

**Unit 23 Working Group Meeting
May 11, 2011 – Kotzebue, Alaska
Meeting Summary**

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1.0 Introduction

The Unit 23 Working Group held its sixth full meeting on May 1, 2011, in Kotzebue, Alaska, at the Northwest Arctic Borough (NWAB) Assembly Chambers. The Working Group was formed in 2008 to discuss fall hunting conflicts between local hunters, nonlocal hunters and commercial operators (guides, transporters) in Game Management Unit (GMU) 23, in northwest Alaska.¹ The group is working together by consensus to develop solutions to fall hunting conflicts. The group’s advisory recommendations are sent to regulatory boards, land and wildlife management agencies, and others to evaluate and consider for implementation. Working Group members are listed in Attachment 1. Jan Caulfield facilitated the meeting.²

The objectives of the May 11, 2011 meeting were to:

- Hear updates on progress being made on Working Group recommendations.
- Discuss the 2010 hunting season and preparation for the 2011 season.
- Hear public comment (in person and through toll-free call-in).
- Discuss other topics raised by Working Group members, and the future of the Working Group.

¹ See Unit 23 project web site for additional information and previous meeting summaries:
<http://www.adfg.alaska.gov/index.cfm?adfg=wildlifepanning.unit23>

² Jan Caulfield, Unit 23 Facilitator, 114 S. Franklin St., Ste. 203, Juneau, AK 99801, 907-523-4610,
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Section 2.0 lists next steps and assignments to follow through on Working Group recommendations. Section 3.0 is a general summary of information presented and the group's discussion, including the status of recommendations from previous meetings. Section 4.0 addresses future meetings. Public comments are summarized in Section 5.0.

All Unit 23 Working Group meetings are open to the public. The May 11 meeting was broadcast on public radio station KOTZ (including web broadcast). Attachment 2 lists members of the public and agency staff who attended and/or provided comments. The meeting agenda is in Attachment 3.

The Working Group plans to meet again in Kotzebue in spring 2012 (date to be determined).

2.0 Next Steps & Assignments

The following tasks will be done to continue progress on recommendations made by the Working Group:

- Evaluate Pilot Orientation Requirement (See Section 3.2, below) – Meghan Nedwick, Alaska Department of Fish and Game (ADFG), will work on evaluating how well the pilot orientation and testing requirement is working. It may be particularly useful to survey pilots who take the test in 2011, as these may be pilots who are new to the region and it would be possible to determine how well the orientation prepared them to operate in the region while avoiding conflicts. It was also suggested that people “on the ground” be contacted regarding whether pilot behavior has changed. Assignment: Meghan Nedwick
- Consider Post-Season Meetings with NWAB and Communities (see Section 3.6) – The NWAB hosts an annual pre-season teleconference with management/permitting agencies and the local communities prior to the fall hunting season, to discuss what commercial services (guides, transporters) have been permitted to operate in the region. It was suggested that the agencies and NWAB consider also hosting a post-season meeting, to communicate with the communities about what happened during the hunting season, enforcement actions, etc. Assignment: Lee Anne Ayres, Shelly Jacobson, Frank Hays, Charlie Gregg
- Enforcement Coordination – It was suggested that agencies consider the need for more enforcement attention in the Upper Kobuk area and increased communication with guides and transporters who operate out of Bettles and Fairbanks (see Section 3.6). It was also suggested that the seasonal investigator hired by the Alaska Department of Commerce, Community and Economic Development (DCCED) have increased field access in 2011 – independent from the other enforcement agencies – to increase the coverage and benefit from that position (see Section 3.4) Assignment: Lee Anne Ayres, Shelly Jacobson, Frank Hays, Quinten Warren (in consultation with Alaska State Troopers, NWAB and NANA Trespass Program)
- Consider establishing Unit 23 Working Group as a subgroup to the Western Arctic Caribou Herd Working Group (WACHWG) – While there is likely funding

for an annual meeting of the Unit 23 Working Group in spring 2012, in the long-term it may be appropriate for the working group to meet as a subgroup of the WACHWG. The following Unit 23 Working Group members will consider this and consult with the WACHWG Chair and Agency Representatives. Assignment: Jim Dau, Steve Machida, Shelly Jacobson, Lee Anne Ayres, Frank Hays, Phil Driver.

3.0 Summary of Working Group Presentations & Discussion

This section provides a brief summary of presentations and Working Group discussion at the May 11, 2011 meeting. (See Agenda in Attachment 3). Northwest Arctic Borough Mayor Sikauraq Whiting welcomed the Working Group and emphasized the importance of continuing to work together to find common ground in management of hunting and wildlife resources in the region. Mayor Whiting emphasized the importance of involving the region's youth in discussions and solutions.

2010 Hunting Season

3.1 Review 2009 Herd Census Data and Update on 2010 Hunting Season

Jim Dau, ADFG Wildlife Biologist, presented the following information to the Working Group (see Power Point presentation in Attachment 4):

- 2009 Caribou herd census: The July 2009 census of the Western Arctic Caribou Herd (WACH) counted 348,000 caribou (Note: This was revised down from an earlier report following a recount of census photographs.)
- Caribou migration routes and hunting success: In fall 2009 and 2010, the caribou have been migrating farther to the east, through Ivishak pass, down past Ambler, Kobuk and Shungnak. Migrations are also occurring later (well into October). Local hunting success for many villages was the worst in 2010 that Jim has ever seen. Villages in the western part of the region (Noatak, Kivalina) did not get caribou, although hunting was good farther east in Shungnak and Ambler.
- Numbers of nonlocal hunters: There were fewer nonlocal hunters in Unit 23 in 2010 than in any year since data collection began in 1998. Less than 450 nonlocal hunters hunted in Unit 23 in 2010, down just slightly from 2009 and down considerably from the high of nearly 800 in 2006. Ninety percent of nonlocal hunters sought caribou, moose, or both. Other species harvested include bear, sheep, and muskox. Jim noted that while the number of hunters was down in 2010, the number of aircraft flights had increased. In response to a question, Jim noted that he cannot speculate why the number of nonlocal hunters was so high in 2006, but he attributes declines in 2009 and 2010 to the economic recession.
- Number of aircraft in contact with Kotzebue Federal Aviation Administration (FAA): Jim presented information that shows that "Part 91" aircraft activity (general aviation aircraft) increases substantially during each fall hunting season, while "Part 135" (commercial aircraft services such as ERA and Bering Air) is more consistent during the year. This data is only for aircraft communicating with

Kotzebue FAA Flight Service, so may not include flights accessing the region from Bettles, Fairbanks, Galena or other locations.

- Hunting dates: The average peak time period for nonlocal hunting in Unit 23 has shifted to later dates over the years, with peak hunting now after mid-September (very little activity in August).
- Areas hunted: The Guide Use Areas (GUA) most heavily used by nonlocal hunters are GUA 005 (Selawik, Lower Kobuk) with an average nonlocal hunter density of 2.17 hunters/100 mi², and GUA 006 (Squirrel, Aggie, Eli Rivers) with an average nonlocal hunter density of 3.34 hunters/100 mi².
- Commercial service use: More than 50% of the nonlocal hunters used transporter services in 2010; about 20% used guide services, while about 25% used no commercial services.
- Camp locations: ADFG has compiled maps showing fall hunting camp locations in 2010, based on aerial observations made by the National Park Service (NPS), ADFG and US Fish and Wildlife Service, as well as data provided by DCCED. The data from DCCED is the locations (lat./long.) of camps, drop-off and pick-up points provided voluntarily by guides and transporters, so does not represent all locations used. (The Alaska State Troopers did not record camp locations in 2010.)
- DCCED data re: guide and transporter activity: 2010 is the first year that ADFG has been able to access DCCED data regarding guide and transporter activity. Improved access to this data is due to the Unit 23 Working Group's request that the data be made more available to other management and enforcement agencies, and DCCED's efforts to respond to that request. In 2009, DCCED received 125 activity reports from seven transporters; 86 reports (69%) voluntarily provided information about the location of camps, drop-off and pick-up points. In 2010, the database includes only 35 reports from four transporters, with 60% providing location information; however, Jim expects that not all 2010 data had yet been entered. In response to a question, Jim indicated that there are about seven transporters and 10-12 registered guides operating in Unit 23. Quinten Warren from DCCED confirmed that not all 2010 data has been entered into the database and also mentioned that he is hoping that data availability will continue to improve, to benefit management and enforcement.

Working Group members raised the following points in discussion:

- In 2010, local hunters had significant problems getting caribou in many villages. Some hunters hunted barren females for meat. The regulatory system, which sets regulations in advance and are not adaptive during the hunting season, can create problems. In the fall, caribou were late and farther east. In the spring, there was very little movement of caribou to the north as of May 2011. The regulatory process needs to factor in changing environmental conditions, although that would be hard to do.
- There is substantial concern among local Working Group members that local people are not able to get the caribou that they need for subsistence, while people who can access the area by plane (e.g. with transporters) can go to where the

caribou are and successfully hunt them. It was noted that some residents of Noatak traveled to Buckland to hunt, which is very costly with the high price of gas.

