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U.S. FISH AND WILDLIFE SERVICE

PUBLIC MEETING

Public Comment
Soldotna, Alaska
August 27, 2014

Temporary Closure of Sport Hunting for Brown Bear
on the Kenai National Wildlife Refuge

Recorded and Transcribed by:
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1 P R O C E E D I N G S

2
3 (Soldotna, Alaska - 8/27/2014)

4
5 (On record)

6
7 HEARING OFFICER MEDEIROS: Good
8 evening, everyone. My name is Andrea Medeiros and I'm
9 the public affairs specialist for the U.S. Fish and
10 Wildlife Service in Alaska. I want to thank you all
11 for joining us this evening. We realize that this is
12 your personal time and we appreciate you coming out and
13 sharing your thoughts and comments on this proposed
14 closure of the Kenai National Wildlife Refuge to sport
15 hunting of brown bear.

16
17 We want to let you know that there are
18 restrooms and probably most of you are maybe aware if
19 you've been to this building before, but restrooms out
20 these doors and to the right in the main entrance area.
21 Then, of course, the exit is very close at hand there.

22
23 Everyone who wishes to testify should
24 fill out a testifier card and, of course, they're
25 available out at the sign-in desk. We would like
26 everybody or everybody who is here attending tonight
27 needs to sign in. If you are here representing an
28 organization, reflect that both on your testifier card
29 if you are testifying and on the sign-in sheet.

30
31 Before we open the public testimony
32 portion of the hearing this evening we're going to have
33 two short presentations. One will be given by Andy
34 Loranger, who is the Kenai National Wildlife Refuge
35 Manager. He'll provide information and give a little
36 context for this proposed closure. Then a presentation
37 will be given by Dr. John Morton, who is the
38 supervisory wildlife biologist for the Kenai National
39 Wildlife Refuge and John will cover a little bit of the
40 biological background for this proposed closure.

41
42 We will then after those presentations
43 move into the testimony portion of the hearing. During
44 the entire hearing we're not taking questions. We
45 will, however, have staff available if you do have
46 questions at any time during the hearing. So during
47 the breaks you're free to go and ask any of the staff
48 members, who you wish to speak to, any questions you
49 have.

50

1 With that, I'm going to go ahead and
2 turn it over to Andy Loranger.

3
4 MR. LORANGER: Thanks again. Good
5 evening and welcome everyone. I'm Andy Loranger, the
6 Refuge Manager here at the Kenai National Wildlife
7 Refuge. I'd also like to welcome all of you this
8 evening and thank you for attending this public hearing
9 for your interest in wildlife conservation and in the
10 Refuge.

11
12 I'd like to take a moment to introduce
13 the Refuge staff who are here tonight. Candace Ward
14 and Leah Eskelin were at the registration table. To my
15 left is our Deputy Refuge Manager Steve Miller, Dr.
16 John Morton, supervisory wildlife biologist, and
17 Rebecca Uta, who is our administrative officer. I'd
18 thank those folks for being here tonight and helping us
19 with the hearing.

20
21 So this public hearing is being held to
22 provide information about and to receive public
23 testimony on the Fish and Wildlife Service's proposed
24 temporary closure of sport hunting of brown bear on the
25 Kenai Refuge. The Service has developed this proposal
26 under its authorities provided in the Alaska National
27 Interest Lands Conservation Act and the National
28 Wildlife Refuge System Administration Act as amended.
29 Pursuant to Federal regulations in Title 50, parts
30 36.32 and 36.42 of the Code of Federal Regulations,
31 those regulations provide that a public hearing be held
32 prior to the Service implementing this type of
33 regulatory action.

34
35 I'll begin by providing a brief
36 overview of last year's emergency closure of brown bear
37 hunting on the Refuge and the current proposal, provide
38 you with the underlying basis for both and conclude by
39 summarizing our next steps.

40
41 On October 26, 2013 the Service issued
42 a 30-day emergency closure of brown bear sport hunting
43 on the Refuge. At the time of the closure, based on
44 data provided to us by the Alaska Department of Fish
45 and Game, 66 documented human-caused mortalities of
46 brown bears had occurred. Final totals for 2013 were
47 71 known human-caused mortalities of Kenai brown bears,
48 including 46 bears taken during the spring and fall
49 hunting season and 25 non-hunting related mortalities.
50 Known human-caused mortalities in 2013 included 23

1 adult reproductive-age female bears. Biologists with
2 the Alaska Department of Fish and Game estimated that
3 the population of adult bears in the Kenai brown bear
4 population declined by 18 percent due to that level of
5 human-caused mortality.

6
7 The Fish and Wildlife Service is
8 currently proposing a temporary closure of brown bear
9 hunting on the Refuge, which would be effective
10 September 1st, 2014 to May 31st, 2015. To date, in
11 2014, a total of 54 human-caused brown bear mortalities
12 have been documented on the Kenai Peninsula. Of these,
13 52 were taken by hunters during the spring from late
14 April to the end of May. The sex and age composition
15 of the harvest this year included 30 adult males, five
16 adult females, nine sub-adult males and eight sub-adult
17 females. Two additional bears, one adult male and one
18 sub-adult female, have been killed in defense of life
19 or property this summer on the Kenai Peninsula.

20
21 The State of Alaska is managing the
22 2014 harvest of brown bears on the Kenai Peninsula
23 under annual caps of 70 total bear human-caused
24 mortalities and 17 adult females bear mortalities.
25 Based on the available data on Kenai brown bear
26 demographics and human-caused mortality provided by the
27 Alaska Department of Fish and Game and modeling
28 conducted by our biologist, the Fish and Wildlife
29 Service believes that the overall levels of
30 human-caused mortality in 2013 and 2014 have caused the
31 Kenai brown bear population to decline.

32
33 We also believe that the composition of
34 the harvest in 2013 consisting of over 50 percent
35 female bears and including 23 adult female bears will
36 affect the future productivity of this population. Dr.
37 Morton will provide more detail in his presentation to
38 follow.

39
40 The Service is proposing this temporary
41 closure of sport hunting of brown bears on the Refuge
42 as a resource protection measure to ensure consistency
43 with Refuge establishment purposes and other legal
44 mandates. The Service supports hunting as one of six
45 legislatively mandated priority public uses of National
46 Wildlife Refuges as long as it is compatible with
47 Refuge purposes and the mission of the National
48 Wildlife Refuge system.

49
50 Given our interpretation that the

1 current levels of known human-caused mortality, most of
2 which is hunting-related mortality, are resulting in a
3 population decline and that reasonably anticipated
4 future harvest levels will continue this trend, the
5 Service has proposed this temporary closure as an
6 action necessary to ensure the continued compatibility
7 of sport hunting of brown bears as an authorized use on
8 the Refuge.

9
10 Our legal responsibilities include
11 conserving a healthy brown bear population in its
12 natural diversity, ensuring continued opportunity for
13 visitors to hunt, view and photograph brown bears and
14 maintaining wilderness character in the congressionally
15 designated Kenai wilderness, which comprises almost
16 two-thirds of the Refuge.

17
18 In developing this proposal, the
19 Service considered other factors including the low
20 reproductive potential of brown bears as a species and
21 that the Kenai brown bear population remains a
22 relatively small, isolated population which cannot
23 depend on immigration to sustain itself. In addition,
24 we believe that the Kenai brown bear population will
25 continue to be strongly influenced by habitat loss and
26 fragmentation and multiple potential sources of human-
27 caused mortality as the human populations grow here on
28 the Kenai.

29
30 Lastly, monitoring of the status of the
31 Kenai brown bear population is extremely challenging.
32 Individually and collectively, we believe these factors
33 warrant a cautious approach to managing this population
34 and to ensure meeting the Refuge's legal mandates.

35
36 The Fish and Wildlife Service has been
37 accepting written comments on the proposed temporary
38 closure of sport hunting of brown bears since it was
39 announced on August 12th. We will be accepting written
40 comments through today, August 27th, tomorrow. Again,
41 the primary purpose of this public hearing is to
42 receive your testimony. We will consider all comments
43 received. We anticipate issuing a final decision on
44 the proposed temporary closure by this Friday, August
45 29th.

46
47 The Fish and Wildlife Service will also
48 continue to work with the Alaska Department of Fish and
49 Game and other agencies to assess modeling approaches
50 using available demographic and harvest data for Kenai

1 brown bears. I believe our mutual goal is to develop
2 and recommend a collaborative brown bear harvest
3 management strategy.

4

5 Again, thank you for attending
6 tonight's hearing and I'll now turn it over to Andrea
7 to cover some additional logistics.

8

9 Thank you.

10

11 HEARING OFFICER MEDEIROS: Actually,
12 before I go into the directions for the public
13 testimony, Dr. John Morton is going to give his
14 presentation.

15

16 DR. MORTON: Hi, I'm John Morton. I'm
17 the supervisory biologist at Kenai National Wildlife
18 Refuge. I've been asked to give you folks some details
19 on some of the biological justification for why the
20 Fish and Wildlife Service is proposing this temporary
21 closure of brown bear recreational hunting on the Kenai
22 National Wildlife Refuge.

23

24 Just to make it clear again, this is a
25 temporary closure and it's implemented primarily as a
26 resource protection measure to ensure consistency with
27 Refuge purposes. It's effective from September 1 of
28 this year through the end of May of next year.

29

30 You all know where the Refuge is
31 obviously. It's the area in light green there. It's 2
32 million acres. In the east is the Chugach National
33 Forest and the Harding Ice Field up against the Kenai
34 Mountains there and on the west there's the urban
35 interface that we all live in. The hatched area there
36 is congressionally designated wilderness. Two-thirds
37 of the Refuge, 1.3 million acres, is congressional
38 wilderness.

39

40 The purposes under the Alaska National
41 Interest Lands Conservation Act that was given to the
42 Kenai Refuge is to conserve fish and wildlife
43 populations and habitats in their natural diversity,
44 including, but not limited to, an array of animals,
45 including bears. So we actually have a mandate to
46 conserve bears.

47

48 The other piece of this that's relevant
49 in this context here is that we also are charged with
50 providing opportunities for compatible fish and

1 wildlife oriented recreation and, of course, that
2 includes both hunting, consumptive uses of the Refuge,
3 as well as non-consumptive, so it includes things like
4 wildlife viewing as well.

5
6 We have other mandates as well.
7 Because two-thirds of the Refuge is congressional
8 wilderness, we're beholden to the 1964 Wilderness Act
9 and we're also responsible for responding to the 1997
10 Refuge Improvement Act, which is the organic
11 legislation for the entire National Wildlife Refuge
12 System, which asks us to ensure biological integrity,
13 diversity and environmental health.

14
15 So the big question, of course, is how
16 many brown bears are there on the Kenai Peninsula. We
17 recently revised this and I want to walk through very
18 quickly why we did what we did. The picture there
19 shows the area that we sampled on the Kenai Refuge.
20 It's basically Chugach National Forest and Kenai
21 National Wildlife Refuge and it covers about 4 million
22 acres.

