

## Unit 23 Working Group Meeting May 14-15, 2014 – Kotzebue, Alaska Meeting Summary

<b>Contents</b>	<b><u>Page</u></b>
1.0 Introduction .....	1
2.0 Recommendations & Assignments.....	2
3.0 Summary of Working Group Presentations & Discussion.....	3
4.0 Future of Unit 23 Working Group.....	16
5.0 Public / Other Agency Comments.....	17

### Attachments

- 1 Working Group Membership
- 2 Public & Agency Attendance List
- 3 May 14-15, 2014 Agenda
- 4 Ambler Mining District, Access Road and Right-of-Way (NPS handout)
- 5 Noatak National Preserve Special Commercial Use Authorization Area Map (NPS handout)
- 6 BLM Agency Report Handouts
- 7 USFWS Selawik National Wildlife Refuge Map – Areas not open to commercial guide and transporter services

### 1.0 Introduction

The Unit 23 Working Group met on May 14-15, 2014, in Kotzebue, Alaska, at the Northwest Arctic Borough (NWAB) Assembly Chambers.

The 20-member Unit 23 Working Group was formed in 2008 to discuss fall hunting conflicts between local hunters, nonlocal hunters and big game commercial service providers (guides, transporters) in Game Management Unit (GMU) 23, in northwest Alaska.<sup>1</sup> The group is working together by consensus to develop and recommend solutions to fall hunting conflicts. The group's advisory recommendations are sent to regulatory boards, land and wildlife management agencies, commercial service providers (guides, transporters) and others to evaluate and consider for implementation. Working Group members are listed in Attachment 1 and others in attendance at the May 2013 meeting are listed in Attachment 2.<sup>2</sup>

The Purpose of the Unit 23 Working Group is to “find solutions to hunting conflicts that will preserve the Inupiaq values of the region, including opportunities for local hunters to take caribou as needed, while also providing reasonable opportunities for visiting hunters to hunt caribou in the unit.” This statement and additional information about the Working Group can be found in its April 2008 Charter, posted on the group's website.

The May 14-15, 2014, meeting agenda is in Attachment 3. The objectives of the meeting were to:

- Hear an update from the Alaska Department of Fish and Game (ADF&G) on Western Arctic herd population and harvest data
- Discuss 2013 hunting season & preparation for 2014 season

<sup>1</sup> See Unit 23 Working Group's project web site for additional information and previous meeting summaries: <http://www.adfg.alaska.gov/index.cfm?adfg=plans.unit23> **NEW WEB ADDRESS**

<sup>2</sup> Jan Caulfield facilitated the meeting. Contact information: 114 S. Franklin St., Ste. 205, Juneau, AK 99801, 907-523-4610, [janc@gci.net](mailto:janc@gci.net), [www.jancaulfield.com](http://www.jancaulfield.com)

- Hear an update from the Alaska Industrial Development and Export Authority (AIDEA) regarding THE proposed industrial access road to the Ambler Mining District
- Discuss pilot education efforts and opportunities
- Hear an update on State and federal management, planning and enforcement related to reducing hunting conflicts in Unit 23
- Public comment session
- Discuss additional topics raised by Working Group members

Section 2.0 lists Working Group recommendations and assignments. Section 3.0 is a general summary of information presented and the group's discussion. Section 4.0 briefly addresses future meetings. Public comments and follow-up actions to respond to comments are summarized in Section 5.0.

All Unit 23 Working Group meetings are open to the public. The meeting was broadcast on public radio station KOTZ (including web broadcast at [www.kotz.org](http://www.kotz.org)). Public comments were welcomed in person and via teleconference on Thursday afternoon, May 15, 1:15-2:15 p.m.

## 2.0 Recommendations & Assignments

The following tasks will be done to implement recommendations made by the Working Group at its May 2014 meeting:

- Herd decline / potential regulatory changes (Section 3.1 below) – Communicate with all Unit 23 Advisory Committees regarding the decline in the caribou herd size and possible need for changes in harvest to address herd decline (as outlined in Table 1 of the Western Arctic Caribou Herd Working Group, 2011 Cooperative Management Plan), as well as to present information about the Board of Game's Intensive Management process. ADF&G will contact ACs this summer. Later, the Unit 23 Working Group will comment to the Board of Game on any regulatory changes proposed. Lead: Jim Dau, ADF&G; Jan Caulfield, Facilitator
- Proposed Ambler Mining District Industrial Access Road (Section 3.2 below) – Participate in AMDIAR scoping process and coordinate development of scoping comments from the Unit 23 Working Group. (Noted that agency representatives on the Working Group will need to abstain from signing on to any comment letter, due to their role in project permitting.) Lead: Alex Whiting, Cyrus Harris, Noah Naylor.

Tim Hammond, BLM, suggested that the lead federal agency(ies) for the AMDIAR processes related to the National Environmental Policy Act (NEPA, the ANILCA Section 810 process, and the government-to-government consultation process be invited to present and engage in discussion at a future Unit 23 Working Group meeting. Lead: Jan Caulfield, Facilitator

- Federal Aviation Administration, Information to Pilots (Section 3.4 below)– Provide information to Lisa Asplin that can be distributed to private pilots, guides and transporters and meetings, workshops and special events. Information to include guidance regarding how to avoid disturbing caribou and causing conflicts with local hunting during the fall hunting season, the stipulations that the federal agencies require of aircraft through the special use permits issued to guides and transporters, maps of the Noatak Controlled Use Area, and other information. Assist Lisa with meeting invitations by mailing information to all pilots that have taken the online pilot orientation course. – Meghan Nedwick, ADF&G; Tim Hammond, BLM; Frank Hays, NPS; Tina Moran, USFWS; Jan Caulfield, Facilitator

- State Investigator during Fall Hunting Season (Section 3.5 below) – Write letter from Unit 23 Working Group to Big Game Commercial Services Board (BGCSB) expressing the group’s appreciation for the work done by the DCCED Investigator and requesting that the work continue in the fall of 2014. Coordinate with other agencies about financial or in-kind support that can be provided to address DCCED’s budget concerns. Lead: Jan Caulfield, Facilitator  
Research what would be required for DCCED Investigator to have approval to access the ramp at the Kotzebue airport, to be able to talk directly with guides and transporters. Lead: Jim Dau.
- Other Topics – Delaying Hunting Until Migration Established (Section 3.6 below) – NPS, BLM, ADF&G will work with Enoch Mitchell and coordinate with Noatak to consider the idea of letting 1,000 caribou pass (and other alternatives) to try to effectively address the intent of letting the vanguard of the migration pass through the Noatak area before the guide- and transporter-assisted hunting begins. Lead: Frank Hays, NPS; Tim Hammond, BLM; Jim Dau, ADF&G; Enoch Mitchell, Noatak.
- Future Funding for Unit 23 Working Group (Section 4.0 below) – Provide information to Northwest Arctic Borough Mayor Reggie Joule about annual costs to hold a Working Group meeting. Lead: Steve Machida, ADF&G; Noah Naylor, NWAB
- Follow-up on Enforcement Complaints from Community (Section 5.0 below) – Provide better communication back to villages regarding what happens when local complaints are called in. Recommended that the NPS Noatak liaison follow-up with Mr. Arnold about this issue and in the future about any enforcement issues raised by the public. Lead: Frank Hays, NPS

### 3.0 Summary of Working Group Presentations & Discussion

This section provides a summary of PowerPoint presentations and handouts distributed can be found on the Unit 23 Working Group website, under the heading “Past Working Group Meetings / May 14-15, 2014 / Meeting Binder”. (See page 1 footnote for website address.)

#### 3.1 2013 Population Census and Harvest Data

Jim Dau, ADF&G Wildlife Biologist, presented the following information about the Western Arctic Herd (WAH)’ population and harvest data. He noted that is it important for the Unit 23 Working Group to hear this annual briefing, as sensitivities regarding competition and/or disturbance increase among all users during the fall hunting season when caribou are not readily available. It is also important for people in the region and who visit the region to hunt understand the population and harvest trends and objectives and potential affects on future regulations and opportunity.

- 2013 WAH census: The July 2013 census count of the WAH was 235,000 caribou, down from a high of 490,000 in 2003 and continuing a decline from 377,000 in 2007; 348,000 in 2009; and 324,000 in 2011. The next herd census will be done in 2015, but in the interval ADF&G will use other data to estimate the population trend. The herd has declined at an annual rate of approximately 4-6% each year since 2003 and ADF&G expects this trend to continue. Jim believes that the herd declined precipitously from 2011-2012 when there was evidence of high mortality and low recruitment, and then held stable in 2012-2013 when there was lower mortality and better calf survival. Although the WAH has declined substantially in the past 10 years, it is still considered to be the largest caribou herd in North America and state and federal hunting regulations have remained liberal.

- **Bull:Cow Ratio:** The bull:cow ratio for the WAH has declined from over 60 bulls:100 cows in 1993, to just over 40:100 in 2013. The proportion of bulls taken in 2011-12 and 2012-13 increased to 15%. If the trend continues, hunters could be taking 30-40% of the bulls each year, raising a potential conservation issue. The cow harvest has been at about 2% since 1999, increasing to 3% in 2012 and 2013. If this current trend is projected forward five years, the cow harvest will be at 6%, which could potentially affect the conservation of the herd.
- **WAH Cooperative Management Plan:** The Western Arctic Caribou Herd Working Group (WACHWG), which has been active from 2000 to the present, includes a broad spectrum of (non-agency) people who use and are interested in management of the WAH (see [www.westernarcticcaribou.org](http://www.westernarcticcaribou.org)). The WACHWG adopted an updated (advisory) management plan for the herd in December 2011 that was presented to the Board of Game at its January 2014 meeting in Kotzebue.

In the “Population Management” section of the plan, Table 1 (below) relates the herd’s size and trend (declining, stable, increasing) with potential management actions and harvest levels. Appendix 2 of the plan provides detailed recommendations regarding population monitoring by agencies and harvest management by the Board of Game and the Federal Subsistence Board, with recommendations tailored to Liberal, Conservative, Preservative, and Critical Management regimes. Appendix 2 of the plan does not attempt to establish hard and fast rules or thresholds for managing the herd. Instead, population values and recommendations are presented only as guidelines to help the agencies and regulatory boards adjust to changes in the biological status of the herd.

