FEDERAL SUBSISTENCE BOARD
SPECIAL ACTIONS

Office of Subsistence Management
Conference Room
ANCHORAGE, ALASKA

July 19, 2019

MEMBERS PRESENT:

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

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MR. DOOLITTLE: All right, everybody. This is a pretty busy room for a Temporary Special Action. Mr. Evans and our Staff. If we could sit down. One of the things I'd like to do at the beginning of a meeting like this is to -- since we have a relative full house before I turn it over to the Chair -- is to make sure we have some basic introductions of the people that are in the room. I'm glad to see the turnout for a Temporary Special Action process here at the Regional Office in Anchorage. My name is -- and I'll start it out with introductions of myself as the Acting Assistant Regional Director for the Office of Subsistence Management. My name is Tom Doolittle. We'll proceed with those introductions for those people that are on the telephone.

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

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

MR. DOOLITTLE: Hi, Ryan.

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

Thank you.

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

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

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

MR. DOOLITTLE: Charlie Brower, are you
on the phone line?

(No response)

MR. BURCHAM: Milo Burcham from the Chugach Forest.

MR. DOOLITTLE: Anthony Christianson, are you online?

(No response)

MR. DOOLITTLE: Any other folks online at this moment?

(No response)

MR. DOOLITTLE: Hearing none at this moment, we'll go down the line starting at my left for introductions.

CHAIRMAN CHRISTIANSON: Good morning. Anthony Christianson just signed on.

MR. DOOLITTLE: Thank you, Mr. Chair. Tom?

CHAIRMAN CHRISTIANSON: How you doing, Tom?

MR. DOOLITTLE: Good, man.

MR. WHITFORD: Good morning. This is Tom Whitford. I'm the Acting Deputy Assistant Regional Director for the Office of Subsistence Management. I'm glad to be here.

MR. FROST: Bert Frost, Regional Director for the National Park Service.

MR. MATUSKOWITZ: Theo Matuskowitz, Subsistence Management Regulation Specialist.

MR. FADDEN: Steve Fadden, Subsistence Management as a detail and I'm Council Coordination Supervisor for the folks in the office there.

MR. EVANS: Good morning. My name is Tom Evans. I'm a wildlife biologist with OSM.
MR. PADGETT: Chad Padgett, BLM State Director.

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

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

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

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

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

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

MR. MCKEE: Chris McKee, Wildlife Division Supervisor, OSM.

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

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

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

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

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

MR. REBNE: Hello. Online. This is
Mr. Schmid: Good morning. This is David Schmid, the Regional Forester with USDA Forest Service.

Mr. Doolittle: Good to hear you, David. This is Tom. Charlie, was that you online?

Mr. Brower: Yes.

Ms. Cellarius: Good morning. This is Barbara Cellarius with Wrangell-St. Elias National Park and Preserve in Copper Center.

Mr. Doolittle: Good morning, Barbara.

Ms. Taylor: Good morning. This is Sara Taylor with the Office of the Secretary.

Mr. Doolittle: Good morning, Sara.

Ms. Petrivelli: This is Pat Petrivelli, BIA subsistence anthropologist.

Mr. Risdahl: Good morning. Greg Risdahl, the OSM Fisheries Division Lead.

Mr. Sharp: Daniel Sharp, Department of -- Bureau of Land Management.

(Laughter)

Mr. Sharp: I'll get it right.

Mr. Burcham: Milo Burcham, Chugach Forest.

Mr. Doolittle: It looks like we have everybody. Thanks again to the court reporter, Tina, and her guest. At this time I'll turn over the meeting to Anthony Christianson, the Chairman of the Federal Subsistence Board.

Chairman Christianson: All right. Thank you, Tom. Thank you for everybody starting off by introducing yourselves. I appreciate you taking the time out of your day to come in and look at these wildlife special actions we have before us. With that...
I'll go ahead and turn it over to the Staff so they can give us the information regarding the process we'll go through.

Thank you.

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

CHAIRMAN CHRISTIANSON: Roll call would be good, Tom.

Thank you.

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

Public Member, Rhonda Pitka.

MS. PITKA: Here.

MR. DOOLITTLE: Okay, Rhonda is present.

Bureau of Indian Affairs, Gene Peltola.

MR. PELTOLA: Present.

MR. DOOLITTLE: Public Member, Charlie Brower.

