

FEDERAL SUBSISTENCE BOARD

SPECIAL ACTIONS

Office of Subsistence Management
Conference Room
ANCHORAGE, ALASKA

July 19, 2019

MEMBERS PRESENT:

Anthony Christianson, Chairman
Charles Brower, Public Member
Rhonda Pitka, Public Member
Chad Padgett, Bureau of Land Management
Greg Siekaniec, U.S. Fish and Wildlife Service
Bert Frost, National Park Service
Gene Peltola, Bureau of Indian Affairs
David Schmid, U.S. Forest Service

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P R O C E E D I N G S

(Anchorage, Alaska - 9/19/2019)

(On record)

MR. DOOLITTLE: All right, everybody. This is a pretty busy room for a Temporary Special Action. Mr. Evans and our Staff. If we could sit down. One of the things I'd like to do at the beginning of a meeting like this is to -- since we have a relative full house before I turn it over to the Chair -- is to make sure we have some basic introductions of the people that are in the room. I'm glad to see the turnout for a Temporary Special Action process here at the Regional Office in Anchorage.

My name is -- and I'll start it out with introductions of myself as the Acting Assistant Regional Director for the Office of Subsistence Management. My name is Tom Doolittle. We'll proceed with those introductions for those people that are on the telephone.

MS. SMELCER: Good morning. This is Shirley Smelcer.

MR. SCOTT: Good morning. Ryan Scott with Fish and Game in Juneau.

MR. DOOLITTLE: Hi, Ryan.

MR. SUMINSKI: Good morning, everyone. This is Terry Suminski with the Forest Service. I'm the Acting Subsistence Program Leader and the ISC member for the Forest Service.

Thank you.

MS. PERRY: Good morning. This is DeAnna Perry.

MR. CHRISTENSEN: Good morning. This is Bret Christensen with the Chugach National Forest.

MS. PITKA: Good morning. This is Rhonda Pitka, Federal Subsistence Board public member.

MR. DOOLITTLE: Charlie Brower, are you

1 on the phone line?
2
3 (No response)
4
5 MR. BURCHAM: Milo Burcham from the
6 Chugach Forest.
7
8 MR. DOOLITTLE: Anthony Christianson,
9 are you online?
10
11 (No response)
12
13 MR. DOOLITTLE: Any other folks online
14 at this moment?
15
16 (No response)
17
18 MR. DOOLITTLE: Hearing none at this
19 moment, we'll go down the line starting at my left for
20 introductions.
21
22 CHAIRMAN CHRISTIANSON: Good morning.
23 Anthony Christianson just signed on.
24
25 MR. DOOLITTLE: Thank you, Mr. Chair.
26
27 CHAIRMAN CHRISTIANSON: How you doing,
28 Tom?
29
30 MR. DOOLITTLE: Good, man.
31
32 MR. WHITFORD: Good morning. This is
33 Tom Whitford. I'm the Acting Deputy Assistant Regional
34 Director for the Office of Subsistence Management. I'm
35 glad to be here.
36
37 MR. FROST: Bert Frost, Regional
38 Director for the National Park Service.
39
40 MR. MATUSKOWITZ: Theo Matuskowitz,
41 Subsistence Management Regulation Specialist.
42
43 MR. FADDEN: Steve Fadden, Subsistence
44 Management as a detail and I'm Council Coordination
45 Supervisor for the folks in the office there.
46
47 MR. EVANS: Good morning. My name is
48 Tom Evans. I'm a wildlife biologist with OSM.
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50

1 MR. PADGETT: Chad Padgett, BLM State
2 Director.

3
4 MS. HARDIN: Good morning. My name is
5 Jennifer Hardin and I'm the Subsistence Policy
6 Coordinator for the Office of Subsistence Management.

7
8 MR. SIEKANIEC: Good morning. Greg
9 Siekaniec, Regional Director for the U.S. Fish and
10 Wildlife Service here in Alaska.

11
12 MS. DAMBERG: Good morning. This is
13 Carol Damberg. I'm the InterAgency Staff Committee
14 member for the U.S. Fish and Wildlife Service.

15
16 MR. PELTOLA: Gene Peltola, Jr.,
17 Regional Director, Bureau of Indian Affairs, Alaska
18 Region.

19
20 MR. DOOLITTLE: Others in the audience,
21 since you probably will be participating in this
22 meeting, it would be great if you introduce yourself as
23 well.

24
25 MS. MAAS: This is Lisa Maas, wildlife
26 biologist with the Office of Subsistence Management.

27
28 MR. MCKEE: Chris McKee, Wildlife
29 Division Supervisor, OSM.

30
31 MR. REAM: Good morning. This is
32 Joshua Ream, Subsistence Program Manager for the
33 National Park Service.

34
35 MR. LIND: Camai. This is Orville
36 Lind, Native Liaison for the Office of Subsistence
37 Management.

38
39 MR. DEL FRATE: Gino Del Frate. I'm
40 the Regional Supervisor for Region 4, Alaska Department
41 of Fish and Game.

42
43 MR. MULLIGAN: Ben Mulligan, Alaska
44 Department of Fish and Game.

45
46 MR. BURCH: Mark Burch, Department of
47 Fish and Game.

48
49 MR. REBNE: Hello. Online. This is
50

1 Grant Rebne, Native Village of Cantwell.

2

3 MR. SCHMID: Good morning. This is
4 David Schmid, the Regional Forester with USDA Forest
5 Service.

6

7 MR. DOOLITTLE: Good to hear you,
8 David. This is Tom. Charlie, was that you online?

9

10 MR. BROWER: Yes.

11

12 MS. CELLARIUS: Good morning. This is
13 Barbara Cellarius with Wrangell-St. Elias National Park
14 and Preserve in Copper Center.

15

16 MR. DOOLITTLE: Good morning, Barbara.

17

18 MS. TAYLOR: Good morning. This is
19 Sara Taylor with the Office of the Secretary.

20

21 MR. DOOLITTLE: Good morning, Sara.

22

23 MS. PETRIVELLI: This is Pat
24 Petrivelli, BIA subsistence anthropologist.

25

26 MR. RISDAHL: Good morning. Greg
27 Risdahl, the OSM Fisheries Division Lead.

28

29 MR. SHARP: Daniel Sharp, Department of
30 -- Bureau of Land Management.

31

32 (Laughter)

33

34 MR. SHARP: I'll get it right.

35

36 MR. BURCHAM: Milo Burcham, Chugach
37 Forest.

38

39 MR. DOOLITTLE: It looks like we have
40 everybody. Thanks again to the court reporter, Tina,
41 and her guest. At this time I'll turn over the meeting
42 to Anthony Christianson, the Chairman of the Federal
43 Subsistence Board.

44

45 CHAIRMAN CHRISTIANSON: All right.
46 Thank you, Tom. Thank you for everybody starting off
47 by introducing yourselves. I appreciate you taking the
48 time out of your day to come in and look at these
49 wildlife special actions we have before us. With that

50

1 I'll go ahead and turn it over to the Staff so they can
2 give us the information regarding the process we'll go
3 through.

4

5 Thank you.

6

7 MR. DOOLITTLE: Mr. Chair, if I could
8 call roll call at your pleasure.

9

10 CHAIRMAN CHRISTIANSON: Roll call would
11 be good, Tom.

12

13 Thank you.

14

15 MR. DOOLITTLE: Alrighty. I'll be
16 calling roll call.

17

18 Public Member, Rhonda Pitka.

19

20 MS. PITKA: Here.

21

22 MR. DOOLITTLE: Okay, Rhonda is
23 present.

24

25 Bureau of Indian Affairs, Gene Peltola.

26

27 MR. PELTOLA: Present.

28

29 MR. DOOLITTLE: Public Member, Charlie
30 Brower.

31

32 MR. BROWER: (In Inupiaq).

33

34 MR. DOOLITTLE: Good to hear you,
35 Charlie.

36

37 U.S. Forest Service, David Schmid.

38

39 MR. SCHMID: Present.

40

41 MR. DOOLITTLE: U.S. Fish and Wildlife
42 Service, Greg Siekaniec.

43

44 MR. SIEKANIEC: Here and accounted for,
45 Tom. Thanks.

46

47 MR. DOOLITTLE: You bet, Greg.

48

49 National Park Service, Herbert Frost.

50

1 MR. FROST: Here.

2

3 MR. DOOLITTLE: And last but not least,
4 Bureau of Land Management, Chad Padgett.

5

6 MR. PADGETT: Here.

7

8 MR. DOOLITTLE: Alrighty. Any legal
9 counsel from USDA, Dawn Collinsworth, Jim?

10

11 MR. SCHMID: Negative.

12

13 MR. DOOLITTLE: And I know that Ken
14 Lord and Mike are not present from legal counsel. We
15 do have Sara from the Department of Interior office. I
16 want to thank our State colleagues for all being here,
17 Ben and Mark, that have been involved with the process
18 as well.

19

20 Any Regional Advisory Council Chairs
21 that might be online that I've missed?

22

23 (No comments)

24

25 MR. DOOLITTLE: None heard. We have a
26 quorum for this Federal Subsistence Board meeting.

27

28 Tony, it's back over to you.

29

30 CHAIRMAN CHRISTIANSON: Thanks, Tom. I
31 appreciate us getting a quorum today and again look at
32 these wildlife special actions I guess one at a time
33 today. I do have one request for some public testimony
34 from Gloria, so as we move forward I will allow for the
35 public testimony on those specific. If they call in, I
36 don't mind listening to what the public has to say on
37 the decision-making today.

38

39 So I'll go ahead and turn it over to
40 the Staff and again I appreciate everyone taking the
41 time to call in today. So if you want to start
42 briefing us on what's before us.

43

44 Thank you.

45

46 MR. DOOLITTLE: Thank you, Mr. Chair.

47

48 MR. EVANS: Good morning, Mr. Chair and
49 members of the Board. My name is Tom Evans and I'll be

50

1 presenting Temporary Special Action WSA19-03. This was
2 submitted by Paul Rude from Glennallen and requests
3 that the Federal Subsistence Board close Federal public
4 lands in Unit 13 to the hunting of moose and caribou by
5 non-Federally-qualified users for the 2019/2020 season.
6

7 The proponent states that the closure
8 for the moose and caribou seasons to non-Federally-
9 qualified users was due to the recent decline in the
10 Nelchina Caribou Herd and competition with Federally-
11 qualified users. Specifically he asserts that
12 activities by non-Federally have resulted in public
13 safety concerns, difficulty in successfully harvesting
14 moose and caribou on Federal public lands by Federally-
15 qualified users due to excessive competition from the
16 large numbers of non-local hunters, displacement of
17 moose and caribou from their customary and traditional
18 migration corridors and difficulty in passing on
19 traditional hunting knowledge and customary practices
20 to their children due to safety concerns.
21

22 A public hearing was held on June 3,
23 2019, in Copper Center. Approximately 50 individuals
24 showed up in person, 30 individuals listened online.
25 Of those 26 individuals provided testimony at the
26 public hearing and another eight provided written
27 comments. The testimony was diverse and covered a wide
28 variety of issues and concerns on proposed closure. I
29 will summarize some of the main points, but I would
30 encourage you to read the full current events section
31 in the analysis for all the issues raised. Eleven were
32 opposed and 12 supported the Temporary Special Action
33 and one was either/or.
34

35 I'm going to present first sort of the
36 concerns for the proposal and then against the proposal
37 and these are in no particular order. It's just kind
38 of as they came along. Both local users as well as
39 those from outside the area harvest caribou and moose
40 for subsistence use. Intense hunting pressure for
41 moose and caribou in Unit 13 has created unsafe hunting
42 conditions, and increased difficulty for Federally-
43 qualified subsistence users to harvest both caribou and
44 moose to provide for their families. Some local users
45 do not have ORVs or snowmachines to access moose and
46 caribou that are further away from the community. The
47 importance to cultural diversity, identity, subsistence
48 way of life and subsistence economies for local users
49 was expressed several times. Caribou and moose are
50

1 sometimes not available when local users would like to
2 harvest because the animals have been taken previously
3 or pushed out of the local areas. Hunting pressure is
4 changing the traditional migration corridors, migration
5 timing and habitat use by caribou and moose. Safety
6 concerns during the peak hunting season often forces
7 local users to hunt later in the season when it's less
8 convenient, more difficult and often when there are
9 fewer opportunities because there are fewer animals
10 available. In addition, safety concerns prevented some
11 local users from being able to teach their children
12 hunting skills and pass on customary and traditional
13 practices. Local users felt that the closure of the
14 small amount of Federal public land, which is
15 approximately 13 percent, would have a minimal effect
16 on non-Federally-qualified users because non-Federally-
17 qualified users would still have access to the public
18 and private State-managed lands. However, it was noted
19 that closing the Federal public lands to non-Federally-
20 qualified users may not have the desired effect of
21 reducing hunting pressure as individuals hunting under
22 the State regs may cross Federal public lands to access
23 caribou and moose. This situation may create new
24 safety concerns between hunters along the boundary
25 between Federal public lands and the remaining State
26 and private lands. There was a concern of direct
27 environmental impact on trails, tundra and wildlife
28 habitat from the hunting pressure. This includes trash
29 along with the habitat degradation. Some folks
30 acknowledged the safety concerns but didn't feel like
31 this temporary special action was the right solution.
32 Other possible solutions to the
33 overcrowding, public safety issues, and environmental
34 impact included restricting shooting within a
35 quarter-mile corridor on either side of the highway,
36 increased law enforcement, public education and
37 outreach, separate Federal and State seasons, and
38 transportation restrictions.

39
40 A meaningful preference is already
41 being provided under the Federal subsistence
42 regulations. The proposed closure would hamper State
43 management, especially when caribou and moose
44 populations exceed the carrying capacity of their
45 range.

46
47 The State of Alaska opposed a special
48 action noting that Federally-qualified users can and do
49 hunt under State regulations and are not limited to
50

1 Federal public lands. WSA19-03 is not needed for the
2 conservation for either caribou or moose. Federal
3 hunting under the system regulations had longer seasons
4 and they were able to hunt bulls and cows, whereas
5 under the State regulations they were restricted to
6 bulls only.

7
8 So that's a summary of the comments
9 that we received at the public hearing.

10
11 The Nelchina Caribou Herd is the
12 primary herd in Unit 13. The calving grounds, summer
13 range and rut usually occur within Unit 13. The State
14 management objectives are to maintain a fall population
15 of 35,000 - 40,000 caribou, a minimum of 40 bulls and
16 40 calves per 100 cows and provide for an annual
17 harvest of 3,000-6,000 caribou.

