yukon and to provide for greater harvest.
- The harvest quota for Alaska should remain at 850 caribou, with up to 25% cows, until the herd reaches 50,000 caribou.
- Because the ADF&G has less funding available for extensive monitoring of the FCH, the new harvest plan needs to be implemented within a more standard survey and inventory program.
- Because the FCH is an Intensive Management population under Alaskan law, and because the mortality over the last two years has exceeded the calf production, it is *absolutely* necessary to implement a lethal wolf predation control program specifically designed for the FCH to ensure the herd reaches the Intensive Management (IM) population *and harvest* objectives within a reasonable time-frame.
- ADF&G research shows 88% of the annual mortality in the Fortymile Herd was caused by predators and only 5% is "harvest" by hunters.
- The harvest quota will rise to 1,000 when the pre-calving population reaches 50,000.
- The wolf sterilization project (1997-2001) is not producing a long term increase of the FCH.

#### HERD POPULATION GROWTH

Estimates of the size of the FCH in the 1920s were within 350,000-568,000 animals and the herd's range encompassed some 85,000 square miles, extending from Whitehorse, Yukon, to the White Mountains north of Fairbanks, Alaska. Population estimates from around 1950 were 46,000-60,000. By the 1970's the population declined to an estimated low of 5,000 animals. Since 1973, the herd has occupied only a small portion of its previous range. For example, the herd seldom crossed into Yukon in significant numbers during the 1970's, 1980's and 1990's. Between 1974 and 1990 the herd grew slowly to about 23,000 caribou. The herd population remained at that level until 1995 due largely to low calf survival. In 1995 the FCH was estimated at 22,000 to 23,000 animals. An intensive private wolf trapping effort, nonlethal predator control, favorable weather conditions and reduced hunting pressure enabled the population to increase to 43,375 caribou by 2003 (Figure 1). The FCH has not increased numerically as envisioned in the previous Harvest Plan, which projected a FCH population of 57,000 or more by 2003, and 70,000 or more by 2005.

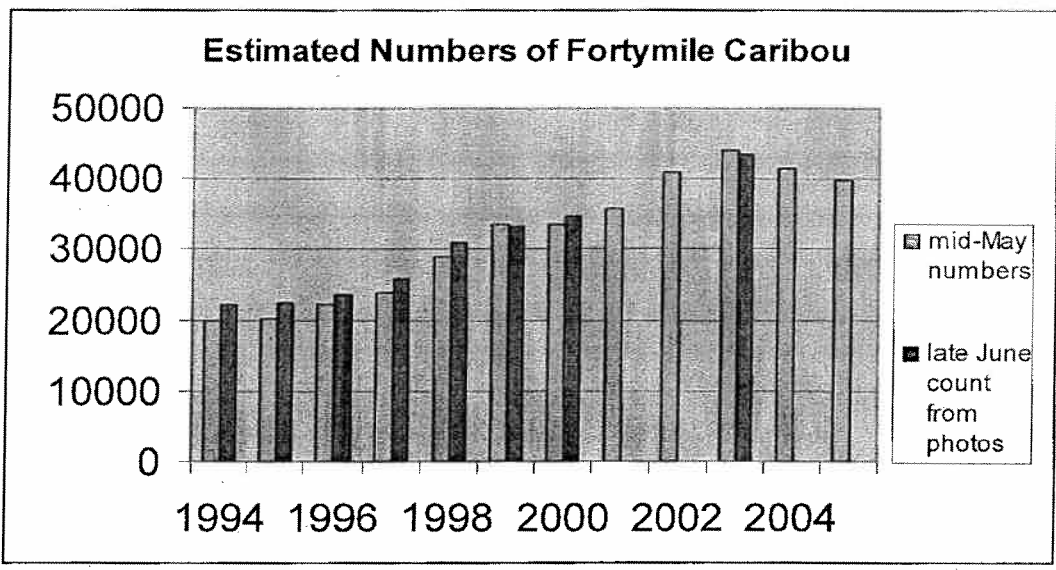


Figure 1: Estimated numbers of Fortymile Caribou 1994–2005

In 2001 the herd crossed the Steese Highway for the first time in about three decades. By November 2002 over 30,000 FCH animals were in Yukon, Canada and 5,000 were north of the Yukon River near Dawson. This was the first time since the early 1960s that Fortymile caribou crossed the Yukon River and a vast majority of the herd wintered in the Yukon.

In mid-May 2004, the FCH population decreased to an estimated 42,000 caribou. This decline was likely due largely to a very low percentage of births in the herd during 2003 (69% birthrate). This low percentage of calves likely occurred because of adverse summer weather in 2002 that caused poor body condition in cows and decreased the 2003 pregnancy rate.

The FCH population further declined to an estimated 39,700 caribou by early May 2005. This estimate was derived from the early May 2004 estimate, spring 2004 calving ground surveys, fall 2004 composition counts, and winter mortality rates estimated from the number of radiocollared caribou that died during the winter of 2004-2005. Elevated mortality of calves and adults during the winter of 2004 – 2005 was caused by increased predation during adverse weather.

**HARVEST**

The FCH historically provided much of the food for earlyday residents. From the late 1800s to World War I, it was subject to market hunting in both Alaska and Yukon. Before the Taylor Highway was constructed in the mid-1950s most hunting was concentrated along the Steese Highway and along the Yukon River above Dawson. During the 1960s,

hunting was concentrated along the Steese and Taylor highways in Alaska and the Top of the World Highway in Yukon. From the mid 1970s through the 1980s, FCH hunting regulations were designed to benefit local hunters and to prevent harvest from limiting herd growth. Bag limits, harvest quotas, and season openings were primarily used to meet these objectives. Hunting seasons were deliberately scheduled to avoid the period when road crossings were likely. Consequently, hunter concentration and harvest distribution shifted from highways to trail systems accessed from the Taylor and Steese highways and to areas accessed from small airstrips within the Fortymile and Charley river drainages.

Harvest was further restricted during the 1990s to ensure little impact on herd growth. Harvest regulations also became increasingly complex due to a change in Alaska's subsistence law that resulted in federal management of subsistence uses of the FCH on federal lands. During this period, many residents within the herd's range were unhappy with the ineffectiveness of dual federal and state management in administering the hunts and bringing about a herd increase.

During regulatory years 1996–1997 through 2000–2001 [regulatory year (RY) begins 1 July and ends 30 June; e.g. RY00 = 1 Jul 2000 through 30 Jun 2001], under the Fortymile Caribou Herd Management Plan, the harvest quota was 150 bulls. Since fall 1996, ADF&G and federal subsistence staff have managed the fall and winter Fortymile caribou hunts using a joint Federal Subsistence/State Registration permit. One permit is used and all hunt reports are returned to ADF&G. Federally-qualified subsistence users can begin hunting on federal public lands 15–30 days before other hunters.

The 2001–2006 Harvest Plan recommended a conservative annual harvest rate of about 2–3% to be divided between Alaska and Yukon. Sixty-five percent of the annual harvest was allocated to Alaska and 35% to Yukon. During this time, the T'rondeĥ Hwēchĥn First Nations chose to forego their hunting rights and the Yukon Department of Environment opened no seasons when the FCH wintered in Canada, so that the Canadian harvest quota could be reallocated to herd growth.

Under the 2001–2006 Harvest Plan, if a growth rate of approximately 10% was not achieved in a particular year, the harvest objective for that hunting season was reduced to the level of the previous year. Because the Fortymile Caribou Herd grew at less than 10% per year and declined after 2003, the annual harvest quota remained at 850 per regulatory year except in FY02 when the quota was set before an accurate population estimate was made. The Alaska quota was further divided between fall-harvest (75%) and winter-harvest (25%) (Table 1). The fall quota was allocated between 3 areas based on historical take and herd migration. The Steese Highway-Central area was assigned 35% of the fall harvest objective; the Salcha-Goodpaster roadless area was assigned 15%; and the Tok-Taylor Highway area was assigned 50%. A different registration permit was used for each of these 3 areas, and areas were closed by emergency order if their quotas were filled. Registration permit boundaries were changed several times to alleviate the need for most hunters to obtain more than 1 permit to hunt a particular area and to accommodate changes in herd movements and range expansion.

ACT

Table 1. Alaska harvest quota allocation.

Area	Regulatory Year			
	2001-2002	2002-2003	2003-2004	2004-2005
Steese/Chena Hot Springs Area (35%)	230	250	230	230
Taylor Highway Area (50%)	320	355	320	320
Salcha-Goodpaster Roadless Area (15%)	90	105	90	90
<b>Fall Hunt Total Quota</b>	<b>640</b>	<b>710</b>	<b>640</b>	<b>640</b>
Steese/Chena Hot Springs Area	N/A <sup>a</sup>	95	125 (181) <sup>b</sup>	125 (181) <sup>b</sup>
Taylor Highway Area	N/A <sup>a</sup>	145	85 (121) <sup>b</sup>	85 (135) <sup>b</sup>
<b>Winter Hunt Quota</b>	<b>210</b>	<b>240</b>	<b>210 (302)<sup>b</sup></b>	<b>210 (335)<sup>b</sup></b>
<b>Total Quota</b>	<b>850</b>	<b>950</b>	<b>850</b>	<b>850</b>
ACTUAL HARVEST	693	864	800	840
NUMBER OF PERMITS ISSUED	4537	4156	5718	4212 <sup>c</sup>

<sup>a</sup> The winter quota was not allocated by area until regulatory year 2002-2003.

<sup>b</sup> This number is the remaining unfilled quota, which equals the winter quota allocation plus the unfilled portion of the fall quota.

<sup>c</sup> The 3 fall registration permits were combined into one permit so hunters were not issued multiple permits to hunt Fortymile caribou in different places during the fall season.

Animals not harvested under the fall quota were reassigned to the winter hunt quota, except in RY01, when the unfilled portion of the fall quota was put toward herd growth. During RY02-RY05, 60% of the winter quota was allocated to the unit in which most of the herd was located at the time, along with Units 20D and 20B, while 40% was assigned to the unit where the minority of the herd ranged. During this timeframe, Unit 25C, along with 20B and 20D, received 60% of the winter harvest quota during 3 of the 4 years. This allocation of the winter quota allowed harvest across the winter range, and prevented the season in one area being closed because the entire winter quota had been taken in another area.

The 3 fall registration permits were combined in RY04. Harvest quotas for the different areas were retained and portions of the hunt area were closed by emergency order if harvest quotas were filled. This reduced confusion and eliminated the problem of multiple permits being issued to individual hunters who wanted to hunt Fortymile caribou in more than one area during the fall.

Concerns about increased hunting pressure on the moose population in Unit 20E, led to establishment of caribou/moose registration hunts in RY02 under which hunters were only able to possess a registration permit for one species at a time in most of Unit 20E. This was intended to prevent excessive incidental harvest of moose in Unit 20E by FCH hunters.



## ADVISORY COMMITTEE COALITION MANAGEMENT RECOMMENDATIONS

### GOALS AND OBJECTIVES

#### *Goals*

**Primary goal:** Promote continued growth of the FCH to meet intensive management population and harvest objectives and restore it to its historic range in both Alaska and Yukon.

**Secondary goal:** Increase the allowable harvest of the FCH when the herd grows.

#### *Objectives*

Promote and support management actions to obtain the following FCH Intensive Management Objectives established by the BOG:

- Population objective of 50,000–100,000
- Harvest objective of 1,000–15,000 caribou.

### HARVEST MANAGEMENT

#### *Harvest Rate*

- Maintain a conservative harvest rate of approximately 2–3% of the herd population.

#### *Allocation of Harvest Between Alaska and the Yukon Territory*

- 65% of the harvest will be allocated to Alaska and 35% to Yukon. This effectively means that Alaska's harvest allocation is approximately 2% of the FCH population and 1% is allocated to the Yukon.

#### *Alaska Harvest Quota*

- Maintain an annual harvest quota of 850 caribou ( $\pm 15\%$ ), with no more than 25% of the harvest being cows.
- When the FCH (pre-calving) population reaches 50,000 or more animals the harvest will be increased to 1,000 caribou.
- Through information and education programs, encourage hunters to take bull caribou rather than cows in order to keep cow harvest at less than or equal to 25% of the harvest.

