

## ALASKA BOARD OF GAME

Special Meeting on Copper Basin Area Moose and Caribou Hunting  
Glennallen, AK | March 18-21, 2017

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## **Ahtna Tene Nene' Comments for Proposals Submitted for the March 18-21 Board of Game Special Meeting on Copper Basin Area Moose and Caribou Hunting**

**PROPOSAL 1 - 5 AAC 99.025. Customary and traditional uses of game populations.** Modify the amount reasonably necessary for subsistence for moose.

Ahtna Tene Nene' submitted proposal 1 and asks the BOG to adopt its provision to establish an ANS of 200 moose for the area described in 5 AAC 92.074(d) that is specifically directed for the eight communities that established the CSH, and which includes a specific finding that the ANS includes 100 any bull moose.

Attached to and incorporated in these comments are a paper from Bill Simeone demonstrating the lack of reasonable opportunity under the current moose hunting regulations for GMU 13 and a summary legal analysis supporting the need for a Tier II any bull moose hunt for those communities enrolled in the CSH if the Board chooses to continue to allow any group of 25 to participate in the hunt. A Transcript of the BOG's March 2009 deliberations on ANS and the 100 any bull quota for the CSH is also attached. Reviewing these documents first will help with understanding the comments below.

Amend 99.025 (a)(8) – Amount necessary for subsistence for moose by adding a new section as follows:

(8) Moose

**Parts of units 11, 12, 13 described in 5 AAC 92.074(d) and for the households from the communities of Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah that are participating in the community subsistence hunt established for that area; positive; 200 moose including 100 bull moose that do not meet antler size restrictions for other resident hunts in the area.**

The current ANS for moose in the community subsistence hunt area described in 5 AAC 92.074(d) is a part of the total ANS for GMUs 11, 12 13. The ANS for moose for GMU 11 is 30-40, the ANS for GMU 12 is 60-70, and the ANS for GMU 13 is 300-600. The board clearly has the authority to establish a separate ANS for the CSH area that encompasses parts of these three GMUs. For example, see the moose ANS established for the Lime Village Management Area in GMU 19.

There is no specific ANS for the any bull moose population in the current moose ANS for GMUs 11, 12 or 13. The board clearly has the authority to identify the any bull moose population as a “portion” of a population customarily and traditionally taken and used for subsistence.

AS 16.05.258(a) – the Board of Game shall identify the game populations, “*or portions* of stocks or populations, that are customarily and traditionally taken or used for subsistence.”

From *Native Village of Elim v. State*, 990 P.2d 1, 11 (Alaska 1999), “We give the Board's identification of fish stocks under the subsistence law considerable deference for two reasons. First, identifying a "fish stock" requires fisheries knowledge and experience and thus falls within the Board's expertise. Second,



the subsistence law defines "fish stocks" broadly, allowing the Board to identify any category of fish "manageable as a unit" as a "stock."

The board's practice over several decades has been to manage the any bull population in GMU 13 as a separate portion of the moose population, first through a Tier II hunt in the 1990s and then through the 100 any bull quota for the CSH beginning in 2009. Establishing and ANS for any bull in the CSH area will formalize this ongoing determination in regulation.

If the board fails to adopt the changes to 5 AAC 92.072 included in proposal 44 submitted by Ahtna Tene Nene', and continues to allow any group of 25 or more persons to participate in the CSH authorized by 5 AAC 92.074(d), it must adopt an ANS for the CSH that reflects the amount of moose necessary for all of the households the BOG and ADF&G authorize to participate in the moose hunt. The total ANS for moose, even under this scenario, must include a specific ANS for bull moose that do not meet antler size restrictions for other resident hunts in the area since the BOG has already determined that an opportunity to harvest any bull moose is necessary to meet the subsistence needs and provide a reasonable opportunity for of the eight villages that established the hunt.

If the BOG fails to reduce the number of groups participating in the CSH for the area described in 5 AAC 92.074(d), the ANS for any bull moose will exceed the harvestable amount unless the Board somehow reaches the conclusion that the current quota of 100 provides a reasonable opportunity all of the households currently allowed to participate. No data we are aware of would support this conclusion. If the ANS exceeds the harvestable surplus of any bulls, the Board is required to establish a Tier II hunt. Tier II applicants would be limited to only those households that are eligible for the CSH moose hunt authorized for the area described in 92.074(d) since the ANS is specific to this hunt and this subsistence use pattern.

If the board eliminates the CSH, it must enact new regulations that provide a reasonable opportunity for the subsistence needs of these eight communities and the other households genuinely engaged in subsistence uses for the area. If the Board continues to regulate in a way that all Alaska residents are subsistence users regardless of their pattern of use, the ANS will need to be significantly increased, and will likely be the entire harvest amount. The moose hunt for GMU 13 will consequently be a Tier II hunt.

The board can avoid many of these consequences, and serve the needs of all hunters, subsistence, personal use and even non-resident, if it reforms the CSH as proposed in revised 44 – see comments below – and establishes a subsistence moose hunt for GMU 13 households that are not a part of the CSH that requires a household to demonstrate that it is genuinely engaged in subsistence hunting.

**PROPOSALS 2 through 13, 15-16, 18, 23 and 25. All of these proposals eliminate or significantly restrict the community subsistence harvest hunt for moose.**

Ahtna Tene Nene' opposes all of these proposals to eliminate or restrict the community subsistence moose hunt. The CSH for the area described in 5 AAC 92.074(d), and as originally implemented for the eight communities that established the hunt, is essential to provide for these communities'



economic, nutritional, cultural and traditional existence. Board Findings 2006-170, and the administrative record for the board's actions establishing this community hunt, fully support the necessity of retaining the subsistence opportunity afforded by the CSH. Other previous attempts by the Board to provide for the subsistence uses of these communities have been a failure. In 2009, the first and only year that the CSH was administered consistent with the Board's intent, was the only time in decades that these communities were able to approach a moose harvest that met their subsistence needs.

The solution is not to sacrifice providing subsistence opportunity and the priority through the CSH for registration hunts, expanded general hunts, etc. The solution is to do the hard but necessary, and we believe legally mandated work, of defining which communities are eligible to participate in the CSH because they have established and continue to engage in a pattern of community subsistence use in the area described in 5 AAC 92.074(d). The eight communities that established this CSH went through years of effort to demonstrate this pattern of use, including the need for an extended season and the need for an any bull moose quota. This effort is reflected in BOG Findings 2006-170. The Board made the decision to establish the CSH based on the efforts of these communities. Ahtna simply asks the board to employ the same process for each group that wants to join the hunt in the area described in 5 AAC 92.074(d).

There is nothing illegal or unconstitutional about treating all interested communities the same – requiring them to demonstrate that they are engaged in the subsistence pattern of use before they are entitled to participate in this hunt.

**PROPOSAL 14 - 5 AAC 85.045. Hunting seasons and bag limits for moose. Eliminate the community subsistence harvest hunt and the December registration moose hunt, and modify the number of available drawing permits.**

Ahtna Tene Nene' opposes Proposal 14 to change a subsistence hunt to a registration hunt and to modify drawing permits to 100 permits. A drawing permit hunt is not a subsistence hunt. The proposed hunt will not provide a reasonable opportunity or a subsistence priority for moose and caribou as required by the law and by sound policy.

The proposed registration hunt is also impractical for many who need the meat most. Many local subsistence users do not have ready access to apply online. If the registration permit is first come first served basis, this kind of lottery or artificial ordering has nothing to do with providing for subsistence uses for those who need it most. The law requires a reasonable opportunity or Tier II. A registration hunt achieves neither. The solution for the CSH is not another gimmick to try and avoid implementing the subsistence priority. The solution is to use the Board's statutory authority and regulations to clearly identify those individuals and communities that are genuinely engaged in a subsistence pattern of use and institute a process that restricts subsistence hunting to those who are qualified.

This proposal also contains several misstatements of law and fact.

- First, it is illegal under the *McDowell* line of precedent for the Board to make a determination on the basis of what opportunity a rural resident may have under federal management and



ANILCA. As a matter of fact, many members of the eight communities that established the CSH are not rural residents. They do not reside in the communities. Some, for example reside in Anchorage, Eagle River and other locations. Yet they remain connected to the land, the people, the resources and the culture of the named communities. They participate in many of the traditional gatherings such as the numerous potlatches. They follow customs such as distributing a youth's first successful hunt throughout the community. They share broadly. They concentrate their hunting, fishing and gathering in the area described in 5 AAC 92.074 (d). They are therefore members of the "community" and their participation in the CSH is consistent with the Board's original intent. Their pattern of use is consistent with BOG Findings 2006-170. They are not, however, as urban residents, eligible for the ANILCA "rural" priority and they do not have access to subsistence hunting on federal lands.

- Second, many of the 1.3 million acres of Ahtna lands are not in GMU 13. Instead they are in remote areas of GMU 11, locked as in-holdings in the WRST National Park.
- Third, the State currently claims jurisdiction to manage the moose hunt on Ahtna ANCSA lands and the Native Allotments of Ahtna tribal members. Under the premise of State jurisdiction, Ahtna must abide by the same bag limits and seasons as the Board places for all State lands in the GMU. Therefore, when the any bull quota closes for a sub-unit, the ANCSA lands and allotments are also closed within that area. The proposals' claims about the value of hunting on posted private lands are overblown.
- Fourth, the Board's determination about non-resident moose hunts has little or nothing to do with whether reasonable opportunity is being provided for subsistence uses. The Board can make an ANS determination that includes managing the any bull part of the population as a separate population in order to provide for subsistence uses. Likewise, the Board can manage a remote population of large bull moose in GMU 13 as a distinct population for a non-resident trophy hunt so long as doing so is not impacting subsistence uses.
- Fifth, the proposers seem to ignore that the law requires that a reasonable opportunity and priority be provided for subsistence uses. One does not get to "simply conclude" that subsistence needs are being met because of the availability of a non-resident hunt. The facts, such as the success rate for subsistence moose hunting in GMU 13, clearly demonstrate that the current regulations do not provide a reasonable opportunity. The proposed drawing hunts would make that violation of law and policy worse, not better.

**PROPOSALS 17 and 19 - 5 AAC 85.045. Hunting seasons and bag limits for moose. Limit the season dates for the community subsistence harvest moose hunt.**

Ahtna Tene Nene' opposes Proposals 17 and 19, however, these proposals help make the point that abuse is prevalent under the current CSH process. This rationale supports Ahtna Tene Nene's proposals to reform the CSH.

Moreover, these proposals have things exactly backwards. Number 17 wants to eliminate subsistence hunting during the "sport" hunt and give the CSH 5 days by emergency order in November when conditions fall apart and the moose may still be colored by the rutting season or when it may be minus 40-degree weather, making it difficult and dangerous to hunt. Number 19 wants to limit the subsistence moose hunt to August 10-25 when, given global warming, the



moose may not be moving. The law requires a reasonable opportunity, and neither of these even begins to consider this factor. The law requires that other consumptive uses, like the “sport” season be restricted or eliminated when necessary to provide a reasonable opportunity for subsistence. These proposals stand this requirement on its head.

The facts are that a reasonable opportunity is not being provided. The eight communities that originally established the CSH only harvested 16 moose during the 2016 season that lasted from August 20 thru September 20. This is in stark contrast to 2009 when these same communities harvested nearly 100 moose during a season that lasted from August 10 through September 20. The season for the CSH needs to be expanded, not shortened, and the Board needs to consider restricting the moose hunting season for other consumptive uses in order to provide a reasonable opportunity for the hunters in the CSH and household subsistence hunt in GMU 13.

The Board should take the reasonable, and we think legally required step, of limiting those eligible to participate in the CSH and household subsistence seasons to households and communities genuinely engaged in a subsistence pattern of use. By doing so, an ANS could be established that accurately considers real subsistence uses rather than an ANS inflated by the thousands currently classified as subsistence hunters but who commonly come to the area for a week or less per year on a hunting trip. If the subsistence season is hunted only by those genuinely engaged in a subsistence way of life, the number of hunters will be much smaller, and any disruption to the general hunt will be minimized.

**PROPOSALS 20 and 21- 5 AAC 85.045. Hunting seasons and bag limits for moose. Both Proposals would replace the community subsistence harvest hunt for moose with a Tier II moose hunt.**

Proposal 21 suggests either a Tier II hunt for moose or a registration hunt. Ahtna Tene Nene’ opposes a registration hunt, see above, comments opposing proposal 14.

Ahtna Tene Nene’ only supports a Tier II hunt under the conditions described above in comments to proposal number 1. If the board rejects the Ahtna Tene Nene’ proposals to amend the CSH regulations, and continues to allow any group of 25 or more persons to participate in the CSH authorized by 5 AAC 92.074(d), it must adopt an ANS for the CSH that reflects the amount of moose necessary for all of the households participating in the CSH for moose. The total ANS for moose must include a specific ANS for bull moose that do not meet antler size restrictions for other resident hunts in the area since the BOG has already determined that 100 any bull moose are necessary just to meet the subsistence needs of the original eight villages.

If the BOG fails to reduce the number of groups participating in the CSH for the area described in 5 AAC 92.074(d), the ANS for any bull moose will exceed the harvestable amount. The board is required to establish a Tier II hunt under this situation. Tier II applicants would be limited to only those households that are eligible for the CSH moose hunt authorized for the area described in 92.074(d) since the ANS is specific to the CSH.



Ahtna Tene Nene agrees that if a Tier II hunt is required there should be only one Tier II permit for a household that is enrolled in the CSH.

The CSH moose season should be from August 20-September 25, and if there is a Tier II hunt for the CSH, the season should also be from August 20-September 25.

We agree with the aspect of proposal 20 that is consistent with proposal 32 submitted by Ahtna Tene Nene'. Proposal 20 suggests that in addition to a Tier II any bull hunt, only "qualified applicants" should be issued subsistence permits to hunt antler restricted moose during an extended fall season. In other words, only those households and communities that are engaged in a pattern of subsistence uses would hunt from August 20-September 25. All other hunters who are not engaged in subsistence uses would be limited to a season from September 1-20. The Board should use the eight criteria for establishing customary and traditional uses in 5 AAC 99.010 to create an application that demonstrates that the user is engaged in subsistence uses versus a sport, personal use or other consumptive use of moose. Only those that meet the criteria for engaging in a subsistence use as demonstrated by the application would receive a permit to hunt in the extended subsistence season.

**PROPOSAL 22 - 5 AAC 85.045. Hunting seasons and bag limits for moose; and 92.050 Required permit hunt conditions and procedures. Eliminate the community subsistence harvest hunts for moose, and adopt a resident "any bull" registration hunt for residents.**

This proposal suffers from several misstatements of fact and law. See above comments for proposal 14. Also:

- A registration hunt is not a subsistence opportunity. The restriction in the proposal of one any-bull moose every three years clearly demonstrates that this is a sport opportunity.
- Ahtna Tene Nene' is not aware of any "facts" that establish that the eight villages named in the proposal are being afforded a reasonable opportunity under current regulations. Eliminating the any bull opportunity through establishing a registration hunt will decrease the already deficient subsistence opportunity.
- The proposal uses the term "perpetual reasonable opportunity" in describing Ahtna Tene Nene's goal for subsistence regulations for the 8 named communities. Although the proposal infers otherwise, this is exactly what the State subsistence law requires.
- The proposal infers that the CSH as supported by Ahtna Tene Nene' is a "native priority". To the contrary, the hunt has consistently been administered to include members of the communities regardless of whether they are tribal members or not. Moreover, the Alaska Supreme Court has never held that the state constitution requires that the CSH for 5 AAC 92.074(d) must be open to all groups of 25 or more who apply. That condition was created by the Board and can be eliminated or modified by the Board.



**PROPOSAL 24 - 5 AAC 85.045. Hunting seasons and bag limits for moose. Clarify which communities are eligible for the “100 any bull” quota and extend the CSH season to September 25.**

This proposal was submitted by Ahtna Tene Nene’. When the board originally established the CSH for the eight communities, it also established a quota of 100 any bull moose for the CSH based on findings about the amount of moose these 8 communities needed to meet subsistence needs. The quota has remained 100 despite the huge increase in households and groups in the moose CSH.

The proposed amended regulation would clarify that the 100 any bull quota for the GMUs in the hunt area established in 92.074(d) is only for the eight communities that the Board has approved as eligible to participate in the CSH for the area.

The proposal also extends the CSH moose season 5 days, until September 25, in the CSH area and for the identified communities. The extended hunting season is necessary to provide the 8 villages with a reasonable opportunity.

This proposal follows from proposal one also submitted by Ahtna Tene Nene’s to amend the ANS findings for moose to include a specific ANS determination for the any bull moose population in the CSH area described in 5 AAC 92.074(d).

**PROPOSALS 26, 27 and 28 - 5 AAC 85.045. Hunting seasons and bag limits for moose. These proposals ask to liberalize antler restrictions for the general season moose hunt in Unit 13.**

Under these proposals, the general season hunt would have a more liberal bag limit than the Copper Basin Community Subsistence Hunt for moose (except for those CSH hunters with a locking tag for any bull moose during the short time that hunt is open before the quota is filled). Liberalizing the general hunt in this way without providing a more liberal bag limit for subsistence users would violate the State subsistence preference.

Impacts to the hunting areas will increase if the moose antler restrictions for the general season are changed as proposed. More hunters will be drawn to the area and more moose will be taken in the general hunt, lessening opportunity for a successful subsistence harvest.

Depending on what the Board does or does not do, the general season may need to be further restricted rather than liberalized in order to provide a reasonable opportunity for subsistence uses. If Board policy and regulations continue to allow all Alaska residents to be classified as subsistence users, and hunt under subsistence moose seasons and bag limits in GMU 11, 12 and 13, the moose hunts for these GMUs may all need to be managed as Tier II hunts. If all Alaskans are subsistence users of moose in these GMUs, the ANS needs to reflect that fact; the current ANS does not. Even if the ANS is the total allowable harvest, there is not a reasonable opportunity since harvest success rate is so low. If there is not a reasonable opportunity for all subsistence users, it is a Tier II situation.





**PROPOSAL 29 - 5 AAC 85.045. Hunting seasons and bag limits for moose. Close the nonresident moose season in Unit 13.**

We support Proposal 29 to close GMU 13 to Nonresident hunters. GMU 13 is severely impacted by the extraordinary hunting pressure, and eliminating the non-resident moose hunt may reduce some of this pressure. Less hunters in the field will allow more harvest of moose for other hunters.

If all Alaskan residents are subsistence users for moose in GMU 13, there is not a reasonable opportunity under current regulations. The non-resident draw hunt is not consistent with providing for subsistence uses under this policy.

If the Board were to use its authority, and clearly define a subsistence pattern of use, and institute a process for ensuring that subsistence permits only go to those who are engaged in that pattern of use, there would be a sensible way to provide for subsistence uses, a general hunt and perhaps a non-resident hunt. After the Board fully and justly provides for genuine subsistence uses, it has more discretion to allocate among the general and non-resident hunts.

**PROPOSALS 30, 31, 34 and 35 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. These proposals seek to eliminate or significantly restrict the community subsistence harvest hunt for caribou.**

Ahtna Tene Nene' opposes these proposals on much the same grounds as cited above for its opposition to proposals 2 through 13, 15-16, 18, 23 and 25 which seek to end or severely restrict the CSH for moose.

The CSH for caribou needs to be reformed to achieve the intended result – to provide a reasonable opportunity to those communities genuinely engaged in a community pattern of subsistence uses as acknowledged in BOG Findings 2006-170. Doing this will help take care of the real problem for all hunters of the Nechina herd – crowded and dangerous hunting conditions.

Some of the above proposals request the elimination of the requirement that a household with a Tier I permit for caribou in GMU 13 may only hunt for moose in GMU 13. Ahtna supports repealing this restriction.

Proposal 34 requests shortening the draw hunt season to reduce overcrowding and competition with subsistence hunters. Ahtna Tene Nene' agrees with the intent of this part of the proposal. The Board must take actions to control overcrowding and competition with subsistence users. Significantly restricting hunting time for the draw hunt or eliminating it all together is one possibility. A reasonable opportunity for subsistence uses involves several factors, including the length of the season, the bag limit and overcrowding and competition. Subsistence hunters need a hunting opportunity that is separate and longer than the season for non-subsistence hunting.



**PROPOSAL 32 – 5AAC 92.050. Required permit hunt conditions and procedures. Change the eligibility criteria for Tier I caribou and moose hunts in Unit 13.**

Ahtna Tene Nene’ submitted this proposal. Very simply, the proposal would require an application for a Tier I household subsistence permit for both moose and caribou. The application would require verification that the household is engaged in a pattern of subsistence uses for the game populations.

Alaska provides a permanent fund dividend – money from the state treasury – a State resource, and in order to get the PFD a person must fill out an application that shows establishment of residency and presence in the state for a significant part of the year. Wildlife in GMU 13 is also a valuable resource, and the State subsistence law requires a preference for those engaged in subsistence uses. Requiring an application demonstrating that a person is an Alaska resident who has established a pattern of use of subsistence resources over a reasonable period of time for a wildlife resource is consistent with State law and policy. Requiring a person to show a pattern of subsistence uses over the past 12 months or more is no more burdensome than requiring a person to show residency for a year before getting the PFD. ADF&G can administer all fashions of applications for drawing hunts, registration hunts, etc. Any argument about an administrative burden, expense etc. for administering a Tier I hunt is merely a matter of choice of priorities.

Ahtna Tene Nene’ makes this proposal as a substitute for the current restriction that a household hunting Nelchina caribou must limit its moose hunting to GMU 13. This restriction was intended to reduce the number of hunters who would apply for a Tier I caribou permit. This has not occurred. The number of Tier I permits and caribou hunters has increased while the subsistence moose and caribou hunting opportunity has declined.

Merely linking moose and caribou hunting opportunity to GMU 13 failed to reduce hunting pressure. It also fails to define a subsistence use pattern that is consistent with the eight criteria. Successfully addressing subsistence and general hunting issues in GMU 13 requires a fundamental change – a commitment to fully implementing the subsistence law.

All the attempts to adjust the edges of subsistence hunting regulations in GMU 13 have made things worse for all hunters – prime examples being linking moose and caribou hunting in GMU 13 and the one any bull locking tag for every three households in the CSH. Both of these regulations have failed and need to be repealed. These kind of superficial fixes fail because the Board has not dealt with the most essential part of the State subsistence statute – defining what constitutes a subsistence pattern of hunting and instituting a process which assures that only those engaged in that pattern are hunting under subsistence regulations.

