

Submitted by the Alaska Department of Fish and Game at the request of Chairman Spraker

February 14, 2013

- The Copper Basin community hunt area was established by the Alaska Board of Game (board) to accommodate the long-standing customary and traditional (C&T) community pattern of subsistence uses in that region. This pattern is described in the board's 2006 findings at 2006-170-BOG
- The board worked with residents of potentially affected communities at public meetings, and with a number of other Alaskans, to develop hunt provisions that reflect and accommodate the C&T pattern of uses of the Nelchina caribou herd and of GMU 13 moose.
- The board also found that not all subsistence users were hunting consistent with this C&T pattern of community subsistence uses, and that some subsistence users would not likely participate in this particular community hunt if hunt conditions required that they follow the community-based C&T pattern.
- The board further acknowledged that the spike-fork, 50-inch moose hunt alone did not sufficiently comport with the subsistence practices, needs, and uses of the people of this region, and supported an "any" bull moose harvest opportunity to meet those customary and traditional needs.
- In a "Tier I Plus" situation (AS 16.05.238(b)(2)), the board must provide a preference for subsistence uses (AS 16.05.238(b)(2)(c)). The board has historically provided this preference through an "any" bull bag limit, in contrast to the general spike-fork, 50 inch bull moose hunt.
- The board supplemented the 2006 findings in 2011 and found a separate pattern of extended family, household, or individual subsistence use, and published in 2011-184-BOG. The department could use the 2011 and 2006 findings when evaluating groups' efforts to participate in community-based patterns adopted by the board. These components include:
 - A widespread sharing network,
 - Use of community hunters,
 - Dependence on a wide variety of locally-harvested resources, and
 - Skills, knowledge, and values shared across generations.
- Removal of the "any" bull moose provision may be a restriction on subsistence opportunity, especially if the only alternative is a spike-fork, 50 inch moose hunt. Spike-fork 50 inch moose hunts are designed to protect a specific segment of the moose population, increase hunter participation, and purposely reduce success rates, while a fundamental component of subsistence is efficiency and success.
- Subsistence users have consistently testified that the "any" bull moose hunt is essential to meeting their subsistence needs and continuing their community-based subsistence way of life.
- Reasonable opportunity is "opportunity, as determined by the appropriate board, that allows a subsistence user to participate...with a **reasonable expectation of success**," in contrast to the general concept of hunting opportunity, as solely an opportunity to participate.