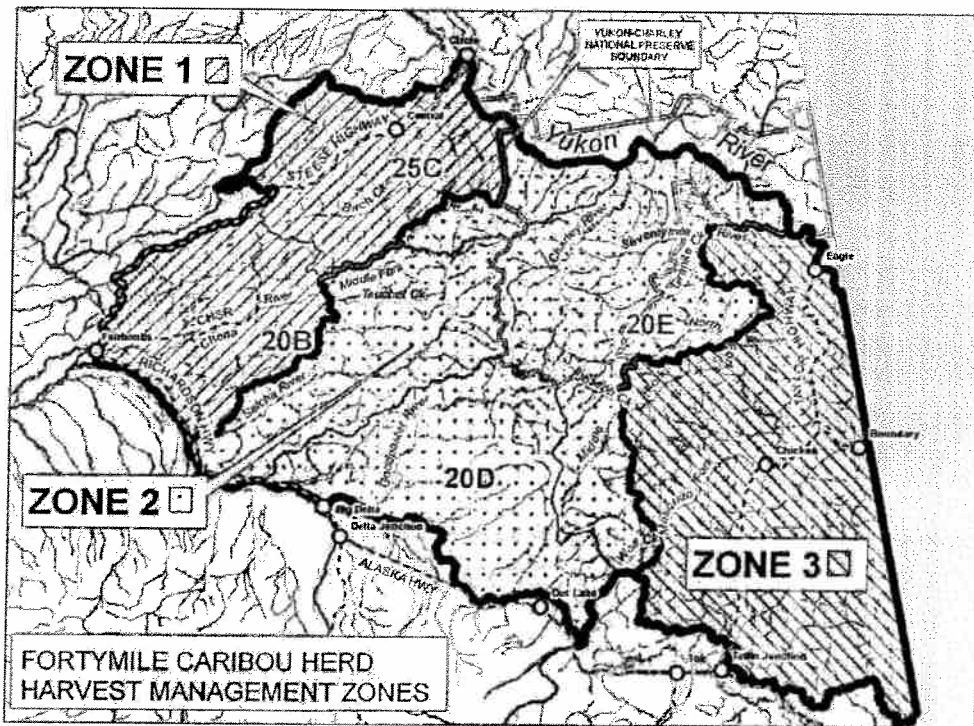
The intent is to keep the average FCH harvest within the 850 quota, but to allow up to a 15% variation in a single year. If the quota is either not reached or exceeded in one year,

harvest allocation may be adjusted the following year to compensate.

There is concern that if bull-only bag limits are applied, increased waste might result if hunters inadvertently take cows and do not salvage them. When hunters are allowed to choose between bulls and cows during the fall season, experience with the FCH and other herds has shown that 60% to 80% of hunters select for bulls. In addition, because of the difficulty in differentiating between cows with antlers and young bulls with antlers, cows are often illegally harvested during bull-only hunts. By allowing either-sex harvest, illegal harvest related to mistaken harvest of cows is eliminated and cows that might be wasted are utilized. In addition, the either-sex season allows hunters to select for cows when the meat quality of bulls is poor at the onset of the rut in late September. To protect against the over-harvest of cows, the cow harvest has been limited to 25% of the annual harvest. A portion of the cow quota is reserved for the winter season. Hunter education is intended as the main mechanism to keep cow harvest at 25% or less.

*Harvest Management Zones*

Fortymile caribou herd harvest should be managed so that hunters in different parts of the herd's range all have hunting opportunity. The following zones are intended to help manage and distribute FCH harvest (see map of zones below):



**Zone 1:** The road and trail accessible portion of the herd's range in the vicinity of the Steese Highway and Chena Hot Springs Road.

**Zone 2:** Generally, the portion of the herd's range that has few roads and trails and access is more difficult. This zone extends down to the Richardson Highway but very few, if any, caribou occur near the highway where they might be available for harvest.

**Zone 3:** The road and trail accessible portion of the herd's range in the vicinity of the Taylor Highway.

A written description of the areas included in Zone 2 is as follows:

Unit 20E

1. The Charley River drainage.
2. The Seventymile River drainage upstream from and including the Granite Creek drainage.
3. The North Fork of the Fortymile River drainage upstream from, but not including the Champion Creek drainage.
4. The Middle Fork of the Fortymile River upstream from and including the Joseph Creek drainage.
5. The Mosquito Fork of the Fortymile River drainage upstream from and including the Wolf Creek drainage.
6. The drainages within Unit 20E flowing into the Yukon River downstream from the confluence of the Seventy Mile River and Yukon River.

Unit 25C

That portion draining into the South Fork of Birch Creek and the portion within the Yukon-Charley Rivers National Preserve.

Unit 20B

That portion of the Middle Fork of the Chena River drainage upstream from and including the Teuchet Creek drainage and all of the Salcha River drainage.

Unit 20D

That portion north of the south bank of the Tanana River.

*Allocation Among Different Seasons and Harvest Management Zones*

- 75% of the Alaska harvest quota will be allocated to the fall hunt.
- Fall quota: Zone 1, the Steese Highway-Central and Chena Hot Springs Road area will be assigned 30%; Zone 2, the roadless less accessible areas in the range of the herd, will be assigned a minimum of 25% (additional harvest would be permitted from this zone if caribou were not accessible in either of the other zones, but not to exceed the fall quota); and; Zone 3, the Tok-Taylor Highway area will be assigned 45%.
- 25% of the harvest quota and any surplus from the fall quota will be allocated to the winter hunt.

- Winter quota: 60% will be allocated to the road accessible zone (either Zone 1 or Zone 3) where the majority of the herd is located immediately prior to the opening of the winter season. The remaining 40% of the quota will be assigned to the remaining road accessible Zone. Zone 2 will remain open until the winter quota is reached. Large numbers of caribou are not expected to be readily accessible in this Zone.
- This will allow harvest across the winter range, and prevent the season in one area from being closed because the entire winter quota is taken in another portion of the hunt area.

*Hunt Management Recommendations*

- ADF&G and federal subsistence program managers should cooperatively manage the fall and winter FCH hunts and continue using a single joint state/federal registration permit.

Participants in the July 7 meeting agreed it is important to maintain a single state/federal registration permit. A registration permit hunt provides important data necessary for timely management of hunts with harvest quotas. A short reporting period is required to manage harvest within the quotas. ADF&G will close all or parts of the state seasons when the harvest quotas for those areas are met. The ADF&G will also work with federal subsistence hunt managers to seek closure of federal seasons when harvest quotas are met, if qualified federal subsistence users have had sufficient opportunity to harvest caribou.

Because of high hunting pressure and low moose numbers in Unit 20E, hunters should not be allowed to possess a Fortymile Caribou registration permit (RC860) and a Unit 20E moose registration permit (RM865) at the same time. Hunters may harvest both species, but should not possess both permits at the same time. Traditionally, caribou hunters and moose hunters have hunted at different times in different areas. This recommended restriction is intended to allow hunters maximum opportunity to hunt their intended quarry without further restricting the moose season.

- In the future, if the FCH reaches a higher population, management of the hunt under a general harvest ticket, instead of a registration permit, should be considered.

*Seasons and Bag Limits*

The hunting season for the Fortymile caribou herd should be split between a fall hunt and a winter hunt. The split season facilitates hunting during the traditional fall season and allows some communities to take advantage of the proximity of the caribou during the winter. This plan recommends hunting from August 10 to September 30 (fall season) and from December 1 to February 28 (winter season). The federal subsistence winter season will open a month earlier than the state winter season.

- ADF&G should have the authority to announce a 1- to 3-day season for resident

hunters to harvest caribou on state managed lands in the American Summit area near Eagle between October 20 and November 30.

To offer fall hunting opportunity in the Eagle area, this plan recommends that ADF&G have the authority to announce a 1- to 3-day season for resident hunters to harvest caribou on state managed lands in the American Summit area between October 20 and November 30. Permits will only be available in Eagle. This season will be opened if: (1) there has been insufficient local opportunity in September to harvest caribou, and (2) Fortymile caribou are present in the area. This hunt will be conducted as a registration permit hunt and every effort will be made to maintain the harvest at no more than 30 caribou. The animals harvested during this hunt will be counted toward caribou harvested under the winter quota for the Tok-Taylor Highway area. This hunt is intended to accommodate residents of Eagle but would be open to all Alaska residents. If excessive harvest occurs or other problems develop with this hunt, it should be permanently suspended.

Historically, nonresident hunters have selected for large bulls and were not allowed to hunt during the winter season when it may be more difficult to distinguish bulls from cows. Restricting nonresident hunters to taking bulls only should not significantly increase the incidence of cows shot illegally. In addition, the winter hunt is important for meeting the subsistence needs of Alaska residents. Based on this hunt history and the importance of providing for Alaska resident subsistence uses, nonresidents should not be allowed to participate in the winter hunt, at least at the current FCH population level.

- The bag limit for all Fortymile Caribou Herd hunts should remain 1 caribou per regulatory year for residents and 1 bull per regulatory year for nonresident hunters until the population is demonstrated to be more than 100,000 animals, at which time changes in bag limits should be considered.
- Nonresident hunters should be allowed to participate in the fall Fortymile caribou hunt with a bag limit of one bull but there should be no nonresident seasons during the winter hunts.

#### *Hunting methods and access*

Access to the Fortymile herd in off-road areas is important to hunters and non-hunters alike. The herd will be monitored throughout the year, and information will be available to the public regarding herd distribution and movements so that conflicts between hunters and non-consumptive users will be minimized.

Some non-hunting road travelers are upset when hunters leave animal parts and viscera either in the roadside ditch or in plain view of the road. Hunters will be required under conditions of the registration permit to move viscera out of view of maintained roads. When large numbers of caribou are crossing major roads, such as the Taylor or Steese Highways, special hunt management provisions are needed to avoid the possibility of excessive harvest and to minimize public safety concerns. Because a narrow no-hunting corridor along a road (e.g., one mile either side of a highway) can be difficult to enforce, this is not the preferred method to define closed areas.

- ADF&G should manage situations where large numbers of caribou are crossing roads by enacting temporary hunting closures in clearly specified areas. Preferred methods are to temporarily close a specific drainage or other easily-delineated broader area, make such an area walk-in only, or delay a hunt opening. Hunters who are disabled and qualify for special licensing will be exempt from such closures along the Taylor and Steese highways.

*Information and Education*

ADF&G should conduct public information and education programs regarding this Harvest Plan. Hunter information specific to FCH harvest will be included on or with the registration permit. This information might include descriptions of cow and bull caribou, examples of removing viscera from view, harvest reporting requirements, signs or markers used to delineate the hunting area or closures, access routes and access restrictions. Additional educational material should also be provided to help hunters select for bulls when meat quality of bulls is good. Harvest reports will suffice to accurately monitor harvest quota allocation by area and season.

*Harvest Management in the Yukon Territory*

The specifics of Yukon harvest will be developed by the Yukon Fish and Wildlife Management Board, the Yukon Department of Environment and Yukon First Nations. It is unlikely that Yukon will begin to harvest a significant number of Fortymile caribou until the herd grows much larger and begins to regularly cross into Canada. Yukon residents believe that the herd numbered about 60,000 when Fortymile caribou last entered Yukon in numbers high enough for hunting. Any caribou not harvested by Yukon hunters will not be re-allocated to the Alaska harvest. If the number of caribou harvested does not reach the objective in a given year, the surplus will be used to promote herd growth.

*Wolf Predator Control Project*

A lethal wolf control program specifically designed to achieve the Intensive Management population and harvest objectives for the FCH was recommended as part of this plan and a wolf predation control program was authorized by the BOG at their March 2006 meeting. The program is being conducted by private citizens, similar to the other on-going wolf control programs in Alaska. The Wolf Predation Control Program previously in place for increasing moose numbers in Units 12 and 20E was expanded to include portions of the FCH range with little increase in the resources needed by ADF&G for program administration.

*Grizzly Bear Management Project*

Grizzly bear predation on caribou calves is a significant factor in reducing calf survival and herd growth. The Unit 20E Brown Bear Predation Control Area adopted by the BOG in May 2006 as part of the Upper Yukon/Tanana Predation Control Implementation Plan is primarily designed to benefit moose but should also benefit the FCH. In the Upper Yukon/Tanana Predation Control Area the BOG authorized the sale of black bear hides. It

is also legal to sell the hides of brown bears taken in the Unit 20E Brown Bear Predation Control Area. Additional actions which would encourage bear harvest should be considered by the BOG. Additional bear harvest will provide for additional herd growth and achievement of intensive management harvest and population objectives.

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Hon. Don W. Collinsworth  
Commissioner  
Department of Fish and Game

July 20, 1990

221-83-0624

465-3600

Board action in light of  
McDowell

Tom Koester  
Bonnie Harris  
Assistant Attorneys General  
Natural Resources-Juneau

You have asked for guidance on what action will be necessary by the Boards of Fisheries and Game under the decision by the supreme court in McDowell v. State, 785 P.2d 1 (Alaska 1989), and the further interpretations of the consequences of that decision by superior court Judge Cutler in McDowell v. Collinsworth, 3 AN-83-1592 Civil. This memorandum will describe what the courts have held in these cases with regard to the state's subsistence law, and then will summarize what that means for fisheries and for game.

The status of the law in light of the court decisions.

