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U.S. FISH AND WILDLIFE SERVICE

PUBLIC MEETING

Public Comment  
Soldotna, Alaska  
November 25, 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 (Soldotna, Alaska - 11/25/2013)

4  
5 (On record)

6  
7 MR. LORANGER: Good evening, folks. I  
8 know that there's still some folks out in the foyer  
9 there signing in, but we need to get started so that we  
10 can get finished this evening. I'd like to say good  
11 evening to everyone. My name is Andy Loranger. I am  
12 the Refuge Manager here at Kenai National Wildlife  
13 Refuge. I'd first like to welcome you this evening and  
14 thank you for attending this public hearing, for your  
15 interest in wildlife conservation and in the Refuge.

16  
17 I'd also like to start by introducing a  
18 few people that will be here with us this evening from  
19 the Fish and Wildlife Service. Cathy Rezabeck will be  
20 our hearing officer. She'll be running the hearing  
21 tonight. She's on my far right. Dr. Polly Wheeler to  
22 my immediate right is the Deputy Chief of Refuges for  
23 the Alaska Region. Steve Miller to my left is our  
24 Deputy Refuge Manager, Dr. John Morton, who is the lead  
25 scientist and supervisory wildlife biologist at the  
26 Refuge. Todd Eskelin, I think you met at the door  
27 signing you in. He's a wildlife biologist for us.  
28 Lastly, and very, very importantly, Tina Hile is our  
29 court reporter this evening.

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

45  
46 I'll begin by providing a brief  
47 overview of the closure and the basis for the Service's  
48 decision. Just before the public testimony portion of  
49 the hearing begins, Dr. Morton will be giving us a  
50 presentation which provides additional detail on the

1 biological reasons for the closure.

2

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

12

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

24

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

31

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

41

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

1 population on the Refuge.

2

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

11

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

20

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

25

26                   Before John provides some additional  
27 details, I will ask Cathy to go over some of the  
28 logistics for tonight's hearing.

29

30                   HEARING OFFICER REZABECK: Good  
31 evening. As Andy was just mentioning, what we're going  
32 to do this evening are twofold, but the primary purpose  
33 for this gathering is as a public hearing to hear about  
34 your thoughts regarding the closure of the brown bear  
35 hunting on the Kenai Refuge.

36

37                   So what we'll do first is Dr. John  
38 Morton will give a presentation of the biological  
39 background that led to the closure. Secondly --  
40 actually after John does his presentation I ask that  
41 you not ask questions so that we leave enough time for  
42 people to testify this evening. We plan then to start  
43 the testimony. There will be so far 16. We will take  
44 a 15-minute break about in the middle of the testimony  
45 to give everyone an opportunity to ask questions  
46 informally of anyone here in the room.

47

48                   I think what I'll do is turn it over to  
49 John and he will give his presentation and then we will  
50 start the public hearing. John.

1 DR. MORTON: All right. So my job is  
2 to give you a little bit more background and show you  
3 some numbers, give you a little bit of model output and  
4 then talk about next steps that the Refuge would  
5 consider.

6  
7 So obviously we have a very local group  
8 here and everybody is familiar with the landscape here,  
9 but the light green there is Kenai National Wildlife  
10 Refuge. It's 2 million acres out of the 6 million acre  
11 Kenai Peninsula. The area in hatch mark shows  
12 congressionally designated wilderness, which is about  
13 two-thirds of the Kenai Refuge. So basically 1.3  
14 million acres is congressionally designated wilderness.  
15 The dark green over to the east is Chugach National  
16 Forest and then of course the blue down there is Kenai  
17 Fjords National Park. That kind of lays the setting  
18 for what we're talking about here.

19  
20 The Refuge purposes under the Alaska  
21 National Interest Lands Conservation Act is to conserve  
22 fish and wildlife populations and habitats in their  
23 natural diversity, including but not limited to the  
24 bears. That is one of our charges is actually to  
25 conserve bears. We're also charged, and this is kind  
26 of the key here, in a manner consistent with the  
27 purposes above, that is conservation of bears. We are  
28 also charged with providing opportunities for  
29 compatible fish and wildlife oriented recreation,  
30 including hunting, but contingent on serving the  
31 greater need above, which is to conserve wildlife and  
32 habitat.

33  
34 The important point about having 1.3  
35 million acres of congressionally designated wilderness  
36 on the Refuge is that we're also mandated by the 1964  
37 Wilderness Act to preserve wilderness character on two-  
38 thirds of the Refuge. Under the Organic Act for the  
39 National Wildlife Refuge System we're also to ensure  
40 biological integrity, diversity and environmental  
41 health. The point being that we have a lot of mandates  
42 that we have to balance here.

43  
44 In 2010, we chose to estimate the Kenai  
45 brown bear population in 2010. Prior to this, the only  
46 estimate used was one in 1993, which was 250 to 300  
47 bears, and that was basically an expert panel formed  
48 that opinion about how many bears we have here on the  
49 Kenai Peninsula in the early '90s. What that  
50 emphasizes is the fact that leading up to 2010 we had

1 no empirically-based scientific estimate for the Kenai  
2 brown bear population. The reason being is because  
3 it's very hard to count bears in a heavily forested  
4 system, particularly one that's mountainous as well.

5  
6 Other reasons why -- and keep in mind  
7 this is leading up to the assessment in 2010. At that  
8 time, Kenai brown bears were designated a population of  
9 special concern by the Alaska Department of Fish and  
10 Game. There have also been quite a bit of research by  
11 Sean Farley and Sandy Talbot and others looking at DNA.  
12 At that time, it was pretty clear that the Kenai brown  
13 bear population is not particularly diverse  
14 genetically, which means that there's not a lot of  
15 immigration and emigration on and off the Kenai  
16 Peninsula.

17  
18 At the time, based on data from the  
19 Interagency Brown Bear Study Team, that's the IBBST, it  
20 wasn't clear if the population at that time was  
21 increasing, decreasing or stable. The other piece of  
22 that was looking at -- again, at that time, looking at  
23 yearling survivorship and the age distribution at that  
24 time that suggested that there was low recruitment into  
25 the female population.

26  
27 So one of the things that changed in  
28 2010 that allowed us to go ahead with this is that we  
29 now can use DNA-based data for mark recapture estimates  
30 of the Kenai brown bear population. So this was a  
31 joint effort by the Forest Service, Chugach National  
32 Forest and by the Kenai Refuge with help from Dr. Gary  
33 White at Colorado State University and Dave Paetkau at  
34 Wildlife Genetics International in Nelson, British  
35 Columbia.

36  
37 I'm not going to go into the details of  
38 what we did here, but what I really want you to see is  
39 how large of an area we're actually sampling over. It  
40 was a very intensive effort. It occurred only in 2010,  
41 but we had two helicopters operating for 31  
42 consecutively days with four crews operating over an  
43 area that was about 4 million acres. So it was a  
44 pretty intensive effort and we were collecting, you  
45 know, brown bear hairs on barbed wire.

46  
47 One of the reasons why we feel fairly  
48 comfortable with our population estimate, especially in  
49 terms of extrapolating our estimate from the area we  
50 sampled to the larger Kenai Peninsula. If you take a

1 look at some of the telemetry points that were  
2 collected from 1987 through 2005 with the Interagency  
3 Brown Bear Study Team, this is from 125 female brown  
4 bears, 87 percent of the locations or 87 percent of --  
5 it really doesn't make any difference how you look at  
6 it, whether it's telemetry locations or by the number  
7 of female brown bears, 87 percent were on the study  
8 area.

9  
10 The other point is that we know from  
11 looking at brown bear data -- I'm sorry, for looking at  
12 den data from 74 brown bear sows, again this is  
13 collected from '96 through 2003, 84 percent we denned  
14 on the study area. The point being that we feel very  
15 comfortable with the estimate that's coming off of the  
16 area we sampled.

17  
18 So the numbers we're looking at are  
19 down there in red. We're saying on the area that we  
20 sampled, which was a big chunk of the Kenai Peninsula,  
21 we have 428 bears, plus or minus 353 to 539.

22  
23 What we do with that number though to  
24 extrapolate it out to the larger Kenai Peninsula, first  
25 of all the area that we're looking at, the sample area,  
26 was 11,700 kilometer square, but of course not all that  
27 is brown bear habitat. So we take out what's obviously  
28 not brown bear habitat. In this case, we're talking  
29 about Harding Ice Field, Skilak Lake and Tustumena  
30 Lake. These are no-brainers. You take them out of the  
31 equation, you end up with 9,500 kilometers square of  
32 available habitat.

33  
34 You can calculate a density. It's 45.1  
35 bears per 1,000 kilometer square. I'll give you some  
36 context of what that density estimate means in a second  
37 here. Then we can take that density and we can  
38 multiply it out by the larger area of the Kenai  
39 Peninsula, which is 13,800 kilometers square, and you  
40 come up with 624 bears on the Kenai Peninsula. That's  
41 the number we're using for our estimation. Out of that  
42 624, through other ways, we're saying 200 of that is  
43 independent females, 200 of that is independent males  
44 and 224 are dependent young.

45  
46 To put that 45.1 bears per thousand  
47 kilometer square in context, I looked to a wildlife  
48 monograph by Sterling Miller, whose got decades of work  
49 in Alaska, and he summarized density estimates all  
50 across Alaska, from Katmai on the left all the way over

1 to the Brooks Range in the east. Basically, just  
2 purely by happenstance, it turns out that the Kenai  
3 Peninsula, which is right in the middle, in the middle  
4 column there, our estimate of the density of brown  
5 bears on the Kenai Peninsula, falls on the very very  
6 low end of the coastal brown bear population.

7  
8 So to give you some context about where  
9 we are today, you can kind of browse through some of  
10 the Kenai brown bear management actions and the reason  
11 I picked 1995 as the starting point is most of the data  
12 that we're using to do a lot of this modeling is from  
13 1995 through 2012. So if you look back to 1995, just  
14 prior to that, 1993, ADF&G had suggested there's 250 to  
15 300 brown bears.

16  
17 In those early '90s -- well, through  
18 most of the '90s the population was managed very  
19 conservatively partly because in '98 ADF&G designated  
20 the Kenai brown bear as a population of special  
21 concern. In 1999, a cap was put on it where you could  
22 take no more than 14 HCM, human-caused mortalities, of  
23 which no more than six could be females of any age. In  
24 2001, the Interagency Brown Bear Study Team summarized  
25 all available data through the conservation assessment  
26 of Kenai brown bears.

27  
28 In 2003, the cap gets pumped up a  
29 little bit where you can take up to 20 human-caused  
30 mortalities, of which no more than eight females  
31 greater than one year of age could be taken. You come  
32 down to 2009, the cap now gets pumped up to no more  
33 than 10 females. In 2010, we do the population  
34 estimate and say there's 624 bears. In 2012, it  
35 switches from a spring drawing hunt to a general  
36 registration hunt. Then in 2013 we begin a much more  
37 liberalized take of an extended hunt season, hunting  
38 over bait. Actually that starts in 2014. Changed from  
39 one bear per four regulatory years to one per  
40 regulatory year. It happens to be that the fall of  
41 2013 falls in a window where there is no cap. Then in  
42 2014-15 there's a cap of 70 bears.

43  
44 Over on the side you can see total  
45 human-caused mortality. The black is total, so you see  
46 the numbers tracking there. The red is the total  
47 adult female portion of that total mortality. So if we  
48 take those numbers there that are going down in the two  
49 columns there and we rotate them here so you can kind  
50 of see how this is tracking, the red is the legal

1 harvest that's been reported and then the blue is all  
2 other non-hunting human-caused mortality. So the total  
3 combined is -- the total in each of those bars is the  
4 total human-caused mortality.

5  
6 I want to make two points here. One is  
7 you can see in the -- starting in the mid 1900s all the  
8 way through the 2000s the red bars start to trickle  
9 off. The reason the red is trickling off is because at  
10 that point the Kenai brown bear population is being  
11 managed very conservatively at that point. And then  
12 all of a sudden in 2012 and '13 you see this great  
13 spike in total number of bears shot in the fall of  
14 2013.

15  
16 When you average from 1973 all the way  
17 through 2011, the average number of bears taken during  
18 each year was 11.3 bears. So we go from 11.3 to all of  
19 a sudden this huge jump in 2013 of 70 bears.

20  
21 So, to summarize, here's the 2013  
22 regulatory changes to the Kenai brown bear harvest,  
23 which really are unprecedented. That was sort of the  
24 point of the last slide. We go from a limited drawing,  
25 a spring drawing hunt to a general registration hunt.  
26 We have a very extended bear season that now overlaps  
27 with the general season for moose. It goes from  
28 September 1 through May 31st. You can now harvest  
29 brown bears over bait at registered bait stations. We  
30 go from one bear per four regulatory years to one bear  
31 per single regulatory year. Of course, that favors the  
32 taking of sows.

33  
34 We now have a human-caused mortality  
35 cap of 70 beginning this calendar year 2014, going into  
36 2015, and there is no cap on females, so it's  
37 regardless of sex or age. An important point being for  
38 this fall, the fall we're talking about here, there was  
39 no cap.

40  
41 So this is what happens in the fall  
42 this year and again there's no cap. Quite  
43 coincidentally, and it is totally coincidental as far  
44 as I can tell, the total numbers of bears killed this  
45 year were 70, even at this point in time that we know  
46 of, even though there was no cap in place. When you  
47 look at the distribution of bears, keep in mind that --  
48 so what we're looking at here is the sex and age  
49 breakdown of bears killed, so the total numbers adds up  
50 to 70 over there on the far right, 38 of the 70 are

1 killed on Federal lands. By Federal lands, I mean both  
2 Chugach National Forest and Kenai National Wildlife  
3 Refuge.

4

5                   The number in parentheses there next to  
6 that is the numbers that are actually coming off the  
7 Refuge. So, in this case, we're talking about 26 out  
8 of the 70 bears were killed on the Refuge. You go up  
9 and you look at the adult female, and this is the part  
10 that we continue to look at very closely, there were 24  
11 out of the 70 total bears adult female bears, 12 of  
12 which were killed on Federal lands, 10 of which came  
13 off the Refuge.

14

15                   So, at the end of the day, what does  
16 all this mean. What we resort to at this point is we  
17 did a little bit of modeling to kind of figure out what  
18 these numbers are telling us. We chose to use a model  
19 called Vortex, which does stochastic simulations and  
20 I'm not going to go over all the numbers here, but  
21 there's a couple points I need to make. One is that  
22 we're borrowing this data from a 2013 report by Sean  
23 Farley, so he's really the true brown bear expert for  
24 the Kenai Peninsula and we're using his data to  
25 populate this model.

26

27                   The other piece of that is when we look  
28 at what happens in 2013, '14 and '15. We're assuming  
29 that we're putting the 70 cap of human-caused mortality  
30 into place, we're assuming it's 50 percent female out  
31 of the 70, so there's 35 males, 35 females. Of the 35  
32 females, 20 of those are adults. We've already  
33 exceeded that this year. We've already hit 24, so this  
34 is a very conservative and reasonable model to be  
35 looking at.

36

37                   So the way the data looks, this is what  
38 it was prior to the regulatory framework that was put  
39 into place in 2013. So leading up to -- through 2012,  
40 this was the trajectory we were on. We estimated in  
41 2010 that there were 624 bears. That's what you start  
42 with over on the left. Had we not kicked in the  
43 regulatory framework, this is exactly what we think  
44 would have happened over the next three years. The  
45 population would have increased from 624 to 681. So  
46 going up about maybe 60 bears or so over a three-year  
47 period.

48

49                   By putting the regulatory framework  
50 into place, we're killing 70 bears over three years.

1 We're knocking it from 624 down to 464. This is a 10  
2 percent decrease per year. Let me just back up real  
3 quickly. This increase is a 3 percent per year over  
4 three years. Under the regulatory framework, it's a  
5 10 percent decrease over three years, so 30 percent  
6 total. It's a pretty big hit to the brown bear  
7 population.

8  
9                   So one of the things that if you  
10 haven't figured out yet, one of the big things that is  
11 really critical for Kenai brown bears is adult female  
12 mortality. That's sort of what the population is  
13 changing its growth trajectory on. So what we did was  
14 we used Vortex to kind of model this. What you see up  
15 here in the red line in the upper left is the 3 percent  
16 increase if we were to model that out over a 25-year  
17 period. That shows that 3 percent increase going up  
18 with no additional adult female mortality.