TABLE 1. Western Arctic caribou herd management levels using herd size, population trend and harvest rate. (from WACH Cooperative Management Plan, 2011)

Management Level and Harvest Level	Population Trend		
	Declining Low: 6%	Stable Med: 7%	Increasing High: 8%
<b>Liberal</b>	<b>Pop: 265,000+</b> <b>Harvest: 18,550-24,850</b>	<b>Pop: 230,000+</b> <b>Harvest: 16,100-21,700</b>	<b>Pop: 200,000+</b> <b>Harvest: 16,000-21,600</b>
<b>Conservative</b>	<b>Pop: 200,000-265,000</b> <b>Harvest: 14,000-18,550</b>	<b>Pop: 170,000-230,000</b> <b>Harvest: 11,900-16,100</b>	<b>Pop: 150,000-200,000</b> <b>Harvest: 12,000-16,000</b>
<b>Preservative</b>	<b>Pop: 130,000-200,000</b> <b>Harvest: 8,000-12,000</b>	<b>Pop: 115,000-170,000</b> <b>Harvest: 8,000-12,000</b>	<b>Pop: 100,000-150,000</b> <b>Harvest: 8,000-12,000</b>
<b>Critical</b> <b>Keep Bull:Cow ratio</b> <b>≥40 Bull:100 Cow</b>	<b>Pop: &lt;130,000</b> <b>Harvest: 6,000-8,000</b>	<b>Pop: &lt;115,000</b> <b>Harvest: 6,000-8,000</b>	<b>Pop: &lt;100,000</b> <b>Harvest: 6,000-8,000</b>

Current management of the herd is within the “Liberal” management regime. However, it may be necessary in the future to use the Conservative population management strategies outlined in Appendix 2 if the herd continues to decline. Examples of these recommended management strategies include: no harvest of calves, no non-Alaska resident cow harvest, restriction of non-Alaska resident bull harvest, voluntary reductions in resident cow harvest, and limiting the subsistence harvest of bulls (only) if the ratio of bulls to cows falls below 40 bulls: 100 cows.

- Intensive Management (Predator Control / Habitat Improvement): State of Alaska law sets out a process for ADF&G and the Board of Game to follow to evaluate the feasibility and potential effectiveness of Intensive Management (IM) when the Western Arctic herd (or any wildlife population) gets below its population objective and harvest objective. In the case of the WAH, the population objective is  $\geq 200,000$  caribou and the harvest objectives is 12,000-20,000 caribou. When the harvestable surplus is less than 12,000 caribou, the following process must be undertaken:
  - ADF&G conducts a feasibility assessment – describes predator control and habitat improvement options to be considered
  - Board of Game determines what options are feasible. If predator control is determined to be feasible:
    - ADF&G prepares an operational plan for a predator control program
    - The Board reviews the plan and either approves, disapproves, or modifies it
    - ADF&G considers implementation of the plan based on funding, staff, etc.

Doug Vincent-Lang, Director of the Wildlife Conservation Division, noted that ADF&G is not required to wait until the population and harvest objective thresholds are met to start collecting predator population data and to begin a feasibility assessment for the IM process. He expects that this work will begin in the next year or two, so that the Division will be prepared to brief the Board of Game. He noted that the department also has the obligation to manage for a sustain yield of wolves, other predators, and their uses, as well as caribou.

- Caribou migration routes and hunting success: In fall 2013, caribou migrated farther east primarily through Ambler, Kobuk and Shungnak areas (similar to 2009, 2010, and 2012), but different than 2011 when caribou were more widely distributed in the region. Kivalina had least opportunity to get caribou.
- Numbers of nonlocal hunters: Numbers of nonlocal hunters in Unit 23 increased to about 500 in 2013, due to more non-Alaskans coming to the GMU 23. While higher than 2009-2011, the number of nonlocal hunters was down considerably from the high of nearly 800 in 2006. Caribou continue to be the species of greatest interest for visiting hunters.
- Areas hunted: The Guide Use Areas (GUA) most heavily used by nonlocal hunters in 2013 were GUA 006 (Squirrel, Aggie, Eli Rivers) and GUA 005 (Selawik, Lower Kobuk).

Working Group members raised the following questions / points for discussion:

- Population decline and nonlocal hunting use: Many Working Group members expressed concern about the WAH population decline, and that guide and transporter activity and hunting by non-Alaska residents and non-local hunters is still high. It may be necessary to restrict this harvest so local subsistence hunters’ and communities’ needs are met.
- Hunting in the Noatak area: Specific concern was raised the number of nonlocal hunters coming to the Noatak area with guides and transporters is continuing to increase. It was noted that during the NWAB’s subsistence mapping project, people have suggested extending the

Noatak Controlled Use Area from its current upstream limit at Sapun Creek, to the mouth of the Cutler River, to further separate local and nonlocal hunting activity.

- Intensive Management – Frank Hays, NPS, understands that the Board of Game has an IM process that is initiated at certain population and harvest thresholds. However, there is much federal land in Unit 23. The NPS has policies requiring them to manage for multiple species, not one species. It is important for the State and federal agencies to have discussions early about the feasibility of doing IM in an area with so much federally managed land.
- Relationship of habitat to population decline: In response to a question about whether changes in habitat were the cause of decline, Jim noted that the Bureau of Land Management (BLM) has had a long-term study of winter range and have documented declines in lichen cover and increases in grasses, forbs and shrubs. BLM is developing a habitat management plan for the winter range. The US Geological Survey (USGS) is now starting studies of the summer range. While changes in the winter range have been documented, the body condition of the caribou is good and there is still good calf production. Health assessments done in 2007 and 2010 showed healthy caribou. At Onion Portage in 2013, fewer caribou were characterized as “skinny” or “very skinny” than in previous years.
- Food sources: Over time, caribou can adjust from a diet of lichen to a diet higher in leaves and forbs.
- Talking with communities about herd size and population decline: Raymond Stoney urged that information about population size and trend be shared with all IRAs and villages, so people are prepared if the decline continues and changes in management are required. He also suggested that the Working Group write letters to the Advisory Committees (AC), suggesting they consider reductions in bag limits. Jim Dau indicated that ADF&G has held meetings in each community in Unit 23 and on the North Slope to discuss the declining population trend and the recommendations in the WACHWG Cooperative Management Plan (Table 1) about possible changes in harvest management.
- Noatak Preserve management – Raymond Stoney expressed appreciation that the National Park Service (NPS) delayed the start for transporter access in the Noatak Preserve until September 20, 2013, to allow for caribou movement.
- High number of non-local hunters in Noatak area – Concern that there are many non-local hunters (non-Alaska residents or Alaska residents from outside of Unit 23) hunting in the Noatak area, and that this is disproportionately high compared with the number of local hunters in the area. Can anything be done to bring this more into balance? A: In response, Jim Dau noted that there is currently no limit on the number of hunters in any part of GMU 23. (In other areas of the state, special permit processes have been put in place to limit numbers and/or to affect the proportion of local to non-local hunters, but that is not the case in Unit 23.) It was noted that people in Noatak would like to extend the boundary of the Controlled Use Area farther upstream to the Cutler River, to provide more separation between local and non-local hunters.
- Mother/calf separation and effects on calf survival – Suggested that perhaps calf survival is an issue, as more mothers and calves are separated due to high insect populations and chaotic responses to insect harassment. Also concern that hunting behaviors that break up groups of caribou can cause mothers and calves to separate, with a higher incidence of orphaned calves.
- Predation – Concern that high wolf numbers are affecting the herd’s decline. (Stated that 60 years ago there was a bounty on wolves, but now local people don’t hunt wolves and their numbers are growing.) Jim Dau noted that he hears this from every village and heard it from every WACHWG member at the December 2013 meeting of that group.

- Q – What is cause of later migrations and change in migration routes? A – There is not hard data about what causes these changes. Elders say that a warm fall will cause the caribou to begin migrating later. It is not known why the migration route changes in different years.

**Assignment** – Communicate with all Unit 23 Advisory Committees (AC) regarding the decline in the caribou herd size and possible need for changes in harvest to address herd decline (as outlined in Table 1 of the Western Arctic Caribou Herd Working Group, 2011 Cooperative Management Plan), as well as to present information about the Board of Game’s Intensive Management process. ADF&G will contact ACs this summer. Later, the Unit 23 Working Group will comment to the Board of Game on any regulatory changes proposed. Lead: Jim Dau, ADF&G; Jan Caulfield, Facilitator

### **3.2 Proposed Ambler Mining District Industrial Access Road**

The Alaska Industrial Development and Export Authority (AIDEA) provided information about the proposed Ambler Mining District Industrial Access Road, located in GMU 23. Presenters included Mark Davis, AIDEA’s Deputy Director of Infrastructure Development, and Maryellen Tuttel, Project Manager from DOWL Engineering. The PowerPoint presentation can be viewed on the Unit 23 Working Group’s project website.

Created in 1967, AIDEA’s mission is “to promote, develop, and advance economic growth and diversification in Alaska by providing various means of financing and investment.” It fulfills its mission by providing Alaska businesses, projects and infrastructure with access to long-term commercial and development financing at a reasonable cost through its strong balance sheet and credit rating. More information about AIDEA can be found at [www.aidea.org](http://www.aidea.org) or at 907-771-3000.

AIDEA assumed responsibility for progress on the Ambler Mining District Industrial Access Road (AMDIAR) in mid-2013. The project purpose is to construct industrial access to the Ambler Mining District and support exploration and development of mineral resources in the District. The Ambler Mining District is a 75-mile long State-owned mineralized area with reserves of copper, zinc, lead, silver and gold. Key deposits and associated mining companies include the Arctic (Nova Copper), Sun (Andover Ventures), Bornite (NANA), and Smucker (Teck Cominco). Feasibility studies show that overland transportation is required for mining to be economically feasible.

Work to date on the project has included transportation reconnaissance efforts, community outreach, preliminary engineering, preliminary baseline environmental research, and identification of feasible routes.

The AMDIAR East Corridor has been identified as the most feasible route. It extends from the Dalton Highway, eastward to the Mining District. It is approximately 200 miles long, would have 15 large bridges (>150’); least caribou impacts; no endangered species impacts; least impact on salmon/sheefish habitats; it would cross State, federal and ANCSA corporation lands, and would require a corridor through the Gates of the Arctic National Preserve. There is a provision in the Alaska National Interest Lands Conservation Act (ANILCA) providing for a crossing of Gates of the Arctic, with the NPS making a decision about which is the preferred route through the Preserve.

Tasks in progress by AIDEA now include community/outreach meetings, additional reconnaissance studies, additional engineering, and environmental documentation and permitting.

To address concerns expressed during community meetings, AIDEA is:

- Proposing a controlled access road that would not be open for public transportation use (note that this is different than the Dalton Highway, and similar to the Red Dog Mine Road)
- Proposed an alignment that stays away from the Pah River Valley
- Through the Environmental Impact Statement (EIS) process, evaluating potential effects on caribou, water quality, and other important resource concerns and addressing ways to avoid, minimize or mitigate impacts

AIDEA expects to start the EIS process in the next few months. It has not been determined which federal agency will be the lead for this environmental process. The proposed schedule would lead to permitting and final design in 2016-2018, with construction starting in 2019.

To submit comments now to AIDEA regarding the project, emails can be sent to [ambler@aidea.org](mailto:ambler@aidea.org). A project website is being developed that will provide project status and links to information.

