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U.S. FISH AND WILDLIFE SERVICE

PUBLIC MEETING

Public Comment  
Anchorage, Alaska  
November 21, 2013

Emergency 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 (Anchorage, Alaska - 11/21/2013)

4  
5 (On record)

6  
7 MR. LORANGER: Good evening, everyone.  
8 My name is Andy Loranger. I am the Refuge Manager for  
9 the Kenai National Wildlife Refuge. I'd like to first  
10 welcome all of you this evening and thank you for  
11 attending this public hearing and for your interest in  
12 wildlife conservation and in the Refuge.

13  
14 I'd also like to introduce a few  
15 people. To my far right here, Cathy Rezabeck will be  
16 our hearing officer this evening. She'll be running  
17 the hearing. Dr. Polly Wheeler to my immediate right  
18 is the Deputy Chief of Refuges for the Alaska Region.  
19 Refuge Staff here tonight includes Steve Miller to my  
20 left, our Deputy Refuge Manager, and Dr. John Morton,  
21 who is the Refuge's lead scientist and supervisory  
22 wildlife biologist. I think you may have met Todd  
23 Eskelin. You may have met him at the door. He's a  
24 wildlife biologist at the Refuge. Lastly, but very,  
25 very importantly, Tina Hile is here as our court  
26 recorder.

27  
28 This public hearing is being held to  
29 provide information on the U.S. Fish and Wildlife  
30 Service's recent closure of sport hunting of brown bear  
31 on the Kenai National Wildlife Refuge and to take  
32 public testimony on that closure. The Service closed  
33 the brown bear hunt on the Refuge through its  
34 authorities provided under the Alaska National Interest  
35 Lands Conservation Act or ANILCA and the National  
36 Wildlife Refuge System Administration Act as amended  
37 and pursuant to Federal regulations at Title 50 Part  
38 36.42 of the Code of Federal Regulations. These  
39 regulations provide that a public hearing will be held  
40 subsequent to any emergency closure of an Alaskan  
41 Refuge to the take of fish and wildlife.

42  
43 I'll begin by providing a brief  
44 overview of the closure and the basis for the Service's  
45 decision. Just before the public testimony portion of  
46 the hearing begins, Dr. Morton will give a presentation  
47 which provides additional detail on the biological  
48 reasons for the closure.

49  
50 The Service took this emergency action,

1 which went into effect on October 26th and extends for  
2 a period of 30 days because we believe the overall  
3 level of human-caused mortality of Kenai brown bears in  
4 2013, which includes both hunting and non-hunting  
5 related sources of mortality, had exceeded sustainable  
6 levels. The Service believes these mortality levels  
7 were such that they will have an immediate demographic  
8 effect on the Kenai brown bear population.

9  
10 At the time the closure went into  
11 effect, based upon data being provided to us by the  
12 Alaska Department of Fish and Game, a total of 66 known  
13 human-caused mortalities had occurred in 2013. This  
14 total included 43 bears taken during spring and fall  
15 hunting seasons, and 23 bears killed through the  
16 defense of life and property takings, illegal kills,  
17 lethal action by public agencies, vehicle collisions  
18 and other unknown causes. Of this total, over 50  
19 percent were female bears and 22 or 33 percent of all  
20 known human-caused mortalities were adult female bears.

21  
22 At 66 bears, overall known human-caused  
23 mortalities represented almost 11 percent of the best  
24 available scientific estimate of 624 brown bears on the  
25 Kenai Peninsula and the number of adult female bear  
26 mortalities represented nearly 11 percent of the  
27 estimated 200 independent female bears in this  
28 population.

29  
30 Additional available information  
31 further suggested a high rate of loss of adult female  
32 bears. Of 26 radio-collared adult female bears on the  
33 Kenai Peninsula being monitored by the Alaska  
34 Department of Fish and Game as part of a long-term  
35 population demographic study known to be alive in the  
36 spring of 2013, four or 15.6 percent of the radio-  
37 collared sample had been killed. Two during the  
38 hunting season and two from non-hunting related  
39 sources.

40  
41 If allowed to continue this season and  
42 into the immediate future, the Service believes that  
43 these levels of human-caused mortalities, particularly  
44 those of adult female bears, will result in a  
45 substantial reduction in the Kenai brown bear  
46 population and have high potential to create a  
47 conservation concern for this population. As such, the  
48 Service's emergency closure of the sport hunting season  
49 was deemed necessary to conserve a healthy brown bear  
50 population on the Refuge.

1                   In making this decision, we considered  
2 that the Kenai brown bear population remains a  
3 relatively small insular population, which cannot  
4 depend upon immigration to sustain itself and is a  
5 population which will continue to be strongly  
6 influenced by factors including habitat loss and  
7 fragmentation and high levels of human-caused  
8 mortality.

9  
10                   The Service's emergency closure of the  
11 brown bear sport hunting season is consistent with and  
12 directly supports meeting Refuge establishment purposes  
13 under ANILCA, which includes to conserve all wildlife,  
14 including bears, in their natural diversity and for  
15 providing opportunities for the public to conduct a  
16 variety of wildlife dependent recreational activities  
17 both consumptive and non-consumptive on the Refuge.

18  
19                   As such, I deem this closure of the  
20 brown bear sport hunting season on the Refuge necessary  
21 to ensure the continued compatibility of sport hunting  
22 of brown bears as an authorized use on the Refuge.

23  
24                   Before John provides some additional  
25 details, I will now ask Cathy to go over logistics for  
26 the hearing.

27  
28                   HEARING OFFICER REZABECK: Good  
29 evening. Thanks for coming. I know the weather is not  
30 the best and hopefully we'll be done and everyone will  
31 have the ability to testify before the weather gets any  
32 worse.

33  
34                   Just to reiterate, Andy mentioned that  
35 we're going to turn the floor over here in a few  
36 minutes to John Morton, who will be giving us a short  
37 PowerPoint presentation about the biological background  
38 for the closure. Following that we're not going to do  
39 Q&A after John's presentation mainly because we'd like  
40 to leave enough time for everyone who would like to  
41 testify to testify. Right now we've got 14.

42  
43                   If, at any time, those of you in the  
44 audience who have not handed in a card indicating that  
45 you're interested in testifying, if you decide you'd  
46 like to testify, just go to the back or raise your hand  
47 and we'll get a card to you and we'll make sure that  
48 you're able to do that.

49  
50                   So we will be taking during the

1 testimony to give you an opportunity to ask questions  
2 if you have them -- we'll take a 10 or 15-minute break  
3 kind of in the middle of the testimony so that everyone  
4 can visit the facilities, get a drink of water and  
5 perhaps ask a question or two if you have them.

6

7 We're hoping to conclude by 9:00, but  
8 if it turns out that everyone is not quite done, we can  
9 stay until 9:30. Let me stop there and see if you have  
10 any questions.

11

12 (No comments)

13

14 HEARING OFFICER REZABECK: Okay.  
15 Hearing none, we'll turn it over to Dr. John Morton.

16

17 DR. MORTON: My job is to basically go  
18 over a little bit of the background, go over the  
19 numbers, show you a little bit of modeling results and  
20 then show you next steps what the Kenai Refuge is  
21 considering.

22

23 So, as far as the background goes,  
24 everyone knows here's the Kenai Peninsula. The light  
25 green there is the Kenai Refuge. The Peninsula is 6  
26 million acres. The Kenai Refuge is 2 million acres.  
27 We're bordered on the back -- on the east side there by  
28 Chugach National Forest and then down in the blue there  
29 by Kenai Fjords National Park. I don't know if you can  
30 see the hatch mark there, but one of the significant  
31 pieces to the Refuge is it's 2 million acres, 1.3  
32 million of it is congressionally designated wilderness.

33

34 So our purposes under the 1980 Alaska  
35 National Interest Lands Conservation Act are to  
36 conserve fish and wildlife populations and habitats in  
37 their natural diversity, including a whole list of  
38 species and specifically bears. The important piece  
39 there too is that we are also supposed to provide  
40 opportunities for compatible fish and wildlife oriented  
41 recreation contingent on conserving populations of  
42 bears.

43

44 So we have two other pieces of Federal  
45 legislation that also govern how the Kenai Refuge does  
46 business. One is, as I mentioned earlier, we have 1.3  
47 million acres of wilderness, so we're governed by the  
48 1964 Wilderness Act and the Organic Act for the  
49 National Wildlife Refuge System is the 1997 Refuge  
50 Improvement Act in which we're charged to ensure

1 biological integrity, diversity and environmental  
2 health.

3

4                   So, if you're going to conserve bears,  
5 the first thing you want to know is how many bears. We  
6 launched a study in 2010. The fact that this is the  
7 first actual empirically-based estimate of Kenai brown  
8 bears tells you how difficult it is to monitor bears on  
9 the Kenai Peninsula. It's a heavily forested area and  
10 very mountainous. The history behind that, in 2010,  
11 when we were thinking about this -- now some of this  
12 has changed, but I want you to understand that we've  
13 been thinking about this for a while. It's not  
14 something that just popped up, you know, a month ago.

15

16                   Kenai brown bears were designated a  
17 population of special concern by the State of Alaska in  
18 1998 and then that designation disappeared in 2010. We  
19 know that the population on the Kenai Peninsula is, in  
20 fact, genetically less diverse and that immigration and  
21 emigration on and off the Peninsula does not happen  
22 very often. The only population guesstimate that was  
23 used prior to that was in 1999 by Gino, who is sitting  
24 back here, and he did a very plausible estimate of 250  
25 to 300 brown bears, but it was not actually  
26 empirically-based. It was simply multiplying the area  
27 of available habitat on the Kenai Peninsula by the mean  
28 bear density estimate from Susitna.