- If villages in the Northwest region are not able to access caribou until mid- to late October, the bulls will not be edible. If people start to harvest cows, that could be a possible concern for the future herd size.
- Ted Spraker asked if there is any pattern in terms of a change in migration route if the herd becomes smaller. Jim replied that in the 1960's and 1970's, when the herd was smaller, the migration routes were even less predictable. Movement patterns are very difficult to predict.
- Jim Dau noted that he has not received a complaint regarding wanton waste of caribou meat in about three years. Meat care by visiting hunters seems to have substantially improved.

3.2 Pilot Orientation

In 2010, a new regulation took affect (adopted by Board of Game, proposed by Unit 23 Working Group) that requires that a one-time orientation session for aircraft pilots transporting big game or meat in Unit 23. A pilot may not transport parts of big game with an aircraft without having, in their possession, a certificate of successful completion of a department-approved education course. (Note: This provision does not apply to transportation between state-maintained airports.)

Meghan Nedwick, ADFG Education Associate, presented the following information about implementation of the new regulation:

- The purposes of the orientation are to help visitors to the region to understand customary practices, avoid unnecessary noise and garbage pollution, and avoid conflicts with other hunters. Only pilots transporting big game in the field are required to obtain certification, but ADFG will encourage all visitors to the region to become familiar with this material and other information about Unit 23 posted on the ADFG website.
- As of May 5, 2011, 170 pilots had taken the test, including 153 Alaska residents and 17 non-residents. There were no reported problems with the mechanics of taking the test (e.g. locating it on-line, printing certificates). ADFG did receive some complaints about the new requirement and its highlighting pilots as a source of conflicts during the fall hunting season.
- ADFG responded to complaints by indicating that the orientation was being provided to help prevent problems, while not increasing regulations. The public responded more positively after they heard this, and after they had actually taken the test.

The following comments were made in Working Group discussion:

- In response to questions, Meghan noted that she did not have data on the number of people who had to take the test more than once to pass it.

- The Working Group is interested in knowing how many new pilots take the test in 2011, as they would likely be new comers to the region, and how helpful the orientation material is to them.
- People “on the ground” should also be contacted regarding any changes in aircraft activity and behaviors.
- Updated land status maps are part of the orientation requirement, so pilots are aware of where private land is located. The Bureau of Land Management (BLM) is updating land status information annually and making it available on DVDs.
- The NWAB will be sending out applications to guides and transporters for borough permits and will include this land status information in those packets.
- The pilot orientation material should be updated to adapt to changing conditions in the region.
- A sunset date for the requirement should be considered (this would require Board of Game action).
- Meghan Nedwick will work on an approach to evaluate how well the orientation and testing requirement is working. (See Section 2.0, above)

3.3 Working Group Comments Re: 2010 Season and Other Topics

Working group members offered the following comments:

- Pete Schaeffer discussed the value of traditional ecological knowledge (TEK), especially with changing environmental conditions and climate. He noted that agencies are beginning to seek out TEK and consider it more respectfully. Pete asked if it would be possible to get more hard data on caribou migration routes. It is important for agencies and local people with knowledge to try to determine what is happening in terms of changes in the migration, which may be affected by changing environmental conditions and human activity – and identification of routes that need to be protected in the start of the migration. He noted that there are serious social concerns when families and communities cannot get caribou meat for subsistence.
- Enoch Mitchell is concerned that there are no limits on camp numbers, particularly in the Aggie River, which is a main caribou migration route. Traditionally, local hunters did not camp in a migration route; elders teach that and it is common sense. Visiting hunters should follow these same practices. Visiting hunters should be managed to ensure that everyone can be successful each year. No one should need to go hungry.

Enoch also noted that the Noatak/Kivalina Advisory Committee had considered proposing that the Board of Game establish a CUA in the Aggie River area. They did not make this proposal, for concern that it would jeopardize the existing CUA on the Noatak River.
- Ron Moto, Sr., expressed concern that northern villages in the region did not get caribou. Members of these communities were welcomed to Deering to hunt, but it is costly to travel that far. This year, there was rain, storm surges and water in

Deering in February. Climate change is having a huge effect on caribou – this change must be monitored.

- Cyrus Harris expressed concern that camping in the migration routes may be causing caribou to change their migration paths. Elders have always said that it is important to leave the early caribou alone, let them go by before hunting.

Issues Related to Transporter and Guide Activities

3.4 Alaska State Legislature / DCCED Investigator

In 2009, the Unit 23 Working Group recommended that legislation be enacted to give the Big Game Commercial Services Board (BGCSB) the authority to regulate transporters, in addition to big game guides. Alexei Painter, from Representative Reggie Joule's office, spoke and noted that Rep. Joule had introduced a bill in 2010 to provide this authority to the BGCSB (House Bill 429). However, the bill did not move and was not reintroduced in 2011. Rep. Joule was successful in obtaining funding in 2010 and 2011 for an additional seasonal investigator (contract employee with DCCED) to be based in Unit 23 during the fall hunting season to gather information regarding transporter and air taxi conduct, conduct field inspections and investigations to ensure compliance, and enforce the statutes and regulations under the authority of the BGCSB. In discussion, Working Group members thanked Rep. Joule for these efforts and indicated their continued support – and that of the BGCSB – for the expanded authority to regulate transporter activities.

Quinten Warren, DCCED Investigator, spoke about the additional investigation and enforcement work that the department is providing in the region in 2010 and 2011. A copy of a January 2011 report to the 27th Alaska State Legislature prepared by DCCED is attached (Attachment 5).

The seasonal investigator, John Clark, spent 22 days in Unit 23 in 2010. He will mobilize earlier and spend a longer time in the region in 2011. In 2010, Mr. Clark contacted 75 hunters and worked with the Alaska State Troopers and US Fish and Wildlife Service (USFWS) to get out in the field for enforcement. The DCCED and BGCSB have more authority over the activities of guides, and less over transporters (generally limited to issues related to trespass, proper meat care, and any violation of state harvest regulations). DCCED does not have authority over air taxis, even if they are flying big game hunters.

The following points were made during discussion:

- Quinten Warren noted that hunters often made comments to Mr. Clark about the lack of meat processing facilities or services in Kotzebue. (Ted Spraker suggested that the Working Group should talk more about this in the future.)
- The agency representatives on the Working Group asked that the seasonal investigator coordinate closely with the federal and state enforcement agencies, the NWAB, and NANA Trespass Program.

- In response to a question from the Working Group, Quinten Warren acknowledged that there would be an advantage to defining air taxis that transport hunters as “transporters,” so that the activity of those clients would also be reported to DCCED. (Note that in past action, the Unit 23 Working Group recommended that a change be made to the definition of “transportation services” in state statute, to require air taxi operators that transport clients for big game hunting in the field to comply with regulations that address transporters. However, legislation has not been introduced to make this change.)

3.5 Update on Big Game Guide Concession Program

Valerie Baxter, Natural Resource Specialist, reported that the Alaska Department of Natural Resources (DNR) is expecting to implement the new guide concession program in 2014.³ The program will establish guide concession areas (generally matching the boundaries of the existing Guide Use Areas) on State of Alaska land and possibly BLM land. The State will enter in to contracts with guides in each concession area. A prospectus will be issued to guides in early 2013, explaining the program and requesting their proposals for contracts.

Preparation for 2011 Season

3.6 Pre-Season Coordination & Enforcement Coordination

In August 2010, the NWAB again hosted a pre-season meeting/teleconference between villages and the state and federal agencies that permit guide and transporter operations in Unit 23. This provided an opportunity for the agencies to share information about which commercial services providers they expected to be operating and to hear from the villages about any concerns. The Working Group recommended that a similar pre-season meeting/teleconference be held in 2011 – and that a post-season meeting also be considered.

The federal and state agencies are also coordinating closely with each other on enforcement, and with the NANA Trespass Program that has five village trespass officers in the region. Enforcement coordination will continue in 2011. The Working Group discussed the need for additional communication with commercial service providers (guides, transporters) that are not based in Kotzebue (e.g. Bettles, Fairbanks) and additional enforcement effort in the Upper Kobuk.

³ For more information, see the program website at <http://dnr.alaska.gov/mlw/gcp/> or contact Clark Cox, DNR, Division of Mining, Land and Water, at clark.cox@alaska.gov, 907-269-8565.

Update on Federal Agency Planning and Permitting

3.7 US Fish and Wildlife Service

Selawik National Wildlife Refuge Manager Lee Anne Ayres presented the following information:

- 2010 Commercial Use Update – The Selawik Wildlife Refuge issued special use permits in 2010 to one big game guide, three transporters who access the area by aircraft for hunting, and one transporter based in Selawik that uses a boat. These businesses served 64 clients in 2010; 13 moose and 29 caribou were harvested. The highest numbers of transporter activity was in 2001-2004; it has since declined (lowest in 2007-08). Declines are likely due to retirement of two long-term transporters, change in moose hunting regulations that instituted a drawing permit, and economic recession.
- Planning (see Attachment 6) – The Selawik Refuge Comprehensive Conservation Plan (CCP) is nearly completed and will be in place by fall 2011. The planning team includes representatives of USFWS, NWAB (Charlie Gregg), NANA Trespass Program (Abraham Snyder), ADFG, and ADNR. Public comment on the draft plan closed in March 2010. Issues addressed include marking winter trails, maintaining shelter cabins, role of the USFWS in communities (e.g., sharing buildings), all-terrain vehicle use, snow machine races, commercial guiding and transporting. With regard to management of commercial guiding and transporting use, the plan evaluated two alternatives (plus a no action Alternative A):
 - Alternative B identified an area of the Kobuk Delta where commercial use by transporters and guides would not be authorized. In this area, Refuge lands are intertwined with private land and there is no previous pattern of commercial use. Local subsistence hunters heavily use the area, accessing it by boat. Most access sites, camp locations, and desirable hunting sites are private allotments.
 - Alternative C identified five “blocks” of land where commercial use could be restricted or limited by the discretion of the Refuge manager, applying specified criteria (e.g. considering the density of private lands and allotments at access points).
 - The final recommendation of the planning team (which met on April 20, 2011) was to recommend Alternative B, with revisions that would: (1) reduce the area closed to commercial services from 444,600 acres to 376,400 acres, and (2) allow for future commercial use on a case-by-case basis, requiring a new compatibility determination and opportunity for public review and input.