18
19 In 2015 and 2016 the Nelchina Caribou
20 Herd was approximately 47,500 caribou. There was
21 concern at that time that for the range quality and the
22 herd stability would be affected if the population
23 continued to increase. At that point there was an
24 effort by the State to increase the number of permits
25 and try to reduce the herd. By 2018 the combination of
26 a liberal hunt, severe winter conditions in the eastern
27 portion of the range during 2017 and '18 and some
28 migration to the Fortymile Caribou Herd resulted in a
29 population being reduced to approximately 33,000
30 animals, which is 2,000 below the State's recommended
31 minimum threshold.

32
33 Going on to moose.

34
35 The 2015 population reached a high of
36 21,090, which was slightly less than the State's
37 maximum population objective of 21,900. In 2017, the
38 population was 17,746, which is slightly less than the
39 State's minimum population objective of 17,600. In
40 2018, the moose populations were stable or slightly
41 increasing in all sub-units within Unit 13 except for
42 Unit 13D. In 2018, the bull:cow ratios were close to
43 or above State management goals of 25 bulls per 100
44 cows in all sub-units and below in 13B. In 2018, the
45 calf:cow ratios were below the State management goal of
46 25 calves per 100 cows in 13A and 30 calves per 100
47 cows in 13B, C, D and E. There was no data for 13C or
48 13D in 2018.

49
50

1 Most of Unit 13 is in the traditional
2 area of the Ahtna Athabascans with the northwestern
3 portion being historically in the traditional area of
4 the Dena'ina. Moose were traditionally taken through
5 the summer, through the late winter and caribou are
6 typically hunted in the spring and the fall.

7
8 Large animals, predominantly moose and
9 caribou, are comprised between 21 and 88 percent of the
10 total community harvest by weight for the communities
11 in the Upper Copper River drainage. That relates to
12 11-121 pounds per person depending on the community.
13 Almost all the communities use caribou and moose. Most
14 of the local communities hunted as close to home as
15 possible and used local road corridors to access moose
16 and caribou. However, other local residents from other
17 areas would search for game more widely throughout the
18 Copper Basin.

19
20 Conflict between local and non-local
21 hunters has long been an issue in Unit 13. The concern
22 is that non-local hunters are out-competing local
23 hunters and driving game away. Some residents thought
24 the community subsistence hunt should be for locals
25 only. Hunters disrupting the migration pattern of
26 caribou in 2012-2013. The caribou apparently came down
27 towards the road near Paxson and there were 50 or more
28 hunters waiting for them and they turned around and
29 went back over the top of the mountain. The impact is
30 everywhere, not just around Paxson. Along the Denali
31 Highway as well. Of course there were safety concerns
32 that I mentioned in the public comments.

33
34 The average annual harvest for caribou
35 from 2001-2018 is 2,751. From that the State portion
36 of that harvest was 2,334 and the Federal was 417. In
37 2018, the Federal harvest was 734 and the State harvest
38 was 1,411. From 2001-2018, the Federal caribou harvest
39 has averaged approximately 17 percent of the total
40 harvest.

41
42 Going on to moose.

43
44 Since 2001 the moose harvest and
45 population levels have continued to increase in Unit
46 13, although the calf:cow ratios have remained below
47 the State management objectives. During the last five
48 years the combined annual harvest has averaged 1,025
49 bulls, which is close to the 1,050 which is the State's

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1 minimum harvest objective.

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A majority of the moose harvested on Federal public lands occurs in Unit 13B. In 2016, that was roughly 75 percent. Current moose harvest on Federal public lands by local residents hunting under Federal subsistence regulations in Unit 13 range from 6-8 percent and the annual harvest has averaged 69 animals from 2006 to 2018. The range being 47 to 99.

The community subsistence hunt, which is managed by the State, was established in 2009 and a majority of the hunters participating are non-local residents, i.e. not in Unit 13. From 2008 to 2012 residents in Unit 13 averaged 49 moose and non-locals averaged 541.

Moose populations in Unit 13 are currently stable. The Nelchina Caribou Herd at the lowest threshold recommended by the State is still considered healthy. Federal moose harvest on Federal public lands average 6-8 percent of the total harvest from 2016 to 2018. The proportion of Federal public lands is only 13 percent. It's not anticipated that the harvest to Federally-qualified users only will have a negative population level effects to either caribou or moose populations in Unit 13.

If WSA19-03 is approved, Federally-qualified subsistence users hunting moose and caribou on Federal public lands would likely experience less competition from non-Federally-qualified users during the 2019/2020. However, closure to Federal public lands will not preclude access to State public and private lands across Federal public lands by non-Federally-qualified users. Thus the closure may not alleviate concerns entirely concerning disturbance during the hunting or deflection of caribou and moose away from the area.

OSM's conclusion is to support Temporary Special Action 19-03.

If WSA19-03 is approved, it would help ensure priority access to moose and caribou on Federal public lands by Federally-qualified users. It might also reduce user conflicts, alleviate some safety concerns and allow local subsistence users to continue customary and traditional practices. Closure of Unit

1 13 to non-Federally-qualified users is unlikely to have
2 a negative effect on caribou or moose populations.

3

4 That's the end.

5

6 Any questions.

7

8 CHAIRMAN CHRISTIANSON: Any questions
9 for Tom. This is Anthony. The floor is open for
10 questions.

11

12 MR. PELTOLA: Mr. Chair, I have a
13 question.

14

15 CHAIRMAN CHRISTIANSON: Yes.

16

17 MR. PELTOLA: This is Gene. Tom, how
18 many times has harvest in GMU-13, whether it be moose
19 or caribou, come before this body? How many different
20 times has a proposal or a special action request been
21 presented to the Board?

22

23 MR. EVANS: Looking through the
24 regulatory history, it looks like from all the way from
25 2001 all the way to 2018 there have been different
26 proposals or State regulations or State changes to
27 their regulations concerning moose and caribou in Unit
28 13.

29

30 MR. PELTOLA: During that timeframe how
31 many special actions or regulatory changes have been
32 accepted by the Federal Subsistence Board?

33

34 MR. EVANS: I could go through them one
35 by one, but this will take some time. So it's in the
36 regulatory history in your proposal.

37

38 MR. PELTOLA: Just in general I'd kind
39 of paraphrase it as not very many times, is that
40 correct?

41

42 MR. EVANS: Depending on the issue. I
43 would still have to look through the regulatory history
44 to know exactly.

45

46 MR. PELTOLA: Okay. Thank you. Mr.
47 Chair.

48

49 CHAIRMAN CHRISTIANSON: Hey, Tom, was

50

1 the Regional Advisory Councils -- I might have missed
2 that. Have they had a chance to look at this, the
3 affected Regional Advisory bodies?

4
5 MR. DOOLITTLE: Yes. As a temporary
6 action, the Regional Advisory Council Chairs were
7 notified. We also did hold public hearings in the
8 areas of -- we had a public hearing in Copper Center on
9 this, Mr. Chair. This is Tom Doolittle.

10
11 CHAIRMAN CHRISTIANSON: Thank you.
12 Yeah, I think they've all been updated, so just
13 reminding myself.

14
15 MR. SIEKANIEC: Mr. Chair.

16
17 CHAIRMAN CHRISTIANSON: Yes, go ahead.

18
19 MR. SIEKANIEC: This is Greg with the
20 Fish and Wildlife Service. Tom, can you help me
21 understand just a little bit more of the Federal public
22 lands that are on -- I'm looking at this figure, the
23 map that's got all of the Unit 13 subunits, I guess.
24 Where principally are the issues of like overcrowding
25 relative to both moose and caribou? Are there specific
26 areas in here that are much more severe than others or
27 is it in every location kind of identified as the BLM
28 administered lands and the U.S. Forest Service
29 administered lands? Is all of that subject to the same
30 level of use and congestion?

31
32 MR. EVANS: So the answer to that would
33 be it's not all the same. The area around Paxson
34 particularly, which is an area where the caribou in
35 particular will cross the road during migration is an
36 area of high congestion and things. Some areas along
37 the Denali Highway, which some of that is not in BLM
38 land, are areas where hunters go offroad to go hunt the
39 caribou, but it's an area that a lot of hunters use, so
40 there's conflicts along the Denali Highway and even on
41 the other side towards Denali National Park there are
42 some conflicts between non-locals and local users. The
43 main area of congestion seems to be along the
44 Richardson Highway by Paxson and the Denali Highway
45 close to Paxson.

46
47 MR. SIEKANIEC: Thank you, Mr. Chair.
48 Tom, so that -- like I'm looking at the map and it has
49 the Gulkana and Delta River segments. Are those areas
50

1 that are important for moose and are those -- does the
2 recent Sturgeon Supreme Court decision have any bearing
3 on that as to whether or not people would be using -- I
4 think I read that they use it quite a bit for floating
5 for moose hunts and stuff, so that would be a
6 still-allowable use, I guess.

7
8 MR. EVANS: That would still be an
9 allowable use, but there were some comments that if
10 this proposal went through, there would be fewer people
11 maybe wanting to go down the Gulkana because they
12 couldn't hunt moose, you know, during that trip.

13
14 MR. SIEKANIEC: They couldn't hunt
15 moose unless the moose was below the high water mark,
16 yeah, I guess, if that was how the decision came out.
17 Okay.

18
19 MR. EVANS: And it should be noted that
20 the area that the BLM have are some of the best areas
21 for hunting moose and caribou. The Gulkana is a very
22 productive area and the moose and caribou focus on
23 those areas.

24
25 MR. DOOLITTLE: Mr. Chair, we need to
26 take a short recess because we have a technological
27 difficulty.

28
29 (Reporter checking conference call)

30
31 CHAIRMAN CHRISTIANSON: I think we were
32 in a discussion with some questions going on there
33 between Tom and Greg on areas that may be having a
34 higher conflict.

35
36 MR. SIEKANIEC: Thank you, Mr. Chair.
37 Tom, the other thing that I was looking at here and I'm
38 not sure I fully understand is like the controlled use
39 areas. The Sourdough Controlled Use Area and the Delta
40 Controlled Use Area. What do those actually do or
41 provide for, do you know?

42
43 MR. EVANS: Those are BLM areas.
44 Controlled Use Areas are operated by a Federal agency
45 or they're restricted use in those areas. But as far
46 as the conflicts with local and non-local users I don't
47 think those areas are particularly -- that's not a
48 high-impact area between locals and non-local users.

49
50

1 MR. SIEKANIEC: Thank you.

2

3 MR. REBNE: Hello. This is Grant Rebne
4 in Cantwell. I believe it's appropriate now to comment
5 on what happens on this side. We're extremely
6 impacted. Going back to the testimony I gave to the
7 Federal Subsistence Board a few years ago in Wasilla
8 was my uncle, 80-some years old, was not able to hunt
9 our traditional lands because we were so overrun.

10

11 MR. DOOLITTLE: Sir, I hate to
12 interrupt right now. The way that the order will go is
13 essentially we have the Staff analysis, there's the
14 Regional Advisory Council, InterAgency Staff
15 recommendation, which we'll be receiving next, and then
16 the Chair will open it up to public comment. I
17 apologize for interrupting your delivery, but there
18 will be that time for public comment at the Chair's
19 discretion.

20

21 Thank you for understanding.

22

23 MR. REBNE: No problem. Thank you.

24

25 CHAIRMAN CHRISTIANSON: Thank you, Tom.
26 Again, the floor is still open for discussion with the
27 Staff on the presentation of the proposal for the area.
28 Any other of the Board want to discuss with Tom the
29 presentation of the material.

30

31 MR. PELTOLA: Mr. Chair. Gene again.
32 I have a couple questions for Tom.

33

34 CHAIRMAN CHRISTIANSON: Go ahead, Gene.

35

36 MR. PELTOLA: Thank you, Mr. Chair.
37 Regarding the question about the Delta Controlled Use
38 Area and also the Sourdough, are those aviation or
39 aircraft specific Controlled Use Areas or does it
40 address any other method or means of motorized access?

41

42 MR. EVANS: I don't know the answer to
43 that, but I think there are people from BLM that could
44 probably provide information on that.

45

46 MR. MCKEE: This is Chris McKee,
47 Wildlife Division Supervisor. If I remember correctly,
48 the majority of those Controlled Use Areas are mostly
49 limiting the use of off-road vehicles for hunting

50

1 purposes.

2

3

4 MR. PELTOLA: Thank you. Then the
5 second question I had is kind of a follow-through on a
6 couple other questions you had. You said the majority
7 of the congestion or congested areas is along road
8 access, which happens to overlap with those areas which
9 are managed by the Bureau of Land Management, correct?

9

10 MR. EVANS: Yeah, except there are some
11 areas over on the other side by Denali like Cantwell
12 and then along the Denali Highway there was public
13 testimony that there's conflicts on the public and
14 State lands in those areas as well.

15

16 MR. PELTOLA: Okay. Thank you.

17

18 MR. SIEKANIEC: Mr. Chair. This is
19 Greg again. In reading, I think, the analysis, I think
20 it referenced that the National Park Service lands are
21 already reserved for Federally-qualified user. Is that
22 correct, Bert?

23

24 MR. FROST: This is Bert Frost for the
25 Park Service. So if you look on the map, the hatched
26 area, that's the old Denali.

27

28 MR. SIEKANIEC: Yeah.

29

30 MR. FROST: So that's pre-Statehood.
31 So that's closed to all hunting. There's no hunting
32 allowed in the hatched area. In the rest of the Park
33 it is only open to Federally-qualified users. It is
34 never open for sport hunting. That's the ANILCA
35 portion of the Park. There's no sport hunting or
36 State-allowed general hunting in that portion. It's
37 only for Federal qualified users.

38

39 MR. SIEKANIEC: So the types of
40 conflicts that are happening up in the Cantwell area
41 are generally like trespass of rural residents that are
42 not Federally-qualified going into the -- I mean do you
43 know what the issue is?

44

45 MR. FROST: I don't think the Park
46 Service has a lot of issues. I think it's so the
47 Federal users can use that portion of the Park.
48 There's not a lot of access for one reason. There's
49 like maybe three or four drainages and when the public

50

1 -- the person from Cantwell, maybe he could talk about
2 it. But from what I understand there's not a lot of
3 access into the Park. It's fairly steep terrain.
4 There's only a few trails up in there. But there's a
5 lot of the State land and it's along the highway, so
6 you get a lot of non-Federal users on the State land
7 because the Federal land is so limited it forms that
8 conflict. There's just not a lot of Federal land where
9 non-Federal users can hunt and it's restricted.
10 Because of the terrain it's restricted for the Federal
11 users just because of logistics.