**PROPOSAL 33 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Eliminate the caribou community subsistence harvest hunt, Tier I and drawing hunts, and the requirement to hunt moose in Unit 13; replace with a registration hunt period system.**

Ahtna Tene Nene’ opposes Proposal 33. The premise of the proposal is faulty in regards to its impact on subsistence uses of Nelchina caribou. It states, “These registration hunts will provide



a reasonable opportunity for subsistence caribou hunting **for all Alaska Hunters.**” The proposal assumes that all Alaska residents are subsistence hunters. This is understandable given the way that the Board has regulated the Nelchina hunt over the past several years, issuing a Tier I permit to anyone regardless of their pattern of hunting and use so long as they agreed to hunt moose exclusively in GMU 13. However, all Alaska residents who hunt for caribou in GMU 13 are not engaged in a subsistence pattern of use and are therefore not subsistence users. If all Alaskans are subsistence users, the current ANS for the Nelchina hunt is not justifiable, and would necessarily need to be the full allowable harvest in most if not all years. The hunt would therefore need to be managed under Tier II.

The proposal maintains that the complex registration system, limited to a one week hunting period in the fall (unless there are remaining permits for another subsequent period) will provide a reasonable opportunity for subsistence uses. The proposal admits otherwise when it acknowledges that in some or many one-week periods “caribou are not easily accessible, but some are always available.” A one-week period in the fall, when a few caribou in some remote part of 13 may be available to those with the right kind of off-road transportation, is not a reasonable opportunity. Also, the proposal acknowledges that once the harvest goal for the herd is reached, the hunt would be emergency closed, possibly foreclosing hunts later the fall and completely eliminating the winter hunt. This further diminishes reasonable opportunity. The current 300 caribou quota under the CSH has, in most recent years, allowed the community subsistence hunt to continue through the winter season.

The proposal is also an example of how far regulation of the Nelchina hunt has strayed from the subsistence pattern of use. The proposal would eliminate any requirement that a subsistence user salvage what it calls the “unnecessary animal parts such as all fat”. For the Ahtna people, the fat is not “unnecessary”; it is a valuable subsistence resource. This is documented in the Board’s 2006 findings under C&T criteria 5 and 6. This proposal is not consistent with regulating subsistence uses.

**PROPOSAL 36 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Increase the bag limit for the caribou community harvest hunt and clarify which communities are eligible to participate in the CSH and under the 300 caribou quota.**

When the board originally established the caribou CSH for the eight communities listed in the regulation, it also established a quota of 300 caribou for the CSH based on findings about the amount of caribou and hunting opportunity those original 8 communities needed to meet subsistence needs. The quota has remained 300 despite the huge increase in households and groups in the caribou CSH. The board also changed the household bag limit for those participating in the CSH from two caribou per household to one caribou per household.

The proposal changes the bag limit back to two caribou per household. The increased CSH bag limit is necessary to provide for the extensive sharing and nutritional needs of the eight communities that originally established the CSH.

It also clarifies that the 300 caribou quota for the CSH applies only to those communities that the board has approved as eligible to participate in the CSH for the area described in 92.074(d). The



intent is that the Board will adopt the changes to 5 AAC 92.072 included in Ahtna generated proposal 44. The Board would agree to review a proposal by any community that wants to join the CSH for the area described in 92.074(d) to determine if the community has established a C&T pattern of community subsistence use for the area. If no other community makes a proposal to join that CSH, or if the Board determines that a community has failed to demonstrate eligibility, the 300 caribou quota would remain for the eight communities that the Board has already approved for the CSH. If the Board adds another community for the hunt area, it would need to determine if the 300 quota will satisfy the subsistence needs of all eligible communities, or whether the quota should be increased due to the increased number of eligible households.

The proposal also extends the CSH season 10 days, until September 30. This is necessary because of changing climate and caribou migration periods. The extended season will also provide 10 days of hunting when there is not the overcrowded hunting grounds that result in poor hunting success. This change in the CSH season is necessary to provide for reasonable opportunity.

**PROPOSAL 37 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. Lengthen the caribou season, increase winter caribou bag limit, and establish a youth hunting season.**

This proposal raised many of the concerns for the Nelchina caribou hunt that have been raised by Ahtna Tene Nene' and many other hunters; overcrowding, safety, lack of opportunity for youth, low success rates – caused by having the general hunt, drawing hunt and subsistence hunts all happening during the same season. The rationale cited in this proposal supports Ahtna Tene Nene's position that the current hunting structure for Nelchina caribou does not provide a reasonable opportunity. Something should be done to make the hunt safe for families and youth. Some of the solutions in this proposal may work for a general or drawing hunt, but not for the CSH.

The subsistence hunt must be managed consistent with the subsistence laws. Eligibility for the Tier I and CSH subsistence hunts should be restricted to those genuinely engaged in subsistence uses. This will reduce the crowding and number of hunters because a significant number of households currently in the CSH and Tier I hunts are not genuinely engaged in subsistence uses. The bag limit for the CSH should be two caribou per household, and the board should consider increasing the bag limit for the Tier I household hunt. There should be periods before the general hunt opens, during the current general hunt season, and after the close of the general hunt season when the general hunt is closed and the subsistence season is open.

**PROPOSALS 38, 39, 40, 41, 42 – 5 AAC 85.025. Hunting seasons and bag limits for caribou; 92.050. (a)(4)(I). Required permit hunt conditions and procedures. The proposals eliminate or restrict the drawing hunt for caribou in Unit 13 and remove the requirement that Unit 13 Tier I caribou hunters shall hunt moose in Unit 13.**



Ahtna Tene Nene' supports eliminating the drawing hunt for caribou in Unit 13 and removing the requirement that Unit 13 Tier I caribou hunters shall hunt moose in GMU 13. Both measures will help reduce overcrowding, increase hunting safety and caribou hunting success and provide for better conservation and reasonable opportunity for subsistence moose hunting in GMU 13.

### **PROPOSAL 43 - 5 AAC 85.045. Hunting seasons and bag limits for moose.**

This proposal points out the abuses occurring in the CSH and the impact these abuses are having on hunting opportunity in GMUs 11 and 13. The solution proposed, however, suffers from the same faults as proposal 38, see comments above.

The premise of this proposal is that all Alaska residents who hunt moose in GMUs 13 and 11 are subsistence users. The reasoning continues that if this is true, there is no difference between a general hunt for residents and a subsistence hunt, therefore the general hunt is all that is needed to provide for a subsistence preference and reasonable opportunity. The Alaska Superior Court in *Ahtna v. Board of Game*, 3AN-07-8072, in a June 2008 decision on summary judgement held, "As to the identification of the moose hunt in Game Management Unit 13 as a general hunt, without further regulating the hunt to establish a preference for subsistence uses, the court finds that violates A.S. 16.05.258(b)." As the proposal admits, under its management scheme, subsistence would only have a priority over non-residents and residents engaged in the drawing hunts. The law requires a priority over all other consumptive uses, including resident hunters participating in a general hunt who are not engaged in a subsistence pattern of use.

If all Alaskans are subsistence users, the current ANS for moose in GMU 13 is not justifiable. The total harvest in the general hunt would be the subsistence harvest, and this total is far above the current ANS. An ANS that reflects all moose hunting by residents in GMU 13 would necessarily need to be the full allowable harvest in most if not all years. The moose hunt would therefore need to be managed under Tier II.

The proposal therefore depends on two contradictory issues for support. On one hand, it depends on the claim that recent general season harvests exceed the current ANS determination. On the other hand, it depends on the understanding that all resident moose hunters in the general hunt are subsistence users. If all hunters taking moose in the general hunt are subsistence users, all the moose harvested in the general hunt are taken for subsistence uses. If all resident hunters are subsistence hunters, they are entitled to a reasonable opportunity, meaning a hunt "that provides a normally diligent participant with a reasonable expectation of success." AS 16.05.258(f). The success rate in the general hunt does not meet this standard. Under this scenario, the moose hunt in GMU 13 is required to be a Tier II hunt.

The proposed any bull registration hunt is not intended to, and in fact does not, provide a subsistence priority and opportunity to take any bull moose. It is a registration hunt, open to all. The proposed registration hunt is inconsistent with this Board's previous determination that an opportunity to harvest from the any bull population in GMU 13 is necessary to provide for



subsistence uses. The Board has consistently implemented a subsistence any bull hunt either thru Tier II or the CSH for decades.

Moreover, there is a winter registration any bull hunt already in regulation. It was implemented by ADFG one time and it did not work. The strategy to try and implement a subsistence priority through the back door of a registration hunt where permits must be picked up in Glennallen may work for remote, non-road connected areas, but it does not work for road-crossed GMU 13. Moreover, the online application process proposed does not work for many Ahtna people and others in the area who do not have the same convenient, ready access to the internet, but who genuinely depend on a successful hunt to feed their families.

**PROPOSAL 44 - Amend 5 AAC 92.072 as it applies to the CSH for moose and caribou in the area described in 5 AAC 92.074(d) (area includes GMU 11, 12 and 13).**

Ahtna Tene Nene' Submitted proposal 44. The intent is to limit the department's authority to issue community-based subsistence harvest permits and harvest reports for big game in the Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah Community Harvest Area for moose and caribou (5 AAC 92.074(d)) to only those communities the board has identified as eligible to participate in this hunt.

Nearly every proposal submitted to the Board for this meeting acknowledges the widespread abuse occurring in this CSH under the current system. Many proposals do not take objection to the original intent of the Board's action creating the CSH for the eight communities and the area described in 92.074(d). This proposal provides a means for retaining the CSH and ending the abuse.

In order to propose changes in the regulation that only apply to the area described in 5 AAC 92.074(d), Ahtna Tene Nene suggests the following changes to Proposal 44. Proposed changes include deleting parts of 5 AAC 92.072 that are specific restrictions and conditions that apply only to the CSH for the Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah Community Harvest Area for moose and caribou (5 AAC 92.074(d)). A new section is proposed that authorizes the board to consider applications from communities that want to participate in the CSH for that area, and identify those communities that are eligible based on an evaluation of factors consistent with those factors the board used when it first established the CSH.

Amend 5 AAC 92.072. Community subsistence hunt area and permit conditions

*Delete the restriction for one locking any bull tag for every three households in (c)(1)(E):*

BEGINNING JULY 1, 2014, IN THE COMMUNITY HARVEST HUNT AREA DESCRIBED IN 5 AAC 92.074(D), PERMITS FOR THE HARVEST OF BULL MOOSE THAT DO NOT MEET THE ANTLER RESTRICTIONS FOR OTHER RESIDENT HUNTS IN THE AREA WILL BE LIMITED TO ONE PERMIT FOR EVERY THREE HOUSEHOLDS IN THE COMMUNITY OR GROUP.



This provision has failed to cure the abuse occurring in the CHS while restricting reasonable opportunity and harvest success for most of the hunters from the eight communities that established the CSH for 5 AAC 92.074(d). If not enough any bull moose are available to meet the needs of all the communities considered eligible to participate in the CSH, it is Tier II situation and a Tier II hunt should be implemented. However, there is a better alternative. The Board should adopt this proposal and ensure that only those truly engaged in the community pattern of subsistence use for this area are allowed to participate in the CSH. If the CSH is brought back to its intent – to provide a meaningful opportunity for those communities with a community pattern of subsistence use in this area - there is no need to restrict the harvest opportunity through locking tags or Tier II.

*Delete the one caribou bag limit in (c)(2)(A):*

may not hold a harvest ticket or other state hunt permit for the same species where the bag limit is the same or for fewer animals during the same regulatory year; however, a person may hold harvest tickets or permits for same-species hunts in areas with a larger bag limit following the close of the season for the community harvest permit, EXCEPT THAT IN UNIT 13, ONLY ONE CARIBOU MAY BE RETAINED PER HOUSEHOLD;

*Delete (c)(2)(G) – Two year commitment to CHS:*

(G) BEGINNING JULY L, 2016, FOR PARTICIPANTS IN THE COMMUNITY HARVEST HUNT AREA DESCRIBED IN 5 AAC 92.074(D), MUST COMMIT TO PARTICIPATION FOR TWO CONSECUTIVE YEARS.

This provision has failed to have any meaningful impact on the abuses occurring in the CHS. It is an unnecessary burden on ADF&G and the hunt administrator.

*Delete (c)(3) – reporting requirement:*

(3) IN ADDITION TO THE REQUIREMENTS OF (1) OF THIS SUBSECTION, THE COMMUNITY OR GROUP REPRESENTATIVE MUST SUBMIT A COMPLETE WRITTEN REPORT, ON A FORM PROVIDED BY THE DEPARTMENT, FOR THE COMMUNITY OR GROUP PARTICIPATING IN THE COMMUNITY HARVEST HUNT AREA DESCRIBED IN 5 AAC 92.074(D), THAT DESCRIBES EFFORTS BY THE COMMUNITY OR GROUP TO OBSERVE THE CUSTOMARY AND TRADITIONAL USE PATTERN DESCRIBED BY BOARD FINDINGS FOR THE GAME POPULATIONS HUNTED UNDER THE CONDITIONS OF THIS COMMUNITY HARVEST PERMIT; IN COMPLETING THE REPORT, THE REPRESENTATIVE MUST MAKE EFFORTS TO COLLECT A COMPLETE REPORT FROM EACH HOUSEHOLD THAT IS A MEMBER OF THE COMMUNITY OR GROUP THAT DESCRIBES EFFORTS BY THE HOUSEHOLD TO OBSERVE THE CUSTOMARY AND TRADITIONAL USE PATTERN USING THE EIGHT ELEMENTS DESCRIBED IN THIS PARAGRAPH;

The reporting requirement, which is unique for the communities in the CSH for 5 AAC 92.074(d), has failed to have any meaningful impact in stemming the abuses occurring in this



hunt. A community can simply file a report showing little if any actual practice of the C&T community pattern of subsistence use upon which the hunt was founded, and there is no consequence – so long as the report is “complete – whatever that means. Even if the report is incomplete, the Department has the discretion to ignore this fault and allow the non-complying community to carry on year after year. The report serves no meaningful purpose and is an unnecessary and significant burden the eight communities who established this community pattern of use over generations and continue to practice it as acknowledged in BOG Findings 2006-170.

*Delete parts of (f) that refer to the reporting requirement in (c)(3) that is deleted above:*

(f) The department may disapprove an application for a community subsistence harvest permit from a community or group that has previously failed to comply with requirements in (c)(1) AND (3) of this section. The failure to report by the community or group representative under (c)(1) AND (3) of this section may result in denial of a community subsistence harvest permit during the following regulatory year. The department must allow a representative the opportunity to request a hearing if the representative fails to submit a complete report as required under (c)(1) AND (3) of this section. Add a new section (j) to 92.072 as follows:

*Add a new section to 5 AAC 92.072 as follows:*

**(j) For the community harvest hunt area described in 5 AAC 92.074(d):**

**(1) The commissioner or the commissioner's designee may, under this section and 5 AAC 92.052, issue community-based subsistence harvest permits and harvest reports for big game species to a community identified by the board in subsection (6) as eligible to participate in the community-based subsistence harvest for the area.**

**(2) The board will consider proposals from a community seeking eligibility to participate in the community-based subsistence harvest for the area during regularly scheduled meetings to consider seasons and bag limits for affected species and other issues related to the hunt area.**

**(3) In evaluating a community's eligibility to participate in the community-based subsistence harvest for the area, the board will consider:**

**(A) A relationship between members of the community that has been established over a reasonable period of time and is consistent with the definition in subsection (5);**

**(B) the community's pattern of subsistence uses within the hunt area that has been established over a reasonable period of time and is consistent with the community pattern of use documented in BOG Findings 2006-170.**





**(4) If the board determines that a community is eligible to participate in the community-based subsistence harvest for the area, it will evaluate the amount necessary to meet the community’s subsistence needs.**

**(5) For the purposes of this section, a "community" is a group of 25 or more members linked by their participation in a consistent pattern of taking and use of a wide diversity of subsistence resources in the area identified in 5 AAC 92.074, and which provides substantial economic, cultural or social, and nutritional elements of the subsistence way of life of the community and its members.**

**(6) The following communities are eligible to participate in the community-based subsistence harvest for the area defined in 5 AAC 92.074(d).**

**Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, and Kluti Kaah.**

**PROPOSAL 90 - Amend 5 AAC 92.074(d) to expand the Copper Basin community subsistence harvest hunt area to include a part of Unit 12.**

Ahtna Tene Nene’ submitted this proposal. It would add “that portion within the Nabesna River drainage west of the east bank of the Nabesna river upstream from the southern boundary of the Tetlin National Wildlife Refuge” to the hunt area described in 5 AAC 92.074(d).

This part of the traditional hunting territory of the eight communities that established the Copper Basin community subsistence hunt area was inadvertently left out. Including it will provide more hunting opportunity.

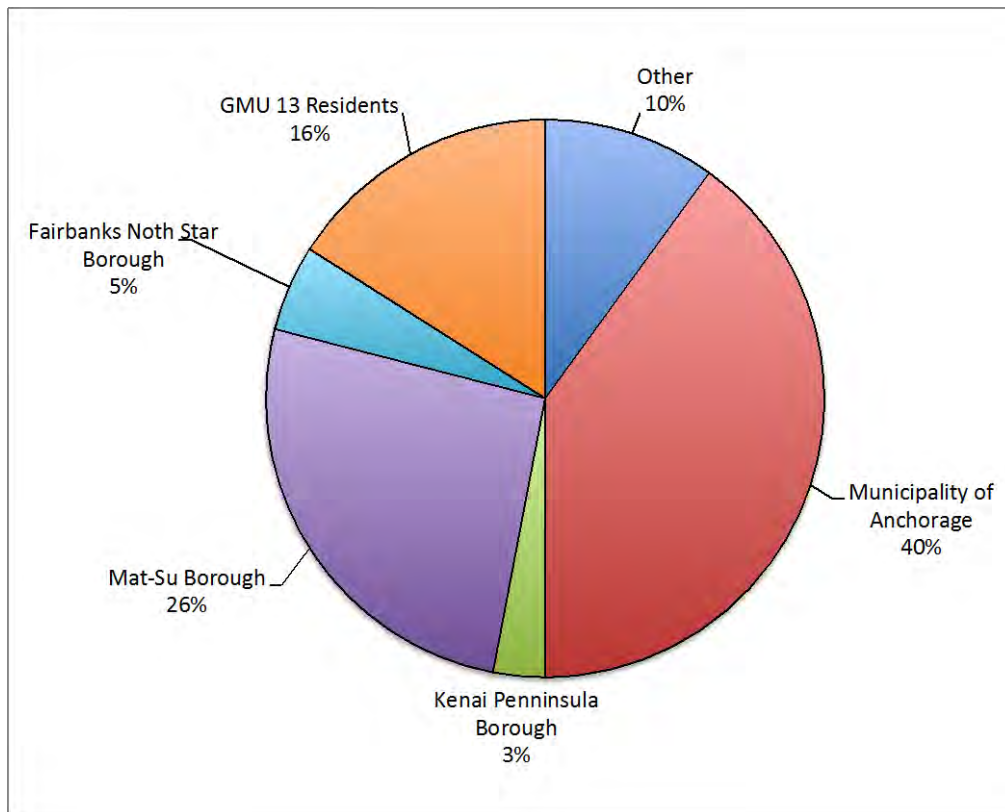
From: Bill Simeone

Date: October 6, 2016

Email: wesimeone2@gmail.com

The following addresses the failure of the State to provide Ahtna communities with a reasonable opportunity to hunt moose in Game Management Unit 13 (GMU 13). Traditional Ahtna territory encompasses all of GMU 13, which is the most heavily hunted GMU in Alaska. People from Fairbanks, Anchorage, the MatSu borough, and Kenai Peninsula, along with GMU 13 residents, hunt the big game resources of GMU 13. The majority of these hunters come from outside of GMU 13 (Figure 1).

**Figure 1. Percentage of GMU 13 Moose Hunters by Residence, 1992-2008**



Competition is fierce. During the years 1992-2015 an average of 3,469 people hunted moose in GMU 13 every year. An average of 4,402 people hunted caribou each year during the same time period (Table 1).



Table 1. Moose and caribou hunters in GMU 13, 1992-2015

Year	Total Hunters For Moose GMU 13	Successful Moose Harvests		Total Hunters For Caribou GMU 13	Successful Caribou Harvests	
		Residents of GMU 13	Non-Residents of GMU 13		All residents of GMU 13	Non-unit resident
1992	3,216	100	516	6,367	734	3,155
1993	5,809	150	1021	8,040	651	4,419
1994	6,072	120	741	6,645	383	2,915
1995	6,082	164	714	10,553	527	4,157
1996	6,135	161	766	17,600	464	3,814
1997	5,943	143	704	13,070	295	3,570
1998	5,445	140	702	8,146	418	2,478
1999	5,050	154	574	6,612	303	2,103
2000	4,143	107	404	2,470	258	781
2001	3,588	104	324	3,113	367	1,122
2002	3,461	114	458	3,129	351	976
2003	3,362	120	481	2,523	216	786
2004	3,620	109	494	2,819	293	939
2005	3,826	100	469	4,860	408	2,386
2006	4,175	106	579	5,528	373	2,687
2007	3,921	131	519	2,991	255	1,066
2008	4,306	139	601	3,154	254	1,068
2009	4,398	158	692	2,053	273	481
2010	4,398	74	773	4,443	111	1,791
2011	4,220	108	742	3,269	81	1,953
2012	4,935	78	575	6,263	100	3,622
2013	5,239	58	590	6,729	19	2,284
2014	4,774	73	753	4,742	53	2,657
2015	4,899	79	854	5,737	47	3,347
<b>Total</b>	<b>111,017</b>	<b>2,790</b>	<b>15,046</b>	<b>140,856</b>	<b>7,234</b>	<b>54,557</b>
<b>Average</b>	<b>3,469</b>	<b>87</b>	<b>470</b>	<b>4,402</b>	<b>226</b>	<b>1,705</b>

Source: <https://secure.wildlife.alaska.gov/index.cfm?adfg=harvest.main>  
 Accessed October 4, 2016

Moose harvest levels for non-residents of GMU 13 averaged 470 animals between the years 1992 and 2015. During the same period, residents of GMU 13 harvested an average of 87 moose per year. Caribou harvest levels for non-residents of GMU 13 averaged 1,705 caribou between the years 1992 and 2015. During the same period, residents of GMU 13 averaged 226 caribou per year (Table 1).

To balance the public’s appetite for hunting in GMU 13 with the need to conserve moose populations, maintain sustainable harvests, and give hunters a reasonable opportunity for success, the Board of Game (BOG) and the Alaska Department of Fish and Game (ADF&G) have tried various management strategies



with the goal of “maximizing human harvest.” These strategies have resulted in reduced or limited hunting opportunities for the Ahtna and the residents of GMU 13.