In discussion following this presentation, Ted Spraker expressed concern that the Selawik Refuge is closing areas that would prevent public access via commercial services, based on a concern that there might be a problem in the future – not in response to an existing problem. He is concerned that the closure might increase crowding and conflicts in other areas of Unit 23, and is also concerned about the precedent of closures on other refuges in Alaska. Lee Anne Ayres replied that the Refuge is being proactive, to prevent the types of problems seen on the Squirrel, Noatak and Upper Kobuk Rivers. The Refuge needs to balance the public use by the approximately 800+ people who use the Refuge for

subsistence hunting, with the approximately 60 clients served by guide and transporter services.

3.8 Bureau of Land Management

BLM Field Manager Shelly Jacobson addressed the following points:

- Land status maps – BLM is keeping updated land status maps for Unit 23, which include topographic information. The maps are available on BLM and ADFG web sites and are also available on DVD for distribution to permittees. The maps are part of the curriculum for the pilot orientation and test.
- 2011 Permitting – BLM expects to issue 15 special recreation permits in Unit 23 in 2010 (four for transporter permits in the Squirrel River area; 11 for guides.) Transporters must have a permit to operate on BLM lands, but not on State lands.
- Planning for Squirrel River Area – BLM is preparing a special management plan and Environmental Assessment (EA) for the Squirrel River area. Public scoping meetings were held in fall 2010. The NWAB is a cooperating agency (via Memorandum of Understanding); DNR is an unofficial cooperating agency; Kiana and Noorvik will be informal cooperators; Noatak will be involved. The planning area had been called a “special recreation management area,” but that label will likely be changed since the term “recreation” does not apply as well to the uses in this area. The planning team will meet again soon and will be considering: (1) due dates for permit applications for guides and transporters, (2) a limit on the number of commercial services permits and a competitive process to decide which businesses will receive a permit, and (3) possible limit on the number of clients. The intent is to have a draft plan out for public comment in fall 2011. BLM will not issue any new special recreation permits in the Squirrel River area (or replace businesses who are no longer operating) until the plan is done. BLM is consulting with the University of Alaska, Institute for Social and Economic Research (ISER) on the Section 810 analysis required under the Alaska National Interest Lands Conservation Act (ANILCA) and the Environmental Justice evaluation required under the National Environmental Policy Act (NEPA).
- Guide Concession Areas – BLM is trying to get the DNR Guide Concession Area program to apply to BLM lands, but is not sure this can be done. A separate program for guide concessions on BLM may eventually be needed. (See Section 3.4, above).

3.9 National Park Service

NPS Western Arctic National Parklands Superintendent Frank Hays addressed the following topics:

- Permitting – For 2010-2011, the NPS has an interim cap on transporter permits and clients in the Noatak Preserve, allowing for five big game transporter permits serving 350-360 clients. Transporters must comply with specific permit stipulations and are also required to meet with the NPS each year. Frank would welcome input from the Working Group on important points to discuss with transporters who access the Noatak. The NPS will engage communities,

transporters and other in developing a process for determining how to manage transporter activity in 2012 and beyond.

- Enforcement – NPS enforcement staff makes contact with about 250 hunters in the field each year. Most contacts are positive / education-based.
- Traditional Ecological Knowledge (TEK) project – The NPS is contracting with Dr. Henry Huntington, Arctic Program Science Director, Pew Environment Group, to consult with communities and elders regarding traditional ecological knowledge.

Other Topics Raised for Discussion

Diversion of caribou migration – As occurred at the May 2010 meeting, the Working Group again discussed concerns raised by some members of the public and some Working Group members that activity in the caribou migration route (e.g., camping, aircraft, hunters) could be disturbing caribou and causing them to change their routes. There is concern about localized displacement – for example, hunting on the north side of the river diverting animals from the river crossing (where local hunters are waiting). There is also concern about possible displacement “farther up” the migration – for example, camping or other activity that might be causing the migration to change route. When caribou are diverted from their expected routes, it can cause local hunters to be unsuccessful or to have to travel farther to hunt – which is a major concern when food and fuel prices are so high.

However, other perspectives were also shared. Some Working Group members noted that, while there are several general routes that the fall migrating caribou follow in Unit 23, the timing and route can change dramatically from year to year – and the reasons for change are known only to the caribou. There are many variables involved and it would be difficult to determine what causes the migration timing and route to change from year to year.

The group also noted that the “human element” is also largely unknown, since there is not sufficient data about camp, drop-off and pick-up locations; the length of time that people are at these locations; how big of an area might be affected by aircraft flights at different elevations; etc.

The Working Group did not reach any recommendations on this topic at this time. Comments raised by the Working Group included:

- There may be value in doing some research regarding potential affects of human activity during the hunting season on caribou migration.
- The USFWS Western Alaska Landscape Conservation Cooperative (LCC) may be a source of funding for research projects related to climate change, which may also be affecting caribou migration routes and timing. (See <http://www.arcus.org/western-alaska-lcc>)
- The NPS study focused on traditional ecological knowledge (TEK) can be expected to address this topic.

4.0 Future of the Working Group

The Working Group decided it would like to meet again in the spring of 2012 in Kotzebue. ADFG will review the budget for the meeting and facilitation. The group sees value in continuing communication and updates, to push for progress on the recommendations it has made to date, to potentially take on specific projects between meetings with smaller groups, and to be ready to respond if there is an increase in conflict in the future. A small group was established to consider whether the Unit 23 Working Group should become a subgroup of the Western Arctic Caribou Herd Working Group (see Section 2.0).

The Working Group expressed their perspectives about the value of the group and what it has accomplished, noting the following:

- Working Group member's value coming together to exchange information, to share cross-user perspectives and concerns, and to develop respectful relationships with one another.
- There are limitations – which are often frustrating – to what progress can be made. Even recommendations that have the consensus of the group may not be enacted (e.g. require legislative approval that does not occur). And, much of what is affecting user conflicts and hunting success is beyond the group's control – climate change, cost of fuel, regulations, politics.
- Coordination between agencies, the NWAB and others has improved – including important coordination on law enforcement activities and involvement of the Borough and villages in agency planning.
- The extension of the Noatak CUA dates is greatly appreciated by the Village of Noatak and would not have been accomplished without the Unit 23 Working Group's support.
- Some expressed the concern that fundamental issues that affect the success of subsistence hunters have not been resolved, such as the affect of hunting camps and human activity on caribou migration.
- There may be increases in conflicts in the future, if caribou numbers decrease or if numbers of visiting hunters increase.
- It was noted that the Federal Subsistence Board process is available to address issues of concern to federally-qualified subsistence users.

5.0 Public / Other Agency Comments

Comments were welcomed from people attending the meeting in Kotzebue, as well as through a toll-free telephone line. The following points were during the comment period.

John Erlich, BLM, Kotzebue –

- Noted that if the 2010 camp locations are overlain on ADFG's maps of caribou migration routes, it almost looks like the caribou are skirting the camp locations.

Randy Mullik, Noorvik –

- Concerned that transporters going north too early in the migration are causing change in the caribou migration routes.

- Changes in the caribou migration path can make it impossible for some families/communities to be successful in hunting; cost of gas makes it too costly to change hunting locations along the Kobuk River.
- Transporters should be required to wait until after local hunters are successful at getting caribou for subsistence to take visiting hunters farther up into the migration routes.

Brad _____, Kiana –

- Concern that in 2010, eight people from Kiana were waiting at Onion Portage for caribou to come down, when a nonlocal photographer scared them back up the hill with his boat. We need to figure out some way to address this type of disturbance to the caribou and migration.
- Suggests that there should be mandatory reporting of camp locations by guides and transporters. The City of Kiana and the Kiana Traditional Council need this information.

Attamuk Shiedt, Kotzebue –

- It is important to stay away from certain migratory areas at certain times, early in the migration. Camps in the Aggie River are a concern; he has cleaned up trash that is left. (Charlie Gregg, NWAB, noted that NWAB land use permit requires complete camp cleanup, but not all get permits. He is hoping to have funding to fly with NANA Trespass Program in 2011 to check on camps.)
- The Cutler River needs to be carefully looked at; consider possible need for emergency closure to hunting.
- There are many over flights accessing the Squirrel River.
- Need to worry about the beginning of the migration in the northern areas of Unit 23.
- Suggestion that the Working Group form a subgroup to solve this problem.
- Household surveys show that there is an average of 14 caribou/family used.