29

30                   Lastly, at the time we did this in 2010  
31 we weren't sure based on available data if the  
32 population was stable, increasing or decreasing and  
33 there was some information from the Interagency Brown  
34 Bear Study Team which indicated that low recruitment  
35 was a problem.

36

37

38                   So we launched -- the technology  
39 fortunately has changed and we've launched a DNA-based  
40 mark recapture estimate of the Kenai brown bear  
41 population and we constrained it to available bear  
42 habitat on the Federal and State. That includes Kenai  
43 National Wildlife Refuge and Chugach National Forest.

44

45                   I don't want to go into the technical  
46 details of what we did, but I want you to appreciate  
47 that we covered a very, very large area of the Kenai  
48 Peninsula. It was a very intensive effort where we had  
49 two helicopters running concurrently and consecutively  
50 for 31 straight days with four different crews out

1 there operating all over the Peninsula.

2

3                   One of the points I want to make here  
4 is that the sample frame is, in fact -- we feel very  
5 comfortable with what we've done because the sample  
6 frame is, in fact, representative of the Kenai brown  
7 bear population. Eighty-seven percent of the location  
8 data that we have available to us from 1987 through  
9 2005, 87 percent of the data for bear movements occurs  
10 on the sample frame.

11

12                   The distribution of 74 brown bear dens  
13 published by Michael Goldstein from the Forest Service,  
14 84 percent of those dens are, in fact, on the sample  
15 frame, so we feel very good about our study area.

16

17                   The number we came up with -- and,  
18 again, this is for Chugach National Forest and Kenai  
19 National Wildlife Refuge -- is 420 bears of all ages  
20 over the sample frame with a confidence interval of 350  
21 to 540.

22

23                   So if you take a look at this, what we  
24 did was we took our 428 bears on our sample frame, we  
25 threw out the area that we consider unavailable  
26 habitat, and basically we're talking the Harding Ice  
27 Field and Skilak and Tustumena Lake, very obvious  
28 places where bears don't occur, and we bring it down to  
29 9,500 kilometers square. We're able to trim that  
30 number into a density of 45.1 bears per 1,000 kilometer  
31 square. We take that density and we multiply it  
32 forward by the available habitat on the rest of the  
33 Peninsula, total of 13,800 kilometers square, and we  
34 come up with 624 bears on the Kenai Peninsula, of which  
35 200 are considered independent females, 200 are  
36 considered independent males and 224 are dependent  
37 young.

38

39                   The interesting piece of this is if you  
40 look at the density of what we estimated, 45.1 bears  
41 per thousand kilometer square, and we compare it with  
42 what Sterling Miller published in 1997, Kenai Peninsula  
43 is smack in the middle of what Sterling Miller calls  
44 the densities for Interior grizzly bears and the  
45 coastal brown bears, basically saying that we are at  
46 very very low end of coastal brown bear densities.

47

48                   I'm not going to go through all of  
49 this, but I want you to appreciate some of the bear  
50 management actions leading up to this. There were a

1 number of variations on spring and fall hunting seasons  
2 in the early '90s and then in 1998 the interagency  
3 community decided to take a more conservative approach.  
4 ADF&G designated the Kenai brown bears a population of  
5 special concern.

6  
7 In 1999, that's when Gino estimated  
8 that there might be 250 to 300 bears, and partly as a  
9 result of that there was a registration hunt cap of 14  
10 human-caused mortalities put in place, of which you  
11 could take no more than 6 females of any age. You go  
12 down to 2001, in terms of managing Kenai brown bears,  
13 this was a very conservative time. I'll show you a  
14 slide here shortly.

15  
16 The Interagency Brown Bear Study Team  
17 produced a very fine document called Conservation  
18 Assessment of Kenai Brown Bears. In 2003, the cap was  
19 increased a little bit more to 20 human-caused  
20 mortalities, of which up to eight adult females could  
21 be taken. By the time you get down to 2009, the cap is  
22 elevated a little bit more. You could take up to 10  
23 adult females -- or no more than 10 females. In 2010,  
24 we produced our population estimate of 624 bears.  
25 Then, as we move into the 2012/2013 season, this is  
26 when we start getting into the 2013 regulatory  
27 framework that was put in place by the Board of Game  
28 and ADF&G.

29  
30 Over on the side you can see numbers  
31 that are tracking during this time of adult female  
32 human-caused mortality in red and the total human-  
33 caused mortality. When I talk about total human-caused  
34 mortality, I'm talking both harvest and other sources  
35 of human-caused mortality, most of which is killings in  
36 defense of life or property.

37  
38 So this is basically the numbers turned  
39 on its side so you can kind of see graphically how it  
40 occurs. The red is legal harvest, blue is other,  
41 primarily killings in defense of life or property.  
42 What you'll see is that in the early years there of  
43 late 1999 and the early 2000s you'll see that the red  
44 basically disappears and that's because at this point  
45 the population was being managed very conservatively  
46 and there really wasn't any hunting going on at that  
47 time. A lot of DLPs. As we come into 2011-2013, you  
48 see the numbers jump very very high. During the period  
49 from 1973-2011, the average annual take of bears was  
50 11.3 bears. It jumps now to 2013 where we hit 70, so

1 it's an enormous jump in bear take.

2

3                   So the 2013 regulatory changes to the  
4 Kenai brown bear population really are unprecedented  
5 for the brown bear population. It went from a limited  
6 drawing hunt to a general registration hunt. It went  
7 from a very short season to one that went from  
8 September 1 through May 31 and now overlaps with the  
9 moose general season so that there's additional  
10 opportunity to take bears.

11

12                   Come this spring, it's been authorized  
13 now that brown bears can be taken over registered bait  
14 stations. The hunt went from four bears per regulatory  
15 year to one bear per regulatory year. What that does  
16 is actually -- it's an incentive to kill any bear  
17 rather than be selective and kill boars. In 2014, we  
18 kick in a human-caused mortality cap of 70 bears  
19 regardless of sex or age, so there is no longer a cap  
20 based on adult females. Very importantly in 2013, which  
21 is right now, there is no cap.

22

23                   So in 2013 this is what it looked like.  
24 I'm going to go over all the numbers, but basically 70  
25 bears are dead. Over half of them, 38, were killed on  
26 Federal lands. Twenty-six of those, that's what's in  
27 parentheses, is the number specifically that we know  
28 came from the Kenai Refuge. So 26 bears out of the 70  
29 we know to be killed on the Refuge. Very importantly,  
30 10 of those are adult females that were taken from the  
31 Refuge. In total, 24 adult females were killed out of  
32 the 70. That's just an enormous number, just huge.

33

34                   Oh, let me back up. Just to reiterate  
35 what Andy had said earlier, he gave an earlier  
36 statistic at the time that we closed down the season.  
37 We've since had another collared sow killed, so now 5  
38 out of 26 collared animals have been killed. That's a  
39 19 percent take of tagged adult females.

40

41                   So I'm not going to go over all of  
42 this, but what I want to do is try to show you what the  
43 effect of taking 70 bears is, especially if you take in  
44 2013, 2014 and 2015, which is what's been proposed.  
45 The data for the Vortex model -- we used a model called  
46 Vortex and the data that we used here came from Sean  
47 Farley's annual report published from this year 2013,  
48 so it basically embraces the data from 1995 through  
49 2012. It's data that's identical to what ADF&G used in  
50 the 2013 report. The only difference really is that

1 our initial populations that we chose to use were 428  
2 and 624. Those are the numbers that we estimated for  
3 the Federal estate 428 and 624 for the Kenai Peninsula.

4  
5                   So this is the population trajectory  
6 right now prior to 2013. Basically it's an increasing  
7 population trajectory. It's increasing at about 3  
8 percent per year as the model dictates it. If we had  
9 let it run for three years starting at 624, which is  
10 what we said the population was in 2010, in principle,  
11 at three years later, we ought to be at 681. So a net  
12 gain of 60 animals or so.

13  
14                   The trajectory run now, given 70 bears  
15 per year and 24 adult females -- or 20 adult females --  
16 that's how I modeled it, was 20 adult females -- we're  
17 on a trajectory now for 10 percent per year over the  
18 next three years. So we rapidly go from 624 to 464, a  
19 very low number relative to where we are now. If you  
20 look at a lot of the -- in the endangered species  
21 literature, numbers -- populations below 500 are  
22 considered evolutionarily not viable.

23  
24                   So to kind of show you what drives the  
25 growth rate, what I've modeled here is just for the  
26 Federal estate, so we start at a number at a little  
27 over 400 and the number in red here is the current  
28 trajectory, so that's the 3 percent trajectory where we  
29 have no additional human-caused mortality of adult  
30 females. So it's based on the 1995-2012 growth rate.

31  
32                   The very bottom -- the reason I'm  
33 showing you these, I'm trying to bracket this, you can  
34 put this in context, the very bottom is the growth rate  
35 if the current regulatory framework continues for three  
36 years. Basically it puts us very quickly on this very  
37 steep 10 percent decline. So the numbers I'm showing  
38 here, the growth rate I'm showing here varies from 3  
39 percent at the top, a positive 3 percent to a -10  
40 percent.