12
13 CHAIRMAN CHRISTIANSON: Does anybody
14 have any questions for Tom or discussion.

15
16 (No comments)

17
18 CHAIRMAN CHRISTIANSON: All right.
19 Hearing none. I guess we go to our conclusion and ISC
20 recommendation.

21
22 MS. HARDIN: Thank you, Mr. Chair. For
23 the record, my name is Jennifer Hardin and I am the
24 Subsistence Policy Coordinator for OSM and the chair of
25 the InterAgency Staff Committee.

26
27 The InterAgency Staff Committee
28 recommendation is to oppose Temporary Special Action
29 request WSA19-03. The quality of hunting opportunity
30 for local Federally-qualified subsistence users in Unit
31 13 has been greatly diminished because of non-local
32 hunting competition along with unethical and illegal
33 behaviors by some of the thousands of hunters who hunt
34 there. As evidenced by the lengthy regulatory history
35 in the OSM Staff analysis, both the Alaska Board of
36 Game and the Federal Subsistence Board have instituted
37 numerous regulatory changes over time, consistent with
38 their respective mandates, to provide for subsistence
39 opportunities and uses in Unit 13 and also to address
40 some of the same concerns raised by the proponent of
41 this special action request.

42
43 A lack of sufficient enforcement during
44 the hunting season has been commonly identified as an
45 ongoing issue. If harvest were closed to all but
46 Federally-qualified subsistence users, non-Federally-
47 qualified users wishing to hunt on State lands adjacent
48 to, or beyond Federal public lands would still have a
49 significant presence on the road system and on trails

50

1 bisecting these lands.

2

3

4 A Federal closure does not prohibit
5 non-Federally-qualified users from accessing or camping
6 on Federal public lands, or even shooting from Federal
7 public lands onto State lands. The proponent, a
8 resident of Unit 13, further recognized that this is
9 not simply a rural/non-rural issue, but that Federally-
10 qualified subsistence users who reside outside of Unit
11 13 also contribute to the competition, as well as
12 safety issues and a lack of success experienced by
13 local users.

13

14

15 Reported unethical hunting activities,
16 such as trespass or shooting from the road, are already
17 illegal and would not be resolved by approving this
18 request. However, a Federal closure limiting harvest
19 opportunity to Federally-qualified subsistence users
20 only would create additional complex enforcement
21 challenges requiring a determination of hunter
22 eligibility and precise harvest locations to determine
23 if a spatial violation may have occurred.

23

24

25 Public safety is a shared concern and
26 not exclusive to local residents. It is not clear that
27 a Federal closure would enhance the safety of the
28 hunting public or simply reshuffle the implicit dangers
29 associated with many people hunting along the road
30 system.

30

31

32 The predominance of State managed lands
33 in Unit 13, combined with the accessibility and
34 location of Federally managed lands, preclude using a
35 Federal closure to successfully address the concerns
36 being brought forward by residents of Unit 13. The
37 checkerboard, irregular pattern of Federal lands in
38 Unit 13 does not lend itself well to game management
39 considerations. The boundaries between Federal and
40 State managed lands are not marked or easily described.
41 Federal lands will not be easily identifiable without
42 precise coordinates and navigation aids.

42

43

44 Moose and caribou hunts in Unit 13 are
45 managed through a responsive permit and quota system
46 using annual population indices to inform their
47 management plans. As such, a closure of harvest on
48 Federal lands to all but Federally-qualified
49 subsistence users is not presently needed for
50 conservation purposes.

50

1 For the 2019 hunting season, the State
2 anticipates issuing 7,000 fewer caribou permits than
3 were issued in 2018. The current regulatory regime
4 recognizes that temporal separation of Federally-
5 qualified from non-Federally-qualified users through a
6 longer Federal season and more liberal harvest limits,
7 is presently the most workable approach to reducing
8 some of the user conflicts in Unit 13 and providing for
9 a subsistence priority.

10

11 Thank you, Mr. Chair.

12

13 CHAIRMAN CHRISTIANSON: Thank you,
14 Jennifer. Any questions for Jennifer.

15

16 (No comments)

17

18 CHAIRMAN CHRISTIANSON: Jennifer, I
19 just had a question here. I thought when Tom opened up
20 he said OSM supports and then I heard you say ISC
21 opposes. Is there a difference there between the two?

22

23 MS. HARDIN: Thank you, Mr. Chair.
24 You're correct that the OSM conclusion was the support
25 and the InterAgency Staff Committee recommendation is
26 to oppose. The InterAgency Staff Committee quite
27 clearly recognized that there are ongoing concerns in
28 Unit 13. There's hunting pressure and there's safety
29 concerns, but the Staff Committee did not feel like a
30 closure to all but Federally-qualified would address
31 the most pressing of those issues, particularly the
32 safety issues related to overcrowding because of the
33 checkerboard nature of the land management scheme
34 there.

35

36 MR. PELTOLA: Mr. Chair. Are we open
37 for questions of the ISC and the support Staff?

38

39 (No response)

40

41 (Reporter checking conference call)

42

43 REPORTER: So everybody is online
44 apparently but Tony. So I'm just going to go ahead and
45 put it back on and you can do what you want.

46

47 MR. EVANS: I guess at this point what
48 we'll do is we'll open up for Board comments with the
49 ISC.

50

1 CHAIRMAN CHRISTIANSON: I'm here.

2

3 MR. EVANS: Oh, you're back, Tony.

4 Good to hear you.

5

6 CHAIRMAN CHRISTIANSON: My phone
7 dropped the call here.

8

9 MR. EVANS: I was about to assign a
10 pinch hitter here. So again the request was whether the
11 Board and the support Staff could ask questions to the
12 ISC.

13

14 CHAIRMAN CHRISTIANSON: Yeah, yeah,
15 that would be fine. Again, my question was right when
16 I got cut off, you know, the OSM Staff and the ISC seem
17 to have a different assessment.

18

19 MR. PELTOLA: Mr. Chair, I have a
20 question.....

21

22 CHAIRMAN CHRISTIANSON: Yeah, I don't
23 know.....

24

25 MR. PELTOLA:for the ISC if I'm
26 able. Sorry about that, Tony. I have a question for
27 the ISC. This is Gene.

28

29 CHAIRMAN CHRISTIANSON: Yes, go ahead.
30 Take the floor.

31

32 MR. PELTOLA: Okay. So by listening
33 and reading through the ISC recommendation, the first
34 one, two, three, four or five paragraphs, and if I
35 paraphrase, the primary opposition to the proposal
36 would be -- how would I put it. Because it would
37 quote/unquote create additional complex enforcement
38 challenges for the Federal Subsistence Program or the
39 land management agency, is that correct?

40

41 MS. HARDIN: Through the Chair. Mr.
42 Peltola, if I may just address Tony's original question
43 because I don't think he heard the answer and then I'll
44 circle back.

45

46 Mr. Chair, I just wanted to -- I think
47 you might have been cut off and I just wanted to again
48 state that there is a difference between the OSM
49 conclusion and the ISC recommendation. However, I

50

1 wanted to emphasize the InterAgency Staff Committee
2 fully acknowledges and recognizes that there are
3 ongoing difficulties in Unit 13. The majority of the
4 opinion was that closing Federal public lands is not
5 going to alleviate the public safety concerns and the
6 overcrowding due to the preponderance of State-managed
7 lands in that area and that the hunters would still be
8 present and be accessing State lands through the
9 Federal lands.

10

11 Mr. Peltola, enforcement was one issue
12 that was discussed among many issues by the InterAgency
13 Staff Committee. The primary issues I think the Staff
14 Committee had were the concern that closing Federal
15 public lands again is not going to alleviate -- may not
16 alleviate the pressure that Federally-qualified
17 subsistence users are feeling from non-Federally-
18 qualified users who will still be using the area, using
19 State-managed lands surrounding the Federal lands.

20

21 MR. PELTOLA: In addition, while going
22 through the ISC analysis or the recommendation, the
23 thing that stuck to me at the end of paragraph two is
24 requiring a determination of hunter eligibility.
25 That's the basic premise of any law enforcement effort,
26 whether it be State or Federal.

27

28 And then the precise harvest locations
29 to determine if a spatial violation has occurred, and
30 that's also a primary responsibility of any law
31 enforcement officer, State or Federal, when they're
32 conducting compliance checks or patrols in the field.
33 So it wouldn't be anything unique.

34

35 MS. HARDIN: Through the Chair. Thank
36 you, Mr. Peltola.

37

38 CHAIRMAN CHRISTIANSON: Any other
39 questions for Jennifer or discussion. Again, Staff,
40 feel free.

41

42 MS. DAMBERG: This is Carol with the
43 InterAgency Staff Committee, for you, Gene. I
44 definitely agree that that particular statement that
45 you just made about law enforcement. However, the
46 complexity of the boundaries here make it exceptionally
47 hard and that's not to say that's the real issue of
48 this whole thing. It's trying to solve the problem and
49 that's where we were really focused, I think. The ISC

50

1 is trying to figure out if this will really make a
2 difference because we do want to make a difference.

3

4 Thank you.

5

6 CHAIRMAN CHRISTIANSON: Any other
7 questions or comments for Jennifer and the ISC.

8

9 (No comments)

10

11 CHAIRMAN CHRISTIANSON: Hearing none.
12 What was the next stage in the process there, Tom?

13

14 MR. DOOLITTLE: The public comments.

15

16 CHAIRMAN CHRISTIANSON: All right.
17 We'll start with the public comments. I think we had
18 one guy jumping in there from the area. We'll call for
19 public comment at this time.

20

21 MR. REBNE: Appreciate it. Grant Rebne
22 with the Village of Cantwell.

23

24 CHAIRMAN CHRISTIANSON: You've got the
25 floor, Grant.

26

27 MR. REBNE: I was mentioning how overrun
28 our area is. Our traditional lands, our private
29 hunting lands are just super crowded during these times
30 and the impact on the local Federal users in this area
31 is very heavy.

32

33 Thank you.

34

35 CHAIRMAN CHRISTIANSON: Okay. Any
36 questions for Grant.

37

38 (No comments)

39

40 CHAIRMAN CHRISTIANSON: I definitely
41 appreciate you taking the time to call in today.

42

43 Any other public comments or testimony.

44

45 MR. WILSON: Yes. This is Kirk Wilson
46 from Tolsona.

47

48 CHAIRMAN CHRISTIANSON: Kirk, You've
49 got the floor.

50

1 MR. WILSON: I've been a guide here
2 most of my life. I'm retired now and one of the
3 biggest problems that the Natives have here is they
4 have no enforcement and the State of Alaska has a
5 policy that they just will not arrest a trespasser on
6 Ahtna land.

7
8 So basically you're not only cutting
9 them out of the Federal land with all these hunters,
10 you cut them out of their own land because there's no
11 enforcement on these hunters whatsoever on trespassed
12 land on Ahtna. And I have had an Alaska State trooper
13 tell me right to my face on three separate occasions,
14 separate troopers, that we will not write a trespass
15 ticket on Ahtna lands.

16
17 CHAIRMAN CHRISTIANSON: All right. Do
18 you have anything to add to that, Kirk? Or any
19 questions for Kirk.

20
21 MR. WILSON: Yeah. If they had more
22 control on their own land, the Federal land wouldn't be
23 so important to them, but when they're run over on
24 their own private land, they have to go outside of
25 their area to hunt. I mean it's almost impossible for
26 some of these people in these villages out here to
27 compete with these people.

28
29 CHAIRMAN CHRISTIANSON: I think that's
30 the biggest issue we're facing with this proposal too
31 is based mainly on the competition and the access, so
32 definitely appreciate your comment.

33
34 MR. WILSON: Yeah, there's no
35 enforcement. I mean there's no sense in having any
36 laws if you're not going to enforce them or have
37 somebody out here to take care of it.

38
39 Thank you.

40
41 CHAIRMAN CHRISTIANSON: All right. I
42 appreciate that. Any other questions for him.

43
44 (No comments)

45
46 CHAIRMAN CHRISTIANSON: Thank you, Kirk,
47 for calling in and sharing that with us.

48
49 Any other public comment or testimony.

50

1 MS. LINNELL: Mr. Chair. This is Karen
2 Linnell with the Ahtna Intertribal Resource Commission.

3
4 CHAIRMAN CHRISTIANSON: Hi, Karen. How
5 are you doing?

6
7 MS. LINNELL: Good, good. The Ahtna
8 Intertribal Resource Commission represents the Ahtna
9 Tribes, which is roughly around 900 rural Federally-
10 qualified residents. In our communities, there are
11 about 1,500 residents according to the 2010 census.

12
13 We're in support of Mr. Rude's proposal
14 to close Federal lands to Federally-qualified users in
15 Unit 13.

16
17 There were questions about the Forest
18 Service lands. There are no caribou crossing down in
19 Forest Service lands, so the opportunity isn't there
20 for harvest. It's very, very slim in that area and
21 that's not the high-conflict area.

22
23 In regards to the Denali side, only the
24 Cantwell residents are qualified to use that portion
25 and I think that was evident in Mr. Rude's proposal
26 where he's saying that the BLM lands are about 5
27 percent and that's about the size of the land we're
28 talking about for closure. Even out of the whole Unit
29 13 12 percent of the land which isn't a whole lot.

30
31 Just to speak to the Board.

32
33 You're authorized through ANILCA in
34 Sections .804, .815(3), .816(b) to restrict or close
35 Federal lands or waters to take of fish and wildlife as
36 subsistence users and non-subsistence users for the
37 conservation of healthy populations to continue
38 subsistence uses of such populations. I think that's
39 what we're reaching at here. And for public safety.
40 Again, that's what we're reaching at here.

41
42 Several times there has been closures
43 to hunting under State regs that doesn't provide for
44 subsistence needs. Proposed closures are supposed to
45 be analyzed to determine whether such restrictions are
46 necessary to assure conservation of healthy populations
47 or to provide a meaningful preference for qualified
48 subsistence users. The analysis was looking at
49 avoiding the degree or minimizing restriction to
50

1 subsistence or non-subsistence users.

2

3 The InterAgency Staff Committee
4 analysis and recommendation to oppose is problematic in
5 several ways. Their analysis and recommendation to
6 oppose WSA19-03 fails to meet the standard outline in
7 the Federal closure review policy by not identifying
8 any other management options that could avoid concerns
9 of the Federally-qualified subsistence users of Unit
10 13. The analysis suggests that nothing more can be
11 done to better manage moose and caribou in Unit 13.