In McDowell, the supreme court held that the rural limitation in Alaska's subsistence law is inconsistent with art. VIII, secs. 3, 15, and 17, of the Alaska Constitution. The superior court decided on June 20, 1990, that the rural limitation is severable from the remaining portions of the 1986 law, and that thus the approach set out in AS 16.05.258, including the priority for subsistence uses over other uses, is still in place. In a July 12, 1990, clarification of the June decision, the superior court stated that initial eligibility for subsistence uses cannot be based on whether or not an individual has engaged in customary and traditional subsistence uses in the past.

Thus, the structure in AS 16.05.258 remains basically in place, absent the rural limitation. Under that statute, for a given fish stock or game population, if there is a harvestable surplus and if the relevant board has found a customary and traditional use of that stock, then subsistence uses must be authorized. Neither the supreme court nor the superior court found the eight criteria contained in 5 AAC 99 010(b) and used by the boards to identify whether a use is customary and traditional to be invalid. In fact in the July 12, 1990 superior court order of clarification, the court indicated that the boards could use criteria like those to determine which fish stocks and game populations were subject to subsistence uses.



Under the statute, then, if the harvestable surplus and customary and traditional use findings can be made, the boards must then provide a reasonable opportunity to engage in subsistence uses for any Alaskan resident who would be using the harvest for the purposes specified in the definition of subsistence uses:

the direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption.

AS 16.05.940(30). If a reasonable opportunity can be provided for those Alaskans likely to engage in subsistence uses, then nonsubsistence uses can be authorized on the same fish stock or game population. The situation in which all Alaskans eligible for and desirous of engaging in subsistence uses of a particular fish stock or game population can be allowed a reasonable opportunity to do so has been termed "tier one".

If a conservation problem, or increasing competition, requires a reduction in harvest, the relevant board cannot modify the subsistence regulations in a way which would provide less than a reasonable opportunity unless other uses have first been eliminated. Under AS 16.05.258, if nonsubsistence uses have been eliminated, and the relevant board is still not able to provide a reasonable opportunity at tier one for all Alaskans, we must move to tier two to determine which Alaskans will be afforded that reasonable opportunity. In a tier two situation, the statute specifies that opportunity to engage in subsistence uses must be distributed among those eligible at tier one based on three criteria:

- (1) customary and direct dependence on the fish stock or game population as the mainstay of livelihood;
- (2) local residency;
- (3) availability of alternative resources.

AS 16.05.258(c).

Of course, under both the Alaska Constitution and the

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Alaska Statutes, if any harvest would jeopardize sustained yield, all hunting or fishing -- including subsistence -- must be closed.

What this means for fisheries.

For those fish stocks for which the Board of Fisheries has made an affirmative finding that no customary and traditional uses exist, no subsistence uses need be authorized on those fish stocks, whether in rural or nonrural areas.

For those fish stocks for which the board has not made a finding one way or another about the presence of customary and traditional uses, it is our assessment that under the superior court decision the board can await proposals which individuals or groups may submit, and act on those at the next board meeting. The superior court noted at page eight of the June 20, 1990 order, that the subsistence law now no longer limits the fish stocks to be considered to those in rural areas. However, for those in nonrural areas, the superior court stated that the boards must still make an affirmative finding that the stock or population "is customarily and traditionally used for subsistence before making it available for subsistence use." We believe this indicates that the court decision does not require instant action on those as yet unexamined stocks and populations, but rather allows the board to address them over time, as proposals come in.

With respect to those stocks for which the board has found a customary and traditional use and which are already subject to subsistence fishing, the board needs to eventually repeal the eligibility limitations on participation in those fisheries. Those regulatory provisions are currently ineffective, since the stay in the supreme court McDowell case expired on July 1, but it is going to be confusing to the public to leave them on the books over the long term.

We understand that your department, pursuant to our earlier advice, has already directed that any Alaskan who requests a subsistence permit for any open subsistence fisheries be given such a permit, since the eligibility limitations are ineffective. We further understand that your department does not anticipate any conservation problems or extreme competition to arise this year. Thus, it appears that this method will indeed comply with the requirements of AS 16.05.258, as interpreted by the supreme and superior courts.

What this means for hunting.

With respect to those game populations for which the Board of Game either has made a finding that no customary and traditional use exists or has not yet made a finding with respect to customary and traditional uses, the discussion in the above section on fisheries applies. Similarly, with respect to those game populations for which the board has made a customary and traditional finding, the board will need to repeal regulations limiting eligibility for participation, as discussed in the above section on fisheries.

The existing subsistence hunts will break down into two categories. For those in which the current subsistence regulations are identical to the nonsubsistence resident hunting regulations, there would appear to be no need for board action, since those regulations apparently accommodate use by all interested Alaskans in any event, without difficulty.

For those situations in which the regulations are not identical, however, further action probably will be required. The analysis for those hunts would be as follows:

1. The board should ask whether the existing subsistence hunt can be open to all Alaskans likely to desire to participate in that season for the purposes specified in the statute without jeopardizing either sustained yield or a reasonable opportunity for those participants. A discussion of the "reasonable opportunity" standard found in AS 16.05.258 follows this description of the four steps the board should take.
  - a. If yes, then no modifications would be required.
  - b. If no, proceed to step 2.
2. The board would close nonsubsistence hunting, and reevaluate the question posed in paragraph 1.
  - a. If the answer is now yes, no further action is necessary.
  - b. If the answer is still no, proceed to paragraph 3.
3. The board should consider whether the subsistence regulations can be restructured in such a way that

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reasonable opportunity for all tier one participants can be provided.

- a. If yes, no further action beyond such restructuring is necessary.
  - b. If the answer is still no, proceed to paragraph 4.
4. The board should use the three "tier two" criteria to determine how to distribute the available opportunity among those Alaskans eligible at tier one to participate.

Whether a regulation provides reasonable opportunity for subsistence uses of that game population is in most cases a question for the board. However, we can provide some guidance. Attached are the only two pieces of state legislative history to address the term directly. Those, in combination with the McDowell decisions, and our experience with courts, leads to the following conclusions:

A. It is not a guaranteed take, but a real chance to harvest. Thus, any hunts in which not all those desiring to participate are able to participate do not provide reasonable opportunity, as a legal matter.

B. For those hunts where a customary and traditional use has been found, a court would accord a presumption that the existing regulations provide a reasonable opportunity. Thus, any reductions in season or bag limits, for example, must be accompanied by some evidence that will rebut the presumption for a court to accept a conclusion that the reduced opportunity is still reasonable.

C. Under AS 16.05.258, the board may not provide less than reasonable opportunity for subsistence uses unless non-subsistence uses are closed. However, assuming that guideline is met, the board may go to tier two (which is necessary if less than reasonable opportunity can be provided) in two cases: (1) to assure sustained yield, or (2) to continue subsistence uses. The latter situation may be presented when a population is being managed for overall growth, in order that eventually more opportunity can be provided.

D. Prohibitions on transportation methods could be consistent with reasonable opportunity for all Alaskans desiring to participate only if the board can conclude that they do not in

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reality affect a nonlocal person's ability to go hunt more than a local person's. For example, the board could find a prohibition on airplanes, other than regularly scheduled commercial flights, would still provide all Alaskans reasonable opportunity if any Alaska could take a commercial flight to a location where boats or other appropriate transportation methods are actually available through rental or other means in sufficient numbers for the anticipated use level.

E. If the board has provided a fall and winter subsistence hunt on a population, reasonable opportunity for each of those can be evaluated separately. Thus, it would be possible to have one hunt at tier one, and one at tier two.

Other questions will certainly arise during the board meeting on this issue, and we will be available to assist you and the board as those develop.

We are aware that the board may not be able to do everything necessary to fully comply with the McDowell decision in time for this fall's hunts. We would offer the following continuum to guide the board's priority of action.

At one end, there are those hunts in which the existing subsistence seasons are identical to the nonsubsistence resident seasons. Since the limitations on eligibility are currently ineffective these can be easily addressed, and should require no time from the board.

At the far end of the continuum are those hunts which cannot be restructured in any form to allow all Alaska residents desiring to participate to do so. Any hunt which must have eligibility limited to less than all those who wish to participate will be invalid and indefensible if the board does not use the three "tier two" criteria to decide which Alaskans are able to participate. Thus, these situations should be a priority for board action.

In the middle of the continuum are those situations in which the subsistence hunt must be restructured before everyone desiring to participate can, and it can be so restructured. The question then becomes whether the authorized season, bag limit, methods and means, etc., provide a "reasonable opportunity" or not. Each hunt in this category must be viewed as a matter of degree. Some situations will clearly constitute unreasonable opportunity -- for example, a two day season restructured from a 40 day season would probably fall into that category. We would recommend that the board put as high a priority as possible on

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addressing those situations which most clearly would not provide reasonable opportunity and convert those to tier two. Other situations will be arguably on the reasonable side of the dividing line between reasonable and unreasonable opportunity. If time does not allow all the hunts in this general category to be addressed thoroughly, we recommend that the board announce that those can be addressed again at the next meeting in response to public proposals, as can any of the boards' actions.

Conclusion

I am sure that many questions will arise as the department and the boards move along in the process of bringing the regulations into consistency with the McDowell decisions. If you have any questions, please do not hesitate to contact us.

GTK:BH:ml

Enclosures

cc w/enclosures:

Larri Spengler  
Assistant Attorney General

Steve White  
Assistant Attorney General

Beth Kerttula  
Assistant Attorney General  
Juneau AGO

Lance Nelson  
Assistant Attorney General  
Anchorage AGO

Norman Cohen  
Deputy Commissioner

Molly McCammon  
Special Assistant

Steve Behnke  
Director, Division of Subsistence

Lewis Pamplin  
Director, Division of Wildlife Conservation

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Ken Parker  
Director, Division of Commercial Fisheries

Norval Netsch  
Director, Division of Sport Fish

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Laird Jones  
Director, Division of Boards  
Department of Fish & Game

Denby Lloyd  
Special Staff Assistant

Mike Irwin  
Special Staff Assistant

John Katz  
Special Council State/Federal Relations  
Office of the Governor



RC 22

**Report to the Board of Game on the first year of the Gulkana, Cantwell,  
Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti-Kaah  
Community Harvest Hunt Area**

29 January – 1 February 2010  
Winter 2010 Board of Game Meeting  
Anchorage, AK  
Statewide Regulations, Cycle A

Becky Schwanke and Bob Tobey  
Area Management Staff  
Division of Wildlife Conservation  
Glennallen, ADF&G  
[becky.schwanke@alaska.gov](mailto:becky.schwanke@alaska.gov)  
[bob.tobey@alaska.gov](mailto:bob.tobey@alaska.gov)  
P.O. Box 47  
Glennallen, AK 99588  
907-822-3461

**Summary**

The State Tier II Nelchina Caribou hunt was eliminated in 2009 and replaced with a Tier I hunt and a community hunt. The Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti-Kaah Community Hunt for moose and caribou was implemented August 2009. Since these are the eight Ahtna villages in the region, this hunt is referred to as the Ahtna community hunt. While the State is the hunt manager, Ahtna Inc. is the hunt administrator. This is a complex hunt, with over 400 current participants. There are four types of Ahtna community hunt participants: community hunters, continuous community membership hunters, sharing hunters, and designated hunters. The hunt area includes all of Game Management Unit (GMU) 11, 13, and a portion of 12 south of the Tok River drainage. Moose can be taken in all 3 units, though Nelchina caribou may be taken only in GMU 13. The moose hunt has ended, however the caribou hunt remains open at this time and is expected to run through 31 March. Both historic and current hunting traditions for locals show they will hunt moose and/or caribou in the local area each year through whichever federal or state regulation applies at the time. The total take of moose and caribou by local area residents this year appears very similar to 2008-2009. A preliminary total of 94 moose were taken in the community hunt. Of those, 67 were considered any-bull moose and did not meet general antler restrictions. A preliminary total of 101 caribou have also been taken. Many community hunters have failed to abide by hunt conditions. Hunt administration was difficult for Ahtna, and they failed to meet several Community Harvest Area permit conditions as a result. If the community hunt is continued in 2010-2011, there must be substantial changes to the administration of this hunt to ensure hunter understanding and compliance both for harvest control and to ensure conservation concerns are met.

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**Background**

In 2007, the Nelchina Community Hunt Area was established for GMU 13 based Caribou and Moose subsistence Use Findings (#2006-170-BOG). No community hunt administrator applications were received, and no community hunt took place in 2007 or 2008. In March 2009, the Ahtna Tene Nene' subsistence and Traditional Use Committee applied to the Board of Game to be a community hunt administrator, although they requested some specific changes to the hunt area and hunt details. The result was the Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti-Kaah Ahtna) Community Harvest Area for moose and caribou.