19  
20                   When we look at the lower line down  
21 here in red, that's if we were to superimpose the  
22 current harvest regime starting in 2013 over a 25-year  
23 period. Clearly that's not going to go on for 25  
24 years, but you can see what I'm trying to do here is  
25 show the effect of adult female mortality and try to  
26 put it into context of what's actually occurring in the  
27 3 percent versus the 10 percent per year.

28  
29                   What you'll see is very small changes  
30 in adult female mortality and this is on a per year  
31 basis, so it's incrementally increased over a 25-year  
32 period, really changed the growth trajectory in a very  
33 substantial way. So, by the time you get down to 12  
34 adult females killed per year, you're actually putting  
35 the Kenai brown bear population -- you actually  
36 increased the probability of extinction over a 25-year  
37 window to 33 percent. So you're really hitting the  
38 population hard. Keep in mind we hit 24 this year, so  
39 we're already on a pretty steep decline.

40  
41                   So this is what we know -- this is a  
42 summary of why we closed the fall 2013 season. First  
43 of all, in 2013, there's the known human-caused  
44 mortality. There were 70 bears on the Kenai Peninsula  
45 killed. These are facts. It's not stuff we're making  
46 up. Of which 24 were adult females. That represents  
47 12 percent of what we say are independent females.  
48 That's a pretty hefty hit in the population. Twelve of  
49 these adult females were taken on Federal lands. A  
50 harvest level that if sustained raises a probability of

1 extinction over a 25-year period to 33 percent.

2

3                   The other big factor here, and Andy  
4 Loranger mentioned earlier 4 of 26, but that was at the  
5 time of closure. There are now 5 of 26 radio-collared  
6 adult females that have been killed, representing 19  
7 percent of adult sows that are actually research  
8 animals on the Kenai Peninsula.

9

10                   Our concern is as we go into the 2014  
11 season you can start -- you know, it's been authorized  
12 to take brown bears over registered bear bait stations  
13 and there's an extended spring season. The overall  
14 concern we have is continued harvest at this level  
15 through 2015 puts the Peninsula-wide population, which  
16 already has low genetic diversity, below 500 bears,  
17 which is a number that's frequently cited in the  
18 literature as the minimum number to be evolutionary  
19 viable.

20

21                   Lastly, the Kenai population is still  
22 small. Even though to some people it doesn't seem that  
23 way, it is small by management standards and it is very  
24 sensitive to adult female mortality and non-hunting  
25 human-caused mortality, both known and unknown.

26

27                   Just to kind of let you know that we  
28 have been concerned about this for a while. This is  
29 not a new issue. It's just that it reached proportions  
30 that were really unprecedented. This is from the  
31 Conservation Assessment of Kenai Brown Bears, which was  
32 done by the Interagency Brown Bear Study Team, so it  
33 was an interagency effort from 2001. In here we talk  
34 about the fact that our job is, in fact, to conserve  
35 brown bears. It's part of what we're asked to do.

36

37                   So the next steps for the Kenai Refuge  
38 is we are seeking continued coordination with Alaska  
39 Department of Fish and Game. The Refuge has already  
40 decided there will be no brown bear harvest over bait  
41 stations. Some of the things we're considering later  
42 this year, a regulatory framework with an emphasis on  
43 protecting adult females. By that we mean we could  
44 either adjust season dates, one idea is a later fall  
45 season opening or alternatively an earlier or no spring  
46 season. Of course, this is on the Refuge. And then  
47 the idea of spacial closures on the Refuge as well.

48

49                   As Cathy said, I can't take questions  
50 now, but I am here during the break. I'll be glad to

1 answer questions if you have them. I'm also happy to  
2 take questions directly if you want to call me or email  
3 me. No problem.

4

5 HEARING OFFICER REZABECK: Thanks,  
6 John. We need to get people in here. There's a couple  
7 empty chairs right here. If you'd like to come in,  
8 please do. We might need some more chairs. There's  
9 still a couple chairs up front here. We don't want  
10 people to have to stand unless they really want to.

11

12 Okay. We'll begin the public hearing  
13 part of this evening. I just wanted to give you a  
14 heads up on how this will go so that it goes in an  
15 orderly fashion. We so far have 27 people wanting to  
16 testify. Let me just give you a little rundown on how  
17 we'll go about this and then we'll begin.

18

19 My main goal is to make sure that all  
20 of you that want to testify are able to testify. If  
21 you have not discovered the green cards, these are what  
22 you need to fill out if you would like to testify and  
23 we'll make sure that you do. Those that arrive late,  
24 we'll make sure that they do too.

25

26 As I read your name -- I've gotten the  
27 cards in the order in which you arrived, so I'll give  
28 you a heads up. I'll let you know who will be after --  
29 in other words, you'll know who's on deck. Individuals  
30 will get three minutes to say whatever they would like.  
31 We understand that this topic is of great interest to  
32 you all, but I ask that you hold any personal comments  
33 -- not personal, but don't direct comments at people.  
34 Other than that you are open to say whatever you would  
35 like. We have a red Dodge Ram with lights on. If  
36 anyone owns that vehicle, you might want to go out and  
37 turn them off.

38

39 When I call your name, you may come  
40 forward to the podium here and state your name. For  
41 Tina, who is recording, please spell your name for her  
42 so she gets you accurately. Also, if you are  
43 representing an organization or agency, if you'd please  
44 let us know what that is. I think I said individuals  
45 will have three minutes and organizations will have  
46 five minutes.

46

47 What I'd like to do is go through half  
48 of the testimony -- in other words, we'll get up to  
49 approximately 14 or 15 people, we'll see how we're  
50 doing on time, and if we do have time for even a short

1 break, we will take a short break. Then we will resume  
2 -- hopefully we will be done here this evening by 9:00.

3  
4 What I'd like to do is ask Ted Spraker,  
5 who represents the Chair of the Board of Game if you  
6 would like to testify first followed by Doug Vincent-  
7 Lang, our sister agency, Alaska Department of Fish and  
8 Game. We're giving these two folks whatever time they  
9 desire and then we'll get to everyone else.

10  
11 MR. SPRAKER: I appreciate that  
12 statement. Obviously you don't know me very well. I  
13 could talk for about three, four hours at least. You  
14 know, just a quick note. I'm really appreciative of  
15 all the folks that showed up here tonight. I think the  
16 last time I saw -- we used to hold Advisory Committee  
17 meetings in this room. The last time I saw this many  
18 people in this room is when I was a local AB and I  
19 tried to implement a cow hunt and I think I had some of  
20 the same faces that were here last time. Maybe John  
21 wasn't here.

22  
23 For the record, my name is Ted Spraker,  
24 S-P-R-A-K-E-R. I've lived in Alaska for over 40 years,  
25 35 years as a local resident living in Soldotna. I'm  
26 always a retired State wildlife biologist, having  
27 served 28-plus years with the Department of Fish and  
28 Game and 24 years as the local area biologist for the  
29 Kenai. I'm the Chairman of the Alaska Board of Game,  
30 currently serving my fourth consecutive term and I'm  
31 here to address and make clear why actions were taken  
32 by the Board during our March 2013 meeting held in  
33 Kenai.

34  
35 The Board adopted seven public or  
36 Department proposals addressing local hunting  
37 opportunities and the Service closed or stated they  
38 planned to close six of the seven. This is clearly  
39 unprecedented. I have these listed in my testimony. I  
40 won't go through all of them. I want to go through  
41 just two.

42  
43 I did write a letter on behalf of the  
44 Board concerning the Skilak Loop closure and I  
45 addressed it to the assistant director, I think he's  
46 assistant or deputy director, Mitch Ellis, hoping to  
47 have some dialogue with Mr. Ellis and trying to discuss  
48 some of the issues we have between the Board and the  
49 Service and so far I've not received an answer, but I'm  
50 hopeful that I still will.

1                   The other I'd like to talk to, of  
2 course, is the brown bear closure. Before that I'd  
3 like to talk a little bit about the Board process.  
4 Prior to a meeting Board members are required to read  
5 all submitted public and Department comments. We also  
6 call authors of proposals for clarification. Since  
7 some of these Kenai proposals dealt with wolves and  
8 bears, the Board took a very keen interest and we spent  
9 a lot of time doing our homework before this Board  
10 meeting.

11  
12                   Board members attend many meetings such  
13 as this to listen to the public and it is somewhat out  
14 of character for a member of the Board to testify here  
15 tonight, but I think it's important to clarify why the  
16 Board unanimously passed these proposals. This is what  
17 the Board knew going into the proposals.

18  
19                   Number one, we all agree that brown  
20 bears should be managed by controlling the number of  
21 reproductive-age females in the harvest. It should be  
22 based on at least a three-year running average. Five  
23 is better. The reason for that is to balance out some  
24 low years compared to very high years of harvest and  
25 not jump to some conclusion, making an emergency  
26 closure.

27  
28                   We also had new population estimates.  
29 John described those. The Service's population estimate  
30 of 2010 was 624 bears. He talked some tonight about  
31 the 3 percent annual increase, resulting in about 680  
32 bears, and this is the number we would have worked with  
33 or did work with prior to the 2013 season.

34  
35                   The previous estimate was 250 to 300  
36 with a midpoint of 277. At 277, we had an allowable  
37 harvest of 10 adult females. Assuming the ratio of 10  
38 to 277 was sustainable, with the new estimate of about  
39 680 would allow an annual harvest of about 25 adult  
40 females.

41  
42                   Next the Board looked at the harvest  
43 trend over the past years. The total adult female  
44 harvest for the four years prior to this fall, this is  
45 2009 to 2012, was 32 or an average of 12 per year with  
46 a range of 5 to 13. So even if the sustainable female  
47 harvest was only set at 20 per year, and that would be  
48 a total of 60 over the last three years because there  
49 were 6 adult females killed in 2011, 13 killed in 2012,  
50 that would leave about 21 extra females that could be

1 added to the 2013 allowable harvest.

2

3 Remember, there's one thing that we all  
4 have to agree on. We live and die by the numbers and  
5 that's something that science dictates and that's  
6 something that the Board looks at and we adhere to  
7 this. So, in 2013, we could have actually taken up to  
8 41 adult females and still been within sustainable  
9 levels.

10

11 Let me clarify this point. I worked  
12 for the Department of Fish and Game for a long time and  
13 I understand, I think, you know, how they operate and  
14 how they look at management situations. They came to  
15 the Board and requested a very short reporting period  
16 of only three days for a very specific reason. They  
17 wanted to monitor this harvest, just as Board members,  
18 because we want to maintain a healthy population of  
19 brown bears on the Kenai just as the Service does.

20

21 In doing that, if we would have gotten  
22 even close to some sort of conservation concerns, let's  
23 say we had 25 or 30 adult females taken say  
24 mid-September, the Department of Fish and Game would  
25 have jumped in and closed the season and Board members  
26 would have been very supportive of that action. So we  
27 had the discussion with the Department during this  
28 meeting on a very intense monitoring program because  
29 this was something new.

30

31 The last point here is with the new  
32 population estimate, the past harvest trend, Fish and  
33 Game monitored the harvest very closely and  
34 demonstrated to the Board that there was really no  
35 justifiable concern for overharvest.

36

37 I want to talk just briefly about the  
38 future management direction. We heard about 70 bears  
39 or about 10 percent. These numbers came from  
40 experienced Board members and doing our homework. The  
41 Glennallen area, Unit 13, has no closed season for  
42 brown bear, has no tag requirement. It's had that for  
43 a decade or more. The annual harvest exceeds 10  
44 percent. The brown bear population in Unit 13 is still  
45 a robust population. It's declined slightly because  
46 some years it went to 15 percent and that caused the  
47 decline, but at 10 percent they were able to sustain  
48 it.

49

50 We have the same information that was

1 provided to the Board from Fairbanks, 20A. The brown  
2 bear harvest there ranges between 9 and 11 percent.  
3 Same results. They have a robust brown bear  
4 population. They're sustaining the harvest.

5  
6 Here's the key points and this is what  
7 the Board really looked at. Both of these brown bear  
8 populations are less productive than the Kenai brown  
9 bear population. There's nowhere in Unit 13 or 20A  
10 they're putting a million red salmon a year up the  
11 rivers. So that was one of the things we really took  
12 into consideration, was the productivity of these  
13 bears.

14  
15 A couple last points. It's interesting  
16 to note that in the last five years there's been 94  
17 brown bears killed on the Kenai in general hunts, but  
18 during that same time there's been 100 brown bears  
19 killed in defense of property or life. I think that's  
20 a huge issue.

21  
22 One of the things that the Board looks  
23 at after the science is we serve the social carrying  
24 capacity of the Kenai and during our Board meeting here  
25 in Kenai we had 54 locals testify. I can tell you that  
26 we had some people that were in favor of maintaining  
27 and growing this bear population, but the vast majority  
28 of the folks that testified said that they are fed up  
29 with nuisance brown bears on the Kenai and they  
30 requested that the Board reduce the number of brown  
31 bears. That came from a lot of local folks.

32  
33 In closing, my last point. The Board  
34 believes that this closure has more to do with the  
35 separation of users and future directions of this  
36 Refuge rather than potentially saving a couple bears.  
37 That's what the Board of Game, as a regulatory body of  
38 the public, really takes issue with.

39  
40 Thank you.

41  
42 (Applause)

43  
44 HEARING OFFICER REZABECK: Thank you,  
45 Mr. Spraker. Doug Vincent-Lang with the Alaska  
46 Department of Fish and Game. One thing I failed to  
47 mention at the beginning is if you have written  
48 comments that you would like to turn in this evening,  
49 that would be fine and we will put them on the record.  
50 You have until December 13th to give us any other

1 comments.

2

3 MR. VINCENT-LANG: Do you need my name  
4 spelled?

5

6 REPORTER: I got it.

7

8 HEARING OFFICER REZABECK: Go right  
9 ahead.

10

11 MR. VINCENT-LANG: On October 26th the  
12 Service closed hunting for brown bears on the Kenai  
13 National Wildlife Refuge. In so doing, the Service  
14 unnecessarily preempted State hunting regulations  
15 legally adopted by the Alaska Board of Game in a  
16 comprehensive public process.

17

18 As justification for the closure, the  
19 Service stated that their action was necessary because  
20 the State's management approach exceeded sustainable  
21 levels and threatened long-term viability. Quite an  
22 accusation in that the Department is constitutionally  
23 required to manage populations for sustainability. In  
24 essence, the Federal government is accusing the State  
25 of mismanaging brown bears to an extent that we are  
26 threatening their very viability and violating our  
27 constitutional mandates. Let me tell you, this is  
28 simply not true.

29

30 We agree that this year's harvest of  
31 bears at the level approved by the Alaska Board of Game  
32 probably cannot be sustained indefinitely. We don't  
33 see 70 bears being taken for the next 25 years as Dr.  
34 Morton modeled in his estimate. This said, it was not  
35 the intent of the Board or the Department to maintain  
36 harvests at this level indefinitely. Instead, these  
37 harvests were meant to be temporary to address  
38 increased human/wildlife conflicts by taking those  
39 bears most likely causing difficulties, providing  
40 expanded harvest opportunities based on new Service  
41 population estimates that minimally doubled the  
42 estimated bear population on the Peninsula and reduce  
43 or stabilize bear numbers.

44

45 Let me address one issue, that is that  
46 the Board or Department meant this as a predator  
47 control effort for moose. Let me be clear. It was  
48 not. If this was meant as a predator control effort,  
49 it would have been done using our intensive management  
50 protocol.

1                   The Department reviewed the Board's  
2 proposed approach at the meeting and concurred that the  
3 short-term strategy would have no adverse impact on the  
4 long-term viability of bears. If there had been  
5 concerns, the Department would have stepped in to  
6 prevent the overharvest. Also, the Department retains  
7 the authority, as Ted said, to restrict hunting at any  
8 time if our biologists believe it's necessary to ensure  
9 for conservation. Simply put, our professional  
10 biologists agree that there is no long-term  
11 conservation concern with the number of bears killed  
12 this year.

13  
14                   It will probably surprise many to know  
15 that we repeatedly tried to discuss this issue with the  
16 Service before they implemented their preemption  
17 closure. We had nothing to hide from the Service and,  
18 in fact, regularly sent them updated harvest figures.  
19 Instead, the Service repeatedly stated an  
20 unsubstantiated concern about this year's harvest, but  
21 could not or would not provide us with empirical data  
22 showing the harm that caused them concern. They would  
23 not tell us a number above which they thought we should  
24 take action to insure for sustainability. Instead they  
25 told us we must close the hunt to prevent them from  
26 taking unilateral action to close the hunt.