MR. BROWER: (In Inupiaq).

MR. DOOLITTLE: Good to hear you, Charlie.

U.S. Forest Service, David Schmid.

MR. SCHMID: Present.


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

MR. DOOLITTLE: You bet, Greg.

National Park Service, Herbert Frost.
MR. FROST: Here.

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

MR. PADGETT: Here.

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

MR. SCHMID: Negative.

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

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

(No comments)

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

Tony, it's back over to you.

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

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

Thank you.

MR. DOOLITTLE: Thank you, Mr. Chair.

MR. EVANS: Good morning, Mr. Chair and members of the Board. My name is Tom Evans and I'll be
presenting Temporary Special Action WSA19-03. This was submitted by Paul Rude from Glennallen and requests that the Federal Subsistence Board close Federal public lands in Unit 13 to the hunting of moose and caribou by non-Federally-qualified users for the 2019/2020 season.

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

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

I'm going to present first sort of the concerns for the proposal and then against the proposal and these are in no particular order. It's just kind of as they came along. Both local users as well as those from outside the area harvest caribou and moose for subsistence use. Intense hunting pressure for moose and caribou in Unit 13 has created unsafe hunting conditions, and increased difficulty for Federally-qualified subsistence users to harvest both caribou and moose to provide for their families. Some local users do not have ORVs or snowmachines to access moose and caribou that are further away from the community. The importance to cultural diversity, identity, subsistence way of life and subsistence economies for local users was expressed several times. Caribou and moose are
sometimes not available when local users would like to
harvest because the animals have been taken previously
or pushed out of the local areas. Hunting pressure is
changing the traditional migration corridors, migration
timing and habitat use by caribou and moose. Safety
communications during the peak hunting season often forces
local users to hunt later in the season when it's less
convenient, more difficult and often when there are
fewer opportunities because there are fewer animals
available. In addition, safety concerns prevented some
local users from being able to teach their children
hunting skills and pass on customary and traditional
practices. Local users felt that the closure of the
small amount of Federal public land, which is
approximately 13 percent, would have a minimal effect
on non-Federally-qualified users because non-Federally-
qualified users would still have access to the public
and private State-managed lands. However, it was noted
that closing the Federal public lands to non-Federally-
qualified users may not have the desired effect of
reducing hunting pressure as individuals hunting under
the State regs may cross Federal public lands to access
caribou and moose. This situation may create new
safety concerns between hunters along the boundary
between Federal public lands and the remaining State
and private lands. There was a concern of direct
environmental impact on trails, tundra and wildlife
habitat from the hunting pressure. This includes trash
along with the habitat degradation. Some folks
acknowledged the safety concerns but didn't feel like
this temporary special action was the right solution.
Other possible solutions to the
overcrowding, public safety issues, and environmental
impact included restricting shooting within a
quarter-mile corridor on either side of the highway,
increased law enforcement, public education and
outreach, separate Federal and State seasons, and
transportation restrictions.

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

The State of Alaska opposed a special
action noting that Federally-qualified users can and do
hunt under State regulations and are not limited to
Federal public lands. WSA19-03 is not needed for the conservation for either caribou or moose. Federal hunting under the system regulations had longer seasons and they were able to hunt bulls and cows, whereas under the State regulations they were restricted to bulls only.

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

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

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

Going on to moose.

The 2015 population reached a high of 21,090, which was slightly less than the State's maximum population objective of 21,900. In 2017, the population was 17,746, which is slightly less than the State's minimum population objective of 17,600. In 2018, the moose populations were stable or slightly increasing in all sub-units within Unit 13 except for Unit 13D. In 2018, the bull:cow ratios were close to or above State management goals of 25 bulls per 100 cows in all sub-units and below in 13B. In 2018, the calf:cow ratios were below the State management goal of 25 calves per 100 cows in 13A and 30 calves per 100 cows in 13B, C, D and E. There was no data for 13C or 13D in 2018.
Most of Unit 13 is in the traditional area of the Ahtna Athabascans with the northwestern portion being historically in the traditional area of the Dena'ina. Moose were traditionally taken through the summer, through the late winter and caribou are typically hunted in the spring and the fall.

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

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

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

Going on to moose.

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

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

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

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

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

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

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

That's the end.

Any questions.

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

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

CHAIRMAN CHRISTIANSON: Yes.