The points were clarified and questions answered during Working Group discussion:

- ADF&G Division of Subsistence has been doing subsistence harvest studies. In addition, AIDEA has sought traditional knowledge through community meetings and other consultations.
- The permit application would be for a two-lane road, but the first phase of construction would probably be one lane.
- The road would be controlled access (not open for public use), even in section that crosses public land managed by the NPS.
- Analysis under both Title VIII (Subsistence Management and Use) and Title XI (Transportation and Utility Systems in and Across, and Access into, Conservation System Units) of ANILCA will be done during the EIS process.
- To date, there have been 25 community visits. Additional community visits will be held during the EIS process. The next meeting will be held June 2 in the Kobuk area, with three villages coming together for one meeting.
- Local people are being invited out with field crews. To date, this has occurred primarily in the Upper Kobuk area. It will also occur in the Koyukuk area.
- Baseline data on flora, fauna, and other environmental information is being collected.
- Q – Are there trappers that will be displaced by the road routing and will there be compensation offered for their losses? Also, if subsistence hunts are depleted in the future, will there be compensation for subsistence users (for example, impacts to fall subsistence sheefish harvests up the Kobuk River)? A – During the EIS process and in conversations with communities, affects on subsistence will be evaluated. The goal is to design and operate the road to have as little impact as possible on subsistence uses and resources. To be permitted, the road must have minimized impact and be consistent with local uses. If impacts will occur, the EIS will address what type of mitigation may be required.
- Q – If road is completed, would villages become more populated and lose their rural status under the subsistence management structure? A – For projects of this type, workers would be housed at a construction camp and would not affect the size of village populations.
- Q – What maps of customary and traditional use areas are being created and/or used? A – Existing reports are being gathered and used. AIDEA is also paying ADF&G to compile existing research and conduct additional research.



- Clarified that AIDEA would be required to have a resolution in support of the project from the Northwest Arctic Borough (NWAB) Assembly in order to be able to construct the road.
- AIDEA has been meeting with the City Councils, Tribal Councils, and public in communities in the region. During the EIS and permitting process, the federal agencies will be entering into government-to-government consultation with local Tribes.
- Tim Hammond from BLM suggested, at future meeting, ask the lead federal agency for the Ambler Mining District Road to present to the Working Group about the ANILCA 810 process and process for government-to-government consultation process.
- Q – When are the stipulations for construction and operation of the road developed, so the public and industry know what stipulations will be required to minimize and mitigate impacts on resources? A – Expect the conditions to be similar to those for use of the Red Dog road. The road would be operated year round, with seasonal best management practices related to the caribou migration. During the EIS process, the stipulations needed to minimize or mitigate to other resources will be determined. However, the exact stipulations cannot be finalized until close to the end of the EIS and permit process.
- Suggested that the scoping process should create alternatives with the health of the Western Arctic Herd and subsistence uses of that herd in mind.
- Clarified that the road would not be a public highway and open to public use. However, there could be permits to transport bulk goods to staging areas to benefit communities (e.g., diesel, liquefied natural gas).
- Clarified that construction and operation funds will be recovered through tolls paid for industrial use.
- Q – Can AIDEA help support the continuation of the Unit 23 Working Group, as a group that can help with communication in the region about this project? A – AIDEA can consider this.

**Assignment** – Participate in AMDIAR scoping process and coordinate development of scoping comments from the Unit 23 Working Group. (Noted that agency representatives on the Working Group will need to abstain from signing on to any comment letter, due to their role in project permitting.) Lead: Alex Whiting, Cyrus Harris, Noah Naylor.

**Assignment** – Tim Hammond, BLM, suggested that the lead federal agency(ies) for the AMDIAR processes related to the National Environmental Policy Act (NEPA, the ANILCA Section 810 process, and the government-to-government consultation process be invited to present and engage in discussion at a future Unit 23 Working Group meeting. Lead: Jan Caulfield, Facilitator

### **3.3 Education Update**

Meghan Nedwick, ADF&G Education Associate in Kotzebue, gave an update on the pilot education requirement, youth and hunter education, and the WACHWG publication *Caribou Trails*.

**Pilot education** – In 2010, a State regulation took affect (proposed by Unit 23 Working Group and approved by Board of Game) that requires a one-time online 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.) As of May 2014, 307 pilots had taken the test, including 259

Alaska residents and 48 non-residents. Forty-five pilots took the test between May 2013 and May 2014.

Education to avoid user conflicts – ADF&G continues to print and widely-distribute the “Hunt Legal – Hunt Smart” pamphlet and the poster regarding proper caribou meat salvage. They provide outreach about hunting regulations. The department is also offering more hunter education courses that address responsible hunting, firearm safety, and meat care – including course in Kotzebue and Kiana. Cooking classes offered by the Kotzebue High School have used meat donated by a local transporter to teach traditional meat processing and cooking.

Meat Processing and Packaging – There has been a greater effort by guides and transporters to provide shipping boxes and meat processing facilities in Kotzebue to serve their clients and ensure proper meat care. The department provides guides and transporters with publications to provide to their clients about meat salvage and care.

Caribou Trails – Meghan is working on an edition of *Caribou Trails* to issue in summer 2014.

### **3.4 Federal Aviation Administration – Information to Pilots**

Lisa Asplin, from the Federal Aviation Administration Safety Team (FAAST) in the Fairbanks District Office, spoke to the Working Group about what FAA provides for community and pilot outreach and education about aircraft safety. The FAA provides safety information through seminars and special events (such as sport or outdoor shows), and Lisa is scheduling meetings for guides/transporters and private pilots in Fairbanks in July 2014. She can also distribute information through mail, email and the FAAST website. She can work with FAAST staff in the Anchorage office to also provide information, since many hunters come to Unit 23 from the Anchorage and MatSu areas.

Through her contacts with pilots, FAAST staff can provide information to pilots about how to avoid conflicts caused by aircraft in Unit 23, based on the type of information included in the online pilot orientation on the Unit 23 Working Group website. She has already provided information about ways to avoid conflicts in Unit 23 at the recent Fairbanks Outdoor Show.

Lisa requested specific information from the Working Group about recommendations and guidelines she can provide to pilots, as well as resources she can refer them to.

In discussion, the Working Group offered the following comments:

- Aircraft do interfere with local subsistence hunters in the field. Pilots should be briefed not to interfere. They should not circle over animals and disturb them.
- Aircraft should be careful not to interfere with local subsistence hunters that congregate along the major rivers in the fall. Encourage pilots not to land on gravel bars in areas where there are local boats. In many cases, hunters in boats have been waiting for days and it creates resentment when planes land just as the caribou arrive.
- Aircraft should be required to have large identifying numbers on their tails so that the numbers can be read and reported in the event of an incident or interference with hunting. (Lisa noted that not all planes are required to have large numbers; that would require a change in regulation and is not within her program’s purview.)
- Ask transporters to inform clients that camps should be spaced at least a mile apart, so there are not so many hunters in one spot. (Frank Hays noted that the land management agencies can require this in the special use permits that they issue to guides and transporters, and monitor the camp locations.)

- It is important to educate private pilots, since they do not require a permit for operation by the land management agencies and do not have to comply with the types of permit stipulations that guides and transporters do.
- People on the ground need to understand that sometimes a plane may need to land on a gravel bar due to weather conditions, or fly over an area before landing to check on conditions on the ground.
- Justin McGinnis, Alaska Wildlife Trooper (AWT), clarified that State of Alaska regulations do not allow harassment of wildlife by aircraft. The AWT follows through to investigate such complaints.

**Assignment** – Provide information to Lisa Asplin that can be distributed to private pilots, guides and transporters and meetings, workshops and special events. Information to include guidance regarding how to avoid disturbing caribou and causing conflicts with local hunting during the fall hunting season, the stipulations that the federal agencies require of aircraft through the special use permits issued to guides and transporters, maps of the Noatak Controlled Use Area, and other information. Assist Lisa with meeting invitations by mailing information to all pilots that have taken the online pilot orientation course. – Meghan Nedwick, ADF&G; Tim Hammond, BLM; Frank Hays, NPS; Tina Moran, USFWS; Jan Caulfield, Facilitator

### **3.5 State and Federal Agency Management and Enforcement**

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

- Ambler Mining District Industrial Access Road – Once AIDEA submits an application for a road alignment through Gates of the Arctic National Preserve, the NPS has one year to approve a preferred route. A handout provided by the NPS regarding the AMDIAR access road and right-of-way is provided as Attachment 4.
- Noatak National Preserve, Special Commercial Use Authorization Area - The NPS issues Commercial Use Authorizations (CUAs) for commercial *transporter* visitor services for the Noatak National Preserve. Beginning in 2012, transporter services have been permitting to transport non-federally qualified caribou hunters into the area west of the Kugururok River and Maiyumerak Mountains only after September 15<sup>th</sup>, unless authorized by the Superintendent to provide services before this date. The Superintendent consults with CUA holders, local villages and other agencies between August 15-September 15 to discuss the status of the caribou migration across the Preserve and to determine if access prior to September 15 will be allowed. The area affected by this timing condition is shown in Attachment 5.

The Noatak CUA established by the Board of Game is not affected by these conditions. Pilots of private aircraft are not affected by these conditions. Commercial transporter services for Dall sheep and moose sport hunters are not affected by this provision.

- Communication with villages – The NPS continues to outreach to villages through its Tribal Liaison Willie Goodwin and is hiring two local residents to serve part-time as liaisons in Noatak and Kiana. These two people will work closely with Willie Goodwin to improve communication.
- Enforcement – NPS publicizes a phone number for people to call to report any complaints about “bad behavior” in the field, and the agency’s law enforcement staff follow-up on those complaints. Frank indicated that they will do more to “close the loop” and get back to the person who called in with the complaint regarding how it was addressed. He also indicated that the agencies should make sure that residents know what information enforcement

officers need to start investigating a complaint, that is: date, time, aircraft tail number, description of what was observed.

- Research – Gabriela Halas, UAF graduate student, is continuing her research in Noatak to document local and traditional knowledge on caribou, caribou hunting, and hunting conflicts. In addition, NPS Social Scientist Andrew Ackerman is compiling and analyzing data and maps to help managers better understand issues on the ground and consider how to resolve concerns and conflicts. (See later presentation by Mr. Ackerman.)
- Aircraft use by researchers – Frank noted that researchers who will be using aircraft need a permit. NPS talks with them about how to avoid affecting the caribou and migration and subsistence hunting. However, if people notice problems they should contact the NPS with their concern.