Management strategies include varying the length of hunting seasons from as short as 5 days to as long as 30 days and restricting bag limits, including restricting hunters to taking male moose with spike or forked antlers or bulls with 50-inch spread with three brow tines. One of the main purposes for this limitation is to allow “for unlimited hunter participation even following a severe winter when hunting seasons were severely restricted or closed in adjacent areas”(Schwart et al. 1993). This strategy has resulted in increased hunting pressure in GMU 13. For example, the highest number of hunters ever reported in GMU 13 were for the years 1994 through 1997 which, according to the ADF&G area management report, was the result of longer seasons and the spike/fork 50 inch bag limit (Moose Area Management Report 1998: p 114) (see Table 1).

In 1995 the BOG instituted a TIER II hunt for moose issuing 150 permits. In a 2006 the BOG concluded that “virtually since it inception, the Tier II subsistence permit system has been plagued with public complaints about inequities, unfairness and false applications” (Findings for the Alaska Board of Game 2006-170). Problems with the TIER II included the following:

- A majority of the permits went to urban residents.
- Tier II resulted in a lack of opportunity for many young hunters
- Subsistence hunts were not consistent with the 8 criteria described by the Joint Boards.

In 2009 the BOG repealed TIER II hunts in GMU 13, set the Amount Necessary for Subsistence (ANS) for “any moose” at between 300 and 600 animals per year, and established a Community Subsistence Hunt (CSH). By instituting a CSH the BOG intended to increase reasonable opportunities for hunting success by the Ahtna and residents of GMU 13. Under the BOG’s original intent CSH hunters were provided the opportunity to take up to 100 any bull moose. This provided reasonable opportunity for success and allowed the Ahtna to follow their tradition of taking any moose presenting itself to the hunter.

However, in 2010 as the result of a Kenai Superior Court decision that later held to be moot on appeal, the BOG opened the CSH to any group of 25 people that wished to



participate and would make efforts to follow the Customary and Traditional (C&T) pattern of use. Following this decision the BOG reduced the any bull quota from 100 to 70 animals.

The results of the BOG’s action are reflected in Table 2. As the number of community groups has increased successful moose harvests by the Ahtna Tene group have declined. For example, in 2009 when there were only two groups participating in the CSH, the Ahtna Tene group was able to meet their subsistence needs by harvesting 100 moose (70 any bull and 30 antler legal bulls). In 2013 when 43 groups participated in the CSH hunt, the Ahtna Tene group was not able to meet its subsistence needs and harvested only 30 moose of the allowable harvest. In 2016, with 73 groups participating in the CSH, the Ahtna Tene group was able to harvest only 15 moose (9 any bulls and 6 antler legal bulls). As the number of CSH groups has increased so have the number of any bull moose tags issued by ADF&G. In 2014 there were 281 tags issued compared to 481 in 2016 (Personal communication with Jamie Van Lanin, ADF&G). This has led to increased competition among groups.

**Table 2. CM300 Copper Basin Community Subsistence Moose Hunt**

Year	Total Number of CSH Groups	Moose Harvested	
		Ahtna Tene Group	All Other Groups
2016	73	15	173
2015	43	36	131
2014	43	33	117
2013	45	28	128
2012	19	37	61
2011	9	56	30
2010	No Hunt	No Hunt	No Hunt
2009	2	100	3

*Data includes any-bull harvest and antler legal harvests*

In summary: while the BOG has made attempts to increase hunting opportunity for the Ahtna and other residents of GMU 13 its management strategies have led to increased competition and declining harvests for the Ahtna.



## **Ahtna Tene Nene' Legal Analysis in Support of Proposals Submitted to the Alaska Board of Game for the March 17, 2017 Meeting**

Ahtna's primary request is that the BOG reform the community subsistence hunt (CSH) to ensure that only those communities that are: 1) a real "community of subsistence users"; and 2) are genuinely engaged in a community pattern of subsistence use for the area described in 5 AAC 92.074(d) should be eligible to participate in the CSH. This request is made through the revised proposal 44 included in Ahtna Then Nene's March 3 2017 comments to the BOG.

However, a Tier II hunt for the current 100 any bull moose allocated for the CSH (or a larger allocation should the BOG decide such) may be necessary either because the BOG's action reforming the CSH does not take effect for the 2017 season, or because the BOG fails to take any action reducing the number of communities eligible for the CSH quota established for the CSH. If a Tier II hunt is required, it should be limited to the 1542 households that applied for the 2016 CSH and any additional households that have been declared eligible for the 2017 CSH for moose in the 2017 season. It would not be a statewide Tier II application process open to all Alaskan residents. This makes practical and legal sense because the 1542 CSH households are the only Alaskan households that are authorized to harvest the 100 any bulls. 5 AAC 85.045(a)(11)(B). Therefore, these CSH households are the only Alaskans who do not have a reasonable opportunity to harvest the limited allocation of any bull moose.

There is precedent for conducting a Tier II any bull moose hunt for GMU 13 even though the overall moose population is above the current amount necessary for subsistence (ANS) determination. The Subsistence Division can verify that for over a decade there was a Tier II any bull moose hunt, TM300, for GMU 13 even though the spike fork/50 inch moose hunt was conducted as a general hunt because that population was above ANS. This management structure for the GMU moose hunt changed with the establishment of the community hunt in 2009 when the Tier II any bull hunt was replaced by any bull hunting opportunity available for those enrolled in the CSH.

In any event, the current ANS of 300-600 moose for GMU 13 is, in our view, no longer justified. According to the paper for Bill Simeone attached to Ahtna Tene Nene's comments, there were 4,889 total moose hunters in GMU in 2015. Only 854 harvested a moose, and only 79 moose were harvested by residents of GMU 13. The BOG treats all<sup>1</sup> of these moose hunters as Tier I subsistence users. Therefore all of the 854 moose that were harvested were for subsistence. This does not line up with the ANS which was developed under the assumption that there would be far fewer "subsistence" hunters in the area. See BOG March 2009 transcript that is attached to Ahtna Tene Nene's comments. The 17 percent success rate for all GMU 13 moose hunters demonstrates a lack of reasonable opportunity. Unless the BOG reforms this hunt, the entire moose hunt in GMU 13 would be subject to Tier II.

The legal justification for implementing Tier II before the establishment of the CSH is the same as the justification for Ahtna's present request. There is the wide discretion vested in the BOG to define what constitutes a subsistence wildlife population. The discretion is constrained

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<sup>1</sup> A small number of these hunters may be part of the drawing hunt for moose.



only in that the determination must be “reasonably related to the purposes of the subsistence law.” *Native Village of Elim v. State*, 990 P.2d 1, 11 (Alaska 1999). Prior to the establishment of the CSH in 2009, the board identified, for the purposes of implementing the subsistence law and for conservation, two distinct moose populations within GMU 13, the any bull population and the spike fork/50 inch population. Both populations required a different management structure. Because there was not enough of the any bull population to provide a reasonable opportunity for all subsistence uses, that population was managed under a Tier II regime. The other antler-restricted moose population was managed under a general hunt.

That same rationale exists now for the CSH. The opportunity for taking any bull moose is necessary to provide a reasonable opportunity to those participating in the CSH. The sustainable harvest from the any bull population is not sufficient to provide a reasonable opportunity to all the 1542 household that unexpectedly enrolled in the 2016 CSH. It is therefore a classic Tier II situation. AS 16.05.258(b)(4).

Further support is provided by the ruling in *Alaska Fish and Wildlife Fund v. State*, 347 P.3d 97, 104-107 (2015), an opinion upholding the CSH as currently structured.

Here, after the Board identified the two customary and traditional subsistence use patterns of moose and caribou in the Copper Basin -- the community use pattern and the individual use pattern -- it was statutorily required to " provide a reasonable opportunity" for these subsistence uses of the relevant game populations. The Board's findings described two very different use patterns, with different hunting areas and seasons, different parts of the animal consumed, and different cultural and social traditions associated with the hunt. Because both patterns are " subsistence uses," the Board was required to provide " a reasonable opportunity" for each of them. . . .

. . . the Board made findings sufficient to support some season and size differences between community and individual hunts. Simply put, the community hunts are more likely to occur close to home, where it is harder to find moose; a longer season and fewer size restrictions help counter this difficulty. During a 2011 Board of Game proceeding, a supporter of community hunts testified that the " 50-inch antlered moose is. . . pretty scarce around where I hunt and it's usually pretty warm. They're usually way up in the mountains. Having a restriction for 50-inch antlers ... makes [it] a hardship for. . . getting a moose.. . I took my daughter there last year, and ... we saw a lot of bull moose, but ... they aren't ... 50-inch moose. All small antlers." At an earlier hearing in 2010, there was testimony that in early fall " all the moose are high during that time and the three brow tine and four brow tines are up high .... [Y]ou might find a spike fork near a road, but. . .people didn't really get any moose."

The Court's holding supports, even requires Tier II for the CSH for 2016. The Court affirmed that after identifying the distinct community pattern of subsistence use, the Board must provide a reasonable opportunity for those engaged in that use pattern. The Court also upheld providing the CSH the any bull opportunity in order to provide a reasonable opportunity for the CSH hunters. The Court held that the any bull hunting opportunity can be provided exclusively to the



CSH. The court found the Board had created a record which supported providing the any bull opportunity to the CSH and restricting other subsistence hunters to the spike fork/50 inch population. The Court's holding therefore acknowledges and affirms the Board's treatment of the moose population in the CSH area as being managed as two distinct populations for the purposes of implementing the subsistence law, the any bull population and the spike fork/50 inch population.





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STATE OF ALASKA  
ALASKA DEPARTMENT OF FISH AND GAME  
BOARD OF GAME  
TRANSCRIPT OF PROCEEDINGS (EXCERPT):  
SOUTHCENTRAL AND SOUTHWEST REGIONS  
MEETING OF THE BOARD OF GAME, CONTINUED

EXCERPTS OF  
STAFF PRESENTATIONS, BOARD DISCUSSIONS, AND DECISIONS

March 5, 2009 - Pages 1 through 144

*Gaylene's Word Services*  
907-338-3936

Exhibit D  
Page 1



1 reading this chart correctly. And that was one of the things  
2 that I used for my decision in addition to what Tobey just  
3 mentioned, was to try to come up with some sort of figure that  
4 absolutely secured the Tier II subsistence hunting in Unit 13  
5 in the even that that moose population could only -- you could  
6 only harvest 300 moose. And I think we can clearly do that at  
7 300. I think that's more than ample, five, six times the  
8 number that's been taken on that Tier II hunt in the past, and  
9 that was part of my justification as well.

10 CHAIRPERSON JUDKINS: Thank you.

11 Teresa?

12 MS. SAGER ALBAUGH: Thank you, Mr. Chairman. I'd  
13 just like to ask the department of law to comment on the --  
14 how the ANS -- it's my understanding that the ANS is typically  
15 determined based upon data that is gathered by the subsistence  
16 division through a fairly structured community survey process.  
17 And I'm wondering what the regulatory framework is that allows  
18 to expand beyond that to determine ANS numbers based on other  
19 input or information, if there is any.

20 MR. SAXBY: Well, I'd invite the experienced staff  
21 from the subsistence division to correct me if -- or jump in  
22 if they think I'm missing something, but I don't think it's  
23 accurate at all to say that ANS has been only based on input,  
24 a report or a worksheet from the subsistence division. I  
25 think the board has always relied on public testimony, because



1 all the reports can give you in general are harvest, and  
2 sometimes they can -- harvest figures over the past and often  
3 where people live who participate in that harvest, but they  
4 still can't tell you how many of those people, especially if,  
5 say, it was a -- over many of those years it was just an open  
6 harvest. They can't tell you how many of those people were  
7 harvesting for purposes of subsistence uses versus how many  
8 were harvesting for some other purpose, how many were even  
9 trophy hunters, for example. I mean, there's attempts to do  
10 that. There are attempts to help you understand the customary  
11 and traditional use pattern, and their -- it's possible for  
12 the board to look at the reports and decide in general that  
13 people in a given community tend to participate in a pattern,  
14 but it still doesn't give you -- the board still has to apply  
15 its judgment in deciding what the final number is based on all  
16 the evidence that comes in every time.

17           And that's why I think they'll frankly tell you that  
18 they won't recommend an ANS to you because of that very fact:  
19 It calls for judgment. So they'll give you all the data they  
20 can give you, and there's been -- there was a lot of data that  
21 went into the 600 number when that was chosen back in 1992.

22           But it's also maybe important for you to understand  
23 historically that it's been done in different ways, depending  
24 on how the law has been written and changed by the legislature  
25 over the years and how it's been reinterpreted by courts. For

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Exhibit D  
Page 13



1 example, back in the '80s if the board were going to be doing  
2 a finding like this, it would have looked only at local  
3 harvest many times. In the mid '90s, because of intervening  
4 legal changes, the board started looking more and more at  
5 statewide harvest, and sometimes the board would just look at  
6 total statewide take and base it on that and not try to draw  
7 any distinctions at all as to whether people -- in fact, often  
8 in the mid '90s, that's what the board would do. They would  
9 just say, okay, the Alaska harvest is whatever, so we're going  
10 to set the range on that basis because we can't tell who the  
11 subsistence users are and who they aren't.

12 More recently as the board has realized more and  
13 more that it -- that doing that often ends up being just a  
14 setup in the long run for drifting into Tier II and being  
15 difficult to get out. The board's tried harder and harder to  
16 determine some percentage of the total Alaskan take, and they  
17 look at local harvest and they look at other things. It's  
18 often fair for the board to assume that the local harvest  
19 figures are at least something close to the bottom--that's the  
20 starting point for whatever the ANS number would be--and then  
21 decide how much higher than the local harvest it needs to go  
22 to satisfy all subsistence users.

23 So I guess to summarize, it's always called for  
24 judgment by the board based on all the evidence that comes in.

25 MS. SAGER ALBAUGH: Thank you.

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1           CHAIRPERSON JUDKINS: You know, another thing that I  
2 never thought about until I started (indiscernible) some of  
3 these meetings we've had that there's been kind of a change,  
4 too, a lot of them. State subsistence users will hunt -- if  
5 they get a Tier II permit for Nelchina or for some other  
6 population, they'll hunt that, but if they don't, they'll go  
7 off, you know -- I've had times when I put together a group of  
8 five or six people and went all the way to the North Slope to  
9 get our whole winter's supply of meat off the caribou herd up  
10 there that was accessible to us (indiscernible) of  
11 transportation, where normally we would've been at Nelchina if  
12 we'd had a permit and the season had still been open. So  
13 subsistence users have got, you know, (indiscernible) the  
14 criterion that wants to combine you right around your area you  
15 live, but I think times have changed, and they're a lot more  
16 mobile than they were.

17           But, you know, in our meeting in Juneau, we made  
18 some ANS decisions on goats, and we followed kind of what  
19 Kevin's saying, a whole compilation of thoughts and ideas and  
20 testimony came in that put that decision together, and it  
21 wasn't based strictly on what we got from the subsistence  
22 folks.

23           Marianne's (indiscernible), and I don't know whether  
24 she wants to comment on this issue at this point or not.

25           What's your pleasure, board? Lew?

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1 MR. BRADLEY: Yeah, Mr. Chairman. We spent five  
2 hours and -- on this in the last couple of nights or -- and  
3 like Kevin said, that 600 was -- I think everybody was  
4 agreeable to that. Going down to 300 to 600, the main thing  
5 is we want to try to keep out of Tier II, and it seems like  
6 this would do that, and I'd be in support of it.

7 MR. GRUSSENDORF: Mr. Chairman?

8 CHAIRPERSON JUDKINS: Yes?

9 MR. GRUSSENDORF: Why doesn't Mr. Spraker make that  
10 amendment for us?

11 MR. SPRAKER: Thank you, Mr. Grussendorf.

12 Mr. Chairman, I would like to go ahead and make an  
13 amendment to proposal 96 that we vote on a new ANS for Unit 13  
14 for moose, and that ANS would be 300 to 600 moose.

15 MR. BRADLEY: Second.

16 CHAIRPERSON JUDKINS: Thank you.

17 Since we discussed this pretty thoroughly before the  
18 motion was made, I suppose we've (indiscernible) our thoughts.  
19 And we discussed during the meeting and elsewhere there's  
20 probably some significant financial considerations on some  
21 folks, depending on where they fall in the whole process.

22 Are you ready for the question?

23 MR. GRUSSENDORF: Question.

24 MS. TIBBLES: Okay. The question is on the --

25 CHAIRPERSON JUDKINS: Pardon me.



1 MS. TIBBLES: Okay.

2 CHAIRPERSON JUDKINS: Thank you.

3 MR. SPRAKER: We've got to do the amendment first  
4 off.

5 MR. SAXBY: Just to help the board with their record  
6 a little bit, Mr. Chairman, I guess I'd also point out that  
7 there is actually some congruence between that 300 figure and  
8 what we've just been talking about. I think there is an RC in  
9 the record, maybe 98 from Ahtna, that suggests that the  
10 community harvest for Ahtna is in the neighborhood of 200  
11 moose for all residents of the villages in Unit 13. And so  
12 this follows that model I was just talking about where the  
13 board looks at the local harvest and then adds some to account  
14 for other harvest, so 300 is bigger than 200, so you're  
15 actually doing that here. So it fits with other evidence  
16 that's in the record as well.

17 CHAIRPERSON JUDKINS: Thank you. I should've  
18 brought that out that I recall reading it and saying that's  
19 one reason to go in this direction.

20 MR. SAXBY: 89 -- I was dyslexic, Mr. Chairman.

21 CHAIRPERSON JUDKINS: 89? That's fine.

22 Board members?

23 Call the roll, please.

24 MS. TIBBLES: The motion is for setting an ANS for  
25 Unit 13 moose of a range of 300 to 600. Grussendorf?

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1 MR. GRUSSENDORF: Yes.  
2 MS. TIBBLES: Sager Albaugh?  
3 MS. SAGER ALBAUGH: Yes.  
4 MS. TIBBLES: Judkins?  
5 CHAIRPERSON JUDKINS: Yes.  
6 MS. TIBBLES: Bell?  
7 MR. BELL: Yes.  
8 MS. TIBBLES: Bradley?  
9 MR. BRADLEY: Yes.  
10 MS. TIBBLES: Spraker?  
11 MR. SPRAKER: Yes.  
12 MS. TIBBLES: Hoffman?  
13 MR. HOFFMAN: Yes.  
14 MS. TIBBLES: The motion carries 7 to 0.  
15 CHAIRPERSON JUDKINS: Continuing on, Mr. Spraker?  
16 MR. SPRAKER: Thank you, Mr. Chairman. At this  
17 time, before we take up proposal 84, would the department like  
18 to make some comments or a summary? I think the director  
19 might have some comments for us.  
20 (Whispered conversation)  
21 CHAIRPERSON JUDKINS: This is one of the proposals  
22 that you were conflicted out of. Just to clarify, I think --  
23 I understand it's -- your husband is a member of the advisory  
24 committee that was involved in this proposal quite extensively  
25 and voted on it.





1 also seemed to be agreement that harvesting a moose and a  
2 caribou in the same year from that area was not absolutely  
3 necessary. So there may be some allowance there in terms of  
4 not necessarily having both moose and caribou go to individual  
5 in a season.

6 And all this, Mr. Chairman, wrapped up into what is  
7 now RC 109, the ideas, the concepts that were generated from  
8 those two meetings, and so that's available for your use.

9 And, Mr. Chairman, that's my notes based on the recollections  
10 and the notes that were taken on flip charts that are here  
11 behind me during those meetings. I certainly, as we go  
12 through RC 109 or as you deliberate, certainly if there are  
13 points that need to be clarified or additional information  
14 that people that were participants want to bring to the table,  
15 certainly that would be appropriate, I think. Thank you.

16 CHAIRPERSON JUDKINS: Thank you.

17 (Whispered conversation)

18 CHAIRPERSON JUDKINS: Moving on, gentlemen. What's  
19 your pleasure? Ted?

20 MR. SPRAKER: Thank you, Mr. Chairman. I guess at  
21 this time we need to go ahead and adopt substitute language  
22 proposal 84. This -- what I'd like to -- I'd like to amend  
23 proposal 84 to use substitute language found in 84A, and it's  
24 also shown as RC 109.

25 MR. BELL: Second.

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1 MR. GRUSSENDORF: No objection.

2 CHAIRPERSON JUDKINS: No objection. So be it.

3 Would you like to speak to your motion, Mr. Spraker?

4 MR. SPRAKER: Thank you, Mr. Chairman. Maybe I'd  
5 like to speak to my intent, broad intent.

6 The substitute language in 84A gives the board a  
7 kind of a skeleton breakdown of potential seasons and bag  
8 ~~limits and harvest levels and so forth for community harvest,~~  
9 for Tier I hunts, for a general hunt, a Tier-I-plus situation,  
10 and also a very limited opportunity for nonresident hunting  
11 for moose. There's no nonresident hunting that I can find in  
12 this proposal for caribou.

13 As far as trying to make recommendations, I think it  
14 would be easier -- at least it would be easier for me if we  
15 dealt with the moose part of this proposal first,  
16 5 AAC 85.045, hunting seasons and bag limits for moose, about  
17 midway on the page there, and start looking at the community  
18 harvest and some of the decisions we need to make, because we  
19 need to make decisions on what is the board going to recommend  
20 for a quota or some sort of upper limit for the community  
21 harvest. And then, of course, we have a lot of seasons and  
22 bag limits for other hunts we need to deal with.

23 We just heard from the board concerning the comments  
24 and so forth from the meetings. I'd like to offer a few  
25 comments here just looking at the -- kind of the trend in the



1 area and the harvest and so forth in the area. And if you  
2 look at the number of moose taken under Tier II, and this is  
3 from the local residents, it was 46. Then you look at the  
4 number of -- well, I'll just stay with moose for now. And you  
5 also -- we've heard the number of 200, but what I would like  
6 to see -- I think this is very fair considering there were 46  
7 moose taken in the Tier II hunt by local residents in talking  
8 about the community harvest. I would like to see the  
9 community harvest level set at 100 moose initially. Now, this  
10 may move up and down as the population moves up and down and  
11 community situations change.

12 I'd also like to make it very clear that I would  
13 recommend that this 100 moose is taken in Units 11, 13, a  
14 portion of 12, and a portion of 20. And my hopes are that the  
15 Ahtna folks would be able to provide a map showing these areas  
16 and traditional hunting areas and so forth for this community  
17 harvest. . And that harvest of up to 100 moose--it'd be any  
18 bull--would be available in those areas.

19 Another thing that I want to make sure that's on the  
20 record is that we are substantially increasing the harvest in  
21 Unit 13 as far as opportunity. You know, this proposal 84  
22 also includes up to 200 permits for any bull. So there's a  
23 lot of new opportunities in the area for people that want to  
24 be, you know, involved in community harvest. Of course, it's  
25 open for everyone in the state. But as far as other

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1 opportunities, there's the tags for any bulls, and then  
2 there's a general season for spike-fork 50 four-brow-tine, and  
3 I think that it's also time that we also include a little bit  
4 of harvest for nonresidents, and that would be determined kind  
5 of by the department. And there's up-to language for 150  
6 tags.