12

13 The ISC's analysis suggests that non-
14 rural hunters can still camp and shoot from Federal
15 lands during moose and caribou hunting under State
16 regulations. That competition would not be curtailed
17 by closure on Federal lands to hunting by non-rural
18 residents. However, fewer hunters taking moose or
19 caribou on Federal public lands would increase the
20 opportunity of qualified rural residents to participate
21 in subsistence hunting with a reasonable expectation of
22 success in taking an animal.

23

24 The opportunities on Federal public
25 lands are especially important given the dramatic
26 numbers of hunters that are hunting on State lands
27 presently also on Federal lands that the State of
28 Alaska must issue emergency orders closing Unit 13
29 moose and caribou hunts prior to regular season end
30 dates.

31

32 For example, in 2018 the State of
33 Alaska Unit 13 Nelchina Caribou Tier I, the RC 561
34 hunt, was open for only nine days, closing on August
35 18, when the season through August 31. Similarly, Unit
36 13 Nelchina Caribou drawing permits, DC 485, closed
37 after only being open for seven days. The season
38 length for that is 25 days. With respect to moose in
39 Unit 13B, any bull hunt was also closed early,
40 shortening the community subsistence moose hunting
41 season.

42

43 The InterAgency Staff Committee
44 analysis suggests that lack of sufficient enforcement
45 has been ongoing in Unit 13, but that closing Federal
46 lands to non-rural residents would only increase
47 problems in the region. However, the lack of Federal
48 and State enforcement in hunting and fishing
49 regulations is a governmental problem, not a problem

50

1 that law-abiding hunters can resolve independently of
2 State and Federal agencies fiduciary responsibilities.

3
4 We believe that people who are
5 law-abiding and following regulations, much like many
6 of our neighbors, will adhere to those regulations. We
7 don't believe that every hunter out there is a rogue
8 hunter and just going to do whatever they please.

9
10 One of the other analysis regarding
11 public safety is not just a concern of rural resident
12 subsistence users and Federal closure to non-rural
13 residents may not enhance public safety and may simply
14 displace public safety issues to other non-Federal
15 lands. Public safety on Federal public lands is the
16 responsibility of the Federal Subsistence Board and its
17 Federal agencies as well as the State of Alaska given
18 the recent Sturgeon decision.

19
20 Unfortunately, the Sturgeon decision
21 has resulted in a lack of enforcement officers being
22 available to enforce Federal subsistence regulations.
23 I've got to say that methods and means is absolutely
24 enforceable. You set regulations on methods and means
25 and methods and means is enforceable.

26
27 The InterAgency Staff Committee also
28 states that there's a predominance of State lands in
29 Unit 13 that makes Federal closure to non-rural
30 residents hunting on Federal public lands unlikely to
31 mitigate concerns of our Federally-qualified rural
32 residents. But even that little change will make a
33 difference.

34
35 We've seen a difference in the State
36 hunt. When they split the caribou season into two,
37 there was a marked improvement in taking of moose even.
38 When they split that community subsistence hunt under
39 State regulation to two seasons for the caribou, we
40 went from eight Ahtna people getting a moose to 16. So
41 that slight change makes a difference. And I believe
42 this slight change will make a huge difference to the
43 rural residents here in the Copper River Basin.

44
45 I just want to remind you too that
46 Congress has declared ANILCA .802 [sic] consistent with
47 the sound management principles in the conservation of
48 healthy populations of fish and wildlife, utilization
49 of public lands in Alaska as to cause the least adverse

50

1 impact possible on rural residents who depend on the
2 subsistence uses of those resources of such lands.

3
4 In regards to the complexity of
5 boundaries and speaking to the InterAgency Staff
6 comments a few minutes ago where they were talking
7 about how complex those boundaries are. I need to tell
8 you as a Federally-qualified user I cannot use my
9 permit on State lands and if I do, I will be cited and
10 fined. So it's on the hunter to know where they are at
11 all times regardless.

12
13 So why is it that the Federally-
14 qualified user has to know where we are to hunt, but
15 you're going to allow and say, well, the State users
16 are capable of understanding and knowing where they are
17 and that they aren't capable of staying off of Federal
18 lands. That to me is pretty -- I don't know. It's
19 wrong. They know where they're at and they know
20 exactly.

21
22 A controlled use area and I want to say
23 -- somebody talked about rural residents primarily
24 hunting on highway systems and things like that and
25 we've become road hunters. That only happened when the
26 State started turning us into road hunters. Out to
27 only hunting these corridors. It's when they made us
28 trophy hunters is when we became road hunters because
29 that's where we can get the any bull.

30
31 When we were able to hunt under the
32 community -- the State's community subsistence hunt and
33 had the opportunity of 100 any bulls in that area
34 before it was opened to any user groups in the state,
35 we were able to get out on that land and all different
36 areas and get those moose. But when you're restricted
37 -- and that's our belief that you have to be able to
38 shoot when the animal presents itself to you, you take
39 it. When we're out on State lands and we're restricted
40 to the 50-inch or four brow tine or spike fork, it
41 makes it difficult for us and goes against what our
42 beliefs and our way of being when that animal presents
43 itself and it's only 36 inches and we can't take it.
44 If we don't take it, we won't see another animal again
45 and that's what we were taught and what we believe.

46
47 So I'd just like to say that we believe
48 that this meets the criteria for a closure. The
49 competition and the abundance of animals and still
50

1 we're taking less than 10 percent of the other take for
2 Unit 13. We're not asking for much.

3
4 With that, Mr. Chair, I'll take any
5 questions.

6
7 Thank you for the opportunity to speak
8 today. I appreciate it and I appreciate all the hard
9 work that you folks put in.

10
11 Thank you, Mr. Chair.

12
13 CHAIRMAN CHRISTIANSON: Thank you for
14 that testimony, Karen. I appreciate that.

15
16 Any questions for Karen.

17
18 (No comments)

19
20 CHAIRMAN CHRISTIANSON: Hearing none.
21 Thank you again for that testimony.

22
23 Is there any other public that would
24 like to speak at this time.

25
26 MS. SMELCER: My name is Shirley
27 Smelcer and I live in the Native Village of Kluti-Kaah.
28 Can I go on?

29
30 CHAIRMAN CHRISTIANSON: Yes, you have
31 the floor.

32
33 MS. SMELCER: I too am in support of
34 WSA19-03. I do believe that the Federal law that goes
35 from especially on the Richardson Highway where they
36 came across. And State hunters can easily hunt around
37 that area and it's also on both sides. It's not like
38 it's going to stop them from getting their caribou.

39
40 When I was a little girl, when we went
41 hunting with my grandparents and we'd do the road and
42 walk around and we got our caribou or our moose, you
43 know. Federal land you can get a small bull then. So
44 if you're lucky enough and if they give themselves, we
45 can get a moose then.

46
47 On the Denali Highway there's a small
48 portion there and that's really overcrowded there too.
49 The one I'm talking about mostly is the one on the

50

1 Richardson Highway by Paxson on the pipeline pad. It's
2 so busy up there.

3
4 You know what, Federal Subsistence
5 Board, you guys should come and visit us during hunting
6 season and just take a little walk through where we
7 have to go through and you will see what we are talking
8 about.

9
10 This is crazy. It's combat hunting.
11 That's what it is. Not one caribou can get by the
12 pipeline pad because everybody is lined up there, like
13 100 feet of hunters side by side. They all have
14 side-by-side formulas and they can go anywhere they
15 want to go hunt. This is crazy.

16
17 That's my biggest, biggest downfall on
18 that. I don't even take my gun out. I'm afraid I
19 might shoot somebody, you know. It's crazy people up
20 there.

21
22 I have one more thing here.

23
24 Okay, I already said that, but that's
25 what my testimony is all about is that small little
26 portion. It would not hurt State hunters. State
27 hunters can, you know, go on State land and get their
28 caribou. It's not that big of a spot that we're
29 talking about. It's not going to risk the economy of
30 the caribou either.

31
32 Thank you.

33
34 I'll take any questions if there is
35 any.

36
37 CHAIRMAN CHRISTIANSON: Thank you for
38 taking the time to call in and share your concerns.
39 That's what we have this portion of the meeting for is
40 to hear from the residents and the public about how it
41 affects their lives. So I appreciate you calling in
42 with the context of how it affects you in your daily
43 lives. So thank you for calling in.

44
45 Any questions for Shirley.

46
47 (No comments)

48
49 CHAIRMAN CHRISTIANSON: I thank you.

50

1 Is there any other public testimony online.

2

3 MS. STICKWAN: This is Gloria. I just
4 want to say if you were to close this to non-Federally-
5 qualified users, it would help the Federally-qualified
6 subsistence users to be able to have a chance at
7 hunting and possibly harvesting moose or caribou. It's
8 very hard to get a caribou because the caribou don't
9 cross the road. You have to be right there on the
10 road.....

11

12 MS. PITKA: I'm sorry, I'm having
13 trouble hearing.

14

15 CHAIRMAN CHRISTIANSON: Gloria, we're
16 having a hard time hearing you. Could you speak up a
17 little bit, please, into your phone. Thank you.

18

19 MS. STICKWAN: Hello. Can you hear me
20 now?

21

22 CHAIRMAN CHRISTIANSON: Yeah, that's a
23 lot better, Gloria.

24

25 MS. STICKWAN: I just want to say if
26 the Board were to pose this to the non-Federally-
27 qualified subsistence users, it would help the
28 Federally-qualified subsistence users to be able to
29 harvest a moose to give us a little bit more advantage
30 of hunting on Federal public lands. I think there's
31 more of a success rate for Ahtna people to hunt on
32 Federal qualified lands.

33

34 Last year the State put a notification
35 out saying the hunt would only be a bull only hunt
36 because there was a low number of caribou. The low
37 number of caribou last year is still going to be the
38 same this year. It's still in management objective,
39 but it's at the lower end. I'm guessing they'll
40 probably still have the bulls only hunt this year. We
41 won't be able to take any cows, which is a restriction.

42

43

44 It will be harder to get a caribou
45 because of low numbers and you have to be right there
46 on the road to get it. You have to travel offroad to
47 hunt for a caribou and it is difficult for our local
48 people to travel offroad to get a moose.

49

50

1 I just want to say in the community
2 hunt this year for the State there's going to be 57
3 moose groups, there's going to be 44 caribou groups.
4 All the households is 1,807 households and for the
5 applicants there's going to be 4,203 applicants. These
6 applicants, 4,000 people, are eligible to hunt for
7 moose. This is what we could be competing with, 4,000
8 people.

9
10 There's 350 locking tags, Ahtna people,
11 but, you know, this is in competition with all the
12 other groups. On average -- well, I'm just going to
13 say this. Last year we only got 26 moose for the Ahtna
14 group. In 2009, when it was an Ahtna only hunt, we got
15 100 any bull moose. So it went substantially down, 90
16 percent down from when it was an Ahtna only hunt. When
17 they allowed, because of the lawsuit, other State
18 hunters to hunt under the community State hunt our
19 chances decreased by over 90 percent. That's what
20 we're dealing with out here.

21
22 More than likely we're going to have
23 early closures again for caribou because of the low
24 count and low recruitment of calves. I believe it's
25 going to happen again this year. They're going to put
26 out another EO saying that bulls only hunt or Tier I or
27 Tier II and community hunt. So the little bit of
28 advantage that we could have would help us.

29
30 Hello, did I get cut off?

31
32 CHAIRMAN CHRISTIANSON: Hello, Gloria,
33 are you still there? This is the Board Chair.

34
35 MS. STICKWAN: Yes. I don't want our
36 words to be used against us saying that enforcement is
37 a problem. I don't want any restrictions placed upon
38 us because of an enforcement issue. I don't want that
39 to be against us. I'll just say that this is something
40 you can do in your authority as the Board to look at
41 the conservation concern on population of caribou.

42
43 There is a conservation concern and
44 there is a restriction on us to harvest bulls only on
45 State lands. Like they said, Federal lands are only 5
46 percent and we hunt mostly on State lands because their
47 lands are larger than Federal 5 percent. We do still
48 hunt on Federal land, but we get moose hunts on our
49 land too.

50

1 Thank you.

2

3 CHAIRMAN CHRISTIANSON: Thank you,

4 Gloria.

5

6 Any questions for Gloria.

7

8 (No comments)

9

10 CHAIRMAN CHRISTIANSON: Hearing none.

11 Thank you for your testimony, Gloria.

12

13 Any other public testimony online.

14

15 MR. WILSON: I have one more comment

16 and question. This is Kirk Wilson.

17

18 CHAIRMAN CHRISTIANSON: Go ahead.

19

20 MR. WILSON: Do you have enforcement

21 agents there at the meeting now?

22

23 CHAIRMAN CHRISTIANSON: That would be a

24 question for Scott, but I don't think I heard anybody

25 that was on that was.....

26

27 MR. WILSON: Well, my question would be

28 do they have the authority to write tickets on private

29 land other than Federal land and have they ever written

30 one on Ahtna land?

31

32 MR. DOOLITTLE: Kirk, this is Tom

33 Doolittle, the Acting Assistant Regional Director for

34 the Office of Subsistence Management. We don't have an

35 enforcement officer in the room from the Federal side.

36 So I think that folks will get back to you.

37

38 MR. WILSON: Okay. Thank you.

39

40 CHAIRMAN CHRISTIANSON: Any other public

41 testimony, comments.

42

43 (No comments)

44

45 CHAIRMAN CHRISTIANSON: I'd just like

46 to, as the Board Chair, thank you guys for taking the

47 time to call in and give us perspective for on the

48 ground and how it affects you as rural users. I

49 definitely thank you for speaking your mind today at

50

1 the meeting.

2

3 If there's no other questions from the
4 Board to the public testimony, we'll go ahead and move
5 on to the next portion.

6

7 MR. DOOLITTLE: This next portion, Mr.
8 Chair, is the Board discussion.

9

10 CHAIRMAN CHRISTIANSON: With that I'll
11 open up the floor for Board discussion on Wildlife
12 Special Action 19-03.

13

14 MR. PELTOLA: Mr. Chair. Gene here, if
15 I may.

16

17 CHAIRMAN CHRISTIANSON: Yeah. Gene, you
18 have the floor.

19

20 MR. PELTOLA: Before us is a Temporary
21 Special Action Request, so I guess just in summary I
22 have some comments. If the Board were to vote not to
23 support this Special Action Request, we would maintain
24 the status quo as it is in place now.

25

26 The other defining aspect is that those
27 activities which fall on State-managed lands, which
28 include Ahtna lands, are not under the purview of the
29 Federal Subsistence Program. Only Federal lands fall
30 under the purview of the Federal Subsistence Program.

