

**Findings for the Alaska Board of Game  
#2006 – 170 - BOG**

**Game Management Unit 13  
Caribou and Moose Subsistence Uses**

**Background**

Virtually since its inception, the Tier II subsistence permit system has been plagued with public complaints about inequities, unfairness, and false applications. Over the years, the Alaska Board of Game (Board) has amended its regulations numerous times to try to address management and legal problems, but the controversy continues and the system remains rife with problems. Public complaints have been primarily directed at the Tier II permitting system—particularly those near urban areas like the Minto moose hunt and the Nelchina Tier II caribou hunt.

The Board has primarily focused on the Nelchina basin caribou and moose hunts because these have generated the vast majority of the interest and complaints from the general public. In addition, Board members are concerned the hunting patterns no longer meet the Board's intent when these subsistence hunts were originally established in regulation. A review of these hunts question whether the current hunts are consistent with the Board's customary and traditional use findings based on the eight criteria the Joint Boards of Fish and Game established (5 AAC 99.010) for implementing the state subsistence law (AS 16.05.258(a)).

Statistics associated with the Nelchina caribou hunt illustrate some troubling trends. Permits have been slowly shifting away from local Alaskan residents the Board identified as the most dependent on the wildlife resources in the region and towards less subsistence dependent urban residents. Testimony from some local residents of Unit 13 indicated they no longer participated in the state subsistence program. The present Tier II scoring and permit allocation system has made it more difficult for long-time, resource-dependent residents of the area to compete for permits, forcing them to rely more heavily on the federal system to provide for subsistence opportunities. The system also makes it almost impossible for area newcomers and younger Alaskans to ever qualify for the limited permits despite their subsistence dependence on wildlife resources for food. In addition, many of the traditions associated with a subsistence way of life are being sidestepped and avoided, such as the traditional teaching of the art of hunting, fishing and trapping to younger generations; and the processing, utilization, and other long-term social and cultural relationships to the resources being harvested and to the land that produces those resources.

The Board's long-term goal is to design a system to accommodate subsistence-dependent users in such a manner that permits can be virtually guaranteed from year to year. The reliability of available hunting opportunities is critical to the maintenance of the subsistence way of life. This could be similar and complementary to the federal subsistence permit system. The federal program allows any Alaska resident living in the Copper Basin and several communities outside

of GMU 13 to harvest two caribou and one moose per year, there is no limit per household except in Unit 13(E) for moose, harvest of caribou by gender is also generally unrestricted in units 13(A) and 13(B), and moose hunters may only take any antlered bull under the federal system.

Bag limits may not be accumulated across both state and federal systems, so hunters can take a total of only one moose and two caribou for the year. State regulations allow all Alaskan residents to harvest a bull moose with spike-fork or 50-inch antlers or antlers with 4 brow tines on at least one side from September 1 – 20. In addition, up to 150 Tier II permits are issued for any bull moose, August 15 – 31, with only one permit being allowed per household. The moose seasons for federally qualified users on federally-managed lands are much longer from August 1 – September 20.

Under the state system, all caribou permits are issued under Tier II regulations and were limited to 3 per household. The Board recently changed the limit to 2 per household. The bag limit is one caribou, although in recent years, harvest under state regulation has been limited to bulls only. The caribou season for federally qualified users on federal land is 10 days longer in the fall, ending September 30 rather than September 20.

State regulations do not jeopardize a qualified federal subsistence hunter from hunting under a federal permit. However, if there are too many state applicants, controlling statutes mandate that permits be issued under the Tier II criteria, with all of its attendant problems.

The Board intends to explore subsistence hunt provisions that reflect and accommodate the customary and traditional use patterns of Nelchina caribou and moose in Game Management Unit (GMU) 13, while distinguishing those uses from other uses.