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

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

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

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

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

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

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

CHAIRMAN CHRISTIANSON: Hey, Tom, was
the Regional Advisory Councils -- I might have missed
that. Have they had a chance to look at this, the
affected Regional Advisory bodies?

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

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

MR. SIEKANIEC: Mr. Chair.

CHAIRMAN CHRISTIANSON: Yes, go ahead.

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

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

MR. SIEKANIEC: Thank you, Mr. Chair.
Tom, so that -- like I'm looking at the map and it has
the Gulkana and Delta River segments. Are those areas
that are important for moose and are those -- does the
recent Sturgeon Supreme Court decision have any bearing
on that as to whether or not people would be using -- I
think I read that they use it quite a bit for floating
for moose hunts and stuff, so that would be a
still-allowable use, I guess.

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

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

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

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

(Reporter checking conference call)

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

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

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

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

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

Thank you for understanding.

MR. REBNE: No problem. Thank you.

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

MR. PELTOLA: Mr. Chair. Gene again.

CHAIRMAN CHRISTIANSON: Go ahead, Gene.

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

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

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

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

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

MR. PELTOLA: Okay. Thank you.

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

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

MR. SIEKANIEC: Yeah.

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

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

MR. FROST: I don't think the Park Service has a lot of issues. I think it's so the Federal users can use that portion of the Park. There's not a lot of access for one reason. There's like maybe three or four drainages and when the public
-- the person from Cantwell, maybe he could talk about it. But from what I understand there's not a lot of access into the Park. It's fairly steep terrain. There's only a few trails up in there. But there's a lot of the State land and it's along the highway, so you get a lot of non-Federal users on the State land because the Federal land is so limited it forms that conflict. There's just not a lot of Federal land where non-Federal users can hunt and it's restricted. Because of the terrain it's restricted for the Federal users just because of logistics.

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

(No comments)

CHAIRMAN CHRISTIANSON: All right.

Hearing none. I guess we go to our conclusion and ISC recommendation.

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

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

A lack of sufficient enforcement during the hunting season has been commonly identified as an ongoing issue. If harvest were closed to all but Federally-qualified subsistence users, non-Federally-qualified users wishing to hunt on State lands adjacent to, or beyond Federal public lands would still have a significant presence on the road system and on trails.
A Federal closure does not prohibit non-Federally-qualified users from accessing or camping on Federal public lands, or even shooting from Federal public lands onto State lands. The proponent, a resident of Unit 13, further recognized that this is not simply a rural/non-rural issue, but that Federally-qualified subsistence users who reside outside of Unit 13 also contribute to the competition, as well as safety issues and a lack of success experienced by local users.

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

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

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

Moose and caribou hunts in Unit 13 are managed through a responsive permit and quota system using annual population indices to inform their management plans. As such, a closure of harvest on Federal lands to all but Federally-qualified subsistence users is not presently needed for conservation purposes.
For the 2019 hunting season, the State anticipates issuing 7,000 fewer caribou permits than were issued in 2018. The current regulatory regime recognizes that temporal separation of Federally-qualified from non-Federally-qualified users through a longer Federal season and more liberal harvest limits, is presently the most workable approach to reducing some of the user conflicts in Unit 13 and providing for a subsistence priority.

Thank you, Mr. Chair.

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

(No comments)

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

MS. HARDIN: Thank you, Mr. Chair.

You're correct that the OSM conclusion was the support and the InterAgency Staff Committee recommendation is to oppose. The InterAgency Staff Committee quite clearly recognized that there are ongoing concerns in Unit 13. There's hunting pressure and there's safety concerns, but the Staff Committee did not feel like a closure to all but Federally-qualified would address the most pressing of those issues, particularly the safety issues related to overcrowding because of the checkerboard nature of the land management scheme there.

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

(No response)

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

MR. EVANS: I guess at this point what we'll do is we'll open up for Board comments with the ISC.
CHAIRMAN CHRISTIANSON: I'm here.

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

CHAIRMAN CHRISTIANSON: My phone dropped the call here.

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

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

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

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

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

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

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

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

Mr. Chair, I just wanted to -- I think you might have been cut off and I just wanted to again state that there is a difference between the OSM conclusion and the ISC recommendation. However, I
wanted to emphasize the InterAgency Staff Committee fully acknowledges and recognizes that there are ongoing difficulties in Unit 13. The majority of the opinion was that closing Federal public lands is not going to alleviate the public safety concerns and the overcrowding due to the preponderance of State-managed lands in that area and that the hunters would still be present and be accessing State lands through the Federal lands.