Hazel Smith (speaking as member of the public) –

- Asked Board of Game representatives to comment about the Board's view of additional Controlled Use Areas (CUA). In response, Ted Spraker noted that the Board extended the dates of the Noatak CUA. The Board recognizes the usefulness of CUA in certain circumstances, but the specific area and time when control is needed must be known. It is difficult to define these areas and times for caribou migration, since their movements are less certain and changeable.

Karmen Monigold –

- Asked a question of the Working Group: If the legislature doesn't pass legislation to have the BGCSB regulate transporters, what would happen next? Is there an alternate step? Shelly Jacobson, BLM, responded that agencies are developing land management plans for their lands under their management authority that can regulate land use (such as where planes can land, where people can camp). Substantial analysis would be required to determine if, how and where to use these types of controls. There has also been communication with guides and transporters, asking them to voluntarily take steps to avoid conflicts.

Jared Cummings –

- His business does provide locations to DCCED regarding client drop-off and pick-up points.
- It is important for commercial businesses to communicate with local people and communities.

Unit 23 Working Group Membership
& Attendance at May 11, 2011 Meeting

Name	Affiliations
Lee Anne Ayres	US Fish and Wildlife Service
Jim Dau	Alaska Department of Fish and Game
Phil Driver	Alaska Professional Hunting Association Western Arctic Caribou Herd Working Group
Charlie Gregg	Northwest Arctic Borough
Cyrus Harris	Maniilaq Association
Frank Hays	National Park Service
Shelly Jacobson	Bureau of Land Management
Stosh Hoffman (attended in place of Cliff Judkins, who was unavailable)	Board of Game
Victor Karmun	Northwest Arctic Regional Advisory Council Kotzebue Sound Advisory Committee
Melvin Lee	Upper Kobuk Advisory Committee
Valerie Baxter (attended in place of Dianna Leinberger, who was unavailable)	Alaska Department of Natural Resources
Enoch Mitchell	Noatak/Kivalina Advisory Committee
Ron Moto, Sr.	North Seward Peninsula Advisory Committee
Pete Schaeffer	Kotzebue Sound Advisory Council
Joe Schuster	Alaska Professional Hunting Association Western Arctic Caribou Herd Working Group
Ted Spraker	Board of Game Big Game Commercial Services Board
Zazell Staheli	Big Game Commercial Services Board
Raymond Stoney (unable to attend)	Northwest Arctic Regional Advisory Council Lower Kobuk Advisory Committee Big Game Commercial Services Board Western Arctic Caribou Herd Working Group
Tim Towarak	Federal Subsistence Board
Alex Whiting	Kotzebue IRA

Public & Agency Attendance List
Unit 23 Working Group Meeting
May 11, 2011 – Kotzebue, Alaska

Name	Affiliation
Ken Adkisson	National Park Service
Michael Baffrey	Office of the Secretary, Department of the Interior
John Chase	Northwest Arctic Borough
Jared Cummings	Golden Eagle Outfitters
John Erlich	Bureau of Land Management
Steve Machida	Alaska Department of Fish and Game
Karmen Monigold	public
Meghan Nedwick	Alaska Department of Fish and Game
Brandon Nelson	public
Senator Donald Olson	Alaska State Legislature
Alexei Painter	Rep. Reggie Joule's Office, Alaska State Legislature
Loren Peterson	Sen. Donald Olson's Office, Alaska State Legislature
Attamuk Shiedt, Sr.	Maniilaq Association
Hazel Smith	Alaska Department of Fish and Game
Dan Stevenson	National Park Service
Zach Stevenson	Northwest Arctic Borough
Dennis Tiepelman	Northwest Arctic Borough

Public comments presented by:

Attamuk Shiedt, Sr., Kotzebue
Randy Mullik, Noorvik
Brad ____, Kiana
Hazel Smith
Karmen Monigold
Jared Cummings

Unit 23 Working Group May 11, 2011

Northwest Arctic Borough Assembly Chambers
163 Lagoon Street, Kotzebue, Alaska
9:00 am – 5:00 p.m.

Public radio station KOTZ will broadcast the meeting. Tune to 89.9 FM or AM 720, or listen via the web at www.kotz.org

AGENDA

Meeting Objectives

- Update on status of Unit 23 Working Group advisory recommendations made to date
- Discuss 2010 hunting season & preparation for 2011 season
- Public comment session – Wednesday, May 11, 1:15-2:15 pm
- Discussion of other topics raised by Working Group members

Wednesday, May 11

Coffee/Refreshments

9:00 a.m. Welcome, Introductions – Review Agenda / Revise if necessary

- List of Unit 23 Working Group members (Attachment 1)
- Unit 23 Working Group – Summary of Process and Advisory Recommendations Made by the Working Group (Attachment 2)

9:15 a.m. 2010 Hunting Season

- Caribou and harvest data, 2010 – Jim Dau, Alaska Department of Fish & Game (ADF&G)
- Pilot education requirement (new regulation in 2010) – Meghan Nedwick, ADF&G
- Working Group comments regarding 2010 season / Other topics

10:30 a.m. Break

10:45 a.m. Issues Related to Transporter and Guide Activities

- Report to Alaska State Legislature from the Alaska Department of Commerce and Economic Development (DCCED), Division of Corporations, Business and Professional Licensing – Report prepared by an investigator who gathered information about transporter and air

taxi conduct in Unit 23 in 2010 – Presented by Quinten Warren, Investigator, DCCED (Attachment 3)

- Status of legislative discussion / action related to expanding the authority of the Big Game Commercial Services Board to include regulation of transporters.
- Update on Guide Concession Program – Valerie Baxter, Alaska Department of Natural Resources

11:45 a.m. Preparations for 2011 Season

- In 2011, expect the following communication and coordination to continue – Any discussion needed?
 - Teleconference with permitting agencies and communities / NWAB host (August 2011)
 - Consistent information provided to guides and transporters by management agencies
 - Enforcement coordination – interagency coordination and coordination with NANA Trespass village officers

12:00 p.m. Lunch

1:15 p.m. Public Comment Opportunity – Telephone Call-In & In-person comments

To provide comments by phone, dial 1-800-315-6338, enter code 2323#.
To participate in Kotzebue, please come to the NWAB Assembly Chambers. Time per comment may be limited, to ensure opportunity for those who want to speak.

2:15 p.m. Update on Federal Agency Planning & Permitting

(This topic may begin prior to 2:15 p.m., depending upon participation in public comment opportunity)

- Selawik Refuge Comprehensive Conservation Plan – Lee Anne Ayres, US Fish and Wildlife Service
- Squirrel River Plan – Shelly Jacobson, Bureau of Land Management
- Noatak National Preserve – Frank Hays, National Park Service

3:30 p.m. Break

3:45 p.m. Other Topics – raised for discussion by Working Group members

- Future of Unit 23 Working Group – Consideration of whether the Working Group should continue periodic meetings to keep apprised of future issues and any conflicts that arise
- Other topics raised by Working Group members

5:00 p.m. Adjourn

Unit 23 Planning Process

May 11, 2011

Background Information

Jim Dau

Unit 23: Land Ownership & G-O Areas



(map prepared by Sally Timp, ADF&G)

This Presentation

Western Arctic Herd Population Estimates

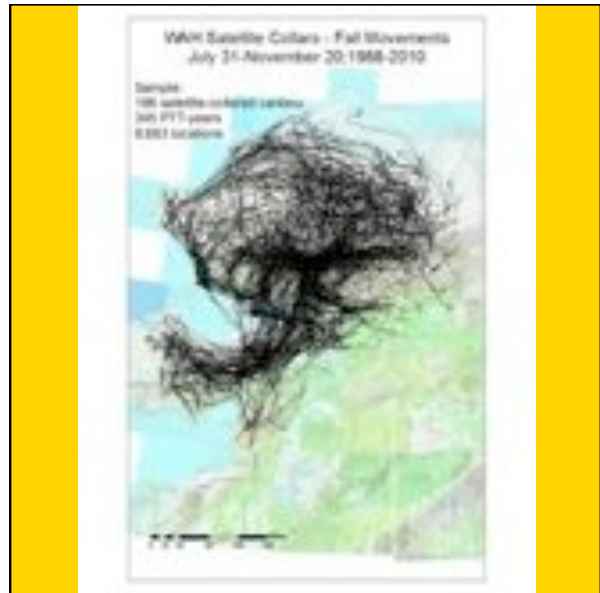
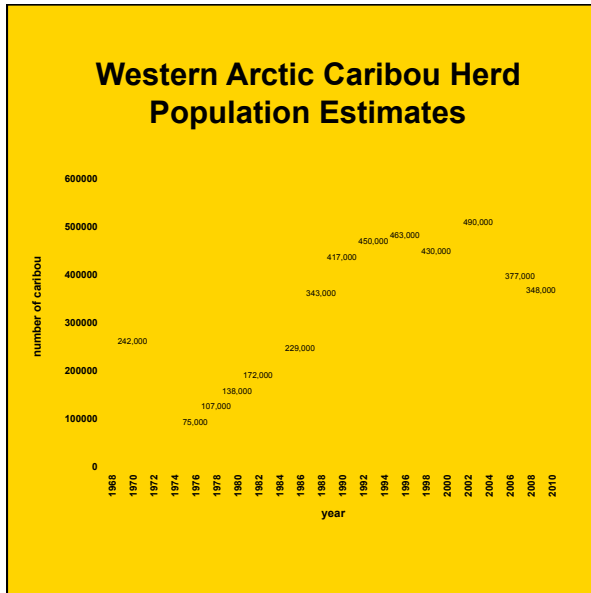
Harvest Data:

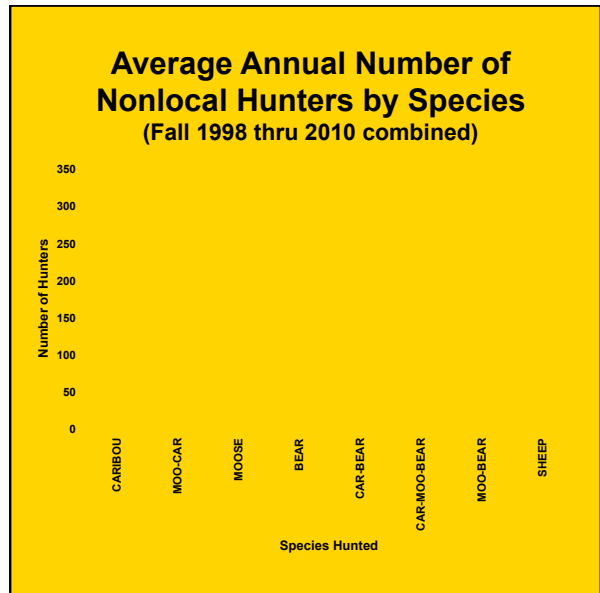
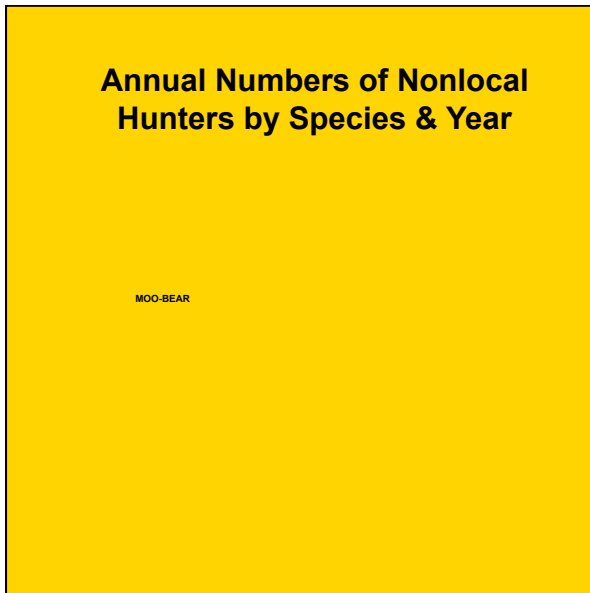
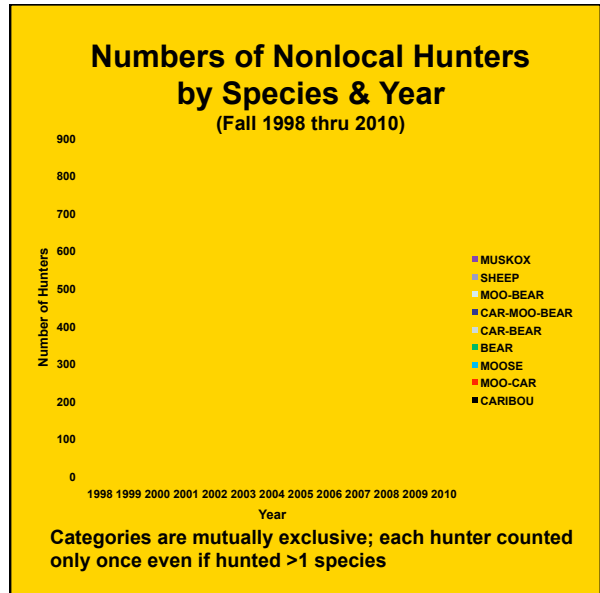
- Hunters by species hunted
- Residence of visiting hunters
- Timing of nonlocal hunting effort
- Distribution of hunters among Guide-Outfitter areas
- Hunters by commercial services used
- Kotzebue airport traffic data

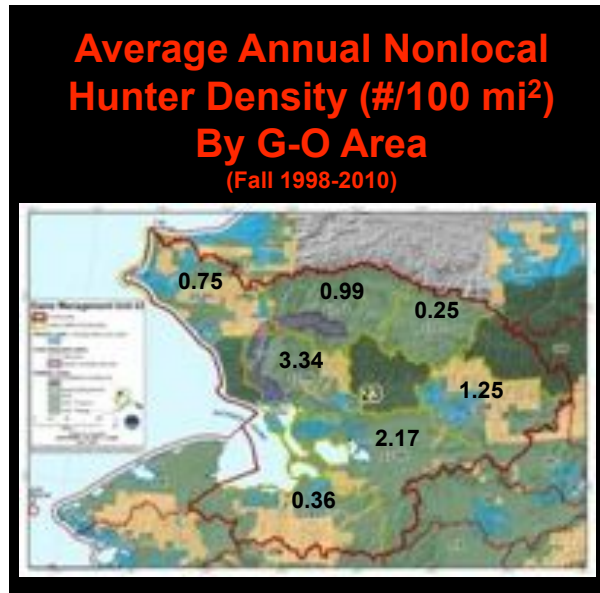
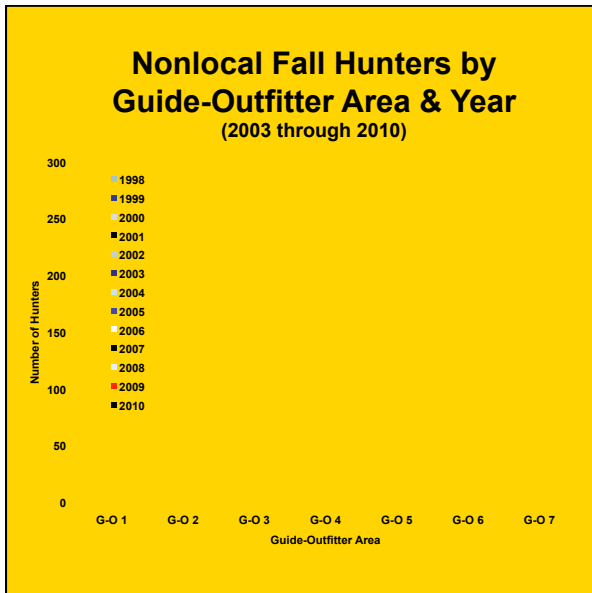
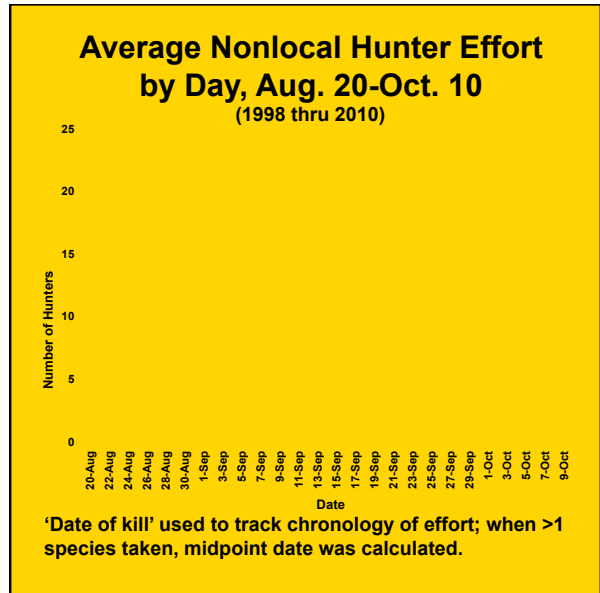
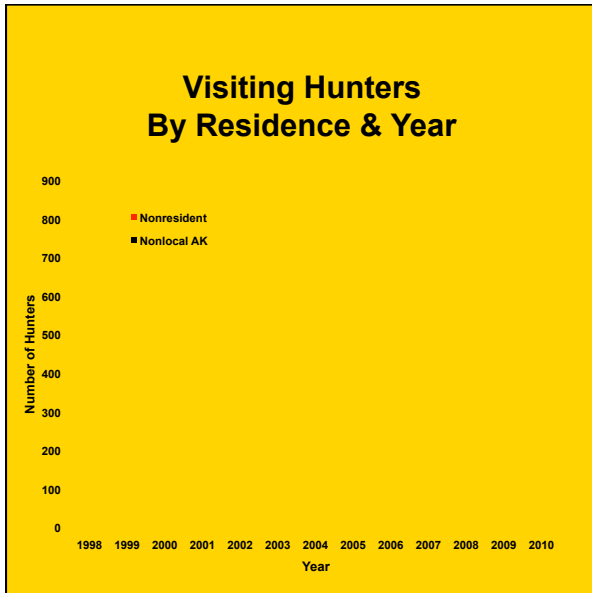
Fall Caribou Movement Patterns & Camp Locations

