

WCR26–13/14/15 Executive Summary

General Description	<p>Wildlife closure review WCR26-13/14/15 is a standard review of Federal subsistence wildlife closures to moose hunting in Unit 22D.</p> <p>WCR26-13 reviews the closure in Unit 22D Kuzitrin to moose hunting, except by residents of Units 22C and 22D.</p> <p>WCR26-14 reviews the closure in Unit 22D SW to moose hunting, except by residents of Units 22C and 22D.</p> <p>WCR26-15 reviews the closure in Unit 22D remainder to moose hunting, except by federally qualified subsistence users.</p>
Current Regulation	<p style="text-align: center;">Unit 22D—Moose</p> <p><i>Unit 22D, that portion within the Kougarak, Kuzitrin, and Pilgrim River drainages—1 bull by State registration permit. Quotas and any needed closures will be announced by the Anchorage Field Office Manager of the BLM, in consultation with NPS and ADF&G.</i> Sep. 1-14</p> <p><i>Federal public lands are closed to the taking of moose except by residents of Units 22C and 22D hunting under these regulations</i></p> <p><i>Unit 22D, that portion west of the Tisuk River drainage and Canyon Creek— 1 bull by State registration permit. Quotas and any needed closures will be announced by the Anchorage Field Office Manager of the BLM, in consultation with NPS and ADF&G.</i> Sep. 1-14</p> <p style="text-align: center;">OR</p> <p><i>1 bull by Federal registration permit (FM2204). Quotas and any needed closures will be announced by the Anchorage Field Office Manager of the BLM, in consultation with NPS and ADF&G.</i> Dec. 1-31</p> <p><i>Federal public lands are closed to the taking of moose except by residents of Units 22C and 22D hunting under these regulations.</i></p> <p><i>Unit 22D, remainder - 1 bull by State registration permit.</i> Aug. 10-Sep. 14.</p> <p style="text-align: center;">OR</p> <p><i>1 antlered bull by State registration permit.</i> Season may be announced,</p> <p><i>Federal public lands are closed to the harvest of moose except by Federally qualified subsistence users</i> Dec. 1-Jan. 31.</p>

WCR26–13/14/15 Executive Summary

OSM Preliminary Conclusion	Retain the status quo
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None.

Draft Wildlife Closure Review WCR26-13/14/15

ISSUE: Wildlife closure review WCR26-13/14/15 is a standard review of Federal subsistence wildlife closures to moose hunting in Unit 22D. WCR26-13 reviews the closure in Unit 22D Kuzitrin to moose hunting, except by residents of Units 22C and 22D. WCR26-14 reviews the closure in Unit 22D SW to moose hunting, except by residents of Units 22C and 22D. WCR26-15 reviews the closure in Unit 22D remainder to moose hunting, except by federally qualified subsistence users (Please see **Map 1** in WP26-60). It is the Federal Subsistence Board's (Board) policy that Federal public lands should be reopened when closures are no longer necessary, and that closures will be reviewed at least once every four years. The purpose of this review is to determine if these closures are still warranted.

Closure Location and Species: Unit 22D– Moose

WCR26-13: Unit 22D, within the Kougarok, Kuzitrin, and Pilgrim River drainages (22D Kuzitrin)

WCR26-14: Unit 22D, west of the Tisuk River drainage and Canyon Creek (22D SW)

WCR26-15: Unit 22D, remainder (22D remainder)

Closure Dates: Year-round for all closures.

Current Federal Regulations

Please see Regulations section of WP26-60.

Current State Regulations

Please see Regulations section of WP26-60.

Regulatory Year Initiated:

WCR26-13/14: 2002

WCR26-15: 2002; 2007–2019, closure rescinded; 2020, closure reestablished.

Closure last reviewed:

WCR26-13: 2022 – WCR22-13

WCR26-14: 2022 – WCR22-14

WCR26-15: 2024 – WCR24-15

Justification for Original Closure

Section 815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law...

Section 816(b) of ANILCA states:

Except as specifically provided otherwise by this section, nothing in this title is intended to enlarge or diminish the authority of the Secretary to designate areas where, and established periods when, no taking of fish and wildlife shall be permitted on the public lands for reasons of public safety, administration, or to assure the continued viability of a particular fish or wildlife population.

Federal public lands were closed by the Federal Subsistence Board (Board) through the adoption of WP02-34. This was due to conservation concerns for the declining moose population and to provide federally qualified subsistence users an opportunity to harvest the limited number of moose on Federal public lands in Units 22B, west of the Darby Mountains; 22D Kuzitrin; 22D SW; and 22E. The Board adopted Proposal WP02-34 with the Office of Subsistence Management (OSM) modification, which shortened the moose seasons in 22B West, 22D Kuzitrin, 22D SW, and 22E and changed the harvest limit to bulls only in Units 22B West, 22D SW, and 22E. The Board adopted these changes to protect the cows in the area, as calf survivability was believed to be depressing the population. This proposal also restricted the harvest in all units to federally qualified subsistence users. The Board felt closing Federal public lands to all but federally qualified subsistence users would improve subsistence harvest opportunities in an area where the State had recommended restricting moose harvest.

Proposal WP02-35, a §804 analysis adopted by the Board, restricted harvest even further to residents living within some of these units. This proposal restricted participation in the Unit 22B West winter hunt to residents of Unit 22B West. The fall Unit 22D Kuzitrin hunt was restricted to residents of Unit 22D. Both the fall and winter hunts in Unit 22D SW were restricted to residents of Unit 22D. The Board felt restricting moose harvest on Federal public lands to a subset of federally qualified subsistence users would improve subsistence opportunities for those who depend upon moose the most.