31

32 So if the Board were to oppose this, it
33 would maintain the status quo. If the Board were to
34 vote to support this, Federal public lands would be
35 open to Federally-qualified users only, which would, as
36 identified in the analysis, be 13 percent of the region
37 in question. With the remaining 87 percent available
38 to non-Federally-qualified users.

39

40 Also with the understanding that we've
41 heard testimony that we have either conflicts or
42 perceptions of conflicts in two different areas of the
43 Unit. That towards Cantwell and that towards Paxson.
44 So the majority of the lands to the west may not be
45 affected by any Board action because it's surrounded by
46 private lands. If the Board were to accept this, then
47 we'd have -- we could take action on those Federal
48 lands.

49

50

1 A lot of this analysis comes down to --
2 if you look at the three special actions we have before
3 us, this is the only one where there's a difference
4 between the OSM recommendation and the ISC
5 recommendation.

6
7 The OSM recommendation was to support
8 WSA19-03 with pretty much the following justification.
9 If approved, this would help ensure priority access to
10 moose and caribou on Federal public lands in Unit 13 by
11 Federally-qualified subsistence users. It might also
12 reduce user conflicts, alleviate some safety concerns
13 and allow local subsistence users to continue customary
14 and traditional practices.

15
16 Now the ISC recommendation is to oppose
17 WSA19-03 stating a Federal closure limiting harvest
18 opportunity to Federally-qualified subsistence users
19 only would create additional complex enforcement
20 challenges requiring a determination of hunter
21 eligibility and precise harvest locations to determine
22 if a spatial violation may have occurred. I might point
23 out that it's no different than any other hunt which is
24 enforced throughout the State of Alaska where we have
25 multiple jurisdictions.

26
27 Accessibility to non-Federally-
28 qualified subsistence users and the checkerboard nature
29 and location of Federal public lands will not provide a
30 priority use requested. That is a quote from the ISC
31 recommendation.

32
33 In BIA Staff recommendation to myself,
34 the Board member, they had recommended support of
35 WSA19-03. The residents of this region have come to
36 the Board repeatedly stating that they have
37 difficulties in meeting their subsistence needs for
38 caribou and moose. I feel that the OSM analysis
39 provides a more than adequate and appropriate rationale
40 for subsistence priority use through limiting access to
41 non-Federally-qualified users.

42
43 The primary reason provided in the ISC
44 recommendation to oppose the request related to a lack
45 of enforcement, which hints as a matter of
46 administrative convenience, which is not a basic tenant
47 of the Federal Subsistence Program.

48
49 It further argued that the difficulty
50

1 in identifying non-Federally-qualified users and
2 Federal public lands users could be a challenge. I'd
3 like to reiterate that this is no different than a
4 majority of the hunts in Alaska weather and multiple
5 jurisdictions.

6
7 Therefore, this Board member feels that
8 any vote cast utilizing the ISC recommendation as a
9 justification for his or her action could very well be
10 violating the basic principles of Title VIII of ANILCA,
11 that being the rural preference, the priority
12 consumptive use and ability for continued subsistence
13 use by local residents.

14
15 Thank you, Mr. Chair.

16
17 CHAIRMAN CHRISTIANSON: Thank you, Gene.
18 Appreciate that.

19
20 Any other Board members would like to
21 make a statement or questions.

22
23 MR. FROST: Tony, this is Bert from the
24 Park Service.

25
26 CHAIRMAN CHRISTIANSON: Okay, Bert,
27 you've got the floor.

28
29 MR. FROST: I'm going to make a
30 statement. I'm just wondering if I make it now or when
31 I vote. So maybe what I'll do is I'll wait and sort of
32 make my statement when I vote just to provide the
33 rationale, I think. So I'll turn it back to you.

34
35 CHAIRMAN CHRISTIANSON: Okay, Bert. Any
36 other Board member that would like to make a statement
37 prior to us going to Board vote.

38
39 MR. SIEKANIEC: Mr. Chair, this is
40 Greg.

41
42 CHAIRMAN CHRISTIANSON: Okay. Go ahead.

43
44 MR. SIEKANIEC: I don't know that I
45 have a statement, but maybe another question. In
46 looking at all of the different things that are going
47 on in this particular Unit 13 and it seems like it does
48 boil down to a couple of subunits that seem in
49 particular to be most problematic.

50

1 I think the question that we have is
2 has this area -- and maybe this is like for Ben or
3 somebody -- has there ever been a caribou working group
4 put together or a management working group, you know,
5 similar to what we've seen in Western Arctic where you
6 have subsistence users and State working group and
7 everybody sort of coming together and trying to really
8 resolve these hot spots is what I'd call them where
9 there's issues that exist?

10

11 CHAIRMAN CHRISTIANSON: This is a
12 question for Staff from Greg.

13

14 MR. SIEKANIEC: Yeah, Tony, Ben is
15 coming to the microphone.

16

17 MR. MULLIGAN: This is Ben Mulligan,
18 Fish and Game. Not officially outside of, like you
19 said, the Western Arctic Herd group, but we visit this
20 every cycle where every user group comes together.

21

22 MR. SIEKANIEC: I'm just make sure I
23 understand, Ben, what you said. The user groups,
24 meaning like the Board of Game meetings and stuff, is
25 that right?

26

27 MR. MULLIGAN: Correct. I mean at the
28 Board of Game everybody comes and provides input. As
29 you know that process, they have that discussion during
30 proposals where the Board directly interacts with
31 anyone who wants to come forward and help provide input
32 on that discussion also.

33

34 MR. SIEKANIEC: Mr. Chair. I'm asking
35 these questions just because there's -- I mean it's
36 very obvious there's conflict here and I'm trying to
37 resolve in my own mind sort of is it throughout all of
38 Unit 13 and would an action that says that we're
39 limiting it to only Federally-qualified users on
40 Federal lands throughout the entire unit, is that
41 necessary or is it really more localized to a couple of
42 hot spots and then how do we better define how we can
43 get at those particular areas from a working standpoint
44 to really resolve them.

45

46 Because I think what I get out of the
47 analysis is that -- you know, the analysis I thought
48 said it may help. I'm looking for something that this
49 will help. This will eliminate this. This will reduce
50

1 this. This will address these issues. I'm not getting
2 that sense when I read the analysis.

3
4 So I'm concerned that we would be, one,
5 limiting the entire area in light of a few places that
6 need some assistance and some thinking and that maybe
7 there's some way to get at this that hasn't been
8 attempted or tried yet. I don't know what that is.
9 I'm a little bit sitting on the outside.

10
11 This isn't Fish and Wildlife Service
12 lands, but I'm thinking how do you find a solution to
13 an issue here because I could certainly have both
14 sympathy and empathy of having that many people
15 converge on a place all after the same resource. I can
16 see where tensions run high from all the different user
17 groups.

18
19 Reading the analysis and getting to the
20 part where all of a sudden there's communities have
21 been established and bumped that number up from 300 and
22 some to 4,000 quickly and people are showing up. I can
23 see where people all of a sudden started feeling like,
24 wow, this sort of got awkward in a hurry here in
25 certain locations.

26
27 I do apologize.

28
29 I think it was Karen who brought it up
30 that people should maybe come up and see the area or
31 someone. I have not seen the area during the hunting
32 season, so I apologize for that. I can't speak to
33 exactly what it's like, but I can certainly picture it.

34
35 Thank you, Mr. Chair.

36
37 CHAIRMAN CHRISTIANSON: Thank you, Greg.

38
39 MR. FROST: Tony, this is Bert again.
40 So maybe I will sort of chime in here.

41
42 CHAIRMAN CHRISTIANSON: You've got the
43 floor, Bert.

44
45 MR. FROST: Since Greg opened the can.
46 As I look at it and I've talked with our Staff up at
47 Wrangell-St. Elias, I see there's sort of two pieces
48 here. The one piece really hasn't been talked about and
49 that's sort of the administrative and the bureaucratic

50

1 piece, sort of the Federal Board action. This is a
2 Wildlife Special Action. If we were to approve this,
3 it's only going to be in effect for one year, so it's
4 potentially a short-term solution to a long, complex --
5 a short-term partial solution to a long-term, complex
6 problem.

7
8 So by supporting this today I don't
9 think that it really solves the issue. I think Gene's
10 question to Tom about how many times has this come
11 before the Board, I think that's really enlightening in
12 terms of how we've tried to piecemeal and fix this.
13 What we really need is a more holistic approach. So
14 the two pieces on the administrative side is is this
15 the right thing to do at the right time. I'm not sure
16 it is.

17
18 This has been an issue for a number of
19 years. Nothing is unique about this year. In fact,
20 this year might actually be better because there's
21 going to be 7,000 less permit. So I'm not sure that
22 this should even be a Wildlife Special Action. I think
23 this should have come during the regular cycle. The
24 RACs haven't had an opportunity to weigh in, although
25 the Chairs have been notified. But there's been sort
26 of the public process and sort of the whole thing is
27 sort of out of whack, so there's that piece.

28
29 But then there's sort of the issue
30 piece that we've talked about. Again, I think -- you
31 know, again, I'm with Greg. I'm empathetic. I think
32 Karen hit a lot of the things. I think Gloria hit a
33 lot of the things right on the -- the nail on the head
34 about the safety issues, the law enforcement issues.
35 Again, I'm not sure that this is the right tool to fix
36 those things.

37
38 If we do this, this is just another
39 piecemeal approach to a very complex problem and I
40 would -- I have asked the Staff up at Wrangell to reach
41 out to BLM Staff and to the State Staff. I don't know
42 if we'll form an official group like Greg suggested,
43 but at least get together on a more frequent basis to
44 try to figure out can a proposal come before the Board
45 during the regular wildlife proposals. We've got about
46 a year to get that together and come up with a more
47 holistic solution as opposed to a piecemeal approach
48 because I think the piecemeal approach hasn't worked in
49 the past.

50

1 I don't think this is -- this may
2 provide some relief. I don't know. But I think the
3 biggest relief is just going to be 7,000 less permits
4 up there. So I think we need a holistic approach from
5 all the parties and I just don't know that I'm
6 convinced this piece is going to do much for us this
7 year.

8

9

MR. PELTOLA: Mr. Chair, if I may.

10

11

CHAIRMAN CHRISTIANSON: Yes.

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If you look at the map on Page 5 of the analysis, the two areas that have been presented to us with regard to congestion and perception of conflict are within the Cantwell region, which Cantwell there is not very much Federal land, which falls under the purview of this body. The majority of it lies in the Paxson area where the BLM land stands.

If we were to take a more holistic approach -- and yeah, granted, there is the potential for a significant reduction in permits, we're still talking about a congested area which the Board, if we do not take action, would not be addressing and providing for the basic tenets of Title VIII of ANILCA for yet another year.

If the Board were to take action and accept this Temporary Special Action, yes, it would only be in place for 365 days. That in itself could provide some immediate relief to the situation that has been presented to the Board on numerous occasions and still allowing for that more holistic approach to go concurrently with Board action.

43

CHAIRMAN CHRISTIANSON: Thank you, Gene.

44

45

46

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I know again what I'm hearing here is a lot of the residents are having a hard time getting the animals they need to sustain their community. And I think again to bring it back to ultimately our goal, our mission as the Board, is to make sure that the

1 rural residents have that opportunity to fulfill their
2 needs above and beyond all other user groups.

3
4 We did this before in a much larger
5 area, substantial area in Unit 23. It was hard to do
6 it, but we had success with that and we were able to
7 pare it back after we made our initial decision as a
8 Board. It was tough and we got a lot of flack for it
9 and feedback on it, but I see this as kind of a similar
10 situation but on a much smaller scale.

11
12 So just recommending that we keep in
13 mind that it's the users that we're trying to provide
14 an opportunity for to sustain themselves and their
15 needs for their families.

16
17 So I appreciate the feedback.

18
19 Is there any other Board member who
20 would like to discuss anything before we move forward
21 to a vote.

22
23 (No comments)

24
25 MR. DOOLITTLE: Tony, this is Tom.
26 Just again as the housekeeping part of this, this is
27 the time for motions and Board action. After that I'll
28 throw that out.

29
30 MR. PADGETT: Mr. Chair, this is.....

31
32 CHAIRMAN CHRISTIANSON: Hearing no other
33 discussion from the Board members, we'll go ahead and
34 go to a vote. If Tom can go ahead and do the roll
35 call, I'd appreciate that.

36
37 MR. DOOLITTLE: We'll need to have a
38 motion and the discussion on the motion as usual for
39 the action, Tony.

40
41 CHAIRMAN CHRISTIANSON: Yes.

42
43 MR. PADGETT: Mr. Chair. Chad Padgett
44 with BLM. I'd like to make a motion.

45
46 CHAIRMAN CHRISTIANSON: The floor is
47 open Chad. Thank you.

48
49 MR. PADGETT: I move to approve

50

1 Wildlife Special Action 19-03 and if I receive a second
2 I'll explain my reasoning for voting against my motion.

3

4 MR. BROWER: Second.

5

6 MR. PADGETT: Thank you. As evidenced
7 in the biological data in the analysis, this closure is
8 not necessary for the conservation of healthy
9 populations of moose or caribou in Unit 13. These
10 populations are routinely monitored and annual
11 biological data is used to inform the management plans
12 and to establish sustainable harvest guidelines.

13

14 While I recognize our annual variations
15 in population demographics such as bull to cow ratios
16 and cow to calf ratios, these short-term indicators do
17 not presently support implementing a closure for either
18 moose or caribou.

19

20 A closure was also not shown to be
21 necessary to continue subsistence uses of those
22 populations. Federally-qualified rural hunters' annual
23 harvest rates have remained fairly consistent in
24 comparison to the annual State harvester rates.
25 Nevertheless, local harvesters do experience an influx
26 of non-local hunters and many feel displaced by this
27 activity and alter their subsistence activities as a
28 result.

29

30 While the closure could in concept
31 improve harvesting prospects on the limited Federal
32 lands available to rural qualified hunters, the
33 InterAgency Staff Committee's justification for
34 recommending opposition to the closure points to a
35 number of issues that will diminish the effectiveness
36 and impact of the closure. Let me restate that.
37 Diminish the effectiveness and impact of the closure.

38

39 There will still be Federally-qualified
40 and non-qualified hunters accessing both Federal and
41 State lands from highway-accessible corridors. There's
42 a year-round open bear season in Unit 13, boundaries
43 that define State and Federally-managed lands in the
44 area are presently ill-defined. Educating the hunting
45 public about navigating such a complex closure would be
46 challenging on such short notice and universal
47 compliance would be very difficult to achieve.