27  
28                   Absent their analysis of any harvest  
29 impact on long-term conservation, I, as the director,  
30 was not inclined to close the legally authorized hunt  
31 that my staff agreed was not affecting long-term  
32 sustainability of the bear population. In short, the  
33 hunt was having the desired effect requested by the  
34 public and envisioned by the Alaska Board of Game and  
35 was not causing long-term conservation concerns.

36  
37                   Over the past 50 years biologists from  
38 our Department have learned a great deal about how to  
39 manage Alaskan brown bears. We have learned that with  
40 adequate natural resources and responsible harvest  
41 strategies brown bear populations are much more  
42 resilient than had been previously assumed.

43  
44                   The Kenai population is an excellent  
45 example of this as it has increased in size in the past  
46 couple of decades to the point that dangerous  
47 bear/human encounters are also increasing. Based on  
48 our successful management programs throughout the  
49 state, we remain confident in our ability to achieve  
50 sustainable and healthy bear populations across the

1 Kenai while balancing the public's desire to stabilize  
2 or reduce the size somewhat.

3

4                   Because the State refused to capitulate  
5 by employing this emergency order authority, the  
6 Service chose to exercise the supremacy to preempt  
7 State hunting regulations on Federal lands and close  
8 the State harvest without specifying any specific  
9 metrics that caused them concern. All they stated was  
10 extreme concern over this year's harvest levels and its  
11 possible impact on long-term conservation.

12

13                   One has to ask, however, if the hunt  
14 was causing such dire impact to the brown bear  
15 population, why the Service didn't simultaneously close  
16 the Federally-authorized hunt. This Federal hunt  
17 targets the exact same population as the State hunt and  
18 could cause additional harvest and harm if the Service  
19 left it open.

20

21                   Despite requests by the Service to  
22 jointly develop a harvest strategy with the Department,  
23 the Service unilaterally developed a population  
24 viability model you saw Dr. Morton present tonight. We  
25 saw this model for the first time at the public hearing  
26 in Anchorage last Thursday. I would like to note that  
27 the Service cancelled three meetings with us to discuss  
28 harvest strategies since taking this action. We have  
29 not had a chance to review Dr. Morton's model and its  
30 conclusions in detail; however, preliminary assessment  
31 shows reasons for concern.

32

33                   Models such as this are only as  
34 accurate as the information put into them. One of the  
35 ways of assessing the accuracy of a model is to see how  
36 well it retrospectively predicts current populations.  
37 In other words, how well do the models predict what  
38 actually occurred over the last 10 or 15 years. These  
39 analyses have yet to be performed. We feel it's  
40 inappropriate to present unverified models in a public  
41 forum or to use such models as a source of management  
42 decisions.

43

44                   At ADF&G we are continuing our efforts  
45 to develop tests and verify the most accurate models  
46 possible and have those models peer reviewed by a  
47 professional biologist outside of our agency. We will  
48 share the results of this analysis with the Board and  
49 the Service early next spring prior to the bear hunting  
50 season so that everyone can see the predicted impacts

1 of various harvest strategies. This will ensure that  
2 we can take corrective action that may be necessary to  
3 ensure for long-term conservation.

4  
5           In many discussions with the Service,  
6 we have been told that their legal mandates require  
7 them and the State to maintain, quote, natural  
8 diversity on the Refuge. When queried what natural  
9 diversity means, we have received varying responses  
10 including State regulations cannot result in any change  
11 in bear numbers or alter their population trend or  
12 trajectory on the Kenai Peninsula. That is bears can  
13 increase to 1,200 and that would be fine.

14  
15           State regulations must maintain the  
16 important biological functions that brown bears serve  
17 and have served as predators and recyclers of marine-  
18 derived nutrients. Another one, State regulations must  
19 ensure that Kenai Peninsula brown bears are maintained  
20 at a rate equivalent to other coastal brown bear  
21 populations as you saw in Dr. Morton's slide show.  
22 That means I guess we need to have 10 times as many  
23 brown bears on the Peninsula over time.

24  
25           Unfortunately, none of these provide  
26 specific metrics to guide State management and prevent  
27 preemption. So we are left to guess and interpret to  
28 the best of our ability what these undefined goals  
29 might mean. Through the Alaska Constitution, the  
30 Alaska Department of Fish and Game is required to  
31 maintain sustainable populations of fish and wildlife  
32 for the maximum benefits of its people. Populations  
33 that are sustainable are biologically diverse and vice  
34 versa. By managing for sustainable populations, I  
35 believe the Department is meeting the requirements of  
36 the Service for biologically diverse populations.

37  
38           So if the Department is managing for  
39 sustainable and biologically diverse populations and  
40 that population is without conservation concerns, what  
41 is the Service really trying to do?

42  
43           Our perspective is that this is not a  
44 biological issue, rather a philosophical divide. It  
45 pits the theory of non-intervention enshrouded in an  
46 ambiguous interpretation of the Service's biological  
47 integrity policy against the active ecosystem  
48 management philosophy long employed by the State. The  
49 Service has embraced the philosophy that man should not  
50 intervene in natural processes, including the

1 management of wildlife, despite the outcomes as  
2 prescribed by their own biological integrity policy.

3

4                   What we are facing is not just a  
5 question of how brown bears are managed on the Kenai  
6 Peninsula, but if there will actually be management of  
7 wildlife anywhere on Service-administered lands, Refuge  
8 or otherwise. Will there be active management for  
9 specific outcomes of sustainability and natural  
10 diversity and will the tradition of hunting for any  
11 purpose, subsistence or otherwise, continue.

12

13                   In summary, there is no long-term  
14 conservation concern that necessitated the Federal  
15 preemption of a valid State hunt. Understanding that  
16 current brown bear hunting regulations on the Kenai are  
17 intended as a temporary adjustment, the Department and  
18 Board are developing a long-term harvest strategy for  
19 brown bears. This strategy will ensure the long-term  
20 conservation of brown bears in a manner that addresses  
21 human and ecosystem considerations on the Kenai  
22 Peninsula as well as the needs of its residents.

23

24                   We welcome involvement of the public  
25 and the Service in this effort. We are also committed  
26 to continuing and expanding our research and monitoring  
27 efforts on this bear population to ensure its  
28 sustainability.

29

30                   Thank you for the opportunity to speak  
31 tonight.

32

33                   (Applause)

34

35                   HEARING OFFICER REZABECK: Thank you  
36 very much. Next up is Richard Link followed by Rebecca  
37 Zulueta.

38

39                   MR. LINK: My name is Richard Link, L-  
40 I-N-K. I live five miles south of Soldotna. I have a  
41 little farm that borders the wildlife refuge and DNR.  
42 I've lived there for 38 years. For 23 years I had no  
43 problems with bears. We got along fine. They stayed  
44 at the bottom of the hill and I stayed on top. Then  
45 the Department of Fish and Game decided to close brown  
46 bear season.

47

48                   Nine years ago I started having brown  
49 bear problems. First it was just a bear in the chicken  
50 coop. Lose a couple of chickens, no big deal. Then

1 the bears got into my bees, so I spent \$2,000 and built  
2 a building on top of the roof of the shop to keep the  
3 bears away. It worked. Then the bears got into the  
4 chickens again, then into the turkeys. So more bears  
5 started showing up. Finally I'd had enough. Three  
6 years ago I started shooting bears. I shot four bears  
7 in 2012 in DLP.

8

9 I testified before the Board last  
10 summer that they needed to do something about the bear  
11 population. I've seen as high as nine different bears  
12 a year and that's just when I'm looking. Not counting  
13 when I'm not looking. Again this spring I had another  
14 bear show up, big boar. I shot it. I told the State  
15 Board I'm not going to tolerate bears in my yard.  
16 Every bear I've shot I've shot from the porch and I've  
17 had enough of the bears. There's just way too many  
18 bears.

19

20 I was hoping with this hunting season  
21 to curtail the numbers. I let two bears go last fall  
22 because I thought the hunting season would take care of  
23 them. Now the Refuge is going to shut this down. I  
24 can assure you that there will not be any bears on my  
25 property that live. I will kill every single one of  
26 them. I've got grandkids around and I'm not going to  
27 tolerate having those bears and tell my kids that they  
28 can't go out and play on the lawn because the bears are  
29 around.

30

31 If you people think it's fine to live  
32 with bears, wait. Without the moose for the bears to  
33 eat, they're going to get hungry and they're going to  
34 eat something and it won't be long before it's  
35 somebody's child. Thank you.

36

37 (Applause)

38

39 HEARING OFFICER REZABECK: Thank you  
40 very much. Next Rebecca Zulueta followed by Joe  
41 Mandurano.

42

43 MS. ZULUETA: Hi. My name is Rebecca  
44 Zulueta and that's spelled Z-U-L-U-E-T-A. I came here  
45 today to talk to you about the research I conducted for  
46 part of my master's degree during the summer of 2011.  
47 I'm hoping this research will speak well on this issue  
48 as it represents a portion of the population's opinion  
49 here.

50

1                   The main objective of my study was to  
2 take a closer look at how residents on the Kenai  
3 Peninsula felt about the current brown and black bear  
4 populations. Now this interest was due to the  
5 increasing number of defense of life or property brown  
6 bear kills or DLPs since 2000. So we're talking about  
7 an average of five DLPs per year in the '90s to an  
8 average of 16 per year from 2000 to 2010, which is only  
9 a portion of the human-caused mortalities.

10  
11                   To get a better idea of what might be  
12 going on in these communities I decided to determine  
13 whether there were differences in attitude and risk  
14 perception towards both brown and black bears among  
15 residents from low versus high DLP communities with a  
16 door-to-door survey. Respondents included residents  
17 from six different communities. Those from the high  
18 DLP communities includes Sterling, Cooper Landing and  
19 Bear Creek. Low DLP communities included Coho and  
20 Moose Pass and Seward.

21  
22                   Now 94 percent of the 465 residents I  
23 spoke to were very eager to give their opinion and fill  
24 out a survey, which is a very high response rate for a  
25 survey of this type, and one of the best methods to get  
26 the most respondents possible.

27  
28                   Now focusing on brown bears  
29 specifically, 82 percent of respondents revealed a  
30 positive attitude towards brown bears regardless of the  
31 community type they came from, leaving 12 percent  
32 feeling neutral and 6 percent with a negative attitude.

33  
34                   Looking at risk perception towards  
35 brown bears, 71 percent of respondents reported a  
36 somewhat weak to neutral sense of risk perception and  
37 residents living in high DLP communities tended to  
38 perceive more risk associated with brown bears than  
39 those living in low DLP communities.

40  
41                   In regard to experiences with brown  
42 bears, 84 percent of respondents reported having  
43 positive to neutral experiences with brown bears and 71  
44 percent of respondents had not experienced a loss or  
45 damage from brown bears. This shows that despite some  
46 loss or damage 13 percent of respondents still reported  
47 positive or neutral experiences with brown bears.

48  
49                   Finally, addressing the population size  
50 of the Kenai brown bear population, only a third of

1 residents, 34 percent, thought the population was too  
2 high or high. Almost half the respondents, 48 percent,  
3 chose either about right, low or too low.

4  
5 HEARING OFFICER REZABECK: Rebecca,  
6 would you wrap up, please.

7  
8 MS. ZULUETA: Yes. And the remaining  
9 18 percent of respondents were not sure. Thank you for  
10 your time and consideration of this information.

11  
12 (Applause)

13  
14 HEARING OFFICER REZABECK: Thank you  
15 very much. Next is Joe Mandurano followed by Bill  
16 Iverson.

17  
18 MR. MANDURANO: Hi. My name is Joe  
19 Mandurano A-N-D-U-R-A-N-O. I live in Kasilof and I  
20 have spent time here as a certified instructor for  
21 Alaska Fish and Game, bow hunter and muzzleloader  
22 hunting as well as holding the hunting seat for the  
23 advisory committee for the Board of Game. As a result  
24 of many dealings with fish and game meetings and the  
25 conversations and the like, I have been able to gather  
26 a few facts, plus being addicted to bear hunting.

27  
28 All I ever heard when I moved here was  
29 there's a total number of brown bears on the Peninsula  
30 right around 300. When I first moved here, everyone at  
31 Fish and Game and the Refuge actually believed it. I,  
32 as most everyone else living here, thought that number  
33 was total garbage considering the massive amount of  
34 land on this peninsula.

35  
36 I don't know how true it is, but  
37 somewhere in all those meetings and conversations it  
38 was told to me that the 300 number was arrived at  
39 during a number of flights by the State counting moose,  
40 not based on technical data. Now the Feds would like  
41 us to believe that their estimate of total number of  
42 brown bears after putting a few baited pins and  
43 counting hairs through DNA there's 624 bears and that  
44 number is carved in stone and their method is  
45 infallible.

46  
47 The mere fact that the Feds believe  
48 wholeheartedly in that number is uninsuring. There's  
49 no way they could have counted every last single one of  
50 them and that every bear showed up to be counted. It's

1 just preposterous to believe that as it was to believe  
2 in the old number of 300 as well. At the very least I  
3 would bet that the Feds missed as many bears as were  
4 taken last fall. I believe that.

5  
6 Finally Fish and Game is doing the  
7 right thing, so let's back them up. Thanks.

8  
9 (Applause)

10  
11 HEARING OFFICER REZABECK: Thank you  
12 very much. Bill Iverson is next followed by Bob  
13 Ermold.

14  
15 MR. IVERSON: Hello. My name is Bill  
16 Iverson. I'm with the Alaska Outdoor Council. We've  
17 got over 10,000 members statewide, but I live here at  
18 the end of Funny River Road. The Board of Game did not  
19 take their decisions lightly. I mean we were after  
20 them for years to make these decisions and they kept  
21 balking us and balking us and finally they came to the  
22 right decisions and went down the right direction and  
23 they've done a really good job, I think.

24  
25 The directions that we're going between  
26 the Federal agencies and the State agencies are in two  
27 different directions completely. We're trying to  
28 reduce the number of bears and bear conflicts that  
29 we're having in the area and they want to increase the  
30 number of bears and that's the last thing we need is  
31 more bears down here. I live at the end of Funny River  
32 Road. I've had more bear conflicts in the last 10  
33 years than I care to think about. In the last two or  
34 three years, those numbers have plummeted thanks to the  
35 help of the hunters that have taken the initiative to  
36 take some of these bears, these problem bears down.

37  
38 The formula that they're utilizing to  
39 come up with that 624 number in my opinion is  
40 completely flawed. If they'd just take -- and I've  
41 been told that this number that I've come up with is  
42 probably not right, but they had 35 bears that were  
43 tagged in the area and of those 35 bears 5 of them  
44 ended up getting hair samples from. If you extrapolate  
45 that out, we come up -- just right there alone it comes  
46 out to 1,477 bears as the number instead of 624 bears.

47  
48 Conservation is a key issue for Alaska  
49 Outdoor Council. No way do we want the bears to go  
50 away in any way, shape or form, but they do need to be

1 managed, as all predators do, including us. But,  
2 without any kind of management, without any kind of --  
3 us taking those numbers and keeping them stabilized,  
4 the whole system is completely out of whack.

5  
6 The number of bears that are being  
7 taken right now are -- because there's so much pent-up  
8 desire to hunt bears, the numbers were good numbers.  
9 The 70 that we were projecting is just about where we  
10 were going to get there, but it's not going to stay  
11 there. Interest is going to die off, people are going  
12 to have enough bears on their walls and mounting the  
13 things and those same hunters aren't going to continue  
14 hunting those bears and those numbers will start going  
15 back down.

16  
17 Of course, if the State deems that  
18 there is a concern, they're going to stop it. They're  
19 not going to let it go for 25 years as they try and  
20 scare tactic us here that they're going to be extinct.  
21 There's no way we would allow it, AOC or the Board of  
22 Game would allow the stock to be completely driven to  
23 extinction.

24  
25 Some of the things that I noticed are  
26 what I call Federal predator pits, that area that  
27 Spraker was talking about where they have these viewing  
28 areas. There's nothing to view there anymore because  
29 the bears have eaten and killed everything in the area,  
30 so there's no bears, there's no moose or anything.  
31 There's just a predator pit.

32  
33 That's all I have to say. Thank you.

34  
35 (Applause)

36  
37 HEARING OFFICER REZABECK: Thank you  
38 very much. Bob Ermold followed by Rick Northey.