**Location**

The hunt area consists of Game Management Unit (GMU) 11 and 13, and a portion of GMU 12 south of the Tok River and Little Tok River (Figure 1).

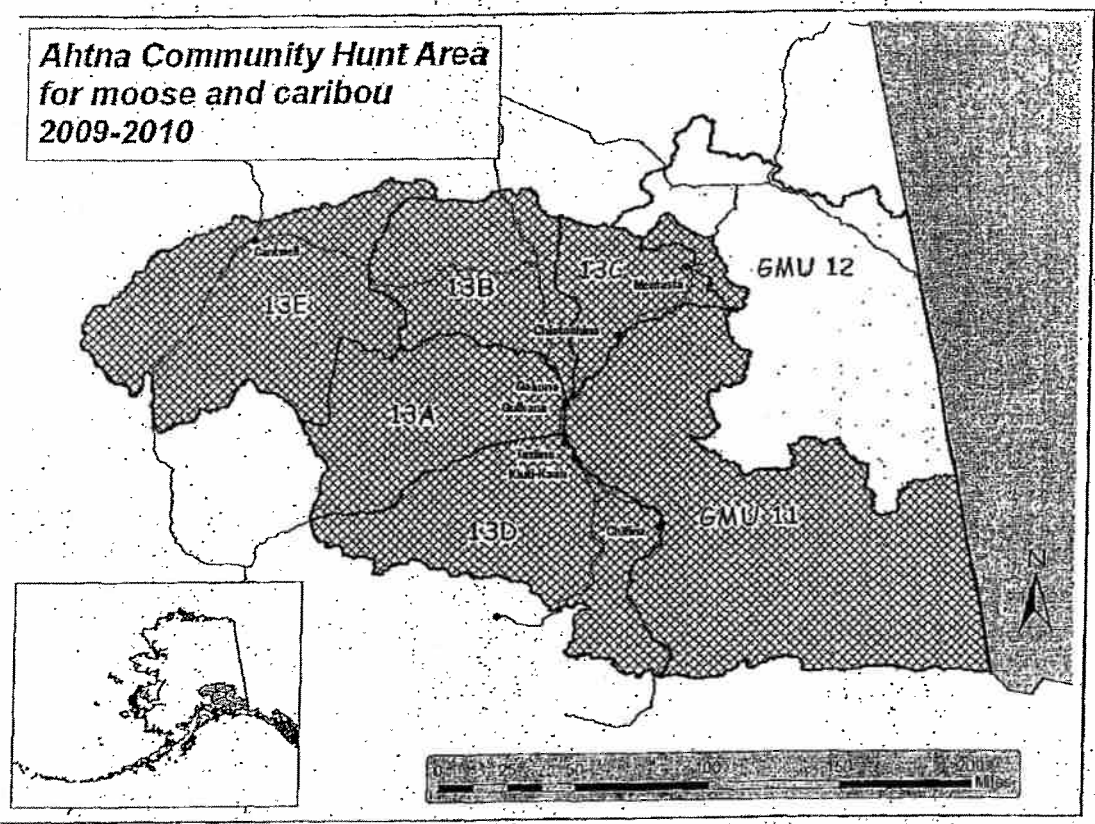


Figure 1. Ahtna Community Hunt Area map 2009-2010.

**Eligibility**

All residents of the eight Ahtna villages (as described in the Ahtna Community Hunt Plan) are able to participate as full community hunters. These hunters are each issued a moose and a caribou harvest ticket. All other Alaska residents are eligible to participate as designated hunters; they are not issued harvest tickets but can hunt on behalf of ticket holders. All hunt participants were required to apply, regardless of hunter status.

Additional options for participation were added following a court order issued 29 June 2009 by the Honorable Carl Bauman, Superior Court Judge in Kenai. He ordered the residency requirements of the Community Harvest Permit be removed specifically for the 2009 Unit 13 caribou hunt. He also ordered that at least one sharing opportunity for non-Ahtna village residents must be provided, at a location to be determined by the community hunt administrator. A sharing potlatch was held at the Kluti-Kaah memorial hall in Copper Center 3 October 2009 with an open invitation for anyone to attend.

In response to the court order a Continuous Community Membership Support form was developed for "continuous community hunters". This form allows any Alaska resident to fully participate in the community hunt, as long as they have an Ahtna village sponsor. The form states that the applicant has continuous community membership through a pattern of participation over at least one year with one of the eight Ahtna villages, including participation in the community's customary and traditional subsistence patterns and practices. These hunters are each issued a moose and a caribou harvest ticket.

Also in response to the court order, a Sharing Hunt application was developed for the caribou portion of the hunt. All Alaska residents were eligible to become "sharing hunters" for a community caribou harvest ticket through this option, with the caveat they share at least two quarters, including one hind quarter, with Ahtna. The meat was to be distributed as needed.

#### Bag Limit and Season Dates

The Ahtna Community Hunt was implemented in 2009-2010. For this regulatory year, the BOG established an upper limit of 300 caribou, and 100 any-bull moose for this hunt. The BOG allowed ADF&G to specify where the any-bull moose could be taken to be consistent with the sustained yield principle. An unlimited number of general antler restricted moose could also be taken (in accordance with the GMU specific general season bag limit; BT = brow tines).

The moose and caribou allocations and community hunt season dates by subunit are listed below:

GMU	'Any-bull' moose	spike/fork, 50", 4BT moose	Season Dates
12*	0	Unlimited	8/24-8/28; 9/8-9/17
13A	20	Unlimited	10 Aug - 20 Sept
13B	25	Unlimited	10 Aug - 20 Sept
13C	15	Unlimited	10 Aug - 20 Sept
13D	10	Unlimited	10 Aug - 20 Sept
13E	15	Unlimited	10 Aug - 20 Sept

GMU	'Any-bull' moose	spike/fork, 5", 3BT moose	Season Dates
11	15	Unlimited	10 Aug - 20 Sept

GMU	Caribou	Season Dates
11	0	None
12	0	None
13	300 in Unit 13 total	10 Aug - 20 Sept/21 Oct - 31 March

\* To hunt moose in the open portion of GMU 12, community hunters must follow the general season bag limit and season dates. Additional opportunity was deemed inconsistent with sustained yield.

The community hunt season and bag limits for moose are the same or more liberal than the State general season, and similar to the federal subsistence season. The season dates and bag limits are as follows:

GMU	State Season	State Bag Limit	Federal Season	Federal Bag Limit
12	8/24-8/28; 9/8-9/17	spike/fork, 50", 4BT moose	<i>no federal season in this hunt area</i>	
13	1 Sept - 20 Sept	spike/fork, 50", 4BT moose	1 Aug - 20 Sept	1 antlered bull
11	20 Aug - 20 Sept	spike/fork, 50", 3BT moose	20 Aug - 20 Sept	1 antlered bull

The season dates for the community caribou hunt in GMU 13 are the same as the State Tier I hunt as well as the federal subsistence hunt. All GMU 13 caribou hunts were limited to bulls only for 2009-2010. There are no caribou hunts in GMU 11 or the community hunt portion of GMU 12.

**Hunt Administration**

The Ahtna Tene Nene' Subsistence Committee, with assistance from ADF&G, developed a Community Hunt Plan prior to the start of the hunt, as well as an informative Frequently Asked Questions document. These documents, as well as applications and pertinent press releases are available on the Ahtna Inc. website (<http://www.ahtna-inc.com>) as well as at the individual Ahtna tribal offices.

Official numbered moose and caribou harvest tickets/reports were printed by ADF&G. Ahtna received 200 antler restricted and 300 any-bull moose harvest tickets, and 500 caribou harvest tickets. Harvest tickets were complete with season dates and bag limit for each GMU. Applications were collected and hunters were approved or denied by the hunt administrator. Each qualified hunter was then issued a moose and a caribou harvest ticket.

Initially, due to a concern for overharvest, two different moose harvest tickets were issued. Those hunters who were over 65 years of age, disabled, single parents, or widows were issued any-bull moose harvest tickets, all others received antler-restricted moose harvest tickets. Both harvest tickets allowed hunting prior to the general season in GMU 11 and 13 (the general season had to be followed in the open portion of GMU 12). During the first 3 weeks of the season (10 Aug - 31 Aug), only 15 any-bull moose had been harvested. Beginning 3 Sept. Ahtna began issuing any-bull moose harvest tickets to all new applicants, and replaced previously issued antler-restricted harvest tickets with any-bull harvest tickets upon request.

Copies of applications and received hunt reports were given to ADF&G for data entering and coding. Due to the stringent any-bull moose limits for each subunit, weekly reports were required from the hunt administrator (some of these were partial reports from hunters that called in).

On 17 September, Ahtna issued a closure to the any-bull portion of the moose hunt in GMU 13A and 13E to avoid going over the subunit allocations.

At some point after the moose hunt ended, Ahtna sent a reminder letter to community moose hunters who had not reported. Specifics of this reminder system were not provided to the Department.

**Moose Harvest**

A preliminary total of 394 hunters signed up for the community moose hunt. Of those hunters, 58 reside outside the eight Ahtna villages, and participated through the continuous community membership option. An additional 26 hunters signed up only as designated hunters. A preliminary total of 94 bull moose were harvested. Of those, 67 (71%) were 'any-bulls', meaning they did not meet general hunt antler restrictions. Of the moose taken, 35 (37%) were harvested by designated hunters (not all of whom applied). Of the successful hunters, 75 (80%) indicated sharing with family and friends; 17 (18%) were shared with communities outside the Copper Basin.

As of 20 January, only 271 (69%) of the moose hunters had reported. Of the reports received, 229 (85%) reported hunting and 41% were successful. Of all the moose harvest tickets issued (394), only 58% reported hunting and 24% were successful.

Figure 2 shows the harvest by minor coded unit within GMU 13. Two additional moose were taken, one each in GMU 11 and 12. The complete harvest details are listed below.

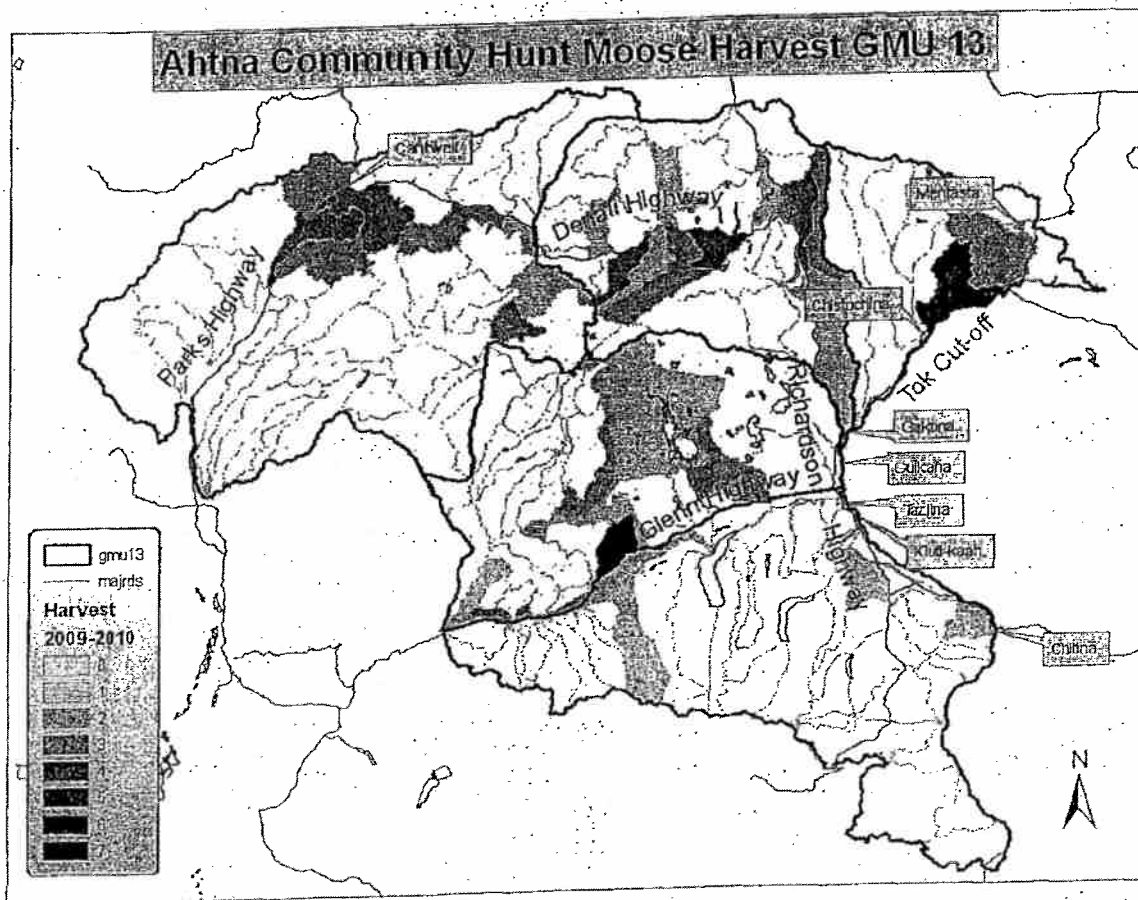


Figure 2. Ahtna community moose harvest within GMU 13 by minor code unit for 2009-2010. The majority of moose taken were in coded units adjacent to a highway.