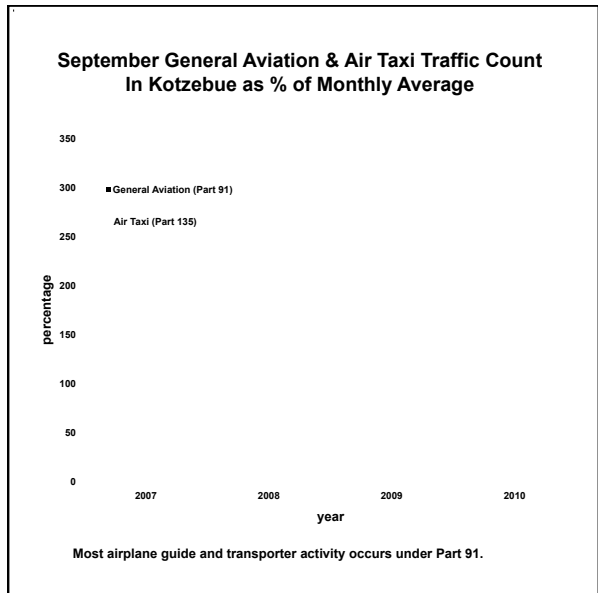
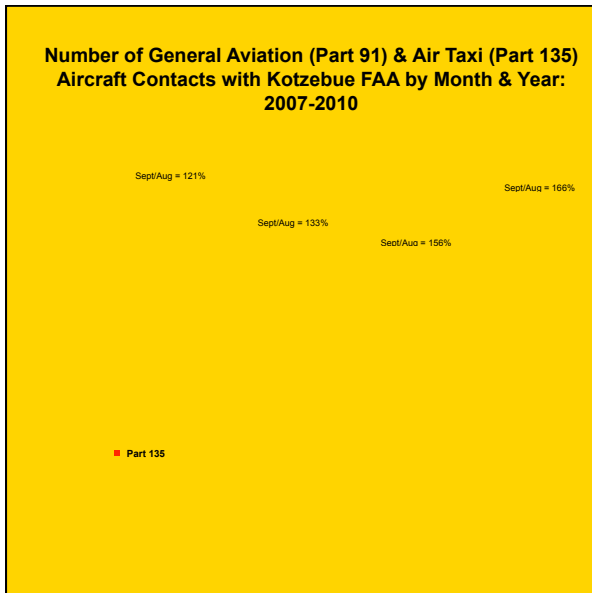
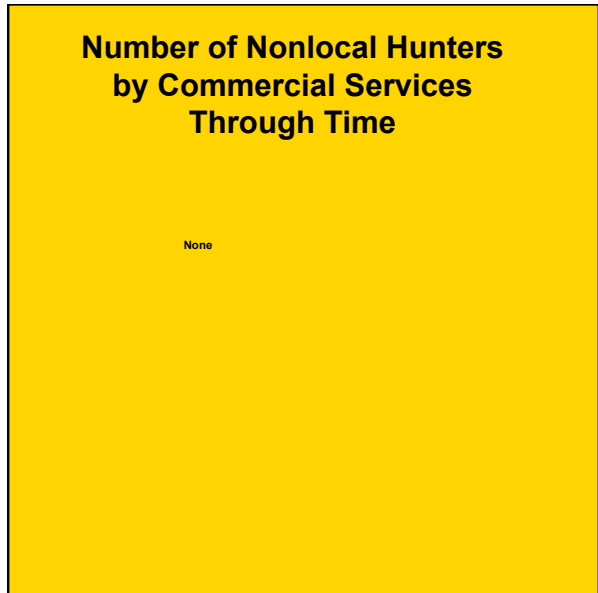
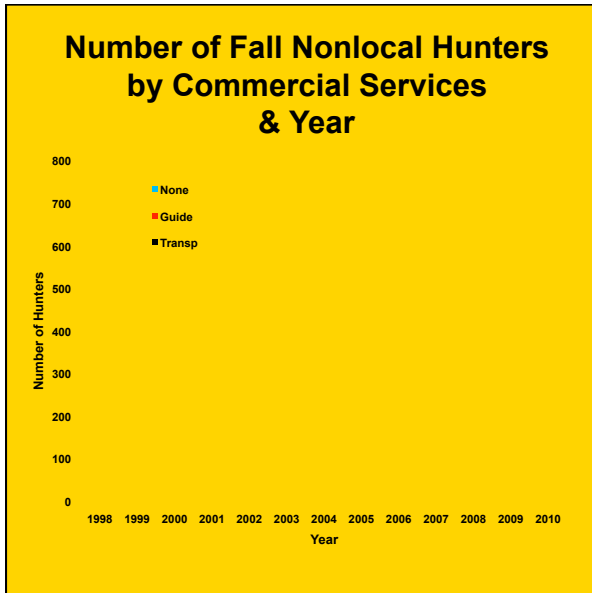
Harvest Data

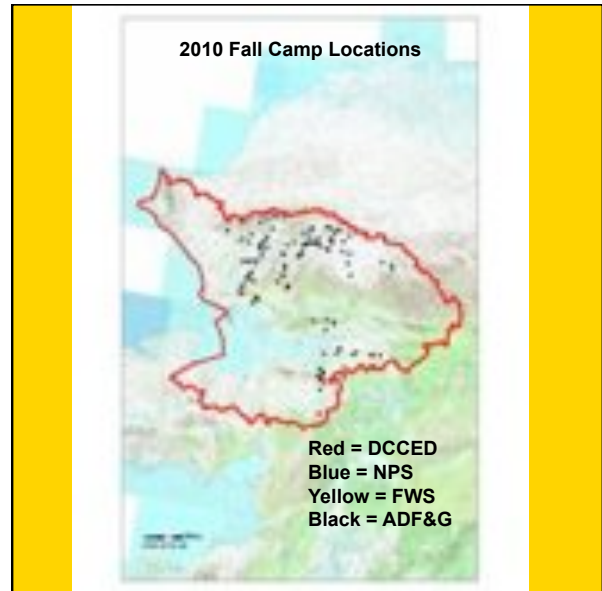
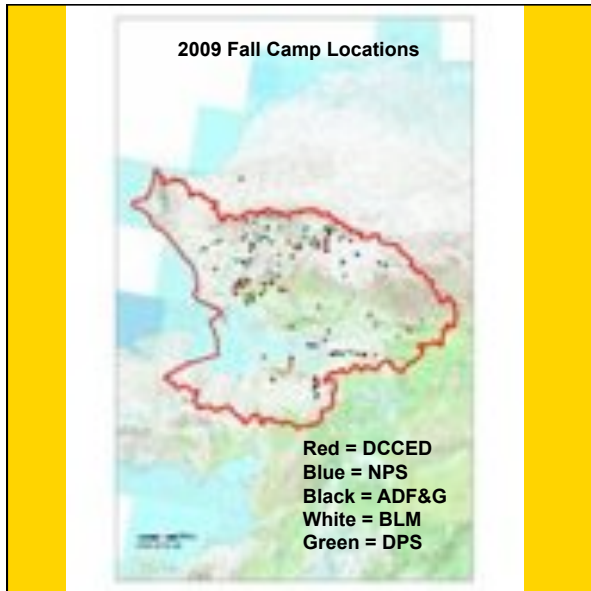
- Data from harvest ticket, registration & drawing permit systems
- Data is only for hunters who live outside Unit 23
 - Nonresidents (including alien hunters)
 - Residents of Alaska who live outside Unit 23
- 1 Record per hunter: caribou, moose, brown bear & sheep hunters combined
- Data from Fall 1998 through Fall 2010
 - August 20-October 10











Department of Community, Commerce and Economic Development Transporter Contract Data

2009

- 125 reports from 7 transporters provided to ADF&G
- 86 reports included lat/lon (69%)
- All transporters provided at least some records with lat/lon information

2010

- 35 reports from 4 transporters provided to ADF&G
- 21 reports included lat/lon (60%)
- Only 1 transporter provided any records with lat/lon information





STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Division of Corporations, Business and Professional Licensing

Sean Parnell, Governor
Susan Bell, Commissioner
Don Habeger, Director

January 31, 2011

The Honorable Reggie Joule
Alaska House of Representatives
State Capitol
Juneau, AK 99801-1182

Representative Joule,

As required by an allocation made to the Department of Commerce, Community and Economic Development / Big Game Commercial Services Board for the staffing and travel of a temporary investigator position to work in a specific game management unit in Alaska, a legislative report has been prepared by the Division of Corporations, Business and Professional Licensing to convey the objectives and results of that funding.

Members of the legislature are invited to review the report. Questions regarding this matter may be directed to Don Habeger, Division Director for the Division of Corporations, Business and Professional Licensing at 465-2536 or don.habeger@alaska.gov.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell
Commissioner

Enclosure

Department of Commerce, Community & Economic Development

**REPORT TO THE
27TH ALASKA STATE LEGISLATURE**



January 31, 2011

Division of Corporations, Business and Professional Licensing /
Big Game Commercial Services Board

www.commerce.state.ak.us/occ/pgui.htm

EXECUTIVE SUMMARY

Management of Alaska's wildlife resources is accomplished through Alaska's Departments of Fish and Game, Public Safety, and Commerce, Community and Economic Development (DCCED). Cooperation between agencies is an important part of the effective stewardship of Alaska's wildlife.