NPS Report on Big Game Hunters and Transporter Activity – Andrew Ackerman, NPS Social Scientist, provided a report on the NPS’ study of hunting and caribou in the Noatak National Preserve (NP), 2009-2013. (See pages 48-60 of the meeting binder). Key points included:

- The study objectives include:
  1. Gather, summarize and analyze quantitative and qualitative data on hunters, hunt activity, experiences and associated activity (e.g., commercial air transport, guiding activity)
  2. Use soundscape monitors to document motorized sounds (air and ground sources) and characterize existing conditions in a variety of locations in the Noatak NP. Spatial model of sounds along Noatak River corridor will be done in 2014-15.
  3. Conduct spatial analyses – trends or patterns in data gathered in the steps 1 and 2
  4. Integrate results with the traditional ecological knowledge study being done by University of Alaska Fairbanks in Noatak in 2013-14.
- Methods include compiling data on hunter and transporter activity (from reports collected by the Alaska Department of Commerce, Community and Economic Development); mail-surveys to non-local hunters from 2010-13; structured interviews with non-local hunters, guides and pilots; monitoring sound in Noatak NP during peak hunt season and differing management areas; TEK research in Noatak Village using individual and small group interviews/mapping.
- The focus of the study is the Noatak Preserve. Andrew noted that 74% of the Western Arctic Herd migrates through Unit 23, and half of the caribou that migrate through Unit 23 go through the NP. Therefore, activities or conditions that affect the portion of the herd that migrates through the Preserve are significant to the full herd.
- In 2011 and 2012, the top city of residence for non-local hunters of caribou in Unit 23 was Anchorage, with about 33 hunters from Anchorage in 2012 and 43 in 2011.
- From 2009-2013, there has been a 9-10% increasing trend over that time period in the number of hunters/groups visiting the Noatak NP for big game hunting.
- From 2009-2013, there was an average of 261 annual transporter flights in the NP for big game hunting. The focus of hunting is on caribou and there is a high hunt success rate.
- Soundscape monitoring in the Noatak NP shows that sound is at a fairly low level compared to other national parks. At the Kugurorok River in 2013, the highest percent of time that motorized sound was audible was 5% of the hour (3 minutes). At the Aggie River in 2013, the highest percent of time was 7.5% (4.5 minutes). While this is low, it is valuable baseline data for the Preserve.

- The NPS is plotting data and doing a spatial analysis of landing sites used by guides and transporters in Unit 23, to determine which areas might be more prone to user conflicts and require more management attention.
- In 2010-2012, transporter landings within 10 miles of the Noatak River have shifted eastward, farther upstream along the Noatak River and above the confluence with the Sapun River that marks the upper end of the Noatak Controlled Use Area (CUA). During these years, the caribou have been more highly concentrated in the east. There have been relatively low caribou numbers – and therefore less guide/transporter activity – in the Noatak CUA (where aircraft access for big game hunting and transport is not allowed August 15-September 30) and the NPS' Noatak NP Commercial Use Authorization area (where guide/transporter access is delayed until September 15).
- The NPS is surveying 1,280 hunters who were transported into the Noatak NP between 2010-2013. Surveys are underway. A draft report on the surveys is expected by October 2014. The NPS should be able to use information about where the hunters were transported to, to verify and supplement the information on landings provided in reports by transporter businesses.
- For more information, contact: Andrew Ackerman, NPS, email: [Andrew.ackerman@nps.gov](mailto:Andrew.ackerman@nps.gov), phone: 907-455-0643

Bureau of Land Management – Tim Hammond from BLM addressed the following points (see Attachment 6 for handouts):

- Enforcement – BLM will bring in contract law enforcement personnel to work in the Squirrel River area in fall 2014. Seth McMillan, a BLM ranger/pilot will also come to Unit 23 to increase BLM's enforcement capacity and ability to participate in coordinated enforcement actions with other agencies and NANA Trespass.
- Land status maps – BLM is keeping updated land status maps for Unit 23, which include topographic information. The maps are available on BLM and ADF&G 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.
- Permitting – Tim distributed a map showing Special Recreation Permits for spike camps issued in Unit 23 for 2014, and a more detailed map for camps the Squirrel River area (Guide Use Area 23-06). Three guides are permitted to operate in the Squirrel River area (Brad Saalsa, Wayne Taylor, Preston Kelly), and five transport businesses (Golden Eagle Outfitters, Trans Mountain Aviation, Northwestern Aviation, Juneau Air, Arctic Backcountry Flying Service). Beginning in 2103, BLM uses the same timing restriction in use by the NPS in the Noatak Preserve in its permits for the Squirrel River area. Commercial service providers are not permitted to access the Squirrel River area until after September 15, unless managers make a determination to open by September 1 if the vanguard of the caribou migration has already moved through the area.
- Stipulations for Guides and Transporters – The permit stipulations that guides and transporters are required to comply with by BLM are listed in Attachment 6. BLM welcomes any changes that the Working Group would like to suggest.
- Planning for Squirrel River Area – BLM is preparing a special management plan and Environmental Assessment (EA) for the Squirrel River area. However, BLM is changing the boundaries for its management areas and management of Unit 23 will be transferring from its Fairbanks office to its Anchorage office. Progress on the special management plan has been delayed pending this change in responsibility.

Working Group members raised the following questions / points for discussion after BLM's presentation:

- Raymond Stoney raised concern with the rapid decline in the size of the herd from 490,000 to 235,000 caribou. Use of the area by guides and transporters to serve nonlocal hunters should be the first to be restricted. It is time to begin to plan for the next ten years – what is going to happen if it continues to decline. Need to reduce non-local hunting. Encourages people to contact the Fish and Game Advisory Committees and recommend proposals to the Board of Game to reduce nonlocal hunting activity.
- Q – Can BLM require that hunting camps be spaced farther apart? A – BLM hasn't set a required spacing between camps, but would be willing to take a recommendation on that.
- Enoch Mitchell restated the importance of allowing the first caribou in the migration to pass before hunting. He asked if BLM could require hunters to wait until the first 1,000 caribou pass? Tim Hammond replied that they are requiring guides and transporters to not put hunters in the Squirrel River area until after September 15, to allow the migration to become established. It is also important to educate hunters who do not use the services of guides and transporters (such as those who access the area with their own planes).

US Fish and Wildlife Service – Acting Selawik National Wildlife Refuge Manager Tina Moran presented the following information:

- Planning – The Selawik Refuge Comprehensive Conservation Plan (CCP) was completed in 2011. The plan delineated an area of the Kobuk Delta where commercial use by transporters and guides are not authorized (Attachment 7). 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. The plan does include a provision for the Refuge Manager to approve access for commercial use to this area on a case-by-case basis.
- 2013 Commercial Use Update – The Selawik Wildlife Refuge issued special use permits in 2013 to one guide and five transporters (only two transporters operated). These businesses served 32 clients in 2013 (down from 66 in 2012 and the high of 154 hunters in 2000).
- 2014 Permits – In 2014, four transporters have been permitted; the three expected to be active are all based in Kotzebue and familiar with the region. The same guide will be permitted to provide services. Permit stipulations are similar to those required by NPS and BLM.
- 2013 Enforcement – Two USFWS Law Enforcement Officers came to Unit 23 to patrol in fall 2013 and coordinated with other agencies. There were no violations on the Refuge and no complaints heard about user conflicts. The Refuge is hoping that there will be law enforcement presence in 2014 as well.

Alaska Department of Commerce, Community and Economic Development (DCCED) seasonal investigator – Lee Strout, seasonal investigator for the DCCED Division of Corporations, Business and Professional Licensing provided investigative services in Unit 23 from September 16-20, 2013, during the hunting season. Mr. Strout focused on compliance with the Big Game Commercial Services Board's (BGCSB) regulations for the guides and transporters. A copy of the draft report for the 2013 season was provided in the meeting packet. Mr. Strout made the following points in his (teleconferenced) presentation:

- Coordinated closely with Alaska Wildlife Trooper Justin McGinnis, Trooper Alan Jones, and with BLM enforcement. Focused on making contacts with transporters and guides, doing camp inspections and letting them know that the Division has a presence in the region investigating compliance with BGCSB regulations.

- Made contact with 11 guides or transporters and 18 hunters.
- Many contacts with hunter were made at the airport ramp in Kotzebue. However, Mr. Strout is still having problems getting authorization to have access on the ramp. (See assignment below.)
- The Division has indicated that there is likely not funding for him to provide investigative services in Unit 23 in fall 2014.

In response, Tim Hammond from BLM indicated they would like to support these services, possibly through providing lodging and transportation to/from the region. Trooper McGinnis said that Lee does a lot of good work and helps immensely during the fall season.

**Assignment** – Write letter from Unit 23 Working Group to Big Game Commercial Services Board (BGCSB) expressing the group’s appreciation for the work done by the DCCED Investigator and requesting that the work continue in the fall of 2014. Coordinate with other agencies about financial or in-kind support that can be provided to address DCCED’s budget concerns. Lead: Jan Caulfield, Facilitator

### **Board of Game Actions Affecting Unit 23**

Steve Machida, ADF&G Region V Supervisor for Wildlife Conservation Division, summarized recent Board of Game actions that affect Unit 23:

- The Board modified how it issues permits to non-Alaska resident brown bear hunters. Hunters can now apply and receive a permit over the counter at ADF&G offices.
- The Board of Game considered but did not approve a proposal from the public to allow the sale of caribou antlers in Unit 23.
- In January 2014, the Kotzebue AC requested that the Board liberalize the methods that can be used to harvest wolf, wolverine or caribou to allow use of snow machines. In March 2014, the Board approved a regulation change that will allow hunters to use snow machines to position themselves and to shoot from a stationary snow machine in Region V (except for hunting caribou in Unit 18 in the Bethel area).

### **State of Alaska Guide Concession Program**

For the past several years, the State of Alaska was working to establish a program to establish guide concession areas (generally matching the boundaries of the existing Guide Use Areas) on State and possibly BLM land. In February 2012, DNR issued a proposed decision on how the program would be designed and implemented and received over 300 public comments. In February 2013, the agency produced a “Management Framework Document” (see project website)<sup>3</sup>, held public meetings, and received nearly 200 comments.

The Unit 23 Working Group sent a letter to key legislatures on February 27, 2014, expressing support for the Guide Concession Program. However, during the 2013 and 2014 Legislative sessions, no funding was approved to staff and implement the program. Without funding, the program is on hold. During the 2013 session, an amendment was introduced (House Bill 158) to expand the program to include transporters in the concession program, giving DNR one year to incorporate that. There was no action on this bill in either the 2013 or 2014 Legislative sessions.

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<sup>3</sup> 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](mailto:clark.cox@alaska.gov), 907-269-8565.

### **3.6 Other Topics Raised by Working Group members**

Enoch Mitchell raised two topics for discussion. Noatak community wants to see a requirement that the first 1,000 caribou are let through before hunting begins (rather than the current requirement in the Noatak Preserve that guide and transporter activity not begin until after September 15). Secondly, he wants to see a better balance between the number of guided/transported (non-local) hunters and the local hunters in the field. In the Noatak area, it feels like that are too many non-local hunters and people are “scrabbling for caribou”.