39  
40 MR. ERMOLD: Good evening. My name is  
41 Bob Ermold, E-R-M-O-L-D. I'm an 18-year resident of  
42 the Kenai Peninsula. I'm currently in my second term  
43 on the Kenai/Soldotna Fish and Game Advisory Committee  
44 where I serve as the vice chair. I realize that with  
45 regard to the issue of the closure of this brown bear  
46 hunt it generates a lot of conversations and people  
47 often end up expressing their opinions about bear  
48 hunting, bear populations, moose populations,  
49 predator/prey relationships and even about habitat.  
50

1                   However, I'd like to point out that  
2 we're not here tonight to discuss any of those things.  
3 What we're here to discuss tonight is whether the U.S.  
4 Fish and Wildlife Service was justified in overreaching  
5 the State's authority by implementing this emergency  
6 order closure. I, for one, feel they were not for the  
7 simple fact that it wasn't necessary.  
8

9                   Two and a half weeks ago  
10 representatives from the Kenai National Wildlife Refuge  
11 attended our local fish and game advisory committee to  
12 speak to this closure. I found a great deal of  
13 inconsistency in the logic used to pursue this measure,  
14 but rather than engage in another circular debate about  
15 the particular details I'd like to state this in very  
16 simple terms.  
17

18                   Prior to the brown bear population  
19 study done in 2010, the best estimate of a brown bear  
20 population for the Kenai Peninsula was between 250 and  
21 300 bears. Using that number as our reality, we had  
22 State-authorized hunts, we had an allowable harvest of  
23 females and we didn't have any differentiation in the  
24 rules and regulations on Refuge land versus State land.  
25 However, now that we know we have a population of more  
26 than double that amount, even with this year's  
27 mortality rate, the Federal agency felt a need to step  
28 in and close the hunt after 68 mortalities at the time.  
29 This is of particular concern when considering the  
30 future harvest quota is to be 70 bears annually.  
31

32                   I have great difficulty understanding  
33 what part of this constitutes an emergency and  
34 justifies overriding the State's authority to manage  
35 wildlife to the extent that the Service contacted  
36 Washington, D.C. indicating that we needed to implement  
37 an emergency order closure. There is no emergency  
38 because this isn't about numbers. This is about the  
39 U.S. Fish and Wildlife Service overreaching the State's  
40 authority to further its own agenda.  
41

42                   At our advisory committee meeting, Mr.  
43 Steve Miller, assistant refuge manager, summed it up  
44 best when he stated that he felt things should be  
45 managed differently on the "Federal estate" because  
46 they have different goals and a different philosophy  
47 than the State of Alaska. I think that was the most  
48 accurate and honest statement spoken that night.  
49

50                   The Kenai National Wildlife Refuge does

1 have a different philosophy and different goals than  
2 the Alaska Department of Fish and Game. However, that  
3 does not constitute an emergency. Thank you.

4

5 (Applause)

6

7 HEARING OFFICER REZABECK: Thank you  
8 very much. Rick Northey is next followed by Mike  
9 Crawford.

10

11 MR. NORTHEY: Good evening. My name is  
12 Rick Northey, N-O-R-T-H-E-Y. I'm representing myself  
13 here tonight. I've lived on the Kenai since 1969. I  
14 live in the Caribou Hills area. Hunted that area  
15 extensively over the years and I've watched the decline  
16 of the moose and the rise of the bears and the wolves.  
17 The last two years I haven't been able to even see a  
18 moose that I could even get close to to shoot. There  
19 are quite a few big herds of cow moose and every year I  
20 have four to five cows with calves right in my area and  
21 watch them for about that week and then in come the  
22 bears and they harvest the calves and then that's what  
23 we have left.

24

25 From what I'm seeing in the Caribou  
26 Hills, it's a dead zone and it's going to become even  
27 deader if we don't do something with the predators.  
28 We'll all be down at Richard's house eating chickens.

29

30 (Laughter)

31

32 So I'm really disappointed that -- for  
33 one, I'm a taxpayer. I'm disappointed that these  
34 agencies don't have more interaction. I'd like to see  
35 people working for us a little bit more. I'm  
36 disappointed that this was shut down. I know you guys  
37 have lots of reasonings that you feel is right, but I  
38 totally support the Board of Game's decisions and what  
39 they're doing to try to take care of this problem  
40 because I consume moose and there's just not a whole  
41 lot of them out there.

42

43 We even went out and cut trees down in  
44 the spring to try to give them feed and stuff and  
45 they're nowhere to be found. They're down on the  
46 roads. The reason they're down on the road is because  
47 of predators and they're not really coming back up in  
48 the Caribou Hills where I live and enjoy them.

49

50 Thank you.

1 (Applause)

2

3 HEARING OFFICER REZABECK: Thank you  
4 very much. Mike Crawford is next, followed by Spencia  
5 Netschert.

6

7 MR. CRAWFORD: Good evening. My name  
8 is Mike Crawford, C-R-A-W-F-O-R-D. Tonight I'm  
9 representing the Kenai/Soldotna Fish and Game Advisory  
10 Committee, which I'm the chairman of. Like Bob just  
11 said, the Refuge came and gave us a presentation just a  
12 couple weeks ago. It's interesting to note that no  
13 mention of this meeting was made at that time.

14

15 Some questions that are left unresolved  
16 were how were these decisions made? Is this an  
17 individual decision? Is this a Board decision? Who  
18 looks at all the facts and where does the decision come  
19 up with? Is there a peer review of this decision  
20 outside of the Refuge? It sounds like Fish and Game is  
21 not involved in that. We need to take care of that.

22

23 The Board of Game, in our opinion, made  
24 good decisions, allowing for the harvest of abundance  
25 of brown bears on the Refuge. Where were the prior  
26 release parameters before the harvest began? You've  
27 closed the hunt because of a whole list of things and  
28 all these numbers, but you never supplied any of those  
29 numbers prior to. You never said this was our cap. We  
30 didn't hear about it. The public didn't hear about it.  
31 I don't think the Board of Game heard about it. Mr.  
32 Doug Vincent-Lang just said you guys didn't cooperate  
33 with that prior to our hunt either.

34

35 The average of 11.3 brown bears  
36 obviously was way too restrictive prior to the recent  
37 hunting years. Over the years I've been on the  
38 advisory committee the vast majority, probably 99  
39 percent of public comment at our meetings were about  
40 the concern of the number of bears and that reason for  
41 concern varies from safety of kids and neighborhoods  
42 with large bears being taken in the city of Soldotna to  
43 the city of the Kenai to DLP problems, to chickens and  
44 pigs. The real truth, we've got an abundance of bears  
45 and we should be allowed to harvest those abundance of  
46 bears.

47

48 At the Board of Game meeting last year,  
49 it became very apparent that the vast majority of the  
50 public did not want to sustain the bear number where

1 we're at now. We want the bear number to go lower.  
2 Dr. Morton just said that Mr. Farley was the expert and  
3 he quoted way lower numbers that would be a sustainable  
4 number of a population of brown bears on the Kenai  
5 Peninsula. Obviously there's multiple reasons why  
6 people have wanted the numbers reduced.

7  
8 I think there's also a concern of lack  
9 of transparency in this meeting. The Anchorage meeting  
10 that you just had last week was on the 20th of  
11 November. The advisory committee meeting here was on  
12 the 13th of November with no mention of the Anchorage  
13 meeting. You didn't put it on your Facebook page until  
14 the 19th of November. I didn't appear on your website  
15 until the 22nd of November. There was a small notice  
16 in the newspaper. You guys did a great job of closing  
17 the brown bear season with front page of the local  
18 paper, huge neon-colored signs at most of your access  
19 points, but when you go to the Refuge today and then  
20 the thing I see in the public -- uh-oh, where's it at.

21  
22 HEARING OFFICER REZABECK: Excuse me,  
23 Mike. Are you testifying for yourself or an  
24 organization?

25  
26 MR. CRAWFORD: For the advisory  
27 committee.

28  
29 HEARING OFFICER REZABECK: All right.  
30 You have some more time.

31  
32 MR. CRAWFORD: This is what's on the  
33 front door of the Refuge. We've got some little black  
34 and white blurb instead of this bright orange, pink,  
35 yellow, whatever color that is, announcing the closure  
36 of a season. This was to announce a public meeting.  
37 You needed a bigger room. Obviously the public is  
38 highly interested in this situation. So I'm concerned  
39 with the lack of -- and that doesn't make you guys look  
40 good. It makes you guys look bad. Are you trying to  
41 not have a lot of people show up? There's a bunch of  
42 people in this room that think you've got a conspiracy  
43 against hunting. I don't think that's the case, but  
44 you're making it hard to prove otherwise.

45  
46 That's all I have.

47  
48 (Applause)

49  
50 HEARING OFFICER REZABECK: Thank you

1 very much. The next person is Spencia Netschert,  
2 followed by Mike Ashwell. There are seats up front for  
3 those in the back who would like to sit down.

4  
5 MS. NETSCHERT: My name is Spencia  
6 Netschert, N-E-T-S-C-H-E-R-T. I am representing Safari  
7 Club International on the Kenai Peninsula as president.

8  
9 As Alaskans, we are concerned with the  
10 preservation philosophy of the U.S. Fish & Wildlife  
11 Service and the Federal government. Preservation is  
12 NOT the same as conservation. Sound  
13 active management as practiced by the State of Alaska  
14 benefits both people and resources. It enables Alaskans  
15 to continue our customary and traditional way of life,  
16 provides healthy fish and  
17 wildlife populations, harvest opportunities to feed our  
18 families, economic opportunities, and continuation of  
19 our outdoor heritage.

20  
21 Federal overreach on the Kenai National  
22 Wildlife Refuge has implications statewide. The most  
23 recent example is the unnecessary emergency closure of  
24 brown bear hunting on the refuge. The closure, as well  
25 as hunting closures in the Skilak Loop Recreation Area  
26 this fall, was ordered in the absence of any  
27 conservation concern. Federal management that is not  
28 responsive  
29 to the wildlife or habitat and leaves hunters in the  
30 field without notice is unacceptable.

31  
32 The passive management approach used on  
33 national refuge and park lands falls short of what  
34 Alaskans have come to expect in terms of active,  
35 engaged management, recognizing humans as part of the  
36 ecosystem. This is especially critical in our rural  
37 areas where fish and wildlife provide for subsistence.  
38 The State has conducted habitat enhancement, predation  
39 control, and harvest  
40 management with regard for the unique characteristics  
41 of Alaska's resources and its people. The Federal  
42 system has undermined these programs with hunting and  
43 trapping closures, access restrictions, and other  
44 decisions which negatively impact Alaskans.

45  
46 We must join in opposition to a Federal  
47 management system whose highest calling is "natural  
48 diversity," inevitably meaning wildly fluctuating  
49 wildlife numbers. An example of this Federal  
50 management philosophy was recently demonstrated when

1 the U.S. Fish and Wildlife Service said it was  
2 acceptable for an entire caribou herd to die out on  
3 Unimak Island, eliminating an important food source for  
4 subsistence users. The philosophy carries over to the  
5 Kenai moose population, at an all-time low in part  
6 because of the Service's refusal to do any proactive  
7 management. At the same time, the Service is willing  
8 to put its efforts - and our tax dollars - into  
9 building a \$10 million visitors center.

10

11 Proven management practices implemented  
12 by the State cannot be replaced by federal decisions  
13 that do not take into consideration effective habitat  
14 management and thwart the state's ability to manage  
15 sustainable and diverse populations of predator and  
16 prey. The Federal "natural diversity" philosophy fails  
17 to recognize Alaska traditions and negatively impacts  
18 fishing, hunting and trapping opportunities. Our  
19 natural resources are our strongest assets both  
20 economically and culturally.

21

22 We are committed to working toward a  
23 management solution that recognizes the importance of  
24 proactive management in a more inclusive manner than  
25 the current passive management practices of the Federal  
26 system.

27

(Applause)

28

29 HEARING OFFICER REZABECK: Thank you  
30 very much. Next we'll have Mike Ashwell followed by  
31 Elaina Spraker.

32

33 MR. ASHWELL: I'll pass at this time.

34

35 HEARING OFFICER REZABECK: All right.  
36 Elaina.

37

38 MS. SPRAKER: Good evening. My Name is  
39 Elaina Spraker, a longtime Alaskan, and I'm proud to  
40 say I am a hunter, fisherman snowmachiner and avid  
41 wildlife viewer.

42

43 Many of us have heard about biological  
44 carrying capacity of wildlife. But now a reference is  
45 being made to another form of carrying capacity, a  
46 willingness of this society to accept the impacts of  
47 wildlife in particular situations. Wildlife managers  
48 are now starting to integrate a human dimension aspect  
49 into

50

1 wildlife damage management, adopting an Acceptance  
2 Carrying Capacity for Wildlife. Research shows a  
3 direct correlation between increased wildlife  
4 populations which cause threats to property and human  
5 life and a shift in attitude to control wildlife  
6 populations to reduce conflicts between animal  
7 and man.

8

9 I think we can safely say most  
10 residents of the Kenai Peninsula have reached a point  
11 where we do not want to live with the density of brown  
12 browns that we currently have. Brown bear/human  
13 conflicts have increased dramatically in the past  
14 decade and our Acceptance Carrying Capacity has reached  
15 its limit. The Kenai Peninsula has one of the highest  
16 defense of life or property rates in the state. This  
17 is not to say that we do not want a healthy,  
18 sustainable brown bear population.

19

20 What are most disturbing are the recent  
21 actions by the Fish and Wildlife Service to  
22 inappropriately shut down the brown bear hunting in the  
23 name of conservation under the pretext of "natural  
24 diversity." Once again the Service has replaced  
25 conservation with preservation turning logic and  
26 science on its head. Many local residents have shared  
27 their negative experiences with brown bears, requesting  
28 a reduction in the population.

29

30 To further my point, I am the director  
31 for an NRA sponsored firearm training program called  
32 Women on Target. We have trained over 300 women with a  
33 2014 wait list that is reaching full capacity. Because  
34 of the high demand among our participants wanting  
35 firearm protection against bears, we have created a  
36 Bear Aware station to teach women how to defend  
37 themselves if a bear encounter were to occur. Our Bear  
38 Aware Station is designed after the Department of Fish  
39 & Game bear training program.

40

41 The Kenai National Wildlife Manager has  
42 stated on a number of occasions that there is a million  
43 visitors that come to visit the Refuge. In my opinion,  
44 his statement is incorrect. I contacted longtime  
45 Soldotna Chamber of Commerce Executive Director  
46 Michelle Graves and asked the following questions:

47

48 What are the main reasons why people  
49 visit the Kenai Peninsula? She named four: Fish,  
50 wildlife, glaciers and mountains.

1                   With wildlife I asked, number one. She  
2 said moose. Down on the list was bears, but only if  
3 they could be viewed from a safe platform or lodge.

4  
5                   My final question was how many people  
6 who visit the Peninsula know about the Kenai National  
7 Wildlife Refuge? Her response was very few.

8  
9                   HEARING OFFICER REZABECK: Elaina,  
10 would you wrap up, please.

11  
12                  MS. SPRAKER: I will. I have one more  
13 paragraph. Most people who visit the Kenai stop at the  
14 Soldotna Chamber Visitors Center for information,  
15 where they are directed and informed about the refuge  
16 through her staff.

17  
18                  In conclusion, it is disturbing to  
19 think our Federal public lands, where a local community  
20 has a legal right to access and provide sustenance for  
21 their families, recreate and enjoy the outdoors, has  
22 continually been discriminated against in favor  
23 of the non-consumptive users; where tourists have more  
24 rights and consideration than the local people.

25  
26                  It is time the Fish and Wildlife  
27 Service stops making  
28 decisions based on ideology and follow their own  
29 Federal law and the intent in which this Refuge was  
30 established.

31  
32                  Thank you.

33  
34                  HEARING OFFICER REZABECK: Thank you  
35 very much. Todd, are there other cards back there?  
36 No. Thank you. Okay. The next person will be Roy  
37 Smith followed by Rick Johnson and then we'll take a  
38 break.

39  
40                  MR. SMITH: Hello. I'm Roy Smith, S-M-  
41 I-T-H. I live in Kenai, Alaska. I'm a 28-year  
42 resident of the Kenai Peninsula. I too want to go on  
43 record as opposing the Federal closure of the brown  
44 bears for a number of the reasons that many of the  
45 people here have stated tonight.

46  
47                  I've hunted many years on the Kenai and  
48 have seen a regular increase of brown bears while  
49 hunting moose. While moose is my main source of gain  
50 that I am hunting, I do participate in other hunts as

1 well as brown bear when they've been available, but due  
2 to the years of the closures or reduced hunting  
3 opportunities, as well as finally being able to, you  
4 know, go ahead and hunt on the Peninsula, it's just  
5 been frustrating that during these times -- I've got  
6 some notes here.