7 Mr. Chairman, I'll kind of stop there. I think I've  
8 laid out my thoughts on this as far as these first steps, and  
9 listen to other board members.

10 CHAIRPERSON JUDKINS: Before we get to that, I  
11 listened to Director Larsen, but I didn't go back to the  
12 staff, which we normally do when we introduce a proposal. Did  
13 you want to make comments at this time on this as it goes,  
14 or --

15 MR. TOBEY: Mr. Chair, no, not at this time.

16 CHAIRPERSON JUDKINS: Okay. I didn't mean to -- all  
17 right.

18 Kevin?

19 MR. SAXBY: Mr. Chairman, if you want someone to  
20 lead the board through -- it's pretty complicated. If you  
21 want someone to lead the board through RC 109, I'd be happy to  
22 do that. I've been as involved as anyone is in the actual  
23 language, and I could explain the reasoning for why things are  
24 there. If you don't, if you just want to dive in and take it  
25 on one part at a time, I'll just sit here and --



1 these fancy Internet programs these days, so we're able to  
2 actually have somebody bring in their Tier II permit, which  
3 does have their name on it. We fill out a transfer within our  
4 administration system, we reprint the permit, and we keep the  
5 original in our office, and we send the new hunter out the  
6 door with a new name on the permit itself. So at least under  
7 the current system administered by the state, we have a way to  
8 deal with that, but under this, the actual hunt administrator  
9 would have to take on that type of duty as well, I'd assume.

10 CHAIRPERSON JUDKINS: Thank you.

11 MR. SPRAKER: And, Becky, does that happen often?

12 MS. SCHWANKE: Mr. Chair. You know, it takes a  
13 while for these things to catch on. We definitely had quite a  
14 few transfers come through our Glennallen office. I can't  
15 speak for how many came through the Anchorage or the Palmer  
16 office as well. So I want to say probably less than two dozen  
17 a hunt year, so it's a fairly small number.

18 MR. SPRAKER: A low number, not hundreds. Okay.

19 CHAIRPERSON JUDKINS: What's your pleasure, folks?  
20 You ready to move on to the next section or are there more  
21 questions on the amendment (indiscernible)? Did you want to  
22 go through the rest of the language that's highlighted and  
23 amend it in now, or --

24 MR. SAXBY: Yeah. The next logical place to me is  
25 where Member Spraker was, which is the seasons and bag limits,



1 Mr. Chairman. Assuming that the board decides to adopt the  
2 community harvest hunt area for the eight villages that are  
3 named, then it's set up. And assuming you adopt the area  
4 that's described there, we've had to go through and change the  
5 season and bag limit regulations for moose. So beginning at  
6 the bottom of pag 1 you'll see in Unit 11 it's one ruled by  
7 community harvest permit only; there's a separate season and  
8 bag limit, August 10 to September 20 for that hunt. Up to X  
9 number of bulls may be taken. That's where you put an  
10 asterisk, and the board needs to fill in that number.

11 And we can do this one of several ways. You can --  
12 you could designate separate amounts of any bull harvest that  
13 should be occurring in Unit 11 versus Unit 13 versus Unit 12  
14 versus Unit 20, or you can do it as you've done in other cases  
15 where you say that a total number in conjunction with the  
16 harvests in other areas is the up-to amount. And this is  
17 where Member Spraker was talking about a hundred any bulls.

18 And then there's a -- in order for folks to meet  
19 their subsistence needs, because the amounts of any bulls that  
20 may be available are not probably enough to provide for the  
21 entire subsistence need, there's a further opportunity -- the  
22 remainder would be made up by people being allowed to take a  
23 spike-fork 50 four-brow-tine -- oh, it's expressed as three or  
24 more brow tines here. You might put an asterisk there and  
25 decide whether you want it to be three or four.

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1           So what would happen is the department would  
2 designate a certain -- because it's up to whatever number you  
3 set, the department would designate each year the amounts of  
4 any bull that could be taken under the community harvest  
5 permit and even where those could be taken, depending on how  
6 you set it up. And then the remaining harvest by the  
7 community subscribers is spike-fork 50-inch four-brow-tine or  
8 three-brow-tine.

9           And that's -- we've done that same thing all the way  
10 through -- we've done it in Unit 12 and in Unit 13 and in  
11 Unit 14. I just need to point out to the board, put an  
12 asterisk next to Unit 12 and an asterisk next to the one for  
13 Unit 20A there. This only shows a small part of the moose  
14 hunting seasons and bag limits for Unit 12 and Unit 20A.  
15 There would actually be a lot more in the book. We're not  
16 proposing to change any of the existing ones with this  
17 proposal. We just didn't have time to get all those existing  
18 ones in here. These would be -- for Unit 12 and for Unit 20A,  
19 these would be additions to all the other existing  
20 regulations.

21           For Unit 13, because the testimony from the  
22 department has been that the harvestable surplus exceeds the  
23 amount necessary, the 600 level, which is the high end of the  
24 ANS range you just set, the board is free to provide -- is in  
25 a Tier-I-plus situation, and is free to provide for other

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1 opportunities besides subsistence. And so for Unit 13 we  
2 have -- we still have an obligation to provide a reasonable  
3 opportunity for subsistence uses, and we also include an  
4 opportunity for an any-bull drawing hunt by residents and a  
5 spike-fork 50 -- or not spike-fork -- a 50-inch, four-brow-  
6 tine drawing hunt, a very limited one, by nonresidents.

7           And I wanted to talk a little bit more about the  
8 other subsistence opportunity for residents. That's the  
9 reference you see there on the third page where it says one  
10 bull by drawing permit only up to -- it says up to 200 permits  
11 may be issued. Oh, no, I'm sorry, that's the -- that's not  
12 it. It's at the bottom of the second page; that is the other  
13 subsistence opportunity where it says one bull with spike-fork  
14 antlers -- oops, we missed one here. No, we didn't, it's just  
15 not in new language. It is at the top, and it's not bold and  
16 underlined language. It says one bull with spike-fork antlers  
17 or 50-inch antlers or antlers with four brow tines on one  
18 side. And it's essentially a -- we're just keeping kind of  
19 the general hunt that we've had there for the last several  
20 years. The board long ago determined that that general hunt  
21 does provide a reasonable opportunity for your average,  
22 ordinary subsistence user, and so by keeping that in place,  
23 we're maintaining a reasonable opportunity for subsistence  
24 uses. And then the addition is that drawing permit for  
25 residents and trophy bull drawing permit for nonresidents.

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1           So you'll notice that there are longer -- there's a  
2 slightly longer season for the community harvest permit.  
3 Those folks would be able to get in the field earlier than  
4 other hunters. The season doesn't change for the folks who've  
5 been hunting under the general season in Unit 13 for a long  
6 time, and the drawing season is the same.

7           CHAIRPERSON JUDKINS: Ted?

8           MR. SPRAKER: Thank you, Mr. Chairman. Well, I have  
9 several asterisks that we probably should address. The first  
10 one is at the top of page 2, and this is the Unit 11 moose.  
11 And the question was the three-brow-tines, 50-inch antlers, or  
12 antlers with three or more brow tines on at least one side,  
13 that concern, because that's different than Unit 13. But I  
14 just wanted to point out that I think that should remain the  
15 same. That's what we've had in Unit 11. We even allow  
16 nonresidents to take 50-inch bulls with three or more brow  
17 tines, and that's kind of been in place for a long time, and I  
18 don't see why we should make a change there.

19           The next one was Unit 12. And in looking at the  
20 season for hunting moose in Unit 12, this is quite an addition  
21 to the season length in Unit 12. And has the department  
22 talked to the folks up there in Tok? And I know this is new  
23 for everyone, but -- what did the director do? Leave?

24           (Laughter)

25           MR. SPRAKER: Kim? I mean, it's not a huge concern



1 now because we're not trying to iron out every detail, but I  
2 just wanted a kind of a feeling on whether or not this was  
3 going to work in Unit 12, and (indiscernible) talked to the  
4 managers there. But anyway, that's probably something we can  
5 deal with later on.

6 Mr. Chairman, as far as the other issues, you know,  
7 again, because we're at least a hundred moose over -- at least  
8 200 moose over the ANS for allowable harvest in 13, you know,  
9 I think we certainly have the freedom to offer all these  
10 additional hunting opportunities, including a very small  
11 number of nonresident permits. And although that number is  
12 150 -- up to 150, you know, just speaking for myself, I would  
13 rather see this number a little lower than that, let the  
14 department make that decision, but, you know, my intent is not  
15 to see the department issue all 150 permits unless you feel  
16 like there's places that you can direct hunters and take -- or  
17 issue these 150 permits for nonresidents, because this is the  
18 first time since, what, '01 we've had nonresidents in 13?

19 MR. TOBEY: Mr. Chair?

20 CHAIRPERSON JUDKINS: Yes.

21 MR. TOBEY: There's two ways to deal with the  
22 permits. You could issue a number of permits and they could  
23 be general by good unit-wide, or you could issue the permits  
24 on a subunit basis for the nonresidents--I presume that what  
25 you'd be talking about is the nonresidents--and funnel them



1 into areas -- the majority of them into areas that have seen  
2 the biggest increase in moose numbers. So either alternative  
3 is available.

4 MR. SPRAKER: Mr. Chairman, I really think that we  
5 need to not get into the weeds on that one and let the  
6 department sort that one out. And I think that's the best way  
7 to do that on those tags.

8 Mr. Chairman, let me go back to one of my original  
9 statements as far as trying to determine these numbers to fill  
10 in-on the X's. And again I feel like a good starting point is  
11 to let the department have up to 100 bulls, any bull, for the  
12 community harvest, and then let the department spread this  
13 harvest over these four areas. And the reason I have used 100  
14 is, again, you know, the TM300 harvest was 46, and with the  
15 other opportunities to harvest under the federal permit, which  
16 is still available, and also with the caribou considerations,  
17 both state and federal that's available, you know, I think  
18 this is a very good start. And again, like you said, if it's  
19 not working properly, we can come back in two years and  
20 readjust that number. But I think 100 to fill in those four  
21 places where we have X's would probably be a very justifiable  
22 start.

23 CHAIRPERSON JUDKINS: I agree with that. I think we  
24 did all agree that the federal numbers would be included, that  
25 they would report them in the community harvest

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1 (indiscernible).

2 UNIDENTIFIED SPEAKER: Right, yeah.

3 CHAIRPERSON JUDKINS: Is that a motion?

4 MR. SPRAKER: That's a motion.

5 MR. BRADLEY: Second.

6 CHAIRPERSON JUDKINS: Would you delineate just where  
7 that 100 is going to go in the book here?

8 (Whispered conversation)

9 MS. SCHWANKE: For clarification, you're talking  
10 about the Unit 13 community harvest permits on page 2?

11 MR. SPRAKER: Well --

12 MR. BRADLEY: No.

13 MR. SPRAKER: -- actually Unit 11 on page 1, there's  
14 a community harvest request for a number of permits there.

15 MS. SCHWANKE: Thank you.

16 MR. SPRAKER: And there's one on page 2 for 13,  
17 there's one on page 2 for 12, and there's one on page 3 for  
18 20.

19 MS. SCHWANKE: Okay. Thank you.

20 MR. SPRAKER: A portion of 20A. Four places.

21 CHAIRPERSON JUDKINS: Any objection to the  
22 amendment?

23 MR. BELL: Mr. Chairman?

24 CHAIRPERSON JUDKINS: Yes?

25 MR. BELL: Okay, now the amendment is 100 for what?



1 All of them or just --

2 CHAIRPERSON JUDKINS: All of them.

3 MR. BELL: So how are we going to divvy them up  
4 among --

5 CHAIRPERSON JUDKINS: That's his job.

6 MR. BELL: We're going to let -- we'll let him do  
7 it.

8 MR. SPRAKER: We're not. We going to let --

9 MR. BELL: Okay. I guess my question is then how do  
10 we put it in this --

11 CHAIRPERSON JUDKINS: Just by their descriptions  
12 (simultaneous speech) --

13 MR. BELL: Just have to rewrite it?

14 CHAIRPERSON JUDKINS: He's got certain areas for  
15 management reasons he wants to harvest animals.

16 MR. BELL: No, I'm just talking functionally here.  
17 So we're saying it's a hundred moose for the community harvest  
18 for 11, 12, and 13, and we're leaving it to the department to  
19 determine how many of those hundred go into each one of those  
20 units.

21 MR. SPRAKER: And 20.

22 MR. BELL: And 20.

23 CHAIRPERSON JUDKINS: Into each area of those units.

24 MR. BELL: Okay. I just wanted to make sure we're  
25 on the same page here.



1 CHAIRPERSON JUDKINS: Did you have a comment to  
2 make?

3 MR. TOBEY: Mr. Chair?

4 CHAIRPERSON JUDKINS: Yes.

5 MR. TOBEY: When it comes to the any bull, it's my  
6 understanding that the department will determine where those  
7 any bulls come from, and that will include setting up a quota  
8 between the various units that you've mentioned, but even  
9 setting up a harvest quota in Unit 13 itself to ensure that  
10 the any bulls are distributed in a manner that won't over-  
11 harvest certain areas.

12 CHAIRPERSON JUDKINS: That's my understanding.

13 UNIDENTIFIED SPEAKER: And mine as well.

14 CHAIRPERSON JUDKINS: Kevin, go ahead.

15 MR. SAXBY: This may answer where -- what Board  
16 Member Bell is inquiring about. It will look like the caribou  
17 regulations, something like the caribou regulations for the  
18 Forty Mile caribou herd or some of the other herds where it  
19 will say that in combination with other areas, the total  
20 amount is up to 100.

21 MR. BELL: Okay.

22 CHAIRPERSON JUDKINS: And I imagine that staff will  
23 get with the hunt administrator and lay out where these  
24 animals come from.

25 Hearing no objection, 100 is the number.



Proposal #90 - AOC recommendation is to amend and adopt.

Amendment - Repeal 5 AAC 92.074(D)(1) - (13) Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, Kluk Kaah Community Harvest Area for moose and caribou.

The Board of Game (BOG) created Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, Kluk Kaah Community Harvest Area has been a failed attempt at avoiding implementation of state subsistence hunts for moose and caribou in GMU 13 and parts of GMU 11 and 12 under 5 AAC 92.071 for Tier I hunts and 5 AAC 92.070 for Tier II hunts. Returning to the statutorily created subsistence laws, AS 16.05.258 for allocating harvestable moose and caribou in GMU 13, 11 and 12 will be more consistent with state law and the provisions of the Alaska State Constitution Article 8, Section 3.

In 2009 the Board of Game adopted a racially based Community Harvest Area that was consistent with findings adopted by the board in 2006, 2006-170-BOG for moose and caribou hunting by Ahtna community-based traditional hunters in under AS 16.05.330(c). AS 16.05.330(c) allows the boards to issue community subsistence permits whenever the reduction of nonsubsistence users is necessary. That was not the case in GMU 13 when the board adopted the Community Subsistence Hunt, it was competition with other state qualified subsistence users that was Athna's conflict.

The communal pattern of subsistence harvest legitimize by the Board the Game findings in 2006-170-BOG and 2011-184-BOG for GMU 13, 11, and 12 for moose and caribou can be met today from the abundant harvestable surplus available. The taking of game by proxy, 5 AAC 92.011 allows the opportunity for those with physical limitations to have others hunt moose and caribou in GMU 13, and there is no limitation on who accompanies other traditional hunters in the field.

5 AAC 99.025(c)(1) makes it clear that the members of the boards determine that the total amount of animals from the populations of moose or caribou must be available for hunting under BOTH state and federal hunting regulations based on harvest reports and population estimates. At this time in the cycle of game populations in the Gulkana, Cantwell, Chistochina, Gakona, Mentasta, Tazlina, Chitina, Kluk Kaah Community Harvest Area there is adequate harvestable surplus of moose and caribou for the board to determine that amount of game can reasonably meet subsistence users opportunities as defined in 5 AAC 99.025(c)(2).

Absolutely no one is pleased with the way the Community Subsistence Hunt (CSH) is being implemented in GMU 13, parts of 11 and 12. Ahtna people have been misled into believing the BOG can allocate 100 anybull moose to their tribal members, that has caused years of divisiveness and expense to many Alaskan hunters. AOC recommends repealing the regulations.



Submitted By  
Garrett Baker  
Submitted On  
2/22/2017 9:42:28 AM  
Affiliation

I am opposed to proposal 1. This is agenda driven to give advantage to the Ahna shareholders over the average hunter. The group already has in excess of 1 million acres that the public cannot hunt so there is no need to manipulate the rules because they want it easier.

I support proposition 2-17. There should be no moose hunts other than drawing and harvest tickets. This is a road accessible area and giving preference to native and rural subsistence causes friction with every other resident not given preference.





Submitted By  
Stephen Bartelli  
Submitted On  
2/21/2017 10:49:01 AM  
Affiliation

I would respectfully submit that the requirement to hunt moose in unit 13 when you hunt Tier 1 Nelchina caribou be removed and replaced by a system that is used in unit 20E for the Forty-mile caribou herd and moose populations. An example can be seen in the regulations for 20E (remainder) moose regarding RM 865 and RC 860. This system that allows hunting for either species, but not symotaneously, would prevent incidental take of the another species and would most likely result in less hunters concentrating efforts on moose due to the obligation to do so while using the Nelchina caribou Tier 1 permit. This would relieve some pressure on the unit 13 moose population which is a win, win situation for all involved, including the eight Ahтна communities currently greiving their supposed loss of subsistence opportunity. In addition, propositions 14 and 33 are both exceptable solutions for improvement.

Regards,

Stephen Bartelli



Submitted By  
Jesse Biddle  
Submitted On  
2/24/2017 2:20:35 PM  
Affiliation

I disagree with Proposal 42 for many reasons. Proposal 42 suggests that there should be no caribou hunting for DC485 permit hunters after September 20. This would eliminate many hunting opportunities for many hunters that may not have had the chance to hunt that early in the season. My family is very big into hockey and we are very busy in early September. We rarely go hunting before that date and it would make it hard to balance hockey and hunting in that pivotal time. I believe that this is valid complaint about the safety of our hunters here in Alaska but is not enough to validate taking out an entire section of the caribou season just seems over kill. Also, hunting in the winter months allows for more chances to snowmachine which is a good way to get the entire family out and into the great outdoors around our beautiful area. I ask you to please consider this Proposal unnecessary and please do not consider putting it into action. Thank you

**Proposal #33**

After discussion with many Nelchina Caribou hunters, both Local Copper Basin Residents and Residents from more urban areas, as well as ADF&G Staff, we ask the board to make one simple amendment to Proposal #33 as follows:

**When Nelchina Caribou populations are above the upper end of the Population Objective (40,000 animals) the bag limit will be 2 caribou per person.**

The two caribou bag limit is intended to allow ADF&G to reach their harvest objectives without excessive crowding and pressure on the land.

Other issues to consider, some of these were discussed at the Copper Basin AC Meeting. (not necessarily suggested):

- Instructing ADF&G to manage for all harvest in the fall, or, managing for some winter harvest.
- Consider fewer but longer seasons in the Fall or possibly a single season in the winter
- Consider a portion of the Registration Tags be made available in local communities
- Consider a longer season beginning in July to spread out some of the pressure
- Consider allowing hunters to register for two periods at a time to allow for hunters that spend a couple weeks in the field at a time.
- Consider a separate registration hunt that would have longer seasons and possibly higher bag limits; but only be available in communities within the Nelchina Caribou Range to satisfy local traditions.

**Proposal #43**

After discussion with local residents of the Copper River Basin we have made some revisions to our Proposal #43. We have eliminated the corridor along the highways that would have encompassed mostly Ahtna Lands due to concerns voiced by the public that were worried about a hunt that would be offered with very little access to the general public. There were also valid concerns from Ahtna Leaders that this portion of the hunt may lead to increased trespassing issues. We also decided to leave the GMU 13 season unchanged due to concerns that a longer season would attract extra attention in a time of already high pressure. A longer season could still be considered by the board if it is determined necessary to meet harvest goals. We also determined that, to meet the needs of local hunters, some November Registration permits should be available in local communities. There is a general concern that if all permits are given online that the local communities, with slower internet service will be kept out of highly competitive online registrations. Please Amend the Proposal, in its entirety to read as follows.

**Amend Proposal #43 entirely to read:**

Amend resident moose hunting seasons in GMU 11 and 13 by eliminating the CSH moose hunt and conditions, and adding a late season any bull registration hunt.

*Retain existing moose registration hunt in GMU 11 and moose drawing hunts in GMU 13.*

**General Season:** GMU 11 and 13 retaining existing general seasons and bag limits in each unit, GMU 13: Spike/Fork, 50", 4 Brow Tine, GMU 11: Spike/Fork, 50", 3 Brow Tine.

**New Late Season Registration Permit Hunt(s):** The late season registration moose hunt(s) will have a bag limit of any bull and run November 15 - 30. Registration Permits will be issued in GMU 13 communities starting November 13. The hunt(s) will be offered in GMU 11 and 13 as follows:

- Remainder of GMU 11. Issue up to 50 permits.
- GMU13A West. Issue up to 20 permits.
- Remainder of GMU13A. Issue up to 50 permits.
- GMU 13B. Issue up to 50 permits.
- GMU 13C. Issue up to 100 permits.
- GMU 13D. Issue up to 100 permits.
- GMU 13E. Issue up to 100 permits.

Hunters should be limited to one late season registration moose permit per season within GMU 11 and 13.

**These hunts will provide a reasonable opportunity for subsistence moose hunting for all Alaskan hunters,** while eliminating the confusing and burdensome regulations associated with the CSH. General season moose hunts offer subsistence opportunity throughout the state, and have in GMU 11 for many years. They can offer this opportunity again within GMU 13, particularly given recent general season harvest numbers that exceed ANS. Resident subsistence moose hunters will have a priority over non-resident and resident drawing permit hunters. Resident hunters will have a long fall general season, and then another 2 weeks in early winter in the registration hunt to harvest a moose. The resident take through these hunts will more than meet ANS. The extended season will accommodate traditional moose hunting activities, including family oriented hunting opportunity (before school).

The two week November registration hunt offers a "second chance" for those not successful during the general season. This early winter time frame allows for travel into some areas that are normally un-hunted during the fall due to open water (supported by continually high bull:cow ratios in some areas). It also offers family hunting opportunity over the Thanksgiving holiday. While we recognize there will be post-rut concentrations of moose in higher elevations, the limited number of permits for these areas will reduce harassment and keep harvest sustainable.