AC 1

<u>GMU</u>	<u>Total moose harvested</u>	<u># of 'any-bulls'</u>	<u>'any-bull' allocation</u>
I1	1	0	15
I2	1	1*	0
I3A	19	15	20
I3B	26	22	25
I3C	12	10	15
I3D	8	7	10
I3E	27	12	15

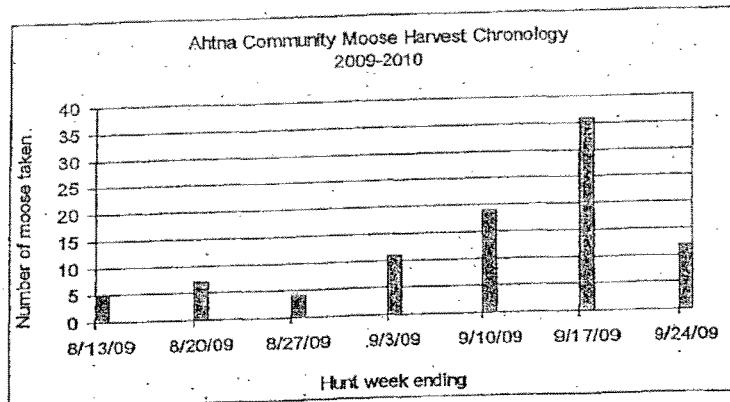
\* the any-bull taken in GMU 12 was not legal and the hunter was cited

<u>Resident Community</u>	<u>Total moose harvested</u>	<u># of 'any-bulls'</u>
Anchorage	1	1
Cantwell	22	11
Chistochina	3	2
Chitina	1	1
Eagle River	1	1
Gakona	5	4
Glennallen	2	2
Gulkana	5	5
Hurricane	1	0
Kenny Lake	2	2
Kuti-kaah	18	12
Mentasta	2	2
Richardson Hwy	4	3
Nelchina	5	4
Palmer	1	1
Pazlana	18	15
Jnk	3	2

<u>Transportation</u>	<u># of successful hunters</u>
Aircraft	5 (5%)
Horse/Dog team	2 (2%)
Boat	1 (1%)
Wheeler	36 (38%)
ORV	14 (15%)
Highway Vehicle	33 (35%)
Walked from home	3 (3%)

## Harvest Chronology

Hunt Week	Take
8/10/09-8/13/09	5
8/14/09-8/20/09	7
8/21/09-8/27/09	4
8/28/09-9/3/09	11
9/4/09-9/10/09	19
9/11/09-9/17/09	36
9/18/09-9/20/09	12



### *Moose harvest in relation to established Amounts Reasonably Necessary for Subsistence (ANS)*

At the March 2009 Board of Game meeting, the ANS or Amounts Reasonably Necessary for Subsistence, were re-evaluated for moose and caribou in GMU 13. The moose ANS was changed from 600 to a range of 300-600. The final moose harvest in 2008-2009 for GMU 13 was 735, well above the ANS range. Of those, 142 were taken by local GMU 13 residents (including 46 taken in State hunts by residents of the eight Ahtna villages). An additional 54 moose were harvested in GMU 11 (including 2 by village residents) and 159 were taken in GMU 12. The ANS for moose in GMU 11 is 30-40, and in GMU 12 the ANS is 60-70.

In 2009-2010, given an increasing moose population, the GMU 13 Tier II moose hunt was discontinued, five small any-bull drawing hunts were created in remote areas, and limited nonresident drawing hunts were reinstated. All these hunts have conventional season dates of 1 Sept - 20 Sept. The Ahtna Community Hunt was also established, with an extended season (10 Aug - 20 Sept) and an allocation of up to 85 any-bulls for GMU 13 (15 were allocated for GMU 11). The 2009-2010 harvest goal given to the BOG in March 2009 was 850 bulls.

To date, the preliminary 2009-2010 GMU 13 total moose harvest is 834 bulls, again well above the ANS. The preliminary take by local GMU 13 residents is 183 (including 72 in State hunts by village residents). Three additional bulls were taken in GMU 11 and one in GMU 12 by village residents. A preliminary total of 52 moose have been taken in GMU 11, and 132 in GMU 12.

### **Caribou Harvest**

A preliminary total of 413 hunters have signed up for the community caribou hunt, with an additional 59 hunters signing up as sharing hunters. While the hunt runs through 31 March, to date, 101 caribou have been reported taken in the community hunt. Of those, 20 were taken by sharing hunters. Of the 81 caribou taken by community hunters, 25 were harvested by designated hunters. Of the successful local hunters, 63 (78%) indicated sharing with family and friends; 9 (11%) were shared with communities outside the Copper Basin. The harvest details are very similar to the moose.

### *Caribou harvest in relation to established Amounts Reasonably Necessary for Subsistence (ANS)*

At the March 2009 Board of Game meeting, the ANS or Amounts Reasonably Necessary for Subsistence, were re-evaluated for moose and caribou in GMU 13. The Nelchina caribou ANS was changed from '100% of allowable harvest' to 600-1,000. The final Nelchina caribou harvest in 2008-

AC 1

2009 was 1,372 (Tier II and federal hunts), well above the ANS range. Of those, 263 were taken by local (GMU 13) residents, including 34 taken in State hunts by residents of the eight Ahtna villages.

In 2009-2010, the GMU 13 Tier II Nelchina caribou hunt was replaced with a Tier I hunt and the Ahtna Community Hunt. All GMU 13 hunts have the same conventional season dates, and are not scheduled to end until 31 March. The harvest quota set for 2009-2010 was 1,000 bulls due to low overwinter survival and subsequent reduced calf production. As of 20 January, the preliminary 2009-2010 GMU 13 total caribou harvest is 592. The preliminary take by local (GMU 13) residents is 212, including 77 taken in State hunts by village residents.

**Issues and Concerns**

*Conservation concerns*

The 2009 moose harvest under the Ahtna community hunt occurred almost entirely in GMU 13 (92 of 94 bulls), and was substantially higher than the take from the eliminated tier II hunt (ave = 43 bulls from 1995-2008; TM300). While currently sustainable, the community hunt is much more liberal than the tier II moose hunt, which was limited to 150 permits, with season dates 15 Aug - 31 Aug. The harvest locations between the two hunts are very similar; occurring along the road system and in the easily accessible areas.

The 100 any-bull allocation for the community hunt was set by the Board of Game. Prior to the hunt, ADF&G allocated the any-bulls by subunit based on the population trends and expected harvest in each area. Due to a concern about exceeding the subunit allocations, Ahtna issued a closure for the any-bull portion of the hunt on 17 September in subunits 13A and 13E. Ahtna informed ADF&G of the closure the day before. It was announced on the local radio, and ADF&G put signs up around Glennallen. The closure however was not very effective given the timing and other circumstances, and two additional any-bull moose were harvested in 13E. Fortunately, once ADF&G staff reviewed all the harvest reports, it was evident that many of the reported 13E moose were actually from the Denali Highway east of the Susitna River, which is 13B. None of the subunit allocations were exceeded.

It should be noted that without the current successful active wolf management program, the current take of any-bull moose through this hunt would not be sustainable. Continued increases in the moose population are expected, which will help increase harvest unit-wide. However, if this moose hunt is continued, the localized overharvest of bulls is likely in certain highly accessible areas such as Eureka and the eastern Denali Highway.

Any time there is a long season and an any-bull bag limit, moose hunters tend to utilize highly accessible hunt areas. Hunters may make many short trips, with the knowledge they will have another opportunity should they be unsuccessful. This is much different than the three week any-bull moose drawing hunts offered in remote locations of GMU 13 this year. These hunts were developed specifically to put hunters in areas with the highest moose numbers and lowest hunting pressure.

Given the length of the community hunt (20 Aug - 20 Sept) and the high number of hunt participants already this first year (394), we believe the GMU 13 any-bull upper limit of the community hunt will be attained next year. To avoid exceeding subunit allocations, subunit closures will likely be necessary next year at some point during the season. If a subunit allocation is exceeded, the additional take will come from the following year's allocation. Units 11 and 12 did not receive much hunting pressure this



year through the community hunt. The any-bull allocation for GMU 11 is not expected to be reached or exceeded.

The caribou portion of this hunt raises no conservation concerns as the Nelchina herd is migratory, and the location of harvest is not as important as the number taken. The herd harvest objective for 2009-2010 for all hunts is 1,000 bulls. Caribou have been very accessible throughout the hunt compared to previous years. To date, 101 caribou have been taken through the community hunt (up to 300 may be taken). Many local hunters have shifted from the federal subsistence caribou hunt to the Ahtna community hunt because of the large hunt area offered by the Ahtna hunt (all of GMU 13 versus < 2% of GMU 13 in the federal hunt). All of the community hunters, and most of the continuous community members qualify for the federal subsistence caribou hunt, for which the bag limit is 2 caribou. To date, 13 community hunters have reported taking a second caribou through the federal subsistence hunt.

#### *Administrative concerns*

We have quite a few concerns pertaining to the administration of this hunt. There are three community hunt areas in Alaska. The original two are very small remote community hunts: the Chalkyitsik Community Harvest Area for moose in a portion of GMU 25D, and the Yukon Flats Community Harvest Area for black bears in all of GMU 25D. Neither hunt has had any participants in recent years, one reason has been the lack of interest in taking on the administrative duties.

Comparatively, the Ahtna community hunt has over 400 participants and a 19 page hunt plan. While this is technically a State hunt, the burden of the hunt administration legally falls on Ahtna, an organization with no experience administering this type of program. ADF&G has helped each step of the way from helping draft the hunt plan, to drafting and printing the harvest tickets, to making GIS maps, entering all the applicant information, checking the Failure to Report (FTR) list, entering all the harvest report data, calling hunters when harvest reports are not completely filled out or filled out wrong, as well as many other hunt administration tasks. Without our active participation we believe we would not be able to provide a report of activities or evaluate the success of the program. Still, because the hunt is not administered by the State, the standard protocols ADF&G has developed over many years of administering hunts are not being followed.

The initial concept for this hunt was to provide a consistent reasonable opportunity for Copper Basin residents to harvest caribou; however the additional any-bull moose allocation added complexity to this hunt. The initial court order from 29 June 2009 specifically stated the residency requirements for the community caribou hunt were to be dropped. The result was a Sharing Hunt application which allowed out-of-village residents to harvest a caribou, although 1/2 had to be turned in to Ahtna Inc. for distribution. The other option that was added was a Continuous Community Membership form, which allowed any out-of-village resident to fully partake in the hunt, each being able to take a moose and a caribou. These additional opportunities to participate in the hunt were very confusing to the public. We heard concerns from potential hunt participants early on who felt their applications were denied unfairly. One indicated clearly his application was denied because he was told only shareholders could participate in the hunt. We immediately expressed our concern to the hunt administrator, and the harvest tickets were issued. At some point during the hunt, Ahtna stopped requiring the Continuous Community Membership form, and started issuing moose and caribou harvest tickets to out-of-village residents simply upon name recognition. We have conveyed our concerns regarding the lack of consistency in this process.

As a State hunt, the community hunt was subject to FTR restrictions, meaning FTR listed individuals were ineligible to participate in the hunt. The hunt plan also indicated that hunters could be placed on the FTR list for not reporting as well. Ahtna approved of this process as they felt it would help in getting reports turned in. Sharing the entire FTR list with Ahtna did not seem appropriate, so Ahtna would wait for ADF&G to check the FTR list prior to issuing harvest tickets. This worked fairly well for the first few weeks. As the hunt progressed, Ahtna started issuing harvest tickets without checking on the FTR status, and five hunters on the FTR list were erroneously issued harvest tickets.

Hunter responsibility

In the previously developed community hunts, hunters would pool their State general harvest tickets and permits. The concept was simple and the main benefit was to allow anyone in the community to harvest the game. The Ahtna community hunt, however, is considerably more complex. An unlimited number of hunters can sign up, and they are allowed to harvest up to 300 caribou, 100 any-bull moose, and an unlimited number of general antler restricted moose. With such a large hunt area and high harvest potential, there had to be a set of rules for hunters to follow. Hunt conditions were printed on the application, in the Community Hunt Plan, and in the Frequently Asked Questions handout.