7

8 I just wanted to see more of a balanced  
9 approach on dealing with, you know, harvesting the  
10 brown bears. I feel like, you know, the numbers that  
11 Fish and Game came up with it would be acceptable to  
12 harvest those amounts without going over the carrying  
13 capacity that they said they could harvest.

14

15 I'd like to say the PowerPoint that you  
16 all put up there was a presentation saying that, you  
17 know, it had the Refuge's philosophy on managing bears  
18 and their diversity and I wish that the Refuge would  
19 spend that much time managing the moose as they do the  
20 bears. President Roosevelt established the Refuge and  
21 it was the Kenai Moose Range and it was established for  
22 that initially, but it seems like it's lost its intent.

23

24 I just feel like the correlation  
25 between the brown bears killed as DLPs and continuing  
26 nuisance problems on the Peninsula, you know, these  
27 bears could be harvested and it would also help the  
28 brown bears to start learning that they need to fear  
29 humans and stay away from populated areas. I think we  
30 wouldn't have as many DLPs and other human-caused  
31 mortalities if we were allowed to harvest them.

32

33 Thank you.

34

35 (Applause)

36

37 HEARING OFFICER REZABECK: Thank you  
38 very much. Rick Johnston, please.

39

40 MR. JOHNSTON: My name is Rick  
41 Johnston. I'm a 36-year resident of the Kenai  
42 Peninsula. I've been a hunter ever since I was 13  
43 years old. Based on the testimony I've heard from a  
44 lot of my friends and people that I've known for 34  
45 years, I'd like to present a little bit of a dissenting  
46 opinion to what seems to be the prevailing discussion  
47 tonight. It's kind of important, I think, for you  
48 folks to know that there's fellow hunters and  
49 harvesters that have a different opinion.

50

1 I would respectfully like to offer my  
2 support to the Fish and Wildlife Service for their  
3 emergency closing the Kenai National Wildlife Refuge to  
4 the sport hunting of brown bears. Based on my  
5 observations and my time on the Kenai, 36 years, I  
6 believe the emergency order that halted the fall 2013  
7 season was required and actually should have been done  
8 before the harvest reached what it did. A little bit  
9 slow on the uptake there, fellas.

10  
11 I also believe that a review of 2013  
12 harvest data and projected 2014, which I think Dr.  
13 Morton did a pretty good job of illustrating, supports  
14 the closure and further actions. These  
15 actions are necessary to fulfill the Refuge's legal  
16 mandates, as I also think that Dr. Morton did a good  
17 job showing, under the Kenai National Wildlife Refuge  
18 Comprehensive Conservation Plan and the National  
19 Wildlife Refuge System Improvement Act of 1997. Like  
20 it or not, the Refuge has been here since 1941 and  
21 those are the legal mandates. A lot more people than  
22 you might think support those.

23  
24 I strongly urge the Refuge to implement  
25 this closure for the spring and fall 2014 seasons and  
26 to consider taking over all brown bear management  
27 including all brown bear harvest activities on the  
28 Kenai Refuge. The emergency measures already  
29 undertaken by the Refuge and the aforementioned  
30 permanent measures are required due to the increasingly  
31 activist role of the Game Board.

32  
33 As also has been discussed, the high  
34 number of reproductive females have been taken. It's  
35 in written testimony. I won't go into that. We've  
36 already discussed that, I think.

37  
38 One thing I think is important to point  
39 out and I like to have a little bit of unique  
40 perspective is the economics. My job for the last 30  
41 years has been interacting with a lot of the fishing  
42 guides and guides on the Refuge. Except for maybe the  
43 actual harvest of the target fish people, one of the  
44 most important things that visitors like to do is see  
45 brown bears in the wild, even small brown bears or  
46 whatever.

47  
48 Recently, I've talked to several guides  
49 and they confirmed that. In over 30 years of working  
50 with these local fishing and recreation guides, it's

1 clearly a really important part of their package that  
2 they be able to see those bears. Unfortunately, the  
3 kind of opportunistic harvest that we had this year  
4 killed a lot of those subadult bears in accessible wild  
5 settings like below Skilak and so on and so forth.

6

7 HEARING OFFICER REZABECK: Excuse me,  
8 Rick. Would you wrap it up, please.

9

10 MR. JOHNSTON: Okay. I'd just kind of  
11 like to say two things real quick. I don't think these  
12 types of hunts that result in most of the bears we  
13 talked about here were the kind of high quality brown  
14 bear hunts that a lot of us support. I think the  
15 opportunity for high quality wilderness hunting,  
16 especially when the Refuge has to close the Refuge, are  
17 going to be curtailed because of these kind of  
18 overharvest of the subadult bears.

19

20 Lastly, I'd like to say that a lot of  
21 the bears that were taken, they're going to continue to  
22 be taken with this closure off of the Refuge. I think  
23 the Refuge is going to have to mitigate that take by  
24 perhaps closing more quality hunting situations on the  
25 Refuge and that's going to be the unfortunate thing for  
26 people who like to do a quality brown bear hunt in a  
27 wilderness setting.

28

29 Keep up the good work, Refuge. I have  
30 written, more detailed.

31

32 HEARING OFFICER REZABECK: Why don't we  
33 take a 10-minute break. The restrooms are down the  
34 hallway and around the corner. We'll see you back here  
35 at about 20 till 8:00, please.

36

37 (Off record)

38

39 (On record)

40

41 HEARING OFFICER REZABECK: Take your  
42 seats and we'll begin again. Will everyone please be  
43 seated. We'll begin again, please, so we can get out  
44 of here at a reasonable hour. The next one up is Dave  
45 Blossom followed by Cliff Hugg. I'd like to remind  
46 folks that if you do not complete your testimony in  
47 three minutes, you're very welcome to -- please bring  
48 your written comments in full and the entirety of your  
49 comments will be on the record. Written comments  
50 receive the same weight, the same consideration as oral

1 comments.

2

3 DR. WHEELER: Excuse me. Can we get  
4 started.

5

6 UNIDENTIFIED VOICE: What's the  
7 deadline for written comments?

8

9 DR. WHEELER: Yeah, we're trying to  
10 speak above the noise. The deadline for written  
11 comments is December 13, so you've got a couple weeks.

12

13 UNIDENTIFIED VOICE: Can they be  
14 emailed to the Refuge office or whatever email is on  
15 your website?

16

17 DR. WHEELER: Yes. Yes, you can send  
18 them in, you can use the old-fashioned way or you can  
19 email them in or you can give them to us tonight or you  
20 can send them, I suppose, to the regional office.  
21 We'll make sure that they're all part of the public  
22 record however they get there. Just make sure that  
23 they're postmarked by December 13th if you mail them  
24 the old-fashioned way.

25

26 UNIDENTIFIED VOICE: We can just drop  
27 them by, right?

28

29 DR. WHEELER: You can drop them by.  
30 You can do whatever you want just to get them there.

31

32 HEARING OFFICER REZABECK: I think  
33 we're ready, Mr. Blossom.

34

35 MR. BLOSSOM: Okay. Thank you. My  
36 name is Dave Blossom. That's B-L-O-S-S-O-M. I'm here  
37 representing the Blossom family. We've been here since  
38 1948, so that's over 65 years of hunting and fishing  
39 here on the Kenai Peninsula and living. I, myself, am  
40 51 years old. I've been hunting since I was not even  
41 big enough to carry a gun, so I've got a lot of  
42 experience here on the Kenai Peninsula. I won't repeat  
43 what a lot of people have said, but one thing I do want  
44 to repeat is some numbers that were put out there.

45

46 I thank you, Bill, if he's still here.  
47 He put out some numbers and I think he got it from my  
48 testimony at the Board of Game. What I did is I  
49 watched the Fish and Wildlife Service give their bear  
50 report and I wrote down their numbers and they have

1 been quoted several times as saying that their numbers  
2 are about as conservative as they can possibly come up  
3 with.

4

5                   You know, we can take math and make  
6 numbers do anything we want, but I just simply took the  
7 Fish and Wildlife numbers from their bear study and  
8 applied it to some simple math and come up with a  
9 number. I wish I had more copies. I gave some copies  
10 out today. What I did is -- Fish and Wildlife, in  
11 their bear study, they come up with a total of 203  
12 samples. From that 203 samples, they come up with 624  
13 brown bear through mathematics.

14

15                   During their testimony they testified  
16 that of the 39 at the time in 2010 collared brown bears  
17 that Fish and Game had on the Kenai Peninsula, 34 of  
18 those 39 collared brown bear were in their study area.  
19 They felt very good about that, but that represented a  
20 high number and that they were going to be capture a  
21 big part of the total brown on the Kenai Peninsula  
22 based on those collared brown bear.

23

24                   After that presentation, the question  
25 was asked of those 34 collared brown bear, what total  
26 number did you get a sample from. The number was 5.  
27 So that's 14 percent of the 34 collared brown bear, 5  
28 represents 14 percent. So you can take that math and  
29 say that they were only getting a 14 percent mark  
30 recovery off the known population of brown bears in  
31 their study area. If you take that 14 percent and  
32 apply it to their 203 number, you'll come up with 1,450  
33 brown bear real quick.

34

35                   So it's a numbers game. We can all sit  
36 here and take numbers and they told me that, oh, you  
37 can't do that, that's not right. You know, it's all a  
38 numbers game. I'm sure I could take -- and this is  
39 using what they say is the most conservative number  
40 they could come up with and I got 1,450. If I took  
41 somewhere in the middle number, who knows, I might come  
42 up with over 1,500 or 2,000 brown bear, which is  
43 probably a little closer than the 624.

44

45                   The other thing I want to talk about is  
46 they talk about a minimum number and it's been brought  
47 up what we used to manage on the Peninsula for.

48

49                   HEARING OFFICER REZABECK: I'm sorry,  
50 Dave. Would you wrap up, please.

1 MR. BLOSSOM: This last part right  
2 here. Sean Farley has been recognized as the Kenai  
3 Peninsula brown bear expert and during the Board of  
4 Game meetings Mr. Spraker asked him what is the bear  
5 minimum number of brown bear we need on the Kenai  
6 Peninsula to sustain the healthy population and he said  
7 100. Now that's been retracted. Well, duh, no  
8 kidding, because nobody wants to only say we need 100,  
9 but he's the brown bear expert and he said 100. Now  
10 all of a sudden we're seeing a number of 500. Where is  
11 that coming from? I still think that somewhere around  
12 the 250-300 is a good number and if we have 450-1,500  
13 brown bear, we've got a lot of brown bear that we can  
14 play with.

15  
16 The other thing is you guys are  
17 managing for brown bear. You also have a  
18 responsibility to manage for moose. You guys have  
19 thrown that management out the window. It's time you  
20 managed for moose as well as brown bear.

21  
22 Thank you.

23  
24 (Applause)

25  
26 HEARING OFFICER REZABECK: Thank you  
27 very much. Next is Cliff Hugg, followed by Claire  
28 Colegrove.

29  
30 MR. HUGG: My name is Clifford Hugg, H-  
31 U-G-G. I live in Soldotna. Been here about 15 years.  
32 After Spraker and all the people here have talked,  
33 there's nothing I could add to that.

34  
35 There's one thing we haven't talked  
36 about and that's the economy of how much a bear is  
37 worth. I found that out really weird the last spring  
38 when I went hunting in May. I don't even apply to hunt  
39 here because there's not enough bears to hunt them or  
40 not enough opportunities to hunt them because of the  
41 Refuge primarily.

42  
43 I had a bear hunt scheduled for  
44 Shishmaref, Alaska and got a really nice grizzly and  
45 the airline lost it and it spoiled. In conference with  
46 the airlines, they said how much was the bear hide  
47 worth. They was going to pay me some of it and they  
48 did, which was I thought gracious. I went to  
49 Shishmaref from here, spent \$21,185 to hunt one bear.  
50 So that's another aspect you might look at what this

1 thing is all worth and what it's about. I could have  
2 spent that money right here, but there's no  
3 opportunities. Thank you.

4  
5 (Applause)

6  
7 HEARING OFFICER REZABECK: Claire  
8 Colegrove followed by Nathan Walker.

9  
10 MS. COLEGROVE: Hello. My name is  
11 Claire Colegrove, C-O-L-E-G-R-O-V-E. I'm here  
12 representing Defenders of Wildlife and our members here  
13 in Alaska. I'd like to voice our strong support of the  
14 Refuge and their actions taken to ensure the viability  
15 of the Kenai brown bear population. As explained in  
16 Dr. John Morton's presentation, the recent changes in  
17 brown bear management on the Kenai Peninsula have led  
18 to extremely high levels of harvest that the small,  
19 isolated population cannot sustain.

20  
21 The total numbers of human-caused  
22 mortality are concerning both in the high numbers of  
23 hunted bears as well as the high numbers of DLP. High  
24 defense of life and property killings generally  
25 indicate a failure of co-existence methods, which is  
26 very concerning for communities that have existed with  
27 bears for many years.

28  
29 As Dr. John Morton discussed, the Kenai  
30 brown bear population shows a small distribution for a  
31 coastal brown bear population and they are additionally  
32 known to be genetically distinct. Brown bears are  
33 known to have some of the lowest rates of reproduction  
34 of any land mammal in North America, indicating that  
35 human-caused mortality can have a strong negative  
36 population very quickly.

37  
38 I would additionally like to emphasize  
39 our support for the Refuge in restricting the hunting  
40 of brown bears over bait stations. We feel this is a  
41 particularly negative form of take of the population.

42  
43 We support the Refuge's stand to  
44 support the long-term viability of the brown bear  
45 population and the important role they play to the  
46 ecological integrity of the Kenai Peninsula as a whole.

47  
48 Thank you.

49  
50 (Applause)

1 HEARING OFFICER REZABECK: Thank you  
2 very much. Nathan Walker followed by John Wade.

3

4 MR. WALKER: Hi. I'm Nathan Walker.  
5 I'm with Audubon Alaska. Audubon Alaska focuses on  
6 science-based conservation and I've been working on a  
7 project in the Kenai Peninsula to help with developing  
8 tools for assisting local conservation groups with land  
9 management and conservation planning.

10

11 Audubon Alaska wants to thank the Kenai  
12 National Wildlife Refuge for its emergency closure of  
13 the brown bear hunt on the Refuge. It was the  
14 appropriate action to take to fulfill the Refuge's  
15 statutory mandates.

16

17 The U.S. Refuge system is a terrific  
18 resource for hunters that protects millions of acres of  
19 essential wildlife habitat and provides some of the  
20 best hunting in the world. Refuges are not and should  
21 never be game farms managed for a few hunters rather  
22 than for the state or country as a whole.

23

24 Millions of Americans a year make their  
25 way to Alaska where they spend hundreds of millions of  
26 dollars hoping for the transformative experience of  
27 seeing a bear in the wild. The Refuges are for them  
28 and the many Alaskan livelihoods they support as well  
29 as for the Alaskans who appreciate the opportunity to  
30 experience a balanced ecosystem.

31

32 We can all agree that the Federal and  
33 State agencies working together on wildlife management  
34 is the ideal situation, but the State has focused its  
35 efforts on what ultimately will result in predator  
36 control regardless of the State's intentions.

37

38 Until the State is willing and able to  
39 manage for a balanced ecosystem, we encourage the  
40 Refuge to forge ahead with its efforts to develop a  
41 sustainable hunting program for the Refuge and the  
42 Chugach National Forest to meet its obligations by  
43 doing the same.

44

45 Thank you.

46

47 (Applause)

48

49 HEARING OFFICER REZABECK: Thank you  
50 very much. John Wade followed by Jesse Bjorkman.

1 MR. WADE: My name is John Wade and I'm  
2 a resident of Anchorage, but I spend as much of my free  
3 time as possible on the Kenai, including living and  
4 working this past summer in Cooper Landing on the  
5 Refuge boundary. I did want to state my support for  
6 the Fish and Wildlife Service's actions this past year  
7 and I only hope their actions weren't too late. It is  
8 almost certain that our brown bear population is now  
9 well below the magic 500 number that everyone has been  
10 referencing.

11  
12 Going by the number of females killed  
13 out of the population who were radio collared, which in  
14 my opinion is the most relevant number, since it  
15 includes reported and unreported kills, it is possible  
16 that fully 20 percent of our female population was  
17 killed last year alone. This is a totally  
18 unsustainable state of affairs by any estimate and  
19 could quickly lead to an endangered population.