This proposal moves GMU 13 moose management away from arbitrary subsistence harvest objectives such as 100 any bull moose, and towards a scenario where harvest opportunity can be maximized in direct relation to how many bulls remain after each hunting season. By establishing permit numbers in regulation, this hunt offers sustainability and a hunting opportunity hunters can plan for. We would like to see liberal permit numbers issued in year one. If in 3 years, bull:cow ratios are still above objectives or they are compromised in a specific

area(s), permit numbers can be altered. If there is a demonstrated biological problem earlier, ADF&G can reduce permit numbers. No arbitrary quotas or Emergency Orders are necessary. **High "UP TO" Permit numbers are offered to allow flexibility in times of high moose numbers and annual conditions that may be less than ideal. Some years when freeze up conditions are very poor the entire allowable number of permits may be necessary.**

Conservative registration permit numbers should be set for areas with heavy fall hunting pressure given current bull:cow ratios such as in 13B and the western portion of 13A. Moderate permit numbers can be set for 13C, 13D and 13E considering much of the moose habitat in these areas is inaccessible during the fall and thus lightly hunted. Continually high bull:cow ratios and increasing moose numbers in these areas suggest additional harvest will be sustainable. In the case of 13E there will also be some bulls migrating out of park areas that are otherwise closed to state hunters, becoming available to state subsistence hunters for the first time.

Given existing proxy regulations, late season registration hunters will be able to proxy hunt for others, but only once per season within GMU 13.

**Regulations to be amended as follows:**

5 AAC 85.045. Hunting seasons and bag limits for moose

(9)

Unit 11, that portion east of the east bank of the Copper River upstream from and including the Slana River drainage

[RESIDENT HUNTERS:

1 BULL PER HARVEST REPORT

BY COMMUNITY HARVEST

PERMIT ONLY; HOWEVER, NO

MORE THAN

100 BULLS THAT DO

NOT MEET ANTLER

RESTRICTIONS FOR

OTHER RESIDENT

HUNTS IN THE SAME

AREA MAY BE TAKEN

IN THE ENTIRE

COMMUNITY HARVEST

AREA DURING THE

AUG. 10 - SEPT. 20

AUG. 10 - SEPT. 20

DEC. 1 - DEC. 31

(SUBSISTENCE HUNT ONLY)

SEASON; OR]

1 bull with  
spike-fork antlers  
or 50-inch antlers  
or antlers  
with 3 or more brow  
tines on one side,  
by registration  
permit only

Aug. 20 - Sept 17

NONRESIDENT  
HUNTERS:

1 bull with 50-inch  
antlers or  
antlers with 3 or  
more brow tines on  
one side, by  
registration permit  
only

Aug. 20 - Sept. 17

[REMAINDER OF UNIT 11]  
[1 BULL PER  
HARVEST REPORT BY  
COMMUNITY HARVEST  
PERMIT  
ONLY; HOWEVER, NO  
MORE THAN  
100 BULLS THAT DO  
NOT MEET  
ANTLER RESTRICTIONS  
FOR OTHER RESIDENT  
HUNTS IN THE SAME  
AREA MAY BE TAKEN  
IN THE ENTIRE  
COMMUNITY HARVEST  
AREA DURING THE  
AUG. 10 - SEPT. 20  
SEASON; OR]

AUG. 10 - SEPT. 20

(SUBSISTENCE HUNT ONLY)

DEC. 1 - DEC. 31

(SUBSISTENCE HUNT ONLY)

**Resident Hunters:**

1 bull with  
 spike-fork antlers  
 or 50-inch antlers  
 or antlers  
 with 3 or more brow  
 tines on one side; or

Aug. 20 - Sept. 20

**1 bull by Registration Permit**  
**Available in Local Communities**  
**Nov 13 - Nov 30**  
**Up to 50 permits may be issued**

**Nov. 15 – Nov. 30**

(11)

Units and Bag Limits  
 Unit 13

1 moose per  
 regulatory year  
 only as follows:

Resident Hunters:  
 [1 BULL PER HARVEST  
 REPORT  
 BY COMMUNITY  
 HARVEST PERMIT  
 ONLY; HOWEVER, NO  
 MORE THAN  
 100 BULLS THAT DO  
 NOT MEET ANTLER  
 RESTRICTIONS FOR  
 OTHER RESIDENT  
 HUNTS IN THE SAME  
 AREA MAY BE TAKEN  
 IN THE ENTIRE  
 COMMUNITY HARVEST  
 AREA DURING THE  
 AUG. 10 - SEPT. 20  
 SEASON; OR]

AUG. 20 - SEPT. 20

DEC. 1 - DEC. 31

(SUBSISTENCE HUNT ONLY)

1 bull with  
spike-fork antlers  
or 50-inch antlers  
or  
antlers with 4 or  
more brow  
tines on one side;

Sept.1 - Sept. 20

or

**1 bull, by  
registration  
permit only as follows:**

[DEC. 1 - DEC. 31]  
**Nov. 15 – Nov. 30**

**Unit 13A west of the Lake Louise  
Road, Lake Louise, Susitna Lake,  
Tyone Lake, and the Tyone River  
Permits available in Local Communities  
Nov 13- Nov 30  
Up to 20 permits may be issued**

**Unit 13A east of the Lake Louise  
Road, Lake Louise, Susitna Lake,  
Tyone Lake, and the the Tyone River,  
Permits available in Local Communities  
Nov 13- Nov 30  
Up to 50 permits may be issued**

**Unit 13B  
Permits available in Local Communities  
Nov 13- Nov 30  
Up to 50 permits may be issued**

**Unit 13C  
Permits available in Local Communities  
Nov 13- Nov 30  
Up to 100 permits may be issued**

**Remainder of Unit 13D  
Permits available in Local Communities  
Nov 13- Nov 30**



**Up to 100 permits may be issued**

**Unit 13E**

**Permits available in Local Communities**

**Nov 13- Nov 30**

**Up to 100 permits may be issued**

1 antlerless moose by drawing permit only; up to 200 permits may be issued; a person may not take a calf or a cow accompanied by a calf; or

Oct. 1 - Oct. 31  
Mar. 1 – Mar. 31  
(General hunt only)

1 bull moose by drawing permit only; up to 5 permits may be issued;

Sept. 1 – Sept. 20  
(General hunt only)

**NONRESIDENT HUNTERS:**

1 bull with 50-inch antlers or antlers with 4 or more brow tines on one side by drawing permit only; up to 150 permits may be issued

Sept. 1 - Sept. 20



Submitted By  
Doug Blossom  
Submitted On  
3/3/2017 6:58:59 PM  
Affiliation  
  
Alaska Board of Game  
  
PO Box 115526  
  
Juneau, AK 99811

Chairman Spraker and BOG Members,

Unit 13 is producing a really good surplus of moose and caribou right now for hunters and I would like to see opportunities maintained for all to have fair and reasonable hunting opportunity in this unit. I ask that you keep all user groups in mind when you are deliberating on these proposals. I've hunted Unit 13 over the course of a few different trips and always come away impressed with what a great resource these lands are for Alaskan hunters, fishers, and wildlife viewers. I'm writing to encourage the adoption of proposals that will help keep the wildlife resources of this land in good health and producing animals for the benefit of all users.

The push for this special meeting appears to be coming from the failing CSH hunting system and local Unit 13 users. I understand the claims that there are a lot of hunters in this area and it's impacting local users, but there seems to be under-utilized opportunities for local hunters with the current hunt structure. Last year driving down the Denali Highway from Cantwell – it's well known the first 20 miles or so are private AHTNA lands adjacent to the highway – I saw very little hunting activity in that stretch compared to other areas of the Denali Highway. There is some great looking moose habitat in this stretch. AHTNA also owns lands along the Richardson Highway that are productive moose and caribou areas as well. Additionally, rural residents qualify for subsistence in federal areas in Unit 13, which there is a good amount of B M land in the Tangle lakes area.

Additionally, I request that any changes to the tier 1 system for Unit 13 caribou (and subsequent moose requirements) be postponed until fall 2018 since the registration period for the 2017 hunt closed in December 2016.

### **Proposals 7, 10-12, & 15 - Support**

The referenced proposals all propose similar changes and are proposed by individual users in Unit 13. It is clear by the majority of firsthand accounts and data that the current Unit 13 community hunt system (CSH) is not working. Communities have formed all over the state, mostly to take advantage of the any bull and early season offerings provided with this hunt. There is not enough enforcement to monitor the taking of animals during these hunts and to ensure that all these animals are being reported. Many people are reporting heavy harvest from these groups that may not fully show up in harvest reporting. I hope ADF&G is closely monitoring bull:cow ratios in these areas, as many accounts from hunters in the field seem to indicate that the CSH hunts may be causing a decrease in bull:cow ratios.

### **Proposals 20 & 21 – Support**

Replacing the CSH moose hunt with a tier II hunt makes the most sense to me. Tier II permitting is utilized in Unit 16 where there is a good, harvestable moose population and I don't see why it couldn't be utilized in Unit 13.

### **Proposal 43 – Support**

I support this as a second option to proposals 20 and 21. This is a good proposal that aligns the antler requirements during the general season and adds any bull registration permits later in November with most of the permit offerings along accessible locations that should favor local Unit 13 hunters. This system gives everyone fair opportunity during the general season and provides additional opportunity that favors local Unit 13 users in the later season.

### **Proposal 32 – Oppose**

I recommend the rejection of "eligibility" requirements and scoring for general season and tier 1 hunts. They are not tier II hunts and therefore should not be subject to scoring.

In summary, I support proposals to eliminate the CSH moose hunt and replace it with either a tier II permit hunt or a registration hunt after the general season.



Thank you for the opportunity to comment,

Doug Blossom

Ninilchik, AK



Submitted By  
Chris Chartier  
Submitted On  
11/23/2016 10:19:40 AM  
Affiliation  
  
Phone  
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Po box 31417  
Ft Greely, Alaska 99731

~~It has come to my attention that you are considering new regulations to for the use and structure of Unit 13 moose and caribou population. There are a number of concerns I have with the management of the game in those units. I primarily hunt in Unit 13 and 20 as a rural resident these are the units closest to me. I would like to see the community harvest for moose come to an end. This hunt has in my opinion evolved beyond its intended purpose and is having a detrimental effect on the moose population in the unit. It is not sustainable or equitable to continue to allow this hunt to exist. My second concern is the rumor that AHTNA has petitioned and requested additional harvest and season to harvest moose in unit 13. AHTNA already has access to some of the best and most fertile hunting grounds in the state, grounds that normal residents like myself have no access to. To allow them additional harvest and separate regulations would be criminal. The board and state constitution should be looking out for the wellbeing and equitable use and opportunity for ALL Alaskan residents.



Submitted By  
Joshua Edwards  
Submitted On  
2/23/2017 10:52:25 AM  
Affiliation

OPPOSE: PROPOSAL 32

As is mentioned in proposal 32 "Instead, ***the board needs to require Unit 13 Tier I caribou applicants to demonstrate a subsistence pattern of use consistent with the criteria for identifying customary and traditional uses listed in 5 AAC 99.010(b).***"

## racism

[rey-siz-uh m]

noun

1.

a belief or doctrine that inherent differences among the various human racial groups determine cultural or individual achievement, ***usually involving the idea that one's own race is superior and has the right to dominate others*** or that a particular racial group is inferior to the others.

2.

***a policy, system of government, etc., based upon or fostering such a doctrine; discrimination.***

I have a Native American background, and my grandfather was a trapper by trade, but under these proposed regulation changes, I would not likely be eligible for a tier 1 permit, which would go against equality, and fairness for all Alaskans. If we continue to implement laws which are biased towards one group of people over another, then we have learned nothing from the past. I believe that all men are created equal, and that proposing, and passing laws which require us to be born into a certain way of life in order to reap the benefits of a common harvest, is a sinister racism that should have no part in this land.



Submitted By  
Brian Hudgins  
Submitted On  
2/22/2017 6:11:01 PM  
Affiliation

Phone  
501-628-7061  
Email  
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5747 E. Fetlock Dr.  
Wasilla, Alaska 99654

**PROPOSAL 30 - 5 AAC 85.025. Hunting seasons and bag limits for caribou. I fully support the removal of this hunt and feel the Tier 1 hunt meets the requirements and needs for this.**

**ROPOSAL 35 - 5 AAC 85.045. Hunting seasons and bag limits for moose; and 92.050(a)(4)(l). Required permit hunt conditions and procedures.** I fully support this proposal as well and would like to see the moose hunting requiriment aligning it with the Tier 1 tag removed. This would allow for a decrease in the amount of hunters that are overcrowding Area 13 moose hunting in recent years as a record number of Tier tags have been issued. This proposal would help to restore the moose popultion that has been hit hard by a community hunt and forced over hunting due to moose hunting requirement for unit 13 only.



Submitted By  
Kenneth  
Submitted On  
2/17/2017 6:59:54 PM  
Affiliation  
Public Interest Litigant

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PO Box 775  
Kasilof,  
Kasilof, Alaska 99610

Attached are Alaska Supreme Court decisions on CSH permits, Tier-II permit process, and ADF&G regulations controlling for Caribou and Moose hunting in GMU 13, and affecting all Alaskan subsistence and general permit hunters. Thank you for the opportunity to present comments. Kenneth Manning, 52 years subsistence hunting & fishing; 17 years and on-going in Alaska courts to protect equal subsistence use rights. Kenneth Manning.

*"Manning I": Manning v. State ADFG*, 161P.3d 1215 (Alaska 2007) Judge Tan Decision

*"Manning II": Manning v. State ADFG, Ahtna*, 3KN-09-178CI Judge Bauman decision.

Ahtna appeal: *Ahtna v. State ADFG, Manning, AFWCF* (S-13968, S-14297), 288 P.3d 452 (Alaska 2012).

*"Manning III": Manning v. State ADFG, Ahtna*, 3KN-110-0367CI, Judge Anna Moran decision; appeal: *Manning v. State ADFG, Ahtna*, 355 P.3d 530 (Alaska 2015); Cert 136 S.Ct.1172 194 L.Ed 2d 193 (2016). 2nd appeal on attorney fees, appeal: *Manning v. State ADFG, Ahtna*, S-16461, still pending.

*"Manning IV": Manning v. State ADFG, Ahtna*, 3KN-13-708CI, Judge Huguelete; appeal *Manning v. State ADFG, Ahtna*, S-16511; still pending.

Respectfully, Kenneth Manning, Feb. 17, 2017



Submitted By  
lance maynard  
Submitted On  
2/26/2017 2:37:30 PM  
Affiliation

I strongly oppose all proposals to eliminate the Copper river basin hunts. As a coordinator of one of these community hunting groups I feel that they are a very necessary program. I feel that most people who oppose this subsistence hunt do not fully understand the benefits and intent of the program. Not only do my community members rely heavily on the meat that it provides for us all, but it also gives us a great opportunity to bring our children up with the great tradition of hunting and providing. Just this year both of my children went on successful hunting trips for the first time and got to experience the full harvest of the animals we took along with the whole processing after the hunt. This you may say could be done on any hunt? Not the case, we salvage every usable part of the animal and pass on this tradition to our kids in the way it is intended. Not to mention that this is also a tool to manage the population of animals and herds. I have spoke with many people outside of the community about their feelings toward the subsistence hunt and most don't understand the whole concept. They simply feel that we get all these benefits that they dont. But at the same time say they would never want to go through all the requirements that we do. And also there is nothing stopping these individuals from starting a community of their own if they chose to do so. In conclusion I simply feel this is a great program that has validity and needs to continue. Thank you,

Lance Maynard





Submitted By  
Dan Montgomery  
Submitted On  
3/3/2017 4:59:09 PM  
Affiliation

Phone  
907-373-4898

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[akta@mtaonline.net](mailto:akta@mtaonline.net)

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p.o. box 874492  
wasilla, Alaska 99687

I oppose proposal 29. There is no conservation concerns with the moose population in unit 13. The total moose harvest in the last 5 years is 3,979 and the total non-resident harvest was 90 moose. That is barely over 2% of the total harvest. The resident harvest has increased 50% in the last three years from 606 in 2013 to 945 in 2015 and 909 in 2016. There is no reason to reduce non-resident permits.

Thank you for your service.

Dan Montgomery



Submitted By  
Will  
Submitted On  
2/22/2017 5:06:28 PM  
Affiliation  
none

I am concerned with Proposal 44 being against the Alaskan constitution by excluding residents of the state from hunting and fishing opportunities due to their place of residence. I fear that passing this proposal would result in a drastic increase in Native corporations regulating lands and locking them up against non-shareholders.

I also believe that Karen Linnell should refrain from participating in this special meeting due to her conflict of interest as a Board Member and active shareholder of Ahtna, INC.

<http://www.nativefederation.org/wp-content/uploads/2015/01/Resume-Karen-Linnell-01-2015.pdf>

***Serve on the Ahtna, Inc. Board of Directors and, formerly served as Chistochina Village Council President, Gulkana Village Council Vice President, Copper River Native Association Vice-President, and Ahtna Heritage Foundation Director***

- Ahtna tribal member and longtime participant in cultural revitalization efforts for Ahtna people***
- Sealaska, Kake Tribal Corporation and Ahtna, Incorporated Shareholder***



Submitted By  
David Pearson  
Submitted On  
2/21/2017 9:24:12 AM  
Affiliation

Support Proposal Numbers 2,3,4,5,6,7,8,12,11,12,13

While each proposal is different I believe that the community hunt is a poor management practice. So any proposal that removes CM300 is a step in the right direction. AHTNA subsistence communities have a subsistence Federal hunt that provides meaningful preference. The state cannot by constitution provide a preference so any attempt to do so will be mired by the rest of the state. CM300 is not operating as intended and has far reaching consequences remove it and allow the Federal regs to provide the meaning full preference. Commented as a resident of Alaska



**unapologetically FOR ALASKAN RESIDENTS**

PO Box 60095, Fairbanks, Alaska 99706 (907) 371-7436  
email info@residenthuntersofalaska.org web www.residenthuntersofalaska.org

March 2, 2017

## Resident Hunters of Alaska (RHAK)

Comments to Alaska Board of Game

Copper Basin Meeting – Glenallen

March 18 - 21, 2017

Proposal 29 – 5AAC 85.045 Hunting seasons and bag limits for moose.

Close the nonresident moose season in Unit 13

### SUPPORT

Resident Hunters of Alaska (RHAK) advocates for all resident hunters, no matter where they live or how or why they hunt. We advocate for resident hunting priorities and the sustainability of our wildlife populations so future generations of Alaskans continue to have hunting & harvest opportunities that carry on our hunting traditions.

RHAK submitted this proposal because we want to continually emphasize our position that when and where resident hunting opportunities may be constrained in any way, if both resident and nonresident hunting is allowed, *the nonresident component should always be the first to be restricted.*

Below is a breakdown of nonresident moose permits issued and harvests in Unit 13 from 2009 – 2016:<sup>1</sup>

Table 29-2. Unit 13 nonresident moose permits and harvest, 2009–2016.

Year	Applications Received	Permits Issued	Total Harvest	Total Hunted	Success (Percent)
2009	224	50	12	33	36%
2010	393	110	13	60	22%
2011	428	65	16	35	46%
2012	751	105	9	57	16%
2013	873	105	18	60	30%
2014	905	115	20	69	29%
2015	1,205	115	23	60	38%
2016	517	115	21	58	36%

<sup>1</sup> ADFG graph



In the last three years, an average of 21 moose have been taken by nonresident hunters in Unit 13. During the last 3-year period, an average of 1008 moose have been taken in Unit 13 by residents (all hunts).

Nonresident hunters take on average 2% of the total moose harvest.

That may not seem like much, but every single moose matters in terms of resident Alaskans having the harvest opportunity to fill their freezers and feed their families. The potential opportunity to harvest 21 more moose is significant for those resident hunters and their families.

If the Board believes resident moose hunter needs are not being met in Unit 13, and can't sustainably provide more resident opportunity, the Board should first restrict the nonresident component, no matter that group's harvest percentage.

If the Board decides to do away with the CHS moose hunt, or alter resident opportunity to where it is lessened from where it is now, the nonresident component should first be restricted, no matter that group's harvest percentage.

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Thank you for the opportunity to comment.

Resident Hunters of Alaska – [info@residenthuntersofalaska.org](mailto:info@residenthuntersofalaska.org)

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**General comments:**

I believe that Ms. Linnell should recuse herself from voting on all proposals at this meeting. The meeting was specifically called by Ahtna to address the needs of its members (to the detriment of other Alaskans). As a board member of AHTNA, Incorporated, she has a clear conflict of interest. If Ms. Linnell does not recuse herself, I respectfully request that Chairman Spraker forces Ms. Linnell to comply with the Alaska Executive Branch Ethics Act (Alaska Statute 39.52) and disclose sufficient information on the record of her interest as a member of the Ahtna board, and those of her immediate family; I believe that Ms. Linnell's disclosure of conflict of interest would force speaker Spraker to determine that a conflict of interest exists.

I believe that the board should make no changes to the structure of moose and caribou hunting in Unit 13 prior to the start of the 2017/2018 hunting season. Thousands of Alaskans have already applied for, and received hunting permits for the region. Those Alaskans decided which permits to apply for based on the rules established prior to the drawing permit period closing on December 15, 2016. Permits have been issued. Hunt plans have been made. It is not right for the board to change the rules to the benefit of some user groups and not all at this point.

I support the elimination of both the community subsistence moose and community subsistence caribou hunts. As stated by the Anchorage, Matanuska-Susitna, and Denali Advisory Committees, ample opportunity for households to access the moose and caribou of unit 13 exists through state hunting seasons (harvest ticket moose, draw permit moose, Tier 1 caribou, and drawing caribou) and even more liberal federal hunting seasons.

**Proposal #1: Modify the amount reasonably necessary for subsistence for moose.**

I am opposed to all three stipulations in this proposal. Requesting that the board grant exclusive ability to eight rural communities to be considered "communities" for the purpose of harvesting 100 bull moose that do not meet antler size restrictions is unfair and illegal rural preference.

I am opposed to adopting stipulation number two increasing the ANS for the CSH to reflect the total number of households authorized to participate in the moose hunt. I believe that doing so would result in a much higher ANS finding and would place undo burden on the moose population in the area.

I am opposed to adopting stipulation number three because it again seeks to grant unfair and illegal rural preference.

I believe that Ms. Linnell should recuse herself from voting on this proposal. As a board member of AHTNA, Incorporated, she has a clear conflict of interest due to this proposal being submitted by Ahtna Tene Nene' to promote the interests of AHTNA share holder.