Jim Dau, ADF&G, noted that the Noatak AC could submit a proposal to the Board of Game to address the issue about the number of hunters. However, if they allocated a proportion of the hunt to “Resident” hunters (and a proportion to non-Alaska residents), the “Resident” category would include non-local hunters who are Alaskan residents.

Frank Hays, NPS, commented that setting the date of September 15 for guide/transporter entry was intended to provide time necessary for the vanguard of the migration to move through before hunting started. However, the migration is starting later and later. Is this delayed migration the new normal? If so, may need to further adjust the start date for the permitted operators. The NPS needs to consider alternatives. He noted that the NPS has already committed to using the September 15 date in 2014 and 2015 – this is written into the commercial use authorizations for those years. Cyrus Harris noted that with the effects of climate change, migration might continue to be delayed, as caribou won’t travel south until it is cool. Jim Dau noted that he spent time in the past trying to correlate the migration timing with air temperature. May be possible to look at that again to see temperature effects.

**Assignment** – NPS, BLM, ADF&G will work with Enoch Mitchell and coordinate with Noatak to consider the idea of letting 1,000 caribou pass (and other alternatives) to try to effectively address the intent of letting the vanguard of the migration pass through the Noatak area before the guide- and transporter-assisted hunting begins. Lead: Frank Hays, NPS; Tim Hammond, BLM; Jim Dau, ADF&G; Enoch Mitchell, Noatak.

## **4.0 Future of Unit 23 Working Group**

The Unit 23 Working Group decided it would like to meet again in the spring of 2015 in Kotzebue, if funding can be found to continue the group. The group sees value in continuing communication and updates, to support progress on the recommendations it has made to date and to be ready to respond if there is an increase in conflict in the future (which may occur as the herd population declines). In addition, the group provides an important avenue for in-region communication regarding changes in the herd’s population and for proposed developments that may affect hunting or access, such as Roads to Resources projects. AC representatives value being able to bring concerns to the table and bring information back to the community.

**Assignment** – Provide information to Northwest Arctic Borough Mayor Reggie Joule about annual costs to hold a Working Group meeting. Lead: Steve Machida, ADF&G; Noah Naylor, NWAB



## 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 made during the comment period.

### Walter Sampson, Kotzebue

- Spoke at length in Inupiaq and is concerned that people who listen to the meeting on the radio are not understanding much of what is being said since English is not their primary language.
- Concerned with how wildlife resources are managed by the State of Alaska through the Board of Game. Alaska Native people are not represented on the Board of Game and the state regulations are not written to fit people in bush Alaska.
- The Western Arctic Caribou Herd had nearly 500,000 caribou ten years ago. Now there are just 235,000. He is very concerned. Weather is changing; science call is “climate change” but predictions in the Bible are being fulfilled.
- The Federal Subsistence Board (FSB) can provide a rural preference through ANILCA to ensure subsistence needs are met as resources start to decline. It is up to federal managers to decide what to do.
- Residents of the State of Alaska can propose regulations to the FSB and work through their process to address wildlife management and subsistence issues that are before us.
- Appreciates that a staff person from FAA is here to take back information about concerns with aircraft over flights that interfere with subsistence hunting.
- Concern that nonlocal hunters activity along the rivers are deflecting caribou and interfering with local hunting success. The fuel cost for local people is too high (\$11/gallon in Noatak) for them to be able to afford to travel farther for caribou. They are hunting for food and success is critical to families and communities. Sometimes people have to choose whether to pay for gas to hunt or fuel to heat their homes.
- Managers must manage wildlife to have the least impact on people who are hunting for food.
- If the caribou herd declines to 200,000 the State of Alaska will evaluate Intensive Management. Concern that restrictions will be placed on local hunters and there will be more hardships for people trying to put food on their tables.

### Colleen Swan, Kivalina

- Recommended improved public notice of the opportunity to provide public comments. (Ms. Swan recommended notice through the NWAB Community Planning email distribution. Note: That was done for this May 2014 meeting by John Chase.)

### Benjamin Arnold, Noatak

- As a NANA Trespass program enforcement officer in 2013, Mr. Arnold was limited to enforcement on NANA lands. When people complain to him about planes outside of the NANA boundary lines, all he can do is report that to the Troopers and other agencies, and he is then not sure how those complaints are investigated. It feels frustrating, because his authority is so limited. (In response, Frank Hays, NPS, agreed that is it important for agency law enforcement to report back to villages and to NANA Trespass about actions taken in response to complaints. Also, Justin McGinnis from the Troopers said that he meets with NANA Trespass before each season. When he gets complaints, he tries to get back to each community with what has happened to follow-up.)

**Assignment** – Recommended that the NPS Noatak liaison follow-up with Mr. Arnold about this issue and in the future about any enforcement issues raised by the public.  
Lead: Frank Hays, NPS

**Unit 23 Working Group Membership  
& Attendance  
May 14-15, 2014 Meeting**

<b>Name</b>	<b>Affiliations</b>
Valerie Baxter (unable to attend)	Alaska Department of Natural Resources
Jim Dau	Alaska Department of Fish and Game
Phil Driver (unable to attend)	Alaska Professional Hunting Association Western Arctic Caribou Herd Working Group
Tim Hammond (for Shelly Jacobson)	Bureau of Land Management
Cyrus Harris	Maniilaq Association Western Arctic Caribou Herd Working Group
Frank Hays	National Park Service
Stosh Hoffman (unable to attend)	Board of Game
Victor Karmun	Northwest Arctic Regional Advisory Council Kotzebue Sound Advisory Committee
Melvin Lee	Upper Kobuk Advisory Committee
Enoch Mitchell	Noatak/Kivalina Advisory Committee
Tina Moran	U.S. Fish and Wildlife Service
Ron Moto, Sr.	North Seward Peninsula Advisory Committee
Noah Naylor	Northwest Arctic Borough
Julie Owen (unable to attend)	Transporter representative
Pete Probasco (for Ted Spraker)	Alaska Board of Game
Pete Schaeffer (unable to attend)	Kotzebue Sound Advisory Council
Joe Schuster (unable to attend)	Alaska Professional Hunting Association
Raymond Stoney	Northwest Arctic Regional Advisory Council Lower Kobuk Advisory Committee
Tim Towarak (unable to attend)	Federal Subsistence Board
Alex Whiting	Kotzebue IRA

Public & Agency Attendance List  
 Unit 23 Working Group Meeting  
 May 14-15, 2014 – Kotzebue, Alaska

<b>Name</b>	<b>Affiliation</b>
Andrew Ackerman (presenter)	National Park Service
Sgt. Mark Agnew	Alaska Wildlife Troopers
Lisa Aspin (presenter)	Federal Aviation Administration
Mark Davis (presenter)	AIDEA
John Erlich, Sr.	public
Bish Gallahorn	public
Susan Georgette	US Fish and Wildlife Service
Charlie Gregg	Northwest Arctic Borough
Dwayne Haviland	NANA Corporation
Marci Johnson	National Park Service
Lance Kramer	Northwest Arctic Borough
Steve Machida	Alaska Department of Fish and Game
Justin McGinnis	Alaska Wildlife Troopers
John Moller	Alaska Governor's Office
Karmen Monigold	KSHC
Meghan Nedwick	Alaska Department of Fish and Game
Walter Sampson	NWAB Assembly / public
Cole Schaeffer	Kotzebue Indian Community
Bruce Seppi	Bureau of Land Management
Lee Strout (presenter)	Department of Commerce, Community and Economic Development
Brittany Sweeney	US Fish and Wildlife Service
Maryellen Tuttlel (presenter)	DOWL Engineering
Doug Vincent Lang	Alaska Department of Fish and Game

Public comments presented by:

Walter Sampson, Kotzebue  
 Colleen Swan, Kivalina (phone)  
 Benjamin Arnold, Noatak (phone)

## Unit 23 Working Group May 14-15, 2014

Northwest Arctic Borough Assembly Chambers  
163 Lagoon Street, Kotzebue, Alaska

Wednesday, May 14  
1:00 – 4:00 p.m.

Thursday, May 15  
9:00 a.m. – 4:30 p.m.

***Public radio station KOTZ will broadcast the meeting on  
Wednesday, May 14, 1-4 pm and Thursday, May 15, 9 am-12 pm; 1-4 pm  
Tune to 89.9 FM or AM 720, or listen via the web at [www.kotz.org](http://www.kotz.org)***

### AGENDA

#### **Meeting Topics**

- Update on Western Arctic herd population and harvest data
- Discuss 2013 hunting season & preparation for 2014 season
- Presentation regarding proposed road to Ambler Mining District
- Pilot education efforts and opportunities
- Update on State and federal management, planning and enforcement related to reducing hunting conflicts in Unit 23
- Public comment session – By phone or at Assembly Chambers  
Thursday, May 15, 1:15 – 2:15 p.m.
- Discussion of additional topics raised by Working Group members

#### **Wednesday, May 14**

*Coffee/Refreshments*

*Note that from 1:00-4:00 pm, the meeting will be broadcast on KOTZ and online at [www.kotz.org](http://www.kotz.org)*

#### **1:00 p.m. Welcome, Introductions – Review Agenda / Revise if necessary**

- List of Unit 23 Working Group members
- Summary of recommendations made by the Working Group at past meetings

**1:15 p.m. Western Arctic Herd Population / 2013 Hunting Season**

- Caribou population data and 2013 harvest data  
Jim Dau, Alaska Department of Fish & Game (ADF&G)
- Working Group comments/discussion regarding 2013 hunting season and preparation for 2014

**2:15 p.m. Break****2:30 p.m. Proposed AIDEA Ambler Mining District Industrial Access Road**

- Presentation by the Alaska Industrial Development and Export Authority (AIDEA) regarding the proposed industrial access road to the Ambler Mining District, at the request of the Unit 23 Working Group  
Mark Davis and Maryellen Tuttell, AIDEA
- Working Group questions and discussion

**4:00 p.m. Adjourn for the day****Thursday, May 15**

*Coffee/Refreshments*

*Note that from 9:00 am-12:00 pm and 1:00-4:00 pm, the meeting will be broadcast on KOTZ and online at [www.kotz.org](http://www.kotz.org)*

**9:00 a.m. Welcome****9:10 a.m. Education Update** – Update on Unit 23 education initiatives  
Meghan Nedwick, ADF&G**9:40 a.m. Federal Aviation Administration – Pilot Education Efforts & Opportunities**

Lisa Asplin, FAA Safety Team (education focus)

**10:10 a.m. Break****10:30 a.m. Federal & State Management, Planning & Permitting – Agency presentations and Working Group discussion**

- Noatak National Preserve  
Frank Hays, National Park Service
- NPS Research – Non-subsistence hunting in Noatak Preserve  
Andrew Ackerman, National Park Service (via webinar)