The Big Game Commercial Services Board (Board), through DCCED, regulates and licenses the big game commercial service industry in Alaska. The Board also enforces its regulations through disciplinary actions against providers who violate licensing laws.

The investigative unit staffed by the Division of Corporations, Business and Professional Licensing (Division) monitors compliance on behalf of the 40 professions it licenses, including all classes of guides and transporters licensed by the Board. The investigator assigned to the Board is responsible for investigation and compliance in Alaska's 26 game management units.

In early 2008, a working group was established to address hunting and game management concerns in the area encompassing the Kotzebue Sound and the Chukchi Sea known as Game Management Unit 23 (GMU 23).¹ See Appendix A, Game Management Unit 23 Map. Big game hunted and regulated within GMU 23 include Caribou, Brown/Grizzly Bear, Moose, Muskox, Sheep, Wolf and Wolverine.

In 2009, the Division was invited to participate in the GMU 23 Working Group. A primary concern identified by the group that falls under the jurisdiction of the Board/Division is the conduct of transporters and air taxis, although guide activity within GMU 23 is also subject to enforcement. Reports made to the working group of game wasting, transporters remaining in the field with hunters too long, and unlicensed activity supported the need for additional enforcement within GMU 23.

With the passage of the FY2011 Operating Budget, the 26th Alaska State Legislature allocated \$63.0 to the Big Game Commercial Services Board for the purpose of hiring a seasonal investigator. The investigator was tasked with gathering information regarding transporter and air taxi conduct, conducting field inspections and investigations to ensure compliance, and enforcing the statutes and regulations under the authority of the Big Game Commercial Services Board.

Investigator John Clark was hired by the Division, for a term of six months. Clark worked in the field and out of the Division's Anchorage office until December 30, 2010. This report is made to the 27th Alaska State Legislature, following Clark's work in Game Management Unit 23, as provided for under the initial allocation.

¹ The 21-member working group is comprised of representatives from regional and tribal governments and organizations, state and federal land and wildlife management agencies, Fish and Game advisory committees, the Northwest Arctic Subsistence Regional Advisory Council, NANA Corporation, the Alaska Board of Game, the Federal Subsistence Board, and the Big Game Commercial Services Board. See Appendix B, GMU 23 Working Group.

OBJECTIVES

1. Conduct field inspections of Board-regulated licensees to verify compliance with statutes and regulations related to big game hunting.
2. Interview hunters to determine if any transporter violation, game animal waste, or other illegal activity had occurred during their hunt, as well as to review the quality of their hunting experience in Alaska.
3. Investigate, enforce, and report any violation of statutes and regulations relating to big game hunting, with a focus on transporter and air taxi activity. Specifically, the investigator looked at:
 - Unlicensed activity;
 - Operators remaining in the field with hunters; and
 - Failure to salvage.
4. Coordinate with state and federal wildlife management agencies, permitting agencies for commercial operations on public lands, and regional organizations.

RESULTS

OBJECTIVE 1: Conduct field inspections of Board-regulated licensees to verify compliance with statutes and regulations related to big game hunting.

- The investigator spent 22 days traveling within GMU 23 during September and early October 2010. During that time, he met with transporters, air taxi operators, and guides to verify they were correctly licensed and in compliance with big game hunting laws. The investigative and enforcement results of his field inspections are discussed above.
 - While in the field, the investigator observed or uncovered minor violations involving both **transporters** and **guides**. These were violations that could be easily corrected on site, such as hunt records being incomplete, or a camp that was not being kept up to the Department of Natural Resources (DNR) or Bureau of Land Management (BLM) requirements. The violations were corrected by the licensees, and no further action was necessary.

OBJECTIVE 2: Interview hunters to determine if any transporter violation, game animal waste, or other illegal activity had occurred during their hunt, as well as to review the quality of their hunting experience in Alaska.

- The investigator interviewed approximately 75 hunters at various locations at which hunters gather. The interviews were conducted at hunters' camps, the Kotzebue airport, restaurants, hotels, and on the street.

- Hunters were asked about methods used to get to and from the field, whether they were bringing in the required harvested meat, and concerns or issues that may have arisen during the hunt.
- In an effort to educate and prevent game waste, the investigator reviewed hunting regulations – requiring that the meat of big game animals be removed from the field and salvaged – with each of the transporters and guides with whom he met.
- Several hunters raised the issue of the lack of a meat-processing business or facility in Kotzebue and the high cost of transporting trophies from Kotzebue.

OBJECTIVE 3: Investigate, enforce, and report any violation of statutes and regulations relating to big game hunting, with a focus on transporter and air taxi activity.

- A **transporter** was investigated and a violation for remaining in the field with clients enforced.² The matter was brought before the Board and a license action with a civil fine and reprimand were ordered.
- An unlicensed operator was investigated who appeared to be offering trips as a **transporter**. The case has been referred to the Department of Public Safety and to the Office of Special Appeals. It remains open until the Division learns the disposition of those referrals.
- An investigation was initiated into a **transporter** blurring the lines between his transporter business and his guiding operation. The case remains open, and a license action is anticipated.
- A **registered guide-outfitter** was investigated for failure to salvage a game animal (moose).³ The case was conducted in cooperation with the Department of Public Safety, Wildlife Troopers, and remains open. A license action, including a civil fine and reprimand, is likely.
- A **registered guide-outfitter** was investigated in cooperation with BLM for trespass on federal land.⁴ This investigation remains active. However, if the federal violation is proven, this case will likely have significant disciplinary sanctions imposed.
- A **registered guide-outfitter** was investigated for taking an animal during a closed season, or an overlimit hunt.⁵ This investigation remains open, and a license action is anticipated with disciplinary sanctions to be imposed.

² AS 08.54.720(a)(19)

³ AS 08.54.720(a)(15)

⁴ AS 08.54.54.720(a)(4)

⁵ AS 08.54.720(a)(1) and AS 08.54.720(a)(8)

- A **registered guide-outfitter** was investigated for leaving a client in the field, a professional ethics matter, and contract violation.⁶ This investigation remains open. License action is pending, with disciplinary sanctions expected.
- A **registered guide-outfitter** was investigated for failure to pay an employee's earned wages, a professional ethics matter.⁷ This investigation remains open.

OBJECTIVE 4: Coordinate with state and federal wildlife management agencies to investigate big game hunting violations, and with agencies involved in issuing permits for commercial operations involving hunting on public lands, and with other regional organizations.

- The investigator coordinated and traveled with the Alaska Wildlife Troopers and the U.S. Fish and Wildlife to check field camps of operators within GMU 23. He spent three days on river patrol with a U.S. Fish & Wildlife Enforcement Officer.
- The investigator coordinated with the U.S. Bureau of Land Management (BLM) to investigate trespass issues by operators registered with the State of Alaska.
- The investigator worked with representatives from the State of Alaska Wildlife Enforcement, State of Alaska Fish and Game, U.S. Fish and Wildlife, Bureau of Land Management, The Northwest Arctic Borough, and the NANA Regional Corporation on investigations and issues of concern.