23
24 In that sample frame there, using DNA-
25 based mark/recapture estimates in 2010 we estimated 428
26 bears. That number has never changed. What has
27 changed is in response to a request from Alaska
28 Department of Fish and Game back in January of 2014 and
29 they asked us for the GIS files that we used underneath
30 that sample frame. We took another look at what we
31 consider available habitat underneath that sample
32 frame.

33
34 What we do, obviously, we have to
35 subtract the Harding Ice Field because nothing is on
36 there, we have to subtract the lakes and the large
37 lakes. Obviously lakes like Tustumena and Skilak.
38 Basically what happened there is we didn't revise the
39 number. What we did was revise the area of available
40 habitat. So originally we estimated as 9,500
41 kilometers squared. Now we've said it's 10,200
42 kilometers squared.

43
44 What that did was it changed our
45 density estimate. Originally it was 45 bears. It's
46 now 42 bears per 1,000 kilometers squared. Of course,
47 when we extrapolated that density estimate out over the
48 rest of the Kenai Peninsula, it lowered the population
49 from 624 to 582. This is again in 2010. So 582 bears
50 of which we're saying 188 were independent females, 188

1 were independent males, plus 206 dependent young.

2

3 So I'm going to walk through some of
4 the management between 1995 and 2014. The reason this
5 is relevant is because the data we looked at were
6 primarily data from 1995 through 2014. What we're
7 showing here is total human-caused mortality of Kenai
8 brown bears and we broke it down. What you see in red
9 is the number of adult females that were killed by
10 humans. Of course, in this context, we're not talking
11 just simply legal harvest, we're also talking about
12 bears killed in defense of life or property, which is
13 the other big source, but then there's also management
14 kills, road kills and, of course, illegal harvest as
15 well. So when you take a look at it from 1995 through
16 2014, you can see, needless to say, it's been gradually
17 increasing over time here.

18

19 Just prior to 1995, in 1993, Alaska
20 Department of Fish and Game estimated 250 to 300 bears,
21 so that's sort of our starting point. That was
22 estimated by a panel of experts back in '93 who thought
23 that what they had seen of densities here on the Kenai
24 was very similar to Susitna, so they estimated 20 bears
25 per 1,000 kilometers squared and you do the math on
26 that and it ended up being 250 to 300 bears.

27

28 In 1995, the beginning of this session
29 here, at that point the hunting was one bear per four
30 regulatory years and there was kind of varying spring
31 and fall seasons leading up to this. In 1998, Alaska
32 Department of Fish and Game designated the Kenai brown
33 bear population, a population of special concern.
34 We'll touch on that a little bit later, and then took
35 it off the list in 2010.

36

37 In 1999 there was a cap imposed.
38 Again, this is what I'm trying to emphasize here, is
39 that there was some very conservative management going
40 on in the early years here. There was a cap of 14
41 total human-caused mortalities, of which up to six
42 could be females of any age.

43

44 In 2001, the Interagency Brown Bear
45 Study Team produced the conservation assessment of
46 Kenai brown bears, which is still sort of the best
47 summary we have of Kenai brown bear biology on the
48 Kenai Peninsula. Interagency Brown Bear Study Team,
49 which is composed of representatives from the three
50 Federal agencies on the Peninsula, that's Chugach

1 National Forest, Kenai Fjords National Park and the
2 Kenai National Wildlife Refuge and then, of course,
3 Alaska Department of Fish and Game.

4

5 In 2003, the cap was increased a little
6 bit to 20 human-caused mortalities of which up to eight
7 greater than one-year-old females could be harvested or
8 killed. At that time, the cubs of the year, the COY
9 there were increased -- cubs of the year at that time
10 or prior to that were counted as a half a bear. As of
11 2003 were counted as one bear. So, again, still being
12 managed very conservatively.

13

14 In 2007, the Federal subsistence
15 harvest was authorized and a spring drawing hunt was
16 authorized as well. In 2009, the cap allowed up to 10
17 adult females. Then in 2010 the Chugach National
18 Forest and the Kenai National Wildlife Refuge estimated
19 582 bears. So leading up to this point here we
20 averaged 4 adult females per year leading up to the
21 regulatory year 2012 and/or 21 total bears killed per
22 year prior to 2012.

23

24 Then what happens in 2012-2013 is we
25 begin this liberalized regulatory season where in 2012
26 we have a general registration hunt. At that time
27 there were 43 bears killed, 14 adult females.

28

29 In 2013, the regulatory season changed
30 quite a bit. It was an extended season. It was
31 extended from 1 September through May 31. Bears were
32 allowed to be taken over bait. It was changed from one
33 bear per four regulatory years to one bear per
34 regulatory year and there was no cap in 2013.

35

36 Then, of course, it was in late October
37 that the Kenai Refuge issued an emergency fall closure
38 that Andy Loranger talked about. During that year 71
39 bears total were killed, 23 adult females.

40

41 In 2014, there was a cap imposed of 70
42 bears total or up to 17 adult females. To date, where
43 we are right now coming into the proposed temporary
44 closure, there's been 54 bears killed, of which 5 are
45 adult females.

46

47 So to kind of summarize the last three
48 years, we've had 168 bears killed, 42 of which have
49 been adult females. Of course, the obvious question
50 here is what impact does that have on the demographics

1 of the Kenai brown bear population.

2

3 To kind of get our heads wrapped around
4 a little bit, we did a little bit of modeling in a
5 program called Vortex here. These are the assumptions
6 that we chose to use. The data was from Alaska
7 Department of Fish and Game. We actually used their
8 input into the model. Again it was based on data from
9 1995 through 2011 for this particular exercise. You
10 can see the assumptions here. It's a polygynous system
11 with 100 percent of the adult males breeding.
12 Reproductive age is six years. Maximum breeding age is
13 26 years. All this data is coming from Sean Farley.
14 We assume the population is 50 percent male, 50 percent
15 female. Adult female breeding in the population 34
16 percent.

17

18 The real critical piece here is the
19 data are coming from telemetered radio collared adult
20 females that were originally -- over these years a lot
21 of the early data was from the Interagency Brown Bear
22 Study Team and more recently specifically from the
23 Alaska Department of Fish and Game. What it does, it
24 assumes that the telemetered population of adult
25 females is representative of the Peninsula-wide
26 population and that's where the demographic data are
27 coming from.

28

29 The reason I'm showing you this here is
30 this is how right now we make the -- the data are
31 showing the best available data that we have, shows
32 that through 2011 the Kenai brown bear population was
33 increasing at about 3 percent per year over that
34 interval. This was at a time when the total human-
35 caused mortality averaged 4 adult females and over 21
36 total bears annually during this interval when we were
37 getting 3 percent per year.

38

39 Just to show you what this looks like,
40 I projected it from 2010 forward 10 years, so if you
41 had let it go before the 2012 and '13 seasons, you
42 would have had 754 bears by 2020.

43

44 So what we did is we take this data --
45 and this is a very important graphic here. What we did
46 was, if you kind of look at the row here in blue which
47 shows over on the right the 2010, it shows the number
48 that we estimated 582 in 2010. Basically it's very
49 simple math where you can back up to 1995 removing 3
50 percent per year because we said we've grown at 3

1 percent per year. In 1995 you end up in this exercise
2 at 369, which is actually very close to the 250, 300
3 bears that Alaska Department of Fish and Game estimated
4 in 1993.

5
6 Then what we do there is we're taking
7 the previous data, which is modeling, to show that 3
8 percent. It's exactly the same model and, again, it's
9 data provided by the Alaska Department of Fish and
10 Game. We're running the model. It shows a 3 percent
11 increase and then what we do is we just plug in the
12 harvest.

13
14 Let me back up just a little bit. In
15 2010 we have 582. We allow the population to grow by 3
16 percent because that's what was occurring. In 2011 it
17 went from 582 to 599. At the beginning of 2012 it was
18 up to 617 and then that's when the first of the
19 liberalized regulatory season plugs in.

20
21 So what I do then in 2012 is simply put
22 in the harvest of 43 bears, of which 14 were adult
23 females and I just plug that in 2012 and what the model
24 spits back out is 589, which is a 5 percent decrease.
25 In 2013, when we kill 71 bears of which 23 were adult
26 females, what happens there is that it spits out the
27 number of 589 and it goes down to 532, which is a 10
28 percent decrease in the population. Again in 2014 we
29 take the data up to now, which is 54 bears of which 5
30 are adult females. We plug that in the model with 532
31 as the initial population and it drops it to 492 in
32 2015, which is an 8 percent loss.

33
34 So a couple important pieces here to
35 note. One is this is a very, very conservative
36 approach because what's happening is we're just
37 handling the harvest. The way the model is worked it's
38 just taking that 3 percent. It's assuming that the
39 demographics in the background are trying to drive the
40 population at a 3 percent increase. It assumes a
41 stable age distribution. All we do is drop the harvest
42 on top of it. We're only looking at the effect of the
43 harvest for one year because we're just trying to get
44 what the population impact was.

45
46 The problem is what it doesn't include
47 is it doesn't include the long-term impact of removing
48 all of these adult females. So it's a very
49 conservative way of taking a look at what is actually
50 happening here in the population.

1 The one other thing I want to point out
2 from 2012, when we say the population peaks at 617, to
3 2015, which is if we stop right now with no additional
4 harvest or no additional human-caused mortality, as of
5 2015 we'd be at 492. That's a 20 percent decline in
6 the population as we've modeled it here.

7
8 So, the demographic summary here is
9 that the sport hunting regulatory changes effective
10 2012 through present have increased human-caused
11 mortality of Kenai brown bears and contributed to a
12 declining population. As we currently modeled it, 20
13 percent of the population still appears to be
14 declining.

15
16 The Kenai adult female mortality has
17 averaged four per year during 1995 to 2011, but it's
18 increased to 14 per year in the last three years. To
19 put that in perspective or to actually add an
20 additional point, 17 percent of the radio collared
21 adult female bears that Alaska Department of Fish and
22 Game had in the year 2013 were killed in 2013.

23
24 In addition, the total bears, either
25 sex, all ages, killed by humans, will affect the
26 population dynamics if the total mortality is large
27 relative to the population. This is just basic math.
28 If you've got a small population and you kill a lot of
29 bears, you are going to have an impact on the bear.
30 The total brown bears killed averaged 21 annually from
31 1995 to 2011 and increased to 56 bears annually in the
32 last three years.

33
34 So, in summary, this is why the U.S.
35 Fish and Wildlife Service believes a cautious approach
36 to Kenai brown bear management is warranted given our
37 mandates. Brown bears have low reproductive potential.
38 I think all of you guys know that. The DNA analysis,
39 and this is work that Sean Farley from Alaska
40 Department of Fish and Game has done with Sandy Talbot
41 up at U.S. Geological Survey, the genetics lab up
42 there. So DNA analysis confirmed that the Kenai brown
43 bears are isolated from and genetically less diverse
44 than mainland Alaska brown bears.

