

**Eastern Interior Alaska Subsistence Regional Advisory Council  
c/o U.S. Fish and Wildlife Service  
1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503  
Phone: (907) 786-3888, Fax: (907) 786-3898**

Mitch Ellis  
Chief of Refuges, Alaska Region  
National Wildlife Refuge System  
U.S. Fish and Wildlife Service  
1011 East Tudor Road  
Anchorage, Alaska 99503

Dear Mr. Ellis,

I am writing on behalf of the Eastern Interior Alaska Subsistence Regional Advisory Council (Council) to provide the Council's comments and recommendations on the USFWS Alaska National Wildlife Refuges possible statewide regulatory changes.

The Council is one of ten regional advisory councils formed under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act. Section 805 of ANILCA and the Council's charter establish its authority to initiate, review and evaluate regulations, policies, management plans, and other matters related to subsistence within the Eastern Interior Region. The Council provides a public forum for discussion and recommendations for subsistence fish and wildlife management in the region. The Council also reviews resource management actions that may impact subsistence resources critical to federally qualified subsistence users whom the Council represents.

The Council held two public meetings, first on October 22 and 23, 2015 in Fairbanks and second on March 10 and 11 in Anchorage, and discussed the Alaska Refuges possible statewide regulatory changes. The Council also received background information and an update on the changes being considered from you and your staff.

The Council thanks you for taking the time to call in by teleconference to the meeting in Fairbanks and the Refuges leadership staff for meeting in person with the Council at that time to discuss the possible regulatory changes on refuge lands and respond to questions. The Council also would like to thank you being available in person at the meeting in Anchorage to provide us with a further update on the proposed regulatory changes and listen to our concerns. Furthermore, the Council appreciates the Refuge's scoping process and changes made thus far based on public and Tribal feedback. However, the Council has serious concerns about the fundamental aspects of the proposed regulations and closure procedure policy changes.

Since the final Proposed Rule was published to the Federal Register on January 8, 2016, the first opportunity the Council had to discuss the actual final language was during its public meeting on March 11. The Council is very concerned that because a comment period ends up in less than four weeks after the conclusion of the last Council public meeting, the Council does not have sufficient time to conduct a thorough review, research, and prepare detailed comments on the final language. That is a very daunting task and the Council doesn't take it light. The Council's request for an additional comment period extension was denied. That imposes an undue hardship on the Council members, all of whom are volunteers that serve on behalf of the people of the Eastern Interior Alaska Region.

We are writing this letter to express our concerns and make recommendations regarding the proposed regulatory changes. The Council also feels it is important for the Refuges leadership, Federal land managers and Federal Subsistence Board to fully understand the concerns being relayed. As such the Council requests this letter also be directed to the National Park Service Alaska Director and the Federal Subsistence Board. The letter briefly summarizes the key points raised by the Council during two public discussions, and we request that you read the attached transcript excerpts in detail to fully understand our concerns.

Key points of concern expressed by the Council at the October 23<sup>rd</sup> and March 11<sup>th</sup> Eastern Interior Council meetings are as follows:

- The refuges proposed rule is seeking to eliminate not non predator control regulations (which are developed through a full public process and defined by the State as specific plans with management objectives) but rather regular regulations of the State of Alaska passed through the public process for methods and means of hunting.
- The Council questions if Refuges manages for natural diversity, and is concerned about cumulative impacts, why then the specific focus on hunting of bears and wolves when any methods and means could cause the same thing. The published Proposed Rule quotes Congressman Udall, who "stated that the conservation of natural diversity refers not only to "protecting and managing all fish and wildlife population within a particular wildlife refuge system unit in the natural 'mix,' not to emphasize management activities favoring one species to the detriment of another." The Council asserts that emphasizing the protection of brown bears, wolfs and coyotes docs not go along with the principles of sound wildlife management.
- The Council feels very strongly that these proposed regulation changes do indeed affects subsistence users and will ultimately impact current subsistence regulations in places such as hunting brown bear over bait in Unit 25D.
- A statewide proposed rule is completely unnecessary when Refuges has policies in place to manage situation in each specific refuge. The Refuges in Alaska cover extensive areas and different ecosystems; therefore, the Council asserts that regulations need to be specific to the biological concerns in each region. The proposed blanket regulatory changes for the entire state are too restrictive, especially considering diversity that we

have in the State of Alaska. The Council states based on its members' personal experience that brown bear on the coast are completely different from the interior Grizzly bear which move, hunt, and travel in very different ways. Interior Grizzly bears are very elusive and difficult to see and track in heavily wooded boreal forest and thus overharvest is highly unlikely. Hunting bears ~~in different in~~ is different in areas like Fort Yukon or Tanana or Huslia. If a brown bear happens to come to a black bear bait station then it provides additional opportunity for the subsistence hunter to harvest it. The proposed sweeping rule for the entire state can only hurt the natural diversity that the Refuges are mandated to conserve and possibly can cause the unpredicted entire landscape transformation in various areas.