I believe that this proposal seeks to unfairly increase hunting opportunity for rural communities at the expense of urban Alaskans. Residents of the 8 communities identified in this proposal already have access to liberalized hunting seasons for moose and caribou through federal subsistence hunting programs and many also have exclusive access to hunt on 1.7 million acres of AHTNA land.

**Proposal #2: Eliminate the community subsistence harvest hunts.**



I support this proposal. I agree with point #1 that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

If the board were to cancel this hunt effective January 1, 2017, I believe that the should issue household registered in the community caribou hunt a Tier 1 caribou tag to make up for the lost hunting opportunity.

**Proposal #3: Eliminate the community subsistence harvest hunts (moose).**

I support this proposal. The Anchorage Fish and Game Advisory Committee clearly points out why a community subsistence hunt is unnecessary for the area. Their suggestion that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

**Proposal #4: Eliminate the community subsistence harvest hunts (moose and caribou).**

I support this proposal. I agree with point #1 that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

If the board were to cancel this hunt effective January 1, 2017, I believe that the should issue household registered in the community caribou hunt a Tier 1 caribou tag to make up for the lost hunting opportunity.

**Proposal #5: Eliminate the community subsistence hunts (moose and caribou).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

If the board were to cancel this hunt effective January 1, 2017, I believe that the should issue household registered in the community caribou hunt a Tier 1 caribou tag to make up for the lost hunting opportunity.

**Proposal #6: Eliminate the community subsistence hunts (moose and caribou).**

I conditionally support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.



If the board were to cancel this hunt effective January 1, 2017, I believe that the should issue household registered in the community caribou hunt a Tier 1 caribou tag to make up for the lost hunting opportunity.

I do not agree with the portion of the proposal that states “go back to regular subsistence hunt tags” as it is unclear as to the author’s intent.

**Proposal #7: Eliminate the community subsistence hunts (moose and caribou).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

If the board were to cancel this hunt effective January 1, 2017, I believe that the should issue household registered in the community caribou hunt a Tier 1 caribou tag to make up for the lost hunting opportunity.

**Proposal #8: Eliminate the community subsistence hunts (moose).**

I support this proposal. It provides for equitable opportunity to hunt moose in the area for all Alaskans without establishing rural preference.

**Proposal #9: Eliminate the community subsistence hunts (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

**Proposal #10: Eliminate the community subsistence hunts (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

I do not agree with the author’s stated intent of the proposal to reduce competition for local hunters. Competition between rural and urban user groups should not be a concern as local user groups already have access to more liberal hunting seasons and bag limits through federal hunting seasons and exclusive access to 1.7 million acres of AHTNA land.

**Proposal #11: Eliminate the community subsistence hunt (moose).**





I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

**Proposal #12: Eliminate the community subsistence hunt (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

**Proposal #13: Eliminate the community subsistence hunt (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

**Proposal #14: Eliminate the community subsistence hunt and December registration moose hunt (moose).**

I support this proposal as the preferred option for addressing the community moose hunt in Unit 13. The Matanuska-Susitna Fish and Game Advisory Committee clearly addresses why special hunting opportunities such as the community hunt program are not necessary to meet the subsistence needs of federally qualified users in the area. The proposal also identifies why the board should reject the option of transitioning to a Tier II hunt.

**Proposal #15 Eliminate the community subsistence hunt (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

I also agree with the author's contention that "subsistence" hunting for communities in the region is not an urgent need. Glennallen is 179 miles (3 hours) from Anchorage. My home in Anchor Point is 207 miles (4 hours). People in this region may prefer to follow subsistence practices, but their location does not demand that they do. I would also prefer to hunt caribou and moose to meet my food needs for the year, but realize that I have ready access to commercial options if I am unsuccessful.

**Proposal #16: Eliminate the community subsistence hunt (moose).**



I support the proposal to eliminate the community subsistence hunt but do not support this proposal because it contradicts itself by eliminating the hunt entirely and then still listing hunt conditions.

**Proposal #17: Change the season dates for the community subsistence hunt (moose).**

I conditionally support this proposal. I believe that the community subsistence hunt should be cancelled entirely. However, if the board believes that the community subsistence hunt is necessary I support changing the dates to the November dates proposed for two reasons. First, it affords hunters with a regular harvest ticket a chance to harvest a bull meeting antler restrictions without community hunters (who have more liberal opportunities to harvest a bull moose) harvesting it first before the general season opens. Second, it makes enforcement of antler restrictions easier for state troopers during the general moose season.

**Proposal #18: Eliminate the community subsistence hunt or change the season dates (moose).**

I support this proposal. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

I conditionally support this proposal. I believe that the community subsistence hunt should be cancelled entirely. However, if the board believes that the community subsistence hunt is necessary I support changing the dates to the November dates proposed for two reasons. First, it affords hunters with a regular harvest ticket a chance to harvest a bull meeting antler restrictions without community hunters (who have more liberal opportunities to harvest a bull moose) harvesting it first before the general season opens. Second, it makes enforcement of antler restrictions easier for state troopers during the general moose season.

**Proposal #19: Modify the community subsistence hunt (moose)**

I oppose this proposal. I believe that the community moose hunt should be cancelled for the following reasons:

I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

The Anchorage Fish and Game Advisory Committee and Matanuska-Susitna Advisory Committee clearly point out why a community subsistence hunt is unnecessary for the area. Their suggestions that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

**Proposal #20: Replace the community subsistence harvest hunt for moose with a Tier II moose season.**



I oppose this proposal. The Anchorage and Matanuska-Susitna Advisory Committees both clearly explain why additional state subsistence opportunity is not necessary for residents of the communities in this area. Residents in these communities already have access to liberalized hunting seasons and bag limits through federal subsistence hunting programs and exclusive access to 1.7 million acres of land. Furthermore, a Tier II hunt costs extra money to administer because of the extensive review of applications would be required.

**Proposal #21: Replace the community subsistence harvest hunt for moose with a Tier II moose season.**

I oppose this proposal. The Anchorage and Matanuska-Susitna Advisory Committees both clearly explain why additional state subsistence opportunity is not necessary for residents of the communities in this area. Residents in these communities already have access to liberalized hunting seasons and bag limits through federal subsistence hunting programs and exclusive access to 1.7 million acres of land. Furthermore, a Tier II hunt costs extra money to administer because of the extensive review of applications would be required.

**Proposal #22: Eliminate the community subsistence hunt and adopt a resident “any bull” registration hunt”**

I oppose this proposal. If the board were to adopt this proposal, I believe that it would result in a wild-west mentality amongst hunters rushing to kill an “any bull” moose before the season was closed by emergency order. I already witness unsafe hunting practices including shooting over the head of other hunters during the moose and caribou season in unit 13, and I don’t believe that encouraging hunters to race to fill and any bull tag before the closure of the season would be safe. I also believe that implementing a registration season such as this would result in excessively difficult management concerns for the department of fish and game. Consider the current 40-mile caribou registration hunt in the road-accessible zones; it is nearly impossible for hunters to know how long the season will be open and fish and game struggles greatly to control take to stay within harvest goals when animals are readily available.

**Proposal #23: Eliminate the community subsistence hunt (moose).**

I agree with this proposal.

I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

The Anchorage Fish and Game Advisory Committee and Matanuska-Susitna Advisory Committee clearly point out why a community subsistence hunt is unnecessary for the area. Their suggestions that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

**Proposal #24: Clarify the communities eligible for the “100 any bull” quota and extend the season as follows. (moose)**



I am opposed to this proposal.

I believe that Karen Linnell should recuse herself from voting on this proposal as it was submitted by Ahtna Tene Nene' and represents a conflict of interest due to her position on the Ahtna, Incorporated board.

I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

The Anchorage Fish and Game Advisory Committee and Matanuska-Susitna Advisory Committee clearly point out why a community subsistence hunt is unnecessary for the area. Their suggestions that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

Identifying eight specific communities with subsistence needs is clearly rural preference, and many of these communities are not that rural. All are connected to the road system, and Glennallen is only 179 miles from Anchorage. Furthermore, all eight communities already have liberalized hunting seasons and bag limits under federal subsistence programs, so no additional preference is needed.

**Proposal #25: Eliminate the community subsistence harvest hunt for moose or restrict the hunt area.**

I will break this proposal into its three components.

Component 1: The Unit 13 community subsistence hunt should be closed. I agree with this component.

I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

The Anchorage Fish and Game Advisory Committee and Matanuska-Susitna Advisory Committee clearly point out why a community subsistence hunt is unnecessary for the area. Their suggestions that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

Component 2: Make hunters that choose between the community hunt and the general harvest ticket hunt. I oppose this component. Enacting this component does nothing to reduce enforcement difficulty of having too many different regulations in place during the hunting season.

Component 3: Restrict participation in the community hunt to occur within 50 miles of the community. I oppose this component. Alaskan wildlife is held in durable public trust for the benefit of all Alaskans. Restricting hunting opportunity due to place of residence unfairly benefits certain rural communities at the expense of the majority of Alaskans. This would be no different than the state only allowing



individuals to drive on public roads within 50 miles of their residence or to fish and berry pick only within 50 miles of a person's residence.

**Proposal #26: Change the antler restrictions for the general seasons moose hunt.**

I support this proposal. I have personally passed on moose that were probably legal but know many people who have shot sub legal moose. Fortunately, the individuals that I know that have shot sub-legal moose have self-reported and the meat was salvaged. In an area as remote and large as unit 13 with little enforcement presence, I wonder how many sublegal moose are left to rot rather than the individual risking a fine.

**Proposal #27: Change the antler restrictions for the general season moose hunt.**

I support this proposal. If there is currently a harvestable surplus of moose in unit 13, expanded opportunity will all that surplus to be harvested by all Alaskans. Using liberalized brow tine restrictions instead of liberalized antler width restrictions will make it easier for Alaskans to judge a legal moose.

**Proposal #28: Change the antler restrictions for the general seasons moose hunt.**

I oppose this proposal. Moose hunting with size restrictions makes little sense whether the antler restriction is 36 or 50 inches. There will always be hunters who inaccurately judge the width of moose antlers prior to harvesting the animal. Once the mistake is made, it is too late for the moose.

**Proposal #29: Close the nonresident moose season in Unit 13.**

I support this proposal. If communities are not able to meet their ANS needs, opportunity for non-residents needs to be eliminated. If the non-resident hunts were eliminated that would increase the number of moose available to residents to meet their ANS needs.

**Proposal #30: Eliminate the community subsistence hunt (caribou).**

I conditional support this proposal. Every household that applies for a Tier 1 permit is granted a Tier 1 hunting permit. Tier 1 permits may be proxy-hunted for elder members of the community and youth may participate as well, so the opportunity for inter-generational hunting experiences exists. If the board were to eliminate the community caribou subsistence hunt effective prior to the fall 2017 caribou season, all households registered for the community subsistence hunt should receive a Tier 1 caribou permit to make-up for lost opportunity and allow participation in the hunt.

**Proposal #31: Eliminate the community subsistence hunt (caribou).**

I conditional support this proposal. Every household that applies for a Tier 1 permit is granted a Tier 1 hunting permit. Tier 1 permits may be proxy-hunted for elder members of the community and youth may participate as well, so the opportunity for inter-generational hunting experiences exists. If the board were to eliminate the community caribou subsistence hunt effective prior to the fall 2017 caribou season, all households registered for the community subsistence hunt should receive a Tier 1 caribou permit to make-up for lost opportunity and allow participation in the hunt.

**Proposal #32: Change eligibility criteria for Tier 1 Caribou and moose hunts.**



I believe that Karen Linnell should recuse herself from voting on this proposal as it was submitted by Ahtna Tene Nene' and represents a conflict of interest due to her position on the Ahtna, Incorporated board.

I oppose this proposal. Requiring applicants for a Tier 1 caribou permit to complete an application showing reliance on unit 13 for a wide diversity of fish and game resources that provides substantial economic, cultural, social, and nutritional elements of the household's subsistence way of life is burdensome and unnecessary. ADF&G will require additional staff to review this applications. Furthermore, Ahtna Tene Nene' states that the purpose of this proposal is to increase subsistence caribou hunting opportunity. Currently, the quota for the 2016/2017 caribou hunt has not been met. This seems that there is still remaining opportunity for subsistence harvest that is being under-utilized. Additional restrictions to increase subsistence opportunity are not necessary when current subsistence opportunity is under-utilized.

**Proposal #33: Change all caribou hunts in unit 13 into a weekly registration hunt.**

I oppose this proposal. The Nelchina caribou herd has migrated completely out of the hunt area frequently in recent years, making them inaccessible for the winter hunts starting on October 21. If this regulation were adopted, hunting opportunity could be lost, herd management could be more difficult to achieve, and harvestable surplus could go un-utilized.

**Proposal #34: Eliminate community harvest hunt (caribou), increase Tier 1 tags, shorten draw hunt season.**

I will break this proposal into three components.

Component 1: Eliminate the community subsistence hunt for caribou. I conditional support this proposal. Every household that applies for a Tier 1 permit is granted a Tier 1 hunting permit. Tier 1 permits may be proxy-hunted for elder members of the community and youth may participate as well, so the opportunity for inter-generational hunting experiences exists. If the board were to eliminate the community caribou subsistence hunt effective prior to the fall 2017 caribou season, all households registered for the community subsistence hunt should receive a Tier 1 caribou permit to make-up for lost opportunity and allow participation in the hunt.

Component 2: Issue all Tier 1 households two caribou permits when the herd population is high. I conditionally support this component. The department has struggled to meet its harvest quota for the Nelchina caribou herd in recent years, and when there is un-utilized harvestable surplus, it makes sense to increase hunting opportunity. I do not support increasing the household limit until after the 2017/2018 hunting season. People applied for the tier 1 and draw tags for the 2017/2018 hunting season knowing that the rules limited their harvest to one caribou per household. Changing those rules now unfairly hurts people who applied for draw hunts.

Component 3: Shorten the draw hunt season. I oppose this component. The Nelchina caribou herd has migrated completely out of the hunt area frequently in recent years, making them inaccessible for the winter hunts starting on October 21. If this regulation were adopted, hunting opportunity could be lost, herd management could be more difficult to achieve, and harvestable surplus could go un-utilized.



**Proposal #35: Eliminate the community subsistence moose hunt and remove requirement for Tier 1 caribou hunters to hunt moose in unit 13.**

I support the elimination of the community subsistence moose hunt. I agree with point #1 made by the Copper Basin Fish and Game Advisory Committee that enforcement of wildlife rules and regulations is made more difficult by having so many different rules in place for one hunting area.

I also agree that increased hunting pressure in the area is detrimental to the condition of areas near the highway and have seen increased pressure on fishing and ptarmigan during hunting season.

The Anchorage Fish and Game Advisory Committee and Matanuska-Susitna Advisory Committee clearly point out why a community subsistence hunt is unnecessary for the area. Their suggestions that the any bull surplus go to the draw system for all Alaskans is the most equitable way to approach any surplus bull moose.

I conditional support the removal of the requirement for Tier 1 caribou hunters to hunt moose in unit 13, as long it takes effect after the 2017/2018 hunting season. I applied for a drawing caribou permit because I was cognizant of the amount of time I would have available to hunt moose in unit 13 during the 2017/2018 hunting season, and felt that my best opportunity to harvest a moose was to have hunting opportunities outside the unit. If the regulations would have allowed me to choose a Tier 1 permit without hunting moose in unit 13, I would have done that. Doing so would have saved me money on my draw hunt application and would have increased my household's hunting opportunity as either my wife or myself could have harvested a caribou in unit 13 instead of being limited to a single, non-transferrable caribou tag.

**Proposal #36: Increase the community caribou harvest bag limit and clarify the communities eligible for receiving the 300 caribou.**

I believe that Karen Linnell should recuse herself from voting on this proposal as it was submitted by Ahtna Tene Nene' and represents a conflict of interest due to her position on the Ahtna, Incorporated board.

I break this proposal into three components.

Component 1: Increase the community caribou harvest bag limit. I conditionally support this proposal. I support that two caribou per household is a more reasonable number of caribou for subsistence use than one. I believe that this change should take effect after the 2017/2018 hunting season. People have already chosen which hunt best suits their needs for 2017/2018 under existing rules. Changing permit conditions and bag limits to result in increased opportunity for some user groups, not all is unfair.

Component 2: Clarify the communities eligible to receive 300 community harvest caribou. I oppose this component. The eight communities represented by Ahtna Tene Nene' in this proposal already have federal subsistence hunting opportunities. The state granting them exclusive hunting opportunities represents an illegal and unfair rural preference.

Component 3: Extend the fall hunting season by 10 days. I conditionally support this component. I believe that additional hunting opportunity should be afforded in years when there is a harvestable surplus; I believe that this 10 day extension season should only be for cow caribou to ensure that



caribou harvested are not rutting bulls. Harvesting bulls after September 20 presents too much risk for inedible meat.

**Proposal 37: Lengthen caribou season, increase winter bag limit, establish a youth hunting season.**

I conditionally support all three of these proposals, as long as they are adopted after the 2017/2018 hunting season. I agree with the author's contention that unsafe hunting conditions frequently occur along the Denali Highway. I have frequently witnessed hunters shooting over other hunters towards distant caribou. Spreading out hunter competition by lengthening the season would help with this. I also agree with increasing hunter participation through youth hunts.

**Proposal 38: Eliminate the caribou drawing tag, and the requirement for Tier 1 hunters to hunt moose in unit 13.**

I conditionally support this proposal, as long as they are adopted after the 2017/2018 hunting season. I believe doing so would reduce pressure on moose in unit 13. I believe that this would allow equal opportunity for all Alaskans to access the Nelchina herd. I believe that changing the hunt conditions now would be an unfair advantage to hunters who chose the Tier 1 caribou tag for the 2017/2018 season. I applied for a drawing caribou permit because I was cognizant of the amount of time I would have available to hunt moose in unit 13 during the 2017/2018 hunting season, and felt that my best opportunity to harvest a moose was to have hunting opportunities outside the unit. If the regulations would have allowed me to choose a Tier 1 permit without hunting moose in unit 13, I would have done that. Doing so would have saved me money on my draw hunt application and would have increased my household's hunting opportunity as either my wife or myself could have harvested a caribou in unit 13 instead of being limited to a single, non-transferrable caribou tag.

**Proposal 39: Remove the requirement that Unit 13 Tier 1 caribou hunters shall hunt moose in unit 13.**

I conditionally support this proposal, as long as it is adopted after the 2017/2018 hunting season. I believe doing so would reduce pressure on moose in unit 13. I believe that this would allow equal opportunity for all Alaskans to access the Nelchina herd. I believe that changing the hunt conditions now would be an unfair advantage to hunters who chose the Tier 1 caribou tag for the 2017/2018 season. I applied for a drawing caribou permit because I was cognizant of the amount of time I would have available to hunt moose in unit 13 during the 2017/2018 hunting season, and felt that my best opportunity to harvest a moose was to have hunting opportunities outside the unit. If the regulations would have allowed me to choose a Tier 1 permit without hunting moose in unit 13, I would have done that. Doing so would have saved me money on my draw hunt application and would have increased my household's hunting opportunity as either my wife or myself could have harvested a caribou in unit 13 instead of being limited to a single, non-transferrable caribou tag.

**Proposal 40: Remove the requirement that unit 13 Tier 1 caribou hunters shall hunt moose in Unit 13.**

This proposal has three components.

Component 1: Remove the requirement that Unit 13 Tier 1 caribou hunters shall hunt moose in Unit 13. I conditionally support this proposal, as long as it is adopted after the 2017/2018 hunting season. I believe doing so would reduce pressure on moose in unit 13. I believe that this would allow equal opportunity for all Alaskans to access the Nelchina herd. I believe that changing the hunt conditions now would be





an unfair advantage to hunters who chose the Tier 1 caribou tag for the 2017/2018 season. I applied for a drawing caribou permit because I was cognizant of the amount of time I would have available to hunt moose in unit 13 during the 2017/2018 hunting season, and felt that my best opportunity to harvest a moose was to have hunting opportunities outside the unit. If the regulations would have allowed me to choose a Tier 1 permit without hunting moose in unit 13, I would have done that. Doing so would have saved me money on my draw hunt application and would have increased my household's hunting opportunity as either my wife or myself could have harvested a caribou in unit 13 instead of being limited to a single, non-transferrable caribou tag.

Component 2: Increase the bag limit to two caribou per household. I conditionally support this proposal. I support that two caribou per household is a more reasonable number of caribou for subsistence use than one. I believe that this change should take effect after the 2017/2018 hunting season. People have already chosen which hunt best suits their needs for 2017/2018 under existing rules. Changing permit conditions and bag limits to result in increased opportunity for some user groups, not all is unfair.

Component 3: Add a youth hunt the first 10 days of August. I conditionally support this component provided that it takes effect after the fall 2017/2018 hunting season. Additional opportunity for youth hunters is a positive offering to get the next generation of hunters involved in hunting in Alaska.

**Proposal 41: Shorten the season dates for the unit 13 draw hunt and remove the requirement that Tier 1 hunters hunt moose in unit 13.**

This proposal contains two components:

Component 1: Shorten the season dates for the unit 13 caribou draw hunt to two week periods. I oppose this proposal. In the two most recent years only 35% of the permits issued for unit 13 caribou were draw permits. Limiting participation in the hunt to shorter hunt windows for the draw permit will not result in significant reduction in crowding in the unit. Furthermore, in my experience, the majority of the crowding occurs within ¼ mile of roads and motorized trails. When I travelled by foot or bicycle into non-motorized areas, I rarely saw other hunters.

Component 2: Remove the requirement that Tier 1 hunters only hunt moose in Unit 13. I conditionally support this proposal, as long it is adopted after the 2017/2018 hunting season. I believe doing so would reduce pressure on moose in unit 13. I believe that this would allow equal opportunity for all Alaskans to access the Nelchina herd. I believe that changing the hunt conditions now would be an unfair advantage to hunters who chose the Tier 1 caribou tag for the 2017/2018 season. I applied for a drawing caribou permit because I was cognizant of the amount of time I would have available to hunt moose in unit 13 during the 2017/2018 hunting season, and felt that my best opportunity to harvest a moose was to have hunting opportunities outside the unit. If the regulations would have allowed me to choose a Tier 1 permit without hunting moose in unit 13, I would have done that. Doing so would have saved me money on my draw hunt application and would have increased my household's hunting opportunity as either my wife or myself could have harvested a caribou in unit 13 instead of being limited to a single, non-transferrable caribou tag.

**Proposal 42: Close the DC485 permit after September 20.**



I oppose this proposal. Unit 13 is huge and there is ample room for hunters to spread out, provided they are willing to walk a reasonable distance from their motorized vehicle.

**Proposal 44: Modify the permit conditions for the community subsistence harvest hunt permit conditions for the Copper Basin Community Subsistence Hunt.**

I believe that Karen Linnell should recuse herself from voting on this proposal as it was submitted by Ahtna Tene Nene' and represents a conflict of interest due to her position on the Ahtna, Incorporated board.