48

49 There are already regulations that

50

1 prohibit many of the actions that local harvesters are
2 complaining about; trespassing, shooting from the road,
3 overharvesting, littering and wanton waste. Limited
4 enforcement capabilities are not improved by
5 duplicative regulation.
6

7 The closure is not necessary for the
8 conservation of healthy moose or caribou populations.
9 The closure is not necessary to ensure continuation of
10 subsistence uses. The closure is not necessary for
11 public safety. At best, it would simply shift the
12 danger, not diminish it.
13

14 The closure policy further points to
15 the Board considering other Federal and State
16 regulatory options that would conserve healthy
17 populations and provide a meaningful preference for
18 subsistence but would be less restrictive than
19 closures.
20

21 The State's community hunt, while
22 broadening the number of people who realize the benefit
23 from the Unit 13's wildlife population has grown far
24 beyond expectations and significantly reduced the
25 quality of the hunt for Unit 13 for many people, not
26 just local residents.
27

28 With that I'll conclude my motion.
29

30 CHAIRMAN CHRISTIANSON: Thank you, Chad.
31 The Chair will open up the floor for Board deliberation
32 and discussion.
33

34 (No comments)
35

36 MR. BROWER: Question.
37

38 CHAIRMAN CHRISTIANSON: The question has
39 been called by Charlie. Roll call, please.
40

41 MR. PELTOLA: Mr. Chair. Could we have
42 the motion read to us before we do the roll call.
43

44 CHAIRMAN CHRISTIANSON: Sounds good.
45

46 MR. DOOLITTLE: This is Tom. Just a few
47 housekeeping measures before we vote. We're voting on
48 Wildlife Special Action 19-03. This is to close moose
49 and caribou hunting in Unit 13 to all but Federally-
50

1 qualified users.

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A reminder to everybody that if you vote yes, that you support this special action and this action is approved. If you vote no, this special action is opposed and consequently rejected. A difference between proposals and special actions is that they're either approved or rejected, so you'll hear me state that. Please, for those that vote on the record state your justification for that vote.

Thank you.

We'll continue with the vote.

Public Member, Rhonda Pitka.

MS. PITKA: I'm voting for WSA19-03.

MR. DOOLITTLE: I couldn't hear you.

MS. PITKA: I vote in support of WSA19-03. Can you hear me?

MR. DOOLITTLE: Thank you, Rhonda, yes.

MS. PITKA: Okay, thanks.

MR. DOOLITTLE: Public Member, Charlie Brower.

MR. BROWER: I support the motion. Thank you.

MR. DOOLITTLE: Bureau of Indian Affairs, Gene Peltola.

MR. PELTOLA: BIA votes in support of Temporary Special Action 19-03 to preserve the rural preference, the priority consumptive use and the continuation of the subsistence use of the resource.

MR. DOOLITTLE: Thanks, Gene.

National Park Service, Herbert Frost.

MR. FROST: I oppose the motion for the rationales the BLM gave, the rationales that the ISC have laid out and for the comments I made earlier.

1 MR. DOOLITTLE: Thank you, Bert.
2
3 Bureau of Land Management, Chad
4 Padgett.

5
6 MR. PADGETT: I'm voting no for
7 previously stated reasons.

8
9 MR. DOOLITTLE: Thank you, Chad. U.S.
10 Fish and Wildlife Service, Greg Siekaniec.

11
12 MR. SIEKANIEC: Thank you, Tom. I
13 oppose this for the reasons delivered by the Bureau of
14 Land Management and the InterAgency Staff Committee,
15 but also probably more influential is the idea that
16 Bert has already asked his managers to reach out and to
17 get together with both BLM, State and other interested
18 users to try and find a solution to this rather than a
19 short time something in the analysis that may or may
20 not even work.

21
22 But behind the backdrop of all this is
23 I also agree that this really should not be a Temporary
24 Special Action. It deserves the full merits of a
25 wildlife proposal under that depth of an analysis and
26 consideration.

27
28 Thank you.

29
30 MR. DOOLITTLE: Thank you very much,
31 Greg.

32
33 U.S. Forest Service, David Schmid.

34
35 MR. SCHMID: Thank you. I am also
36 going to oppose this Special Action for reasons stated
37 by BLM as well as Fish and Wildlife Service. I am
38 concerned here as well. This is a tough one. I've
39 personally observed the conflict, the crowding and the
40 issues in that area, but I just, at the end of the day
41 here, don't believe that this Special Action is going
42 to solve the bigger problem and along with Fish and
43 Wildlife Service recommendation, I'd like to see this
44 come as a full proposal back to the Board.

45
46 Thank you.

47
48 MR. DOOLITTLE: Thanks very much, Dave.

49
50

1 Last but not least, Chairman Anthony
2 Christianson.

3
4 CHAIRMAN CHRISTIANSON: I'll support the
5 proposal based on trying to provide access for
6 subsistence and setting a priority preference for them.
7 As stated above public testimonies, competition has
8 become pretty fierce out there and we've got to do
9 something to help make sure that we could provide that
10 opportunity. We have done things like this in the past
11 that provided that and gave us some good information
12 and then we were able to whittle away at it and come up
13 with good solutions. So I'm in support of the
14 proposal.

15
16 MR. DOOLITTLE: Thank you, Mr. Chair.

17
18 With a 4/4 tie it means that this
19 action is rejected.

20
21 I guess it's time to move on to 19-05.
22 We're going to take a little five-minute break.

23
24 MR. PELTOLA: Mr. Chair, can I make one
25 comment before we break for five minutes here?

26
27 CHAIRMAN CHRISTIANSON: Yes.

28
29 MR. PELTOLA: I'd like to point out
30 that the wildlife proposal cycle has since passed, so a
31 regular proposal cannot be addressed to this body for
32 several years at least before any action is taken
33 place. I hope Board members who stipulated that there
34 needs to be a multi-user effort to solve this I hope it
35 is nothing -- I hope it is more than just lip service
36 to get through this vote because historically, in the
37 last couple years, nothing has happened with regard to
38 this management area.

39
40 MR. SCHMID: Gene, this is Dave. Mr.
41 Chair, can I make a comment there?

42
43 CHAIRMAN CHRISTIANSON: Yeah, sure. Go
44 ahead, Dave.

45
46 MR. SCHMID: Yeah, I just want to
47 reassure Gene as well, at least from my end, that
48 commitment is there. We absolutely need to focus some
49 attention in this area to get to a better solution. So
50

1 at least from my end it's certainly more than lip
2 service.
3
4 Thank you, Gene. Thank you, Chair.
5
6 MR. BROWER: Mr. Chair.
7
8 CHAIRMAN CHRISTIANSON: Go ahead,
9 Charlie.
10
11 MR. BROWER: May I be excused because I
12 have some emergency stuff I need to act on. Thank you
13 for everything and support what's being said about the
14 action right here. I appreciate it.
15
16 Thank you.
17
18 CHAIRMAN CHRISTIANSON: Have a safe day
19 and hopefully everything is okay, Charlie.
20
21 MR. BROWER: All right. Thank you.
22 Bye.
23
24 MR. DOOLITTLE: Mr. Chair, if it's okay
25 with you, we're taking a five-minute break.
26
27 CHAIRMAN CHRISTIANSON: Oh, okay. Take
28 five, I guess.
29
30 MR. DOOLITTLE: Alrighty. Yeah,
31 chairing at a distance I know is tough. Take care.
32
33 Bye.
34
35 (Off record)
36
37 (On record)
38
39 MR. DOOLITTLE: We have our quorum back
40 at the table. As I understand, Charlie is moving on for
41 the rest of the meeting. He's in transport.
42
43 CHAIRMAN CHRISTIANSON: All right. We'll
44 go ahead and reconvene this meeting. I'll have the
45 Staff introduce.....
46
47 MS. LINNELL: Mr. Chair.
48
49 CHAIRMAN CHRISTIANSON: Yes.
50

1 MS. LINNELL: I'm sorry. This is Karen
2 Linnell. I just wanted to make a brief comment and say
3 that I'm sadly disappointed that the agencies voted the
4 way that they did. Even though it's a temporary fix, it
5 was a way to try something out without making it
6 permanent and they're throwing ANILCA .802 [sic] out
7 the window with the mandate to provide a priority for
8 Federally-qualified subsistence users.

9
10 Yes, we've been trying to have meetings
11 for months and months in implementing the MOA with the
12 Department of Interior and have not had much success.
13 The proposals that we put forward before weren't
14 addressed and we had resistance from Staff in helping
15 us in that aspect as well.

16
17 We're not trying to -- we're trying to
18 find solutions here, Mr. Chair, and this proposal was
19 written by a rural resident and Ahtna Intertribal
20 Resource Commission is in support of them, but
21 this isn't just for the Ahtna people, this is for all
22 the Federally-qualified users out here.

23
24 I have been asked multiple times to put
25 in this proposal by our neighbors and from some of the
26 agency Staff, but because of Ahtna being associated
27 with it and using the Ahtna Intertribal Resource
28 Commission name, felt that there would be lots of
29 resistance.

30
31 Seeing as Mr. Rude put this through, we
32 thought -- I thought it might have been able to meet
33 the standards and go forward, but that bias against the
34 Ahtna tribes and the people out here has been going on
35 for many years because we're vocal about our
36 subsistence needs. We feel that our neighbors deserve
37 the same consideration and even more so in this regard
38 because he's talking about Copper Basin residents and
39 that sliver of land is so small why does the State
40 hunters need it.

41
42 Anyway, thank you, Mr. Chair, for the
43 opportunity to give my two cents here at the end.
44 Again, I appreciate your efforts in trying to provide
45 for subsistence needs.

46
47 Thank you.

48
49 CHAIRMAN CHRISTIANSON: All right. Thank

50

1 you, Karen.

2

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Again, I think the wish of the Board here is to see maybe a full proposal to come forward so we can really try to reduce the conflict out there and try to find a solution. So hopefully we can see a full proposal come out of that area and I think by then we might be able to get the support needed to move forward. So thank you.

I think now at this time we're moving on to the next proposal, Tom. If I can get the Staff to go ahead and give us a brief on that.

MR. DOOLITTLE: Absolutely, Mr. Chair.

This is for Wildlife Temporary Special Action WSA19-05, Unit 10, Unimak Caribou. Tom Evans.

MR. EVANS: Thank you, Mr. Chair and Members of the Board. Again, my name is Tom Evans. I work as a wildlife biologist with OSM and I'll be presenting Temporary Special Action WSA19-05.

Temporary Special Action Request WSA19-05 was submitted by the Kodiak Aleutians Subsistence Regional Advisory Council and it requests that Federal public lands in Unit 10, Unimak Island only, be opened for a limited bull caribou hunt by Federal registration permit for the fall 2019 and fall 2020 seasons for the residents of False Pass only. The proponent wanted to provide an opportunity for False Pass residents, who have limited or no access to harvest caribou from the Southern Alaska Peninsula Caribou Herd, to harvest caribou on Unimak Island. The quotas would be based on the health and the status of the Unimak Caribou Herd and would be determined by the Refuge Manager for the Izembek National Wildlife Refuge in consultation with the Department of Fish and Game. In 2018, Unimak Island was opened to caribou hunting for residents of False Pass by Federal Temporary Special Action WSA18-01 for the first time since 2009. Three caribou bulls were harvested last year.

The Kodiak Regional Advisory Council also submitted a similar proposal for the 2020-2022 wildlife cycle, so that will be coming up here and discussed this coming year.

1 A public hearing was held on June 5th,
2 2019. No public testimony was given at the public
3 hearing, but one written comment from the State of
4 Alaska was received. The State of Alaska recommended
5 that the caribou hunt on Unimak Island remain closed
6 until a minimum of 500 caribou observed during the fall
7 composition surveys and the bull:cow ratio remains
8 above 35 bulls:100 cows for three consecutive years.
9 The Southern Alaska Peninsula Caribou Herd is
10 genetically distinct from the Unimak Caribou Herd, so
11 they are now managed as separate populations. The
12 Unimak Caribou Herd has undergone considerable
13 fluctuations in the past from a high of 3,334 in 1975
14 to a low of 192 in 2013.

15
16 The Unimak Caribou Herd population
17 remained fairly stable at around 1,000 animals from
18 2000 to 2005 and declined to a low of 192 in 2013.
19 Since then the population has slowly increased to
20 413 animals in 2018. The current population estimate is
21 thought to be somewhere between four and five hundred
22 animals.

23
24 The population levels for the UCH are
25 currently at the lowest threshold of 1,000 animals as
26 recommended by the State. The State's management
27 objective is to keep the Unimak Caribou Herd at between
28 1,000 and 1,500 animals. The bull:cow ratios declined
29 from 45 in 2005 to 9 in 2008. From 2009-2017 there were
30 12 bulls per 100 cows. In 2018 the bull:cow ratio was
31 80/100, but this may be biased high because 15 percent
32 of the collared cows were not located during the 2018
33 survey.

34
35 The annual calf:cow ratio from
36 2005-2012 was 6 calves per 100 cows. The calf:cow ratio
37 increased in 2013 and during four years between that,
38 which would be 2013, 2014, 2016 and 2018. In 2018 the
39 calf:cow ratio was 31 calves per 100 cows. Stable
40 population growth usually requires a fall recruitment
41 The pregnancy rate in 2018 was again low. It was at 69
42 percent. 85 to 97 percent for adult females is the
43 normal. Weather events such as icing, severe winters
44 and frequent volcanic eruptions, predation by wolves
45 and bears, poor winter nutrition and disease may have
46 all contributed to low calf recruitment from 2003 to
47 2013.

48
49 No caribou hunting occurred from 2009
50

1 to 2017 due to low population, low survival and
2 recruitment. Harvest by False Pass residents from 1997
3 to 2008 was less than two per regulatory year. A
4 majority of the caribou taken from 1997 to 2008, which
5 was 12 per year, most of that was taken by
6 non-Federally-qualified users. In 2018, three caribou
7 were harvested by False Pass residents.

8
9 False Pass residents have harvested
10 more caribou than other communities with C&T on Unimak
11 Island and this is due primarily to their proximity to
12 the -- of the community being right on Unimak Island.
13 Thus False Pass residents demonstrate a higher level of
14 customary and direct dependence on caribou from Unimak
15 Island than residents from Akutan, King Cove and Sand
16 Point, all of which have customary and traditional use
17 for caribou in Unit 10.