20  
21 My own personal experience is that we  
22 saw significantly lower number of brown bears this year  
23 than we were used to in the previous years. I believe  
24 that the higher numbers of defense of life and property  
25 kills are actually the result of increased human  
26 encroachment into brown bear habitat and the more  
27 lenient standards for these DLP kills than in previous  
28 years. The decline in the moose population is not due  
29 to predation but is clearly the documented result of a  
30 lack of new growth for them to feed on. This could act  
31 to force brown bears into developed areas that they  
32 would otherwise avoid.

33  
34 I do wish that the Forest Service would  
35 follow Fish and Wildlife's lead and take its  
36 stewardship responsibilities more seriously in the  
37 adjacent National forest. I also wish the Board of Game  
38 would take their stewardship responsibilities more  
39 seriously as they have in the past. In my opinion, it  
40 is their recent actions which have been unprecedented.

41  
42 Thank you for all your good work for  
43 the State of Alaska and the United States of America.

44  
45 Thanks.

46  
47 (Applause)

48  
49 HEARING OFFICER REZABECK: Thank you  
50 very much. Jesse Bjorkman followed by Dave Lyon.

1 MR. BJORKMAN: Hello. My name is Jesse  
2 Bjorkman, B-J-O-R-K-M-A-N. I'm speaking on behalf of  
3 myself, but also on behalf of my students who are  
4 hunters. I'm a middle school teacher up in Nikiski and  
5 we live in neighborhoods with a lot of bears. One  
6 thing that I seek to encourage my students to do is be  
7 an active member of the outdoors. That includes, for  
8 many of them, hunting.

9  
10 Any time the Refuge takes measures that  
11 eliminates opportunities for people to hunt that the  
12 State has deemed necessary and proper, I think that's a  
13 negative action. There are processes in place that  
14 have allowed this hunt to continue and that have been  
15 stated that would have shut the hunt down if the State  
16 felt it was necessary. For the Refuge to close the  
17 brown bear hunt as well as the predator hunt in Skilak  
18 Loop is out of bounds and it's uncalled for.

19  
20 Thank you.

21  
22 (Applause)

23  
24 HEARING OFFICER REZABECK: Thank you  
25 very much. Dave Lyon is next followed by John  
26 Toppenberg.

27  
28 MR. LYON: My name is Dave Lyon. I'm a  
29 20-something-year resident of the Kenai Peninsula. I'm  
30 currently in, I believe, my fifth term on the Homer  
31 advisory board, which I currently chair. I'm here  
32 representing myself.

33  
34 I came up to this meeting not really  
35 knowing what the format was and what I was going to  
36 have to say, but as I look around and I listen to  
37 everybody and I hear a lot of numbers thrown around and  
38 I see a lot of finger pointing from the public and from  
39 each agency at each others. What we have here is a  
40 situation and what it is is an inability of two  
41 agencies to communicate in an effective manner.

42  
43 I think there's good numbers out there  
44 and I think there's bad numbers out there, but what I  
45 do know is that according to the standards and the  
46 model of North American wildlife management, both  
47 agencies are obligated to manage this resource with the  
48 best available science. They should also cooperate in  
49 finding that good available science and they need to be  
50 able to talk to each other, pick up the phone and call

1 each other. Our biologists on both sides are all very  
2 devoted folks. They're under the administration. The  
3 administration on one side is also under the Board of  
4 Game.

5  
6 I've recently been led to believe that  
7 our biologists for the State can't pick up the phone  
8 and call their counterpart at the Refuge. If this is  
9 true, it's unconscionable. We're not fraternities  
10 competing with secret oaths and things that shouldn't  
11 be communicated. We need to share our ability to  
12 gather data. We need to agree on what is good data and  
13 face the fact that good data is mandated and expensive.  
14 We can't just get it for nothing. We really need to  
15 throw away this old number of 300 bears that keeps  
16 coming up. It was garbage then, it's garbage now. It  
17 didn't mean there were 300 bears then.

18  
19 We need good data. We need cooperation  
20 that is honest. Somebody has to hold out an olive  
21 branch or you people need to get a professional  
22 mediator because this is silly.

23  
24 (Applause)

25  
26 HEARING OFFICER REZABECK: Thank you  
27 very much. John Toppenberg followed by Michael Litzen.

28  
29 MR. TOPPENBERG: Good evening. Let's  
30 see if I can read my own writing here. I'm John  
31 Toppenberg, T-O-P-P-E-N-B-E-R-G. I live in Sterling  
32 and I'm director of the Alaska Wildlife Alliance.

33  
34 The Wildlife Alliance mission is to  
35 advocate for Alaska's indigenous wildlife. We believe  
36 that the emergency closure of brown bear hunting on the  
37 Refuge will simply reduce excessive mortality, making  
38 it less likely to close future seasons. For us, the  
39 U.S. Fish and Wildlife Service mandate to maintain the  
40 integrity of dynamic living ecosystems represents a  
41 firewall against the Board of Game's commitment to  
42 transform Alaska into a game farm.

43  
44 Relative to moose, bears are getting  
45 blamed for lack of fires and I think that needs to be  
46 emphasized. We appreciate the U.S. Fish and Wildlife  
47 Service's approach and believe it serves the best long-  
48 term interest of most Alaskans. This is not a  
49 representative group. 86 percent of the people that  
50 live in this state do not have a hunting license.

1 Alaskans and most of those that visit  
2 our state and spend considerable money here. Yesterday  
3 I spoke with Vic VanBallenberghe, a PhD wildlife  
4 biologist, with extensive experience here in Alaska.  
5 It's been his observation that relying on one census  
6 methodology can be dangerous. He's also observed that  
7 in the past most census data overemphasize predators  
8 and underemphasize prey.

9  
10 Anyway, it can be dangerous, especially  
11 when the health of the slowest to reproduce mammal in  
12 North America is at stake. We believe some of the  
13 State's reasoning is simply a smokescreen for an  
14 extreme predator control agenda. We believe the State  
15 needs to recognize the Federal Refuge mandates and  
16 attempt to work with them rather than impose an extreme  
17 predator control program.

18  
19 Our position is that models need to  
20 take into account more than predator control. We  
21 acknowledge the State's claim to do just that, but see  
22 little evidence in support of that claim. The bottom  
23 line here is that intensive management is not  
24 consistent with Federal Refuge mandates, a reality the  
25 Board of Game seems blind to.

26  
27 To us, even with this emergency  
28 closure, brown bear populations could be in jeopardy.  
29 Perhaps the Board of Game needs to realize that  
30 carrying capacity is now lower and predation -- that  
31 would be relative to moose -- and predation is only a  
32 small part of the biological picture. Population  
33 fitness is dependent on predation and hunter harvest is  
34 not a viable alternative to natural predation.

35  
36 Thank you.

37  
38 (Applause)

39  
40 HEARING OFFICER REZABECK: Thank you  
41 very much. Michael Litzen followed by Steve Meyer.

42  
43 MR. LITZEN: Hello. My name is Michael  
44 Litzen. My last name is spelled L-I-T-Z-E-N. I thank  
45 this organization here for a chance to testify. I'm  
46 testifying for myself and for the Alaska Professional  
47 Hunters Association. I'm a nine-year member on the  
48 board for APHA. I've been a resident of the state of  
49 Alaska for 45 years and 20 of those years have been in  
50 15A. I'm also a contract wildlife pilot for the Fish

1 and Game for 30 years and 20 of those years I've been  
2 doing my survey work here on the Peninsula, including  
3 today.

4

5 I want to speak out in strong  
6 opposition to the Service's actions to close the brown  
7 bear season. I work with Fish and Game biologists all  
8 over this state and I have the utmost confidence in  
9 what they're doing and the most respect. I think it's  
10 a very dangerous precedent for a Federal agency that's  
11 not in the process with the Board of Game to make this  
12 unilateral close of a season. I think it sets, as I  
13 said, a dangerous precedent for other Federally-managed  
14 lands around the state.

15

16 Like I said, I was doing surveys just  
17 today and I've seen that they seem to manage more for  
18 prey than they do predators -- excuse me, manage more  
19 for predators than prey. I did a count area today in  
20 15A and it was a pretty dismal count. I did see bears,  
21 I saw 12 wolves, I saw a bear on a kill, I saw 29 cows  
22 without calves, I saw 9 cows with one calf and 5 bulls,  
23 3 of which were yearlings. I didn't get out of the  
24 airplane until dark today and that's the result of a  
25 count area that's north of the Swanson and west of the  
26 Swanson up to the Point Possession.

27

28 I've lived there in 15A 20 years and  
29 it's a big change from when I first started doing  
30 surveys here.

31

32 Thank you.

33

34 (Applause)

35

36 HEARING OFFICER REZABECK: Thank you  
37 very much. Steve Meyer followed by Patricia Cue. Is  
38 Steve Meyer here?

39

40 (No comments)

41

42 HEARING OFFICER REZABECK: All right.  
43 We'll call him again in a few minutes. Patricia.

44

45 MS. CUE: So my name is Patricia Cue.  
46 My last name is spelled C-U-E and I've been a resident  
47 in Alaska since 1989 and have lived on the Peninsula  
48 since 1991. What I'd like to say is that I applaud the  
49 Kenai National Wildlife Refuge emergency closure to  
50 sport hunting of brown bear.

1 Thank you for your wise and prudent  
2 decision to minimize the impact of liberalized hunting  
3 of brown bears in this area. The Alaska Department of  
4 Fish and Game and Alaska's Board of Game are  
5 shortsighted and fail to consider the long term impact  
6 of the decision to liberalize hunting of brown bears  
7 resulting in excessive kills and ultimately an  
8 unsustainable brown bear population.

9  
10 Maintaining a healthy brown bear  
11 population is critical to the many wildlife viewing  
12 businesses on the Kenai including my vacation rental  
13 property. People travel from around the world to view  
14 brown bears in their natural habitat. Wildlife viewing  
15 has been and is increasingly important to the economic  
16 and  
17 cultural identity of the Kenai Peninsula.

18  
19 While hunting has reduced the numbers  
20 of brown bears to levels that are unsustainable, bears  
21 are killed by other means including in defense of life  
22 and property, illegal hunting and poaching, and motor  
23 vehicle collisions. Hunting should not be given  
24 priority over wildlife viewing. As seen in the lower  
25 48, hunting has virtually eliminated brown bear  
26 populations in other states.

27  
28 The Kenai Peninsula Borough is becoming  
29 urbanized, which will continue to impact brown bear  
30 populations. Environmental disturbances must be taken  
31 into account when looking into managing the future of  
32 brown bears. I appreciate your sound, scientifically  
33 based research that resulted in this closure.

34  
35 I also appreciate your interest in  
36 wildlife viewing and how wildlife viewing and hunting  
37 can coexist, but we must work together. Thank you.

38  
39 HEARING OFFICER REZABECK: Thank you  
40 very much.

41  
42 MS. CUE: And also I have another  
43 statement that was sent to me from the lower peninsula.  
44 It has nine signatories on it. Either I can read it or  
45 I can submit it.

46  
47 HEARING OFFICER REZABECK: Would you  
48 please submit it. Give it to Tina and she'll put it in  
49 the record. Thank you. The next person is Ed Schmitt  
50 followed by Joe Hardy.

1 MR. SCHMITT: Thank you. My name is Ed  
2 Schmitt, S-C-H-M-I-T-T. I'm a retired surgeon/rancher.  
3 Lived on the Peninsula for quite a while. Hunted all  
4 my life. I'd like to make some points about some  
5 things I've heard tonight.

6  
7 As a rancher, I think it's real easy to  
8 forget the last two winters we've had. Record cold,  
9 most snow ever. I know when I was running my 600-head  
10 cattle herd, that was hell on them. To claim that the  
11 bears are killing all the moose, we might want to look  
12 at what's been happening lately in our local weather  
13 systems.

14  
15 Another thing I hear a lot about is  
16 safety. Ironically, my last case here at the hospital  
17 in 2004 was a bear mauling. The last time I was in  
18 this meeting was to talk about the bear/human  
19 interactions on the Russian. Bear maulings do occur,  
20 but they occur under relatively unusual circumstances  
21 of low light. A fellow jogging at a creek at 3:00 in  
22 the morning is much more likely to get attacked by a  
23 bear than somebody fishing during the day. I don't  
24 want my kids eaten by a bear. I don't want my turkeys  
25 or chicken eaten by a bear that I raised down here on a  
26 little bit below us on the river, but you can take  
27 measures to prevent that.

28  
29 We live with bears and the majority of  
30 people would prefer to see them. I know it's a limited  
31 sample in this group of how people feel, but most of  
32 the people in this town on this Peninsula value the  
33 ability to see the bears. Most of us are concerned  
34 that there aren't enough despite what some people in  
35 this room feel and I'm sorry about that.

36  
37 I think we need to be aware to take  
38 quicker action when we see species that are important  
39 to us starting to decline precipitously. There's some  
40 fish issues that are happening on this Peninsula that  
41 are causing similar heartache and I applaud the U.S.  
42 Fish and Wildlife Service for taking this action  
43 proactively rather than waiting for a catastrophe.  
44 I've seen what happens down south.

45  
46 Thank you for the chance to say this.

47  
48 (Applause)

49  
50 HEARING OFFICER REZABECK: Todd, would

1 you bring it up. The next person is Joe Hardy.

2

3 MR. HARDY: My name is Joe Hardy, H-A-  
4 R-D-Y, 39-year resident of the Peninsula. I live about  
5 a mile down the road and I'd like to kind of contract  
6 what the last fellow just had to say. We cannot go for  
7 a walk in the neighborhood without carrying a firearm.  
8 We love seeing the bears, but it's just not prudent for  
9 us to do so.

10

11 I disagree with the Fish and Wildlife  
12 Service's action on the Kenai brown bear. I do not  
13 believe it was good science. I don't like to talk  
14 about myself, but I was on the Brown Bear Committee in  
15 the '93-'94 era when they were first appointed by Fish  
16 and Game as a species of special concern. I've read  
17 all these studies. If you want a good way to fall  
18 asleep, read one of those studies.

19

20 I've had a lot of sit-downs with Sean  
21 Farley talking about the science end. One common  
22 thread is garbage in/garbage out. You can take any of  
23 these models, put the information into it that you want  
24 to get the result that you want. I feel these studies  
25 were cherry picked to get the result that they wanted.  
26 They already knew they wanted to close the brown bear  
27 season down and I think that's the result they came up  
28 with. I think it's voodoo science myself. Unless you  
29 get this peer reviewed where it's proven to be  
30 scientifically valid, I don't think I'll ever consider  
31 this a good result.

32

33 I'll use one real simple example. You  
34 talk about radio collared bears, what a high percentage  
35 of them were killed. An awful high percentage of these  
36 radio collared bears were problem bears that have been  
37 collared as a result of their being a problem bear and  
38 those are the bears most likely to be harvested. So we  
39 see a high percentage of those bears shot and there's a  
40 good reason why they were shot.

41

42 That's basically all I've got to say.  
43 Thank you for your time.

44

(Applause)

45

46 HEARING OFFICER REZABECK: Thank you  
47 very much. Next up is Ted Bailey, please.

48

49

50

(No comments)

1 HEARING OFFICER REZABECK: Ted Bailey,  
2 followed by Walter Ward.

3  
4 MR. BAILEY: My name is Ted Bailey. I  
5 was a wildlife biologist on the Kenai National Moose  
6 Range from 1977 through 1980 and then supervisory Fish  
7 and Wildlife biologist on the Kenai National Wildlife  
8 Refuge from 1980 to 2001. I was one of the founding  
9 members of the Interagency Brown Bear Study Team formed  
10 in 1984. Served on that team for 16 years and I  
11 represented the Fish and Wildlife Service with several  
12 of my colleagues from the Department of Fish and Game,  
13 the U.S. Forest Service and later the National Park  
14 Service.

15  
16 The Brown Bear Study Team was formed to  
17 provide critical information necessary for the  
18 management of brown bears on the Kenai Peninsula. We  
19 were aware at that time that bears on the Kenai  
20 Peninsula may have been qualified to be listed as a  
21 threatened species and we wanted to avoid that  
22 classification.

23  
24 In 1998, largely through the efforts of  
25 the Alaska Department of Fish and Game with the support  
26 of the Fish and Wildlife Service and the Forest  
27 Service, the brown bear on the Kenai Peninsula was  
28 listed by the State of Alaska as a species of special  
29 concern because, "it is vulnerable to a significant  
30 decline due to low numbers, restricted distribution,  
31 dependence on limited habitat, resources and  
32 sensitivity to environmental disturbance."