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

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

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

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

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

MS. DAMBERG: This is Carol with the InterAgency Staff Committee, for you, Gene. I definitely agree that that particular statement that you just made about law enforcement. However, the complexity of the boundaries here make it exceptionally hard and that's not to say that's the real issue of this whole thing. It's trying to solve the problem and that's where we were really focused, I think. The ISC
is trying to figure out if this will really make a
difference because we do want to make a difference.

Thank you.

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

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none.

What was the next stage in the process there, Tom?

MR. DOOLITTLE: The public comments.

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

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

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

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

Thank you.

CHAIRMAN CHRISTIANSON: Okay. Any
questions for Grant.

(No comments)

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

Any other public comments or testimony.

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

CHAIRMAN CHRISTIANSON: Kirk, You've
got the floor.
MR. WILSON: I've been a guide here most of my life. I'm retired now and one of the biggest problems that the Natives have here is they have no enforcement and the State of Alaska has a policy that they just will not arrest a trespasser on Ahtna land.

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

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

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

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

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

Thank you.

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

(No comments)

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

Any other public comment or testimony.
MS. LINNELL: Mr. Chair. This is Karen Linnell with the Ahtna Intertribal Resource Commission.

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

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

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

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

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

Just to speak to the Board.

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

Several times there has been closures to hunting under State regs that doesn't provide for subsistence needs. Proposed closures are supposed to be analyzed to determine whether such restrictions are necessary to assure conservation of healthy populations or to provide a meaningful preference for qualified subsistence users. The analysis was looking at avoiding the degree or minimizing restriction to
The InterAgency Staff Committee analysis and recommendation to oppose is problematic in several ways. Their analysis and recommendation to oppose WSA19-03 fails to meet the standard outline in the Federal closure review policy by not identifying any other management options that could avoid concerns of the Federally-qualified subsistence users of Unit 13. The analysis suggests that nothing more can be done to better manage moose and caribou in Unit 13.

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

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

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

The InterAgency Staff Committee analysis suggests that lack of sufficient enforcement has been ongoing in Unit 13, but that closing Federal lands to non-rural residents would only increase problems in the region. However, the lack of Federal and State enforcement in hunting and fishing regulations is a governmental problem, not a problem.
that law-abiding hunters can resolve independently of
State and Federal agencies fiduciary responsibilities.

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

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

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

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

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

I just want to remind you too that
Congress has declared ANILCA .802 [sic] consistent with
the sound management principles in the conservation of
healthy populations of fish and wildlife, utilization
of public lands in Alaska as to cause the least adverse
impact possible on rural residents who depend on the subsistence uses of those resources of such lands.

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

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

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

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

So I'd just like to say that we believe that this meets the criteria for a closure. The competition and the abundance of animals and still
we're taking less than 10 percent of the other take for Unit 13. We're not asking for much.

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

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

Thank you, Mr. Chair.

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

Any questions for Karen.

(No comments)

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

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

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

CHAIRMAN CHRISTIANSON: Yes, you have the floor.

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

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

On the Denali Highway there's a small portion there and that's really overcrowded there too. The one I'm talking about mostly is the one on the
Richardson Highway by Paxson on the pipeline pad. It's so busy up there.

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

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

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

I have one more thing here.

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

Thank you.

I'll take any questions if there is any.

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

Any questions for Shirley.

(No comments)

CHAIRMAN CHRISTIANSON: I thank you.
Is there any other public testimony online.

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

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

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

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

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

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

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

It will be harder to get a caribou because of low numbers and you have to be right there on the road to get it. You have to travel offroad to hunt for a caribou and it is difficult for our local people to travel offroad to get a moose.
I just want to say in the community hunt this year for the State there's going to be 57 moose groups, there's going to be 44 caribou groups. All the households is 1,807 households and for the applicants there's going to be 4,203 applicants. These applicants, 4,000 people, are eligible to hunt for moose. This is what we could be competing with, 4,000 people.

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

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

Hello, did I get cut off?

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

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

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

CHAIRMAN CHRISTIANSON: Thank you, Gloria.

Any questions for Gloria.

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none.

Thank you for your testimony, Gloria.

Any other public testimony online.