- Bureau of Land Management  
Tim Hammond, Bureau of Land Management
- Selawik National Wildlife Refuge  
Tina Moran, US Fish and Wildlife Service

**12:00 p.m. Lunch**

**1:15 p.m. Public Comment Opportunity regarding user conflicts related to hunting in Unit 23 –Call-In & In-person Comments**

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. Continue Agency Updates & Working Group discussion**

- Alaska Board of Game Actions – January & March 2014  
Steve Machida, ADF&G
- Alaska Guide Concession Program update  
Valerie Baxter, Department of Natural Resources
- Department of Commerce, Community and Economic Development – Report on Transporter Activities in 2013  
Lee Strout, DCCED (via teleconference)

**3:00 p.m. Break**

**3:15 p.m. Working Group Discussion & Action**

- Topics raised by Working Group members
- Follow-up on presentations or public comments
- Recommendations / Actions

**4:15 p.m. Assignments / Wrap up**

**4:30 p.m. Adjourn**

Additional information about the Unit 23 Working Group can be found at the project web site:

<http://www.adfg.alaska.gov/index.cfm?adfg=wildlifeplanning.unit23>



National Park Service  
U.S. Department of the Interior

Gates of the Arctic  
National Park and Preserve  
4175 Geist Road  
Fairbanks AK 99709

907-457-5752



## **Ambler Mining District**

### **Access Road and Right-of-Way**

*Public information statement*

#### **Background**

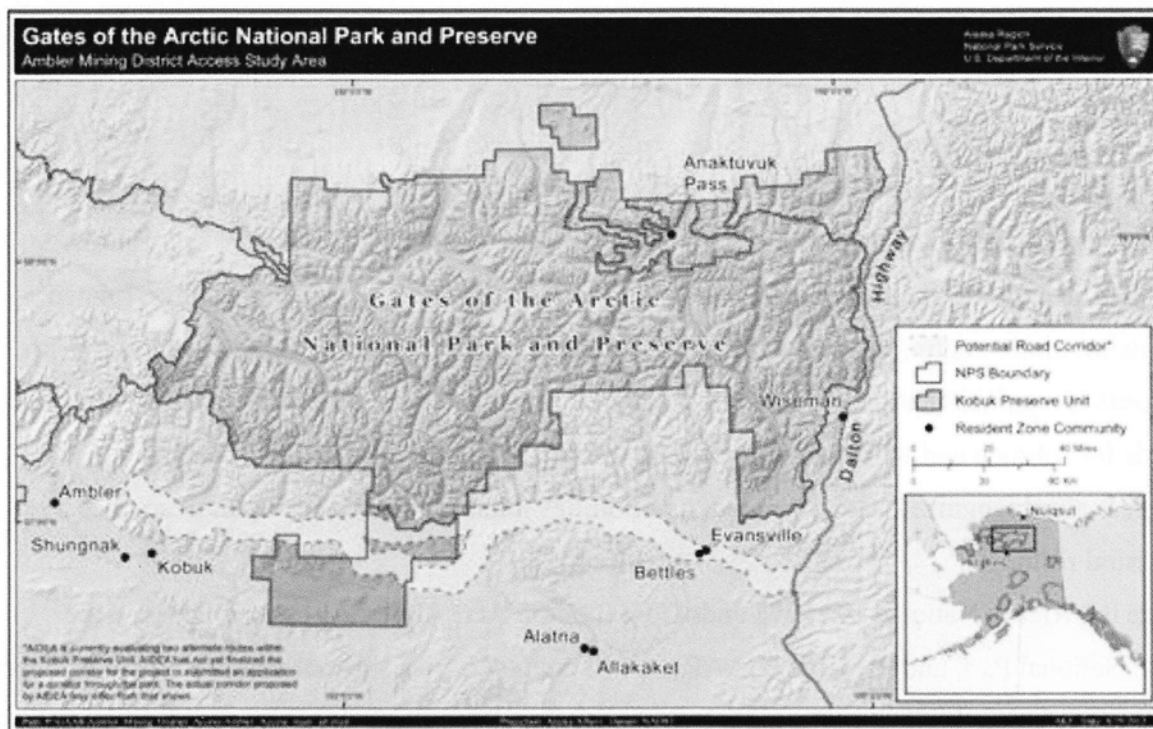
When Congress established Gates of the Arctic National Park and Preserve in 1980, it reserved a vast and essentially untouched area of natural beauty and scientific value in Alaska's Brooks Range. The park's eight million acres are without roads and include glaciated valleys, rugged mountains, arctic tundra, and boreal forest inhabited by caribou, Dall's sheep, wolves, and bears. Congress recognized that the wild and undeveloped character of the land and the opportunities it affords for solitude and wilderness travel were a special value of the Park and Preserve. Congress also recognized, and protected opportunities for subsistence use of park resources by local rural residents.

Before the Alaska National Interest Lands Conservation Act (ANILCA) created Gates of the Arctic National Park and Preserve (GAAR), the likelihood of rich mineral deposits in the Ambler Mining District, to the west of the park, had already been identified. Congress, in considering the establishment of GAAR, recognized that a transportation corridor to the Ambler Mining District might become desirable, and might connect with the Dalton Highway to the east of the Park. The upper Kobuk River area was included in Gates of the Arctic National Park as a Preserve. However, Congress made allowances for a transportation corridor across the new

preserve in order to provide access for future development of mineral resources in the Ambler area.

*ANILCA, Section 201(4)(b) states, "Congress finds that there is a need for access for surface transportation purposes across the Western (Kobuk River) unit of the Gates of the Arctic National Preserve (from the Ambler Mining District to the Alaska Pipeline Haul Road) and the Secretary shall permit such access in accordance with the provisions of this subsection."*

- In November 2010, the Alaska Department of Transportation and Public Facilities (ADOT&PF) notified the National Park Service (NPS) of its intention to submit an application for such access. A road from the Dalton Highway to the Ambler Mining District would be approximately 200 miles long. Approximately 20 miles of a potential access route would cross Gates of the Arctic National Preserve.





## **Legislative Background**

ANILCA 201(4)(d) directs the Department of Interior's and the Department of Transportation's response to a right-of-way application. The Secretaries of Interior and Transportation, upon receipt of an application, are to prepare an environmental and economic analysis for determining the most desirable route for the right-of-way, and for determining terms and conditions which may be required. This analysis is to be done in lieu of an environmental impact statement which would otherwise be required under section 102(2)(c) of the National Environmental Policy Act. (ANILCA §201(4)(d)).

The analysis is to consider:

- alternative routes across the Preserve which would result in fewer or less severe impacts on the preserve
- environmental, social, and economic impacts of the right of way on wildlife, fish, their habitat, and rural and traditional lifestyles including subsistence, and measures which should be taken to minimize negative impacts and enhance positive impacts.

## **Time Frame**

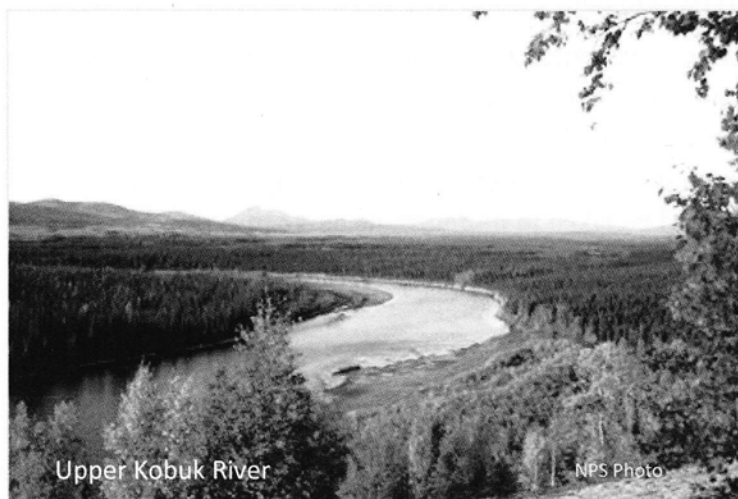
The Secretaries are to complete their economic and environmental analysis within one year of the receipt of a right-of-way application; and to have the draft completed within nine months of receipt. Within 60 days of the completion of the environmental and economic analysis, the Secretaries are to agree upon a route for issuance of the right-of-way across the preserve. The right-of-way will be issued in accordance with the provisions of ANILCA § 1107. (ANILCA §201(4)(e)).

## **Current status**

- In November 2010, the Alaska Department of Transportation and Public Facilities (ADOT&PF) notified the National Park Service (NPS) of its intention to submit an application for access across the Kobuk River area of Gates of the Arctic National Preserve.
- The Alaska Legislature has funded ADOT&PF to study the feasibility of constructing a road from the Dalton Highway (Trans Alaska Pipeline Haul Road) to the mining district.

Those studies have begun, and overland routes to the mining district, including two potential route corridors through the GAAR Preserve, have been identified.

- In 2013 the State of Alaska assigned the lead for the Ambler Mining District Access project to the Alaska Industrial Development and Export Authority (AIDEA), a public corporation of the State of Alaska.
- AIDEA is working with DOWL HKM to acquire environmental and economic data to inform road feasibility and route decisions. The studies are independent of the environmental and economic evaluations required of the NPS.
- In 2013 the NPS issued research permits for State sponsored research activities in the Park and Preserve related to resources which may impact or be impacted by a road. The research projects are centered in the southern portion of GAAR, and include a snow survey, fisheries surveys, a wetlands and wetland vegetation survey, hydrologic and hydraulic surveys of the Kobuk and the Reed Rivers, and cultural resource reconnaissance surveys
- An NPS team of park and regional staff was formed in May 2013 to address NPS responsibilities in responding to a right-of-way application. The NPS team will be working with the Federal Highway Administration, agents for Secretary of Transportation



### **Gates of the Arctic National Park and Preserve (GAAR)**

ANILCA, in creating GAAR, declared that it shall be managed:

To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental

integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities; and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves, and raptorial birds. (ANILCA §201(4)(a))

The management direction of GAAR is to maintain the wild and undeveloped character of the area, provide continued opportunities for wilderness recreational activities, protect park resources and values, and provide continued opportunities for subsistence uses by local residents, where such uses are traditional. Although sport hunting is not allowed within Gates of the Arctic National Park, non-local harvest of game is an activity allowed within the two Gates of the Arctic National Preserve units. Commercial services operators transport visitors by air into the park and preserve. To prepare for a possible right-of-way application, GAAR has initiated projects designed to provide necessary information for an environmental and economic analysis.