41  
42                   What you see here is for every  
43 incremental -- I'm showing you by 2 adult females over  
44 a 25-year period, so this is 2 additional -- 2 adult  
45 females -- like in the case of HCM equals 2, it's 2 in  
46 each of 25 years additional, okay. What it shows is  
47 that you get a very marked change in the growth rate,  
48 very very quickly. If you're operating at around 12  
49 HCM -- and keep in mind we've got 24 this year, okay.  
50 If you're operating at 12, you're put on a -- there's a

1 33 percent probability of extinction in 25 years.

2

3 In summary, this is why we closed the  
4 2013 season. The known human-caused mortality in 2013  
5 is 70 brown bears on the Kenai Peninsula, which 24  
6 adult females. That's 12 percent of independent -- of  
7 which 24 were adult females, 12 percent of our  
8 estimated independent females. Twelve of these adult  
9 females were taken on Federal lands. A harvest level  
10 that if sustained raises a probability of extinction  
11 over a 25-year period to 33 percent. Then 5 of 26,  
12 that's 19 percent of radio-collared adult females, were  
13 killed in 2013.

14

15 As you project forward, some of the  
16 things that we're looking at that we're very concerned  
17 about is the 2014 season includes take over registered  
18 bears -- brown bear take over registered bait stations  
19 as well as an extended spring season.

20

21 The bottom line is that continued  
22 harvest at this level through 2015 would put the  
23 Peninsula-wide population below 500 bears, frequently  
24 cited as the minimum number to be evolutionary viable.

25

26 Lastly, the Kenai Peninsula is still --  
27 the population is still small and highly sensitive to  
28 adult female mortality, unreported illegal take and  
29 non-hunting human-caused mortality.

30

31 I just put this in there because I  
32 really wanted you to appreciate that this is not coming  
33 out of nowhere. We've been thinking about this for a  
34 while. This is a direct quote from the Conservation  
35 Assessment of Kenai Brown Bears, which was done by the  
36 four agencies; National Park Service, U.S. Fish and  
37 Wildlife Service, U.S. Forest Service and ADF&G. The  
38 bottom line is we've been very aware that we may have  
39 to actually implement changes in recreational  
40 opportunities to sustain brown bears on the Kenai  
41 Peninsula.

42

43 So the next steps the Refuge is  
44 currently considering. Needless to say, we are  
45 pursuing continued coordination with Alaska Department  
46 of Fish and Game. The Refuge has already decided no  
47 brown bear harvest over bait on the Refuge. Then what  
48 we may consider as time goes on here, and this is all  
49 contingent on having an additional public stakeholder  
50 meetings or public hearings rather, would be a

1 regulatory framework with emphasis on protecting adult  
2 females. Again, this is on the Refuge, not off the  
3 Refuge, with the idea of adjusting season dates,  
4 perhaps a later fall season opening or an earlier or no  
5 spring opening and spacial closures.

6

7 I'm sorry I can't answer questions now.  
8 I am available during the break. Here's my email and  
9 phone number if you want to call me. I'll be glad to  
10 answer questions in detail there as well.

11

12 HEARING OFFICER REZABECK: Thanks,  
13 John. So the next part of the evening is the public  
14 hearing part and Tina will be taking your testimony,  
15 recording it for the record. I just wanted to kind of  
16 do a little rundown on how this will work to make sure  
17 we get everybody in. My job is to kind of move the  
18 process along and make sure everybody gets their  
19 opportunity.

20

21 We would ask that if someone is  
22 testifying, you do not stop them and ask a question of  
23 them and that's another reason for the break so that we  
24 can give people an opportunity to talk to one another.  
25 I have collected the cards that you filled out as you  
26 came in and they're in the order in which you arrived.  
27 What I'll do is I'll call your name and then I'll call  
28 the person on deck as well so you'll know who the next  
29 person will be too.

30

31 When it's your turn, please come up to  
32 the table. We'll make sure -- did you just turn on the  
33 mic?

34

35 DR. WHEELER: I just turned it off.

36

37 HEARING OFFICER REZABECK: Oh, okay.  
38 We'll turn it back on in a minute. We'll make sure  
39 that -- go ahead and if you have written comments you'd  
40 like to turn in, we'll take those for the record. They  
41 will be -- they will help Tina transcribe the  
42 transcription -- the recording after the meeting is  
43 over. When you get to the microphone, we'd appreciate  
44 it if you would state your name and then spell your  
45 name so that we make sure we get that accurately.

46

47 We ask that for individuals you limit  
48 your comments to three minutes and Polly, next to me,  
49 will be timing you and we'll let you know when that is  
50 over. For organizations, go ahead and take five

1 minutes. Let's see if I've forgotten anything here.

2

3 We had asked the State of Alaska if  
4 they wanted to testify first this evening and they have  
5 opted not to. So we're going to go ahead with the  
6 first person who arrived, who is Paul Joslin, and he  
7 will be followed by Val Glooschenko. Come on up, Paul.

8

9 MR. JOSLIN: Yes, thank you for the  
10 opportunity to speak. My name is Paul Joslin. That's  
11 spelled J-O-S-L-I-N. At the March Board of Game  
12 meeting on the Kenai, the Board decided that it would  
13 approve a lot of expansion in predator control. The  
14 approved regulation increased for black bears, for  
15 wolves, coyotes and pointedly for here to increase the  
16 hunting on brown bears. I won't go into the various  
17 ways they liberated. Just made it a vast expansion  
18 over what they had before.

19

20 Well, given that most land on that  
21 Kenai is the Kenai Wildlife Refuge, I was delighted  
22 that Andy Loranger, the manager, expressed opposition  
23 to all of the predator-related proposals calling for  
24 increased harvest on the Refuge. He stated, and I'm  
25 going to quote it here, without action by the Board to  
26 exclude Refuge lands, the only alternative left for the  
27 Service is to use its only regulatory authorized  
28 authority to ensure the legal mandates.

29

30 Well, the Board of Game's primary  
31 motivation for initiating this aggressive action on  
32 predators is to expand its take really on moose. That  
33 is it recognized it had a declining moose population  
34 and it wanted to increase moose hunting opportunity and  
35 one way it saw of doing this was to do predator  
36 control. The problem is that, as many biologists have  
37 pointed out, the primary cause of moose decline is due  
38 to moose not having enough willow, birch, aspen and  
39 other forage to eat, not overhunting by predators.

40

41 Most of the habitat has been taken over  
42 by spruce because of fire suppression and moose don't  
43 eat spruce. Fire is a natural part of the ecology on  
44 the Kenai. Elsewhere as well. The suppression that we  
45 currently have, it's hard to get around that because  
46 we've got so many buildings down there now. You have  
47 to worry about air quality that even extends over to  
48 Anchorage.

49

50 So what you had, you had the last big

1 fire in the '60s, which resulted in maximum moose  
2 habitat in the 1980s and it's been in decline ever  
3 since. In essence, what's happened is that the  
4 disproportionate number of moose are now malnourished,  
5 carry insufficient fat, they get poor musculature, they  
6 produce lower than average number of twin calves, etc,  
7 etc, etc.

8

9 Both U.S. Fish and Wildlife Service and  
10 the Alaska Department of Fish and Game have advised the  
11 Board of Game that without making substantial changes  
12 with respect to burning or mechanical removal we're  
13 going to continue to see this decline. However, what  
14 we have is predator control. It's just you don't  
15 recognize the value of predators. Their purpose is to,  
16 in the case of moose, removing the sick and the weak.  
17 Particularly when you deal with bears, you're dealing  
18 with calves and others that might fall in that  
19 category. That helps put less pressure on browse.

20

21 HEARING OFFICER REZABECK: Paul, I  
22 might ask you to conclude, please.

23

24 MR. JOSLIN: In essence, what it comes  
25 down to is strong support for the U.S. Fish and  
26 Wildlife's recent emergency brown bear hunting closure  
27 on the Kenai that is absolutely needed both not only  
28 for the bears but for the bigger picture, the prey as  
29 well. Thank you.

30

31 HEARING OFFICER REZABECK: Thank you  
32 very much. Next up is Val Glooschenko followed by Andy  
33 Josephson.

34

35 MS. GLOOSCHENKO: Good evening. My  
36 name is Val Glooschenko. I'm a resident of Anchorage  
37 since 2000 and I've attended most of the Board of Game  
38 meetings for as long as I've been here. I'm delighted  
39 that the Fish and Wildlife Service is offering this  
40 hearing and I want to start off by congratulating Andy  
41 Loranger for his actions both in the situation with  
42 Skilak and stopping predator control there and I did  
43 testify during the summer along with a number of others  
44 and also this latest move.

45

46 My remarks will not be as long as I  
47 originally intended because much of the ground has been  
48 covered for you already in term of the scientific  
49 rationale and the essential nature of moving ahead with  
50 this closure. However, I'd like to just recapitulate a  
50 little bit about one Board of Game meeting that

1 particularly made an impression upon me.

2

3                   A guide got up and he said I'm a guide  
4 and, of course, my business is to provide hunting  
5 opportunities, but you, the Board of Game, he said, you  
6 have the concept that we know the desire for moose is  
7 insatiable. There will always be more desire for moose  
8 than there are moose available. So there will never be  
9 enough for a moose in every pot, so, Board of Game,  
10 back off. This isn't going to work because you could  
11 destroy everything, take all the iconic predators out,  
12 and there still wouldn't be enough moose for one in  
13 every pot.

