

FINDINGS OF THE BOARD OF GAME

96-97-BOG

Fortymile Caribou Management Plan Implementation

1. The planning process used by the Fortymile Caribou Planning Team (Team) involved a wide range of public and agency interests in formulating comprehensive management recommendations for the Fortymile Caribou Herd and its ecosystem.
2. At its meeting in Anchorage, Alaska October 21 - 27, 1995, the Board of Game considered public testimony on the final Fortymile Caribou Herd Management Plan (Plan) prepared by Team. Based on public and agency testimony, and in consideration of the Board's statutory authorities and requirements, the Board unanimously endorsed the Plan.
3. The Board of Game recognizes the recommendations in the Plan as a comprehensive compromise package. Parties on the Team acknowledged and honored the values of other Team members in reaching agreement. To maintain the integrity of the compromise embodied in the Plan, all essential elements of the plan must be fully implemented in a timely manner.
4. The recommendations in the Plan include aspects that are both within and outside the jurisdiction of the Board. Recommendations within the jurisdiction of the Board include reduction in total harvest of Fortymile Caribou to a maximum of 150 bulls each year for five years and implementation of non-lethal wolf control.
5. In 1992, the Board of Game found the amount of Fortymile caribou reasonably necessary to provide for subsistence use was 350 - 400 caribou. However, the amount reasonably necessary can vary both with time and circumstances. The Board has heard testimony from major user groups of the Fortymile caribou herd, including the Delta, Eagle, Fairbanks, and Upper Tanana/Fortymile Fish and Game Advisory Committees; the Eastern Interior Federal Regional Subsistence Advisory Council; the Village Councils of Dot Lake and Tanacross; Tanana Chiefs Conference and Dawson First Nations. All parties agree that 150 bull caribou is the amount of caribou reasonably necessary to provide for subsistence use at this time, in the context of the Fortymile Caribou Management Plan. The reasons for this are:
 - subsistence hunters believe it is in their own best, long-term interest to voluntarily forego any higher harvest of Fortymile Caribou to ensure implementation of the entire Plan agreement and to speed recovery of the herd;
 - alternative caribou are currently available in increasing numbers to all subsistence users, although they are less accessible to residents of Eagle;

The Board recognizes that this is a unique circumstance arising from the Fortymile planning process. The finding that 150 bull caribou is the amount reasonably necessary is inextricably linked to implementation of the Fortymile Caribou Plan. If, for any reason, implementation of the plan stops, the number of caribou reasonably necessary to provide for subsistence will revert to the prior level of 350 - 400. At the end of the plan period, the amount reasonably necessary to provide for subsistence use will need to be re-evaluated under the circumstances prevailing at that time.

6. The existing codified regulations governing taking of Fortymile Caribou, 5 AAC 85.025(15), provide a framework within which the Department can administer hunting in a manner fully consistent with the harvest recommendations in the Plan through exercise of discretionary authority vested in the department under 5 AAC 92.052. Therefore, no change in the codified regulations is necessary to implement the recommendations of the Plan with respect to harvest.

7. Maintaining the existing codified regulations for taking Fortymile Caribou in 5 AAC 92.025(15) will allow the department flexibility to immediately restore opportunity for taking caribou if, for any reason, the department cannot or does not implement other essential elements of the Plan's recommendations designed to reduce the effects of wolf predation.


Accordingly, the Board of Game directs the Division of Wildlife Conservation to:

1. Manage hunting of the Fortymile Caribou Herd to achieve a maximum harvest of 150 bull caribou during the 1996-97 regulatory year, and subsequent years through 2000-01 as long as the Plan remains in effect. Timing of open hunting periods shall maximize the length of the fall season while maintaining the opportunity for taking at least 50 bull caribou during a winter season. The department shall use discretionary authority under 5 AAC 92.052, including but not limited to, restricting use of motorized vehicles as necessary, to regulate harvest.

2. Prepare an implementation plan for non-lethal wolf control consistent with the recommendations of the Plan and consistent with 5 AAC 92.110, for consideration by the Board of Game no later than the Spring 1997 meeting.

To uphold the compromise, it is the policy of the Board of Game that if, for any reason, the department fails to prepare an implementation plan, or the commissioner decides not to implement non-lethal control authorized by the Board by winter 1997-98, the Board shall consider the Plan to be void. In such event, the division shall immediately restore hunting opportunity to the level existing prior to the 1996-97 regulatory year.

Adopted March 28, 1996, at Fairbanks, Alaska
Vote: 7-0


Larry Holmes, Chair
Alaska Board of Game