45
46 The concerns that Alaska Department of
47 Fish and Game had in 1998 through 2010 when they
48 designated the Kenai brown bear population as a
49 population of special concern really a lot of that
50 rests on the previous point about the isolation of the

1 Kenai brown bear population. None of that has changed
2 in recent years. Of course our brown bear estimate of
3 582 bears on the Kenai Peninsula in 2010 is a small
4 population in the big scheme of life.

5
6 The available data suggests that the
7 population increased 3 percent per year from 1995
8 through 2011, but since 2011, as a result of the
9 current regulatory framework, we've lost 168 bears of
10 which 42 were adult females and that's resulted in a
11 declining population. At the end of the day the Kenai
12 population is still small, it's isolated, it's highly
13 sensitive to adult female mortality and total human-
14 caused mortality.

15
16 As a final closing point, just to make
17 sure that you understand that we're looking at this in
18 the context of our mandates for the Refuge, and this
19 comes out of the conservation assessment of the Kenai
20 brown bear that was done by the Interagency Brown Bear
21 Study Team, the Kenai Refuge provides the largest
22 continuous homogenous block of brown bear habitat on
23 the Kenai Peninsula and is the only Kenai land
24 management unit specifically mandated by Congress to
25 conserve bear populations and habitat in their
26 diversity.

27
28 So the next steps for the Kenai
29 National Wildlife Refuge in addition to our proposed
30 temporary closure, is continued coordination with the
31 Alaska Department of Fish and Game. We're still
32 seeking common ground on modeling approaches and we
33 still hope to have a joint proposal in front of the
34 Board of Game come March. We're hoping the regulatory
35 framework will emphasize protecting adult females and
36 reducing total human-caused mortality and the Refuge
37 will continue to have no brown bear harvest in the
38 spring over bait on the Refuge.

39
40 If you guys have questions, I'll be
41 glad to answer them. I'll stick around for the entire
42 period. At any time during the break or however it
43 goes.

44
45 HEARING OFFICER MEDEIROS: Thank you,
46 John. So now we'll begin the public testimony portion
47 of the hearing. I'm the hearing officer so it's my job
48 to ensure that everyone who would like to testify on
49 the proposed temporary closure can do so. If you plan
50 to provide oral testimony, make sure you fill out a

1 testifier card and let us know if you're representing
2 an organization.

3

4 For the record it is important that
5 everybody who is attending this hearing this evening
6 sign in whether or not you're testifying. To provide
7 an equal opportunity for the testifiers this evening,
8 as we did in Anchorage, we're limiting the testimony
9 time to three minutes for individuals and five minutes
10 for organizations or groups.

11

12 Each testifier will be notified when
13 one minute remains of their time and when the total
14 time has elapsed. If following your testimony you feel
15 you have more to add, please feel free to fill out a
16 written -- put written testimony in and that can be
17 submitted at the front desk and paper is available
18 there for you to do that.

19

20 I will be calling on those who have
21 signed up to provide testimony in the order we've
22 received cards. When I call your name, please step
23 forward to the microphone. Begin your testimony by
24 stating your full name and spelling it. And if you are
25 representing an organization or group, please say so.
26 Please speak clearly into the microphone. If you are
27 called to speak and you choose not to or you do not use
28 the full time you've been allotted, you may not cede
29 your time to somebody else.

30

31 With that, the time is 6:35. We will
32 open the public testimony portion of this hearing. The
33 first speaker we have this evening is Doug Vincent-Lang
34 from the State of Alaska.

35

36 MR. VINCENT-LANG: Good evening. My
37 name is Doug Vincent-Lang. I'm the director for the
38 Division of Wildlife Conservation for the Alaska
39 Department of Fish and Game. I think you have my
40 spelling on that piece of paper. I have a little more
41 than five minutes, but I wasn't aware. I'll try to cut
42 it down if I need to.

43

44 ADF&G disagrees with the U.S. Fish and
45 Wildlife Service's proposed closure of the fall 2014
46 and spring 2015 brown bear hunting season on the Kenai
47 National Wildlife Refuge. We do not believe the
48 proposed closure is justified by either resource
49 protection concerns or Federal policy. The existing
50 State approved wildlife regulations are based on

1 implementations of sustained yield principal for brown
2 bear populations and the interest of area residents.

3

4 Let me be clear, if a resource
5 conservation concern existed, the State would be
6 closing the hunt. Just this year we have closed hunts
7 for Dall sheep on the North Slope and we've closed
8 those in conjunction with the Federal land management
9 agencies.

10

11 In 2010, in the brown bear population
12 assessment, the Service made a significant attempt to
13 determine the density of brown bears across the Refuge
14 as well as extrapolate a total Kenai Peninsula
15 population. While we continue to have concerns about
16 the design of this study and continue to assess it in
17 recent adjustments made to it by the Service, we chose
18 to use this as a starting point to evaluate sustainable
19 harvest levels in both the short and long term. The
20 results of that evaluation were used in our
21 presentation to the Board in 2014 when we told them
22 that we would curtail the hunting season by emergency
23 order if the harvest of adult females approached 17 or
24 the total harvest approached 70.

25

26 The primary metric of sustainable
27 harvest was, and continues to be, the mortality of
28 adult female bears. The Service had told us that they
29 could live with a total human-caused mortality cap of
30 12 adult females last year when we talked to them about
31 this. We settled on a cap of 17 given comments from
32 the Service to our Board that their estimate was likely
33 conservative. That was in testimony that John Morton
34 gave to our Board of Game.

35

36 The Board also adopted a regulation
37 that allowed the taking of brown bears over bait with
38 the hope that this would allow hunters an improved
39 ability to identify the sex of a bear and selectively
40 harvest a boar. This approach appears to have worked
41 very well this past spring when a total of 52 bears
42 were harvested in the spring hunt with only 5 being
43 adult females.

44

45 The Service has emphasized that the
46 regulations that allow brown bears to be taken at bait
47 stations are new and unique. While it is new under
48 State regulations on the Kenai, we want to point out
49 that similar regulations have approved elsewhere in the
50 State by our counterpart, the Federal Subsistence

1 Board. The two regulatory entities, both the State
2 Alaska Board of Game and the Federal Subsistence Board,
3 approved the use of bait under open regulatory
4 processes yet the Service asserts that it would not be
5 allowed in Refuges and lands on the Kenai and has
6 prohibited its use.

7
8 We contend that this is a legitimate
9 harvest method and that when used in conjunction with
10 harvest limits does not jeopardize the population. We
11 have also no evidence that it contributes to the
12 creation of problem bears and, as we have seen this
13 past spring, it has the potential to minimize the take
14 of adult female bears because hunters have a better
15 chance to determine the sex of an animal and the
16 presence of cubs before shooting.

17
18 The State has announced that it will
19 close the fall hunt when the total harvest is projected
20 to exceed 70 bears or 17 adult females this year. To
21 ensure for accurate and timely accounting, all
22 successful brown bear hunters are required to report
23 their harvest to the Soldotna ADF&G office within five
24 days of their kill.

25
26 To account for other sources of human-
27 caused mortality we will close the directed hunt when
28 the total harvest reaches 66 or 67 bears or 15 adult
29 females. We will likely reach the total harvest cap
30 before reaching the cap on female harvest. At this
31 point, it's quite likely that the total harvest of
32 adult females will be less than 12, the Service's pre-
33 season stated desire to us. Clearly the Department's
34 objective is not to exceed our harvest quota of brown
35 bear on the Kenai Peninsula.

36
37 What is missing in this discussion --
38 you're going to hold me to one more minute? What is
39 missing in this discussion is consideration of the
40 intent of the State in administrating the brown bear
41 hunt on the Kenai Peninsula. The Board of Game
42 received multiple requests from the public to respond
43 to an increasing brown bear population associated
44 negative human-bear interactions. The Board considered
45 those requests and different options were developed,
46 resulting in the Board's decision to increase the
47 opportunity for brown bear hunting.

48
49 The Department had concerns about the
50 potential increase in harvest but believed that through

1 close monitoring using stringent reporting requirements
2 and the use, if necessary, of our emergency order
3 closure authority negative impacts to the long-term
4 sustainability of the brown bear population could be
5 avoided while meeting the goal of stabilizing the
6 overall population and reducing the population in the
7 more developed areas of the Kenai Peninsula.

8

9 I'd like to point out to date that the
10 number of bears killed in defense of life and property
11 and nuisance bear calls on the Kenai Peninsula this
12 year have been reduced significantly. Is this the
13 result of increased harvest? More than likely, yes,
14 the increased harvest has had a positive impact along
15 with greater vigilance by local residents to keep human
16 food and garbage away from bears.

17

18 We believe the biological information
19 the Service has provided to justify this closure is
20 incomplete and in some case inaccurate. For instance,
21 the Service asserts that the brown bear population
22 densities on the Kenai Peninsula should be comparable
23 to those on the Katmai coast, Kodiak Archipelago and
24 portions of Southeast Alaska.

25

26 While all these bear populations have
27 access to salmon as a food source, the bears on the
28 Kenai lack the access to rich intertidal areas and
29 sedge flats of typically these true coastal bear
30 populations. Expecting brown bear densities in the
31 Kenai to match those of true coastal populations
32 elsewhere and managing accordingly is not responsible
33 in our opinion, particularly when coupled with the
34 increased level of human influence on the Kenai.

35

36 Unfortunately, Service news releases
37 and background information regarding the current
38 abundance of brown bears on the Kenai Peninsula
39 inaccurately indicate a finite static bear population.
40 In other words, it's like we have a bank account of 600
41 bears in 2010 and there have been no new ones coming
42 into the account and every bear killed is a net loss to
43 the account.

44

45 It's important to recognize that while
46 there have been harvest of bears there's also been
47 recruitment to the population through birth. In fact,
48 many Alaskan brown bear populations increased harvest
49 of adult males results in increased cub survival and
50 potentially increased sub-adult survival.

1 We are working with the Service
2 biologists to develop more accurate models to predict
3 population trends under various harvest scenarios and
4 expect to have that work completed by the time the
5 Board of Game meets to consider harvest regulations
6 this spring. In the meantime, we do not agree with the
7 Service's decision to take management actions based on
8 an inaccurate method of predicting population effects.

9
10 I might point out that while John
11 Morton is correct, much of the data he used in his
12 models is Fish and Game data. We don't necessarily
13 agree with how that data was used, nor with the
14 assumptions that were used in performing those model
15 runs.