- Three current research projects in the Kobuk River area will provide relevant information on archaeology, bears and wolves, and natural soundscapes. Additional research on water resources, fisheries resources, and caribou is planned for 2014. Information on wilderness and recreational values of GAAR, and potential effects of a road on those values will be needed to inform the environmental analysis.
- Subsistence uses are permitted in GAAR. Alatna, Allakaket, Ambler, Anaktuvuk Pass, Bettles, Evansville, Hughes, Kobuk, Nuiqsut, Shungnak, and Wiseman are subsistence resident zone communities of GAAR. The NPS is required to evaluate impacts of permitting a right-of-way on subsistence uses and needs (ANILCA §810). The NPS will continue community visits to discuss with residents subsistence uses and important traditional cultural resources in the Preserve. Research data will help inform park managers about impacts of a road corridor through the preserve.
- The NPS is working with the Federal Highway Administration to identify additional information needed for a decision on preferred road corridors through the preserve. The Federal Highway Administration is the agent for the Secretary of Transportation in evaluating a corridor through the Kobuk River area. They provide extensive technical expertise on road design.

The United States has a unique legal and political relationship with Indian tribal governments, and in recognition of that special relationship and pursuant to direction given by the Secretary of the Interior, the NPS will consult on a government to government basis with federally recognized tribes whose interests may be directly affected by the right-of-way permit. Consultation will be conducted in good faith to secure informed decision making, and will occur throughout the environmental and economic analysis described in ANILCA 201 (d) . (DOI Policy on Consultation with Indian Tribes, 2011)

In compliance with Congressional direction, NPS will consult with corporations formed through the Alaska Native Claims Settlement Act of 1971 whose interests may be directly and substantially affected by a right-of-way permit. (Appropriations Act of 2004 & 2005)

### **Contacts**

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## References

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### ANILCA , PL 96-487 §201

SEC 201 (4)(a) Gates of the Arctic National Park, containing approximately seven million fifty-two thousand acres of public lands, Gates of the Arctic National Preserve, containing approximately nine hundred thousand acres of Federal lands, as generally depicted on map numbered GAAR-90,011, and dated July 1980. The park and preserve shall be managed for the following purposes, among others: To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities; and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves, and raptorial birds. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of title VIII.

(b) Congress finds that there is a need for access for surface transportation purposes across the Western (Kobuk River) unit of the Gates of the Arctic National Preserve (from the Ambler Mining District to the Alaska Pipeline Haul Road) and the Secretary shall permit such access in accordance with the provisions of this subsection.

(c) Upon the filing of an application pursuant to section 1104(b), and (c) of this Act for a right-of-way across the Western (Kobuk River) unit of the preserve, including the Kobuk Wild and Scenic River, the Secretary shall give notice in the Federal Register of a thirty-day period for other applicants to apply for access.

(d) The Secretary and the Secretary of Transportation shall jointly prepare an environmental and economic analysis solely for the purpose of determining the most desirable route for the right-of-way and terms and conditions which may be required for the issuance of that right-of-way. This analysis shall be completed within one year and the draft thereof within nine months of the receipt of the application and shall be prepared in lieu of an environmental impact statement which would otherwise be required under section 102(2)(C) of the National Environmental Policy Act. Such analysis shall be deemed to satisfy all requirements of that Act and shall not be subject to judicial review. Such environmental and economic analysis shall be prepared in accordance with the procedural requirements of section 1104(e). The Secretaries in preparing the analysis shall consider the following—

(i) Alternative routes including the consideration of economically feasible and prudent alternative routes across the preserve which would result in fewer or less severe adverse impacts upon the preserve.

(ii) The environmental and social and economic impact of the right-of-way including impact upon wildlife, fish, and their habitat, and rural and traditional lifestyles including subsistence activities, and measures which should be instituted to avoid or minimize negative impacts and enhance positive impacts.

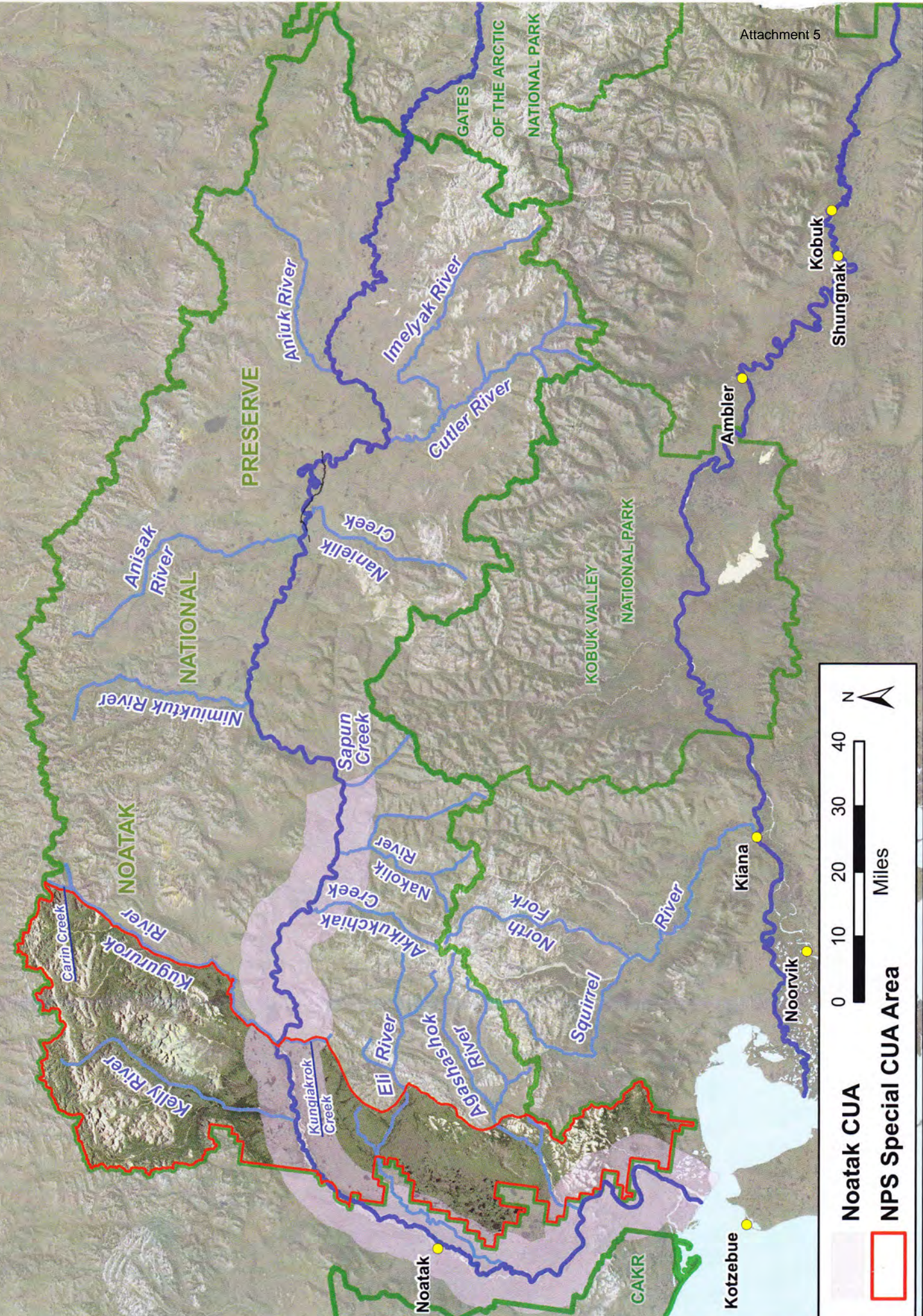
(e) Within 60 days of the completion of the environmental and economic analysis, the Secretaries shall jointly agree upon a route for issuance of the right-of-way across the preserve. Such right-of-way shall be issued in accordance with the provisions of section 1107 of this Act.