MR. WILSON: I have one more comment and question. This is Kirk Wilson.

CHAIRMAN CHRISTIANSON: Go ahead.

MR. WILSON: Do you have enforcement agents there at the meeting now?

CHAIRMAN CHRISTIANSON: That would be a question for Scott, but I don't think I heard anybody that was on that was.....

MR. WILSON: Well, my question would be do they have the authority to write tickets on private land other than Federal land and have they ever written one on Ahtna land?

MR. DOOLITTLE: Kirk, this is Tom Doolittle, the Acting Assistant Regional Director for the Office of Subsistence Management. We don't have an enforcement officer in the room from the Federal side. So I think that folks will get back to you.

MR. WILSON: Okay. Thank you.

CHAIRMAN CHRISTIANSON: Any other public testimony, comments.

(No comments)

CHAIRMAN CHRISTIANSON: I'd just like to, as the Board Chair, thank you guys for taking the time to call in and give us perspective for on the ground and how it affects you as rural users. I definitely thank you for speaking your mind today at
the meeting.

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

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

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

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

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

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

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

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

Also with the understanding that we've heard testimony that we have either conflicts or perceptions of conflicts in two different areas of the Unit. That towards Cantwell and that towards Paxson. So the majority of the lands to the west may not be affected by any Board action because it's surrounded by private lands. If the Board were to accept this, then we'd have -- we could take action on those Federal lands.
A lot of this analysis comes down to -- if you look at the three special actions we have before us, this is the only one where there's a difference between the OSM recommendation and the ISC recommendation.

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

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

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

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

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

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

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

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Gene. Appreciate that.

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

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

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

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

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

MR. SIEKANIEC: Mr. Chair, this is Greg.

CHAIRMAN CHRISTIANSON: Okay. Go ahead.

MR. SIEKANIEC: I don't know that I have a statement, but maybe another question. In looking at all of the different things that are going on in this particular Unit 13 and it seems like it does boil down to a couple of subunits that seem in particular to be most problematic.
I think the question that we have is has this area -- and maybe this is like for Ben or somebody -- has there ever been a caribou working group put together or a management working group, you know, similar to what we've seen in Western Arctic where you have subsistence users and State working group and everybody sort of coming together and trying to really resolve these hot spots is what I'd call them where there's issues that exist?

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

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

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

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

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

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

Because I think what I get out of the analysis is that -- you know, the analysis I thought said it may help. I'm looking for something that this will help. This will eliminate this. This will reduce
this. This will address these issues. I'm not getting
that sense when I read the analysis.

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

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

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

I do apologize.

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

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Greg.

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

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

MR. FROST: Since Greg opened the can.
As I look at it and I've talked with our Staff up at
Wrangell-St. Elias, I see there's sort of two pieces
here. The one piece really hasn't been talked about and
that's sort of the administrative and the bureaucratic
piece, sort of the Federal Board action. This is a Wildlife Special Action. If we were to approve this, it's only going to be in effect for one year, so it's potentially a short-term solution to a long, complex -- a short-term partial solution to a long-term, complex problem.

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

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

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

If we do this, this is just another piecemeal approach to a very complex problem and I would -- I have asked the Staff up at Wrangell to reach out to BLM Staff and to the State Staff. I don't know if we'll form an official group like Greg suggested, but at least get together on a more frequent basis to try to figure out can a proposal come before the Board during the regular wildlife proposals. We've got about a year to get that together and come up with a more holistic solution as opposed to a piecemeal approach because I think the piecemeal approach hasn't worked in the past.
I don't think this is -- this may provide some relief. I don't know. But I think the biggest relief is just going to be 7,000 less permits up there. So I think we need a holistic approach from all the parties and I just don't know that I'm convinced this piece is going to do much for us this year.

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

CHAIRMAN CHRISTIANSON: Yes.

MR. PELTOLA: I understand Bert's approach to it, but also looking at the recent history the residents of this region have brought something before the Board on numerous occasions the last several years where the Board has not taken any action.

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

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

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

CHAIRMAN CHRISTIANSON: Thank you, Gene.

I know again what I'm hearing here is a lot of the residents are having a hard time getting the animals they need to sustain their community. And I think again to bring it back to ultimately our goal, our mission as the Board, is to make sure that the
rural residents have that opportunity to fulfill their needs above and beyond all other user groups.