In accordance with the Joint Boards of Fisheries and Game eight criteria for implementing the state subsistence law, the following findings are made:

### **Findings**

When the Board originally determined there were customary and traditional uses of the Nelchina Caribou Herd and moose in GMU 13, it recognized these subsistence uses were established by Ahtna Athabascan communities within the Copper River basin, and were later adopted by other Alaska residents. Due to the importance of, and high level of competition for subsistence permits in this area, the Board has undertaken, as precisely as possible, the task to identify the particular characteristics of these customary and traditional use patterns. Although they have changed over time due to limited access associated with demographic, economic, and technological factors, the patterns are characterized by traditional fall and winter hunting seasons, efficient methods and means, thorough use of most of the harvested animal, harvest areas traditionally associated with local communities, traditions about harvesting and uses that are passed between generations orally and through practice, and reliance on other subsistence resources from within these same traditional harvest areas

**Criterion 1. A long-term consistent pattern of noncommercial taking, use, and reliance on the fish stock or game population that has been established over a reasonable period of time of not less than one generation, excluding interruption by circumstances beyond the user's control, such as unavailability of the fish or game caused by migratory patterns.**

This criterion presupposes that an identifiable, consistent “pattern” of noncommercial taking, use, and reliance is characteristic of subsistence use. The Board finds, even though there are many similarities among all users of the moose and caribou resources in the area, there continue to be identifiable distinctions, constituting a unique pattern of subsistence use, that is traceable in direct line back to the original Ahtna Athabascan and later non-native customary and traditional use.

The Board has concluded that the pattern of moose and caribou subsistence use for this region was originally defined by the Ahtna Athabascan residents and then adopted and modified by other local settlers in the early 20<sup>th</sup> century. This pattern of use was established over many generations and focused on the total aggregate of fish, wildlife, and plant resources locally available to the area residents.

The greatest dependency on subsistence resources occurred prior to the completion of the existing road system in the 1940s. After about 1950, historical use patterns changed rapidly, especially with the introduction of more mechanized access methods. The mobility of the subsistence and non-subsistence users, the availability of seasonal and part-time employment, increased human populations, increasing competition for wildlife resources, and fluctuating game populations (particularly moose and caribou) caused major shifts in subsistence dependency of people within and adjacent to the region. Nevertheless, aspects of the traditional Ahtna Athabascan use pattern are present today, but subsistence-dependent families engaged in that pattern now account for a smaller percentage of all users than a half-century ago.

Most of the long-term subsistence patterns in this area are community-based. The area's communities tend to be long-established, by Alaskan standards, and the residents of these communities tend to be long-term residents, descending from multi-generational families with long ties to the area. These communities tend to exhibit a use of local resources that stretches back to well before Euroamerican contact. In contrast, the use pattern based out of nearby urban areas tends to involve much more recently established communities, a high degree of turnover among residents, short-term residency and, generally, a relatively brief history of use.

**Criterion 2. A pattern of taking or use recurring in specific seasons of each year.**

Local communities established a tradition of hunting caribou, moose, and other big game species in the late summer and early fall following subsistence fishing, and again hunting in the winter as fresh meat was needed and game was available. Winter hunts have always been critical to subsistence users, as very few other subsistence resources are available during this time. This need for, and use of, winter hunting opportunities is different from use patterns developed by residents of Alaska's more developed and urban areas, where almost all big game hunting takes place exclusively in the fall and is controlled largely by regulations. Thus, as late as 1984, over 60% of the caribou harvest taken by local residents was taken during the winter. Recent changes in that pattern can be largely attributed to regulatory changes, competition from non-local

hunters and shifting migratory patterns of the caribou herd. The seasonal use pattern was based on the traditional Ahtna seasonal movements and the general availability of game. For example, the fall hunt traditionally followed the salmon harvest, whereas the winter hunt took place whenever meat was needed and game was available.