14

15                   So I'm going to kind of just ease off  
16 on that comment a bit, but also go back to a phrase  
17 I've heard again and again where the Board of Game  
18 appears and then the ADF&G follows in its directives to  
19 create the concept that Alaska should be a game farm.  
20 We should be in business to provide as much moose as  
21 people could possibly use.

22

23                   Well, that may be the case in the rest  
24 of Alaska, but this is a Refuge. These are our  
25 animals. These are my animals and I want to know  
26 they're there. So I congratulate Fish and Wildlife  
27 Service for its action and I would say -- I do have the  
28 Compass piece from the Board of Game folks and I'm  
29 going to quote a couple things before I complete my  
30 action here.

31

32                   The Board of Game suggests that we  
33 should be concerned with a movement toward passive  
34 management. They're calling the Refuge management  
35 passive management. I think it's very active and very  
36 proactive that it works for me and a lot of other  
37 Alaskans.

38

39                   Also Alaskans depend on the State to  
40 actively manage its wildlife and habitats for harvest  
41 opportunities to feed their families. Well, that may  
42 be the case, but not from the Refuge, folks. Okay?  
43 And to talk about reducing the population of brown bear  
44 to less than 500. Well, as a biologist, and many of  
45 you know and as he pointed out, below 500 it gets to be  
46 a viability question and we can't afford that for  
47 Alaska's precious brown bear population.

48

49                   Thank you.

50

1 HEARING OFFICER REZABECK: Thank you  
2 very much. If Andy Josephson would come forward,  
3 please, followed by Bob Mumford.

4  
5 MR. JOSEPHSON: Thank you for the  
6 chance to testify this evening. I want to first of all  
7 support the Service's effort in its closure and beyond  
8 that its ongoing effort to develop a final management  
9 plan for bears in the Kenai National Wildlife Refuge. I  
10 think that it's not required that the Federal  
11 government be complicit in the State's predator control  
12 program. It's just not required. This is something  
13 that I couldn't -- well, I could and have testified  
14 before the Board of Game and made recommendations and  
15 made arguments, but more often than not, with very rare  
16 exceptions, they fall on deaf ears.

17  
18 This is an opportunity for Alaskans to  
19 also be Americans and to testify before a Federal  
20 agency and seek some benefit for non-consumptive users.  
21 That is something dearly missing with the Board of  
22 Game. I think there's an argument that it's out of  
23 compliance with the Board of Game's statutory  
24 requirements in Title 16, but that's a separate issue.

25  
26 I think that politically part of what's  
27 going on here is the whole issue of ANILCA, the failure  
28 to comply, I've been concerned that there's been some  
29 Federal underreach. I think this is an example of  
30 State overreach actually and I think that the Federal  
31 government has, in instances like this, been reluctant  
32 to, I think, support the non-consumptive use and,  
33 frankly, the tourism industry as well. So I think  
34 you're doing the right thing.

35  
36 I would note that there is an article  
37 from a Craig Medred, who is a hunting supporter and  
38 advocate, very experienced author on hunting and in --  
39 relative to this issue by the way, so this is timely.  
40 He talks about State wildlife authorities agreeing that  
41 a 10 percent take is too much and it suggests the 5-6  
42 percent is more viable. I'm concerned that the  
43 biologists at the lower levels who you don't hear from  
44 from the Department of Fish and Game are not being  
45 heard and that there's something that Craig Medred is  
46 referring to here that's suggestive of that fact.

47  
48 So I applaud what you're doing. I  
49 think you shouldn't be timid about it and thank you for  
50 the time to testify.

1 HEARING OFFICER REZABECK: Thank you  
2 very much. Next we have Bob Mumford. By the way, what  
3 we'll do is we'll go through -- we have 14. We'll go  
4 through number 8 and then we'll take the break. Bob  
5 will be followed by John Schoen.

6  
7 MR. MUMFORD: Thank you for allowing me  
8 to be here. As you said, I'm Bob Mumford. My last  
9 name is spelled M-U-M-F-O-R-D. I'm here tonight on  
10 behalf of myself, but I will throw myself on the sword  
11 and tell you I'm a part of the dreaded Board of Game.

12  
13 You know, I came here tonight wanting  
14 to say a whole lot of different things and I watched  
15 the slide presentation, the same one you watched, and I  
16 would probably argue some of those points, but I wanted  
17 to try and clear up a couple of things.

18  
19 The gentleman before me said that when  
20 he testifies it largely falls on deaf ears. I don't  
21 believe that to be true. I would say sometimes we may  
22 disagree with you, but I listen to what everybody has  
23 to say. I read every note that anybody sends in as a  
24 public comment.

25  
26 There's a couple misconceptions, I  
27 believe, about the bears on the Kenai Peninsula. One  
28 of our actions here or what I'm trying to clear up is  
29 that this isn't a predator control program. The  
30 numbers, we can argue them, you know, whether it's 632  
31 bears or more like what Gino Del Frate had gone with.  
32 We had looked at 250 to 300 bears.

33  
34 This bear population has doubled. The  
35 previous harvest management allowed this to double in  
36 size from what we had managed for and what had been  
37 managed for. When we bring out the number of 500, that  
38 that may take them into oblivion, we never thought  
39 there were 500 in the first place on the Kenai. Nobody  
40 did. You know, it's been managed different than that  
41 for years.

42  
43 More than arguing the numbers tonight  
44 or whatever, I guess if I could do anything with this  
45 Board -- and I'm a fairly new member. I'm the newest  
46 guy on there and I'm probably the most conservative in  
47 that sense. You know, I am a photographer, I love  
48 that. I'm a wildlife viewer 95 percent of the time and  
49 I'm a hunter maybe 5 percent of the time and a lousy  
50 one at that.

1                   But I sometimes feel -- and I don't  
2 mean to direct it at you, Andy, but I sometimes feel  
3 like the agencies don't come together and share  
4 information and really sit down and work with this. I  
5 mean as a Board member it's important to me. I want to  
6 make sure we get this and get this right. This Board  
7 does not want to see bears disappear from the Kenai  
8 Peninsula. We want to see them managed. We'd like to  
9 see a good, healthy, sustainable population.

10  
11                   But we believe, and the numbers I  
12 thought that were presented to us in the Board when it  
13 was in Kenai say, that we're above that. We can bring  
14 them down some and we brought them down some. The  
15 Board never intended to keep a 70 bear issue going to  
16 where we kill 70 bears per year and drop this into a  
17 real low range or have bears wiped out of the Kenai  
18 Peninsula.

19  
20                   I love them. I'm glad they're there.  
21 I like to photograph them. I've never shot a brown  
22 bear, but I may one day. I don't know.

23  
24                   HEARING OFFICER REZABECK: Bob, if  
25 you'd conclude please.

26  
27                   MR. MUMFORD: Okay. Please don't think  
28 that this Board doesn't listen to Alaskans. We try to  
29 very hard. I know I do. It's passionate to us as much  
30 as it is to you. Just understand that we're going to  
31 have our differences on how it should be. Thanks.

32  
33                   HEARING OFFICER REZABECK: Thank you  
34 very much. John Schoen is next followed by Marcie  
35 Heckler.

36  
37                   MR. SCHOEN: Good evening. My name is  
38 John Schoen, S-C-H-O-E-N. I'm a former State brown  
39 bear research biologist recently retired from Audubon  
40 Alaska and I served on the Kenai brown bear stakeholder  
41 group back in 2000 when we completed the conservation  
42 strategy.

43  
44                   I strongly support -- and let me also  
45 say that former Governor Knowles called me this  
46 afternoon and asked me if I would represent his  
47 concerns this evening, so I'm speaking for both of us.  
48 We strongly support the Fish and Wildlife Service  
49 emergency closure on the Kenai Refuge. Fish and  
50 Wildlife Service had a very well-reasoned decision

1 based on sustainable management of the resource.

2

3                   John Morton gave an excellent  
4 presentation tonight. As a bear biologist, I  
5 understood that presentation. I think that his  
6 information tracks with what I've learned over my  
7 career. I might say that there's no empirical evidence  
8 available that the population has doubled or has  
9 substantially increased because there's only one  
10 scientific population estimate. So that's an important  
11 point I wanted to make here.

12

13                   I think that it's important to look  
14 back at about 1999 when the stakeholder group was  
15 getting started. Alaska Fish and Game did a survey on  
16 public attitudes on brown bears in the Kenai Peninsula  
17 and they asked a question. Sixty-one percent of Kenai  
18 residents said bear numbers should increase or stay the  
19 same. You can look up that survey. Eight percent of  
20 Kenai residents said they should decrease. Now, you  
21 know, maybe that's changed, but I don't know that  
22 there's been any additional population or public  
23 opinion survey, but that's something to keep in mind.

24

25                   I think it's very important that the  
26 Refuge address long-term sustainable management  
27 strategies for the Kenai. The work that you're doing  
28 with the modeling, you know, and I encourage  
29 collaboration between the State and the Forest Service  
30 and Fish and Game. I think you should have an emphasis  
31 on protecting that female cohort, that reproductive  
32 female cohort. I think, you know, letting brown bears  
33 be hunted on the Refuge over bait would be a mistake.  
34 There's just the likelihood of taking too many bears.