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

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

So I appreciate the feedback.

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

(No comments)

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

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

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

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

CHAIRMAN CHRISTIANSON: Yes.

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

CHAIRMAN CHRISTIANSON: The floor is open Chad. Thank you.

MR. PADGETT: I move to approve
Wildlife Special Action 19-03 and if I receive a second
I'll explain my reasoning for voting against my motion.

MR. BROWER: Second.

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

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

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

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

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

There are already regulations that
prohibit many of the actions that local harvesters are
complaining about; trespassing, shooting from the road,
overharvesting, littering and wanton waste. Limited
enforcement capabilities are not improved by
duplicative regulation.

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

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

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

With that I'll conclude my motion.

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

(No comments)

MR. BROWER: Question.

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

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

CHAIRMAN CHRISTIANSON: Sounds good.

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

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

Thank you.

We'll continue with the vote.

Public Member, Rhonda Pitka.

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

MR. DOOLITTLE: I couldn't hear you.

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

MR. DOOLITTLE: Thank you, Rhonda, yes.

MS. PITKA: Okay, thanks.

MR. DOOLITTLE: Public Member, Charlie Brower.

Thank you.

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

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

MR. DOOLITTLE: Thanks, Gene.

National Park Service, Herbert Frost.

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

Bureau of Land Management, Chad Padgett.

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


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

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

Thank you.

MR. DOOLITTLE: Thank you very much, Greg.

U.S. Forest Service, David Schmid.

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

Thank you.

MR. DOOLITTLE: Thanks very much, Dave.
Last but not least, Chairman Anthony Christianson.

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

MR. DOOLITTLE: Thank you, Mr. Chair.

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

I guess it's time to move on to 19-05.

We're going to take a little five-minute break.

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

CHAIRMAN CHRISTIANSON: Yes.

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

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

CHAIRMAN CHRISTIANSON: Yeah, sure. Go ahead, Dave.

MR. SCHMID: Yeah, I just want to reassure Gene as well, at least from my end, that commitment is there. We absolutely need to focus some attention in this area to get to a better solution. So
at least from my end it's certainly more than lip
service.

Thank you, Gene. Thank you, Chair.

MR. BROWER: Mr. Chair.

CHAIRMAN CHRISTIANSON: Go ahead,

Charlie.

MR. BROWER: May I be excused because I
have some emergency stuff I need to act on. Thank you
for everything and support what's being said about the
action right here. I appreciate it.

Thank you.

CHAIRMAN CHRISTIANSON: Have a safe day
and hopefully everything is okay, Charlie.

MR. BROWER: All right. Thank you.

Bye.

MR. DOOLITTLE: Mr. Chair, if it's okay
with you, we're taking a five-minute break.

CHAIRMAN CHRISTIANSON: Oh, okay. Take
five, I guess.

MR. DOOLITTLE: Alrighty. Yeah,
chairing at a distance I know is tough. Take care.

Bye.

(Off record)

(On record)

MR. DOOLITTLE: We have our quorum back
at the table. As I understand, Charlie is moving on for
the rest of the meeting. He's in transport.

CHAIRMAN CHRISTIANSON: All right. We'll
go ahead and reconvene this meeting. I'll have the
Staff introduce.....

MS. LINNELL: Mr. Chair.

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

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

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

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

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

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

Thank you.

CHAIRMAN CHRISTIANSON: All right. Thank
you, Karen.

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

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

MR. DOOLITTLE: Absolutely, Mr. Chair.

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

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

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

The Kodiak Regional Advisory Council also submitted a similar proposal for the 2020-2022 wildlife cycle, so that will be coming up here and discussed this coming year.
A public hearing was held on June 5th, 2019. No public testimony was given at the public hearing, but one written comment from the State of Alaska was received. The State of Alaska recommended that the caribou hunt on Unimak Island remain closed until a minimum of 500 caribou observed during the fall composition surveys and the bull:cow ratio remains above 35 bulls:100 cows for three consecutive years. The Southern Alaska Peninsula Caribou Herd is genetically distinct from the Unimak Caribou Herd, so they are now managed as separate populations. The Unimak Caribou Herd has undergone considerable fluctuations in the past from a high of 3,334 in 1975 to a low of 192 in 2013.