**Criterion 3. A pattern of taking or use consisting of methods and means of harvest that are characterized by efficiency and economy of effort and cost.**

Before the mid-20<sup>th</sup> century, Ahtna Athabascan hunters tended to rely on boat access along the area's major waterways in fall, on foot along established trails, and by dog team along winter trails after freeze-up. With the opening up of the Nelchina basin to highway access, and the introduction of off-road vehicles, snowmachines, four-wheelers, and other transportation innovations, a shift in the use pattern occurred. Now, local residents tend to utilize roads as hunting corridors in place of rivers in the fall, and use snowmachines to access the backcountry in winter. Recently, expensive off-road vehicles have been purchased and used by many non-local users and a few more affluent local residents in an attempt to compete with non-local hunters and to increase their opportunity for success. The use of all terrain vehicles may create their own hunting efficiencies as hunting effort and transportation take advantage of labor-saving devices. Hunting methods have changed over the last 75 years. Automobiles, snowmachines, and less expensive all terrain vehicles may make hunting more effective because local and non-local residents can now cover larger areas when hunting caribou or moose. Local hunters can, when animals are available, make relatively short trips that fit into a contemporary work schedule. On the other hand, the use of highway, off-road, and similar vehicles has promoted more frequent short trips with considerable transportation costs for depreciation, fuel, and maintenance. What are being lost are the multi-resource harvest efficiencies associated with long subsistence-oriented summer and fall camping trips traditionally engaged in by Ahtna communities. Thus, recent transportation improvements and fuel prices may have changed traditional subsistence activities to the point where it is unlikely that there is a positive cost/benefit (from an economic standpoint) associated with some of the hunting techniques, especially in cases involving the use of expensive recreational motor vehicles. Overall, the use of some motorized vehicles such as ATVs has blurred the distinction between true customary and traditional patterns and recreational activities.

Residents of local communities—those with the longest histories of use of moose and caribou in the region—have traditionally traveled shorter distances to hunt than do non-local participants; and generally utilize less technology in doing so. Most Ahtna elders testified they still prefer to walk in to hunting areas and maintain permanent camps, whenever possible, in accordance with longstanding means and methods. On the other hand, most non-local users must travel at least 125 miles just to get to the area and have tended to be reliant on all-terrain vehicles (ATVs), aircraft and other expensive off-road and recreational vehicles.

As late as 1984, Copper Basin residents utilized only highway vehicles for hunting access over 65% of the time. It is the Board's conclusion that many of these newer technologies have been adopted based on a perceived need to compete with technologically-oriented recreational hunters from Alaska's urban areas. This may be a direct effect of the 1984 regulations.

Historically, much of the taking of caribou, moose, and small game was done as part of a seasonal round of subsistence activities throughout defined areas used by the community. Family dependence on these resources required a commitment of considerable time and effort to accumulate adequate subsistence resources to meet annual protein requirements and other customary and traditional uses.

Another example of subsistence efficiency in the customary and traditional use pattern has been that specialized hunters tend to provide for the community at large, sometimes or often taking more than necessary for their own family's use in their capacities as community providers, and to fulfill social and cultural obligations. Community subsistence activities are then divided among members and further introduced into traditional patterns of barter and exchange. Thus, some harvest and others process, distribute, receive and utilize the results of the harvest. Each member of the community has a defined role and specialty.

A third example of subsistence efficiency, historically, has been the effort to keep hunting as close to home as reasonably possible, minimizing cost and effort necessary to obtain the wild food resources needed by families and communities. The Board believes that, if competition among users can be reduced, this efficiency is likely to be easier for subsistence users to realize.

In these community efforts, special emphasis has been placed on allowing the maximum opportunity to harvest as many animals and the widest variety of useable species as efficiently as possible. Emphasis was also placed on food gathering activities and other traditions associated with Ahtna Athabascan communities.

**Criterion 4. The area in which the noncommercial long-term, and consistent pattern of taking, use, and reliance upon the fish stock or game population has been established.**

The Board is examining the area where the subsistence hunting of big and small game occurred prior to the significant change in uses and activities that occurred after approximately 1950 in Game Management Unit 13.