33  
34 In 2011, the State of Alaska eliminated  
35 that species of concern list, but the Kenai Peninsula  
36 brown bear is still recognized for its unique status in  
37 the Appendix VII of the Alaska State Wildlife  
38 Management Plan.

39  
40 Brown bears on the Kenai Peninsula were  
41 conservatively managed for at least 28 years, from  
42 1984-2012. One of the reasons identified in a 2000  
43 research report by the Alaska Department of Fish and  
44 Game was that the last extent refuge for bears is on  
45 the lands of the Kenai National Wildlife Refuge and  
46 portions of the Chugach National Forest. The remaining  
47 areas of the Peninsula are either unsuited for bears by  
48 virtue of geology or by virtue of increasing  
49 development and use by people.

50

1                   In 2013, the Alaska Board of Game  
2 approved significantly liberalized brown bear hunting  
3 regulations on the Kenai Peninsula and directed that  
4 the Department of Fish and Game implement them. The  
5 2013 liberalized brown bear management regulations had  
6 the appearance of predator control measures to reduce  
7 the number of brown bears on the Kenai Peninsula and  
8 did not adequately take into account recognized  
9 biological factors regarding the sustained population  
10 management of brown bears, such as the acceptable  
11 proportion of adult females in the brown bear harvest.

12

13                   Because of these events I thought that  
14 the 2013 decision by the U.S. Fish and Wildlife Service  
15 to emergency closed brown bear hunting on the Kenai  
16 Refuge was an appropriate response based on the biology  
17 of brown bears.

18

19                   HEARING OFFICER REZABECK: Ted, would  
20 you please wrap up.

21

22                   MR. BAILEY: I also believe that in the  
23 future as long as liberalized harvest regulations are  
24 in place and that in order to fill the congressional  
25 mandates in the Alaska National Interest Lands that the  
26 Kenai National Wildlife Refuge conserve fish and  
27 wildlife populations, including bears, that the Service  
28 should close to the hunting of brown bears specific  
29 salmon spawning streams and their outlets on the Kenai  
30 National Wildlife Refuge that provide critical  
31 resources to brown bears and where brown bears are  
32 especially vulnerable to human harvest.

33

34                   Furthermore, I believe that the Refuge  
35 should establish and formalize biological-based harvest  
36 thresholds which, if exceeded, should also close the  
37 remainder of the Refuge to hunting of brown bears.

38

39                   Thank you.

40

41                   (Applause)

42

43                   HEARING OFFICER REZABECK: Thank you.  
44 Walter Ward, followed by Steve Meyer.

45

46                   MR. WARD: Hi. My name is Walter Ward.  
47 I'm a 27-year resident of the Kenai Peninsula here and  
48 speaking for myself.

49

50                   I'm a hunter. I'd like to go on record

1 as supporting the Refuge's action of its emergency  
2 closure and in light of the number of bears that were  
3 taken, particularly the breeding age females, I think  
4 that this closure should be extended for perhaps two to  
5 three years to let the population recover.

6

7 I submitted written comments and I'm  
8 not going to go all through that because I think a lot  
9 of it has been covered by other people tonight, but I  
10 want to make three comments that I don't think I  
11 covered.

12

13 One is the population of the people  
14 here on the Peninsula is growing every year and if you  
15 fly over and look at the development, it has changed so  
16 much. I mean there are roads on every ridge leading to  
17 and from the Kenai River and houses being built all  
18 over the place on private property and that's going to  
19 happen.

20

21 In my own neighborhood, I've watched  
22 the corridors that the moose and the bears use get  
23 narrowed down every year to where they're having more  
24 and more trouble getting around through the  
25 neighborhoods and I give the bears a lot of credit. I  
26 think they're pretty well behaved for the most part. I  
27 see their prints and I see -- I had one whack on my  
28 arctic entry one time, but just with a paw print and  
29 leave a note for me, but really they come through at  
30 night and they're pretty well behaved for the most  
31 part. I think actually the people are more problems a  
32 lot of times.

33

34 If you build on the edge of wild lands,  
35 which a lot of us have, myself included, and you want  
36 to live that way, you're going to have to be willing to  
37 accept a certain number of bear interactions and I  
38 think that particularly if you're going to have  
39 chickens and bees and other things, it's really an  
40 attraction to the bear and if you want to enjoy that,  
41 you're going to have to learn to live with that and get  
42 along with them. Like I said, I think the bears are  
43 doing more than their part.

44

45 The second thing is I think the Kenai  
46 National Wildlife Refuge has done -- and the Chugach  
47 Forest has done a great job of providing the bulk of  
48 the hunting experience opportunities here on the  
49 Peninsula. The real loss of hunting, again, is the  
50 development of lots of the private lands and, again,

1 that's the people's right to do that, but there's a lot  
2 of places that I used to go that you can't go anymore.  
3 The biggest loss is probably the large areas of Native  
4 lands that are now off limits. That's the real lock-up  
5 if you want to look at it.

6

7 In the future, the only places we're  
8 going to have to hunt are going to be these public  
9 lands and we need to take care of them. I appreciate  
10 what the Refuge is doing to do that.

11

12

13 Lastly, I just want to say, as a  
14 hunter, I was really appalled to read in the paper  
15 about those bears that were shot at the edge of the  
16 Russian River Campground and I was particularly  
17 disgusted that those people didn't end up with  
18 significant fines or jail time for it. It just  
19 blackens the image of all hunters by non-hunters.

20

21 HEARING OFFICER REZABECK: Walter,  
22 would you wrap it up, please.

23

24 MR. WARD: Okay. And I think just  
25 imagine the situation of those bears, standing there  
26 for a couple weeks, fishing, getting along with a  
27 number of other human fishermen there, watching rafts  
28 and drift boats go by and all of a sudden after  
29 September 1st getting blasted for standing there. That  
30 has nothing to do with fair chase. It has nothing to  
31 do with the traditional of quality Alaska trophy  
32 hunting and it just disgusts me as a hunter.

33

34 (Applause)

35

36 HEARING OFFICER REZABECK: Thank you  
37 very much. Is Steve Meyer here?

38

39 (No comments)

40

41 HEARING OFFICER REZABECK: Okay. I  
42 guess he went home. Is there anyone else who would  
43 like to testify this evening that has not done so.  
44 Come forward. We'll need your name and if you have an  
45 affiliation. Actually, just go ahead and tell us and  
46 we'll put it in the record.

47

48 MS. TREFON: My name is Brenda Trefon,  
49 T-R-E-F-O-N. I'm the environmental director for the  
50 Kenaitze Indian Tribe, but tonight I'm only speaking

1 for myself. I have been listening tonight and I've  
2 heard a lot of people with concerns about bear and  
3 human encounters and I will say that my family and my  
4 husband's family are Native Americans. We have lived  
5 on the rivers with bears for thousands of years. There  
6 has never been any bear maulings or bear attacks on any  
7 family members or tribal members that I know of going  
8 back as long as anyone can remember.

9

10 So I'm also from a family of great  
11 hunters, but I'm a scientist as well. I think that the  
12 closure was the correct thing to do. I've heard many  
13 people make comments about wanting to live a  
14 traditional Alaskan way of life. I think that my  
15 family has just as much right as anyone to continue a  
16 traditional way of life, but some of us would like that  
17 to include a brown bear population.

18

19 People complaining about the numbers  
20 and complaining about numbers in the past, I want to  
21 remind you, as a scientist, you can't predict the  
22 numbers in the future. So making a closure when you  
23 come across a very high number that changes your  
24 three-year average, it's a prudent thing to do.

25

26 That's all I have to say.

27

28 (Applause)

29

30 HEARING OFFICER REZABECK: Thank you  
31 very much. Is there anyone else who would like to  
32 testify this evening?

33

34 (No comments)

35

36 HEARING OFFICER REZABECK: All right.  
37 I'd like to close with just a couple of things. First  
38 of all, if you have written comments and you did not  
39 testify this evening, please feel free to submit them  
40 by email, submit them here this evening, bring them  
41 over to the Refuge office, send them by snail mail by  
42 December 13th.

43

44 In addition, the staff at the Kenai  
45 Refuge would be happy to discuss this with you at any  
46 time. Andy has given me his personal line, which is  
47 260-2804. You can also call the Refuge office and talk  
48 to any of the other staff there.

49

50 We will be posting, when we get the

1 transcript of this meeting, on the Kenai Refuge's  
2 website. In addition, there will be Dr. John Morton's  
3 PowerPoint. So you can refer to those in the future.

4  
5 With that, on behalf of the U.S. Fish  
6 and Wildlife Service, we'll be here for a few more  
7 minutes. I'd like to thank you all for coming and I  
8 wish you a good evening.

9  
10 MR. LORANGER: Thanks, Cathy. I'd just  
11 like to second the Refuge's appreciation for everybody  
12 turning out, everybody providing your testimony. We  
13 appreciate the fact that you care and that you're  
14 interested in what happens. I hope you continue to do  
15 that. Thanks.

16  
17 (Off record)

18  
19 [The following are additional written  
20 comments provided:]

21  
22 November 19, 2013

23  
24 As Alaskans, we are concerned with the  
25 preservation philosophy of the U.S. Fish & Wildlife  
26 Service and the federal government. Preservation is NOT  
27 the same as conservation. Sound  
28 active management as practiced by the State of Alaska  
29 benefits both people and resources. It enables Alaskans  
30 to continue our customary and traditional way of life,  
31 provides healthy fish and  
32 wildlife populations, harvest opportunities to feed our  
33 families, economic opportunities, and continuation of  
34 our outdoor heritage.

35  
36 Federal overreach on the Kenai National  
37 Wildlife Refuge (KNWR) has implications statewide. The  
38 most recent example is the unnecessary emergency  
39 closure of brown bear hunting on the  
40 refuge. The closure, as well as hunting closures in the  
41 Skilak Loop Recreation Area this fall, was ordered in  
42 the absence of any conservation concern. Federal  
43 management that is not responsive  
44 to the wildlife or habitat and leaves hunters in the  
45 field without notice is unacceptable.

46  
47 The passive management approach used on  
48 national refuge and park lands falls short of what  
49 Alaskans have come to expect in terms of active,  
50 engaged management - recognizing humans as

1 part of the ecosystem. This is especially critical in  
2 our rural areas where fish and wildlife provide for  
3 subsistence. The State has conducted habitat  
4 enhancement predation control, and harvest  
5 management with regard for the unique characteristics  
6 of Alaska's resources and its people. The federal  
7 system has undermined these programs with hunting and  
8 trapping closures, access restrictions, and other  
9 decisions which negatively impact Alaskans.

10

11                   We must join in opposition to a federal  
12 management system whose highest calling is "natural  
13 diversity," inevitably meaning wildly fluctuating  
14 wildlife numbers. An example of this federal management  
15 philosophy was recently demonstrated when the U.S. Fish  
16 and Wildlife Service said it was acceptable for an  
17 entire caribou herd to die out on Unimak Island,  
18 eliminating an important food source for subsistence  
19 users. The philosophy carries over to the Kenai moose  
20 population, at an all-time low in part because of the  
21 Service's refusal to do any proactive management. At  
22 the same time, the Service is willing to put its  
23 efforts - and our tax dollars - into building a \$10  
24 million visitors center.

25

26                   Proven management practices implemented  
27 by the State cannot be replaced by federal decisions  
28 that do not take into consideration effective habitat  
29 management and thwart the state's ability to manage  
30 sustainable and diverse populations of predator and  
31 prey. The Federal "natural diversity" philosophy fails  
32 to recognize Alaska traditions and negatively impacts  
33 fishing, hunting and trapping opportunities. Our  
34 natural resources are our strongest assets both  
35 economically and culturally.

36

37                   We are committed to working toward a  
38 management solution that recognizes the importance of  
39 proactive management in a more inclusive manner than  
40 the current passive management practices of the Federal  
41 system.

42

43 Spencia Netschert  
44 SCI Chapter President  
45 Alaska Kenai Peninsula Chapter  
46 Safari Club International

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November 25, 2013

Good evening. My Name is Elaina Spraker, a longtime Alaskan, and I'm proud to say I am a hunter, fisherman snowmachiner and avid wildlife viewer.

Many of us have heard about biological carrying capacity of wildlife. But now a reference is being made to another form of carrying capacity, a willingness of this society to accept the impacts of wildlife in particular situations. Wildlife managers are now starting to integrate a human dimension aspect into wildlife damage management, adopting an Acceptance Carrying Capacity for Wildlife. Research shows a direct correlation between increased wildlife populations which cause threats to property and human life and a shift in attitude to control wildlife populations to reduce conflicts between animal and man.

I think we can safely say most residents of the Kenai Peninsula have reached a point where we do not want to live with the density of brown browns that we currently have. Brown bear/human conflicts have increased dramatically in the past decade and our Acceptance Carrying Capacity has reached its limit. The Kenai Peninsula has one of the highest defense of life or property rates in the state. This is not to say that we do not want a healthy, sustainable brown bear population.

What are most disturbing are the recent actions by the Fish and Wildlife Service to inappropriately shut down the brown bear hunting in the name of conservation under the pretext of "natural diversity." Once again the Service has replaced conservation with preservation turning logic and science on its head. Many local residents have shared their negative experiences with brown bears, requesting a reduction in the population.

To further my point, I am the director for an NRA sponsored firearm training program called Women on Target. We have trained over 300 women with a 2014 wait list that is reaching full capacity. Because of the high demand among our participants wanting

1 firearm protection against bears, we have created a  
2 Bear Aware station to teach women how to defend  
3 themselves if a bear encounter were to occur. Our Bear  
4 Aware Station is designed after the Department of Fish  
5 & Game bear training program.

6  
7 The Kenai National Wildlife Manager has  
8 stated on a number of occasions that there is a million  
9 visitors that come to visit the Refuge. In my opinion,  
10 his statement is incorrect. I contacted longtime  
11 Soldotna Chamber of Commerce Executive Director  
12 Michelle Graves and asked the following questions:

13  
14 What are the main reasons why people  
15 visit the Kenai Peninsula? She named four: Fish,  
16 wildlife, glaciers and mountains.

17  
18 In regards to wildlife, what do  
19 visitors want to see. Moose,  
20 Caribou, Bears (however, visitors want to see them in a  
21 safe viewing environment). Ms. Graves then goes on to  
22 state that they direct all bear viewing interests  
23 across the inlet where the bear viewing lodges provide  
24 safe surroundings for people to view bears. And where  
25 bears are habituated to people, unlike the  
26 Kenai bears.

27  
28 My final question was how many people  
29 who visit the Peninsula know about the Kenai National  
30 Wildlife Refuge? Ms. Graves responded by saying few.  
31 Most people who visit the Kenai stop at the Soldotna  
32 Chamber Visitors Center for information, where they  
33 are directed and informed about the refuge through her  
34 staff. This information makes it difficult to  
35 justify a new 10 million dollar refuge visitor's  
36 center.

37  
38 In conclusion, it is disturbing to  
39 think our Federal public lands, where a local community  
40 has a legal right to access and provide sustenance for  
41 their families, recreate and enjoy the outdoors, has  
42 continually been discriminated against in favor  
43 of the non-consumptive users; where tourists have more  
44 rights and consideration than the local people. It is  
45 time the Fish and Wildlife Service stops making  
46 decisions based on ideology and follow their own  
47 Federal law and the intent in which this Refuge was  
48 established.

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I would respectfully like to offer my support of the US Fish and Wildlife Service's emergency order closing the Kenai National Wildlife Refuge to the sport hunting of brown bears. Based on my observations and 36 years of experience on the Kenai Peninsula I believe the emergency order that halted the fall 2013 season was required to protect the brown bear population. I also believe that a review of 2013 harvest data and projected 2014 harvest estimates support a permanent closure of sport brown bear hunting on Kenai National Wildlife Refuge. These actions are necessary to fulfill Refuge legal requirements and mandates under the Kenai National Wildlife Refuge Comprehensive Conservation Plan and the National Wildlife Refuge System Improvement Act of 1997, as well as any common sense interpretation of sound wildlife management principals.

Further, I strongly urge the Refuge to implement this closure for the spring and fall 2014 seasons and to consider taking over all brown bear management including all brown bear harvest activities on the Kenai National Wildlife Refuge.

The emergency measures already undertaken by the Refuge and the aforementioned permanent measures are required due to the Alaska Board of Games departure from the traditions of science based wildlife management in their decisions making.