16
17 In summary, the State of Alaska
18 believes that State harvest regulations are
19 sufficiently conservative to ensure the long-term
20 sustainability of brown bear populations in the Kenai
21 Peninsula and disagrees with the Service to restrict
22 hunting opportunity. The Federal closure appears more
23 based on management flaws, ethics and resource
24 conservation and does not fall within the mandates of
25 cooperative management that Congress envisioned when it
26 re-designated the Kenai Refuge under the 1980 ANILCA
27 Act and other Federal legislation such as Refuge
28 Improvement Act and State and Federal cooperative
29 policy.

30
31 In this and other wildlife-related
32 closures, the State has repeatedly stated that such
33 actions are resource protection measures necessary to
34 ensure consistency with Refuge purposes, including the
35 purpose of maintaining natural diversity. We have
36 repeatedly asked you to define clear and quantifiable
37 metrics used to assess natural diversity. To date none
38 have been provided. Absent the metrics to determine
39 natural diversity, decision-making criteria by the
40 Service becomes much broader, making it easier for the
41 Refuge manager to justify closures or prohibit public
42 uses.

43
44 With this closure of brown bear hunting
45 on the Kenai National Wildlife Refuge, again, no
46 definition of natural diversity is offered by the
47 Refuge. No age or sex composition metric is suggested.
48 Instead an assertion is made that the action by the
49 State fails to comply with the Service's desire for
50 maintenance of natural diversity.

1 I don't believe that it was ever the
2 intent of Congress to allow the Federal government to
3 hold such power over fish and wildlife that have long
4 been recognized as State resources even if they happen
5 to occur on Federally-administered lands. Where does
6 this stop? With brown bears, wolves, moose, hare,
7 grouse, berry picking?

8
9 The Service also does not explain its
10 rationale regarding the anticipated effects from
11 closing the State hunt while inexplicably proceeding
12 with the Federal subsistence hunt that allows harvest
13 on these same bears. We are left to wonder how a
14 resource conservation action can be justified if
15 harvest opportunity under Federal regulations is left
16 open.

17
18 We also disagree with the Service's
19 reasoning that the closure is necessary for maintaining
20 wilderness character in the Kenai wilderness as the
21 Service makes no linkage between bears and hunting and
22 the condition of the National wildlife preservation
23 system.

24
25 To conclude, our department will
26 continue to cooperate with the Service regarding the
27 administration of hunts on the Kenai Peninsula and
28 sustained yield management of brown bears. We'll also
29 continue to work with the Service to evaluate all
30 available biological data and present our findings to
31 our Board of Game as it considers proposals during
32 their March 2015 meeting in Anchorage.

33
34 We remain committed to managing for
35 sustainable population of brown bears and will work
36 towards that end, but will also recognize the desires
37 of the public to reduce negative interactions with
38 bears coupled with their interest to opportunities to
39 hunt.

40
41 We request the Service reject the
42 proposed closure of brown bear hunting on the Refuge
43 not only the fall of 2014 but the spring of 2015. The
44 available information simply does not justify the
45 closure.

46
47 Thank you very much for giving me some
48 additional time.

49
50 (Applause)

1 HEARING OFFICER MEDEIROS: Thank you,
2 Doug.

3
4 Our next presenter is Ted Spraker.

5
6 MR. SPRAKER: Good evening. Thank you
7 for the opportunity to testify this evening. Again,
8 for the record, my name is Ted Spraker. It's S-P-R-A-
9 K-E-R. I've lived in Alaska it seems like my entire
10 life. I've been here a little over 40 years. I've
11 lived on the Kenai Peninsula for the last 35 years as a
12 local resident living in Soldotna. I'm a retired State
13 wildlife biologist having served 28-plus years with the
14 Department of Fish and Game. When I was here on the
15 Kenai, I served as the area biologist for the Kenai for
16 24 years.

17
18 I'm also the chairman of the Board of
19 Game. I'm here tonight representing the Board of Game
20 and I'm currently serving my fifth consecutive term on
21 the Board. I'm here again, I was here at the last
22 meeting, to address the actions taken by the Board in
23 March 2013 concerning the management of brown bears on
24 the Kenai. I have quite a few points here, but I'll
25 try to get through them as quickly as I can.

26
27 The Board adopted seven public or
28 Department proposals addressing local hunting
29 opportunities and the Service vetoed six out of the
30 seven. We felt that this was unprecedented. Plus, in
31 the fall of 2013, the Refuge closed the fall brown bear
32 season for 30 days. Now there's a proposal to close
33 the fall and the spring general hunting season.
34 However, Federally qualified rural residents that live
35 in the communities of Cooper Landing and Hope and
36 Sunrise, Ninilchik, Nanwalek, Port Graham and Seldovia
37 will still be allowed to hunt these bears.

38
39 So, as a member of the Board of Game,
40 when we look at conservation concerns we look at all
41 users, all hunters. Doug Vincent-Lang brought up an
42 example about a sheep population in Unit 23 and 26A out
43 of Kotzebue and Barrow where the Department determined
44 that the sheep population had declined. They met with
45 the Federal agencies and they closed hunting to all
46 Federally qualified hunters and to the general hunt.
47 We felt that this should be the same thing on the Kenai
48 if there's truly a conservation issue.

49
50 I want to talk a little bit about the

1 Board process. Prior to any Board meeting the Board
2 members are required to read all submitted public
3 material, comments from the public and comments from
4 the Department. As Board members, we commonly call
5 authors of proposals just for clarification. Board
6 members attend many meetings such as this to listen to
7 the public. So it's somewhat out of character for a
8 member of the Board to testify here tonight, but I felt
9 that this was very important to clarify why the Board
10 made the decisions and what information we used.
11 There's several points here and I'll try to get through
12 them quickly.

13

14 First off we all realize, and Dr.
15 Morton talked about it tonight, that brown bears should
16 be managed by controlling the number of reproductive-
17 age females in the harvest. The Board also felt and
18 the Department generally feels that it should be based
19 on at least a three-year running average. We also know
20 that the bears that occupy the Kenai Peninsula are one
21 sub-population of bears and should be managed as such.

22

23 We hear the phrase all the time that
24 bears have a low reproductive potential, but it seems
25 to me they never finish the sentence. They also have a
26 very high survival rate of cubs and yearlings and
27 they're long-lived animals. When I worked for the
28 Department, I handled several bears that were over 30
29 years of age and still productive. So bears are very
30 productive and they're very long-lived animals.

31

32 The Board also had information from the
33 Refuge about the new population estimate of 624 bears
34 in 2010 and the population was estimated at growing
35 about 3 percent annually, resulting in a population of
36 681 before the fall 2013 season. The information that
37 the Board had worked on prior to this was a population
38 of 250 to 300 where the allowable harvest of adult
39 females was 10. So if you do the simple math on a
40 population that's now estimated at more than twice that
41 size, it's easy to understand that the allowable
42 harvest of adult females should be somewhere around 20
43 or even more bears each year and that's what the Board
44 was looking at when we started talking about the
45 harvest of adult females.

46

47 The next thing we looked at was a trend
48 over the last years, five or six years prior to that,
49 and there was a total of -- the last four years between
50 '09 and 2012 there were an average of eight adult

1 females taken. So the Board was very satisfied with
2 the low number of adult females that were taken.

3

4 I'm going to skip some of the next
5 stuff because Doug covered quite a bit of it. Anyway,
6 with this new population estimate of 681 bears in the
7 fall of 2013, the past harvest trend of 8 adult females
8 being taken prior to the 2013 fall season, Fish and
9 Game's new monitoring system where we got a report
10 within five days and seal a bear within 10 days, the
11 Board felt justified in setting the seasons and bag
12 limits and so forth that we did.

13

14 I want to talk a little bit about the
15 number of 70 bears and about 10 percent of the
16 population being harvested. One of the things that you
17 need to keep in mind, and we heard it again tonight, is
18 the 2010 estimate was probably a conservative estimate.
19 I know people that have lived on the Kenai for a long
20 time as I have. If I was put to the task of making my
21 own personal estimate, I would say that it's somewhere
22 north of 700 bears at least on the Kenai.

23

24 I want to give you some examples of
25 harvest rates. Board members looked at Unit 13, which
26 is the Glennallen area. The area has a no closed
27 season for brown bear. A tag is not required for
28 residents. Their annual harvest exceeds 10 percent and
29 they have a healthy population of bears.

30

31 Next we looked at Fairbanks 20A. The
32 bear harvest there ranges between 9 and 11 percent.
33 Same results. They still have a healthy population of
34 bears and it seems like that is very sustainable. The
35 key point to be made here is both of these bear sub-
36 populations are less productive than the Kenai.

37

38 The next step, after the Board went
39 through the science, was to consider the social
40 carrying capacity and I know a lot of people in this
41 audience attended the meeting in 2013 in Kenai of the
42 Board of Game when we had 54 locals testify and many,
43 if not most, actually it was most, said that they were
44 really fed up with dealing with nuisance bears on the
45 Kenai and asked the Board to reduce the bear population
46 or at least provide for additional hunting opportunity.

47

48 I want to talk a little bit about the
49 17 adult females. I know I'm running over my time, but
50 I'll hurry. The Board has all intentions of revisiting

1 both of those numbers at our March 2015 meeting which
2 will be held in Anchorage. We're going to take another
3 close look at the 70, we're going to take a close look
4 at the 17 adult females. Those are two things that are
5 on our agenda.

6
7 The last point that I want to make is
8 the Board has not been in session recently, but I did
9 make a point of discussing this with as many Board
10 members as I could catch up with. I have to say that
11 they were all concerned about the direction this
12 particular Refuge is going.

13
14 It also was made clear to me by the
15 Board members, and I agree with this, that this closure
16 will not result in saving any bears this fall because
17 it's going to be opened all around the Refuge. As the
18 Director of the Department of Fish and Game just noted,
19 once they get about a dozen more bears taken, they will
20 likely close the season and that's going to occur I'm
21 sure during our moose season, which is ongoing right
22 now. The people will take that many bears.

23
24 So, in conclusion, we believe that this
25 closure has more to do with more of the separation of
26 users and the future direction of this Refuge rather
27 than potentially saving bears. As a member of the
28 Board of Game, that's one of the issues that I'm really
29 concerned about, is separation of users and management
30 direction that I don't think is fully thought through.

31
32 With that, I really appreciate the
33 opportunity to testify tonight.

34
35 Thank you very much.

36
37 (Applause)

38
39 HEARING OFFICER MEDEIROS: We're going
40 to continue going through those representing the
41 organizations and then we'll go to the individuals that
42 have submitted testifier cards.

43
44 Jim Harpring.

45
46 MR. HARPRING: Thank you. For the
47 spelling of my name, Jim Harpring, spelling H-A-R-P-R-
48 I-N-G. I'm here tonight to testify on behalf of the
49 Clearwater Homeowners Association, which is at the
50 confluence of the Funny River and the Kenai River and

1 Mile 31 or Mile 11 on Funny River Road. I'm the vice
2 president of that particular group. I'm testifying
3 both on behalf of the group of homeowners there as well
4 as myself.