35

36                   I have two quick suggestions that you  
37 may want to consider. One is conducting additional  
38 human dimensions research on public attitudes towards  
39 brown bears in the Kenai. That's something that could  
40 be contracted out. The other, if there's a continued  
41 disagreement with the State of Alaska over bear numbers  
42 and sustainable levels, you might consider engaging a  
43 panel of independent brown bear scientists who could  
44 review and evaluate a sustainable brown bear management  
45 strategy. International Association of Bear Research  
46 and Management would be a good source.

47

48                   HEARING OFFICER REZABECK: John, if  
49 you'd conclude, please.

50

1 MR. SCHOEN: I'm finished. Thank you.

2

3 HEARING OFFICER REZABECK: Thank you.

4 Next we have Marcie Heckler, followed by Kim

5 Fitzgerald.

6

7 MS. HECKLER: Madame, I'm going to turn

8 in a written statement and withdraw my request to

9 speak. I'm Marcie Heckler.

10

11 HEARING OFFICER REZABECK: You're

12 Marcie. All right, very good. Kim, are you -- here

13 she comes. And the next will be Doug Vincent-Lang.

14

15 MS. FITZGERALD: Hello. I'm Kim

16 Fitzgerald, F-I-T-Z-G-E-R-A-L-D. Of course I've got a

17 thousand scribbles because I had intended to ask some

18 questions rather than make statements, but I would like

19 to say I absolutely -- I and numerous people from the

20 valley, some of us drove all the way in from the

21 valley. Citizens, not necessarily affiliated with any

22 group. We absolutely support the emergency closure and

23 we support the fact that you're presenting science to

24 back up your reasons.

25

26 I so agree with John about -- well, the

27 agencies working together more but also to have more

28 public hearings and get more public input. One of the

29 biggest challenges that we as the public have is we

30 don't get enough information on meetings and/or what's

31 happening and we get blanket statements mainly from

32 Fish and Game or Board of Game that appear plausible

33 but there's no evidence behind them, nor are there any

34 presentations.

35

36 The public needs to hear more because,

37 in the estimation of those of us who are involved, many

38 of the decisions are not based on science. This is a

39 scientifically-based decision that I find credible.

40

41 As much as I applaud you for your

42 passion, and you're saying that you listen to everyone

43 at the Board of Game meetings and you hear everyone,

44 I've been to too many for too many years and too many

45 involved. Your credibility of the organization is

46 falling and falling because of the literal disdain,

47 which also affects the way your decisions are received.

48 Scientists have presented. The public isn't listened to

49 properly and this is a consensus of -- and I'm born and

50 raised hunter. This is not a hunting issue. I believe

1 in wise hunting and scientific hunting.

2

3 Many of us are very confused as to why  
4 Fish and Wildlife has to answer to Fish and Game when  
5 this is on Federal land and it's a Refuge. Not only  
6 your area, but also Denali. So there are a lot of  
7 questions to be answered.

8

9 The biggest thing we would like to see  
10 is more advanced publicity of decisions or matters  
11 being discussed, especially when it comes to predator  
12 control that's not scientifically based. Again, I'm a  
13 hunter, you know. I want to see moose there too, but  
14 there's a balance in nature and the opinion of much of  
15 the public now is that the Board of Game decisions,  
16 especially this one which is so extreme, are  
17 politically based more than scientifically based.

18

19 I do really wish that if you have that  
20 much respect for the Board of Game that you help them  
21 up their image and involve the public because the Board  
22 of Game not being elected, they're appointed, they are  
23 not responsible to the public, thus they do not give  
24 out timely or sufficient information for enough public  
25 to become motivated.

26

27 HEARING OFFICER REZABECK: Kim, would  
28 you conclude, please.

29

30 MS. FITZGERALD: Okay. I think that's  
31 it. We're just thrilled you're doing this. We would  
32 like to have more meetings of this sort and be included  
33 and see the public get more information.

34

35 Thank you very much.

36

37 HEARING OFFICER REZABECK: Thank you.  
38 Next up is Doug Vincent-Lang and then followed by a  
39 short break.

40

41 MR. VINCENT-LANG: Hello. On October  
42 26th the Service closed hunting for brown bears on the  
43 Kenai National Wildlife Refuge. In so doing, the  
44 Service unnecessarily preempted State hunting  
45 regulations legally adopted by the Board of Game in a  
46 comprehensive public process.

47

48 As justification for the closure, the  
49 Service stated that their action was necessary because  
50 the State's management approach exceeded sustainable

1 levels and threatened long-term viability. Actually  
2 it's quite an accusation and the Department is  
3 constitutionally required to manage populations for  
4 sustainability. In essence, the Federal government is  
5 accusing the State of mismanaging brown bears to an  
6 extent that we are threatening their viability and  
7 violating our constitutional mandates. This is simply  
8 not accurate.

9  
10 We agree that this year's harvest of  
11 bears at the level approved by the Alaska Board of Game  
12 cannot be sustained indefinitely. This said, it was  
13 not the intent of the Board or the Department to  
14 maintain these harvests at this level indefinitely.  
15 Instead, these harvests were meant to be temporary to  
16 address increased human/wildlife conflicts by taking  
17 those bears most likely causing difficulties, providing  
18 expanded hunt opportunities based on new Service  
19 population estimates that minimally doubled the  
20 estimated population of bears on the Peninsula and to  
21 reduce or stabilize bear numbers.

22  
23 It was not a predator control program.  
24 If it had been a predator control program, it would  
25 have been operated under the Department's IM protocol.

26  
27 The Department reviewed the Board's  
28 proposed approach at the meeting and concurred that the  
29 short-term strategy would not have an adverse impact on  
30 the long-term viability of the brown bear population.  
31 If there had been concerns, the Department would have  
32 stepped in to prevent overharvest. Also, the  
33 Department retains the authority to restrict hunting at  
34 any time if our biologists believe it's necessary to  
35 ensure for conservation. Simply put, our professional  
36 biologists agree that there is no long-term  
37 conservation concern with the number of bears killed  
38 this year.

39  
40 It will probably surprise many to know  
41 that we repeatedly tried to discuss this issue with the  
42 Service before they implemented their preemption  
43 closure. We had nothing to hide from the Service and  
44 regularly sent them updated harvest figures. Instead,  
45 the Service repeatedly stated an unsubstantiated  
46 concern about this year's harvest, but could not or  
47 would not provide us with empirical data showing the  
48 harm that concerned them. They would not tell us a  
49 number above which they thought we should take action  
50 to insure for sustainability. Instead they told us we

1 must close the hunt to prevent them from taking  
2 unilateral action to close Federal lands.

3  
4           Absent their analysis of any harvest  
5 impact on long-term conservation, I, as the director,  
6 was not inclined to close the legally authorized hunt  
7 that my staff agreed was not affecting long-term  
8 sustainability of the population. In short, the hunt  
9 was having the desired effect requested by the public  
10 and envisioned by the Alaska Board of Game and was not  
11 causing conservation concerns.

12  
13           Over the past 50 years biologists from  
14 our Department have learned a great deal about how to  
15 manage Alaskan brown bears. We have some of the  
16 biggest experts in the field. We have learned that  
17 with adequate natural resources and conservative  
18 harvest strategies brown bear populations are much more  
19 resilient than had been previously assumed.

20  
21           The Kenai population is a good example  
22 of this as it has increased in size in the past couple  
23 of decades to the point that dangerous bear/human  
24 interactions are also increasing. Based on our  
25 successful management programs throughout the state, we  
26 are confident in our ability to achieve sustainable and  
27 healthy bear populations across the Kenai while  
28 balancing the public's desire to stabilize or reduce  
29 the size somewhat.

30  
31           Because the State refused to capitulate  
32 to a closure, the Service chose to exercise the  
33 supremacy to preempt State regulations on Federal land  
34 and close the State hunt without specifying any  
35 specific metrics that caused them concern. All they  
36 stated to me on numerous occasion was extreme concern  
37 over this year's harvest levels and its possible impact  
38 on long-term conservation.

39  
40           One has to ask though if the hunt was  
41 causing such dire impact to the brown bear population,  
42 why didn't the Service simultaneously close the  
43 Federally-authorized hunt. This Federal hunt targets  
44 the exact same population as the State hunt and could  
45 cause additional harvest and harm if the Service  
46 mysteriously left it open.

47  
48           In many discussions with the Service,  
49 we have been told that their legal mandates require  
50 them and the State to maintain, quote, natural

1 diversity of brown bears on the Refuge. We spent  
2 considerable time talking to them and when queried what  
3 natural diversity means, we have received varying  
4 responses including State regulations cannot result in  
5 any change in bear numbers or alter their population  
6 trend or trajectory on the Kenai Peninsula.

7  
8 State regulations must maintain the  
9 important biological functions that brown bears serve  
10 and have served as predators and recyclers of marine-  
11 derived nutrients and/or State regulations must ensure  
12 Kenai Peninsula bear numbers are maintained at a rate  
13 equivalent to other coastal brown bear populations  
14 irregardless of the fact that the Kenai is a populated  
15 area.

16  
17 Unfortunately, none of these provide  
18 specific metrics to guide State management and prevent  
19 preemption. So we are left to guess and interpret to  
20 the best of our ability what these undefined goals  
21 might mean. Through the Alaska Constitution, the  
22 Alaska Department of Fish and Game is required to  
23 maintain sustainable populations of fish and wildlife  
24 for the maximum benefits of the people. Populations  
25 that are sustainable are biologically diverse and vice  
26 versa. By managing for sustainable populations, I  
27 believe the Department is meeting the requirements of  
28 the Service for biologically diverse populations.