By 2007 the moose population had recovered enough for the closure to be rescinded in Unit 22D remainder via adoption of Proposal WP07-38. However, in 2020 the moose population had once again declined and estimated annual harvest exceeded sustainable levels. The Board adopted Proposal WP20-40 to close the Federal public lands in Unit 22D remainder again to the harvest of moose except by federally qualified subsistence users to provide additional protection to ensure the long-term viability of this moose population.

Council Recommendation for Original Closure

WCR26-13/14/15: The Seward Peninsula Regional Advisory Council (Council) unanimously supported Proposal WP02-34, as modified by OSM. The Council believed this proposal would provide sufficient opportunity for federally qualified subsistence users while taking the most conservative approach to conserving the moose population. The Council also supported Proposal WP02-35 as modified by OSM. They felt restricting harvest to the most dependent users of the resource was a conservative measure that would still provide a subsistence priority.

WCR26-15: The Council voted unanimously to support WP20-40 in 2020, re-establishing the Federal lands closure to non-federally qualified users in Unit 22D remainder. The Council had submitted this proposal to protect the moose population in Unit 22D remainder by eliminating non-local harvest while still allowing harvest by federally qualified subsistence users in the region. The Council noted that all other subunits in Unit 22D were closed to non-federally qualified users at the time.

State Recommendation for Original Closure

WCR26-13/14/15: The State supported a modification of WP02-34 to revise the moose season to Aug. 20 – Sep. 14, set the harvest limit to 1 antlered bull by State registration permit and restrict the harvest to only federally qualified subsistence users. It also supported the conclusions of the Section 804 analysis to give a priority to rural residents of Unit 22D and 22C to hunt moose in the Kougarok, Kuzitrin, and Pilgrim River drainages and in Unit 22D SW.

WCR26-15: The State opposed Proposal WP20-40 as they believed action adopted by the Board of Game (BOG) (Proposals 33 and 35) would be sufficient to protect the moose population in Unit 22D remainder. They felt less drastic steps (like changing the harvest limit from one moose to one bull) would be appropriate to protect the moose population and did not think a total closure was necessary. Harvest records indicated that federally qualified subsistence users harvested most moose from this hunt area and the State didn't believe the closure was necessary to provide for subsistence uses.

Extent of Federal Public Lands

Unit 22D is comprised of approximately 23% Federal public lands and consists of 12% Bureau of Land Management (BLM) lands and 11% National Park Service (NPS) managed lands.

Unit 22D Kuzitrin is comprised of approximately 47% Federal public lands and consists of 28% NPS and 19% BLM managed lands. Unit 22D SW is comprised of approximately 11% Federal public lands, all of which are BLM managed lands. Unit 22D remainder is comprised of approximately 8% Federal public lands, all of which are BLM managed lands.

Customary and Traditional Use Determination

Residents of Unit 22 have a customary and traditional use determination for moose in Unit 22.

Regulatory History

Please see Regulatory History section in WP26-60.

Biological Background

Please see Biological Background section in WP26-60.

Cultural Knowledge and Traditional Practices

Please see Cultural Knowledge and Traditional Practices section in WP26-60.

Harvest History

Please see Harvest History section of WP26-60.

Effects and Discussion

If these closures are rescinded, all users would be able to harvest moose on Federal public lands within Unit 22D in all seasons. However, nonresident seasons are currently closed under State regulations. All resident moose seasons in Unit 22D under State regulations are managed by registration permit and a quota system, so there would be no increase in harvest. However, conservation concerns exist for the Unit 22D moose population, and State and Federal seasons have closed early because quotas were being approached. In 2024, the Unit 22D Kuzitrin/22D SW hunt was only open three days before the quota was reached. Lifting the closure would also decrease opportunity for federally qualified subsistence users who would have to compete with non-federally qualified users for moose harvest on Federal public lands in Unit 22D. However, since permit distribution of the RM840 permit was limited to Unit 22 in 2020, very few nonlocal residents hunt moose in Unit 22D.

If the closures in Units 22D Kuzitrin and 22D SW are opened to all federally qualified subsistence users (i.e. the §804 restriction is removed), the effects would be similar to rescinding the closure.

If these closures are retained, Federal public lands in Unit 22D remainder would remain closed to moose hunting by non-federally qualified users and Federal public lands in Units 22D Kuzitrin and 22D SW, would remain closed to moose hunting by anyone who does not live in Unit 22C or 22D. There would be little added protection for the Unit 22D moose population as most harvest already occurs by federally qualified subsistence users. Methods adopted by the State for permit distribution and the quota system currently in place protects the moose population from overharvest. However, the closure provides for continuation of subsistence uses and a subsistence priority for federally qualified subsistence users to harvest a moose without competition from non-federally qualified users.

OSM PRELIMINARY CONCLUSION

- ☒ **Retain the Status Quo**
- ☐ **Rescind the Closure**
- ☐ **Modify the Closure to**
- ☐ **Defer Decision on the Closure or Take No Action**

Justification

Conservation concerns exist for the Unit 22D moose population, which is below management objectives for both population and bull:cow ratios. Demand for moose in the area far exceeds supply as hunts typically close early as quotas are quickly met. Maintaining these closures is recommended to continue subsistence uses and to conserve a healthy moose population in Unit 22D. Retaining the closure will ensure only federally qualified subsistence users are able to harvest moose on Federal public lands in Unit 22D, reducing competition with nonlocal residents and maintaining a Federal subsistence priority for this limited resource.