18
19 If approved, a small but limited bull
20 caribou hunt would provide a significant opportunity
21 for False Pass residents with respect to nutrition and
22 provide a meaningful opportunity to transfer cultural
23 knowledge and traditional hunting practices between
24 generations.

25
26 OSM's conclusion is to support
27 Temporary Special Action WSA19-05 with modification to
28 allow the Izembek National Wildlife Refuge Manager to
29 set the quota and season closure date for the harvest
30 of up to four bull caribou between August 15 to October
31 15, 2019 for residents of False Pass only.

32
33 Given the importance of the
34 continuation of subsistence uses of the Unimak Caribou
35 Herd by False Pass residents and since there has been
36 no harvest since 2009 a small but limited hunt
37 would give False Pass residents an opportunity to
38 continue their customary and traditional practices.

39
40 Harvest is anticipated to be low given
41 the difficulty of accessing the herd and that it's
42 limited to the residents of False Pass only. Last year
43 there were 10 permits and only four got issued and
44 only three animals were taken.

45
46 Given that the Unimak Caribou Herd
47 population in the past has undergone wide fluctuations
48 and they are susceptible to extirpation by stochastic
49 events, such as volcanic eruptions, bad winters,
50

1 icing events, and wolf and bear predation. The harvest
2 quota should not exceed four bulls or approximately 1
3 percent of the population. The Izembek National
4 Wildlife Refuge Manager has delegated authority to set
5 harvest quota and season closure date and would provide
6 management flexibility to adjust the harvest based on
7 the status and the health of the population.

8

9

That concludes my presentation.

10

11

Any questions.

12

13

CHAIRMAN CHRISTIANSON: Thank you, Tom.

14

15

Any questions by the Board for Tom.

16

17

18

MR. FROST: I have a question. Tony,
this is Bert.

19

20

So the proposal is to be open for a
21 limited bull caribou hunt by Federal registration
22 permit for the fall of 2019 and the fall of 2020? With
23 a Special Action can you do it for two years or can you
24 only do it for one year?

25

26

MR. DOOLITTLE: You can do it within the
27 confines of the regulatory cycle. So, yes, this could
28 be through the following fall, but it's coming into the
29 -- as a formal wildlife proposal for you to
30 vote on in April. So that would cover the fall of 2020.

31

32

Do you want to clarify?

33

34

MR. EVANS: Yeah, just to clarify.

35

36

So a Temporary Special Action is only
37 relevant through one regulatory cycle. Since we're
38 about to come to the end of this regulatory cycle, this
39 special action would be -- if approved by the Board,
40 would only be applicable to default the upcoming
41 season.

42

43

We kind of explained it in the analysis
44 a little bit further. It says this Temporary Special
45 Action will be the action the Board can take for this
46 season. The Board will be taking up the proposal
47 version of this at your April 2020 meeting and that
48 would provide for -- if adopted, would provide for a
49 harvest in 2020, but not through this Special Action.

50

1 MR. DOOLITTLE: Yeah, that's an
2 important clarification to make though and a really
3 good question, Board Member Frost, because it is within
4 a regulatory cycle. It can be more than one year.

5
6 MR. FROST: Okay.

7
8 CHAIRMAN CHRISTIANSON: Any further
9 questions or discussion with the Staff.

10
11 (No comments)

12
13 MR. DOOLITTLE: Tony, we're at the
14 InterAgency Staff Committee recommendation.

15
16 CHAIRMAN CHRISTIANSON: I was just
17 looking back at my cheat sheet. Sorry, Tom.

18
19 MR. DOOLITTLE: ISC recommendations.

20
21 MS. HARDIN: Thank you, Mr. Chair. For
22 the record, this is Jennifer Hardin, chair of the
23 InterAgency Staff Committee.

24
25 The InterAgency Staff Committee
26 recommendation is to support Temporary Special Action
27 Request WSA19-05 with modification to allow the Izembek
28 National Wildlife Refuge Manager to set the quota and
29 season closure date for the harvest of up to four bull
30 caribou between August 15 to October 15, 2019 for
31 residents of False Pass only.

32
33 The InterAgency Staff Committee concurs
34 with the OSM Staff analysis' recognition of the
35 importance of the continuation of subsistence uses of
36 the Unimak Caribou Herd or UCH by False Pass residents.
37 As noted in the Staff analysis, 2018 was the first
38 harvest opportunity that has been allowed from UCH
39 since 2009.

40
41 Providing the 2018 opportunity to
42 harvest three bull caribou allowed False Pass residents
43 a chance to carry out customary and traditional
44 practices and to pass on cultural knowledge to the
45 younger generation. Only residents of False Pass, as
46 determined through the Section .804 subsistence user
47 prioritization analysis, were eligible for this hunt in
48 2018.

49
50

1 Harvest data from the period in which
2 the UCH was open to harvest (1997-2009) shows the
3 average harvest by Federal Registration permit was less
4 than two animals per regulatory year. In 2018, four
5 permits were issued and three bull caribou were
6 reported harvested.

7
8 Given the difficulty of accessing the
9 area frequented by the herd, harvest is anticipated to
10 remain low. The regulatory flexibility provided to the
11 in-season manager to issue a limited number of permits
12 based on the health of the UCH continues to offer a
13 conservative approach for providing harvest opportunity
14 if additional herd health information is not available
15 prior to announcing a season.

16
17 As indicated in the Staff analysis, the
18 tendency for the UCH to undergo wide fluctuations, the
19 uneven age structure of the population, and population
20 levels that are at approximately 40 percent of the
21 lower threshold of 1,000 animals suggests caution.
22 Although the UCH population may be on a positive trend,
23 the population is still low, slow growing, and
24 vulnerable to potentially wide fluctuations. If four
25 bulls are harvested from the State estimated 148 bulls,
26 then this accounts for 3 percent of the bull
27 population.

28
29 Given the current health status of the
30 herd, the ISC suggests that the in-season manager
31 consider additional 2019 caribou herd data, if
32 available, prior to issuing permits to see if the
33 population continues to show positive trends in the
34 bull:cow and calf:cow ratios.

35
36 The InterAgency Staff Committee also
37 suggests that permits require that harvest is reported
38 to the Refuge manager within two days to reduce the
39 potential for overharvest. The InterAgency Staff
40 Committee supports efforts to provide residents of
41 False Pass an opportunity to harvest caribou while also
42 conserving the resource.

43
44 Thank you, Mr. Chair.

45
46 CHAIRMAN CHRISTIANSON: Thank you,
47 Jennifer.

48
49 Any questions for the ISC Staff.

50

1 (No comments)

2

3 CHAIRMAN CHRISTIANSON: Hearing no
4 questions, we'll go ahead and open up the floor for
5 public testimony.

6

7 MR. RINALDI: This is Todd Rinaldi with
8 the Department of Fish and Game.

9

10 CHAIRMAN CHRISTIANSON: Hi, Todd.

11

12 MR. RINALDI: I would just like to
13 acknowledge the collaborative and cooperative Caribou
14 Management Plan that was entered into with the Wildlife
15 Refuge, members of the AC, members of the RAC and
16 members of the community and the Department of Fish and
17 Game. That conservation strategy developed through that
18 process is outlined here. I think not adhering to that
19 collaborative process is disregarding and discounting
20 the amount of time that was put into that effort and
21 distinctly we should follow that plan in these times of
22 low abundance.

23

24 Thank you.

25

26

27 CHAIRMAN CHRISTIANSON: Thank you.

28

29 Any questions, comments.

30

31 (No comments)

32

33 CHAIRMAN CHRISTIANSON: Any additional
34 public testimony.

35

36 (No comments)

37

38 CHAIRMAN CHRISTIANSON: We'll go ahead
39 and open the floor for Board discussion.

40

41 MR. PELTOLA: Mr. Chair. I have a
42 general question if I may. This is Gene.

43

44 CHAIRMAN CHRISTIANSON: Yeah, Gene, go
45 ahead.

46

47 MR. PELTOLA: For the OSM Staff, if you
48 look at the analysis, if a Board member was in support
49 of this, since there's an accompanying .804, would have

50

1 to explicitly accept the .804 for the record.

2

3 MS. HARDIN: Mr. Chair. This is Jennifer
4 Hardin, Policy Coordinator for OSM.

5

6 CHAIRMAN CHRISTIANSON: Go ahead,
7 Jennifer.

8

9 MS. HARDIN: Thank you. Through the
10 Chair. Mr. Peltola.

11

12 The best way to proceed would be for
13 the motion to include the language about limiting -- if
14 the motion was to approve the Special Action Request as
15 modified to include the language about the Section .804
16 subsistence user prioritization, that identifies
17 residents of False Pass only.

18

19 MR. PELTOLA: Thank you.

20

21 CHAIRMAN CHRISTIANSON: Any other
22 questions.

23

24 (No comments)

25

26 CHAIRMAN CHRISTIANSON: Any Board
27 discussion.

28

29 (No comments)

30

31 CHAIRMAN CHRISTIANSON: That opens up
32 the floor for Board action.

33

34 MR. SIEKANIEC: Mr. Chair. Greg
35 Siekaniec with the Fish and Wildlife Service.

36

37 CHAIRMAN CHRISTIANSON: Go ahead, Greg.

38

39 MR. SIEKANIEC: Mr. Chair. I move to
40 approve WSA19-05 with modification to allow the Izembek
41 National Wildlife Refuge Manager to set the quota and
42 season closure date for the harvest of up to four bull
43 caribou between August 15 and October 15 of 2019 for
44 residents of False Pass only.

45

46 The modified regulation would read as
47 indicated on Page 17 of analysis for Wildlife Special
48 Action 19-05 provided in the Board materials.

49

50

1 If I get a second, I will provide
2 further justification.

3
4 MR. PELTOLA: Second.

5
6 MR. SIEKANIEC: All right. The
7 modification regulation should read Unit 10 caribou.
8 Unit 10 Unimak Island only. One bull by Federal
9 registration permit. Up to four caribou may be
10 harvested. Season closure date will be announced by the
11 Izembek National Wildlife Refuge Manager. Federal
12 public lands are closed to the taking of caribou except
13 by residents of False Pass with the dates of August
14 15th through October 15, 2019.

15
16 This action allows for a limited bull
17 caribou harvest of less than 1 percent of caribou
18 population for only False Pass residents. Restricting
19 harvest to only False Pass residents in accordance with
20 ANILCA .804 is appropriate given the current low
21 population of the Unimak Caribou Herd.

22
23 The 2018 hunt that afforded harvest of
24 three bull caribou was appreciated by False Pass
25 residents and allowed them to continue their customary
26 and traditional practices. The successful
27 implementation of the 2018 hunt indicates that the
28 successful administration of a 2019 controlled hunt
29 should also be very achievable.

30
31 Careful allocation of permits coupled
32 with a two-day harvest reporting requirement should
33 reduce the potential for any overharvest. Currently,
34 the population is slowly increasing but remains below
35 the State's objective. Consequently, the harvest needs
36 to be closely monitored so as not to exceed the four
37 bull harvest.

38
39 If pre-hunt population data is acquired
40 prior to the 2019 hunt, it indicates a declining
41 population.

42
43 There should be renewed consultation
44 between the Refuge, Kodiak Aleutian Regional Advisory
45 Committee, False Pass residents and the State to
46 potentially modify this allowable harvest.

47
48 Advertisement of the opportunities to
49 harvest caribou from the Southern Alaska Peninsula Herd
50

1 should continue in order to ensure False Pass residents
2 are aware of this broader and much more liberal
3 opportunity.

4
5 I offer this in support of both the
6 Kodiak Aleutian Regional Advisory Committee and
7 InterAgency Staff Committee recommendations.

8
9 Thank you, Mr. Chair.

10
11 CHAIRMAN CHRISTIANSON: Thank you, Greg.

12
13 MR. PELTOLA: Mr. Chair, I have a
14 question.

15
16 CHAIRMAN CHRISTIANSON: Yeah. Go ahead,
17 Gene.

18
19 MR. PELTOLA: So, Greg, in the verbiage
20 of your motion you said for residents of False Pass
21 only. With that verbiage did you imply accepting the
22 .804 analysis as presented by the Office of Subsistence
23 Management?

24
25 MR. SIEKANIEC: Only False Pass
26 residents in accordance with ANILCA .804 is
27 appropriate.

28
29 MR. PELTOLA: Okay. Thank you. Just a
30 clarification.

31
32 CHAIRMAN CHRISTIANSON: Greg, I think
33 that was a question for you.

34
35 MR. SIEKANIEC: Sorry, Tony. I must not
36 have had my microphone on. I said yes. As was
37 provided in the justification, that only False Pass
38 residents in accordance with ANILCA .804 is
39 appropriate.

40
41 CHAIRMAN CHRISTIANSON: Okay. Thank you.

42
43 Did that answer your question, Gene?

44
45 MR. PELTOLA: Yes.

46
47 CHAIRMAN CHRISTIANSON: Okay. Any other
48 questions or comments, discussion by the Board.

49
50

1 (No comments)

2

3 CHAIRMAN CHRISTIANSON: Hearing none,
4 I'll call for the question.

5

6 MR. FROST: Question.

7

8 CHAIRMAN CHRISTIANSON: The question has
9 been called. Do roll call, Tom, please.

10

11 MR. DOOLITTLE: Alrighty. This is for
12 Wildlife Special Action 19-05, Unit 10 Unimak
13 Caribou. This is to support with modification to allow
14 Izembek Wildlife Refuge Manager to set the quota and
15 season closure for the harvest of up to four bull
16 caribou between August 15th and October 15th, 2019 for
17 the residents of False Pass only with the caveat that
18 the Board also accept the .804 determination for False
19 Pass residents only through the .804 determination
20 process.

21

22 Bureau of Land Management, Chad
23 Padgett.

24

25 MR. PADGETT: Support as stated.

26

27 MR. DOOLITTLE: U.S. Fish and Wildlife
28 Service, Greg Siekaniec.

29

30 MR. SIEKANIEC: Support.

31

32 MR. DOOLITTLE: Public Member Rhonda
33 Pitka.

34

35 MS. PITKA: Support.

36

37 MR. DOOLITTLE: BIA, Gene Peltola.

38

39 MR. PELTOLA: Support as accepting the
40 motion preserves the priority consumptive use in
41 addition to continued subsistence use of the resource.

42

43 MR. DOOLITTLE: Thank you, Mr. Peltola.

44

45 U.S. Forest Service, David Schmid.

46

47 MR. SCHMID: Yes, I support with the
48 justification provided by the Fish and Wildlife
49 Service.

50

1 MR. DOOLITTLE: National Park Service,
2 Bert Frost.

3
4 MR. FROST: I support.