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

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

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

No caribou hunting occurred from 2009
to 2017 due to low population, low survival and recruitment. Harvest by False Pass residents from 1997 to 2008 was less than two per regulatory year. A majority of the caribou taken from 1997 to 2008, which was 12 per year, most of that was taken by non-Federally-qualified users. In 2018, three caribou were harvested by False Pass residents.

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

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

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

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

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

Given that the Unimak Caribou Herd population in the past has undergone wide fluctuations and they are susceptible to extirpation by stochastic events, such as volcanic eruptions, bad winters,
icing events, and wolf and bear predation. The harvest 
quota should not exceed four bulls or approximately 1 
percent of the population. The Izembek National 
Wildlife Refuge Manager has delegated authority to set 
harvest quota and season closure date and would provide 
management flexibility to adjust the harvest based on 
the status and the health of the population.

That concludes my presentation.

Any questions.

CHAIRMAN CHRISTIANSON: Thank you, Tom.

Any questions by the Board for Tom.

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

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

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

Do you want to clarify?

MR. EVANS: Yeah, just to clarify.

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

We kind of explained it in the analysis 
a little bit further. It says this Temporary Special 
Action will be the action the Board can take for this 
season. The Board will be taking up the proposal 
version of this at your April 2020 meeting and that 
would provide for -- if adopted, would provide for a 
harvest in 2020, but not through this Special Action.
MR. DOOLITTLE: Yeah, that's an important clarification to make though and a really good question, Board Member Frost, because it is within a regulatory cycle. It can be more than one year.

MR. FROST: Okay.

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

(No comments)

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

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

MR. DOOLITTLE: ISC recommendations.

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

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

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

Providing the 2018 opportunity to harvest three bull caribou allowed False Pass residents a chance to carry out customary and traditional practices and to pass on cultural knowledge to the younger generation. Only residents of False Pass, as determined through the Section .804 subsistence user prioritization analysis, were eligible for this hunt in 2018.
Harvest data from the period in which the UCH was open to harvest (1997-2009) shows the average harvest by Federal Registration permit was less than two animals per regulatory year. In 2018, four permits were issued and three bull caribou were reported harvested.

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

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

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

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

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Jennifer.

Any questions for the ISC Staff.
CHAIRMAN CHRISTIANSON: Hearing no questions, we'll go ahead and open up the floor for public testimony.

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

CHAIRMAN CHRISTIANSON: Hi, Todd.

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

Thank you.

CHAIRMAN CHRISTIANSON: Thank you.

Any questions, comments.

(No comments)

CHAIRMAN CHRISTIANSON: Any additional public testimony.

(No comments)

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

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

CHAIRMAN CHRISTIANSON: Yeah, Gene, go ahead.

MR. PELTOLA: For the OSM Staff, if you look at the analysis, if a Board member was in support of this, since there's an accompanying .804, would have
to explicitly accept the .804 for the record.

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

CHAIRMAN CHRISTIANSON: Go ahead, Jennifer.

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

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

MR. PELTOLA: Thank you.

CHAIRMAN CHRISTIANSON: Any other questions.

(No comments)

CHAIRMAN CHRISTIANSON: Any Board discussion.

(No comments)

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

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

CHAIRMAN CHRISTIANSON: Go ahead, Greg.

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

The modified regulation would read as indicated on Page 17 of analysis for Wildlife Special Action 19-05 provided in the Board materials.
If I get a second, I will provide further justification.

MR. PELTOLA: Second.

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

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

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

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

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

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

Advertisement of the opportunities to harvest caribou from the Southern Alaska Peninsula Herd
should continue in order to ensure False Pass residents are aware of this broader and much more liberal opportunity.

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

Thank you, Mr. Chair.

CHAIRMAN CHRISTIANSON: Thank you, Greg.

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

CHAIRMAN CHRISTIANSON: Yeah. Go ahead, Gene.

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

MR. SIEKANIEC: Only False Pass residents in accordance with ANILCA .804 is appropriate.


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

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

CHAIRMAN CHRISTIANSON: Okay. Thank you. Did that answer your question, Gene?

MR. PELTOLA: Yes.

CHAIRMAN CHRISTIANSON: Okay. Any other questions or comments, discussion by the Board.
CHAIRMAN CHRISTIANSON: Hearing none, I'll call for the question.

MR. FROST: Question.

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

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

Bureau of Land Management, Chad Padgett.

MR. PADGETT: Support as stated.


MR. SIEKANIEC: Support.