I oppose this proposal. Ahtna Tene Nene' states that their intention with this proposal is to amend the rules to follow the "board's intent when originally establishing the CSH for the eight communities listed in 5 AAC 92.074(d)." The intention of the community subsistence harvest hunt may have to provide the eight communities additional harvest opportunity, but it was not to provide them with exclusive additional harvest opportunity. The current community harvest and Tier 1 hunt structure recognizes that the pattern for community harvest is not limited to the geographic community concept supported by Ahtna. The board of game recognizes there are two basic patterns of subsistence use of game in unit 13: *1) a pattern for individuals, families, and other social groups (both within and outside the local area; 2011-184-BOG); and 2.) "the community-based pattern established by the Ahtna" (2006-170-BOG). The board recognized that the community-based pattern has been "adopted and modified by other local settlers and, to a more limited degree, by other Alaska residents."*

If the board were to adopt this proposal it would be choosing to only recognize the geographic definition of community supported by Ahtna. Other Alaskan residents should have the opportunity to access the animals in Unit 13 for the purpose of subsistence activities so that they may also adopt the community-based subsistence pattern.



Submitted By  
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3/1/2017 7:41:47 PM  
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**Proposal 21-5AAC-85.045 Need to eliminate the community subsistence harvest moose hunts. They get to start twenty days before the regular season.If you keep the community hunts then they should start same day a regular hunts.I've seen to many abuses of the community hunts and there is not enough enforcement in Units 11,12 and 13.**



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Proposal34-5AAC 85.025 I agree with James Holmes on this proposal. Need to eliminate the community subsistence harvest hunt for caribou. Ever since Tier I caribou permits , community hunts and draw permits started, theres way to much hunting presure at the same. I've hunted Unit 13 since 1955 with my dad and its no longer fun hunting caribou in Unit 13. Way to many hunters at one time. Thers not enough enforcement of the hunting laws.



Submitted By  
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1/20/2017 6:37:34 PM  
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Proposal #1 - oppose. The Ahtna community has ample opportunity to harvest moose with the regular hunting season, the federal subsistence hunts and the vast private lands to which they have access. The community moose harvest should be discontinued.

Proposal #2 - support. The community harvest hunts for moose and caribou should be eliminated. I believe the bull moose population is being decreased by too many "any bull" harvests.

Proposal #3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18 - support eliminating the community harvest hunts

Proposal #19 - oppose. the community moose hunt should be discontinued

Proposal #20 - oppose - Tier II would not be an acceptable alternative. Many people stretch the truth when applying for Tier II.

Proposal #21 oppose. Tier II would not be an acceptable alternative. A registration moose hunt would not be an acceptable alternative.

Proposal #22 oppose. A registration hunt would not be an acceptable alternative. It would result in mass crowding of the hunting area on the opening day.

Proposal #23 support - eliminate the community harvest hunts and use the usual hunting seasons and antler restrictions. This provides ample opportunity for all hunters to harvest an animal.\

Proposal #24 -oppose, The community moose harvest should be eliminated,

Proposal #25 - oppose - the community moose harvest should be eliminated. Changing the the size restrictions in the community moose harvest is not a viable alternative. The subsistence hunt is not about being "more sporting" it is about putting meat on the table

Proposal #26 - oppose. It puts more restrictions on the size of a legal moose. Many moose are over 50 inches wide but do not have 4 brow tines. If anything make it a certain number of points on one antler to be a legal bull instead of the width in inches.

Proposal #27 - support - I support decreasing the number of brow tines from 4 to 3. This would increase the number of bull moose available for harvest.

Proposal #28 - oppose. It is hard to estimate a 36 inch moose. I believe that many illegal bulls would be shot with 36 inch restriction.

Proposal #29 - support. The nonresident hunts should be eliminated. If there is not enough moose available to meet the needs of Alaskans, then the nonresidents should be eliminated to help meet those needs.

Proposal #30 support - the Community caribou hunt should be eliminated. There is ample opportunity under the Federal subsistence hunts to harvest caribou for residents of that area.

Proposal #31 - support. The Community caribou hunt should be eliminated.

Proposal #32 - oppose. The paperwork would become extremely burdensome and I believe that trying to place the area restrictions on the hunters would violate the state constitution.

Proposal #33 - oppose. just eliminate the community harvest hunt and continue with the Tier I

Proposal #34 - support - eliminate the the community harvest hunt and continue with the Tier I - when the population is high - give two permits per household. This should help decrease the over population,

Proposal #35 - support - eliminate the community harvest hunt and eliminate the requirement for Tier I caribou hunters to also hunt moose in unit 13. Many of these hunters would go elsewhere to hunt moose which decrease the pressure on the moose population.

Proposal #36 - oppose - the community harvest hunt should be eliminated. There is ample opportunity under the Federal subsistence hunts to harvest caribou

Proposal #37 - oppose - we do not need to create another special hunt There is ample opportunity for parents to take their children



hunting under the current hunting seasons.

Proposal #38 - oppose there are other proposals that offer better solutions than this one.

Proposal #39 and 40 - support - eliminate the requirement to hunt moose in unit 13 if you have a Tier I permit - this would shift some hunting pressure for moose away from unit 13

Proposal 41 and 42 - oppose and replace with more no off road vehicle areas. This would eliminate a lot of the over crowding of hunters. It would allow hunters who don't mind walking to have a more enjoyable hunt. I am 64 years old and still hike off the road to hunt.

Proposal #43 - oppose - we do not need to create more special hunts. There is ample opportunity to hunt moose in these areas under the current general season.

Thank you for this opportunity to comment on these proposals.



ADF&G  
Attn: Boards Support Section  
P.O. Box 115526

**RECEIVED****FEB 14 2017****BOARDS  
ANCHORAGE**

From: Brian West  
1000 Oceanview Drive  
Anchorage, Alaska 99515

Subject: Special Meeting on Copper Basin Area Moose and Caribou Hunting in Units 11,12 and 13.

Comments:

Proposal 1. Oppose. Ahtna wants several things in this proposal; first they want CSH entities to be placed in regulation, then they want only 8 towns of their choosing to be the designated CSH communities and they want only members of the CSH communities to be able to hunt in the CSH area. There are many reasons to oppose this proposal. First they assume that the human populations in these areas will remain constant over time, and to put the CSH communities in regulation ignores this. Second it assumes that only a few communities, all of which are on the road system, are eligible for subsistence. This infringes on the rights of all Alaskans to pursue a subsistence tradition. Third, Ahtna would have only their 8 towns enshrined in regulation. This would be unconstitutional and is why we now have 25 person communities. The proposal also states that only members of the CSH communities proposed by Ahtna would be allowed to hunt in the CSH area. This too is unconstitutional. As a state resident I am eligible to hunt on state land.

The Board need to remember that the mess which is moose and caribou hunting in these units was caused by the greed of the Ahtna tribe. Since inception of the permit system for hunting caribou in these units Ahtna has pressured the Board, successfully, to change the hunt type and the various scoring systems to put permits in the hands of their members. Now they are trying the same approach with moose hunting. Ahtna has no more right to hunting in these areas than any other resident. It should also be remembered that Unit 13 has traditionally been used to meet the subsistence needs of Anchorage residents.

Proposals 2 through 13. Support. These proposals are all practically the same. I did not support the original CSH designation. Many of the problems with this were predicted and have come to pass. The CSH concept is inappropriate and will decimate the moose herd. As predicted, it did not take people long to figure out the advantage of forming a CSH community. The department of Fish and Game will not always be able to close the season for "any bull" quickly enough to prevent the eventual over harvest. The CSH designation was just one in a long string of attempts by Ahtna to give their members an advantage over all others.

I have contended for years that the most effect way to manage this hunt for caribou and even moose is to eliminate the use of off road motorized vehicles. Do this for the fall hunt, if quotas are not reached then open the winter season by registration permit and allow the use of off road vehicles. The registration hunt should be open to all hunters even those that were successful in the fall hunt. Make the permits available in person in Glennallen and Anchorage. This would put more caribou into the hands of rural residents, but most importantly, no one would be discriminated against. I have always hunted Unit 13 caribou and moose on foot and have always been successful. People truly dependent on the game will find a way to be successful. Those who can't manage the hunt on foot can wait for the winter hunt. It is highly likely that mostly rural residents would participate in the winter hunt.



The same approach could work for moose. The fall hunt could be any moose and the winter hunt could have antler restrictions. Few moose would be taken in the fall. The winter hunt would mostly consist of rural participants.

Proposal 14. Support. However, I believe that proposal 43 with amendments would be better. My comments on Proposal 43 are listed later.

Proposal 15. Support as amended. Deleted the following part of the first sentence "... or change season dates and eliminate any bull tags as follows:"

Proposal 16. Support. Eliminate the CSH hunt.

Proposal 17. Oppose. Eliminate the CSH hunt

Proposal 18. Support. I support the elimination of this ill conceived hunt.

Proposal 19. Oppose. Eliminate the hunt do not try and amend it. It is not fixable.

Proposals 20 & 21. Oppose. Any Tier II type hunt would need to be open to all residents, not just local community residents. This area is on the road system and all residents on that system should be eligible. Any Tier II question/scoring system should have only two questions; how long have you hunted and what is your income? The Alaska court said that eligibility could not be denied because of income but said income could be part of a scoring system.

Proposal 22. Oppose. Opening day would be a nightmare with everyone wanting to get their "any bull" before the season is closed by emergency order. This would lead to over harvest which would be good for no one.

Proposal 23. Support. I support the elimination of the CSH whether it be for caribou or moose.

Proposal 24. Oppose. Once again Ahtna is trying to guarantee their members get permits. They care not for their fellow Alaskans who also rely on this resource. It was Ahtna who pushed for the CSH designation in the first place and now it is not working as THEY intended. The Court was right in saying that all must be treated equally.

Proposal 25. Oppose. Eliminate the hunt. What is magic about 50 miles other than the proposer probably lives within this. This ignores that there are subsistence users in Anchorage and that their best opportunity for big game is in Unit 13.

Proposal 26. Oppose. Current regulation includes 50 inches or 4 brow tines, this proposal does nothing except eliminate what otherwise would be a legal bull (those 50 inches or greater). A moose could be 50 inches but not have four brow tines.

Proposal 27. Support.

Proposal 28 Oppose. No matter what antler size is selected people will have difficulty determining size. The 50 inch antler restriction seems to have been an effective management tool over the years.

Proposals 30 & 31 Support.





Proposal 32. Oppose. This would be nothing more than a writing exercise. Who would review the letters and what would be the appeal process? I am sure Ahtna would have a form letter for use by their members, would such a thing be allowed? It must be remembered that the Tier I system was instituted by pressure from Ahtna. Now it is not working as they intended. It was predicted that the number of people applying for the Tier I permits would increase. The best way to manage this hunt is to eliminate the use of off road motorized vehicles. Lots of permits, probably double the amount currently provided, could be given out.

Proposal 33. Oppose. The one week periods and on line requirements do not allow reasonable opportunities for subsistence users. Not all have computers or can afford them. Also, deciding when to hunt is more a matter of weather and temperature than a day on a calendar.

Proposal 34. Support.

Proposal 35. Support. The caribou-moose link was intended to limit the number of people applying for caribou permits it did not work. It has also increased the pressure on moose in the Unit. The only effective way to limit the number of people applying for permits is to restrict the use of off road motorized vehicles.

Proposal 36. Oppose. There can be no native preference. The CSH system is open to all as determined by the court. This proposal states that only specific towns qualify for a CSH community designation. This is contrary to the Courts decision. Furthermore, 2 caribou per household would lead to over harvest by the CSH communities as the number of households exceeds 150.

Proposal 37. Oppose. There is no need for a special youth hunt. The season opens August 10 several weeks before school opens. There is also too much demand from other groups especially subsistence users to create another special user group. This will also do nothing to alleviate the overcrowding she believes is occurring.

Proposal 38 &39. Support.

Proposal 43. Support with amendments. Eliminate requirement to apply on-line and replace with in person registration at Fish and Game offices.



This proposal supplement was issued late by the Fish & Game, not being received until Feb 25<sup>th</sup>. I am sending the only route available, U.S. mail. I would have brought them to the local board support individual in Anchorage but she is out at a board of fish meeting. Other staff did not want to handle it.

I expect my comments to be included.

Sincerely  
Brian West





To: ADF & G

Page 1 of 3

Attn: Boards Support Section

P.O. Box 115526

From: Brian West

1000 Oceanview Dr.

Anchorage, Alaska 99515

Subject: Special Meeting on Copper Basin Moose and  
Caribou Hunting in Units 11, 12, and 13.

Comments:

Proposal 44. **OPPOSE**. The proposers issue statement shows that the purpose of this proposal is to limit the number of communities participating in the CSH program and establish a Native preference in conflict with state law.

This proposal has many problems, in the end its adoption will increase the number of CSH communities, not decrease them. It will also increase the pressure on the moose population by increasing the bag limit from one moose per three families to one moose per family.

The proposer would establish a rigorous process of approval for all who would want a CSH community designation, except for themselves.



Page 2 of 3

After going through the process a community would receive their designation. As part of their submittal each community must provide information as to the seasons and bag limits they require for subsistence. This will lead to quotas for each CSH community. Because of the large number of people hunting in Units 11, 12, and 13, and human population growth, there will be distinct advantages to being in a designated CSH community. The number of CSH communities will increase substantially. Hunters not in a CSH community will eventually be eliminated from hunting in these Units. This realization will lead to the formation of even more CSH communities.

The CSH designation should have never been authorized in hunt management Units accessed by the Alaska highway system. It should be abolished. Current hunting regulations through Tier I or general seasons are supportive of subsistence needs. No individual needs to be part of a CSH community to meet their subsistence needs. The formation of the CSH program attempted to give one group of people an advantage over all others.

This proposal provides special advantage to existing CSH designated entities. As new communities may only be formed or approved



Page 3 of 3

during regularly scheduled board meetings. Effectively, there would be no new communities for the 2017 season. What guarantee is there that the board will even take up the approvals during their meetings? Will the approvals then be subject to public comment? These approvals could easily be put off. Is that what the proposer is counting on?

This proposal provides conflicting regulations for communities, confusing 25 member communities with communities that would actually be considered towns.

Paragraph 52B of the proposal is confusing, it can be interpreted to mean that a person is limited to participating as a member of a CSH community once every three years.

The entire regulation becomes confusing with the establishment of 25 member communities. Part of the proposal states that non subscribing members are not limited to participating in the CSH. However, the individuals must sign up to form the community. Distinction needs to be provided for communities which are in fact towns, and communities which are groups of people formed to establish a CSH community of 25 members.

What does the proposer mean by a "wide diversity of subsistence ~~resources~~ resources."?

The most reasonable action for the board to take is to eliminate the CSH designation for anyplace accessible by the Alaska highway system.



## Wrangell-St. Elias National Park Subsistence Resource Commission

P.O. Box 439  
Mile 106.8 Richardson Hwy.  
Copper Center, AK 99573

March 3, 2017

Ted Spraker, Chair  
Alaska Board of Game  
c/o ADF&G Boards Support  
PO Box 115526  
Juneau, AK 99811-5526

Subject: March 2017 Special Meeting on Copper Basin Area Hunting and Subsistence

Dear Mr. Spraker:

The Wrangell-St. Elias National Park Subsistence Resource Commission (SRC) met in Mentasta Lake, Alaska, on March 1 and 2, 2017. At this meeting, the SRC reviewed the proposals that will be considered at the Special Meeting on Copper Basin Area Hunting and Subsistence in March 2017 and would like to provide the following comments:

The Commission's first recommendation is to support a modified version of Proposal 20. Specifically, the modification would retain the community subsistence hunt for moose in combination with the proposed establishment of a Tier II moose season in GMU 13. The community hunt would be retained with enforcement of existing hunt conditions, except that the voluntary individual reporting would be eliminated. Those community hunt participants who receive Tier II moose permits would be eligible for an "any bull" quota of 150 moose in GMU 13 with a season of August 20 to September 20. Community hunt group members who don't qualify for Tier II permits would hunt under general seasons hunt dates and harvest limits in Unit 13. Both Tier II and the community hunt are subsistence hunts. The Commission believes that blending Tier II permits with the community hunt will result in a more workable program for local people to harvest a moose.

The Commission's second recommendation is to eliminate the requirement that people who participate in the community hunt for caribou must also hunt moose only in the community hunt area. And vice versus, people who participate in the community hunt for moose should not be required to hunt caribou only in the community hunt area. This requirement did not work as anticipated and should be eliminated.

Thank you for the opportunity to comment.

Sincerely,

Daniel E. Stevens  
Chair



Interior/Northeast Arctic Region Meeting

1 Feb. 2017

Al Barrette

380 Peger Rd.

Fairbanks, AK. 99709

907-452-6047

Personal Comments

Mr. Chairman and members of the BOG.

I respectfully submit my personal comments for your review.

**Proposal 47 DNS.** This proposal asks to change the definition of what is to edible meat from game birds. It would seem to me, if this was to be changed. Persons would not be able to use those parts that some don not like to use for human consumption, but do like to use for bait. I do not believe there is a wanton waste of game birds currently. I think current salvage requirements are acceptable with current consumptive wildlife users.

**Proposal 48 DNS.** I would not support, because adding another weapon would add more hunters. If we keep adding weapons that can be use in restricted weapons areas, I think it would be easy to rewrite the regulations to weapons not allowed. As the author also used a point of merit, that younger or older hunter would or could benefit, but it is not exclusive to those groups. Restricted weapon hunts are just as it is indicated "restricted". Restricted in the literal sense does not allow for everyone or weapon. But the board is getting closer each cycle, adding weapons to be allowed in restricted weapons hunts. It may be time to make the regulation to cite which weapons are not allowed, this would be a shorter regulation.

**Proposal 49, 50 Support.** I believe this was not the intent of the statue nor should it be. I also the think the legislature discuss this while the bill was going though hearings. To give those residents who would like to share and be with family members who are not residents and opportunity to hunt together for a species of big game in this state which is only affordable in most cases to the upper middle class and wealthy. I would hope it is not the intent of the BOG to penalize Alaskan residents for partaking in this exemption in statue, when there is not a stock of concern for that species in that area or region.

**Proposal 64 DNS.** The issue with this proposal is "sub legal ram". If it is not allowed to be harvested, it cannot be taken. Nannies are legal to take.

**Proposal 66, DNS.** I do recognize that a special archery season would have a low impact on the harvest, and would provide more opertunity. But what do we do when the muzzle loader users want the same exceptions, what about those who use pistols, what about those over the age of 62? You the BOG have a youth hunt season that starts before the "no use of aircraft" regulation, if this passed it would also be outside the use of no aircraft regulation. It also raises the question why do have a regulation restricting some with uses of aircraft and not others? Lastly, the Haul Road provides and archery only area in the



interior. The last two times the legislature tried to amend the Haul Road corridor statute, the archery community tenaciously at such amendments.

**Proposal 69, 70, 71 DNS.** Every special group by age, method, domicile or disability wants a special season, longer season, or less limits.

**Proposal 73 Support as amended.** I don't want the use of dogs to hunt coyotes when there is a trapping season. For all the obvious reason. But this proposal has merit outside the trapping season.

**Proposal 77 support** raising the brown bear bag limit to two. I do not notice a proposal to sell brown bear hides or skull. But is only mention in the issue section of the proposal. But it is interesting that Brown Bear in unit 21 E have a positive finding of C&T, yet the regulation on bartering big game with a positive C&T only applies to the meat of big game. This would be a good to address. Why only the meat of big game, and the horns/antlers, (if separated from skull) and not the hide/skull of a subsistence taken Brown Bear? 5 AAC 92.200 (b)(1)

**Proposal 82 DNS.** It would seem from my research resident just choose not to hunt in this area for several reasons. Mostly issues around access/logistics. I do not believe more residents will choose to participate, because there is fewer nonresidents having an opportunity.

**Proposal 84 support.** But it is noteworthy to point out, that recent federal action on taking of bears, wolves and caribou, that the federal wolf season starts early than the State's.

**Proposal 86 DNS.** Moving the boundary only moves the issue. You are currently not allowed to shoot on, over, or across a highway or road. Making a corridor, essentially just makes a wider highway or road. The issue will still remain. Some will still shoot on, into, or across the corridor if enacted. Also enforcement issues will remain the same.

**Proposal 90 DNS.** Consumptive users are still allowed to hunt this area. Regulations do not restrict an opportunity if you are not part of a CSH. Why make an area that is less crowded, into a crowded area? One of the main principles of the CSH is to share. I remember hearing and learning a lot about sharing harvested moose and caribou. How it helped the elders and those with disabilities, and those that could not participate. Instead of making a larger area. Why not educate users about the "proxy hunting". The legislature recognize that not everyone can participate in the subsistence or general hunting opportunities afforded to them, so they enacted AS 16.05.405. This law fits well with the intent of the proposer and a main criteria of community hunting. (Harvest for elders, persons with disabilities, and sharing) Everyone should respectfully share their successful harvest. It does not take CSH or area to teach or practice this. As the proposer suggests it is less crowded and will be adventurous to keep it this way and you can still practice traditional subsistence.

**Proposal 100 DNS.** This proposal really has nothing to do about WACH decline, or any other caribou herd in decline. I know of no research that attributes aircraft sounds to declining caribou population.

**Proposal 101 DNS.** Unit 25D has the vast majority of all rural communities with in unit 25. 25D could also be the largest subunit of unit 25. Unit 25D also has been in a Tier II status for decades for moose. Biologically it would be ill advised to take cow moose. I would still advise, not even taking bull moose for any of the community events listed but are not limit to as stated by the proposers. Because there is no harvestable surplus for anything but the most qualified subsistence user, TIER II. Furthermore I think this





would be a great time to review some of the 8 criteria for subsistence uses found in: 5 AAC 99.010(5) “persevering, and storing” so wild resources can be use in for future uses. (6) “values” which includes the value of sharing of a successful harvest and preparing for future uses, gatherings and unforeseen events. (7) “distributed, or shared, and gift giving” all are good criteria of subsistence and should be practiced at locally gatherings or whenever possible. (8) “wide diversity of fish and game resources” Moose may be preferred, but subsistence people need to use all sources of subsistence foods for (8) “cultural, and social” gathering or events. Most game in unit 25 have positive findings of C&T.(except for two areas for sheep and brown bear) I believe if you review why there is a positive C&T on game in unit 25 via 5 AAC 99.010 (1-8) the eight criteria, you may understand why it is not necessary to have a special permit for taking moose out of season, when subsistence patterns and uses already exists. The same proposers are asking for a different finding of C&T for brown bear in 25D. (Proposal 108) I would great if they can show they have used some of this brown bear meat harvest at such events listed in the proposal.

