



May 22, 2015

The Noatak and Kivalina Advisory Committee (proposer) has submitted an Agenda Change Request (ACR) to the Alaska Board of Game requesting to change camp spacing for non-subsistence users in 5 AAC 92.540(9) Noatak Controlled Use Area to be 3 to 5 miles apart (ACR 1). Under the Board's ACR policy, the Board will accept an ACR only:

- A) for a conservation purpose or reason;
- B) to correct an error in a regulation; or
- C) to correct an effect on a hunt that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling. [5 AAC 92.005(a)(2-3)].

The author of the ACR requests that new information about non-subsistence hunt camp spacing be considered in developing new CUA restrictions because unregulated camp spacing impacts the success of subsistence users of the Western Arctic caribou herd in the villages of Noatak and Kivalina due to crowding and increased numbers of camps affecting migration. There is a positive customary and traditional use finding for the Western Arctic caribou herd and Teshekpuk caribou herd combined, and an amount reasonably necessary for subsistence of 8,000–12,000 caribou, combined. This ACR addresses allocation of caribou between subsistence and non-subsistence users.

With respect to ACR acceptance criteria:

- (A) The declining status of the WAH was addressed by the Board in March 2015 when new regulations, effective July 2015, were adopted to reduce harvest.
- (B) The department is unaware of an error in regulation that relates to this ACR.
- (C) Variations in WAH migration patterns described in the ACR have increased since the Noatak CUA was first established in 1988, and again when it was last modified in 2009. However, wildlife populations change through time and the relationship between migration, hunting, and camp spacing outlined in the ACR is not fully an unforeseen circumstance. Both times when CUA proposals were considered in 1988 and 2009, the department and the board received

testimony from residents of Noatak and Kotzebue indicating that they hunted up the Noatak River to at least the Cutler River in years when caribou had been scarce along the lower Noatak River. Thus, there is some indication that previous caribou movement patterns probably resembled those observed during recent fall hunting seasons. This change in migration pattern is within the normal range of variability of most caribou herds.

The varying migration patterns of the WAH have made it more difficult for hunters from the communities of Noatak and Kivalina to access caribou during the fall hunting season. However, the reasons for this change in migration patterns are not completely understood and may be the result of factors separate from, or in addition to, the distribution of nonlocal hunters and transporter activities in the Noatak drainage. Other contributing factors include: changes in seasonal weather patterns in northwest Alaska (prolonged, mild, fall weather delaying the onset of fall migration); the tendency for caribou to follow recent, established trails; and, the >50% decline in herd size that has occurred since 2003.

The Noatak CUA restrictions, established in 1988, were substantially expanded in geographic extent and by longer restricted time periods in 2009. Additionally, beginning 3 years ago, the National Park Service created a federal controlled use area that prohibits transporters from dropping off nonlocal caribou hunters prior to September 13 in an extensive area of the lower Noatak drainage, including the Kelly and Kugururuk drainages, as well as the lower half of the Aggashashok drainage, to reduce the impacts of transporters and nonlocal hunters on Noatak hunters.

The combined effect of the state and federal CUAs, along with few caribou using the lower Noatak drainage during fall migration, has resulted in relatively few nonlocal hunters hunting within the Noatak CUA compared to higher numbers using the middle and upper Noatak drainage, where most of the WAH are crossing the Noatak River. Not surprisingly, the areas that had the highest numbers of caribou also had the highest density of nonlocal, drop-off hunters in the Noatak drainage for each of the last 5 or 6 years. Despite the high density of drop-off camps and frequent transporter flights in these migratory pathways, caribou have not abandoned these areas to resume using areas closer to the community of Noatak, as they did in the past. This suggests that nonlocal hunters may not be the sole, or even primary cause, of the decreased access to caribou experienced by Noatak residents during the last several fall hunting seasons.

The department recognizes the benefit to wildlife and hunters, both local and nonlocal, of minimizing close-spacing of camps during hunting seasons. However, implementing a 3-5 mile spacing requirement between camps may not reduce Noatak's difficulty in acquiring fall season caribou.

The department recommends this topic be considered by submitting a proposal for the next regularly scheduled meeting of the Arctic and Western Region in 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Dale", written over a light grey rectangular background.

Bruce Dale
Director
Division of Wildlife Conservation