Subsistence uses involve an intimate and exclusive relationship between the user and a very particular set of places generally in close proximity to the hunter's residence. The user is tied to the land. Other types of uses do not exhibit these close, long-term, multi-generational ties to a particularly locality. Even as late as 1981, hunters from Copper Basin communities did not report traveling out of the basin to hunt, while urban-based hunters named alternative areas if they could not hunt Nelchina caribou and moose. Testimony from Ahtna elders emphasized their reliance on local fish and game, and their reluctance, for practical and cultural reasons, to travel outside of their traditional areas for subsistence purposes. Likewise, they described the longstanding family and community use histories and patterns for such areas. Consistently, lifelong residents of the local areas did not share the attitude of utilizing other areas. When Nelchina caribou were not available to them they either added emphasis on moose, and/or use of the Mentasta caribou herd. Resident lake fish species and small game were other alternatives commonly mentioned as alternative and supplemental wild food resources. Families in the range of the Nelchina caribou who harvested little or no wild game mentioned receiving donated meat as an alternative. This differs markedly from the use patterns found in Alaska's urban areas,

where traveling to, and exploring, new game country is deemed a virtue and an essential part of many outdoor experiences.

The Ahtna pattern exhibits a familiarity with terrain and landscape including the associated history of the region transmitted through oral traditions and Ahtna geographic placenames.

**Criterion 5. A means of handling, preparing, preserving, and storing fish or game that has been traditionally used by past generations, but not excluding recent technological advances where appropriate.**

The traditional pattern has been to salvage and use all parts of the harvested animal, in conformance with traditions prohibiting waste. Lifelong residents of the Copper Basin testified they still practice their traditional methods of harvest by retrieving the entire carcass and all bones, hide, head, heart, liver, kidneys, stomach, and fat. Only the antlers were often left behind. This also differs from patterns based out of urban areas, where hunters tend to focus on the meat and antlers, usually leaving most organs, bones, and the hide in the field.

Ahtna elders also emphasized that preparation and storage are viewed as essential components of their overall use. Women traditionally look forward to practicing their roles as preparers and preservers of harvested game every bit as much as men looking forward to harvesting and providing the game. These traditions and roles are passed on by older relatives to younger family members through in-the-field training and a system of *engii* (rules of appropriate behavior or taboos) that teach traditional means of harvest, handling, and preparation. These “engiis” emphasize traditional Ahtna views of the human place within the natural world and a respectful treatment of animals.

**Criterion 6. A pattern of taking or use that includes the handing down of knowledge of fishing or hunting skills, values, and lore from generation to generation.**

The Board has concluded that the subsistence traditions of handing down the hunting and fishing knowledge, values and skills through family oriented experiences are an important aspect of the subsistence way of life in this region. Providing the opportunities for the young and old to participate in subsistence activities is critical to the perpetuation of traditional knowledge about hunting locations, hunting methods, methods of handling harvests, and respectful treatment of wildlife. To increase hunting opportunities for youth, a recent provision adopted by the Board allows a resident hunter between the ages of 10 and 17 to hunt on behalf of a resident permit holder. The youth hunter must have completed a certified Basic Hunter Education course and be in direct supervision of the permit holder, who is responsible for ensuring all legal requirements are met.

Ahtna elders have passed this knowledge on to the next generation in the context of community-based traditions that included relatively long summer and fall camping trips described above. As mentioned previously, teaching roles and lessons tend to be more formalized through the system of “engiis” than is the case for uses based out of the urban areas. Skills emphasized included not only those needed to harvest each species, but also the art of field preparation and care for a wide

variety of species and the utilization, preparation, and distribution of game. Most local users learned how to hunt in the local area from other family members in the local area. Most older, local users have also taught other family members. On the other hand, most non-local users learn about hunting in the area by personal experience or from fellow non-local, unrelated hunters. Also, non-local users tend to be controlled primarily by applicable statutes and regulations rather than long-term oral traditions and community-based values.

The Board considers it extremely important to stress the need to pass on skills and knowledge associated with utilization of all parts of the animal taken, as well as preservation of the traditional, cultural rules and family values associated with these subsistence users in this area. Field skills need to be perpetuated for handling not only the meat but the hides, internal organs, stomach, and intestines. This is consistent with the customary practice of maximizing the use of animals taken characteristic of subsistence uses.