5
6 We own the property, my wife and I own
7 the property. This is the first property upriver at
8 Mile 31 with no human habitat for the next seven miles
9 downriver. So we're the first encounter the bears have
10 with human-caused population. There's no other homes
11 on that particular part of the river. It's exclusive.
12 If you follow the entire Kenai River where homes can be
13 built, that's a very unique area because the State of
14 Alaska owns that property. So we're bordering on the
15 lower part of the river by the State of Alaska. The
16 river is the State of Alaska. The cross river is the
17 Morgan's Hole, which is State of Alaska, and above us
18 is the State of Alaska. On the back portion of our
19 property is the Kenai Wildlife Refuge. So the bears
20 coming out of the mountains migrating to the river,
21 especially in July and August, hit the river, come up
22 the river, come up to my property and then fish in the
23 evening.

24
25 Going back in history, we've lived
26 there for 32 years and in the early years, being from
27 '82 up through about mid-'90s, mid-'93, '94 the bear
28 encounters were minimal. We had bears occasionally.
29 We had game cameras. I put out 9 to 11 cameras every
30 year, so we know the bears. We know them almost by
31 name. We know the cubs of this particular sow or those
32 cubs this year because of the way they fish. Each one
33 is unique fishing because they start arriving about
34 7:30, 8:00 o'clock in the evening and go through about
35 4:00 to 5:00 o'clock in the morning. You can watch
36 them from the front porches.

37
38 The bears over the previous couple
39 years, the brown bears have increased inordinately.
40 We've had so many bear encounters that we have
41 basically not used the property, the exterior part of
42 the property as far as outside of the properties and
43 walking up and down the walkways or the roadways there
44 after about 7:00 o'clock in the evening because the
45 bears start coming in about that time and there's just
46 too many encounters.

47
48 In past years, between 1980 and '93,
49 there was what we call a balance of the number of bears
50 versus the number of moose, the black bears versus the

1 number of brown bears and everybody kind of got along.
2 After about '93 though there was an inordinate drop in
3 the number of moose that we seen. In 1987, I looked
4 back and saw my records, traveling between the airport
5 and Mile 11, this would be about Mile 2.5 to Mile 11,
6 we counted 27 moose along Funny River Road. Now
7 occasionally you'll see one or two moose. We've
8 counted no black bears in the last five years. We've
9 not seen a single black bear while in the previous
10 years, the years between '82 and '93, '94, '95, '96,
11 we'd see five, six seven black bears throughout the
12 season.

13

14 The issues that we believe are causing
15 this is the number of bears that have visited the area
16 because there's been no way of managing them. I'm not
17 a hunter, I don't hunt, I take all my hunting from
18 pictures, but the number of bears that we encounter is
19 just unacceptable. The last two years though the
20 number of bears that we have encountered is back to
21 where it was in the early '90s, '91-'94, where it's a
22 manageable level. We saw four bears on cameras while
23 the previous two years in 2011 and '12 we saw nine.
24 There were eight to nine bears each night and this is
25 without counting cubs. The sows with the cubs would
26 arrive early in the evening and then we could almost
27 migrate to what bear was going to arrive within 10 to
28 15 minutes to begin fishing in front of the house.

29

30 The other way that we believe this has
31 been approached is that there's got to be a balance to
32 this and we accept the balance. So the issue here is
33 how does that balance occur and for what purposes.
34 That's been a very difficult issue that we've tried to
35 address on numerous occasions. It can't be that one
36 particular user group is entitled to harvesting bears
37 while another individual group just want to view the
38 bears, but I can say that the concentration of bears in
39 that one particular area is inordinate.

40

41 I don't believe by closing the Refuge
42 you're going to do anything but force the remaining
43 bears to come to the areas like where we're at where
44 there's a high fish population and they've been fishing
45 it for many, many years and teaching their cubs to fish
46 particularly during those migration points.

47

48 That's about all I have to say.

49

50 (Applause)

1 HEARING OFFICER MEDEIROS: Thank you.

2

3 Elaina Spraker.

4

5 MS. SPRAKER: Good evening. My name is
6 Elaina Spraker. I'm a long-time Alaskan resident,
7 hunter, conservationist and I'm also the clinic
8 director for a program called Women on Target, a
9 firearm training program. This year we had our very
10 first hunting clinic. Hunting licenses are up by 20
11 percent for women. I thought it was important today to
12 not only come testify on behalf of myself but for these
13 women that have had the courage to interact in hunting
14 to provide wild sustenance for their family and to
15 connect to the outdoors.

16

17 This year, because of the expanded
18 hunting opportunity provided by the Board of Game and
19 the Department of Fish and Game, several young women
20 have had the opportunity, one of them my daughter, our
21 daughter, to harvest brown bears and this was a very
22 memorable time for us.

23

24 Our family has been enriched by our
25 outdoor experiences and nourished by wild food
26 sustenance through hunting and fishing. Access to
27 public lands and our natural resources has connected
28 not only my family but most Alaskan families. Hunting
29 is part of our life, it's who we are. However, here on
30 the Kenai our hunting heritage and hunting opportunity
31 is being eliminated by a Federal agency who favors a
32 redefined ideology called natural diversity where
33 conservation is being replaced with preservation.

34

35 For many of us who have been engaged in
36 the process, the lack of scientific principals, public
37 safety and the perpetuation of a anti-hunting agenda
38 has been alarming. The Kenai National Wildlife
39 Refuge's very own moose management plan states when
40 moose populations decline because of a deteriorating
41 habitat, predator populations have a controlling effect
42 to the decreasing numbers.

43

44 More importantly, in this 1996
45 management plan, it also states in a memorandum of
46 understanding the Department of Fish and Game is the
47 primary agency for managing fish and wildlife in the
48 state of Alaska while the Kenai National Wildlife
49 Refuge manages for habitat to ensure conservation of
50 fish and wildlife populations in their natural

1 diversity.

2

3

4 Currently the Fish and Wildlife Service
5 has reinterpreted the Federal law by acting as the
6 primary agency to manage wildlife rather than habitat.
7 Federal legislation mandates through ANILCA in the 1997
8 Refuge Improvement Act, whereas the State of Alaska has
9 explicit authority jurisdiction or responsibility to
10 manage, control or regulate fish and wildlife under
11 state law regulations in any area within the system
12 with the exception of Title VIII of ANILCA and marine
13 mammals.

13

14

15 This is Federal legislation and Federal
16 documents. For this reason we question the authority
17 of the Fish and Wildlife Service to shut down brown
18 bear hunting on the Refuge. We also question a study
19 whereas the Federal biologist arbitrarily increases the
20 study area and lowers the population after four years.
21 The same biologist who readily admits to a biased low
22 number due to the fact that brown bear hair was not
23 sampled from bait stations. This is equivalent to
24 counting bees in a bee hive on a sunny day when they're
25 out away pollinating flowers. Is this ideology
26 incompetence or both?

26

27

28 In 2013, the Board of Game, a board who
29 is the arm of the public and guided by sound wildlife
30 management principals through the Alaska Department of
31 Fish and Game, responded to local residents who
32 overwhelmingly demanded a reduction in the bear
33 population to arrest our declining moose population and
34 human safety concerns by increasing hunting
35 opportunity.

35

36

37 It is clear to many of us who hunt that
38 Refuge employees lack considerable understanding of
39 basic hunting principle and animal husbandry. If the
40 Refuge was truly concerned about the take of female
41 brown bears, then they would support bear baiting.
42 Bear baiting allows hunters to study the animal,
43 determine gender and promotes good shot placement.
44 During the spring brown bear hunt many hunters,
45 including myself, passed up female brown bears. As a
46 result, five were harvested.

46

47

48 As an example of the Fish and Wildlife
49 contradictions in their decision-making process, they
50 allow bear baiting in the Yukon Flats but not here on
the Kenai National Wildlife Refuge. Here we are again.

1 The Fish and Wildlife Service is just one more example
2 of a Federal agency that has abandoned and
3 reinterpreted the very laws established to guide them
4 and protect the people from egregious Federal
5 overreach. Consequently hunting opportunity and
6 conservation principals all have but disappeared.
7 Purposes of the Refuge.

8

9 To all the people on the Kenai
10 Peninsula and Alaskans, this is our land and Federal
11 employees are paid by our tax dollars. We deserve
12 better.

13

14 (Applause)

15

16 HEARING OFFICER MEDEIROS: Thank you,
17 Elaina.

18

19 Our next speaker is David Raskin.

20

21 DR. RASKIN: Thank you very much. My
22 name is Dr. David Raskin, R-A-S-K-I-N. I live in
23 Homer, Alaska. I'm a frequent user of the Kenai
24 National Wildlife Refuge. Tonight I'm representing the
25 Friends of Alaska National Wildlife Refuges, the
26 National Wildlife Refuge Association in Alaska and the
27 Wilderness Society in Alaska.

28

29 We strongly support the temporary
30 closure of sport hunting of brown bears on the Kenai
31 National Wildlife Refuge effective September 1, 2014
32 through May 31, 2015. This closure is urgently needed
33 to mitigate the unsustainable mortalities of brown
34 bears within the Refuge that have resulted from the
35 Alaska Board of Game regulations. Data collected by
36 the Refuge clearly demonstrate that mortality of brown
37 bears is the highest ever recorded, especially for
38 females of reproductive age. If this trend is not
39 reversed, irreparable harm to the brown bear population
40 may occur.

41

42 The brown bear population is a growing
43 concern. Due to conservation efforts Kenai brown bears
44 likely increased slowly over the last two decades since
45 they were listed by the State of Alaska as a population
46 of special concern in the late 1990s. However, this is
47 still a relatively small, low density population, which
48 is isolated and cannot depend on movement of bears from
49 other areas to supplement the population. Brown bears
50 have extremely low reproductive potential among the

1 many factors which underscore the need to manage Kenai
2 brown bears conservatively.

3

4 As to the Board of Game regulations,
5 State hunting regulations were substantially
6 liberalized in 2012 and 2013. These were the
7 liberalizations that resulted in high and unprecedented
8 levels of mortality of Kenai brown bears causing a
9 rapid and substantial population decline. Since the
10 fall of 2012 and going to the upcoming hunting season,
11 State data indicate that at least 168 brown bears have
12 been killed on the Kenai Peninsula. This includes 41
13 adult females.

14

15 In 2013, State biologists estimated the
16 number of adult females declined by 18 percent. Both
17 2013 and 2014 overall mortalities were up 12 percent of
18 the 2010 population estimate. Taking brown bears over
19 bait was legalized on the Kenai Peninsula the first
20 time last spring. This accounted for 40 of the 52
21 bears taken by hunters. Legalizing baiting has greatly
22 increased the potential for overharvest both now and in
23 the future.

24

25 Action is needed to ensure adequate
26 protection of adult females and to keep overall
27 mortality in the Kenai brown bear population at a
28 sustainable level. A temporary hunting closure of the
29 Refuge is needed to prevent further detrimental effects
30 on the population.

