

For the record, my name is Jim Simon. Until recently, I worked as the regional supervisor for the Division of Subsistence covering the northern 2/3rds of Alaska. I'm here today to give personal testimony in support of the continuation of the Ahtna community subsistence hunts. My personal relationship with GMU 13 began 47 years ago, when I was 2 years old, and my father built a trapping cabin on the Little Nelchina River. My grandfather was a master guide beginning in the early 1950s based out of Sheep Mountain, a parcel of which my uncle still owns and operates as an air taxi service along with his son-in-law. Most of my uncles, as well as my step-mother and father were assistant guides, outfitters, or air transporters throughout early adulthood to middle age in GMU 13.

The passage of the state subsistence law in 1978 affected my family's guiding operations to some extent, but not nearly as much as the McDowell decision that eliminated the rural priority. I contend that this decision failed to recognize that equal access applies to similarly situated people. As testimony at this meeting has already demonstrated, the 2500 to 3000 local residents of the area are not similarly situated to those members of my family, and others, who now live in state nonsubsistence areas, despite our historical ties to fish and wildlife in GMU 13 as our means of livelihood.

Failure of the Alaska legislature to allow a vote of the Alaskan people to amend the constitution to allow for a rural priority has created the federal over-reach that we so often hear about at Alaska Board of Game meetings. I encourage the Board of Game to take similar action as to that recently taken in partnership with the U.S. Congressional delegation with the Alaska Legislature to fix the subsistence law and give you the tools you need to adequately implement the subsistence priority law as originally intended, which will then provide for more nonsubsistence uses, just like it did in many cases when there was a state rural priority.

However, customary and traditional uses are not just about food, but also for providing opportunities for Alaska Native youth to practice their heritage, learn their language, make themselves whole and healthy by fulfilling their cultural and social obligations to not only feed their families and those who cannot hunt and fish for themselves any longer, but also to freely engage in the religious ceremonial requirements of providing sacraments of fish and wildlife for community funerary and memorial potlatches without being maligned; rights that are protected by both the Alaska and U.S. constitutions.

Non-Natives, like those of my family, do not have these same spiritual, social, and cultural obligations at the death of one of our family members, again demonstrating that all Alaskans are not similarly situated with respect to equal access and that's okay. The Ahtna CSH has accomplished much for the 8 communities who established the community pattern of use in this regard.

However, as usual, the system is now being abused by those who do not respect the efforts and intent of this board to provide reasonable opportunities for customary and traditional uses by Alaska Natives as promised in the Alaska Statehood compact, ANCSA, and ANILCA.

It's great that there is currently an abundance of moose and caribou, but demand still greatly exceeds supply. ANS determinations for both caribou and moose do not provide a reasonable opportunity for customary and traditional users to have a reasonable expectation of success in taking GMU 13 moose or caribou. For example, the DOL memo states that ANS findings should be based upon a consideration of harvest history and the anticipated number of participants wishing to participate in the opportunity in order to provide a reasonable expectation of success in taking fish or wildlife as defined in state law (AS

16.05.258(f)). The number of participants in the CSH hunts now clearly indicate that a participant cannot reasonably expect to be successful in taking an animal for subsistence uses under the CSH.

I also encourage the Alaska Board of Game and the Alaska Department of Fish and Game to fully implement AS 16.05.094(4-6) and have the Division of Subsistence assist the Alaska Board of Game and the department in “determining what uses of fish and game, as well as which users and what methods, should be termed subsistence uses, users, and methods” as well as making recommendations directly to the Board of Game for corrective action to subsistence regulations. This should also include scoring of CSH reports to ensure that all participants comply with the hunt conditions associated with the CSH; otherwise, it’s like requiring full-curl sheep without ever sealing horns and determining whether the harvest was legal.

- Abuse
 - Lost Tier II hunters; giving them directions, but can’t get Tier II permit myself.
 - New comers getting Tier II when I still can get one – lying on application?
- 30:70 rule and its relationship to CSH and proxy hunting in general, at least originally.
- Many ideas would provide more liberal bag limit for drawing permits, which are nonsubsistence hunts, while customary and traditional users would be stuck with restrictive antler restrictions and limited to one or two caribou per household, which would also be potentially more restrictive than drawing permit hunters.