

97-117-BOG
Findings of the Alaska Board of Game
Regarding Customary and Traditional Use of Muskoxen
on the Seward Peninsula

At its October 1997 meeting in Nome, the Board of Game took up a proposal to find a positive Customary and Traditional (C&T) finding for muskoxen on the Seward Peninsula. Muskoxen on the Seward Peninsula represented an unusual situation for the C&T determination process because muskoxen disappeared from the Seward Peninsula and have been absent from that area for at least 100 years. The muskoxen now on the Seward Peninsula were introduced in 1970 and have been protected from hunting by state law, since then. A federal hunt began on this population of muskoxen on federal lands of the Seward Peninsula in 1995-96 and more than 30 muskoxen have been harvested.

Board deliberations on the findings of a customary and traditional use lead to the following conclusions:

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

While the Board of Game did not find that a consistent pattern of taking, use, and reliance on this re-established population had occurred over a period of not less than one generation (approximately 30 years), the Board did find that the reason was due to an interruption by circumstances beyond the users' control.

Muskox bones found on and near the Seward Peninsula, the lack of geographical barriers to prevent muskoxen from reaching the peninsula from known populations to the north, and a name for muskoxen in the local language provided evidence that muskoxen once inhabited the area and were known by the people. Interviews conducted by ADF&G Division of Subsistence have included elders of the Seward Peninsula who remember their elders talking about muskoxen. Although the Board found no direct evidence of use of muskoxen prior to the federal hunt established in 1995 by the residents of the Seward Peninsula, there is a much better record for the North Slope of Alaska. A large majority of the people of the Seward Peninsula are Inupiat Eskimos and share the same culture with the Inupiat of the North Slope. Had the Inupiat of the Seward Peninsula been allowed to hunt muskoxen soon after their introduction in 1970 there would be a recorded pattern of taking and use of approximately one generation at the time of this request for a finding. It is reasonable to assume the use of muskoxen would be similar to that found for the Inupiat of the North Slope of Alaska.

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

A pattern of taking muskoxen during the late-winter and spring has developed during the recent federal hunt. Even though the hunt was established with specific seasons, extensions have been granted to accommodate the developing pattern of taking.

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

The primary transportation is by snowmachine and foot without the use of aircraft or other expensive commercial services. The Board heard testimony that the harvest would be more efficient and economical if the hunters were not forced to travel farther from their villages to hunt on more distant federal lands.

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

For this criterion the area has been defined by land ownership. Federal lands farther from the villages are open for muskox hunting while state and private lands closer to the villages are closed. The Board is confident that a harvest area would be established for muskoxen in the absence of the legal constraints although it would likely be somewhat different from the present area.

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

The Board heard testimony that harvested muskoxen were being handled, prepared, preserved, and stored in the same manner as other big game subsistence species. The meat has been salvaged and used and hides have been used for warmth as blankets or clothing. There has been no trophy use of horns or hides.

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

On the Seward Peninsula hunting traditions are known to be taught to children by their parents and grandparents. Although hunting of muskoxen was illegal between 1970 and 1995, information about muskox movements, habits and behavior, especially regarding human safety, was being transferred among generations.

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

The limited number of muskoxen available to be harvested in the federal hunt have been shared widely within the communities. Sharing of big game and other wild resources is common in communities of Northwest Alaska as demonstrated by subsistence surveys indicating that large percentages of households received such gifts. The Board believe that had the harvest of muskoxen been allowed in the past, this species would be fully incorporated into the subsistence pattern of these communities.

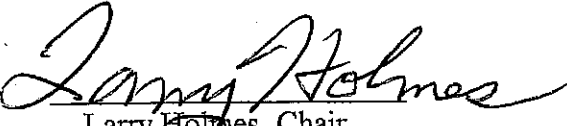
Criterion 8: A pattern that includes taking, use, and reliance for subsistence purposes upon a wide diversity of fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life.

Subsistence use of about 50 different species of fish, game, and plants is well documented for the Seward Peninsula communities (ADF&G Community Profile Database, Vol. 5 Arctic Region, Division of Subsistence). It is also well documented that economic opportunities for cash are few and mean household income is low, therefore wild foods are essential to many people of the Seward Peninsula.

After weighing the individual criteria, the Board found that there is a customary and traditional use of muskoxen on the Seward Peninsula. The Board believes that muskoxen were used, to the extent they were available, prior to extirpation from the peninsula, and that this sporadic use would have resumed, but for legal constraints, as soon as animals were again available. The extirpation was not within the control of current users.

Date: 11/16/97
Anchorage, Alaska

Vote: 4-2-1
Fleagle absent


Larry Holmes, Chair
Alaska Board of Game