While hunters are generally held responsible for their own actions in terms of hunting violations, many of the issues we dealt with this year were a direct result of hunters not being informed of the hunt conditions. In addition to the main Ahtna Inc. office in Glennallen, there were tribal representatives in each of the eight villages that handed out applications, as well as delivered harvest tickets to hunters. This likely led to confusion, as each had different levels of knowledge pertaining to the hunt. When hunters are issued registration permits in State offices, they are required to read the hunt conditions before signing, and their questions are answered prior to receiving harvest tickets. As a secondary precaution, ADF&G printed the seasons and bag limits on the harvest punch tags. Harvest tags were supposed to be signed by the hunt administrator as well as the hunter to be valid, although most were not signed by either party. Community hunters failed to abide by the hunt conditions on a regular basis.

Some hunters were issued antler-restricted moose harvest tickets, meaning they were allowed to hunt during the extended community season, but they were only to take a general bag limit moose. Others were issued any-bull moose harvest tickets, which allowed any-bulls to be taken in GMU 11 and 13, but still required general season dates and bag limits to be followed in the open portion of GMU 12. On 10 August, the first day of the hunt in GMU 11 and 13, a paddle bull was taken in GMU 12 under the community hunt, although the season was closed and the bag limit was SF/50" or 4 brow tines. The hunter was cited.

Another hunt condition commonly violated was the rule that a community hunter (as well as designated hunters and other household members) could not hold other moose or caribou harvest tickets or permits during the same regulatory year. Since this was the first year of the hunt, many people had already applied for drawing permits, and had picked up harvest tickets prior to the conditions of the community hunt being released. Of the moose hunters, 83 hunters held at least one harvest ticket or permit they were not supposed to. Of those, 26 turned in their harvest ticket or report to ADF&G prior to signing up for the community hunt. Of the 57 remaining hunters, 21 reported hunting on those harvest tickets/permits. Of those, five reported hunting outside the community hunt area. One caribou was harvested, and the hunter was cited. ADF&G will consult with State troopers and warning letters will likely be mailed to the hunters who reported hunting unsuccessfully on these hunt reports.

Another concern we have relates to designated community hunters. Allowing any State resident to be a designated or proxy-type hunter was a core concept of this community hunt given the stringent State proxy regulations in recent years. By allowing anyone to be a designated hunter, individuals with no family to hunt for them, were able to have friends or neighbors harvest their moose or caribou. This concept was good, however implementation was problematic. One of the hunt conditions was that designated hunters must fill out an application prior to hunting. The rationale for this was to ensure designated hunters were aware of all the hunt conditions, as they were subject to all the same conditions as the original hunter. Of the 30 individual designated hunters who harvested moose, 11 were qualified community hunters, meaning they had seen and signed the hunt conditions. Only 3 of the successful individuals had applied as designated hunters. Of the remaining 16, one was on the FTR list and 2 were cited for failing to follow hunt conditions. An additional 23 individuals applied as designated hunters, though did not hunt or hunted unsuccessfully. Many of the designated hunters also held other moose or caribou harvest tickets or permits. ADF&G will likely mail warning letters to the designated hunters who did not apply, to ensure better hunt compliance in the future. The designated hunter process will need to be improved.

For the benefit of the hunters, there must be improved communication between the hunt administrator and ADF&G when hunt changes are made mid-season. With few moose harvested during the August portion of the community hunt, Ahtna felt additional opportunities to take moose should be given to community hunters. The hunt administrator began issuing any-bull moose harvest tickets 3 September to all new applicants (previously issued antler-restricted harvest tickets were replaced with any-bull harvest tickets upon request). No notice was issued to the public or ADF&G – so it was unclear to many hunters this change occurred. After the fact, we expressed our concern that moose hunting always tends to be more successful later in the fall, and with more any-bull harvest tickets being issued, Ahtna would need to watch the any-bull take closely. Had a subunit allocation been met, hunters would have been limited to the general antler restrictions for the remainder of the season. This concept was not well understood by the public.

Helping to explain the details of this hunt to the public after-the-fact was a tremendous additional work load for ADF&G, a situation that is not expected to improve substantially in future years unless there is more direct State involvement with the hunt administration.

#### Hunt Reporting

Harvest reports were collected by Ahtna, and copies were provided to ADF&G for entering on a weekly basis. At some point after 20 September (moose hunt and caribou rut hunt closure), weekly reporting seemed to stop. After multiple requests by ADF&G, weekly reporting continued in November.

One important hunt condition was the 3 day reporting requirement. While Ahtna did not track when hunt reports were received, it was evident that very few successful hunters reported within the required 3 days.

The final moose report was due 15 October 2009, as stated in the Community Hunt Permit issued to Ahtna. The report was not received until 7 January 2010, after multiple requests. Application information is still missing for approximately 70 hunters. Additionally, almost 60 moose harvest ticket numbers are missing, as well as 160 caribou harvest ticket numbers. It is unclear whether these harvest tickets were issued without applications, as duplicates, lost or destroyed. With missing applicant

# STATE OF ALASKA

**SEAN PARNELL, GOVERNOR**

## **Seldovia Fish & Game Advisory Committee**

*Keith Gain, Chair  
PO Box 132  
Seldovia, AK 99663  
Home: 907-234-7635  
Email: k.r.a.m.gain@acsalaska.net*

### **Seldovia Fish & Game Advisory Committee Meeting Minutes of September 29, 2010**

**Members Present:** Keith Gain, Robert Purpura, Bryan Chartier, Dave Chartier, Alvin Swick and Michael Opheim.

**Members Absent or Excused:** Tim Dillon, Matt Gallien, Herman Moonin, and Warren Brown

**RECEIVED**

**Public Present:** Jerry & Sandy Murray, George Oliveira and Stewart Felberg  
\* Note the public present for this meeting where seated as alternate AC members

**SEP 30 2010**

The meeting began at the Multi-purpose Community Room at 7:00 pm

**BOARDS  
ANCHORAGE**

### **AGENDA: Nelchina Caribou and Black Bear Trapping Regulations**

#### **PROPOSAL-1**

**Public Testimony:** Jerry Murray and George Oliveira want the Nelchina Caribou to be managed under a drawing permit system to give everyone an even chance for a permit.

**Comments:** Keith Gain agrees that this would be a more fair and equitable way to conduct this hunt for all Alaskans. Keith Gain would like a permit draw open access to the public.

**Motion:** Jerry Murray to Support

**Second:** Dave Charier

**Action:** Support 10-0

*Att: Scott  
Bo 6 Nelchina  
AC Comments*

#### **PORPOSAL-2**

**Public Testimony:** Jerry Murray stated he did not like wolf kill as criteria for hunting caribou.

**No Action**

#### **PORPOSAL-9**

**Public Testimony:** George Oliveira does not like the wording for community allotment

**Comments:** None

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**AC 2**

**No Action**

**PROPOSAL-19**

**Public Testimony:** None

**Comments:** None

**Motion:** Jerry Murray to Support

**Second:** Keith Gain

**Action:** Support 10-0

**Motion to Adjourn:** Keith Gain

**Second:** Robert Purpura

Meeting adjourned at 7:26 pm.

Seldovia 9-29-10 minutes

p 2 of 2

To: Sherry Wright - 907-267-2489 (9-30-10)

DENALI ADVISORY COMMITTEE - CANTWELL, AK  
 SEPTEMBER 29, 2010

**ATTENDEES**

- RAY ATKINS
- DON HOLUM
- CALEB HOLUM
- JEDD HARMS
- JEFF BURNEY
- GORDON CARLSON
- BRUCE GORE
- LANCE WILLIAMS
- RALF LYSDAHL - ADF&W
- BECKY SCHWANKE - ADF&G GLENNALLEN

**EXCUSED**

- MARTY CARESS
- MARIE GORE

MEETING TO DISCUSS NELCHINA CARIBOU & BLACK BEAR TRAPPING REGS  
 PAMPHLET - OCTOBER 8-12, 2010

**RECEIVED**

SEP 30 2010

BOARDS  
 ANCHORAGE

*Attn: Scott  
 BOG Nelchina  
 AC Comments*

PROPOSALS	YES	NO	ABSTAIN
#28 - AMENDED TO 600 CARIBOU - 1 PERMIT PER YEAR - PER PERSON	7	1	
#5 -		8	
FYI - TIER II - ANY PERSON UNDER 17 CAN SHOOT A TIER II PERMIT AS LONG AS THE PERMIT HOLDER ACCOMPANIES THEM - RESIDENT OR NON-RESIDENT SHOOTER			
#9 -		8	
#16 -		8	
#20 -	3	3	2
#21 -	8		
#22 -	5	2	1
#23 -	4	2	2
#27 - WITH SUNSET CLAUSE IN JUNE 30, 2011 NO REGULATIONS ADDED	8		
#29 -		8	
#31 -	7	1	
#36 -	1	6	1

COMMITTEE TOOK NO ACTION ON THE REMAINING PROPOSALS

**Kenai Soldotna Fish and Game AC meeting minutes from September 27' 2010****RECEIVED**

Meeting came to order at 6:45 pm.

**SEP 30 2010**

Members present were as follows. Mike Crawford, Bob Ermold, Andrew Carmichael, Joe Mandurano, Dick Dykema, John Joseph, Norm Darch, Michelle Mayer.

**BOARDS  
ANCHORAGE**

Excused members were Paul Shadura, Dyer Vandevere , Christine Brandt , Pegge Bernecker, Reuben Payne, Nate Corr, Scott Eggemeyer, Rik Bucy, Bill Tappan, Gene Darby.

Ted Spraker from the board of game, and Jeff Sellinger from the dept were present. Both of them gave us some background on the Nelchina issues.

*Attn Scott  
Nelchina BOG  
AC Comments*

Proposal 9 was brought to table by Ermold. Second by Carmichael. Discussion about a system that was fair to all Alaskans was the view of all members. Amendment was moved by Crawford. Second from Ermold. Amendment was as follows.

Ten Dollar fee to apply. Give one bonus point for each year hunter does not draw. Remove 3 year dropout clause. Only Question to be how many years you have hunted this area. Discussion of different ways to break up the quota was had decision to leave it as written.

Amendment passed unanimous.

Proposal 9 as amended passed unanimous.

Further discussion on Nelchina caribou included that a regular draw hunt would be the best solution but probably not fit well in this case. We took no action based on action on proposal 9 on the other Nelchina caribou proposals.

Proposal 31 was brought to the table by Ermold 2<sup>nd</sup> by Carmichael. This AC voted unanimous for this proposal as written. This shows the continued support of the AC for predator Management practices.

Page 1 of 2

**Kenai Soldotna Fish and Game AC meeting minutes from September 27, 2010**

Proposal 32 was brought to the table by Ermold 2<sup>nd</sup> from Mandarano. Passed by unanimous consent.

Proposal 33 was brought to the table by Ermold 2<sup>nd</sup> from Mandarano. Failed 0-8. We felt that our action on proposal 36 addressed the issue.

Proposal 36 was brought to the table by Ermold 2<sup>nd</sup> by Carmichael. Was amended to only allow residents to participate. Passed by unanimous consent. Continued support of predator management practices was the main discussion.

Mike Crawford was approved to represent the AC at the BOG meeting in October.

Future meeting dates were set for October 12 and 26 at the Aquaculture building.



Susitna Valley Fish & Game Advisory Committee7:00 P.M. September 28th, 2010 @ The Willow Community Center.

Chaired by Steve Runyan

1. Vernon Logan	BigLake
2. Randy Quincy	440-2798
3. Gary Foster	495-1032
4. Ted Schachle	495-6452
5. Gus Gustafson	733-3369
6. Tony Kavalok (ADF&G)	746-6325
7. Tim Peltier (ADF&G)	746-6327
8. Mark Hansen	349-1674

Arrived at 8:45 P.M

9. Jason Votruba	687-0367
------------------	----------

**RECEIVED****SEP 30 2010****BOARDS  
ANCHORAGE**

*Attn: Scott  
Nelchina BOG  
AC Comments*

@ 7:14 P.M. Steve opened up the Nelchina proposal meeting for public Testimonies (none).

Tony Kavalok talked about the Teir I and Community harvest that opened August 10<sup>th</sup>.  
Teir I was for August only.

ADF&G did a gross animal count with aircraft and after examining the pictures that was taken by air realized that there are more caribou than once thought. Possibly up to 45,000 animals.

Teir II applications are still available and will be excepted until Oct. 5<sup>th</sup> via email, mail in or in person in Anchorage.

This Teir II hunt will start Oct. 21<sup>st</sup> and go until quota is met.

The Teir I hunt took around 750 caribou

Also Tony spoke on the Unit 13 moose emergency opening on the 3 brow tine.  
He said it probably wouldn't happen next year.

