

FEDERAL SUBSISTENCE BOARD 805(c) REPORT

April 2-5, 2024

Anchorage, AK

Section 805(c) of the Alaska National Interest Lands Conservation Act provides that the “Secretary ... shall consider the report and recommendations of the regional advisory councils concerning the taking of fish and wildlife on the public lands within their respective region or subsistence uses.” The Secretary has delegated authority to issue regulations for the take of fish and wildlife to the Federal Subsistence Board (Board). Pursuant to this language in Section 805(c), the Board defers to the Subsistence Regional Advisory Council’s (Councils) recommendations. However, Section 805(c) also provides that the Board “may choose not to follow any recommendations which [it] determines is not supported by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs.” The purpose of this report is to detail how the Board’s action differed from the Council’s recommendations based on these criteria.

SOUTHCENTRAL ALASKA AREA WILDLIFE PROPOSALS

Regional Proposals

Wildlife Proposal WP24-09 – Units 13A, 13B Caribou

DESCRIPTION: Wildlife Proposal WP24-09 requested delegating authority to the Bureau of Land Management (BLM) Glenallen Field Office manager to close, reopen and adjust season dates, set harvest limits including any needed sex restrictions, and set any needed permit conditions for caribou in Units 13A and 13B via Delegation of Authority Letter only and that the Ahtna Intertribal Resource Commission (AITRC) be consulted whenever any in-season management actions may occur. The BLM also requested that the harvest limit for caribou in subunits 13A and 13B be changed from “2 caribou” to “up to 2 caribou.”

COUNCIL RECOMMENDATIONS:

Southcentral Alaska Subsistence Regional Advisory Council– **Support with modification** to sunset the delegated authority after four years

BOARD ACTION: **Adopt**

JUSTIFICATION: Expanding the delegated authority of the BLM Glennallen Field Office Manager will allow for more timely responses to changing herd and hunt conditions. This is extremely important with the current situation the Nelchina Caribou Herd is in.

The Board feels that allowing a delegated authority to lapse during a period of conservation concern would violate recognized principles of wildlife conservation. Delegated authority is an administrative action, meaning the Board can decide to reinstate the Delegation of Authority Letter even if there were a sunset clause attached to it. This decision could be made without input by Councils or the public. However, management actions can only occur after consultation

with Council chairs, Alaska Department of Fish & Game (ADF&G) representatives, and AITRC, which will ensure all affected parties are involved in the decision-making process.

Statewide Proposals

Wildlife Proposal WP24-01 – Sale of Brown Bear Hides

DESCRIPTION: Wildlife Proposal WP24-01 requested allowing the sale of brown bear hides statewide.

COUNCIL RECOMMENDATIONS:

Southeast Alaska Subsistence Regional Advisory Council—**Take No Action**

Southcentral Alaska, Kodiak/Aleutians, Bristol Bay, and Northwest Arctic Subsistence Regional Advisory Councils—**Support**

Yukon-Kuskokwim Delta Subsistence Regional Advisory Council—**Oppose**

Western Interior Alaska, Seward Peninsula, and North Slope Subsistence Regional Advisory Councils—**Support as modified by OSM** to allow the sale of brown bear hides with claws attached in areas where the federal harvest limit is two bears every regulatory year and after first obtaining a permit available at the time of sealing from an ADF&G sealing officer.

Eastern Interior Alaska Subsistence Regional Advisory Council—**Support with modification** to include black bear hides in the regulation.

BOARD ACTION: **Defer** until the Board’s summer work session in August 2024

JUSTIFICATION: The Board supported the intent of the proposal as written. It deferred its action on Wildlife Proposal WP24-01 because adopting the proposed regulation might conflict with the Convention on International Trade in Endangered Species (CITES), an international treaty.

ADF&G is the authority under CITES regulating the international export of brown bear hides harvested in Alaska. ADF&G prepares every hide for purchase that it seals by requiring that you obtain a “Permit to Sell a Brown/Grizzly Bear Hide and/or Skull” from ADF&G at the time of sealing. ADF&G restricts the sale of hides to brown bears harvested in areas with a two-brown bear harvest limit only. Deferred Proposal WP24-01 is a request to allow sale of hides to brown bears legally harvested in areas with less than a two-brown bear harvest limit.

The Board’s justification for deferring the proposal was twofold: (1) to allow time to explore options for a federally qualified subsistence user to obtain from a federal agency a permit allowing the sale of a hide and (2) to potentially establish a workgroup to negotiate with ADF&G concerning the use of its “Permit to Sell a Brown/Grizzly Bear Hide and/or Skull.”

The Board said that federal regulations require that the edible meat be salvaged for human consumption, so the brown bear must be hunted for food. Allowing for the sale of a hide harvested in an area with a one-brown bear harvest limit is not expected to cause an increased harvest or conservation concern but will allow for subsistence hunters to benefit from the sale of the hide under customary trade provisions.

Additionally, the proponent of this proposal lives in a resident zone community of Wrangell-St. Elias National Park, and sale of brown bear hides taken on National Park or National Monument lands is currently not allowed. Adopting the proposal will allow the sale of hides harvested on National Park or National Monument lands.