31

32 The U.S. Fish and Wildlife Service has
33 legal mandates to manage all wildlife and specifically
34 brown bears on the Kenai Refuge in their natural
35 diversity to maintain the wilderness character of the
36 Kenai wilderness and to provide opportunities to both
37 hunt and view bears. This temporary closure is
38 necessary to meet future mandates.

39

40 It should be noted, based upon comments
41 from other speakers, that Federally lawful subsistence
42 hunting has different legal mandates than general
43 hunting. As to human encounters, this has decreased
44 recently. If more bears are killed, fewer bears will
45 be seen. Also, if bears are safer on the Refuge, they
46 will not spend as much time in human habitation. As to
47 moose populations that were commented on, they are
48 mainly affected by habitat and not bear predation or
49 predation from other predators and we will see the
50 effects of that in the next couple years after the big

1 fire we've had when moose populations will undoubtedly
2 increase due to improvements in habitat.

3

4 We encourage the Refuge to work with
5 the State to develop and implement a biologically sound
6 management approach for Kenai brown bears. This
7 approach should be transparent to the public. As a
8 lifelong scientist, it is clear that the wisest
9 regulation should be based on science, not anecdotal,
10 unscientific speculations and that is what the Refuge
11 has been trying to accomplish and we strongly support
12 their efforts to manage these populations by science
13 and not politics and speculation.

14

15 Thank you very much for this
16 opportunity.

17

18 (Applause)

19

20 HEARING OFFICER MEDEIROS: I believe
21 the next speaker is -- is it Spencie? Is that how you
22 pronounce it?

23

24 MS. NETSCHERT: Hi. My name is Spencie
25 Netschert, N-E-T-S-C-H-E-R-T. I am the president of
26 the Kenai Peninsula Chapter of Safari Club
27 International. I am also a director on the Board of
28 Educational Sables at Nationals.

29

30 I am here to address the temporary
31 closure of the brown bear hunting on the Kenai National
32 Wildlife Refuge. First off I would like to state that
33 North American wildlife is thriving due to the
34 successful conservation efforts brought forth and
35 funded by hunting sportsmen/women. In fact, most
36 species has become extinct due to hunting and here are
37 some scientific facts on North America unendangered
38 species.

39

40 First off, white-tailed deer, 1900s,
41 less than 500,000; 2014, 30 million. Rocky Mountain
42 elk and Roosevelt elk, 1907, 41,000; in 2010, 1
43 million. Wild turkey, 1890s, nearly extinct; 2014, 7
44 million. Prong-horn antelope 1910, 5,000; 2014,
45 700,000. Black bear, nearly extinct, 1900s; 2011,
46 950,000. Waterfowl, 1985, less than 55 million; 2013,
47 60 million.

48

49 Hunters are the largest contributor to
50 the conservation of animals. If it weren't for hunters

1 dollars and the conservation efforts, you would not
2 have the animals to view that you have today. So if
3 you continue to enrage the hunters, hunting community,
4 but embrace the non-hunting community, the Refuge is
5 supposed to be for all people. We own it. You only
6 manage it.

7

8 If you don't try to stop people from
9 going in and bird watching where they're harassing the
10 birds in their nest, a lot of them just to photograph,
11 if you look at Potter's Marsh in Anchorage, that's
12 total harassment just to get a few photos for magazines
13 and harassment of animals is illegal. They should be
14 shut down. But we get harassed because we want to bring
15 down the numbers of bears so that we will have a viable
16 moose population.

17

18 Let it be known that these groups who
19 call themselves animal rights group only give 0.03
20 percent of money raised to help wildlife conservation.
21 The rest is paid out in salaries, advertising, T-
22 shirts, little bags that they give to people so they
23 can go on. Whereas Safari Club International
24 Foundation raises millions of dollars along with
25 hunters and give it to conservation because we are a
26 volunteer organization and we donate our funds to
27 wildlife and conservation.

28

29 I know that there are groups out there
30 that want to shut down hunting altogether, but we will
31 fight for our rights. You stated last year that a
32 viable bear population would be around 200 to 300
33 bears. We have not even come close to those numbers
34 and yet you want to shut down the hunting. I find it
35 distressing and shameful that the Refuge has made a
36 scientifically baseless decision to close the brown
37 bear hunting.

38

39 As an Alaskan, we are concerned with
40 the preservation, philosophy of the U.S. Fish and
41 Wildlife Service and the Federal government
42 preservation is not the same as conservation. Sound,
43 active management as practiced by the State of Alaska
44 benefits both people and resources. It enables
45 Alaskans to continue our customary and traditional way
46 of life, provides healthy fish and wildlife
47 populations, harvesting opportunities to feed our
48 families, economic opportunities and continuation of
49 our outdoor heritage.

50

1 Federal overreach on the Kenai National
2 Wildlife has implications statewide. The passive
3 management approach used on national wildlife parklands
4 falls short of what Alaskans have come to expect in
5 terms of active engagement management.

6
7 Proven management practices implicated
8 by the State of Alaska cannot be replaced by Federal
9 decisions that do not take into consideration effective
10 habitat management and which thwart the State's ability
11 to manage sustainable and diverse populations of
12 predator and prey.

13
14 With that I thank you very much for
15 allowing me to speak. I have a letter from Lisa
16 Murkowski, which I will submit, and a letter from our
17 SCI president, Craig Kauffman.

18
19 HEARING OFFICER MEDEIROS: Thanks,
20 Spencie.

21
22 (Applause)

23
24 HEARING OFFICER MEDEIROS: It is about
25 7:20 and I think we'll just go ahead and take a short
26 break before we start in on individual testimony.

27
28 (Off record)

29
30 (On record)

31
32 HEARING OFFICER MEDEIROS: We're going
33 to go ahead and get started again. The time is now
34 7:30.

35
36 The next person that I have a card for
37 testifying is Loren Reese.

38
39 MR. REESE: Good evening. I'm Loren
40 Reese. It's spelled just like the candy, R-E-E-S-E. I
41 want to personally thank you all for the invite to come
42 here tonight and speak.

43
44 When the Refuge came out with their
45 brown bear count, the number, I believe, was around
46 624. When asked at the State Board of Game meeting
47 here in Kenai, Dr. John Morton was asked if the number
48 of 624 was a low estimated number and I believe his
49 answer was yes. Dr. Morton did indicate in his
50 testimony that he felt that there was a probability

1 that there was actually more brown bears on the Kenai
2 than the number of 624.

3

4 Fast forward to last year's brown bear
5 hunt. A total number of 71 bears were harvested of
6 which 23 were adult female. The Refuge shut down the
7 season on October 26 and this shut-down ran through
8 November 26 -- excuse me, October 26 through November
9 26, I believe. The reasons given by the Refuge was
10 that they felt there were too many reproductive-age
11 females being harvested. The season opened up again on
12 January 1. The State, in its effort to work with the
13 Refuge, set the quota of no more than 17 adult females
14 could be harvested. The season got underway. The
15 hunters did their job. 52 brown bears were harvested
16 of which no more than 5 were adult reproductive-age
17 female.

18

19 A very large proportion of these 54
20 bears were adult male. So here's the question I have.
21 If you're truly concerned about the number of adult
22 females being harvested like you said, like you stated
23 last year, why are you shutting down the Refuge to
24 brown bear hunting now when only five were shot during
25 the season? Wait, I know. The numbers don't fit, so
26 use the new Morton study to back up your claim that the
27 Refuge incorrectly calculated number of bears on the
28 Refuge when the original Refuge study was conducted.
29 The numbers should have been 582 now claimed. This is
30 nothing more than agenda-driven science.

31

32 Maybe the Refuge should stick to what
33 they really know. Manage your land, your trees and
34 your lakes. Let the State manage its wildlife. A
35 thought for you to ponder: Because so many adult males
36 were harvested, do you believe there will be an
37 increase in cubs that will be surviving and what is
38 this estimated number you have?

39

40 Finally, I believe Lisa Murkowski,
41 Representative Don Young and the to-be-determined
42 senator can affect the Refuge's funding. I wonder what
43 they're thinking about this Federal overreach.

44

45 Thank you.

46

47 (Applause)

48

49 HEARING OFFICER MEDEIROS: Thank you,

50 Loren.

1 Mike Hruza.

2

3 MR. HRUZA: Hi. My name is Mike Hruza,
4 last name H-R-U-Z-A. I'm probably one of the newer
5 people to Alaska. I spent 24 years as a game warden in
6 Minnesota and I retired in May of '10. So I spent a
7 good portion of my adult life protecting resources. I
8 firmly believe and always will the State has a right to
9 manage its wildlife. The Federal government Fish and
10 Wildlife's main priority in managing wildlife is
11 migratory game birds, migratory waterfowl.

12

13 In my whole career, I've never seen one
14 state say what if we said we want to pull the plugs out
15 of our gun, we want to bait waterfowl, so on and so
16 forth, the Federal government would go absolutely no,
17 no, no. So I saw it in Minnesota with the timber
18 wolves. Minnesota had more timber wolves than any
19 state for a longer period of time, yet in my 24 years
20 of being there we never had control where we could have
21 a season until two years after I moved away. With some
22 new politicians, the state finally gained control where
23 they could have a season and so forth.

24

25 I called the local biologist here in
26 Soldotna and I said should we close the bear season or
27 not. He's a paid professional. Alaska Fish and Game
28 has good professionals that know what they're doing.
29 It's their responsibility to manage the resource for
30 the good of the resource and the good of the public.
31 That's what I always felt they're supposed to do. He
32 said we can have the hunt, we're not hurting anything.
33 He gave me a big, lengthy talk.

34

35 But you can skewer the numbers you
36 want. I've heard it many times before. This and that,
37 this graph and that. I've watched it my whole career.
38 The bottom line is nobody wants to see the bears get
39 driven to where they can't come back. Nobody is saying
40 that. I think it boils down, to me, is that it's
41 Federal Refuge, but it belongs to the people.

42

43 Last year when you had the government
44 shutdown, I know here they're closing the Refuge for
45 use. What really got me was the closing of the
46 waterfowl production areas. It was duck season in the
47 Lower 48. All that land is bought with waterfowl
48 stamps that hunters buy or whoever buys stamps, yet
49 they were telling people you cannot go in there while
50 it's shut down. Ludicrous. Ludicrous. The public

1 owns it.

2

3 Let the State biologists make the call.
4 They're with you. Nobody wants to see the bear numbers
5 go down or get hurt to where they can't recover. I
6 don't buy that. Let's just let them do it. They
7 called for it, a season, and that's what we should
8 have.

9

10 (Applause)

11

12 HEARING OFFICER MEDEIROS: Thank you,
13 Mike.

14

15 Dianne MacLean.

16

17 MS. MACLEAN: MacLean is M-A-C-L-E-A-N.
18 I'll be really quick. Three concerns that I wanted to
19 bring up. I am concerned that so little -- or at least
20 the public perception is that so little of the
21 management direction and intent with bear and wildlife
22 management that the State and the Board of Game have is
23 supported by the Refuge.