MR. DOOLITTLE: Public Member Rhonda Pitka.

MS. PITKA: Support.

MR. DOOLITTLE: BIA, Gene Peltola.

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

MR. DOOLITTLE: Thank you, Mr. Peltola.

U.S. Forest Service, David Schmid.

MR. SCHMID: Yes, I support with the justification provided by the Fish and Wildlife Service.
MR. DOOLITTLE: National Park Service,
Bert Frost.

MR. FROST: I support.

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

CHAIRMAN CHRISTIANSON: I support.

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

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

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

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

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

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

Additionally, the proponent requests
delegated authority to modify harvest limits and season
dates in Unit 20F. The Federal manager, who is also
the proponent for this proposal already has this
authority in Units 20E and 25C.
The BLM Eastern Interior Field Office states that Federal regulations are currently more restrictive than State regulations and that their intent is to align Federal and State regulations to increase subsistence opportunity and to reduce regulatory complexity and user confusion.

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

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

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

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

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

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

(Teleconference participant interference)

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

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

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

The OSM conclusion is to support WSA19-06.

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

I'd be happy to answer any questions.

CHAIRMAN CHRISTIANSON: Thank you very much for that.

Any questions for the Staff from the Board.

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

This is Gene.

CHAIRMAN CHRISTIANSON: Gene, yes.

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

CHAIRMAN CHRISTIANSON: Any other questions or comments for Staff.

(No comments)

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

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

MR. FROST: ISC.

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

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

MS. HARDIN: Thank you, Mr. Chair.

It's Jennifer Hardin. Chair of the InterAgency Staff
Committee.

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

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

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

Thank you, Mr. Chair.

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

(No comments)

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

I'd open up the floor for public testimony.

(No comments)

CHAIRMAN CHRISTIANSON: Any public on line that would like to speak to this proposal, now is
your time.

(No comments)

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

(No comments)

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

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

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

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

MR. SIEKANIEC: Second.

CHAIRMAN CHRISTIANSON: Second's been made.

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

MR. SHARP: No.

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

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

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

This special action is supported by
both the Eastern Interior Subsistence Regional Advisory Council and the State of Alaska. A companion proposal WP20-48 has been submitted for the upcoming wildlife regulatory cycle to formally adopt this change.

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

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

That concludes my motion.

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

(No comments)

CHAIRMAN CHRISTIANSON: Hearing none, I'll.....

MR. FROST: Question.

CHAIRMAN CHRISTIANSON: .....call for the question.

MR. FROST: Question.

CHAIRMAN CHRISTIANSON: Question's been called.

Tom, would you do roll call.

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

(Laughter)

MR. DOOLITTLE: Wildlife Special Action
19-06, which is 20E, 25C, 20F caribou and the appropriate changes to the letter of delegation for the BLM manager.

Okay.

Roll call vote.

Chad Padgett.

MR. PADGETT: Support as stated.

MR. DOOLITTLE: National Park Service, Herbert Frost.

MR. FROST: Support.

MR. DOOLITTLE: David Schmid.

MR. SCHMID: Support.


MR. SIEKANIEC: I support.

MR. DOOLITTLE: Public Member Rhonda Pitka.

MS. PITKA: Support.

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

MR. PELTOLA: Support.

MR. DOOLITTLE: Last, but not least, Chairman Anthony Christianson.

CHAIRMAN CHRISTIANSON: I support.

MR. DOOLITTLE: All right. That motion is carried and that Wildlife Special Action 19-06 is approved.

MS. PITKA: Could the person who seconded the motion state their name on record, thank you.
MR. SIEKANIEC: Yes, Greg Siekaniec with the U.S. Fish and Wildlife Service provided the second.

MS. PITKA: Thank you.

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

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

MR. DOOLITTLE: No.

MR. FROST: I make a motion we adjourn.

MR. PELTOLA: Second.

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

(No comments)

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

MR. SIEKANIEC: Thank you, Mr. Chair.

MR. DOOLITTLE: Thanks Tony for everything.

MS. PITKA: Thank you, see you next month.

MR. DOOLITTLE: Bye Rhonda.

CHAIRMAN CHRISTIANSON: We're adjourned.

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA

)ss.

STATE OF ALASKA

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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DATED at Anchorage, Alaska, this 25th day of July 2019.

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Salena A. Hile
Notary Public, State of Alaska
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