



## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, Alaska 99503 - 6199



FISH and WILDLIFE SERVICE  
BUREAU of LAND MANAGEMENT  
NATIONAL PARK SERVICE  
BUREAU of INDIAN AFFAIRS

FOREST SERVICE

JULY 10 2024

In Reply Refer To  
OSM.A24080

Louis H. Green, Chair  
Seward Peninsula Subsistence Regional Advisory Council  
PO Box 3432  
Palmer, Alaska 99645

Dear Chair Green:

The Federal Subsistence Board (Board) met on April 2-5, 2024, in Anchorage, Alaska, to consider proposed changes to Federal subsistence management regulations for the harvest of wildlife on Federal Public Lands in Alaska and wildlife closure reviews. This letter is to provide a report on the actions taken by the Board on proposals and closure reviews affecting Federally qualified subsistence users.

Section 805(c) of the Alaska National Interest Lands Conservation Act (ANILCA) provides that the Board will accept the recommendations of a Subsistence Regional Advisory Council(s) (Council(s)) regarding take unless, (1) the recommendation is not supported by substantial evidence, (2) the recommendation violates recognized principles of fish and wildlife management, or (3) adopting the recommendation would be detrimental to the satisfaction of subsistence needs. When a Council(s)' recommendation is not adopted, the Board is required by Secretarial regulations to set forth the factual basis and reasons for the decision.

The Board acted on 36 proposals and 18 closure reviews during the 2024-26 wildlife regulatory cycle. The Board agreed with the recommendations of the Councils, in whole or with modifications, on 34 of 36 proposals. The Board deferred one proposal: WP24-01 until the August 2024 Board work session. The Board accepted the recommendations of the Councils on all the wildlife closure reviews, voting to maintain status quo on 15 of them. The Board also acted on fisheries request for reconsideration, RFR22-01, opposing the request.

Details of these actions and the Boards' deliberations are contained in the meeting transcriptions. Copies of the transcripts may be obtained by calling toll free number 1-800-478-1456 and are available online at the Federal Subsistence Management Program website, <https://www.doi.gov/subsistence>.

The Board uses a consensus agenda on those proposals where there is agreement among the affected Council(s), a majority of the Interagency Staff Committee, and the Alaska Department of Fish and Game concerning a proposed regulatory action. These proposals were deemed non-controversial and did not require a separate discussion. The consensus agenda contained one proposal affecting the Seward Peninsula Region, which the Board deferred to your Council's recommendation as follows: the Board *adopted* **WP24-27**, which requested changing all Federal muskox hunts in Units 22 and 23 to a drawing permit, and standardizing language in the delegation of authority letters. The consensus agenda also contained six closure reviews affecting the Council. The Board voted to *retain status quo* on **WCR24-10**, **WCR24-28**, **WCR24-29**, **WCR24-30**, and **WCR24-44**, all of which reviewed closures to muskox hunting on the Seward Peninsula. The Board also voted to *retain status quo* on **WCR24-15**, which reviewed the closure to moose hunting by non-federally qualified users in Unit 22D remainder.

The remaining proposals affecting the Seward Peninsula Region appeared on the non-consensus agenda. However, for the four of these proposals the Board took action consistent with the Council's recommendation. The Board *adopted with modification* **WP24-28/29**, which requested decreasing the caribou harvest limit across the range of the Western Arctic Caribou Herd, and **WP24-30/31**, which requested closing Unit 23 to caribou hunting by non-federally qualified users from August 1 to October 31.

Board action differed from the Council's recommendation on one statewide proposal on the non-consensus agenda: **WP24-01**. The Board's action on this proposal is explained in detail in the enclosed report.

The Board appreciates your Council's active involvement in and diligence with the regulatory process. The ten Councils continue to be the foundation of the Federal Subsistence Management Program, and the stewardship shown by the Council chairs and their representatives at the Board meeting was noteworthy.

If you have any questions regarding the summary of the Board's actions, please contact Gisela Chapa, Council Coordinator, at 907-310-6129 or [ana\\_chapa@fws.gov](mailto:ana_chapa@fws.gov).

Sincerely,



Anthony Christianson, Chair  
Federal Subsistence Board

Enclosure: Federal Subsistence Board 2024 805c Report to Seward Peninsula Council

cc: Federal Subsistence Board  
Seward Peninsula Subsistence Regional Advisory Council members  
Office of Subsistence Management  
Interagency Staff Committee  
Administrative Record

## 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 regions for 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 Council’s 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.

### SEWARD PENINSULA AREA WILDLIFE PROPOSALS

#### 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 Alaska Department of Fish and Game (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 brown bears hides 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.