**Criterion 7. A pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, including customary trade, barter, and gift-giving.**

Widespread community-wide sharing is customary in local communities, involving all family members, elders, others in need, and taking place in formal settings such as during ceremonial potlatches. As such, sharing has associated social, cultural, and economic roles in the community. Sharing is expected and follows well-understood community standards that are structured on kinship relations and obligations. As an example, young hunters are required by Athabaskan tradition to give all or most of their first harvested animal to elders and others in need. Also, traditional barter and exchange follow these standards. Successful Ahtna harvesters traditionally share some of their moose and caribou meat with other families and communities to meet their social obligations and for ceremonial purposes. This, again, is in contrast to the uses arising out of the urban areas where hunters are completely free to share, or not share, as they see fit and there is not a system of sharing, barter, and exchange. In addition to the key social and cultural roles of sharing in the local rural community, sharing of subsistence resources plays a key economic role in distributing essential food supplies throughout the community. The Board has concluded it is imperative to accommodate the customary and traditional family and community harvest sharing practices as part of the subsistence way of life to the maximum extent possible.

Use of the state authorized proxy system has provided a limited opportunity for individuals to harvest for permittees who are personally incapable of participating in the field but who have a personal history of subsistence use. Proxy hunters are not required to fully accommodate the customary and traditional practices. Non-local users, on the other hand, tend to have few established rules or traditions requiring sharing, and seldom share outside of their own households. External sharing, when it occurs, is usually with friends and co-workers, and extensive kinship networks are absent. There are no non-local traditions of community-wide meat distribution.

**Criterion 8. A pattern that includes taking, use, and reliance for subsistence purposes upon a wide diversity of the fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life.**

The Board has concluded it is critical to emphasize the values associated with the reliance and dependence on a wide variety of fish and wildlife resources as an important element of the subsistence way of life for this region. Subsistence use patterns historically required a significant dedication of time and effort towards the harvesting of adequate fish and game resources to meet the protein and nutritional requirements of the subsistence harvesters, their families, and their communities.

This differs markedly from the more recreational type of uses arising out of the Alaska's more urban areas, where a single, focused effort to harvest only one resource in any given location, and then salvage only what is legally required from that resource, tends to be a predominant characteristic. To the extent that other foodstuffs are harvested, they are often harvested in completely separate areas, far removed from the fall hunting area. Also, different hunting areas are explored in different years. This separation of the interconnected diversity of resource uses also seriously undermines the principles reflected in Criterion 3. As more and more emphasis is placed on single species harvesting patterns, cost is increased, and efficiency is reduced. Such practices do not reflect the customary and traditional use pattern.

Reliance on most, or all, locally available sources of wild food is characteristic of a traditional subsistence way of life where maximum economic and nutritional benefits typically must be derived from the hunt and harvests. The local harvest of salmon has historically been the most important wildlife resource in terms of useable pounds per subsistence-dependent family in Unit 13. Alaska residents are allowed to use a fish wheel in the Copper River between Slana and the Copper River bridge at Chitina to harvest salmon—permits are issued free of charge. The limit is 500 total salmon for a household with two or more members and 200 for a household with one member, with no limit on the number of Chinook salmon in the total harvest by fish wheel. The salmon run in the Copper River is primarily comprised of sockeye and Chinook salmon.

Use of moose and caribou by local communities is embedded in a wide range of other fish and wildlife uses. It is also embedded in a mixed, subsistence-cash economy characterized by seasonal employment and relatively low cash incomes. A wide variety of subsistence foods are still critically important in these local economies. Almost all hunting, fishing, and gathering takes place locally and the majority of meat and fish consumed tends to come from local sources.

Big game species are taken for food and not for their trophy value by families engaged in subsistence uses. The Board may undertake efforts to reduce or eliminate the trophy values of the resources taken to focus entirely on the inherent subsistence values.

Vote: 6/0  
November 12, 2006  
Anchorage, Alaska

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Ron Somerville, Chairman  
Alaska Board of Game