- Many communities that are now encompassed by National Wildlife Refuges have lived in the region for thousands of years and are part of the ecosystem and natural diversity of the place – not separate or external to the definition of natural diversity posed by the Refuges proposed rule. Long before the current regulation were put in place the local residents had a long-established wildlife management system that protected the natural diversity, supplied people with food at the same time, and kept a balanced ecosystem. The Council maintains that it is disingenuous to say that the proposed regulatory change will not affect subsistence uses because it will affect the animal populations and the ecosystems that we depend on. The Federal and State protected areas boundaries were created by people, and wildlife doesn't recognize the boundaries.
- The Council is very concerned that the 5 methods and means for hunting that are being proposed to be eliminated from use on Refuge lands is only the beginning for further restrictions that will eventually further encroach on subsistence hunting on federal lands in Alaska. First the National Park Service compendium and now the Refuges proposed rule and the Council is very worried about what other restrictions will be enacted next, which will adversely impact subsistence users.
- The Council is very concerned that the Refuges has a mechanism in place to manage each individual refuges accordingly but a statewide rule codified in regulation on the CFR is very ridged and will not allow for flexible management in each region and will be very difficult for public process and Refuge Managers to modify once in place, to ensure "Natural Diversity" for both Animals and Human populations coexisting within the Parks and Refuges. Climate Change in Alaska is adding a new and un-know challenge to wildlife management which will require new and flexible management practices far into the future to protect wildlife, human, and ecosystems within the Park and Refuge systems in Alaska
- The Council questions the integrity of scientific data used to develop the environmental assessment (EA). The Council members' personal experience shows that bears, wolves, and coyotes are abundant in the Eastern Interior Region. Some of the Refuges own studies, e.g. the Yukon Flats NWR resent wolf study, show that they have a large healthy wolf population. At the same time we have the lowest moose population in the state because of high rate of predation. To the Council's knowledge bears kill 50 to 70 percent of moose calves in our area before they are one month old. The Council considers that

having the lowest density of moose in a moose-friendly habitat due to the overly abundant bear population, is not a good wildlife management practice.

- Overall the Council feels this is a methods and means issue and the Proposed Rule would take away hunting opportunity for subsistence users while not addressing any other issues that have cumulative impacts on already low moose numbers and access to caribou such as humans as a largest predator??? ( not clear) – there are concerns in the region such as transporter planes and hunters lined up between the Sheenjek and Colleen Rivers that prevent the people of Arctic Village from getting their caribou for a month because the herd is delayed and deflected.
- The Council states that it was not given a copy of EA until after the March 11<sup>th</sup> meeting, thus we received it very late in the comment period not allowing us sufficient time to study it and verify what it says. The EA was not distributed widely to the other parties that might be affected if the proposed regulatory changes go into effect. The EA should have been prepared and distributed in advance of publishing the Proposed Rule. Therefore, the Council notes that the Refuges public outreach effort was not sufficient. The Council wants the Refuges management to seek other avenues to reach people in the rural communities because the majority of the residents don't have computers and/or internet at home.
- The Council requests that further efforts be made to contact all affected Tribes directly and not just sent a form letter or refer to the internet posting when trying to reach already overburdened Tribal offices. The Council suggests AFN, BIA Rural Providers Conference and the TCC Convention as good public venues to reach many communities that will be impacted by the Proposed Rule.
- The Council feels the process needs to be slowed down to allow for more public involvement and feedback from subsistence users that would help build better understanding and inclusion of people impacted by proposed regulations. It is necessary to have more Government-to-Government outreach and clearer explanation of the process. The Regional Advisory Council are volunteers but these regulations impact the subsistence way of life, opportunities for provide for our families and also impact subsistence opportunity for future generations.
- The Council is also concerned that the last minute changes or additions can be slipped in the proposed rule, just as it happen with the NPS proposed rule.
- The Council strongly feels that the Entire ANILCA Ruling was developed by Congress to Identify, and Adopt Protection for the Subsistence users rights for necessary use, and harvest of Fish, Wildlife, and other natural resources, to continue Life on the lands far into the future, and the ability to maintain a healthy coexistent way of life in Remote Alaska. The Council feels these proposed rules will have a Direct Negative Impact to the Alaskan Rural Subsistence Uses ability to continue into the future this very important way of life, which is the Key Stone of ANILCA. In short, the biggest Threat to Alaskan Rural Subsistence Users are the slow steady erosion of rights and practices of the

Traditional Historical way of life in the wilderness of Alaska. These Proposed rules are a perfect example of the Biggest threat to Our way of Life.

Please do read the attached transcript excerpts from the October 22-23, 2015 and March 10-11, 2016 Eastern Interior Regional Advisory Council meetings for fuller detail and better understanding of our concerns.

In conclusion the Eastern Interior Regional Advisory Council opposes the Alaska Refuges proposed statewide regulatory changes in its entirety and does not want to see them put into effect. The Council is concerned that the proposed additions to Refuge regulations are not driven by biology but rather by State-Federal conflicts due to their different position on the wildlife management, with the outcome making hunting and trapping on Refuge lands more difficult for subsistence users. In particular, the Council would like to retain the opportunity to take brown (Grizzly) bear over bait and continue to take advantage of the extended wolf and coyote seasons in areas where there is no conservation concern.

The Council would like to thank you and your staff for this opportunity to provide input and recommendations on the proposed statewide regulatory changes on Alaska Refuge lands. We look forward to hearing from you and continue to work together in the future.

Thank you for your consideration.

Sincerely,

Sue Ensminger, Chair

cc: Eastern Interior Alaska Subsistence Regional Advisory Council  
Gene Peltala, Jr. Assistant Regional Director, OSM  
Stewart Cogswell, Acting Deputy Regional Director, OSM  
Chris McKee, Wildlife Division Chief, OSM  
Jennifer Hardin, Anthropology Division Chief, OSM  
Carl Johnson, Council Coordination Division Chief, OSM  
Eva Patton, Subsistence Council Coordinator, OSM  
Trevor Fox, Interagency Staff Committee  
Administrative Record