24

25 The perception of many in the public is
26 that Refuge rejection of any proposal made by the
27 State, by a hunter, by a trapper is predictable. In
28 the interest of integrity, that is a perception that
29 the Refuge should be concerned about. I'm concerned
30 that the Refuge refers to mandates, yet does not give
31 clarification of their definition of natural diversity,
32 which is frequently referred to as a mandate, a
33 definition that has been requested by the State.

34

35 It is true that the Refuge is to manage
36 for opportunities for all user groups, but as the State
37 struggles to maintain a healthy population of bears but
38 also of moose, it has to be recognized that some user
39 groups would rather have moose decline than to have an
40 animal thrive that is so widely hunted. The priority
41 should be to have the healthiest ecosystem possible for
42 the good of the resources, the good of the public, to
43 let go of old conflicts and old grievances between
44 individuals, between agencies, and make the very best
45 of the resources we have on the Peninsula, including
46 the Refuge.

47

48 Thanks.

49

50 (Applause)

1 HEARING OFFICER MEDEIROS: Thank you,
2 Diane.

3
4 Joe Handy. Hardy. Excuse me.

5
6 MR. HARDY: Joe Hardy, H-A-R-D-Y.
7 Excuse my writing there. I don't really have a whole
8 lot to say. I feel this is a foregone conclusion on
9 this (turned microphone off 10 seconds). Okay. Can
10 you hear me now? Do I need to repeat what I said?

11
12 REPORTER: Yes.

13
14 MR. HARDY: Okay. I feel like I'm
15 wasting my time coming here because I feel this is
16 already a foregone conclusion, but I had to say a
17 little bit. You know, the state of Alaska is unique
18 that we have a public process. We're the only state in
19 the union that owns our own wildlife. Everywhere else
20 the State owns it. We have a Board of Game that goes
21 through public testimony. The testimony on the Kenai
22 was almost unanimous that we want fewer bears and more
23 moose. We want more hunting opportunity.

24
25 It just seems like the Refuge is more
26 interested in the bears than they are the moose. We're
27 protecting the bears, but nothing is being done to
28 improve moose habitat or increase moose numbers. We're
29 basing a lot of the old information on a study that has
30 not yet received peer review. It's been sent to the
31 State, but there's still a lot of questions with it.

32
33 We feel some of the conclusions you're
34 coming up with are based on I don't know what because
35 nobody -- I mean nobody in this room wants to eliminate
36 the bears. We don't want to put them into a population
37 sink. Shooting another 10 or 15 bears this fall is not
38 going to do that. It's not really going to have any
39 effect on the total bear population. We have a cap and
40 when that cap is met, the season is going to be shut
41 down.

42
43 The Board of Game will meet this winter
44 before the next spring season opens up, so this all can
45 be taken care of there, whatever questions and new
46 seasons, new closures, whatever, can be worked out as
47 long as Fish and Wildlife is willing and wants to work
48 them out.

49
50 I really don't have much else to say.

1 I just hope we can have a season this fall. I've had
2 to cancel two hunts with my wife. She wants a brown
3 bear. I cancelled one last fall. We were waiting
4 until late in the season to try to get a decent haired
5 bear and we were going to go out September 1st and try
6 to get one before the season got closed and we're going
7 to have to cancel that from the sounds of it.

8

9 Thank you.

10

11 (Applause)

12

13 HEARING OFFICER MEDEIROS: Thank you,

14 Joe.

15

16 Bob Ermold.

17

18 MR. ERMOLD: Good evening. My name is
19 Bob Ermold. It's spelled E-R-M-O-L-D. I'm a 19-year
20 resident of the Kenai Peninsula. I'm also in my second
21 term on the Kenai/Soldotna Fish and Game Advisory
22 Committee where I serve as the vice chair. I'm here
23 tonight to testify in opposition of the proposal to
24 close brown bear hunting on the Kenai National Wildlife
25 Refuge for the 2014-2015 hunting season.

26

27 I'm opposed to this for the following
28 five reasons. Number one. I don't believe that it's
29 within the Refuge's purview to take such action. It is
30 the State's responsibility to manage the fish and
31 wildlife populations and any actions on the part of the
32 U.S. Fish and Wildlife Service to limit or restrict
33 State authorized hunts is an interference with the
34 State's management plans and responsibilities and,
35 quite frankly, is nothing more than an example of
36 Federal overreach.

37

38 Number two. There is currently not a
39 conservation concern for Kenai Peninsula brown bears.
40 Previous studies and data have shown that the Kenai
41 Peninsula has a healthy, viable brown bear population,
42 which at the time of the study was determined as still
43 growing. We are still easily within the limits of
44 maintaining our population with continued hunting.
45 From the numbers of the early '90s, when we had an
46 estimate of approximately 250 bears, we still had
47 hunting opportunities and at time issues up to 50
48 drawing tags annually and there was no interference
49 from the Service at that time.

50

1 Number three. Inconsistency with
2 regard to your own initiatives. In October of 2013, a
3 30-day emergency order was issued by the Service
4 closing brown bear hunting on the Kenai. With the
5 continuation of the spring hunt in May of 2014, no such
6 order or actions were initiated by the Service. Why
7 not? Was there an emergency in the fall of 2013 or
8 not? Is there one now or not? Inconsistency in action
9 certainly sends a mixed message.

10

11 Number four. With regard to the Refuge
12 boundaries, restricting hunting on one piece of land
13 that is adjacent to another is ineffective in limiting
14 or reducing the harvest when it comes to an animal that
15 typically ranges anywhere from 30 to 50 miles in the
16 course of a year. Thinking that this will reduce the
17 harvest is as ridiculous as saying you can drift down
18 the Kenai River but only fish out of one side of the
19 boat. It's not going to make a difference.

20

21 The fifth and final reason, which I
22 think is the most important, is that the Alaska
23 Department of Fish and Game is opposed to this action.
24 The Alaska Board of Game is opposed to this action and
25 the majority of the people of the Kenai are opposed to
26 this action. So other than the support of your own
27 agency and various anti-hunting groups that oppose most
28 forms of hunting, where is the support for this
29 proposal?

30

31 For these reasons I am adamantly
32 opposed to this proposed closure and urge you to
33 reconsider.

34

35 Thank you for your time.

36

37 (Applause)

38

39 HEARING OFFICER MEDEIROS: Thank you,
40 Bob.

41

42 Joe Mandurano.

43

44 MR. MANDURANO: Hi, everybody. My name
45 is Joe Mandurano, M-A-N-D-U-R-A-N-O. For the last
46 couple of decades you, the people of the Service, have
47 insisted that there was only 300 brown bears, which
48 serves to prove your gross mismanagement of the way you
49 do things. Considering your actions about brown bear
50 hunting on the Refuge, I, myself, think and others in

1 this room, you should consider hiring a lawyer for a
2 class action suit because the people in charge of the
3 Refuge consistently and constantly restrict the use of
4 this property to hunters and other land use groups.

5
6 I am thoroughly disappointed with the
7 management of this Refuge. So if there's any lawyers
8 in the crowd, check with me after the meeting. We'll
9 get together and hash this out. I just wanted to add
10 that your timing is impeccable for the Refuge to have
11 this meeting while everybody is out there moose
12 hunting.

13
14 The original plan for the Refuge
15 wilderness area is provided for land use for the people
16 of this country, not to restrict it but to gain access
17 to it. You people of the Refuge management team are a
18 disgrace. I can't believe the pretentious, incompetent
19 and misleading way you do things. It mirrors the way
20 that Obama works for a lack of a better word.

21
22 (Applause)

23
24 HEARING OFFICER MEDEIROS: Thanks,
25 Joseph.

26
27 Ed Schmitt.

28
29 I'm not sure how to pronounce it.

30
31 MR. SCHMITT: It's Schmitt, S-C-H-M-I-
32 T-T. And I'm actually representing the Alaska Wildlife
33 Alliance. We're a statewide organization that believes
34 wildlife exists not solely to be hunted and killed but
35 to be viewed and enjoyed. Frankly that's a majority
36 opinion of anybody that's checked in with how people
37 view wildlife in Alaska and throughout the country.

38
39 What I'd like to do is contrast the
40 State Board of Game's positions with the Federal
41 positions. The State Board of Game is on record as
42 saying that they want to diminish the wolves and the
43 moose -- excuse me, the wolves and the bears around the
44 state to protect the moose. We hear on the Kenai
45 Peninsula that we don't have enough moose. It couldn't
46 be anything like three winters ago we had the most snow
47 ever. Two winters ago we had the longest snowfall,
48 snow cover ever. It couldn't be the increasing human
49 population. It couldn't be the increasing predation.
50 It couldn't be any of those things. It's got to be the

1 bears.

2

3 Our Board of Game is the only place in
4 the country that hunts wolves and bears out of
5 airplanes and they use the conservation dollars to do
6 this. They have a decidedly anti-predator approach. A
7 more balanced approach, like you guys are suggesting,
8 is a far more worthwhile endeavor.

9

10 I don't want to completely criticize
11 the State Board of Game because they have a tool that I
12 think you guys might think about using. It's called a
13 moratorium. If they decide that in a certain area they
14 want to exterminate wolves or predators but they don't
15 want to talk about it each year, they impose a
16 moratorium for a period of up to six years. Maybe
17 instead of going through this and being insulted by
18 everybody in the room, you ought to just do this and
19 impose a moratorium on discussing it.

20

21 Thank you.

22

23 (Applause)

24

25 HEARING OFFICER MEDEIROS: Thank you,

26 Ed.

27

28 Our next testifier is Floyd Frost.

29

30 MR. FROST: My name is Floyd Frost, F-
31 R-O-S-T. I'm kind of a long-term hunter, outdoorsman.
32 I've been here for 32 years. One of my things that I
33 hunted is bear and I have hunted a lot of bear. We
34 have taken a lot of bear and all of them very close
35 around town, within at least six to seven miles. This
36 is something that I fed my family with, black bear. My
37 family enjoys black bear and I was a very successful
38 guy in always at least getting one in the spring.

39

40 I have avoided the moose range simply
41 for the fact that I have had and run into extremely bad
42 attitudes on there from rangers over all them years. I
43 am a retired Alaska correctional officer. I started
44 out at Spring Creek. Anyway, I can read people really
45 well. That's what my business was. I can read bear
46 really well too.

47

48 Most brown bear, especially those that
49 are four to six years old, are just natural-born
50 bullies and they have caused a lot of harm and they

1 have multiplied. I have had to leave baits simply for
2 the fact that I made a decision that if I stayed there,
3 I had sows with cubs and I would have to kill some and
4 I didn't want to do the paperwork. I was always one
5 that I was not into paperwork very much.