29  
30 So if the Department is managing for  
31 sustainable and biologically diverse populations and  
32 that population is without conservation concerns, what  
33 is the Service really trying to do?

34  
35 Our perspective is that this is not a  
36 biological issue, but a philosophical divide. It pits  
37 the theory of non-intervention enshrouded in an  
38 ambiguous interpretation of the Service's biological  
39 integrity policy against the active management  
40 philosophy long employed by the State. The Service has  
41 embraced the philosophy that man should not intervene  
42 in natural processes, including the management of  
43 wildlife despite the outcomes as prescribed in their  
44 own biological integrity policy.

45  
46 An example of this non-intervention  
47 philosophy can be found in the Alaska Maritime Refuge  
48 on Unimak Island where the caribou herd is on the verge  
49 of extirpation due to wolf predation. The Service  
50 refuses to allow the State to take temporary management

1 actions to reduce wolf predation because it is  
2 inconsistent with their philosophical ideal of natural  
3 processes.

4  
5                   We are not proposing to exterminate  
6 wolves on a broad scale as the Federal government did  
7 throughout the country in the late 18 and 1900s, but  
8 simply to reduce their impact on cows for a period of  
9 time that would allow the herd to recover and provide  
10 for subsistence and other ecosystem functions.

11  
12                   Just to provide an important fact, in  
13 the biological review of the situation on Unimak, the  
14 Service's biologist and a group of independent  
15 scientists agreed with the Department staff that if  
16 nothing was done to manage this situation, these  
17 caribou would become in danger of extirpation. When  
18 the primary ungulate and a purpose of the Refuge  
19 disappear, the integrity of the policy itself should be  
20 questioned. It purposely limits the natural diversity  
21 of the landscape. Nor does it ensure that an important  
22 link in the marine-derived nutrient food chain of  
23 Unimak Island is preserved, a consideration the Service  
24 told us was a critical reason to preserve brown bears  
25 on the Kenai Peninsula.

26  
27                   What we are facing is not just a  
28 question of how brown bears are managed on the Kenai  
29 Peninsula, but if there will actually be management of  
30 wildlife on Service-administered lands. Will there be  
31 active management intended for specific outcomes of  
32 sustainability and natural diversity and will the  
33 tradition of hunting for any purpose, subsistence or  
34 otherwise, continue.

35  
36                   In summary, there is no long-term  
37 conservation concern that necessitated Federal  
38 preemption of a valid State hunt. Understanding that  
39 current brown bear hunting regulations on the Kenai are  
40 intended as a temporary adjustment, the Department and  
41 Board are developing a long-term harvest strategy for  
42 brown bears. This strategy will ensure the long-term  
43 conservation of brown bears in a manner that addresses  
44 human and ecosystem considerations on the Kenai  
45 Peninsula as well as meet the needs of its residents.

46  
47                   As always, in our long established  
48 public process for determining the management of  
49 Alaska's wildlife, we welcome the involvement of the  
50 public and the Service in this effort. We are

1 committed to continuing and expanding our research and  
2 monitoring efforts on this bear population to ensure  
3 its sustainability.

4

5 I really look forward to providing our  
6 assessment of Dr. Morton's analysis that I am seeing  
7 for the first time tonight. I already see several  
8 issues with the modeling that bear discussions. Excuse  
9 the word bear discussions. But I'm not going to argue  
10 the fine points tonight since that's not the purpose of  
11 this meeting.

12

13 Again, thank you for the opportunity to  
14 take a little bit extra time and for the opportunity to  
15 comment tonight.

16

17 HEARING OFFICER REZABECK: Thank you  
18 very much. So we're going to take a 10-minute break  
19 and if any of you have written comments that you would  
20 like to leave with us that have already testified,  
21 please go ahead and just bring them up here and we'll  
22 make sure that Tina gets them.

23

24 The restrooms are through this door to  
25 your right, down the hall a short distance. There's a  
26 water fountain there as well. It is just past 7:00, so  
27 we'll see you back here at let's say 7:15. So we're  
28 off the record for a few minutes and then we'll get  
29 back on the record. Thank you.

30

31 (Off record)

32

33 (On record)

34

35 HEARING OFFICER REZABECK: We're going  
36 to start with Jim Adams. I might remind folks if  
37 they're representing an organization you can take five  
38 minutes. Individuals will be three minutes. Jim will  
39 be followed by Wendy Loya.

40

41 MR. ADAMS: Howdy. I'm Jim Adams from  
42 Audubon Alaska. Forgive the cold. Spelled A-D-A-M-S,  
43 not like the Family. Audubon Alaska is a conservation  
44 group based here in Anchorage. We believe very  
45 strongly in science and its use in conservation. We  
46 have three scientists, three very well regarded  
47 scientists on our board and are willing to stand up and  
48 face the reality of what science tells us.

49

50 I'll just throw out one quick example.

1 One of our biologists at Audubon Alaska, Matt  
2 Kirchhoff, was absolutely critical in stopping the  
3 listing of the Kittlitz Murrelet as endangered in the  
4 past few years because he looked at the science and  
5 realized that there had been some significant  
6 miscalculations in the population figures. It did not  
7 make him particularly popular with the environmental  
8 community, but Audubon prioritizes science.

9  
10 From that base we would say we really  
11 appreciate and thank the National Wildlife Refuge for  
12 using science to inform their effort to remain natural  
13 populations on the Refuge as mandated by their  
14 statutory authorities. Those lands are treasured by  
15 Alaskans of all sorts, stripes, as well as Americans of  
16 all stripes, many of whom come to this state hoping  
17 specifically for a life-transforming experience seeing  
18 bears. A policy that dramatically lowers those bear  
19 populations to create essentially a moose farm on the  
20 National Wildlife Refuges is not a policy that is  
21 acceptable under Refuge authorities and it frankly is  
22 simply not acceptable to Americans.

23  
24 The State -- I appreciate the State's  
25 statement that 70 bears this year will not decimate the  
26 population. I think of it as a statement. We haven't  
27 listened to the Refuge, we haven't listened to people  
28 who are concerned about bear populations. We're  
29 putting the pedal to the metal in this car, screaming  
30 towards a cliff, but you can trust us. We still have  
31 time to stop and we will. Just leave it in our hands.  
32 Given the Board of Game and Department's current move  
33 towards movement away from science and away from  
34 balanced management, it's simply not a trust that  
35 Audubon Alaska can extend to the Board of Game and the  
36 agency and it's one that would not be appropriate for  
37 the Refuge to extend either.

38  
39 I would say here I don't know if  
40 there's anyone from the Chugach National Forest here  
41 today, but I would call upon them to follow in the  
42 Kenai National Wildlife Refuge's footsteps and to  
43 consider very seriously also taking a hand in  
44 management of bear hunting on their lands, brown bear  
45 hunting on their lands. In the meantime, I will look  
46 forward to the Refuge continuing to move forward in  
47 protecting brown bears on the Refuge by considering the  
48 -- or I guess you've already decided no hunting over  
49 bait stations -- considering other fixes to see if we  
50 can maintain a viable, sustainable population on the

1 Refuge.

2

3 I also look forward to the State, in  
4 fact, living up to its constitutional obligations to  
5 manage fish and wildlife for all citizens of the state  
6 of Alaska. Thanks again National Wildlife Refuge for  
7 your leadership. I appreciate. Thanks for the  
8 opportunity to testify.

9

10 HEARING OFFICER REZABECK: Thank you  
11 very much. Next up is Wendy Loya followed by Virginia  
12 Harris.

13

14 MS. LOYA: Hi. I'm Wendy Loya, L-O-Y-  
15 A. I'm here tonight as president of the board of  
16 Friends of Alaska National Wildlife Refuges. I'm here  
17 to represent both our board and members in supporting  
18 the Fish and Wildlife Service in their decision, their  
19 science-based decision to discontinue the bear hunt  
20 this year.

21

22 This is an issue that is important to  
23 our membership. There's a lot of members that live on  
24 the Kenai Peninsula that appreciate the brown bears and  
25 the ability to observe as well as hunt bears, but  
26 believe in the sustainable management of their  
27 populations. So we are in support of the decision to  
28 stop the bear closure and encourage you to continue to  
29 do the science needed to support the decision-making  
30 and to create the collaborative relationships with the  
31 State to come to an agreement on the long term and not  
32 just the short-term management of these species.

33

34 Thank you.

35

36 HEARING OFFICER REZABECK: Thank you  
37 very much. Virginia Harris is next, followed by  
38 Kiersten Lippmann.

39

40 MS. HARRIS: Good evening. My name is  
41 Virginia Harris. I have lived in Alaska for 50 years  
42 and during those 50 years my family and I have enjoyed  
43 going down to the Kenai Refuge and we did have various  
44 opportunities and my whole family loves it.

45

46 I strongly support the United States  
47 Fish and Wildlife Service's emergency closure of the  
48 Kenai Refuge to the hunting of brown bears. I feel the  
49 Kenai manager had no choice in doing this based on the  
50 number of brown bears already taken and the need to

1 keep to the mission of the Refuge. These are Federal  
2 lands and they must adhere to management based on sound  
3 science that will keep their numbers in line with a  
4 healthy ecosystem that can be enjoyed by wildlife  
5 viewers and hunters alike.