As has been documented, a high number of reproductive-age female bears have been killed in part as a direct result of liberalized brown bear sport hunting limits in peninsula game management units that include Kenai National Wildlife Refuge, Historically, the ADF&G limited the annual number of human generated kills to 10 adults females. Over twice this number of adult females have been harvested in 2013 with no state response. The federal emergency order was clearly a legally and scientifically required measure and additional measures must be taken.

The negative consequences of this overharvest (of what the game board chair and ADF&G leadership and have described as a needed "market correction") may not be fully known for some time, which is why the only prudent alternative is an

1 indefinite closure of brown bear sport hunting on the  
2 Refuge.

3

4                   A strong case can be made that the  
5 current -- the politically appointed Alaska Board of  
6 Game -- Board of Game has abandoned even their  
7 historically low science-based decision making norm.  
8 They now have routinely ignored input from professional  
9 biologist on the ADF&G staff coached and planted  
10 favorable witnesses, and ignored "best practices"  
11 scientific literature and wildlife management  
12 standards.

13

14                   The current Alaska Board Of Game has  
15 proven to be a radical and politically motivated  
16 decision making body abandoning the traditions of  
17 modern wildlife management. The result now is  
18 brown bear predator control under state regulations on  
19 the Kenai Peninsula. These regulations have resulted  
20 in excessive overall mortality and female mortality  
21 within the brown bear population that exceeds any  
22 reasonable interpretation of sound wildlife management.  
23 Decisions appear to have been top down and politically  
24 motivated with minimal consideration of field level  
25 state and federal biologist input.

26

27                   One need look no further for proof that  
28 the State of Alaska has intermingled politics with  
29 professional input and science, than the co-authored  
30 opinion piece submitted (in support of Kenai  
31 Peninsula brown bear population suppression and  
32 manipulation) to the Anchorage Daily News and the  
33 Peninsula Clarion newspapers by the politically  
34 appointed Game Board chair and an ADF&G agency  
35 representative. This advocacy "marriage" of a  
36 political appointee and what is supposed to be an  
37 independent state wildlife biologist/manager speaks  
38 volumes regarding the sad state of affairs in ADF&G  
39 leadership.

40

41                   Based on my 36 years of experience with  
42 wildlife and natural resource management on the Kenai  
43 Peninsula, I agree with the U.S. Fish and Wildlife  
44 Service that the brown bear harvest during 2013, and  
45 projected into the future is not scientifically  
46 sustainable. I also believe that the overharvest  
47 situation and reason for the closure may be worse than  
48 is apparent.

49

50                   Based on my experience, it is my

1 opinion that unreported brown bear mortality is more  
2 likely than not to be much higher than is being  
3 officially reported and estimated by state and federal  
4 biologist.

5  
6 Many of the large number of bears  
7 harvested in 2013 due to the wide open harvest  
8 regulations have been bears that frequent remote but  
9 motorized accessible rivers and streams where they are  
10 easy kills while feeding. These bears are being  
11 eliminated from the population in locations where  
12 refuge visitors, photographers, fisherman, and guided  
13 fisherman would be most likely to safely and without  
14 disturbance observe a brown bear in the wild.

15  
16  
17 In over thirty years of working with  
18 local sport fishing and wildland recreation guide  
19 services and businesses it has been my observation that  
20 one of the top expectations and highlights of their  
21 clients is to see a brown bear in the wild.  
22 Non-guided visitor and local residents often cite  
23 seeing a brown bear in the wild as the highlight of  
24 their outdoor recreation experience. A review of  
25 harvest data for 2013 would, I am certain, indicate a  
26 disproportionate harvest of subadult bears that are  
27 often observed at accessible and commonly visited river  
28 and lakeshore locations such as the upper and mid Kenai  
29 River, Russian River and remote but lake accessible  
30 salmon spawning tributary streams accessible by  
31 motorboat.

32  
33 Harvest at these locations is generally  
34 not the high quality wilderness brown bear hunt for a  
35 mature adult or trophy brown bear real hunters might  
36 aspire to, rather such a "hunt" is more likely an  
37 opportunistic easy kill more akin to a road hunt of  
38 non-trophy bears. This type of brown bear cull is  
39 inconsistent with the traditions of Alaska big game  
40 hunting and it is certainly not consistent with the  
41 purposes of Kenai National Wildlife Refuge and Kenai  
42 Wilderness.

43  
44 Following a more long lasting temporary  
45 or permanent closure and prior to reopening brown bear  
46 harvest under a more population based and sustainable  
47 annual harvest target, the Refuge should strongly  
48 consider hunting closure buffers around salmon spawning  
49 stream that are critical brown bear feeding areas and  
50 vulnerable due to adjacent road and/or motor boat

1 access. This is particularly true where these critical  
2 salmon spawning and bear feeding streams are road  
3 accessible, flow into motorboat accessible lakes, and  
4 where brown bear feeding occurs at the mouth of  
5 tributary stream where high powered rifle shots can be  
6 taken from a boat or from the floats of an airplane off  
7 shore of the stream mouth.

8  
9                   Several of these critical feeding areas  
10 are critical for brown bear recruitment of fat stores  
11 and nutrition for the long winter months and they also  
12 can offer opportunity for brown bear  
13 observation at a distance and should not be subject to  
14 opportunistic low quality "road" hunt brown bear  
15 killing. A brown bear should not have to risk being  
16 sniped by an unskilled hunter while feeding at its  
17 traditional feeding area/salmon streams.

18  
19                   Specifically streams that should have  
20 relatively defined but relatively small no hunt buffers  
21 include:

- 22  
23                   1. Russian River below Lower Russian  
24 Lake to its confluence with the Kenai River, (1/4 mile  
25 buffer either side of the stream)  
26  
27                   2. The upper Kenai River from the  
28 eastern boundary to Skilak, (1/4 mile buffer either  
29 side of the stream) Note: This would be in addition to  
30 the established no shooting buffer from the Sterling  
31 Highway.  
32  
33                   3. The mid Kenai River below Skilak to  
34 the refuge boundary below Thomson's hole.  
35  
36                   4. The lower portions of Goat Creek  
37 (1/4 mile buffer either side of the stream) and 1/2  
38 mile upstream Upper Russian Lake.  
39  
40                   5. The Russian River outlet (downstream  
41 1/2 mile), Upper Russian Lake (1/4 mile no hunt buffer  
42 on the Refuge side of the stream).  
43  
44                   6. Glacier Creek (no hunt buffer 1/4  
45 mile either side of the stream) and (Upstream 1/2 mile)  
46 from Tustumena Lake.  
47  
48                   7. Clear Creek (1/4 mile no hunt buffer  
49 either side of the stream and upstream 1/2 mile  
50 Tustumena Lake).

1                   8. Nikolai Creek (1/4 mile no hunt  
2 buffer either side of the stream and upstream 1/2 mile  
3 Tustumena Lake).

4  
5                   9. Bear Creek (1/4 mile no hunt buffer  
6 either side of the stream) and upstream 1/2 mile from  
7 Tustumena Lake).

8  
9                   10. Moose Creek (1/4 mile no hunt  
10 buffer either side of the stream and upstream 1/2 mile  
11 from Tustumena Lake).

12  
13                   11. Tustumena River (1/4 mile no hunt  
14 buffer either side of the northern and southern braids  
15 of this glacial stream and upstream 1/2 mile) from  
16 Tustumena Lake.

17  
18                   12. Shantatilik Creek (1/4 mile buffer  
19 either side of the stream and 1/2 mile upstream from  
20 Tustumena Lake).

21  
22                   13. Pipe Creek (1/4 mile no hunt buffer  
23 either side of the stream and upstream 1/2 mile from  
24 Tustumena Lake).

25  
26                   As a final thought, it is very  
27 important that any future allowable Refuge brown bear  
28 harvest mitigate for excessive off-Refuge harvest that  
29 is sure to continue under the state regulations. These  
30 regulations will continue to result in excessive  
31 harvest of Refuge brown bears that venture off refuge  
32 lands and on to adjacent lands. These adjacent off-  
33 refuge killing zones make a strong case for an  
34 indefinite closure of brown bear hunting on refuge  
35 lands with any allowable harvest  
36 going forward authorized in consideration of the off-  
37 Refuge "body count" and for Refuge brown bears that  
38 will continue to be subject to "predator control" off  
39 Refuge.

40  
41                   The unfortunate but necessary result  
42 may be loss of higher quality wilderness trophy brown  
43 bear hunting opportunities that generally are available  
44 on the refuge to mitigate for excessive non-trophy low  
45 quality "predator control" occurring off the Refuge.

46  
47 Rick Johnston  
48 Soldotna, Alaska

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November 25, 2013

Comments re: 30 day Emergency Closure  
of Brown Bear Sport Hunting on the Kenai National  
Wildlife Refuge.

I would like to offer my support for  
the USFWS emergency action to close the National  
Wildlife Refuge to the sport hunting of brown bears.  
Considering its recent unilateral actions changing  
state regulations to attempt to attempt to open the  
Skilak Wildlife Recreation Area to predator hunting and  
the greatly expanded registration permit hunting of  
brown bears on the Kenai Peninsula, it is becoming  
increasingly clear that the Alaska Department of Fish  
and Game is no longer interested in the cooperative  
management of sport hunting with the U.S. Fish &  
Wildlife Service on refuge lands. In fact their  
oft-touted policy of scientifically-based management of  
wildlife populations appears to have been completely  
supplanted with politically-driven decisions from the  
Board of Game that harken back to the 19th century  
attitudes and actions that historically lead to the  
decimation of numerous top predators in the Lower 48.

I applaud the USFWS management for its  
clear recognition of its greater responsibilities to  
all Americans to manage the Kenai National Wildlife  
Refuge as important habitat for a healthy diversity of  
all native wildlife species, including the natural  
predators. The opportunity for Alaskans, out-of-state  
and  
foreign visitors alike to observe brown bears in the  
wild is one of the most sought after and treasured  
experiences. The shameful opportunistic slaughter of  
female and sub-adult brown bears which has taken place  
this year in a number of road accessible, public  
recreation sites on the Kenai Peninsula has no right to  
be called "sport hunting" and has tarnished the  
reputation of all hunters in the eyes of much of the  
non-hunting public. It has no resemblance to the  
historical tradition of quality Alaskan big game trophy  
hunting and the principals of "fair chase."

1 November 25, 2013

2

3

4 The USFWS should expand the closure on  
5 the sport hunting of brown bears in the Kenai National  
6 Wildlife Refuge into an extended closure for a least  
7 three years to allow the Kenai Peninsula brown bear  
8 population to recover from the estimated 10% loss thus  
9 far in 2013, from the excessive registration permit  
10 harvest combined with DLP takes and other mortalities.

10

11 Further, I believe that the USFWS  
12 should consider permanently taking over the management  
13 of hunting of all predators within the Kenai National  
14 Wildlife Refuge, at least until such time when the  
15 Alaska Department of Fish & Game  
16 has abandoned its archaic war on predators' policies  
17 and can function without political influences and  
18 intervention.

19

20

\*\*\*\*\*

21

22 My name is John Wade and I'm a resident  
23 of Anchorage, but I spend as much of my free time as  
24 possible on the Kenai, including living and working  
25 this past summer in Cooper Landing on the Refuge  
26 boundary. I'm going to be brief, but I did want to  
27 state my support for the Fish and Wildlife Service's  
28 actions this past year and I only hope their actions  
29 weren't too late. It is almost certain that our brown  
30 bear population is now well below the magic 500 number.

31

32

33 Going by the number of females killed  
34 out of the population who were radio collared, which in  
35 my opinion is the most relevant number, since it  
36 includes reported and unreported kills, it is possible  
37 that 20 percent of our female population was killed  
38 last year alone! This is a totally unsustainable state  
39 of affairs by any estimate and could lead to an  
40 endangered population and a genetic bottleneck.

41

42 I spend a lot of time in the refuge and  
43 adjacent National Forest, and my own personal  
44 experience is that we saw significantly lower number of  
45 brown bears this year than we were used to in the  
46 previous years. I believe that the higher numbers of  
47 defense of life and property kills are actually the  
48 result of increased human encroachment into brown bear  
49 habitat and more lenient standards for these DLP kills  
50 than in previous years. The decline in the moose

1 population is not due to predation but is the  
2 documented result of a lack of new growth for them to  
3 feed on. This could act to force brown bears into  
4 developed areas they would otherwise avoid.

5  
6 I do wish that the Forest service would  
7 follow Fish and Wildlife's lead and take its  
8 stewardship responsibilities more seriously in the  
9 adjacent National forest. I also wish the Board of Game  
10 would take their stewardship responsibilities more  
11 seriously, as they have in the past. In my opinion, it  
12 is their recent actions which had been unprecedented.

13  
14 Thanks for your time and all your good  
15 work for the State of Alaska and the United States of  
16 America.

17  
18 \*\*\*\*\*

19  
20 My name is Patricia Cue and I have been  
21 a resident of Alaska since 1989 and resident of the  
22 Kenai Peninsula Borough since 1991. I applaud the Kenai  
23 National Wildlife Refuge emergency closure to sport  
24 hunting of brown bear.

25  
26 Thank you for your wise and prudent  
27 decision to minimize the impact of liberalized hunting  
28 of brown bears in this area. The Alaska Dept. of Fish  
29 and Game and Alaska's Board of Game are shortsighted  
30 and fail to consider the long term impact of the  
31 decision to liberalize hunting of brown bears resulting  
32 in excessive kills and ultimately an unsustainable  
33 brown bear population.

34  
35 Maintaining a healthy brown bear  
36 population is critical to the many wildlife viewing  
37 businesses on the Kenai including my vacation rental  
38 property. People travel from around the world to view  
39 brown bears in their natural habitat. Wildlife viewing  
40 has been and is increasingly important to the economic  
41 and cultural identity of the Kenai Peninsula.

42  
43 While hunting has reduced the numbers  
44 of brown bears to levels that are unsustainable, bears  
45 are killed by other means including in defense of life  
46 and property, illegal hunting and poaching, and motor  
47 vehicle collisions. Hunting should not be given  
48 priority over wildlife viewing. As seen in the lower  
49 48, hunting has virtually eliminated brown bear  
50 populations in other states.

1                   The Kenai Peninsula Borough is becoming  
2 urbanized which will continue to impact brown bear  
3 populations. Environmental disturbances must be taken  
4 into account when looking at managing the future of  
5 brown bears. I appreciate your sound, scientifically-  
6 based research that closing the Kenai National Wildlife  
7 Refuge to brown bear hunting is in the best interest to  
8 wildlife viewers and hunters alike.

9

10                   Thank you.

11

12                   \*\*\*\*\*

13

14                   We strongly support the US Fish and  
15 Wildlife Service emergency closure of the Kenai  
16 National Wildlife Refuge to the hunting of brown bears.  
17 We also commend Refuge staff for their commitment to  
18 the sound science-based research which led to this  
19 action, and their adherence to modern and generally  
20 acceptable principles of wildlife management.

21

22                   We believe it is the mission and  
23 mandate of federal land managers to manage wildlife in  
24 their jurisdictions at sustainable levels. This  
25 closure confirms that the FWS is meeting these  
26 responsibilities.

27

28                   Furthermore we feel the Alaska  
29 Department of Fish and Game and the Alaska Board of  
30 Game have set harvest levels for Kenai brown bears that  
31 are scientifically unjustifiable, biologically  
32 unsustainable and that will lead to Kenai brown bears  
33 becoming a population at risk once again.

34

35                   We would prefer to have the brown bear  
36 population of the Kenai National Wildlife Refuge  
37 managed at densities and numbers similar to that of  
38 other coastal populations of brown bears.

39

40                   We believe that the adoption of a  
41 management strategy which incorporates this goal will  
42 lead to a population of bears that will benefit the  
43 Kenai Peninsula ecosystem, can be enjoyed  
44 by wildlife viewers, harvested by hunters, and provide  
45 reassurance to citizens who simply want to know we are  
46 collectively managing for sustainable bear populations.

47

48 Derek Stonorov, Homer, AK 99603  
49 Dave Bachrach, AK Adventures, Inc., PO Box 2828, Homer,  
50 AK 99603

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4 99603  
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6 Neil Wagner, PO Box 1801, Homer, AK 99603  
7 Mary Frische, PO Box 845, Homer, AK 99603  
8 Tom Collopy, PO Box 845, Homer, AK 99603  
9 John Mouw, Homer, AK 99603

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(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 71 contain a full, true and correct Transcript of Public Hearing taken electronically under my direction on the 25th day of November 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 30th day of December 2013.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 9/16/14