# Noatak National Preserve

Special Commercial Use Authorization Area

Alaska Region  
National Park Service  
U.S. Department of the Interior



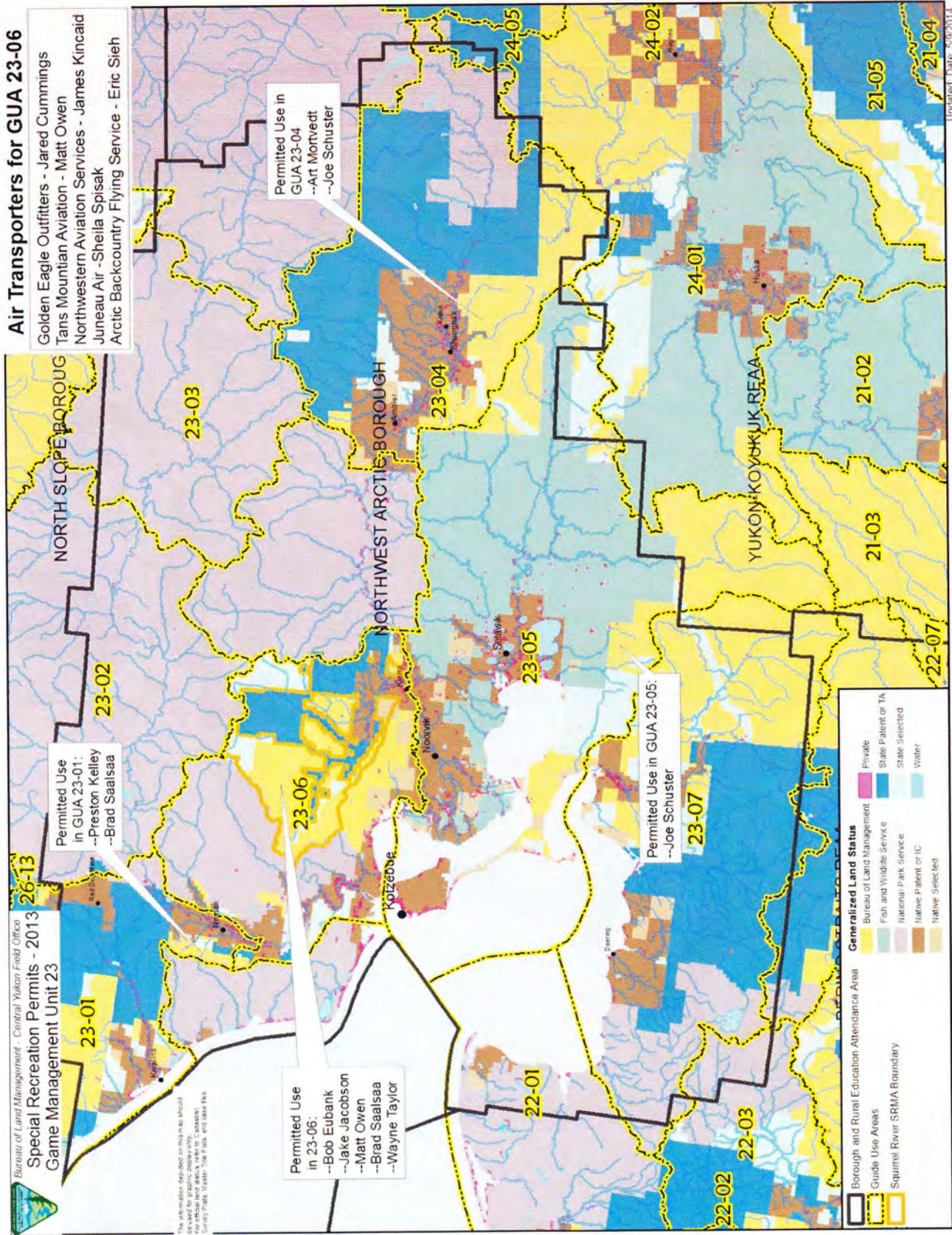
Noatak CUA

NPS Special CUA Area

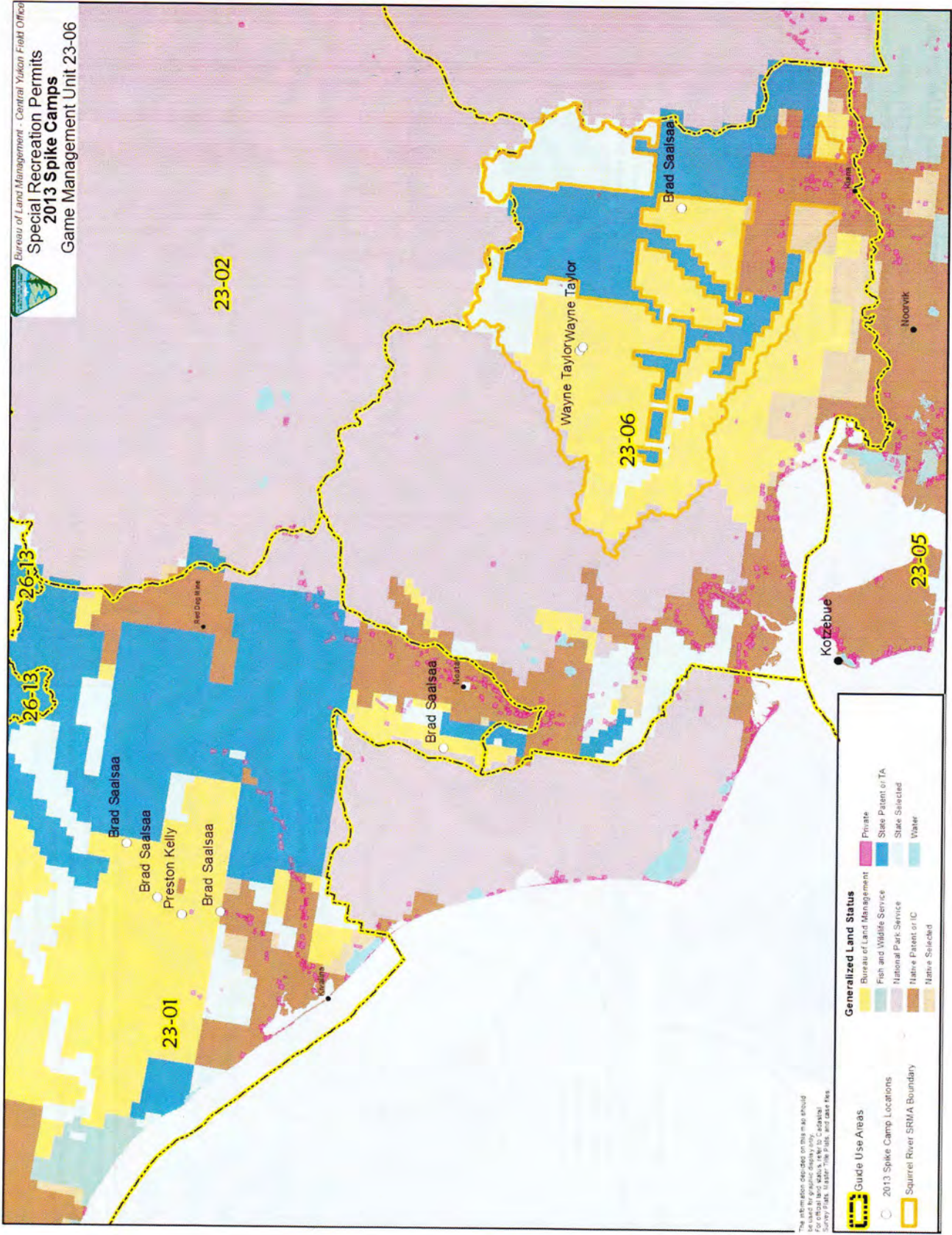
0 10 20 30 40 Miles

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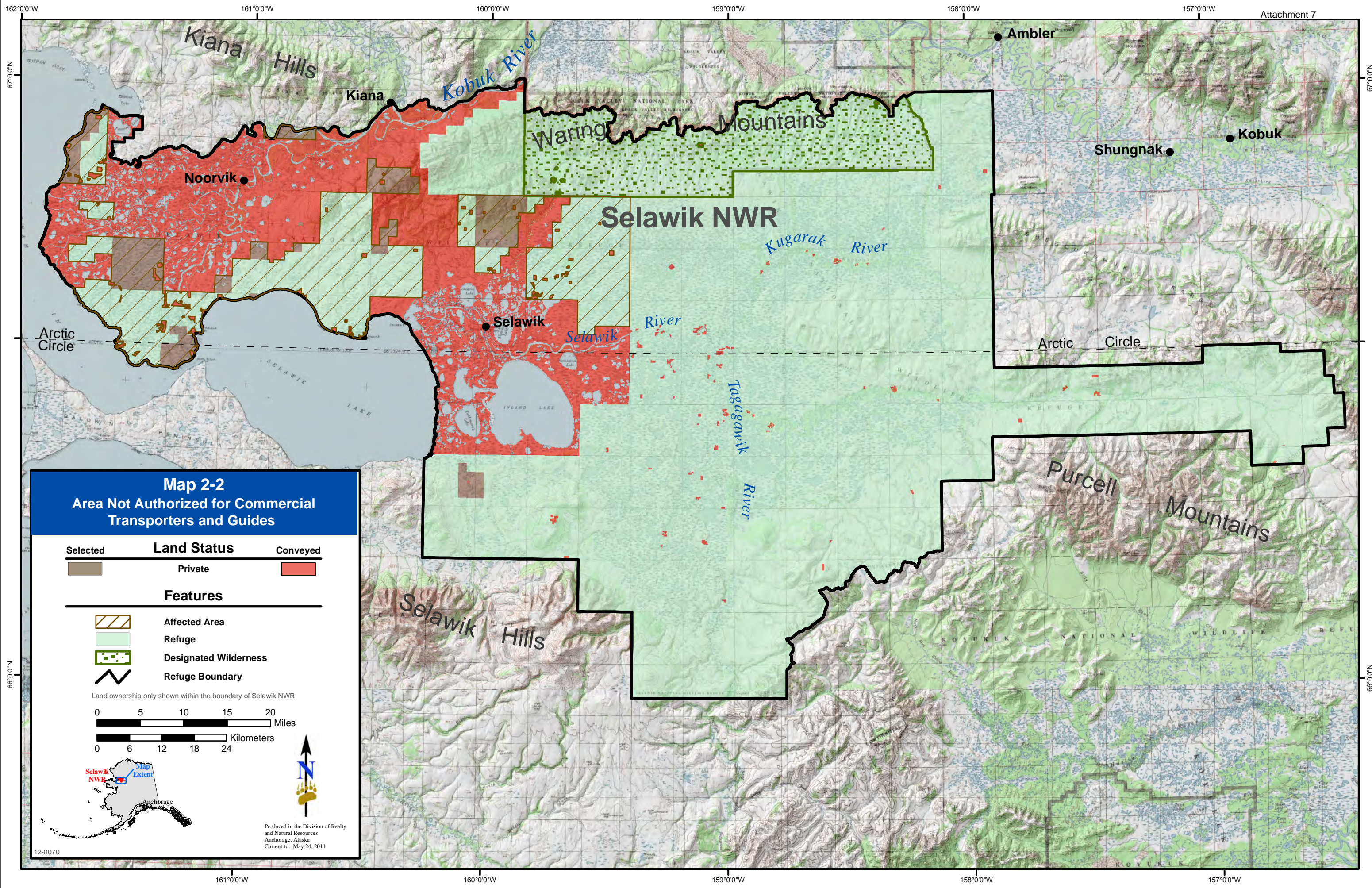
# Guide Stipulations to address conflict-related impacts

- No more than six people to occupy a spike camp. This is inclusive of clients and staff.
- Spike camps are to be used only in support of authorized activities and be set up for NO MORE than 14 DAYS at any one location. After 14 days spike camps must be moved at least ½ (one-half) mile from the previous site. Support of non-commercial activities at spike camps on BLM lands is not authorized. This includes but is not limited to supporting non-paying hunters in the approved camps. Camps will not be used in support of personal, family, or 'buddy' hunts.
- The Authorized Officer retains the right to limit the number of guided moose hunts on BLM lands.
- The use of aircraft as identified in your plan of operations in support of your commercial hunting activities is authorized. Only aircraft reported to BLM prior to the beginning of the season are allowed in support of your operations.
- Aircraft landing sites will be selected in a method that does not negatively impede the experience of other users. To avoid impacts to wildlife and other commercial and noncommercial users of the area, flights less than 1,500 feet above ground level are prohibited except for landing and takeoff.

# Transporter Stipulations to address conflict-related impacts

- The effective date to drop off clients in the permitted area will be no later than September 15. Using the information provided in your application, the permittee will be notified by August 31 if the effective date will be earlier. BLM will look at the location and movement of collared caribou within the heard as well as local reconnaissance and observations from aerial and community based reports on whether animals have been seen moving through the area.
- State and federal regulations prohibit harassing people and wildlife from aircraft. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for takeoff and landing, maintain a minimum altitude of 2,000 feet above ground level to minimize disturbance to wildlife and other Squirrel River visitors.
- A Big Game Transporter may only provide transportation services as defined by Alaska State law Title 8 Sec.08.54.650. Any additional services such as providing gear to hunters in the field is defined as guiding/outfitting by Alaska Statute Title 8 Sec. 08.54.790 and not allowed. Any rental of gear must take place out of the field and gear must be transported out of the field after each transaction.
- All operations must not impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).





**Map 2-2**  
**Area Not Authorized for Commercial Transporters and Guides**

Selected	Land Status	Conveyed
	Private	

**Features**

- Affected Area
- Refuge
- Designated Wilderness
- Refuge Boundary

Land ownership only shown within the boundary of Selawik NWR

0 5 10 15 20 Miles  
 0 6 12 18 24 Kilometers

Produced in the Division of Realty and Natural Resources  
 Anchorage, Alaska  
 Current to: May 24, 2011

12-0070