6

7 Thank you.

8

9 HEARING OFFICER REZABECK: Thank you  
10 very much. Next is Kiersten Lippmann followed by Wayne  
11 Hall.

12

13 MS. LIPPMANN: Hello. I'm Kiersten  
14 Lippmann. I'm representing the Center for Biological  
15 Diversity, where I work here in Anchorage as a  
16 biologist. We obviously come out in strong support of  
17 the Fish and Wildlife Service's action with the  
18 emergency closure to brown bear hunting on the Kenai  
19 National Wildlife Refuge.

20

21 I wanted to make a couple points that I  
22 feel are worth making in these oral comments today and  
23 we'll also be submitting written comments before the  
24 deadline in December. First of all, the numbers of  
25 bears killed in defense of life and property and not  
26 just through hunting is deeply concerning to me. I  
27 think those numbers were almost half of the bears  
28 killed this year if I remember correctly from the  
29 presentations. I think those numbers are only going to  
30 climb and I think that should be considered when  
31 setting hunting quotas.

32

33 Certainly human population is expanding  
34 on the Kenai. Human recreation use is expanding and it  
35 seems like many people -- their first reaction to  
36 seeing a bear is to shoot it or they don't take the  
37 measures needed to protect their livestock or their  
38 property from bears that would be non-lethal, such as  
39 -- there's many, many ways. Electrified fencing is a  
40 major one.

41

42 The other point I wanted to make is  
43 that Alaska is experiencing rapid climate change, which  
44 will -- we're already seeing impacts and certainly -- I  
45 mean we don't know what will happen on the Kenai, but  
46 as climate change progresses, ocean acidification  
47 progresses, we may see drastic changes to the ecosystem  
48 and maintaining a viable population of brown bear is  
49 key to ecosystem resiliency.

50

1                   Once again, we come out in full support  
2 of Fish and Wildlife Service and thanks for the  
3 opportunity to comment.

4  
5                   HEARING OFFICER REZABECK: Thank you  
6 very much. Next is Wayne Hall followed by Marilyn  
7 Houser.

8  
9                   MR. HALL: Good evening. My name is  
10 Wayne Hall. That's H-A-L-L, pretty easy. I just want  
11 to start off tonight with a question that had occurred  
12 to me when I first heard about this issue. It's like  
13 why are we here. Just pulling a few things from even  
14 the news release here, it should be obvious and this is  
15 not accusatory in any way. It's supportive.

16  
17                   The level of mortality is not  
18 scientifically sustainable. Survivorship of adult  
19 female bears has been shown to be the primary driver of  
20 brown bear population dynamics. Losing so many adult  
21 female bears will have immediate negative impacts on  
22 this population. Just one other one. If allowed to  
23 continue, this level of mortality will result in a  
24 substantial reduction in the Kenai Peninsula's brown  
25 bear population.

26  
27                   So, again, I just have to go back to  
28 why are we here. This really seems like a no-brainer  
29 to me and I rather hope this is a regulatory procedure  
30 that we have to go through to come to an obvious  
31 conclusion.

32  
33                   Of course, the Alaska Board of Game and  
34 many in the Department of Fish and Game want to kill  
35 bears, black bears and brown bears. Statistics,  
36 research, science, even common sense be damned. This  
37 holds true statewide. It must be an emotional thing,  
38 but this concerns National Interest Lands.  
39 Fortunately, the Board of Game does not have the final  
40 say here. The Fish and Wildlife Service does. I hope  
41 you continue to stand up for reasonable wildlife  
42 management on the Refuge.

43  
44                   If what the Board of Game and Alaska  
45 Department of Fish and Game wants is called active  
46 management and what the U.S. Fish and Wildlife Service  
47 proposes is called by some no management, I'd prefer  
48 the Fish and Wildlife Service by far.

49  
50                   Thank you for your action on this and

1 for the opportunity to speak tonight.

2

3 HEARING OFFICER REZABECK: Thank you  
4 very much. The last speaker we have a card for is  
5 Marilyn Houser.

6

7 MS. HOUSER: Hi. My name is Marilyn  
8 Houser, A-R-I-L-Y-N H-O-U-S-E-R. I've lived in Alaska  
9 for 35 years. What keeps me here are the wild places  
10 and the wildlife that lives there. I believe the  
11 Alaska Board of Game is out of control with its  
12 policies concerning brown bears.

13

14 I've lived here long enough to remember  
15 when Alaska did not allow baiting of bears, brown or  
16 black, and brown bear harvests were one bear every four  
17 regulatory years. The fact that taking bears over bait  
18 and this increased bag limit, this one bear every  
19 regulatory year, the fact that those seem to be set in  
20 stone, it certainly doesn't seem to me like there's any  
21 of these measures concerning bears are short term, as  
22 was mentioned by Mr. Lang.

23

24 I applaud the Fish and Wildlife Service  
25 decision to prohibit killing brown bears over bait in  
26 the Kenai Refuge and I also support the emergency  
27 closure of sport hunting on the Refuge and would like  
28 to see that continue indefinitely.

29

30 Thank you.

31

32 HEARING OFFICER REZABECK: Thank you  
33 very much. At this point I have no more cards, but I'd  
34 like to ask if there's anyone else in the audience who  
35 would like to speak who has not done so.

36

37 (No comments)

38

39 HEARING OFFICER REZABECK: Once again  
40 written comments are welcome here. There will be --  
41 until December 13th the Refuge will be accepting  
42 written comments on the closure. There's a form out in  
43 the hallway if you'd like to pick any of them up if you  
44 want to submit comments before December 13th.

45

46 The Refuge is very open to receiving  
47 phone calls, so I wanted to give you a few contact  
48 phone numbers. If you have questions or would just  
49 like to talk to Refuge staff about this issue, let me  
50 give you those numbers. Andy Loranger has kindly given

1 us his direct line, which is 260-2804. The Refuge  
2 itself has a toll free number. It is 1-877-285-5628.

3

4                   And seeing no further interest in  
5 additional people to testify, I think what we'll do is  
6 close this meeting, close the record. Please feel free  
7 to stay for a few minutes if you'd like to talk to any  
8 of the staff or other people present.

9

10                   Yes, ma'am.

11

12                   MS. HECKLER: I was wondering, is there  
13 a place I can go where the records of this meeting  
14 would be printed out, what people said, the different  
15 people that spoke and the content of their testimony?

16

17                   DR. WHEELER: We will be having a  
18 transcript of this meeting, along with the list of the  
19 people that did talk and the testimony. I can't tell  
20 you when it's going to be available because our court  
21 reporter has been transcribing -- doing nothing but  
22 taping and transcribing meetings for the last month and  
23 a half because she also does all the Federal  
24 Subsistence Board, the Regional Advisory Council  
25 meetings. So we will have a transcript. I guess I'll  
26 need your name and phone number and when we get the  
27 transcripts we can make them available.

28

29                   MS. HECKLER: Okay.

30

31                   HEARING OFFICER REZABECK: I just want  
32 to further note there will be a second public hearing  
33 in Soldotna this coming Monday at the Gilman River  
34 Center from 6:00-9:00 in the evening if you know of  
35 anyone down there who would be interested in  
36 testifying.

37

38                   So, with that, thank you very much for  
39 coming. We appreciate it.

40

41                   (Off record)

42

43                   (On record)

44

45                   HEARING OFFICER REZABECK: We're going  
46 to go back on the record here for a couple of minutes.  
47 We have another person who would like to testify.  
48 (Microphone off) Oh, shoot, and spelling it for us and  
49 if you have an affiliation we'd like to know that too  
50 or just yourself.

1 MS. DELACRUZ: Myself. I represent  
2 myself. So you can tell me when, when could I start.

3  
4 HEARING OFFICER REZABECK: Right now.

5  
6 MS. DELACRUZ: Good evening. My name  
7 is Yolanda Delacruz, Y-O-L-A-N-D-A D-E-L-A-C-R-U-Z. I  
8 have -- first of all, I am a citizen of USA and as a  
9 citizen I have the right to speak up for those who  
10 cannot speak up for themselves, which is the wildlife,  
11 the bears. I want to thank you, the Fish and Wildlife  
12 Service, for closing the Kenai National Refuge to brown  
13 bears hunting. So I am asking the Fish and Wildlife  
14 Service to keep the Kenai National Wildlife Refuge  
15 closed. We need to preserve natural resources for  
16 future generations.

17  
18 The Alaska Board of Game, they no put  
19 limit on the number of bears that could be killed on  
20 the Kenai Peninsula because they have the support of  
21 the Governor Sean Parnell and the politician who  
22 practice hunting as a sport and have business with  
23 Alaska wildlife. They are the ones who are running the  
24 commercial hunting industry, which only benefit  
25 themselves.

26  
27 Alaska is beautiful for the diversity  
28 of the wildlife that we still have and the tourists  
29 come to Alaska, which generates revenues to the State,  
30 which benefits the whole community, such as  
31 restaurants, hotels, business and more. However, the  
32 sport hunting only benefit a few people.

33  
34 So they are the one -- they are the  
35 one, the politician and people from Fish and Game  
36 Board, they are the one who are running the commercial  
37 hunting industry, which only benefit themselves. They  
38 want to eradicate bears because they are competing for  
39 the profits. For them, only the animals have value.  
40 The wildlife belong to all Alaskans, not to a select  
41 and extremist group of people who are policing  
42 themselves and that a special interest who elect the  
43 politicians hide it and appoint those people to the  
44 Fish and Game Board to execute their orders by  
45 implementing the barbaric rules and then declare the  
46 massacre on bears.