**Proposal 103 support.** This is not a new proposal. When members of the public, or AC’s have summited the same concept, past Boards voted them all down. The Department believes this would be a good tool. So why haven’t they been using it? They already have the authority per AS 16.05.370 Reports by licensees. (a) The commissioner may require a report to be made by each licensee concerning the time, manner, and place of taking fish and game, the kinds and quantity taken, and other information helpful in administering the fish and game resources of the state.

I would also review AS 16.05.330 Licenses, tags, and subsistence permits.

- (a) Except as otherwise permitted in this chapter, without having the appropriate license or tag in actual possession, a person may not engage in (1) sport fishing, including the taking of razor clams;
- (2) hunting, trapping, or fur dealing;
- (3) the farming of fish, fur, or game;
- (4) taxidermy; or
- (5) control of nuisance wild birds and nuisance wild small mammals for compensation.

I do not see anywhere in the statue chapter “except as otherwise permitted” that the BOG could exempt persons residing north of the Yukon River not to have been require to have harvest tickets/reports.

**Proposal 108 Support.** It always good to review. But not because a game population has increased, or a bag limit may or has changed. But to check 5AAC 99.010 (b) Each board will identify fish stocks or game populations, or portions of stocks or populations, that are customarily and traditionally taken or used by Alaska residents for subsistence uses by considering the following criteria: So has something changed since the last finding of negative C&T? Bag limits are not part of the 8 criteria.

**Proposal 114 Support as amended.** I would ask the closing date [MARCH 31], for hunting to be amended to **Last day of February**. I do not support starting the season early. As stated in the board meeting in Bethel last month by board members, that an earlier season for the take of wolverine could impact females that are whining their kits into July. This justified not passing the proposal. Why I would want the season to close earlier (**Last day of February**) is because this is the time pregnant females are going into denning or are already have kits in dens. If you kill one of these females it is 100% mortality on the



whole family after February. I would gather the conservation of the resource is just as important at the start of the season, as should it be at the end of the season.

**Proposal 124.** This should have already be accomplished per Statues AS 16.05. 370 Reports by licensees. (a) The commissioner may require a report to be made by each licensee concerning the time, manner, and place of taking fish and game, the kinds and quantity taken, and other information helpful in administering the fish and game resources of the state. Also As 16.05.420 License, tag, permit, and registration violations. The department has been reluctant to use their authority that has existed. What is going to change?

**Proposal 134 DNS.** Creating a new management area dose not solve this issue of trespass. In fact changes nothing. Privet property is that. Trespassing laws already exist. Non owners have to get permission to trespass on privet lands already. New amendments to trespassing statue void even having the land owner to even post privet lands. It is up to the non- land owner to get permission before enter privet lands. This not what a management area are intended for.

**Proposal 135 DNS.** Pregnant females are at least going into den sites in February and some may have already had kits. From a conservation of the resource I would not support lengthening the season any further than it already is. If you could I would support shorting the season to the **Last day of February**. At the Bethel meeting last month a couple of board members state that taking wolverine in July when females are whining pups could result in a mortally of some of those kits. Female wolverine that have kits in the den, February through March and are trapped or hunted will result in 100% mortally of those kits in the den. Incidental take is not an issue. But allowing a season for wolverine past February is.

**Proposals 141 and 142 DNS.** This request to close an area of 20C to no opportunity does not comply with Alaska subsistence law, AS 16.05.258. 20C has a healthy wolf population therefore subsistence users should not be restricted to no opportunity on their traditional trap lines on state lands, when there is no conservation concern. I believe this is pretty clear in the law. Also I believe that stating a subsistence trapper in this proposed closed area could go or move to a different part of 20C to provide opportunity. Would not be consistence with economy effort, a pattern of long use of the resource harvested in the area, and so on. It could be argued that the subsistence trappers in this area meet all of the 8 criteria found in 5 AAC 99.010. Also if the subsistence trapper had to move to a different area to be provided his opportunity, he would be competing and conflicting with subsistence users. The very first trapper's responsibility in the "code of ethics" for trappers is 1. "Respect the other trapper's "grounds".- particularly brushed, maintained, traplines with a history of use.

Viewing opportunity and economical befits to the State and Denali area. If you visit the Denali National Park web site. <https://www.nps.gov/dena/learn/management/statistics.htm> Park statistics. you will see a chart with numbers of people that visited the park from 2000 to 2016.from that chart you can see park visitations has only grown. Couple things to look at on the chart. 1. When the buffer zone was closed to the take of wolves. Park visitation only grew by about 100,000 visitors. Yet in the spring of 2010 the BOG rescinded the buffer zone and visitation grew by about 200,000 more visitors to date, or just under twice as many more visitors. Glitter Gulch the retail/hotel community just outside the park has also grown profoundly. The retail community has not been even remotely effect by the buffer area being opened. There are now stop and go lights, new foot bridges, and bike and foot paths. Capitalists have invested there money and efforts to Denali because it is profitable. If DNP supervisors and leadership had any concern of viewing opportunity for wolves. They have 6,075,030 acres (9,492 square miles) to



find an opportunity for their visitors. Thus would not have to spend time at the BOG meeting every three years trying to convince that current board why there should be a closed area on State land to subsistence users.

Lastly like a couple of other proposals I have commented on. Making a closed area just shifts the issue. Wolves (Denali wolves?) will still get harvested outside the proposed closed area. Case in point. Last spring a male wolf was freshly collared in Denali and was caught shortly after that by a subsistence trapper in the heart of Minto Flats. Wolves have territories and those territories are defined by amount of food resources they access to and size of pack to defend those territories. Not man made areas or boundaries.

**Proposal 159 DNS.** A better proposal or amendment should be considered. "If a hunter who is found guilty of harvesting an illegal moose, the offender shall attend a moose identification class by the department or an approved organization".

When the BOG changed the bag limit on the bull opportunity in 2012 and 2014. Which resulted in a higher illegal take. Did this happen in other areas of the state where the BOG enacted similar restrictions? How many of the illegal taken moose was from nonresidents? Does data show that this is something that could happen as a result of a new change in the regulation in the first few years but over time hunter educate themselves to what is legal, and thus the illegal take starts to drop? The authors suggest; "are being mistaken for 50 inch bulls by inexperienced hunters". Is this true, and what is an inexperienced hunter? If this is happening because of inexperienced hunters why should experience hunter have to take a class? I would encourage the board not to adopt this as written. The information is already available in the "handy dandy" and the department. The spike/fork, 50" 4 brow tine regulation is not new to Alaskan game regulations.



# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

IN REPLY REFER TO:  
10.D. (AKRO-NR)



DEC 21 2016

Mr. Ted Spraker, Chairman  
ATTN: Alaska Board of Game Comments  
Alaska Department of Fish and Game  
Board Support Section  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Spraker:

Thank you for the opportunity to participate in the Board of Game process. As has been mentioned in both written and in-person testimony, the vast majority of Board decisions are in alignment with National Park Service (NPS) management objectives. We appreciate your consideration on the handful of proposals that may not be consistent with NPS-related statute, regulation or policy. Following are NPS comments on proposals before the Board of Game during the February 17-25, 2017 meeting in Fairbanks that have the potential to affect National Park Service (NPS) areas in the state.

Proposal 66: NPS Recommendation: Oppose.

This proposal would open an archery-only hunting season for Dall sheep in the Interior/Northeast Arctic Region including GMUs 12, 19, 20, 21, 24, 25, 26 which includes areas of Gates of the Arctic National Park and Preserve, Denali National Park and Preserve, Lake Clark National Park and Preserve, Wrangell-St. Elias National Park and Preserve, and Yukon-Charley Rivers National Preserve. The NPS does not support extending the season in areas where harvest is not limited by quotas and sheep populations are in decline. For example, Gates of the Arctic National Preserve (GMU 26A) has a popular general hunt and extending the sheep hunting season has the potential of increasing harvest following a large decline in 2013. These proposals should be evaluated on a unit-specific basis to ensure conservation of specific populations rather than applied state-wide. Because these proposals create a potential for increased sheep harvest in a time of declining sheep populations, we ask that NPS lands be excluded if this proposal is adopted.

Proposal 67: NPS Recommendation: Oppose.

This proposal would lengthen the season for bear baiting in the Interior/Northeast Arctic Region, which includes NPS Preserve lands. NPS regulations prohibit the harvest of black and brown bears over bait.



If the Board adopts this proposal, the NPS requests that park exemptions be reflected in the Alaska Hunting Regulation booklet. This request is in the interest of hunters in the field interpreting the difference between State and Federal regulation.

Proposal 72: NPS Recommendation: Oppose.

This proposal would allow the harvest of wolf and coyote by land and shoot with a trapping license in the Interior/Northeast Arctic Region (GMUs 12, 19, 20, 21, 24, 25, 26B & C), which includes areas within Gates of the Arctic National Park and Preserve, Denali National Park and Preserve, Lake Clark National Park and Preserve, Wrangell-St. Elias National Park and Preserve, and Yukon-Charley Rivers National Preserve. Same-day airborne taking of wildlife including coyote is prohibited by NPS regulations.

If the Board adopts this proposal, the NPS requests that park exemptions be reflected in the Alaska Hunting Regulation booklet. This request is in the interest of hunters in the field interpreting the difference between State and Federal regulation.

Proposal 73: NPS Recommendation: Oppose.

This proposal would allow the use of dogs to hunt coyote in Unit 20 including portions of Denali National Preserve and Yukon-Charley Rivers National Preserve. Excepting black bears, the use of dogs to hunt big game or fur animals is currently illegal under State regulations and the NPS supports this restriction to protect wildlife populations from disease, injury, and harassment. The proposal also references the action as a means to increase small game populations for hunters and, therefore, would conflict with NPS regulations that prohibit predator reduction efforts with the intent to manipulate predator/prey dynamics.

If the Board adopts this proposal, the NPS requests that park exemptions be reflected in the Alaska Hunting Regulation booklet. This request is in the interest of hunters in the field interpreting the difference between State and Federal regulation.

Proposal 90: NPS Recommendation: Oppose.

This proposal would expand the Copper Basin community harvest hunt area by adding a part of Unit 12 including that portion within the Nabesna River drainage west of the east bank of the Nabesna River upstream from the southern boundary of the Tetlin National Wildlife Refuge. The proposed expansion area is entirely within the boundaries of Wrangell-St. Elias National Park and Preserve. The Wrangell-St. Elias National Park Subsistence Resource Commission has expressed concerns about the potential for increased hunting pressure in Wrangell-St. Elias National Preserve that could result from this expansion in an already sees high numbers of hunters and significant hunting pressure. Additionally, they feel that the community hunt is not working and have recommended discontinuing the community hunt and starting discussions with stakeholders in the Copper Basin about alternatives. We support the Commission's recommendations to oppose expansion of the hunt area until stakeholders are engaged to discuss options.



Proposal 91: NPS Recommendation: Support with modifications.

This proposal would modify the hunting season and bag limits for grouse in Unit 12, including areas within Wrangell-St. Elias National Preserve, to reduce take from fifteen per day, thirty in possession Aug 10 - Mar 31 to a daily bag limit of five grouse per day with a possession limit of ten, except two per day and possession limit of four, for ruffed grouse August 20—November 10. The NPS agrees with the proponent of this proposal that the existing the bag and possession limits are likely too high given the current hunting pressures, especially in road accessible areas. Large groups of hunters are often observed along the Nabesna Road (GMU 11 & 12) and McCarthy Road (GMU 11) who harvest their limits, resulting in significant take of grouse. The NPS supports the proposed change in harvest and possession limits for grouse; however, we recommend modifying the proposal to retain the existing season dates to maintain the opportunity to harvest grouse in the winter.

Proposal 99: NPS Recommendation: Oppose.

This proposal would shift the hunting season for wolf in Units 24 including portions of Yukon-Charley Rivers National Preserve forward by 11 days. The NPS does not support the taking of wolves during the denning season when their pelts have little trophy, economic, or subsistence value; or when harvest appears to be wanton waste. NPS regulations prohibit the taking of wolves between May 1 and August 9.

If the Board adopts this proposal, the NPS requests that park exemptions be reflected in the Alaska Hunting Regulation booklet. This request is in the interest of hunters in the field interpreting the difference between State and Federal regulation.

Proposal 109: NPS Recommendations: Oppose.

This proposal would lengthen the brown bear hunting seasons in Units 25A, 25B, 25D, 26B and 26D including areas within Gates of the Arctic National Park and Preserve and Yukon-Charley Rivers National Preserve. This proposal would open the State season 8 days prior to the Federal season, which may negatively impact federally-qualified subsistence users. This proposal is not consistent with efforts to align State and federal seasons. It would increase the complexity for Alaskans trying to abide by all applicable State and federal harvest regulations.

Proposal 114: NPS Recommendation: Oppose.

This proposal would lengthen the hunting season for wolverine in Unit 26 including portions of Gates of the Arctic National Park and Preserve. The NPS does not support the taking of furbearers when their pelts have little trophy, economic, or subsistence value; or when harvest appears to be wanton waste. Wolverine taken by sport hunters in the summer also reduces opportunity and potential economic gain by local subsistence trappers. For these reasons, we ask that the Board exclude NPS lands if this proposal is adopted.



Proposals 141 & 142: NPS Recommendation: Support.

Proposal 141 would close small portions of Unit 20 adjacent to Denali National Park and Preserve to the taking of wolves. Based on scientific research, we found that limiting harvest of wolves along the boundaries of protected areas was associated with increased wolf-sighting opportunities for visitors to these areas. This in turn could increase associated economic benefits to adjacent communities. We continue to support the protection of wolf-viewing opportunities in Denali National Park and Preserve and will attend the February meeting to testify and answer any questions.

Proposal 142 would close more of Unit 20 to the taking of wolves than would proposal 141. While the NPS proposes something more modest, the Park Service also supports proposal 142 as a strategy to increase wolf-sighting opportunities and associated economic benefits to adjacent communities.

We appreciate the Board's recognition that laws, regulation and/or policies affecting the NPS may differ from the State, and may even require different management approaches. Where that is the case, we ask that NPS areas be excluded from regulations implementing intensive management objectives in Alaska's hunting regulations. We recognize and appreciate previous Board actions where consideration has been given to exclude intensive management measures on NPS-managed lands.

Again, we appreciate the opportunity to provide you with comments on these important regulatory matters and look forward to working with you on these issues. Should you or your staff have questions or comments, please feel free to contact me at (907) 644-3505.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debora Cooper".

Debora Cooper  
Associate Regional Director



To: Alaska Board of Game  
From: Brian West  
1000 Oceanview Drive  
Anchorage, Alaska 99515

Alaska Board of Game  
2016/2017 Proposed Changes to Regulations  
Arctic/Western Alaska  
Interior/Northeast Arctic Region



Comments to Interior/Northeast Arctic Region

Proposal 49. Support. The new regulation identified specifically punishes residents. The Board has shown by passing that regulation that they are more interested in being a revenue generator for guides, many of whom are not residents, than they are in protecting the right of Alaskans as granted in our constitution. This regulation requires a resident who hunts with a non-resident family member to go on two separate hunts, one with and one without the family member, if he wants to take an animal. Who can afford that? This proposal should be adopted.

Proposal 50. Support. See comments to proposal 49.

Proposal 51. Support. Where moose and caribou populations are under stress no non-resident hunting should be allowed. Herds are to be managed for the benefit of Alaskans.

Proposal 52. Support, with changes. The cap proposed is too high, no permits should be given to non-residents. Any hunt requiring a permit means that the populations in question cannot support a general hunt. As such, since game is to be managed for Alaskans, non-residents should be given no permits. If Alaskans are being denied permits how can permits go to non-residents? Only if all Alaskans who apply for the permit receive one and there are still permits available should any go to non-residents.

Proposal 53-56. Against. These proposals could have the effect of shutting out Alaskans who do not live in a specific area.

Proposal 57. Support if amended. The cap should be zero. See comments to proposal 52.

Proposal 58. Support if amended. Again the cap should be zero. This should be simple. If permits are required only if Alaskans do not apply for a permit should any go to non-residents. Alaskan hunters must always be given priority. If guides are afraid of not making as much money they should be finding ways to make their services desirable to Alaskans instead of relying on the Board to funnel clients their way.

Proposal 60. Against. No permits for non-residents. If there is a general season then there is no need to cap non-residents.

Proposal 62. Against. See comments to proposal 60.

Proposal 64. Support if amended. The time frame should be increased to ten years and loss of trophy should be included. The penalty should be harsh enough to eliminate the so called honest mistakes.





Proposal 66. Against. There is no prohibition to using a bow during the general season. No special season is required.

Proposal 68. Support.. The majority of moose hunts in Alaska have some type of antler restriction and in these hunts taking a calf in the first year of life is unlawful. This proposal basically makes taking of calves unlawful, which is a reasonable restriction.

Proposal 69. Against. There is no reason for lengthening the season. I am against all special hunts and special seasons. At some point in the future to hunt you will need to be covered by a special season, or weapon, or hunt. It is insane. Hunting is not a sport, it is a means to feed ones family. If people do not want to hunt during the general season then they should not be given special seasons.

Proposal 70. Against. Current law does not prohibit these individuals from hunting. A special season or hunt is unjustified.

Proposal 71. Against. Physical ability or lack there of is not a justification for providing exemptions to the hunting regulations. If, as the proposer states, a person lacks the physical ability to stalk and shoot an animal, how can it be conceived that that individual can properly care the the meat while in the field? This is merely a blatant attempt by a select group to gain an advantage over all others.

Proposal 72. Against.

Proposal 76. Support. This seems reasonable especially if the federal season also changes.

Proposal 77. Support. I agree with the statements made in the proposal.

Proposal 78. Support. This would also align the bear season with the caribou season in unit 19C, so early caribou hunters would be able to take a bear.

Proposal 79. Support. This would increase the take of bear helping the moose and caribou populations.

Proposal 81. Support. This is a logical request.

Proposal 82. Support with amendment. I would support if the number of permits was capped at the lowest number from the time period given. Also the start of the season should be moved to September 1 to give resident hunters first opportunity to hunt.

Proposal 83. Against. When a general hunt can not be supported no permits should be given to non-residents.

Proposal 85. Against. There is already a registration caribou hunt in this area.

Proposal 86. Support. This is a reasonable request and has precedence in the state. I believe that no hunting is allowed within ¼ mile of the Denali Highway near Cantwell, presumably for the safety of the nearby residents.

Proposal 87. Support. Adoption of this proposal will only help the resource.



Proposal 90. Against. Reasons given are not supportive of increasing the size of the CSH area.

Proposal 97. Support. I agree with the discussion provided by the proposer.

Proposal 101. Against. There is no indication of the number of events or the number of moose to be taken for such events. Adoption of this proposal without an indication of the number of moose to be taken or the type of event that would qualify for a permit would basically be giving a permit to take moose whenever the mood struck. This would be detrimental to the health of the moose population.

Proposal 105. Support. I agree with the points raised in the proposal.

Proposal 109. Support with amendments. Unit 25C should also be included. Current regulations indicate abundant game in this unit. Moving the bear season up would allow for more bear hunting opportunities, especially in Unit 25C as it would open before the caribou season.

Proposal 113. Support. I agree with the points raised in the proposal.

Proposal 117, 118, 119, 120, 121, Support.

Proposal 126. Against. No viable reason given for the date change.

Proposal 128 and 129. Support if amended. If amended to any antlered moose I would support. It appears the population can sustain such a hunt especially since the Fish and Game is proposing an antlerless hunt in this unit (Proposal 125).

Proposal 132. Against. Moving the non-resident season to coincide with the resident season puts the two in conflict. Residents should have priority.

Proposal 141. Support. This is a reasonable request.

*Brian West  
1000 Oceanview dr  
Anch AK 99515*



# Wrangell-St. Elias National Park Subsistence Resource Commission

P.O. Box 439  
Mile 106.8 Richardson Hwy.  
Copper Center, AK 99573

November 1, 2016

Ted Spraker, Chair  
Alaska Board of Game  
c/o ADF&G Boards Support  
PO Box 115526  
Juneau, AK 99811-5526  
dfg.bog.comments@alaska.gov

Subject: Comments on proposals for February 2017 Interior Region meeting

Dear Mr. Spraker:

The Wrangell-St. Elias National Park Subsistence Resource Commission (SRC) met in Copper Center, Alaska, on October 11 and 12, 2016. The SRC reviewed three proposals that will be considered at the Interior Region meeting in February 2017 and would like to provide the following comments:

**Proposal 84: Lengthen the trapping season for wolf in Units 12 and 20E**

The Wrangell-St. Elias National Park Subsistence Resource Commission supports the proposal as written. Aligning the state and federal season dates for wolf trapping in Units 12 and 20E will provide additional trapping opportunity and reduce the potential for confusion.

**Proposal 90: Expand the Copper Basin community subsistence harvest hunt area by adding a part of Unit 12**

The Wrangell-St. Elias National Park Subsistence Resource Commission opposes the proposed expansion of the Copper Basin Community Subsistence Hunt area. The Commission is concerned about the potential for increased hunting pressure in Wrangell-St. Elias National Preserve that could result from this expansion. Additionally, the community hunt is not working. In our October 13, 2016, letter to you, we recommended discontinuing the community hunt and starting discussions with stakeholders in the Copper Basin about alternatives to it.

**Chair:** Karen Linnell; **Members:** Dan Stevens, Don Horrell, Gloria Stickwan, Raymond Sensmeier, Robert Fithian, Sue Entsminger, and Suzanne McCarthy



**Proposal 91: Modify the hunting season and bag limits for grouse in Unit 12**

The Wrangell-St. Elias National Park Subsistence Resource Commission supports the proposed change in harvest and possession limits for grouse in Unit 12 (5 per day/10 in possession, except 2 per day/4 in possession for ruffed grouse). The Commission does not support the proposed change in season dates, however, and suggests modifying the proposal to drop the proposed change to season dates. For several years, the SRC has been hearing about groups of hunters taking advantage of the current liberal bag limits and harvesting large numbers of grouse within Wrangell-St. Elias. We are concerned about the potential for these high harvest levels to impact the grouse populations, and believe that reducing the harvest and possession limits would help to address this issue. With regard to the proposed modification, some local residents harvest grouse in the winter, and the Commission feels that it is important to maintain that opportunity.

Thank you for the opportunity to comment.

Sincerely,

Karen Linnell

Chair

cc: NPS Alaska Regional Director  
Superintendent, Wrangell-St. Elias National Park and Preserve  
Governor of Alaska

Chair: Karen Linnell; Members: Dan Stevens, Don Horrell, Gloria Stickwan, Raymond Sensmeier, Robert Fithian, Sue Entsminger, and Suzanne McCarthy