*p 1 of 2*

The voting for the proposals was led by Steve Runyan:

- 1 6 -0 yes
- 2 0-5-1 abstain
- 3 6-0 yes Gus made motion to take no action, Vern 2<sup>nd</sup>
- 4 Vern made motion to take no action, Gus 2<sup>nd</sup>

Vern made motion to vote on all proposals and Gus 2<sup>nd</sup>

- 5 0-6 no
- 6 5-1 yes
- 7 0-5-1 no the abstain is not sure it is a bad idea
- 8 6-0 yes
- 9 6-0 yes  
Steve made motion to amend verbiage ---- define dependency in the Teir II application  
Gus 2<sup>nd</sup>
- 10 Steve made motion for no action / Vern 2<sup>nd</sup>
- 11&12 Steve made motion for no action / Vern 2<sup>nd</sup>
- 13 6-0 yes
- 14 0-6 no
- 15 0-6 no
- 16 0-6 no
- 17 6-0 yes
- 18 6-0 yes
- 19 6-0 yes
- 20 Steve made motion for no action, he said the court action makes this point moot, Vern 2<sup>nd</sup>
- 21 0-6 no
- 22 6-0 yes
- 23 Steve made motion for no action, the court already did this / Vern 2<sup>nd</sup>
- 24 To vague for action but we see the need for Teir I, 6-0 yes vote for no action
- 25 4-0-2 yes
- 26 Steve made motion for no action / Vern 2<sup>nd</sup>
- 27 6-0 yes
- 28&29 To vague for action the AC belives that board of F&G needs to comply with manning  
court case, Steve made motion Vern 2<sup>nd</sup> 6-0 vote yes
- 30 6-0 yes
- 31 6-0 yes
- 32 6-0 yes
- 33&35 Steve made motion for no action, Randy 2<sup>nd</sup>
- 34 6-0 yes
- 36 6-0 yes

Oct 8-12th Board of game meeting in Anchorage to go over the proposals  
Steve made motion to accept whoever testifies from our AC at the Anchorage meetings to  
represent the Susitna Valley AC

Steve made motion to adjourn the meeting @ 9:30 P.M no objections :)

Susitna Valley AC 9-28-10  
p 2 of 2 AC 5

**Homer Fish & Game Advisory Committee Meeting Minutes of September 28, 2010**

Meeting began 6:05

Members Present: Marv Peters(Chair), Trina B. Fellows(Sec), Tom Young(Vice),Michael Craig, Lee Martin, Cliff Calkins, George Matz, Joey Allred, Dave Lyon, Tabor Ashment, Gus Van Dyke, Thomas Hagberg, Skip Avril, & Pete Weding.

Excused: James Meesis

F&G Biologist: Thomas McDonough game Biologist.

Dave Lyons Representative at Board Meeting on game issues for Homer F&G Advisory.

Public: Richard W. Frost - Issues with Nelchina caribou regulation in Unit 13.

Proposal 1 Action taken 14 0 0 Support

Comments - move to adopt by Michael 2nd by Trina Mr. Frost discussed the caribou issues to great lengths. This would be a fair solution for all caribou hunters in Alaska.

Proposal 22 Action taken 14 0 0 Support

comments move to adopt by Tom 2nd Skip Committee agrees with these proposals

Proposal 30 Action Taken 14 0 0 Support

Comments move to adopt by Thomas 2nd by Lee Committee agrees with this proposal.

Proposal 36 Action taken 14 0 0 Support Amendment

14 0 0 Support with Amendment Comments move to adopt Dave Lyons 2nd

Trina

Amendment: No bear snaring outside of intense management area.

Table until spring.

9:45

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*Attn: Scott  
BOG Nelchina  
IAC Comments*

**Matanuska Valley Fish and Game Advisory Committee Minutes  
September 28, 2010, 7:30 – 10 PM, Meadow Creek Center**

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**AGENDA**

Preparing AC positions on Unit 13 Caribou, black bear, and predation control proposals from the dark blue 2010 proposal book.

*Attn: Scott  
BOG Nelchina  
AC Comment*

- 7:30 PM: Call meeting to order
- Roll Call: eight members for quorum: Brian Campbell, Mark Chryson, Andy Couch, Stephen Darilek (chair), Bennett Durgeloh, Tony Jones, Dan Montgomery, Guisepe Rossi

**Members excused:**

Ken Federico, Bill Folsom, Max Sager, Eric Beckman, Melvin Grove, Steve Bartelli  
Gerrit Dykstra, Kathy Thompson

**Member Position resigned:** Troy Vincent

**Jr Members Present:** Daniel Warta, Stephen Warta

**JR member absent:** Andy Goeke

**Public present:** Tedman Allen

**Motions to approve proposals by Mark Chryson. 2nd by Bennett Durgeloh.**

#1 Would turn Nelchina caribou hunt into a permit hunt with number of permits determined by ADF&G. It was pointed out that the Tier II system would have to be changed for this to occur, but a second point was that fixing Nelchina caribou hunt is the issue of this BOG meeting. Some AC members felt that having a winter hunt was poor management. One member felt there could be both a subsistence hunt and a general permit hunt. Motion approving #1 passed 6-1-1  
Jr Vote 1 -0 - 1.

#2 Would provide a Nelchina Caribou permit for each wolf harvested in Unit 13 by an Alaska resident. Motion failed 1-7-0. Jr Vote 1-1-0. Minority felt bears should be added to proposal.

#3 Would modify tier II limit. Many members do not feel this is a solution as it would go back to the same failed process we had before.. Motion failed 1-7-0 Jr. Vote 0-2-0.

#4 Make Nelchina Caribou hunt a drawing permit hunt with people eligible to draw only once every 2 years. 1-7-0 JR vote 0-2-0. Poorly written in that it sound like the drawing might only occur once every two years, so real intent of the two year provision was unclear

#5 Would change Nelchina hunt 3 different ways. Would go back to a flawed scoring system. Would eliminate most access (off road motorized) to a large portion of Unit 13. Members did not like the income portion. JR. advisory Vote 0-2-0. Motion Failed 0-8-0 regular members.

## **Matanuska Valley Fish and Game Advisory Committee Minutes Sept. 28, 2010, 7:30 – 10 PM, Meadow Creek Center**

#6 Would eliminate points based on age. Jr Vote 1-0-1. Motion Failed. 4- 3 -1 Some AC members felt age/longevity should count if the flawed point system remains intact.

#7 Would open Unit 13 to all legal hunters. AC agrees we do not necessarily want an open hunt for all people at the same time where excess harvest could occur extremely rapidly, but we would like everyone to have an opportunity to participate in the hunt. Jr Vote 0-1-1 Motion passed 6-2-0.

#8 Would create a random resident draw for Nelchina Caribou. Well written proposal our AC unanimously supports. JR Vote 2-0 Motion passes unanimously 8-0.

#9 Would allocate Unit 13 caribou permits based on 5 year periods of use. JR vote 0-2 -0. Motion failed 0-8-0.

Proposals 10, 11, 12 JR vote 0 - 1-1 Motion failed 0-8-0.

#13 would make unit 13 a general hunt -- which could be managed by drawing or registration. jr vote 1-0-1 . Motion passed 7-0-1. Wording seemed odd -- general -- drawing -- registration, which would it be, but we agree with the opportunity for everyone to participate.

14 and 15 JR vote 0-2-0. Motion failed 0-8-0.

#16 Would turn Nelchina caribou into a registration hunt on a first come first served basis, with a limited number of permits. Most AC members did not like the idea of a mass registration for small number of permits. Jr vote 0-1-1 Motion failed 1-7-0. Minority liked the concept of spread out season but shares concern of other AC members about the long length of the seasons, and number of permits allowed.

#17 Would turn Unit 13 caribou into Random draw. 1-0-1. Motion passed Unanimously. 8-0-0

#20 and 21. 0-1-1 Motion failed unanimously 0-8-0. These create special privileges for certain people only.

#22 and 23. JR. Vote 1-0 -1. Motion passed unanimously 8-0-0.

Stephen Darilek asked who could represent Matanuska Valley AC at the BOG meeting. Dan Montgomery said he would be going to the meeting and could represent the AC. There was no objection. Stephen asked if Dan would write a position letter of testimony for the AC to the BOG. Suggestions were that the AC hopes to get out of Unit 13 Tier II subsistence for the caribou hunt. Would prefer to go to drawing or possibly registration hunt for Unit 13 caribou. Would like to see Unit 13 caribou hunting focused in the fall rather than winter -- or possibly have an effort spreading out winter hunt so it is not a mass of people chasing caribou around on snowmobiles or a mass hunt from the highway. Some on the AC believe caribou bulls are far

## **Matanuska Valley Fish and Game Advisory Committee Minutes Sept. 28, 2010, 7:30 – 10 PM, Meadow Creek Center**

better eating quality if harvested in early fall (on or before September 20). AC would like to eliminate the provision limiting Unit 13 caribou hunters to only hunting moose in that unit.

Proposal #25 JR. Vote 1-0-1 Motion failed 0-7-1

#31 would reauthorize the predation control plan for Unit 13. Jr vote 1-0-1. Motion passed 8-0-0.

#32 extending current brown bear season to permanent status in unit 26B Jr Vote 2-0-0. Motion passed 8-0-0.

#33 JR vote 2-0-0. Motion passed 7-0-1. Minority abstention had concerns over what might be allowed under bear trapping regulations (did not know).

#34 jr vote 1-1-0. Motion passed 6-1-1.

#35 motion to amend the proposal by adding the provision, "by bucket snare only," made by Andy Couch, 2nd by Bennett Durgeloh. Amendment passed unanimously 2-0 -0 jr and 8-0-0. Amended motion passed jr 2-0 -0 and 7-0-1.

#36 Black Bear trapping proposal. Jr Vote 2-0-0. Motion passed unanimously 8-0-0.

Meeting adjourned at 10 p.m.

Minutes taken by Andy Couch

Minutes submitted unapproved on Sept. 29, 2010 pending approval of AC members.

**Paxson Fish and game Committee Minutes 9/21/2010**

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- I. Meeting was called to order 6:20Pm at Paxson Lodge
- II. Members present: John Schandelmier, Alan Echols, Jim Murray and Gary Alcott

Public present: Del By, Lee Harper, Duffy Johnson, Jack Johnson and Tony Petterson.

Agency Staff : Becky Schwanke

*Attn: Scott  
BOG Melchior  
AC Comment*

**III. Old Business:**

John Discussed the last meeting agenda with BLM and the remote cabins and how it didn't seem to do much good, as the cabin were burned down anyway.

**VI. New business:**

Need to have another meeting the middle to end of Oct.

Becky Schwanke explains the Tier II situation and why the subsistence numbers are set aside the way they are.

Lee Harper asked why the Tier I system was put into place last year. Becky explained.

John asked about the success rates on permits and how closes AF&G gets to the number of permits handed out with animals taken.

Becky said that right now the substance Numbers are between 600-1000

Duffy says that he has been hunting this herd for 46 years and because he lives in Fairbanks he doesn't get a permit.

Tony suggests that after the subsistence permits are given out the Board of Game should make the rest a drawing hunt. The majority of the PAB likes this.

On Prop 9 the board would like to modify the way the years are set up. Making it 10 year blocks instead of 5 years.

Also would like to see,

Aug 10-25 a Tier II hunt opens again from Oct 21-Nov 15

Then have a general drawing hunt from

Sept 1-20 and again Nov 20 through March 31

Drawing hunt would be bull only unless cows are needed to control numbers.

All board members voted yes.

Levi asked about the % of permits that would go to out of state hunters. The board agrees to no more then 5%

Board wants to appose Prop 22 All members voted yes

Prop 23 board votes to support

## **Paxson Fish and game Committee Minutes 9/21/2010**

On Prop 29 everyone feels like 500 permits is enough since that will mean that AF&G will be handing out 1000 permits and have never had that many animals taken for Subsistence.

Prop 29 Oppose. Everyone votes yes.

Becky says that being able to meet the ANG #s will go a long way to making AF&G board happy.

John says that will be able to go to the meeting in Anch and all board members vote yes to send him.

Next meeting in Oct we need to discuss access issues and vote in board members.

Meeting adjourned at 9:30pm



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BOARDS  
ANCHORAGE

Sherry Wright

ADF+G Regional Coordinator, Board of Game  
333 Raspberry Road  
Anchorage, AK

Attn: Scott  
BOG Melchior  
Public Comment

Dear Sherry:

It is way past time for us to stop blaming the wolves and bears for the predation that is being done by humans. Bear baiting is nothing but legalized animal torture. We make Michael Vick look like a bunny-hugger. Why are we catering to the small percentage - most fortunately - of Alaskans who get some sort of sick pleasure out of killing innocent animals ??