47  
48 They are a group of charlatans who work  
49 for Fish and Game Board. They go around the state  
50 promoting the sport hunting and they blame the wolves,

1 the bears for the decrease of moose and caribou, when  
2 in reality the State and Fish and Game Board are the  
3 ones who are responsible for the decrease of moose and  
4 caribou for overhunting. People come from all over the  
5 world to kill moose and caribou for trophies.

6  
7 There are many factor for the decrease  
8 of moose and caribou, so at the end they blame the  
9 bears, but it's not the bears' fault. It's the  
10 people's fault. Sometimes most of the people who kill  
11 the bears they claim it's in self-defense.

12  
13 HEARING OFFICER REZABECK: Excuse me.  
14 I should have told you that we're giving individuals  
15 three minutes and you are there. I'm sorry.

16  
17 MS. DELACRUZ: Oh, okay.

18  
19 HEARING OFFICER REZABECK: But you can  
20 close. Go ahead and make a closing statement.

21  
22 MS. DELACRUZ: So I am asking --  
23 please, I am asking to the Fish and Wildlife Service to  
24 keep the Kenai Refuge closed to brown bear hunting.  
25 Please do that for future generations.

26  
27 HEARING OFFICER REZABECK: Thank you so  
28 much. We're back off the record again, but we're going  
29 to stick around to see if anyone else comes.

30  
31 (Off record)

32  
33 [The following are additional written  
34 comments provided:]

35  
36 Brown bears under fire on the Kenai

37  
38 At its March 2013 meeting the Alaska  
39 Board of Game unanimously approved a proposal to expand  
40 hunting of brown bears on the Kenai peninsula, as well  
41 as approved shooting of brown bears at baiting  
42 stations. These are sites where bears, black or brown,  
43 are intentionally habituated over a period of time to  
44 feeding on dog food, doughnuts, old bread, rotten  
45 chicken, rotten turkey and other domestic products as  
46 well as heads, bones, guts and skin of fish or wildlife  
47 for the purposes of being shot. Because it can take a  
48 lot of food to consistently attract bears, the common  
49 practice is to employ a 55 gallon drum as the food  
50 container. Hunters are allowed to operate more than

1 one baiting station. The Board also approved  
2 regulations that would increase harvesting of black  
3 bears, wolves and coyotes.

4  
5           Shooting brown bears at bear baiting  
6 stations has a short history. It was temporarily  
7 approved by the Board of Game in 2005 as part of a  
8 state predator control program near Tok in eastern  
9 Alaska. In March 2012 the Board expanded approval to  
10 include shooting brown bears at baiting stations over  
11 vast areas of the interior.

12  
13           At the March 2013 meeting the Board  
14 also extended the hunting season for brown bears on the  
15 Kenai. Regular hunting of brown bears will be  
16 permitted from September 1st through May 31st, while  
17 shooting over bait will be allowed from April 15th  
18 through June 30th. An earlier requirement to restrict  
19 brown bear hunting through a lottery permit system was  
20 dropped.

21  
22           Nearly two million acres of the land on  
23 the Kenai Peninsula is taken up by the Kenai National  
24 Wildlife Refuge. In a strongly worded letter to the  
25 Board of Game Refuge Manager Andy Loranger expressed  
26 opposition to all of the predator related proposals  
27 calling for increases in harvest that impact the  
28 Refuge. He stated: "Without action by the board to  
29 exclude Refuge lands, the only alternative left for the  
30 Service is use of its own regulatory authorities to  
31 ensure adherence with our legal mandates, regulations,  
32 policies and management direction for the Refuge."

33  
34           The Board of Game's primary motivation  
35 for initiating such an aggressive increase as well as  
36 to expand its take on black bears, wolves and coyotes,  
37 is to increase moose hunting opportunity in the face of  
38 a declining moose population. Many biologists have  
39 pointed out that the primary cause of moose decline is  
40 due to the moose not having enough willow, birch, aspen  
41 and other forage to eat, not overhunting by predators.  
42 Most of the habitat has been taken over by spruce  
43 because of fire suppression. Moose don't eat spruce.

44  
45           Fire is a natural part of the ecology  
46 but, with increasing numbers of people living in  
47 scattered homes on the Kenai, as well as concerns over  
48 the resulting poor air quality over major areas  
49 including Anchorage, fire suppression has become  
50 necessary. The last major fire occurred in 1969. It

1 created conditions favorable to growing moose forage  
2 which peaked in the late 1980's. It has been in decline  
3 ever since, dragging moose numbers down with it. A  
4 disproportionate number of moose are malnourished,  
5 carry insufficient fat and exhibit poor musculature.  
6 They also produce lower than average numbers of twin  
7 calves, and drop higher numbers of calves later in the  
8 season, resulting in fewer calves being able to bulk up  
9 sufficiently before winter.

10

11 Both the Alaska Department of Fish and  
12 Game and the US Fish and Wildlife Service have advised  
13 the Board of Game that without substantial controlled  
14 burning or mechanical removal of the spruce forest to  
15 create more moose habitat, conditions for moose will  
16 continue to decline. By removing the sick and weak  
17 moose, including calves which bears mainly prey upon,  
18 the predators are slowing the decline in moose numbers  
19 by creating healthier, fewer moose to compete for the  
20 remaining albeit declining browse.

21

22 I strongly support the USF&WS's recent  
23 emergency brown bear hunting closure on its federally  
24 managed land on the Kenai Peninsula mainly because the  
25 human-caused brown bear mortality rate on the Peninsula  
26 now exceeds the ability of this slow breeding species  
27 to keep up with replacement. I also think the  
28 closure is a good thing because the BOGS predator  
29 management strategy is out of line with sound  
30 biological principles impacting more than just the  
31 brown bears.

32

33 What the BOG doesn't seem to recognize  
34 is that by sharply reducing the number of predators on  
35 the Kenai it could trigger an acceleration in the  
36 decline in moose numbers, just the opposite of what it  
37 is trying to achieve. This is because the habitat  
38 cannot support more moose. Creating a sudden blip in  
39 moose numbers by driving predator numbers down could  
40 translate into increased competition for what moose  
41 browse remains resulting in increased moose starvation  
42 mortality and risking damage to what browse remains  
43 through over browsing.

44

45 Dr. Paul Joslin  
46 retired wildlife biologist  
47 (907) 250-5944  
48 November 21, 2013

49

50

1 \*\*\*\*\*  
2  
3 Kenai Refuge Hearing - 11-21-13 - John  
4 W. Schoen Former state brown bear research biologist.  
5 Retired scientist with Audubon Alaska. Ad hoc member  
6 of Kenai Interagency Brown Bear Study Team. Served on  
7 the Kenai Brown Bear Stakeholder Group that developed  
8 the Kenai Bear Conservation Strategy in 2000  
9  
10 Strongly support FWS emergency closure  
11 of Kenai Refuge to brown bear hunting.  
12  
13 FWS had a well-reasoned decision based  
14 on sustainable management of resource.  
15  
16 ADF&G opinion survey on public  
17 attitudes about Kenai brown bears ~1999:  
18  
19 61% of Kenai residents said Bear #s  
20 should increase of stay the same.  
21  
22 8% said they should decrease.  
23  
24 Anchorage residents attitudes were  
25 similar.  
26  
27 Important for Refuge to address  
28 long-term sustainable management strategies for Kenai  
29 brown bears. Two suggestions for consideration:  
30  
31 Conduct additional human dimensions  
32 work on public attitudes toward brown bears.  
33  
34 Engage a panel of independent brown  
35 bear scientists to review & evaluate the Kenai Brown  
36 Bear Management strategy  
37  
38 \*International Association for Bear  
39 Research and Management  
40  
41 \*\*\*\*\*  
42  
43 Testimony for the emergency closure of  
44 the hunting of brown bears on the Kenai Refuge.  
45  
46 Anchorage, Alaska  
47 November 21, 2013  
48  
49 Thank you for giving me the opportunity  
50 to comment on the closure of the hunting of brown bears

1 on the Kenai National Wildlife Refuge.

2

3 My name is Virginia Harris and I have  
4 lived in Alaska for fifty years and have enjoyed using  
5 the Kenai Refuge, along with my family, for various  
6 opportunities all of these fifty years.

7

8 I strongly support the USFWS emergency  
9 closure of the Kenai Refuge to the hunting of brown  
10 bears.

11

12 I feel the Kenai manager had no other  
13 choice than to do so based on the numbers brown bears  
14 already taken and the need to keep to the mission of  
15 the refuge. These are Federal lands and must adhere  
16 to management based on sound science that will keep  
17 their numbers in line with a healthy ecosystem that can  
18 be enjoyed by wildlife viewers and harvested by hunters  
19 alike.

20

21 Thank you,

22

23 Virginia M. Harris  
24 3945 Balchen Dr.  
25 Anchorage, AK 99517

26

\*\*\*\*\*

27

28  
29 Gail Ruth Peckham  
30 13100 Floral Lane  
31 Anchorage, AK 99516

32

33

34 Thank you for this opportunity to weigh  
35 in in favor of the emergency closure of sport hunting  
36 for brown bear on the Kenai National Wildlife Refuge.

37

38 Sincerely,  
39 Gail Ruth Peckham  
40 Concerned citizen

41

\*\*\*\*\*

42

43

44 (END OF PROCEEDINGS)