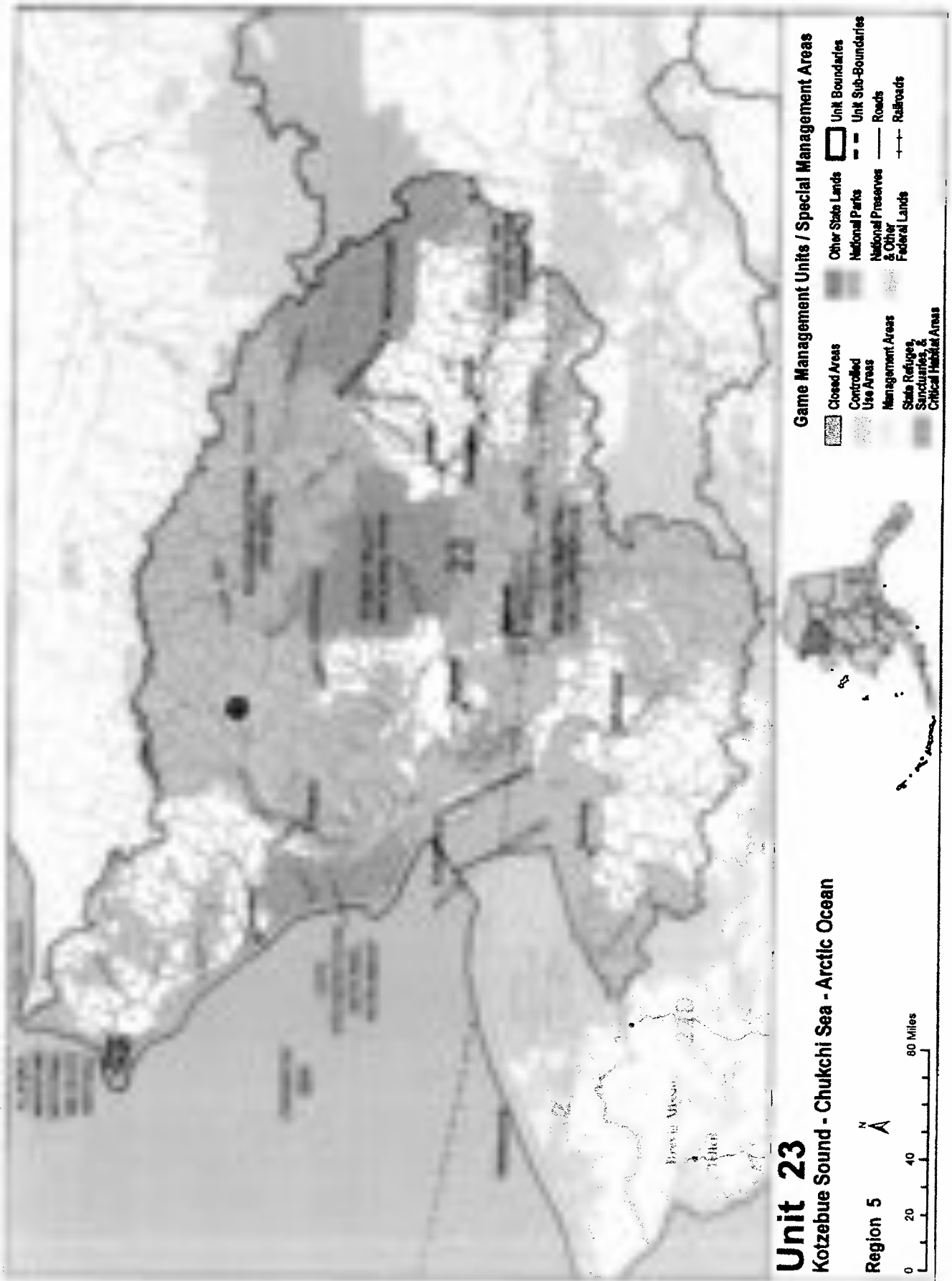
SUMMARY

The \$63.0 allocation provided for a Division investigator to focus on concerns related to commercial service providers' conduct and compliance in GMU 23, and to coordinate with federal, state, and regional entities to effectively manage Alaska's wildlife resources.

The investigator traveled to the Kotzebue area to investigate the level of illegal or unlicensed activity, and surveyed approximately 75 hunters to determine what methods were being used to get to and from the field. The investigator also looked into how hunters were harvesting their game animals. Field inspections of transporters and guides to ensure compliance with hunting laws were conducted, and minor violations were corrected in the field. Serious violations investigated have been or will be brought before the Big Game Commercial Services Board.

⁶ AS 08.54.710(a)(4)

⁷ 12 AAC 75.340(c)(7)



Unit 23 Working Group Membership

May 2010

Name	Affiliations
Lee Anne Ayres	U.S. Fish and Wildlife Service
Zazell Staheli	Big Game Commercial Services Board
Jim Dau	Alaska Department of Fish and Game
Phil Driver	Alaska Professional Hunting Association Western Arctic Caribou Herd Working Group
Mike Fleagle	Federal Subsistence Board
Charlie Gregg	Northwest Arctic Borough
Cyrus Harris	Maniilaq Association
George Helfrich	National Park Service
Shelly Jacobson	Bureau of Land Management
Cliff Judkins	Alaska Board of Game
Victor Karmun	Northwest Arctic Regional Advisory Council Kotzebue Sound Advisory Committee
Melvin Lee	Upper Kobuk Advisory Committee
Dianna Leinberger	Alaska Department of Natural Resources
Enoch Mitchell	Noatak/Kivalina Advisory Committee
Ron Moto, Sr.	North Seward Peninsula Advisory Committee
Walter Sampson	NANA Regional Corporation
Pete Schaeffer	Kotzebue Sound Advisory Council
Joe Schuster	Alaska Professional Hunting Association Western Arctic Caribou Herd Working Group
Ted Spraker	Alaska Board of Game Big Game Commercial Services Board
Raymond Stoney	Northwest Arctic Regional Advisory Council Lower Kobuk Advisory Committee Big Game Commercial Services Board
Alex Whiting	Kotzebue IRA



U.S. Fish & Wildlife Service

Selawik National Wildlife Refuge



National Wildlife Refuge System



U.S. Fish & Wildlife Service

Land Status within the Refuge



National Wildlife Refuge System





U.S. Fish & Wildlife Service

2010 Commercial Use Update

Special Use Permits

1 Big Game Guide

3 Transporters - Aircraft

1 Transporter –boat based in Selawik

64 Clients

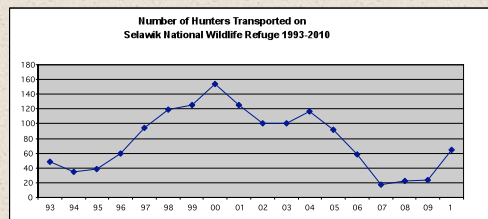
13 Moose and 29 Caribou Harvested

National Wildlife Refuge System



U.S. Fish & Wildlife Service

Public Use of Commercial Services



National Wildlife Refuge System





U.S. Fish & Wildlife Service

Selawik NWR's Comprehensive Conservation Plan- Final Draft 2011!



Maintaining Hunting Opportunities

National Wildlife Refuge System



U.S. Fish & Wildlife Service



Locations used by commercial operators in 2001

National Wildlife Refuge System





U.S. Fish & Wildlife Service



Locations used by commercial operators in 2004

National Wildlife Refuge System



U.S. Fish & Wildlife Service



Locations used by commercial operators in 2010

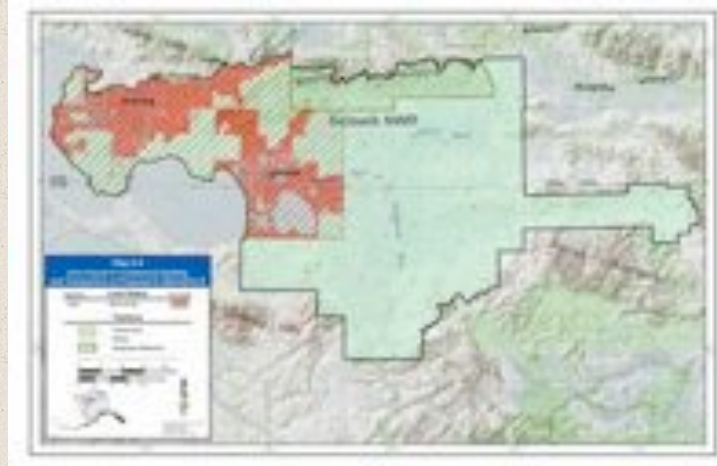
National Wildlife Refuge System





U.S. Fish & Wildlife Service

Commercial Use of Refuge Lands Alternative B

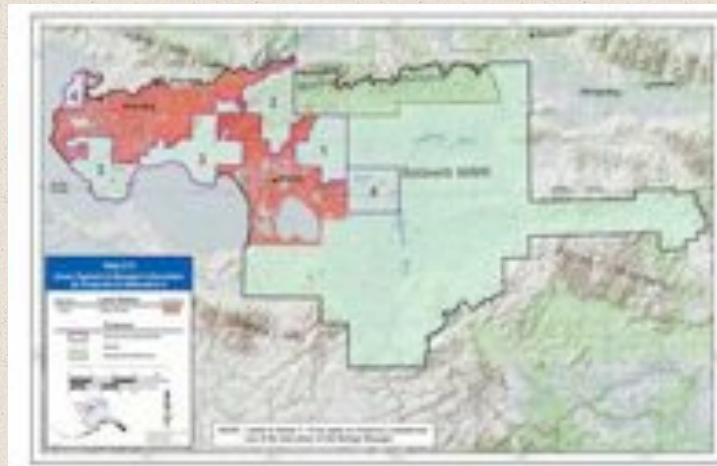


National Wildlife Refuge System



U.S. Fish & Wildlife Service

Commercial Use of Refuge Lands Alternative C



National Wildlife Refuge System





U.S. Fish & Wildlife Service

Caribou use in Management Block 2

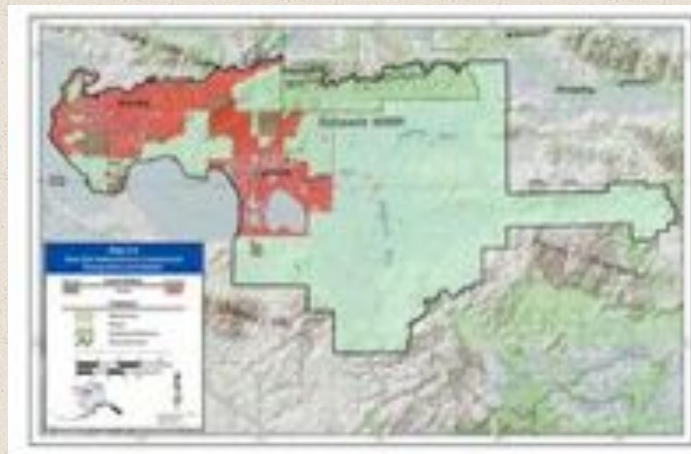


National Wildlife Refuge System



U.S. Fish & Wildlife Service

Final Recommendation Alternative B – With Revisions



National Wildlife Refuge System





Revisions to Alternative B

1. Allow for future commercial use on a case-by-case basis, requiring a new compatibility determination and opportunity for public review and input.
2. Less acreage affected (376,378 verses 444,585 acres).



Questions?