Diane Rayner

P.O. Box 2994  
Homer, AK 99603

September 27, 2010

Sherry Wright  
ADF&G Regional Coordinator Board of Game  
333 Raspberry Road  
Anchorage, AK 99518-1599

Dear Board of Game Members:

I am appalled at the unfair methods used in not accepting bear proposals for the October 8 "Out of Cycle" BOG meeting. It was always my understanding that "out of cycle" proposals were not accepted except in the case of emergencies. In any case, it appears that the BOG accepted bear proposals for hunting, trapping, snaring, liberalizing hunting seasons, and reclassifying bears as furbearers but not proposals from others that oppose liberalizing bear hunting seasons and snaring. The BOG brags about its democratic process for public participation, but it seems in this case that the BOG is not even following the regulations for public notice and is not being fully forthcoming to the portion of the public that does not agree with the intensive predator control mission that the BOG has championed in its efforts to eliminate wolves and bears.

I am particularly disturbed to see broad proposals expanding seasons on brown bears. Proposal 33 which reclassifies black bears as furbearers from their traditional classification as big game is clearly only to allow snaring. I oppose this proposal. Snaring a black bear is a very dangerous practice. If a human is caught in a bear snare, that person could be killed or maimed for life.

Proposal 35 would allow black bear snaring. I am opposed to this barbaric method of killing a black bear. Snaring would cause a bear to suffer a long slow, agonizing death. This is not a humane way to take black bears and should not be permitted.

Due to the irregularities of public notice and the fact that there was no opportunity for the public to submit proposals to the October 8 agenda, the BOG of game should not act on the bear proposals currently in the Proposal book. But if the BOG does decide to act, I urge the BOG to not change the game regulations to allow snaring and not to liberalize the hunting seasons or reclassify black bears as furbearers.

Sincerely,

*Nina Faust*

Nina Faust

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**SEP 28 2010**

**BOARDS  
ANCHORAGE**

*Attn: Scott BOG Nelchman  
Public Comment*

BOARD OF GAME Nelchina Caribou / Bear Trapping

October 2010

Copper Basin AC Comments on Proposals

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SEP 30 2010

BOARDS  
ANCHORAGE

Attn: Scott  
BOG Nelchina

AC Comments

Proposal #	Description	AC Vote	Discussion (pros & cons)
PROPOSAL 1	Modify the Nelchina caribou hunt by using permit hunting with the number of permits determined by the Alaska Department of Fish and Game.	No Action	Not legal. Doesn't meet subsistence needs.
PROPOSAL 2	Modify the Nelchina caribou hunt so that any Alaska resident will be eligible for one caribou permit for each wolf they legally harvest in Unit 13.	No Action	See Proposal 21
PROPOSAL 3	Modify the bag limit for caribou in Unit 13 for one RC566 Nelchina caribou permit every two years with a limit of two per household.	No Action	See Proposal 21
PROPOSAL 4	Change the Nelchina caribou hunt to a drawing permit system once every two regulatory years.	No Action	Not legal.
PROPOSAL 5	Manage the Nelchina caribou quota entirely as Tier II. Eliminate the use of off-road vehicles and change the Tier II scoring questions so that years of use, amount of meat consumed, and income are considered.	No Action	This is based on income; this was ruled out in previous court case.
PROPOSAL 6	Remove the question of age from the scoring questions on Tier II applications.	No Action	See Proposal 21.
PROPOSAL 7	Open the Unit 13 caribou hunt to all legal hunters.	No Action	Subsistence needs must be met first.

Proposal #	Description	AC Vote	Discussion (pros & cons)
<b>PROPOSAL 8</b>	Create a random draw for the Nelchina caribou herd under a Tier I program with the defining criteria along the same lines as a registration or draw supplement without qualifiers; other than resident status. A person that is awarded a tag, cannot apply the following year and household limits could be applied to allow for more hunter opportunities.	No Action	See Proposal 21.
<b>PROPOSAL 9</b>	Modify the permit system for Nelchina caribou to use 5-year blocks of use and dependency, with each block getting an equal number of harvestable share of the annual caribou quota.	No Action	Too complicated. See Proposal 21.
<b>PROPOSAL 10</b>	Modify the permit system for Nelchina caribou with an equal drawing for the resource based on a weighted system as done in the majority of the states.	No Action	See Proposal 21.
<b>PROPOSAL 11</b>	Modify the permit system for Nelchina caribou with an equal drawing for the resource based on a weighted system as done in the majority of the states.	No Action	See Proposal 21.
<b>PROPOSAL 12</b>	Modify the permit system for Nelchina caribou with an equal drawing for the resource based on a weighted system as done in the majority of the states.	No Action	See Proposal 21.
<b>PROPOSAL 13</b>	Make the Unit 13 caribou hunt a general hunt by drawing permit or by registration hunt and declare this a non-subsistence area.	No Action.	Not legal. See Proposal 21.

Proposal #	Description	AC Vote	Discussion (pros & cons)
<b>PROPOSAL 14</b>	Set a yearly harvest objective based on current caribou numbers, reserve 60 percent of the permits available for local Unit 13 subsistence/Tier II hunters, and the remaining 40 percent as a draw permit with "bull only". A subsistence hunter is not allowed to enter the draw system. Of the 40 percent of the permits that enter the draw system set aside 25 percent of them for rifle hunters, 5 percent for bowhunters, 5 percent for muzzleloader hunters, and the remaining 5 percent for a youth hunt for kids under the age of 18 that allows the use of any weapon of their choosing.	No Action	This is too complicated. See Proposal 21.
<b>PROPOSAL 15</b>	Allow the Nelchina caribou hunt to go to a lottery drawing with allocation of permits divided between large landowners, youth, bowhunting/muzzleloaders, and non-residents.	0-11	This eliminates subsistence use, is based on land ownership, and creates a straight draw. See Proposal 21.
<b>PROPOSAL 16</b>	Make the Nelchina caribou into three registration hunts; the first segment for seven weeks; the second segment for eight weeks; and the third segment determined based on the success rates of the first two hunts.	0-11	Complicated, does not provide a reasonable opportunity. May end up with a 3 day hunt.
<b>PROPOSAL 17</b>	Open up the whole state-governed harvestable surplus to a random draw hunt.	No Action	Creates enforcement issues. Subsistence needs are not defined.



BOARD OF GAME Nelchina Caribou / Bear Trapping

October 2010

Copper Basin AC Comments on Proposals

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 Sep 30 2010 4:51PM

Proposal #	Description	AC Vote	Discussion (pros & cons)
<b>PROPOSAL 19</b>	Modify the permit system for Nelchina caribou to a system that applies an equitable, legal and fair drawing system for all Alaskans.	0-11	Eliminates subsistence. Creates draw hunts. The resource is limited. Cannot manage with straight draw.
<b>PROPOSAL 20</b>	Reauthorize a Community Harvest Permit.	8-2	<p><b>Amended:</b> 5AAC 92.074(d) "with ties to Gulkana,  <b>Cons:</b> Didn't get Tier I when I used to get Tier II. <b>Pros:</b> Others at meeting participated and told he could have participated in CH. 469 with ties to communities participated in Community Harvest and 78-designated hunters.</p> <p><b>Discussion:</b> If Community Harvest was reinstated,</p>
<b>PROPOSAL 21</b>	Revise the Tier II subsistence hunting permit point system.	<p>11-0</p> <p>11-0</p>	<p>Opens opportunity for younger hunters. Weighted toward cost for food &amp; fuel. Largely, C&amp;T use is because of cost of alternative proteins is prohibitively more expensive than in larger communities.</p> <p><b>Amended:</b></p> <p><b>Option 1:</b> Have Tier I, II and Community Harvest Seasons as follows: August 10-September 20 October 21-March 31</p> <p>If not legally viable, then</p> <p><b>Option 2:</b> Community Harvest August 10-September 20 October 21-March 31</p> <p>Tier II August 10-September 5 October 21-November 30</p> <p>Tier I September 6-September 20 December 1-March 31</p>
<b>PROPOSAL 22</b>	Allow an individual holding a Unit 13 Tier I caribou permit to hunt moose in other parts of the state that regulatory year.	11-0	Removes unnecessary restrictions. Restricts hunter from other opportunities. Those that live on border are forced to choose one unit. Remove from all hunts.

Proposal #	Description	AC Vote	Discussion (pros & cons)
<b>PROPOSAL 23</b>	Repeal the Community subsistence harvest hunt areas and permit conditions.		See Proposal 20
<b>PROPOSAL 24</b>	For Unit 13 Nelchina caribou: 1 caribou per regulatory year on a rotational basis by Tier I permit only; harvest under federal regulations is not counted in the Alaska State Tier I permit hunt.	No Action	Hard to enforce.
<b>PROPOSAL 25</b>	Revise the Tier II subsistence scoring questions using only questions #17, #18, and #19 from the 2010/2011 application (about 'Customary and Traditional' use) and the applicant's time in the hunting area over the past five years to award the permits.	0-11	High cost of fuel & food is reason for increased C&T use and reliance on resource.
<b>PROPOSAL 26</b>	Modify the qualifications for the community subsistence harvest system for Tier II Nelchina caribou in Unit 13 by limiting the number of Tier II permits to the number that the community's individuals have qualified for under the point system.		See Proposal 21. Difficult to enforce.
<b>PROPOSAL 27</b>	Amend regulations to comply with the subsistence law and recent judicial rulings regarding caribou in Unit 13.	11-0	<b>As Amended:</b> to expire on April 1, 2011. Only support for current year.
<b>PROPOSAL 28</b>	Review the amounts necessary for subsistence to comply with the subsistence law and recent judicial rulings regarding caribou in Units 12 and 13.	10-1	<b>As Amended:</b> set ANS amount at 750. This leaves suitable amount for Tier I hunt. One person cannot commit until subsistence is defined.



BOARD OF GAME Nelchina Caribou / Bear Trapping

October 2010

Copper Basin AC Comments on Proposals

**Proposal # Description AC Vote Discussion (pros & cons)**

**PROPOSAL 29** Reexamine the Tier I subsistence permit regulations for Nelchina caribou permits. 11-0 **As Amended: SAAC 92.071 (a)**

(1) Unit 13 Tier I subsistence caribou permits will be distributed to ~~heads of households~~ on a random basis following application.

(3) An individual ~~a head of household~~ who obtains a permit, ~~and any member of the household are~~ is ineligible to receive another permit during the next ~~three~~ regulatory years;

(4) An individual ~~a head of household~~ will receive one point for each year in which they ~~head of household applies~~, but did not receive a permit, with one point awarded for the first year;

(5) upon receiving a permit, or if ~~a head of household~~ an individual fails to apply during a regulatory year, the ~~household's~~ individual's score becomes zero, with the process starting over if the ~~head of household~~ individual applies in a succeeding year.

(b) - Delete this entire paragraph

**Comments:** A household cannot apply for another 4 years, can have individual lose opportunity for 4 years but, not he entire family. Restrictive, have to hunt in one unit. Taking away the opportunity to hunt. Herd size is increasing.

**PROPOSAL 30** Make a portion of Unit 13 a nonsubsistence use area and create a draw period for available harvest tags within this nonsubsistence area. 0-11 North of Denali Hwy is a controlled use area. This is a major portion of Unit 13, where the caribou are during the entire fall hunt. Limits subsistence use to Sub-Units B, C, & D, where there aren't any caribou.

**PROPOSAL 31** Reauthorize the Unit 13 Wolf Predation Control Plan 11-0 This gives option for predator control; does not necessarily mean it will be done. Allows for reduction of efforts, Harvest objectives are attainable, allows increased harvest opportunities.

**PROPOSAL 32** Extend brown bear seasons in a portion of Unit 26B to address a muskoxen conservation concern. No Action

**PROPOSAL 33** Reclassify black bear as a furbearer to allow for trapping and the sale of hides in Units 25, 20 and 12. No Action

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HP LASERJET FAX  
Sep 30 2010 4:52PM

Proposal #	Description	AC Vote	Discussion (pros & cons)
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<b>PROPOSAL 34</b>	Modify the harvest of black bears to allow the harvest of a cub bear or a female bear accompanied by a cub bear from July 1 - November 30 and March 1 - June 30 in Unit 25D.	No Action	
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<b>PROPOSAL 35</b>	Allow black bear snaring in Unit 25D.	No Action.	
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<b>PROPOSAL 36</b>	Implement black bear trapping regulations in Units 12, 16B, 19A, 19D, 20E, 25D	0-11	No hard evidence on need. We are supportive of wolf predator control and fear the harm publicity and public outcry this can bring to a successful wolf predation program.
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**Findings of the Alaska Board of Game**

**BOARD OF GAME BEAR CONSERVATION, HARVEST, AND MANAGEMENT**

**DISCUSSION:**

**BOARD OF GAME WOLF POPULATION CONTROL AND MANAGEMENT I**

**DISCUSSION:**

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