5
6 MR. DOOLITTLE: And last, but not least,
7 Chairman Anthony Christianson.

8
9 CHAIRMAN CHRISTIANSON: I support.

10
11 MR. DOOLITTLE: All right. That
12 Temporary Wildlife Special Action 19-05 has been
13 approved.

14
15 CHAIRMAN CHRISTIANSON: Thank you
16 everybody for that quick one. I think we have one
17 more order of business on the plate today there, Tom.

18
19 MR. DOOLITTLE: All right. This will be
20 for Wildlife Special Action 19-06 and we'll start off
21 with Lisa Maas.

22
23 MS. MAAS: All right. Thank you, Mr.
24 Chair. Members of the Board. My name is Lisa Maas and
25 I'm a wildlife biologist in the Office of Subsistence
26 Management. I'll be presenting a summary
27 of the analysis for Temporary Wildlife Special Action
28 WSA19-06.

29
30 WSA19-06 was submitted by the Bureau of
31 Land Management Eastern Interior Field Office and
32 requests alignment of Federal and State regulations for
33 the Fortymile Caribou Herd and expanding the delegated
34 authority of the BLM Eastern Interior Field Office
35 manager for the 2019/20 regulatory year.

36
37 Specifically the proponent requests
38 increasing the harvest limit for caribou in Units 20E,
39 25C and a portion of Unit 20F from one caribou to up to
40 two caribou. Changing the opening date for the winter
41 season from November 1st to October 21st. And
42 delegating authority to the Federal in-season manager
43 to set sex restrictions in all three units.

44
45 Additionally, the proponent requests
46 delegated authority to modify harvest limits and season
47 dates in Unit 20F. The Federal manager, who is also
48 the proponent for this proposal already has this
49 authority in Units 20E and 25C.

50

1 The BLM Eastern Interior Field Office
2 states that Federal regulations are currently more
3 restrictive than State regulations and that their
4 intent is to align Federal and State regulations to
5 increase subsistence opportunity and to reduce
6 regulatory complexity and user confusion.

7
8 Additionally, delegating additional
9 authority would provide the flexibility and
10 responsiveness needed to manage the rapidly increasing
11 Fortymile Caribou Herd.

12
13 Caribou regulations in Units 20E, 25C
14 and 20F east of the Dalton Highway and south of the
15 Yukon River, which I will hereafter refer to as Unit
16 20F southeast target the Fortymile Caribou Herd. State
17 and Federal regulations for the Fortymile Herd have
18 generally followed recommendations from the Fortymile
19 Caribou Herd Harvest Management Coalition and its
20 management plans. This coalition has representatives
21 from State Fish and Game Advisory Committees, the
22 Eastern Interior Council, the Yukon government and
23 First Nations. Federal and State agency Staff provide
24 technical support and both the Federal Subsistence
25 Board and the Board of Game have endorsed the
26 coalition's management plans.

27
28 In 2018 the Board of Game liberalized
29 State's codified regulations for the Fortymile Herd to
30 increase in-season management flexibility resulting in
31 Federal regulations becoming more restrictive than
32 State regulations.

33
34 The BLM Eastern Interior Field Office
35 also submitted Wildlife Proposal WP20-48, which closely
36 mirrors this special action request.

37
38 The BLM presented WSA19-06 to the
39 Eastern Interior Council at its 2019 winter meeting.
40 The Council voted to support WSA19-06 as presented by
41 BLM Staff. Tribal and ANCSA Corporation consultations,
42 as well as a public meeting were held for WSA19-06,
43 however no comments were received. ADF&G submitted
44 comments in support of WSA19-06 stating that this
45 request will allow Federal managers to align Federal
46 harvest limits with State harvest limits and eliminate
47 regulatory conflicts and reduce user confusion.

48
49 While the Fortymile Herd's population
50

1 has fluctuated over time and has been increasing since
2 1997 and currently numbers over 71,000 caribou, which
3 is within management objectives of 50 to 100,000
4 caribou. However, the Fortymile Herd is showing signs
5 of nutritional stress as evidenced by decreasing
6 parturition or birth rates and changes in summer
7 grazing habitats. The Fortymile Herd experiences
8 extremely high hunting pressure due to its
9 accessibility from Steese and Taylor Highways. Local
10 rural communities have expressed concerns about safety,
11 crowding and competition from non-local hunters. This
12 heavy use has resulted in a complex suite of
13 regulations and annual adjustments in season lengths
14 and harvest limits. Harvest of Fortymile caribou is
15 primarily managed through fall and winter registration
16 permits and harvest quotas.

17
18 (Teleconference participant
19 interference)

20
21 MS. MAAS: The State manages the
22 Fortymile hunt by zone, rather than unit, closing zones
23 by emergency order when quotas are met. Fortymile
24 Caribou harvest has increased as the population, and,
25 therefore, harvest quotas have increased. Total
26 Fortymile harvest range from 146 bulls in 1996 to 2,400
27 caribou in 2018. Non-local residents harvest the vast
28 majority of Fortymile caribou. Currently Fortymile
29 harvest management is geared towards slowing herd
30 growth through increasing harvest quotas.

31
32 Approving WSA19-06 would align Federal
33 and State hunting regulations for the Fortymile Herd
34 for the 2019/20 regulatory year which would reduce user
35 confusion and preclude Federal regulations from being
36 more restrictive than State regulations.

37
38 Delegating additional authority to the
39 Federal in-season manager would provide the flexibility
40 needed to respond to changing herd and hunt conditions
41 in coordination with State managers. While the
42 Fortymile Herd is at the mid-point of management
43 objectives it is already displaying signs of
44 nutritional stress suggesting increased harvest is
45 needed to curtail growth. If caribou populations
46 exceed carrying capacity, their populations can crash
47 with long-lasting decreases and sustained yield. Rural
48 priority for Federally-qualified subsistence users
49 could be maintained if Federal seasons remain open

50

1 after State seasons close.

2

3 The OSM conclusion is to support WSA19-
4 06.

5

6 Thank you, Mr. Chair. Members of the
7 Board.

8

9 I'd be happy to answer any questions.

10

11 CHAIRMAN CHRISTIANSON: Thank you very
12 much for that.

13

14 Any questions for the Staff from the
15 Board.

16

17 MR. PELTOLA: Mr. Chair, if I may.
18 This is Gene.

19

20 CHAIRMAN CHRISTIANSON: Gene, yes.

21

22 MR. PELTOLA: I just want to point out
23 that although the proposal aligns State and Federal
24 regulations it does not provide -- in modification of
25 the delegation of authority, it does not provide for
26 the rural preference unless the in-season manager, he
27 or she exercises the delegated authority.

28

29 CHAIRMAN CHRISTIANSON: Any other
30 questions or comments for Staff.

31

32 (No comments)

33

34 CHAIRMAN CHRISTIANSON: All right,
35 thank you for that presentation Staff.

36

37 We'll go ahead and move on to our
38 public testimony.

39

40 MR. FROST: ISC.

41

42 MR. DOOLITTLE: The ISC. Hey, Tony, it
43 would be ISC.

44

45 CHAIRMAN CHRISTIANSON: The ISC, sorry,
46 I'm multi-tasking here, Tom, sorry.

47

48 MS. HARDIN: Thank you, Mr. Chair.
49 It's Jennifer Hardin. Chair of the InterAgency Staff

50

1 Committee.

2

3 The InterAgency Staff Committee
4 recommendation is to support Temporary Special Action
5 Request WSA19-06.

6

7 With approval of WSA19-06, Federal and
8 State hunting regulations for the Fortymile Caribou
9 Herd would be aligned for the 2019 regulatory year.
10 This will reduce user confusion and preclude Federal
11 regulations from being more restrictive than State
12 regulations. Harvest management and regulations are
13 guided by the Fortymile Caribou Herd harvest plan,
14 which both the Federal Subsistence Board and the Alaska
15 Board of Game endorsed. One of the recommendations in
16 the harvest plan is for State and Federal managers to
17 cooperatively manage the herd and the hunts -- I'm
18 sorry, to cooperatively manage the Fortymile Caribou
19 Herd hunts.

20

21 Expanding the authority delegated to
22 the Federal in-season manager provides the flexibility
23 required to coordinate with State managers in adjusting
24 season dates and harvest limits in response to changing
25 herd and hunt conditions. Aligning State and Federal
26 regulations for the Fortymile Caribou Herd may be
27 especially prudent due to the complexity of harvest
28 management for this herd, such as managing hunt zones,
29 harvest quotas, emergency closures and openings and
30 also addressing heavy hunting pressure.

31

32 Thank you, Mr. Chair.

33

34 CHAIRMAN CHRISTIANSON: Thank you,
35 appreciate that. Any questions for ISC member.

36

37 (No comments)

38

39 CHAIRMAN CHRISTIANSON: All right,
40 hearing no questions for ISC, thank you very much for
41 your presentation.

42

43 I'd open up the floor for public
44 testimony.

45

46 (No comments)

47

48 CHAIRMAN CHRISTIANSON: Any public on
49 line that would like to speak to this proposal, now is

50

1 your time.

2

3

(No comments)

4

5

6

CHAIRMAN CHRISTIANSON: Hearing no
public testimony we'll go ahead and have Board
discussion.

7

8

9

10

(No comments)

11

12

13

CHAIRMAN CHRISTIANSON: Hearing no
Board discussion we'll move on for Board action.

14

15

16

MR. PADGETT: Mr. Chair, Chad Padgett
with BLM.

17

18

19

CHAIRMAN CHRISTIANSON: Chad, the floor
is open for a motion.

20

21

22

MR. PADGETT: I move to approve
Wildlife Special Action WSA19-06 and with a second I'll
speak in support of passing this.

23

24

25

MR. SIEKANIEC: Second.

26

27

28

CHAIRMAN CHRISTIANSON: Second's been
made.

29

30

31

MR. PADGETT: Thank you. I note that
this special action was submitted by the BLM to a
certain extent -- sorry, is there something.....

32

33

34

MR. SHARP: No.

35

36

37

MR. PADGETT: Okay. Sorry, Mr. Chair,
I'm going to start over.

38

39

40

I note that this special action was
submitted by the BLM and to a certain extent can be
considered a housekeeping proposal.

41

42

43

44

45

46

47

It is written to provide management
flexibility to the local Federal managers, which will
allow for in-season alignment of State and Federal
management regulations and timely responsiveness in the
complex management of the Fortymile Caribou Herd.

48

49

50

This special action is supported by

1 both the Eastern Interior Subsistence Regional Advisory
2 Council and the State of Alaska. A companion proposal
3 WP20-48 has been submitted for the upcoming wildlife
4 regulatory cycle to formally adopt this change.

5
6 The Fortymile Caribou Herd creates a
7 complex management challenge due to the mix of Federal
8 and State managed lands along with the herd's migratory
9 behavior, public access and harvest quotas that can be
10 filled quickly.

11
12 Delegating authority to local managers
13 to fully respond as necessary to both management plans
14 and biological imperatives is fully justified in these
15 types of situations and will be more efficient and
16 responsive than involving the Federal Subsistence Board
17 via special actions.

18
19 That concludes my motion.

20
21 CHAIRMAN CHRISTIANSON: Any Board
22 discussion on the motion as presented.

23
24
25 (No comments)

26
27 CHAIRMAN CHRISTIANSON: Hearing none,
28 I'll.....

29
30 MR. FROST: Question.

31
32 CHAIRMAN CHRISTIANSON:call for
33 the question.

34
35 MR. FROST: Question.

36
37 CHAIRMAN CHRISTIANSON: Question's been
38 called.

39
40 Tom, would you do roll call.

41
42 MR. DOOLITTLE: That I will. This is
43 Wildlife Special Action 19-06 for 20E, 25C, or 20C and
44 20F -- or excuse me 25C -- let me start over too, I
45 think Chad you started something.

46
47 (Laughter)

48
49 MR. DOOLITTLE: Wildlife Special Action
50

1 19-06, which is 20E, 25C, 20F caribou and the
2 appropriate changes to the letter of delegation for the
3 BLM manager.
4
5 Okay.
6
7 Roll call vote.
8
9 Chad Padgett.
10
11 MR. PADGETT: Support as stated.
12
13 MR. DOOLITTLE: National Park Service,
14 Herbert Frost.
15
16 MR. FROST: Support.
17
18 MR. DOOLITTLE: David Schmid.
19
20 MR. SCHMID: Support.
21
22 MR. DOOLITTLE: U.S. Fish and Wildlife
23 Service, Greg Siekaniec.
24
25 MR. SIEKANIEC: I support.
26
27 MR. DOOLITTLE: Public Member Rhonda
28 Pitka.
29
30 MS. PITKA: Support.
31
32 MR. DOOLITTLE: Bureau of Indian
33 Affairs, Gene Peltola.
34
35 MR. PELTOLA: Support.
36
37 MR. DOOLITTLE: Last, but not least,
38 Chairman Anthony Christianson.
39
40 CHAIRMAN CHRISTIANSON: I support.
41
42 MR. DOOLITTLE: All right. That motion
43 is carried and that Wildlife Special Action 19-06 is
44 approved.
45
46 MS. PITKA: Could the person who
47 seconded the motion state their name on record, thank
48 you.
49
50

1 MR. SIEKANIEC: Yes, Greg Siekaniec
2 with the U.S. Fish and Wildlife Service provided the
3 second.

4
5 MS. PITKA: Thank you.

6
7 CHAIRMAN CHRISTIANSON: All right, I
8 think that concludes our meeting today.

9
10 Tom, was there anything else we had to
11 discuss today before we conclude our meeting.

12
13 MR. DOOLITTLE: No.

14
15 MR. FROST: I make a motion we adjourn.

16
17 MR. PELTOLA: Second.

18
19 CHAIRMAN CHRISTIANSON: Motion's been
20 made to adjourn and seconded, any opposition.

21
22
23 (No comments)

24
25 CHAIRMAN CHRISTIANSON: Hearing none,
26 have a good day guys. Thank you for taking the time on
27 a Friday and good luck to everybody in your summer
28 gathering.

29
30 MR. SIEKANIEC: Thank you, Mr. Chair.

31
32 MR. DOOLITTLE: Thanks Tony for
33 everything.

34
35 MS. PITKA: Thank you, see you next
36 month.

37
38 MR. DOOLITTLE: Bye Rhonda.

39
40 CHAIRMAN CHRISTIANSON: We're
41 adjourned.

42
43 (Off record)

44
45 (END OF PROCEEDINGS)

46
47
48
49
50

