

RC 205
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Alex Whiting

Wolf and wolverine hunting in GMU 23 – regulation fix request

Current regulations regarding the use of snowmachines for hunting wolves and wolverines are insufficient to accommodate local hunting practices that have been used since snowmachines first arrived in GMU 23. Even where the regulations allow for positioning a hunter to shoot from a stopped snowmachine (in GMU's that currently do not include GMU 23), the gray area of what constitutes harassing, herding or molesting game, remains in effect. While this modification allows for legal harvest of wolves (but not apparently wolverines) in rare cases where a hunter happens upon them with a snowmachine, in a manner where pursuit of fleeing animals has not occurred (which can and does in fact happen), this circumstance is the exception and not the rule. And it is common knowledge that rules based on exceptions are generally problematic. Basically, all wolves (but again not wolverines) caught using a snowmachine must be assumed to have been taken under such limited circumstances, in order for them to be considered legal.

For those that may not have real life experience using a snowmachine to hunt wolves or wolverines, it may be helpful to understand that in a majority of cases the animals are not first visually observed, but that fresh tracks are followed, and long before the animals come into view, the tracks will show that the animals have heard the snowmachine approaching and begun running (at which point it appears according to current prohibitions the hunter is supposed to stop pursuit – effectively ending the hunt). In most cases however the tracks will continue to be followed until the hunter sees the animals and then the snowmachine is used to catch up to the animals close enough to shoot them. While a single animal can be caught on occasion without pursuit (as stated above), it is extremely rare when more than one animal can be taken from a pack without the pursuit of fleeing animals having occurred. So current regulations that are intended to provide legal cover (the allowance for the positioning of the hunter) would in all but the very rarest of cases make multiple wolf kills essentially illegal.

Because the actual capture of animals is rarely witnessed by anyone but the hunter(s), enforcement of the prohibition of pursuing fleeing animals has been

rare and so the practice of hunting this way has remained. In fact enforcement has been so rare as to allow many, if not most, wolf hunters in the region, to not even be aware that pursuing fleeing animals, is and has been in fact, illegal all along.

Of the justifications for the current prohibition on using snowmachines to pursue fleeing animals, one is couched in conservation terms – that is allowing this method will lead to rapid depletion of the species for which this method is used - I would argue that the current population of wolves and wolverines in GMU 23 is direct evidence against this concern, since the prohibited practice has been in effect for the last 40 plus years and yet both species continue to be present in huntable numbers, in fact wolves appear to be increasing, if anything. The other reasons against allowing pursuit of fleeing animals, is based on ethical arguments that spring from western philosophical understandings of how humans should relate to animals and from the western sporting tradition of fair chase. In this case I would argue that the local culture of relating to animals, comes from a long tradition of emphasizing the use of animals to provide for the needs of the people, and is not based on sporting ethics, or other western philosophies. This approach can be easily demonstrated, for example, by the common widespread (and notably legal) local traditions of using a motorized boat to approach swimming (and fleeing) caribou and belugas and shooting, or harpooning them. In the minds of local people they correctly make no distinction between these species (and all other species) in terms of the methods used to capture them. This in large part is the basis for the confusion over what are legal methods and why different approaches to different species occur in western law.

While there has been a significant increase in the access to western manufactured goods in GMU 23, there is as yet no suitable replacement for wolf and wolverine fur for the utilitarian purposes they serve and also there is a cultural significance attached to them that is unable to be replaced - both on how the products derived from these species are valued by the users and the role they play in the identity of the hunters. Also, the ability to take the occasional wolf or wolverine by this method, creates opportunity for local

hunters to supplement their income and pay for the high cost of fuel and associated traveling costs, which is no small effect given the high costs of living in the region and the relatively high amount paid locally for these valuable furs. Almost all of these furs are in fact sold in the region to be turned into valuable ruffs and other irreplaceable local commodities, which has a multiplying effect by providing income for the seamstress's and others using them for these purposes, in addition to the hunters.

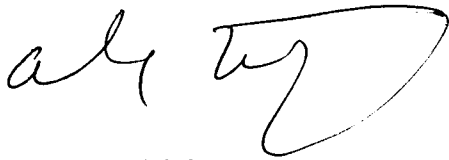
Another argument in favor of accommodating local practices of pursuing fleeing wolves and wolverines can be made: that in order for people to respect the law - that the law needs to respect the people. Anytime the law conflicts with widespread and socially acceptable practices, it undermines the value people place on the whole body of laws and the ability to promote conservation and management in a cooperative manner. In other words the system demands integrity to be respected, which it currently lacks in this regard because it is in perpetual conflict with what actually takes place.

Lastly, the recent event that precipitated this current conversation – that of a Kivalina hunter that had a wolverine confiscated for the reason of illegally chasing it down - if left standing unaddressed, will likely have a dampening effect on the number of people actively hunting wolves and wolverines. Which means in addition to the negative economic implications addressed above, more of these predators will be left in the country, resulting in increased predations on sheep, moose, caribou and muskox, all of which have had recent slow growth, or a decrease in standing stocks (even with predator hunting by snowmachine being commonplace and uninhibited by the threat of prosecution). If this occurs the result will put additional strains on these populations, likely leading to an increase in the rate of declines. Which will also add to the economic hardship faced by local residents. There are real economic implications associated with this activity that should not be ignored.

For all these reasons there is a desire to legalize the longstanding practice of pursuing wolves and wolverines with snowmachines, so local people can do so without the threat of confiscation of caught animals and other penalties. This would promote cooperation on mutually agreeable conservation and

management strategies that can then become locally accepted without the threat of enforcement as the basis for their implementation – which is a very poor approach to achieve these objectives.

It is the hope that the Board will address this issue at the earliest possible time in a mutually satisfactory way, so the negative impacts mentioned above do not come to be. Thank you for your consideration of this topic and my thoughts on it.

A handwritten signature in black ink, appearing to read 'Alex Whiting', with a large, sweeping flourish at the end.

Alex Whiting
Vice Chair/Secretary Kotzebue Sound Advisory Committee