6
7 But anyhow, I believe what you're doing
8 is wrong. I believe that you don't have the technical
9 right to manage the animals in a State hunt. If there
10 is a problem with bears, the State will take care of
11 it. When I started hunting, I would see at least two
12 to three brown bears that would drop in during the
13 season. They never were a problem. Most of them were
14 wild bears that didn't want nothing to do with people.

15
16 In the last 10 years, the attitude of
17 the bears have changed and, believe me, they will hurt
18 you. When I was at Spring Creek, I had to go notify a
19 boy that his dad had just been killed on the Funny
20 River horse trail. I've had three friends mauled by
21 them. I've had numerous people that have been
22 threatened and if they hadn't been carrying weapons
23 would have been definitely mauled by them. They don't
24 just run away like they used to and that's a fact.

25
26 I thank you for hearing me.

27
28 (Applause)

29
30 HEARING OFFICER MEDEIROS: Jesse
31 Bjorkman. I shouldn't even try.

32
33 MR. BJORKMAN: It's okay. I showed up
34 to Central Michigan University for a tour one time and
35 they had a name tag and everything all set for me and
36 it said Dorkman. But my name is Jesse Bjorkman, B-J-O-
37 R-K-M-A-N. I'm a teacher at Nikiski Middle High
38 School. I'm here representing myself. I'm also a
39 hunter and instructor.

40
41 I deeply regret that my colleague, Bob
42 Berg, wasn't able to come tonight. He actually would
43 have given a lively speech talking about the
44 unconstitutionality of the Refuge and how the Federal
45 government shouldn't own any land on the Kenai
46 Peninsula, which I would have enjoyed a lot.

47
48 However, I'd like to start off my
49 comments against this action by the Refuge talking
50 about natural diversity. Sidney Huntington's book

1 Shadows on the Koyukuk describes the Koyukuk Valley and
2 the moose that were in the Koyukuk Valley at that time
3 when he was a boy. Do you guys know how many moose
4 were in the Koyukuk Valley early 1900s? Andy?

5

6 MR. LORANGER: No, sir.

7

8 MR. BJORKMAN: Zero. Zero moose. How
9 many moose are in the Koyukuk now? A lot, okay.
10 Natural diversity goes up and down. Hopefully, as a
11 Refuge, we seek to strike a balance in the animals that
12 we have on the Refuge; moose, bear, wolf, wolverine and
13 lynx. We have a balance so that humans can enjoy the
14 animals.

15

16 I'm a hunter. I'm a wildlife watcher.
17 I very strongly resent the opinion that hunters are
18 just killers because I watch dozens, if not hundreds,
19 more animals than I ever kill in a year. I've killed
20 two moose on hunting licenses since I've moved here and
21 I've seen well over 2,000 moose. I've killed five
22 black bears. I've seen dozens of black bears and
23 watched them for a very long time. I've gotten close
24 to many brown bears and watched them and took pictures
25 of them and really enjoyed being around brown bears. I
26 was able to kill one with an arrow at about eight
27 yards. Hunters are not just killers who just kill for
28 sport. Hunters are enjoyers of wildlife and they
29 should be allowed to do that.

30

31 Your guys's Vortex is an extinction
32 model. It's a model that's designed to show
33 populations going to extinction. Let's be honest about
34 our data, please.

35

36 It's amazing to me that again we're
37 here at a meeting where we say we don't know how to
38 count bears. Quit trying. Let the Board of Game do
39 their work. Let the process work. We only have a
40 dozen or so bears that we're going to kill. They will
41 die and then the season will be closed. Why limit the
42 land and concentrate the hunters? It doesn't make
43 sense.

44

45 Ultimately you're assigning value to
46 life. Are we going to preserve bears or are we going
47 to preserve moose? Are we going to preserve human life
48 when bears attack people? I take kids onto the Refuge
49 quite a bit. What do you say to a parent after you've
50 closed the brown bear season and limited opportunity to

1 harvest bears after a bear has mauled a child? That's
2 a conversation I wouldn't like to have at all.

3

4 My message to you, Refuge, is let the
5 process work. Let the Board of Game do their job. Let
6 the biologist at the State do their job. These are the
7 people's animals.

8

9 Thank you.

10

11 (Applause)

12

13 HEARING OFFICER MEDEIROS: Thank you,
14 Jesse.

15

16 Keith, and I can't read the last name
17 and I'm not trying. It begins with a K. Is it Klein?
18 No.

19

20 UNIDENTIFIED VOICE: What is it?

21

22 HEARING OFFICER MEDEIROS: Well, it's K
23 and then I can't tell and maybe a T-H, so I was
24 assuming it might be Keith. I'm sorry.

25

26 UNIDENTIFIED VOICE: Not me.

27

28 HEARING OFFICER MEDEIROS: Maybe I
29 should pass it around. Is there anybody who filled out
30 a testifier form that hasn't -- other than I have a Ted
31 Bailey here, but if there's somebody else that maybe
32 had -- well, I think then I'll hold this aside and I'll
33 call Ted Bailey.

34

35 MR. BAILEY: I'm a retired wildlife
36 biologist and began work on carnivores on the Kenai
37 Peninsula in the 1970s. Before that I studied
38 carnivores in the Republic of South Africa, Montana and
39 Idaho. The National Wildlife Refuge System is the only
40 national land management system solely dedicated to
41 conserve wildlife.

42

43 In 1980, Congress acknowledged that the
44 Kenai National Moose Range was not only important to
45 conserve moose, but many other kinds of wildlife,
46 including Dall sheep, mountain goats, wolves,
47 furbearers and bears. It therefore redefined the
48 purpose of the Refuge and renamed it the Kenai National
49 Wildlife Refuge.

50

1 The proposal to temporarily close the
2 Refuge to the recently liberalized sport hunting of
3 brown bears on the Kenai Peninsula emphasizes that the
4 mandates for managing the Refuge are different from
5 those elsewhere on the Peninsula and that the Refuge is
6 the only area on the Peninsula that is specifically
7 directed to conserve bears along with other wildlife.

8
9 There is no biological justification to
10 reduce the brown bear population on the Refuge. The
11 current and naturally low population of moose in parts
12 of the Refuge is a result of normal forest succession
13 following large wildfires and the scarcity of available
14 browse, not predation by wolves and bears.

15
16 That human encounters with bears off
17 the Refuge have increased is not surprising when one
18 considers that the Peninsula's human population is the
19 second fastest growing in Alaska. That human
20 development is encroaching into former bear habitat off
21 the Refuge, that more livestock and pets are being kept
22 sometimes without adequate protection, and that bears
23 are being habituated to feed on human garbage.

24
25 Additionally, the majority, 59 percent,
26 of 264 defense of life and property kills of brown
27 bears, DLPs, on the Kenai Peninsula from 1960 to 2008
28 were on private, State and local government land, not
29 on the Refuge.

30
31 In conclusion, the circumstances
32 created by humans that produce problem bears off the
33 Refuge do not justify the increased removal of brown
34 bears that live on the Refuge, particularly bears that
35 seldom, if ever, encounter or naturally avoid humans.

36
37 Thank you.

38
39 (Applause)

40
41 HEARING OFFICER MEDEIROS: Thank you,
42 Ted.

43
44 So, again, I have one card that I can't
45 read the name on and I have not seen anybody claim this
46 card. So if there is nobody else who would like to
47 testify, it is now just after 8:00. I guess we're
48 going to go off the record for a little while and then
49 that will give the opportunity if anybody else shows up
50 because we have scheduled this meeting till 9:00

1 o'clock. So we'll see if somebody else shows up and
2 wants to testify.

3

4 MR. KOLE: I have a card up there.

5

6 HEARING OFFICER MEDEIROS: You do?

7

8 MR. KOLE: Yes.

9

10 HEARING OFFICER MEDEIROS: Okay.

11 Somehow I missed you. And your name?

12

13 MR. KOLE: Joe Kole.

14

15 HEARING OFFICER MEDEIROS: We're going

16 to get you another card.

17

18 UNIDENTIFIED VOICE: They lost it, Joe.

19

20 HEARING OFFICER MEDEIROS: We're going

21 to go back on the record and it's 7:05. Joe, you're

22 up. Excuse me, 8:05.

23

24 MR. KOLE: Thank you and I'm glad to

25 see you tonight. I'm against the closure, the

26 proposal. I believe that our Fish and Game is quite

27 capable of managing the bears. There's been so many

28 numbers put up there tonight and spoken of and the

29 average person, if you will, it's hard for us to get

30 our mind around all of that stuff.

31

32 I guess one of the things I have a

33 question on -- not a question, I just doubt. The

34 numbers up there that the population is going to grow

35 by 3 percent a year, okay. To me, put that in numbers,

36 3 percent. For every 100 bears that's 3. So if you've

37 got 500 bears, you're telling me that the population is

38 only going to increase by 15 bears a year. I don't

39 swallow that.

40

41 The other thing is that this isn't the

42 Serengeti where you can just fly over with a helicopter

43 and count all the bears and know how many you've got

44 and all that. I'm a life member of the Rocky Mountain

45 Elk Foundation. I'm a life member of the NRA. I'm

46 certified with the state as a hunter ed instruction.

47 I've been a hunter since I was a kid.

48

49 All I can tell you is that I know that

50 right now on this Peninsula with no dogs, no baits and

1 no airplanes, if you did not have a cap, which we do
2 have, Fish and Game has a cap as to how many females
3 can be harvested, you cannot kill and decimate the
4 population of brownies on this Peninsula to the point
5 where they won't come back. It will never happen.
6 There's too much cover, there's too much area where
7 people don't even get into. To me, that's not even an
8 issue.

9
10 I'm a new person. I moved here in 2000
11 and I've been saying for years we have more bears than
12 what people think. That's why we were having such a
13 large human encounter with bears, you know. How many
14 communities have two 1,000-pound brownies shot right in
15 the middle of town, you know. We have more brownies
16 than we all think on this Peninsula. Their recovery is
17 not going to be an issue. Again, the Fish and Game has
18 a cap on it. It's not like we're just going to go out
19 there as hunters and just kill every brownie that's out
20 there. That's not going to happen.

21
22 So I am against it and I say let the
23 Fish and Game manage it as it should be and let the
24 hunt go on.

25
26 Thank you.

27
28 (Applause)

29
30 HEARING OFFICER MEDEIROS: Thank you,
31 Joe.

32
33 So we're going to go off the record
34 again and it is just after 8:00 at 8:07.

35
36 (Off record)

37
38 (On record)

39
40 HEARING OFFICER MEDEIROS: It is now
41 8:40 and we have no more who have submitted testifier
42 forms and nobody has indicated that they would like to
43 testify, so we are going to close the meeting now.

44
45 (Off record)

46
47 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Salena A. Hile, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 02 through 47 contain a full, true and correct Transcript of Public Hearing taken electronically under my direction on the 27th day of August 2014 in Soldotna, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 10th day of September 2014.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/18